

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, June 27, 2017
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. **Call to Order**
2. **Reaffirmation of Oath of Office**

The Oath of Office will be read by Councillor Given.
3. **Confirmation of Minutes** 1 - 18

Public Hearing - June 12, 2017
Regular Meeting - June 12, 2017
4. **Bylaws Considered at Public Hearing**
 - 4.1 **861 Rose Ave, Z17-0012 (BL11411) - Pillar West Developments Inc.** 19 - 19

To give Bylaw No. 11411 second and third readings in order to rezone to the RM1 – Four Dwelling Housing zone to facilitate the development of four dwelling units.
 - 4.2 **775 Rose Ave, Z17-0013 (BL11412) - Wes and Tammy Jones** 20 - 20

To give Bylaw No. 11412 second and third readings in order to rezone the subject property to RM1 – Four Dwelling Housing to facilitate the development of four dwelling units.
 - 4.3 **300 & 310 Dougall Rd N, Z17-0014 (BL11413) - Nadeem Hussain** 21 - 21

To give Bylaw No. 11413 second and third readings in order to rezone the subject property from RU1 - Large Lot Housing zone to the C4 - Urban Centre Commercial zone.
 - 4.4 **815 Rose Ave, Z16-0022 (BL11416) - Paul Neufeld and Douglas Kirk** 22 - 22

To give Bylaw No. 11416 second and third readings in order to rezone the subject property to RM1 - Four Dwelling housing to facilitate the development of four dwelling units.

4.5	614 Barnaby Rd, Z16-0070 (BL11417) - Brent Hancock and Whitney Smith	23 - 23
	To give Bylaw No. 11417 second and third readings in order to rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1c - Rural Residential 1 with Carriage House zone.	
4.6	1700 & 1638 Tower Ranch Blvd, OCP16-0005 (BL11418) - Emil Anderson Construction Inc. 0935343 BC Ltd	24 - 25
	Requires a majority of all members of Council (5).	
	To give Bylaw No. 11418 second and third readings in order to change the Future Land Use designations of portions of the subject properties as per Map "A".	
4.7	1700 & 1638 Tower Ranch Blvd, Z16-0078 (BL11419) - Emil Anderson Construction Inc. 0935343 BC Ltd	26 - 28
	To give Bylaw No. 11419 second and third readings in order to rezone portions of the subject properties as per Map "B".	
4.8	1420 Inkar Rd, Z17-0008 (BL11420) - Bruno and Christine Cloutier	29 - 29
	To give Bylaw No. 11420 second and third readings in order to rezone the subject property from RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.	
4.9	1360 Belaire Ave, Z17-0023 (BL11421) - Gurpreet Pannu	30 - 30
	To give Bylaw No. 11421 second and third readings in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone.	
4.10	2446 Harvard Rd, Z17-0011 (BL11422) - Wayne and Denise Henney	31 - 31
	To give Bylaw No. 11422 second and third readings in order to rezone the subject property from A1 - Agriculture 1 zone to the A1c - Agriculture 1 with Carriage House zone.	
4.11	1187 Sunset Dr, Z16-0077 (BL11423) - Sunset Drive Properties Ltd	32 - 32
	To give Bylaw No. 11423 second and third readings in order to rezone the subject property from C4 - Urban Central Commercial zone to the C7 - Central Business Commercial zone.	
4.12	4975 Buckhaven Ct, OCP16-0017 (BL11424) - Vincent and Pamela Blaskovich	33 - 34
	Requires a majority of all members of Council. (5)	
	To give Bylaw No. 11424 second and third readings in order to change the Future Land Use designation of portions of the subject property as per Map "A".	

4.13 4975 Buckhaven Ct, Z16-0058 (BL11425) - Vincent and Pamela Blaskovich 35 - 36

To give Bylaw No. 11425 second and third readings in order to change the Zoning classification of portions of the subject property as per Map "B".

4.14 437 Bay Ave, TA17-0007 (BL11428) - Carbon Capture Mini Storage 37 - 37

To give Bylaw No. 11428 second and third readings in order to amend the Zoning Bylaw No. 8000 to allow commercial storage as a permitted use in the I4 - Central Industrial zone.

5. Notification of Meeting

The City Clerk will provide information as to how the following items on the Agenda were publicized.

6. Liquor License Application Reports

6.1 731 Baillie Ave, LL17-0004 - Edward Fuhrmann 38 - 52

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.

To seek Council's support to allow a manufacturer lounge and special event area endorsement to allow patrons to purchase and consume liquor products.

6.2 551 Recreation Ave, LL17-0011 - City of Kelowna 53 - 65

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.

To seek Council's support to transition from a 'Liquor Primary Club License' to a 'Liquor Primary License'.

6.3 1080-1090 Richter St, LL17-0010 - Bromax Property Group Ltd. 66 - 77

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.

To seek Council's support to allow a manufacturer lounge and special event area endorsement to allow patrons to purchase and consume liquor products.

7. Development Permit and Development Variance Permit Reports

7.1 1232 Ellis St, DVP17-0012 - RG Lot 3., Ltd 78 - 105

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To review the Form & Character Development Permit of a mixed-use project with ground floor commercial and a residential tower. To also consider two variances for the project: to increase the maximum height to 14 storeys and to reduce the amount of ground floor commercial.

7.2 1994 Ethel St, DVP17-0026 - Sandra Morris 106 - 115

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To vary the minimum rear yard setback from 7.5m to 1.5m proposed for an attached garage on the subject property.

8. Reminders

9. Termination



City of Kelowna Public Hearing Minutes

Date: Tuesday, June 13, 2017
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben*, Mohini Singh and Luke Stack

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist; Urban Planning Manager, Terry Barton; Planner, Laura Bentley; Legislative Coordinator, (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:01 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

Councillor Sieben joined the meeting at 6:02 p.m.

2. Notification of Meeting

The City Clerk advised that Notice of this *Public Hearing* was advertised by being posted on the Notice Board at City Hall on Tuesday, May 30, 2017 and by being placed in the Kelowna Daily Courier issues on Friday, June 2, 2017 and Wednesday, June 7, 2017 and by sending out or otherwise mailing 399 statutory notices to the owners and occupiers of surrounding properties on Tuesday, May 30, 2017.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

3. Individual Bylaw Submissions

3.1 434 Sarsons Rd, Z17-0020 (BL11410) - James Northrop

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence had been received:

Letters of Opposition or Concern:

Tony and Jeanne Gaspari, Metcalfe Ave.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Mark Aquilon, Ethel Street, Applicant

- Advised that the property identified in the staff presentation is incorrect and that it is the property next door.
- The owner of the property is a long time resident of 55 years and his intention is to revitalize the neighbourhood and will also be living in one of these homes.
- Believes this proposal will increase property values for the neighbours.
- Commented that most neighbours are supportive of this proposal.
- Responded to questions from Council.

No one from the gallery came forward.

There were no further comments.

3.2 185 Clifton Rd N, (E of) Upper Canyon Dr N and (W of) Union Rd - OCP17-0011 (BL11414) & Z17-0028 (BL11415) - Glenwest Properties Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that no correspondence had been received.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Russ Foster, Wilden Project Manager

- This proposal is in keeping with the Official Community Plan and Area Structure Plan for Wilden since 2004.
- Some unforeseen geotechnical and details designs lead to some adjustments to the original plan.
- This plan provides a more efficient development with a greater area of P3 land being protected.
- Responded to questions from Council.

Gallery:

Colleen Basaraba, Upper Canyon Drive

- Raised concerns with parking due to Upper Canyon Drive being so narrow, increased traffic and traffic patterns.
- Raised doubts that the wild life corridor will be accessible due to the cliff.

Ron Cannon, Red Rock Court

- New resident to Wilden.
- Applauded the developer for increasing the parkland.
- Commented that the Upper Canyon Drive residents do have concerns with traffic and suggested there may need to be calming measures.
- The wildlife corridor may provide a realignment for the wildlife and commented that their current route has them entering some properties.

There were no further comments.

4. **Termination**

The Hearing was declared terminated at 6:30 p.m.

Mayor

/acm



City Clerk

DRAFT



City of Kelowna Regular Meeting Minutes

Date: Tuesday, June 13, 2017
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben*, Mohini Singh and Luke Stack

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist; Urban Planning Manager, Terry Barton; Legislative Coordinator, (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:31 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Donn.

3. Confirmation of Minutes

Moved By Councillor Dehart/Seconded By Councillor Donn

R471/17/06/13 THAT the Minutes of the Public Hearing and Regular Meeting of May 30, 2017 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 434 Sarsons Rd, (BL11410) Z17-0020 - James Northrop

Moved By Councillor Gray/Seconded By Councillor Given

R472/17/06/13 THAT Bylaw No. 11410 be read a second and third time.

Carried

- 4.2 185 Clifton Rd N, (E of) Upper Canyon Dr N and (W of) Union Rd, (BL11414) OCP17-0011 - Glenwest Properties Ltd

Moved By Councillor Gray/Seconded By Councillor Given

R473/17/06/13 THAT Bylaw No. 11414 be read a second and third time and be adopted.

Carried

- 4.3 185 Clifton Rd N, (E of) Upper Canyon Dr N and (W of) Union Rd, (BL11415) Z170028 - Glenwest Properties Ltd

Moved By Councillor Given/Seconded By Councillor Gray

R474/17/06/13 THAT Bylaw No. 11415 be read a second and third time and be adopted.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications was given by sending out or otherwise mailing 386 statutory notices to the owners and occupiers of surrounding properties on Tuesday, May 30, 2017.

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

6. Development Permit and Development Variance Permit Reports

- 6.1 140 Mugford Rd, DP16-0014 & DVP16-0144 - RA Quality Homes Ltd & 1052192 B.C. Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence had been received:

Letters of Opposition and Concern:

Rick Martin & Nancy Ryan, Rutland Rd. N.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

The Applicant's representative was present and available for questions.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Hodge

R475/17/06/13 THAT Council authorizes the issuance of Development Permit No. DP16-0014 for Lot 2 Section 26 Township 26 ODYD Plan EPP62746 located at 140 Mugford Road, Kelowna, BC and for Lot 1 Section 26 Township 26 ODYD Plan EPP62746 located at 415 Rutland Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land, be in accordance with Schedule "A";

2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125 % of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0144 for Lot 2 Section 26 Township 26 ODYD Plan EPP62746 located at 140 Mugford Road, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.8.6(e): RM2 – Low Density Row Housing Development Regulations

To vary the required minimum side yard from 4.0 m permitted to 0.83 m proposed.

AND THAT Council's consideration of this Development Permit and Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from Community Planning Department dated April 18, 2016;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Applications in order for the permits to be issued;

AND FURTHER THAT this Development Permit and Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

6.2 4377 Kensington Drive, BL11361 (Z16-0042) - Gary Lupul

Moved By Councillor DeHart/Seconded By Councillor Stack

R476/17/06/13 THAT Bylaw No. 11361 be adopted.

Carried

Councillor Sieben - Opposed

6.3 4377 Kensington Dr, DVP16-0168 - Gary Lupul

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence had been received:

Letters of Opposition:

Marion and Graham Bender, Sarsons Road
Quentin Dyck and Alison Cook, Kensington Dr.

Letters of Concern:

Bonnie and Steve Reily, Sarsons Road
Greg Kletke & Carmen Colborne, Sarsons Road.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Gary Lupul, Applicant

- Made reference to the concerns identified in the correspondence that the plans had changed to build a 2 storey home rather than a one storey rancher; confirmed that the house plans have not changed.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Gray

R477/17/06/13 THAT final adoption of Rezoning Bylaw No. 11361 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0268 for Lot 21 District Lot 167 ODYD Plan 27559, located at 4377 Kensington Drive, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.6.5(b): RU6 – Two Dwelling Housing Subdivision Guidelines

To vary the required minimum lot width from 18.0 m required to 17.03 m proposed

AND THAT Council's consideration of this Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated July 25, 2016;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Variance Permit Application in order for the permits to be issued.

Carried
Councillor Sieben - Opposed

6.4 238 Queensway Ave, OCP16-0026 and Z16-0074 - City of Kelowna

Councillor DeHart declared a conflict of interest due to her employment in the hotel industry, the fact that her employer collects the MRDT tax, and that a colleague is a member of the Tourism Kelowna Board and departed the meeting at 6:50 p.m.

Moved By Councillor Stack/Seconded By Councillor Donn

R478/17/06/13 THAT Council receives the report of the City Clerk dated June 13, 2017 for information;

AND THAT Bylaw No. 11335 be amended at third reading by deleting "from the P3 – Parks and Open Spaces designation to the P1 – Major Institutional designation" and replacing it with "from the Major Park / Open Space (PARK) designation to the Educational / Major Institutional (EDINST) designation";

AND THAT final adoption of Bylaw No. 11335 (OCP16-0026), as amended and Bylaw No. 11336 (Z16-0074) be considered by Council.

Carried
Councillor Hodge – Opposed

6.5 238 Queensway Ave, BL11335 (OCP16-0026) - City of Kelowna

Moved By Councillor Stack/Seconded By Councillor Singh

R479/17/06/13 THAT Bylaw No. 11335 be amended at third reading.

Carried
Councillor Hodge – Opposed

6.6 238 Queensway Ave, BL11336 (Z16-0074) - City of Kelowna

Moved By Councillor Stack/Seconded By Councillor Singh

R480/17/06/13 THAT Bylaw No. 11336 as amended at third reading be adopted.

Carried
Councillor Hodge – Opposed

6.7 238 Queensway Ave, DP16-0275 & DVP16-0276 City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence had been received:

Letters of Opposition:

James McMullan, Ellis St
Chrissy & Steve Marston, Horizon Dr
Peter Dill, Swaisland Court
Gord Marshall, Arab Road
Laurie Barry, Bartholomew Crt
Dianne Varga, Haynes St, Penticton

Letters of Comment/Concern:

Richard Drinnan, Greene Road
Yvonne Pinder, Carriage Court
Brenda Gloster, Coronado Cr

Letters in Favour or Support:

Lynne Anderson, Lanfranco Rd
Linda Laidlaw, Sunset Dr
Hans Birker, (Bohemian Café), Bernard Ave
UBC Okanagan Conference & Accommodation (Suzanne Nazareno), International Mews
Mission Villas (R. Michael Wynne), Gordon Dr
Stan Martindale, Harvey Ave
Daniel Tassoni, Lakeshore Rd
Tracey Fredrickson - Thayer Court
Cindy Cinkant-Hill, Apple Way Blvd, West Kelowna
Harvest Golf Club (Gilles Dufort), KLO Rd
Danielle Lister, Longley Cres
Okanagan Pride Society (Dustyn Baulkham), PO Box 20132, RPO Town Centre

In Favor Form Letter 1:

(29 form letters submitted individually)

Penny Gambell, Bond Rd, Lake Country
Donna Faigaux, Powell Rd, Peachland
Hotel Eldorado (Sean Coward), Cook Rd
Prestige Hotels (Brandi Ripel), Abbott Street
Casa Loma Lakeshore Resort (Heather Schaub) –Casa Loma Rd, West Kelowna
Jeff Schaub, Benedick Rd, West Kelowna
Dr. Kyleen K Myrah, High Rd
Manteo Resort (Heather Schroeter), Lakeshore Rd
Holiday Inn Express (Brent Lavery), Hwy 97 N
Emily Cobb, Woods Rd
Prestige Hotels (Amy Nunn), Abbott St
Dana Crichton, Long Ridge Dr
Wilbur Turner, Mission Springs Dr
Mark Filatow, Eldorado Rd
Best Western (Rosemary Paterson), Aster Rd
Danielle Ing, Loseth Rd
Nathan Flavel, Ellis St
Sarah Wallace, Celano Cres
Manteo Resort (Mercedes Wright), Lakeshore Rd
Jeff Olensky, Cobblestone Rd
Budget Car & Truck Rentals (Danny Coyne), Highway 97 N
Sean Blake, 805 Martin Ave
Ramada Hotel (Mike Isaac), Pandosy St
Accent Inns/Hotel Zed (Lindsay Rainbird), Harvey Ave
Sandhill Winery (Patricia Leslie), Richter St
Matt McSweeney, Boynton Place
Alexander Melnyk, Pandosy St
Deena Lewis, Schaad Rd, Lake Country
Lori Shoaf, Shannon Lake Rd, West Kelowna

In Favor Form Letter 2:

(20 form letters submitted individually)

Prestige Hotels (Joe Huber), Abbot St
Rotary Centre for the Arts (Patrick LeBlanc), Cawston Ave
Fairfield Inn & Suites (Liz Klingbell), Powick Road
Kristen Harder, Sunset Dr
Dr. Janet Heaveyside, Postill Lake Rd
Kanina Wright, Vineyard View Dr, West Kelowna
WildPlay Element Parks (Amber Hall), Hwy 33
Derek Ripel, Olympus Way, West Kelowna
Nicole Dykeman, Mills Rd
Roger Sellick, Mount Royal Dr
Shelley Torres, Steele Rd
Peter Brady, Bernard Ave
Debbie Dupasquier, Cobblestone Rd, West Kelowna
Amber O'Sullivan, Old Okanagan Hwy, West Kelowna
Sarah Holowaty, Spencer Rd
Michelle Tinkley, Yates Rd
Julian Helman, Buckland Ave
Meghan Stephen, Martin Ave
Min Li, 112-515 Gerstmar Rd
David McFadden, Takla Rd

In Favor Form Letter 3:

(28 form letters submitted individually)

Lynne Patacairk, Boucherie Rd, West Kelowna
Prestige Hotels (Terry Schneider), Abbot St
Royal Anne Hotel (Christa Park), Bernard Ave
Warren Carr, Manhattan Drive
Travis Schneider, Wren Pl
Helmsbriscoe(Leanne Calderwood), Hyak Rd
Monica Leggett, Glenmeadows Rd
Kelly Watt, Sutherland Ave
Big White Ski Resort (Katie Balkwill), Alta Vista Rd
Lake City Casino (Clarissa Pruden), Water St
Amanda Johnston, Findlay Rd
Prestige Hotel (Tanya Stroinig), Abbott St
Amy Martens, Kelglen Cres
Warren & Mavis Horsnell, Casorso Rd
Kathryn Parkhill, Goldfinch Place
Heather Bodnarchuk, Abbott St
Heather Hoskins, Stillwater Crt, Lake Country
Denise Herrington, Lakepointe Dr
Chris Bingham, Drummond Crt
IJ Management Consulting (Ingrid Jarrett), Eastwood Dr
Okanagan Spirits Distillery (Tyler Dyck), Bernard Ave
Chris Pinkerton, Terrace Drive
Michelle Appleton, Old Vernon Rd (**submitted a Package of 6 form letters*)

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Nancy Cameron, Tourism Kelowna, Applicant and Jim Meiklejohn, Meiklejohn Architects

- Displayed a PowerPoint Presentation demonstrating the form and character of the proposed building.
- The design objective is to construct a vibrant landmark centre that:
 - o Attracts large numbers of visitors and residents;
 - o Activates the area creating a safe and energetic people place;
 - o Provides sufficient space to implement the programs required.
- The design process consisted of researching of similar facilities worldwide, consulting with city staff and addressing community concerns to:
 - o Reduce the footprint;
 - o Remove second floor and office space;
 - o Maximize glass utilization to minimize obstruction of views.
- The design was inspired by the Downtown Marina, Stuart Park, Kelowna Yacht Club as well as international examples.
- This building will be a prominent landmark that compliments its surroundings.
- The interior size is 2,750 sq. ft,
 - o 1,750 sq. ft of customer service and year-round special event space;
 - o 1,000 sq. ft of public washrooms (5), utilities, storage and staff meeting place;
 - o 400 sq ft Mezzanine for mechanical equipment and storage.
- The need for a variance is to reduce the eastern setback from 6 meters to 3.8 meters.
- No part of the building, including the roof overhangs, will be in the Sawmill Community Trust.
- Allows for 15-meter setback on west side for large public area, environmental protection and waterfront walkway.
- The adjoining lot is owned by the City; no one else will be affected by the variance.
- A large section of road right-of-way that will function as parkland will remain between the building and future Queensway cul de sac.
- Responded to questions from Council.

Gallery:

Stuart Lang, Smile Cycle Tours

- Supportive of the application.
- Believes the location is in a high traffic area which makes sense.
- Believes the building will be a strong attraction for residents and tourists.

Lake Country Resident

- Supportive of the application.
- Believes tourism is an important industry and this will benefit tourism and downtown.
- Likes the design of the building.

Chris Johnson, Resident

- Supportive of the application.
- Believes the design of the building is attractive and appropriate.
- Believes this tourism centre will add to the energy of our downtown.

Ian Robertson, Lost Creek Court

- Supportive of the application.
- Believes the design of the building has struck a nice balance and will serve the community well.

Gail Wright, Bray Street

- Opposed to the application.
- Believes the building will be a white elephant on park land.
- This is not a good legacy for this Council.
- Believes the 30 to 40 year olds make up the largest group of tourists and they go on line to search activities.

Gord Hotchkiss, Walker Drive

- Supportive of the application
- Believes interactivity in tourism is needed.

Richard Hewitt, Drummond Court

- Supportive of the application.
- Believes the building looks wonderful and will be a good addition to the city.
- Believes the tower does not fit into the excellent design and suggested a re-design.

Richard Drinnan, Greene Road

- Opposed to the application.
- Raised concerns with the environmental condition of the site.
- Made reference to the federal and provincial guidelines for waterfront development.
- This application does not allow for riparian setback of 15 m identified in the Official Community Plan; riparian area is needed to provide food for fish and ducks.
- Believes this setback is taking away public land and asked Council to respect OCP Policies.
- Stated that the Department of Fisheries and Oceans is not aware of an application and has not approved this.

Alan Wright, Barnaby Road

- Raised concerns with environmental impacts over the next 30 years and greenhouse gas implications as the building is made of glass and does not have solar panels.

Don Henderson, Cameron Avenue

- Opposed to the application.
- Raised concern with the site elevation.
- Raised concern with the building being in close proximity to the waterfront and potential for site flooding.
- Encouraged Council to take the concerns of those opposed more seriously.
- Believes this proposal would better suit tourists if placed on Bernard Avenue.
- Believes this proposal is changing the look of the waterfront.

Pat Munro, Cadder Avenue

- The design of the building is beautiful but raised concerns with the location as the waterfront belongs to the public.
- Believes the area should be more greenspace.
- Responded to questions from Council.

Nancy Cameron, Tourism Kelowna, Applicant and Jim Meiklejohn, Meiklejohn Architects

- We have worked this plan many ways for the tower but could redesign it.
- Confirmed that a hazardous assessment has been conducted on the site as that is common practice for urban waterfront re-development.
- A lot of research has been done with the city on the flood plain elevation and it's about a foot and half higher than the surface of the parking lot.
- Aware of greenhouse gas implications and tried to balance the design as well as possible.
- Provincial and Federal approvals were sought by the city and was taken care prior to our application.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Donn

R481/17/06/13 THAT final adoption of OCP Amendment Bylaw No. 11335 (OCP16-0026) & Rezoning Bylaw No. 11336 (Z16-0074) be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No **Error! Reference source not found.** for Block F, District Lot 1527, ODYD located at **Error! Reference source not found.**, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";

AND THAT Council authorize the issuance of Development Variance Permit **Error! Reference source not found.** for Block F, District Lot 1527, ODYD, located at **Error! Reference source not found.**, Kelowna, BC;

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A, B, & C":

S.16.1.5 (d) Error! Reference source not found. Development Regulations

To vary the front yard setback from 6.0m to 3.8m.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit applications in order for the permits to be issued;

AND FURTHER THAT this Development Permit and Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

Councillor Hodge – Opposed

Councillor DeHart rejoined the meeting at 8:31 p.m.

The meeting recessed at 8:31 p.m.

The meeting reconvened at 8:40 p.m.

6.8 Upper Canyon Drive (E of), DP16-0301 & DVP16-0302- Glenwest Properties Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence had been received:

Letters of Opposition and/or Concern:

Steve and Blake McAllister, 294 Upper Canyon Drive
Brandy Clevette, 246 Lost Creek Lane

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Cameron Dodd, Development Manager of Wilden

- Displayed artist renderings of old and revised layouts on the computer.
- Held several meetings with neighbours who had raised concerns at the previous Public Hearing.
- Majority of concerns were proximity of buildings, retaining wall height and existing slopes along Lost Creek Lane; the revised layout incorporates amendments from those consultations.
- Spoke to the rationale of design changes to the landscaping plan.
- Spoke to the changes in housing types and reconfiguration of buildings to assist with reducing retaining wall height and length.
- Responded to questions from Council.

Gallery:

Jack Saunders, Lost Creek Place

- Purchasing a property on the boundary of this development and interested in mitigation measures for privacy and/or setbacks from the building.

Russ Foster, Project Manager of Wilden

- Displayed a landscape plan and advised the neighbouring parcel will be landscaped and screened as privacy measures.

There were no further comments.

Moved By Councillor Gray/Seconded By Councillor Donn

R482/17/06/13 THAT Council authorize the issuance of Development Permit No. DP16-0301 for a portion of The South West 1/4 of Section 5 Township 23 ODYD Except Plans KAP83526, KAP88266, EPP9195, EPP24895, EPP24897 and EPP55131, located at Upper Canyon Dr (E of), Kelowna, BC, subject to the following:

The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";

The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";

Landscaping to be provided on the land be in accordance with Schedule "C";

The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit in order for the Permit to be issued;

AND THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0302 for a portion of The South West 1/4 of Section 5 Township 23 ODYD Except Plans KAP83526, KAP88266, EPP9195, EPP24895, EPP24897 and EPP55131, located at Upper Canyon Dr (E of), Kelowna, BC;

AND THAT a variance to the following section of Subdivision, Development & Servicing Bylaw No. 7900 be granted, as shown on Schedule "D":

Schedule 4, Section 4.6: Design Standards – Highway – Curb and Gutter, Sidewalks and Bike Lanes

To vary the maximum number of driveway accesses per road frontage from one (1) permitted to 8 (eight) proposed.

AND FURTHER THAT a variance to the following section of Zoning Bylaw No. 8000 be granted, as shown on Schedule "D":

Section 7.5.9: Landscaping and Screening – Fencing and Retaining Walls

To vary the maximum height of retaining walls on residential lots from 1.2 m permitted to 4.5 m, 6.0 m and 6.5 m proposed.

Carried

6.9 651 Oxford Ave DVP17-0009 - Jeremy Kling

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence had been received:

Letter of Opposition:

Janice and Martin de Heer, Okanagan Boulevard

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Birte Decloux, Urban Options Planning & Permits and Jeremy Kling Property Owner

- Displayed a PowerPoint Presentation displaying photos of the subject property.
- The property was recently purchased and the owner has plans to redevelop the principal dwelling within the next 5 years.
- The new dwelling will be greater than 1 ½ storeys in height and at that time the carriage house would conform the Zoning Bylaw requirements.
- The existing dwelling has a converted attached garage which limits the space available to develop a one storey carriage house with adequate parking. The 1 ½ storey carriage house provides for parking and better living space.
- The proposed building is designed to ensure that the neighbour's privacy is maintained.
- The bedroom windows are the smallest size to meet the Building Codes egress requirements.
- Rooms are designed so that beds are located on the window wall and focuses attention inward rather than the neighbours yard.
- Displayed a map and photos of carriage houses in the immediate neighbourhood; although rules have changed, for many the peak is higher than the principal dwelling and does not appear to negatively affect the neighbourhood.
- Displayed a photo of the lane-scape showing that the carriage house does not adversely affect it.
- The proposed project is based on a carriage house development on Bath Street with similar conditions that also required a variance that had been supported by staff and Council.

- Believes this is a benefit to the community as it is a great infill.
- Responded to questions from Council.

No one from the gallery came forward.

Staff responded to questions from Council.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Stack

R483/17/06/13 THAT Council NOT authorize the issuance of Development Variance Permit No. DVP17-0009 for Lot 6, District Lot 9, ODYD, Plan 4526, located at 651 Oxford Avenue, Kelowna, BC.

Carried

6.10 4760 Lakeshore Rd DP17-0043 & DVP17-0044 - Ca'Solare Developments Inc

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence had been received:

Letters of Concern:

Terry Kilshaw, Avery Road
Rafael and Milena Perini, Lakeshore Place
Roger Cumming, Crighton Road

Letter of Opposition:

Don Cowie and Varina Russell, Crighton Road
John and Lynda Noble, Crighton Road
Sunny Singh, Quilchena Dr.
Carter Waite, Avery Road
Carolyn Hayman, Lakeshore Place
Mike and Val Embury, Barnaby Road
Richard Hewitt, Drummond Court
Diane Drummond, Lakeshore Rd.
Ruth Benedict, Barnaby Rd.
Graham Chambers, Lakeshore Road
Peter Morrison and Evelyn Barton, Renwick Ct.

Petition submitted by Rafael F. Perini, 4807 Lakeshore Place (60 signatures)

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Keith Funk Newtown Planning and Architecture Agent for Applicant

- Displayed a PowerPoint Presentation displaying photos of the proposal and speaking to the identified variances.
- Acknowledged the land was rezoned.
- The variance for building height in storeys is 8 m front to back.
- Confirmed this is a 3 storey residential building not a 4 storey.
- Displayed photo of the front façade and noted that the Lakeshore streetscape retains human scale.
- Displayed a photo of the ethereal streetscape to demonstrate that the variance for height is not publicly exposed and no different from the RM3 zone and at human scale.
- Have made a mid-front yard landscape amendment that will replace a 3.0 m retaining wall with a 1.0 m stepped retaining eliminating the variance for retaining walls.

- Spoke to farmland separation and staff's request to provide a 15 m buffer to control urban and rural interfaces.
- Displayed a landscape plan and noted that the sewer line required a utility alignment for the right-of-way and all landscaping was compressed into a more intensive buffer.
- The Ministry of Agriculture Guideline reduced the amount of developable land significantly.
- Advised that Sun City Farm supports the development.
- Spoke to the land use and design and identified buildings and structures permitted.
- Responded to questions from Council.

Gallery:

Rafael Perini, Lakeshore Place

- Resides across from this proposed development.
- Believes this application is an intrusion of rural area and is not a minor variance.
- Provided a brief history of the site and the opposition to the rezoning of the property in 2007.
- Referenced plans of the time and displayed photos.
- Opposed to the application.

Doug Muhollond, Crighton Road

- Made reference to a letter he submitted several weeks ago.
- Opposed to the application.
- Believes this is an inappropriate development and massive in a rural area.
- Raised concern regarding increased traffic.
- Raised concern with cyclists safety.
- Agrees with staff's non-support recommendation.

Pam Bullock, Highway 33

- Advised that she is a cherry grower.
- Opposed to the application.
- Raised concern with development immediately adjacent to agricultural lands.
- Raised concern with impacts on lake views.
- Believes there will be complaints with noise, mowing and spray drifts.
- Believes this development will put agriculture at risk.
- Responded to questions from Council.

Lynda Noble, Crighton Road

- Resides on the west side of this development.
- Believes the spray and noise from farm workers will become an issue.
- Believes this proposal does not blend in with the community.
- Raised concern with loss of lake view.
- Opposed to the application.

Milena Perini, Lakeshore Place

- Opposed to the application.
- Spoke to lack of communication with the applicant regarding this application.
- Raised concern with increased traffic on Lakeshore and Barnaby Roads.
- Raised concern with density and privacy impacts.

Ruth Benedict, Barnaby Road

- Opposed to the application.
- Raised concerns that a previous Council sold and rezoned this parcel as RM3; encouraged Council to purchase this parcel for park space

Sarah Jones, Lakeshore Road

- Opposed to the application.
- Raised concerns with development signage not seen by residents.
- Raised concerns with the density of this development and that it does not fit on this corner.

Maria Grant, Lakeshore Place

- Opposed to the application.
- Raised concerns that this building does not fit on this parcel and that an urban building is being placed in a rural setting.

Richard Hewitt, Drummond Court

- Opposed to the application.
- Believes the development is too massive and does not fit into the neighbourhood.
- Opposed to the height variance.
- Does not believe the building steps back in all directions as mentioned in the applicant's presentation.
- Believes it is possible to construct a building within the zone without any variances.

Barbara Hohmer, Avery Road

- Opposed to the application
- Believes this building is in the wrong location.
- Opposed to the height variance.
- Believes this is not the location for such high density.
- Believes the trees will impact sight lines.
- Raised traffic safety concerns.

Theresa Lucas, Lakeshore Road

- Opposed to the application and variances.
- Raised traffic safety concerns.

Glen Durrell, Bayhill Place

- Believes this proposal is out of character with the area especially with a 70% height variance.
- Opposed to the application.

Carolyn Hayman, Lakeshore Place

- Believes OCP regulations should be followed.
- Raised concern with impacts of spraying and buffering.
- Raised concern with erosion of agricultural areas.
- Opposed to the application.

Moved By Councillor Donn/Seconded By Councillor Gray

R484/17/06/13 THAT Council continue the Regular Meeting past 11:00 p.m.

Carried

Resident

- Resident in the neighbourhood for 2 years.
- Raised concerns with traffic in the neighbourhood and believes there are no provisions for emergencies.
- Believes this is the wrong development in this area.
- Raised concern that there would be no room for widening or changing angles of Lakeshore Road if this development proceeds.
- Opposed to the application.

Larry Bodner, Lakeshore Road

- Has resided in the area for over 40 years.
- This development does not fit into this area.
- Suggested the City buy back the property.
- Opposed to the application.

Mike Geddes, Bellevue Road

- Representing parents who live on Lakeshore Road.
- Raised concern with impact of farm spraying.
- Raised concern with increased traffic.
- Believes the infrastructure is not there to house this development.

- Opposed to the application.

Keith Funk Newtown Planning and Architecture Agent for Applicant

- Unable to respond to land use comments as what is before Council is a DP and DVP.
- There is an obligation and requirement to upgrade Lakeshore Road should the development be approved.
- Traffic impacts will be minimal. There are only 44 units and to trigger a traffic impact study there must be 100 units.
- Believes the variances have minimal impact to the neighbouring properties.
- Need to optimize land uses and densities to finance projects in today's development environment.
- Believes new residents would embrace the neighbourhood as do those who currently live there.
- We are sensitive to the community and their sense of place and how any changes are disruptive.
- Asked that the alternate recommendation be considered and will continue to evolve a landmark development that resembles a winery.
- Responded to questions from Council.

Staff responded to questions from Council.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Singh

R485/17/06/13 THAT Council NOT authorize the issuance of Development Variance Permit No. DVP17-0044 for Lot 1 Section 25 Township 28 SDYD Plan KAP86852, located at 4760 Lakeshore Rd, Kelowna, BC;

AND THAT Council NOT authorize the issuance of Development Permit No. DP17-0043, for Lot 1 Section 25 Township 28 SDYD Plan KAP86862, located at 4760 Lakeshore Rd, Kelowna, BC.

Carried

7. Reminders
8. Termination

The meeting was declared terminated at 11:46 p.m.

Mayor

/acm

City Clerk

CITY OF KELOWNA
BYLAW NO. 11411
Z17-0012 – 861 Rose Ave

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 7, District Lot 136, ODYD, Plan 8116 located on Rose Avenue, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of May, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11412
Z17-0013 – 775 Rose Ave

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 7, District Lot 136, ODYD, Plan 11487 located on Rose Avenue, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of May, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11413
Z17-0014 300 & 310 Dougall Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 20, Section 26, Township 26, ODYD, Plan 5494 and Lot 21, Section 26, Township 26, ODYD, Plan 5494 located on Dougall road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11416
Z16-0022 – 815 Rose Aveune

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6, District Lot 136, ODYD, Plan 11487 located on Rose Avenue, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of May, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11417
Z16-0022 – 614 Barnaby Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, District Lot 357, SDYD, Plan 17353 located on Barnaby Road, Kelowna, B.C., from the RR1 – Rural Residential zone to the RR1c – Rural Residential 1 with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of May, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11418

Official Community Plan Amendment No. OCP16-0005 – - 1638 & 1700 Tower Ranch Blvd

A bylaw to amend the "Kelowna 2030 – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "Kelowna 2030 – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of portions of Lot 2, Section 31, Township 27, ODYD, Plan KAP80993 Except Plans KAP25114, KAP90346, EPP50442 and EPP64271, located at 1700 Tower Ranch Boulevard, from the REC – Private Recreation, S2RES – Single/Two Unit Residential, S2RESH – Single/Two Unit Residential Hillside and PARK – Parks and Open Space designations to the PARK – Parks and Open Space, S2RES – Single/Two Unit Residential and S2RESH – Single/Two Unit Residential (Hillside) as shown on Map "A" attached to and forming part of this bylaw;
2. AND THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "Kelowna 2030 – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of portions of portions of Lot 1 Section 31 TWP 27 ODYD Plan KAP80993, located at 1638 Tower Ranch Blvd, Kelowna, BC from S2RESH – Single/Two Unit Residential (Hillside) designation to the REC – Private Recreation designation as shown on Map "A" attached to and forming part of this bylaw;
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of May, 2017.

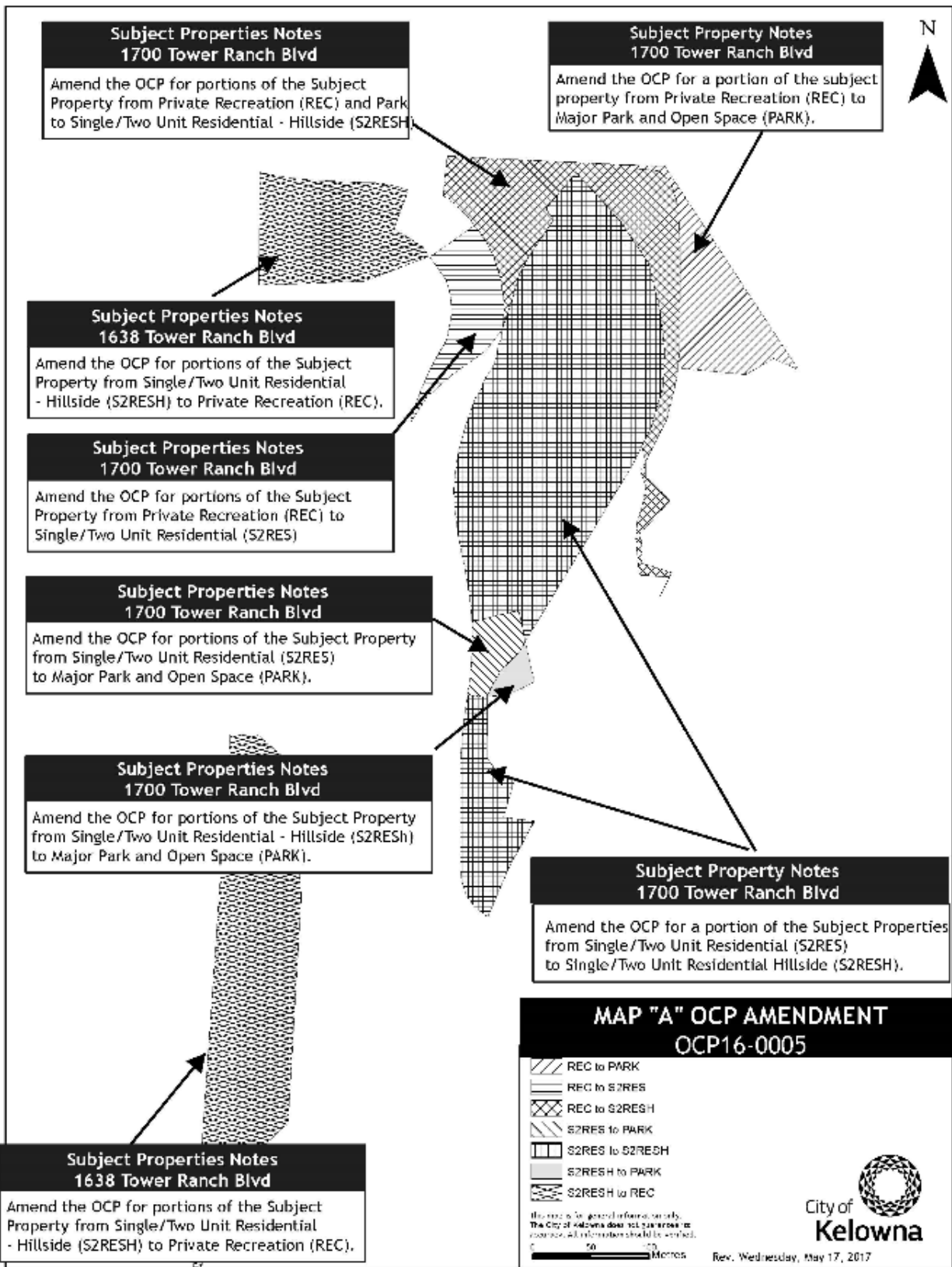
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11419
Z16-0078 – 1638 & 1700 Tower Ranch Blvd

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 2 Section 31 TWP 27 ODYD Plan KAP80993 Except Plans KAP85114, KAP90346, EPP50442 and EPP64271, located at 1700 Tower Ranch Boulevard, Kelowna, BC, from the P₃ – Parks and Open Space, RU_{1h} – Large Lot Housing (Hillside Area), RU₆ – Two Dwelling Housing zones to the P₃ – Parks and Open Space, RU_{2h} - Medium Lot Housing (Hillside Area) and RU₆ – Two Dwelling Housing zones as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of May, 2017.

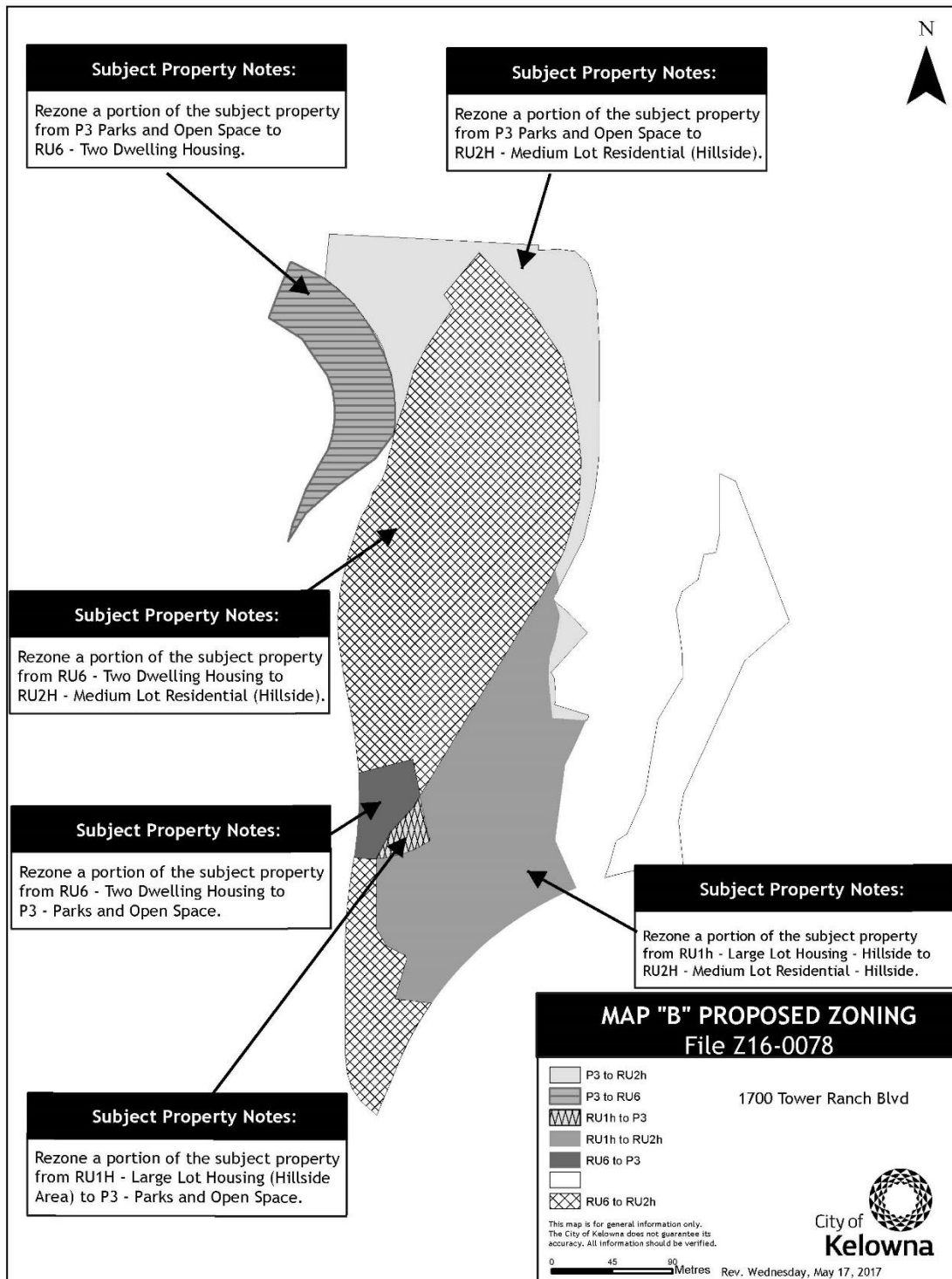
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11420
Z17-0008 – 1420 Inkcar Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot C, Section 19, Township 26, ODYD, Plan 23622 located on Inkcar Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11421
Z17-0023 – 1360 Belaire Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 34 District Lots 137 ODYD Plan 10011 located on Belaire Avenue, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11422
Z17-0011 – 2446 Harvard Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 33, Township 29, ODYD, Plan 9442 located on Harvard Rd, Kelowna, B.C., from the A1 – Agriculture 1 zone to the A1c – Agriculture 1 with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11423
Z16-0077 – 1187 Sunset Drive

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lots 139 ODYD Plan KAP76304 located on Sunset Drive, Kelowna, B.C., from the C4 – Urban Commercial zone to the C7 – Central Business Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11424

Official Community Plan Amendment No. OCP16-0017 4975 Buckhaven Court

A bylaw to amend the "*Kelowna 2030* – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of portions of Lot A Sections 20 and 29 Township 29 SDYD Plan KAP44335 Except Plans KAP92565, EPP23066, EPP31364 and EPP51781, located on Buckhaven Court, Kelowna, B.C., from the:
 - MRC – Multiple Unit Residential (Cluster Housing) designation to the PARK – Major Park and Open Space designation;
 - MRC – Multiple Unit Residential (Cluster Housing) designation to the S2RESH – Single / Two Unit Residential – Hillside designation;
 - PARK – Major Park and Open Space designation to the S2RESH – Single / Two Unit Residential – Hillside designation; and
 - S2RESH – Single / Two Unit Residential – Hillside designation to the PARK – Major Park and Open Space designation;as shown on Map A attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

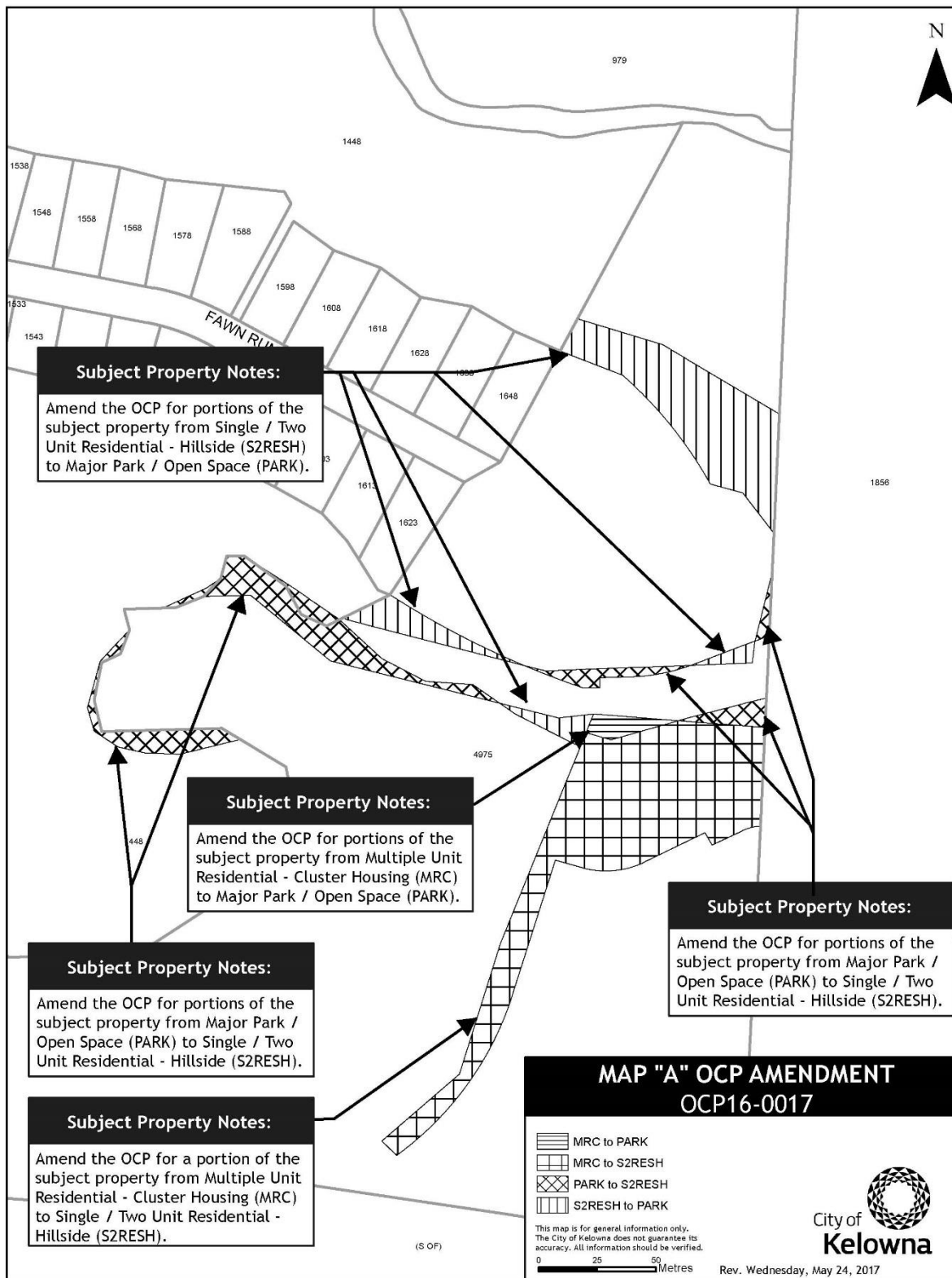
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11425
Z16-0058 – 4975 Buckhaven Court

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot A Sections 20 and 29 Township 29 SDYD Plan KAP44335 Except Plans KAP92565, EPP23066, EPP31364 and EPP51781 located on Buckhaven Court, Kelowna, B.C., from the:
 - A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone;
 - A1 – Agriculture 1 zone to the RU1h – Large Lot Housing (Hillside Area) zone;
 - A1 – Agriculture 1 zone to the RH1 – Hillside Large Lot Residential zone; and
 - P3 – Parks and Open Space zone to the RU1h – Large Lot Housing (Hillside Area) zone as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

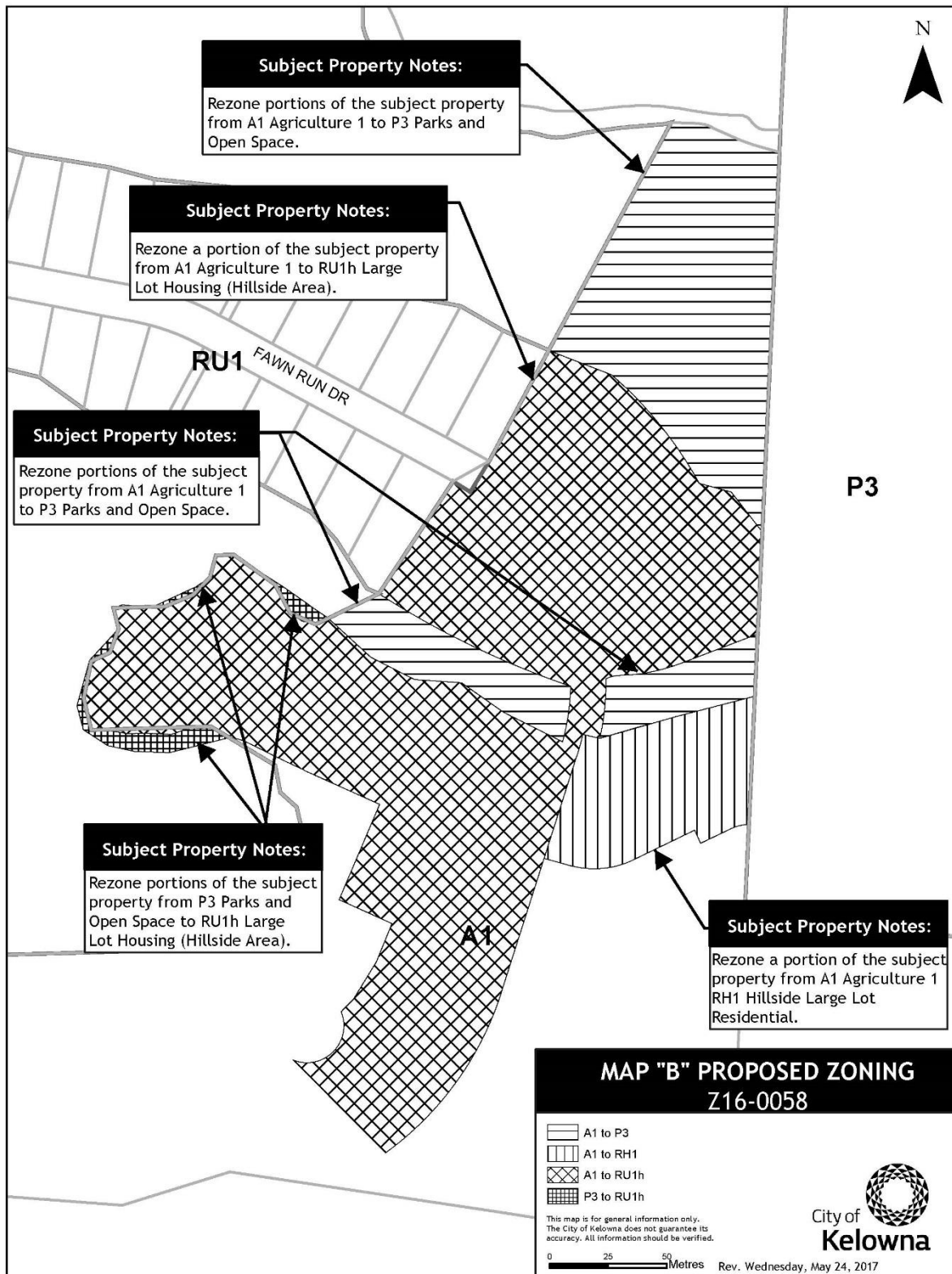
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11428
TA17-0007 – I4 – Central Industrial

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT **Section 15 – Industrial Zones, 15.4 I4 – Central Industrial, 15.4.2 Principal Uses** be amended by adding in its appropriate location a new subsection "**commercial storage**" and re-numbering subsequent sub-paragraphs.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 12, 2017

RIM No. 0930-50

To: City Manager

From: Community Planning Department (AC)

Application: LL17-0004

Owner: Edward Fuhrmann

Address: 731 Baillie Ave

Applicant: Russell Burnell-Higgs

Subject: Liquor License

Existing OCP Designation: IND – Industrial

Existing Zone: I4 – Central Industrial

1.0 Recommendation

THAT Council directs Staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the *Liquor Control and Licensing Regulation* and Council Policy #359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Kettle River Brewing Company Ltd. located at 731 Baillie Ave, Kelowna, BC, legally described as Lot 37, Section 30, Township 26, ODYD, Plan 1014, for a manufacturer lounge and special event area endorsement from '10:00 AM to 10:00PM Monday to Sunday.
2. That Council's comments on the prescribed considerations are as follows:
 - (a) The potential for noise if the application is approved;
The potential impact for noise is minimal and would be compatible with surrounding land uses.
 - (b) The impact on the community if the application is approved;
The potential for negative impacts is considered to be minimal.

THAT Council's comments on the view of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures".

2.0 Purpose

To seek Council's support to allow a manufacturer lounge and special event area endorsement to allow patrons to purchase and consume liquor products.

3.0 Community Planning

Staff generally support all manufacturer lounge and special event area endorsements in order to permit customers to consume the manufacturer's product onsite. Staff do not foresee any negative land use impact of permitting this type of license. However, there are three components of each license application that need specific consideration: the proposed capacity, the location, and proposed hours of liquor sales.

The proposed capacity should never exceed the buildings occupant load. In this case, the proposal does not exceed the maximum capacity. Under Council Policy # 359 [Liquor Licensing Policy & Procedures], there is policy direction that restricts the location of liquor primary establishments depending on their size:

- a) No establishment with a person capacity greater than 500 persons should be permitted.
- b) Large establishments (with person capacity greater than 249 persons):
 - a. Should only be located within an Urban Centre.
 - b. Should be located a minimum of 250m from another Large establishment.
 - c. Should be located a minimum of 100m from a Medium establishment.
 - d. Should not be located beside a Small establishment.
- c) Medium establishments (with person capacity between 100-249 persons):
 - a. Should only be located within an Urban or Village Centre.
 - b. Should be located a minimum of 100m from a Large or Medium establishment.
 - c. Should not be located beside a Small establishment.
- d) Small establishments (with person capacity less than 100 persons):
 - a. Should not be located beside another liquor primary establishment.

This policy is silent in regards to manufacturer lounge endorsements. Staff plan to rectify that issue within a liquor policy review later this year (2017). In the meantime, Staff are recommending new manufacturer lounge and special event area endorsements be treated similarly to new liquor primary establishments. Therefore, in this case, the new license application would be considered a small establishment and the location would be considered appropriate as it is not beside a large liquor establishment.

If lounge endorsements are to be treated similarly to liquor primary establishments, then the hours of operation should be consistent with this general guideline:

- 1) 1am closing time if the lounge endorsement is within the downtown core;
- 2) Midnight if the lounge endorsement is within close proximity to the downtown;
- 3) 11pm if the lounge endorsement is not within close proximity to the downtown.

Within the new liquor policy review, there will also need to be thresholds for a liquor primary establishment or an establishment that is similar to one to be required to have a certain level of security and patron safety measures in place (e.g Servall). The RCMP generally support the new types of liquor licenses including manufacturer lounge and special event area endorsements from 10am to 10pm, Monday through Sunday. The RCMP has also requested the City "establishment of a comprehensive policy to address new liquor primary and manufacturer lounge endorsement license applications. Such a policy would facilitate a consistent, guided responses to applications." Until such time as the new liquor policy can be established, applicant requests will be reviewed on a case-by-case basis. In regards to the proposed hours of sale for Kettle River Brewing Company Ltd, both the RCMP and Staff are supportive.

Staff and the RCMP have consistently supported early opening hours to 10am for various liquor license applications. Opening earlier in the day does not create the same enforcement and policing issues that occur with later closings. The request to open at 10am is consistent with many establishments across the city. Overall, this liquor license application will have a negligible impact to the surrounding area.

4.0 Proposal

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, this type of application needs Local Government comments prior to the LCLB making a final decision.

4.2 Project Description

Existing Hours of Sale (Manufacturer License # 3006879):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Close	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Proposed Hours of Sale (Manufacturer License # 3006879):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM
Close	10:00 PM	10:00 PM	10:00 PM	10:00 PM	10:00 PM	10:00 PM	10:00 PM

4.3 Site Context

The subject property is located in the north end industrial area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I4 – Central Industrial & I2 – General Industrial	Industrial
East	I4 – Central Industrial	Industrial
South	I4 – Central Industrial	Industrial
West	I4 – Central Industrial & P1LP – Major Institutional (Liquor Primary)	Industrial Recreation

Subject Property Map: 731 Baillie Avenue



5.0 Current Development Policies

5.1 Council Policy #359 – Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc).

Small establishments (with person capacity less than 100 persons should not be located beside another liquor primary establishment.

6.0 Technical Comments

6.1 Building Department

- A building permit may be required for renovations to allow this use within the building

6.2 Bylaw Services

- Currently there are no outstanding/open files pertaining to the subject property (731 Baillie Ave.).

6.3 Fire Department

- KFD is not opposed to the liquor license.

- The area indoors that will be serving liquor shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 1 hour unless it is sprinklered. As well, a permanent sign shall be installed indicating the max occupant load of 30 as per BCBC Division B Part 3 section 3.1.2.6

6.4 RCMP

- The RCMP supports the application, with hours of operation from 10am to 10pm Monday to Sunday and capacity restricted to applicant's request (30 patrons in the interior and 12 patrons on the patio).
- The RCMP requests for consideration of the Planning Department/City the establishment of a comprehensive policy to address new liquor primary and manufacturer lounge endorsement license applications. Such a policy would facilitate a consistent, guided response to applications.

7.0 **Application Chronology**

Date of Application Received: Match 24, 2017

Report Prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Applicant's Rationale
LCLB Application
Drawings

Kettle River Brewing Company – Lounge Endorsement

Letter of Intent

Purpose

Adding a lounge endorsement to our facility would allow us to better serve the wishes of our patrons. Currently, customers, new and returning, often comment negatively regarding the sampling size limits and lack of a patio, but are always impressed with the space and atmosphere we have created. This endorsement would not only allow us to serve beyond sample sizes, but also serve a limited amount of non-beer alcoholic beverages to those patrons who come in with other guests that may not be craft beer enthusiasts.

Aside from better serving our customers, other small businesses would also benefit. We would rely partially on food trucks and other food catering services to provide food for our patrons. Having a lounge endorsement with patio would encourage patrons stay longer making it more likely they'll want food there by making it more lucrative for a food vendor to operate at our establishment.

This endorsement would also allow us the ability to provide entertainment in the way of games, trivia, and occasional live entertainment.

Target Market

In operating our on-site store, we have been given a glimpse into what our target market looks like and it is by no means limited to any certain group. That said, a lounge endorsement would most likely have the greatest affect on young to middle-aged urban locals who are always looking for a relaxing but social atmosphere that serves a quality local product.

Neighbourhood Composition

Our location is primarily surrounded by light industrial/commercial businesses however 2 separate residential neighbourhoods are positioned less than 3 blocks away. We are within walking distance from downtown and near to 2 other breweries, 2 wineries, and a cidery, positioning us very well as a tourism hub. While being a great location to attract patrons, we are also isolated enough that any moderate noise or traffic produced would not create an issue for near by residences/businesses. Our neighbouring businesses are generally closed during our busy open hours and therefore will not be affected significantly by any added traffic /noise.

Street Map

See map attached. A radius of 3 city blocks was chosen based on encompassing the relevant surrounding neighbourhood. Social/public facilities are marked by a blue dot with the corresponding facility name above. The relevant neighbourhood does not contain any schools, healthcare facilities, senior facilities, fire halls, libraries, or government buildings.

Benefits to the Community

A lounge endorsement for our establishment would compliment the already vibrant, up and coming tourist hub that is Kelowna's north end. With 2 other breweries, 2 wineries, a distillery and a cidery in close proximity, the neighbourhood has become a staple for visitors interested in more than just wine. Having this endorsement would make us unique for the area and would not only give visiting tourists the

option to sit down and enjoy a drink and snack or just have a sample, but also encourage locals to come out and support local businesses.

We would be the only liquor establishment of this type within a 2 block radius, and the closest to Kelowna's north end community.

Locals have expressed time and time again, just how much they enjoy our space, atmosphere, and product, and have encouraged us directly to apply for this endorsement.

Impact of Noise on the Surrounding Area

As we do not intend to use our endorsement to operate as a typical bar or club would, we have limited our open hours to 10pm in the evening. Combine that with the fact that the closest residences are 2 blocks away, and surrounding businesses are closed during the majority of open hours, any additional noise generated from adding this endorsement will have a very limited affect on the surrounding community.

Other Impacts on the Surrounding Community

The only other impact affecting the local community that we foresee is increased use of adjacent street parking. Since though, the majority of our lounge open hours will not coincide with the neighbouring businesses hours, we do not see this causing any significant issues.



Manufacturer Lounge and/or Special Event Areas Endorsement Licence Application

Liquor Control and Licensing Form LCL B049a

Instructions:

To apply, please complete all applicable fields then submit with payment as outlined in Part 8 of this form. You may complete this form online, then print. If you are completing this form by hand, please print clearly using dark ink.

- If you have any questions about completing this application, call the branch toll-free at **1-866-209-2111**
- LCLB forms and supporting materials referred to in this document can be found at: **www.pssg.gov.bc.ca/lclb**
- **Please note:** The application process may take **7 to 12 months** to conclude.

PART 1: Type of Application

Please check (✓) the applicable boxes below to indicate the type of application(s) you are submitting.

☒ 1. Lounge Endorsement:

office use only

Sub job: (LP Flow)

Application Fee: \$330.00; Annual Fee: \$330.00 (prorated first year to March 31)

A lounge is an indoor and/or patio area within or immediately adjacent to a licensed manufacturing facility where patrons may purchase and consume liquor products. Food and non-alcoholic beverages must be available at reasonable prices to customers. Hours of service, capacity and patios are subject to local government/First Nation comment and LCLB approval. Lounge endorsements are subject to annual renewal fees as show on the manufacturer's licence renewal form each year.

- Complete this application form and provide all documents requested in Part 6.

☒ 2. Special Event Area Endorsement:

office use only

Sub job: (LP Flow)

Application Fee: \$110.00 if you already have an approved lounge endorsement area.

Application Fee: \$330.00 if you do not have an approved lounge endorsement area.

Annual Fee: \$110.00 (prorated first year to March 31)

Note: If you are applying for both lounge and special event area endorsements at the same time with this form you pay the \$110 special event area fee for a total of \$440 for both lounge and special event area endorsements.

A special event area is an indoor and/or outdoor area on the manufacturing site where patrons may purchase and consume liquor products during special events such as concerts, wine tasting events, special meals/dinners or weddings. *Special event areas are event-driven only.* Food and non-alcoholic beverages must be available at reasonable prices to customers. Hours of sale are subject to local government/First Nation comment and LCLB approval. Special event area endorsements are subject to annual renewal fees which will appear on the manufacturer's licence renewal form each year.

- Complete this application form and provide all documents requested in Part 6.

NOTE - when relocating a manufacturing facility: Endorsements for lounges or special event areas cannot transfer location without local government/First Nation comment and LCLB approval. This is required because the local government/First Nation must be provided an opportunity to reconsider the impact of the endorsement on the community given the new location. Use this form to reapply but **do not pay** the application fee(s).

Are you submitting an application to transfer the location of the manufacturing facility with this application? ☐ Yes ☐ No

If Yes, your relocation application may go forward and be approved while waiting for these endorsements to be considered. In such cases, the manufacturing facility may operate at the new location if approved, while the endorsement application(s) are being processed.

PART 2: Application Contact Information

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: Russell Burnell-Higgs

Phone number: 250-488-2796

Fax number:

E-mail address: russ@kettleriverbrewing.ca

PART 3: Licensee Information

Manufacturer Licence #: 306879

Manufacturer Name: Kettle River Brewing Company Ltd

Manufacturer Location Address:

731 Baillie Ave

Street

Kelowna

City

BC

Province

V1Y 7E9

Postal Code

Licensee Name (as shown on liquor licence): Kettle River Brewing Company

PART 4: Endorsement Information

For all endorsement requests: Does current zoning permit the sale and consumption of liquor in a lounge or special event area?

☒ Yes ☐ No - rezoning is required

1. Lounge Endorsement

Legal description of endorsement site: Plan: 1014 Lot: 37

(Legal description and parcel identifier (PID) or Strata Plan number of the endorsement site if located on separate legal parcel than manufacturing site. It is on the property tax notice or can be obtained from the Land Titles office.)

Local government or First Nation: City of Kelowna

	Area 1	Area 2	Area 3	Area 4
Proposed interior capacity:	30	30		
	Patio 1	Patio 2	Patio 3	Patio 4
Proposed patio capacity:	12			

Note: Occupant load for the proposed areas is required on the floor plan you provide

Note: The person capacity (patrons plus staff) of a licensed area(s) must equal the occupant load. Capacity must be approved by LCLB and is subject to local government/First Nation comment. (See Part 9 for an explanation of the application process.) See Part 6, #5 of this application for floor plan occupant load requirements.

Note: The ALR regulation may restrict the size of a lounge and/or patio lounge area. If you are located on ALR land, applicants must verify that their proposed lounge area does not exceed the limit prior to submitting an application.

Patio Description:

1. Describe the perimeter that will bound and control entry and exit (e.g. fencing, planters, hedges):

The perimeter of the patio will be delimited by a 1 1/2" Pipe Railing complete with lockable gate.

2. Describe floor composition (e.g., grass, gravel, flooring):

The floor of the Patio will be concrete

3. Describe how your staff will manage and control the patio from the interior licensed area

The patio will only be open when it is suitable to have the large bay door open. With this bay door open, staff will be able to monitor the patio via sight/sound even when behind the bar.

4. ☐ Attach a photo if the patio is already built.

Part 4 continued on next page...

Proposed hours of sale for the Lounge Endorsement

Complete the table below by entering the opening and closing times proposed for the establishment. Hours requested must fall between 9:00 a.m. and 4:00 a.m. of each business day. All hours requested will be reviewed by your local government/First Nation council before they are approved by the Liquor Control and Licensing Branch.

Monday	10am	10am	10am	10am	10am	10am	10am
Tuesday	10pm	10pm	10pm	10pm	10pm	10pm	10pm

2. Special Event Area Endorsement

Legal description of endorsement site: Plan: 1014 Lot: 37

(Legal description and parcel identifier (PID) or Strata Plan number of the endorsement site if located on separate legal parcel than manufacturing site. It is on the property tax notice or can be obtained from the Land Titles office.)

Local government or First Nation: City of Kelowna

Proposed interior capacity: 30

Note: Occupant load for the proposed licensed areas is required on the floor plans you provide for interior area(s) and outdoor patio(s) only.

Proposed patio capacity: NA

Note: the person capacity of a licensed area(s) must equal the occupant load (as determined by the authority in your area).

1. Describe the perimeter that will bound and delineate the special event area when events are taking place:

The perimeter of the SEA will be delimited by the interior building walls as well as temporary stantion type barriers to deter public from approaching sensitive equipment.

2. Describe how staff will supervise this exterior area when events are taking place:

During an event, atleast 2 staff will be on hand with at least 1 of those staff present in the SEA at all times.

Proposed hours of sale for your Special Event Area Endorsement

Complete the table below by entering the opening and closing times proposed for the establishment. Hours requested must fall between 9:00 a.m. and 4:00 a.m. of each business day. All hours requested will be reviewed by your local government/First Nation council before they are approved by the Liquor Control and Licensing Branch.

Monday	10am	10am	10am	10am	10am	10am	10am
Tuesday	10pm	10pm	10pm	10pm	10pm	10pm	10pm

PART 5: Letter of Intent (Functions and Services to be Provided)

Explain the functions and services your facility or venue will provide. The information you provide in the letter of intent must address all of the factors indicated below.

☒ I have attached a separate sheet.

1. Purpose

Describe the purpose of the endorsement including beverage service, entertainment and hospitality services you intend to provide:

2. Describe the target market. Your proposed endorsement area may serve some of the following:

☒ Urban locals ☒ Suburban locals ☒ Rural locals ☒ Neighbouring communities ☒ Tourists

☐ Other (please specify):

3. Describe the composition of the neighbourhood. The composition of the neighbourhood may include some of the following:

☒ Commercial ☒ Residential ☒ Industrial ☒ Light Industrial ☒ Urban ☒ Downtown ☐ Suburban

☐ Rural ☐ Agricultural Land Reserve (ALR) ☐ First Nations' Land ☐ Neighbouring residents

☐ Other (please specify):

4. Provide a street map of the area surrounding the manufacturing site which identifies the following social and public facilities within a reasonable distance* (see below):

- All other licensed liquor primary or liquor primary club establishments
- Churches
- Clubs
- Schools (K-12, colleges, universities)
- Preschools
- Day care centres
- Health care facilities
- Seniors facilities
- Recreational/sports facilities
- Neighbouring residents
- Police stations
- Fire halls
- Libraries
- Government buildings
- Any other relevant local public or private facilities

*Note: What constitutes a reasonable distance will vary depending on individual circumstances.

Reasonable Distance Guidelines:

- In a densely populated city or municipality, reasonable distance is probably a 2 block radius;
- In a pocket community having no adjacent developed regional areas (e.g. Gold River, Tumbler Ridge, Whistler, Valemont) reasonable distance is probably the whole community;
- In a rural area having large acre parcels, reasonable distance is probably up to 8 km (five miles);
- In a moderately populated area of developed subdivisions, suburbs, reasonable distance is probably 1.5 or 2 km (1 mile).

On the same map, please mark the boundaries of the neighbourhood of the proposed location as per the reasonable distance guidelines above. State what distance measure you chose.

5. Benefits to the Community

Describe the community/market need you are addressing by providing an additional licensed area within the community (e.g. the proposed lounge will support tourism activities at the manufacturing facility OR there are currently no licensed establishments in the area).

6. Impact of Noise on the Surrounding Community

Describe the noise impact expected from your proposed endorsement area and describe the measures you will take to ensure others, including neighbouring residents, are not disturbed if the endorsement area is approved (e.g. entertainment will not involve amplified music given the bylaws in place; noise from outdoor patio will be addressed by closing patio at 10 p.m.; outdoor lighting and cameras will be installed; additional traffic should not create additional noise given the location and size of the endorsement).

7. Other Impacts on the Surrounding Community

Describe any further impacts of the new licensed area(s) on the surrounding community if the endorsement application is approved.

8. Other Information and Requests

Provide any additional information or requests that might be relevant to your manufacturer endorsement application (such as zoning restrictions, bylaw restrictions, entertainment, etc.)

PART 6: Required Documents

To be considered a "complete application" the following documents must be provided:

- ☒ 1. Completed *Application for a Manufacturer Licence Endorsement (lounge and/or special event areas)* (LCLB049a).
- ☒ 2. Application fee. See Part 8.
- ☒ 3. A large (11" x 17" preferred) official site map of the city, municipality, regional district or First Nation property with the proposed site clearly marked. Identify (by location and address) nearby social facilities, other licensed facilities (including other manufacturers with these endorsements), residential and industrial areas, churches, schools and parks (as per #4 of letter of intent).
- ☒ 4. (a) A detailed site plan of the manufacturing site (11" x 17" preferred) showing the proposed endorsement area(s). Clearly detail and label exact dimensions of the endorsement areas, as well as access/egress, driveways, vineyards or crops and other buildings on the manufacturing site.
(b) If there are other businesses operating and/or leasing space on the proposed manufacturing site, please identify the building(s) on the site plan and provide details regarding the businesses.
- ☒ 5. A large (11" x 17" preferred) scaled floor plan with detailed furniture layout of the proposed interior endorsement area(s) and outdoor patios and the occupant load marked/stamped ON the plan by provincial fire or building authorities (or designate). An alternate qualified professional may only be used in locations where fire and building authorities have opted not to provide an occupant load and written authorization has been provided.
- ☒ 6. Preliminary concept drawings and photos showing the location and the appearance of the proposed endorsement area(s) relative to the manufacturing facility. You are cautioned not to construct or build until you are granted Branch approval to do so.
- ☐ 7. A sketch of all proposed exterior signs only if you are making changes to your current approved signage. Signs are subject to LCLB approval.
 - ☒ No signage changes proposed at this time.

NOTE: Local government zoning must permit the sale and service of manufactured product in the area(s) proposed for licensing. If the proposed site is within the Agricultural Land Reserve (ALR), ensure that you confirm that the intended use of the site and size of the proposed endorsement area meets statutory and policy provisions for land use in the ALR. For more information, contact the Commission office at (604) 660-7000 or visit the Agricultural Land Commission web site: www.alc.gov.bc.ca.

PART 8: Application Fees (non-refundable)

FEES:

Lounge Endorsement Application	\$330
Special Event Area Endorsement Application (if you already have a lounge endorsement).....	\$110
Special Event Area Endorsement Application (if you do not have a lounge endorsement).....	\$330
Special Event Area and Lounge Endorsement Areas Application.....	\$440

TOTAL FEE SUBMITTED: \$ 440

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check (☐) one):

- ☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- ☐ Money order, payable to Minister of Finance
- ☒ Credit card: ☒ VISA ☐ MasterCard ☐ AMEX

☒ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Fax: 250 952-7066 Web: www.pssg.gov.bc.ca/lclb E-mail: liquor.licensing@gov.bc.ca

Part 9. What happens next?

The Lounge and Special Event Area Endorsement process:

1. The applicant must submit a complete application package and fee to the Victoria Liquor Control and Licensing Branch Head Office.
2. The Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant by phone or mail, of any information/documentation required before the application can be processed.
3. LCLB staff will request your local liquor inspector to conduct a site inspection and provide comments regarding your application.
4. LCLB staff will provide the applicant with a summary of their application requesting any comment or corrections before the application summary is forwarded to the relevant local government or First Nation for consideration.
5. Your local government or First Nation will be asked to provide a resolution commenting on your application. They have 90 days to respond and may ask for an extension of this period. The local government may also choose not to participate in the process but must provide a resolution explaining this decision.
6. Once a resolution has been received, LCLB will review the resolution and the application. If a site and community assessment is granted, the applicant may be asked to provide more detailed floor plans with occupant load for lounges/patios and interior special event areas as determined by local authorities.
7. The applicant will receive notification of floor and/or site plan approval in principle (AIP) and be asked to go ahead with construction as necessary.
8. When construction is complete, the applicant should contact the local liquor inspector for a final inspection of the endorsement area(s).
9. If the endorsement area(s) pass the inspection, the applicant will be asked to submit a pro-rated annual endorsement fee(s) to the Victoria LCLB head office and an amended licence and validated floor plan(s) will be issued detailing the new endorsement(s).

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence application. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 800 209-2111. Fax: 250 952-7066

LCLB049a

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Lounge and/or Special Event Area Endorsement

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

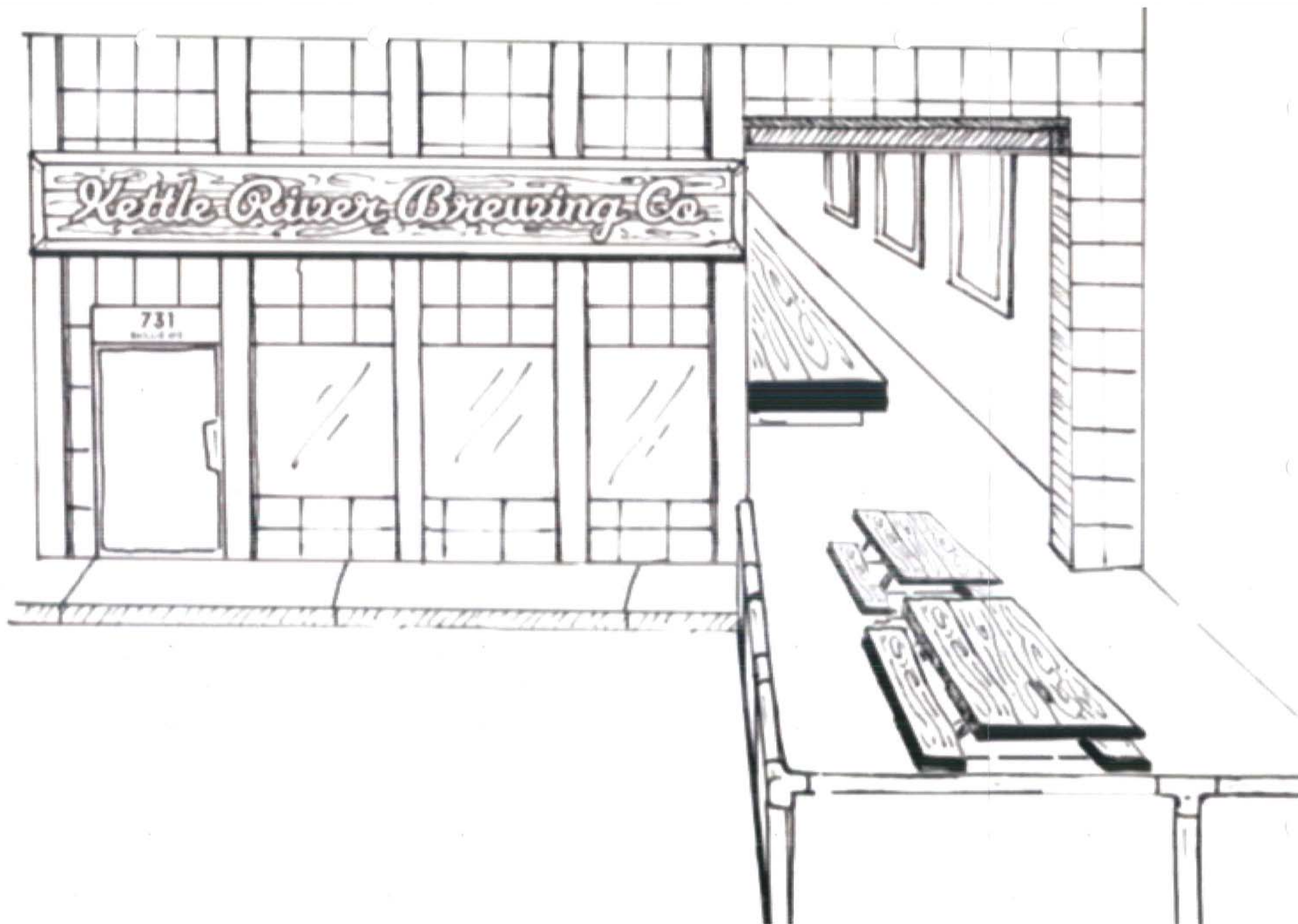
Credit card number:

Expiry date:

(Month)

(Year)

Signature:



REPORT TO COUNCIL



Date: June 27, 2017

RIM No. 0930-50

To: City Manager

From: Community Planning Department (AC)

Application: LL17-0011

Owner: City of Kelowna

Address: 551 Recreation Ave

Applicant: Kelowna Curling Club – Jock Tyre

Subject: Liquor License

Existing OCP Designation: PARK

Existing Zone: P1LP – Major Institutional (Liquor Primary)

1.0 Recommendation

THAT Council directs Staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the *Liquor Control and Licensing Regulation* and Council Policy #359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Kelowna Curling Club, located at 551 Recreation Ave, Kelowna, BC, legally described as Lot A, District Lot 139, ODYD, Plan 76448, for an application to transition from a 'Liquor Primary Club License' to a 'Liquor Primary License'.
2. That Council's comments on the prescribed considerations are as follows:
 - (a) The potential for noise if the application is approved;
The potential impact for noise is minimal and would be compatible with surrounding land uses.
 - (b) The impact on the community if the application is approved;
The potential for negative impacts is considered to be minimal.

THAT Council's comments on the view of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures".

2.0 Purpose

To seek Council's support to transition from a 'Liquor Primary Club License' to a 'Liquor Primary License'.

3.0 Community Planning

Staff support the transition in liquor license type. The Kelowna Curling Club operations will be similar and the proposed hours of service are not changing. The change in liquor license type will allow the curling club to serve liquor during off-season events instead of obtaining a special occasion license every event.

Overall, Staff anticipate this liquor license application will have a negligible impact to the surrounding area.

4.0 Proposal

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, this type of application needs Local Government comments prior to the LCLB making a final decision.

4.2 Project Description

Existing Hours of Sale (Manufacturer License):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am
Close	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am	11:00 pm

Proposed Hours of Sale (Manufacturer License):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am
Close	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am	11:00 pm

4.3 Site Context

The subject property is located in the north end industrial area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I ₄ – Central Industrial	Industrial
East	I ₄ – Central Industrial P ₄ – Utilities P ₁ LP – Major Institutional (Liquor Primary)	Industrial Utilities Recreation
South	I ₄ – Central Industrial	Industrial
West	I ₄ – Central Industrial	Industrial

Subject Property Map: 551 Recreation Ave



5.0 Current Development Policies

5.1 Council Policy #359 – Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc).

6.0 Technical Comments

6.1 Building Department

- No comment.

6.2 Bylaw Services

- Currently there are no outstanding/open files pertaining to the subject property (551 Recreation Ave).

6.3 Fire Department

- KFD is not opposed to the liquor license.

6.4 RCMP

- No concerns.

7.0 **Application Chronology**

Date of Application Received: May 15, 2017

Report Prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Applicant's Rationale
LCLB Application
Drawings

Kelowna Curling Club

551 Recreation Avenue, Kelowna BC V1Y 7V5 250.762.3112



March 15, 2017

The Kelowna Curling Club's primary focus is to provide both the recreational and social aspects of the game of curling to the central Okanagan at a reasonable price while being available to the public. The Not-for-profit Society has been doing this for 75 years. We currently have over 1200 members and continue to grow. We are the largest curling club in the world with 12 sheets of ice. Along with curling, the club also provides food and beverage service and runs a retail pro-shop that does over \$100,000 in sales annually. All profits go back into the programs, building repairs and renovations. The Kelowna Curling Club takes pride in being able to pay its own way without receiving any funds from the City of Kelowna. We run leagues 7 days a week October to March and annually will host provincial, national or international events that bring in visitors from around the world.

The Kelowna Curling Club provides full food service during the curling season (October to March) and for a 2 week window in July when we host summer curling. We employ 3 full time and 4-part time cooks who strive for quality food ingredients and service. Our daily menu consists of fresh and wholesome daily made soups, salads, in-house made burgers as well as other pub style foods. We also provide the option for all events to choose from of a variety of buffets that include, but are not limited to, poultry, fish and red meats as well as vegetarian options. For trade shows we run a concession that is based on the type of show, ranging from Home to RV to Health shows. With such a large member base and events who have different needs & wants, as well as being available to the public, our kitchen needs to be flexible.

Our intent is to continue offering quality food service in the non-curling season and be event driven during the summer. Trades shows, weddings, reunions and banquets are what we are currently hosting, but have to get SOL's to provide beverage service. We will also be looking to get the catering endorsement as our 28,000 sq. ft. arena is not licensed and we would like to provide food and beverage service in the arena in the non-curling season. As we currently have an endorsement letter to allow minors in our lounge until 10:00pm, we will also be applying for the Family Food Service endorsement.

Other than providing curling as a recreation and entertainment during the curling season, our lounge has games that provide for a better social environment. They include ping pong, a pool table, 2 dart boards, 2 shuffleboards, air hockey, foosball and board games like crokinole. The lounge also possesses several big screens and projectors for television making it a popular spot to watch sports. The club has a 900 sq. ft. dance floor that on occasion (less than 12 times a year) is utilized for a DJ or live music.

Our neighbourhood is mixed industrial with a residential area 3 blocks away. We are located beside 4 baseball parks and have never had any complaints about noise. We have 110 parking spots on our property as well as many more street parking spots that are not used by the local businesses, which benefits the club on evenings and weekends when the club is busiest. If hosting larger events, security would be provided. The Board and staff are currently investigating cameras for the parking area and whether the SERVALL ID system would be a benefit to the club if the license is changed.

The Kelowna Curling Club is attempting to increase its revenue in an ongoing effort to raise funds and keep the cost for the general public to curl at reasonable price. In the next 6 years, \$6.5 million dollars need to be raised to repair and maintain the current structure. A more accessible and flexible liquor license is just one of the measures being used to move forward with raising funds. We are first and foremost a curling facility and plan to keep it that way, but wish to be open and accessible to more of the community both during and after the curling season. The current liquor license makes it difficult to get full, year round use of the building by the community.



Liquor Control and Licensing Branch
4th Floor, 3350 Douglas St, Victoria, BC V8W 9J8
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8
Phone: 1 866 209-2111 Fax: 250-952-7066

LIQUOR PRIMARY CLUB LICENCE: APPLICATION TO TRANSITION TO LIQUOR PRIMARY LICENCE

Liquor Control and Licensing Form LCLB129

Instructions:

Using the attached guide, complete this application form and assemble all required documents. Once complete, follow instructions for submitting your application package to local government/first nation (LG/FN) and the Liquor Control and Licensing Branch.

Transition Liquor Primary Club to Liquor Primary (LP)

Fee: \$330

Part 1: Establishment

For Office Use Only

Licensee/Applicant: Kelowna Curling Club

Job # (C3) _____

Establishment Name: Kelowna Curling Club

LP Club Licence #: 6636

Proposed Establishment Name: Kelowna Curling Club
(If applicable)

Establishment Address: 551 Recreation Avenue

Kelowna

BC

V1Y 7V5

Street

City

Province

Postal Code

Parcel Identifier (PID):

If a zoning change is required, please indicate the status of your application:

Phone number:

E-mail:

Mailing Address:

Street

City

Province

Postal Code

Part 2: Contact Person

Name: Jonathan Tyre

Position: General Manager

Telephone: 250.762.3112

E-mail: info@kelownacurling.com

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Part 3: Change to Hours of Liquor Service

For Office Use Only

Job # _____

C4: No Cap Ch/C3: Cap Ch

☒ Request change to hours of liquor service within the hours currently approved

Fee: \$220

☐ Request change to hours of liquor service outside of the hours currently approved*

Fee: \$330

*a resolution from LG/FN is required - LG/FN must complete part 6 of this form.

Complete the table below, indicating the proposed hours of liquor service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00	11:00	11:00	11:00	11:00	11:00	11:00
Closed	1:00	1:00	1:00	1:00	1:00	1:00	11:00

Part 6: Local Government / First Nation (LG/FN) Confirm Receipt of Application

This section is to be filled out by the LG/FN prior to submitting this application to the Branch.

Local government/First Nation (name):

Name of Official:

(last / first / middle)

Title/Position:

Email:

Phone:

Date Received:

(Day/Month/Year)

Signature of Official: _____

Check here if LG/FN will not be providing comment: ☐ Yes, opting out of comment

Note: The LG/FN cannot provide comment for their own application.

Is this establishment on Treaty First Nation land? ☐ Yes ☒ No

Instructions for Local Government/First Nation (LG/FN)

This serves as notice that an application to transition a LP Club to a LP liquor licence is being made within your community. The Branch requests that you consider this application (application form, letter of intent, and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed Structural Change application form and floor plan to LG/FN.
- If there are any major issues (e.g. bylaws), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign above and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.

To provide a resolution or comment:

- Gather public input for the community in the immediate vicinity of the proposed endorsement service area(s).
- Consider these factors which must be taken into account when providing resolution/comment:
 - The location of the establishment.
 - The person capacity and hours of liquor service of the establishment.
- Provide a resolution/comment with comments on:
 - The impact of noise on nearby residents.
 - The impact on the community if the application is approved.
 - The view of residents and a description of the method used to gather views.
 - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.

Part 7: Declaration

My signature, as Applicant, indicates, with respect to the establishment:

- I am the owner of the business to be carried on at the establishment or the portion of the establishment to be licensed.
- I am the owner or lessee of the establishment or portion of the establishment to be licensed.
- I understand the general manager has the right to request documentation supporting valid interest at any time and I agree to provide the requested documentation in a timely manner upon request.
- I understand loss of valid interest at any time while holding a licence is reason for the general manager to consider cancelling the licence.
- I understand I must advise the Branch immediately if at any time the potential exists to lose valid interest either during the licensing process or once a licence has been issued.



Liquor Control and Licensing Branch
4th Floor, 3350 Douglas St, Victoria, BC V8W 9J8
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8
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LIQUOR PRIMARY CLUB LICENCE: APPLICATION TO TRANSITION TO LIQUOR PRIMARY LICENCE

Liquor Control and Licensing Form LCLB129

Instructions:

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Transition Liquor Primary Club to Liquor Primary (LP)

Fee: \$330

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For Office Use Only

Licensee/Applicant: Kelowna Curling Club

Job # (C3) _____

Establishment Name: Kelowna Curling Club

LP Club Licence #: 6636

Proposed Establishment Name: Kelowna Curling Club
(If applicable)

Establishment Address: 551 Recreation Avenue

Street

Kelowna

City

BC

Province

V1Y 7V5

Postal Code

Parcel Identifier (PID):

If a zoning change is required, please indicate the status of your application:

Phone number:

E-mail:

Mailing Address:

Street

City

Province

Postal Code

Part 2: Contact Person

Name: Jonathan Tyre

Position: General Manager

Telephone: 250.762.3112

E-mail: info@kelownacurling.com

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Part 3: Change to Hours of Liquor Service

For Office Use Only

Job # _____

C4: No Cap Ch/C3: Cap Ch

☒ Request change to hours of liquor service within the hours currently approved

Fee: \$220

☐ Request change to hours of liquor service outside of the hours currently approved*

Fee: \$330

*a resolution from LG/FN is required - LG/FN must complete part 6 of this form.

Complete the table below, indicating the proposed hours of liquor service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00	11:00	11:00	11:00	11:00	11:00	11:00
Closed	1:00	1:00	1:00	1:00	1:00	1:00	11:00

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This section is to be filled out by the LG/FN prior to submitting this application to the Branch.

Local government/First Nation (name):

Name of Official:
(last / first / middle) Title/Position:

Email: Phone:

Date Received:
(Day/Month/Year)

Signature of Official: _____

Check here if LG/FN will not be providing comment: ☐ Yes, opting out of comment

Note: The LG/FN cannot provide comment for their own application.

Is this establishment on Treaty First Nation land? ☐ Yes ☒ No

Instructions for Local Government/First Nation (LG/FN)

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To provide a resolution or comment:

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- Provide a resolution/comment with comments on:
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 - The impact on the community if the application is approved.
 - The view of residents and a description of the method used to gather views.
 - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.

Part 7: Declaration

My signature, as Applicant, indicates, with respect to the establishment:

- I am the owner of the business to be carried on at the establishment or the portion of the establishment to be licensed.
- I am the owner or lessee of the establishment or portion of the establishment to be licensed.
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- I understand loss of valid interest at any time while holding a licence is reason for the general manager to consider cancelling the licence.
- I understand I must advise the Branch immediately if at any time the potential exists to lose valid interest either during the licensing process or once a licence has been issued.

OCCUPANT LOAD

63

FOR THESE PREMISES, LOCATED AT:

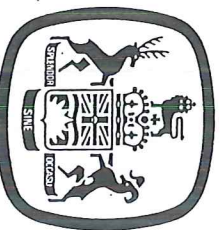
KELOWNA CURLING CLUB - 2ND FLOOR LOUNGE

WHEN USED FOR: _____

IS: **460** _____ PERSONS

PURSUANT TO THE B.C. FIRE CODE

Province of British Columbia
Ministry of Municipal Affairs,
Recreation and Housing

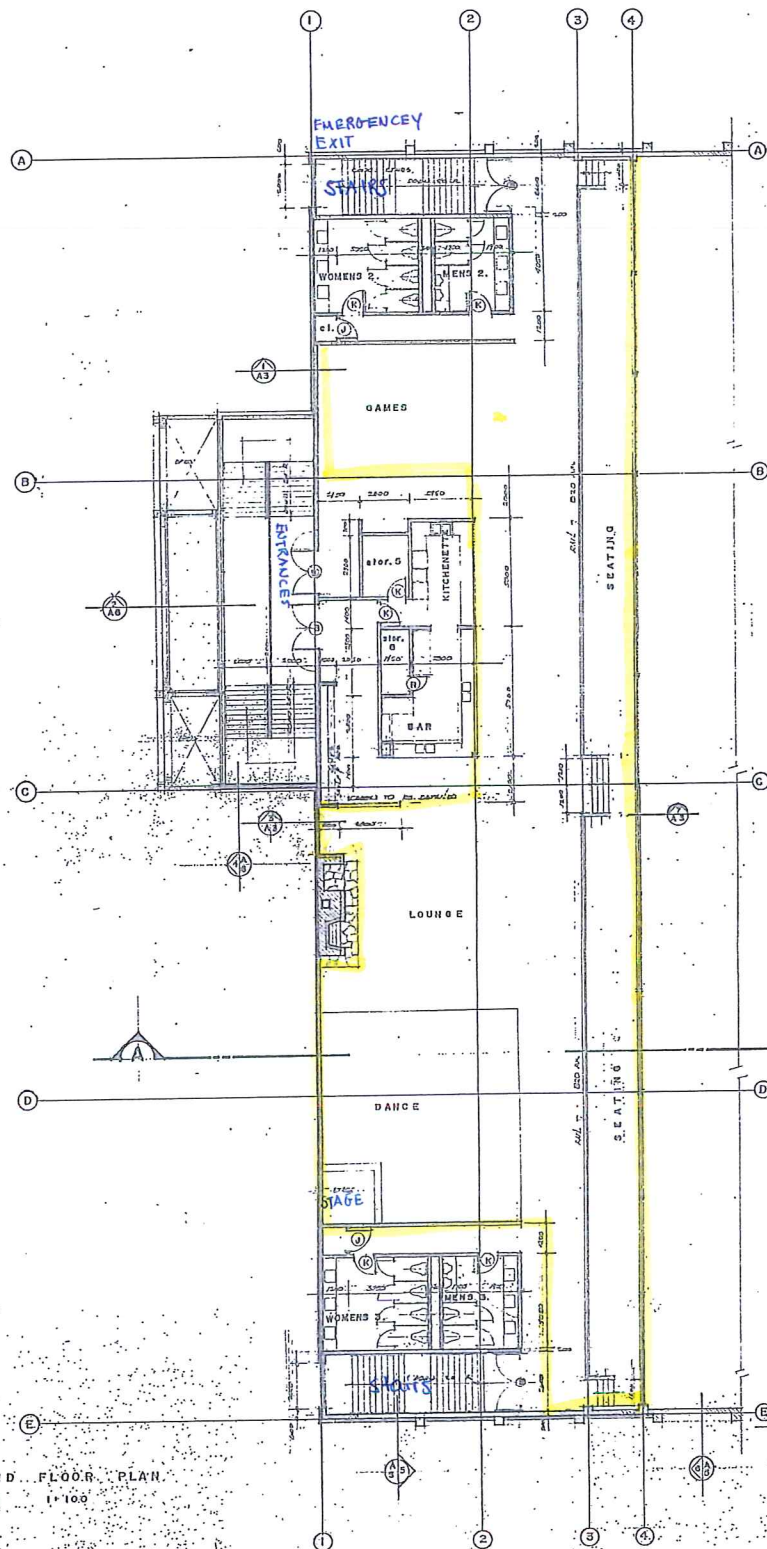


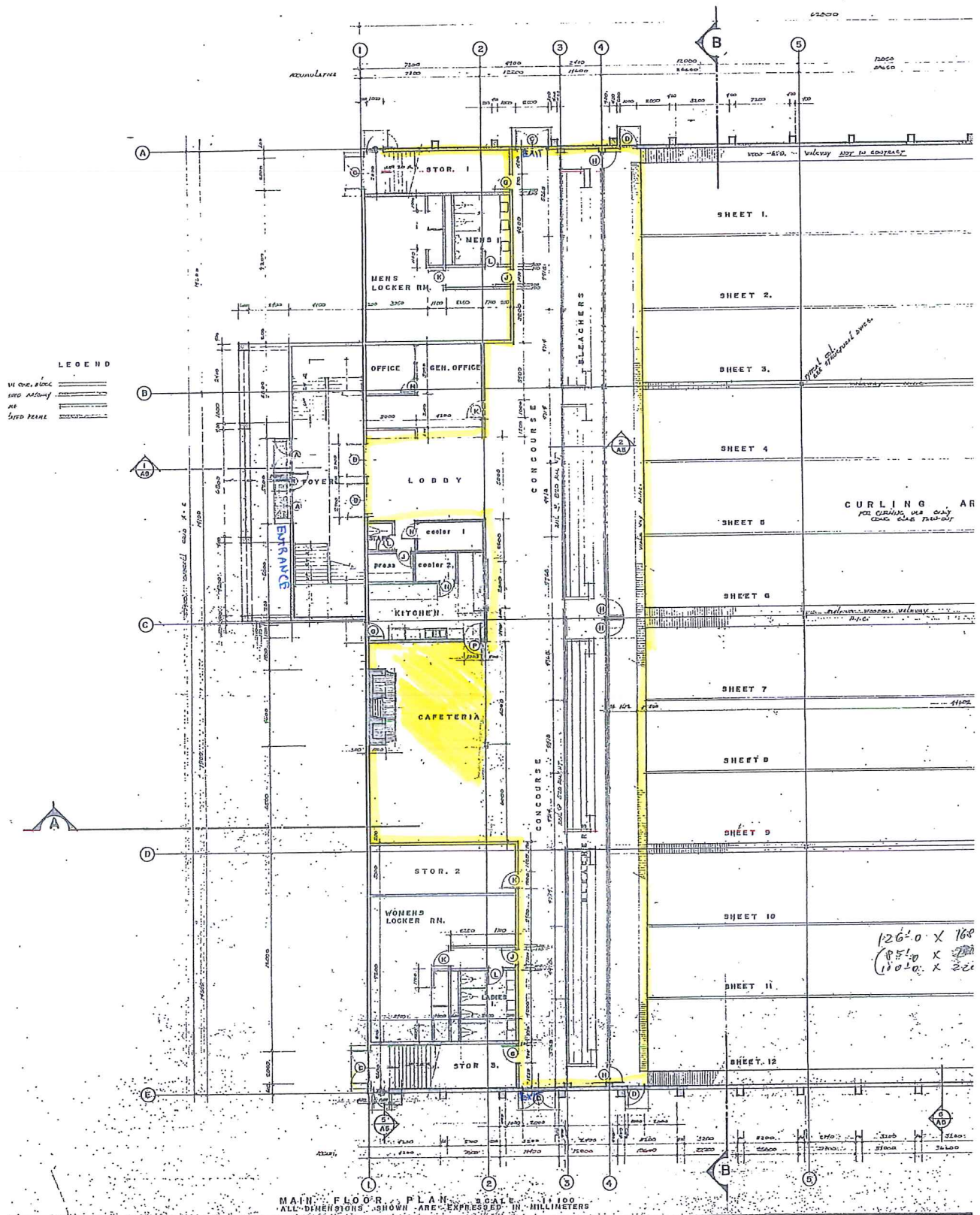
Office of the Fire Commissioner

A handwritten signature in black ink, appearing to read "Mike Stah", written over a horizontal line.

* This notice is to be posted in a conspicuous location near the principal entrance

SECOND FLOOR PLAN
SCALE 1"=100'





REPORT TO COUNCIL



Date: June 27, 2017

RIM No. 0930-50

To: City Manager

From: Community Planning Department (AC)

Application: LL17-0010

Owner: Bromaxx Property Group Ltd.,
Inc. No. BC1021305

Address: 1080-1090 Richter St

Applicant: Red Bird Brewing – Adam
Semeniuk.

Subject: Liquor License

Existing OCP Designation: IND – Industrial

Existing Zone: I4 – Central Industrial

1.0 Recommendation

THAT Council directs Staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the *Liquor Control and Licensing Regulation* and Council Policy #359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Red Bird Brewing located at 1080-1090 Richter St, Kelowna, BC, legally described as Lot 1, District Lot 139, ODYD, Plan 7858, for a manufacturer lounge and special event area endorsement from "4:00 PM to Midnight on Wednesdays, Thursdays, & Fridays" and "Noon to Midnight on Saturdays & Sundays".
2. That Council's comments on the prescribed considerations are as follows:
 - (a) The potential for noise if the application is approved;
The potential impact for noise is minimal and would be compatible with surrounding land uses.
 - (b) The impact on the community if the application is approved;
The potential for negative impacts is considered to be minimal.

THAT Council's comments on the view of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures".

2.0 Purpose

To seek Council's support to allow a manufacturer lounge and special event area endorsement to allow patrons to purchase and consume liquor products.

3.0 Community Planning

Staff generally support all manufacturer lounge and special event area endorsements in order to permit customers to consume the manufacturer's product onsite. Staff do not foresee any negative land use impact of permitting this type of license. However, there are three components of each license application that needs considering: the proposed capacity, the location, and proposed hours of liquor sales.

The proposed capacity should never exceed the buildings occupant load. In this case, the proposal does not exceed the maximum capacity. Under Council Policy # 359 [Liquor Licensing Policy & Procedures], there is policy direction that restricts the location of liquor primary establishments depending on their size:

- a) No establishment with a person capacity greater than 500 persons should be permitted.
- b) Large establishments (with person capacity greater than 249 persons):
 - a. Should only be located within an Urban Centre.
 - b. Should be located a minimum of 250m from another Large establishment.
 - c. Should be located a minimum of 100m from a Medium establishment.
 - d. Should not be located beside a Small establishment.
- c) Medium establishments (with person capacity between 100-249 persons):
 - a. Should only be located within an Urban or Village Centre.
 - b. Should be located a minimum of 100m from a Large or Medium establishment.
 - c. Should not be located beside a Small establishment.
- d) Small establishments (with person capacity less than 100 persons):
 - a. Should not be located beside another liquor primary establishment.

This policy is silent in regards to manufacturer lounge endorsements. Staff plan to rectify that issue within a liquor policy review later this year (2017). In the meantime, Staff are recommending new manufacturer lounge and special event area endorsements be treated similarly to new liquor primary establishments. Therefore, in this case, the new license application would be considered a small establishment and the location would be considered appropriate as it is not beside a large liquor establishment.

If lounge endorsements are to be treated similarly to liquor primary establishments, then the hours of operation should be consistent with this general guideline:

- 1) 1am closing time if the lounge endorsement is within the downtown core;
- 2) Midnight if the lounge endorsement is within close proximity to the downtown;
- 3) 11pm if the lounge endorsement is not within close proximity to the downtown.

Within the new liquor policy review, there will also need to be thresholds for a liquor primary establishment or an establishment that is similar to one to be required to have a certain level of security and patron safety measures in place (e.g Servall). The RCMP generally support the new types of liquor licenses including manufacturer lounge and special event area endorsements from 10am to 10pm, Monday through Sunday. The RCMP has also requested the City "establishment of a comprehensive policy to address new liquor primary and manufacturer lounge endorsement license applications. Such a policy would facilitate a consistent, guided responses to applications." Until such time as the new liquor policy can be established,

the RCMP's suggestion on hours of sale is more conservative than Staff's guidelines. In this case, the applicant's proposed hours of sales are not supported by the RCMP but are supported by Staff. Staff feel a lounge establishment opening to midnight five times a week will not significantly add resourcing issues to the RCMP due the location's proximity to the downtown and the new Police Services building.

Overall, Staff anticipate this liquor license application will have a negligible impact to the surrounding area.

4.0 Proposal

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, this type of application needs Local Government comments prior to the LCLB making a final decision.

4.2 Project Description

Existing Hours of Sale (Manufacturer License):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Close	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Proposed Hours of Sale (Manufacturer License):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	closed	closed	4:00 PM	4:00 PM	4:00 PM	12:00 PM	12:00 PM
Close	closed	closed	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM

4.3 Site Context

The subject property is located in the north end industrial area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I ₄ – Central Industrial & P ₁ LP – Major Institutional (Liquor Primary) P ₄ - Utilities	Industrial Recreation Utilities
East	I ₄ – Central Industrial	Industrial
South	I ₄ – Central Industrial	Industrial
West	P ₁ LP – Major Institutional (Liquor Primary) I ₄ – Central Industrial	Recreation Industrial

Subject Property Map: 1080-1090 Richter Street



5.0 Current Development Policies

5.1 Council Policy #359 – Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc).

- 5.2 Small establishments (with person capacity less than 100 persons should not be located beside another liquor primary establishment.

6.0 Technical Comments

Building Department

- No comment.

Bylaw Services

- Currently there are no outstanding/open files pertaining to the subject property (1080-1090 Richter St.).

Fire Department

- KFD is not opposed to the liquor license.

RCMP

- The RCMP supports the application, with hours of operation from 10am to 10pm Monday to Sunday and capacity restricted to applicant's request (26 patrons in the interior and 12 patrons on the patio). Proposed hours of operation to midnight is not support by Kelowna RCMP.
- The RCMP requests for consideration of the Planning Department/City the establishment of a comprehensive policy to address new liquor primary and manufacturer lounge endorsement license applications. Such a policy would facilitate a consistent, guided response to applications.

7.0 Application Chronology

Date of Application Received: May 15, 2017

Report Prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

LCLB Application



Manufacturer Lounge and/or Special Event Areas Endorsement Licence Application

Liquor Control and Licensing Form LCLB049a

Instructions:

To apply, please complete all applicable fields then submit with payment as outlined in Part 8 of this form. You may complete this form online, then print. If you are completing this form by hand, please print clearly using dark ink.

- If you have any questions about completing this application, call the branch toll-free at 1-866-209-2111
- LCLB forms and supporting materials referred to in this document can be found at: www.pssg.gov.bc.ca/lclb
- **Please note:** The application process may take 7 to 12 months to conclude.

PART 1: Type of Application

Please check (☒) the applicable boxes below to indicate the type of application(s) you are submitting.

☒ 1. Lounge Endorsement:

office use only

Sub job: (LP Flow)

Application Fee: \$330.00; **Annual Fee:** \$330.00 (prorated first year to March 31)

A lounge is an indoor and/or patio area within or immediately adjacent to a licensed manufacturing facility where patrons may purchase and consume liquor products. Food and non-alcoholic beverages must be available at reasonable prices to customers. Hours of service, capacity and patios are subject to local government/First Nation comment and LCLB approval. Lounge endorsements are subject to annual renewal fees as show on the manufacturer's licence renewal form each year.

- Complete this application form and provide all documents requested in Part 6.

☐ 2. Special Event Area Endorsement:

office use only

Sub job: (LP Flow)

Application Fee: \$110.00 if you already have an approved lounge endorsement area.

Application Fee: \$330.00 if you do not have an approved lounge endorsement area.

Annual Fee: \$110.00 (prorated first year to March 31)

Note: If you are applying for both lounge and special event area endorsements at the same time with this form you pay the \$110 special event area fee for a total of \$440 for both lounge and special event area endorsements.

A special event area is an indoor and/or outdoor area on the manufacturing site where patrons may purchase and consume liquor products during special events such as concerts, wine tasting events, special meals/dinners or weddings. *Special event areas are event-driven only.* Food and non-alcoholic beverages must be available at reasonable prices to customers. Hours of sale are subject to local government/First Nation comment and LCLB approval. Special event area endorsements are subject to annual renewal fees which will appear on the manufacturer's licence renewal form each year.

- Complete this application form and provide all documents requested in Part 6.

NOTE - when relocating a manufacturing facility: Endorsements for lounges or special event areas cannot transfer location without local government/First Nation comment and LCLB approval. This is required because the local government/First Nation must be provided an opportunity to reconsider the impact of the endorsement on the community given the new location. Use this form to reapply but **do not pay** the application fee(s).

Are you submitting an application to transfer the location of the manufacturing facility with this application? ☐ Yes ☐ No

If **Yes**, your relocation application may go forward and be approved while waiting for these endorsements to be considered. In such cases, the manufacturing facility may operate at the new location if approved, while the endorsement application(s) are being processed.

PART 2: Application Contact Information

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: Adam Semeniuk

Phone number: 778-821-0404

Fax number:

E-mail address: adamsemeniuk@hotmail.com

PART 3: Licensee Information

Manufacturer Licence #: _____

Manufacturer Name: Red Bird Brewing Inc.

Manufacturer Location Address:

1086 Richter St.

Kelowna

BC

V1Y 2K5

Street

City

Province

Postal Code

Licensee Name (as shown on liquor licence): Red Bird Brewing Inc.

PART 4: Endorsement Information

For **all endorsement requests**: Does current zoning permit the sale and consumption of liquor in a lounge or special event area?

☒ Yes ☐ No - rezoning is required

1. Lounge Endorsement

Legal description of endorsement site: Parcel A Plan 57837 ODYD

(Legal description and parcel identifier (PID) or Strata Plan number of the endorsement site if located on separate legal parcel than manufacturing site. It is on the property tax notice or can be obtained from the Land Titles office.)

Local government or First Nation: _____

Proposed interior capacity:

Area 1	Area 2	Area 3	Area 4
26			

Proposed patio capacity:

Patio 1	Patio 2	Patio 3	Patio 4
12			

Note: Occupant load for the proposed areas is required on the floor plan you provide

Note: The person capacity (patrons plus staff) of a licensed area(s) must equal the occupant load. Capacity must be approved by LCLB and is subject to local government/First Nation comment. (See Part 9 for an explanation of the application process.) See Part 6, #5 of this application for floor plan occupant load requirements.

Note: The ALR regulation may restrict the size of a lounge and/or patio lounge area. If you are located on ALR land, applicants must verify that their proposed lounge area does not exceed the limit prior to submitting an application.

Patio Description:

1. Describe the perimeter that will bound and control entry and exit (e.g. fencing, planters, hedges):

Patio perimeter will be enclosed by a metal fence/gate. Confirmation of the patio by the city is undetermined at this point as Richter St. is currently being widened.

2. Describe floor composition (e.g., grass, gravel, flooring):

Pavement (or possibly wooden patio).

3. Describe how your staff will manage and control the patio from the interior licensed area

Periodically monitoring as staff clear tables of empty glasses.

4. ☐ Attach a photo if the patio is already built.

Part 4 continued on next page...

Proposed hours of sale for the Lounge Endorsement

Complete the table below by entering the opening and closing times proposed for the establishment. Hours requested must fall between 9:00 a.m. and 4:00 a.m. of each business day. All hours requested will be reviewed by your local government/First Nation council before they are approved by the Liquor Control and Licensing Branch.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	closed	closed	closed	4pm	4pm	12pm	closed
CLOSE	closed	closed	closed	12am	12am	12am	closed

2. Special Event Area Endorsement

Legal description of endorsement site:
(Legal description and parcel identifier (PID) or Strata Plan number of the endorsement site if located on separate legal parcel than manufacturing site. It is on the property tax notice or can be obtained from the Land Titles office.)

Local government or First Nation:

Proposed interior capacity:

Note: Occupant load for the proposed licensed areas is required on the floor plans you provide for interior area(s) and outdoor patio(s) only.

Proposed patio capacity:

Note: the person capacity of a licensed area(s) must equal the occupant load (as determined by the authority in your area).

1. Describe the perimeter that will bound and delineate the special event area when events are taking place:

2. Describe how staff will supervise this exterior area when events are taking place:

Proposed hours of sale for your Special Event Area Endorsement

Complete the table below by entering the opening and closing times proposed for the establishment. Hours requested must fall between 9:00 a.m. and 4:00 a.m. of each business day. All hours requested will be reviewed by your local government/First Nation council before they are approved by the Liquor Control and Licensing Branch.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
CLOSE	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

PART 5: Letter of Intent (Functions and Services to be Provided)

Explain the functions and services your facility or venue will provide. The information you provide in the letter of intent must address all of the factors indicated below.

☒ I have attached a separate sheet.

1. Purpose

Describe the purpose of the endorsement including beverage service, entertainment and hospitality services you intend to provide.

2. Describe the target market.

Your proposed endorsement area may serve some of the following:

☒ Urban locals ☒ Suburban locals ☒ Rural locals ☒ Neighbouring communities ☒ Tourists

☐ Other (please specify):

3. Describe the composition of the neighbourhood.

The composition of the neighbourhood may include some of the following:

☒ Commercial ☒ Residential ☒ Industrial ☒ Light Industrial ☐ Urban ☐ Downtown ☐ Suburban

☐ Rural ☐ Agricultural Land Reserve (ALR) ☐ First Nations' Land ☐ Neighbouring residents

☐ Other (please specify):

4. Provide a street map of the area surrounding the manufacturing site which identifies the following social and public facilities within a reasonable distance* (see below):

- All other licensed liquor primary or liquor primary club establishments
- Churches
- Clubs
- Schools (K-12, colleges, universities)
- Preschools
- Day care centres
- Health care facilities
- Seniors facilities
- Recreational/sports facilities
- Neighbouring residents
- Police stations
- Fire halls
- Libraries
- Government buildings
- Any other relevant local public or private facilities

***Note:** What constitutes a reasonable distance will vary depending on individual circumstances.

Reasonable Distance Guidelines:

- In a densely populated city or municipality, reasonable distance is probably a 2 block radius;
- In a pocket community having no adjacent developed regional areas (e.g. Gold River, Tumbler Ridge, Whistler, Valemont) reasonable distance is probably the whole community;
- In a rural area having large acre parcels, reasonable distance is probably up to 8 km (five miles);
- In a moderately populated area of developed subdivisions, suburbs, reasonable distance is probably 1.5 or 2 km (1 mile).

On the same map, please mark the boundaries of the neighbourhood of the proposed location as per the reasonable distance guidelines above. State what distance measure you chose.

5. Benefits to the Community

Describe the community/market need you are addressing by providing an additional licensed area within the community (e.g. the proposed lounge will support tourism activities at the manufacturing facility OR there are currently no licensed establishments in the area).

6. Impact of Noise on the Surrounding Community

Describe the noise impact expected from your proposed endorsement area and describe the measures you will take to ensure others, including neighbouring residents, are not disturbed if the endorsement area is approved (e.g. entertainment will not involve amplified music given the bylaws in place; noise from outdoor patio will be addressed by closing patio at 10 p.m.; outdoor lighting and cameras will be installed; additional traffic should not create additional noise given the location and size of the endorsement).

7. Other Impacts on the Surrounding Community

Describe any further impacts of the new licensed area(s) on the surrounding community if the endorsement application is approved.

8. Other Information and Requests

Provide any additional information or requests that might be relevant to your manufacturer endorsement application (such as zoning restrictions, bylaw restrictions, entertainment, etc.)

PART 6: Required Documents

To be considered a "complete application" the following documents must be provided:

- ☒ 1. Completed *Application for a Manufacturer Licence Endorsement (lounge and/or special event areas)* (LCLB049a).
- ☒ 2. Application fee. See Part 8.
- ☒ 3. A large (11" x 17" preferred) official site map of the city, municipality, regional district or First Nation property with the proposed site clearly marked. Identify (by location and address) nearby social facilities, other licensed facilities (including other manufacturers with these endorsements), residential and industrial areas, churches, schools and parks (as per #4 of letter of intent).
- ☒ 4. (a) A detailed site plan of the manufacturing site (11" x 17" preferred) showing the proposed endorsement area(s). Clearly detail and label exact dimensions of the endorsement areas, as well as access/egress, driveways, vineyards or crops and other buildings on the manufacturing site.
(b) If there are other businesses operating and/or leasing space on the proposed manufacturing site, please identify the building(s) on the site plan and provide details regarding the businesses.
- ☒ 5. A large (11" x 17" preferred) scaled floor plan with detailed furniture layout of the proposed interior endorsement area(s) and outdoor patios and the occupant load marked/stamped ON the plan by provincial fire or building authorities (or designate). An alternate qualified professional may only be used in locations where fire and building authorities have opted not to provide an occupant load and written authorization has been provided.
- ☒ 6. Preliminary concept drawings and photos showing the location and the appearance of the proposed endorsement area(s) relative to the manufacturing facility. You are cautioned not to construct or build until you are granted Branch approval to do so.
- ☒ 7. A sketch of all proposed exterior signs only if you are making changes to your current approved signage. Signs are subject to LCLB approval.
☐ No signage changes proposed at this time.

NOTE: Local government zoning must permit the sale and service of manufactured product in the area(s) proposed for licensing. If the proposed site is within the Agricultural Land Reserve (ALR), ensure that you confirm that the intended use of the site and size of the proposed endorsement area meets statutory and policy provisions for land use in the ALR. For more information, contact the Commission office at (604) 660-7000 or visit the Agricultural Land Commission web site: www.alc.gov.bc.ca.

PART 7: Declaration of Signing Authority Including Valid Interest


My signature, as Applicant, indicates that, with respect to the establishment:

- I am the owner of the business to be carried on at the establishment or the portion of the establishment to be licensed.
- I am the owner or lessee of the establishment or portion of the establishment to be licensed. If I have an option/offer to lease the establishment, or portion of the establishment to be licensed, prior to a licence being issued, I will obtain a completed lease that will not expire for a minimum of 12 months after the date the licence is issued.
- I understand that the general manager has the right to request the following documentation supporting valid interest at any time and I agree to provide the requested documentation in a timely manner upon request:
 - If the applicant owns the property, a Certificate of Title in the applicant's name.
 - If the applicant is renting or leasing, a fully executed lease or assignment/offer of lease which does not expire for at least 12 months from the date the licence is issued. An offer for rent/lease must show rent paid, have a term and an expiry date and be signed by both the applicant and the property owner.
 - If the applicant is buying the land and the building(s), a copy of the offer or option to purchase the property and building(s). An offer must show price paid, have a term and expiry date, and be signed by both the applicant and the property owner.
- I understand that loss of valid interest at any time while holding a licence is reason for the general manager to consider cancelling the licence.
- I understand that I must advise the branch immediately if at any time the potential exists to lose valid interest either during the licensing process or once a licence has been issued.
- I understand that the name(s) on documentation demonstrating valid interest must be identical to the applicant names(s).
- As the licensee, I will be accountable for the overall operation, for all activities within the establishment and will not allow another person to use the licence without having first obtained a written approval from the general manager.
- I understand that a licence can only be renewed if I am the owner of the business carried on at the licensed establishment and I am the owner or lessee of the licensed portion of the establishment.

I solemnly declare that the statements in this declaration are true.

Signature of any shareholder of a private corporation, signing officer of a public corporation or society, sole proprietor or all individuals in a partnership is required below:

Note: An agent, lawyer, resident manager or third party operator may not sign the declaration on behalf of the applicant.

Name of Official: Semeniuk, Adam Jeffry
(last / first / middle)
Position: General Manager Date: 28/11/2016 Signature: 
(Day/Month/Year)

Name of Official: _____
(last / first / middle)
Position: _____ Date: _____ Signature: _____
(Day/Month/Year)

Name of Official: _____
(last / first / middle)
Position: _____ Date: _____ Signature: _____
(Day/Month/Year)

Name of Official: _____
(last / first / middle)
Position: _____ Date: _____ Signature: _____
(Day/Month/Year)

Section 15(2) of the Liquor Control and Licensing Act states: "A person applying for the issue, renewal, transfer, or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application commits an offence".

False declaration of valid interest is reason for the general manager to consider terminating the licence application and/or cancelling the licence.

PART 8: Application Fees (non-refundable)

FEES:

Lounge Endorsement Application	\$330
Special Event Area Endorsement Application (if you already have a lounge endorsement).....	\$110
Special Event Area Endorsement Application (if you do <u>not</u> have a lounge endorsement).....	\$330
Special Event Area <u>and</u> Lounge Endorsement Areas Application.....	\$440

TOTAL FEE SUBMITTED: \$ 330.00

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check ☒ one):

☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)

☐ Money order, payable to Minister of Finance

☒ Credit card: ☒ VISA ☐ MasterCard ☐ AMEX

☒ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Fax: 250 952-7066 Web: www.pssg.gov.bc.ca/lclb E-mail: liquor.licensing@gov.bc.ca

Part 9. What happens next?

The Lounge and Special Event Area Endorsement process:

1. The applicant must submit a complete application package and fee to the Victoria Liquor Control and Licensing Branch Head Office.
2. The Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant by phone or mail, of any information/documentation required before the application can be processed.
3. LCLB staff will request your local liquor inspector to conduct a site inspection and provide comments regarding your application.
4. LCLB staff will provide the applicant with a summary of their application requesting any comment or corrections before the application summary is forwarded to the relevant local government or First Nation for consideration.
5. Your local government or First Nation will be asked to provide a resolution commenting on your application. They have 90 days to respond and may ask for an extension of this period. The local government may also choose not to participate in the process but must provide a resolution explaining this decision.
6. Once a resolution has been received, LCLB will review the resolution and the application. If a site and community assessment is granted, the applicant may be asked to provide more detailed floor plans with occupant load for lounges/patios and interior special event areas as determined by local authorities.
7. The applicant will receive notification of floor and/or site plan approval in principle (AIP) and be asked to go ahead with construction as necessary.
8. When construction is complete, the applicant should contact the local liquor inspector for a final inspection of the endorsement area(s).
9. If the endorsement area(s) pass the inspection, the applicant will be asked to submit a pro-rated annual endorsement fee(s) to the Victoria LCLB head office and an amended licence and validated floor plan(s) will be issued detailing the new endorsement(s).

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence application. All personal information is collected under the authority of Section 15 of the *Liquor Control and Licensing Act* (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 800 209-2111. Fax: 250 952-7066

LCLB049a

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Lounge and/or Special Event Area Endorsement

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number:

Expiry date:

(Month)

/ (Year)

Signature:

REPORT TO COUNCIL



Date: June 27th 2017

RIM No. 0940-00 & 0940-50

To: City Manager

From: Community Planning Department (AC)

Application: DP17-0011 & DVP17-0012

Owner: RG Lot 3 Ltd., Inc.No. 556980

Address: 1232 Ellis St

Applicant: ICR Projects Inc. (Leo Mariotto)

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)

Existing Zone: CD5 – Multi-Purpose Facility

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP17-0011 for Lot 3, District Lot 139, ODYD, Plan KAP60698, located at 1232 Ellis St, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;
5. Payment-in-Lieu of parking be provided for 39 stalls according to the fee structure in Bylaw No. 8358 prior to building permit issuance.

AND THAT Council authorize the issuance of Development Variance Permit DVP17-0012 for Lot 3, District Lot 139, ODYD, Plan KAP60698, located at 1232 Ellis St, Kelowna, BC;

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted:

Schedule 'B' – Comprehensive Development Zones (CD5 – Multi-Purpose Facility)

Section 1.6 [Maximum Height of Buildings and Structures]:

To vary the maximum height from 12 storeys or 37 metres to 14 storeys or 49 metres.

Section 1.4 (b)[Conditions of Use]:

To vary the minimum amount of commercial frontage on the front lot line from 90% to 67%; &

To vary the minimum ratio of commercial floor area on the first floor from 50% to 39%

AND THAT the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated June 27 2017 be completed prior to Building Permit issuance.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit applications in order for the permits to be issued;

AND FURTHER THAT this Development Permit and Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To review the Form & Character Development Permit of a mixed-use project with ground floor commercial and a residential tower. To also consider two variances for the project: to increase the maximum height to 14 storeys and to reduce the amount of ground floor commercial.

3.0 Community Planning

3.1 Development Permit

Staff are recommending support for the proposed Development Permit due to the proposal's consistency with the majority of the Official Community Plan's (OCP) urban design guidelines. The applicant has worked with City staff to review and refine the proposed building design which included a number of design revisions recommended by Staff. Particular emphasis was given to the base of the podium and to the tower design. The goal was to provide: a successful streetscape, a pleasant pedestrian experience on the prominent corner property, and a visual interest to Kelowna's skyline.

The positive design features of this application that are congruent with the urban design guidelines are:

- The building has three distinct sections: a top, a middle, and a bottom. The applicant has added architectural overhangs on the rooftop in order to establish the visual 'top' of the building. The 'middle' of the building contains a series of different building materials and large balconies to provide visual interest. On corner lots, Staff have been encouraging applicants to design each façade and the corner of the building slightly different in order to provide visual interest and avoid repetitive or monotonous designs. In this case, the tower has significant visual difference on each façade and on the corner of the building which has exceeded the recommended design guidelines. The 'bottom' of the building (i.e the podium) has designed significant architectural variability. Generally, on corner lots Staff prefer to see 'corner cuts' in the building. However, in this case on the confluence of two busy streets and an adjacent large intersection the sweeping curvilinear façade at the corner of the building provides a good transition between each street façade. Further, the additional beneficial design choices on the podium are:
 - The use of red brick on the base of the podium to tie in the adjacent heritage architecture and create a cohesive streetscape.
 - The change in material from brick to glass for the area around the residential lobby entrance helps break up the visual impact on the façade and increases the visual interest.
 - The use of bronze spandrel glass as 'windows' within the 2nd & 3rd floors façade aids in 'hiding' the parkade and provides visual interest to those floors. Staff encourage applicants to design parkades in a manner where it is not readily apparent that those floors contain a parkade. Staff feel the applicant has succeeded in this design goal.
- Provides a pedestrian walkway between Prospera Arena and the building.

- Provides indoor and outdoor common amenity space.
- All vehicular access is from the lane.

An issue of utilizing the CD-5 zone is that there is no requirement for bicycle storage spaces. As a comparison, the C7 zone would require the provision of 47 long-term bicycle storage spaces and 13 short-term or visitor bicycle parking spaces. Despite no requirement, the applicant has provided a bicycle storage room in the underground parkade that can store up to 16 bicycles and 11 short term bicycle parking spaces located within the public boulevard along Ellis Street. In addition the applicant has provide 102 storage lockers which can be used by residents for a variety of needs, but could also be used for bicycle storage.

The City's Development Engineering department has raised some concerns with the access and manoeuvrability within the applicant's parking entrance area (See Memo - Attachment 'A' dated March 6th 2017). This concern relates to turning movements on the private property and not on the public laneway. The applicant has considered this issue and is confident that they can provide a safe access/egress system within the current design that is both safe and efficient for residents.

3.2 Development Variance Permit

There are two proposed variances associated with this permit.

1. A height increase of two stories; and
2. A reduction the amount of first floor commercial.

Staff are not concerned with the increase in height from 12 stories to 14 stories. If the property was zoned C7 then the maximum height would have been 26 stories and there is a number of towers (and proposed towers) in the greater area.

Staff consider the reduction in the amount of commercial on the first floor as minor. The site is relatively small for tower construction and the ratio of first floor area is primarily taken up with parking ramps, maneuvering aisles, services to the building like garbage & recycling, and the residential lobby. In order to keep those features, the developer has secondarily increased the amount of commercial area as much as possible. The commercial frontage is 100% on the Water street side but on the Ellis Street side a residential lobby, a parkade ramp, and an exit door contribute to the variance of 67% instead of 90% frontage.

3.3 Parking

The proposal is short 39 vehicle stalls as compared to the required parking outlined within the CD5 zone. The applicant is proposing to pay the cash-in-lieu of providing the parking. At today's cash-in-lieu rate of \$22,500 per stall, this would total \$877,500. The applicant's original proposal was to meet the parking requirements of the surrounding C7 zone. The applicant redesigned the parkade after that request was denied by Council. The current CD5 zone requires more parking and requires larger parking stalls compared to any other zone within Zoning Bylaw No.8000. Therefore, the parkade redesign focused on increasing vehicle parking stalls at the expense of bicycle parking and storage areas (See Table 3.3.1 for a comparison between the two designs).

Table 3.3.1 Development Statistic Comparison of the two Parkade designs		
Development Statistic	Original Parkade Plan	Current Parkade Plan
Number of Parking Stalls required	117	139
Number of Parking Stalls provided	117	100
Number of Class 1 bicycle stalls (long term bike parking)	60	16
Number of Class 2 bicycle stalls (short term bike parking)	11	11
Number of storage lockers	116	102

4.0 Proposal

4.1 Project Description

The proposed building is 14 storeys high, with a retail base, and 11 storeys of residential units. There is an underground parkade and a main floor that contains 597 m² of commercial space as well as a small parking area for 9 vehicles. The second and third floors are dedicated for vehicle parking and personal storage lockers. The total number of residential units is 91 with 27 one-bedroom suites, 62 two-bedroom suites, and 2 three-bedroom suites. The fourth floor is the beginning of the residential units but it also includes a common amenity room and common outdoor space located in the south-west corner of the site.

The residential tower consist mainly of spandrel glass with a glazing in clear anodized framing system. The decks and various other structural columns and architectural features include fiber cement and painted concrete in a series of colours alongside strategically placed white metal panels.

The base of the building consists mainly of a brick veneer. The first floor has a clear glazing to provide visual permeability into the commercial retail units. Directly above the commercial retail units includes a black metal panel system that will provide a location for commercial signage and provide weather protection for pedestrians. To identify the residential lobby the material switch from a brick veneer to a spandrel glass material. Floors two and three have the predominant material of brick veneer but spread throughout the Ellis St. and Water St facades are a series of bronze spandrel glass panels with black frames.

The site plan includes a pedestrian walkway from Water Street and the adjacent Prospera lot to the rear lane. All vehicular traffic and access will be from the lane.

4.2 Background

The applicant applied for a Text Amendment (TA16-0014) to reduce the residential parking rate within the CD5 zone. The proposal was to match the parking rate with the surrounding C7 zone. Council defeated the request at the April 10th 2017 regular Council meeting.

4.3 Site Context

The site is located at the north end of the Downtown Urban Centre directly adjacent to Prospera Place. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Vacant
East	I4 – Central Industrial	Industrial

South	C10 – Service Commercial	Commercial
West	CD5lp – Multi-Purpose Facility (Liquor Primary)	Prospera Place Arena

Subject Property Map: 1232 Ellis St**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	CD5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	37.0 m / 12.0 storeys	49.0 m / 14 storeys ①
Front Yard (east)	0.0 m	~0.8 m
Side Yard (north)	0.0 m	~0.8 m
Side Yard (south)	0.0 m	~6.7 m
Rear Yard (west)	0.0 m	6.0 m
Site coverage of buildings	n/a	69 %
FAR	5.0	4.52
Parking Regulations		

Zoning Analysis Table		
CRITERIA	CD5 ZONE REQUIREMENTS	PROPOSAL
Minimum Parking Requirements	139 parking stalls	100 parking stalls *
Ratio of Parking Stalls	Small Size: 40% Max	Small Size: 29%
Other Regulations		
Minimum commercial	<ul style="list-style-type: none"> Frontage on first floor must be 90% of front lot line; & First floor must have a minimum 50% commercial total floor area 	<ul style="list-style-type: none"> Frontage on first floor is 67% of front lot line; & ❷ First floor has 39% commercial total floor area ❷
Minimum Bicycle Parking Requirements	None required	Class 1: 16 bikes Class 2: 0 bikes But 102 storage lockers provided
❶ A variance to increase the permitted height is proposed. * Cash-in-lieu of parking based on current parking rates is \$877,500 ❷ A variance to reduce the minimum commercial frontage and the minimum commercial floor area.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Contain Urban Growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Housing Mix.³ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Objective 5.5: Ensure appropriate and context sensitive built form.

Building Height.⁴ In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood;
- Shadowing of the public realm;
- View impacts;

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

³ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

⁴ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

- Overlook and privacy impact on neighbouring buildings;
- Impacts on the overall skyline;
- Impacts on adjacent or nearby heritage structures;

Chapter 4: Land Use Designation Massing and Height.³

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
- Step back upper floors to reduce visual impact;
- Detailing that creates a rhythm and visual interest along the line of the building;
- Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

Chapter 14: Urban Design Guidelines Amenities, ancillary Services and Utilities.⁵

- Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact;
- Create attractive rear alley facades with high quality materials on buildings facing residential areas (e.g. rear building entrances, windows, balconies, plazas, and plantings).

Chapter 14: Decks, balconies, rooftops, and common outdoor amenity space.⁵

- Incorporate decks, balconies and common outdoor amenity spaces into developments;
- Integrate vents, mechanical rooms and equipment, and elevator penthouses with the architectural treatment of the roof, and/or screen these elements with materials and finishes compatible with the building's design;

Chapter 14: Signs.⁵

- Integrate signage that contributes to the overall quality and unique character of a development (e.g. coordinate proportion, materials, and colour);
- Do not compromise the scale and visual qualities of a building with the size and number of signs;
- Locate, size, and format signs such that they can be easily read by pedestrians.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP. Dewatering & Shoring plans must be provided to the Engineering Department for approval.

⁵ City of Kelowna Official Community Plan, Chapter 14 Urban Design Development Permit Areas, Guidelines

- Requirements of the City of Kelowna fire prevention regulations bylaw No. 10760 for buildings 6 stories and greater are to be shown on the building permit drawings. Please add these to the requirements outlined in BCBC 3.2.6 for High Buildings
- Fire Department access is to be verified with Kelowna Fire Department
- A Structural, Mechanical and Code Analysis peer review may be required at time of building permit application
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - Handicap Accessibility to the main floor levels to be provided, ramps may be required. Location of H/C parking is required on the drawings.
 - Protection of the south face exit stairwell is required at the top of the vehicle ramp leading to the lower level
 - 12% driveway slope into the parking area may be excessive.
 - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
 - Main floor exit corridor can not be blocked by door swings reducing the minimum exit width.
 - 14th floor public corridor exiting may not meet code requirements and reconfiguration may be required.
 - 4th floor amenity area may require a 2nd exit and door swing based on occupant load calculations.
 - Exits are required for the 4th floor exterior deck.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. This property falls within the Okanagan flood plain and compliance is required. Minimum building elevations and any applicable covenants are required to be established prior to the release of the Development Permit.
- We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work etc.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s) / area(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units and all corridors, number of required exits per area, door swing direction, handrails on each side of exit stairs, width of exits, spatial calculation for any windows in exit stairs, etc.

- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Mechanical Ventilation inlet and exhausts vents are defined in these drawings for the enclosed parking storeys and face the side of the adjacent building. The location and noise from these units should be addressed at time of Development Permit.
- Universal washroom requirements within the CRU areas of the building are to be addressed in the building permit application. This will be addressed at time of building permit application. Washroom requirements for the commercial space of base building are to be addressed in the building permit application
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

6.2 Development Engineering Department

- See Memo (Attachment 'A') dated March 6th 2017

6.3 Fortis BC (Electric)

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Ellis and Water Street. Based on the plans submitted, it is unclear whether adequate space has been provided to accommodate the transformation required to service the proposed development. It is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FBC(E) has no concerns with this circulation.

6.4 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca.
- Should a hydrant be required on this property it shall be operational prior to the start of construction and shall be deemed a private hydrant.
- This building shall be addressed off of the street it is accessed from .
- A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- Fire Department access is to be met as per BCBC 3.2.5.
- Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met including those for high buildings and communications.
- Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Fire department connection is to be within 45M of a fire hydrant – unobstructed unless all life safety issues are confirmed.

7.0 **Application Chronology**

Date of Application:

January 24th 2017

Date of Notification Letters:

May 30th 2017

Prepared by:

Adam Cseke, Urban Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for:

Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A - Development Engineering Memo

DP17-0011

&

DVP17-0012

CITY OF KELOWNA

MEMORANDUM

ATTACHMENT **A**

Date: March 6, 2017
File No.: DP17-0011
To: Community Planning (AC)
From: Development Engineering Manager (SM)
Subject: 1232 Ellis Street

This forms part of application
DP17-0011 / DVP17-0012

Planner
Initials

AC



Mixed Use Building

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

1. Domestic Water and Fire Protection

- (a) The existing lot is not serviced with water service. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) The applicant, at his cost, will arrange for the installation of one new metered water service.

2. Sanitary Sewer

- (a) The existing lot is serviced with 200mm diameter sanitary service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing service and the installation of a new larger service if necessary.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. The existing lot is serviced with a 250mm diameter storm service which does not meet bylaw standards. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing service for the installation of one new overflow service.

4. Road Improvements

- (a) Clement Avenue fronting this development site is urbanized but the existing curb and sidewalk is in a deteriorated state. The upgrades will require curb, gutter and sidewalk removal and reconstruction, boulevard streetscape as well as the re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The decommissioning of existing services and installation of new services will also require road cuts. The extent of pavement restoration will be at the discretion of the City development engineer.
- (b) Ellis Street fronting this development site is urbanized but the existing curb and sidewalk is in a deteriorated state. The upgrades will require curb, gutter and sidewalk removal and reconstruction, boulevard streetscape as well as the re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The bus shelter has an engineered foundation and electrical connection that may need to be replaced. The decommissioning of existing services and installation of new services will also require road cuts. The extent of pavement restoration will be at the discretion of the City development engineer.
- (c) The rear lane fronting this property will require fillet paving upgrades to the property line.

5. Subdivision

- (a) Grant Statutory Rights of Way if required for utility services.
- (b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

6. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground.
- b) Streetlights must be installed on roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

7. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the City Engineer before construction may begin.

ATTACHMENT A	
This forms part of application	
# DP17-0011 / DVP17-0012	
Planner Initials	AC
 City of Kelowna <small>COMMUNITY PLANNING</small>	

8. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:


- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

ATTACHMENT A	
This forms part of application # DP17-0011 / DVP17-0012	
Planner Initials	AC
 City of Kelowna <small>COMMUNITY PLANNING</small>	

12. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Access to the site will be permitted from the lane only. The proposed parking access raises concerns of safety and poor sightlines between multiple converging ramps, and the 180 degree turning movements towards Ellis Street.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

ATTACHMENT		A
This forms part of application		
# <u>DP17-0011 / DVP17-0012</u>		
Planner Initials	AC	 City of Kelowna <small>COMMUNITY PLANNING</small>

DEVELOPMENT PERMIT / DEVELOPMENT VARIANCE PERMIT



**APPROVED ISSUANCE OF DEVELOPMENT PERMIT (DP17-0011) /
DEVELOPMENT VARIANCE PERMIT (DVP17-0012)**

Issued To: RG Lot 3 Ltd., Inc.No. 556980
Site Address: 1232 Ellis St
Legal Description: Lot 3, District Lot 139, ODYD, Plan KAP6o6g8
Zoning Classification: CD5 – Multi-Purpose Facility
Development Permit Area: COMPREHENSIVE DEVELOPMENT PERMIT AREA

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Development Permit No. DP17-0011 for Lot 3, District Lot 139, ODYD, Plan KAP6o6g8, located at 1232 Ellis St, Kelowna, BC to allow the construction of a mixed use development be approved subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

- e) Payment-in-Lieu of parking be provided for 39 stalls according to the fee structure in Bylaw No. 8358 prior to building permit issuance.

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A, B, & C":

Schedule 'B' – Comprehensive Development Zones (CD5 – Multi-Purpose Facility)

Section 1.6 [Maximum Height of Buildings and Structures]:

To vary the maximum height from 12 storeys or 37 metres to 14 storeys or 49 metres.

Section 1.4 [Conditions of Use]:

To vary the minimum amount of commercial frontage on the front lot line from 90% to 67%; &

To vary the minimum ratio of commercial floor area on the first floor from 50% to 39%.

AND FURTHER THAT this Development Permit / Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permit Holder and be paid to the Permit Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) Cash in the amount of \$ 98,818.75 OR
- b) A Certified Cheque in the amount of \$ 98,818.75 OR
- c) An Irrevocable Letter of Credit in the amount of \$ 98,818.75 .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

 Ryan Smith, Community Planning Department Manager
 Community Planning & Real Estate

 Date

 Ryan Smith, Community Planning Department Manager
 Community Planning & Real Estate

**The PERMIT HOLDER is the CURRENT LAND OWNER.
 Security shall be returned to the PERMIT HOLDER.**

COMMERCIAL & RESIDENTIAL
DEVELOPEMENT
1232 ELLIS STREET
KELOWNA, BC



N
LOCATION PLAN
N.T.S.

SCHEDULE A & B

This forms part of application
DP17-0011 / DVP17-0012


Planner
Initials **AC**



DRAWING LIST

DP-01	SITE PLAN & STATISTICS
DP-02	FLOOR PLANS
DP-03	FLOOR PLANS & SECTIONS
DP-04	ELEVATIONS
DP-05	ELEVATIONS
DP-06	SHADOW ANALYSIS

REV. NO.	DATE	REMARKS
5	MAY 04, 2017	RE-BID FOR DEVELOPMENT PERMIT
4	MAR 31, 2017	RE-BID FOR DEVELOPMENT PERMIT
3	FEB 21, 2017	RE-BID FOR DEVELOPMENT PERMIT
2	JAN 16, 2017	RE-BID FOR DEVELOPMENT PERMIT
1	SEPT 08, 2016	TEXT AMENDMENT
	SEPT 08, 2016	PRELIMINARY

PROJECT FILE		
1232 ELLIS STREET PROPOSED DEVELOPEMENT KELOWNA BC		
DATE:	DECEMBER 2016	
DRAWING TITLE:	TITLE PAGE	
SCALE:	AS SHOWN	
 ICR ARCHITECTURE AND PROJECT CONSULTANTS INC 4000 - 605 SIXTH STREET NEW WESTMINSTER, BC V3L 5H1 TEL: (604) 524-6444 FAX: (604) 524-6191		
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DATE:	DWG. NO.:	REV. NO. 5



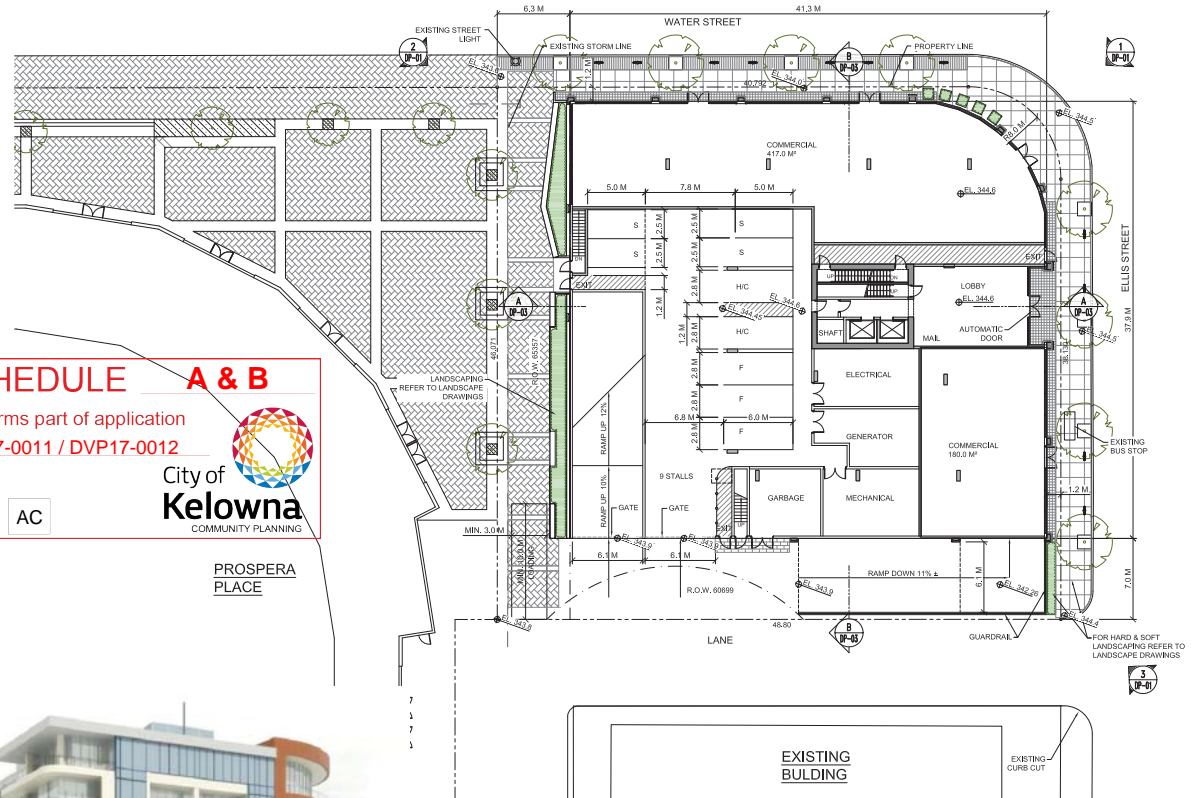
1 MASSING CONCEPT
N.T.S.

SCHEDULE A & B
This forms part of application
DP17-0011 / DVP17-0012

Planner Initials **AC**

City of Kelowna
COMMUNITY PLANNING

PROSPERA PLACE



2 MASSING CONCEPT
N.T.S.



3 MASSING CONCEPT
N.T.S.

STATISTICS:

CIVIC ADDRESS: 1232 ELLIS STREET, KELOWNA BC

LEGAL DESCRIPTION:
PID: 023-979-020
LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION
YALE DISTRICT PLAN KAP06088

REGISTERED OWNER:
REG LOT 3 LTD
2088-1377 WEST HASTINGS STREET
VANCOUVER, BC V6E 2K3

ZONING: CDS - MULTI-PURPOSE FACILITY

SITE AREA: 0.553 ACRES (2237.1 M²)

PERMITTED DENSITY: F.A.R. 5 + 11,385.5 M²

GROSS FLOOR AREA: 14,856.3 M² (Underground parking excluded)

LESS STAIRS, ELEVATOR, CORRIDORS: 1,754.35 M²

LESS AMENITY: 133.1 M²

PROPOSED F.A.R.: 10,114.21 M²

NET FLOOR AREA:

COMMERCIAL: 597.0 M²

RESIDENTIAL: 14,078.8 M²

SITE COVERAGE:

SITE AREA: 2,237.1 M²

GROSS GROUND FLOOR AREA: 1,535.6 M² = 69%

PERMITTED MAXIMUM HEIGHT OF BUILDINGS AND STRUCTURES:

12 STOREYS OR 37 M WHICHEVER IS THE LESSOR

PROPOSED HEIGHT OF BUILDING AND STRUCTURES:

14 STOREYS, 49.0 M TOP OF PARAPET,
52.0 M TOP OF MECHANICAL SCREEN

REQUIRED SETTING OF PRINCIPAL BUILDINGS AND STRUCTURES:

FRONT YARDS: NONE REQUIRED

SIDE YARDS: NONE REQUIRED

REAR YARDS: NONE REQUIRED

PROPOSED SETTING OF PRINCIPAL BUILDINGS AND STRUCTURES:

FRONT YARDS: APPROX. 0.6 M (2 FEET 8 INCHES)

SIDE YARDS: NORTH SIDE: APPROX. 6.8 M (22 FEET 8 INCHES)

SOUTH SIDE: APPROX. 6.7 M (22 FEET 8 INCHES)

REAR YARDS: 6.0 M (20 FEET 8 INCHES)

REQUIRED FIRST FLOOR COMMERCIAL:

50% OF THE FIRST FLOOR AND MUST OCCUPY 90% OF THE FRONT LOT LINE

PROPOSED FIRST FLOOR COMMERCIAL: 597.0 M² (95% OF FIRST FLOOR: 67% OF FRONT LOT LINE; 85% OF SIDE LOT LINE)

PROPOSED UNIT MIX:

ONE BEDROOM: 27 SUITES

TWO BEDROOMS: 62 SUITES

THREE BEDROOMS: 2

TOTAL NUMBER OF SUITES: 91

PROPOSED RESIDENTIAL PARKING:

1.25 SPACES PER 1 BEDRM X 27 = 33.75

1.5 SPACES PER 2 BEDRM X 62 = 93

2.0 SPACES PER 3 BEDRM X 2 = 4

1.0 SPACES PER 75 M² COMMERCIAL = 8

TOTAL REQUIRED: 139 STALLS

PARKING PROVIDED:

FULL SIZE VEHICLE 6.0M X 2.8 M = 71 STALLS (71%)

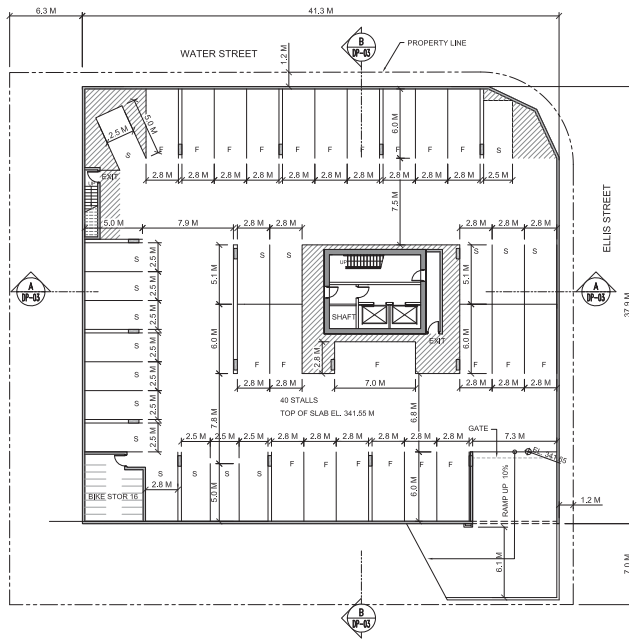
SMALL SIZE VEHICLE 5.0M X 2.5 M = 29 STALLS (29%)

TOTAL: 100 STALLS

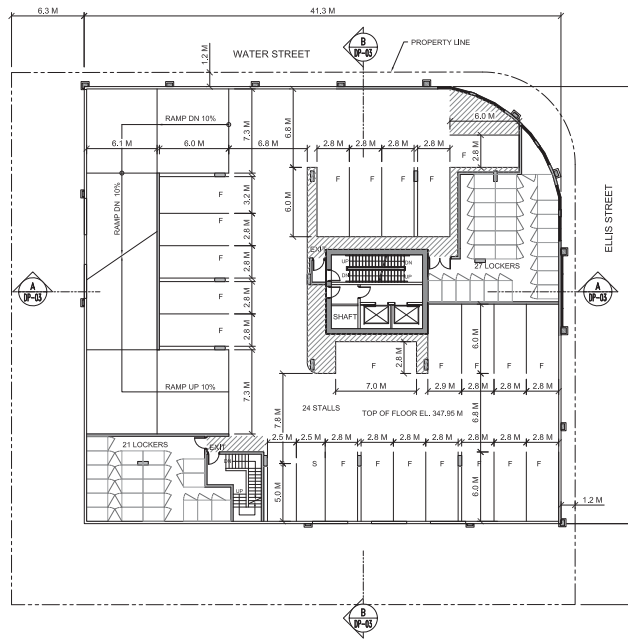
EXISTING BUILDING

REV. NO.	DATE	REVISIONS
5	MAY 04, 2017	REISSUED FOR DEVELOPMENT PERUSE
4	MAR 31, 2017	REISSUED FOR DEVELOPMENT PERUSE
3	FEB 21, 2017	REISSUED FOR DEVELOPMENT PERUSE
2	JAN 16, 2017	ISSUED FOR DEVELOPMENT PERUSE
1	SEPT 08, 2016	TEXT AMENDMENT
	SEPT 08, 2016	PRELIMINARY

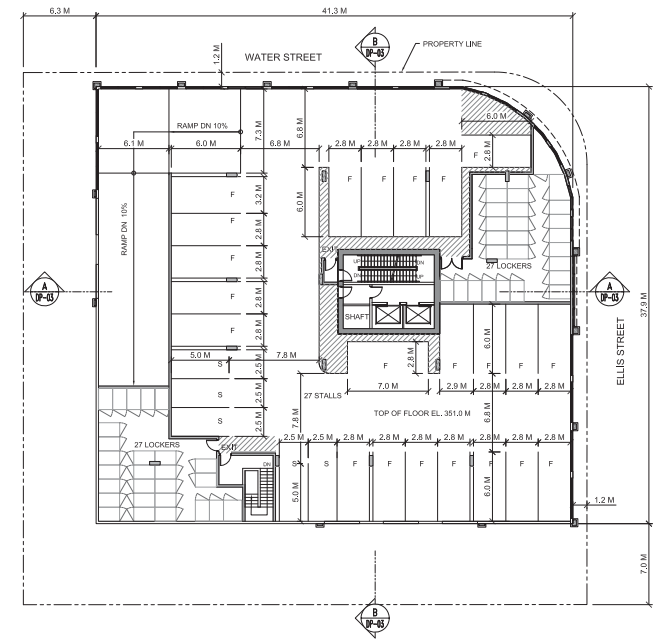
PROJECT TITLE		
1232 ELLIS STREET PROPOSED DEVELOPMENT		
KELOWNA BC		
DATE: DECEMBER 2016		
DRAWING TITLE: SITE PLAN & STATICS		
SCALE: AS SHOWN		
ICR ARCHITECTURE AND PROJECT CONSULTANTS INC.		
4000 - 605 SIXTH STREET NEW WESTMINSTER, BC V8L 5H1		
TEL: (604) 524-6444 FAX: (604) 524-0191		
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JOB NO.	DWG. NO.	REV. NO.
	DP-01	5



N
UNDERGROUND PARKING
SCALE: 1:200



N
PARKING LEVEL 2
SCALE: 1:200



N
PARKING LEVEL 3
SCALE: 1:200

SCHEDULE

A


This forms part of application
DP17-0011 / DVP17-0012

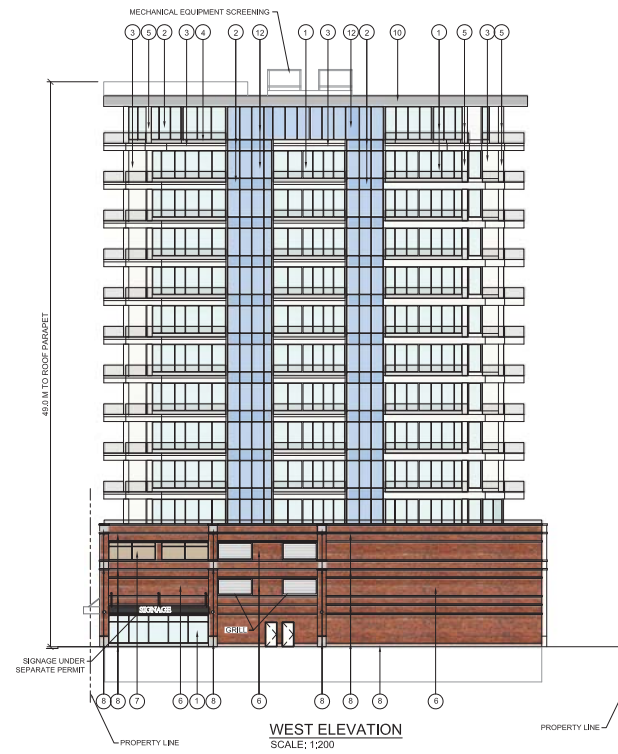
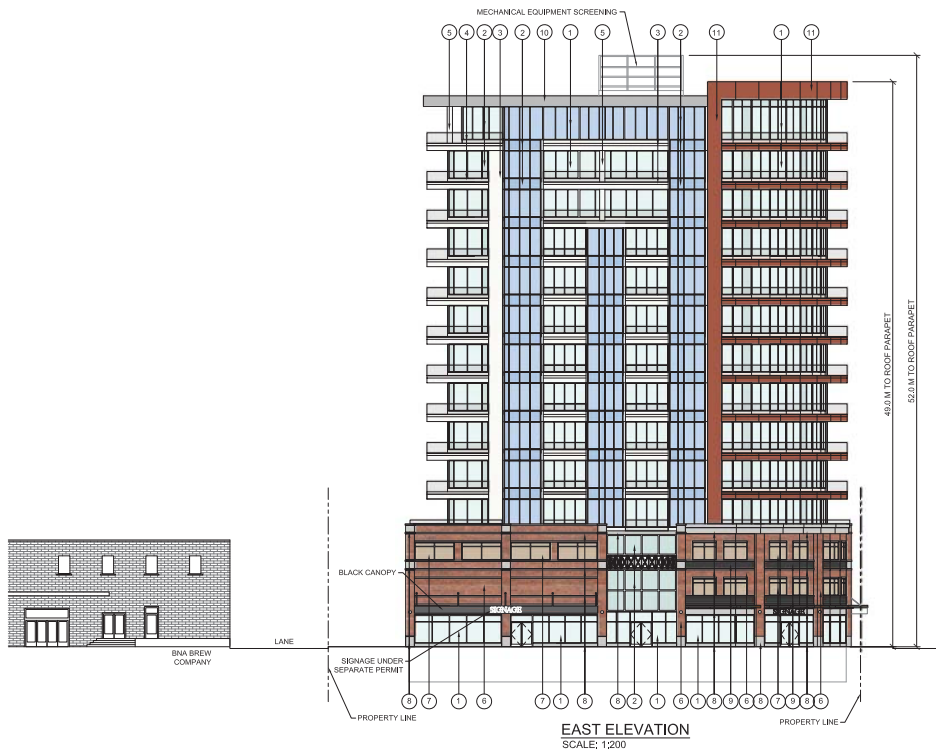
Planner
Initials

AC



REV./REV.	DATE	REVISIONS
5	MAY 04, 2017	REISSUED FOR DEVELOPMENT PERMIT
4	MAR 31, 2017	REISSUED FOR DEVELOPMENT PERMIT
3	FEB 21, 2017	REISSUED FOR DEVELOPMENT PERMIT
2	JAN 16, 2017	REISSUED FOR DEVELOPMENT PERMIT
1	SEPT 08, 2016	TEXT AMENDMENT
	SEPT 08, 2016	PRELIMINARY

PROJECT TITLE		
1232 ELLIS STREET PROPOSED DEVELOPEMENT		
KELOWNA BC		
DATE:	DECEMBER 2016	
DRAWING TITLE:	FLOOR PLANS	
SCALE:	AS SHOWN	
 ICR ARCHITECTURE AND PROJECT CONSULTANTS INC 4000 - 605 SIXTH STREET NEW WESTMINSTER, BC V3L 5H1 TEL: (604) 524-6444 FAX: (604) 524-0191		
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DATE:	DWG. NO.	REV. NO.
	DP-02	5



SCHEDULE

B

This forms part of application
DP17-0011 / DVP17-0012

Planner
Initials

AC

City of
Kelowna
COMMUNITY PLANNING

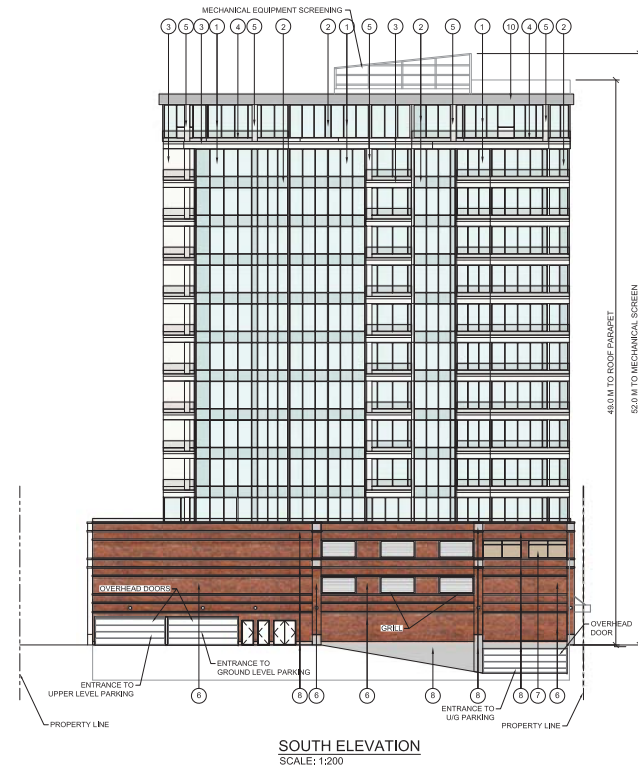
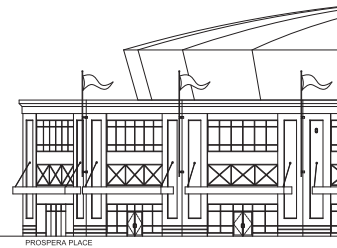
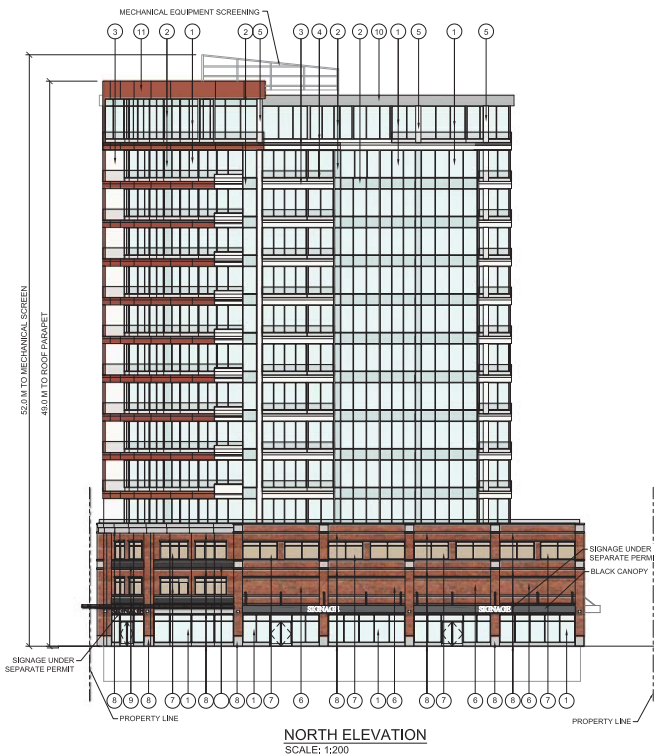


① GLAZING IN CLEAR ANODIZED FRAMING SYSTEM	① PAINTED CONCRETE BENJAMIN MOORE TONANT GRAY 2112-07
② SPANDREL GLASS	② METAL PANEL BLACK
③ FIBRE CEMENT	③ METAL PANEL GRAY
④ PAINTED CONCRETE BENJAMIN MOORE TUSK TUSK 2155-70	④ FIBRE CEMENT
⑤ METAL PANEL WHITE WHITE	⑤ GLAZING
⑥ BRICK VENEER	⑥ SPANDREL
⑦ BRONZE SPANDREL GLASS IN BLACK FRAMES	

ROOF MATERIALS:
RUBBERGARD ECO WHITE EPDM
SOLAR REFLECTIVE INDEX = 75 MIN.

REV./REL.	DATE	REMARKS
5	MAY 04, 2017	REBUILT FOR DEVELOPMENT PERMIT
4	MAR 31, 2017	REBUILT FOR DEVELOPMENT PERMIT
3	FEB 21, 2017	REBUILT FOR DEVELOPMENT PERMIT
2	JAN 16, 2017	ISSUED FOR DEVELOPMENT PERMIT
1	SEPT 08, 2016	TEXT AMENDMENT
	SEPT 08, 2016	PRELIMINARY

PROJECT TITLE		
1232 ELLIS STREET PROPOSED DEVELOPMENT KELOWNA BC		
DATE: DECEMBER 2016		
DRAWING TITLE: ELEVATIONS		
SCALE: AS SHOWN		
ICR ARCHITECTURE AND PROJECT CONSULTANTS INC. 4000 - 605 SIXTH STREET NEW WESTMINSTER, BC V3L 5H1 TEL: (604) 524-4544 FAX: (604) 524-4191		
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JOB NO.	DWG. NO.	REV. NO.
	DP-05	5



SCHEDULE B

This forms part of application
DP17-0011 / DVP17-0012

Planner
Initials

AC

**City of
Kelowna**
COMMUNITY PLANNING

<ul style="list-style-type: none"> GLAZING IN CLEAR ANODIZED FRAMING SYSTEM SPANDREL GLASS FIBRE CEMENT PAINTED CONCRETE BENJAMIN MOORE IVORY TUSK 2153/7 METAL PANEL WHITE WHITE BRICK VENEER BRONZE SPANDREL GLASS IN BLACK FRAMES 	<ul style="list-style-type: none"> PAINTED CONCRETE BENJAMIN MOORE CEMENT GRAY 2112/407 METAL PANEL BLACK METAL PANEL GRAY FIBRE CEMENT GLAZING SPANDREL
--	--

ROOF MATERIALS:
RUBBERGARD ECO WHITE EPDM
SOLAR REFLECTIVE INDEX • 78 IRIEN

REV./REL.	DATE	REMARKS
5	MAY 04, 2017	RE-REVISED FOR DEVELOPMENT PERMIT
4	MAR 31, 2017	RE-REVISED FOR DEVELOPMENT PERMIT
3	FEB 21, 2017	RE-REVISED FOR DEVELOPMENT PERMIT
2	JAN 16, 2017	ISSUED FOR DEVELOPMENT PERMIT
1	SEPT 08, 2016	TEXT AMENDMENT
	SEPT 08, 2016	PRELIMINARY

PROJECT TITLE 1232 ELLIS STREET PROPOSED DEVELOPMENT KELOWNA BC		
DATE: DECEMBER 2016		
DRAWING TITLE: ELEVATIONS		
SCALE: AS SHOWN		
ICR ARCHITECTURE AND PROJECT CONSULTANTS INC 4000 + 505 SIXTH STREET NEW WESTMINSTER, BC V3L 5H1 TEL: (604) 524-6444 FAX: (604) 524-6191		
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JOB NO. <div style="border: 1px solid black; padding: 2px; text-align: center;">DP-04</div>	DWG. NO. <div style="border: 1px solid black; padding: 2px; text-align: center;">5</div>	

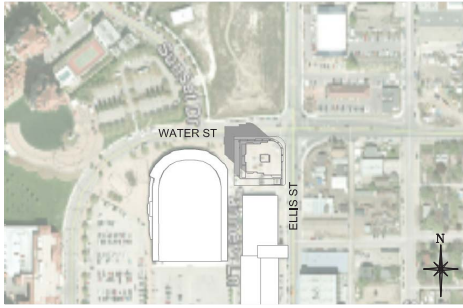
SCHEDULE A & B

This forms part of application
DP17-0011 / DVP17-0012



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials AC



SHADOW STUDY JUNE 21, 10:00 AM
N.T.S.



SHADOW STUDY JUNE 21, 12:00 PM
N.T.S.



SHADOW STUDY JUNE 21, 2:00 PM
N.T.S.



SHADOW STUDY JUNE 21, 4:00 PM
N.T.S.



SHADOW STUDY SEPT 21, 10:00 AM
N.T.S.



SHADOW STUDY SEPT 21, 12:00 PM
N.T.S.



SHADOW STUDY SEPT 21, 2:00 PM
N.T.S.



SHADOW STUDY SEPT 21, 4:00 PM
N.T.S.

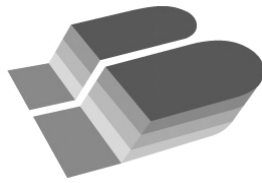


NORTH-EAST CORNER VIEW



REV./NO.	DATE	REMARKS
5	MAY 04, 2017	REISSUED FOR DEVELOPMENT PERMIT
4	MAR 31, 2017	REISSUED FOR DEVELOPMENT PERMIT
3	FEB 21, 2017	REISSUED FOR DEVELOPMENT PERMIT
2	JAN 16, 2017	ISSUED FOR DEVELOPMENT PERMIT
1	SEPT 08, 2016	TEXT AMENDMENT
	SEPT 08, 2016	PRELIMINARY

PROJECT TITLE 1232 ELLIS STREET PROPOSED DEVELOPMENT KELOWNA BC		
DATE: DECEMBER 2016		
DRAWING TITLE: SHADOW ANALYSIS		
SCALE: AS SHOWN		
 ICR ARCHITECTURE AND PROJECT CONSULTANTS INC. <small>4000 - 605 SIXTH STREET NEW WESTMINSTER, BC V3L 5H1 TEL: (604) 524-6444 FAX: (604) 524-6191</small>		
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DESIGNED BY: J. ICR	DRAWN BY: J. ICR	REVISED BY: J. ICR
DATE: 12/01/2016	DATE: 12/01/2016	DATE: 12/01/2016
JOE/NO.	ENG./NO.	REV./NO.
	DP-06	5



March 17, 2017

City of Kelowna
1435 Water Street
Kelowna, B.C.
V1J 1J4

SCHEDULE		C
This forms part of application # DP17-0011 / DVP17-0012		
Planner Initials	AC	 City of Kelowna COMMUNITY PLANNING

Attention: Community Planning & Real Estate Division

Project: 1232 Ellis St. Mixed Use – Development Permit Application

Please be advised that a landscape security bond of **\$98,818.75** will be required for the 1232 Ellis St. Mixed Use development project. This sum is equal to 125% of the estimated installed cost for all soft landscape. As per City of Kelowna requirements, the estimate includes trees, shrubs, grasses, perennials, topsoil, mulch, irrigation, and bicycle racks. Please see the attached Estimate of Probable Landscape Construction Costs for Bonding for a detailed breakdown of these costs.

Should you require any additional information, please do not hesitate to contact me.

Sincerely,

Xenia Semeniuk, BCSLA, CSLA, LEED AP (ND)
Registered Landscape Architect

cc

Leo Mariotto, ICR Projects Inc.

1232 Ellis St. Mixed Use

Estimate of Probable Landscape Construction Costs for Bonding

Prepared on: March 17, 2017

Items Description	Units	Qty.	Price	Item Total
1.0 Plant Material				
1.1 Trees				
Street Tree w/ Suspended Slab Treatment (incl. 6cm.				
1.1.1 decid. tree, soil, irrigation, aeration, suspended slab paving premium)	ea.	8	\$5,850.00	\$46,800.00
			<i>Sub-Total</i>	<i>\$46,800.00</i>
1.2 Shrubs, Perennials, Ground Covers				
1.2.1 #3 Pot: Shrubs (1.2m O.C.)	ea.	10	\$35.00	\$350.00
1.2.2 #2 Pot: Shrubs (0.6m O.C.)	ea.	41	\$25.00	\$1,025.00
1.2.3 #1 Pot: Grasses (0.9m O.C.)	ea.	15	\$20.00	\$300.00
1.2.4 #1 Pot: Perennials (0.6m O.C.)	ea.	6	\$15.00	\$90.00
			<i>Sub-Total</i>	<i>\$1,765.00</i>
			1.0 Total	\$48,565.00
2.0 Topsoil & Mulch				
2.1 Topsoil				
2.1.1 Shrub Bed Topsoil (450mm Depth)	m ³	27	\$50.00	\$1,350.00
			<i>Sub-Total</i>	<i>\$1,350.00</i>
2.2 Mulch, Rock & Boulders				
2.2.1 Glengrow Mulch (75mm Depth)	m ³	5	\$65.00	\$325.00
2.2.2 Cobble Mulch Maintenance Edge (100mm Depth)	m ³	1	\$65.00	\$65.00
			<i>Sub-Total</i>	<i>\$390.00</i>
			2.0 Total	\$1,740.00
3.0 Servicing				
3.1 Irrigation				
3.1.1 Sleeving	l.s.	1	\$1,000.00	\$1,000.00
3.1.2 Point of Connection	l.s.	1	\$2,000.00	\$2,000.00
3.1.3 Control System	l.s.	1	\$1,500.00	\$1,500.00
3.1.4 Irrigation system (heads, pipes, valves)	m ²	60	\$20.00	\$1,200.00
			<i>Sub-Total</i>	<i>\$5,700.00</i>
			3.0 Total	\$5,700.00
4.0 Site Construction				
4.1 Site Furniture				
4.1.1 Bike Racks	ea.	11	\$850.00	\$9,350.00
4.1.2 Bollards	ea.	2	\$850.00	\$1,700.00
4.1.3 Tree Grates	ea.	4	\$3,000.00	\$12,000.00
			<i>Sub-Total</i>	<i>\$23,050.00</i>
			4.0 Total	\$23,050.00
			<i>Subtotal</i>	<i>\$79,055.00</i>
			Security Total (12.5%)	\$98,818.75

SCHEDULE

C

This forms part of application

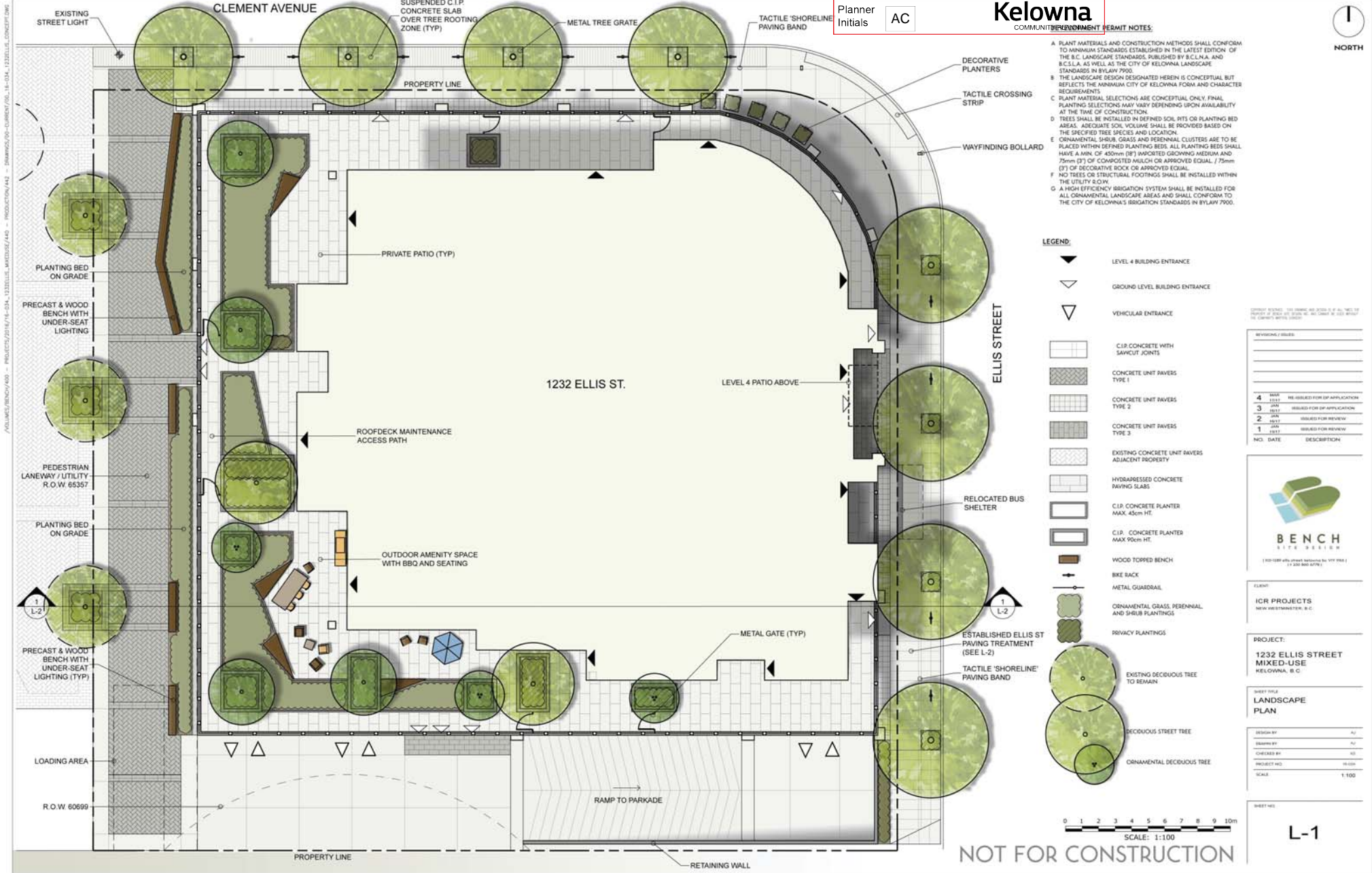
DP17-0011 / DVP17-0012

Planner Initials

AC

City of Kelowna

COMMUNITY PLANNING



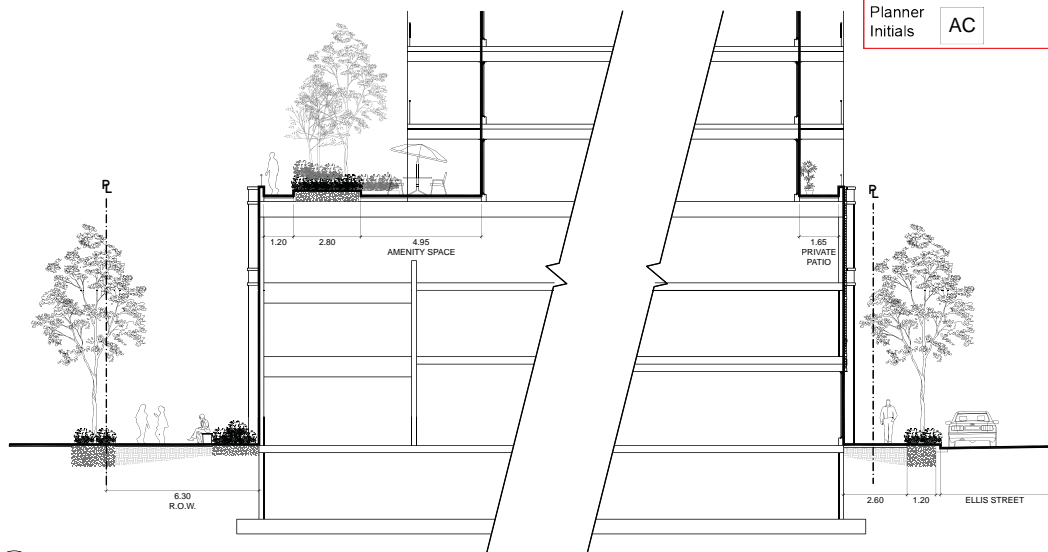
SCHEDULE C

This forms part of application
DP17-0011 / DVP17-0012

Planner Initials

AC

City of
Kelowna
COMMUNITY PLANNING



1
L-2 EAST-WEST SECTION
SCALE 1:100



PEDESTRIAN LANE CHARACTER, FURNISHINGS, AND PAVING



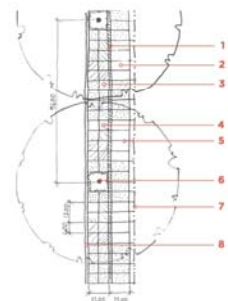
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REVISIONS / ISSUED:		
4	MAR 17/17	RE-ISSUED FOR DP APPLICATION
3	JAN 16/17	ISSUED FOR DP APPLICATION
2	JAN 16/17	ISSUED FOR REVIEW
1	JAN 13/17	ISSUED FOR REVIEW
NO.	DATE	DESCRIPTION

REPRESENTATIVE PLANT LIST:

TREES			
Botanical Name	Common Name	Size	Root
<i>Acer rubrum</i> 'Autumn Spire'	Autumn Spire red maple	6cm Cal.	B&B
<i>Amelanchier x grandiflora</i> 'Ballerina'	Ballerina serviceberry	#15 Cont.	Potted
<i>Fraxinus americana</i> 'Autumn Purple'	Autumn Purple white ash	6cm Cal.	B&B
<i>Malus x 'Spring Snow'</i>	Spring Snow crabapple	4cm Cal.	B&B
SHRUBS			
Botanical Name	Common Name	Size	Root
<i>Arctostaphylos uva-ursi</i>	Kinnikinnick	#52 Cont.	Potted
<i>Aronia melanocarpa</i> 'Autumn Magic'	Black chokeberry	#33 Cont.	Potted
<i>Hydrangea paniculata</i> 'Babo'	Babo hydrangea	#33 Cont.	Potted
<i>Rhus aromatica</i> 'Smo-Low'	Creo-Low fragrant sumac	#33 Cont.	Potted
<i>Rosa 'Bill Reid'</i>	Bill Reid rose	#33 Cont.	Potted
<i>Taxus x media</i> 'H.M. Eddi'	H.M. Eddie yew	#55 Cont.	Potted
PERENNIALS			
Botanical Name	Common Name	Size	Root
<i>Achillea millefolium</i>	Lady's mantle	#01 Cont.	Potted
<i>Bergenia ciliolata</i> 'Winterglut'	Winterglow bergenia	#01 Cont.	Potted
<i>Echinacea purpurea</i> 'White Swan'	White Swan coneflower	#01 Cont.	Potted
<i>Persicaria affinis</i> 'Dainty'	Himalayan fleece flower	#01 Cont.	Potted
<i>Paxistima canbyi</i>	Cliff green	#01 Cont.	Potted
<i>Salvia officinalis</i>	Garden sage	#01 Cont.	Potted
<i>Sedum sieboldii</i>	October Daphne stonecrop	#01 Cont.	Potted
GRASSES			
Botanical Name	Common Name	Size	Root
<i>Deschampsia cespitosa</i> 'Bronzeschleier'	Bronze tufted hair grass	#01 Cont.	Potted
<i>Festuca amethystina</i>	Tufted fescue	#01 Cont.	Potted
<i>Macarthuria sinensis</i> 'Graziella'	Grazella maiden grass	#01 Cont.	Potted
<i>Pennisetum 'Karley Rose'</i>	Karley Rose fountain grass	#01 Cont.	Potted

* Male plants only



- 1 150mm wide exposed aggregate 'shoreline'
- 2 Walking aisle - CIP concrete, broom finish, clear of all furnishings, signs, and obstacles
- 3 CIP concrete - sandblast finish
- 4 CIP concrete - contrasting broom finishes
- 5 Sawcut joints
- 6 Street tree and planting bed
- 7 Property line
- 8 Curb

ELLIS STREETSCAPE STANDARD TREATMENT



TREE GRATE AND PAVING TREATMENT



ROOF DECK PLANTERS, PAVING, AND SEATING



PEDESTAL PAVERS ON SUSPENDED SLAB



VARIED-HEIGHT PLANTER BOXES ON SUSPENDED SLAB



CLIENT:
ICR PROJECTS
NEW WESTMINSTER, B.C.

PROJECT:
**1232 ELLIS STREET
MIXED-USE
KELOWNA, B.C.**

SHEET TITLE:
**LANDSCAPE
SECTIONS & PRECEDENTS**

DESIGN BY	AJ
DRAWN BY	AJ
CHECKED BY	XS
PROJECT NO.	16-034
SCALE	AS SHOWN

SHEET NO.

NOT FOR CONSTRUCTION

L-2

REPORT TO COUNCIL



Date: June 27, 2017

RIM No. 0940-50

To: City Manager

From: Community Planning Department (EW)

Application: DVP17-0026

Owner: Sandra Hannah Morris

Address: 1994 Ethel St

Applicant: Sandra Hannah Morris

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single/ Two Unit Residential
PARK – Major Park/Open Space (public)

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0026 for Lot A District Lot 138 ODYD Plan EPP72690, located at 1994 Ethel St, Kelowna BC to allow the construction of an attached garage;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 13.6.6.(h) RU6 – Two Dwelling Housing Development Regulations

To vary the minimum site rear yard from 7.5m required to 1.5m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To vary the minimum rear yard setback from 7.5m to 1.5m proposed for an attached garage on the subject property.

3.0 Community Planning

Staff support the variance to reduce the rear yard setback from 7.5m to 1.5m for the new attached garage. Mill Creek intersects the eastern side of the property and the proposed location of the attached garage, close to the western property line concentrates development away from Mill Creek. The applicant has worked with Staff to consolidate the two lots and to return Mill Creek to Crown. Further no issues are anticipated with the proposed location of the attached garage as the lane has limited traffic; the lane is a dead end and the property to the south is the last property to have access off the lane.

4.0 Proposal

4.1 Project Description

The applicant would like to replace the existing garage/shed structure located off the lane and construct a new attached garage. The existing structure is 1.5m from the rear property line and the applicant would like to construct the new attached garage in the same location. The applicant's rationale for the variance is attached for review (Attachment A).



Figure 1. Existing garage/shed structure as viewed from the rear lane.

4.2 Site Context

The subject property is located in the Central City sector west of Ethel St and south of Sutherland Ave. Mill Creek intersects the eastern side of the property.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	CD1 – Comprehensive Development One P1 – Major Institutional	Residential Hospice House
South	RU6 – Two Dwelling Housing	Residential
West	P2 – Education and Minor Institutional	School/ Church

Subject Property Map: 1994 Ethel St



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot		
Lot Area	400 m ²	1456 m ²
Lot Width	13.0 m	15.24 m
Lot Depth	30.0 m	44.55 m
Development Regulations		
Height	9.5 m/ 2 ½ storeys	3.3 m
Front Yard	4.5 m	> 23 m
Side Yard (north)	2.0 m	0.37 m
Side Yard (south)	2.0 m	6.3 m
Rear Yard	7.5 m	1.5 m ●
● Indicates a requested variance to the minimum rear yard setback from 7.5m required to 1.5m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Protection Measures.¹ Protect and preserve environmentally sensitive areas using one or more of the following measures, depending on which measures are appropriate to a given situation:

- Return to Crown Land or covenant for conservation purposes with the City, the Province and/or a nongovernmental organization (e.g. Central Okanagan Land Trust) eligible to hold Conservation Covenants.

Habitat Protection.² Ensure a proposed development footprint within an ESA is configured in such a way as to minimise the encroachment toward aquatic or terrestrial habitat. Considering zoning and/or subdivision variances where needed to prevent or minimize a relaxation of or encroachment into the RMA or to acquire greater RMA width for environmental protection of hazard avoidance.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comment.

6.2 Development Engineering Department

- No concerns.
- Staff Note: the road dedication for the lane along the subject property is being acquired from the property on the other side of the lane: 839 Sutherland. Initial comments from the Development Engineering Department did not support variance request as the existing lane road right of way of 3m is substandard and the minimum City of Kelowna standard lane width is 6.0m.

6.3 FortisBC - Gas

- No concerns.

6.4 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.

6.5 FortisBC - Electric

- There are FortisBC Inc (Electric) primary distribution facilities along Ethel Street. However, the existing dwelling appears to be serviced from a secondary line within the lane adjacent to the west property line of the subject property. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required. Otherwise, FBC(E) has no concerns with this circulation.

¹ Official Community Plan Bylaw No. 10500, Policy 5.15.7 'Ensure environmentally sustainable development'.

² Official Community Plan Bylaw No. 10500, Policy 5.15.11 'Ensure environmentally sustainable development'.

7.0 Application Chronology

Date of Application Received: January 31, 2017
Date Public Consultation Completed: February 20, 2017

Report prepared by: Emily Williamson, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Reviewed by: Ryan Smith, Community Planning Department Manager
Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Draft DVP17-0026
Attachment "A" – Applicant's Rationale

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP17-0026

Issued To: Sandra Hannah Morris
Site Address: 1994 Ethel St
Legal Description: Lot A District Lot 138 ODYD Plan EPP72690
Zoning Classification: RU6 – Two Dwelling Housing

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0026 for Lot A District Lot 138 ODYD Plan EPP72690, located at 1994 Ethel St, Kelowna BC to allow the construction of an attached garage;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 13.6.6.(h) RU6 – Two Dwelling Housing Development Regulations

To vary the minimum site rear yard from 7.5m required to 1.5m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

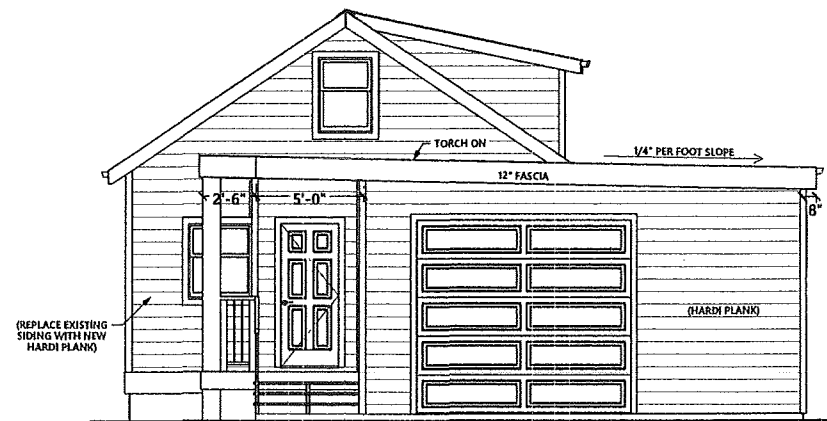
5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

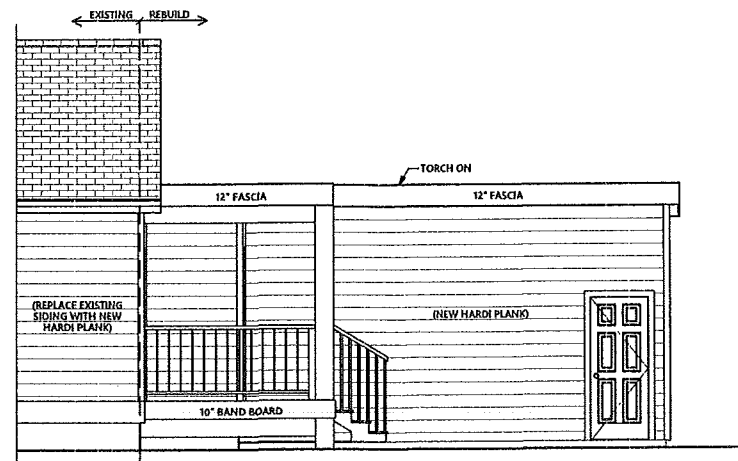
 Ryan Smith, Community Planning Department Manager
 Community Planning & Real Estate

 Date

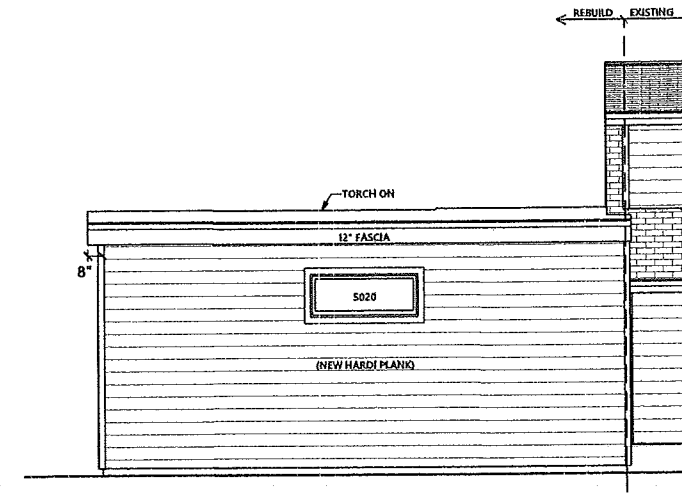
The PERMIT HOLDER is the CURRENT LAND OWNER.



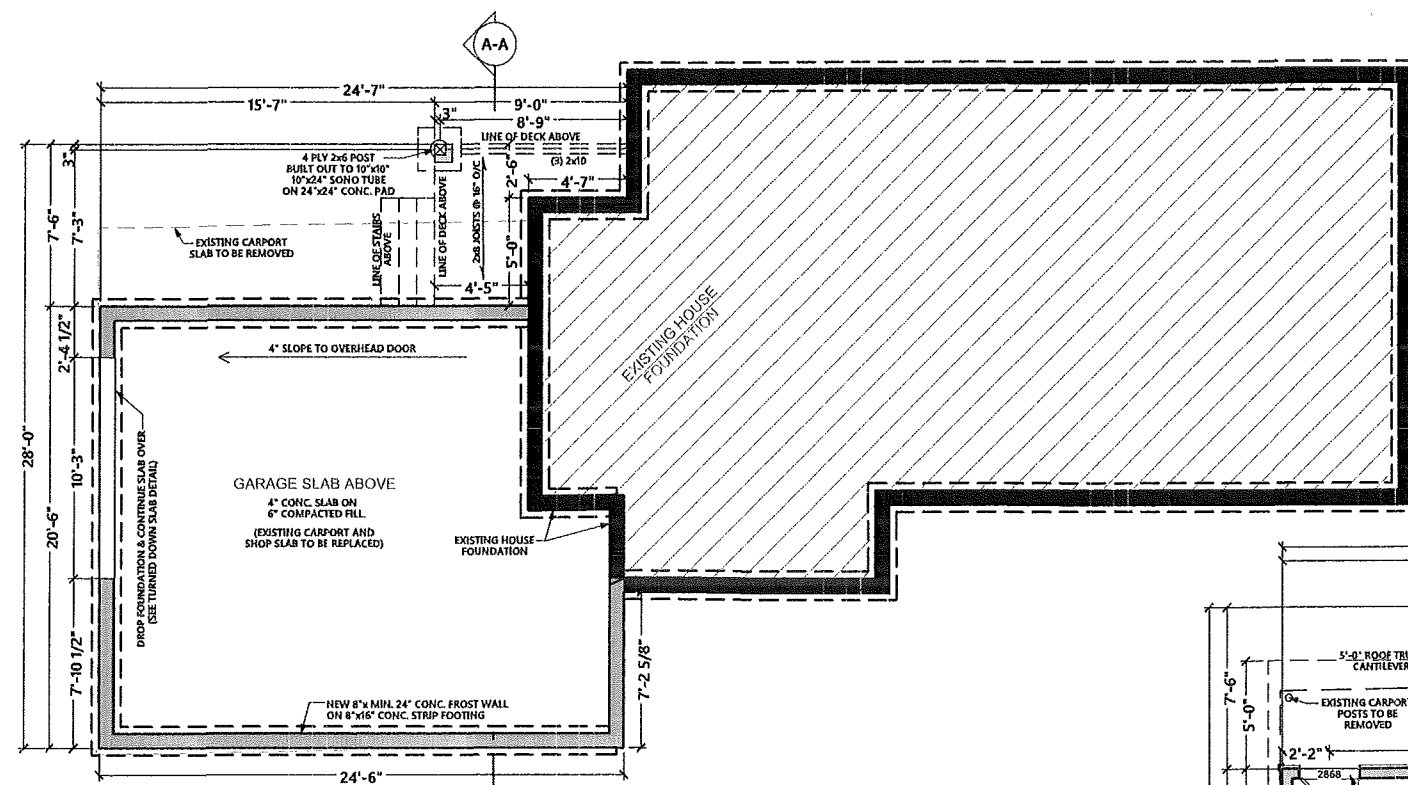
FRONT ELEVATION



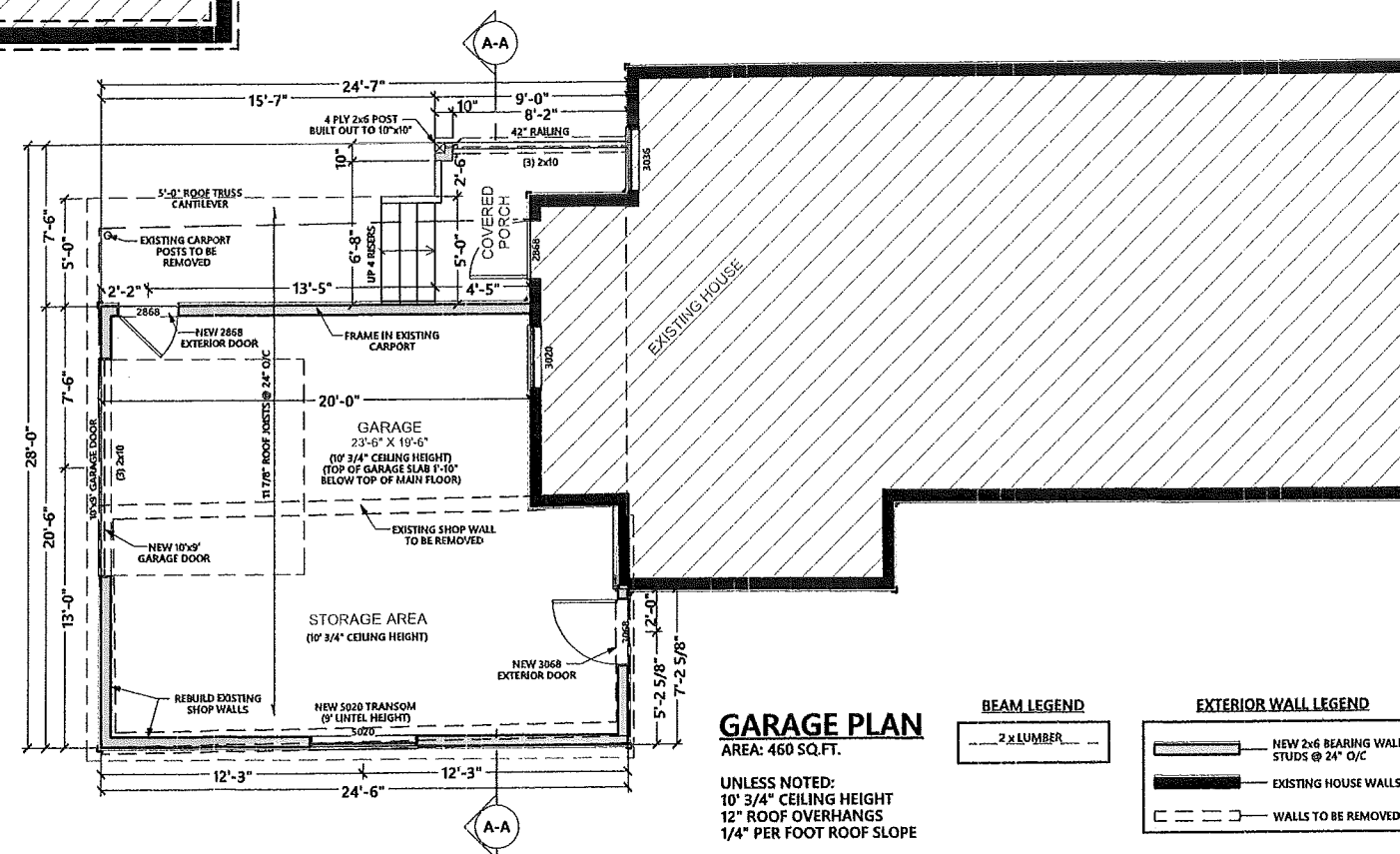
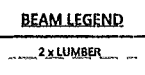
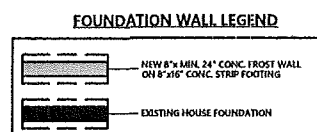
LEFT ELEVATION



RIGHT ELEVATION

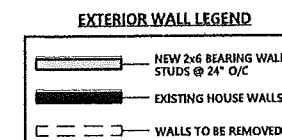
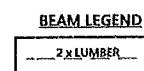


FOUNDATION PLAN



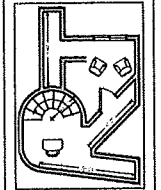
GARAGE PLAN
AREA: 460 SQ. FT.

UNLESS NOTED:
10' 3/4\"/>



STANDARD NOTES

1. ALL WORK SHALL CONFORM TO THE CURRENT BUILDING CODES ADOPTED BY AUTHORITIES HAVING JURISDICTION OR LOCAL BUILDING CODES AND BYLAWS WHICH MAY TAKE PRECEDENCE.
2. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DRAWINGS.
3. "R-TISTRY DRAFTING INC." SHALL NOT BE RESPONSIBLE FOR ANY VARIANCES FROM THE STRUCTURAL DRAWINGS AND SPECIFICATIONS, OR ADJUSTMENT REQUIRED RESULTING FROM CONDITIONS ENCOUNTERED AT THE JOB SITE AND IS THE SOLE RESPONSIBILITY OF THE OWNER/ BUILDER.
4. CONSTRUCTION LOADS ON THE STRUCTURE CAUSED BY INTERIM STORAGE OF MATERIALS OR USE OF EQUIPMENT, SHALL NOT BE ALLOWED TO EXCEED THE DESIGN LOADINGS.
5. ALL WINDOW AND DOOR SIZES AND OPERATION ARE TO BE CONFIRMED BY OWNER/BUILDER WITH THE MANUFACTURE.



R-tistry Home Design
design@rtistryhomedesign.com
PH: 250-469-1641

ISSUED PLANS:	
NO.1	VARIANCE APPROVAL
	JAN. 20, 2017

GARAGE REBUILD &
VARIANCE FOR 1.5M
GARAGE SETBACK

PROJECT TITLE:
1994 ETHEL ST.
KELOWNA, BC

DATE:
2017-01-20

SCALE:
1/4" = 1'

SHEET:
1/2

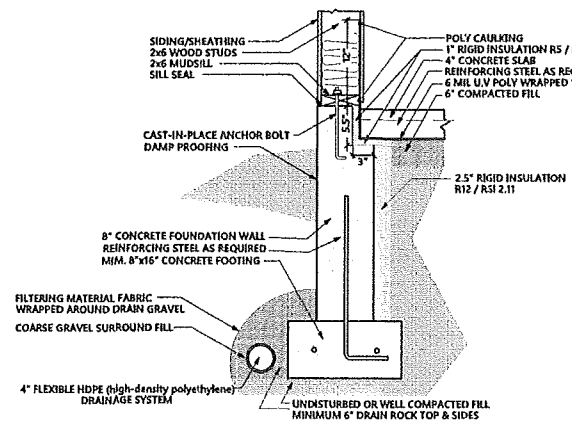
SCHEDULE

A

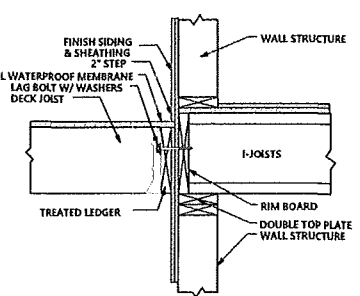
This forms part of application
DVP17-0026

Planner
Initials EW

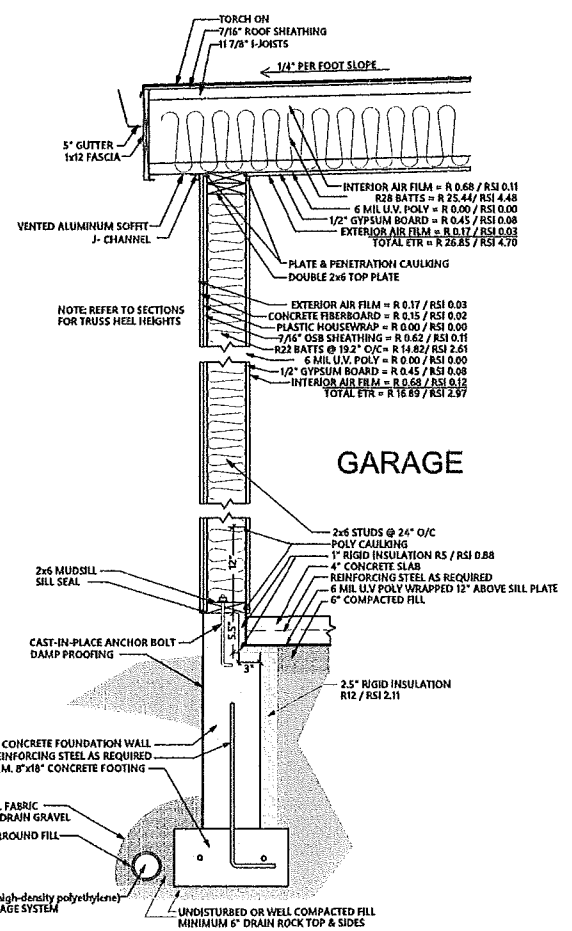




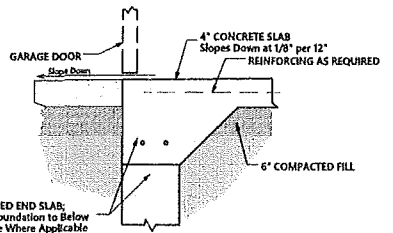
FOUNDATION FROST WALL: 24" (MIN)
SCALE: 1" = 1'-0"



DECK CONNECTION DETAIL
SCALE: 1" = 1'-0"



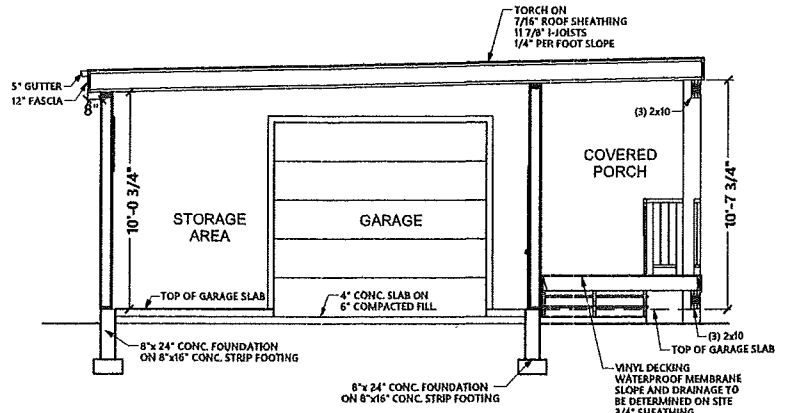
TYPICAL WALL SECTION
SCALE: 1" = 1'-0"



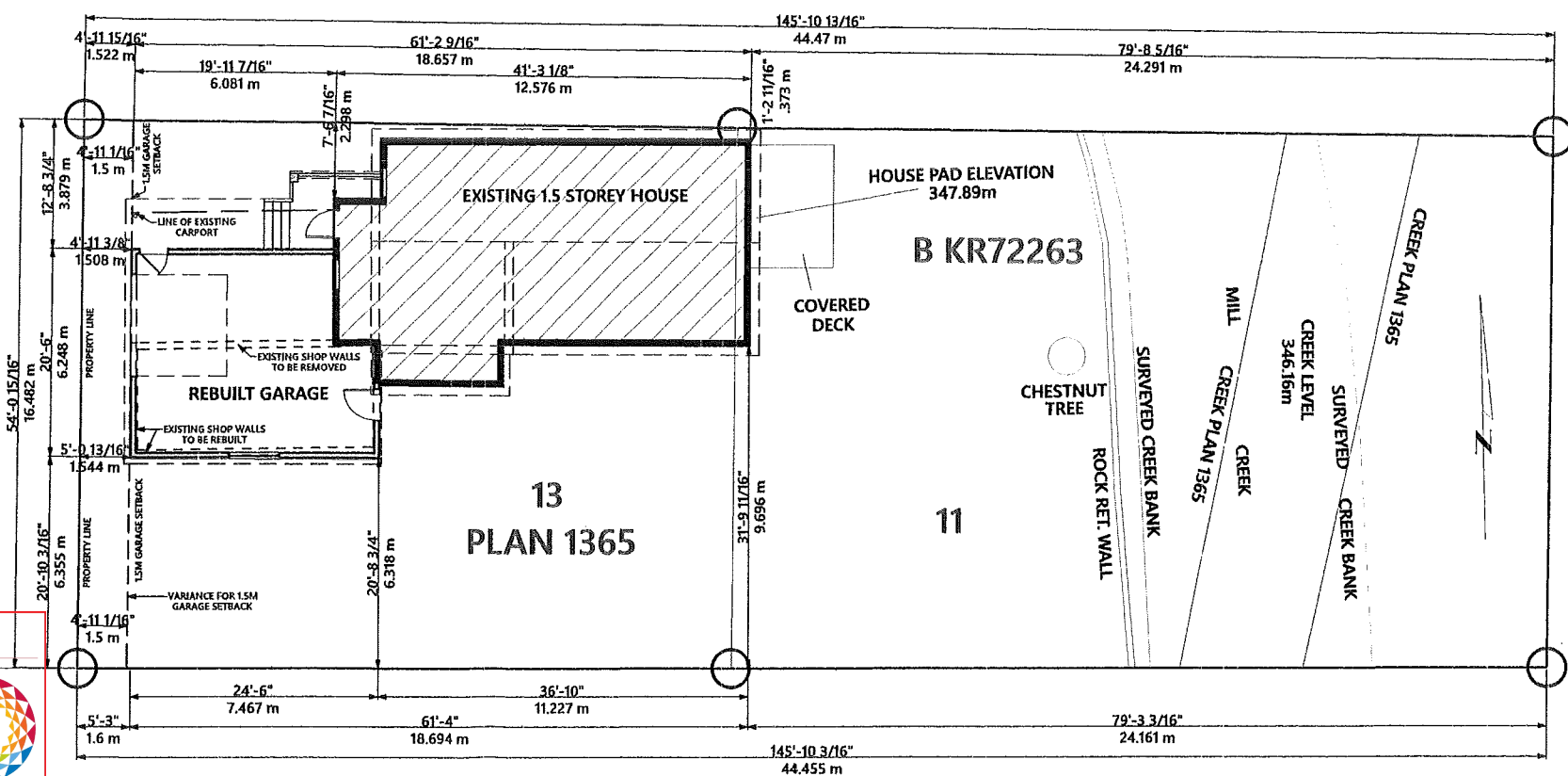
TURNED DOWN SLAB AT GARAGE OPENING
SCALE: 1" = 1'-0"

SPECIFICATIONS

- ROOF CONSTRUCTION**
FIBERGLASS SHINGLES
7/16" ROOF SHEATHING
ENGINEERED ROOF TRUSSES
R-50 BLOWN CELLULOSE
6 MIL U.V. POLY
1/2" DRYWALL
- EXTERIOR WALLS**
HARD PLANK
3/8" WALL SHEATHING
2x6 STUDS 24" O/C
R-20 & R24 BATT INSULATION
6 MIL U.V. POLY
1/2" DRYWALL
- DOORS & WINDOWS**
WINDOWS & DOORS MIN. U VALUE OF 1.8
GARAGE DOOR MIN. R VALUE OF 6.3
STYROFOAM BACKER ROD AND CAULKING SEALS
- FOUNDATION**
8" CONC. FOUNDATION
100MM REBAR
8"x16" CONC. FOOTING
- CONCRETE SLAB**
4" CONC. SLAB
6 MIL U.V. POLY
6" COMPACTED GRAVEL
4" DRAIN TILE
- DRAINAGE TILE**
PERFORATED FELT
MINIMUM 6" DRAIN ROCK
4" DRAIN TILE
- SOFFIT & FASCIA**
5" GUTTER
1X12 FASCIA
VENTED ALUMINUM SOFFIT



SECTION A-A



PLOT PLAN
SCALE: 1/8" = 1'

CODES AND STANDARDS

All workmanship is to be of a standard equal in all respects to good building practice.

At the time of preparation, this plan was drawn in accordance with the current edition of the B.C. Building Code. It is the responsibility of the owner/builder to ensure that changes made to the code are complied with and all amendments are incorporated in the construction of this plan. All work shall conform to local building codes and bylaws which may take precedence.

Prior to proceeding with construction, the owner/builder must verify all information, dimensions and specifications of this plan. Written dimensions always take precedence over scale measurements.

Any variance from structural drawings and specifications or from conditions encountered at the job site, shall be resolved by the owner/builder and such solutions shall be their sole responsibility.

CONCRETE & FOOTINGS

All concrete to have a minimum compressive strength of 2,500 PSI (20 MPa) at 28 days.

Concrete footings must be placed on undisturbed or compacted soil to an elevation below frost penetration. Footings shown on these drawings have been designed for soil bearing capacity of 2,500 PSF. If a lesser bearing capacity is encountered, it is the responsibility of the owner/builder to have the footings redesigned by a qualified person to suit existing conditions.

All foundation walls 24" (600 mm) and higher should have one horizontal 10 mm reinforcing bar 3" (75 mm) from the top. Corner reinforcing to be lapped minimum 24" (600 mm).

All footings are to have two 1/2" reinforcing bars. The reinforcing bars are to be spaced such that one bar is 3" (75 mm) clear of the side and bottom of the footing on both sides of the footing.

Grades shown on elevations are estimated. Adjust on site as required. Retaining walls other than the foundation walls of the residence are beyond the scope of these drawings unless otherwise noted.

INSULATION / VENTILATION

Minimum ETR ratings from the B.C.B.C. 9.362.6 for Zone 5 with out Heat-recovery Ventilator

Ceilings below attic - R 49.23 / RSI 8.67
Cathedral ceilings and flat roofs - R 26.52 / RSI 4.67
Exterior 2x6 walls - R 17.49 / RSI 3.08
Floors above unheated spaces - R 26.52 / RSI 4.67
Foundation walls - R 16.92 / RSI 2.98
Unheated floors above front line - R 11.13 / RSI 1.96
Heated floors above front line - R 11.17 / RSI 2.32
Slab on grade with an integral footing - R 11.13 / RSI 1.96

Ceiling insulation may be loose fill type or batt type.

Walls and ceilings between residence and attached garage shall be insulated.

Insulation requirements may vary with heating systems and with local conditions.

All roof spaces shall be ventilated with soffit, roof or gable vents or combination of these, equally distributed between the top of the roof space and soffit.

ABOVE GRADE MASONRY

All above grade masonry is to conform to the B.C. Building Code.

If brick veneer is to be installed, counter flashing shall be installed up to 6" (150 mm) behind the building felt and below the bottom course with vertical joints raked clean. Weep holes 24" (600 mm) o.c.

CARPENTRY

Forming lumber shall be member two (2) or better Spruce unless otherwise specified on the plan. All beam and lintel sizes shown on the drawings to be reviewed & confirmed by truss manufacturer and contractor. Any beam or lintel size provided by truss/floor manufacturer take precedence.

Joists are to be doubled under parallel partitions.

Joists shall be placed to accommodate plumbing, in the event of a discrepancy phase contact floor supplier before any alterations or cuts are made.

Wood in contact with concrete shall be dampproofed with 45 lb. felt or a sill plate gasket and pressure treated with a waterborne preservative or other approved method on exterior walls.

Interior framing to be 4" (100 mm) clear of back and sides of firebox and 2" (50 mm) clear of brick chimneys. Frame exterior walls 1" (25 mm) clear from exterior fireplaces.

Plates are to be anchored to concrete with 1/2" anchor bolts, maximum 6 ft. o.c. or other approved method.

Flush framed wood members shall be anchored with 200 lb. joist hangers unless otherwise specified.

MISCELLANEOUS

Caulk over and around all exterior openings using non-hardening caulking compound.

Flash all changes of materials on exterior walls.

Flash over all exterior openings.

All siding or stucco to be a minimum of 6" (150 mm) above finished grade.

All balcony railings to be 36" (910 mm) in height. Minimum spacing between vertical members is 4" (100 mm). Minimum distance between horizontal rails to be 34" (860 mm). Top rail to sustain outward load of 40 lbs. per linear foot.

SCHEDULE A

This forms part of application
DVP17-0026

Planner Initials **EW**

City of Kelowna
COMMUNITY PLANNING

R-tistry Home Design
design@rtistryhomedesign.com
PH: 250-469-1641

ISSUED PLANS:

NO.1	VARIANCE APPROVAL	JAN. 20, 2017
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GARAGE REBUILD & VARIANCE FOR 1.5M GARAGE SETBACK

PROJECT TITLE:
1994 ETHEL ST.
KELOWNA, BC

DATE:
2017-01-20

SCALE:
1/4" = 1'

SHEET:
2/2

Sandra Morris
1994 Ethel Street, Kelowna
Lot 11 & 13, District Lot 138, O.D.Y.D., Plan 1365

"A"

ATTACHMENT A	
This forms part of application # <u>DVP17-0026</u>	
Planner Initials	<div style="border: 1px solid black; padding: 2px; display: inline-block;">EW</div>
 City of Kelowna <small>COMMUNITY PLANNING</small>	

The current location of the garage is 1.5m from the property line and is attached to the house. A portion of the roof also covers the mud/laundry room in the house structure. To repair the structure would be difficult and expensive due to the state of disrepair it is in and poor original workmanship.

I would like to fully remove the structure and redo as per the attached drawings, complete with proper footings and foundation walls etc.

The only physical change is the width which will go from 11 feet to 20 feet and will have a garage door as well as making it approx. 2 feet higher. Due to the location of the house I am unable to replace the garage as I want to do with the code, hence why I am requesting a variance for this.

Once all the work is complete I will be re-siding the entire house in Hardi plank which will greatly improve the overall look and appearance of the home.