

# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

☐ Development Permit No. DP15-0159  
Development Variance Permit No. DVP15-0160

EXISTING ZONING DESIGNATION: A1 – Agriculture 1  
PURPOSED ZONING DESIGNATION: C10 – Service Commercial  
DEVELOPMENT PERMIT PURPOSE: To consider form and character of new Service Commercial building  
DEVELOPMENT VARIANCE PERMIT PURPOSE: To reduce the minimum landscape buffer from Level 5 to Level 1  
PERMIT PREPARED BY: Ryan Smith

ISSUED TO: Raul Holdings Inc., Inc. No. BC0968428  
LOCATION OF SUBJECT SITE: 3657 Hwy 97 N

	LOT	SECTION	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION	A	35	26	ODYD	19674 EXCEPT PLAN 23587

### SCOPE OF APPROVAL

- ☐ This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- ☐ This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- ☐ Applicants for a Development Permit and/or Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

### 1. TERMS AND CONDITIONS:

- a) THAT the dimensions and siting of the building to be constructed on the land in general accordance with Schedule "A";
- b) AND THAT the exterior design and finish of the building to be constructed on the land in general accordance with Schedule "B";
- c) AND THAT Landscaping to be provided on the land by in general accordance with Schedule "C".



- d) AND THAT the applicant is required to post with the City, a Landscape Performance Security deposit in the form of "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
- e) AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend;

3. DEVELOPMENT:

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

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

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

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

4. PERFORMANCE SECURITY:

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

- (a) Cash in the amount of \$ N/A.
- (b) A Certified Cheque in the amount of N/A
- (c) An Irrevocable Letter of Credit in the amount of \$49,357.50

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

5. APPLICANT'S AGREEMENT:

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

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

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

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

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

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

\_\_\_\_\_  
Date

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

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

6. APPROVALS:

DEVELOPMENT VARIANCE PERMIT ISSUED & APPROVED BY COUNCIL ON THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
DATE





Notes:

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Tabulated scales refer to Arch D size drawings sheet.

This drawing must not be scaled.

Contractors shall verify all dimensions prior to commencement of work.

Any omissions or discrepancies shall be reported to the architect.

Seal

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DP 0.00 - COVER SHEET  
DP 1.01 - SITE PLAN  
DP 1.02 - MAIN FLOOR PLAN  
DP 1.03 - MEZZANINE FLOOR PLAN  
DP 1.04 - ROOF PLAN  
DP 3.01 - ELEVATION  
DP 3.02 - ELEVATION

Raul Holdings Inc.

Address: 0000 Landsdowne Place, Kelowna, B.C.  
Legal: Lot A, PLAN 19674 ODYD, TWP 26

Zoning (Current) : A1 Non-ALR  
Permitted Use: Refer to Zoning bylaw #8000  
Zoning: (Proposed) C10 Service Commercial  
Permitted Use: Refer to Zoning bylaw #8000 section 14.10

Site Area:	3,292.5	sq.m.
	35,440	sq.ft.
	0.3293	Ha

	ALLOWED		PROPOSED	
Min Lot Width	40.0	m	128.0	m
Min Lot Depth	30.0	m	44.5	m
Min Parcel Size	1000.0	2	7270	m2

	ALLOWED		PROPOSED	
Front yard		4.5m		16.0 m
Front yard parking		2.0m		11.0 m
Side yard (East)		0.0 m		9.8 m
Side yard (West)		0.0 m		8.4 m

	LANDSCAPE BUFFER	
Front	Level	3.0 m
	4	9.81 ft
Side	Level	3.0 m
	3	9.84 ft
Adjacent ALR	Level	3.0 m
	5	9.84 ft

2.0 m provided for portion of property

Parcel Coverage Maximum 60%  
(Building Footprint)  
Maximum # of dwelling units

Floor Area Ratio Maximum .65

Height Principal buildings  
or 3 storeys

Parking 2.0 stalls/100 m2 (main floor)  
2.0 stalls/100 m2 (40% mezzanine)

Regular Size (6m x 2.5m) Max 50%  
Medium Size (4.8m x 2.3) Max 40%  
Compact Size (3.4m x 2.0m) Max 10%

ALLOWED/REQUIRED		PROPOSED	
1,976	sq.m.	600	sq.m.
21,264	sq.ft.	6,458	sq.ft.
1 unit		N/A	

2,140	sq.m.	837	sq.m.
23,036	sq.ft.	9,013	sq.ft.
12.0	m	11.5	m
39.4	ft	37.0	ft

Required	12.0	spaces
	4.7	spaces
	0	spaces
Total Required	17	spaces

Covered	0	spaces
On Grade	20	spaces
Total Provided	20	spaces
Visitor	0	spaces
Loading	4	spaces

120151112ISSUED FOR DP

no.datedescription

Revisions

NOVATION

DESIGN STUDIO

101 - 1865 DILWORTH DR. SUITE 520  
KELOWNA BC V1Y 9T1

PM

PATRICK McCUSKER  
ARCHITECTURE INC.

AAA MAIBC MRAIC  
3430 BENOULIN ROAD  
KELOWNA BC V1W 4M5  
~ Phone: 778-484-0223 ~  
pat@pmccarch.com

project title  
RAUL HOLDINGS INC.  
COMMERCIAL

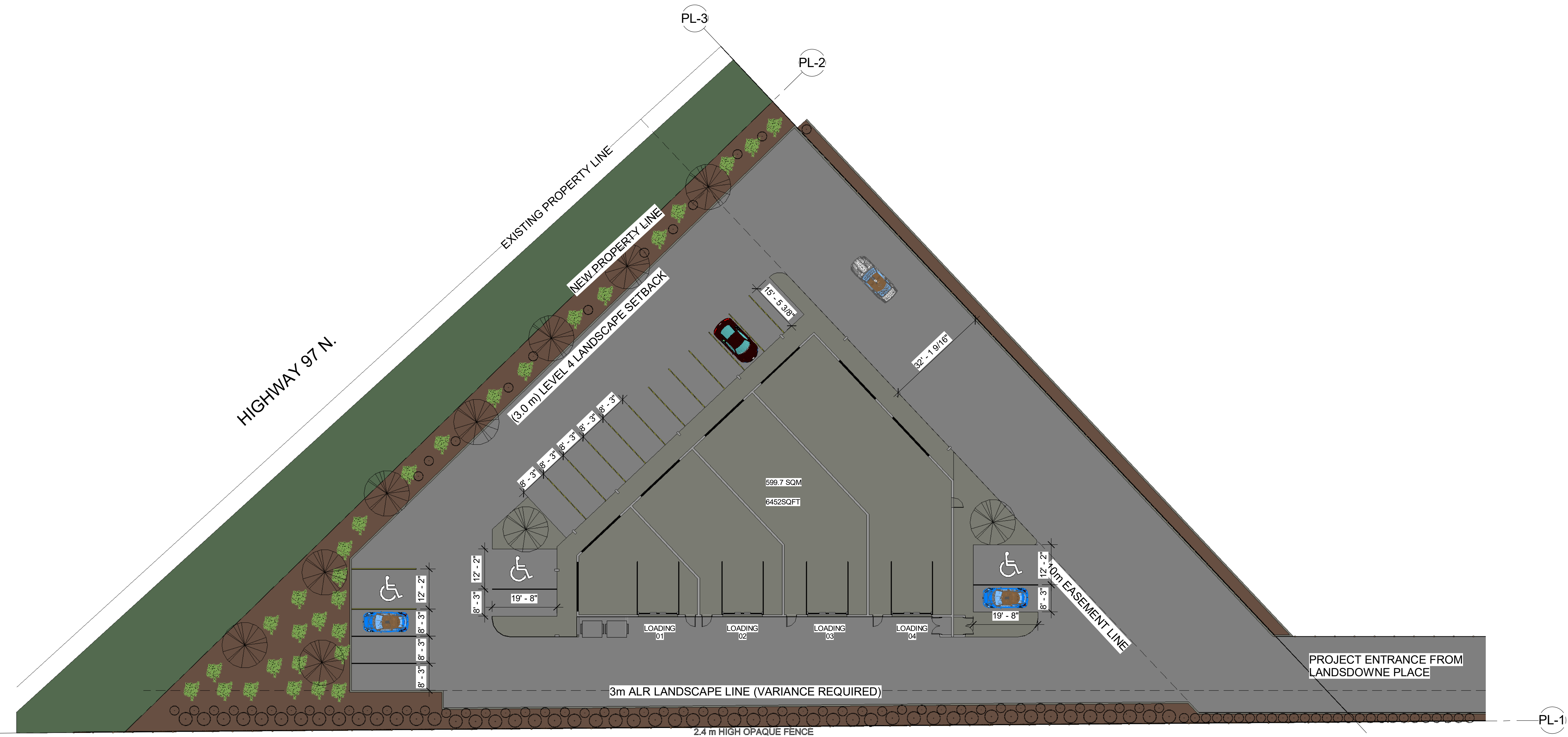
3657 HIGHWAY 97 N.  
project no. 1301

drawing title  
Cover Sheet

designed	PS	scale
drawn	PS	
checked	Checker	
draw ing no.		

DP0.00





1 SITE PLAN  
1/16" = 1'-0"

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**NOVATION**  
DESIGN STUDIO  
101 - 1865 DILWORTH DR. SUITE 520  
KELOWNA BC V1Y 9T1

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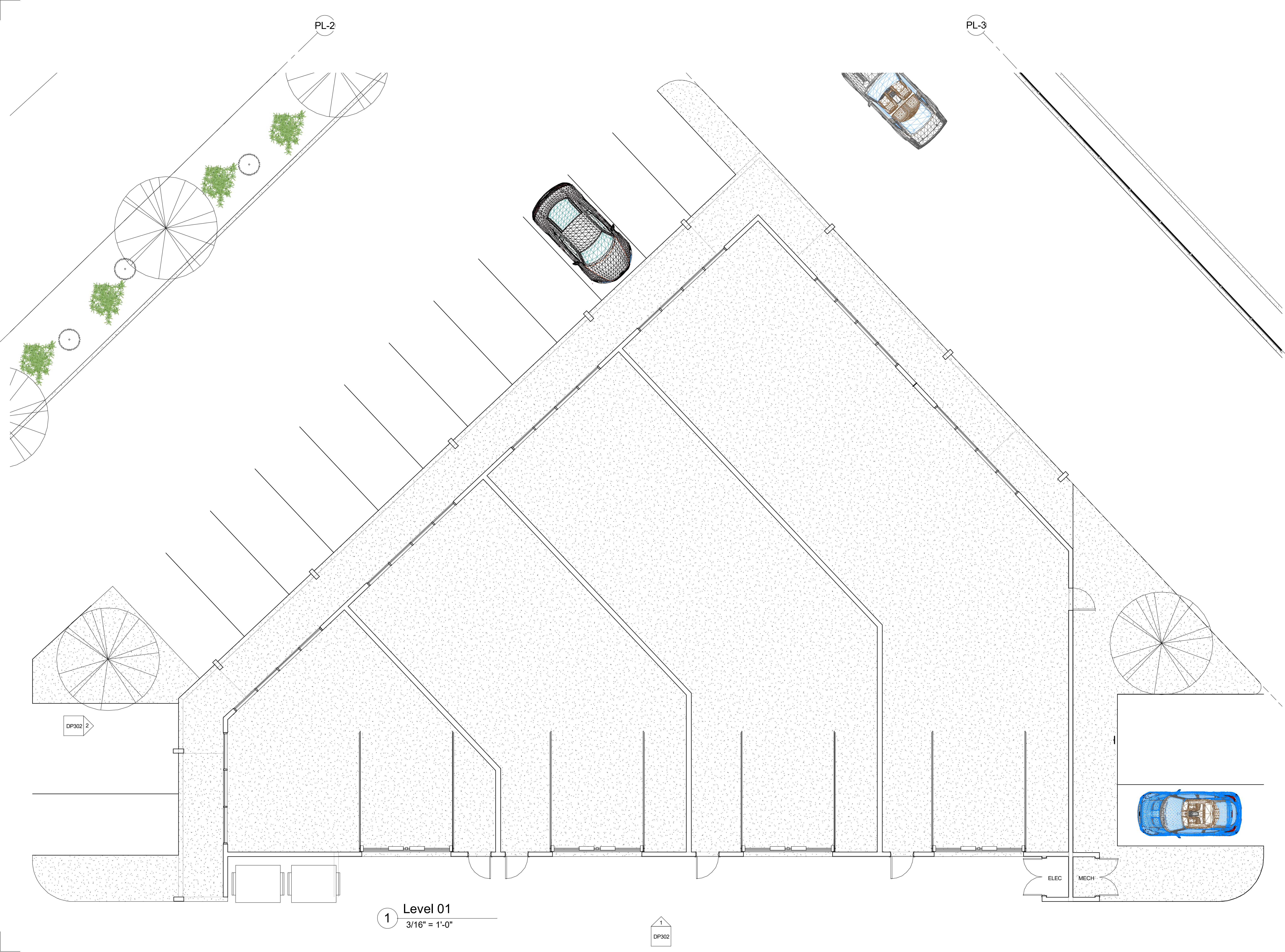
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3657 HIGHWAY 97 N.	
project no.	1301

drawing title  
SITE PLAN

designed	PS	scale	1/16" = 1'-0"
drawn	PS		
checked	Checker		
drawing no.			

DP101





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KELOWNA BC V1Y 9T1

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project title  
RAUL HOLDINGS INC.  
COMMERCIAL

3657 HIGHWAY 97 N.  
project no. 1301

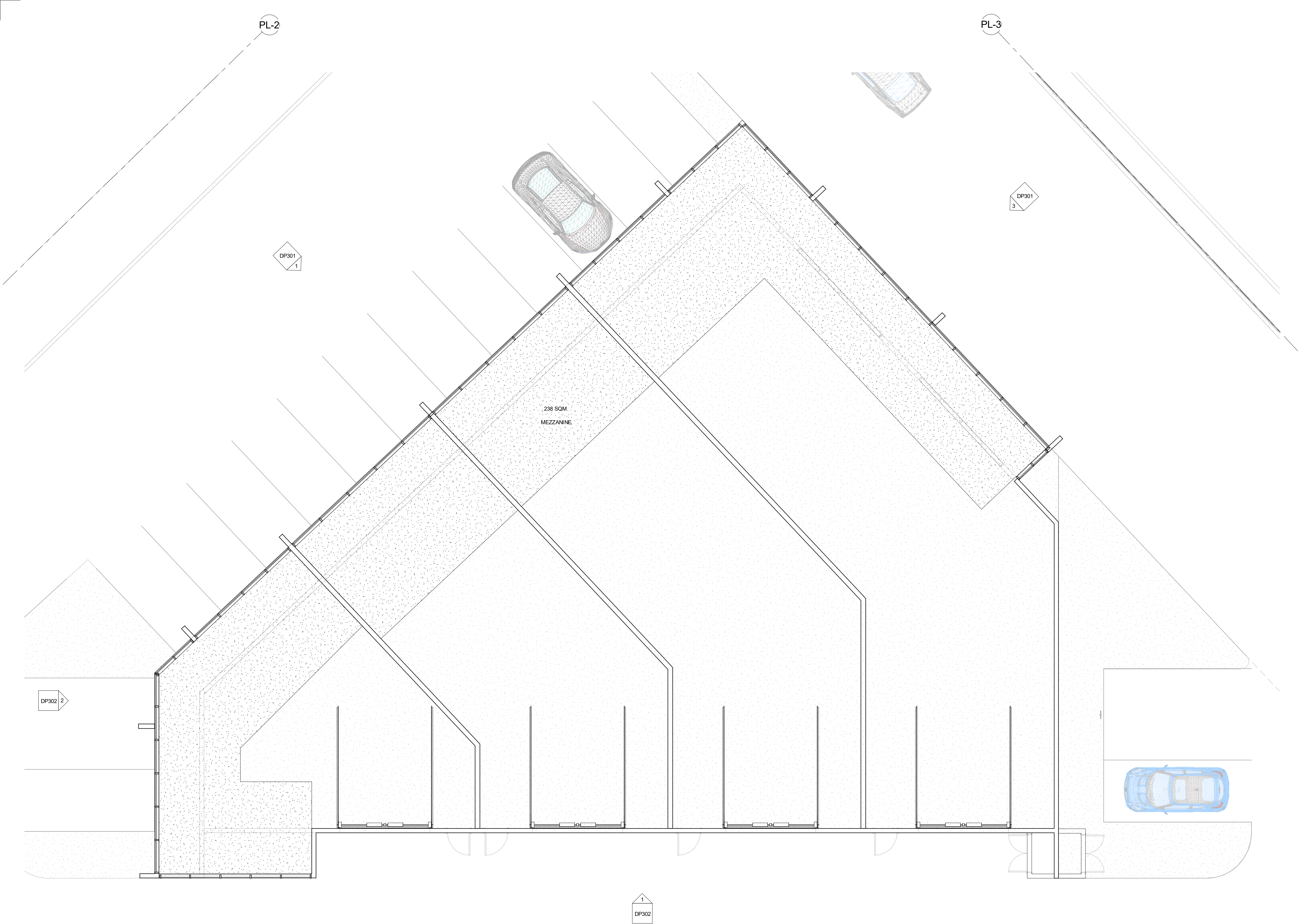
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MAIN FLOOR PLAN

designed	PS	scale	3/16" = 1'-0"
drawn	PS		
checked	Checker		
drawing no.			

DP102

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project title  
RAUL HOLDINGS INC.  
COMMERCIAL

3657 HIGHWAY 97 N.  
project no. 1301

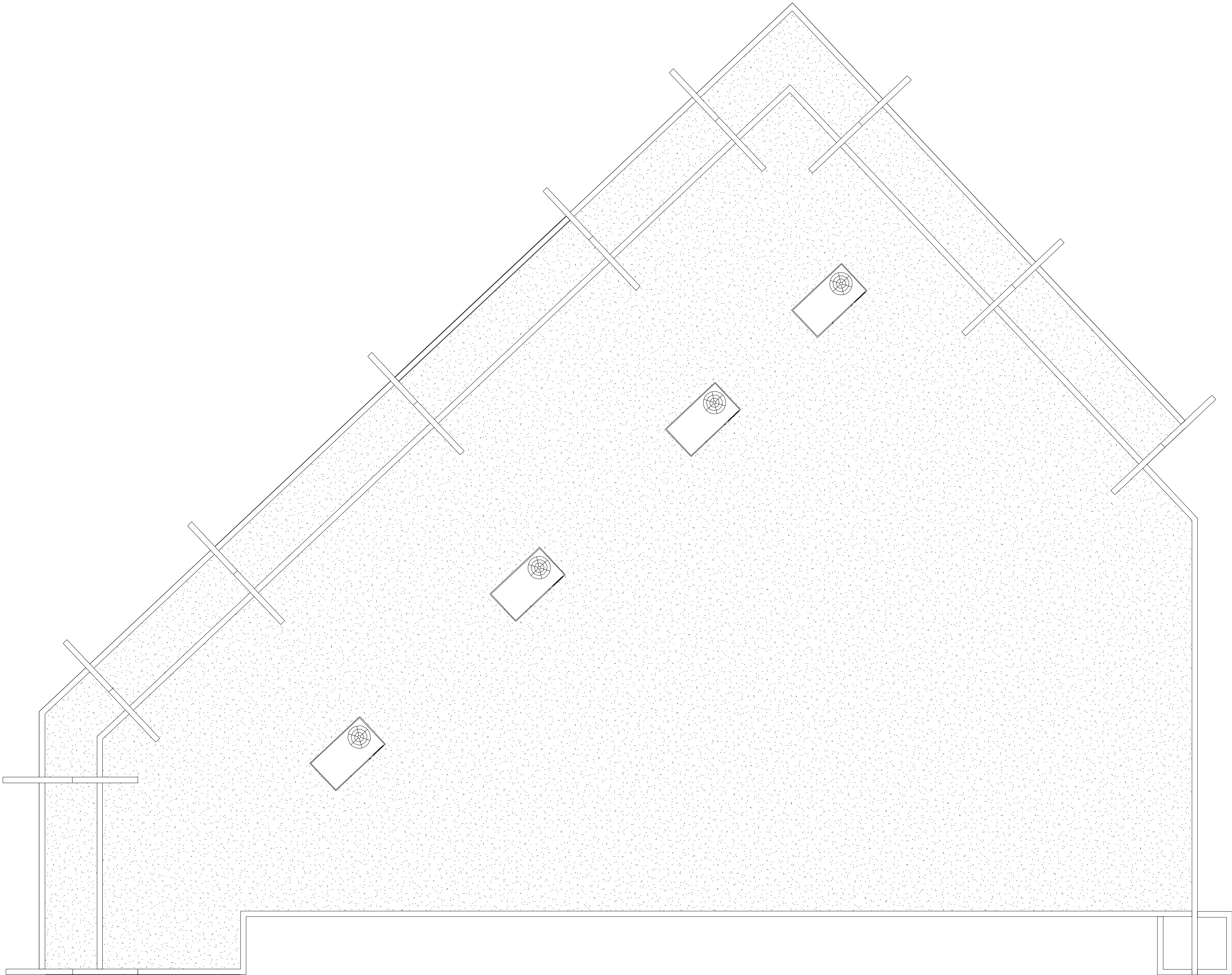
drawing title  
MEZZANINE FLOOR

designed	PS	scale	3/16" = 1'-0"
drawn	PS		
checked	Checker		
draw ing no.			

DP103

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1 ROOF PLAN  
3/16" = 1'-0"

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KELOWNA BC V1Y 9T1

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project title

RAUL HOLDINGS INC.  
COMMERCIAL

3657 HIGHWAY 97 N.

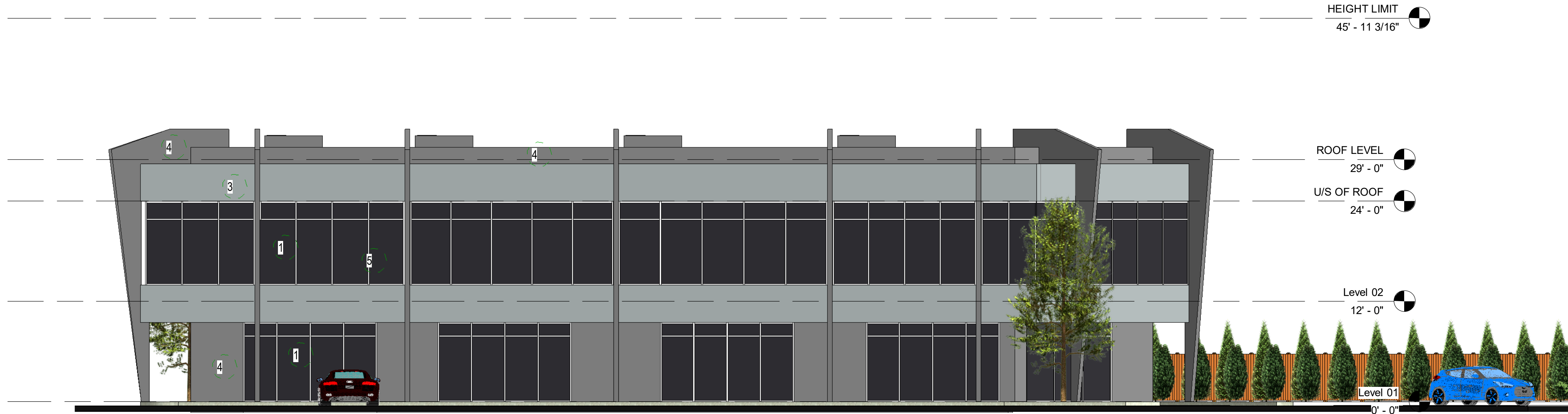
project no. 1301

drawing title

ROOF PLAN

designed	Designer	scale	3/16" = 1'-0"
drawn	Author		
checked	Checker		
drawing no.			
DP104			
plotted			
2015-12-23 1:48:37 PM			





1 N. West Elevation  
1/8" = 1'-0"



3 N. East Elevation  
1/8" = 1'-0"

- 1 - TINTED GLASS
- 2 - CLEAR GLASS
- 3 - PHENOLIC PANEL SIDING (REFER TO MATERIAL BOARD)
- 4 - SMOOTH ACRYLIC STUCCO (REFER TO MATERIAL BOARD)
- 5 - BLACK ALUMINIUM STOREFRONT SYSTEM



2 East Elevation  
1/8" = 1'-0"

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no.	date	description
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101 - 1865 DILWORTH DR. SUITE 520  
KELOWNA BC V1Y 9T1



project title  
RAUL HOLDINGS INC.  
COMMERCIAL

3657 HIGHWAY 97 N.  
project no. 1301

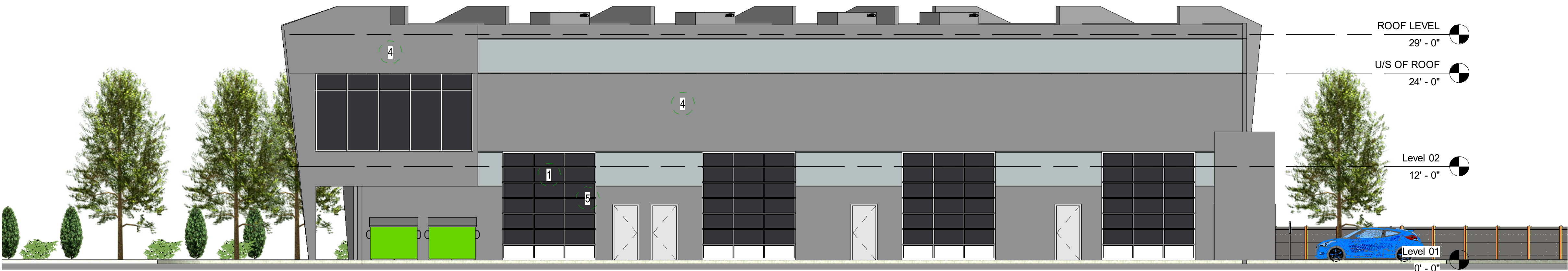
drawing title  
ELEVATIONS

designed	PS	scale	1/8" = 1'-0"
drawn	PS		
checked	Checker		
drawn no.			

DP301

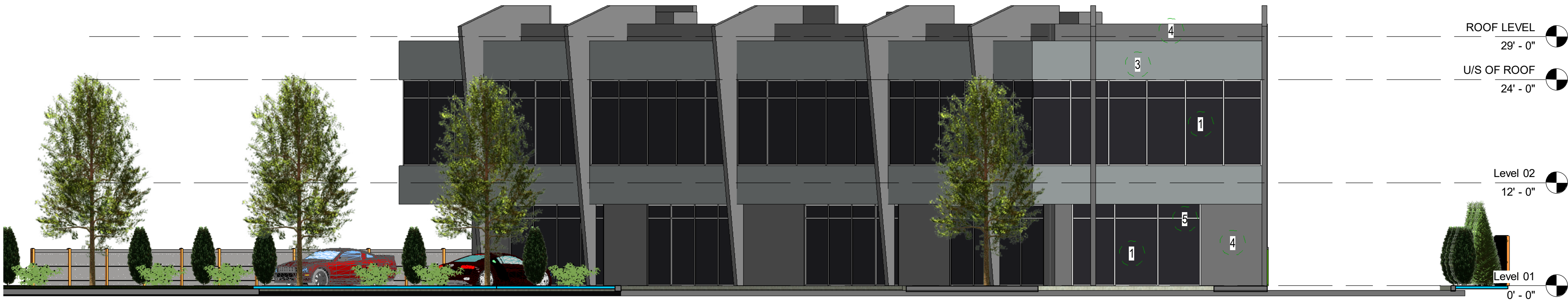
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1 South Elevation  
1/8" = 1'-0"

- 1 - TINTED GLASS
- 2 - CLEAR GLASS
- 3 - PHENOLIC PANEL SIDING (REFER TO MATERIAL BOARD)
- 4 - SMOOTH ACRYLIC STUCCO (REFER TO MATERIAL BOARD)
- 5 - BLACK ALUMINIUM STOREFRONT SYSTEM



2 West Elevation  
1/8" = 1'-0"

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KELOWNA B.C. V1Y 9T1

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project title  
RAUL HOLDINGS INC.  
COMMERCIAL

3657 HIGHWAY 97 N.

project no. 1301

drawing title  
ELEVATIONS

designed	PS	scale	1/8" = 1'-0"
drawn	PS		
checked	Checker		
draw ing no.			

DP302

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OUTLAND DESIGN  
LANDSCAPE ARCHITECTURE

January 21, 2014

Highway 97 N Commercial Development  
C/o Novation Design Studio  
101-1865 Dilworth Drive Suite 520  
Kelowna, BC V1Y 9T1  
Attn: Paul Shuster  
Via email to: paul@novationdesignstudio.com

Re: Proposed Highway 97 N Commercial Development – Preliminary Cost Estimate for Bonding

Dear Paul:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the Highway 97 N Commercial Development conceptual landscape plan dated 14.01.21;

- 556 square metres (5,985 square feet) of improvements = \$39,486.00

This preliminary cost estimate is inclusive of trees, shrubs, mulch, topsoil & irrigation.

You will be required to submit a performance bond to the City of Kelowna in the amount of 125% of the preliminary cost estimate. Please do not hesitate to contact me with any questions about the landscape plan.

Best regards,

Fiona Barton, MBCSLA, CSLA  
as per  
Outland Design Landscape Architecture

