

City of Kelowna
Regular Council Meeting
AGENDA



Tuesday, March 4, 2014
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order
2. Prayer

A Prayer will be offered by Councillor Hobson.
3. Confirmation of Minutes 1 - 9

Public Hearing - February 18, 2014
Regular Meeting - February 18, 2014
4. Bylaws Considered at Public Hearing
 - 4.1 Bylaw No. 10914 (OCP13-0020) - 1055 Frost Road, No. 21 Great Projects Ltd. & City of Kelowna 10 - 11

Requires a majority of all Members of Council (5).
To give Bylaw No. 10914 second and third readings in order to change the future land use designation of the subject property from the Multiple Unit Residential - Low Density and Single/Two Unit Residential designations to the Single/Two Unit Residential designation.
 - 4.2 Bylaw No. 10915 (Z13-0043) - 1055 Frost Road, No. 21 Great Projects Ltd. & City of Kelowna 12 - 13

To give Bylaw No. 10915 second and third readings in order to rezone portions of the subject property from the A1 - Agriculture 1 and the RU1h - Large Lot Housing (Hillside) zones to the RU3 - Small Lot Housing one.
 - 4.3 Bylaw No. 10916 (Z14-0003) - 4377 Gordon Drive, Richard & Michelle Kooistra 14 - 14

To give Bylaw No. 10916 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.
5. Notification of Meeting

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

6. Development Permit and Development Variance Permit Reports

- 6.1 Development Variance Permit Application No. DVP14-0006, 2759 Highway 97, Lunelli Enterprises Ltd.

15 - 34

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.

The purpose of the Development Variance Permit is to vary the front lot setback requirement for free-standing signs from 1.5 metres to 0.145 metres.

7. Reminders

8. Termination



City of Kelowna Public Hearing Minutes

Date: Tuesday, February 18, 2014
Location: Council Chamber
City Hall, 1435 Water Street

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

Council Members Absent: Mayor Walter Gray

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Urban Planning Manager, Ryan Smith; and Council Recording Secretary, Joanne Dewar.

(* denotes partial attendance)

1. Call to Order

Deputy Mayor Given called the Hearing to order at 6:03 p.m.

Deputy Mayor Given 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 confirmed all statutory requirements for notification of this public hearing were met.

3. Individual Bylaw Submissions

- 3.1. Bylaw No. 10912 (OCP13-0008) & Bylaw No. 10913 (Z13-0009) - (Off of), (N of) & 2458 Joe Riche Road, Black Mountain Irrigation District

Councillor Zimmermann declared a conflict of interest as he is a Black mountain Irrigation Board Director, and left the meeting at 6:06 p.m.

Staff:

- Displayed a PowerPoint Presentation

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

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

Robert Harasko, Black Mountain Irrigation District, Applicant

- Outlined plan for the UV disinfection system.
- Responded to questions from Council.

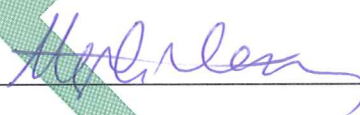
There were no further comments.

Councillor Zimmermann rejoined the meeting at 6:18 p.m.

4. Termination

The Hearing was declared terminated at 6:18 p.m.

Deputy Mayor Given



City Clerk

jd/scf/slh

DRAFT



City of Kelowna Regular Meeting Minutes

Date: Tuesday, February 18, 2014
Location: Council Chamber
City Hall, 1435 Water Street

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

Council Members Absent: Mayor Walter Gray

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Urban Planning Manager, Ryan Smith; and Council Recording Secretary, Joanne Dewar.

(* denotes partial attendance)

1. Call to Order

Deputy Mayor Given called the meeting to order at 6:18 p.m.

2. Prayer

A Prayer was offered by Councillor Stack.

3. Confirmation of Minutes

Moved By Councillor Basran/Seconded By Councillor Zimmermann

R109/14/02/04 THAT the Minutes of the Public Hearing and Regular Meeting of February 4, 2014 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

Councillor Zimmermann declared a conflict of interest as he is a Black mountain Irrigation Board Director, and left the meeting at 6:19 p.m.

- 4.1. Bylaw No. 10912 (OCP13-0008) - (Off of), (N of) & 2458 Joe Riche Road, Black Mountain Irrigation District

Moved by Councillor Hobson/Seconded by Councillor Singh

R110/14/02/04 THAT Bylaw No. 10912 be read a 2nd and 3rd time;

Carried

- 4.2. Bylaw No. 10913 (Z13-0009) - (Off of), (N of) & 2458 Joe Riche Road, Black Mountain Irrigation District

Moved by Councillor Hobson/Seconded by Councillor Singh

R111/14/02/04 THAT Bylaw No. 10913 be read a 2nd and 3rd time.

Carried

Councillor Zimmermann rejoined the meeting at 6:20 p.m.

5. Notification of Meeting

The City Clerk confirmed appropriate Notification for the applications to follow was met and 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. Liquor License Application Reports

- 6.1. Bylaw No. 10854 (Z12-0006) - 587-589 Lawrence Avenue, Finnasha Holdings Corp.

Moved By Councillor Blanleil/Seconded By Councillor Basran

R112/14/02/18 THAT Bylaw No. 10854 be adopted.

Carried

- 6.1.1. Liquor License Application No. LL12-0002 - 587-589 Lawrence Avenue, Finnasha Holdings Corp.

Staff:

- Displayed a PowerPoint presentation.
- Responded to questions from Council.

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

- 3 letters of opposition:
 - Ms. Doreen K Dunn
 - Colliers International (Perry K. Freeman)
 - Alvina & Bob Cormack

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

Bert Hick, President, Rising Tide Consultants (Applicant):

- Outlined details of application.
- Outlined the company's intentions to cater to all members of the public during the earlier part of the day, and then switch to serving adults only during the rest of the evening, which necessitates the primary liquor license. In the evenings the venue would serve as a dinner/dancing/show type of club.
- Advised that they have no interest in offering exotic dancing as part of their venue.
- Advised that although they had originally applied to have an outside patio at the front of the establishment, it was denied by staff at the time of application. However they are not opposed to building a patio outside the front of the establishment.
- Confirmed that a double door system will be installed in order to keep patrons from creating lengthy line-ups on the sidewalk outside of the establishment.
- Advised there will also be a vestibule just inside the establishment where patrons can wait.
- Confirmed decibel levels will be constantly monitored at various monitoring stations placed throughout the establishment, and that an acoustical report is created from the monitoring stations.

Gallery:

Perry Freeman, Managing Director, Colliers International:

- Represents several nearby businesses
- Advised that this is an area of downtown which already experiences problems with prostitution and drug dealing. Of particular concern is that it will be a very loud establishment, and that there would be the accompanying bar flush at the end of the night.
- Displayed photographs of other nightclubs in the area.

Staff

- Confirmed the Development Permit would be issued at the staff level.

There were no further comments.

Moved By Councillor Zimmermann/Seconded By Councillor Stack

R113/14/02/18 THAT Zone Amending Bylaw 10854 be forwarded for adoption consideration,

AND THAT 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 from at address: 587-589 Lawrence Avenue, Kelowna BC, (legally described as Lot 6, District Lot 139, ODYD, Plan 2536) for a new Liquor Primary License, are as follows:

- a) The potential for noise if the application is approved: A Minimal increase in noise is expected compared to current circumstances.
- b) The impact on the community if the application is approved: The potential for negative impacts are 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 liquor primary service is 250 seats with serving hours of 11:00am to 2:00am, 7 days a week.
- e) Traffic and parking: The C7 parking requirements are calculated based on gross floor area, regardless of use (or occupant load). Therefore, the onsite parking is considered compliant to the C7 zone regulations.
- f) The proximity of the establishment to other social or recreational facilities and public buildings: Surrounding facilities would not conflict with the proposed establishment.
- g) Recommendation: Council recommends that the application for a new liquor primary license for a total capacity of 250 patrons for the property located at 587-589 Lawrence Ave. be approved.

Carried

7. Development Permit and Development Variance Permit Reports

7.1. Bylaw No. 10869 (OCP13-0009) - 434, 442 & 458 Royal Avenue, Interior Health Authority

Moved By Councillor Stack/Seconded By Councillor Zimmermann

R114/14/02/18 THAT Bylaw No. 10869 be adopted.

Carried

7.1.1. Bylaw No. 10870 (Z13-0015) - 434, 442 & 458 Royal Avenue, Interior Health Authority

Moved By Councillor Blanleil/Seconded By Councillor Basran

R115/14/02/18 THAT Bylaw No. 10870 be adopted.

Carried

7.1.2. Heritage Alternation Permit Application No. HAP13-0004, 434 Royal Avenue, Interior Health Authority

Staff:

- Displayed a PowerPoint presentation.
- Advised that the developer has designed the parking lot with an actual landscaping plan.
- Confirmed that many attempts have been made to sell and relocate the Heritage Building on site.

The City Clerk advised that the following correspondence was received:

- 2 Letters of Opposition:
 - Neil Cadger
 - Henry Stanski

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

Doug Laval, Interior Health Authority, Applicant:

- Provided details of proposed parking lot.
- 90 stall parking lot; hospital area will need all of these spaces in the next 5-10 years.
- Advised that they are trying to integrate parking into the neighbourhood as best they can.
- Advised that currently there is no definitive plan on how to prevent staff from parking in the proposed lot.
- Also advised that there will be extra spaces for the next five years or so, until the parking need increases as population grows.
- Confirmed that no further development is possible in this area; the Applicant is aware of the nearby nature conservation area.

Gallery:

Richard Templon, 475 Glenwood:

- Need to have a height variance for a 10' fence. Lots of bright overhead lights, magnifies particles in the light. High stress area of city because of hospital and accompanying 'clients', so need high fence.
- Disappointed about the medical helicopter's flight path; the access and egress of the helicopter is directly over his house which has resulted in increased noise, dust storms, etc.
- Indicated that a 10' fence would minimize the intrusion of the parking lot into the neighbourhood.
- Advised that the Heritage Committee voted on the 10' fence and passed the motion to endorse same.

Staff:

- Bylaws state that the maximum height for a residential fence is just over 6', and staff do not normally support anything higher unless it is an industrial property.

Ronald James Avery McLean, (FRACAS):

- Hosted a meeting of area residents, where all residents supported a 10' fence.
- Is also supportive of the parking lot as there is a definite need, and feels that there needs to be robust enforcement of street parking.
- Would like the assurance of a Covenant regarding the zoning of the parking lot.

Doug Laval, Interior Health Authority, Applicant:

- Not opposed to building a taller fence.
- Interior Health is prepared, subject to cost, to build a 10' fence as suggested by Mr. Templon.
- Advised that he is uncertain if neighbours on all sides agree about the proposed 10' height.
- Confirmed that there are trees along the fence that grow higher than 10'.
- Advised that an additional variance will result in more time required to complete the project.
- April 1st is the projected start date of construction of the lot.
- Advised that because the fence will be the last to be constructed, it is reasonable that there could be further a further consideration of height.

Staff:

- Council could approve the Heritage Alteration Permit with the variance that are included in the report today. Additional variances could take staff 12 weeks to process.
- Advised that a 10' fence will create a wall along the lane, which might make graffiti more of a problem. Also advised that a 10' fence could be a crime prevention issue, as nothing can be seen or heard from outside of the fence.
- Concerned that a 10' fence would not achieve the desired result of neighbours. Additionally, it would not be similar to the heights of other fences in the rest of the neighbourhood.

There were no further comments.

Moved By Councillor Zimmermann/Seconded By Councillor Hobson

R116/14/02/18 THAT Final Adoption of OCP Amending Bylaw No. 10869 and Zone Amending Bylaw No. 10870 be considered by Council;

AND THAT Council authorize the issuance of Heritage Alteration Permit No. HAP13-0004 for Lot A, DL 14, ODYD, Plan EPP30318, located at 434 Royal Avenue, Kelowna, 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 be in general accordance with Schedule "C";

AND THAT the applicant be required to complete the above-noted condition 3 within 180 days of Council's approval of the Development Permit Application in order for the permit to be issued.

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

Section 7.6.1 (b) Minimum Landscape Buffers

Vary the front yard landscape buffer from 3.0m required to 0.3m proposed.

Section 8.1.10 (c) Parking Regulations

Vary the required front yard parking setback from 2.0m required to 0.3m proposed.

Section 8.3.5 Landscaped Island

Vary the landscape island area from 182m² required to 38.66m² proposed.

Carried

7.2. Heritage Alteration Permit Application No. HAP13-0020 - 1979 Abbott Street, Edward & Marilyn Wiltshire

Staff:

- Displayed a PowerPoint presentation.
- Confirmed the house would be raised 0.5m.

The City Clerk advised that the following correspondence was received:

- 2 Letters of Support:
 - Michael Kumle,
 - Michael Griffin Clare McManus.

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

Peter Chataway, Applicant (representing the Wilshires):

- Project has now been reconstructed to conform to heritage policies.
- Is now a retro/late vernacular cottage.
- No variances in the new plan, as it fits all required setbacks.
- There was a height issue before, new plan raises the house 0.5 metres.

Gallery:

Mr. Layton Park:

- Informed that the house was moved there in 1959, and is a 1.5 metres higher than rest of neighbours; owners have tried to blend it in with landscaping.
- Supports Applicant, would like to see more heritage houses kept. Can be raised and still look like a heritage house.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Blanleil

R117/14/02/18 THAT Council authorize the issuance of Heritage Alteration Permit No. HAP13-0020 for Lot 1, District Lot 14, ODYD, Plan 3998, located at 1979 Abbott Street, 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";

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

Section 8.1.2 Off-street Vehicle Parking - Table 8.1 Parking Schedule:

Vary the required parking for a single detached dwelling from 2 spaces required to 1 space proposed;

Section 13.1.6 (d) RU1 Zone - Development Regulations Vary the required side yard setback on a flanking street from 4.5 m required to 0.08 m proposed.

Carried

8. Reminders

There were no comments.

9. Termination

The meeting was declared terminated at 7:53 p.m.

Deputy Mayor Given

jd/scf/slh



City Clerk

CITY OF KELOWNA

BYLAW NO. 10914

**Official Community Plan Amendment No. OCP13 - 0020
No. 21 Great Projects Ltd / City of Kelowna
1155 Frost Road**

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 part of the Generalized Future Land Use designation of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408, EPP22118, and EPP33403 located at 1055 Frost Road from Multiple Unit Residential - Low Density to Single / Two Unit Residential 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 Monday, February 17, 2014.

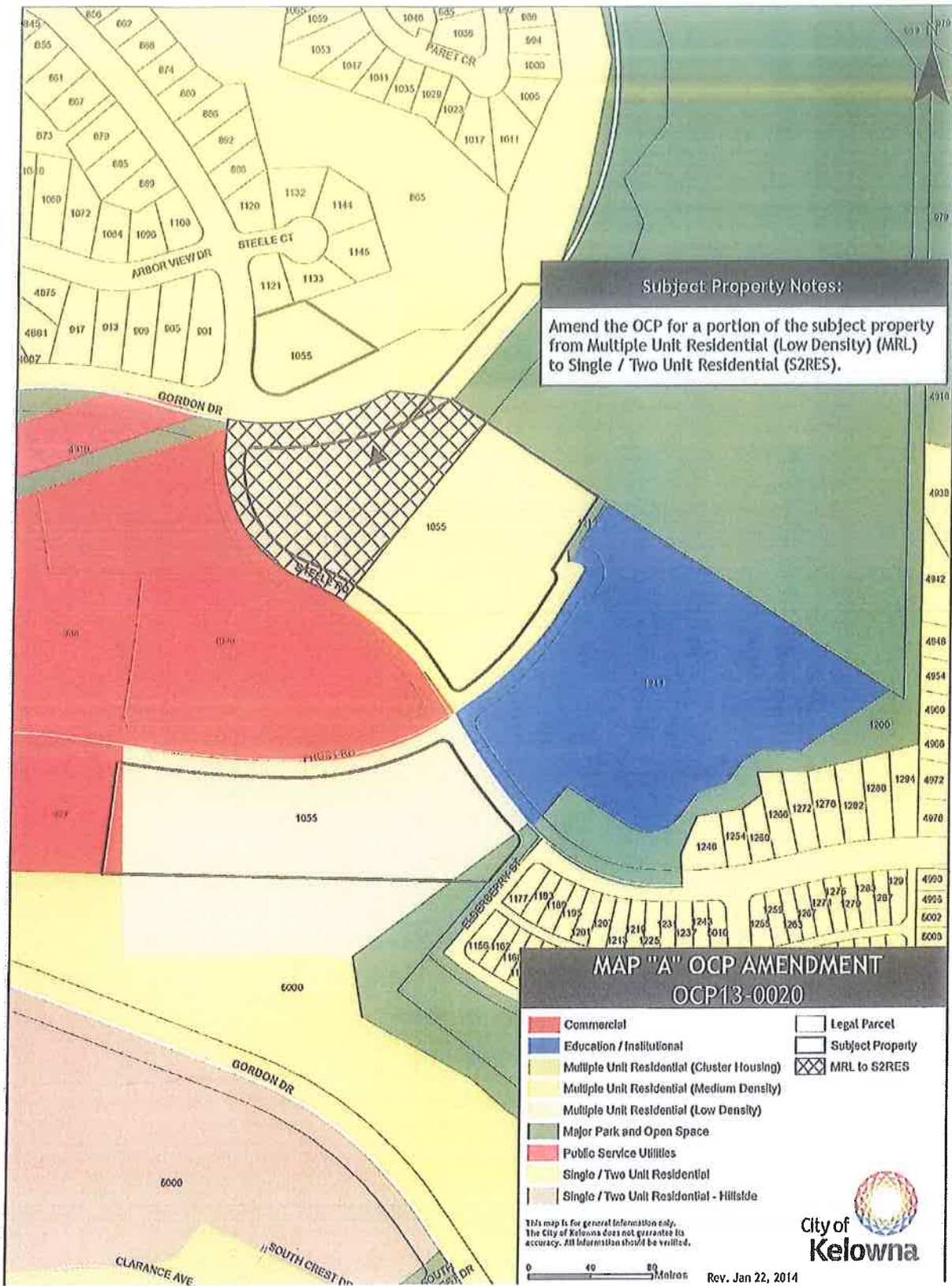
Considered at a Public Hearing on the

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. 10915
Z13-0043 - No.21 Great Projects Ltd./ City of Kelowna
1055 Frost 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, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408, EPP22118, and EPP33403, located on 1055 Frost Road, Kelowna, B.C., to rezone portions of the subject property from the A1 - Agriculture 1 and the RU1h - Large Lot Housing (Hillside) zone to the RU3 - Small Lot Housing zone as shown on 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 Monday, February 17, 2014.

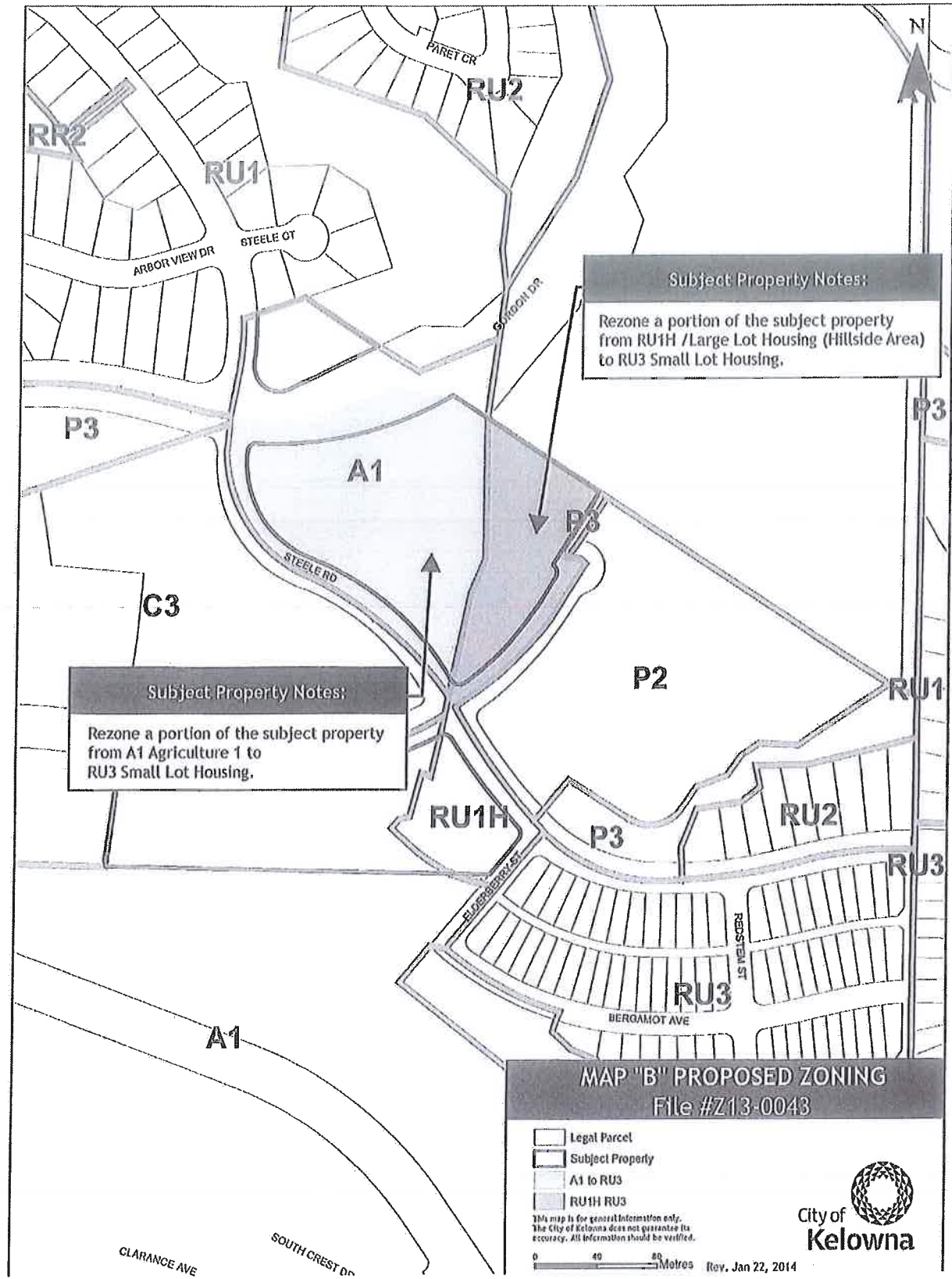
Considered at a Public Hearing on the

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. 10916
Z14-0003 - Richard and Michelle Kooistra
4377 Gordon 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 2, District Lot 358, ODYD, Plan 21365, located on 4377 Gordon Drive, 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 Monday, February 17, 2014.

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: 2/6/2014

RIM No. 0940-50

To: City Manager

From: Urban Planning (AC)

Application: DVP14-0006 **Owner:** Lunelli Enterprises Ltd.

Address: 2759 Highway 97 **Applicant:** Outreach Neon Ltd.
(Dennis Knechtes)

Subject: Development Variance permit

Existing OCP Designation: SC - Service Commercial

Existing Zone: I2 - General Industrial

1.0 Recommendation

That Council authorize the issuance of Development Variance Permit No. DVP14-0006, for Lot A, District Lot 124, ODYD, Plan 10824 Except Plans H8110 & EPP29923, located on 2757 Hwy 97, Kelowna, BC;

AND THAT a variance to the following section of the Sign Bylaw No. 8235 be granted:

Section 5.6.1 (d) - Free-standing signs shall not be located closer than 1.5 metres to any lot line: To vary the setback distance from a lot line to a free-standing from 1.5 metres to 0.145 metres.

2.0 Purpose

The purpose of the DVP is to vary the front lot setback requirement for free-standing signs from 1.5 metres to 0.145 metres to accommodate a new Suburu dealership sign.

3.0 Urban Planning

The variance request was initiated because the applicant's contractor poured a concrete base without a permit and confirming setbacks. After our plan checkers became aware of the situation, the applicant ceased work and applied for the appropriate variances. Typically, variances are considered where there is a unique circumstance or some form of hardship that makes achieving existing standards unreasonable. Additionally, the scale and impact of a proposed variance should be considered as an evaluating criterion. If a variance requested is minor in scale or the impact of a variance is so minor that it will not be noticed, then such a proposal may warrant a favourable review.

In this instance, the column supporting the sign meets the setback and there are no significant negative impacts on traffic or sightlines. The scale of the variance is minor however it may affect

surrounding properties by ‘sticking out’ slightly relative to the other highway signs. Overall, due to the minor visual impact of permitting the sign variance and the applicant’s willingness to adhere to all the City’s requests, Staff are recommending support for the variance. Should Council choose to not proceed with the proposed variance request, the proponent would have to construct a new concrete base. This should not affect their parking arrangements.

4.0 Proposal

4.1 Site Context

The subject property is located at 2759 Hwy 97 and is currently being developed by the Subaru dealership.

Specifically, adjacent land uses are as follows:

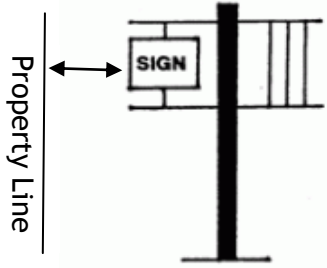
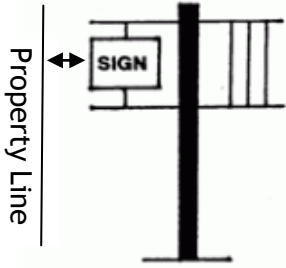
Orientation	Zoning	Land Use
North	I2 - General Industrial	Automobile service
East	I2 - General Industrial	Bottle Depot
South	C10 - Service Commercial	Various Industrial-Commercial Operations
West	I2 - General Industrial	Best Western Hotel & Suites

Subject Property Map: 2759 Hwy 97



4.2 Project Description

The existing site is being redeveloped into a Subaru (car) dealership. Preliminary work was done on the base of the main Subaru sign until Staff notified the owner to apply for permits. This triggered a variance request which is illustrated in the graphic below.

Sign Type	SIGN REQUIREMENTS	PROPOSAL
Free-standing	 <p>Property Line</p>	 <p>Property Line</p>
	Minimum 1.5 m	0.145 m

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, and to date, City staff has not been contacted with any objections or concerns with the proposed sign variance. As of February 5, 2014 two out of the three properties that needed to be consulted have responded with no concerns.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The subject property is designated Service Commercial (SC) in the Official Community Plan.

Signage

- Design signage that is high quality, imaginative, and innovative;
- Design signage with consideration of the size of any individual sign as part of the overall scheme of building signage and the appearance of the building's façade. Scale and architectural expression should not be compromised by size and number of signs;
- Box signs are strongly discouraged;
- Incorporate concise messaging and simple graphics into signage. Corporate and store logos are appropriate only if they form part of an overall sign design, and are suitably scaled to the façade composition;
- Light lettering on a dark background is preferred over dark lettering on a light background and consideration should be given to those with visual impairment;
- Minimize signage lighting (i.e., incorporate indirect front-lit signs wherever possible);
- Counter-balance illuminated signs with natural materials and appropriate framing.

6.0 Technical Comments

6.1 Building & Permitting Department

No concerns.

6.2 Development Engineering Department

See attached Memorandum, dated January 23 2014.

7.0 Application Chronology

Date of Application Received: January 13 2014
Date of Neighbourhood Consultation: January 13 2014 to present

Report prepared by:

Adam Cseke, Land Use Planner

Reviewed by:

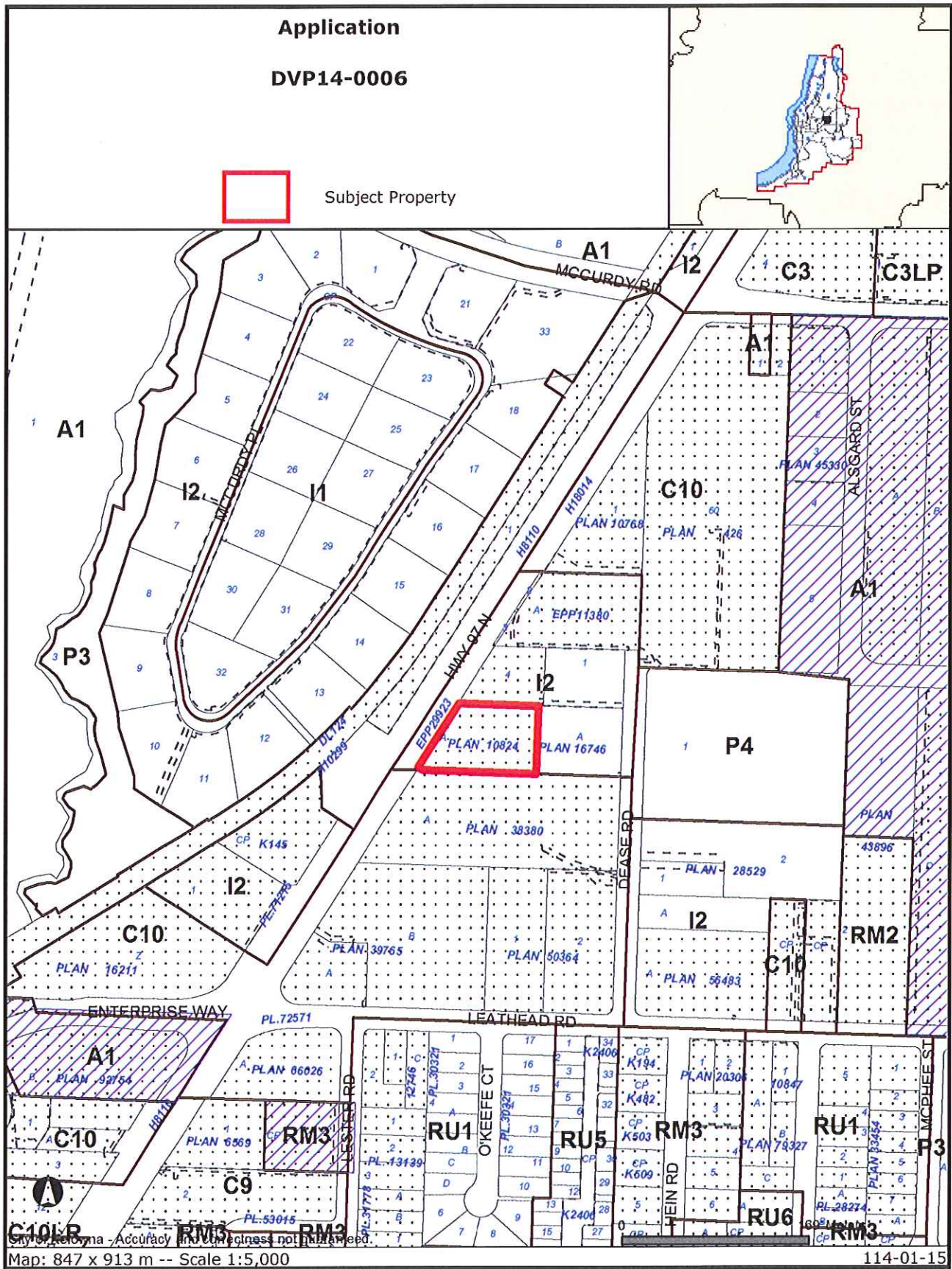
Ryan Smith, Urban Planning Manager

Approved for Inclusion:

Doug Gilchrist, Community Planning
& Real Estate Div. Director

Attachments:

Sign Details & Application Package
Development Engineering Memorandum
Draft Development Variance Permit

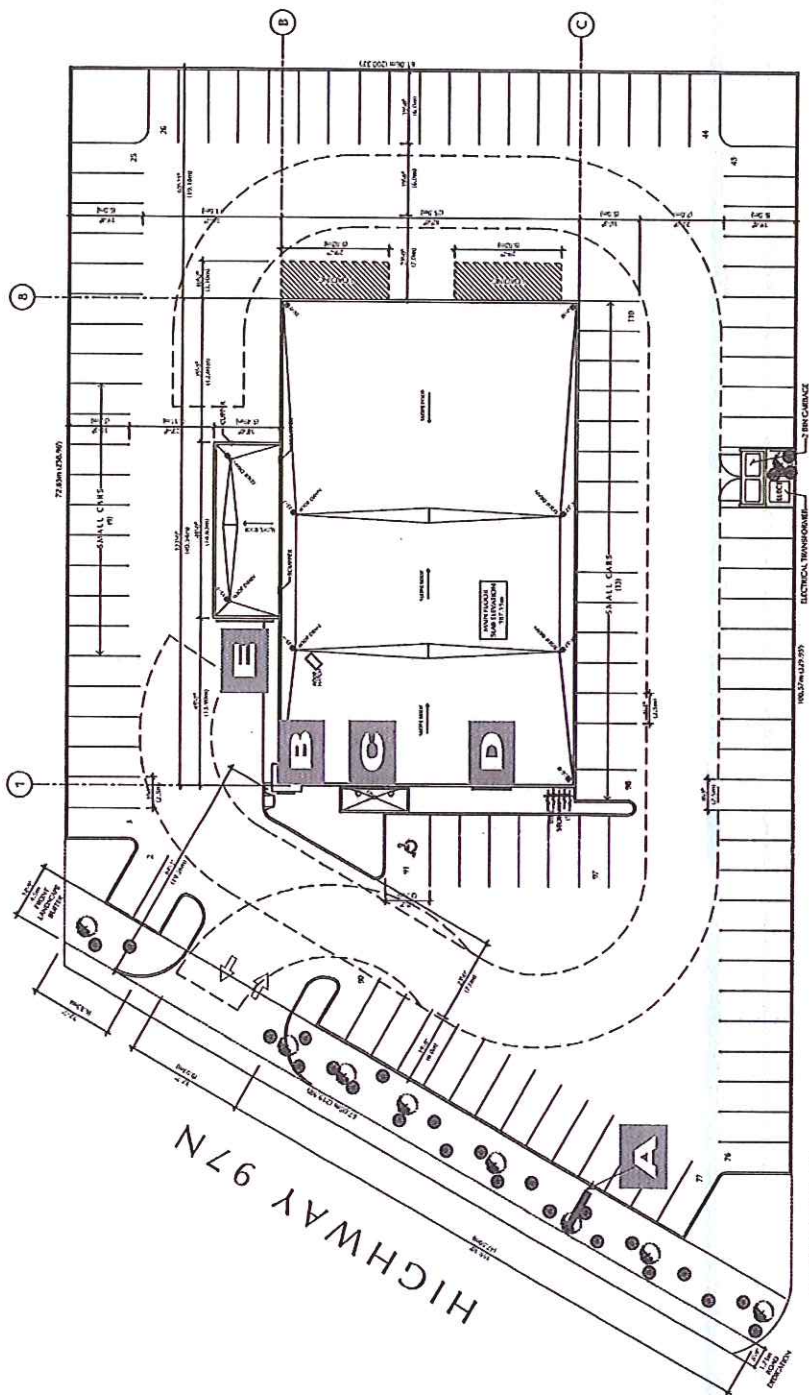


City of Kelowna - Accuracy and completeness not guaranteed.

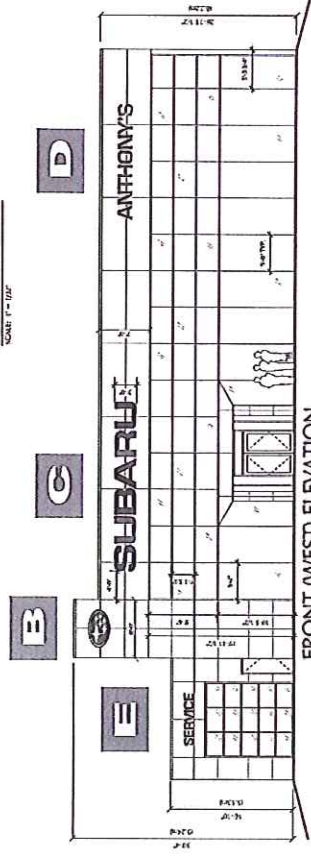
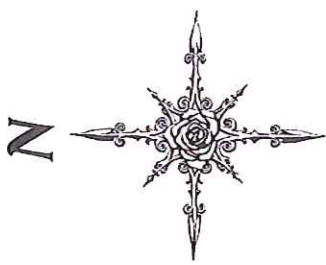
Map: 847 x 913 m -- Scale 1:5,000

114-01-15

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.



SITE/ROOF PLAN
SCALE: 1" = 10'



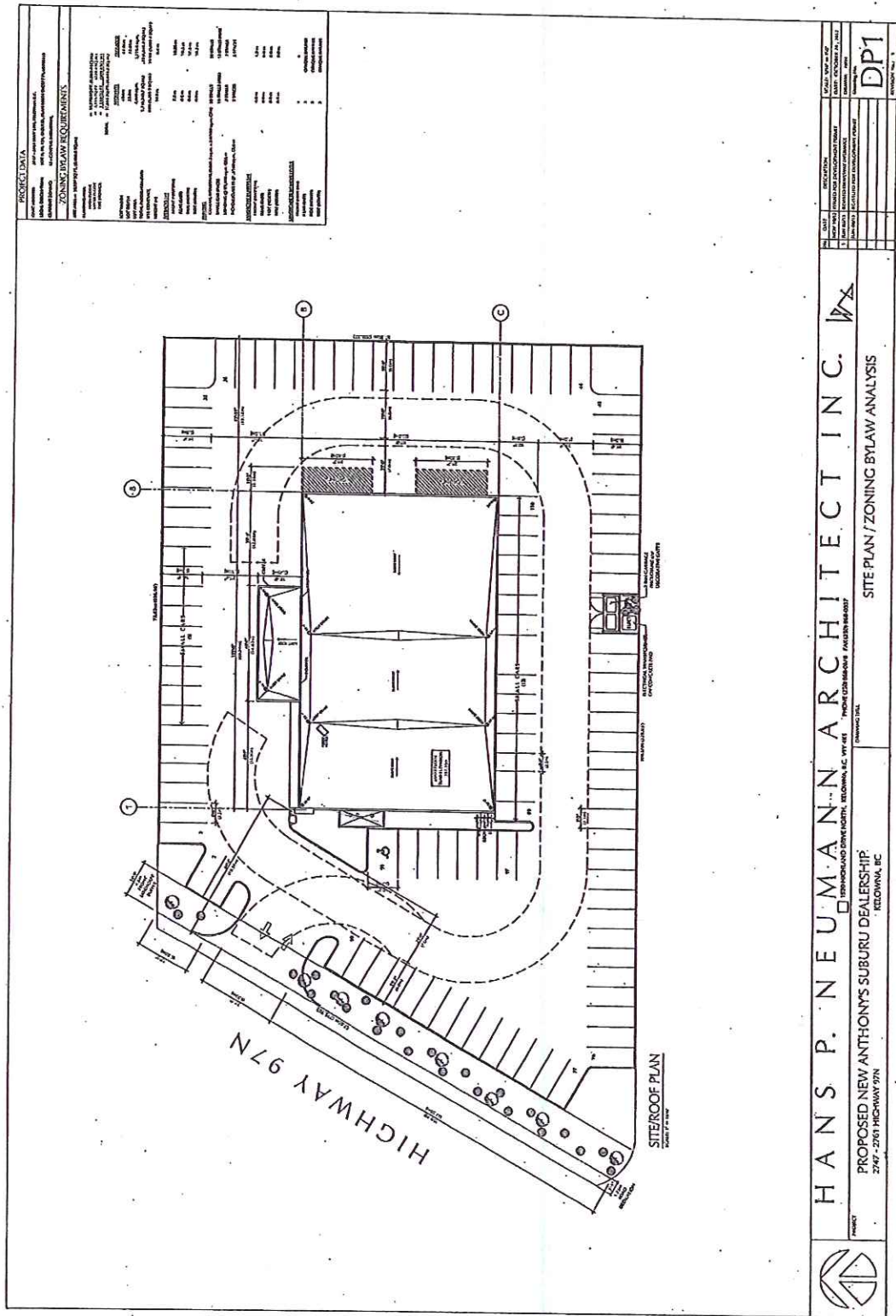
Can search, request for conceptual drawings for 100% design. Submittals will be made prepared by Transworld Signs. This drawing is not to be used for construction. All dimensions and materials shall be as indicated on drawings. All dimensions and materials shall be as indicated on drawings. All dimensions and materials shall be as indicated on drawings.

Revisions / Comments	By	Date
No. 1 X	DP	2013-03-08
No. 2 X	DP	2013-03-08
No. 3 Adjust Signs	DP	2013-03-08
No. 4 Anthony & Connection	CD	2013-03-10
No. 1 Location Update	CD	19-09-2013

ENSEIGNES TRANSWORLD
TRANSWORLD SIGNS
 6310 Parkway, Montreal, Qc. H1J 1N7
 Telephone / Fax: (514) 352-5208
 Courriel / Email: info@transworldsigns.com

ANTHONY'S SUBARU
 Date: 06/08/2013
 Kellown, BC
 WFO
 Drawn: Darisse P.
 Details Draw # 210263114

GRAPHIC REPRESENTATION ONLY
 NOT TO BE USED FOR CONSTRUCTION
 TO BE USED FOR INFORMATION ONLY
 GRAPHIC REPRESENTATION ONLY
 NOT TO BE USED FOR CONSTRUCTION
 TO BE USED FOR INFORMATION ONLY



PROJECT DATA

OWNER: [REDACTED]
 ARCHITECT: HANS P. NEUMAN ARCHITECT INC.
 PROJECT NO.: [REDACTED]

ZONING BYLAW REQUIREMENTS

REQUIREMENT	REQUIREMENT	REQUIREMENT
1. MINIMUM LOT AREA	2. MINIMUM LOT WIDTH	3. MINIMUM LOT DEPTH
4. MINIMUM FRONT SETBACK	5. MINIMUM SIDE SETBACK	6. MINIMUM REAR SETBACK
7. MINIMUM FRONT YARD	8. MINIMUM SIDE YARD	9. MINIMUM REAR YARD
10. MINIMUM FRONT SETBACK	11. MINIMUM SIDE SETBACK	12. MINIMUM REAR SETBACK
13. MINIMUM FRONT SETBACK	14. MINIMUM SIDE SETBACK	15. MINIMUM REAR SETBACK
16. MINIMUM FRONT SETBACK	17. MINIMUM SIDE SETBACK	18. MINIMUM REAR SETBACK
19. MINIMUM FRONT SETBACK	20. MINIMUM SIDE SETBACK	21. MINIMUM REAR SETBACK
22. MINIMUM FRONT SETBACK	23. MINIMUM SIDE SETBACK	24. MINIMUM REAR SETBACK
25. MINIMUM FRONT SETBACK	26. MINIMUM SIDE SETBACK	27. MINIMUM REAR SETBACK
28. MINIMUM FRONT SETBACK	29. MINIMUM SIDE SETBACK	30. MINIMUM REAR SETBACK
31. MINIMUM FRONT SETBACK	32. MINIMUM SIDE SETBACK	33. MINIMUM REAR SETBACK
34. MINIMUM FRONT SETBACK	35. MINIMUM SIDE SETBACK	36. MINIMUM REAR SETBACK
37. MINIMUM FRONT SETBACK	38. MINIMUM SIDE SETBACK	39. MINIMUM REAR SETBACK
40. MINIMUM FRONT SETBACK	41. MINIMUM SIDE SETBACK	42. MINIMUM REAR SETBACK
43. MINIMUM FRONT SETBACK	44. MINIMUM SIDE SETBACK	45. MINIMUM REAR SETBACK
46. MINIMUM FRONT SETBACK	47. MINIMUM SIDE SETBACK	48. MINIMUM REAR SETBACK
49. MINIMUM FRONT SETBACK	50. MINIMUM SIDE SETBACK	51. MINIMUM REAR SETBACK
52. MINIMUM FRONT SETBACK	53. MINIMUM SIDE SETBACK	54. MINIMUM REAR SETBACK
55. MINIMUM FRONT SETBACK	56. MINIMUM SIDE SETBACK	57. MINIMUM REAR SETBACK
58. MINIMUM FRONT SETBACK	59. MINIMUM SIDE SETBACK	60. MINIMUM REAR SETBACK
61. MINIMUM FRONT SETBACK	62. MINIMUM SIDE SETBACK	63. MINIMUM REAR SETBACK
64. MINIMUM FRONT SETBACK	65. MINIMUM SIDE SETBACK	66. MINIMUM REAR SETBACK
67. MINIMUM FRONT SETBACK	68. MINIMUM SIDE SETBACK	69. MINIMUM REAR SETBACK
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73. MINIMUM FRONT SETBACK	74. MINIMUM SIDE SETBACK	75. MINIMUM REAR SETBACK
76. MINIMUM FRONT SETBACK	77. MINIMUM SIDE SETBACK	78. MINIMUM REAR SETBACK
79. MINIMUM FRONT SETBACK	80. MINIMUM SIDE SETBACK	81. MINIMUM REAR SETBACK
82. MINIMUM FRONT SETBACK	83. MINIMUM SIDE SETBACK	84. MINIMUM REAR SETBACK
85. MINIMUM FRONT SETBACK	86. MINIMUM SIDE SETBACK	87. MINIMUM REAR SETBACK
88. MINIMUM FRONT SETBACK	89. MINIMUM SIDE SETBACK	90. MINIMUM REAR SETBACK
91. MINIMUM FRONT SETBACK	92. MINIMUM SIDE SETBACK	93. MINIMUM REAR SETBACK
94. MINIMUM FRONT SETBACK	95. MINIMUM SIDE SETBACK	96. MINIMUM REAR SETBACK
97. MINIMUM FRONT SETBACK	98. MINIMUM SIDE SETBACK	99. MINIMUM REAR SETBACK
100. MINIMUM FRONT SETBACK	101. MINIMUM SIDE SETBACK	102. MINIMUM REAR SETBACK

HANS P. NEUMAN ARCHITECT INC.

PROPOSED NEW ANTHONY'S SUBURU DEALERSHIP

2747 - 2761 HIGHWAY 97N
 REIDOWNA, BC

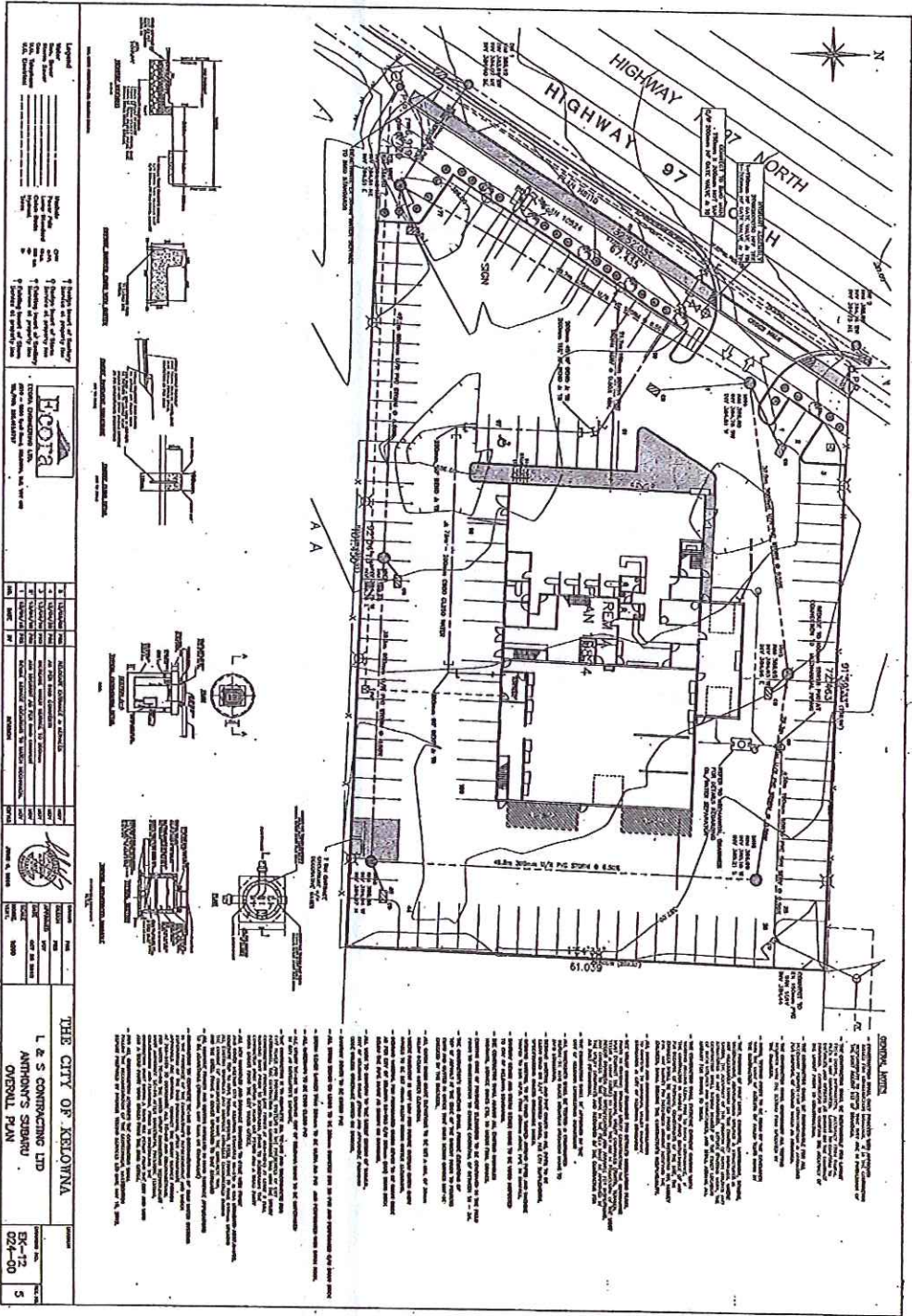
PHONE: (250) 866-0616 FAX: (250) 866-0607

REIDOWNA, BC

DATE: [REDACTED]
 DRAWN BY: [REDACTED]
 CHECKED BY: [REDACTED]
 PROJECT NO.: [REDACTED]

DP1

REVISION NO. 1



<p>Legend</p> <p>1. Existing Footprint of Building</p> <p>2. Proposed Footprint of Building</p> <p>3. Proposed Footprint of Building to be Demolished</p> <p>4. Proposed Footprint of Building to be Retained</p> <p>5. Proposed Footprint of Building to be Retained (with modifications)</p> <p>6. Proposed Footprint of Building to be Retained (with modifications and additions)</p> <p>7. Proposed Footprint of Building to be Retained (with modifications and additions and new construction)</p> <p>8. Proposed Footprint of Building to be Retained (with modifications and additions and new construction and demolition)</p> <p>9. Proposed Footprint of Building to be Retained (with modifications and additions and new construction and demolition and new construction)</p> <p>10. Proposed Footprint of Building to be Retained (with modifications and additions and new construction and demolition and new construction and demolition and new construction)</p>	
<p>FOOTPRINT</p> <p>1. EXISTING FOOTPRINT OF BUILDING</p> <p>2. PROPOSED FOOTPRINT OF BUILDING</p> <p>3. PROPOSED FOOTPRINT OF BUILDING TO BE DEMOLISHED</p> <p>4. PROPOSED FOOTPRINT OF BUILDING TO BE RETAINED</p> <p>5. PROPOSED FOOTPRINT OF BUILDING TO BE RETAINED (WITH MODIFICATIONS)</p> <p>6. PROPOSED FOOTPRINT OF BUILDING TO BE RETAINED (WITH MODIFICATIONS AND ADDITIONS)</p> <p>7. PROPOSED FOOTPRINT OF BUILDING TO BE RETAINED (WITH MODIFICATIONS AND ADDITIONS AND NEW CONSTRUCTION)</p> <p>8. PROPOSED FOOTPRINT OF BUILDING TO BE RETAINED (WITH MODIFICATIONS AND ADDITIONS AND NEW CONSTRUCTION AND DEMOLITION)</p> <p>9. PROPOSED FOOTPRINT OF BUILDING TO BE RETAINED (WITH MODIFICATIONS AND ADDITIONS AND NEW CONSTRUCTION AND DEMOLITION AND NEW CONSTRUCTION)</p> <p>10. PROPOSED FOOTPRINT OF BUILDING TO BE RETAINED (WITH MODIFICATIONS AND ADDITIONS AND NEW CONSTRUCTION AND DEMOLITION AND NEW CONSTRUCTION AND DEMOLITION AND NEW CONSTRUCTION)</p>	
<p>THE CITY OF KELOWNA</p> <p>L & S CONTRACTING LTD</p> <p>ANTHONY'S SIGNING</p> <p>OVERALL PLAN</p>	
<p>PROJECT NO. 024-00</p> <p>DATE 5</p>	

GENERAL NOTES

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

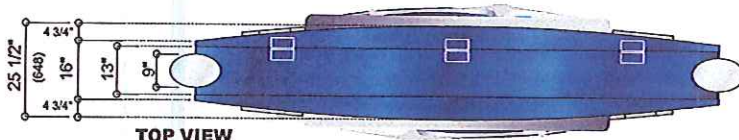
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

7. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

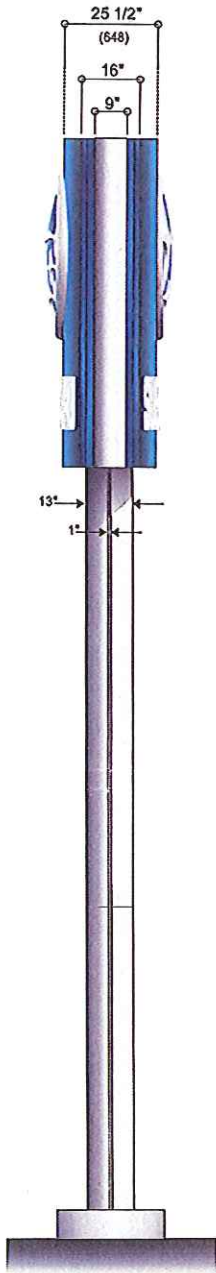
8. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

9. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.

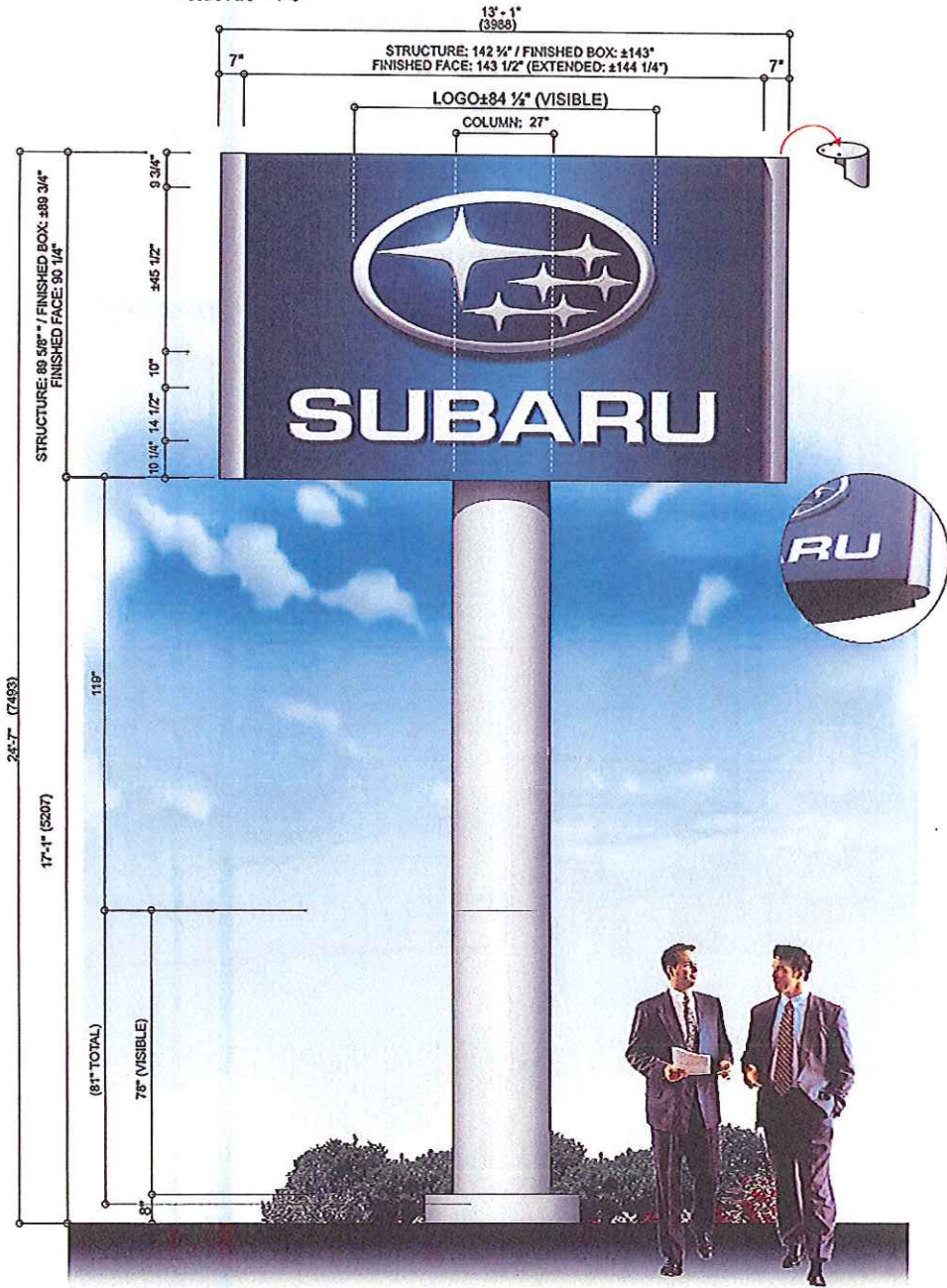
10. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER AGENCIES.



TOP VIEW
Scale : 3/8" = 1'-0"



SIDE VIEW
Scale : 3/8" = 1'-0"



A GRAPHIC ELEVATION Scale : 3/8" = 1'-0"
D/FACE ILLUMINATED PYLON SIGN ON NEW CONCRETE BASE

DESCRIPTION:
(1) DOUBLE-SIDE ALUMINUM SIGN
FACE PAINTED BLUE #Mathews #SVOC 1975 semi-gloss finish
ROUTED OUT GRAPHICS
ACRYSTEEL (or equal) LOGO AND LETTERS INSERTED

DECORATIVE ALUMINUM COLUMN AND BASE PLATE COVER
PAINTED SILVER METALLIC #Mathews #SVOC 1905 satin finish

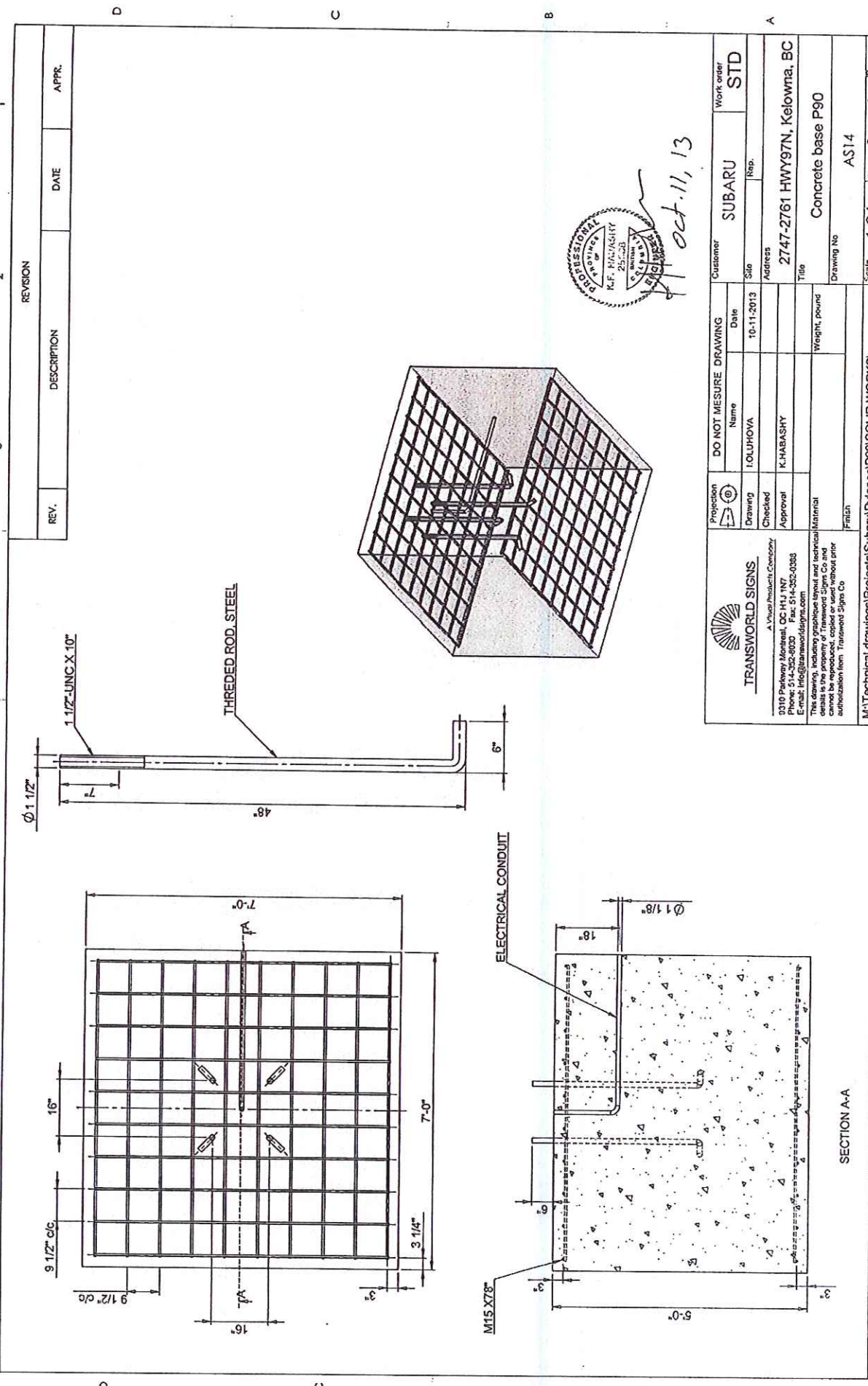
POWER SUPPLY
120 VOLTS

P90
NEW CONCRETE BASE



TYPICAL COLUMN / SIDE VIEW

 3100 Pacific Highway 9310 Parkway, Montreal, QC, H1J 1N7 Phone: (514) 352-8033 Fax: (514) 352-0356 E-mail: info@transworldsigns.com <small>This drawing, including graphic layout and technical details, is the property of Transworld Signs Co and cannot be reproduced, copied or used without prior authorization from Transworld Signs Co.</small>	Révisions No 4 X No 3 X No 2 X No 1	By Date	 Customer: Anthony's Subaru Site: # Address: Kelowna, BC Date: 06 / 08 / 2013 Rep: R.Campbell Graphic Drawing: Darisse P. Work Order # Technical Drawing: Drawing # 210263m1	
	Shop Drawing: X Checked by: X Production Approval: X			



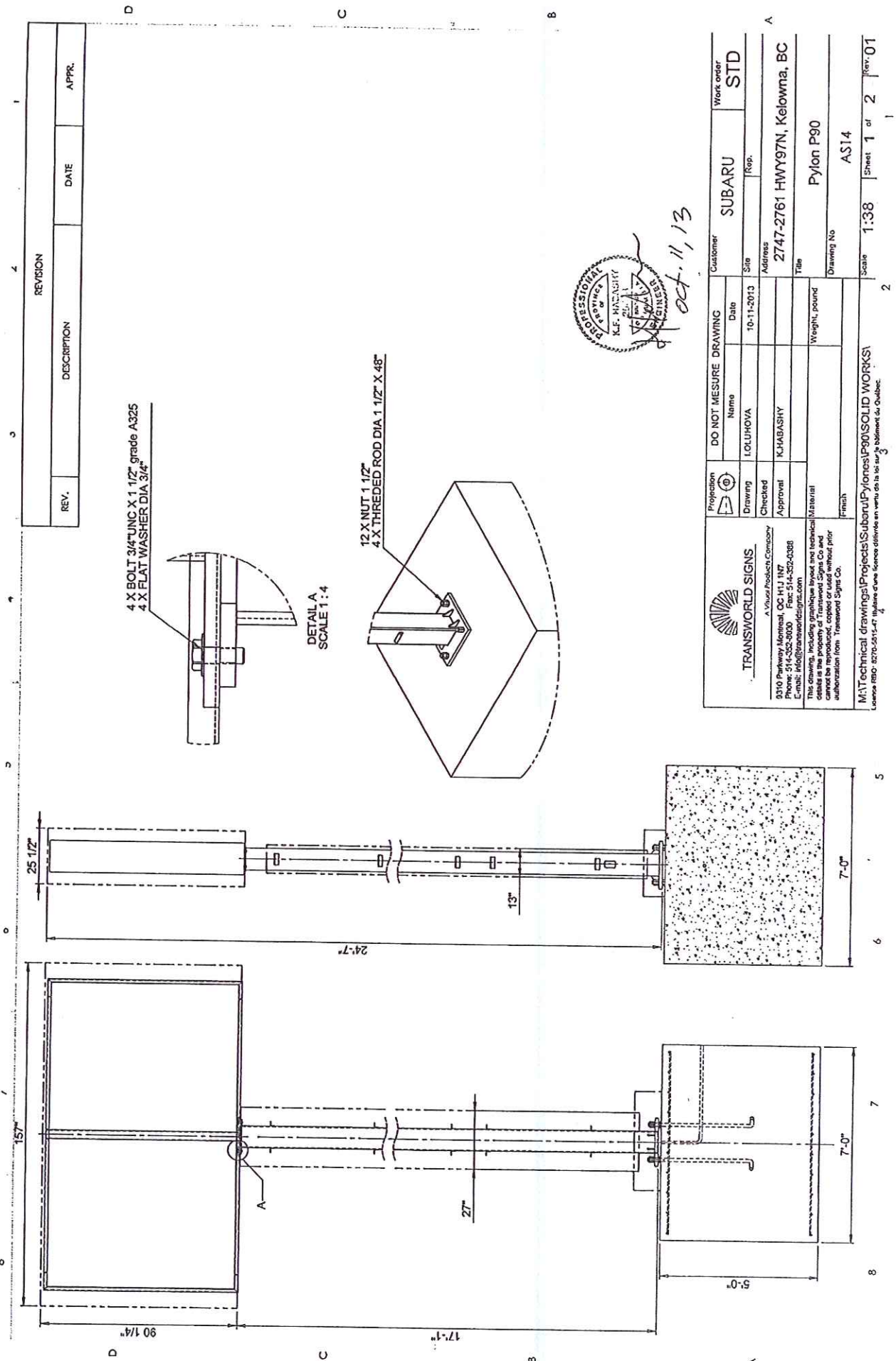
PROFESSIONAL
K.F. HABASHY
25-033
OCT 11, 2013

REV.	DESCRIPTION	DATE	APPR.

Projection	DO NOT MEASURE DRAWING	Customer	Work order
Drawing	Name	Subaru	STD
Checked	Date	Site	Rep.
Approved	10-11-2013	Address	2747-2761 HWY97N, Kelowna, BC
Material		Title	Concrete base P90
Finish		Drawing No	AS14
		Scale	1:24
		Sheet	2 of 2
		Rev	01

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A Visual Products Company
9310 Parkway Montreal, QC H4J 1N7
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E-mail: info@transworldsigns.com
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REV.	DESCRIPTION	DATE	APPR.

4 X BOLT 3/4" UNC X 1 1/2" grade A325
4 X FLAT WASHER DIA 3/4"

DETAIL A
SCALE 1:4

12 X NUT 1 1/2"
4 X THREADED ROD DIA 1 1/2" X 48"

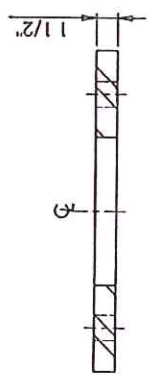


<p>TRANSWORLD SIGNS A Visual Products Company 3310 Parkway Mall, OC H1J 1K7 Phone: 514-252-9000 Fax: 514-252-9000 E-mail: info@transworldsigns.com</p>	<p>Projection Drawing Checked Approval Material Finish</p>	<p>DO NOT MEASURE DRAWING Name Date Drawing Checked Approval Material Finish</p>	<p>Customer SUBARU Work order STD</p>
	<p>Site 10-11-2013</p>	<p>Site 10-11-2013</p>	<p>Address 2747-2761 HWY97N, Kelowna, BC</p>
	<p>Title Pylon P90</p>	<p>Weight, pound</p>	<p>Drawing No AST4</p>
	<p>Scale 1:38</p>	<p>Sheet 1 of 2</p>	<p>Rev 1 of 1</p>

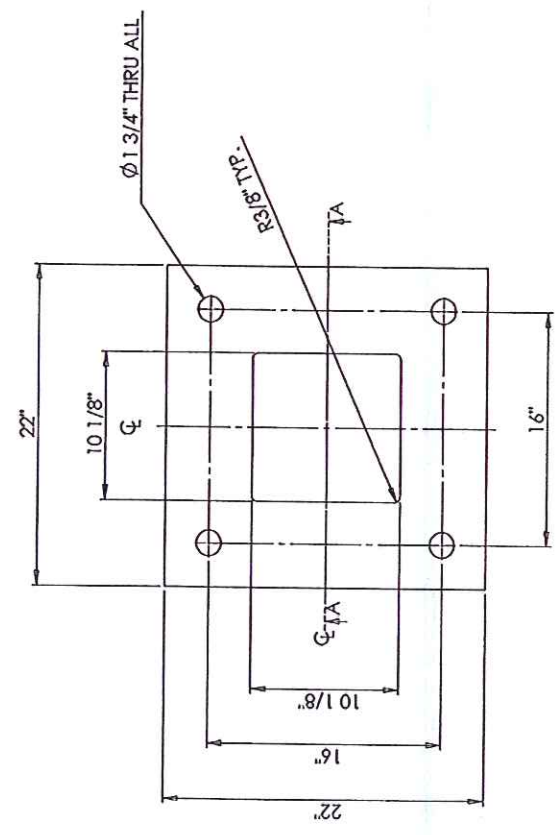
M:\Technical drawings\Projects\Subaru\Pylon\P90\SOLID WORKS\ License 1000-1270-0514-47
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0 1 2 3 4 5 6 7 8 9 10 11 12

REVISION		
REV.	DESCRIPTION	DATE
-	See Sheet 1	-
		APPR.



SECTION A-A



Handwritten signature and date: *Handwritten signature* Oct. 11, 13

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	Drawing	Name	Site	Rep.
	Checked	Date	Address	
	Approval		Title	
Material	Weight, rounded	Drawing No		
Finish				

DO NOT MEASURE DRAWING

Customer: SUBARU

Site: 2747-2761 HWY 97 N, Kelowna, BC

Date: 10-11-2013

Rep.:

Address: 2747-2761 HWY 97 N, Kelowna, BC

Title: Base plate

Weight, rounded: 155.22

Drawing No: P01

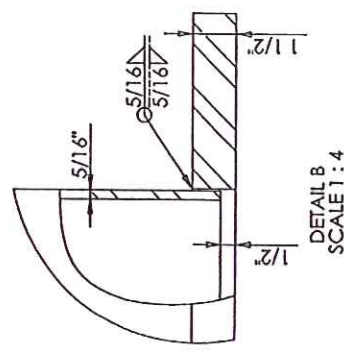
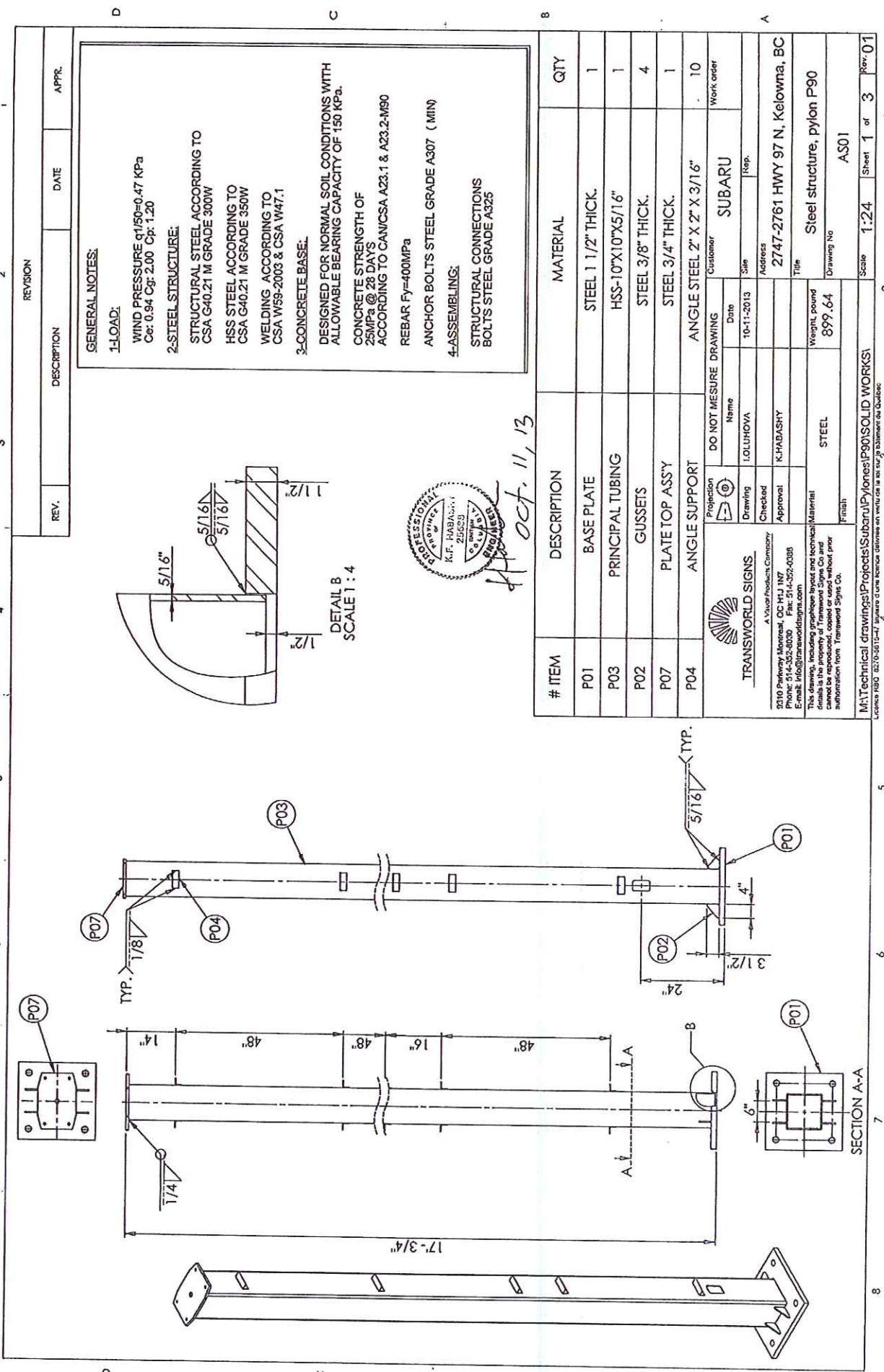
Scale: 1:8

Sheet 2 of 3

Rev: 01

Technical drawings/Projets/Subaru/Pyloves/PS01/SOLID WORKS/

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GENERAL NOTES:

1-LOAD:
 WIND PRESSURE $q=150=0.47$ KPa
 $C_e=0.94$ $C_g=2.00$ $C_p=1.20$

2-STEEL STRUCTURE:
 STRUCTURAL STEEL ACCORDING TO
 CSA G40.21 M GRADE 300W
 HSS STEEL ACCORDING TO
 CSA G40.21 M GRADE 350W
 WELDING ACCORDING TO
 CSA W59-2003 & CSA W47.1

3-CONCRETE BASE:
 DESIGNED FOR NORMAL SOIL CONDITIONS WITH
 ALLOWABLE BEARING CAPACITY OF 150 KPa.
 CONCRETE STRENGTH OF
 25MPa @ 28 DAYS
 ACCORDING TO CAN/CSA A23.1 & A23.2-M90
 REBAR $F_y=400$ MPa
 ANCHOR BOLTS STEEL GRADE A307 (MIN)
 4-ASSEMBLING:
 STRUCTURAL CONNECTIONS
 BOLTS STEEL GRADE A325



Handwritten note: Oct. 11, 13

# ITEM	DESCRIPTION	MATERIAL	QTY
P01	BASE PLATE	STEEL 1 1/2" THICK.	1
P03	PRINCIPAL TUBING	HSS-10"X10"X5/16"	1
P02	GUSSETS	STEEL 3/8" THICK.	4
P07	PLATE TOP ASSY	STEEL 3/4" THICK.	1
P04	ANGLE SUPPORT	ANGLE STEEL 2" X 2" X 3/16"	10

<p>A Visual Products Company 2310 Parkway Montreal, QC H1J 1A7 Phone: 514-352-8030 Fax: 514-352-0308 Email: info@transworldsigns.com</p>	Projection 	Name I.OLUHOVA	Date 10-11-2013	Customer SUBARU Work order
	Drawing K.HABASHY	Site 2747-2761 HWY 97 N, Kelowna, BC	Rep.	
	Approval	Title Steel structure, pylon P90	Weight, pound 899.64	
	Material STEEL	Drawing No AS01	Finish	

M:\Technical drawings\Projects\Subaru\Pyloness\P90\SOLID WORKS\		Scale 1:24	Sheet 1 of 3	Rev. 01
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REVISION

DESCRIPTION

DATE

APPR.

REV.

1

2

3

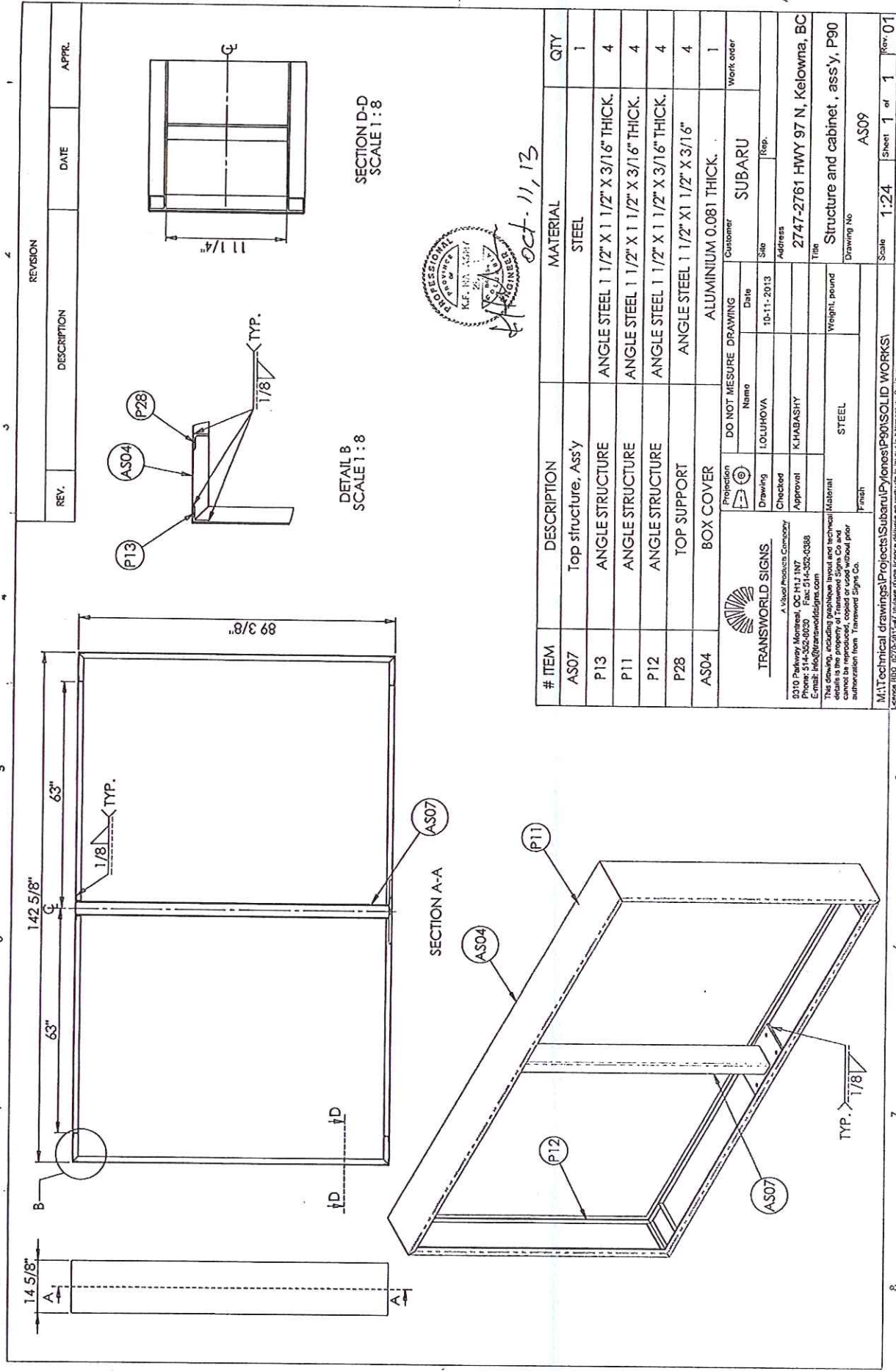
4

5

6

7

8



# ITEM	DESCRIPTION	MATERIAL	QTY
AS07	Top structure, Ass'y	STEEL	1
P13	ANGLE STRUCTURE	ANGLE STEEL 1 1/2" X 1 1/2" X 3/16" THICK.	4
P11	ANGLE STRUCTURE	ANGLE STEEL 1 1/2" X 1 1/2" X 3/16" THICK.	4
P12	ANGLE STRUCTURE	ANGLE STEEL 1 1/2" X 1 1/2" X 3/16" THICK.	4
P28	TOP SUPPORT	ANGLE STEEL 1 1/2" X 1 1/2" X 3/16"	4
AS04	BOX COVER	ALUMINIUM 0.081 THICK.	1

TRANSWORLD SIGNS
A Visual Products Company
3210 Parkway Montreal, QC H1J 1N7
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Email: info@transworldsigns.com

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Projection	Customer
Drawing	Site
Checked	Date
Approval	Rep.
Material	Weight, pound
Finish	

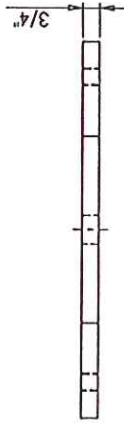
Customer: SUBARU
Site: 2747-2761 HWY 97 N, Kelowna, BC
Address: 2747-2761 HWY 97 N, Kelowna, BC
Title: Structure and cabinet, ass'y, P90
Drawing No: AS09

Scale: 1:24 Sheet 1 of 1 Rev. 01

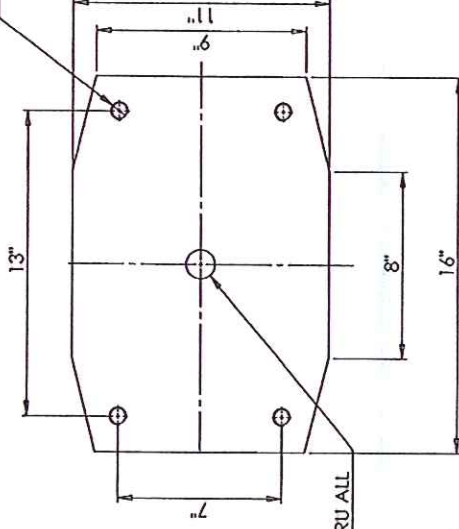
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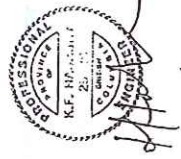
REVISION		
REV.	DESCRIPTION	DATE
-	See Sheet 1	-
		APPR.



4 x ϕ 5/8" THRU ALL
3/4-10 UNC THRU ALL



ϕ 1 1/4" THRU ALL



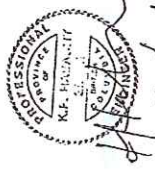
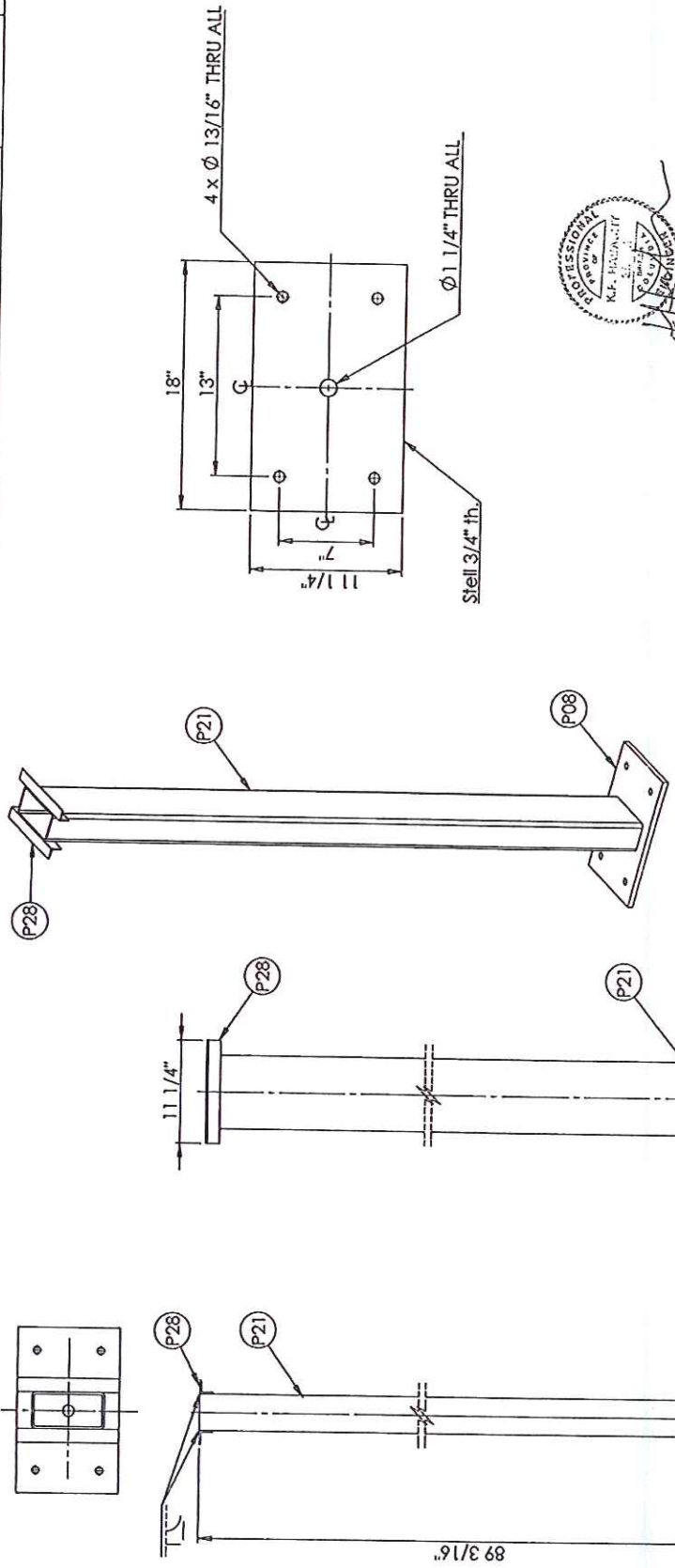
oct. 11, 13

<p>TRANSWORLD SIGNS A Visual/Residual Company 9310 Parkway Montreal, QC H1J 1N7 Phone: 514-352-9033 Fax: 514-352-0385 E-mail: info@transworldsigns.com</p> <p><small>This drawing, including graphics layout and technical details is the property of Transworld Signs Co and shall remain confidential. No reproduction or use without prior authorization from Transworld Signs Co.</small></p>	<p>Projection </p>	<p>DO NOT MEASURE DRAWING</p>	<p>Customer SUBARU</p>	<p>Work order</p>	
	<p>Drawing I.LOLUHOVA</p>	<p>Name I.LOLUHOVA</p>	<p>Date 10-11-2013</p>	<p>Site</p>	
	<p>Checked K.HADASHY</p>	<p>Approval</p>	<p>Address 2747-2761 HWY 97 N, Kelowna, BC</p>	<p>Title</p>	
	<p>Material STEEL 3/4" THICK.</p>	<p>Weight, pound 34.51</p>	<p>Finish</p>	<p>Connection plate</p>	<p>Drawing No P07</p>

MA: Technical drawings | Projects | Subaru | Pylons | P90 | SOLID WORKS |
 Licence 1107-6780-011-47 | Signature d'une licence délivrée en vertu de la loi sur le bâtiment du Québec

Scale 1:8 Sheet 3 of 3 Rev: 01

REV.	DESCRIPTION	DATE	APPROVED



# ITEM	DESCRIPTION	MATERIAL	QTY
P21	TUBING	TUBING STEEL 8"X4"X1/4"	1
P08	BASE PLATE	STEEL 3/4" THICK.	1
P28	TOP SUPPORT	ANGLE STEEL 1 1/2" X 1 1/2" X 3/16"	2

<p>A Visual Products Company 9310 Papineau, Montreal, QC H1J 1N7 Phone: 514-352-8030 Fax: 514-352-0398 E-mail: info@transworldsigns.com</p> <p>This drawing, including graphic layout and technical details is the property of Transworld Signs Co and shall remain confidential. It is to be used without prior authorization from Transworld Signs Co.</p>	DO NOT MEASURE DRAWING Name: LOUHOVA Date: 10-11-2013	Customer: SUBARU Site: Kelowna
	Drawing: K.HABASHY Checked:	Address: 2747-2761 HWY 97 N, Kelowna, BC
	Approval:	Title: Top structure, Ass'y Drawing No: AS07
Material: STEEL Finish:	Weight, pound: 189.34	Scale: 1:12 Sheet 1 of 1 Rev. 01

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 Licensee information on www.csa.ca for registration in Quebec

CITY OF KELOWNA
MEMORANDUM

Date: January 23, 2014
File No.: DVP14-0006
To: Urban Planning (AR)
From: Development Engineer Manager (SM)
Subject: 2759 Hwy 97N. Subaru Lot A, Plan 10824 D.L.124, Except Plan H8110 ODYD

The Development Engineering comments and requirements regarding this development variance application for a sign along the frontage of the property are as follows:

1. General.
 - a) There are two main issues to evaluate in conjunction with the proposed location and size of the sign being considered for the Subaru dealership:
 - i) The proposed height of the under-side of the sign is 7.5 m. above the ground; therefore it does not constitute a visual hindrance looking to the left, down the Highway.
 - ii) The column supporting the sign is 0.68 m. in diameter and the edge closest to the Hwy 97 property line is computed at 1.8m. The position of the column exceeds the minimum setback requirement by 0.3m. The relatively slender column and its location do not hinder the visibility of the traffic moving along the curb lane on Highway 97.
 - b) Based on the foregoing, the proposed sign does not have any negative impact on the traffic or on any Municipal infrastructure.
 - c) This Development Variance Permit does not trigger any offsite upgrades. All the servicing requirements that were addressed in the Development Engineering report under file DP12-0215 have been satisfied.

Steve Muenz, P.Eng.
Development Engineering Manager

B²

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

Development Variance Permit No.: DVP14-0006

EXISTING ZONING DESIGNATION:	I2 – General Industrial
DEVELOPMENT VARIANCE PERMIT:	The purpose of the DVP is to vary the front lot setback requirement for free-standing signs from 1.5 metres to 0.145 metres as proposed in schedule 'A'.

ISSUED TO:	Lunelli Enterprises Ltd.
LOCATION OF SUBJECT SITE:	2759 Highway 97

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	A		124		ODYD	10824 Except Plans H8110 & EPP29923

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 variances to the following sections of Sign Bylaw No. 8325 be granted:

Section 5.6 – Freestanding Signs:

To vary the setback distance from a lot line to a free-standing from 1.5 metres to 0.145 metres.

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 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.

4. 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.

5. 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 Planning & Development Services.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management 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.

6. APPROVALS:

DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE ___ DAY OF ____, 2014.

ISSUED BY THE LAND USE MANAGEMENT DEPARTMENT OF THE CITY OF KELOWNA THE ___ DAY OF ____, 2014 BY THE DIRECTOR OF LAND USE MANAGEMENT.

Doug Gilchrist
Divisional Director, Community Planning & Real Estate

