

Development Permit & Development Variance Permit DP19-0127 and DVP19-0128



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

2960 Sexsmith Road

and legally known as

Lot 33 Section 3 Township 23 ODYD Plan 18861

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

Recreational Vehicle (RV) Storage Facility

USE as per Zoning Bylaw

Outdoor Storage

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

Date of Council Decision July 30, 2019

Decision By: COUNCIL

Development Permit Area: Comprehensive

Existing Zone: I6 -Low Impact Transitional Industrial

Future Land Use Designation: IND-L- Industrial - Limited

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: Stuart McMillan & Jackie-Lynn Large

Applicant: CTQ Consultants Ltd.

Terry Barton
Community Planning Department Manager
Planning & Development Services

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) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- b) 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.

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

Section 15.6.9: Landscape, buffering and parking

To allow parking in the front yard setback (south) by reducing the front yard setback (from 4.5 m to 3.0 m);

To allow parking in the west side setback by reducing that side yard setback (from 4.5 m to 3.0 m);

To allow parking in the east side setback by reducing the side yard setback (from 4.5 m to 0.0 m);

To allow parking in the rear yard setback (north) by reducing the rear yard setback (from 7.5 m to 0.0 m);

Section 7.6.1 (c): Landscape, buffering and parking

To reduce the minimum landscape buffer on the east and north side from 3.0 m to 0.0 m

This Development Permit is valid for two (2) years from the date of 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 Credit in the amount of **\$27,112.50**
- b) A certified cheque in the amount of **\$27,112.50**

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.

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.

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.

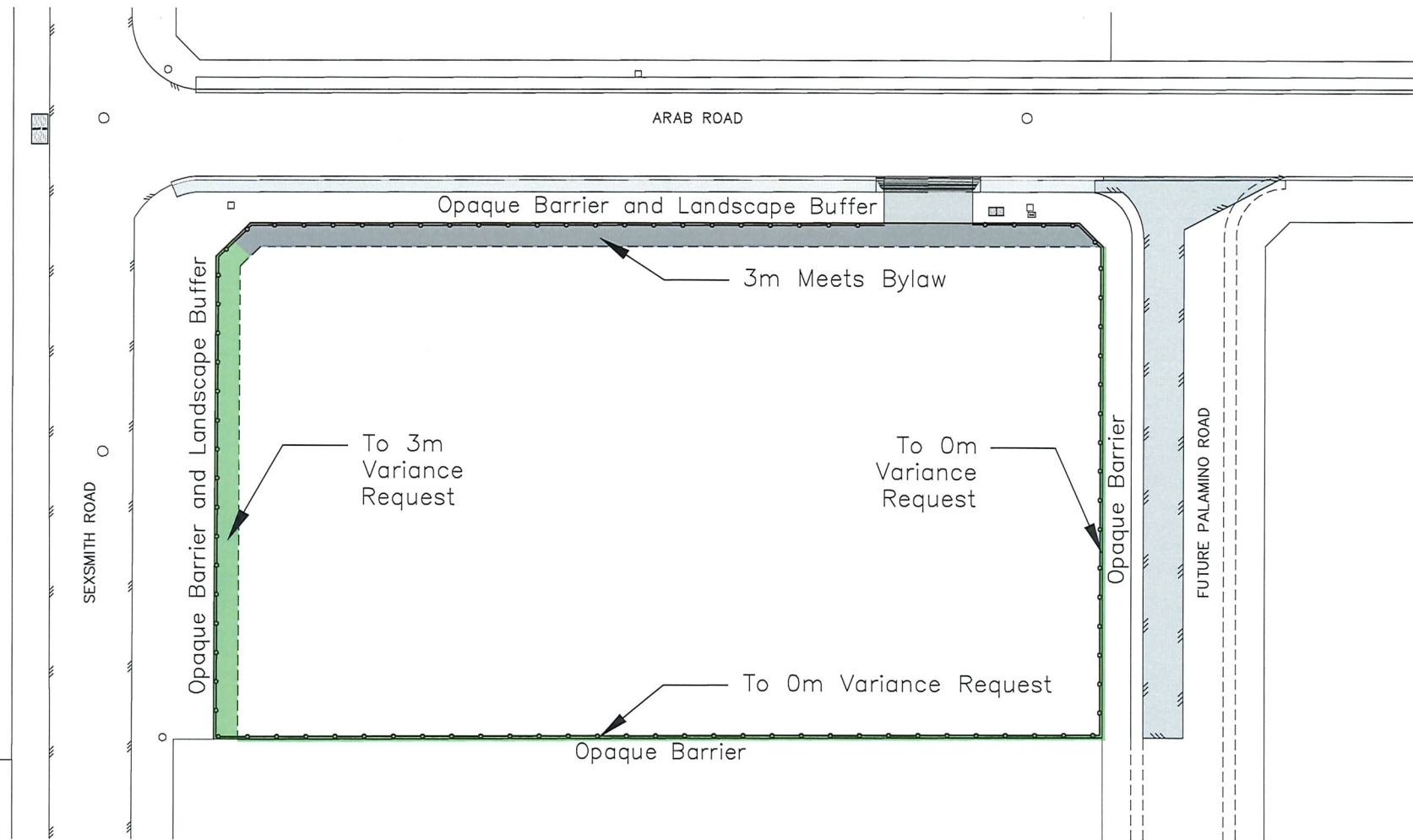
The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.

DRAFT

DEVELOPMENT VARIANCE PERMIT



Setback Variance Request



SCHEDULE C

This forms part of application

DP19-0127 & DVP19-0128



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials

LK

2960 SEXSMITH ROAD-REZOING
SETBACK VARIANCE REQUEST

SCALE 1:500
April 30, 2019

CTQ

Red Sunset Maple



Tree Lilac



Gro-low fragrant sumac



Proposed Plant List - 2960 Sexsmith

Qty	Botanical Name	Common Name	Size	Spacing
9	Acer rubrum 'Red Sunset'	Red Sunset Maple	60mm cal	
5	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	50 mm cal	
48	Rhus aromatica Gro-Low	Gro-Low Fragrant Sumac	#2	3.0m OC

Red Sunset Maple planted along Arab Road - 10m O.C.

Arab Road

Sexsmith Road

Tree Lilacs planted along Sexsmith Road - 10m O.C.

3.0m wide river rock mulch-typ

1.8m ht solid wood fence along property line-typ

Gro-low sumac planted at 1.5m oc between trees-typ

16 stalls
4x12.2

COMPACTED GRAVEL

10 stalls
4x9.1

27 stalls
4x12.2

1 stall
4x9.1

COMPACTED GRAVEL

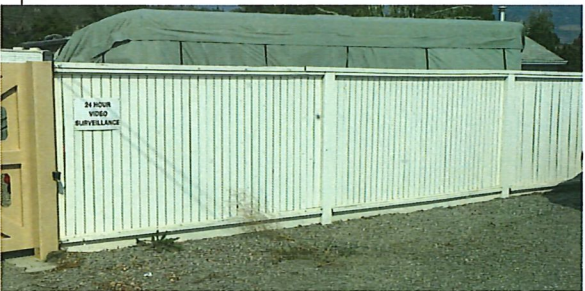
8 stalls
4x9.1

26 stalls
4x6

Notes

- The illustrated landscape plan is conceptual only..not for construction.
- All plants, material and planting practices to conform to the Canadian Landscape Standard - Current Edition
- Contractor to provide a warranty and maintenance period of 1 year on all plants and materials. Plants and materials that fail before end of the warranty period shall be replaced by the contractor.
- Shrub planting areas to receive 300mm of topsoil, sod areas to receive 100mm depth
- Prior to delivery to site, a representative sample and test results of topsoil should be made available to the consultant for approval.
- Plant material selections are conceptual only. Final planting selections may vary depending on availability. No plant species substitution will be accepted without the written consent of the consultant.
- All planting beds to receive 100 mm depth Washed River Rock Mulch- 50mm-100mm dia rocks on Filter Fabric..

1.8m ht Solid wood fence



SCHEDULE C

This forms part of application
DP19-0127 & DVP19-012

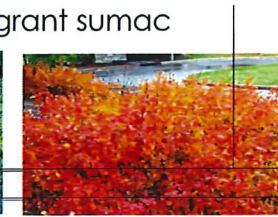
Planner
Initials LK



0 5 meters 15 25

CTO
ENGINEERING PLANNING URBAN DESIGN

2960 SEXSMITH ROAD Conceptual Landscape Plan



Gro-low fragrant sumac

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Red Sunset Maple planted along Arab Road - 10m O.C.

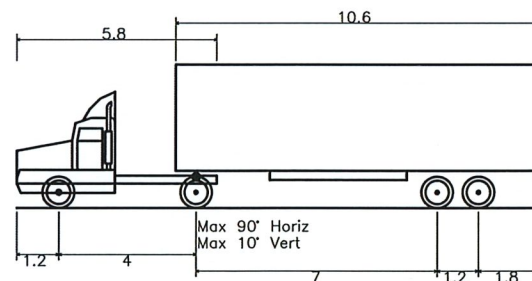
Arab Road

Sexsmith Road

Tree Lilacs planted along Sexsmith Road - 10m O.C.

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WB-12 - Semitrailer Combination
Overall Length 15.200m
Overall Width 2.600m
Overall Body Height 4.150m
Min Body Ground Clearance 0.435m
Track Width 2.600m
Lock-to-lock time 4.00s
Curb to Curb Turning Radius 12.200m

Sod Lawn Boulevard

16 stalls
4x12.2

COMPACTED GRAVEL

27 stalls
4x12.2

COMPACTED GRAVEL

1 stall
4x9.1

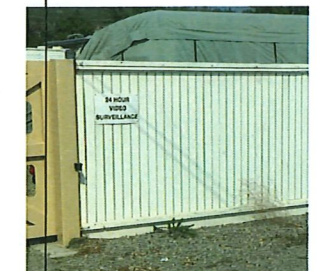
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4x6

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SCHEDULE

C

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DP19-0127 & DVP19-012

Planner
Initials

LK



2960 SEXSMITH ROAD-REZOING
VEHICLE TURNING
DRAWING No. 18004-AT-01
SCALE 1:250
March 28, 2019

CTQ