

Development Permit DP19-0108



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

2271 Harvey Avenue

and legally known as

Lot 1 District Lot 127 ODYD Plan KAP53260 Exept Plans KAP56123 and EPP3467

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

C6 – Regional Commercial



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

Date of Council Decision: September 9, 2019

Decision By: COUNCIL

Development Permit Area: Revitalization Development Permit Area

This permit will not be valid if development has not commenced by September 9, 2021.

Existing Zone: C6 – Regional Commercial Future Land Use Designation: MXR – Mized Use (Residential / Commercial)

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: Orchard Park Shopping Centre Holdings Inc., Inc. No. A59814

Applicant: Meiklejohn Architects

Terry Barton
Development 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 Credit in the amount of **\$ 271,277.50**
- b) A certified cheque in the amount of **\$ 271,277.50**

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. 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.**

ATTACHMENT A	
This forms part of application # DP19-0108	
Planner Initials	AF
City of Kelowna BC DEVELOPMENT SERVICES	

SCHEDULE

B

This forms part of application
DP19-0108

City of Kelowna

DEVELOPMENT SERVICES

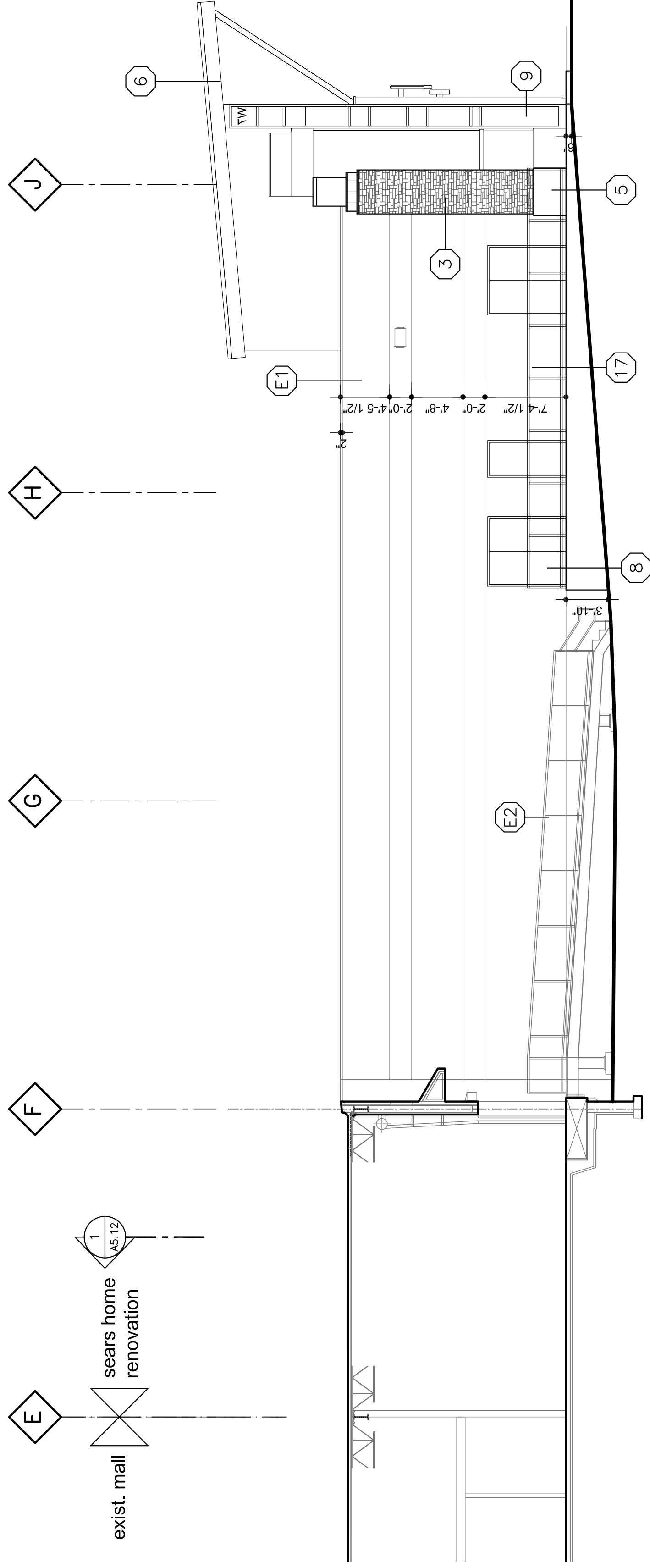
Planner Initials

AF

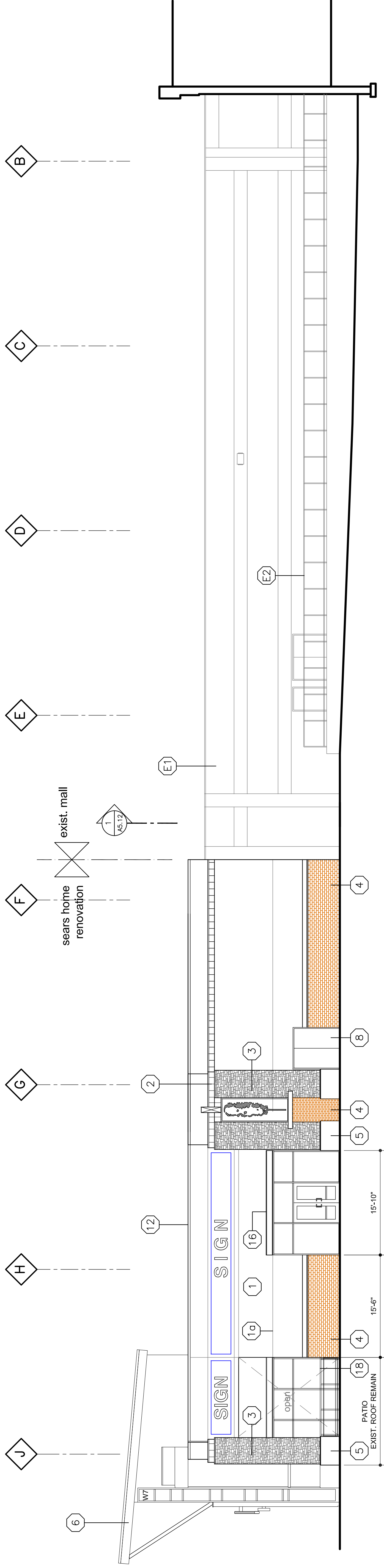
ELEVATION KEY NOTES	
- ALL COLOURS TO BE CHOSEN BY ARCHITECT AT LATER DATE FROM APPROVED PRODUCT MANUFACTURER'S STANDARD LINE OF COLOURS. - NEW PRODUCT COLOURS TO BE TESTED ON SITE TO MATCH EXIST. BLDG.	
1	ACRYLIC STUCCO FINISH (UP TO 5 COLOURS - SEE 3D IMAGES / COLOURS / MATERIAL SCHEDULE)
10	STUCCO REVEALS / CONTROL JOINTS
2	SLATE TILE TO MATCH EXIST.
3	CULTURED STONE FACING
3G	STACKED BOND BRICK VENEER (CONFIRM WITH TENANT)
4	NEW BRICK VENEER (SEE 3D IMAGES / MATERIAL SCHEDULE)
5	C.I.P. ARCHITECTURAL CONCRETE
6	PAINTED STEEL FRAME
7	PREFIN. METAL PANELS
7G	PREFIN. METAL FEATURE PANELS
8	PAINTED METAL DOORS
9	NEW ALUM. FRAMED DOORS / WINDOWS
10	NEW ILLUMINATED SIGNAGE
11	LIGHTING FIXTURES
12	PREFIN. FLASHING TO MATCH ADJACENT FINISHES (SEE 3D IMAGES / MATERIAL SCHEDULES)
13	PRECAST CAP / PREFIN. FLASHING (SM TO 12)
14	"GREEN SCAPE" TREE FEATURE
15	EMERGENCY OVERFLOW SOUPPER
16	PREFIN. METAL WINDOW TRIM
17	NEW PAINTED STEEL PIPE RAILING
18	ALUM. / GLASS RAILING
E1	EXIST. GIANT BRICK VENEER
E2	EXIST. PAINTED STEEL PIPE RAILING

Front Elevation

2019-03-28 DP	Project Title OPK SEARS HOME 2271 HARVEY AVE, KELOWNA, B.C.	Consultant/Architect m+ma MEKELOHN ARCHITECTS INC.	Drawing Title BLDG ELEV RENOVATION 1/8"=1'-0"	Drawing Number A4.13	OPK SEARS HOME



Left Side Elevation



SCHEDULE B

This forms part of application
DP19-0108

City of Kelowna
PLANNING DEPARTMENT

Planner Initials AF

Right Side Elevation

Note:
See A4.13 for elevation key note legend

2019-03-28
DP

Project Title
OPK SEARS HOME
2271 HARVEY AVE, KELOWNA, B.C.

Consultant/Arch

MEKLEJOHN ARCHITECTS INC.

m+ma

Copyright reserved. This plan and design is the property of Meiklejohn Architects Inc. and may not be used without their written consent.
Date: 2019-03-28
Scale: AS SHOWN
Drawn: [blank]
Checked: [blank]

Building Title
BLDG ELEV
RENOVATION
1/8"=1'-0"

Drawing Number

A4.14

OPK
SEARS HOME

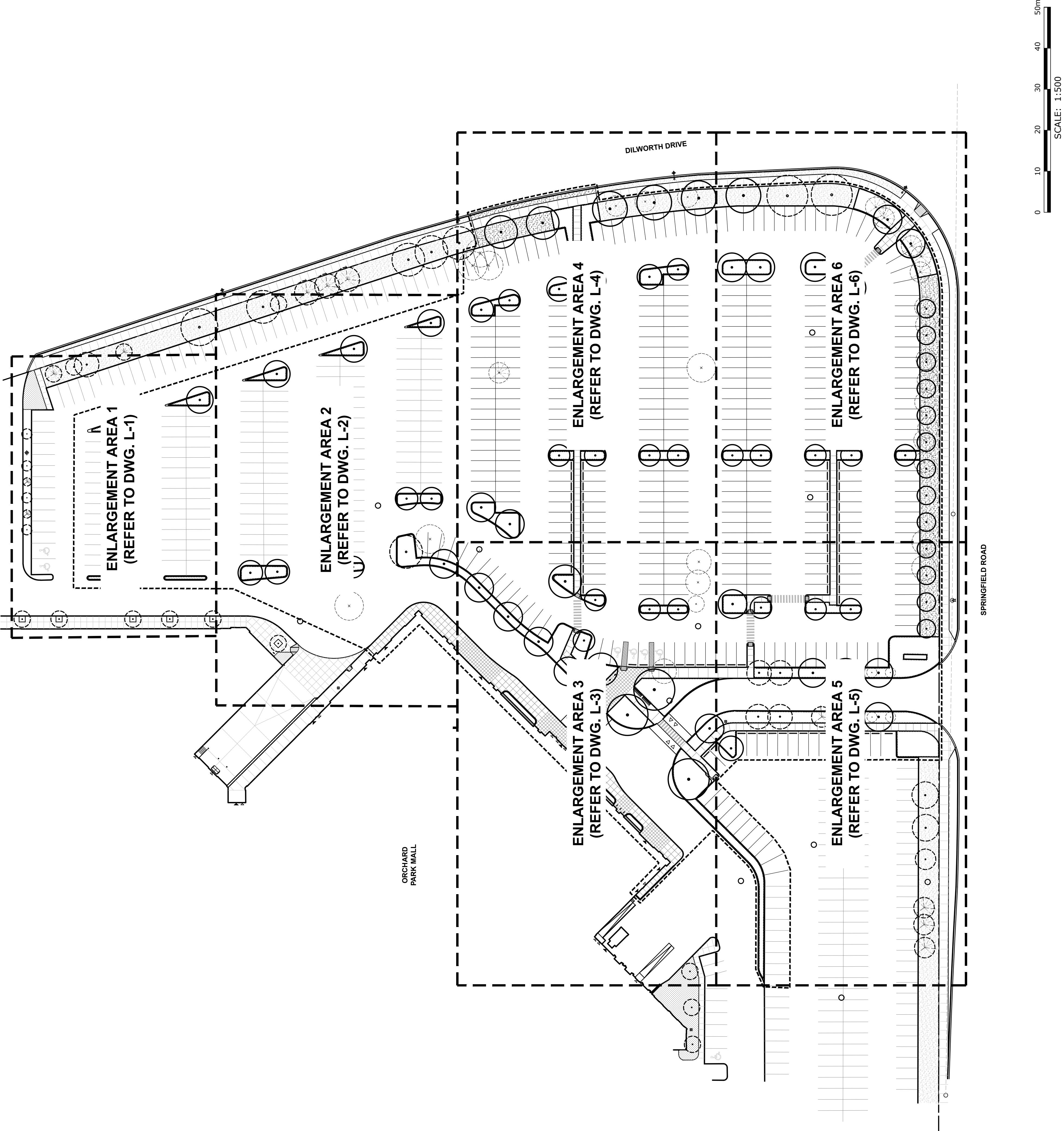
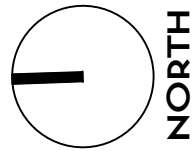
OPK SEARS HOME

KELOWNA, BC

LANDSCAPE DRAWING LIST:

- L-0 COVER PAGE
- L-1 LANDSCAPE PLAN: ENLARGEMENT AREA 1
- L-2 LANDSCAPE PLAN: ENLARGEMENT AREA 2
- L-3 LANDSCAPE PLAN: ENLARGEMENT AREA 3
- L-4 LANDSCAPE PLAN: ENLARGEMENT AREA 4
- L-5 LANDSCAPE PLAN: ENLARGEMENT AREA 5
- L-6 LANDSCAPE PLAN: ENLARGEMENT AREA 6
- L-7 HYDROZONE PLAN

NOT FOR CONSTRUCTION



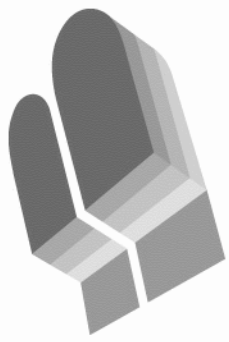
DEVELOPMENT PERMIT NOTES:

- A. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARDS, PUBLISHED BY CNLA, AND C.S.L.A. AS WELL AS THE CITY OF KELOWNA LANDSCAPE STANDARDS IN BYLAW 7900.
- B. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELOWNA FORM AND CHARACTER REQUIREMENTS.
- C. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY AT THE TIME OF CONSTRUCTION.
- D. TREES SHALL BE INSTALLED IN DEFINED SOIL PITS OR PLANTING BED AREAS. ADEQUATE SOIL VOLUME SHALL BE PROVIDED BASED ON THE SPECIFIED TREE SPECIES AND LOCATION.
- E. ORNAMENTAL SHRUB, GRASS AND PERENNIALS ARE TO BE PLACED WITHIN DEFINED PLANTING BEDS. ALL PLANTING BEDS SHALL HAVE A MIN. OF 450mm (18") IMPORTED GROWING MEDIUM AND 75mm (3") OF COMPOSTED MULCH OR APPROVED EQUAL.
- F. ALL HAVE A MIN. OF 75mm (3") OF DECORATIVE CRUSHED ROCK, COMMERCIAL GRADE LANDSCAPE FABRIC SHALL BE INSTALLED BELOW ALL DECORATIVE ROCK AREAS.
- G. TURF AREAS SHALL BE LOW WATER USE 'NO.1 PREMIUM' SOD WITH A MIN. OF 150mm (6") IMPORTED GROWING MEDIUM.
- H. A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL ORNAMENTAL LANDSCAPE AREAS AND SHALL CONFORM TO THE CITY OF KELOWNA'S IRRIGATION STANDARDS IN BYLAW 7900.

PLANT LIST:

TREES			
Botanical Name	Common Name	Size/Spacing	Root
<i>Acer rubrum</i> 'Frank Jr'	Redpointe maple	6cm Cal.	B&B
<i>Ginkgo biloba</i> 'The President'	Presidential Gold ginkgo	6cm Cal.	B&B
<i>Gleditsia triacanthos</i> 'Skycole'	Skyline honeylocust	6cm Cal.	B&B
<i>Fraxinus</i> 'Northern Gem'	Northern Gem ash	6cm Cal.	B&B
<i>Ostrya virginia</i>	American hophornbeam	6cm Cal.	B&B
<i>Parrotia persica</i> 'Vanessa'	Vanessa ironwood	6cm Cal.	B&B
<i>Quercus ellipsoidalis</i>	Northern pin oak	6cm Cal.	B&B
<i>Zelkova serrata</i> 'Green Vase'	Green Vase Japanese zelkova	6cm Cal.	B&B
SHRUBS			
Botanical Name	Common Name	Size/Spacing	Root
<i>Cornus sanguinea</i> 'Midwinter Fire'	Bloodtwig dogwood	#02 Cont./1.8m O.C.	Potted
<i>Hydrangea quercifolia</i> 'Pee Wee'	Pee Wee oakleaf hydrangea	#02 Cont./0.9m O.C.	Potted
<i>Prcea abies</i> 'Glaucia Globosa'	Globe blue spruce	#05 Cont./1.2m O.C.	Potted
<i>Salix brachycarpa</i> 'Blue Fox'	Blue Fox willow	#02 Cont./0.6m O.C.	Potted
<i>Spirea betulifolia</i> 'Tor'	Tor birchleaf spirea	#02 Cont./0.9m O.C.	Potted
PERENNIALS			
Botanical Name	Common Name	Size/Spacing	Root
<i>Baptisia</i> 'Carolina Moonlight'	Yellow false indigo	#01 Cont./0.9m O.C.	Potted
<i>Crocus chryanthus</i> 'Orange Monarch'	Orange Monarch snow crocus	Spaced Evenly	Bulb
<i>Echinacea purpurea</i> 'Tiki Torch'	Tiki Torch coneflower	#01 Cont./0.6m O.C.	Potted
<i>Echinacea purpurea</i> 'White Swan'	White Swan coneflower	#01 Cont./0.6m O.C.	Potted
<i>Hemerocallis</i> 'Stella de Oro'	Stella de Oro daylily	#01 Cont./0.5m O.C.	Potted
<i>Lavandula angustifolia</i> 'Alba'	White lavender	#01 Cont./0.6m O.C.	Potted
<i>Monarda</i> 'Gardenview Scarlet'	Beebalm	#01 Cont./0.5m O.C.	Potted
<i>Narcissus</i> 'Galactic Star'	Galactic Star narcissus	Spaced Evenly	Bulb
<i>Rudbeckia fulgida</i> 'Goldsturm'	Black eyed Susan	#01 Cont./0.6m O.C.	Potted
GRASSES			
Botanical Name	Common Name	Size/Spacing	Root
<i>Miscanthus sinensis</i> 'Graziella'	Graziella maiden grass	#01 Cont./1.0m O.C.	Potted
<i>Setaria autumnalis</i>	Autumn moor grass	#01 Cont./0.5m O.C.	Potted

REVISIONS / ISSUED:		
5	AUG REISSUED FOR DP APPLICATION	
4	31/10 REISSUED FOR DP APPLICATION	
3	JUNE REISSUED FOR DP APPLICATION	
2	21/19 REISSUED FOR DP APPLICATION	
1	28/10 ISSUED FOR DP APPLICATION	
	MAR ISSUED FOR REVIEW	
	25/19	
NO.	DATE	DESCRIPTION



14-1562 water street Kelowna bc v1v 1v7 |
(250) 866-0728

CLIENT:	
ORCHARD PARK	KELOWNA, B.C.
PROJECT:	
OPK SEARS HOME	KELOWNA, B.C.
SHEET TITLE	
COVER	PAGE
DESIGN BY	
LS	LS
DRAWN BY	
LS	XS
CHECKED BY	
XS	XS
PROJECT NO.	
19-001	19-001
SCALE	
1:500	1:500

SCHEDULE

C

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DP-19-0108

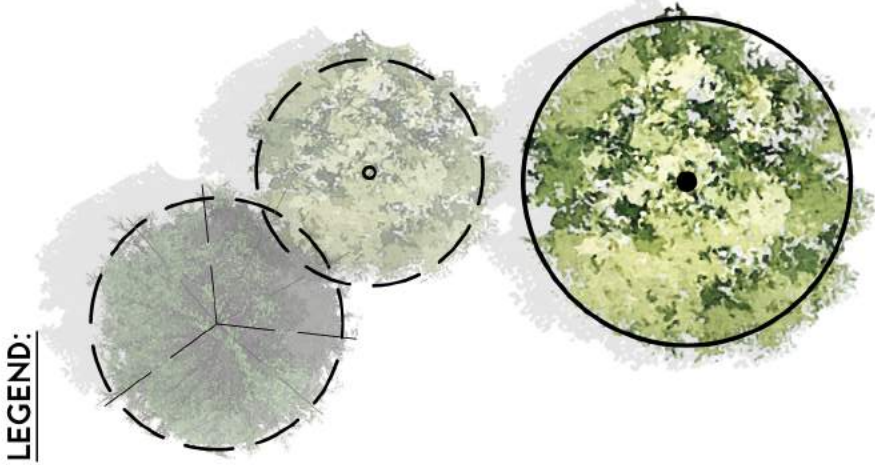
City of Kelowna
KELOWNA, BC

Planner
Initials AF

L-0

SHEET TWO

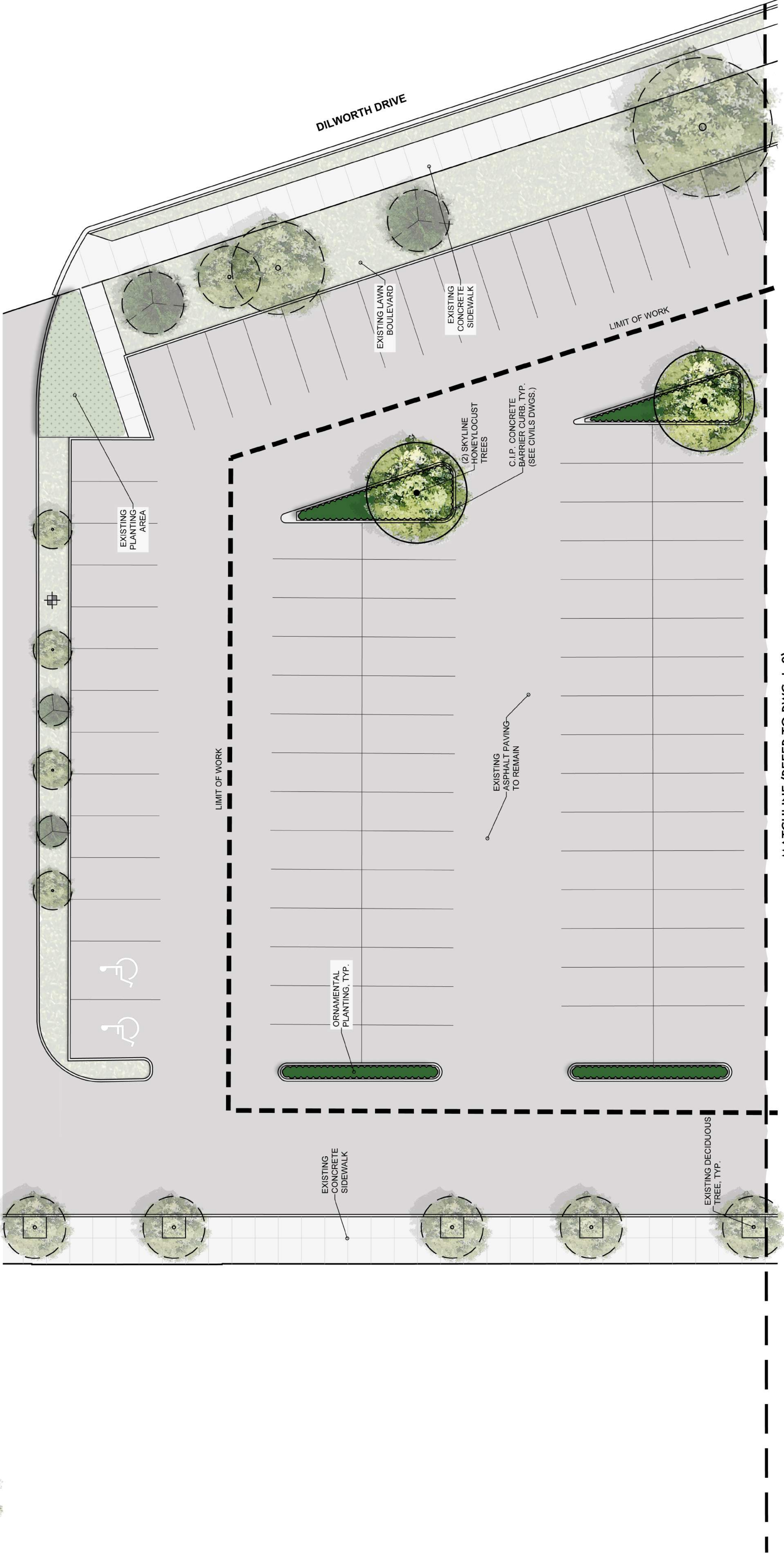
LEGEND:



SHRUB, PERENNIAL & GRASS PLANTING

BUILDING ENTRANCE - DOUBLE DOOR

BUILDING ENTRANCE - SINGLE DOOR



MATCHLINE (REFER TO DWG. L-2)



SCHEDULE C

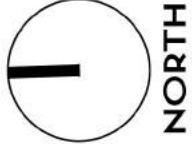
This forms part of application
DP19-0108

City of Kelowna

ENVIRONMENTAL PLANNING

Planner Initials

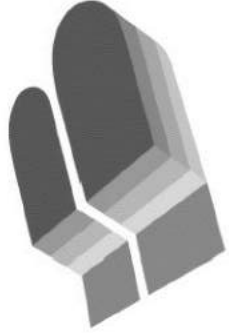
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4	JULY REISSUED FOR DP APPLICATION
3	JULY REISSUED FOR DP APPLICATION
2	MAR ISSUED FOR DP APPLICATION
1	25/19 ISSUED FOR REVIEW
NO.	DATE DESCRIPTION



BENCH
SITE DESIGN

[4-15025 walter st kelowna bc v1p 1/2]
[225 868 5278]

CLIENT
ORCHARD PARK
KELOWNA, B.C.

PROJECT:
OPK SEARS HOME
KELOWNA, B.C.

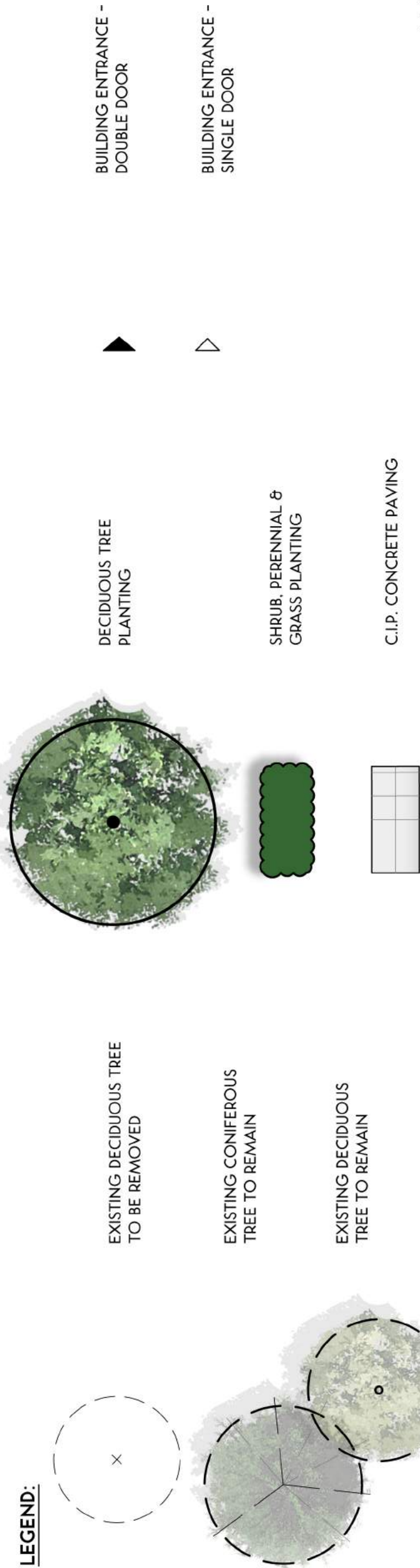
SHEET TITLE
LANDSCAPE PLAN:
ENLARGEMENT AREA 1

DESIGN BY	LS
DRAWN BY	LS
CHECKED BY	XS
PROJECT NO.	19-001
SCALE	1:150

SHEET NO.

L-1

LEGEND:



MATCHLINE (REFER TO DWG. L-1)



MATCHLINE (REFER TO DWG. L-3)

MATCHLINE (REFER TO DWG. L-4)



SCHEDULE

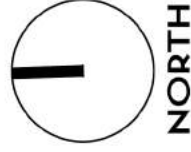
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DP19-0108

City of Kelowna

DEVELOPMENT PLANNING

Planner Initials AF



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2	MAR ISSUED FOR DP APPLICATION
1	2019 ISSUED FOR REVIEW
NO.	DATE DESCRIPTION



BENCH
SITE DESIGN

[4-1562 walter st kelowna bc v1y 1p1]
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CLIENT
ORCHARD PARK
KELOWNA, B.C.

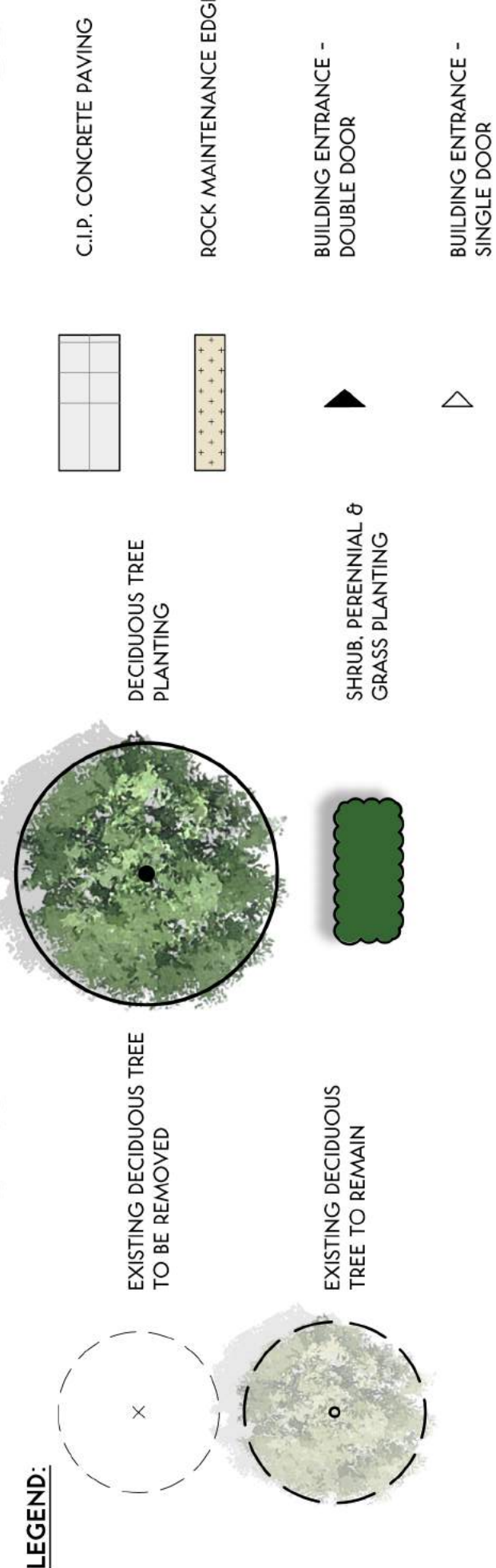
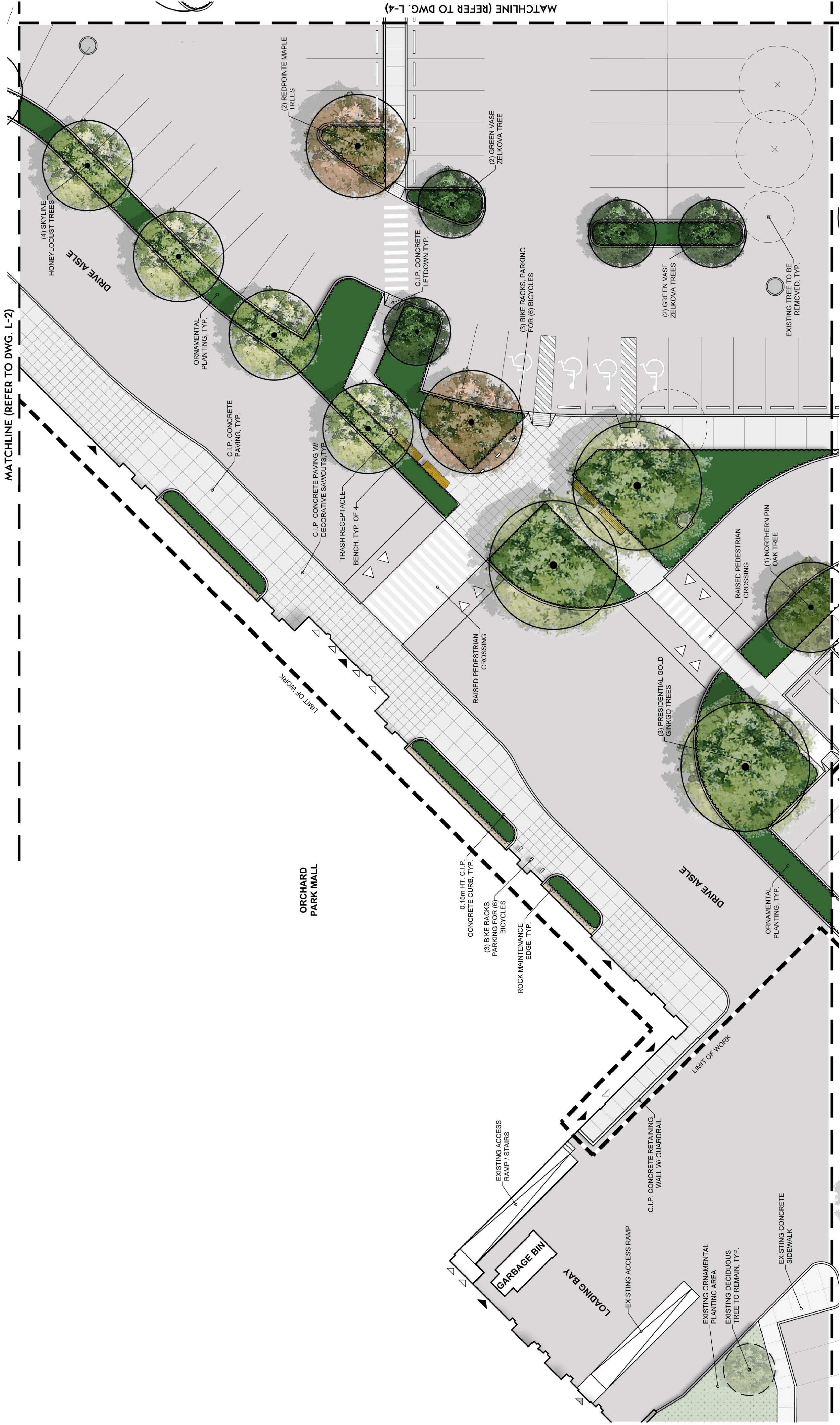
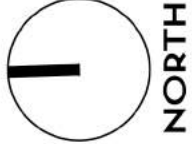
PROJECT:
OPK SEARS HOME
KELOWNA, B.C.

SHEET TITLE
LANDSCAPE PLAN:
ENLARGEMENT AREA 2

DESIGN BY	LS
DRAWN BY	LS
CHECKED BY	XS
PROJECT NO.	19-001
SCALE	1:150

SHEET NO.

L-2



REVISIONS / ISSUED:	
5	AUG REISSUED FOR DP APPLICATION
4	JUNE REISSUED FOR DP APPLICATION
3	MAY REISSUED FOR DP APPLICATION
2	MAR ISSUED FOR DP APPLICATION
1	25/19 ISSUED FOR REVIEW
NO.	DATE
DESCRIPTION	



BENCH
SITE DESIGN

14-5625 walter st kelowna bc v1y 1z1
1 250 869 0728

CLIENT
ORCHARD PARK
KELOWNA, B.C.

PROJECT:
OPK SEARS HOME
KELOWNA, B.C.

SHEET TITLE
LANDSCAPE PLAN:
ENLARGEMENT AREA 3

DESIGN BY	LS
DRAWN BY	LS
CHECKED BY	XS
PROJECT NO.	19-001
SCALE	1:150

SHEET NO.

SCHEDULE

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DP19-0108

City of Kelowna

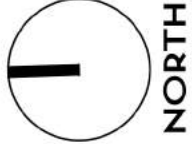
PLANNING & DEVELOPMENT SERVICES

Planner

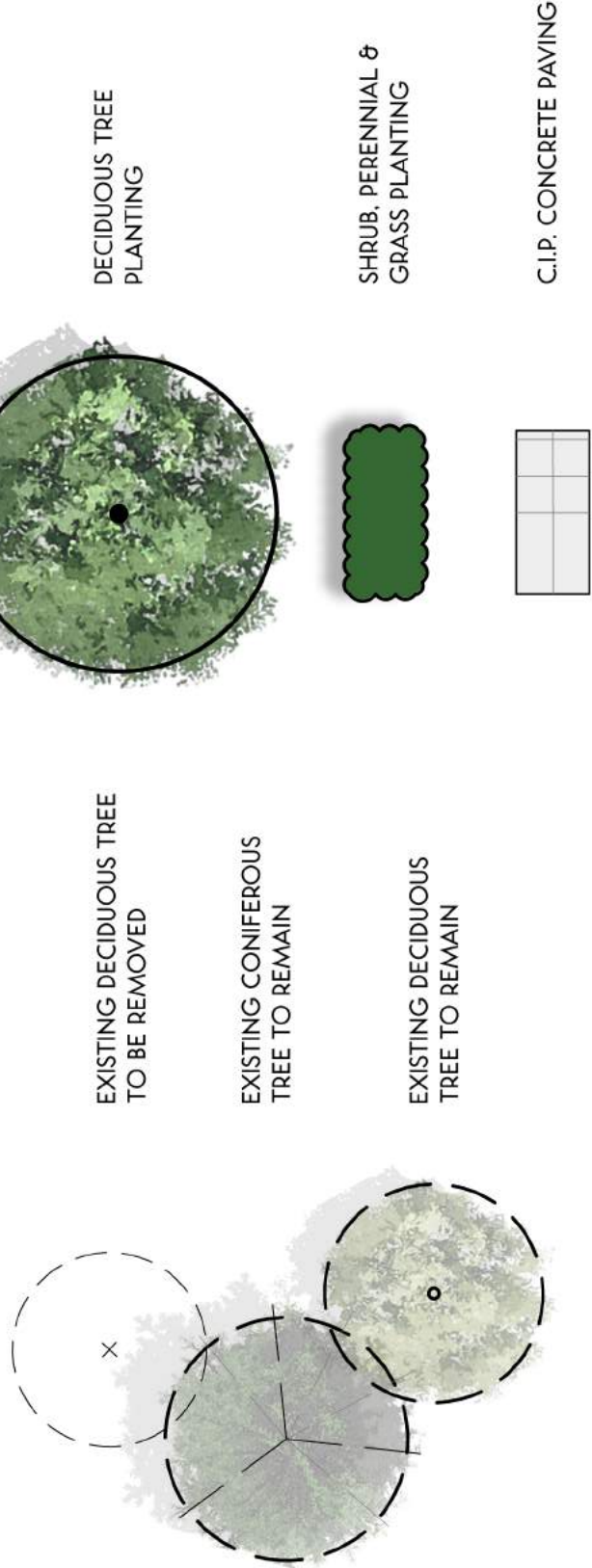
Initials

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L-3



LEGEND:



SCHEDULE

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DP19-0108

City of Kelowna

PLANNING

Planner

Initials

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L-5

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3	JUNE 21/19 REISSUED FOR DP APPLICATION
2	MAY 28/19 ISSUED FOR DP APPLICATION
1	MAR 25/19 ISSUED FOR REVIEW
NO.	DATE DESCRIPTION



BENCH
SITE DESIGN
[4-5625 walter street kelowna bc v1y 1j7]
[250.868.0228]

CLIENT
ORCHARD PARK
KELOWNA, B.C.

PROJECT:
OPK SEARS HOME
KELOWNA, B.C.

SHEET TITLE
LANDSCAPE PLAN:
ENLARGEMENT AREA 5

DESIGN BY	LS
DRAWN BY	LS
CHECKED BY	XS
PROJECT NO.	19-001
SCALE	1:150

SHEET NO.



NOT FOR CONSTRUCTION

A circular north arrow with a horizontal line pointing to the right, labeled "NORTH" below it.

NOT FOR CONSTRUCTION



NORTH

NOT FOR CONSTRUCTION

A circular north arrow with a horizontal line pointing to the right, labeled "NORTH" below it.

NOT FOR CONSTRUCTION



NORTH

NOT FOR CONSTRUCTION



NORTH

NOT FOR CONSTRUCTION



NORTH

NOT FOR CONSTRUCTION



NORTH

NOT FOR CONSTRUCTION

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NOT FOR CONSTRUCTION



NORTH

NOT FOR CONSTRUCTION



NORTH



NOT FOR CONSTRUCTION



NORTH



NOT FOR CONSTRUCTION



NORTH

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NORTH

NOT FOR CONSTRUCTION



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NORTH

NOT FOR CONSTRUCTION

A circular north arrow with a horizontal line pointing to the right, labeled "NORTH" below it.

NOT FOR CONSTRUCTION



NORTH

NOT FOR CONSTRUCTION

A circular north arrow with a horizontal line pointing to the right, labeled "NORTH" below it.

NOT FOR CONSTRUCTION



NORTH

NOT FOR CONSTRUCTION



NORTH



NOT FOR CONSTRUCTION



NORTH

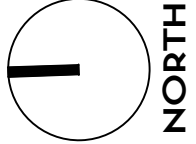
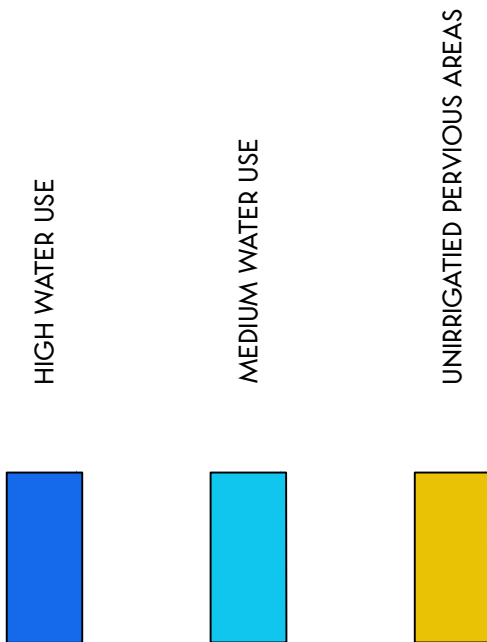
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NORTH



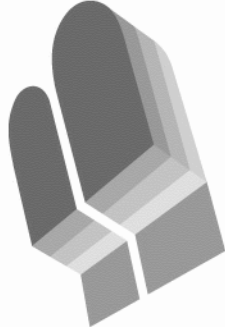
HYDROZONE LEGEND:



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1	ISSUED FOR REVIEW
NO.	DATE
DESCRIPTION	



BENCH
SITE DESIGN

14-1562 wester street Kelowna bc v1y 1j7 |
(250) 866-0278

CLIENT:
ORCHARD PARK
KELOWNA, B.C.

PROJECT:
OPK SEARS HOME
KELOWNA, B.C.

SHEET TITLE
HYDROZONE
PLAN

DESIGN BY	LS
DRAWN BY	LS
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PROJECT NO.	19-001
SCALE	1:500

SHEET NO.

L-7

SCHEDULE

C

This forms part of application
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City of Kelowna

LOCAL GOVERNMENT PLANNING

Planner

Initials

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Revitalization Development Permit Area

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

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Relationship to the Neighbourhood and Street			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Do developments adjacent to non-revitalization areas create an appropriate transition?			✓
Are spaces for pedestrian friendly amenities, such as street furniture, included on site?	✓		
Is the ratio of streetwall height to street width less than 0.75:1?			✓
Does the building frontage occupy the entire length of the street, without drive aisles or other dead zones?		✓	
Building Design			
Are architectural elements aligned from one building to the next?			✓
Are the effects of shadowing on public areas mitigated?			✓
Are doors or windows incorporated into at least 75% of street frontage?		✓	
Do proposed buildings have an identifiable base, middle and top?	✓		
Are windows, entrances, balconies and other building elements oriented towards surrounding points of interest and activity?	✓		
Are architectural elements such as atriums, grand entries and large ground-level windows used to reveal active interior spaces?	✓		
Are buildings designed with individual entrances leading to streets and pathways rather than with mall style entrances and internal connections?		✓	
For multiple unit residential projects, is ground level access for first storey units provided?			✓
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are prohibited materials such as vinyl siding, reflective or non-vision glass, plastic, unpainted or unstained wood, and concrete block not used in the design?	✓		
Are stucco and stucco-like finishes omitted as a principal exterior wall material?	✓		
Are vents, mechanical rooms/equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
View Corridors			
Are existing views preserved and enhanced?			✓
Vehicular Access and Parking			
Are at-grade and above-grade parking levels concealed with façade treatments?			✓
Are garage doors integrated into the overall building design?		✓	

REVITALIZATION DEVELOPMENT PERMIT AREA			YES	NO	N/A
Are pedestrian entrances more prominent features than garage doors and vehicle entrances?			✓		
Is surface parking located to the rear of the building or interior of the block?				✓	
Are truck loading zones and waste storage areas screened from public view?				✓	
Do parking lots have one shade tree per four parking stalls?					✓
Are pedestrian connections provided within and between parking lots?			✓		
Are driving, parking, pedestrian and cycling areas distinguished through changes in colour or pattern of paving materials?			✓		
Signage					
Is signage design consistent with the appearance and scale of the building?					✓
Are corporate logos on signs complimentary to the overall building character?					✓
Is signage lighting minimized?					✓
Public Art					
Is public art incorporated into the project?				✓	

ATTACHMENT B	
This forms part of application	
# DP-19-0108	
Planner Initials	AF
City of Kelowna DEVELOPMENT PLANNING	