

City of Kelowna  
Regular Council Meeting  
AGENDA



Tuesday, November 5, 2013  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

1. Call to Order
2. Prayer  
A Prayer will be offered by Councillor Singh.
3. Confirmation of Minutes 1 - 11  
Public Hearing - October 22, 2013  
Regular Meeting - October 22, 2013
4. Bylaws Considered at Public Hearing
  - 4.1 Bylaw No. 10891 (Z13-0032) - 325 Hartman Road, Gary Martin Lupul 12 - 12  
To give Bylaw No. 10891 second and third readings.
  - 4.2 Bylaw No. 10892 (Z13-0035) - 341 Clifton Road, Adrian Hazzi & Mandi Moore 13 - 14  
To give Bylaw No. 10892 second and third readings.
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 Liquor Licence Application No. LL13-0009, 5505-5507 Airport Way, Midwest Ventures Ltd. Inc. 15 - 25  
  
**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 add Patron Participation Entertainment endorsement to the existing Food Primary license, and to change the licensed hours of sale.

7. Development Permit and Development Variance Permit Reports

- 7.1 Development Variance Permit Application No. DVP13-0152, 560 Christleton Ave, Carreras Interiors Ltd. and Inc. No. BC0329813/Carreras Interiors Ltd.

26 - 37

**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 maximum permitted lot coverage for a carriage house on the subject site from 14% permitted to 16.5% proposed to facilitate the addition of a single car garage to a new carriage house.

8. Reminders

9. Termination



## City of Kelowna Public Hearing Minutes

Date: Tuesday, October 22, 2013  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Council Members Present: Deputy Mayor Luke Stack and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, and Gerry Zimmermann

Council Members Absent: Mayor Walter Gray

Staff Present: Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Manager, Urban Planning, Danielle Noble-Brandt; and Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Deputy Mayor Stack called the Hearing to order at 6:00 p.m.

Deputy Mayor Stack 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.

### 2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board of City Hall on October 8, 2013 and by being placed in the Kelowna Capital News issues of October 11, 2013 and October 15, 2013, and by sending out or otherwise delivering 1,560 letters to the owners and occupiers of surrounding properties between October 8, 2013 and October 11, 2013.

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. Bylaw No.10890 (Z13-0031) - 260 Lake Avenue, Marianne Hill**

Staff:

- Summarized the application before Council.

The City Clerk advised that no correspondence and/or petitions had been received.

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

Ed Guy, Applicant's Representative

- Advised that he is speaking on behalf of his daughter, Marianne Hill.
- Since no third parties have raised any additional issues, he does not have anything further to add to staff's comments.
- Responded to questions from Council.

There were no further comments.

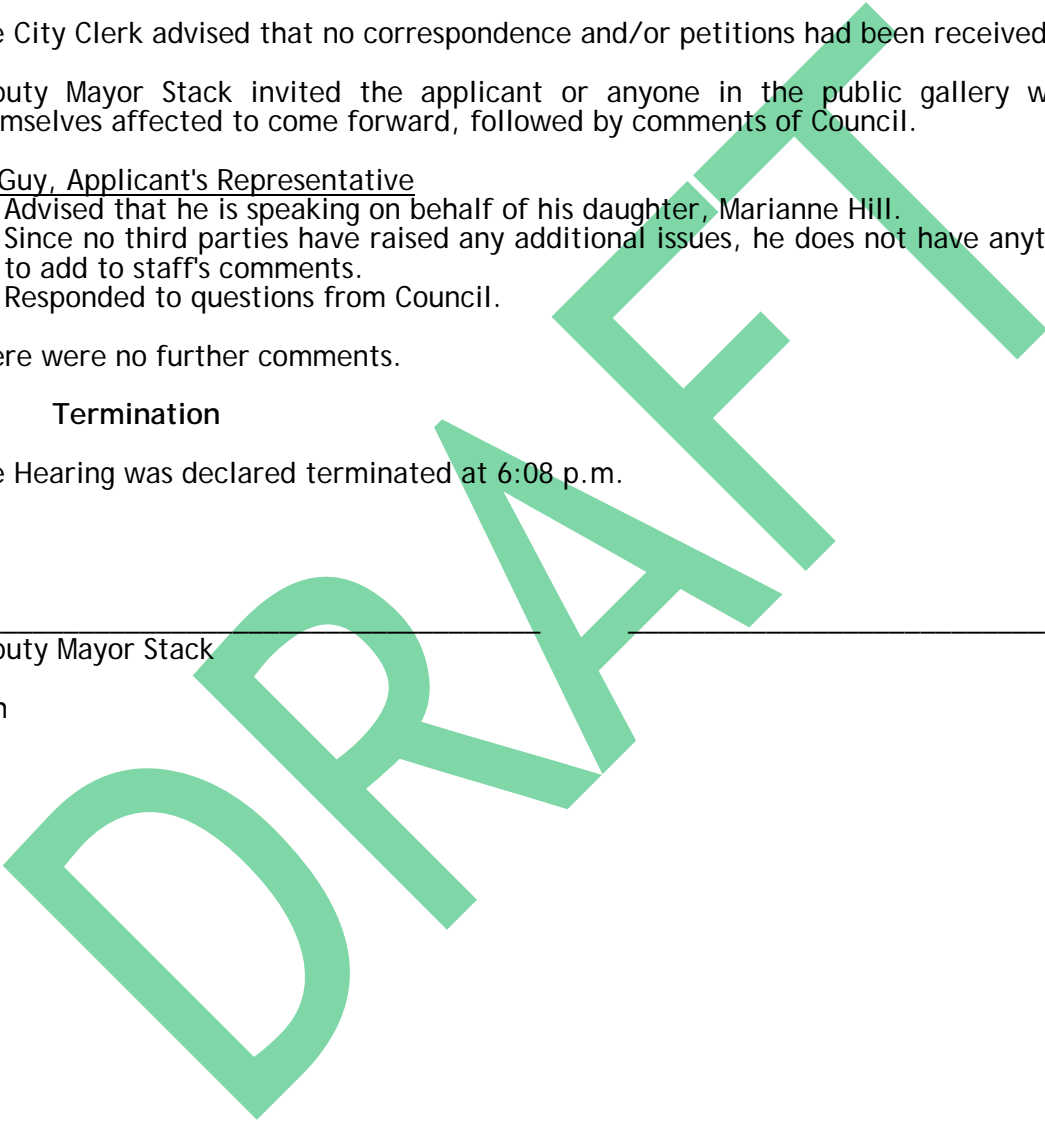
**4. Termination**

The Hearing was declared terminated at 6:08 p.m.

Deputy Mayor Stack

City Clerk

/slh





## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, October 22, 2013  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Deputy Mayor Luke Stack and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, and Gerry Zimmermann

Council Members Absent: Mayor Walter Gray

Staff Present: Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Manager, Urban Planning, Danielle Noble-Brandt; and Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Deputy Mayor Stack called the meeting to order at 6:08 p.m.

### 2. Prayer

A Prayer was offered by Councillor Hobson.

Deputy Mayor Stack recognized Councillor Blanleil for being named "Business Leader of the Year for 2013" by the Kelowna Chamber of Commerce.

3. Confirmation of Minutes

Moved By Councillor Basran/Seconded By Councillor Zimmermann

R670/13/10/22 THAT the Minutes of the Regular Meeting of September 24, 2013 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1. Bylaw No. 10890 (Z13-0031) - 260 Lake Avenue, Marianne Hill

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R671/13/10/22 THAT Bylaw No. 10890 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise delivering 7,676 letters to the owners and occupiers of the surrounding properties between October 8, 2013 and October 11, 2013.

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. Bylaw No. 10874 (Z13-0025) - 2253 Wilkinson Street, Sharon & Thomas Matthes and Caroline & Carl Maloney

Moved By Councillor Blanleil/Seconded By Councillor Basran

R672/13/10/22 THAT Bylaw No. 10874 be adopted.

Carried

6.1.1. Development Variance Permit Application No. DVP13-0091 - 2253 Wilkinson Street, Sharon & Thomas Matthes and Caroline & Carl Maloney

Staff:

- Summarized the application before Council and responded to questions from Council.

The City Clerk advised that the following correspondence and/or petitions had been received:

- o Letter of Opposition:
  - Dr. Brian Bittle, 1360 Guisachan Road

Deputy Mayor Stack invited the applicant or anyone in the public gallery who deemed themselves affected by the proposed variance(s) to come forward, followed by comments from Council.

Tom Matthes, Applicant

- Advised that it wasn't until he applied for a permit to construct an office over the garage that he was advised that the property had too much site coverage.
- Advised that he has read the letter in opposition and provided comments with respect to the concerns expressed.

There were no further comments.

Moved By Councillor Basran/Seconded By Councillor Blanleil

R673/13/10/22 THAT final adoption of Zone Amending Bylaw No. 10874 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0091, for Lot 5, District Lot 136, ODYD, Plan KAP89721, located at 2253 Wilkinson Street, Kelowna, BC;

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

**Section 13.2.6 (a): Site Coverage**

To vary the permitted site coverage of buildings and hard surfaces from 50% permitted to 75% proposed (as per Schedule A).

Carried

**6.2. Development Variance Permit Application No. DVP13-0122 - 4052 Finch Road, Paul & Leeann Payne**

Staff:

- Summarized the application before Council.

The City Clerk advised that the following correspondence and/or petitions had been received:

- o Letter of Support:
  - Denise & Gary Blake, 4072 Finch Road

Deputy Mayor Stack invited the applicant or anyone in the public gallery who deemed themselves affected by the proposed variance(s) to come forward, followed by comments from Council.

Jeff Corrin, Applicants' Representative

- Agrees with staff's comments.
- Advised that once the deck was constructed, it was noticed that it was built out too far and he is now trying to fix the issue with the requested variance.

There were no further comments.

Moved By Councillor Hobson/Seconded By Councillor Singh

R674/13/10/22 THAT Council authorizes the issuance of Development Variance Permit Application No. DVP13-0122 for Lot 13, Section 32 and 33, Township 23, ODYD, Plan 13462, located at 4052 Finch Road, Kelowna, BC;

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

**Section 6.4.2: Development Regulations**

To vary maximum permitted projection into rear yard from 2.5m permitted to 3.3m proposed, as per Schedule 'A'.

Carried

**6.3. Development Variance Permit Application No. DVP13-0130 -1191  
Kelview St, Brian & Susie Reese**

Staff:

- Summarized the application before Council.

The City Clerk advised that no correspondence and/or petitions had been received.

Deputy Mayor Stack invited the applicant or anyone in the public gallery who deemed themselves affected by the proposed variance(s) to come forward, followed by comments from Council.

Brian Reese, Applicant

- Displayed photos of the existing residence prior to moving into the property.
- Provided an overview of the history of the site.
- Advised that regardless of the subdivision, the existing site will require a variance.
- Displayed photos of the existing residence as it looks today.
- Agrees with staff's comments.
- Advised that the lots are bigger than what is required in the City's Bylaws, however, there are still siting challenges.
- The properties that will be mostly affected by the variances are the proposed new lots that will be created by the subdivision.

There were no further comments.

Moved By Councillor Hobson/Seconded By Councillor Blanleil

R675/13/10/22 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0130, for Lot 1, Section 30, Township 26, ODYD Plan 4411, located at 1191 Kelview Street, Kelowna, BC;

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

**Section 13.1.5(b) Subdivision Regulations**

To vary the minimum lot depth from 30.0 m required to 29.49 m proposed for proposed Lot B;

**Section 13.1.5(b) Subdivision Regulations**

To vary the minimum lot depth from 30.0 m required to 22.02 m proposed for proposed Lot C.

Carried

**6.4. Bylaw No. 10885 (Z13-0028) - 3935 Lakeshore Road and adjacent Bed of Mission Creek, Braniff Real Estate Services Inc. et al**

Moved By Councillor Zimmermann/Seconded By Councillor Given

R676/13/10/22 THAT Bylaw No. 10885 be adopted.

Carried



6.4.1. Development Permit Application No. DP13-0105 and Development Variance Permit Application No. DVP13-0148 - 3935 Lakeshore Road and adjacent Bed of Mission Creek, Braniff Real Estate Services Inc. et al

Staff:

- Summarized the application before Council and responded to questions from Council.

The City Clerk advised that the following correspondence and/or petitions had been received:

- o Letter of Opposition
  - Janine Demidoff, 635 Pimlico Road

Deputy Mayor Stack invited the applicant or anyone in the public gallery who deemed themselves affected by the proposed variance(s) to come forward, followed by comments from Council.

Tim McClennan, Braniff Real Estate Services Inc., Applicant's Representative

- Advised that the brick wall will be painted.
- Addressed the concerns raised by Ms. Demidoff.
- Advised that the frontage of the site complies with the City's Zoning Bylaws.
- Responded to questions from Council.
- Confirmed that all permits will be obtained prior to any work being conducted on the site.

There were no further comments.

Moved By Councillor Basran/Seconded By Councillor Hobson

R677/13/10/22 THAT final adoption of Zone Amending Bylaw No. 10885 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP13-0105 for Lot A, Section 6, Township 26, ODYD, Plan 12477, Except Plan KAP92361, located on 3935 Lakeshore Road, Kelowna, BC subject to the following:

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0148, for Lot A, Section 6, Township 26, ODYD, Plan 12477, Except Plan KAP92361, located on 3935 Lakeshore Road, Kelowna, BC;

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

**Section 14.3.5(e): Development Regulations**

To vary minimum side yard setback from 2.0m permitted to 0.0m proposed, as per Schedule 'A'.

**Section 8.1.10(d): Off-Street Vehicle Parking**

To vary the minimum side yard setback for off-street vehicle parking in non-residential zones from 1.5m permitted to 0.0m proposed, as per Schedule 'A'.

**Table 7.1: Minimum Landscape Buffer Treatment Levels Schedule**

To vary the minimum side yard landscape buffer from Level 3 permitted to Level 1 proposed, as per Schedule 'A'.

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council's approval of the Development Permit & Development Variance Permit Applications, in order for the permits to be issued.

Carried

**6.5. Development Variance Permit Application No. DVP13-0143 - 1125 Richter St, Canrim Packaging Ltd. Inc.**

Staff:

- Summarized the application before Council.

The City Clerk advised that no correspondence and/or petitions had been received.

Deputy Mayor Stack invited the applicant or anyone in the public gallery who deemed themselves affected by the proposed variance(s) to come forward, followed by comments from Council.

Zinia, Applicant's Representative

- Agrees with staff's comments.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

**R678/13/10/22** THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0143 for Lot A, Section 30, Township 26, ODYD, Plan 30655, except Plan M15406, located at 1125 Richter Street, Kelowna, BC;

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

**Section 7.6: Minimum Landscape Buffers, Table 7.1 Treatment Levels Schedule, Industrial Zones and Sections 7.6.1(c) & 7.6.9(h)**

To vary the minimum required landscaped buffer on Vaughan Avenue from 3.0 m required to 0.1 m proposed, as per Schedule 'A';

**Section 8.1.10(c) - Off Street Vehicle Parking**

To vary the minimum required parking setback on Vaughan Avenue from 2 m required to 0.1 m proposed, as per Schedule 'A'.

Carried

6.6. Development Permit Application No. DP13-0131 and Development Variance Permit Application No. DVP13-0132 - Buckland and Rowcliffe Ave, City of Kelowna/Meiklejohn Architects Inc.

Staff:

- Summarized the application before Council.

The City Clerk advised that the following correspondence and/or petitions had been received:

- o Letters of Support:
  - Sharon Shepherd, 410 Viewcrest Road
  - Liz Talbott, 2970 Tutt Street (NOW Canada Society)
  - Shelagh Turner, 504 Sutherland Avenue (Canadian Mental Health Association)
  - Lynton Shardelow (Freedom's Door)
  - Debbie Wilkison (Building Healthy Families Society)
  - Ron Cartmell (The Salvation Army)
  - Elaine Anderson, 940 Graham Road
- o Petition of Support:
  - A Petition of Support with 81 signatures as submitted by the Applicant
- o Letters of Conditional Support:
  - I. Buckland, 3-1869 Marshall Street
  - Randy Barthel, 535 Buckland Avenue
- o Letters of Objection:
  - Deborah Helf, KSAN, 865 Bernard Avenue
  - Bev Kalmakoff, 534 Rowcliffe Avenue

Deputy Mayor Stack invited the applicant or anyone in the public gallery who deemed themselves affected by the proposed variance(s) to come forward, followed by comments from Council.

David Sargent, Davara Holdings Inc., Applicant's Representative

- Agrees with staff's comments and available to answer any questions.

Gallery:

Bev Kalmakoff, 534 Rowcliffe Avenue

- Believes that she is the most impacted by the development.
- Advised that she has spoken with the developer regarding her concerns.
- Expressed a concern with the parking on the site and how it will impact her residence.
- Expressed a concern that the balcony being proposed over the entrance will affect her privacy.
- Would like an eight (8) foot wall constructed between her property and the subject property in order to minimize noise and privacy concerns.
- Expressed a concern with the existing foliage (grape vine) on the site and requested that it be preserved.
- Advised that she has provided a Right-of-Way to FortisBC so that a natural gas line could be installed to service the site.
- Would prefer that the form and character be more like the Marshall Street residences than what is currently being proposed.
- Advised that she is looking forward to working with the developers to mitigate her concerns.
- Responded to questions from Council.
- Confirmed that she would prefer that the access to the development be under the building (underground parking).

David Sargent, Davara Holdings Inc., Applicant's Representative

- Responded to questions from Council.
- Displayed a proposed concept plan to clarify the dimensions for the site.
- Willing to apply for a variance for an eight (8) foot fence.
- Willing to provide buffering similar to currently surrounding the Costco site (i.e. berm with a fence).
- Would be willing to commit to an eight (8) foot fence with established planting.
- Would be willing to keep as many of the mature trees on the site as possible.
- Clarified the proposed use of the balcony above the entrance and displayed a concept drawing of the proposed balcony.
- Agreed to attempt to preserve the grape vine.
- Provided the rationale for not providing underground parking for the site.
- Confirmed that the proposed driveway/laneway will be one-way in/one-way out and that the laneway will be wider than required in order to ensure fire truck access to the site.

Due to new information provided by the Applicant's Representative, Deputy Mayor Stack invited anyone in the public gallery who deemed themselves affected by the proposed variance(s) to come forward.

There were no further comments.

Moved By Councillor Zimmermann/Seconded By Councillor Hobson

**R679/13/10/22** THAT Council authorizes the issuance of Development Permit No. DP13-0131 for Lot 5 D.L. 14 ODYD Plan KAP92715, located at 555 Buckland Avenue, Lot 6 D.L. 14 ODYD Plan KAP92715, located at 550 Rowcliffe Avenue, Kelowna, BC, Kelowna B.C., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general 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 professional landscaper;
5. Consolidation of the subject properties into a single title prior to issuance of the Development Permit;

AND THAT the applicant be required to complete the above-noted condition No. 4 within 180 days of Council approval of the Development Permit application in order for the permit to be issued;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0132 for Lot 5 D.L. 14 ODYD Plan KAP92715, located at 555 Buckland Avenue, Lot 6 D.L. 14 ODYD Plan KAP92715, located at 550 Rowcliffe Avenue, Kelowna, BC, Kelowna, B.C.;

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

Schedule 'B' Comprehensive Development Zones: CD22 - Central Green  
Comprehensive Development Zone, Section 1.5.3 (after Table 1 - Parking)  
To permit surface parking and loading where below grade and screened parking  
and loading are required.

Carried

7. Reminders - Nil.

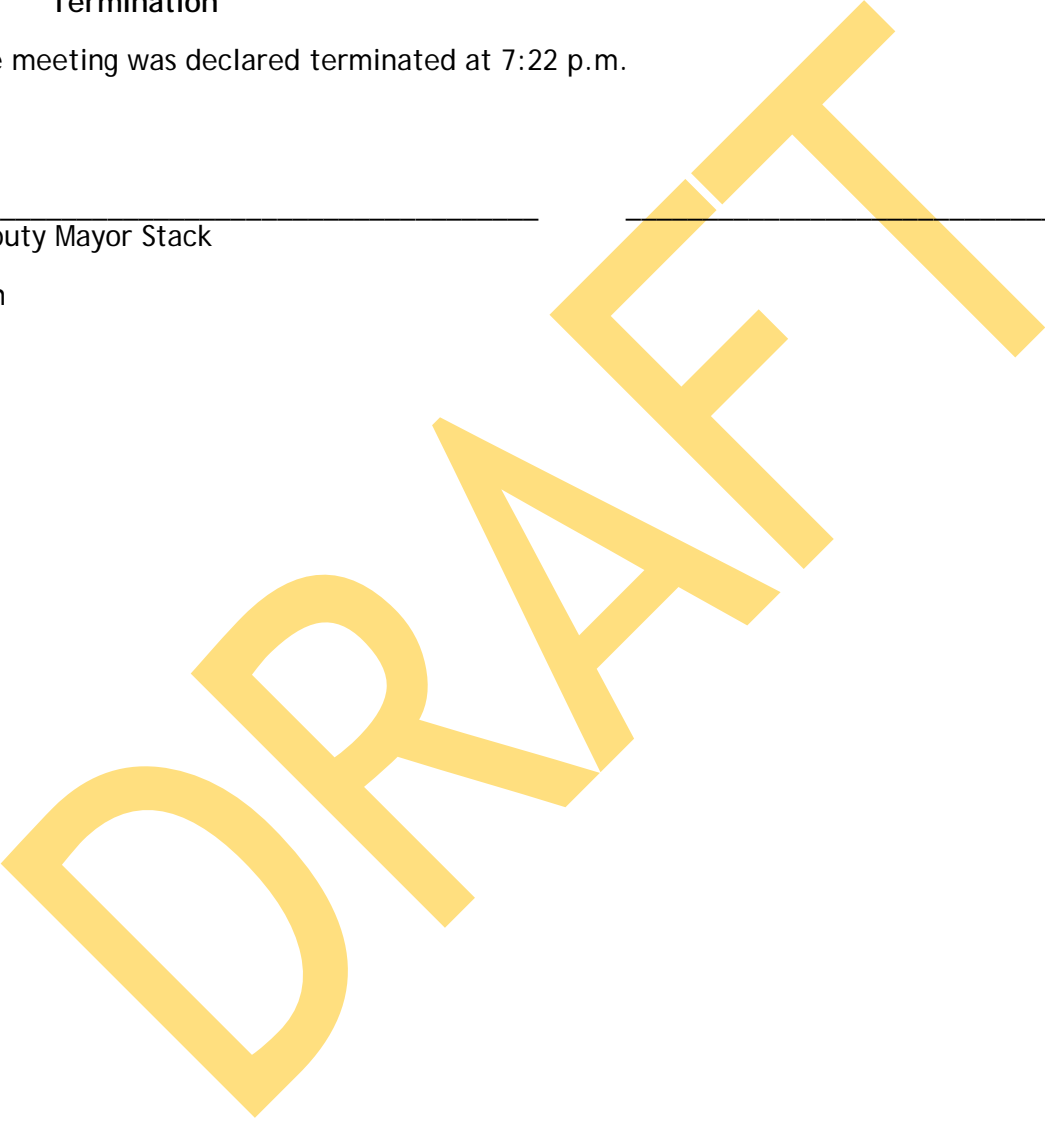
8. Termination

The meeting was declared terminated at 7:22 p.m.

\_\_\_\_\_  
Deputy Mayor Stack

\_\_\_\_\_  
City Clerk

/slh



**CITY OF KELOWNA**  
**BYLAW NO. 10891**  
**Z13-0032 - Gary Martin Lupul**  
**325 Hartman 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 1, Section 26, Township 26, ODYD, Plan 20566 located on 325 Hartman 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 21<sup>st</sup> day of October, 2013.

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. 10892**  
**Z13-0035 - Adrian Hazzi & Mandi Moore**  
**341 Clifton 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 a portion of Lot 5, Section 31, Township 26, ODYD, Plan 10686 located on 341 Clifton Road, Kelowna, B.C., from the A1 - Agriculture zone to the RU1 - Large Lot Housing zone and the RU2 - Medium Lot Housing zone as per Map "A" as 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 21<sup>st</sup> day of October, 2013.

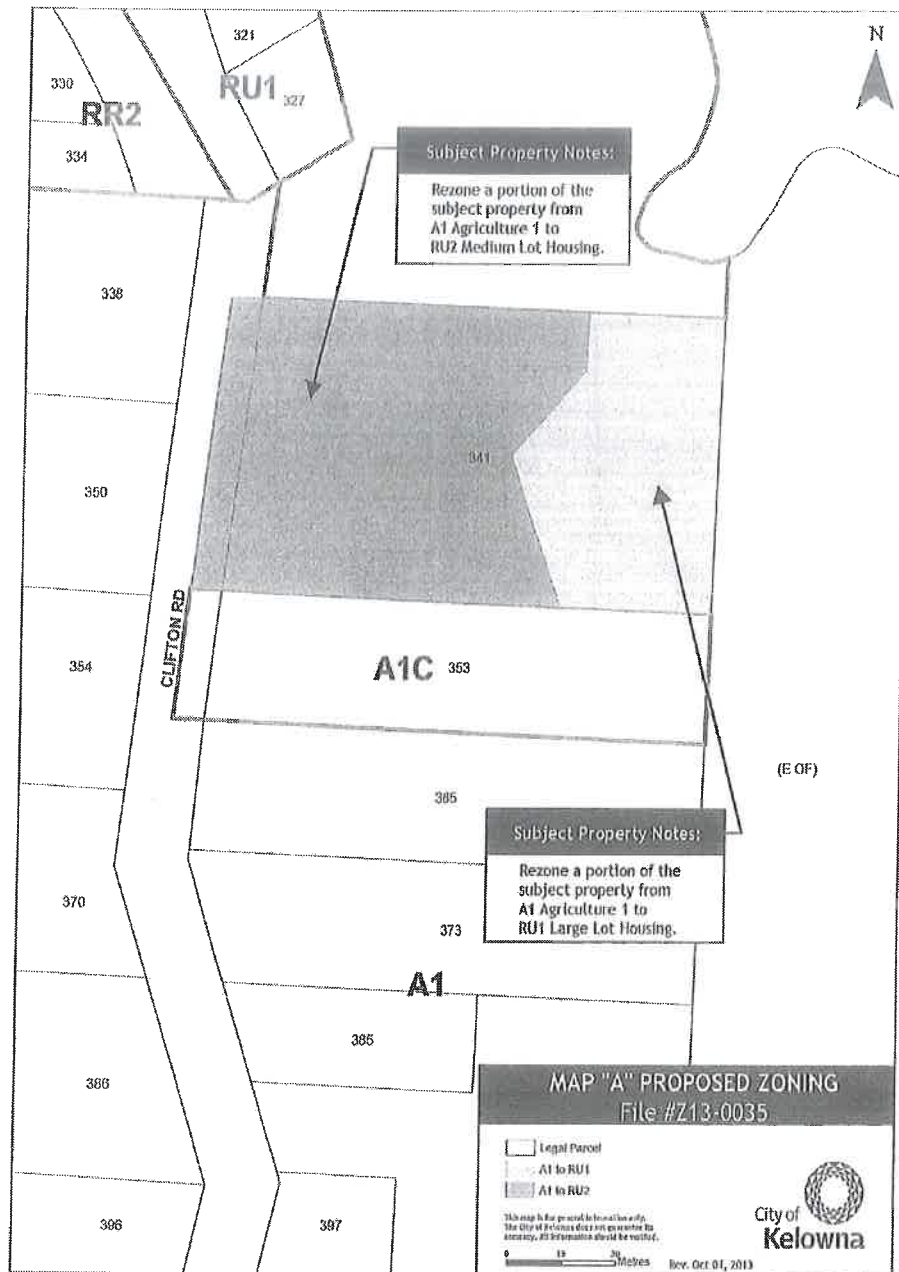
Considered at a Public Hearing on the

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





# REPORT TO COUNCIL



**Date:** October 8, 2013  
**RIM No.** 0930-50  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (PMc)  
**Application:** LL13-0009 **Owner:** Midwest Ventures Ltd. Inc.  
No. BC0046021  
**Address:** 5505 - 5507 Airport Way **Applicant:** HOST Consulting Ltd.  
**Subject:** 2013-11-05 Report LL13-0009 5505-5507 Airport Way  
**Existing OCP Designation:** Commercial  
**Existing Zone:** C9 - Tourist Commercial

---

## 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:

Council's comments on the Liquor Control & Licensing Branch (LCLB)'s prescribed considerations for the application at address: 5505 Airport Way, Kelowna BC, (legally described as Lot A, District Lot 14, Township 23, ODYD, Plan EPP23036) for a patron participation entertainment endorsement, are as follows:

- a) The potential for noise if the application is approved:  
There may be a minimal increase in noise associated with the application due to live music associated with the weddings, conferences and private parties. The enclosed the "Banquet Room" area has acoustic insulation to mitigate the noise.
- b) The impact on the community if the application is approved:  
The potential for negative impacts is considered to be minimal.
- c) View of residents:  
The Council's comments on the views of residents (if applicable) 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 & Procedures."

d) The person capacity and hours of liquor service of the establishment:

The total person capacity proposed for food primary service is 603 seats, with amended operating hours of 9:00am to 12:00 midnight for Sunday to Thursday, and 9:00am to 1:00 am for Friday and Saturday.

e) Traffic and parking:

There is no increase in traffic or parking associated with this application as there is no additional space or seating being added as part of the application. Therefore the parking and traffic situation should remain unchanged.

f) The proximity of the establishment to other social or recreational facilities and public buildings:

Surrounding social or recreational facilities would not conflict with the proposed establishment.

g) Recommendation:

Council recommends that the application for a patron participation entertainment Liquor License endorsement be approved.

## **2.0 Purpose**

To add Patron Participation Entertainment endorsement to the existing Food Primary license, and to change the licensed hours of sale.

## **3.0 Urban Planning**

The proposed Patron Participation Entertainment endorsement would allow the venue to hold wedding receptions and other functions where patrons would typically participate in some form of entertainment (usually dancing). This endorsement is not anticipated to have a negative impact on the surrounding area given the location. The proposed change to the licensed hours of operation to remain open till 1:00am for Friday and Saturday nights is also not perceived to have negative effects on the surrounding area given the location.

In consideration of the above, the Urban Planning Department recommends support for the proposed license endorsement. Discussion on the LCLB's regulatory criteria for Local Government comment on liquor license endorsement applications is as contained within staff's recommendation at the beginning of this report.

## **4.0 Background**

A liquor license application has been forwarded by the owner to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, any food primary applications requesting a Patron Participation Entertainment endorsement or a request to change operating hours to close after midnight, require Local Government comment. Ric's Lounge and Grill has operated a restaurant out of the Sheraton 4 Points hotel since June 2013, licensed as a food primary establishment with a seating total seating capacity of 603.

The operators wish to accommodate requests for functions which include dancing and live music, particularly weddings and corporate functions. The Patron Participation Entertainment endorsement allows forms of entertainment that encourages patrons to participate, such as sing-along, dancing and karaoke, or perform stand-up comedy routines.

Existing License Summary	Details
Food Primary License Capacity	Restaurant: 193 Persons Patio: 117 Persons Meeting rooms: 293 Persons Total Capacity: 603 persons
Endorsements	Food Primary License <i>Patron Participation Entertainment*</i>

**\*Proposed**

**Existing Hours of Sale:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	12:00 midnight	12:00 midnight	12:00 midnight	12:00 midnight	12:00 midnight	12:00 midnight	12:00 midnight

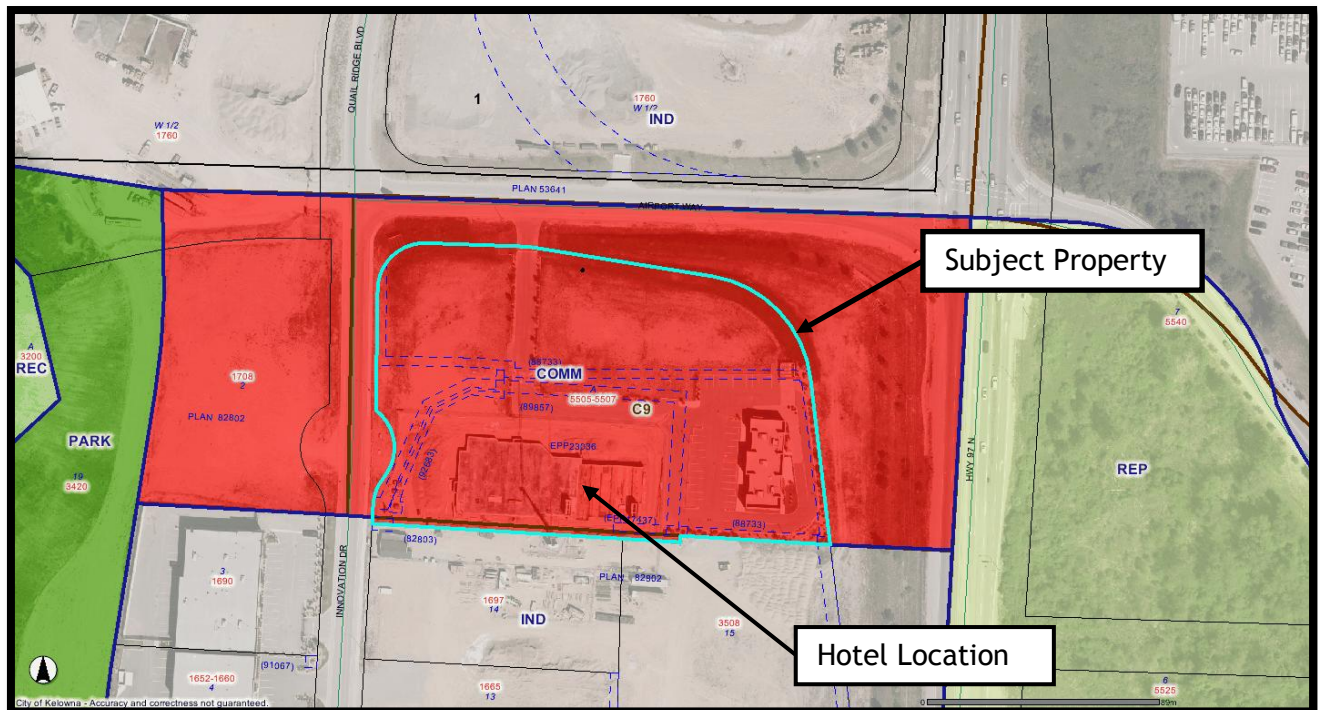
**Proposed Hours of Sale:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	12:00 midnight	12:00 midnight	12:00 midnight	12:00 midnight	1:00 AM	1:00 AM	12:00 midnight

4.1 Site Context

Subject Property Map:

5505-5507 Airport Way



The subject property is located within the Highway 97 sector, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I5 - Extraction	Gravel Extraction
East	A1 - Agriculture 1	Highway 97 / Vacant
South	CD15 - Airport Business Park	Vacant
West	CD15 - Airport Business Park	Vacant

## 5.0 Current Development Policies

### 5.1 Council Policy #359 – Liquor Licensing Policy & 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 & Permitting Department

No Concerns

### 6.2 Bylaw Services

No Concerns

### 6.3 Fire Department

No Concerns

### 6.4 RCMP

The RCMP have no concerns related to this application requesting a patron participation endorsement for the lounge and extended liquor service hours until 01:00 hrs Friday and Saturday nights.

## 7.0 Application Chronology

Date of Application Received: September 9, 2013

Report prepared by:

---

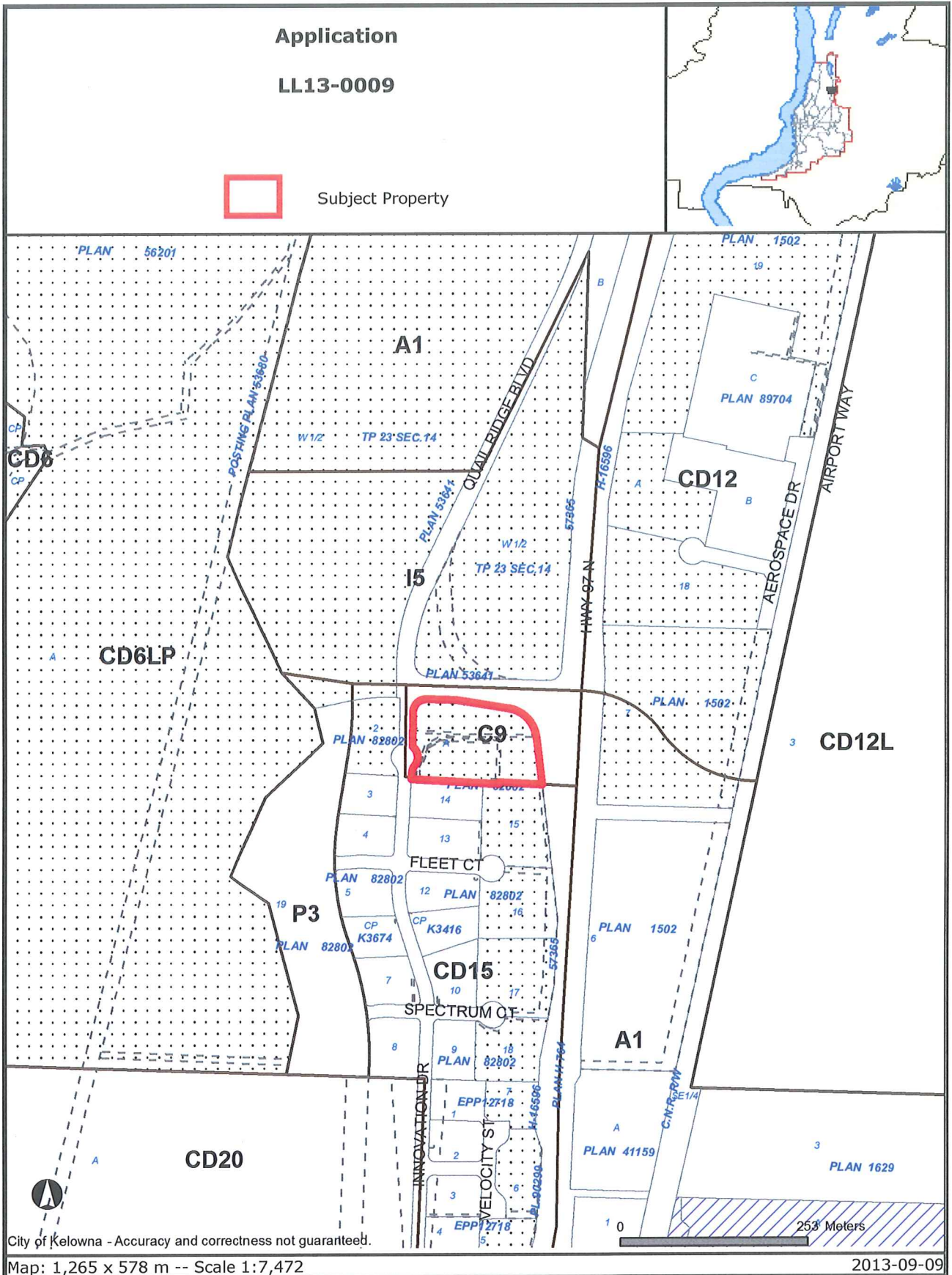
Paul McVey, Urban Planner

**Reviewed by:**  Danielle Noble-Brandt, Urban Planning Manager

**Approved for Inclusion:**  Doug Gilchrist, Divisional Director, Community Planning and Real Estate

**Attachments:**

Subject Property map  
Applicant Rationale letter  
Liquor License application  
Provisional floor plan (occupancy load)



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



# LIQUOR LICENCE APPLICATION

PLEASE REVIEW THE ATTACHED REQUIREMENTS

## Applicant Information

Name Stephen Barron/H.O.S.T. Consulting Ltd.

Address 202-14888 104 Avenue Surrey, BC V3R 1M4

Phone 778-885-6582 Fax 604-498-2573 E-Mail steve@hostconsulting.ca

## Property Description

Common Name Four Points by Sheraton Kelowna Airport/Ric's Lounge and Grill

Address 5050 Airport Way, Kelowna

Legal Description Lot 1 Plan 82802 pid 026-954-010

## Property Owner Information

Name Argus Hotels Limited Partnership

Address 300-1060 Manhattan Drive

Phone 250-860-6671 Fax \_\_\_\_\_ E-Mail thom.killingsworth@fourpointskelowa.com

## Purpose of Application

Request for patron participation entertainment (dancing) for jazz nights in Restaurant and Special events in banquet rooms (weddings etc.) Extension of liquor service hours to 1:00 am on friday and saturday evenings.

Materials submitted in support of application (building code analysis, zoning analysis, etc.)  
Liquor and Control and Licencing application for permanent change, letter of intent describing proposed changes and rationale for same.

Name of registered professional who prepared supporting documents: Stephen Barron

Applicant's signature:  \_\_\_\_\_

Please forward application and supporting documentation to Planning and Development Services, City of Kelowna, 1435 Water Street, Kelowna, BC V1Y 1J4. Fax: 862-3320.

August 21, 2013

City of Kelowna  
Planning and Development Services  
1435 Water Street,  
Kelowna, BC V1Y 1J4



202-14888 104 AVENUE  
SURREY, B.C. V3R 1M4  
TELEPHONE: 604.498.2571  
FACSIMILE: 604.498.2573  
[www.hostconsulting.ca](http://www.hostconsulting.ca)

**Attention: Paul McVey**

**Re:**                                **Applicant: Argus Hotels Limited Partnership**  
                                         **dba Ric's Lounge and Grill**  
                                         **At: 5505 Airport Way, Kelowna B.C.**  
                                         **Permanent Change to Food Primary Liquor Licence #305468**  
                                         **Application For Patron Participation Entertainment Endorsement**  
                                         **Extension of Liquor Service Hours**  
  
                                         **Letter of Operation/Letter of Intent**

We act as the Agent for the above applicant and are applying for a patron-participation entertainment endorsement for the existing Food Primary licence at this establishment, as well as an extension to the hours of liquor service.

We have attached the following documents for your review:

- City of Kelowna Liquor Licence Application
- Province of B.C. Permanent Change to Liquor License Application
- Food Primary License
- Letter of Authorization

The application fee of \$450 and the the public consultation fee of \$1500 will be provided when these documents are submitted to your office.

Our client is the owner of a full service hotel and meeting centre in Kelowna - the Four Points by Sheraton Kelowna Airport.

The licensed establishment for this hotel, Ric's Lounge and Grill, provides food and beverage services to hotel guests and the general public, as well as to attendees of meetings and special events in the banquet rooms and adjoining patio.

In addition to the main restaurant, lounge and patio areas, the hotel also operates a main banquet/meeting room (which can be broken down into 4 separate areas by moveable walls) as well as two smaller meeting rooms.

**Patron Participation Entertainment Endorsement**

Our client is applying to the Province of BC and the City of Kelowna to seek permission for a patron-participation entertainment endorsement.

The form of entertainment proposed is dancing.



Our client proposes to host a weekly jazz night in the lounge of the restaurant. Clients may on occasion dance at these events, and our client would like them to be able to do this while being in compliance with the terms of condition of the liquor licence.

In addition, our client has a full service banquet room in the hotel. The room will be the site of special events, including weddings and seasonal parties. Patrons of these events may wish to dance after dinner.

This entertainment will not be a regular occurrence, and the main focus of these events will remain food service. Full meals will be served at any event, and the main focus of the restaurant will continue to be dining.

There will be no increase in the amount of noise at this establishment; the Jazz night will provide musical entertainment which will be conducive to dining, as well as regular conversation.

The banquet rooms are completely acoustically insulated, and any amplified entertainment will comply with local noise bylaws.

All patron participation entertainment will end by midnight in compliance with current British Columbia liquor licensing regulations.

#### Extension of Liquor Service

Our client wishes to extend the hours of liquor service from the current time midnight until 1:00 a.m. on Friday and Saturdays only.

Many hotel guests and patrons would like the ability to have a drink after midnight on these days, particularly if they are attending a special event such as a wedding. In addition, the lounge and kitchen of the restaurant will also remain open for patrons during these times.

Our client believes that these hours of liquor service are reasonable and fit in with the City of Kelowna's liquor licensing policy for the area, given that this is a low-risk establishment located in a hotel near the Kelowna airport.

**When you have reviewed the documentation, we kindly request that you send us back a signed copy of page 6 of the application, to acknowledge receipt of same. We will forward the application package to Liquor Control and Licensing Branch.**

**Should you have any questions or require anything further, please contact me directly at 604-778-885-6582 or [steve@hostconsulting.ca](mailto:steve@hostconsulting.ca)**

We look forward to your assistance in completing this project.

Regards,

**H.O.S.T. CONSULTING LTD.**



Stephen Barron  
Encl.



ARCHITECTURE  
INTERIOR DESIGNER  
CONTRACT LOR CHINDAS  
1101 UNIVERSITY AVENUE  
SUITE 100  
VANCOUVER, BC  
V6E 2E6  
TEL: 604-271-3333  
WWW.LORICHINDAS.COM



FOUR POINTS BY SHERATON - AIRPORT  
KELOWNA, BC  
5505 Airport Way, Kelowna, BC V1V 3C3

FURNITURE PLAN

DATE	NO. OF SHEETS	TOTAL SHEETS
DATE	NO. OF SHEETS	TOTAL SHEETS
DATE	NO. OF SHEETS	TOTAL SHEETS
DATE	NO. OF SHEETS	TOTAL SHEETS
DATE	NO. OF SHEETS	TOTAL SHEETS

CONTRACTOR: The City of Kelowna  
 PROJECT: The City of Kelowna - Downtown Core  
 DRAWING NO.: 2013-001  
 DRAWING TITLE: FURNITURE PLAN  
 DATE: 2013-09-13  
 DRAWN BY: J. RUDOLPH  
 CHECKED BY: J. RUDOLPH  
 APPROVED BY: J. RUDOLPH  
 SCALE: AS SHOWN

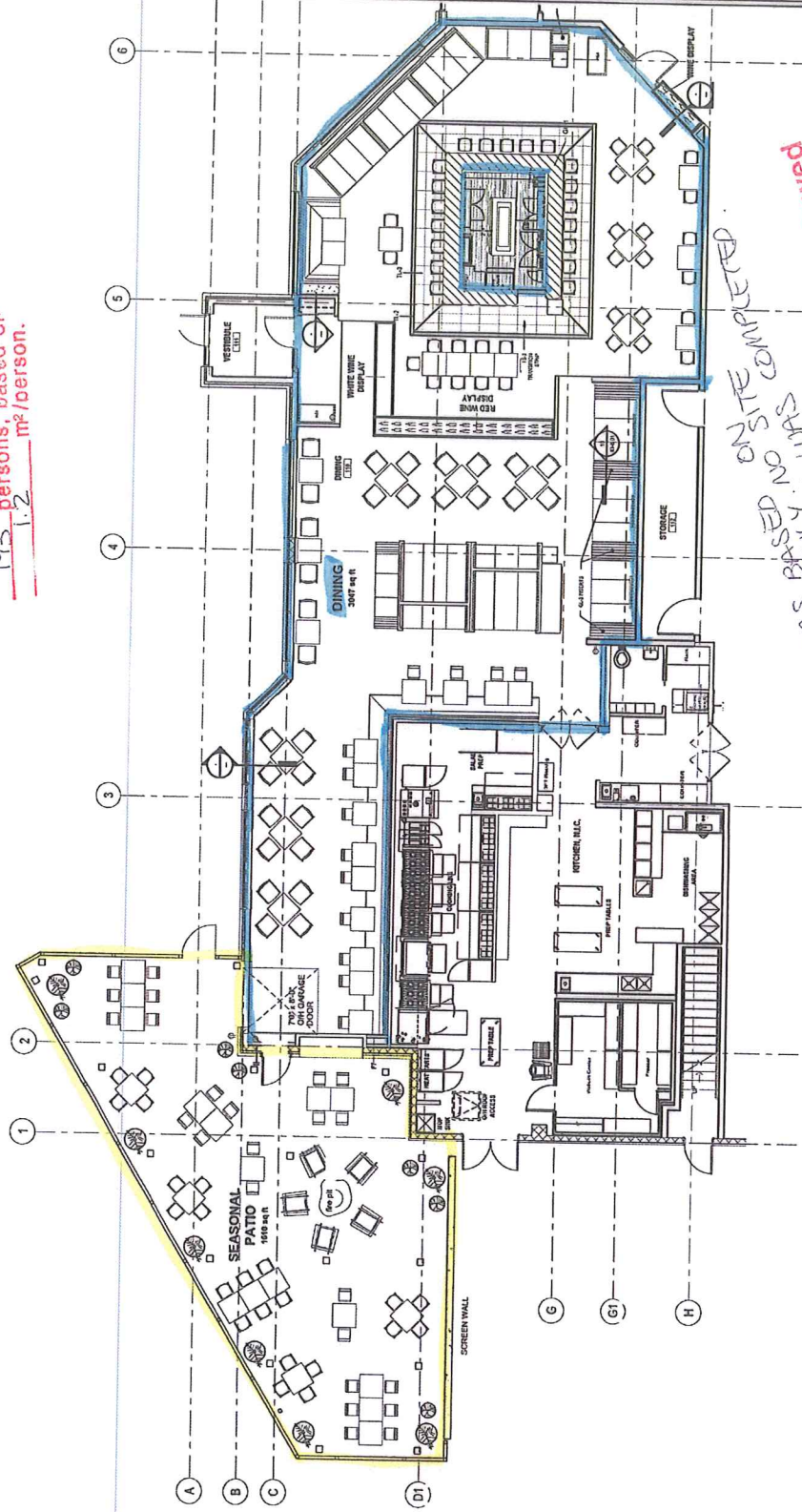
ID-4.01

DINING:	3,047 sq.ft.
PATIO:	1,610 sq.ft.
Total Area:	4,657 sq.ft.

The **PATIO** has a net floor area of 1,411 m<sup>2</sup>. The maximum occupant load shall be 117 persons, based on 1.2 m<sup>2</sup>/person.

The **DINING** has a net floor area of 1,327 m<sup>2</sup>. The maximum occupant load shall be 193 persons, based on 1.2 m<sup>2</sup>/person.

- FURNITURE PLAN NOTES:
1. FURNITURE PLAN ISSUED FOR SPACE PLANNING PURPOSES ONLY.
  2. TENANT TO SUPPLY FURNITURE.
  3. CONTRACTOR SHALL COORDINATE AND CONFIRM VOICE AND DATA LOCATIONS WITH TENANT PRIOR TO ELECTRICAL INSTALLATION.



REVISION WAS COMPLETED  
 PLANS ONLY NO SITE  
 VERIFICATION WAS COMPLETED  
 REVIEWED BY CITY OF KELOWNA  
 INSTALLED ON APR. 9/13

1. FURNITURE PLAN  
 2013.09.13

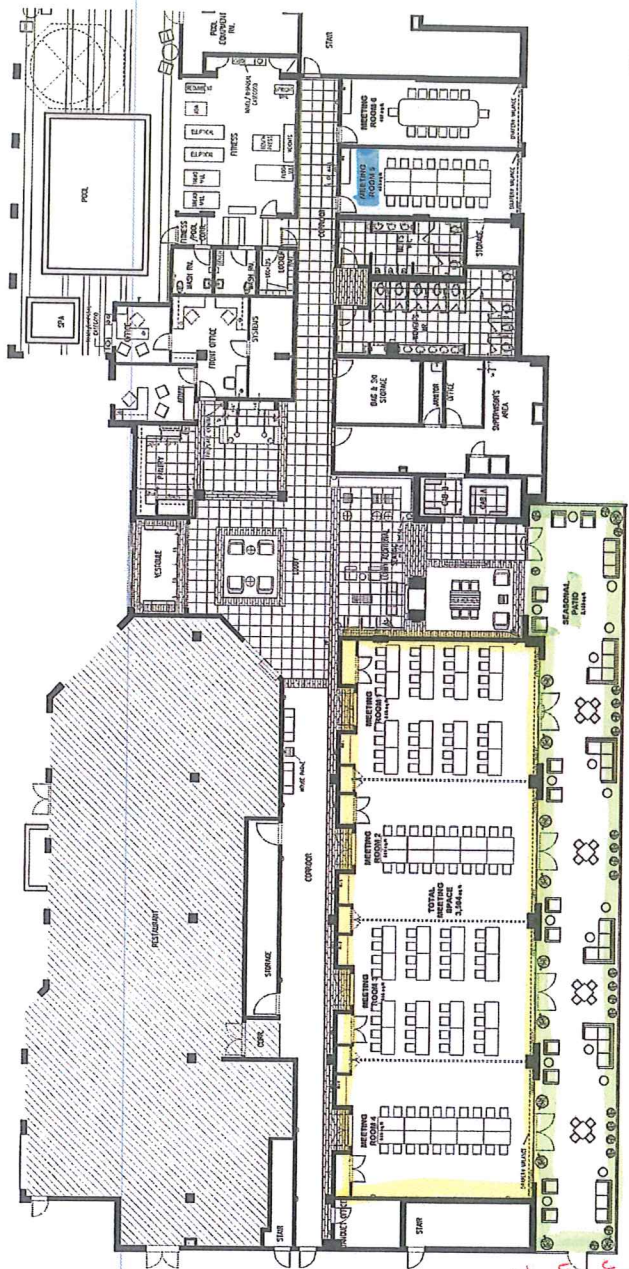
NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

**MEETING ROOM 6**  
 The MEETING ROOM 6 has a net floor area of 32 m<sup>2</sup>. The maximum occupant load shall be 26 persons, based on 1.2 m<sup>2</sup>/person.

**MEETING ROOM 5**  
 The MEETING ROOM 5 has a net floor area of 33 m<sup>2</sup>. The maximum occupant load shall be 27 persons, based on 1.2 m<sup>2</sup>/person.

**SEASONAL RATIO**  
 The SEASONAL RATIO has a net floor area of 18 m<sup>2</sup>. The maximum occupant load shall be 15 persons, based on 1.2 m<sup>2</sup>/person.



**MEETING ROOM 4**  
 The MEETING ROOM 4 has a net floor area of 12 m<sup>2</sup>. The maximum occupant load shall be 10 persons, based on 1.2 m<sup>2</sup>/person.

GROUND FLOOR FURNITURE PLAN  
 Scale: 1/8" = 1'-0"

**MEETING ROOM 3**  
 The MEETING ROOM 3 has a net floor area of 12 m<sup>2</sup>. The maximum occupant load shall be 10 persons, based on 1.2 m<sup>2</sup>/person.

**MEETING ROOM 2**  
 The MEETING ROOM 2 has a net floor area of 72 m<sup>2</sup>. The maximum occupant load shall be 60 persons, based on 1.2 m<sup>2</sup>/person.

**MEETING ROOM 1**  
 The MEETING ROOM 1 has a net floor area of 72 m<sup>2</sup>. The maximum occupant load shall be 60 persons, based on 1.2 m<sup>2</sup>/person.

**MEETING ROOMS 1-4**  
 The MEETING ROOMS 1-4 has a net floor area of 288 m<sup>2</sup>. The maximum occupant load shall be 240 persons, based on 1.2 m<sup>2</sup>/person.

AREAS BASED ON PLANS REVIEWED  
 by City of Kelowna  
 Inspection Services  
 7. April  
 APR. 5/13  
 \* NO WAS COMPLETED

# REPORT TO COUNCIL



**Date:** October 16, 2013

**RIM No.** 0940-50

**To:** City Manager

**From:** Urban Planning, Community Planning & Real Estate (AR)

**Application:** DVP13-0152      **Owner:** Carreras Interiors Ltd.  
Inc. No. BC0329813

**Address:** 560 Christleton Avenue      **Applicant:** Carreras Interiors Ltd.

**Subject:** 2013-11-05 Report DVP13-0152 560 Christleton Ave

**Existing OCP Designation:** HLTH - Health District

**Existing Zone:** RU6 - Two Dwelling Housing

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0152 for Lot 23, District Lot 14, ODYD, Plan 1246, located at 560 Christleton Avenue, Kelowna, BC;

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

Section 6.5.7 - General Development Regulations - Accessory Development

To vary the maximum permitted lot coverage of accessory buildings or structures from 14% permitted to 16.5% proposed, as per Schedule 'A'.

## 2.0 Purpose

To vary the maximum permitted lot coverage for a carriage house on the subject site from 14% permitted to 16.5% proposed to facilitate the addition of a single car garage to a new carriage house.

## 3.0 Urban Planning

Urban Planning staff is supportive of the proposed modest variance to the Zoning Bylaw to accommodate the addition of a single car garage to the one storey carriage house presently under construction on the subject property. The proposed garage addition is consistent with the design and finishing of the carriage house. Further, it will not contribute to the removal of existing landscaping, as it is proposed to be located on top of the paved single parking space for the carriage house. There will also be adequate private outdoor space provided for both the principal dwelling and the carriage house on site.

In accordance with Council Policy 367 - Public Notification & Consultation for Development Applications, the applicant has provided notification of the proposed Development Variance Permit application to neighbouring properties within 50 m of the subject site. To date, staff has been contacted by two neighbours seeking further information on the proposed variance.

#### 4.0 Proposal

##### 4.1 Project Description

In October 2013, Development and Building Permits were issued for the construction of a carriage house at the rear of the subject property. The approved one-storey carriage house is 71 m<sup>2</sup> with a single parking space provided along its north elevation, parallel to the rear lane. The applicant is proposing to enclose the single parking space by constructing an attached garage in the same location, thereby increasing the overall site coverage of the carriage house from 12.8% to 16.5% (see attached site plan and elevation drawings). To facilitate the proposal, the application is seeking a variance to maximum permitted site coverage for a carriage house from 14% permitted to 16.5% proposed, a variance of 2.5%.

##### 4.2 Site Context

The subject RU-6 zoned site is located on the north side of Christleton Avenue, between Pandosy Street and Richter Street. The surrounding area is primarily characterized by established single family development, with the Kelowna General Hospital and health offices nearby on Pandosy Street.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Single Family Development
East	RU6 - Two Dwelling Housing	Single Family Development
South	RU6 - Two Dwelling Housing	Single Family Development
West	RU6 - Two Dwelling Housing	Single Family Development

Subject Property Map: 560 Christleton Avenue



### 4.3 Zoning Analysis Table

The proposed application meets the requirements of RU6 - Two Dwelling Housing zone as follows:

<b>Zoning Analysis Table</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU6 ZONE REQUIREMENTS</b>
<b>Existing Lot/Subdivision Regulations</b>		
Lot Area	555.8 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width	15.19 m	13 m
Lot Depth	36.54 m	30 m
<b>Development Regulations</b>		
Site Coverage (buildings)	39%	40%
Site Coverage (buildings/parking)	50%	50%
<b>Carriage House (with Principal Dwelling at the front of the site)</b>		
Height	1 storey / 3.66 m	1 ½ storeys / 4.5 m
Distance from Principal Dwelling	4.7 m	4.5 m
Side Yard (West)	2.0 m	2.0 m (1 - 1½ storey)
Side Yard (East)	4.8 m	2.0 m (1 - 1½ storey)
Rear Yard	1.5 m	1.5 m
Lot coverage of accessory building	90 m <sup>2</sup> / 16.5% ①	May not exceed 14% or 90m <sup>2</sup>
<b>Other Requirements</b>		
Floor Area Ratio	Principal dwelling: 127.7 m <sup>2</sup> Carriage House: 90 m <sup>2</sup> 70.5 %	May not exceed the lesser of 90 m <sup>2</sup> or 75%
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	Meets Requirements	30 m <sup>2</sup> per dwelling
① To accommodate the addition of a single car garage to the carriage house.		

### 5.0 Technical Comments

#### 5.1 Building & Permitting Department

No comments.

#### 5.2 Development Engineering Department

This Development Variance Permit application to vary the site coverage from 14% to 16.45% does not compromise any municipal services.

#### 5.3 Fire Department

No comments.

### 6.0 Application Chronology

Date of Application Received: September 19, 2013

Supplementary Materials Received: October 7 & 9, 2013

**Report prepared by:**

\_\_\_\_\_  
Abigail Riley, Urban Planner

**Reviewed by:**

Danielle Noble, Manager, Urban Planning

**Approved for Inclusion:**

Doug Gilchrist, Divisional Director, Community Planning &  
Real Estate Services

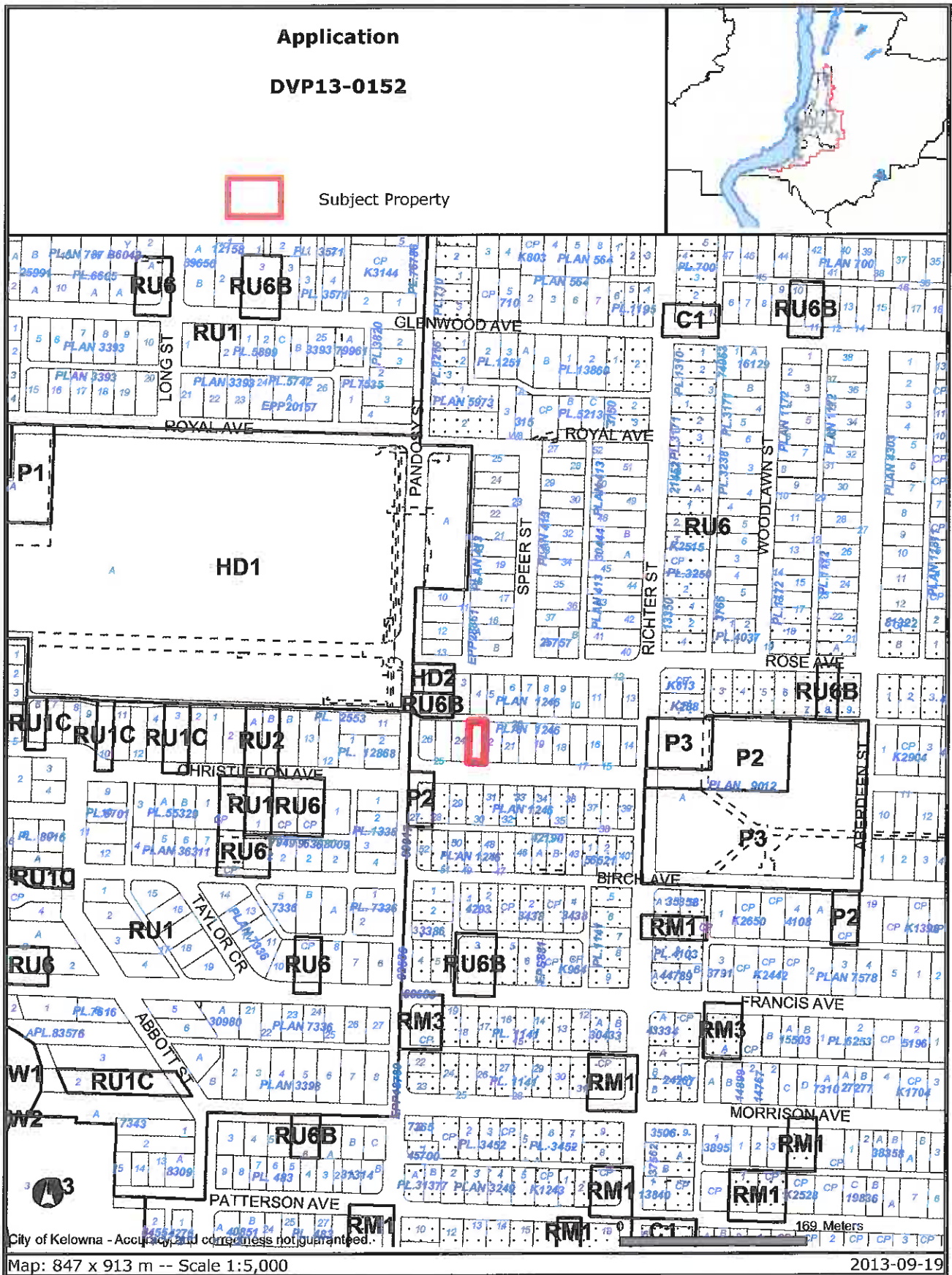
**Attachments:**

Subject Property Map

Site Plan

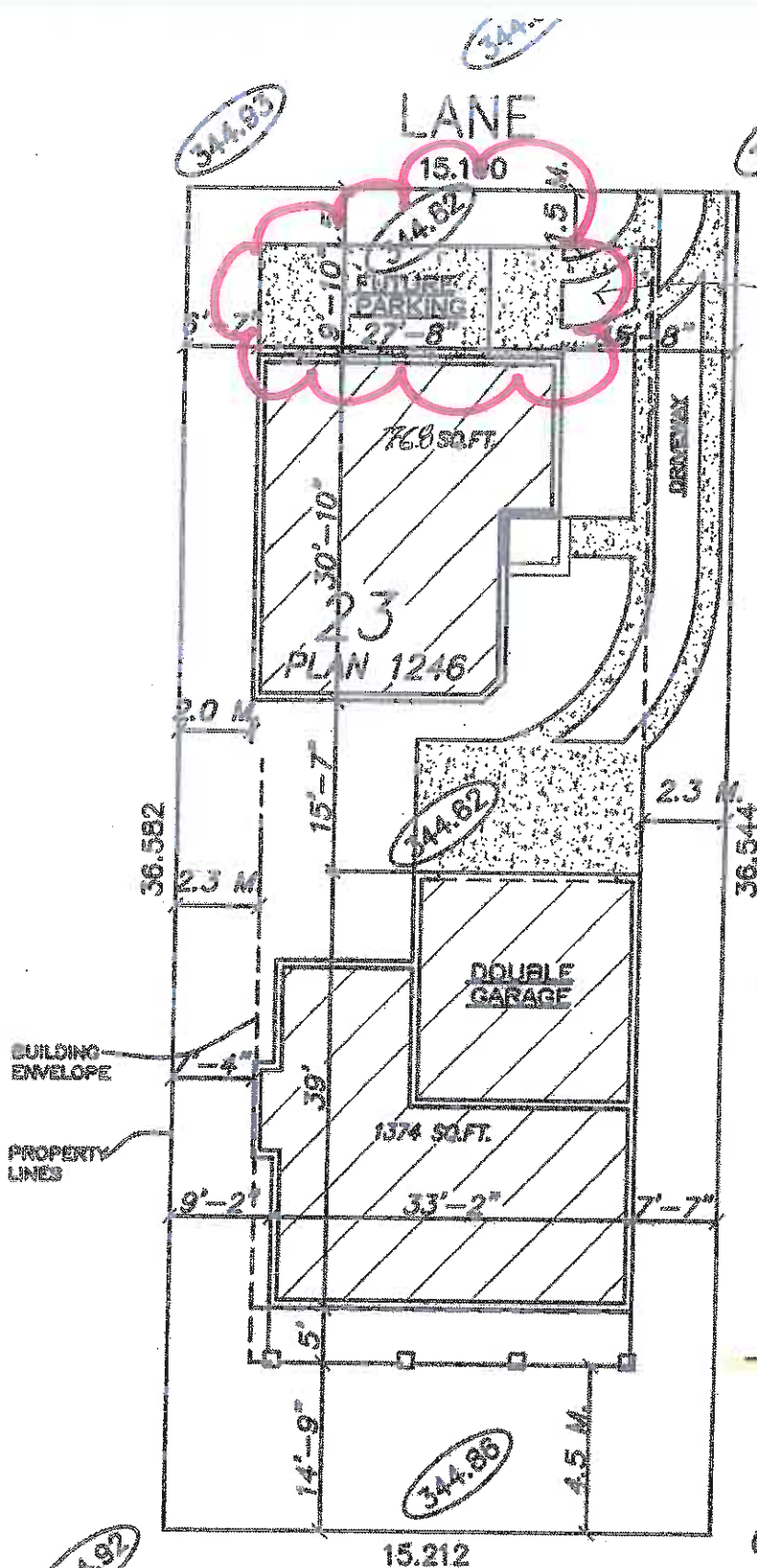
Building Elevations & Floor Plan

Draft Development Variance Permit



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.





Location of Proposed Garage Addition  
 (16.45% Site Coverage for Carriage House and Attached Single Car Storage)

CARRIAGE HOUSE FOOTPRINT = 768 SQ.FT.  
 (12.8% OF LOT AREA)  
 MAIN HOUSE FOOTPRINT = 1374 SQ.FT.  
 LOT AREA = 555.8 SQ.M.  
 SITE COVERAGE = 36%

DRIVEWAY AREA = 70.1 SQ.M. (754.5 SQ.FT.)  
 TOTAL SITE COVERAGE = 48.6%

This drawing is provided for general lot information. purchaser is responsible for verifying all information including but not limited to dimensions, elevation requirements and service locations.

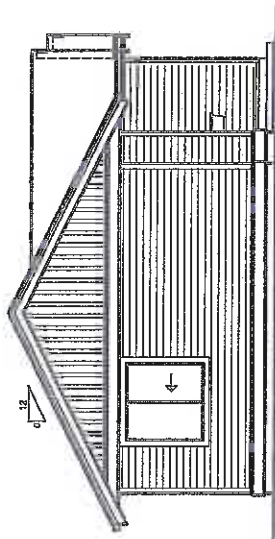
# SITE PLAN

SCALE: 1/16" = 1'-0"

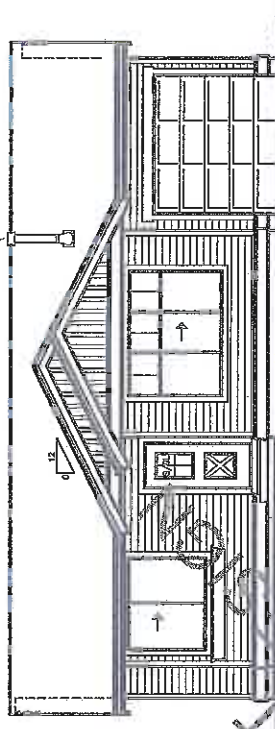
**SCHEDULE A.**  
 This forms part of development  
 Permit # DVP13-0152

CHRISTLETON AVENUE

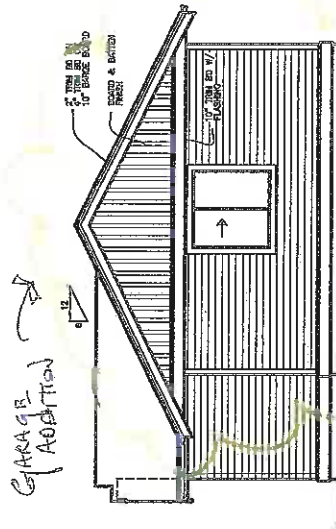
Proposed GARAGE



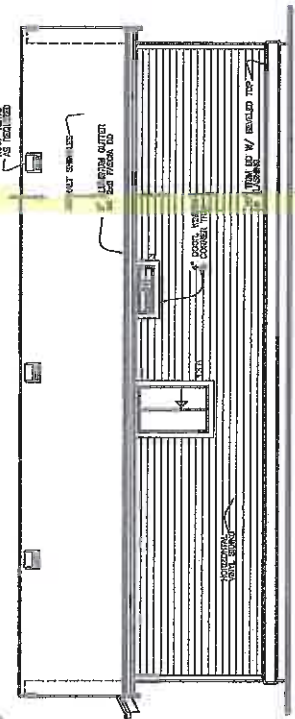
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION

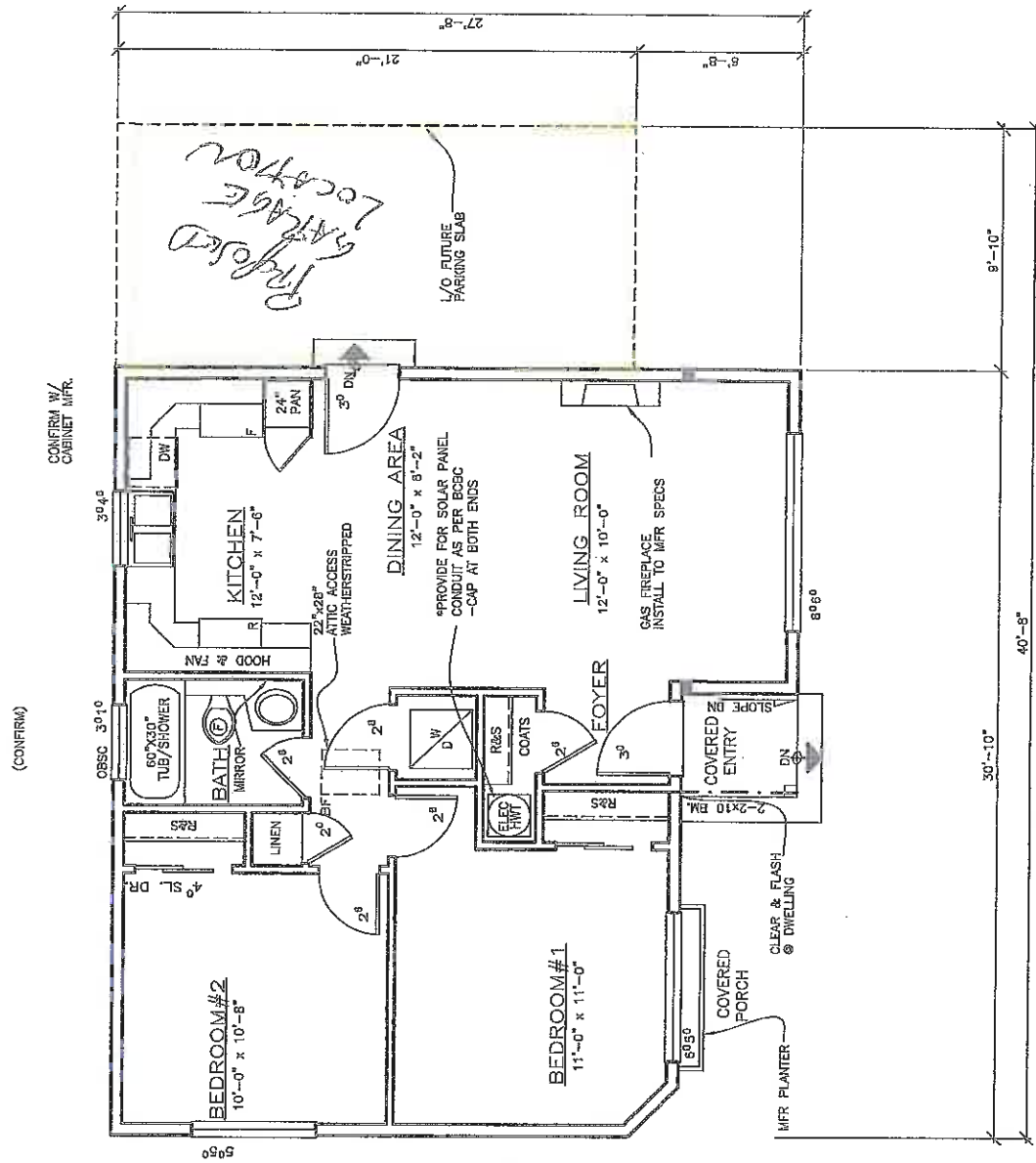


REAR ELEVATION

UPPER FLOOR  
 MAIN FLOOR  
 MAIN FLOOR  
 MAIN FLOOR  
 MAIN FLOOR  
 MAIN FLOOR

COPYRIGHT © JENISH HOUSE DESIGN  
 JENISH HOUSE DESIGN

**SCHEDULE A1**  
 This forms part of development  
 Permit # **DJP 13-0152**



**MAIN FLOOR PLAN**

AREA = 768 SQ. FT.  
9' 0-3/4" CLG.

*CARRIAGE  
HOUSE*

**SCHEDULE A 2**  
This forms part of development  
Permit # **D/P13-0152**

# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

Development Variance Permit No.: DVP13-0152

EXISTING ZONING DESIGNATION: RU6 – Two Dwelling Housing

DEVELOPMENT VARIANCE PERMIT: To vary maximum permitted site coverage of accessory buildings or structures from 14% permitted to 16.5% proposed

ISSUED TO: Carreras Interiors Ltd.

LOCATION OF SUBJECT SITE: 560 Christleton Avenue

	LOT	SECTIONS	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	23		14		ODYD	1246

### 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.
- Applicants for a Development Permit and/or Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

#### 1. TERMS AND CONDITIONS:

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

##### Section 6.5.7 – General Development Regulations - Accessory Development

To vary the maximum permitted lot coverage of accessory buildings or structures from 14% permitted to 16.5% proposed, as per Schedule 'A'.

#### 2. 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 which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

**THIS Permit IS NOT A BUILDING Permit.**

3. 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 Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee 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 Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$ N/A.
- (b) A Certified Cheque in the amount of N/A
- (c) An Irrevocable Letter of Credit in the amount of N/A

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.

4. APPLICANT'S AGREEMENT:

I hereby declare that all 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 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 Director of Community Planning & Real Estate Services.

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

**I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.**

\_\_\_\_\_  
Signature of Owner/Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name in Bold Letters

\_\_\_\_\_  
Telephone No.

5. APPROVALS:

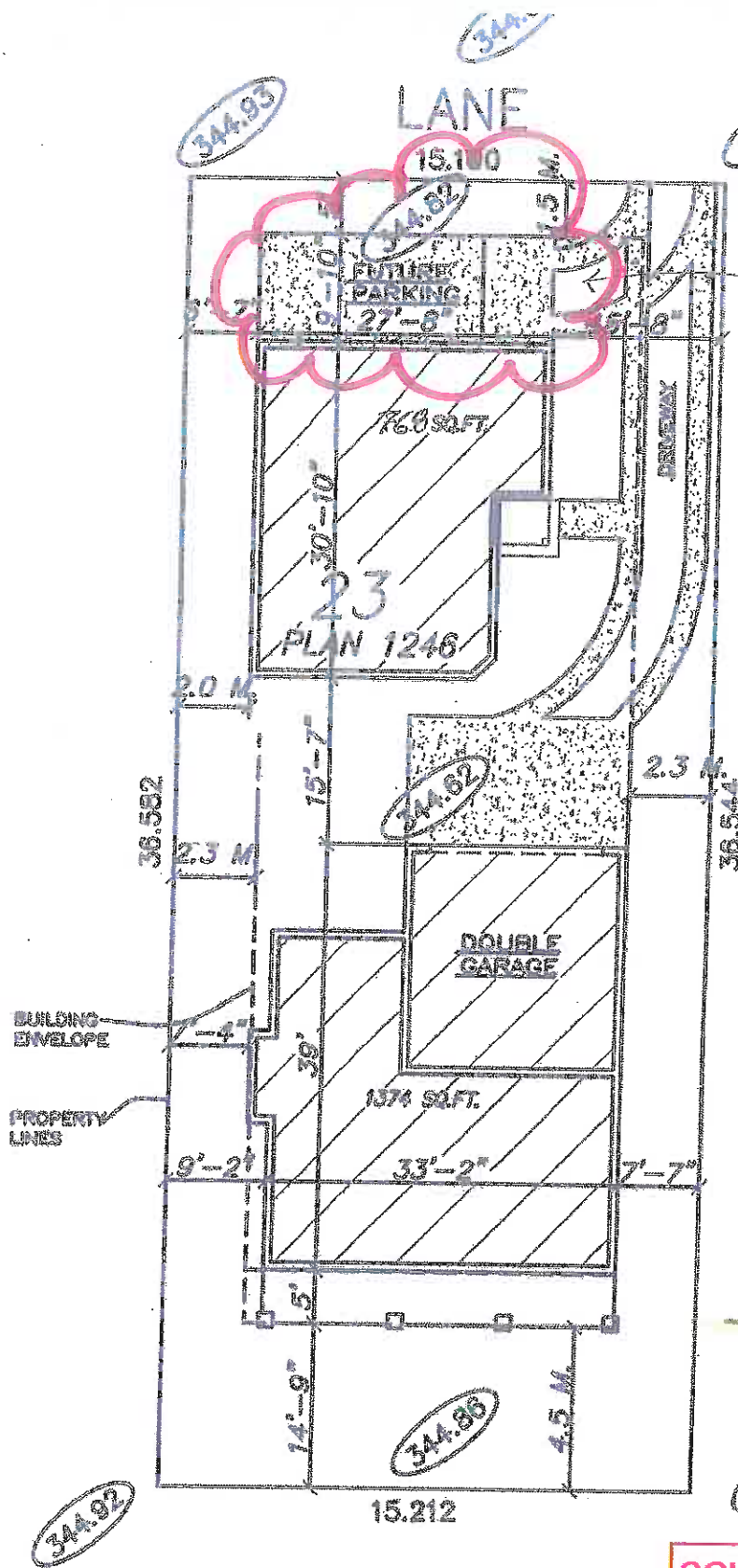
DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE \_\_\_<sup>th</sup> DAY OF NOVEMBER 2013.

ISSUED BY THE URBAN PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE \_\_\_<sup>TH</sup> DAY OF NOVEMBER, 2013  
BY THE DIRECTOR OF COMMUNITY PLANNING & REAL ESTATE SERVICES.

---

Doug Gilchrist  
Divisional Director of Community Planning & Real Estate Services

DRAFT



Location of Proposed Garage Addition  
(16.45% SITE COVERAGE FOR CARRIAGE HOUSE AND ATTACHED SINGLE CAR GARAGE)

CARRIAGE HOUSE FOOTPRINT = 768 SQ.FT.  
(12.6% OF LOT AREA)  
MAIN HOUSE FOOTPRINT = 1374 SQ.FT.  
LOT AREA = 555,830 M.  
SITE COVERAGE = 36%

DRIVEWAY AREA = 70.1 SQ.M. (784.3 SQ.FT.)  
TOTAL SITE COVERAGE = 48.6%

This drawing is provided for general lot information. purchaser is responsible for verifying all information including but not limited to dimensions, elevation requirements and service locations.

# SITE PLAN

SCALE: 1/16" = 1'-0"

**SCHEDULE A.**  
This forms part of development  
Permit # DVP13-0152

CHRISTLETON AVENUE