

City of Kelowna
Regular Council Meeting
AGENDA



Tuesday, October 21, 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 DeHart.
3. Confirmation of Minutes 1 - 12

Public Hearing - October 7, 2014
Regular Meeting - October 7, 2014
4. Bylaws Considered at Public Hearing
 - 4.1 Bylaw No. 10997 (TA14-0016) - Amendments to Health District Zone in the City of Kelowna Zoning Bylaw No. 8000 13 - 17

To give Bylaw No. 10997 second and third readings in order to amend City of Kelowna Zoning Bylaw No. 8000 to clarify interpretation and consistency for the Health District (HD2) and Health Services Transitional 3 (HD3) zone regulations.
 - 4.2 Bylaw No. 11005 (OCP14-0013) - 310 and 320 Strathcona Avenue, Dr. Heather Martin Inc. and City of Kelowna 18 - 18

Requires a majority of all members of Council (5)
To give Bylaw No. 11005 second and third readings in order to amend the Future Land Use designation of the subject property from the Educational/Major Institutional designation to the Health District designation.
 - 4.3 Bylaw No. 11006 (Z14-0027) - 310 and 320 Strathcona Avenue, Dr. Heather Martin Inc. and City of Kelowna 19 - 19

To give Bylaw No. 11006 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing and P1 - Major Institutional zones to the HD2 - Hospital and Health Support Services zone in order to accommodate a 3.5 storey, mixed use health services building.

- 4.4 Bylaw No. 11012 (TA14-0017) - Vintage Landing Comprehensive Reosrt Development 20 - 27
- To give Bylaw No. 11012 second and third readings in order to amend the existing CD18 Vintage Landing Comprehensive Resort Development zone with a renamed/revised CD18 - McKinley Beach Comprehensive Development zone.
- 4.5 Bylaw No. 11013 (TA14-0018) - Amendments to the Zoning Bylaw No. 8000 - Section 16 - Public and Institutional Zones 28 - 28
- To give Bylaw No. 11013 second and third readings to amend City of Kelowna Zoning Bylaw No. 8000 in order to amend the P1 - Major Institutional zone to allow non-accessory parking as a secondary use.
- 4.6 Bylaw No. 11014 (Z13-0044) - Various Addresses, City of Kelowna 29 - 33
- To give Bylaw 11014 second and third readings in order to rezone 26 properties from various zonings to the P3 - Parks and Open Space zone in order to recognize their current use as parks.
- 4.7 Bylaw No. 11015 (Z14-0030) - 519, 529 and 539 Truswell Road, MKS Resources Inc. 34 - 34
- To give Bylaw No. 11015 second and third readings in order to rezone the subject properties from the RU1 - Large Lot Housing zone to the C9 - Tourist Commercial zone to accomodate the development of a 6 storey, mixed use (residential/commercial) development.
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 License Application No. LL14-0009 - 1585 Springfield Road, Chances Kelowna 35 - 49
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.**
- To seek Council's support for a permanent change in licensed hours of sale for the establishment.
7. Development Permit and Development Variance Permit Reports
- 7.1 Bylaw No. 10895 (Z13-0020) - 3131 Lakeshore Road, Trustees of the Congregation of St. Paul's United Church 50 - 50
- To adopt Bylaw No. 10895 in order to rezone the subject property from the P2 - Educational & Minor Institutional zone to the C4 - Urban Centre Commercial zone.

7.1.1 Development Permit Application No. DP14-0074 and Development
Variance Permit Application No. DVP14-0075 - 3131 Lakeshore Road,
Trustees of the Congregation of St. Paul's United Church

51 - 99

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 consider a Development Permit and a Development Variance
Permit for the proposed mixed use development.

8. Reminders

9. Termination



City of Kelowna Public Hearing Minutes

Date: Tuesday, October 7, 2014
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present: Mayor Walter Gray and Councillors Colin Basran, Maxine DeHart, Gail Given, Robert Hobson*, Mohini Singh, Luke Stack and Gerry Zimmermann

Members Absent: Councillor Andre Blanleil

Staff Present: Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Manager, Urban Planning, Ryan Smith; Supervisor, Urban Planning, Lindsey Ganczar; Planner, Subdivision, Agriculture & Environment Services, Damien Burggraefe*, and Council Recording Secretary, Arlene McClelland

1. Call to Order

Mayor Gray called the Hearing to order at 6:03 p.m. Mayor Gray 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 at City Hall on September 23, 2014 and by being placed in the Kelowna Capital News issues on September 26, 2014 and October 1, 2014 and by sending out or otherwise delivering 89 statutory notices to the owners and occupiers of surrounding properties, and 1511 informational notices to residents in the same postal delivery route, between September 23, 2014 and September 26, 2014. 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. 369.

3. Individual Bylaw Submissions

3.1. Bylaw No. 11001 (TA14-0012) - Text Amendment to City of Kelowna Zoning Bylaw No. 8000

Staff:

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

The City Clerk advised that no correspondence was received.

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

There were no further comments.

3.2. Bylaw No. 11002 - Rescind Heritage Revitalization Agreement Authorization Bylaw No. 8753 - 2056 Pandosy Street

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence was received.

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

There were no further comments.

3.3. Bylaw No. 11003 (OCP14-0017) and Bylaw No. 11004 (Z14-0032) - 3020, 3030, 3040, 3050, 3060, 3070, & 3080 Abbott Street and (W of) Cedar Avenue, 3090, 3096, & 3098 Walnut Street and 252 Meikle Avenue, City of Kelowna

Councillor Hobson declared a conflict of interest as he has a family member living in the immediate area and left the meeting at 6:11 p.m.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk confirmed that 57 letters of support have been received and none in opposition. Council determined it was not necessary for the City Clerk to read each name out during the meeting. The City Clerk confirmed correspondence was circulated to Council.

Mayor Gray reminded the Gallery that the purpose for tonight's Public Hearing is to obtain public input on the proposed land use change and not on the Kelowna Paddle Centre Lease.

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

Gallery:

Joe Hertz, Casa Loma Road, West Kelowna

- Supportive of the rezoning.
- Supportive of the Kelowna Paddle Club being located in the park.

Lars Padda, Bath Street

- Supportive of the rezoning.
- Supportive of the Paddle Club but in a different location.

Helen Schiele, Abbott Street

- Supportive of the rezoning.
- Supportive of the Paddle Club but in a different location.

Greg Redman, Summerside Court

- Supportive of the rezoning.
- Supportive of the Kelowna Paddle Club being in the park.

Ian Sisset, Kelowna

- Supportive of the rezoning.
- Not supportive of the Paddle Club being located within prime area of the Park.
- Shoreline rip-rap has been put in and is unusable for the public.
- Questioned the process of Council considering the Kelowna Paddle Club lease prior to the Public Hearing.

Rodger Hume, Abbott Street

- Supportive of the rezoning.
- Would like a set deadline to actually build a park.
- Supportive of the Kelowna Paddle Club in the park.

Gordon Savage, Restridge Drive

- Supportive of the rezoning.
- Supportive of the Kelowna Paddle Club in the park.

Joy Lambrick, Gordon Drive

- Supportive of the rezoning.
- Not supportive of the Kelowna Paddle Club in the park.

Kerry Willis, Killdeer Road

- Supportive of the rezoning.
- Supportive of the Kelowna Paddle Club in the park.

Richard Drinnan, Greene Road

- Supportive of the rezoning.
- Not supportive of the Kelowna Paddle Club in the park.
- Requested Council consider a resolution directing staff to plan for a park during the next four years.

Bob Whitehead, KLO Neighbourhood Association

- Supportive of the rezoning.
- Association requests the following:
 - o Meikle Road end to be rezoned 100 percent to P3.
 - o Council Policy No. 76 be amended to remove reference to hotel.
 - o Requests shoreline rip-rap be removed when Walnut Street houses are demolished.
 - o Requests park planners complete a Conceptual Design and seek public input.
- Questions the location of the Paddle Club and would like to see a formal park study to determine if this is the best place for the Club.
- Will work with the Paddle Club to help integrate them into the neighbourhood.

Wendy O'Brian, Bath Street

- Raised concerns with parking of Paddle Club members and questioned new parking regulations in the south Pandosy area.

Staff:

- Confirmed Pandosy Parking Strategy is at the implementation stage and that it includes public consultation.

Kim Dodds, Liban Court

- Supportive of the rezoning.
- Questioned process with respect to the timing of the Paddle Boat lease.

Wally Lightbody, Abbott Street

- Agrees with comments from Bob Whitehead.
- Supportive of rezoning.
- Questioned giving lease to the Kelowna Paddle Club in the absence of a comprehensive park plan.

Sandi Redman, Summerside Court

- Supportive of rezoning.
- Supportive of the Kelowna Paddle Club in the park.

Marietta Lightbody, Abbott Street

- Supportive of rezoning.
- Supportive of the Paddle Club but in a different location.

Carol Halton, Pandosy Street

- Spoke to the history of the properties.
- Questioned why there is no money for the park development as the City has collected rents for many years.

Leanne Stanley, West Kelowna

- Supportive of rezoning.
- Supportive of the Paddle Club in the park.

Resident, Meikle Avenue

- Supporting.
- Supportive of the Paddle Club in the park.

Bob Whitehead, KLO Neighbourhood Association

- Questioned whether a Temporary Use Permit would be required for the remaining houses as they are non-conforming in a P3 zone.
- Questioned the City's ability to rezone the end of Meikle Avenue to P3.

Helen Schiele, Abbott Street

- Made additional comments.

Ian Sisset, Kelowna

- Not supportive of the park at this point.
- Recommended that the park rezoning be deferred for the next Council.
- Recommended a city referendum on the future of the park.

Richard Drinnan, Greene Road

- Commented that rip rap is at the bottom of the preferred method of erosion control and questioned the cost.
- The Paddle Club's original Temporary Use Permit from June 2013 stated a number of commitments had to be made in a two phase process. The public has not seen the outcomes of these phases. Decisions are being made without due public process occurring.
- Requested clarification regarding correspondence received from staff.

Staff:

- There are many different erosion control methods and the city has used a number of them. Rip rap was installed in this area for erosion control.
- Provincial and Federal approvals are required prior to the City implementing any type of erosion control.

Margaret Ward, Ellis Street

- Supportive of rezoning.
- Requested information on the amount the City paid for each property and what rental incomes were received in return.
- Stated that a lot on Abbott Street was listed for sale recently and sold privately. Was under the impression that the City already owned this lot.
- Questioned land assembly strategy for parcels north of Cedar Avenue.

There were no further comments.

Councillor Hobson rejoined the meeting at 7:48 p.m.

3.4. Bylaw No. 11007 (OCP14-0012) and Bylaw No. 11008 (Z14-0025) - 1650 KLO Road, Danco Developments Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that there was no correspondence.

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

Applicant, Grant Maddock:

- Displayed photographs of proposed streetscapes.
- Confirmed that lots abutting ALR lands will have a notice on title.
- Confirmed details of a 10 meter buffer with ALR land that will include trees, a fence and a cedar hedge.

There were no further comments.

4. Termination

The Hearing was declared terminated at 7:58 p.m.

Mayor

/acm



City Clerk



City of Kelowna

Date: Tuesday, October 7, 2014
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Walter Gray and Councillors Colin Basran, Maxine DeHart, Gail Given, Robert Hobson*, Mohini Singh, Luke Stack and Gerry Zimmermann

Members Absent Councillor Andre Blanleil

Staff Present Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Manager, Urban Planning, Ryan Smith; Supervisor, Urban Planning, Lindsey Ganczar; Planner, Subdivision, Agriculture & Environment Services, Damien Burggraeve*; and Council Recording Secretary, Arlene McClelland

(*denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 8:15 p.m.

2. Prayer

A Prayer was offered by Councillor Stack.

3. Confirmation of Minutes

Moved By Councillor Hobson/Seconded By Councillor DeHart

R729/14/10/07 THAT the Minutes of the Public Hearing and Regular Meeting of September 9, 2014 be confirmed as circulated.

4. Bylaws Considered at Public Hearing

4.1. Bylaw No. 11001 (TA14-0012) - Text Amendment to City of Kelowna Zoning Bylaw No. 8000

Moved By Councillor Zimmermann/Seconded By Councillor Stack

R730/14/10/07 THAT Bylaw No. 11001 be read a second and third time.

Carried

- 4.2. Bylaw No. 11002 - Rescind Heritage Revitalization Agreement Authorization
Bylaw No. 8753 - 2056 Pandosy Street

Moved By Councillor Stack/Seconded By Councillor Zimmermann

R731/14/10/07 THAT Bylaw No. 11002 be read a second and third time.

Carried

- 4.3. Bylaw No. 11003 (OCP14-0017) - 3020, 3030, 3040, 3050, 3060, 3070, & 3080 Abbott Street and (W of) Cedar Avenue, 3090, 3096, & 3098 Walnut Street and 252 Meikle Avenue, City of Kelowna

Councillor Hobson declared a conflict of interest as he has a family member living in the immediate area and left the meeting at 8:18 p.m.

Moved By Councillor Zimmermann/Seconded By Councillor Stack

R732/14/10/07 THAT Bylaw No. 11003 be read a second and third time and be adopted.

Carried

- 4.4. Bylaw No. 11004 (Z14-0032) - 3020, 3030, 3040, 3050, 3060, 3070, & 3080 Abbott Street and (W of) Cedar Avenue, 3090, 3096, & 3098 Walnut Street and 252 Meikle Avenue, City of Kelowna

Moved By Councillor Basran/Seconded By Councillor Singh

R733/14/10/07 THAT Bylaw No. 11004 be read a second and third time and be adopted.

Carried

Councillor Hobson rejoined the meeting at 8:32 p.m.

- 4.5. Bylaw No. 11007 (OCP14-0012) - 1650 KLO Road, Danco Developments Ltd.

Moved By Councillor Basran/Seconded By Councillor Singh

R734/14/10/07 THAT Bylaw No. 11007 be read a second and third time.

Carried

Councillors Given, Hobson and Singh - Opposed

- 4.6. Bylaw No. 11008 (Z14-0025) - 1650 KLO Road, Danco Developments Ltd.

Moved By Councillor Singh/Seconded By Councillor Basran

R735/14/10/07 THAT Bylaw No. 11008 be read a second and third time.

Carried

Councillors Given, Hobson and Singh - Opposed

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 320 statutory notices to the owners and occupiers of surrounding properties, and 1508 informational notices to residents in the same postal delivery route, between September 23, 2014 and September 26, 2014.

Notice of these (amendments to Liquor Primary Licences) were advertised by being posted on the Notice Board at City Hall on September 23, 2014, and by being placed in the Kelowna Capital News issues on September 26, 2014 and October 1, 2014 and by sending out or otherwise delivering 11 statutory notices to the owners and occupiers of surrounding properties, and 1829 informational notices to residents in the same postal delivery route, between September 23, 2014 and September 26, 2014.

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. 369.

6. Liquor License Application Reports

6.1. Liquor License Application No. LL14-0012 - 1423 Ellis Street. Luigi Cocco

Staff:

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

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

Letters of Support:

Rod and Dianne Friesen, Ellis Street
Beryl Itani, Richter Street

Letter of Opposition:

Maxwell Mosley & Family, Ellis Street

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

Mr. Hicks, Applicant's Representative:

- Confirmed that the restaurant area would close at 12 midnight.
- Provided a summary of the proposed operations and commented that there is flexibility with the 3:00 a.m. closing time for the lounge and could be moved back to 2:00 a.m. to be more consistent with establishments in the area.
- Responded to questions from Council.

Gallery:

Gabrielle Haas, Doyle Avenue

- Opposed to the hours of operation for both opening and closing times.
- Suggested a midnight or 1:00 a.m. closing time.
- Concerned with increased noise to the existing bar flush at 2:00 a.m.
- The owner advised that there would be live music and entertainment.
- The owner has said it will be a beer focused environment.

Dianne Captive, Ellis Street

- Supportive of the operation but would prefer an earlier closing time.

Mr. Hicks, Applicant's Representative:

- The establishment will not be open every day at 9:00 a.m. even though the licence would provide for this option. Nor would the establishment be open every evening until 3:00 a.m.
- Would be fine with a 2:00 a.m. closing time if Council wishes.
- Expressed desire to be a good neighbour.
- With respect to any music, it will be low key background music. The room has a maximum capacity of only 38 patrons.
- Will be catering to craft beer and wine sales.

There were no further comments.

Moved By Councillor Basran/Seconded By Councillor Stack

R736/14/10/07 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 Cocco & Associates Enterprises Ltd. 1423 Ellis Street, Kelowna BC, (legally described as Lot 1, DL 139, O.D.Y.D., Plan 2733) for a Liquor Primary license with a capacity of 38 persons and hours of service from 9:00 am - 2:00 am daily are as follows:

- a) The location of the establishment: The property is located within the Downtown core, and is suitable for the proposed small-scale Liquor Primary license.
- b) The proximity of the establishment to other social or recreational facilities and public buildings: No negative impact on surrounding facilities/buildings is anticipated.
- c) The person capacity and hours of liquor service of the establishment: The capacity and hours are deemed appropriate based on other establishments in the immediate area.
- d) The number and market focus of liquor-primary license establishments within a reasonable distance of the proposed location: The size and focus of the establishment would complement existing establishments in the Downtown area.
- e) The impact of noise on the community in the immediate vicinity of the establishment: The potential for noise would be compatible with surrounding land uses.
- f) The impact on the community if the application is approved: The proposed license would add to the continued development of a safe, vibrant Downtown area.
- g) 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."
- h) Recommendation: Council recommends that the application for a Liquor Primary license be approved.

Carried

7. Development Permit and Development Variance Permit Reports

7.1. Development Variance Permit Application No. DVP14-0080 - 940 Bartholomew Court, Dr. M. H. Rajabally

Staff:

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

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

Letters of Opposition:

Bruce and Lynda Miller, Bartholomew Court
R. P. Kueng, DeHart Road
Larry Marzinzik, Bartholomew Court

Correspondence with City Clerk: Dr. M. H. Rajabally, Bartholomew Court

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

The Applicant was not present.

Gallery:

Shirley McCarthy, Bartholomew Court

- Referred to an additional letter of opposition submitted to the city in July 2014.
- Opposed to the variance application.
- Nothing has changed since the previous applications.
- This application does not conform to the character of the neighbourhood.

Mike Millard, Bartholomew Court

- Opposed to the variance application.
- Raised concern with the traffic roundabout proposed for 984 DeHart rezoning and the impact it would have on Dr. Rajabally's property.

Anthony McCarthy, Bartholomew Court

- Opposed to the variance application.
- Concerns with driveway access in the winter.
- This application does not conform to the character of the neighbourhood.

Mr. Rajabally

- Son of Dr. Rajabally raised questions to the true reasons for the neighbourhood opposition.

Staff:

- Confirmed that staff discussed other options for the property with the Applicant and that the Applicant had declined to pursue any of these other options.

There were no further comments.

Moved By Councillor Zimmermann/Seconded By Councillor Singh

R737/14/10/07 THAT Council not authorize the issuance of Development Variance Permit No. DP14-0080, for Lot 1, Section 31, Township 29, ODYD, Plan 41690, located on 940 Bartholomew Court, Kelowna, BC.

Carried

7.2. Development Variance Permit Application No. DVP14-0101 - 229 Carion Road, Norsteel Building Systems

Staff:

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

The City Clerk advised that there was no correspondence was received.

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

The Applicant was present and available to answer questions.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Stack

R738/14/10/07 THAT Council authorizes the issuance of Development Permit No. DP14-0101 for Lot 9, Section 2, Township 20, O.D.Y.D., Plan KAP57943, located on 229 Carion Road, Kelowna, BC subject to the following:

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

Section 15.3.5(e): Development Regulation

To vary the rear yard setback from 7.5 m required to 1.16m proposed, as shown on Schedule "A".

Carried

7.3. Development Permit Application No. DP14-0130 & Development Variance Permit Application No. DVP14-0131 - 730-760 McCurdy Road, Midwest Ventures Ltd.

Staff:

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

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

Letter of No Objection:
Bill Pittman, Hoover Road

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

Peter Downward, Argus Properties, Applicant:

- Confirmed that Argus Properties has no ownership interest in the neighbouring property.

There were no further comments.

Moved By Councillor Hobson/Seconded By Councillor Singh

R739/14/10/07 THAT Council authorizes the issuance of Development Permit No. DP14-0130 and Development Variance Permit DVP14-0131 for Lot 63, District Lot 143, ODYD, Plan 426 Except Plans 15819 and A12969, located at 730-760 McCurdy Road, Kelowna, BC, subject to the following:

1. The dimensions, siting, and exterior design / finish of the building as well as the landscaping to be constructed on the land be in general accordance with Schedule "A";
2. 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;

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

Section 15.2.5 (e) - Development Regulations

To vary the side yard setback requirement from 4.5m except when abutting a C or I zoned properties to 0.0m for the portions of the side yard that abut an I, C or A zone.

Carried

7.4. Development Variance Permit Application No. DVP14-0145 - 5162 Chute Lake Road, Scott Michael Butler

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that there was no correspondence was received.

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

The City Clerk advised that the Applicant is not present and had spoken with staff at the break and confirmed there was no letters of opposition received.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Zimmermann

R740/14/10/07 THAT Council authorizes the issuance of Development Variance Permit No. DVP14-0145 for Lot B, Section 24, Township 28, S.D.Y.D., Plan KAP84608, located on 5162 Chute Lake Road, Kelowna, BC subject to the following:

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

Section 7.5.11: Fencing and Retaining Walls

To vary the minimum setback of a fence on top of a retaining wall from 1.2 m required to 0.9m proposed.

Carried


8. Reminders - Nil.

9. Termination

The meeting was declared terminated at 9:53 p.m.

Mayor

/acm



City Clerk

CITY OF KELOWNA

BYLAW NO. 10997

TA14 - 0016 - Amendments to Health District Zone in the City of Kelowna Zoning Bylaw No. 8000

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

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

1. THAT **Section 2 - Interpretation** be amended by deleting the following definitions and all references thereafter:

"HEALTH SERVICES means **development** used for the provision of physical or mental **health services** on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical **uses** include but are not limited to medical and dental **offices**, chiropractors, massage therapists and acupuncture clinics, health clinics, and counseling services.

SUPPORTIVE HOUSING, MAJOR means housing consisting of seven or more dwellings with support services on-site. These may or may not include collective dining facilities, laundry facilities, counselling, educational services, homemaking, and transportation. Supportive Housing, Major may qualify as **Special Needs Housing**.

SUPPORTIVE HOUSING, MINOR means housing consisting of a maximum of six dwellings with support services on-site. These may or may not include collective dining facilities, laundry facilities, counselling, educational services, homemaking, and transportation. Supportive Housing, Minor may qualify as **Special Needs Housing**."

2. THAT **Section 7 – Landscaping and Screening, 7.6 Minimum Landscape Buffers** be amended by deleting the following:
 - (b) **Level 2:** a minimum 2.0m landscape buffer is required to separate uses from adjacent properties and will consist of a low-lying vegetative buffer where no trees or continuous opaque barrier is required.
3. THAT **Section 7 – Landscaping and Screening, Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule** be amended by deleting:

Location	Front Yard	Rear Yard	Side Yard	Urban Plaza Permitted (see 7.4)
Health District Zones				
HD1	Abbott St, Pandosy St and Royal Ave – Level 2 Christleton Laneway – Level 3			
HD2	2	3	3	

And replacing it with:

Location	Front Yard	Rear Yard	Side Yard	Urban Plaza Permitted (see 7.4)
Health District Zones				
HD1	Abbott St, Pandosy St and Royal Ave – Level 2 Christleton Laneway – Level 3			
HD2 – properties with a lot area of 900m ² or more	2	3	3	
HD2 – properties with a lot area of less than 900m ²	2	3	2.0m (see Section 17.2.7)	
HD3	2	2	2.0m (see Section 17.3.5)	

4. THAT **Section 8 – Parking and Loading, Table 8.1 – Parking Schedule, Commercial**, be amended by deleting:

Health Services and Health Services, Minor	5 per 100m ² GFA, except on parcels less than 1800m ² in area the required parking spaces shall be 4 per 100m ² .
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And replacing it with:

Health Services, Major and Minor	
(a) HD2 zone	2.5 per 100m ² GFA
(b) Lot area of 1800m ² or more, exclusive of the HD2 zone	4.0 per 100m ² GFA
(c) Lot area of less than 1800m ² , exclusive of the HD2 zone	3.0 per 100m ² GFA

5. THAT **Section 17 – Health District Zone, 17.2 HD2 – Hospital and Health Support Services**, be amended by:

- a) Deleting the word “principle” in sub-section 17.2.2.1 and replacing it with the word “principal”;
- b) Deleting in sub-section 17.2.2.1, sub-paragraph (g) health services, and adding the following:
 - (g) health services, major
 - (h) health services, minor

- c) Deleting in sub-section 17.2.2.2, sub-paragraph (c) health services, and adding the following:

- (c) health services, major
 - (d) health services, minor

- d) Deleting the word “**HD-2**” in the “**17.2.6 Parking Regulations specific to the HD-2 Zone**” and replacing it with “**HD2**”;
- e) Adding to sub-section **17.2.6 Parking Regulations specific to the HD-2 Zone**, sub-paragraph (c) the words “, Major and Minor” after the words “Health Services”;
- f) Deleting under section **17.2.7 Other Regulations**, in sub-paragraph (b) the word “principle” and replacing it with the word “principal”;
- g) Deleting under section **17.2.7 Other Regulations**, in sub-paragraph (c) the words “**health services**” and replacing it with the words “**Health Services, Major and Minor**”; and
- h) Deleting under section **17.2.7 Other Regulations**, sub-paragraph (h) that reads:
 - “(h) Level 2 landscape buffers are required for the **front yard** and Level 3 landscape buffers are required in all **side and rear yard** setback areas.”

And replacing it with:

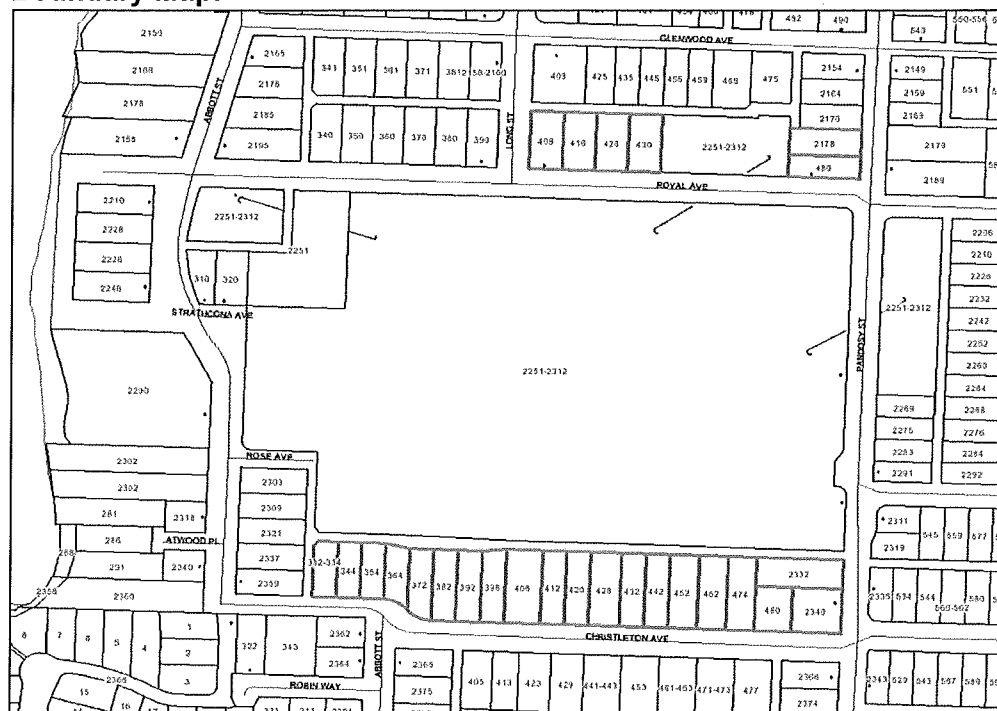
- “(h) For properties with a lot area of 900m² or more, Level 2 landscape buffers are required for the **front yard** and Level 3 landscape buffers are required in all **side and rear yard** setback areas.

For properties with a lot area of less than 900m², a minimum 2.0m landscape buffer is required for the side yard setback areas to separate uses from adjacent properties and will consist of a low-lying vegetative buffer where no trees or continuous opaque barrier is required. Level 2 landscape buffers are required for the **front yard** and Level 3 landscape buffers are required for the **rear yard** setback areas.”

- 6. THAT **Section 17 – Health District Zone, 17.3 HD3 –Health Services Transitional**, be amended by:

- a) Adding to the end of the text under Section 17.3.1 Purpose, the following boundary map:

Boundary Map:



- b) Adding a new sub-paragraph (b) congregate housing in its appropriate location in sub-section 17.3.2.1; and
- c) Deleting in sub-section 17.3.2.1, sub-paragraph (g) supportive housing, minor;
- d) Deleting from 17.3.5 Other Regulations, sub-paragraph (b) the following:

“(b) Level 2 landscape buffers are required for the side yards and Level 3 landscape buffers are required in the front and rear yard setback areas. A visual screen is required along side or rear lot lines that are adjacent to a residential land use designation. The visual screen may consist of either vegetation or decorative fence or wall. The minimum height of the screen is 1.2m (at maturity for vegetation, planted at a minimum height of 1.0m high on a maximum spacing of 900mm).”

And replacing it with:

“(b) A minimum 2.0m landscape buffer is required for the **side yard** setback areas to separate uses from adjacent properties and will consist of a low-lying vegetative buffer where no trees or continuous opaque barrier is required. Level 2 landscape buffers are required in the front and rear yard setback areas. A visual screen is required along side or rear lot lines that are adjacent to a residential land use designation. The visual screen may consist of either vegetation or decorative fence or wall. The minimum height of the screen is 1.2m (at maturity for vegetation, planted at a minimum height of 1.0m high on a maximum spacing of 900mm).”

7. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of September, 2014.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11005

Official Community Plan Amendment No. OCP14-0013 - Dr. Heather Martin Inc. and City of Kelowna 310 and 320 Strathcona Avenue

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 22, District Lot 14, ODYD, Plan 535, Except Plan KAP81038 and Lot 21, District Lot 14, ODYD, Plan 535, located on Strathcona Avenue, Kelowna, B.C., from the EDINST - Educational / Major Institutional designation to the HLTH - Health District designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of September, 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. 11006

Z14-0027 - Dr. Heather Martin Inc. and City of Kelowna 310 and 320 Strathcona Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 22, District Lot 14, ODYD, Plan 535, Except Plan KAP81038 located on Strathcona Avenue, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the HD2 - Hospital and Health Support Services zone and Lot 21, District Lot 14, ODYD, Plan 535 located on Strathcona Avenue, Kelowna, B.C., from the P1 - Major Institutional zone to the HD2 - Hospital and Health Support Services zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of September, 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. 11012
TA14-0017 -
CD18 - Vintage Landing Comprehensive Resort Development

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 deleting **Schedule 'B' - Comprehensive Development Zones, CD18 - Vintage Landing Comprehensive Resort Development** in its entirety and replacing with a new **CD18 - Vintage Landing Comprehensive Resort Development** 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 29th day of September, 2014.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule 'B' – Comprehensive Development Zones

CD18 – McKinley Beach Comprehensive Resort Development

1.1 PURPOSE

The purpose is to provide a zone for the development of a comprehensively planned multifaceted destination community having a variety of commercial and accommodation uses organized around a central lifestyle village.

1.2 PRINCIPAL AND SECONDARY USES

The principal and secondary uses in this zone vary in accordance with the key resort elements identified in the Vintage Landing Area Structure Plan adopted as part of the Kelowna Official Community Plan. Pursuant to the Area Structure Plan this zone has been organized into (4) four distinctive areas as illustrated on Map A. Each area will have its own allowable principal and secondary uses as follows:

1.2(a) AREA I Village Centre

Principal Uses:

The **principal uses** for the area designated as **Area I** on Map 1 are:

- (a) **apartment hotels**
- (b) **boat storage**
- (c) **broadcast studio** subject to 1.3f
- (d) **child care centre, major**
- (e) **community recreation services**
- (f) **congregate housing**
- (g) **emergency and protective services**
- (h) **exhibition and convention facilities**
- (i) **extended medical treatment services**
- (j) **food primary establishment**
- (k) **health services**
- (l) **hotels**
- (m) **liquor primary establishment**
- (n) **motels**
- (o) **non-accessory parking**
- (p) **offices**
- (q) **personal service establishments**
- (r) **private clubs**
- (s) **private education services**
- (t) **public parks**
- (u) **religious assemblies**
- (v) **retail liquor sales establishment**
- (w) **retail stores convenience**
- (x) **retail stores general**
- (y) **reservation centres**
- (z) **row housing** subject to 1.3e
- (aa) **single detached housing** subject to 1.3e
- (bb) **semi-detached housing** subject to 1.3e

Secondary Uses:

The **secondary uses** for the area designated as **Area I** on Map 1 are:

- (a) **amusement arcades major**
- (b) **artisan live/work studios**
- (c) **custom indoor manufacturing**
- (d) **emergency and protective services**
- (e) **gaming facilities**
- (f) **participant recreation services indoor**
- (g) **participant recreation services outdoor**
- (h) **private open space**
- (i) **recycled materials drop-off centre**
- (j) **residential security / operator unit**
- (k) **secondary suites in single detached housing** subject to 1.3e
- (l) **spectator and entertainment establishments** subject to 1.3h
- (m) **utility services minor impact**

1.2(b) AREA 2 Winery and Resort Accommodation**Principal Uses:**

The **principal uses** for the area designated as **Area II** on Map 1 are:

- (a) **apartment hotels**
- (b) **food primary establishment**
- (c) **hotels**
- (d) **liquor primary establishment**
- (e) **motels**
- (f) **retail liquor sales establishment**
- (g) **wineries and cideries**
- (h) **reservation centres**
- (i) **row housing** subject to 1.3e
- (j) **single detached housing** subject to 1.3e
- (k) **semi-detached housing** subject to 1.3e

Secondary Uses:

The **secondary uses** for the area designated as **Area II** on Map 1 are:

- (a) **amusement arcades major**
- (b) **health services**
- (c) **participant recreation services indoor**
- (d) **private clubs**
- (e) **private open space**
- (f) **residential security / operator unit**
- (g) **retail stores convenience**
- (h) **secondary suites in single detached housing** subject to 1.3e
- (i) **spectator and entertainment establishments** subject to 1.3h
- (j) **utility services minor impact**

1.2 (c) AREA III Hillside Resort Accommodation**Principal Uses:**

The **principal uses** for the area designated as **Area III** on Map 1 are:

- (a) **apartment hotels**
- (b) **hotels**
- (c) **motels**
- (d) reservation centres
- (e) **row housing** subject to 1.3e
- (f) **single detached housing** subject to 1.3e
- (g) **semi-detached housing** subject to 1.3e

Secondary Uses:

The **secondary uses** for the area designated as **Area III** on Map 1 are:

- (a) **health services**
- (b) **private open space**
- (c) **residential security / operator unit**
- (d) **secondary suites in single detached housing** subject to 1.3e
- (e) **utility services minor impact**

1.2(d) AREA IV Waterfront Resort Accommodations**Principal Uses:**

The **principal uses** for the area designated as **Area IV** on Map 1 are:

- (a) **apartment hotels**
- (b) **food primary establishment**
- (c) **hotels**
- (d) **liquor primary establishment**
- (e) marinas
- (f) marine equipment rentals
- (g) **motels**
- (h) **public park**
- (i) reservation centres
- (j) **row housing** subject to 1.3e
- (k) **single detached housing** subject to 1.3e
- (l) **semi-detached housing** subject to 1.3e

Secondary Uses:

The **secondary uses** for the area designated as **Area IV** on Map 1 are:

- (a) **boat storage**
- (b) **personal service establishments**
- (c) **private clubs**
- (d) **private open space**
- (e) **residential security / operator unit**
- (f) **retail liquor sales establishment**
- (g) **retail stores convenience**
- (h) **secondary suites in single detached housing** subject to 1.3e
- (i) **Utility services minor impact**

1.3 DEVELOPMENT REGULATIONS

- (a) Total density for the CD18 Zone shall not exceed 271,500m² in accordance with the Vintage Landing [McKinley Beach] Area Structure Plan adopted as part of the Kelowna Official Community Plan.
- (b) The maximum area of all commercial (retail and office) uses is 15,000m².
- (c) The maximum allowable area of all office use is 5000m². The maximum area of office space in any one building is 2000m² and the maximum size of any individual office tenancy shall not exceeding 500m².
- (d) The maximum area for any one individual retail tenancy in Area I is 5500m², in Areas II, III, IV the maximum area for any one tenancy is 400m².
- (e) Density in the CD18 zone will be controlled in the form of a 219 covenant registered on the remainder parcel(s), which will indicate an allowable buildable area equal to the total site density of 271,500m² as outlined in section 1.3 (a) and which will be reduced by the:
 - 1. buildable area approved through all Form & Character Development Permits within the CD18 Areas, and
 - 2. for those lots not requiring a form & character Development Permit it will be through the subdivision approval process based on a calculation of 350m² per unit (based on 1.3(f) Type B below). *For example: if there are 10 lots being approved and eight of those lots are for single detached housing and two of the lots are for semi-detached housing the calculation used to determine the buildable area would be $12 \times 350\text{m}^2 = 4,200\text{m}^2$.*

The registered 219 Covenant will be amended, to reflect the remaining buildable area, as a condition of issuance of every Development Permit under 1.3(e)1 and as a condition of every subdivision approval under 1.3(e)2.

- (f) Resort accommodation which allows for short-term stays is made up of two types:

Type A:

Attached apartment hotel, hotel, congregate housing, motel units or row housing units (units in buildings exceeding 4 units with common amenities) – maximum area of 150m² per unit floor area net.

Type B:

Single detached housing with or without secondary suites, semi-detached housing, row housing with four units or less, with amenities that may be in separate buildings. The maximum gross floor area is 350m² per unit (excluding garages). The main floor footprint (excluding garage) may not exceed 175m² per unit (excluding garages). Type B units must be served by a common on-site or off-site reservation centre(s).

- (g) Broadcasting studios exclude facilities for permanent operation of radio and television stations and must be limited to television, movie and sound stage production.
- (h) Spectator and entertainment establishments exclude permanent stadiums, arenas, cineplex's and multiplexes.
- (i) Natural Environment/Hazardous Conditions

1. Impact to Environmentally Sensitive Areas designated as "High Value" or ESA 1 will be limited to infrastructure and utilities, where possible, and will strive to minimize impact to these areas. If development should occur within these areas, mitigation will promote no net loss to the habitat. If development is pursued in ESA 2 areas, portions of the habitat should be retained and integrated to maintain the contiguous nature of the landscape.
2. Both ESA 1 and ESA 2 areas will require a Natural Environment/Hazardous Condition Development Permit to address the specific habitat or conditions outlined in the ESA Assessment Report. Some loss to these ESA areas can be offset by habitat improvements to the remaining natural areas found within the ASP boundary.
3. Any development that impacts slopes over 30% will require a Natural Environment/Hazardous Condition Development Permit. For any development to occur in these areas, it would have to be demonstrated that it will be sensitively integrated with the natural environment and will present no hazards to persons or property.

(j) Building Height:

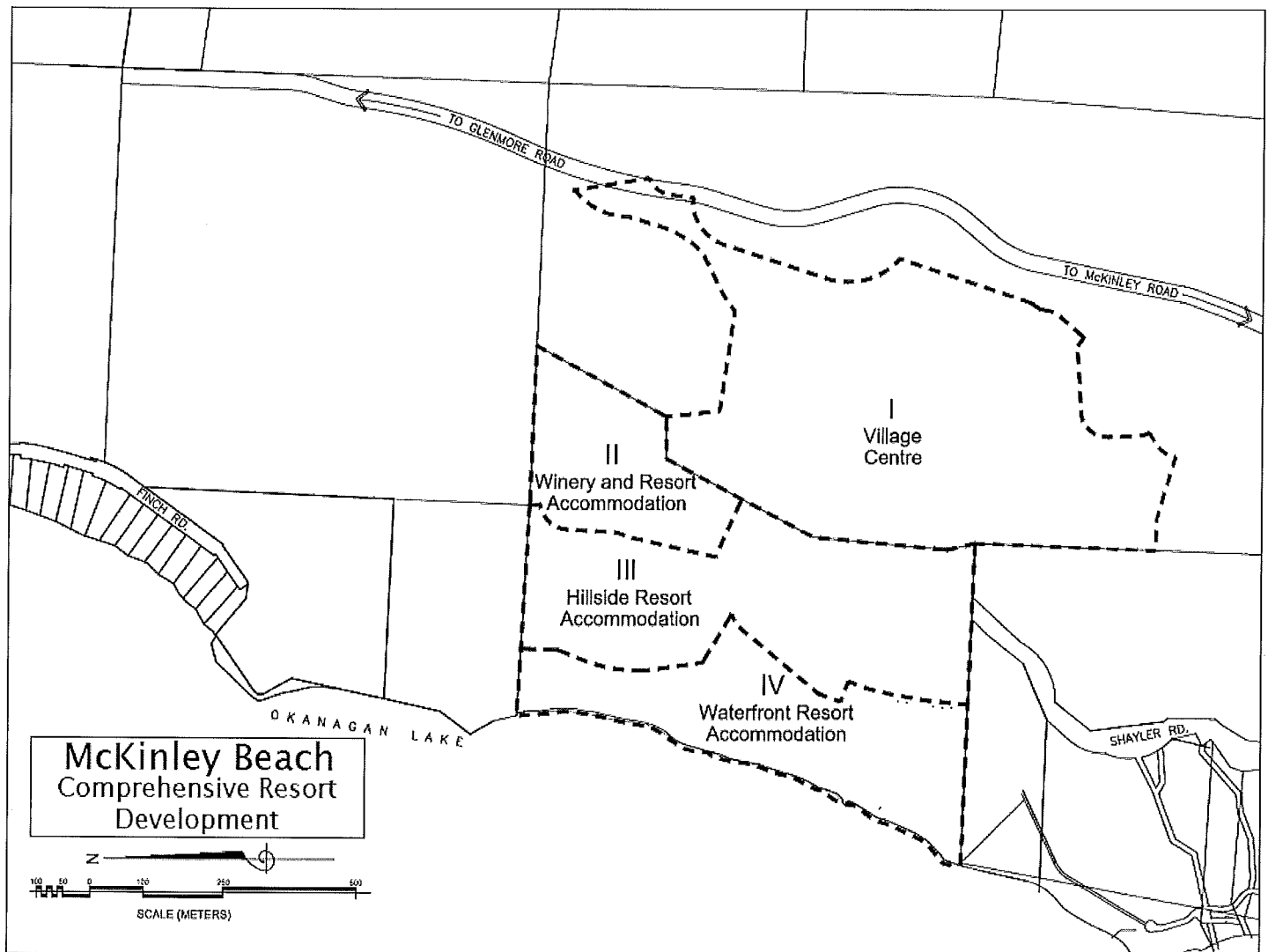
1. The maximum height of buildings and structures in this zone are as follows:
 - Area I - Village Centre is the lesser of 8½ storeys or 38.25m.
 - Area II - Winery and Resort Accommodation is the lesser of 6½ storeys or 29.5m.
 - Area III - Hillside Resort Accommodation is the lesser of 2 ½ storeys or 11.5m starting from deck elevation. Supportive deck structures cannot exceed 7.0m in height.
 - Area IV - Waterfront Resort Accommodation is the lesser of 6½ storeys or 29.5m.
2. For any buildings or structures in area I that exceed 6½ storeys any exposed storey where parking is provided within the building must include 60% of the exposed area as habitable space.
3. For any buildings or structures in areas II and IV that exceed 4½ storeys any exposed storey where parking is provided within the building must include 60% of the exposed area as habitable space.

4. Setbacks:

1. The minimum setback from the CD Zone boundary for all uses shall be 10m (33 ft.) with the exception of the CD Zone boundary that fronts Okanagan Lake riparian management area or any park areas where the setback will be 1.5m.
2. The minimum **front yard** is 0.0m.
3. The minimum **side yard** is 0.0m.
4. The minimum **rear yard** is 0.0m.

5. Signs:
1. Signs for Areas I and II shall be regulated as if in a C2 zone.
 2. Signs for Area III shall be regulated as if in a W-2 zone.
- (l) In accordance with the Official Community Plan (OCP), all development, except single-detached dwellings with or without secondary suites, within the zone shall require a Form and Character Development Permit.
- (m) The parking and loading regulations of Section 8 will apply.
- (n) A publicly accessible trail system will be provided by statutory right-of-way in favour of the City of Kelowna throughout the development property. Specific locations and right-of-way widths will be determined at time of Development Permit and in general accordance with the Vintage Landing Area Structure Plan
- (o) Road design will be as per the City of Kelowna's October 2009 Hillside Standards as may be amended.

CD18 -McKinley Beach Comprehensive Resort Development
Map A



CITY OF KELOWNA

BYLAW NO. 11013

TA14-0018 - Amendment to Section 16 - Public & Institutional Zones

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

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

1. THAT **Section 16 - Public & Institutional Zones, 16.1 P1-Major Institutional/P1lp-Major Institutional (Liquor Primary), 16.1.3 Secondary Uses** be amended by adding in its appropriate location a new sub-paragraph "non-accessory parking" and renumber all subsequent sub-paragraphs.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of September, 2014.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11014

Z13-0044 - City of Kelowna

Various Addresses

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 the following properties:

Civic Address	Legal Description	From	To
865 Bernard Avenue	Lot 1 DL 138 ODYD Plan KAP92254	RU6	P3
3502 Lakeshore Road	Lot 1 DL 134 ODYD Plan 34844	RU1	
3508 Lakeshore Road	Lot 1 DL 134 ODYD Plan 36346	RU1	
1755 Gallagher Road	Lot 1 Sec 18 Twp 27 ODYD Plan 29045	A1	
1871 Gallagher Road	Lot 3 Sec 18 Twp 27 ODYD Plan 2736	A1	
2105 Joe Riche Road	Lot 2 Sec 18 Twp 27 ODYD Plan 29045	RR1	
1890 Barlee Road	Lot 7 DL 129 ODYD Plan 10140	RU1	
155 Lost Creek Court	Lot 53 Sec 5 Twp 23 ODYD Plan EPP9195	RU2h	
(end of) Trench Place	Blk 7 Sec 30 Twp 26 ODYD Plan 5452	I4	
1061 Gordon Drive	That Part of the N ½ of Blk 14 shown on Plan B4746; DL 138 ODYD Plan 202	I4	
1123 Mountain Avenue	Lot 33 Sec 30 Twp 26 ODYD Plan 17272	RU1	
1133 Mountain Avenue	Lot 34 Sec 30 Twp 26 ODYD Plan 17272	RU1	
1143 Mountain Avenue	Lot 35 Sec 30 Twp 26 ODYD Plan 17272	RU1	
1356 Orchard Drive	Lot 52 DL 137 ODYD Plan 17047	P2	P3
(end of) Orchard Drive	Lot 1 Sec 29 Twp 26 ODYD Plan 28785	RU6	
842 Manhattan Drive	Lot 1 DL 9 ODYD Plan 2669	RU6	
310 Primrose Road	Lot 1 Sec 26 Twp 26 ODYD Plan 26724	RM3	
1798 Shayler Place	Lot 17 Sec 20 and 29 Twp 23 ODYD Plan KAP88870	RR3	
120 Bubna Place	Lot 10 Sec 2 Twp 20 ODYD Plan KAP79495	I3	
125 Bubna Place	Lot 9 Sec 2 Twp 20 ODYD Plan KAP79495	I3	
2938 Abbott Street	Amended Lot 10 (DD 185625F) DL 14 ODYD Plan 2336	RU1	

From the RR1 - Rural Residential 1 zone, the RR3 - Rural Residential 3 zone, the RU1 - Large Lot Housing zone, the RU2h - Medium Lot Housing (Hillside Area) zone, the RU6 - Two Dwelling Housing zone, the RM3 - Low Density Multiple Housing zone, the P2 - Education and Minor Institutional zone, the I3 - Heavy Industrial zone, the I4 - Central Industrial zone and the A1 - Agricultural 1 zone to the P3 - Parks and Open Space zone;

2. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot 2, Section 8 and 9, Township 23, ODYD, Plan KAP86750, located on Union Road, Kelowna, B.C, from the RM2 - Low Density Row

Housing zone to the P3 - Parks and Open Space zone as per Map "5" attached to and forming part of this bylaw;

3. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 2, District Lot 139 and 4083, ODYD, Plan EPP29214, Lot 2, District Lot 4083, ODYD, Plan 8564 and Lot 1, District Lot 139, ODYD, Plan KAP83363, located on Water Street, Kelowna, B.C., from the P1 - Major Institutional zone to the P3 - Parks and Open Space zone as per Map "8" attached to and forming part of this bylaw;
4. AND FURTHER THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 1, Section 19, Township 26, ODYD, Plan KAP92087, located on Lindahl Street, Kelowna, B.C., from the RU2 - Medium Lot Housing zone and the RM5 - Medium Density Multiple Housing zone to the P3 - Parks and Open Space zone as per Map "10" attached to and forming part of this bylaw;
5. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of September, 2014.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

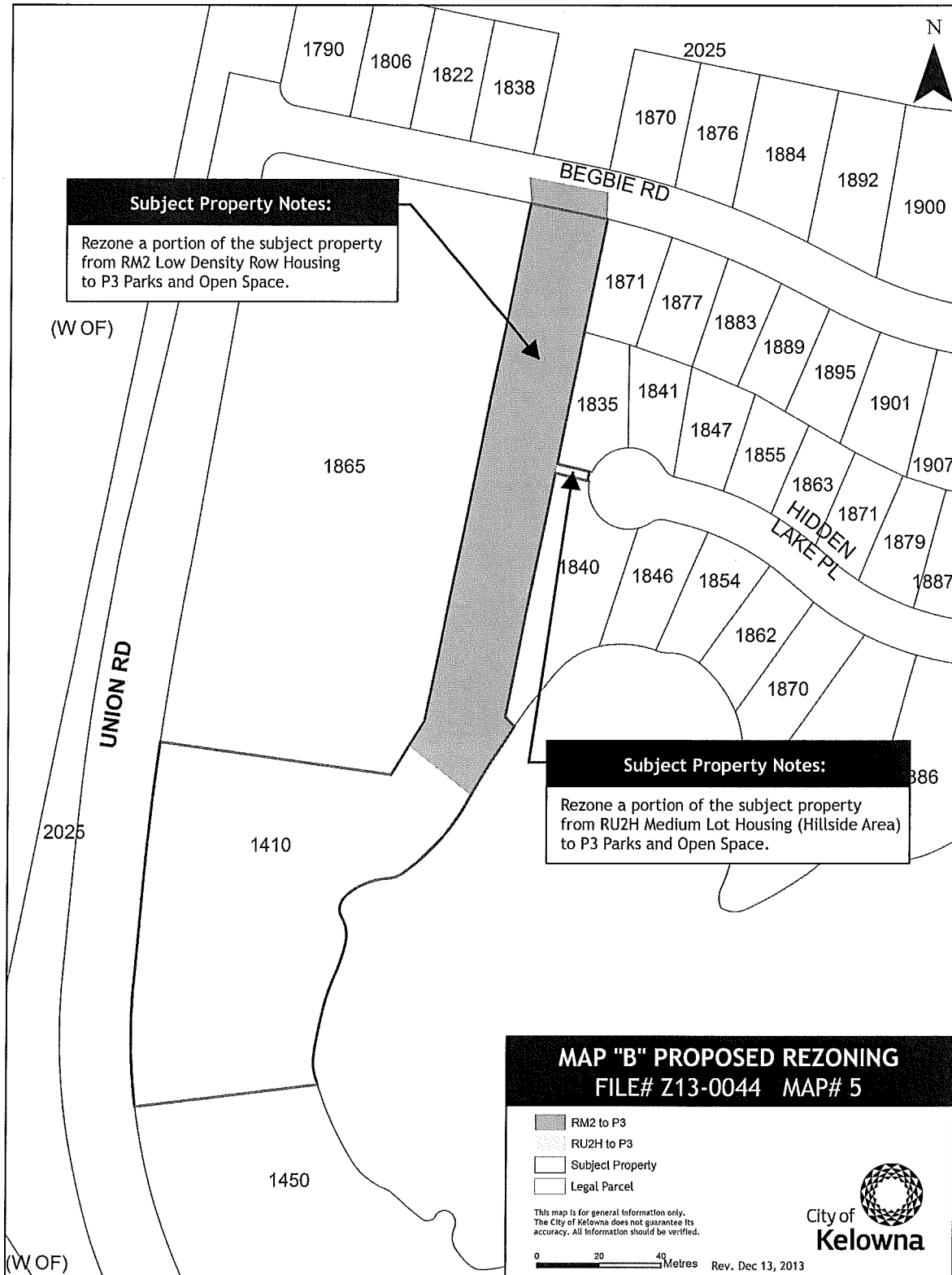
Approved under the Transportation Act

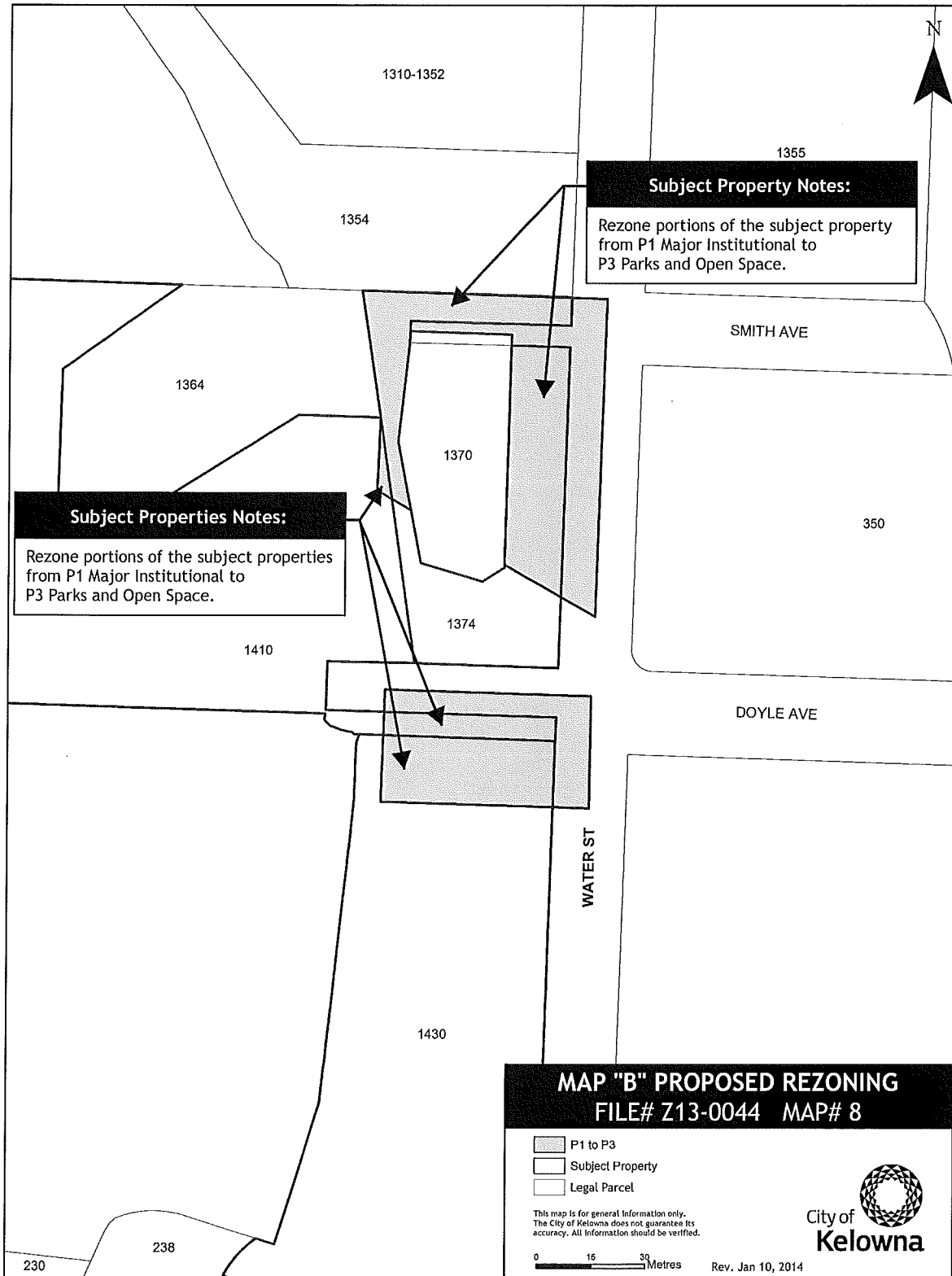
(Approving Officer-Ministry of Transportation)

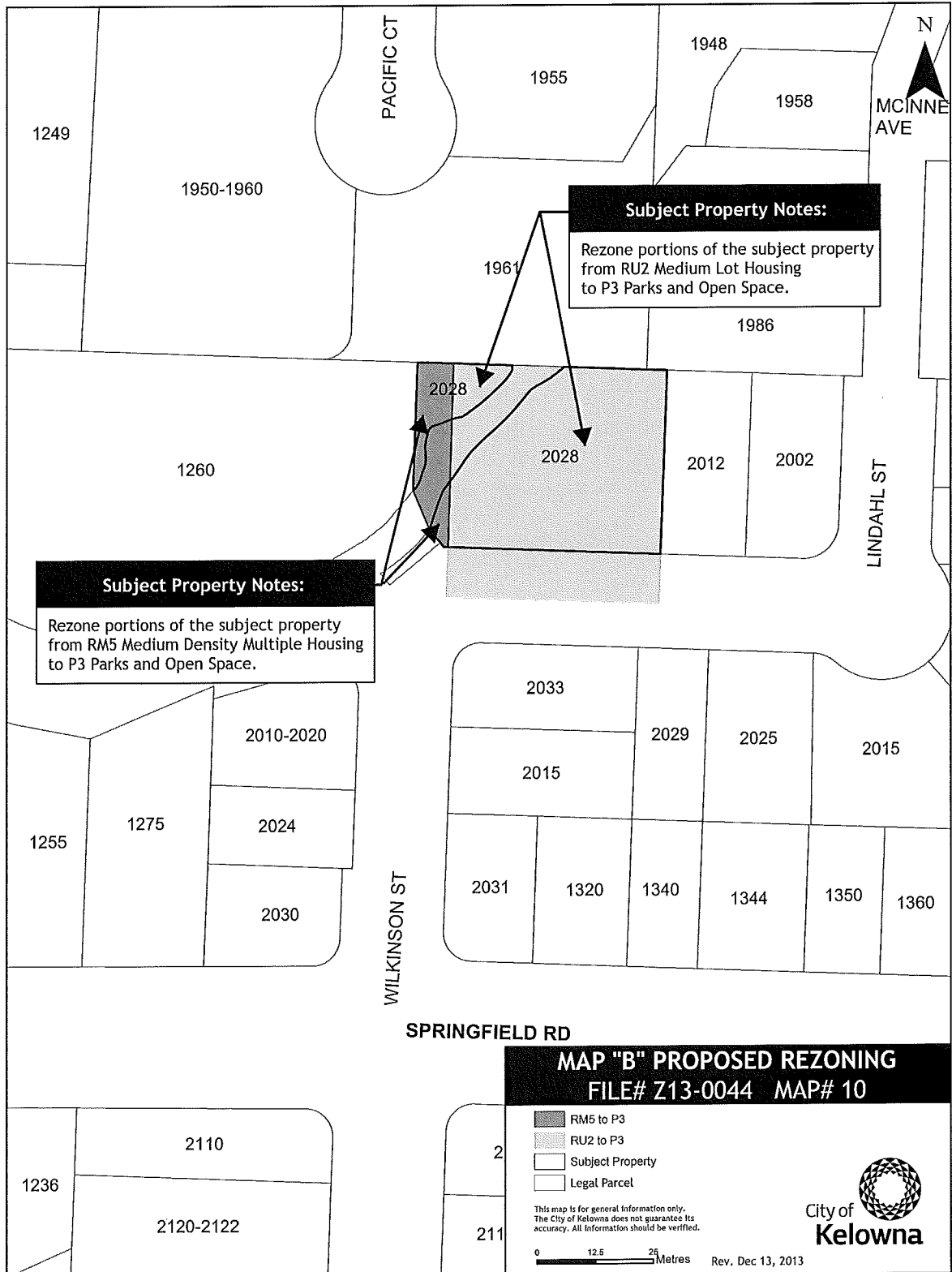
Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk







CITY OF KELOWNA
BYLAW NO. 11015
Z14-0030 - MKS Resources Inc.
519, 529 and 539 Truswell 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 Lots 1 and 2, Section 1, Township 25, ODYD, Plan 13317 and Lot 1, Section 1, Township 25, ODYD, Plan KAP91725 located on Truswell Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the C9 - Tourist Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of September, 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: 8/18/2014

RIM No. 0930-50

To: City Manager

From: Urban Planning, Community Planning and Real Estate (PMc)

Application: LL14-0009

Owner: Springfield Plaza Inc.

Address: 1585 Springfield Road

Applicant: Goldwing Investments (dba Chances Kelowna)

Subject: Liquor License Application

Existing OCP Designation: COMM - Commercial

Existing Zone: CD16 - Bingo and Gaming

1.0 Recommendation

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

"Be it resolved that:

1. Council recommends support of the application from Goldwing Investments (dba Chances Kelowna) at 1585 Springfield Road, (legally described as Lot A, District Lot 129, ODYD, Plan KAP70110) for a change to licensed hours of sale from 9:00 AM to 11:59 PM Monday to Sunday to 9:00 AM to 1:00 AM Monday to Sunday, as the hours would be consistent with other gaming facilities, and there is no record of complaints.
2. The Council's comments on the prescribed considerations are as follows:
 - (a) The potential for noise if the application is approved;

The potential for noise may increase due to the additional hour of service. However, noise has not been an issue at this location in the past.
 - (b) The impact on the community if the application is approved:

Significant negative community impacts are not anticipated.
3. 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 and Procedures".

2.0 Purpose

To seek Council's support for a permanent change in licensed hours of sale for the establishment.

3.0 Urban Planning

The applicant wishes to change the hours of liquor service to allow service until 1:00 am seven days a week, in order to better meet the needs of a changing customer base. To date, Chances has operated on the basis of ending liquor service at midnight, and closing the doors at 1:00am. As operators of this Community Gaming Centre, the applicant is proposing to serve liquor until 1:00 am, and close the doors at 2:00 am, a closing time that is comparable to Lake City Casino, located downtown. There have been few complaints involving police calls in the nine years that Chances has been in operation, so the change in hours to stop the sale of alcohol at 1:00am and close at 2:00am is envisioned to have minor impact on the neighbourhood.

4.0 Background

The subject property was developed as a bingo hall in 2002, a use that was permitted in the C10-Service Commercial zone of the day. In 2004, the subject property was rezoned to the CD16 - Bingo and Gaming zone, which allowed for an expansion of the gaming facility. The original liquor license application was made in 2004 for a liquor primary license with an occupant load of 425 persons. In 2008, application was made to increase the number of slot machines, and to increase the capacity of the liquor primary license to the current capacity of 1064 persons.

A liquor license application has been forwarded by the owner to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, any liquor primary applications requesting a permanent change to a liquor primary license require Local Government comment. As noted in the applicant's rationale letter, they are seeking a change to operating hours, from 9:00am to 11:59pm, to the proposed hours of sales of 9:00am to 1:00am, in order to allow clients to use the gaming facility longer. The change in time would be comparable with the hours of the downtown casino.

4.1 Project Description

Existing License Summary	Details
Liquor Primary License Capacity	Area 1: 705 Persons
	Area 2: 178 Persons
	Area 3: 181 Persons
	Total Capacity: 1064 persons

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	11:59 PM	11:59 PM	11:59 PM	11:59 PM	11:59 PM	11:59 PM	11:59 PM

Proposed Hours of Sale:

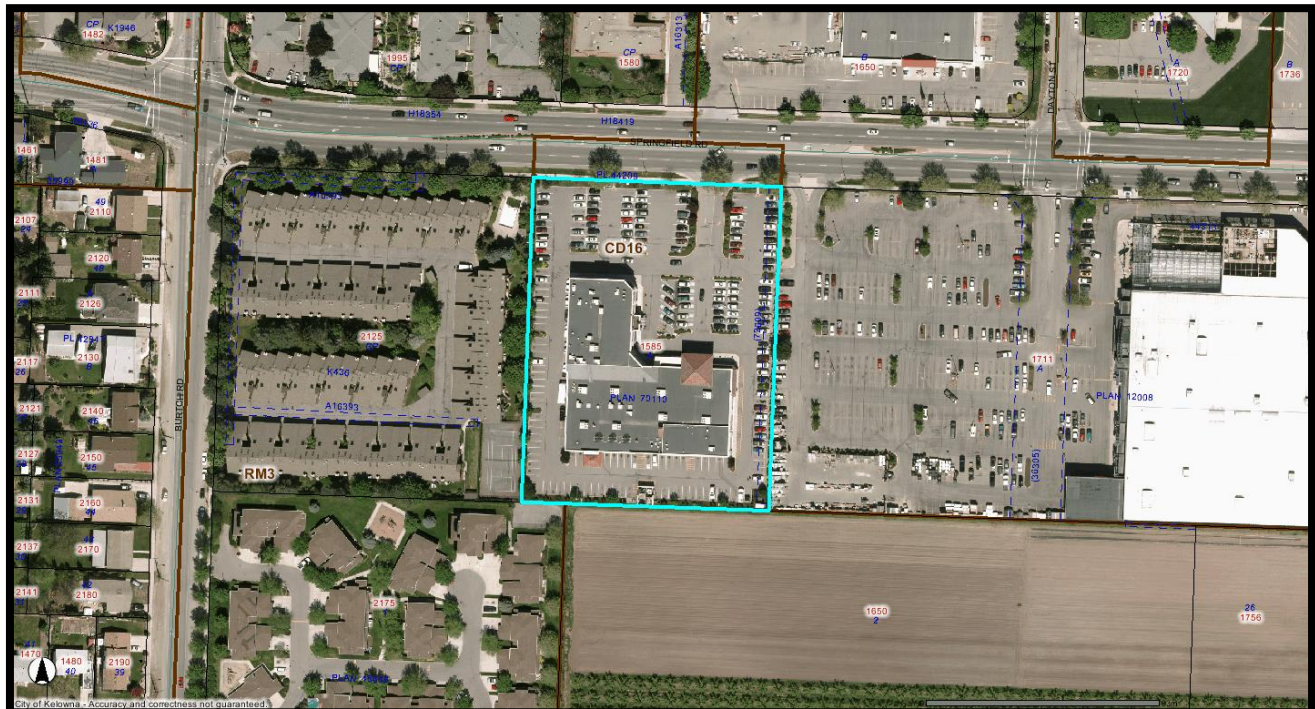
	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM

4.2 Site Context

The subject property is located on the south side of Springfield Road, east of Burtch Road, adjacent to the RONA building supply store. The adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM3 - Low Density Housing	Town House development
East	C10 - Service Commercial	Building supply store
South	A1 - Agriculture 1	Agricultural use within ALR
West	RM3 - Low Density Housing	Town House development

Subject Property Map: 1585 Springfield Road



5.0 Current Development Policies

5.1 Council Policy #359 - Liquor Licensing Policy & Procedures

The proposed change in hours of sale would not contravene any guidelines within this policy.

6.0 Technical Comments

6.1 Building & Permitting Department

No Comment

6.2 Bylaw Services

No Objections

6.3 Fire Department
No Concerns

6.4 RCMP

The RCMP have no concerns regarding the Applicant's request to change the hours of liquor sales from midnight to 1:00 a.m.

7.0 Application Chronology

Date of Application Received: June 2, 2014

Missing information received: July 25, 2014

Report prepared by:

Paul McVey, Urban Planner

Reviewed by:



Lindsey Ganczar, Urban Planning Supervisor

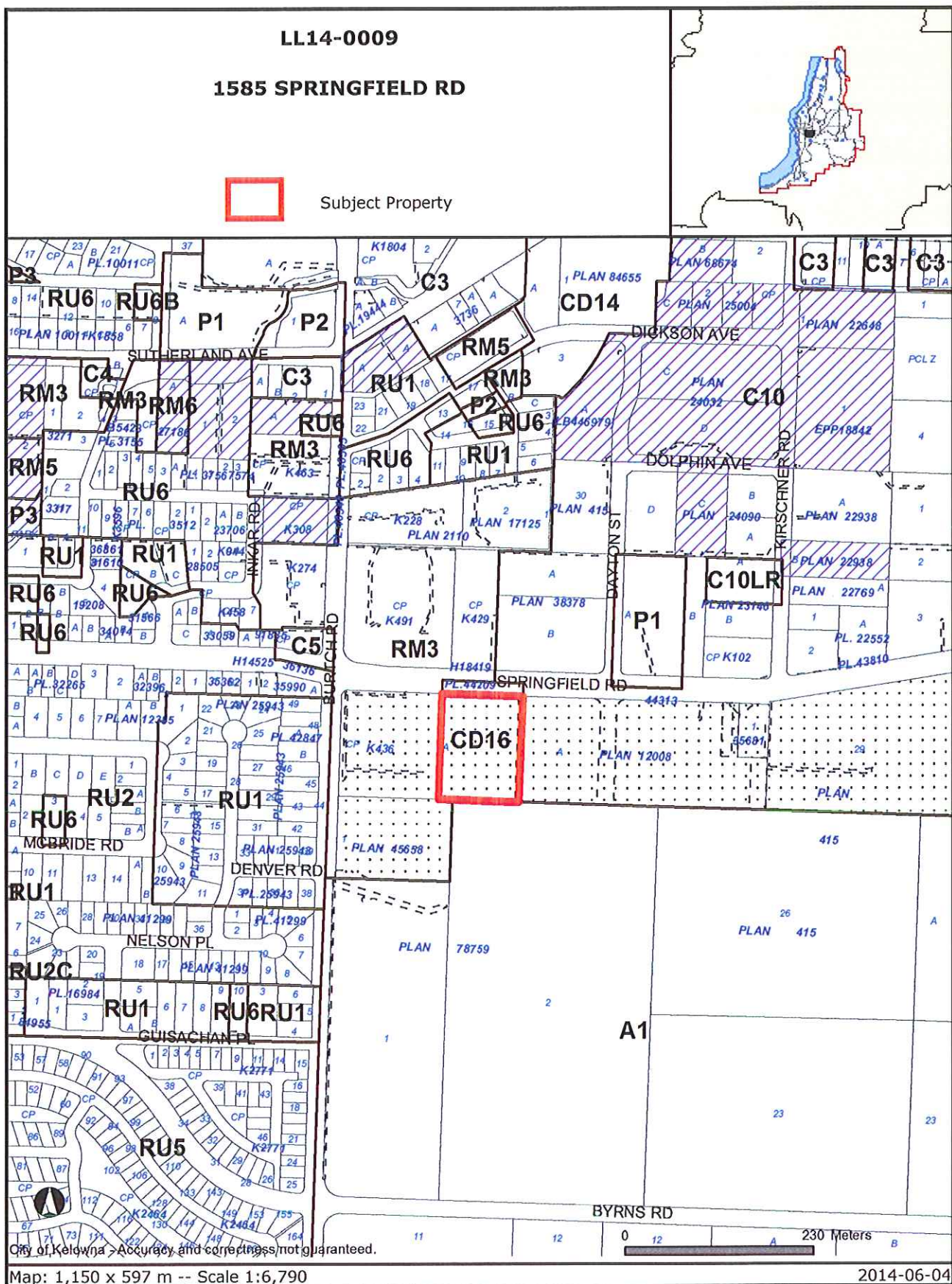
Approved for Inclusion:



Ryan Smith, Manager, Urban Planning

Attachments:

Subject Property Map;
Occupant Load Floor Plan
Rationale Letter
LCLB License Application package



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 Control and Licensing Branch
Liquor Primary Licence #301362
Expires on February 28, 2015

Establishment Name: **Chances Gaming Entertainment**
Licence Name: **Chances Gaming Entertainment**
Location Address: **1585 Springfield Rd**
KELOWNA, BC V1Y 5V5
Issued to: **Goldwing Investments (Saskatoon) Ltd.**

TERMS AND CONDITIONS

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	11:59 PM	11:59 PM	11:59 PM	11:59 PM	11:59 PM	11:59 PM	11:59 PM

CAPACITY


Person01	705	Person02	178	Person03	181	
----------	-----	----------	-----	----------	-----	--

- The terms and conditions to which this licence is subject include the terms and conditions contained in the publication 'A Guide for Liquor Licensees in British Columbia' as that publication is amended from time to time.
- Liquor may only be sold, served and consumed within the areas outlined in red on the official plan, unless otherwise endorsed or approved by the LCLB.
- Subject to terms and conditions specified in the restriction or approval letter(s). A copy of restriction or approval letter(s) to be kept with current liquor licence.
- Minors, other than professional entertainers, are not permitted within the licensed area(s) unless otherwise endorsed or approved by the LCLB.
- Liquor licence only in effect while the letter of support from British Columbia Lottery Corporation is valid.
- All liquor must be taken from patrons and cleared from the licensed area(s) within 1/2 hour after the time stated on the licence for the hours of liquor service.

**YOUR CURRENT VALID LICENCE MUST BE PROMINENTLY
DISPLAYED AT ALL TIMES. TAMPERING, ALTERING OR
DEFACING THIS LICENCE IN ANY MANNER MAY RESULT
IN THE LICENCE BEING CANCELLED.**

January 12, 2014

DATE


GENERAL MANAGER
LIQUOR CONTROL AND LICENSING BRANCH

LCLB OFFICIAL PLAN
 MUST BE KEPT WITH LIQUOR LICENCE AND
 AVAILABLE FOR INSPECTION AT ALL TIMES
 Date issued: March 5, 2009
Karen Quin
 General Manager
 LP Licence # 301362

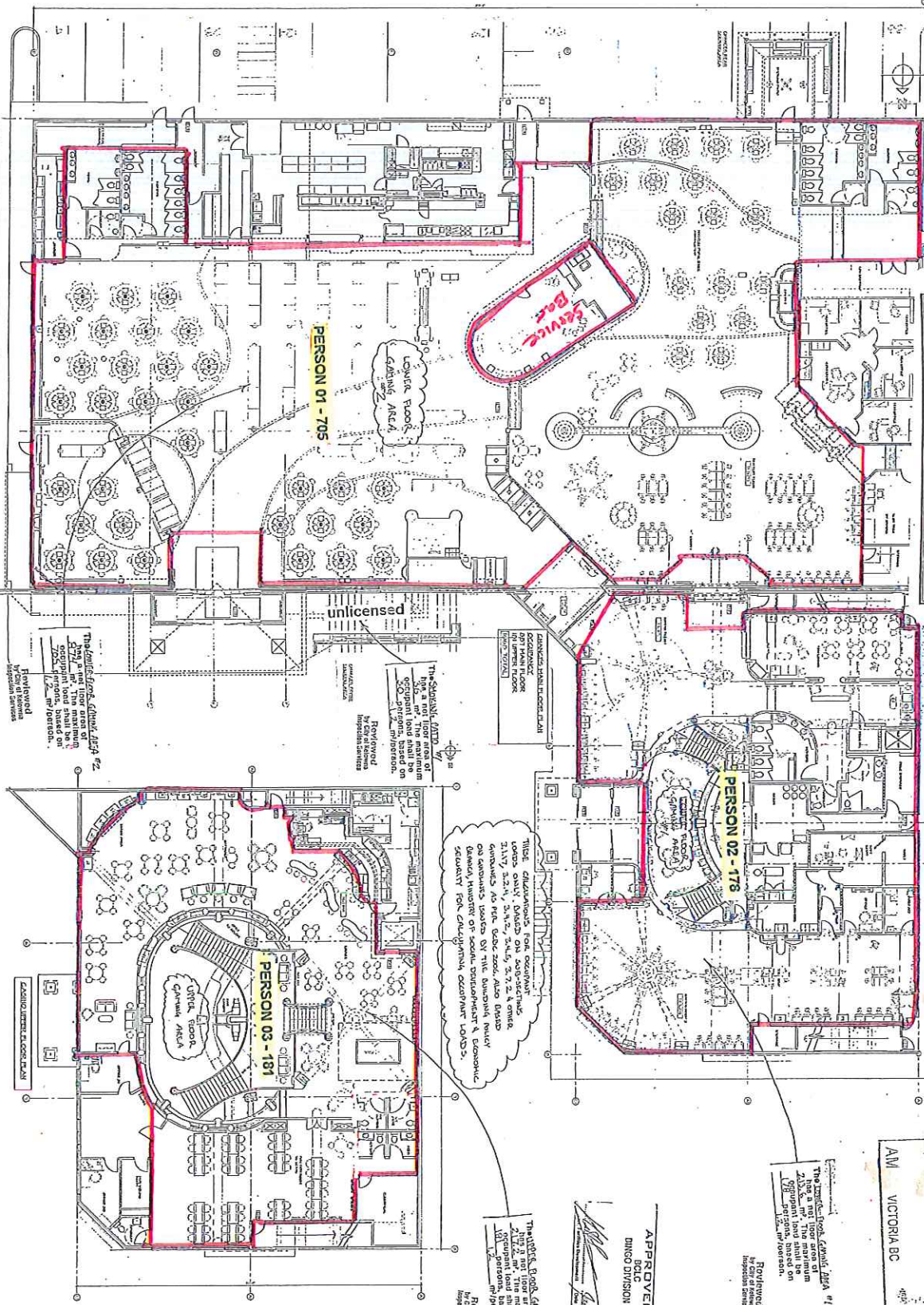
File 1064d Feb 6 18/09
Person 01-705
0106# 3442639-13

**LIQUOR CONTROL & LICENSING
 RECEIVED**
 FEB 06 2009
 AM
 VICTORIA BC

The Liquor Control Board #1
 has a not more than
 20% of the total
 liquor licence
 person.

APPROVED
 RCL
 DMCO DIVISION
[Signature]

The Liquor Control Board #1
 has a not more than
 10% of the total
 liquor licence
 person.



CHANCES
 1505 SPRINGFIELD ROAD
 KELLOWNA, BC

FLOOR PLANS

Interior Design & Consulting
 redcrayondesign@shaw.ca

RED CRAYON DESIGN

20-760 Highpointe
 Kelowna BC V1V 2Y3
 Ph. 250.868.0577 Fax 250.868.0583

CHANCES
 1505 SPRINGFIELD ROAD
 KELLOWNA, BC

ID-C

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

NOTES

1. All dimensions are in millimeters.

2. All dimensions are to the center of the object unless otherwise specified.

3. All dimensions are to the finished surface unless otherwise specified.

4. All dimensions are to the center of the object unless otherwise specified.

5. All dimensions are to the finished surface unless otherwise specified.

6. All dimensions are to the center of the object unless otherwise specified.

7. All dimensions are to the finished surface unless otherwise specified.

8. All dimensions are to the center of the object unless otherwise specified.

9. All dimensions are to the finished surface unless otherwise specified.

10. All dimensions are to the center of the object unless otherwise specified.

Goldwing Investments (Saskatoon) Ltd.

1585 Springfield Road Kelowna, BC V1V 1T5

Phone: 250-860-9577 Fax: 250-860-1764

City of Kelowna
Community Planning and Real Estate
1435 Water Street
Kelowna, BC
V1Y 1J4

May 30, 2014

To Whom it may concern,

Since the introduction of slot gaming at Chances Kelowna in September, 2005 the property has had a liquor primary license. In June, 2008 the entire 40,000 square foot property for 1050 persons allows unrestricted liquor service within the facility and has done so without incident over this course of time.

As a gaming facility Chances is responsible to not only follow the LCLB rules but also to follow the rules of the British Columbia Lottery Corporation. It is our responsibility not to allow over service or to allow persons under the influence of alcohol or drugs to enter the premises or remain on the premises. We do this in an effort to promote responsible gambling done in a socially acceptable, safe environment. Chances has a minimum of 4 trained security staff on site during all operating hours plus our security manager. In addition a sophisticated and manned surveillance system is deployed on the property. We are diligent at ensuring our responsibilities as a gaming service provider and liquor primary licensee are maintained.

The Kelowna marketplace has continued to develop and grow over the past 9 years since slot machines were introduced at Chances. We are now at the stage where the customer base is wanting to remain on the Chances property longer for the purpose of gaming. At present we serve alcohol till midnight daily and close the doors to Chances at 1:00am. The request is to serve alcohol till 1:00am and close at 2:00am. This would be comparable to Lake City Casino at the Grand Hotel. Their hours of operation are 9:00am to 2:00am Sunday to Thursday and they remain open till 3:00am Friday and Saturday. Chances chooses to give a full hour after the last service to allow patrons extra time on the premises before close. This is not common in liquor primary establishments but is a choice Chances makes to further protect our patrons.

I do not view the extension of one hour as having any negative impact on the community at large or on the surrounding neighborhood. Chances is not asking to expand its service area or seating capacity. The record of calls by police relating to liquor incidents at Chances will prove to be very few in the past 9 years. We currently have a quiet enjoyment with our neighbors and wish to continue to co-exist in that environment.

Sincerely,



Stanley R. Walt



BRITISH
COLUMBIA

Application for a Permanent Change to a Liquor Licence

All Licence Types

Liquor Control and Licensing Form LCLB005b

FILLING OUT THIS FORM:

Complete all applicable fields then submit with payment as outlined in Part 9 of this application form.

- If you have any questions about this application, call Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.
- LCLB forms and supporting materials referred to in this document can be found at: www.pssg.gov.bc.ca/lclb

Application Contact Information

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

Name: Stanley Walt

Phone number: (w)250-860-9577 (c)250-212-0589

Fax number: 250-860-1764

E-mail address: swalt@chanceskelowna.ca

Licensee Information

Licensee name [as shown on licence]: Chances Gaming Entertainment

Establishment name [as shown on licence]: Chances Gaming Entertainment

Establishment

Location address 1585 Springfield Road

Kelowna

BC

V1Y 5V5

(as shown on licence):

Street

City

Province

Postal Code

Mailing address: 1585 Springfield Road

Kelowna

BC

V1Y 5V5

(All correspondence will go to this address)

Street

City

Province

Postal Code

Business Tel with area code: 250-860-9577

Business Fax with area code: 250-860-1764

Business e-mail: swalt@chanceskelowna.ca

Contact Name: Walt, Stanley Robert

Title/Position: President

last / first / middle

Type of Change Requested

Please check (☒) appropriate box(es) below and provide licence numbers affected for each requested change. You may complete more than one change section on this form. **An incomplete application will be held for a maximum of thirty (30) days.** If still incomplete after the thirty (30) day period, the application may be terminated.

Type of change requested	Licence numbers affected MANDATORY	JOB NUMBER Office Use ONLY
<input type="checkbox"/> 1. Establishment/business or licence name change (p.2)		(C2-LIC) (sub)
<input type="checkbox"/> 2. Food-primary entertainment endorsement (p.2)		(C2-LIC) (sub)
<input type="checkbox"/> 3. Request for change in terms and conditions (p.2)		(C3-LIC) (sub)
<input type="checkbox"/> 4. Live theatres requesting liquor service (p. 2)		(C3-LIC) (sub)
<input type="checkbox"/> 5. Request for tied house restrictions exemption (p. 3)		(C3-LIC) (sub)
<input checked="" type="checkbox"/> 6. Change to hours of sale (p.3)	301362	(C3-LIC) (sub)
<input type="checkbox"/> 7. Catering endorsement (p.4)		(C3-LIC) (sub)

REFER TO PART 12 TO SEE THE APPROVAL PROCESS FOR THE TYPE OF CHANGE YOU HAVE REQUESTED

Applying for other permanent changes to your licence?

- To apply for alterations or additions to a licensed establishment (structural changes), use an *Application for a Structural Change*. For Liquor Primary and Liquor Primary Club, use form LCLB012a; for Food Primary, use LCLB012b; for Manufacturer and Winery Endorsements, use LCLB013; for Wine Store and Licensee Retail Store, use LCLB012c.
- To apply to have a third party management firm or lessee operate your licensed establishment, use the *Application to Add or Change a Licensee's Third Party Operator* (LCLB026) or to apply for a resident manager to operate your establishment, use the *Application to Add or Change a Licensee's Resident Manager* (LCLB025).
- To apply for a change to the shareholders, directors, licensee name or to add a receiver or executor, use the *Application for a Permanent Change to a Licensee* (LCLB005a).

PART 1: Establishment or Business Name Change and/or Licence Name Change C2 - LIC

To be completed when the licensee wishes to change the name of an establishment or business and/or licence.

Note: If a name change results in a change in exterior signs, the signs are subject to branch approval.

Fee: \$220 per licence x licences = \$

Establishment or business name change:

Current establishment or business name as shown on licence:

Proposed name:

Licence name changes:

Licence #: Current licence name:

Proposed licence name:

Licence #: Current licence name:

Proposed licence name:

Attach the following:

☐ Sketch or picture of the proposed establishment or business signage.

Also complete Parts 8 and 9

PART 2. Entertainment Endorsement (Food Primary licenses only) C2 - LIC

According to the type of entertainment being applied for, complete either (A) or (B) below and attach required documents:

A) Patron non-participation entertainment endorsement (e.g., musicians)

Note: Patron non-participation entertainment must end by 1:00 a.m. Fee: \$220 per licence x licences = \$

☐ Submit a letter of intent describing, in detail, the form of patron non-participation entertainment proposed and where it will take place in your restaurant.

B) Patron participation entertainment endorsement (e.g., dance floor):

Note: Patron participation entertainment must end by midnight. Fee: \$330 per licence x licences = \$

☐ Submit a letter of intent describing, in detail, the form of patron participation entertainment proposed and where it will take place in your restaurant.

☐ Request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form. For further information on local government resolutions, read Part 10).

There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, consult with licensing staff at LCLB in Victoria (see contact information on page 5 of this form).

NOTE – When relocating a Food-Primary establishment: An endorsement for patron participation entertainment cannot transfer location without local government/First Nations comment and LCLB approval. This is required because the local government/First Nation must be provided an opportunity to reconsider the impact of the endorsement on the community given the establishment's new location. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☐ No

Also complete Parts 8 and 9

PART 3. Request of Change in Terms and Conditions C3 - LIC

This section may be used for requests to change the terms and conditions on a liquor licence including requests to the general manager for an exercise of discretion. Depending on the nature of the licence change requested, local government and public input may be required.

Fee: \$220 per licence x licences = \$

Attach:

☐ A letter of intent describing, in detail, the proposed change to your licence and compelling reasons for your request. To request discretion, provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. If a staff report is prepared in regards to your request, you will be provided with a copy and will have two weeks to provide any comment before the request for discretion is considered by the General Manager. For more information on requests for discretion, see section 4.1.2 of the Licensing Policy Manual (<http://www.pssg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf>)

Also complete Parts 8 and 9

PART 4. Live theatres requesting liquor service in conjunction with films/broadcasts C3 - LIC Fee: \$330

Licensed live event theatres may apply for permission to serve liquor in conjunction with films and broadcasts. Please provide a written proposal detailing your request.

See Policy Directive 12-02 for the conditions that apply to liquor service at live theatres during films and broadcasts.

LCLB will forward your application to your local government/first nation for comment. Consideration will also be given to the compliance history of the establishment.

Also complete Parts 8 and 9

PART 5. Request for Exemption from Tied House Restrictions (Manufacturers only)**C3 - LIC**Fee: \$220 per licence x licences = \$

As of March 1, 2013, licensed manufacturers may own or have an association with up to 3 licensed establishments (LP, LRS, FP, Catering) that are not located on the same site as the manufacturer and where the manufacturer's products may be sold.

Attach a signed letter for each manufacturing licence that you are applying for above, stating the following:

- ☐ Identify the manufacturer (by licence name and licence number) applying for the exemption. If the manufacturer is not yet licensed, provide the proposed licence name, location address and the job number assigned to your file.
- ☐ Identify the liquor licences (by name and number) that you wish to have exempted from the tied house restrictions (maximum you can ever apply for is three).
- ☐ Disclose the manufacturer's production amount (minus spillage) for the previous year.

For more information on requests for exemption, see Policy Directive 13-03.

Also complete Parts 8 and 9**PART 6. Change to Hours of Sale****C3 - LIC****(Liquor Primary, Liquor Primary Club, Food Primary & Manufacturer endorsements)**

Pursuant to Section 12(3) of the Liquor Control and Licensing Act, the general manager may limit the days and hours that an establishment is permitted to be open for the sale of liquor.

Hours of liquor sales for Food Primary establishments must meet with the dining habits of the clientele expected. Liquor must not be served unless the establishment is open for the service of a varied selection of menu items.

Licensees may apply to revise hours of sale, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing. In some instances, the general manager of the Liquor Control and Licensing Branch may require the licensee to post public notices before a decision to alter licence hours is considered.

Check (☒) the appropriate change, and provide the requested information and documents:

A) Food Primary

- ☐ (i) Request to change hours of liquor sales before midnight Fee: \$220 per licence x licences = \$
 - complete proposed hours of sale table below
- ☐ (ii) Request to extend hours of liquor sales later than midnight Fee: \$330 per licence x licences = \$
 - complete proposed hours of liquor sale table below, and
 - request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form; for further information on local government/First Nations resolutions, read Part 10).

Note: if you have patron participation entertainment, it must end by midnight

B) Liquor-Primary, Liquor-Primary Club, Manufacturer Special Event Area or Manufacturer Lounge

- ☐ (i) Request to change the hours of liquor sales within the hours currently approved:
 - complete proposed hours of sale table below Fee: \$220 per licence x licences = \$
- ☒ (ii) Request to change the hours of liquor sales outside the hours currently approved:
 - complete proposed hours of liquor sale table below, and Fee: \$330 per licence x licences = \$
 - request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form; for further information on local government/First Nation resolutions, read Part 10).

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

Current Hours of Liquor Sale:

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

Proposed Hours of Liquor Sale:

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

NOTE – When relocating a Food-Primary establishment: An endorsement for hours of liquor service after midnight cannot transfer location without local government/First Nations comment and LCLB approval. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☒ No

Also complete Parts 8 and 9

PART 7. Request for Catering Endorsement (Food Primary and Liquor Primary licences only)

Food primary and liquor primary licensees (excluding liquor primary club licensees) may apply for a catering endorsement if they wish to be licensed to transport and sell liquor at catered events where they have been hired to provide food service. The catered events must be hosted by other people and must take place outside the 'red-lined area' (the area where liquor is sold, served and consumed) and generally away from the establishment. The caterer must be present for the duration of a catered event. Licences with a catering endorsement are subject to an annual licensing fee of \$100 in addition to the annual renewal fees.

Fee: \$330 per licence x licences = \$

To qualify for an endorsement the applicant must demonstrate at the time of inspection:

- Catering service is focused on the preparation and serving of food.
- The applicant has the personnel and infrastructure necessary to prepare and serve food at events hosted by others. This includes a requirement to have a full commercial kitchen at the applicant's existing licensed establishment.

NOTE: If a licence is approved with a catering endorsement, the licensee must notify LCLB of all catered events (except in private residences) using OneStop (www.bcbusinessregistry.ca). Some events may require approval from LCLB before the catered event can take place. Further information about how to notify LCLB will be provided by your local liquor inspector when they complete their final inspection.

LCLB will review your application and if approved you will be required to arrange a final inspection. If the liquor inspector is not satisfied with your kitchen equipment, food selection, advertising and staffing, you may be required to make changes and schedule a second (2nd) inspection to confirm you meet the requirements of a catering endorsement. A fee of \$200 will be charged if a second (2nd) inspection is required.

Also complete Parts 8 and 9

PART 8: Declaration

My signature (the licensee's) below indicates that I understand and acknowledge:

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

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

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


Name of Official: Walt / Stanley Robert

(last / first / middle)

Position: President

Date: 22/05/2014

(Day/Month/Year)

Signature: 

Name of Official: N/A

(last / first / middle)

Position:

Date:

(Day/Month/Year)

Signature:

Name of Official: N/A

(last / first / middle)

Position:

Date:

(Day/Month/Year)

Signature:

Name of Official: N/A

(last / first / middle)

Position:

Date:

(Day/Month/Year)

Signature:

PART 9: Application Fees

TOTAL FEE Submitted: \$ 330

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

Payment is by (check (☑) one):

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

☐ Money order, payable to Minister of Finance

☒ Credit card: ☒ VISA ☐ MasterCard ☐ AMEX

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

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

Liquor Control and Licensing Branch

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

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

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

PART 10: Local Government/First Nation Resolutions: (Information for the Applicant)

For the following changes a resolution from your local government or First Nation, commenting on the application is required:

- Part 2(B): Food-primary patron participation entertainment endorsement, and
- Parts 5(A)(ii) and 6(B)(ii): Change to hours of sale

Licensee responsibilities:

- Fill out appropriate change application sections in this form.
- Request your local government/First Nation to sign and date Part 11 of this form.
- Provide a photocopy of this form to the local government/First Nation and request that a resolution be provided within 90 days and sent directly to the Liquor Control and Licensing Branch, Victoria Head Office.
- Send the original form and application fees to the branch.
- The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. However, they must still provide a resolution stating this decision and this resolution must be submitted to the Liquor Control and Licensing Branch.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.

PART 11: Local Government/First Nation Confirmation of Receipt of Application

This application serves as notice from the Liquor Control and Licensing Branch (LCLB) that an application for one or more of the following changes to a liquor licence has been made within your community:

- Hours of liquor service past midnight for a food primary licence.
- Change to hours of liquor service for a liquor primary, liquor primary club, winery lounge or winery special event endorsement
- Addition of patron participation entertainment endorsement for a food primary licence.

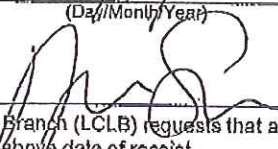
Local government/First Nation (name): City of Kelowna

Name of Official: Smith, Ryan, W
(last / first / middle)

Title/Position: Urban Planning Manager

Date of receipt of application: 23/05/2014
(Day / Month / Year)

Phone Number: 250-575-2305

Signature of Official: 

The Liquor Control and Licensing Branch (LCLB) requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt.

To comply with section 53 of the Liquor Control and Licensing Regulation, this resolution must:

- Comment on the following regulatory criteria:
 - the potential for noise if the application is approved;
 - the impact on the community if the application is approved; and
 - whether the amendment may result in the establishment being operated in a manner that is contrary to the primary purpose (provide comments only if the application is from a food-primary licence for an extension of hours of liquor service past midnight or the addition of patron participation entertainment).
- Indicate whether or not the views of residents were gathered, and if not, provide reasons why they were not gathered (residents include residents and business owners).
- If the views of residents were gathered explain:
 - the views of the residents;
 - the method used to gather the views of the residents; and
 - comments and recommendations with respect to the views of residents.
- Provide recommendation as to whether the amendment should be approved.

You must refer to and attach any report presented by an advisory body or sub-committee to the council or board.

If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution indicating this decision must be provided to the branch. Please be advised that if the LCLB does not receive a resolution or a request for an extension within 90 days, the general manager is authorized to review the application without a resolution and make a decision about the application.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.

PART 12: Application and Approval Process – What happens next?

For the following change requests (all C2):

- Part 1 Establishment or Licence Name Change
- Part 2 Food-Primary Entertainment Endorsement (may require local government/First Nations resolution).

The process is:

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

For the following change requests:

- Part 3 Change to Terms and Conditions (all C2)
- Part 4 Live theatres requesting liquor service (all C2)
- Part 5 Request for exemption from tied house restrictions (all C3)
- Part 6 Change to Hours of Sale (may require local government/First Nations resolution) (all C3)

The process is:

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCLB staff may request your local liquor inspector to provide comments regarding your application.
5. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

For the following change request:

- Part 7 Catering Endorsement (all C1)

The process is:

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. If the application requirements have been met, the applicant will be asked to contact the inspector for an interview/final inspection. Before contacting the inspector for the interview/final inspection, the applicant must have the inspector interview letter.
Note: The applicant must contact the local area inspector to arrange for a final inspection by the date noted on the letter (30 days from the date on the letter). If the inspector is not contacted to arrange for a final inspection or for an extended time, the application will be terminated.
5. At your final inspection, the inspector will verify that your business location meets the requirements for a catering licence by reviewing the food selection, the kitchen equipment, advertising and staffing resources. If the inspector is not satisfied your business location meets the requirements of a catering licence you may be asked to make changes and schedule a second (2nd) inspection to confirm you meet the requirements of a catering licence. **A fee \$200 will be charged if a second (2nd) inspection is required**
6. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Phone - Victoria: 250 952-5787. Outside Victoria: 1-866 209-2111. Fax: 250 952-7066

CITY OF KELOWNA

BYLAW NO. 10895

Z13-0020 - Trustees of the Congregation of St. Paul's United Church 3131 Lakeshore 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, District Lot 14 & 135, ODYD, Plan 34984 Except Plans 35454 and KAP67299 located on 3131 Lakeshore Road, Kelowna, B.C., from the P2 - Educational & Minor Institutional zone to the C4 - Urban Centre Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18th day of November, 2013.

Considered at a Public Hearing on the 3rd day of December, 2013.

Read a second and third time by the Municipal Council this 3rd day of December, 2013.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: 10/7/2014

RIM No. 0940-40

To: City Manager

From: Urban Planning (AW)

Application: DP14-0074 / DVP14-0075 **Owner:** Trustees of the Congregation of St. Paul's United Church

Address: 3131 Lakeshore Road **Applicant:** Meiklejohn Architects

Subject: Development Permit Application

Existing OCP Designation: Mixed Use (Residential / Commercial)

Existing Zone: P2 - Educational & Minor Institutional

Proposed Zone: C4 - Urban Centre Commercial

1.0 Recommendation

THAT final adoption of Zone Amending Bylaw No. 10895 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP14-0074 for Lot 1, D.L. 14 & 135, ODYD, Plan 34984 Except Plans 35454 and KAP67299, located at 3131 Lakeshore Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the buildings to be constructed on the land be in general accordance with Schedule 'A';
2. The exterior design and finish of the buildings 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', which is to be sealed by a Landscape Architect in good standing prior to permit issuance;
4. Prior to issuance of the Development and Development Variance Permit applications, 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 Landscape Architect (BCSLA), and as shown in general accordance with Schedule 'C';

AND THAT Council authorize the issuance of Development Variance Permit No. DVP14-0075 for Lot 1, D.L. 14 & 135, ODYD, Plan 34984 Except Plans 35454 and KAP67299, located at 3131 Lakeshore Road, Kelowna, B.C.;

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

Section 14.4.4 (a) - Subdivision Regulations

Vary the lot width for the existing KLO frontage from 40m required to 18.0m proposed.

Section 14.4.5 (c) - Development Regulations

Vary the building height from 4 storeys / 15m permitted to 6 storeys / 23.2m proposed.

Section 8: Table 8.1 Parking Schedule

To vary the parking for the religious assemblies land use from 168 stalls required to 53 stalls (1 per 5 seats) proposed.

2.0 Purpose

To consider a Development Permit and a Development Variance Permit for the proposed mixed use development.

3.0 Urban Planning

The subject properties are located in the heart of the South Pandosy Urban Centre. The proposal represents a unique opportunity to maintain and enhance the religious and arts assembly within the Urban Centre while introducing a mixed use project. Redeveloping the subject property will achieve various objectives within the 2030 OCP.

Site Context

This large impermeable commercial block of properties bordered by Lakeshore, KLO, Richter and Lanfranco has always presented a challenge for the redevelopment of this portion of the South Pandosy Town Centre as a vibrant pedestrian oriented node. This project will help to create connections and draw pedestrians into the middle of this commercial block in what is presently an auto oriented mall. By introducing additional densities and uses into this large block will help to further the focus to more infill development opportunities, similar to the new KPMG building fronting Richter Street. Proximity to the main commercial core of the urban centre also lends itself to a strong argument of ensuring 'complete communities' with residential and religious assembly uses that would attract a broader demographic to the area.

Site Planning

The applicant will be applying a similar level of streetscaping that can be found within the commercial core of the South Pandosy Urban Centre which will help to improve pedestrian mobility in the area. The project has a strong street edge condition along Lakeshore Road that helps to animate the streetscape while de-emphasizing the parking to be sited at the rear of the project. Along KLO Road site access will be cleaned up and consolidated with the westerly property, this will reduce the number of access points along this busy section of road from three to two. Although the variance to parking for the religious assembly use appears large, staff are supportive for several reasons:

- Parking meets 1 per 5 seats minimum requirement identified in bylaw.

- Site re-development includes a mix of uses including residential dwelling units marketed towards the churches congregation.
- Applicant has agreed on a reciprocal access agreement with the property owner of 595 KLO Road.
- Development is located in an Urban Centre with good access to transit.

In summary, Staff are supportive of the proposed development. It will help to introduce more retail, office and residential uses within this important town centre location. The building and site design are appropriate forms of development that will help to animate and draw people to the South Pandosy Urban Centre. The proposed development offers a very interesting mix of retail, office, residential and religious assembly uses which will create a true mixed use project. The additional height requested by the applicant has been designed to as to limit the massing and impact on neighbours. Taking these details into consideration and recognizing the mix of uses and objectives that must be achieved within the South Pandosy Urban Centre, this project would be a welcome addition to the area.

4.0 Proposal

4.1 Project Description

The project features two different built forms organized into one comprehensively planned development. The mixed use building fronting Lakeshore Road provides a strong street edge with an active retail frontage, this retail frontage also runs the northern length of the building. This feature will help draw people from Lakeshore Road. The 1st storey will accommodate the underbuilding parking which is wrapped with Commercial Retail Unit's to animate the frontage, the 2nd storey is comprised of office space while storeys 3-6 will accommodate residential units of varying sizes. The Arts & Worship centre is located at the rear of the property which will also help draw people onsite. The modern building features a large stage with various other amenities for art studios and flex space. Parking for this component will be at grade and occupy the entire northern portion of the property up to KLO road. The form and character of the development will help to introduce an active and well programmed project into the heart of the South Pandosy Urban Centre.

The project compares to Zoning Bylaw No. 8000 as follows:

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	C4 PROPOSAL
Subdivision Regulations		
Lot Width	40m	18m (Existing KLO Frontage)❶
Development Regulations		
Floor Area Ratio	1.3	1.3
Height	15.0m / 4 Storeys	23.2m / 6 Storeys❷
Front Yard	0.0m	0.0m
Side Yard (south)	0.0m	4.4m
Side Yard (north)	0.0m	15.0m
Rear Yard	0.0m	0.0m
Site Cov. - Buildings Buildings, driveways & Parking	75% N/A	51% N/A
Other Regulations		
Minimum Parking Requirements	72 Stalls	72 Stalls❸
Bicycle Parking	Class I: 11 stalls Class II: 6 stalls	Class I: 22 stalls Class II: 6 stalls
Loading stalls	1 stall	1 stall
❶ Vary the lot width for the existing KLO frontage from 40m required to 18.0m proposed. ❷ Vary the height from 4 storeys / 15m permitted to 6 storeys / 23.2m proposed. ❸ Vary the parking for religious assemblies from 168 stalls required to 53 stalls (1 per 5 seats) proposed.		

4.2 Site Context

The subject property is located within the heart of the South Pandosy Urban Centre where the existing St. Paul's church is located. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 - Urban Centre Commercial	Commercial
East	C4 - Urban Centre Commercial	Commercial
South	C4 - Urban Centre Commercial	Commercial
West	C4 - Urban Centre Commercial	Commercial

Subject Property Map: 3131 Lakeshore Road



5.0 Current Development Policies - Kelowna Official Community Plan 2030 (OCP)

5.1 Development Process (Chapter 5) - Considerations in Reviewing Development Applications

Ensure appropriate and context sensitive built form (Objective 5.5)

Building Height (Policy .1). Locate taller buildings in the geographic centre of Urban Centres and generally decrease height moving away from the centre, to a maximum of 4 storey's at the periphery of the Urban Centres, where adjoining land is designated for single/two unit housing.

South Pandosy: Generally 4 storey's. Six storey's within C4 or C9 zoned areas. Potential for 8 storey's where an architecturally distinct and significant buildings is placed at a corner, gateway or view terminus location that is of significance to the community or where a building is of cultural significance to the community.

Objective 5.8 Achieve high quality urban design.

Streetscaping (Policy 2). Urban Centre roads should be considered as part of the public space and streetscaped with full amenities (i.e. sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.).

Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices (Objective 5.10)

Maximize Pedestrian / Cycling Connectivity. Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes.

Transit Infrastructure. Require that transit service needs to be integrated into community designs and development proposals to optimize access to transit service and incorporate essential infrastructure on transit routes identified.

Objective 5.20 Achieve high quality urban design and appropriate land uses.

South Pandosy Urban Design (Policy 2). Ensure that the urban design for South Pandosy clearly differentiates this commercial district from others in the City and interior of BC. To this end, redevelopment should:

- encourage the development of landmark buildings at key intersections within the precinct and at the terminus of significant sight lines. Landmark buildings should be distinguished from other buildings through the conscientious use of siting, common entrances, additional storey's, articulation of the footprint or roof-line, decorative structures, colour and other means appropriate to the setting and desired effect.

6.0 Technical Comments

6.1 Building & Permitting Department

- Demolition permits are required for any existing building(s).
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction
- These buildings are required to be of non-combustible construction. Any proposed deviance from this requirement of BCBC 12 requires an approved alternate solution report approved prior to the release of the Development Permit.
- A minimum Geodetic Elevation of 343.66 meters is required for all habitable spaces
- A Geotechnical report is required to address the sub soil conditions and potential impact on neighbouring properties. A Geotechnical pier review may be required at time of building permit application.
- A Structural pier review may be required at time of building permit application.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
- The British Columbia Building Code (BCBC) will define this development as two separate buildings, so if firewalls or equivalents are to be utilized, a complete building code analysis would be required to be reviewed prior to complete comments being provided for the spatial separation between the two buildings.

- Main floor man doors in building B appear to open over property line.
- The exits from the second floor appear to not appear to meet minimum code requirements (number of exits, travel distance etc). The third and fourth floors appear to have a dead end corridor.
- Door swing and travel distances to be addressed at time of building permit application
- Guards are required for patio areas & all decks. The drawings provided don't clearly identify these requirements, but will be reviewed at time of building permit application.
- A fire resistance rating is required for garbage enclosure room(s). The drawings submitted for building permit are to clearly identify how this rating will be achieved and where these area(s) are located.
- Access to any mechanical rooms at roof level are required or access to the roofs are required
- Size and location of all signage to be clearly defined as part of the development permit.
- How does the parking on the east side (existing mall) work from an access agreement allowance?
- Awnings over city property require an indemnification agreement(s).

6.2 Development Engineering Department

Addressed with Z13-0020.

6.3 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw #7900 requires a minimum of 150ltr/sec fire flows. The access road is to be a minimum of 6M in width with no parking signs provided along the roadway. Additional comments will be required at the building permit application.

6.4 Fortis BC - Gas

FortisBC gas division has reviewed the above mentioned referral and has no concerns

7 Application Chronology

Date Application Received: April 26th, 2013
Applicant Hosted Public Open House: June 11th, 2013 & July 26th, 2014
Transportation Impact Assessment Complete: October 10th, 2013
Public Hearing: November 18th, 2013
Zoning Conditions addressed: September 12th, 2014

Report prepared by:

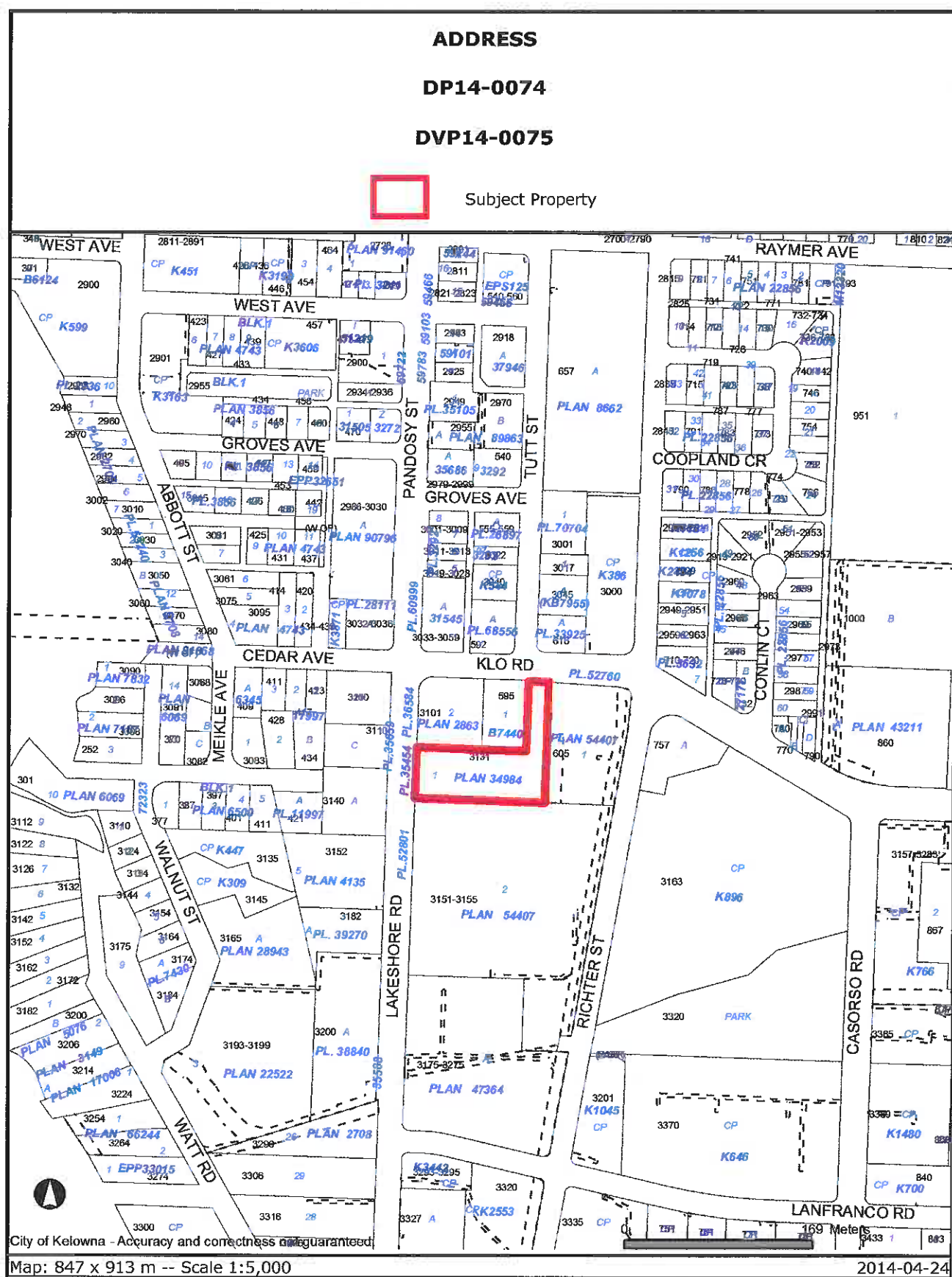
Alec Warrender, Urban Planner

Reviewed by: ☐ Ryan Smith, Manager, Urban Land Use

Approved Inclusion: ☐ D. Gilchrist, Community Planning & Real Estate Divisional Director

Attachments:

Subject Property Map
Sit Plan
Conceptual Renderings
Landscape Plan



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.

image concept



ARCHITECTURAL



MEKELOHN ARCHITECTS INC.

- A0.00 COVER SHEET AND DRAWING LIST
- A1.00 ZONING & CODE SUMMARY LOT-1
- A2.01 OVERALL SITE PLAN
- A3.01 MIXED-USE BLDG - LEVEL 1
- A3.02 MIXED-USE BLDG - LEVEL 2
- A3.03 MIXED-USE BLDG - LEVEL 3
- A3.04 MIXED-USE BLDG - LEVEL 4
- A3.05 MIXED-USE BLDG - LEVEL 5
- A3.06 MIXED-USE BLDG - LEVEL 6
- A4.01 MIXED-USE BLDG - BLDG ELEVATIONS
- A4.02 MIXED-USE BLDG - BLDG ELEVATIONS
- A4.03 MIXED-USE BLDG - BLDG ELEVATIONS
- A4.04 MIXED-USE BLDG - BLDG ELEVATIONS
- A5.01 MIXED-USE BLDG - BLDG SECTION
- A5.11 COMMUNITY CHURCH - LEVEL 1
- A5.12 COMMUNITY CHURCH - LEVEL 2
- A5.13 COMMUNITY CHURCH - BLDG ELEVATIONS
- A5.14 COMMUNITY CHURCH - BLDG ELEVATIONS
- A5.15 COMMUNITY CHURCH - BLDG SECTION

LANDSCAPE



P.E.N.C.H.

- L1 CONCEPTUAL PLAN
- L2 HYDROZONE PLAN (SITE A)
- L3 HYDROZONE PLAN (SITE B)

the Sanctuary
 3131 LAKESHORE DRIVE KELOWNA BC V1W 3S9
 Subdivision of Lot 1 Plan 34886
REVISED DP DRAWINGS
 2014-06-19

SCHEDULE A
 This forms part of development
 Permit # **2014-0074 / Dupl4 0075**

2014-06-19 revised DP dwgs									
DATE		REVISION		TYPE		NOTES		DRAWING NO.	
2014-06-19		2014-06-19		2014-06-19		2014-06-19		2014-06-19	
						</			

ADDRESS	3151 Lakeshore Road, Kildare, VIC 3533
LEGAL DESCRIPTION	600m x 100m of Lot 1, Part 3444
DEVELOPER/PROJECT NAME	SOUTH PACIFIC URBAN CENTRE
EXISTING ZONING	PROPOSED WITH C4 ZONE
EXISTING LOT/LAND USE	P2
PROPOSED LOT/LAND USE	RECREATION/RESIDENTIAL
OWNER	FINCH INVESTMENT PTY LTD
NUMBER OF BUILDINGS	1

CRITERIA FOR ALL TYPES OF APPLICATION:

C4 COMMUNITY BUILDING

[illegible]

	Q54	Q54
Lnw1	7,6594 m	7304 m
Lnw2	4,0002 m	3773 m
Lnw3	9,5504 m	8964 m
total	17,2126 m	10741 m

SPATIAL SEPARATION:		3.2,3,10.6,23,1.E	
NORTH WALL:		SOUTH WALL:	
WALL AREA	20.6 m ²	WALL AREA	21.5 m ²
OPENING AREA	1.8 m ²	OPENING AREA	20.2 m ²
% PROVIDED	8.7%	% PROVIDED	9.4%
LOADING ORIENTED	WALLS ARE NOT LOADED	LOADING ORIENTED	WALLS ARE NOT LOADED
% REMAINDER	91.3%	% REMAINDER	90.6%
CONSTRUCTION TYPE	CMU	CONSTRUCTION TYPE	CMU
CLADDING MATERIAL	CLADDING MATERIAL	CLADDING MATERIAL	CLADDING MATERIAL
INSULATED UNITS	INSULATED UNITS	INSULATED UNITS	INSULATED UNITS
NON-COMBUSTIBLE	NON-COMBUSTIBLE	NON-COMBUSTIBLE	NON-COMBUSTIBLE
1.99	1.99	1.99	1.99

[illegible]

<p>GROUP A2</p> <p>12.2.24</p>	<p>ARTICLES</p>
--------------------------------	-----------------

NO. OF STOREYS	3
NO. OF STAIRS / LIFT	2
WALL BUILDING AREA	SCHEDULED 32.24
CONSTRUCTION TYPE	CONCRETE
FOUNDATION	PILE
ROOF TYPE	FLAT
WALLS FINISH STRUCTURE	14
ROOF FINISH STRUCTURE	14
INTERCOMMITTEE / CORE BRIDGE	33.51
IN ACCORDANCE WITH 3.3.10	

LOCATION OF HYDRANT TO WASHER CONNECTION	STANDOFF HOSE	SPRINGLOADED	PIKE & JAW SYSTEM	HOE LIGITS	BIERBOCKY LIFTING
45 m MAX.	150 PSI EACH STRAND	YES	YES	YES	YES
3255					
3265					
			224.270		

[illegible]

Year	Number of cases	Rate per 100,000 population
1980	1,000	1.0
1981	1,100	1.1
1982	1,200	1.2
1983	1,300	1.3
1984	1,400	1.4
1985	1,500	1.5
1986	1,600	1.6
1987	1,700	1.7
1988	1,800	1.8
1989	1,900	1.9
1990	2,000	2.0
1991	2,100	2.1
1992	2,200	2.2
1993	2,300	2.3
1994	2,400	2.4
1995	2,500	2.5
1996	2,600	2.6
1997	2,700	2.7
1998	2,800	2.8
1999	2,900	2.9
2000	3,000	3.0
2001	3,100	3.1
2002	3,200	3.2
2003	3,300	3.3
2004	3,400	3.4
2005	3,500	3.5
2006	3,600	3.6
2007	3,700	3.7
2008	3,800	3.8
2009	3,900	3.9
2010	4,000	4.0
2011	4,100	4.1
2012	4,200	4.2
2013	4,300	4.3
2014	4,400	4.4
2015	4,500	4.5
2016	4,600	4.6
2017	4,700	4.7
2018	4,800	4.8
2019	4,900	4.9
2020	5,000	5.0

TENANTS / MAJOR OCCUPANCIES	
GROUP A2 TO A2	NONE
SERVICES ROOMS	1 HR
LAUNDRY ROOM	NON-HAZARDOUS FIRE SEPARATION
	30.2

SHORT PROTECTION	NA	
FLAME BRIDLE MATERIAL	0.2/3.16	
WEAR/SLACK ASSEMBLIES	CONFORMING TO	3.117.2
ROOF COVERING	YES	2.14.2
CLASSIFICATION	CLASS 1P	3.14.2
ATTIC FEATURES	NA	3.111
MAX. ATTIC AREA	NA	3.111.5
MAX. CRAWLSPACE AREA	NA	3.111.5
CONCEALED FLOOR AREA	NA	3.111.5

DATE: 3/24/2016	ELIMINATED: 2nd and 3rd places	1.5841 min	2.34 min	4.91 sec	7.02 sec	10.07 min	3.43 sec
SPORT: HOCKEY	NOVA						1.12
BOAT: BOW	NOVA						1.16
BOAT: BOW	NOVA						1.16
MAX. TRAVEL DISTANCE	40m						2.67
BOAT RATING REQUIRED	1.1v						2.67
STATUS: SQUATS							
COMMENTS	NO RATING						2.67

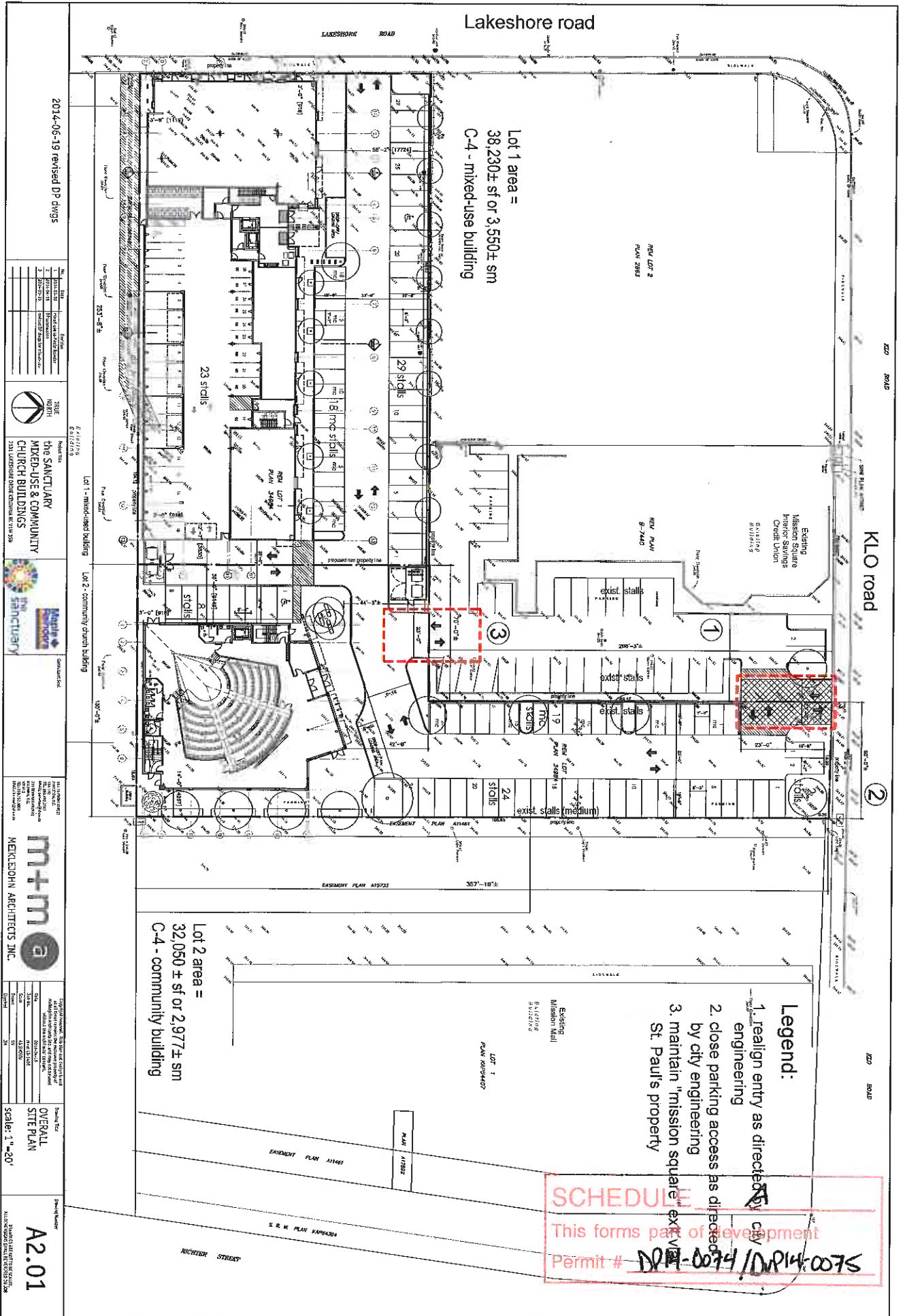
	WCS	NON-UNION	UNION	WCS	UNION
NUMBER OF MALES 140	1	1	2	2	2
NUMBER OF FEMALE 140	0	NA	NA	2	2
CEILING WORKSHOPS	1	2	NA	1	2

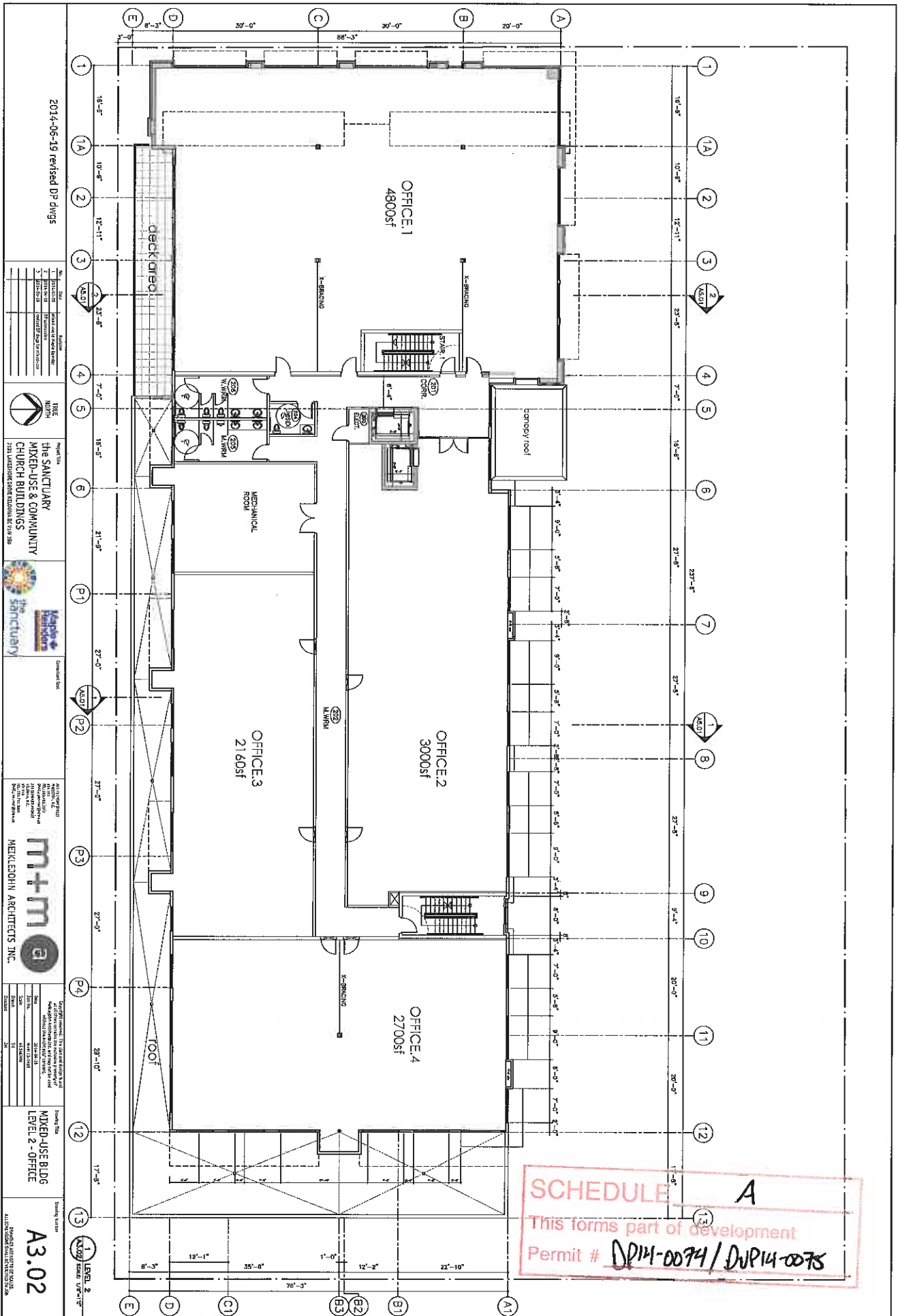
ACCESSIBILITY REQUIREMENTS		3.8
	REQUIRED	PROVIDED
ACCESS TO MAIN BRANCHES	YES	YES
ACCESS TO ALL LOCATIONS	YES	YES
ACCESSIBILITY EVALUATION	YES	YES

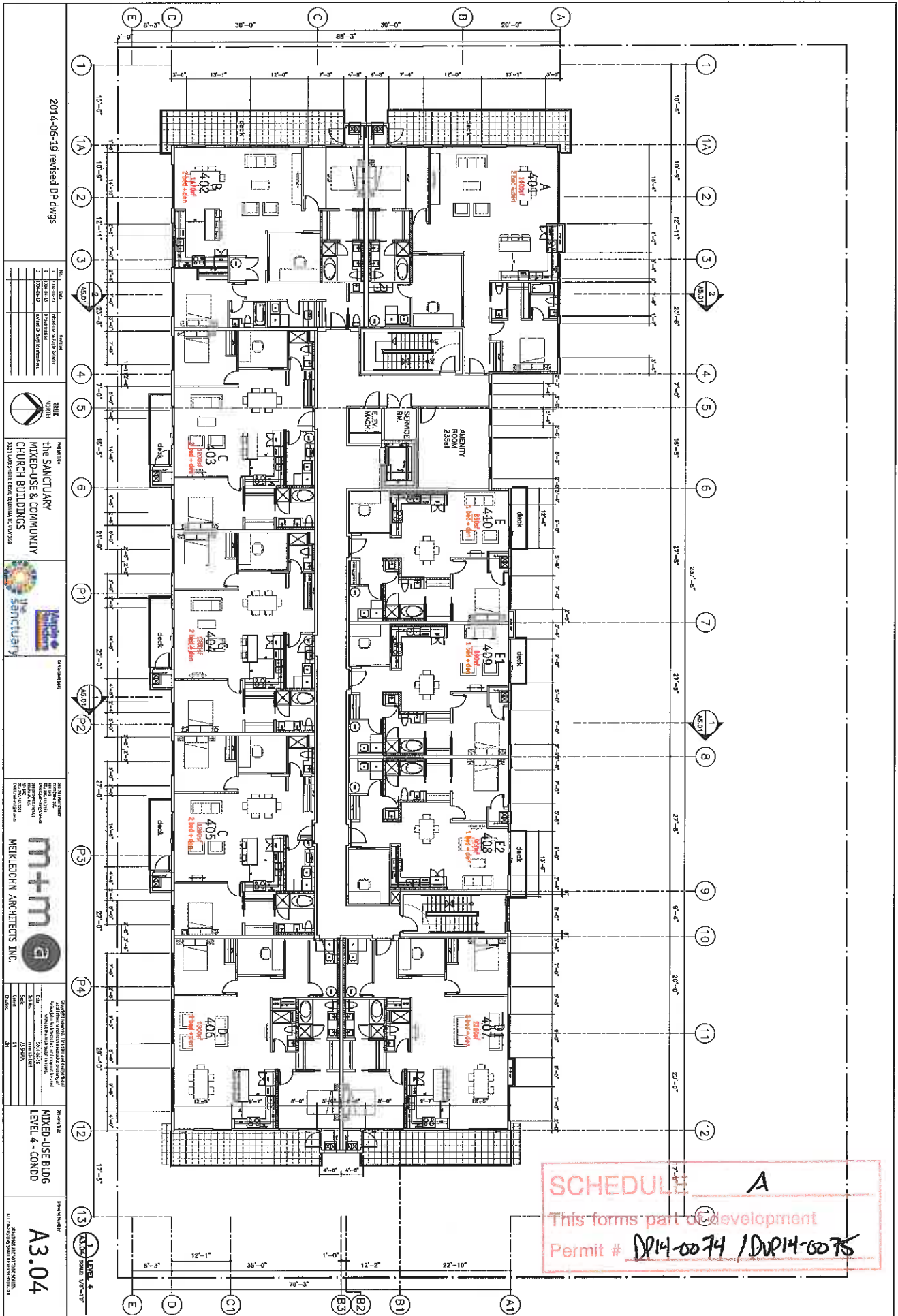
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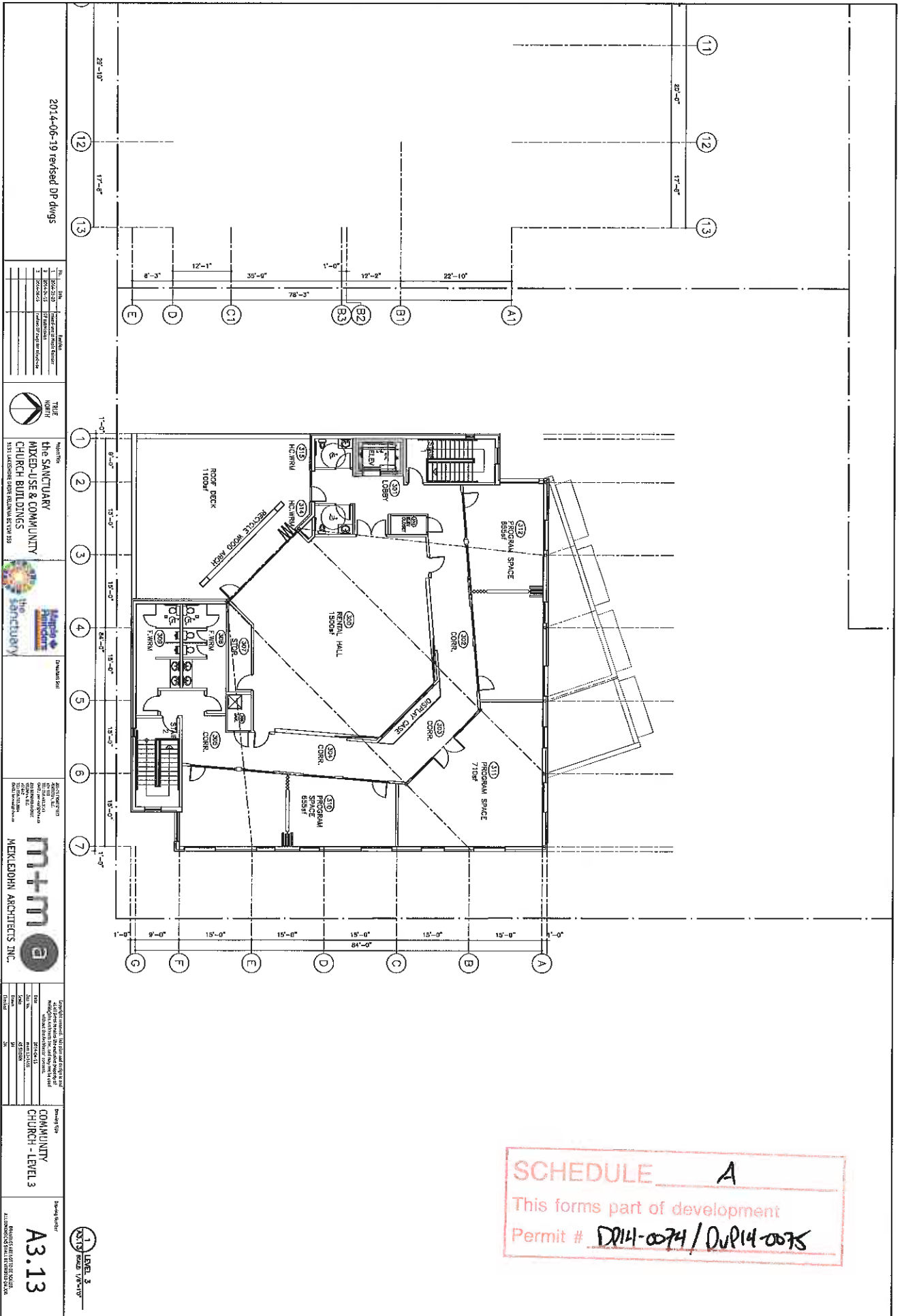


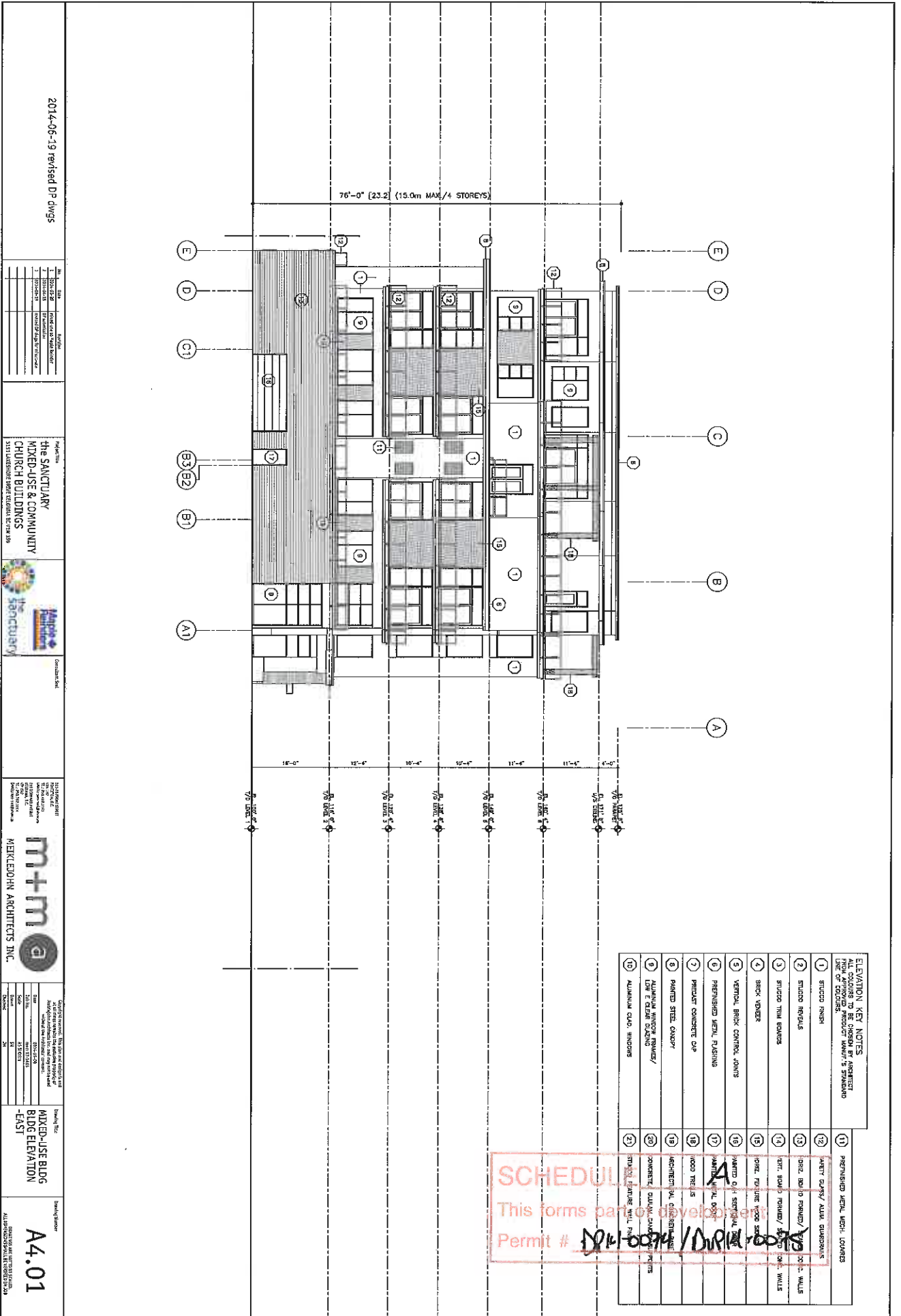
SCHEDULE A
This forms part of development
Permit # DR14-0074 / DU14-00

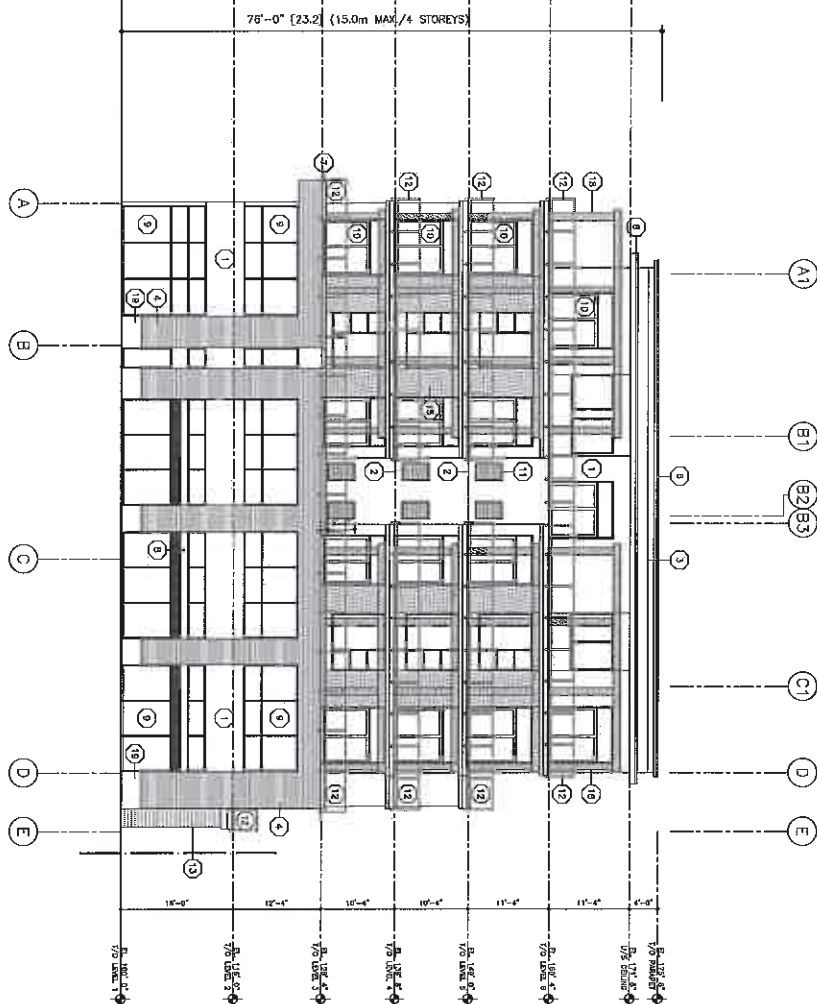












SCHEDULE A

This forms part of development

Permit # DP14-0074 / DP14-0075

2014-06-19 revised DP dwgs

Sl. No.	Particulars	Amount
1.	2014-2015	Rs. 10,00,000
2.	2015-2016	Rs. 10,00,000
3.	2016-2017	Rs. 10,00,000
4.	2017-2018	Rs. 10,00,000
5.	2018-2019	Rs. 10,00,000
6.	2019-2020	Rs. 10,00,000
7.	2020-2021	Rs. 10,00,000
8.	2021-2022	Rs. 10,00,000
9.	2022-2023	Rs. 10,00,000
10.	2023-2024	Rs. 10,00,000
11.	2024-2025	Rs. 10,00,000
12.	2025-2026	Rs. 10,00,000
13.	2026-2027	Rs. 10,00,000
14.	2027-2028	Rs. 10,00,000
15.	2028-2029	Rs. 10,00,000
16.	2029-2030	Rs. 10,00,000
17.	2030-2031	Rs. 10,00,000
18.	2031-2032	Rs. 10,00,000
19.	2032-2033	Rs. 10,00,000
20.	2033-2034	Rs. 10,00,000
21.	2034-2035	Rs. 10,00,000
22.	2035-2036	Rs. 10,00,000
23.	2036-2037	Rs. 10,00,000
24.	2037-2038	Rs. 10,00,000
25.	2038-2039	Rs. 10,00,000
26.	2039-2040	Rs. 10,00,000
27.	2040-2041	Rs. 10,00,000
28.	2041-2042	Rs. 10,00,000
29.	2042-2043	Rs. 10,00,000
30.	2043-2044	Rs. 10,00,000
31.	2044-2045	Rs. 10,00,000
32.	2045-2046	Rs. 10,00,000
33.	2046-2047	Rs. 10,00,000
34.	2047-2048	Rs. 10,00,000
35.	2048-2049	Rs. 10,00,000
36.	2049-2050	Rs. 10,00,000
37.	2050-2051	Rs. 10,00,000
38.	2051-2052	Rs. 10,00,000
39.	2052-2053	Rs. 10,00,000
40.	2053-2054	Rs. 10,00,000
41.	2054-2055	Rs. 10,00,000
42.	2055-2056	Rs. 10,00,000
43.	2056-2057	Rs. 10,00,000
44.	2057-2058	Rs. 10,00,000
45.	2058-2059	Rs. 10,00,000
46.	2059-2060	Rs. 10,00,000
47.	2060-2061	Rs. 10,00,000
48.	2061-2062	Rs. 10,00,000
49.	2062-2063	Rs. 10,00,000
50.	2063-2064	Rs. 10,00,000
51.	2064-2065	Rs. 10,00,000
52.	2065-2066	Rs. 10,00,000
53.	2066-2067	Rs. 10,00,000
54.	2067-2068	Rs. 10,00,000
55.	2068-2069	Rs. 10,00,000
56.	2069-2070	Rs. 10,00,000
57.	2070-2071	Rs. 10,00,000
58.	2071-2072	Rs. 10,00,000
59.	2072-2073	Rs. 10,00,000
60.	2073-2074	Rs. 10,00,000
61.	2074-2075	Rs. 10,00,000
62.	2075-2076	Rs. 10,00,000
63.	2076-2077	Rs. 10,00,000
64.	2077-2078	Rs. 10,00,000
65.	2078-2079	Rs. 10,00,000
66.	2079-2080	Rs. 10,00,000
67.	2080-2081	Rs. 10,00,000
68.	2081-2082	Rs. 10,00,000
69.	2082-2083	Rs. 10,00,000
70.	2083-2084	Rs. 10,00,000
71.	2084-2085	Rs. 10,00,000
72.	2085-2086	Rs. 10,00,000
73.	2086-2087	Rs. 10,00,000
74.	2087-2088	Rs. 10,00,000
75.	2088-2089	Rs. 10,00,000
76.	2089-2090	Rs. 10,00,000
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95.	2108-2109	Rs. 10,00,000
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98.	2111-2112	Rs. 10,00,000
99.	2112-2113	Rs. 10,00,000
100.	2113-2114	Rs. 10,00,000

the SANCTUARY
MIXED-USE & COMMUNITY
CHURCH BUILDINGS
3121 LAKESHORE DRIVE KEDRONA BC V4V 3S9



Co-Mingling Book

200-751-9991
PRINCETON, NJ
www.pw
TEL 200-663-3363
E-mail: pw@pw.com
215-666-6666
KIDWORTH, LLC
www.kidw
TEL 250-712-5004
Email: info@kidw.com



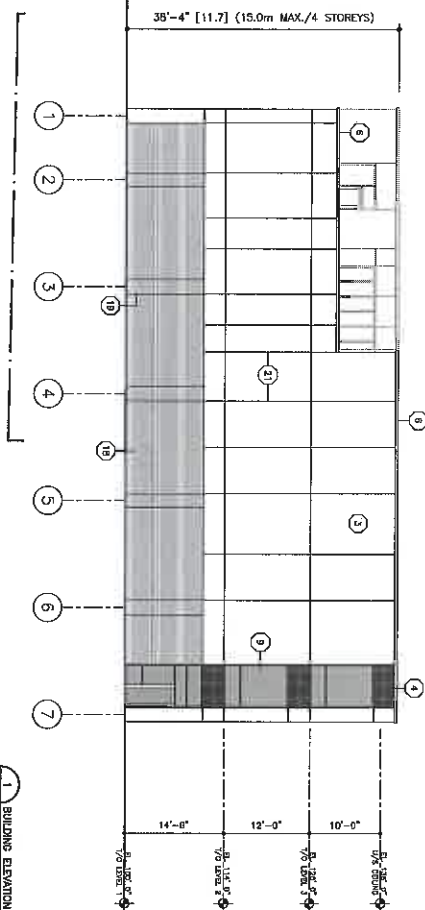
MEKELEJOHN ARCHITECTS INC.

with/without treatment. The data were analyzed with a 4x4x2 factorial ANOVA with the factors of treatment (with/without), outcome (yes/no), and time (baseline/12 weeks). The results are shown in Table 1. The results of the ANOVA are summarized in Table 2. The results of the ANOVA are summarized in Table 2.

**MIXED-USE BLDG
BLDG ELEVATION
-WEST**

A4.04

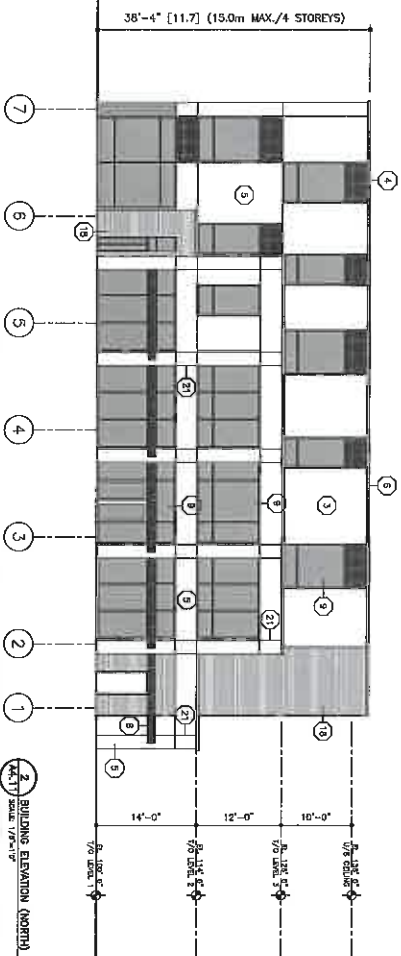
SEE A4.01 FOR ELEVATION KEY NOTES



SCHEDULE A

This forms part of development

Permit # DP14-0074 / DP14-0075



2014-06-19 revised DP DWGS

Rev.	By	Date	Description
1	DP	10/10/14	Initial Design
2	DP	10/10/14	Revised Design
3	DP	10/10/14	Revised Design
4	DP	10/10/14	Revised Design
5	DP	10/10/14	Revised Design
6	DP	10/10/14	Revised Design
7	DP	10/10/14	Revised Design
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100	DP	10/10/14	Revised Design

The SANCTUARY
MIXED-USE & COMMUNITY
CHURCH BUILDINGS
2119 LAKESHORE DRIVE, SCARBOROUGH, ONTARIO M1V 3B9



Project Name
The Sanctuary
Mixed-Use & Community
Church Buildings

Project No.
The Sanctuary
Mixed-Use & Community
Church Buildings

Project No.
The Sanctuary
Mixed-Use & Community
Church Buildings

Project No.
The Sanctuary
Mixed-Use & Community
Church Buildings

Project No.
The Sanctuary
Mixed-Use & Community
Church Buildings

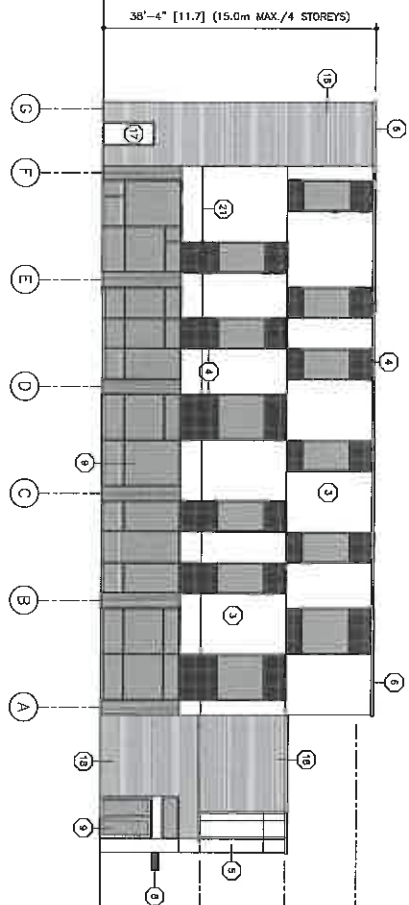
Project No.
The Sanctuary
Mixed-Use & Community
Church Buildings

Project No.
The Sanctuary
Mixed-Use & Community
Church Buildings

Project No.
The Sanctuary
Mixed-Use & Community
Church Buildings

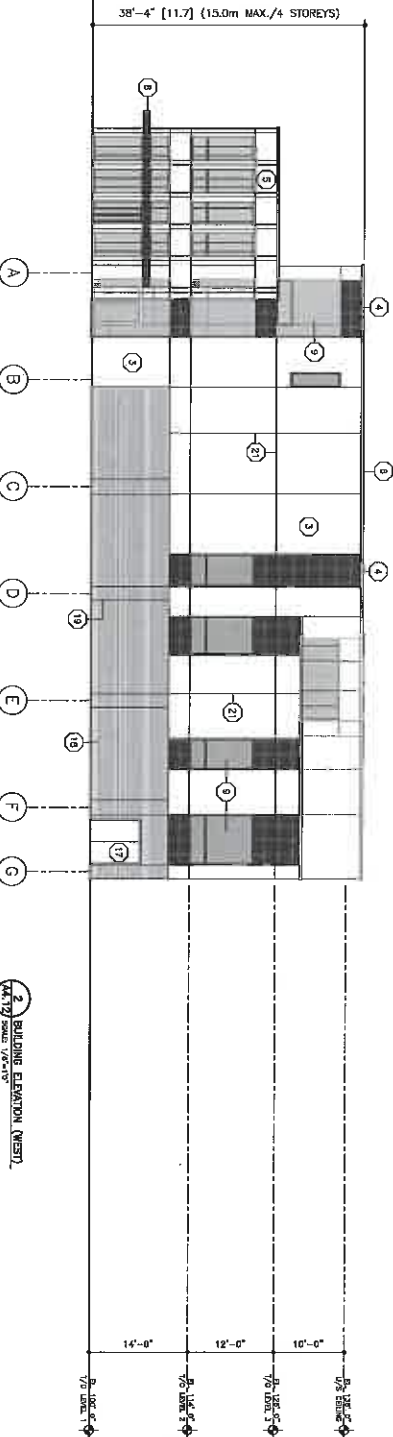
Project No.
The Sanctuary
Mixed-Use & Community
Church Buildings

SEE A4.01 FOR ELEVATION KEY NOTES



1 BUILDING ELEVATION (EAST)
SCALE: 1/8" = 1'-0"

SCHEDULE A
This forms part of development
Permit # **DR14-00744/DR14-0075**



2 BUILDING ELEVATION (WEST)
SCALE: 1/8" = 1'-0"

2014-06-19 revised DP drawings	
Rev.	Notes
1	Initial Design
2	Revised Design
3	Revised Design
4	Revised Design
5	Revised Design
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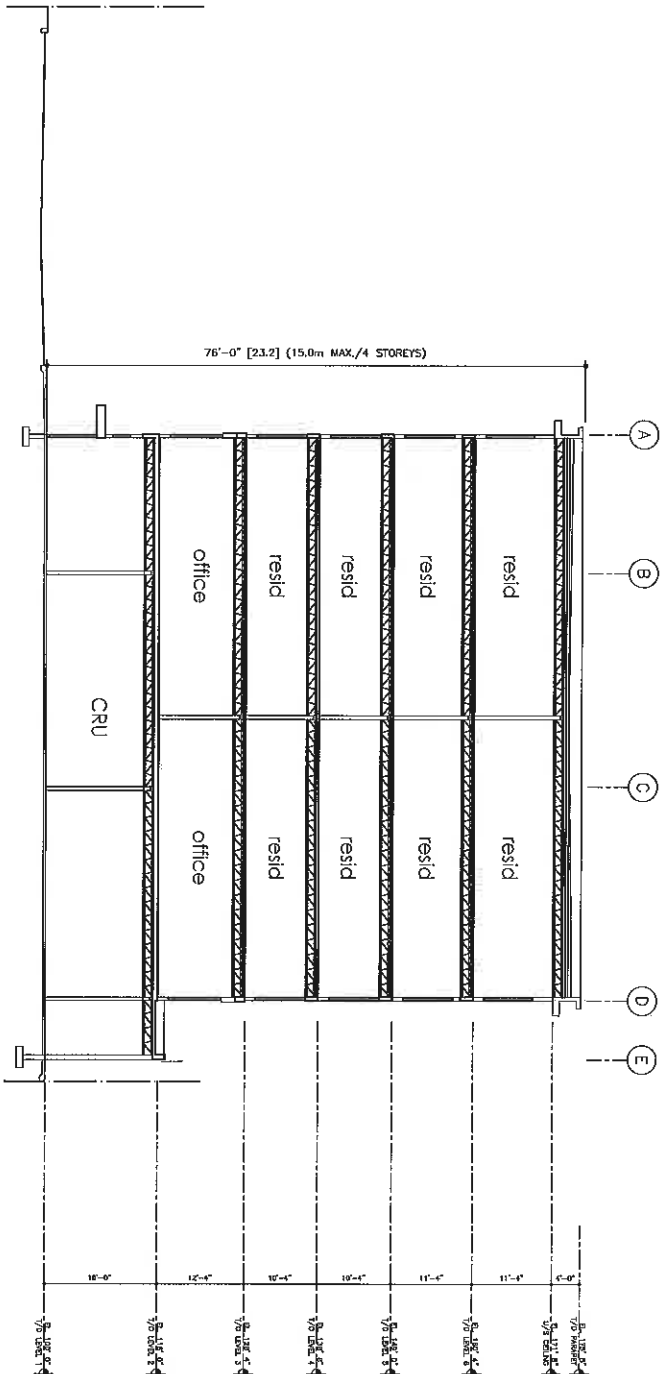
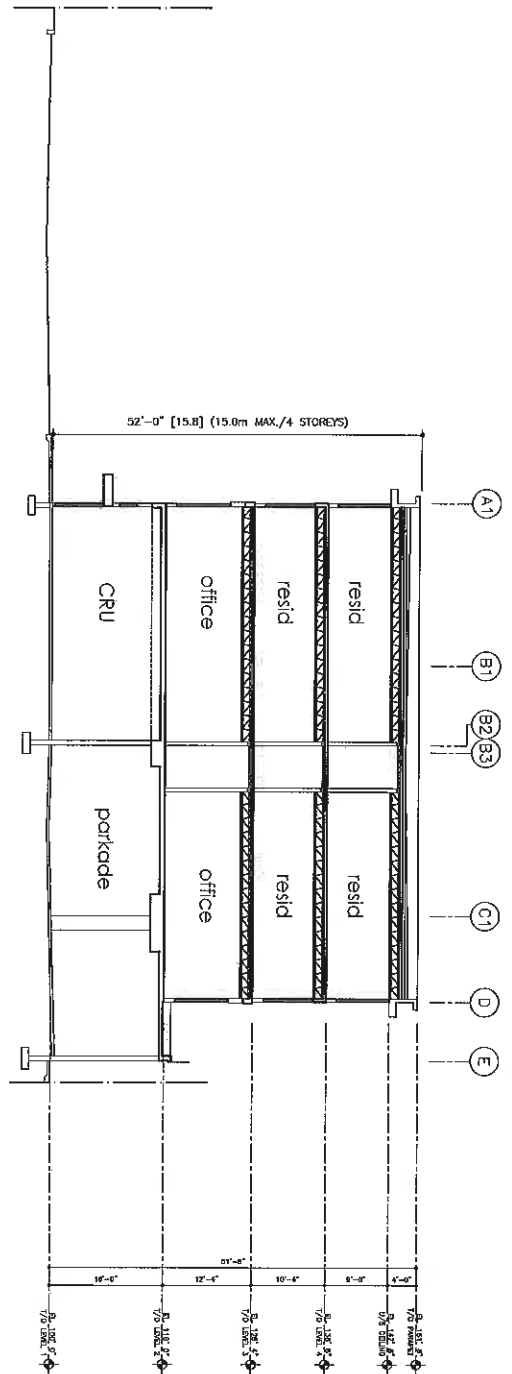
the SANCTUARY
MIXED-USE & COMMUNITY
CHURCH BUILDINGS
1555 LAKESHORE DRIVE BELLEVILLE, IL 62226



m+m a
MEMLESON ARCHITECTS INC.
1555 LAKESHORE DRIVE
BELLEVILLE, IL 62226
TEL: 618-399-0000
FAX: 618-399-0001
WWW.MMLESONARCHITECTS.COM

Project Name: COMMUNITY CHURCH - BLDG ELEVATIONS
Drawing Title: COMMUNITY CHURCH - BLDG ELEVATIONS
Drawing Number: A4.12
Drawing Date: 06/19/2014
Drawing Scale: 1/8" = 1'-0"

Project Name: COMMUNITY CHURCH - BLDG ELEVATIONS
Drawing Title: COMMUNITY CHURCH - BLDG ELEVATIONS
Drawing Number: A4.12
Drawing Date: 06/19/2014
Drawing Scale: 1/8" = 1'-0"



SCHEDULE A
 This forms part of development
 Permit # **DR14-0074 / DU14-0075**

2014-06-19 revised DP dwgs			
No.	Date	Revised By	Reviewed By
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98	2014-06-19	2014-06-19	2014-06-19
99	2014-06-19	2014-06-19	2014-06-19
100	2014-06-19	2014-06-19	2014-06-19

Project Title

the SANCTUARY
MIXED-USE & COMMUNITY
CHURCH BUILDINGS

333 LAKESHORE DRIVE, TELSON, BC V7Y 1S9

Drawn By

MELEODIN ARCHITECTS INC.

MELEODIN ARCHITECTS INC.

Scale

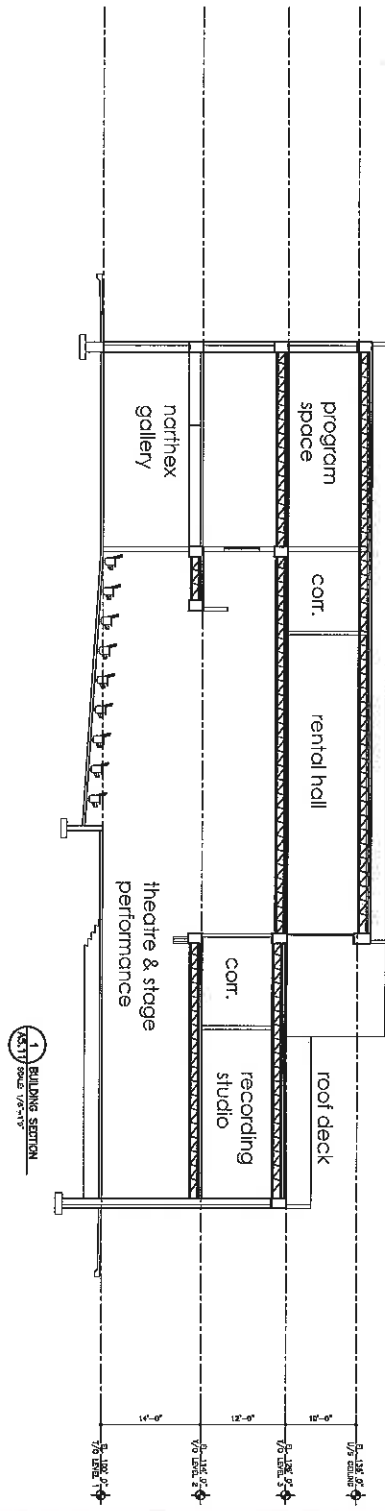
1/8" = 1'-0"

1/8" = 1'-0"

Project Title

MIXED-USE BLDG
BLDG SECTION

A5.01



SCHEDULE A
 This forms part of development
 Permit # D14-0074 / D14-0075

2014-06-19 revised DP dwgs		Title 1. PROJECT NAME 2. PROJECT NO. 3. PROJECT LOCATION 4. PROJECT DESCRIPTION 5. PROJECT OWNER		Project Title THE SANCTUARY MIXED-USE & COMMUNITY CHURCH BUILDINGS 333 LAKEVIEW BLVD. BIRMINGHAM, AL 35203		Project Location 333 LAKEVIEW BLVD. BIRMINGHAM, AL 35203 PROJECT NO. 14-0074 PROJECT NAME THE SANCTUARY		Project Owner MEMPHIS ARCHITECTS INC. 1000 MEMPHIS AVENUE SUITE 200 BIRMINGHAM, AL 35203 PHONE (205) 975-1111 FAX (205) 975-1112 EMAIL info@memphisarchitects.com WWW.MEMPHISARCHITECTS.COM		Project Title COMMUNITY CHURCH BUILDING SECTION		Project Number A5.11 1. DRAWING TITLE 2. DRAWING NO. 3. DRAWING DATE 4. DRAWING SCALE 5. DRAWING STATUS	
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m + m a



Mixed-use building - side view along Lakeshore drive

reduce building area for wider pizza walkway

June 19, 2014

SCHEDULE B
This forms part of development
Permit # DPM-0074 / DUPM-0075



m + m a



cultural centre - view facing parking

June 19, 2014

SCHEDULE B

forms part of development

DP14-0074 / DUP14-0075



m+m a

the
sanctuary

cultural centre - view facing mission mall

June 19, 2014

SCHEDULE B

This forms part of development

Permit # DP14-0074 / DP14-0075



building size reduce to provide wider space between the 2 buildings.

m + m a



cultural centre with plaza/driveway next to mixed-use building

June 19, 2014



m + m a



cultural centre - plaza area featuring community bell

June 19, 2014

SCHEDULE B

This forms part of development

DRM-0074 / DUP14-0075



m+m a

the sanctuary

cultural centre with angular facade and community plaza area

June 19, 2014

B

placement

DP14-074/DP14-075



m+m a

the
sanctuary

Mixed-use building - landscape with storefront sidewalk and parking

April 15, 2014

SCHEDULE B
This forms part of development
Permit # DP14-0074 / DP14-0085



condo and office separate entrance



corner view at lakeshore drive/laneway



rear view facing the laneway



storefront sidewalk with landscape

m+m a



Mixed-use building - view along laneway & corner and driveway

June 19, 2014



MODULE B
as part of development
DPH-0074 DPH-0075

m+m a



Mixed-use building - sidewalk along parking/driveway and landscape

June 19, 2014





condo office entry

facade facing parking



fascia - flawless
BM AF-320



canopy - day send
BM 2133-30



stucco - dier grey
BM 2133-40



wood panel



brick - golden rod



material board - 1

The Sanctuary - mixed-use

June 19, 2014

MODULE B
This forms part of development
Permit # DP14-0074 / DP14-0075

SCHEDULE B

This forms part of development

Permit # DP14-0074 / DP14-0075



focade along lakeshore road

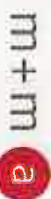
fascia - flawless
BM AF-320

canopy - clay send
BM 2133-30

stucco - clay grey
BM 2133-40

wood panel

brick - golden rod



material board - 2

the sanctuary - mixed-use

June 19, 2014



SCHEDULE B
 This forms part of development
 permit # DPH 2074 / DPH 2075

facade facing parking



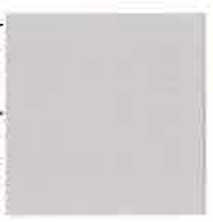
fascia - flcwless
BM AF-320



canopy & wall -
dcy send
BM 2133-30



stucco - dier gray
BM 2133-40



stucco - pigeon gray
BM 2133-50



brick - golden red



material board - 3

the sanctuary - cultural centre

June 19, 2014

fascia - flawless
BM AF-320

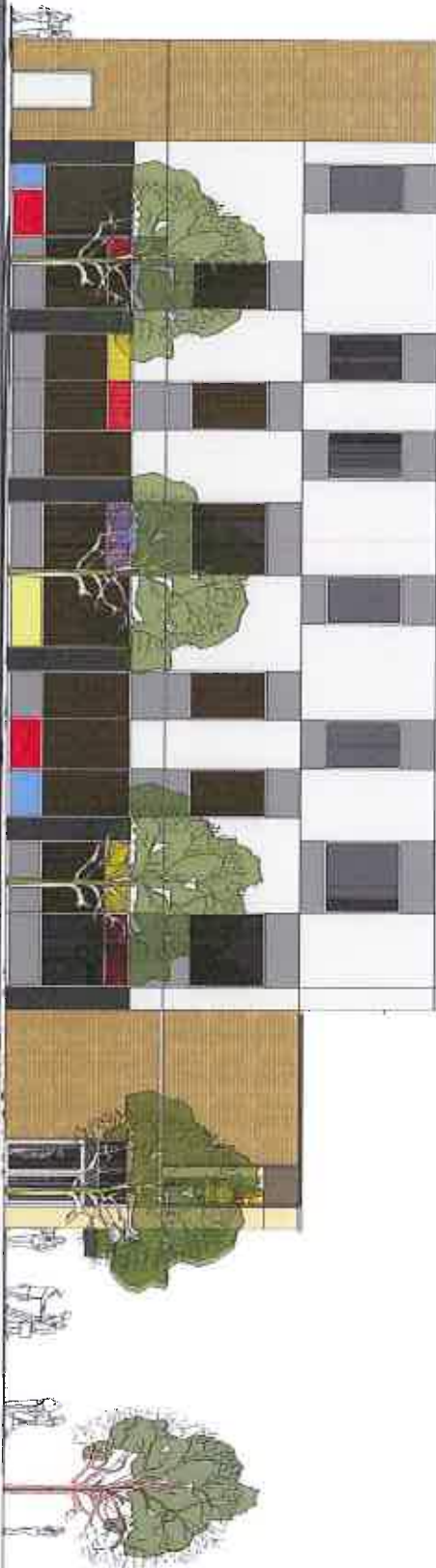
canopy & wall -
clay/ sand
BM 2133-30

stucco - dlor grey
BM 2133-40

stucco - pigeon grey
BM 2133-50

brick - golden rod

facade facing mission mall



SCHEDULE B

This forms part of development

Permit # DP14-0074 / DP14-0075

SCHEDULE

This forms part of development
Permit # **DP14-0074 / DWP14-0075**

Permit # DP14-0074 / DP14-0075

OUTDOOR PARKING SPACES - 47
SOFT LANDSCAPE ADJACENT TO PARKING AREAS - 103 SQ. M.
PARCEL B
OUTDOOR PARKING SPACES - 53
SOFT LANDSCAPE ADJACENT TO PARKING AREAS - 154 SQ. M.



CITY OF KELOWNA

APPROVED ISSUANCE OF A:

- ☐ Development Permit No.: DP14-0074
Development Variance Permit No.: DVP14-0075

EXISTING ZONING DESIGNATION: C4 - Urban Centre Commercial

WITHIN DEVELOPMENT PERMIT AREA: Revitalization

ISSUED TO: Sandevco Properties Inc.

LOCATION OF SUBJECT SITE: 3131 Lakeshore Road

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	1		14 and 135		ODYD	34984

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 Development and 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:

- The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- Landscaping to be provided on the land be in general accordance with Schedule "C";

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

Section 14.4.4 (a) - Subdivision Regulations

Vary the lot width for the existing KLO frontage from 40m required to 18.0m proposed.

Section 14.4.5 (c) - Development Regulations

Vary the building height from 4 storeys / 15m permitted to 6 storeys / 23.2m proposed.

2. The development shall commence by and in accordance with an approved Building Permit within ONE YEAR of the date of the Municipal Council authorization resolution.

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 \$ TBD.
- (b) A Certified Cheque in the amount of TBD.
- (c) An Irrevocable Letter of Credit in the amount of TBD.

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. 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 transferable 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.

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 Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning & Real Estate 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:

ISSUED BY THE MUNICIPAL COUNCIL OF THE CITY OF KELOWNA THE DAY OF 2014.

AUTHORIZED BY THE DIVISIONAL DIRECTOR OF COMMUNITY PLANNING & REAL ESTATE SERVICES THE ____ DAY OF ____ 2014.

Doug Gilchrist
Divisional Director of Community Planning & Real Estate