

Development Permit &
Development Variance Permit
DP19-0191/DVP19-0192



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

532 – 538 Yates Road, Kelowna, BC

and legally known as

Lot 1 Section 32 Township 26 ODYD Plan KAP77456

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

ATTACHMENT A

This forms part of application
DP19-0191/DVP19-0192

Planner Initials **AJ**

The logo for the City of Kelowna Development Planning, featuring a colorful circular geometric pattern above the text "City of Kelowna DEVELOPMENT PLANNING".

Food primary establishment with drive in food services.

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

Date of Council Decision:

Decision By: COUNCIL

Development Permit Area: Comprehensive Development Permit Area

Existing Zone: C2 – Neighbourhood Commercial

Future Land Use Designation: COMM – 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: Carolco Developments Ltd., Inc. No. BCo291464

Applicant: Curtis Johnson Morrison

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) 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.

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

Section 14.2.6(g): C2 – Neighbourhood Commercial Other Regulations

To permit drive-in food services as a form of development.

This Development Permit and Development Variance Permit are 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 **OR** certified cheque in the amount of **\$40,597.50**

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.**

SCHEDULE B

This forms part of application
 # DP19-0191/DVP19-0192

Planner Initials **Aj**

City of **Kelowna**
 DEVELOPMENT PLANNING

NO.	DATE	ISSUED FOR REVIEW	DESCRIPTION
1	19/09/20	ISSUED FOR REVIEW	NO. 19/09/20
revisions			

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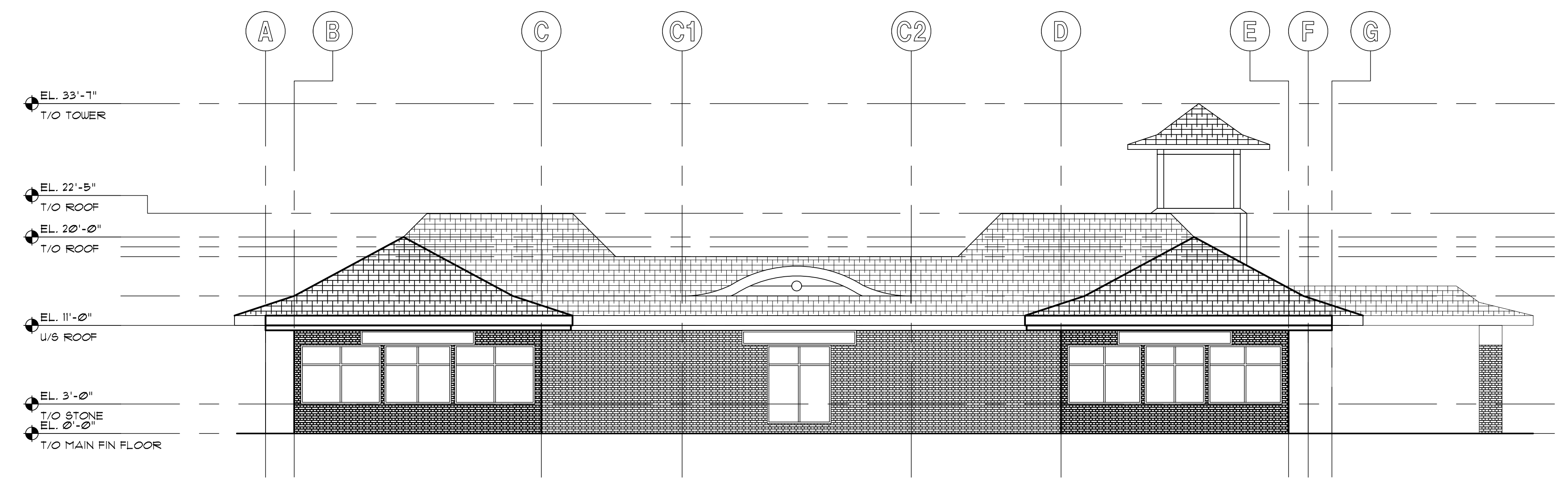
All designs, concepts, and other information shown on this drawing, are for use on this project only, and shall not be used otherwise without written permission.

consultant

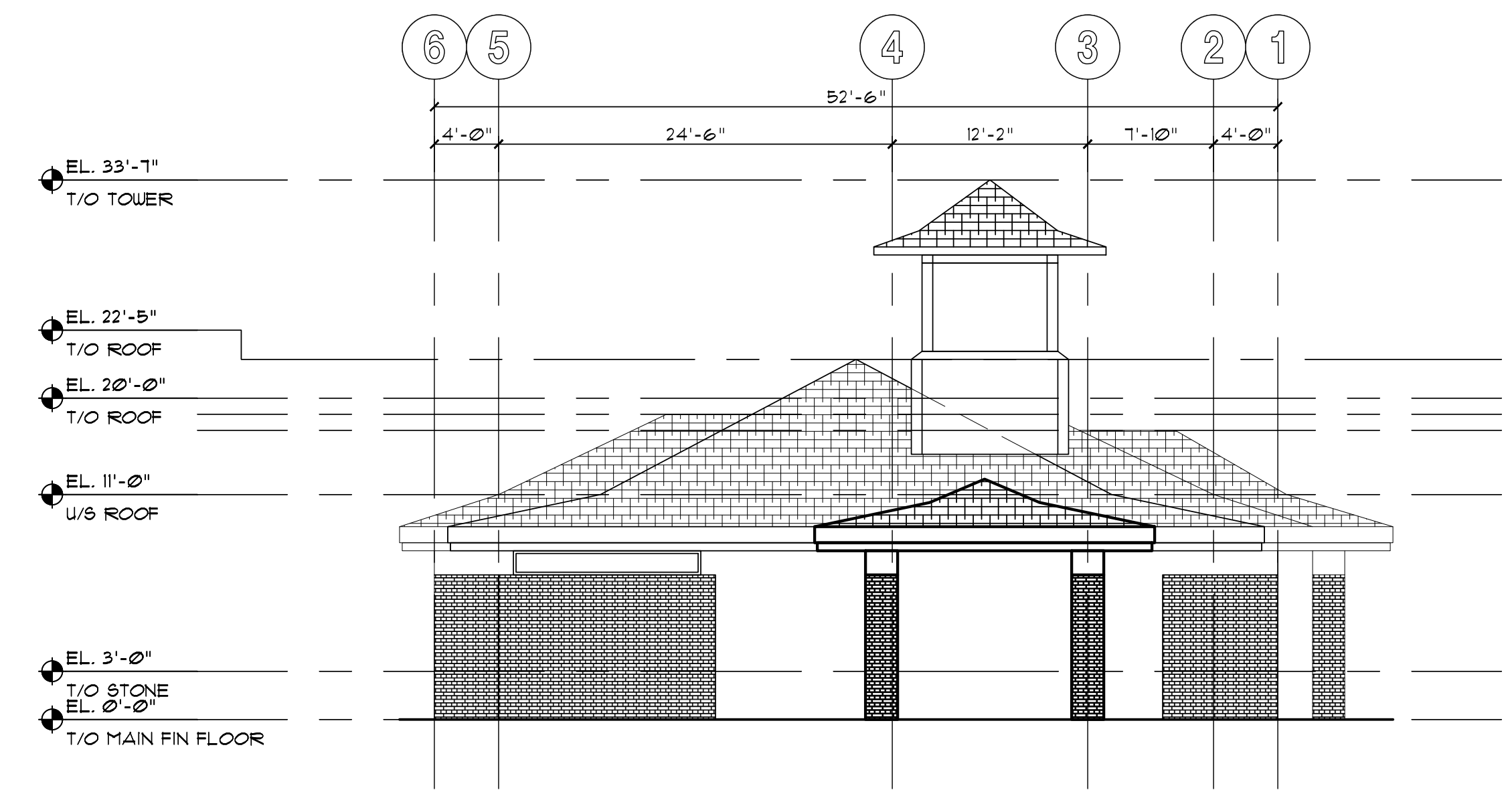
1 EAST ELEVATION
 SCALE: 1/8" = 1'-0"



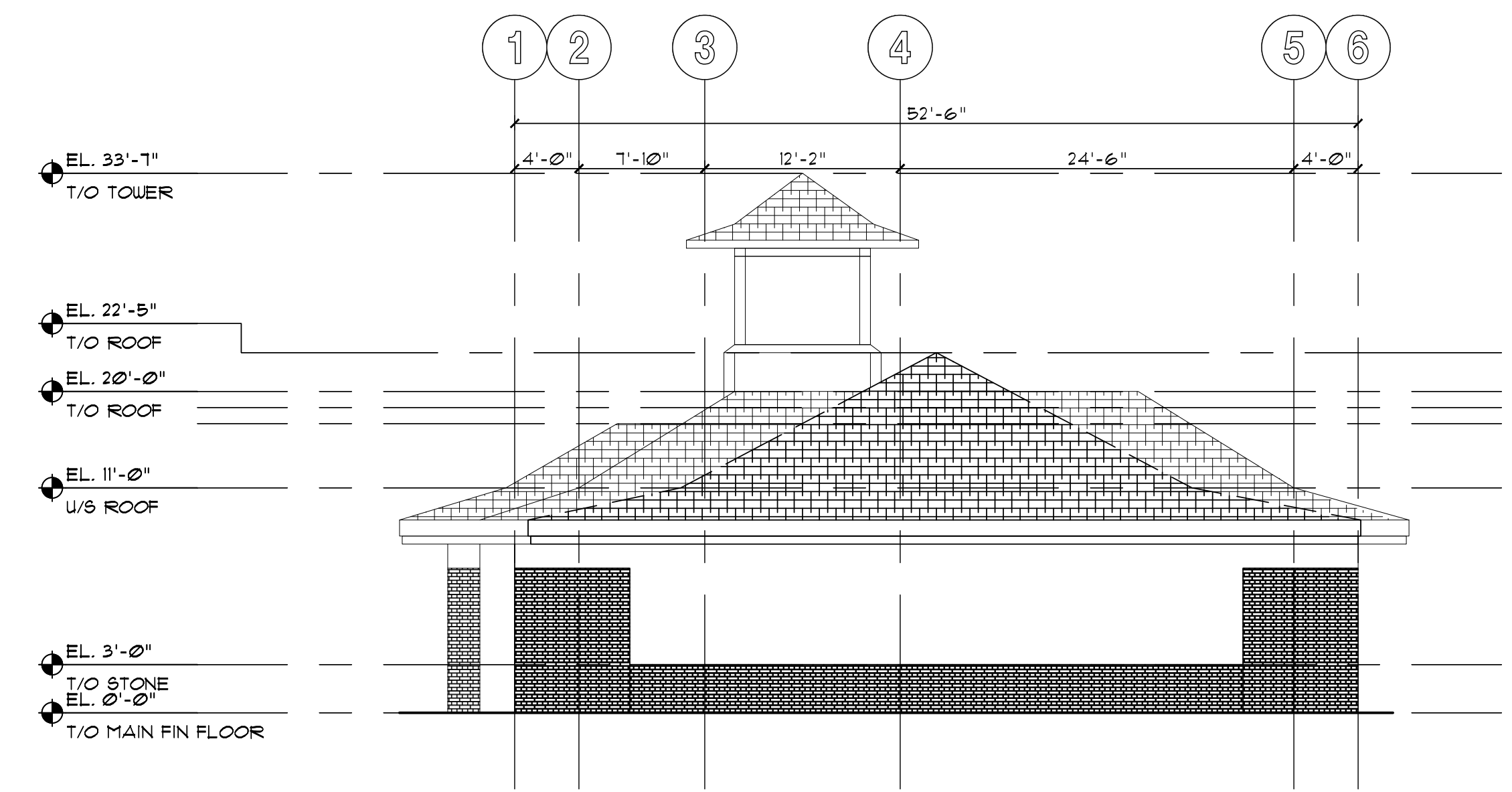
2 WEST ELEVATION
 SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



4 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



CURTIS J.M. RENO BLDG. A
 GLENMORE, KELOWNA, BC
 SANDALWOOD PLAZA COMMERCIAL DEVELOPMENT



420 - 745 THURLOW ST
 VANCOUVER, BC V6E 0G5
 TELEPHONE (604) 687-2334

project number	5051
sheet title	EXISTING ELEVATIONS
date	2019-09-20
scale	AS NOTED
drawn	DK
checked	A-30

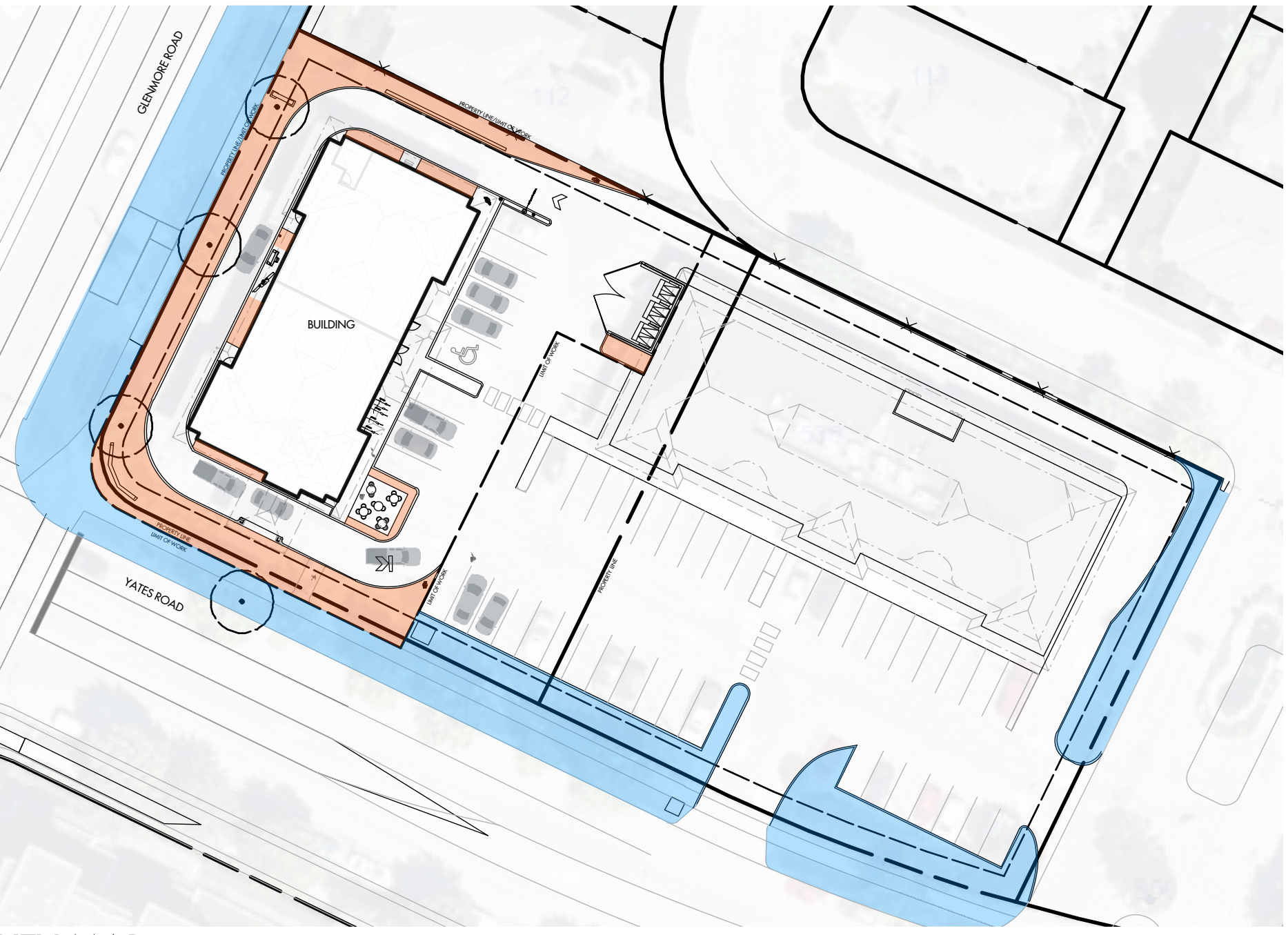


SCHEDULE C

This forms part of application # DP19-0191/DVP19-0192

Planner Initials **AJ**

City of Kelowna
DEVELOPMENT PLANNING



KEY MAP
SCALE 1:500

KEY MAP LEGEND

NEW, PROPOSED PLANTING

EXISTING PLANTING, TO REMAIN

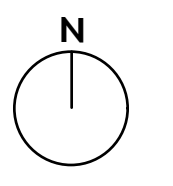
- NOTES**
1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CANADIAN LANDSCAPE NURSERY STANDARD. ALL OFFSITE WORKS TO MEET THE REQUIREMENTS OF THE CITY OF KELOWNA BYLAW 7900.
 2. ALL PLANTING DENOTED WITHIN LIMIT OF WORK LINE IS NEW PLANT MATERIAL. MATERIAL OUTSIDE OF THE LIMIT OF WORK LINE IS EXISTING AND TO REMAIN.
 3. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
 4. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH. LANDSCAPE FABRIC IS NOT TO BE PLACED UNDERNEATH TREE AND SHRUB BEDS.
 5. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
 6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
SHRUBS			
BERBERIS THUNBERGII 'MONOMB'	CHERRY BOMB BARBERRY	21	#02 CONT. /1.0M O.C. SPACING
BUXUS 'GREEN MOUNTAIN'	GREEN MOUNTAIN BOXWOOD	21	#05 CONT. /1.0M O.C. SPACING
CORNUS SERICEA 'SILVER & GOLD'	SILVER & GOLD DOGWOOD	7	#02 CONT. /2.0M O.C. SPACING
CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE DOGWOOD	21	#02 CONT. /1.0M O.C. SPACING
PHYSOCARPUS OPULIFOLIUS 'DART'S GOLD'	DART'S GOLD NINEBARK	12	#02 CONT. /1.5M O.C. SPACING
PINUS SYLVESTRIS 'GLAUCA NANA'	DWARF BLUE SCOTCH PINE	9	#02 CONT. /1.8M O.C. SPACING
PERENNIALS & GRASSES			
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	38	#01 CONT. /0.75M O.C. SPACING
EUPATORIUM DUBIUM 'LITTLE JOE'	LITTLE JOE DWARF JOE PYE	25	#01 CONT. /1.0M O.C. SPACING
MISCANTHUS SINENSIS 'GRACILLIMUS'	MAIDEN GRASS	21	#01 CONT. /1.0M O.C. SPACING
NEPETA X FAASSENII 'WALKER'S LOW'	WALKER'S LOW CATMINT	26	#01 CONT. /0.9M O.C. SPACING
PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	20	#01 CONT. /1.2M O.C. SPACING
SCHIZACHYRIUM SCOPARIUM 'PRAIRIE BLUES'	LITTLE BLUESTEM	59	#01 CONT. /0.6M O.C. SPACING
SEDUM SPECTABILE 'AUTUMN JOY'	AUTUMN JOY STONECROP	59	#01 CONT. /0.6M O.C. SPACING

OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

303 - 590 KLO Road
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca



PROJECT TITLE
SANDALWOOD PLAZA
532-538 YATES ROAD

Kelowna, BC

DRAWING TITLE
CONCEPTUAL LANDSCAPE PLAN

ISSUED FOR / REVISION

1	19.10.02	Review
2	19.11.20	Development Permit
3		
4		
5		

PROJECT NO: 19-100

DESIGN BY: KM

DRAWN BY: MC

CHECKED BY: FB

DATE: NOV. 20, 2019

SCALE: 1:150

PAGE SIZE: 24"x36"



DRAWING NUMBER
L1/2

ISSUED FOR REVIEW ONLY
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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?	✓		
Signs			
Do signs contribute to the overall quality and character of the development?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
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?			✓

