



Development Variance Permit DVP22-0010



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

2065-2075 Pier Mac Way

and legally known as

Lot 6, District Lot 32, Township 23, ODYD, Plan EPP64961

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

CD15 - Airport Business Park

ATTACHMEN	T_A
This forms part of applic	ation
# DVP22-0010	City of
	City of
Planner Initials TC	Kelowna DEVELOPMENT PLANNING

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

Date of Council Decision March 22nd, 2022

Decision By: COUNCIL

Existing Zone: CD15 – Airport Business Park

Future Land Use Designation: Industrial

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: Harmony West Constructors Corporation, Inc. No. BC1225927 and 1225610 B.C. Ltd., Inc. No. BC1225610

Applicant: Harmony West Constructors Corporation

Dean Strachan, RPP, MCIP Community Planning and Development Manager Development Planning Department Date

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

That variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Section 7.5.9 Landscaping and Screening, Fencing and Retaining Walls

To vary the maximum height of a retaining wall from 1.2 m required to 2.3 m proposed.

Section 7.5.11 Landscaping and Screening, Fencing and Retaining Walls

To vary the maximum height of a combined fence and retaining wall from 2.0 m required to 3.5 m proposed.

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

3. 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 <u>CURRENT LAND OWNER</u>.

Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.

