

This permit relates to land in the City of Kelowna municipally known as 3700 McKinley Beach Drive

and legally known as Lot 2 Section 28 Township 23 ODYD Plan EPP76020

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

CD18 – McKinley Beach Comprehensive Resort Development

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

Date of Manager's Decision:	August 22 nd , 2022
Decision By:	COUNCIL
Development Permit Area:	Form & Character DPA
Existing Zone:	CD18 – McKinley Beach Comprehensive Resort Development
Future Land Use Designation:	S-RES – Suburban Residential

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: Kinnikinnik Developments Inc.No. BCo62264

Applicant: Andrew Gaucher

Terry Barton Development 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";
- 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 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 \$84,291.63

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

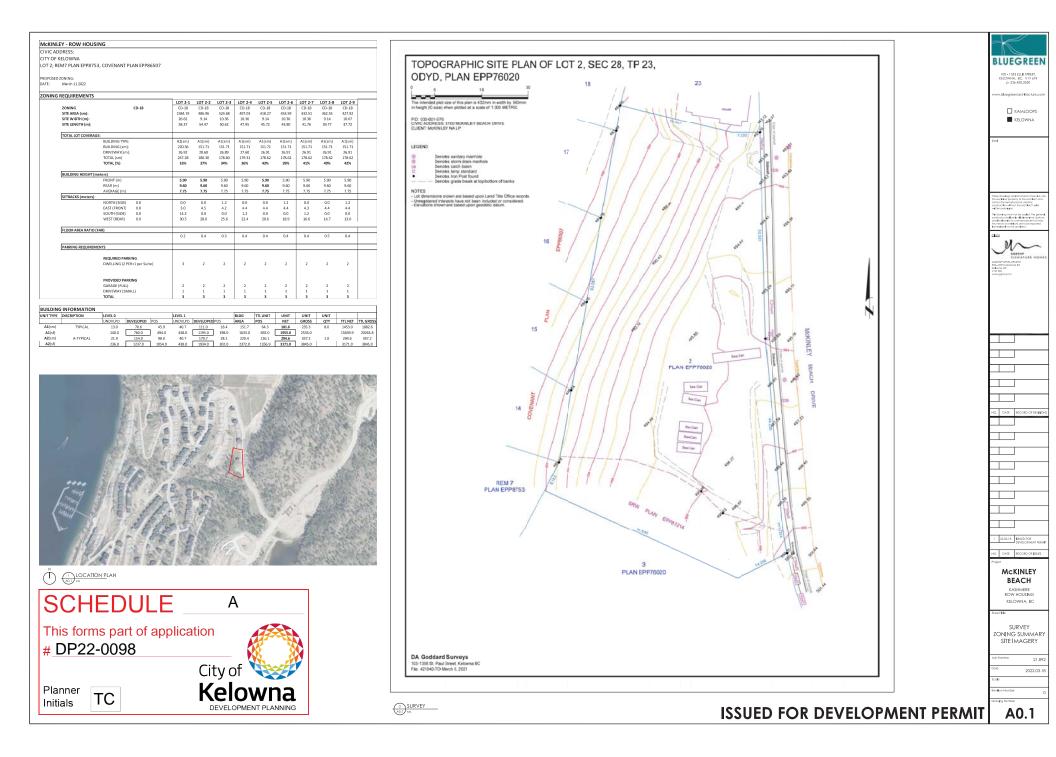
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

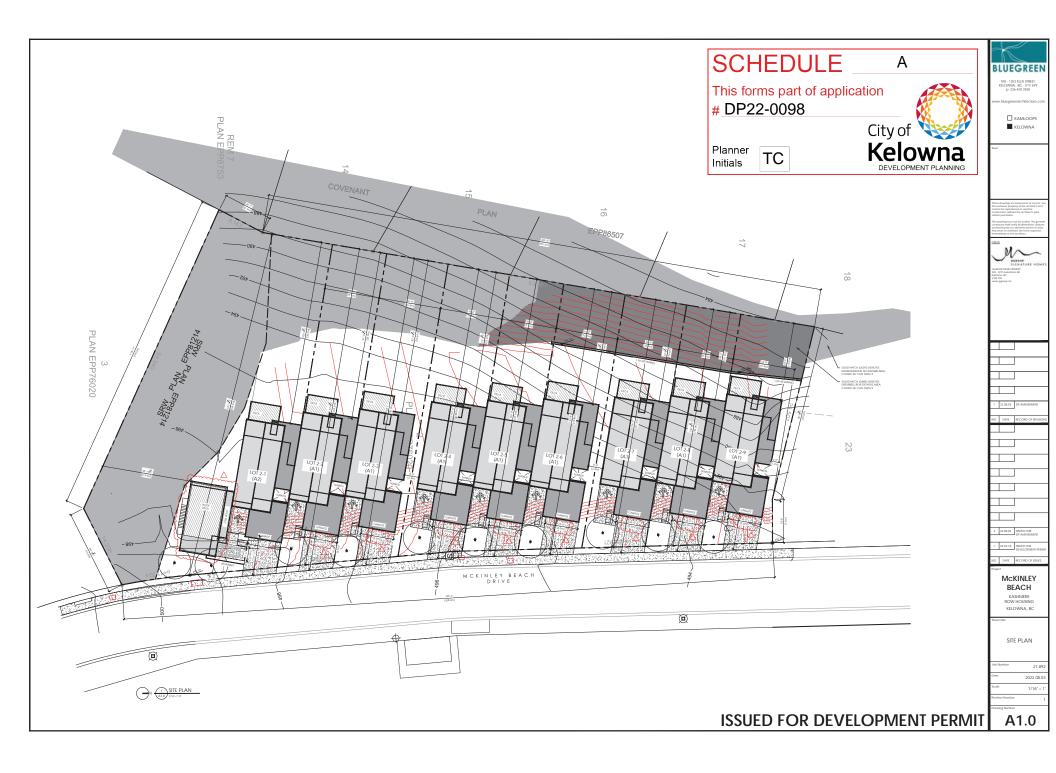
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

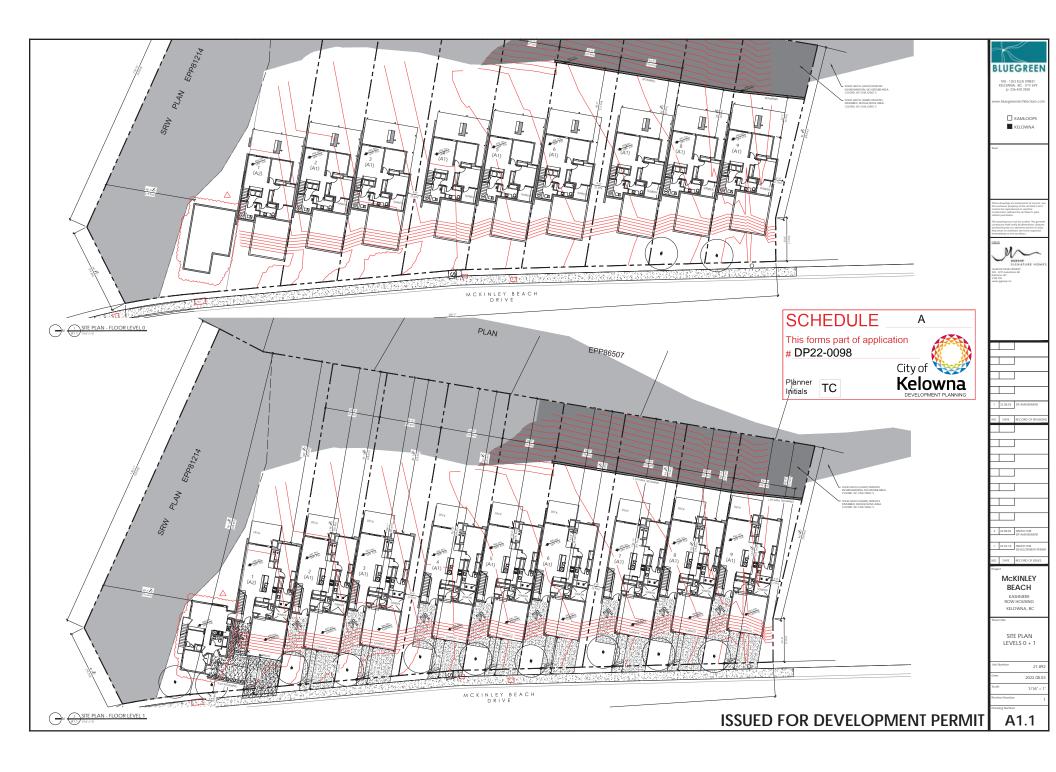
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

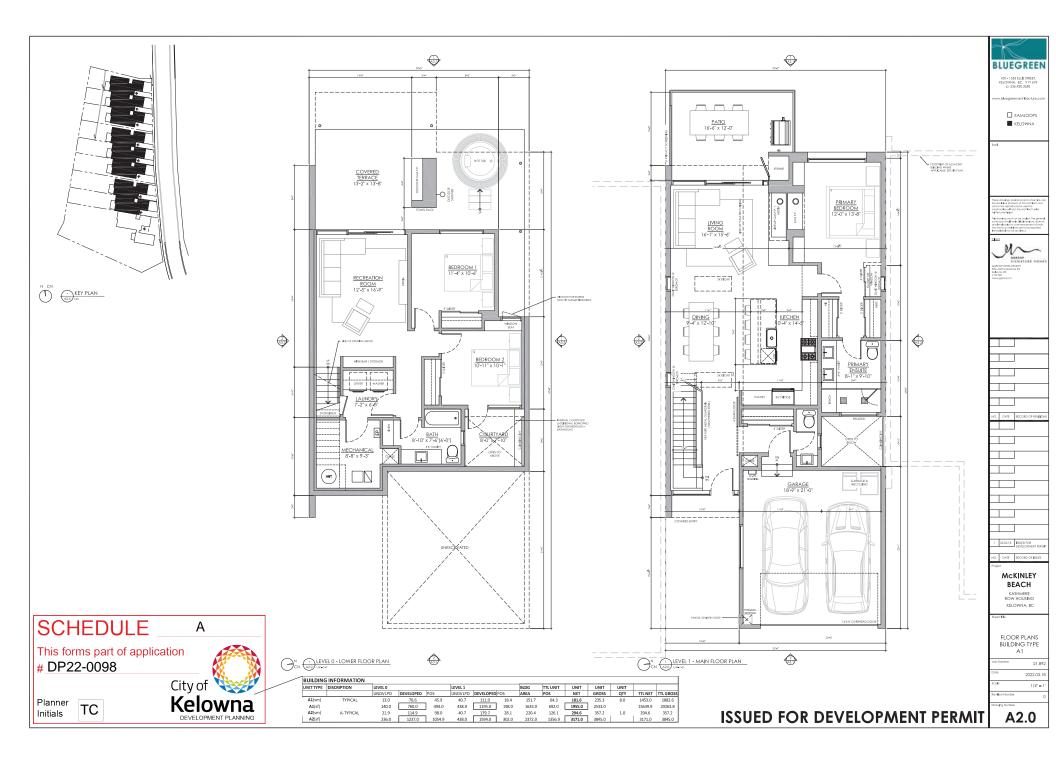
The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.

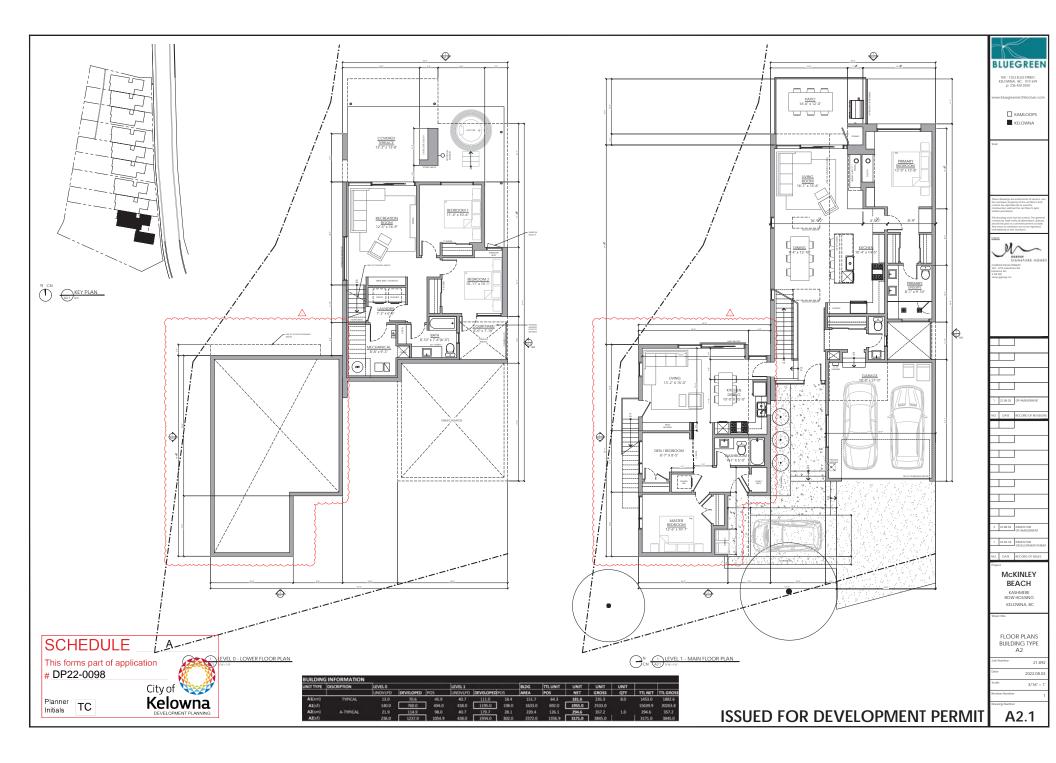








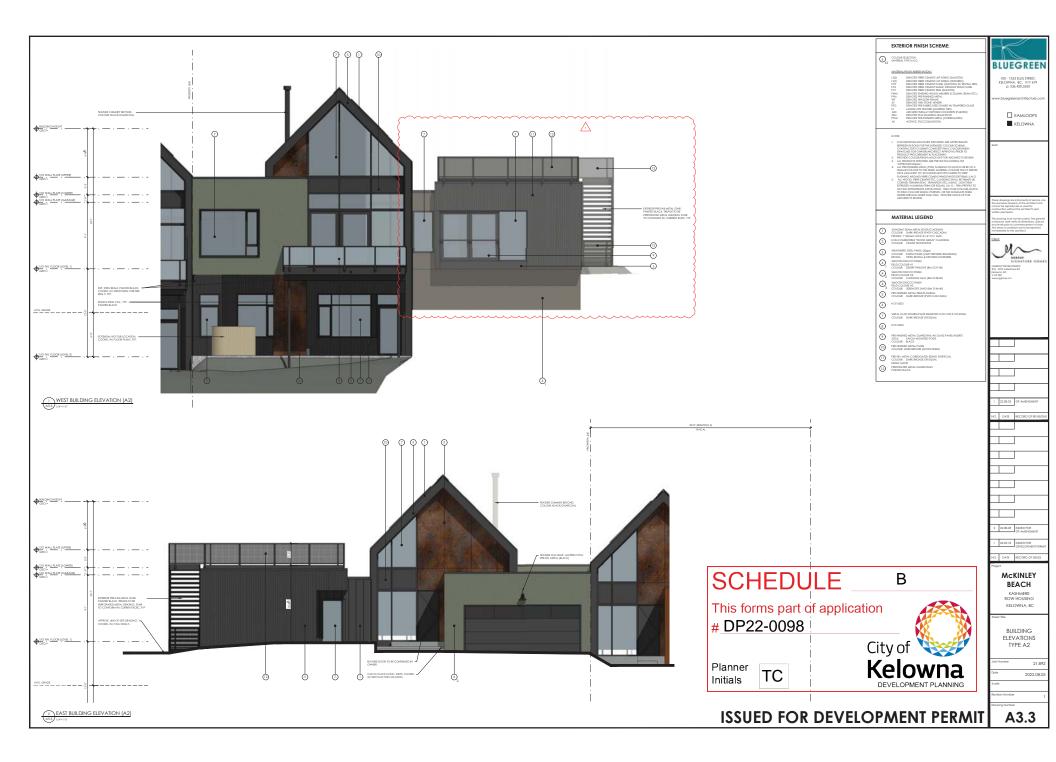


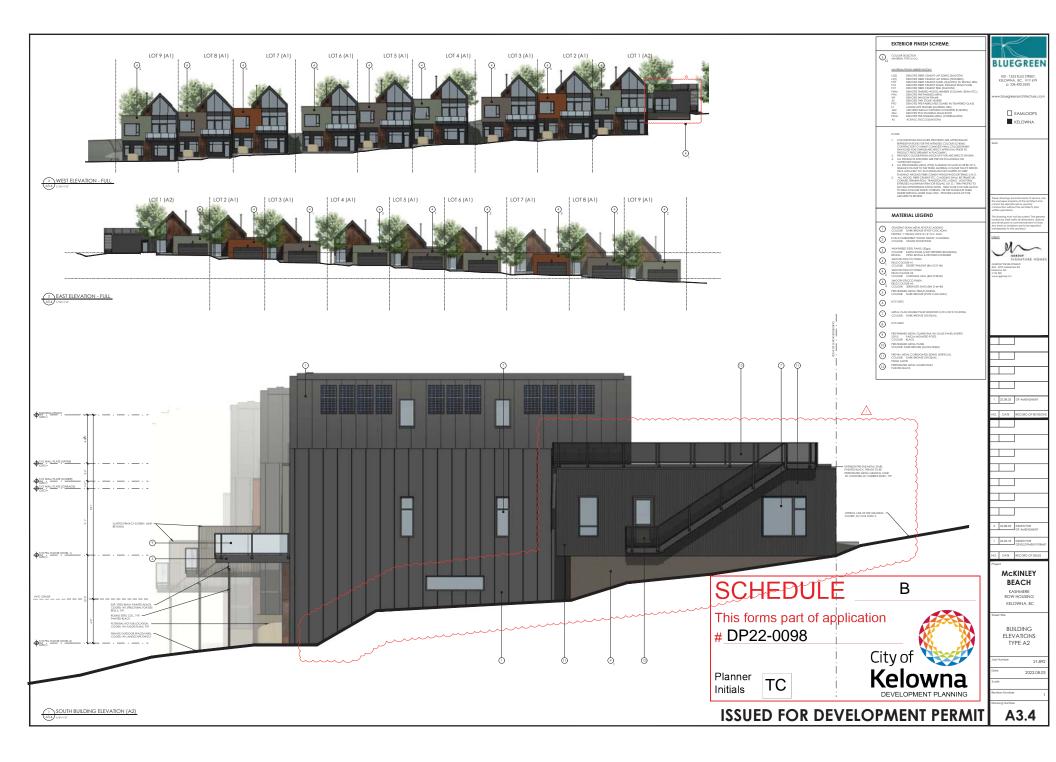




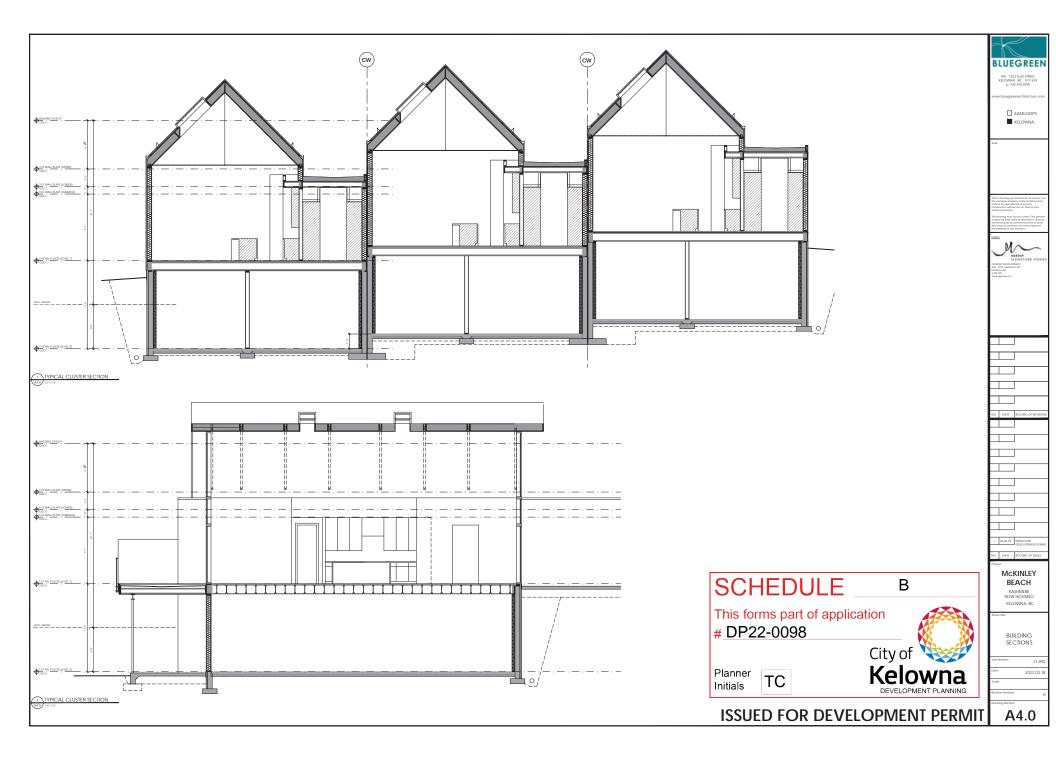


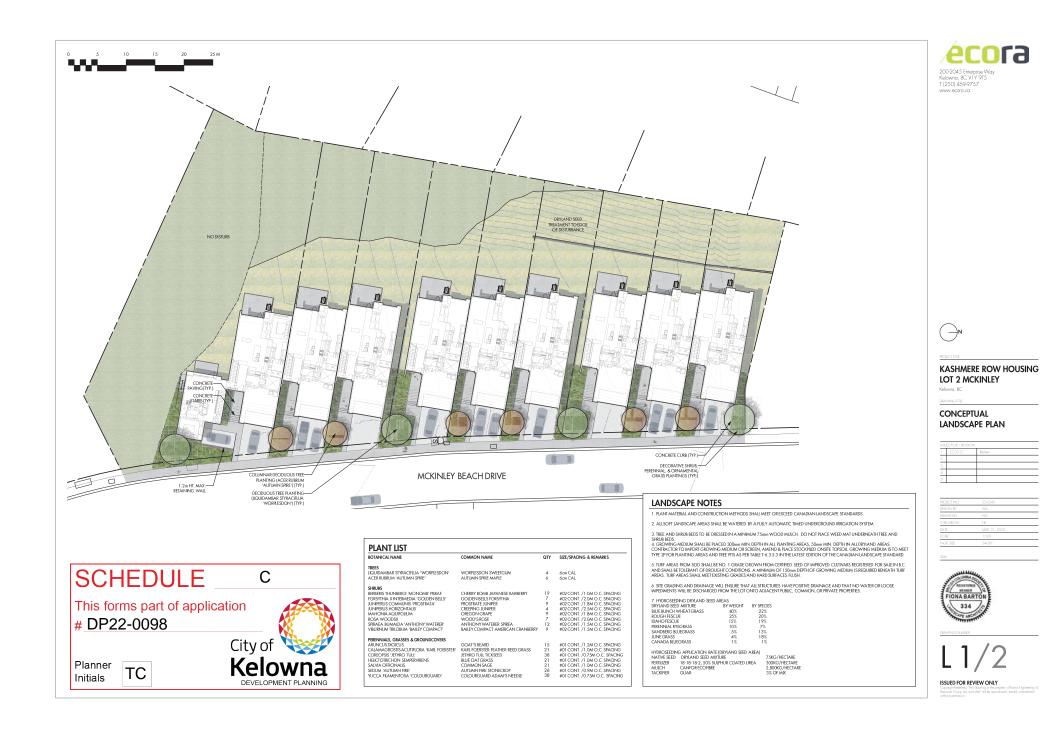


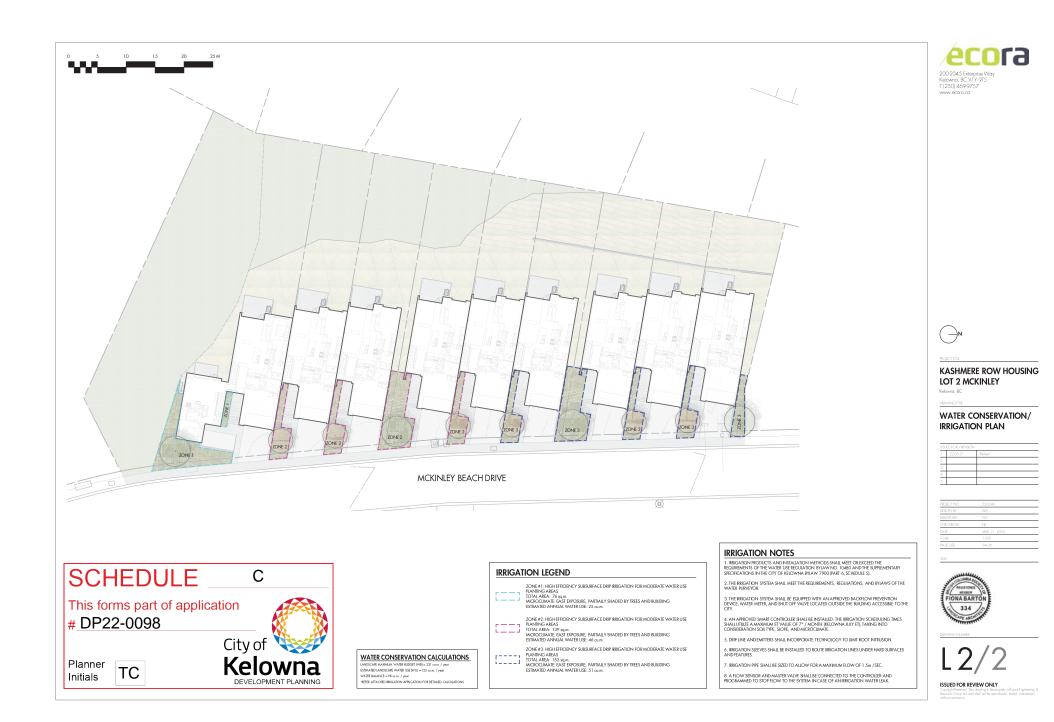












FORM & CHARACTER - DEVELOPMENT PERMIT GUIDELINES

ATTACHMENT B This forms part of application # DP22-0098 City of Planner Initials TC DECLORENT PLANNE

Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE		1	2	3	4	5
(1 is least complying & 5 is highly complying)						
CHAPTER 3.0: TOWNHOUSES	-					
3.1 Townhouse Guidelines						
3.1.1 Relationship to the Street						
Townhouse built form is addressing the street frontage and front doors are directly accessible from a public walkway.				√		
Blank façades (without window openings) proposed along the street frontages.						~
Prominent entrance features for the main front doors such as stoops, porches, recessed entries, and canopies are provided.				~		
3.1.2 Scale and Massing						
Proposed built form is sympathetic to the neighbourhood context and providing sensitive transition to the adjacent context (existing and future buildings, parks, and open spaces)						~
Built Form is establishing a consistent rhythm along the street frontage with articulation of individual units through integration of projections/ recesses (entries and balconies), change in materials of the façade.						~
Townhouse block is comprising of maximum 6 units.						✓
3.1.3 Site Planning		1	1			
Proposed townhouse development is responding sensitively to topography, environmental features and enhancing privacy, livability, safety, and accessibility to the surrounding open space network (if applicable).						 ✓
Minimum building separation of 10-12 m is provided to accommodate sunlight, reduce overlook between buildings and neighbouring properties.		✓				
Building projections such as balconies are not provided within the setback areas, streets, and amenity areas of the proposed development.						~
Front yard setbacks on internal roads are responding to the height of the townhouses, for 3 storeys townhouses greater setback is provided to improve livability and solar access.						~
3.1.4 Open Spaces						
Front yards are designed to include a pathway from the fronting street to the primary entrance of the unit, landscaping, and semi-private outdoor amenity space.				✓ 		
Design of private outdoor amenity spaces is having access to sunlight.		1	1	1		✓

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
(1 is least complying & 5 is highly complying) Design of private outdoor amenity spaces is having a railing or fencing to						\checkmark
increase privacy.						•
Design of private outdoor amenity spaces is having landscaped areas to					✓	
soften the interface with the street or open spaces.						
Balconies are designed to inset or partially inset and offer privacy,						✓
shelter, reducing building bulk and minimize shadowing impact.						
Minimum of 10% of total site areas is allocated to common outdoor		✓				
amenity area.						
Outdoor amenity area provides landscaping, seating, play space and			\checkmark			
other elements that encourage gathering or recreation.						
Internal road network of townhouse development is serving as additional						
shared space and is provided with high-quality pavement materials						
(example: permeable pavers).						
Useable spaces within the open space areas (for sitting, gathering, and		✓				
playing) are provided.						
3.1.5 Parking						
Parking		1	1	1		1
Garage doors are appropriately recessed and designed to limit the visual					~	
impact.						
Visitor parking with pedestrian connections to the townhouse units is	\checkmark					
provided in an accessible location (adjacent to townhouse blocks or						
centralized parking integrated with shared outdoor amenity space).						
3.1.6 Building Articulation, Features, and Materials						
Façade is designed and articulated to reflect positive attributes of the neighbourhood character.						~
Strategy to articulate façade: Recessing or projecting of architectural					\checkmark	
features to highlight the identity of individual units.						
Strategy to articulate façade: main entrance and rooflines features, and						\checkmark
other architectural elements have been incorporated in the design.						
Drivery of units is praintained an site and an editor set successful to					√	
Privacy of units is maintained on site and on adjacent properties by minimizing overlook and direct sight lines from the building. The					v	
following strategies have been incorporated in design:						
 Off setting the location of windows in facing walls and locating 						
doors and patios to minimize privacy concerns;						
 Use of clearstory windows; 						
 Use of landscaping or screening; and 						
• Use of setbacks and articulation of the building.						
Large townhouse developments with internal circulation pattern are		1			✓	
providing modest variation between different blocks of townhouse units,						
such as change in colour, materiality, building and roof form.						

