

Development Permit DP17-0288



This permit relates to land in the City of Kelowna municipally known as

1371 Bernard Avenue

and legally known as

Lot 7 District Lot 137 Osoyoos Division Yale District Plan 7936

and permits the land to be used for the following development:

Multiple Dwelling Housing

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision January 28, 2019

Decision By: Council

Development Permit Area: Comprehensive Development Permit Area

This permit will not be valid if development has not commenced by January 28, 2021.

Existing Zone:RM₃ – low Density Multiple Housing Future Land Use Designation: MRL – Multiple Uni Residential (Low Density)

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Miroslavka Gataric

Applicant: Miroslavka Gataric

Ryan Smith
Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) 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 Registered Landscape Architect.

This Development Permit is valid for two (2) years **from the date of Council approval**, with no opportunity to extend.

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 Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer 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 enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) An Irrevocable Letter of Creditor certified cheque in the amount of **\$37,548.75**

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. 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.

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.

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

DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area

Consideration has been given to the following guidelines as identified in Section 14.A. of the City of Kelowna Official Community Plan relating to Comprehensive Development Permit Areas:

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Authenticity and Regional Expression			
Do landscaping and building form convey a character that is distinct to Kelowna and the Central Okanagan?	✓		
Are materials in keeping with the character of the region?	✓		
Are colours used common in the region's natural landscape?	✓		
Does the design provide for a transition between the indoors and outdoors?	✓		
Context			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Does interim development consider neighbouring properties designated for more intensive development?			✓
Are façade treatments facing residential areas attractive and context sensitive?	✓		
Are architectural elements aligned from one building to the next?			✓
For exterior changes, is the original character of the building respected and enhanced?			✓
Is the design unique without visually dominating neighbouring buildings?	✓		
For developments with multiple buildings, is there a sense of architectural unity and cohesiveness?			✓
Relationship to the Street			
Do buildings create the desired streetscape rhythm?	✓		
Are parkade entrances located at grade?	✓		
For buildings with multiple street frontages, is equal emphasis given to each frontage?	✓		
Massing and Height			
Does the design mitigate the actual and perceived mass of buildings?	✓		
Does the height consider shading and view impacts for neighbouring properties and transition to less intensive areas?	✓		
Human Scale			
Are architectural elements scaled for pedestrians?	✓		
Are façades articulated with indentations and projections?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are top, middle and bottom building elements distinguished?	✓		
Do proposed buildings have an identifiable base, middle and top?	✓		
Are building facades designed with a balance of vertical and horizontal proportions?	✓		
Are horizontal glazed areas divided into vertically proportioned windows separated by mullions or building structures?	✓		
Does the design incorporate roof overhangs and the use of awnings, louvers, canopies and other window screening techniques?	✓		
Is the visual impact of enclosed elevator shafts reduced through architectural treatments?			✓
Exterior Elevations and Materials			
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are entrances visually prominent, accessible and recognizable?	✓		
Are higher quality materials continued around building corners or edges that are visible to the public?	✓		
Are a variety of materials used to create contrast, enhance the pedestrian environment and reduce the apparent mass of a building?	✓		
Are elements other than colour used as the dominant feature of a building?	✓		
Public and Private Open Space			
Does public open space promote interaction and movement through the site?			✓
Are public and private open spaces oriented to take advantage of and protect from the elements?	✓		
Is there an appropriate transition between public and private open spaces?	✓		
Are amenities such as benches, garbage receptacles, bicycle stands and community notice boards included on site?			✓
Site Access			
Is the safe and convenient movement of pedestrians prioritized?	✓		
Are alternative and active modes of transportation supported through the site design?	✓		
Are identifiable and well-lit pathways provided to front entrances?	✓		
Do paved surfaces provide visual interest?	✓		
Is parking located behind or inside buildings, or below grade?	✓		
Are large expanses of parking separated by landscaping or buildings?			✓
Are vehicle and service accesses from lower order roads or lanes?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do vehicle and service accesses have minimal impact on the streetscape and public views?			✓
Is visible and secure bicycle parking provided in new parking structures and parking lots?			✓
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?			✓
Are green walls or shade trees incorporated in the design?			✓
Does the site layout minimize stormwater runoff?			✓
Are sustainable construction methods and materials used in the project?			✓
Are green building strategies incorporated into the design?			✓
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?	✓		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	✓		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?	✓		
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
• Compliment and soften the building's architectural features and mitigate undesirable elements?	✓		
• Maintain the dominant pattern of landscaping along the street and surrounding properties?	✓		
• Enhance the pedestrian environment and the sense of personal safety?	✓		
• Screen parking areas, mechanical functions, and garbage and recycling areas?	✓		
• Respect required sightlines from roadways and enhance public views?	✓		
• Retain existing healthy mature trees and vegetation?		✓	
• Use native plants that are drought tolerant?	✓		
• Define distinct private outdoor space for all ground-level dwellings?	✓		
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do parking lots have one shade tree per four parking stalls?			✓
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
<ul style="list-style-type: none"> Meet the requirements for Landscape Water Budget calculations for the landscaped area? 	✓		
<ul style="list-style-type: none"> Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 	✓		
<i>Landscape Water Conservation Guidelines</i>			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?	✓		
Does at least 25% of the total landscaped area require no irrigation / watering?		✓	
Does at least 25% of the total landscaped area require low water use?	✓		
Does at most 50% of the total landscaped area require medium or high water use?	✓		
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?	✓		
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?			✓
Are the required written declarations signed by a qualified Landscape Architect?		✓	
<i>Irrigation System Guidelines</i>			
Is the Irrigation Plan prepared by a Qualified Professional?		✓	
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?	✓		
Is drip or low volume irrigation used?		✓	
Are the required written declarations signed by a qualified Certified Irrigation Designer?		✓	
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		
Are building materials vandalism resistant?		✓	
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?			✓
Are the site layout, services and amenities easy to understand and navigate?			✓
Lakeside Development			
Are lakeside open spaces provided or enhanced?			✓

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are lake views protected?			✓
Does lakeside development act as a transition between the lake and inland development?			✓
Signs			
Do signs contribute to the overall quality and character of the development?			✓
Is signage design consistent with the appearance and scale of the building?			✓
Are signs located and scaled to be easily read by pedestrians?			✓
For culturally significant buildings, is the signage inspired by historical influences?			✓
Lighting			
Does lighting enhance public safety?	✓		
Is "light trespass" onto adjacent residential areas minimized?	✓		
Does lighting consider the effect on the façade, neighbouring buildings and open spaces?			✓
Is suitably scaled pedestrian lighting provided?			✓
Does exterior street lighting follow the International Dark Sky Model to limit light pollution?			✓

ZONING ANALYSIS:

EXISTING	PROPOSED
ZONING: RU6	RM3

RM3 ZONING REQUIREMENTS:

ALLOWED	PROPOSED
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FAR: 0.80	0.59
NET BUILDING AREA: 7943.8 SF BASED ON 0.80 FAR	6123.35 SF
MAX SITE COVERAGE FOR BUILDINGS: 40%	29%
MAX SITE COVERAGE INCL PARKING & DRIVEWAYS: 60%	59%
BUILDING HEIGHT: 3 STOREYS OR 10 m	3 STOREYS W/ LOCALIZED DEPRESSION FOR ENTRY
SETBACKS: FRONT: 4.5m	4.5m
SIDE: 2.5m FROM WEST 4.5m FROM LAKEVIEW ST.	7.75m FROM WEST 4.5m FROM LAKEVIEW ST.
REAR: 7.5m	8.3m
PRIVATE OPEN SPACE: REQUIRED: 100.0 m ²	BALCONIES/ PATIOS: 333.57 m ²
PARKING AND LOADING: 2 STALLS x 4 UNITS = 8 STALLS	PROVIDED: 8 STALLS
BICYCLE PARKING: CLASS II: 0.1 x 4 UNITS = 0.4	PROVIDED: 2 STALLS

BUILDING STATISTICS:

UNIT TYPOLOGY & COUNT:
3 BEDROOM: 4

BUILDING AREA: 268.5 SM (2690.13 SF)
GROSS CONSTRUCTION AREA: 922.4 SM (9928.7 SF)



1 SITE PLAN
1:100

NOTE:
SITE SURVEY BASED ON INFORMATION PROVIDED BY:
FINAL LAYOUT, GRADE ELEVATIONS AND FINAL MAIN FLOOR ELEVATION TO BE DETERMINED BY SURVEYOR & CIVIL ENGINEER IN CONSULTATION WITH CONTRACTOR & OWNER.
ARCHITECTURAL SITE PLAN TO BE READ IN CONJUNCTION WITH CIVIL SITE PLAN.
ARCHITECTURAL SITE PLAN TO BE READ IN CONJUNCTION WITH LANDSCAPE PLAN.

SCHEDULE A

This forms part of application
DP17-0288

Planner Initials **KB**

City of Kelowna
COMMUNITY PLANNING

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA
This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly limited to such use.
This drawing must not be scaled.
Verify all dimensions and datums prior to commencement of work.
Report all errors and omissions to the Architect.



No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP
2	SEP 17, 2018	RE-ISSUED FOR DP

Seal

project title
1371 BERNARD AVE.
4-PLEX

project address
1371 BERNARD AVE,
KELOWNA, BC

project no. 4035

drawing title
SITE PLAN & ZONING ANALYSIS

designed scale As indicated

drawn R.B./J.Y.

checked R.Y.

drawing no. **A002**

plotted OCT 02, 2018 10/3/2018 1:36:23 PM

SCHEDULE B

This forms part of application
 # DP17-0288

Planner Initials KB



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MATERIAL KEYNOTE

1. ACRYLIC STUCCO - DARK BROWN
2. ACRYLIC STUCCO - WHITE
3. IMITATION CEDAR SIDING (FIBRE CEMENT BOARD)
4. IMITATION CEDAR SHINGLES (FIBRE CEMENT BOARD)
5. DOUBLE GLAZED ALUMINUM DOORS
6. DOUBLE GLAZED ALUMINUM WINDOWS
7. GLAZED RAILING SYSTEM
8. METAL OVERHEAD GARAGE DOOR - INSULATED
9. PRIVACY SCREEN - COMPOSITE CEDAR STRIP
10. ALUMINUM SOLAR SHADE - PAINTED BLACK
11. MECHANICAL UNIT - ON ISOLATION PAD
12. CEDAR STRIP FENCING
13. METAL CAP-FLASHING - PAINTED
14. EXPANSION JOIST - METAL FLASHING - PAINTED
15. ARCHITECTURAL CONCRETE
16. METAL FENCE - PAINTED WHITE

Revision

No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP
2	SEP 17, 2018	RE-ISSUED FOR DP

Seal

project title
 1371 BERNARD AVE.
 4-PLEX

project address
 1371 BERNARD AVE,
 KELOWNA, BC

project no. 4035

file no.

drawing title

ELEVATIONS

designed scale As indicated

drawn R.B./J.Y.

checked R.Y.

drawing no.

A009

plotted OCT 02, 2018 10/3/2018 1:36:40 PM



1 North Elevation
 3/16" = 1'-0"



3 East Elevation
 3/16" = 1'-0"

NOT FOR CONSTRUCTION

SCHEDULE B

This forms part of application
DP17-0288



City of
Kelowna
COMMUNITY PLANNING

Planner
KB

MATERIAL KEYNOTE

1. ACRYLIC STUCCO - DARK BROWN
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3. IMITATION CEDAR SIDING (FIBRE CEMENT BOARD)
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15. ARCHITECTURAL CONCRETE
16. METAL FENCE - PAINTED WHITE

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Revision

No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP
2	SEP 17, 2018	RE-ISSUED FOR DP

Seal

project title
**1371 BERNARD AVE.
4-PLEX**

project address
**1371 BERNARD AVE,
KELOWNA, BC**

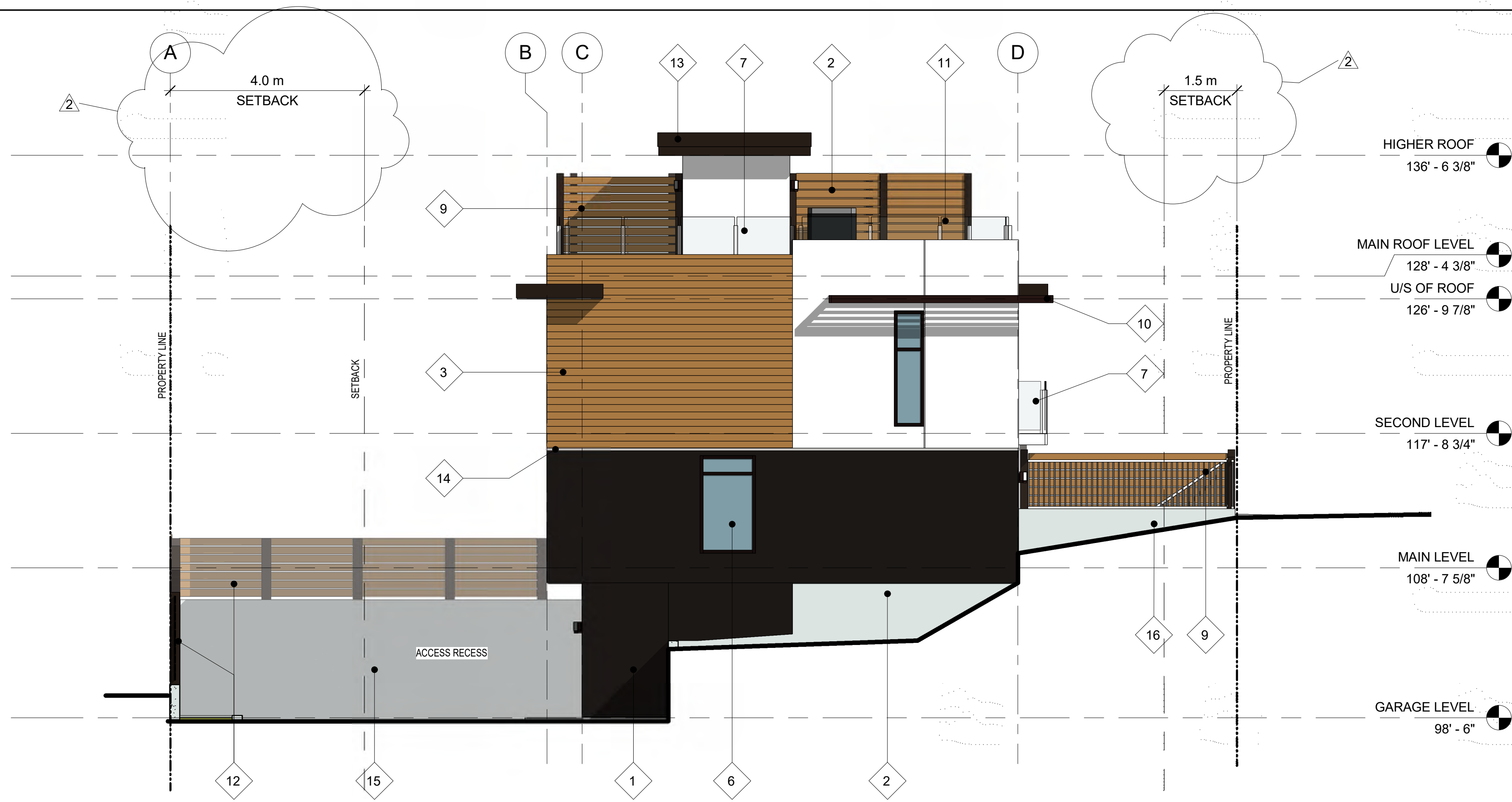
project no. 4035

drawing title
ELEVATIONS

designed scale As indicated
drawn R.B./J.Y.
checked R.Y.
drawing no.

A010

plotted OCT 02, 2018 10/3/2018 1:36:53 PM



1 South Elevation
3/16" = 1'-0"



2 West Elevation
3/16" = 1'-0"

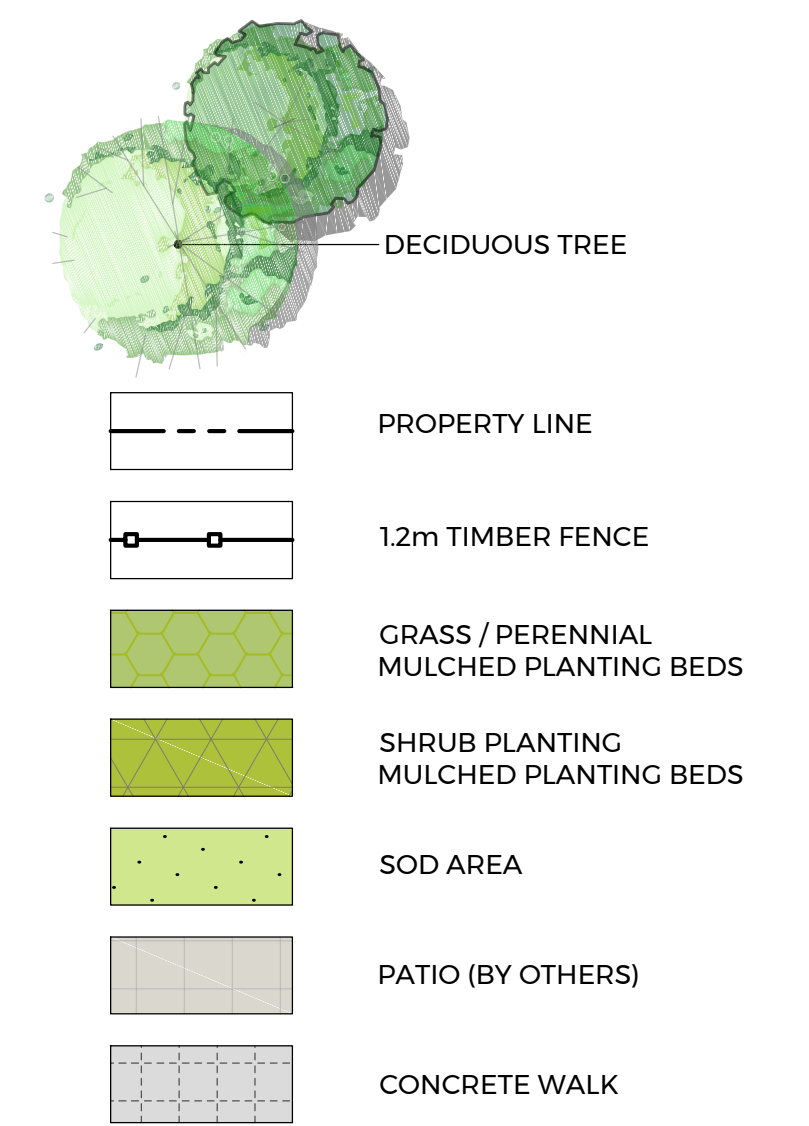
NOT FOR CONSTRUCTION



LANDSCAPE DEVELOPMENT DATA:

1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
2. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE.
3. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
4. ALL PLANTING BEDS SHALL HAVE APPROVED MULCH.
5. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
6. THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.

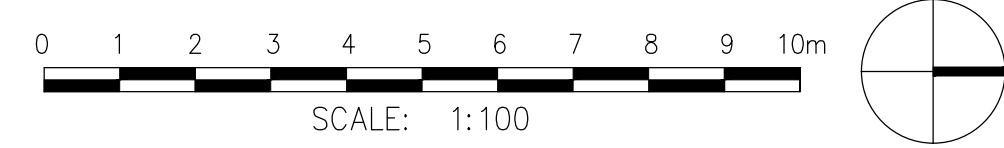
SITE PLAN LEGEND:



REPRESENTATIVE PLANT LIST

BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (Ht.xWd.)
Trees Deciduous				
<i>Cercidiphyllum japonicum</i>	Katsura Tree	6cm Cal	B&B	12.0m x 8.0m
Shrubs / Grasses				
<i>Buxus 'Green Gem'</i>	Green Gem Boxwood	#01	Potted	1.0m x 1.0m
<i>Cornus alba 'Bailhalo'</i>	Ivory Halo Dogwood	#01	Potted	1.50m x 1.50m
<i>Euonymus alatus 'Compactus'</i>	Dwarf Burning Bush	#01	Potted	2.0m x 2.0m
<i>Miscanthus sinensis 'Gracillimus'</i>	Maiden Hair	#01	Potted	1.0m x 1.5m
<i>Pennisetum alopecuroides 'Red Head'</i>	Red Head Fountain Grass	#01	Potted	1.2m x 1.2m
Perennials				
<i>Allium 'Globemaster'</i>	Persian Onion		bulb	
<i>Echinacea purpurea 'Magnus'</i>	Magnus Coneflower	#01	Potted	1.0m x 0.75m
<i>Nepeta x fassenii 'Walker's Low'</i>	Walker's Low Catmint	#01	Potted	0.90m x 0.90m
<i>Rudbeckia hirta 'Indian Summer'</i>	Goldsturm Coneflower	#01	Potted	0.75m x 1.0m

1 LANDSCAPE PLAN
LDP1 SCALE: 1:100



REPRESENTATIVE IMAGES



Cercidiphyllum japonicum



Buxus 'Green Gem' with Allium



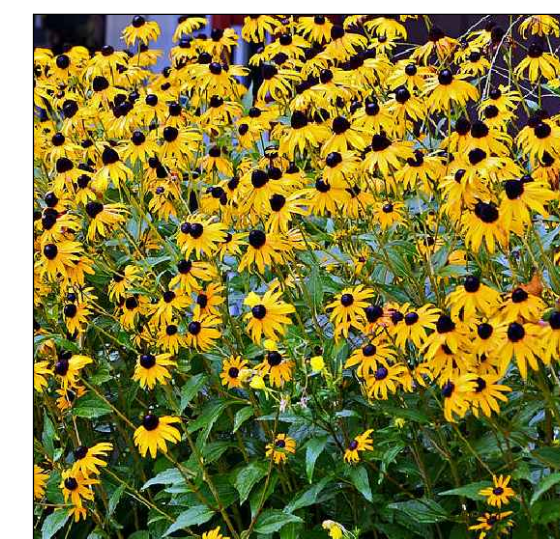
Cornus alba 'Bailhalo'



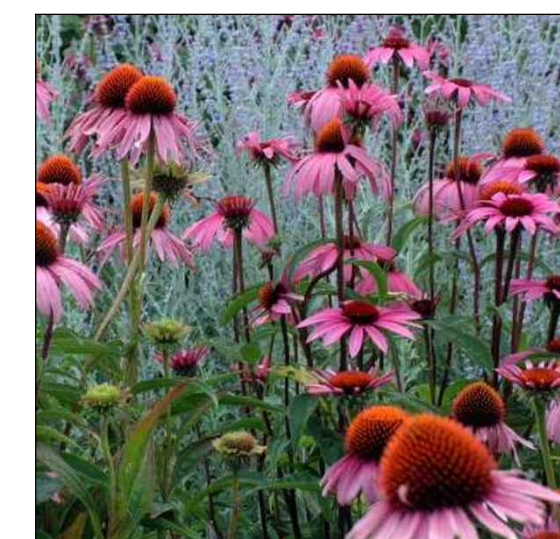
Euonymus alatus 'Compactus'



Nepeta x fassenii 'Walker's Low'



Rudbeckia hirta 'Indian Summer'



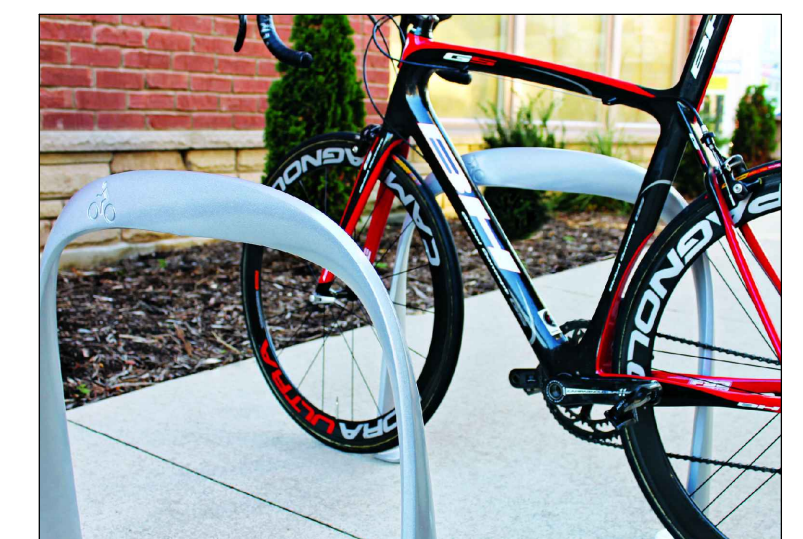
Echinacea purpurea 'Magnus'



Pennisetum alopecuroides 'Red Head'

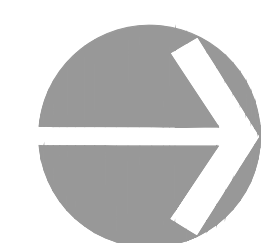


Miscanthus sinensis 'Gracillimus'



Bike Racks

SCHEDULE C
This forms part of application # DP17-0288
Planner Initials **KB**
City of Kelowna COMMUNITY PLANNING



REVISIONS / ISSUED	
NO.	DESCRIPTION
1	NOV 02/17 ISSUED FOR DP

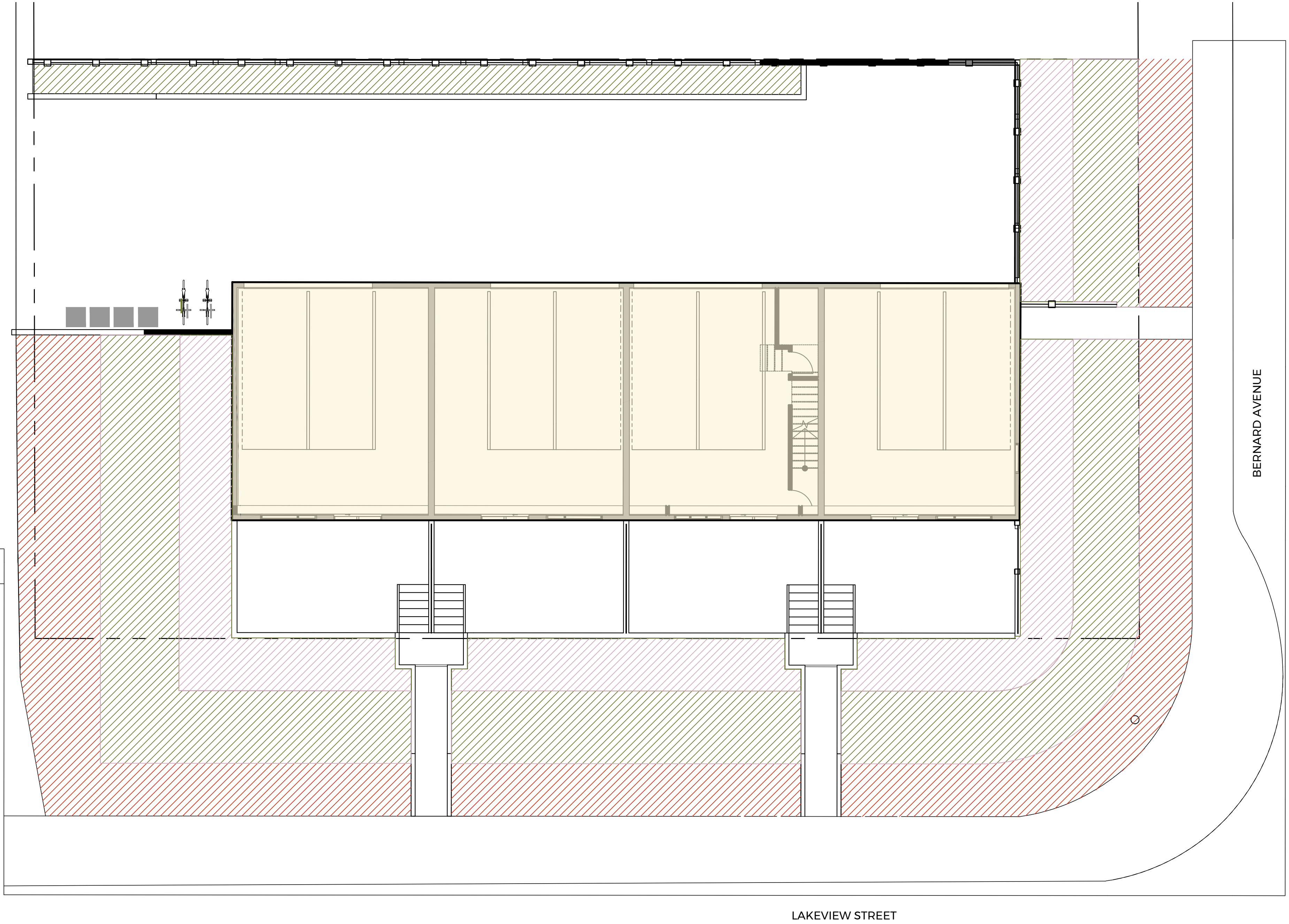
PROJECT
1371 BERNARD AVENUE 4-PLEX
CLIENT
LOCATION
KELOWNA, B.C.



540 Leon Avenue, Kelowna, BC V1Y6J6
t. 250.869.1334, f. 250.862.4849, www.wsp.com

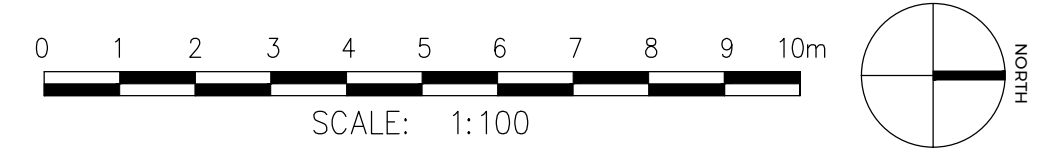
DESIGN BY	BD	SHEET TITLE	SITE PLAN
DRAWN BY	YY		
CHECKED BY	BD		
PROJECT NO.	17M-01929	SHEET NO.	LDP-1
SCALE	1:100		1 OF 2

P:\31 - BC INTERIOR\3117\17M-01929-00 BERNARD 4-PLEX\01 - PRODUCTION DRAWINGS\01 - DRAWINGS\02 - CURRENT\17M-01929-LDP.DWG



- HYDROZONE LEGEND:**
- LOW WATER REQUIREMENTS
(224.0m.sq.)
 - MODERATE WATER REQUIREMENTS
(121.0m.sq.)
 - HIGH WATER REQUIREMENTS
(178.0m.sq.)

1 HYDROZONE PLAN
LDP2 / SCALE: 1:100



SCHEDULE C

This forms part of application
DP17-0288

Planner Initials **KB**

City of Kelowna
COMMUNITY PLANNING

NO.	DATE	DESCRIPTION
1	NOV 02/17	ISSUED FOR DP

PROJECT
1371 BERNARD AVENUE 4-PLEX

CLIENT

LOCATION
KELOWNA, B.C.

wsp

540 Leon Avenue, Kelowna, BC V1Y6J6
t. 250.869.1334, f. 250.862.4849, www.wsp.com

DESIGN BY	BD	SHEET TITLE	HYDROZONE PLAN
DRAWN BY	YY	SHEET NO.	LDP-2 2 OF 2
CHECKED BY	BD		
PROJECT NO.	17M-01929		
SCALE	1:100		