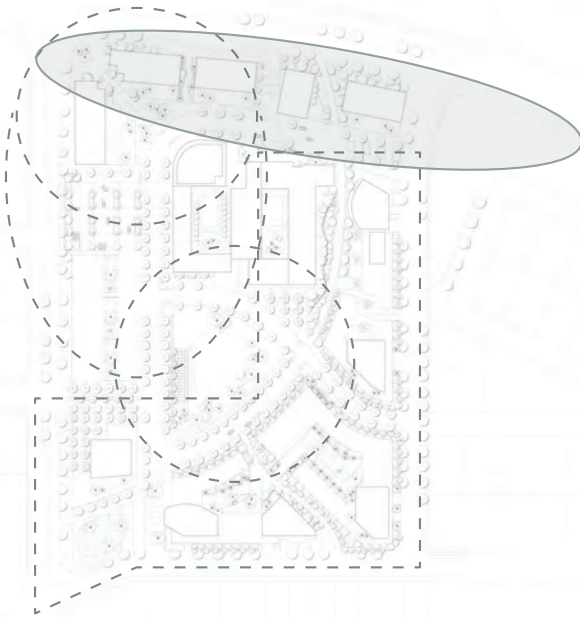




Schedule 'A'
CD 25 Development Area Guidelines



Harvey Avenue Urban Edge



The above sketch indicates the general location of the “Harvey Avenue Urban Edge” area. The 3D view provides an illustrative example of where - based on this concept plan - the Harvey Avenue Urban Edge guidelines would apply. The actual boundary may vary by 20 to 30m but should include all buildings immediately adjacent to Harvey Avenue.

The “Harvey Avenue Urban Edge” character area creates an important urban interface between the Capri Centre and Harvey Avenue. A continuous streetwall condition will provide an edge to Harvey Avenue, helping to create a sense of enclosure along this broadly dimensioned corridor and define the public space. This character area will include lower form buildings and a range of retail, office, and residential uses. A portion of this area overlaps with the “Transit-Oriented Commercial Focus” character area.

DESIGN GUIDELINES

Public Realm

- ❶ The Harvey Avenue streetscape should be defined by generous sidewalks (approximately 3m) and broad landscape areas (approximately 5m - 8m).
- ❷ North / south pedestrian connections shall be provided between buildings to provide visual and physical connections between Harvey Road and the interior portions of the site. Particular emphasis should be placed on a connection located approximately mid-block that provides a direct link to the entry of the hotel. Connections located closer to Gordon Drive should emphasize ease of pedestrian movement, anticipating high pedestrian volumes moving between transit services. Connections located further east on the site closer to Capri Street should emphasize landscape elements and serve as an initial component of a green link towards the Central Park.

- ❸ Parking shall be located underground and driveway access shall be located off of an internal street (not Harvey Road) and care should be taken to minimize the visual impact of access points from the public realm.

Occupancies

- ❹ Street level and second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail at street level to contribute to a more interesting streetscape. Above level 2, buildings may include office or residential uses.

Buildings' Relationship to the Street

- ❺ All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Residential entries should be lit and well-signed.
- ❻ Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.

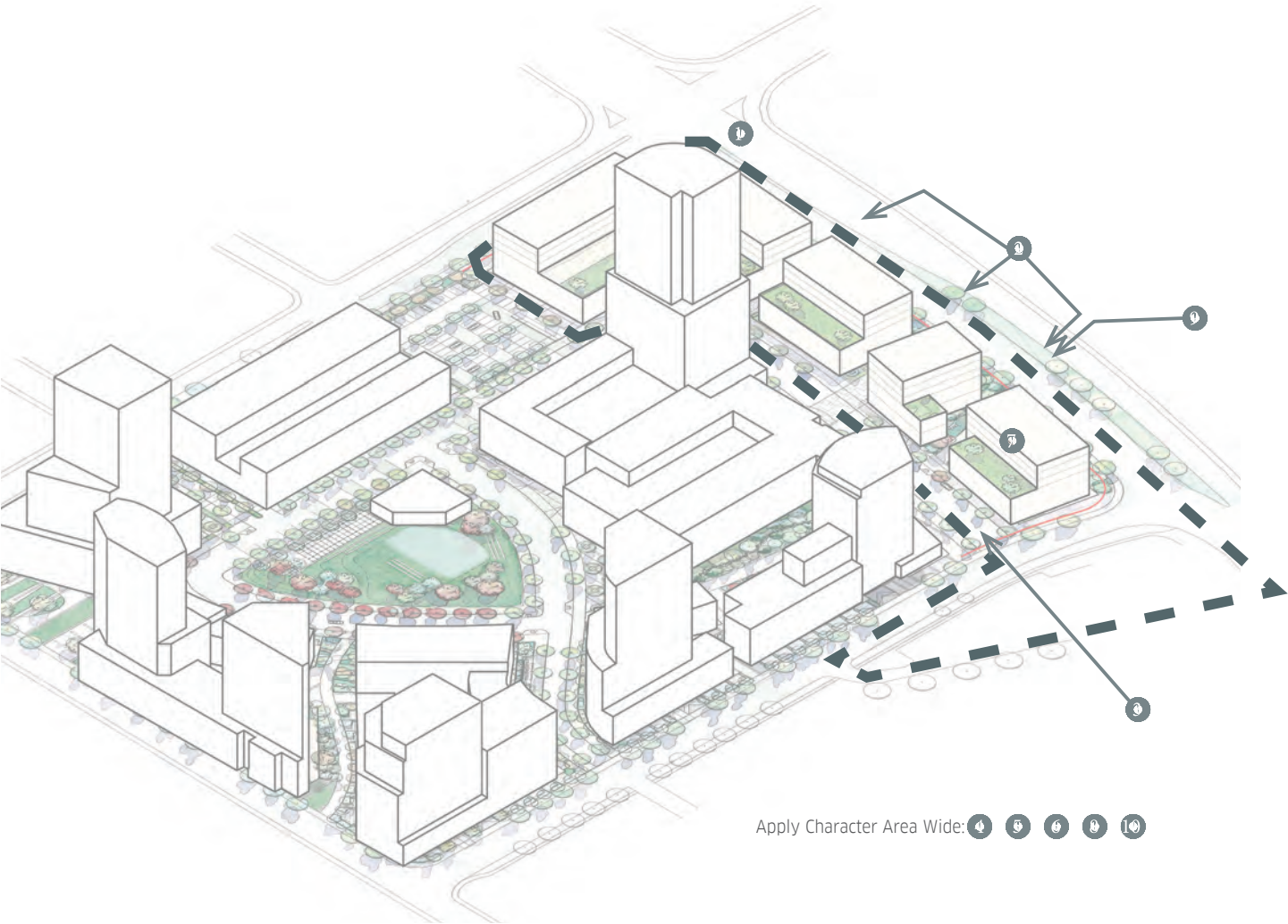
Building Massing

- ❼ Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.

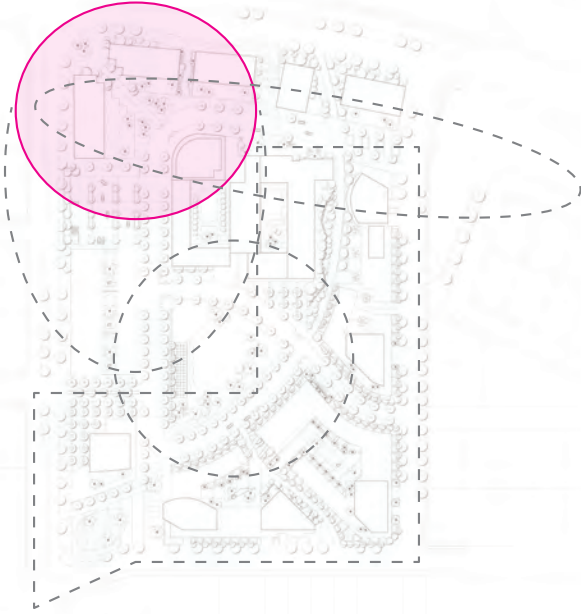
Landscape

- ❽ Landscape design in this area should recognize the high volumes of pedestrian circulation. A range of surface materials may be deployed to signal traffic calm areas internal to the site where pedestrian and vehicle movements occur in close proximity. Sight lines between Harvey Avenue and the hotel as well as between Harvey Avenue and the proposed landmark tower should be retained, if possible, through the use of low-level landscaping or columnar - rather than large canopy - trees.
- ❾ The pedestrian pathway linking Harvey Road to the “Central Park” along the crescent should include landscape elements that unite the park space with the crescent throughout the neighbourhood. Fruit trees are suggested.
- ❿ Continuous street tree planting shall be provided.

Harvey Avenue Urban Edge



Transit-Oriented Commercial Focus



The above sketch indicates the general location of the “Transit-Oriented Commercial Focus” area. The 3D view provides an illustrative example of where - based on this concept plan - the Transit-Oriented Commercial Focus guidelines would apply. The actual boundary may vary by 20 to 30m

The “Transit-Oriented Commercial Focus” character area overlaps with both the Harvey Avenue Urban Edge and the “Commercial Core” areas. The guidelines outlined in each of those character areas apply but these additional guidelines are meant to encourage finer grained retail and enhanced pedestrian circulation at a level commensurate with being a transit interchange between two significant bus / bus rapid transit routes. In the case of conflict between guidelines, these guidelines supersede.

DESIGN GUIDELINES

Public Realm

- 1 The Harvey Avenue and Gordon Drive streetscape should be defined by generous sidewalks capable of handling both pedestrian movements and transit stations (approximately 4m to 5m). Broad landscape areas are proposed further east along Harvey Avenue, but are of secondary importance within this area. Maintaining ease of pedestrian movement - both connecting transit riders, local residents, employees, and shoppers - is of primary importance. Consequently, large areas of hard surfaces (such as stone, concrete pavers or concrete) are anticipated, punctuated by landscape elements.
- 2 The prominence of the Harvey and Gordon intersection may warrant the placement of public art in this high visibility location.
- 3 Notwithstanding prioritizing pedestrian movements, space allocated adjacent to storefronts for the outdoor display of commercial products is encouraged.

- 4 The generous provision of seating areas - either as informal seating such as a planter box edges or through the provision of specific street furnishings - is encouraged.
- 5 Pedestrian pathways connecting Gordon Drive or Harvey Avenue to the interior of the site should be designed to have clear site lines and meet CPTED guidelines in terms of lighting.

Occupancies

- 6 Street level and second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail at street level and office above to contribute to a more interesting streetscape. Above level 2, buildings may include office or residential uses.

Buildings' Relationship to the Street

- 7 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Residential entries should be lit and well-signed.
- 8 Robust weather protection shall be provided along building facades facing Harvey Avenue and Gordon Drive.
- 9 In this area, particular care should be given to contribute to a high level of transparency on all sides of buildings.

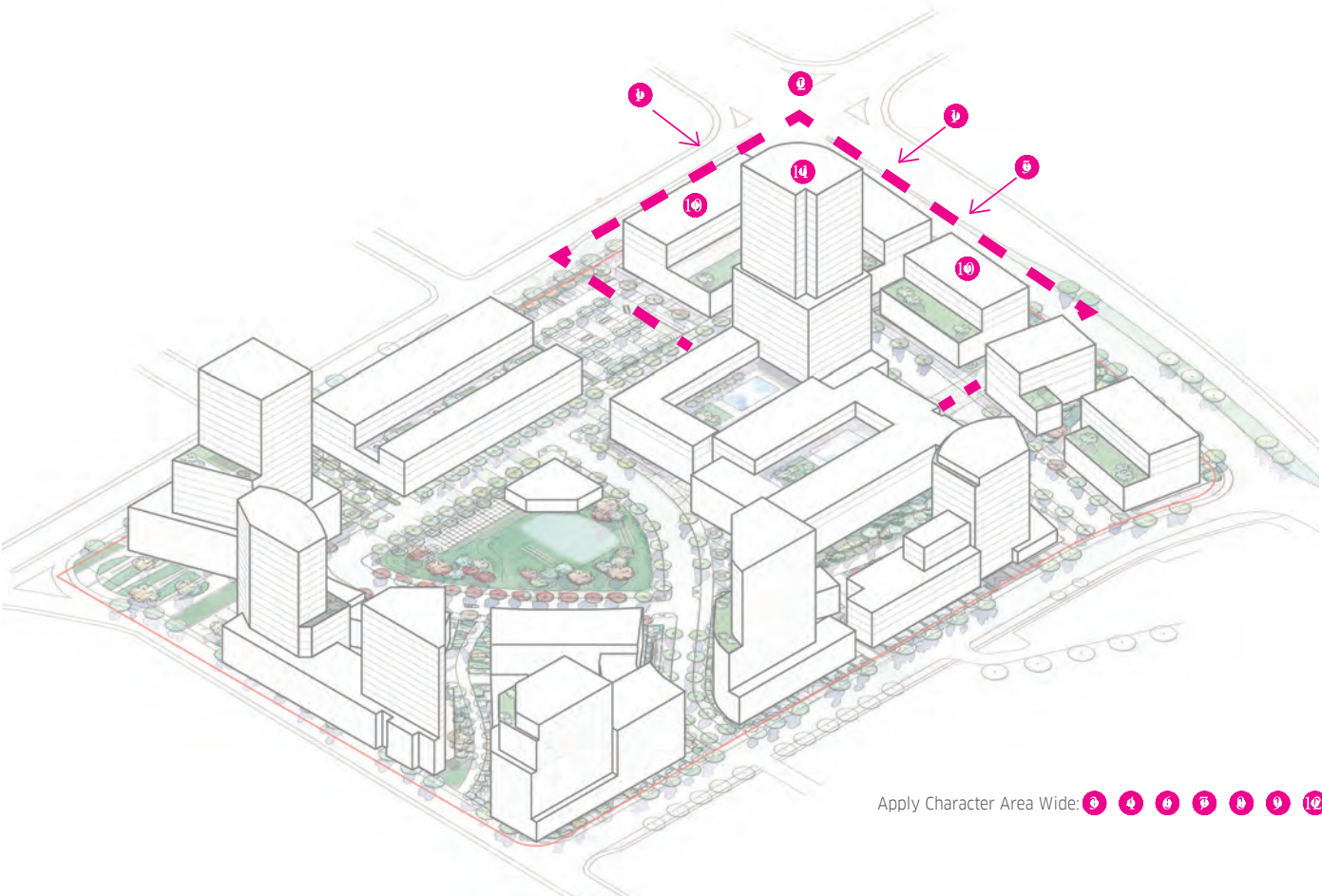
Building Massing

- 10 Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.
- 11 One “landmark” tower of up to 26 storeys may be located in this area. The tower should have a strong vertical expression at the upper levels to provide design interest and, given its visual prominence, should include a distinctive “crown”.

Landscape

- 12 Continuous street tree planting shall be provided.

Transit-Oriented Commercial Focus



Apply Character Area Wide: 3 4 6 8 9 10 12

Commercial Core



The above sketch indicates the general location of the “Commercial Core” area. The 3D view provides an illustrative example of where - based on this concept plan - the Commercial Core guidelines would apply. The actual boundary may vary by 20 to 30m.

The “Commercial Core” character area is the primary location for commercial shops and services at the Capri Centre. Commercial units ranging in size from supermarket to small-scale retail may be accommodated. Residential uses will also be present in this character area but, given the emphasis of commercial uses at street level, will largely be located at upper levels only. A portion of this area overlaps with the “Transit-Oriented Commercial Focus” character area.

DESIGN GUIDELINES

Public Realm

- ④ Continuous street tree planting and generous sidewalk space should characterize the public realm. To provide adequate space for sidewalk cafe seating, the outdoor display of commercial goods, and higher volumes of pedestrian traffic, trees may be planted in tree wells and grates rather than boulevards.
- ⑧ Sidewalk corner bulges, clearly demarcated crosswalks, and other pedestrian safety measures shall be incorporated to contribute to ease of movement for all ages and abilities.
- ⑨ Parking shall be located underground and driveway access shall be located off of an internal streets (not off of Harvey Road or Gordon Drive). Care should be taken to minimize the visual impact of parkade access points from the public realm.

- ④ Serving a large grocer, the inclusion of one surface parking lot is anticipated in this area. The surface parking lot shall be treed. The use of special materials such as concrete pavers (rather than asphalt) is encouraged. To facilitate the transformation of the space into a weekend or evening public market, electric outlets shall be prevalent.

Occupancies

- ⑥ Street level or second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail rather than office at street level to a more interesting streetscape. Above level 2, buildings may include office or residential uses. For buildings located greater than 60m from Harvey Avenue, street level residential uses are acceptable.

Buildings' Relationship to the Street

- ⑥ All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate- through articulation or change in materials- vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Common residential entries should be lit and well-signed. Private residential entries (street level townhouses, for example) should be 3 to 5m away from the sidewalk to allow for patio space or landscape area and 0.75m to 1.25 m above street level.
- ⑧ Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.
- ⑩ Buildings should be oriented towards the street and be located no more than 5m from the street edge to frame the public space and, in particular, create a sense of enclosure around the “market square” and “central park.”

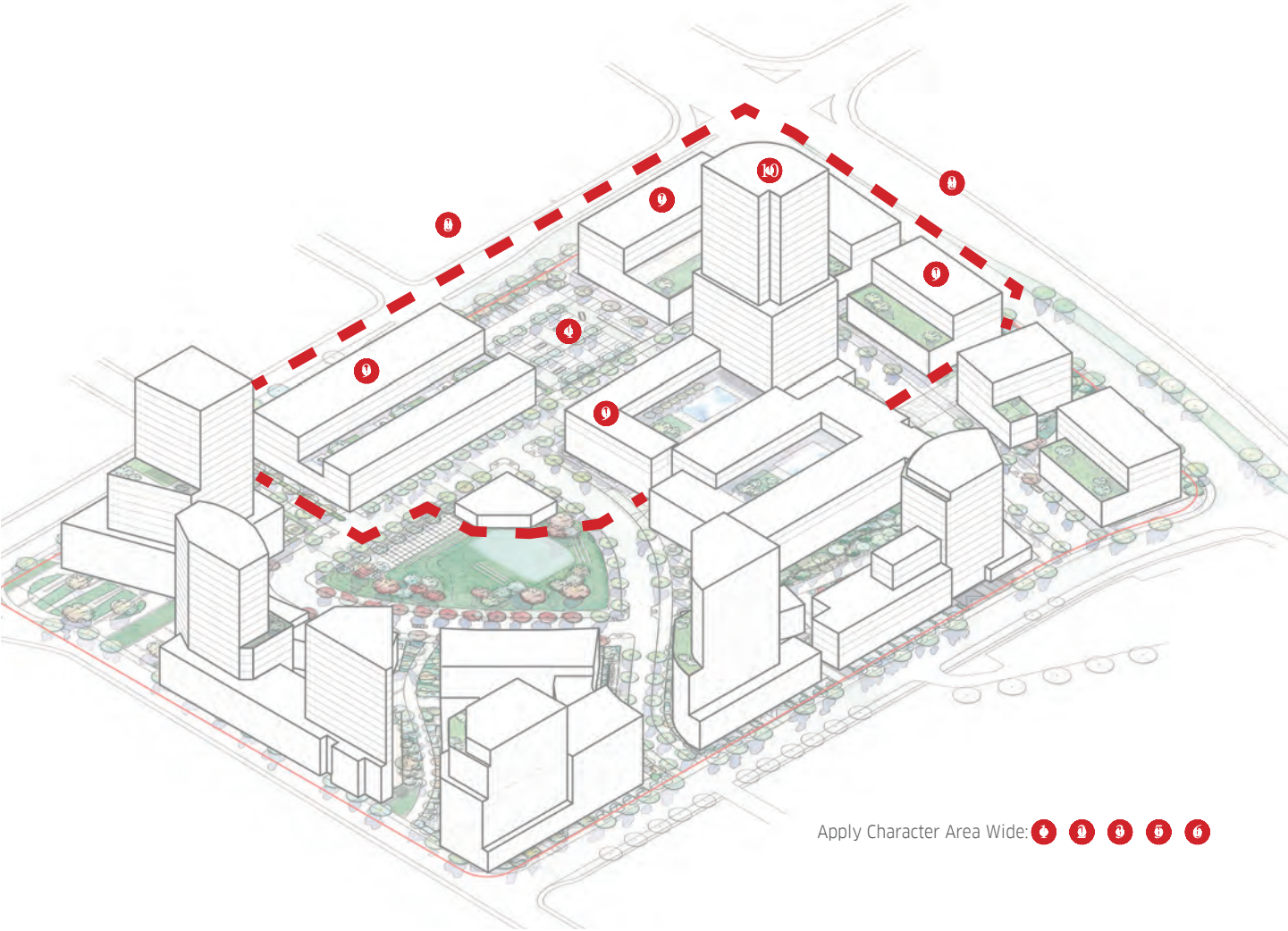
Building Massing

- ⑨ Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some of articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.
- ⑩ One “landmark” tower of up to 26 storeys may be located in this area, preferably in the overlap area with the “Transit-Oriented Commercial Focus.” The tower should have a strong vertical expression at the upper levels to provide design interest and, given its visual prominence, should include a distinctive “crown”. An additional tower - lower in height - may also be located in this character area away from Harvey Road.

Landscape

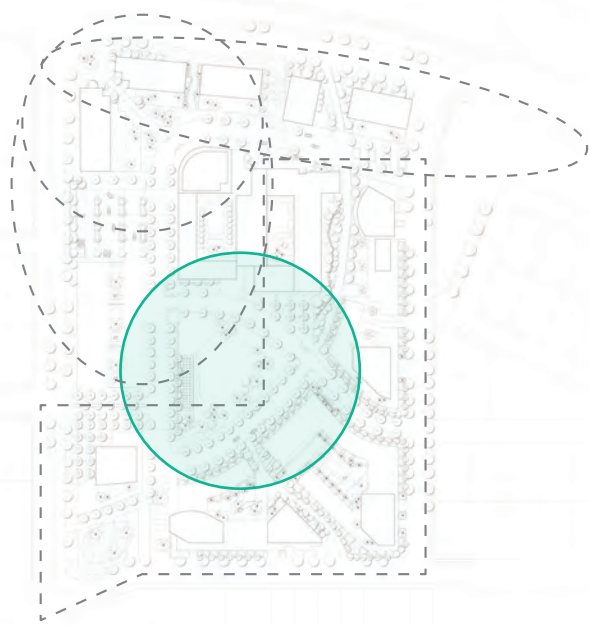
- ⑩ Landscape design in this area should recognize the high volumes of pedestrian circulation. A range of surface materials may be deployed to traffic calm areas internal to the site where pedestrian and vehicle movements occur in close proximity. Sight lines between Harvey Avenue and the interior portion of the site should be retained, if possible, through the use of low-level landscaping or columnar - as opposed to large canopy - trees.

Commercial Core



Apply Character Area Wide: 1 2 3 4 5 6

Capri Central Park



The above sketch indicates the general location of the “Capri Central Park” area. The 3D view provides an illustrative example of where - based on this concept plan - the Capri Central Park guidelines would apply. The actual boundary may vary by 20 to 30m but should include the central park space, portions of the “Crescent” pedestrian linkage, and the front elevation of all podium elements of buildings that face onto the park.

The “Capri Central Park” character area is the proposed approximate location for a community open space to be used for gatherings and public events at all times of the year.

DESIGN GUIDELINES

Public Realm

- 1 The public realm should be characterized by high quality and abundant landscape elements included in the park and ample pedestrian access.
- 2 The park space shall be designed to accommodate a variety of passive and active uses and give consideration to encouraging use at all times of year. An outdoor ice rink (winter) that doubles as an amphitheatre (summer) or performance space shall be constructed.
- 3 Though the site is currently relatively flat, subtle contours or mounds may be introduced to provide dimension to the space and create informal seating or play spaces.
- 4 The park shall be adjacent to the street on at least two sides to contribute to public access and high visibility.

- 5 A “Crescent” pedestrian linkage, incorporating similar landscape elements such as paving materials, street furnishing, and street trees, should extend from the Central Park north towards Harvey Avenue. Additional visual and pedestrian links will extend to nearby Capri Street, Sutherland Avenue, and Gordon Drive.

Occupancies

- 6 The “Central Park” area is a neighbourhood scale public space to be used by both residents and visitors to the Capri Centre. As it is expected to be generally surrounded by residential uses, the inclusion of a small-scale commercial retail or community building is encouraged.

Building's Relationship to the Street

- 7 The only building envisioned entirely within this area is a small scale commercial and / or community building. The primary orientation of the building shall be to the park space, though care should be taken to contribute to an interesting streetscape by minimizing the length of blank walls facing the streets and by providing a main entrance, well-lit and prominently addressed, towards one of the streets. Garbage and recycling facilities should be shared with a nearby building, if possible.
- 8 Residential buildings should be directly oriented to the park. This means that all ground level units should have direct access to the street. Balconies or Juliet balconies are strongly encouraged along all podium elements of buildings that face the park.

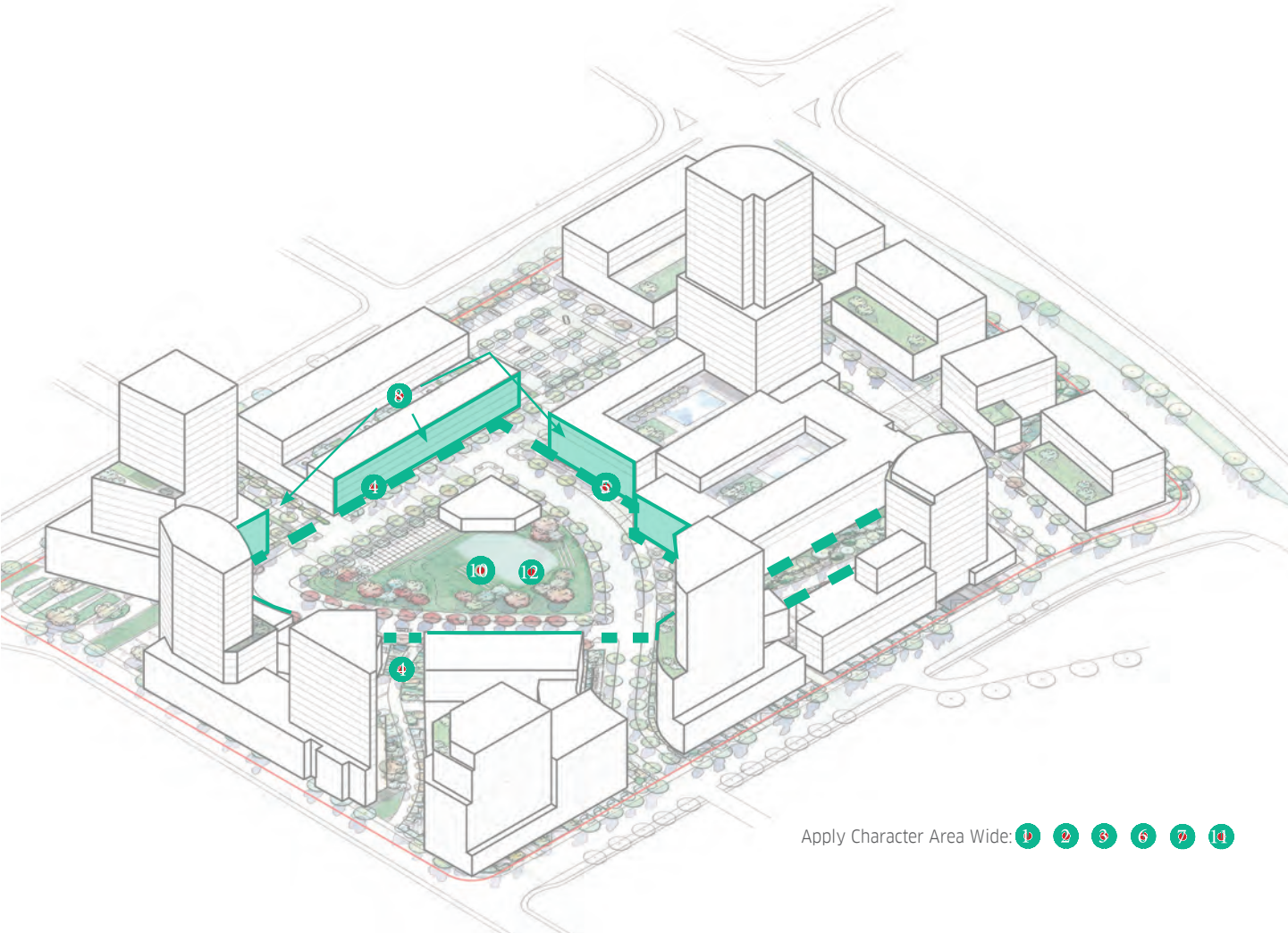
Building Massing

- 9 The community building within the park shall be no higher than two stories. In a two storey building, a portion of the second storey should be reserved as an outdoor patio.

Landscape

- 10 Landscape should reinforce the role of the central park as a neighbourhood gathering space expected to attract people year round. Seasonal interest shall be considered in plant selection including fruit trees and plants with showy fall foliage. A selection of evergreen plants or plants with winter interest (bold branch structure, striking bark, or winter berries) shall also be incorporated.
- 11 Drought tolerant species are encouraged.
- 12 Though some hard surface areas are expected to facilitate outdoor seating, event space, or the ice rink, the emphasis on the park space should be on lush landscaping.

Capri Central Park



Apply Character Area Wide: 1 2 3 6 7 14

Residential Focus



The above sketch indicates the general location of the “Residential Focus” area. The 3D view provides an illustrative example of where - based on this concept plan - the Residential Focus guidelines would apply. The actual boundary may vary by 20 to 30m but is generally those portions of the Capri Centre flanking Sutherland Avenue and Capri Street but excluding those developments adjacent to Harvey Avenue.

The “Residential Focus” character area is the primary location for residential-only development at the Capri Centre. In all cases commercial uses are permitted as part of a mixed-use development, but given the commercial focus at Gordon Drive and Harvey Avenue and the surrounding residential uses, this character area is envisioned as having a strong residential quality.

DESIGN GUIDELINES

Public Realm

- 1 Continuous street tree planting and landscaped boulevards should characterize the public realm.
- 2 Additional landscape areas between the sidewalk and building faces shall be provided.
- 3 Through-block pedestrian connections from Sutherland Avenue and Capri Street should have clear sight lines and visual access into the internal areas of the Capri Neighbourhood, particularly towards the park.
- 4 Additional consideration should be given to incorporating bicycle infrastructure along Sutherland Avenue.

Occupancies

- 8 The majority of space in this area will be for residential uses including street-level “townhouse” style housing and condominium use in podium and tower forms. Allowance for small-scale neighbourhood serving retail along Sutherland Avenue is acceptable.

Building's Relationship to the Street

- 6 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Common residential entries should be lit and well-signed. Private residential (street level townhouses, for example) entries should be 3 to 5m away from the sidewalk to allow for patio space or landscape area and 0.75m to 1.25 m above street level.
- 9 Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.
- 10 Buildings should be oriented towards the street and be located no more than 5m from the street edge to frame the public space and, in particular, create a sense of enclosure around the “market square” and “central park.”

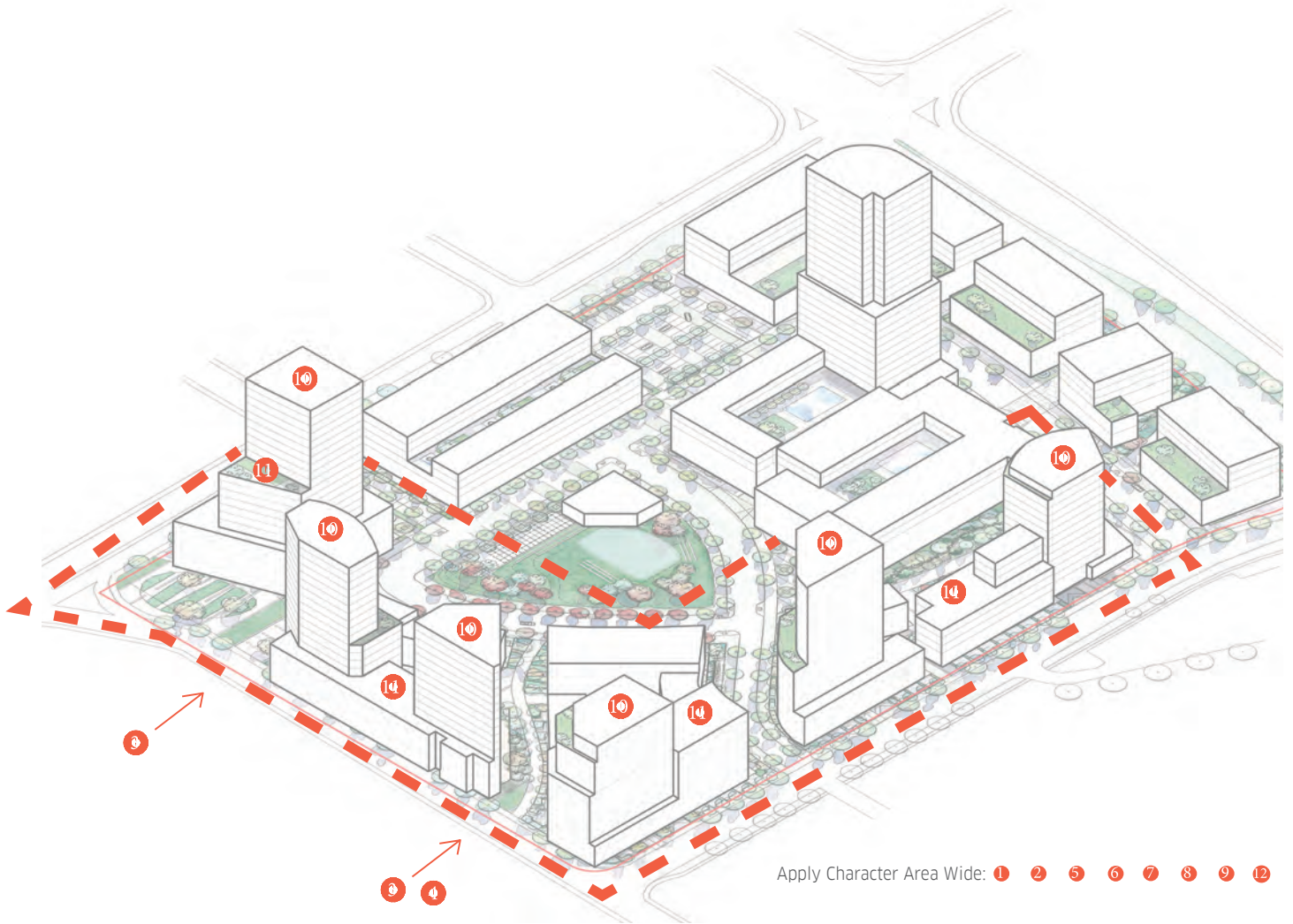
Building Massing and Design

- 9 Smaller-scaled figurative elements shall be used at lower-levels to break up the massing of the building. Tower forms should have strong vertical elements to define upper levels and extensive glazing. Solar shading devices are acceptable.
- 10 Tower heights should range from 14 to 22 storeys while podium elements will range from 4 to 8 storeys.
- 14 Rooftop spaces of podium elements (less than 14 storeys) shall not be left bare but should be utilized as amenity space for residents of each building or should incorporate a green roof.

Landscape

- 12 Landscape design in this area should employ a narrow range of species in order to unify the character area as a whole.

Residential Focus



CITY OF KELOWNA

MEMORANDUM

Date: *February 1, 2018*

File No.: DP17-0252

To: Community Planning (TB)

From: Development Engineer Manager (JK)

Subject: 1835 Gordon Dr. & 1171 Harvey Ave (REVISED)

The Development Engineering comments and requirements regarding this Development Permit application are as follows:

1) General.

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z12-0056 and Technical Memorandum dated January 2014 from Associated Engineering.
- b) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section

2) Servicing Agreements for Works and Services

- a) The service agreement dated November 19, 2015 is still valid however, the cost estimates should be updated to current cost. Payment of the bonding amounts still needs to be completed. Appendix "A" of the November 19, 2015 Service Agreement refers to the Performance Securities and the Construction Completion list that are still valid.
- b) The service agreement and the technical memorandum were based on a specified unit count of 2200 units with 3.58 HA of commercial space and a FAR of 2.65. This will either need to be registered in a restrictive covenant as a cap or an update to the development master plan will need to be done.

3) Subdivision

- a) By registered plan to provide the following
 - i) Grant Statutory rights-of-way for pedestrian connection
 - ii) Grant Statutory rights-of-way for vehicle connection throughout the development
 - iii) Provide a construction phasing plan of the development
 - iv) Provide an access management plan for the entire development

4) Electric Power and Telecommunication Services

- a) The electrical services to this development must be installed in an underground duct system, and the building must be connected by an underground service. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as this site is located within the Midtown urban town center.
- b) It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.
- c) Prior to issuance of Building Permit, the applicant must make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction

5) Dedications

- a) Along the Harvey Ave frontage, dedicate a 4.0m SROW for the water main looping and future maintenance of the water main and fire hydrants.

6) Geotechnical study

- a) A geotechnical study is required for each phase or building that will be constructed on site. This study is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:
 - i) Overall site suitability for development.
 - ii) Presence of ground water and/or springs.
 - iii) Presence of fill areas.
 - iv) Presence of swelling clays.
 - v) Presence of sulphates.
 - vi) Potential site erosion.
 - vii) Provide specific requirements for footings and foundation construction.
 - viii) Provide specific construction design sections for roads and utilities over and above the City's current construction standards

7) Water servicing

- a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the disconnection of existing services and the installation of a new service.

8) Sanitary Sewer Servicing

- a) The Technical Memorandum that was provided by Associated Engineering (Dated January 2014) refers to the existing sanitary infrastructure and has determined the system will require upgrades. The Technical Memorandum has also determined that the system can be relocated to public streets to eliminate the Statutory Right of Ways for/from the proposed development, in accordance with current City of Kelowna Bylaws and Policies
- b) Provide an adequately sized sanitary sewer connection. Only one service is to be provided per lot.

- c) Decommissioning of the existing small diameter services and the installation of the new service will be at the applicant's cost.

9) Drainage Servicing

- a) Provide a detailed Storm Water Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900
- b) Provide a detailed Site Grading Plan including erosion and sedimentation controls required onsite and public roads adjacent to the site
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan
- d) There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

10) Roads

- a) *Sutherland Drive is designated an urban collector road and identified as an Active Transportation Corridor (ATC). Construction of frontage improvements related to the ATC will be required including curb and gutter, separate sidewalk and active (bike) corridor, landscaped boulevard complete with underground irrigation and street lights. Only one (1) access to Sutherland will be granted for this development. All existing accesses to the site from Sutherland Drive will need to be relocated and/or decommissioned.*
- b) Gordon Drive Road is designated an urban arterial road. Construction of bike lanes and separate sidewalk is required.
- c) Relocate existing poles and utilities, where necessary.
- d) Driveway access is not permitted onto Harvey Ave. A restrictive covenant in favor of the City of Kelowna, registrable under Section 219 of the Land Title Act, must be granted to the effect that vehicular access is not permitted from abutting lots. The subdivision plan must be endorsed to the effect that a covenant is to be registered. The covenant must be registered as a priority charge and is to be indicated on the Lot Grading Plan

11) Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.

- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

12) Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager

13) Charge and Fees

- a) Development Cost Charges (DCC's) are payable at the time of Building Permit.
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST)

James Kay, P.Eng.
Development Engineering Manager

JA

DEVELOPMENT PERMIT



APPROVED ISSUANCE OF MASTER DEVELOPMENT PERMIT DP17-0252

Issued To: RG Properties Ltd. Inc. No. BCo812619

Site Address: 1835 Gordon Drive
1171 Harvey Avenue
1755 Capri Street

Legal Description: Lot A, DL 137, ODYD, Plan KAP64836, Except Plan EPP33990
Lot B, DL 137, ODYD, Plan KAP64836, Except Plan EPP33990
Lot C, DL 137, ODYD, Plan KAP64836, Except Plan EPP33990

Zoning Classification: CD26 – Capri Centre Comprehensive Development Zone

Development Permit Area: Comprehensive Development Zone

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Development Permit No. DP17-0252 for each of the following properties:

- Lot A, DL 137, ODYD, Plan KAP64836, Except Plan EPP33990, located at 1835 Gordon Drive, Kelowna, BC;
- Lot B, DL 137, ODYD, Plan KAP64836, Except Plan EPP33990, located at 1171 Harvey Avenue, Kelowna, BC;
- Lot C, DL 137, ODYD, Plan KAP64836, Except Plan EPP33990, located at 1755 Capri Street, Kelowna, BC;

subject to the following:

1. The site layout be in general accordance with Schedule "A".

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

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

This Permit IS NOT a Building Permit.

4. Indemnification

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

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

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2018.

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

 Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
 Security shall ONLY be returned to the signatory of the
 Landscape Agreement or his or her designates**

MASTER PLAN

A.02.101

SCHEDULE **A**

This forms part of application
DP17-0252

Planner Initials **TA**


City of
Kelowna
COMMUNITY PLANNING

