

# Development Permit

DP22-0194



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

**453 Osprey Ave**

and legally known as

**Lot A District Lot 14 ODYD Plan EPP120981**

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

## **Apartment Housing**

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

**Date of Council Approval:**           **March 13th, 2023**

Development Permit Area:           Form and Character

Existing Zone:                           UC5 – Pandosy Urban Centre

Future Land Use Designation:       UC – Urban Centre

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

## **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:                                   1347431 BC Ltd., Inc. No. BC1347431

Applicant:                               Meiklejohn Architects

\_\_\_\_\_  
Terry Barton  
Development Planning Department Manager  
Planning & Development Services

\_\_\_\_\_  
Date of Issuance



## 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

THAT Council authorizes the issuance of Development Permit No. DP22-0194 for Lot A District Lot 14 ODYD Plan EPP120981 located at 453 Osprey Avenue, Kelowna, BC, subject to the following:

- 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

## 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 owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

- a) An Irrevocable Letter of Credit **OR** certified cheque **OR** a Surety Bond in the amount of **\$109,300.00**

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.**





























Google Earth

Image Landsat / Copernicus

**SCHEDULE B**  
 This forms part of application  
 # DP22-0194  
 Planner Initials TC



City of Kelowna  
DEVELOPMENT PLANNING



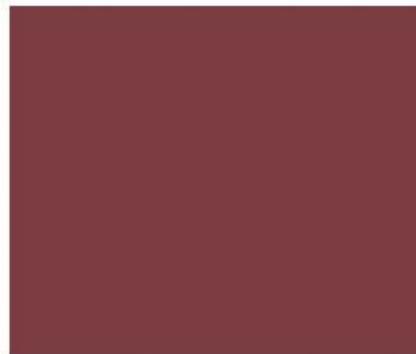
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wood grain metal panel



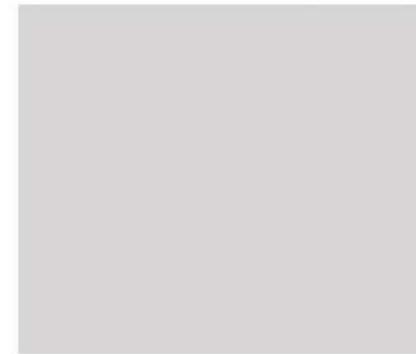
brick running bond



BM Pomegranate AF-295



medium grey stucco



light grey stucco



dark grey stucco

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City of  
**Kelowna**  
DEVELOPMENT PLANNING



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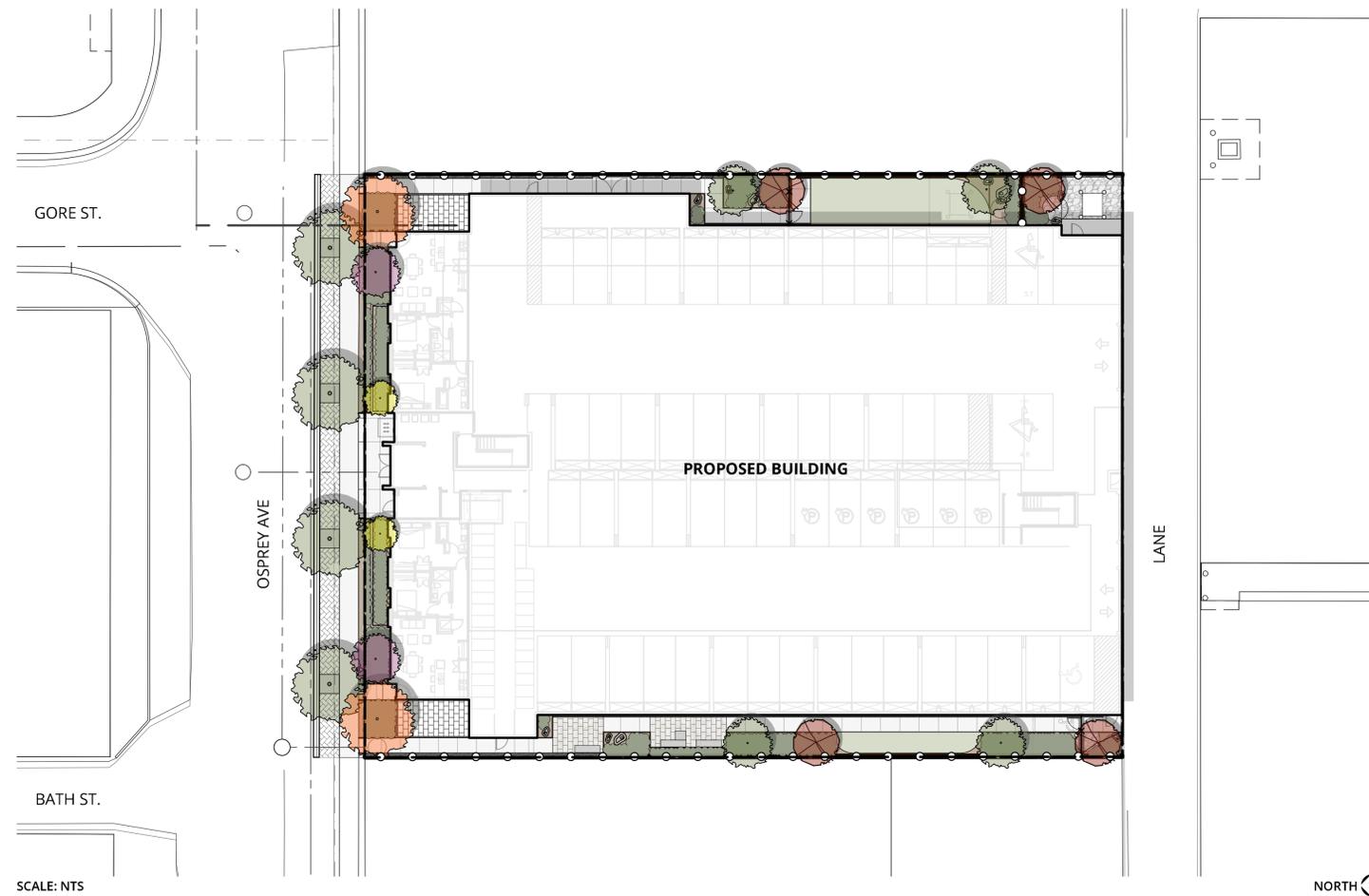
# PANDOSY LAND DEVELOPMENTS JV

## 445/453/459 OSPREY AVENUE DEVELOPMENT

KELOWNA

LANDSCAPE PLAN - DEVELOPMENT PERMIT

DECEMBER 14, 2022



**SCHEDULE C**  
This forms part of application  
# DP22-0194

Planner Initials **TC**

City of **Kelowna**  
DEVELOPMENT PLANNING



**LEGEND:**

- PROPOSED TREE
- PROPERTY LINE
- 1.8m WOOD PRIVACY FENCE
- METAL FENCE WITH GATE
- CONCRETE PAVING (REFER ARCHITECT)
- HYDROPPRESSED PAVERS
- UNIT PAVERS
- RIVER ROCK (TYP.)
- BARK MULCH
- ARTIFICIAL TURF
- MIXED PLANTING AREA
- BENCH
- BIKE RACK

- NOTES:**
- THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.
  - ALL PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE MINIMUM STANDARDS SET OUT IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION). ALL PLANTING BEDS TO RECEIVE 50mm OF COMPOSTED BARK MULCH.
  - ALL LANDSCAPE AREAS ARE TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
  - ALL PLANTING AREAS TO RECEIVE MEDIUM AS FOLLOWS:  
LAWN AREAS: 150mm MIN. DEPTH  
SHRUB AREAS: 300mm MIN. DEPTH  
TREES: 1000mm MIN. DEPTH OR TO PLANTER DEPTHS.

**PLANT LIST - ON SITE**

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (Ht.xWd.)	SPACING
<b>Trees</b>						
2	<i>Acer palmatum 'Bloodgood'</i>	Bloodgood Japanese Maple	6cm Cal	B&B	4.5 x 4.5m	4.5m o/c
2	<i>Cercidiphyllum japonicum</i>	Katsura Tree	6cm Cal	B&B	10 x 7m	7m o/c
4	<i>Sorbus aucuparia 'Black Hawk'</i>	Black Hawk Mountain Ash	6cm Cal	B&B	9 x 3.5m	3.5m o/c
6	<i>Syringa reticulata 'Ivory Silk'</i>	Ivory Silk Tree	6cm Cal	B&B	7.5 x 6m	6m o/c
<b>Shrubs, Grasses, &amp; Groundcovers</b>						
6	<i>Berberis thunbergii 'Monbomb'</i>	Monbomb Barberry	#02	Potted	0.9 x 0.9m	0.9m o/c
6	<i>Buxus 'Green Gem'</i>	Green Gem Boxwood	#02	Potted	1.2 x 0.9m	0.9m o/c
14	<i>Hakonechloa macra 'aureola'</i>	Hakone Grass	#01	Potted	0.6 x 0.6m	0.6m o/c
4	<i>Hydrangea paniculata 'Dharma'</i>	Dharma Pee Gee Hydrangea	#01	Potted	2.4 x 2.4m	2.4m o/c
60	<i>Pachysandra terminalis</i>	Japanese Spurge	#02	Potted	0.1 x 0.2m	0.3m o/c
8	<i>Rosa 'Morden Blush'</i>	Morden Blush Rose	#02	Potted	0.9 x 0.9m	0.9m o/c
8	<i>Sambucus nigra 'Black Lace'</i>	Black Lace Elderberry	#02	Potted	1.8 x 1.8m	1.8m o/c
16	<i>Taxus medis 'Tauntonii'</i>	Tauntonii Yew	#02	Potted	1.2 x 1.5m	1.5m o/c

**SCHEDULE C**

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**ISSUED FOR:**

NO.	DESCRIPTION	DATE
2	RE-ISSUED FOR DEVELOPMENT PERMIT	2022-12-14
1	RE-ISSUED FOR DEVELOPMENT PERMIT	2022-09-27
0	ISSUED FOR DEVELOPMENT PERMIT	2022-06-17

LANDSCAPE PLAN - ON SITE  
**LDP 1**

**LEGEND:**

-  PROPOSED TREE
-  PROPERTY LINE
-  1.8m WOOD PRIVACY FENCE
-  METAL FENCE WITH GATE
-  CONCRETE PAVING (REFER ARCHITECT)
-  HYDROPPRESSED PAVERS
-  UNIT PAVERS
-  RIVER ROCK
-  BARK MULCH
-  ARTIFICIAL TURF
-  MIXED PLANTING AREA
-  BENCH
-  BIKE RACK

**NOTES:**

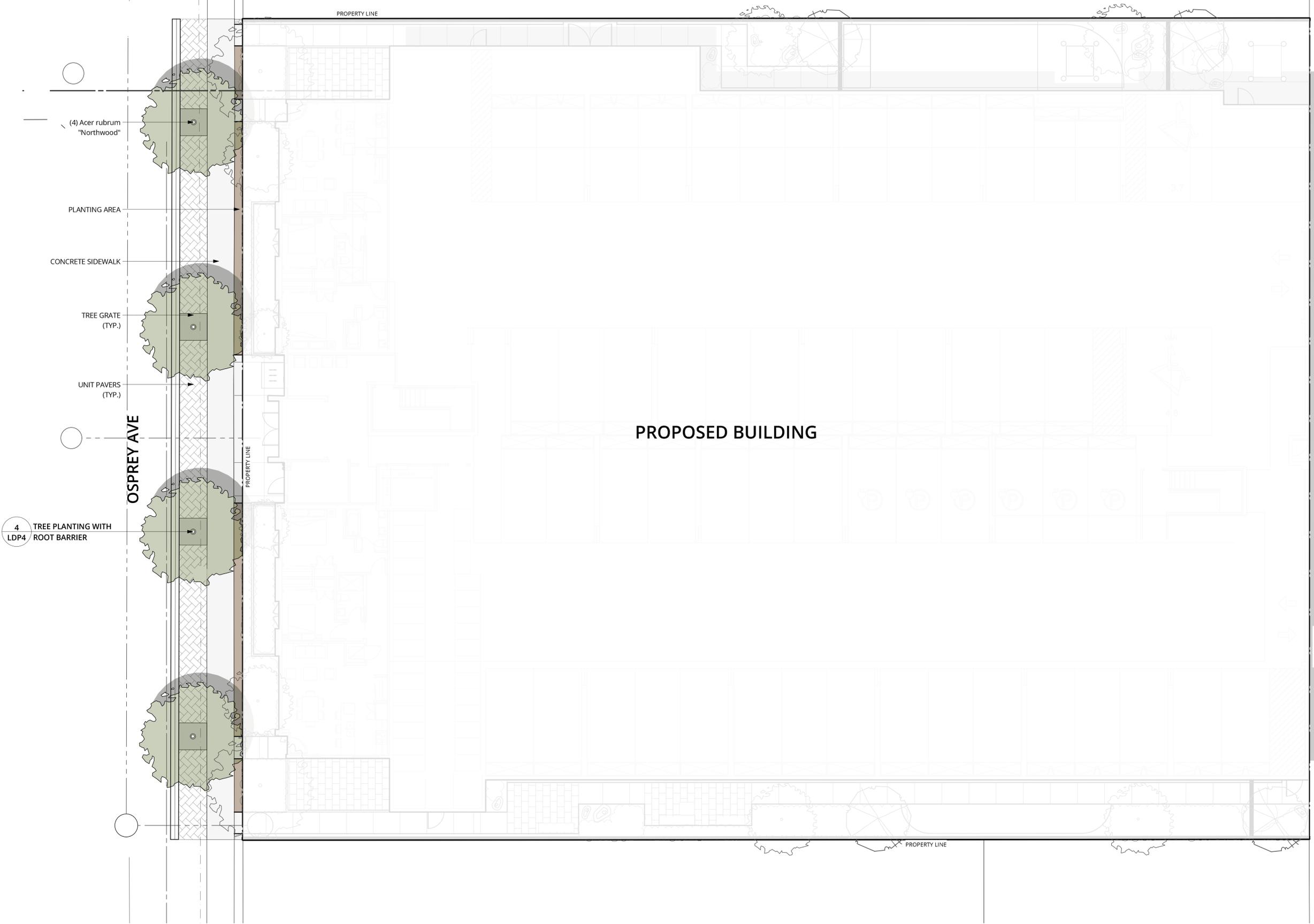
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4. ALL PLANTING AREAS TO RECEIVE IMPORT TOPSOIL/GROWING MEDIUM AS FOLLOWS:  
LAWN AREAS: 150mm MIN. DEPTH  
SHRUB AREAS: 300mm MIN. DEPTH  
TREES: 1000mm MIN. DEPTH OR TO PLANTER DEPTHS.

PLANT LIST - OFF SITE						
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (HxWd.)	SPACING
<b>Trees</b>						
4	<i>Acer rubrum</i> "Northwood"	Northwood Maple	6cm Cal	B&B	12 x 9m	9m o/c

**SCHEDULE C**

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SEAL

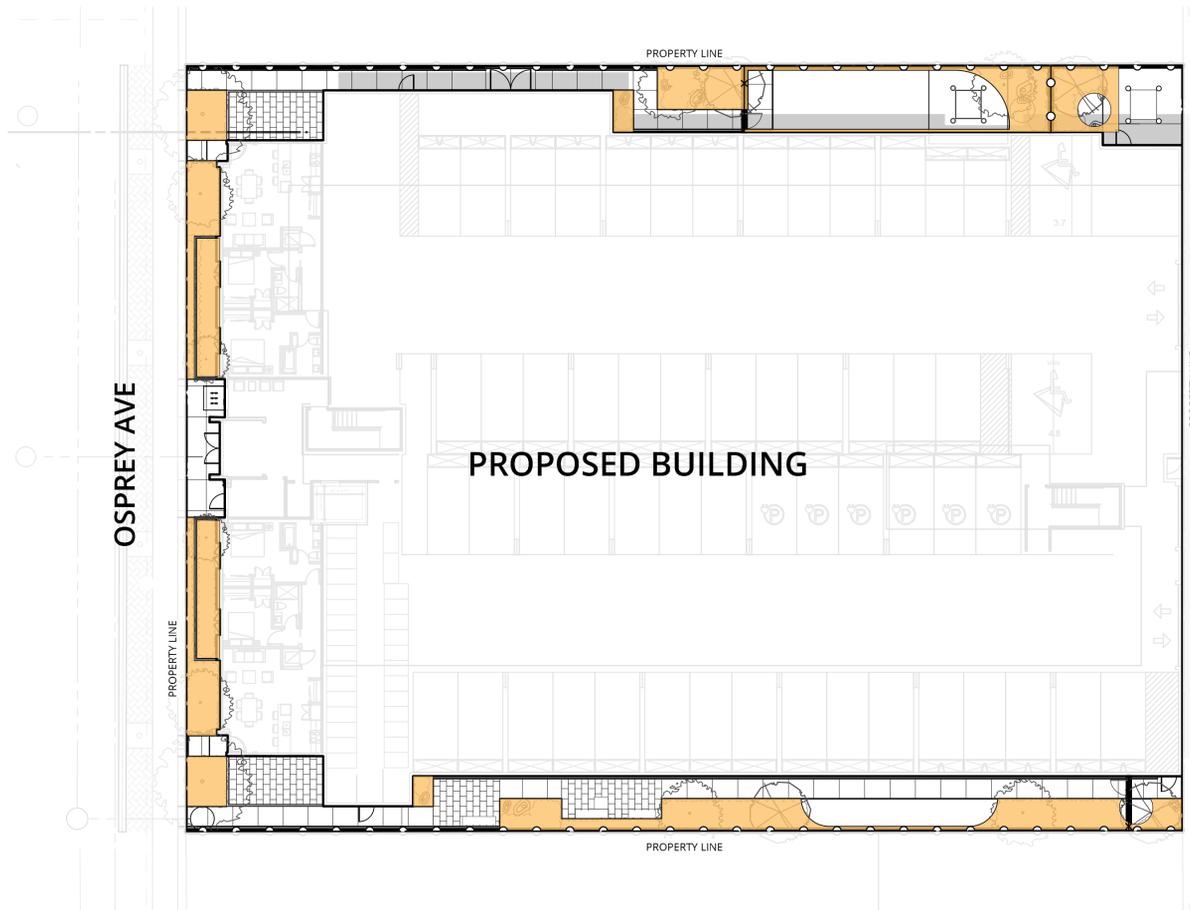
NORTH



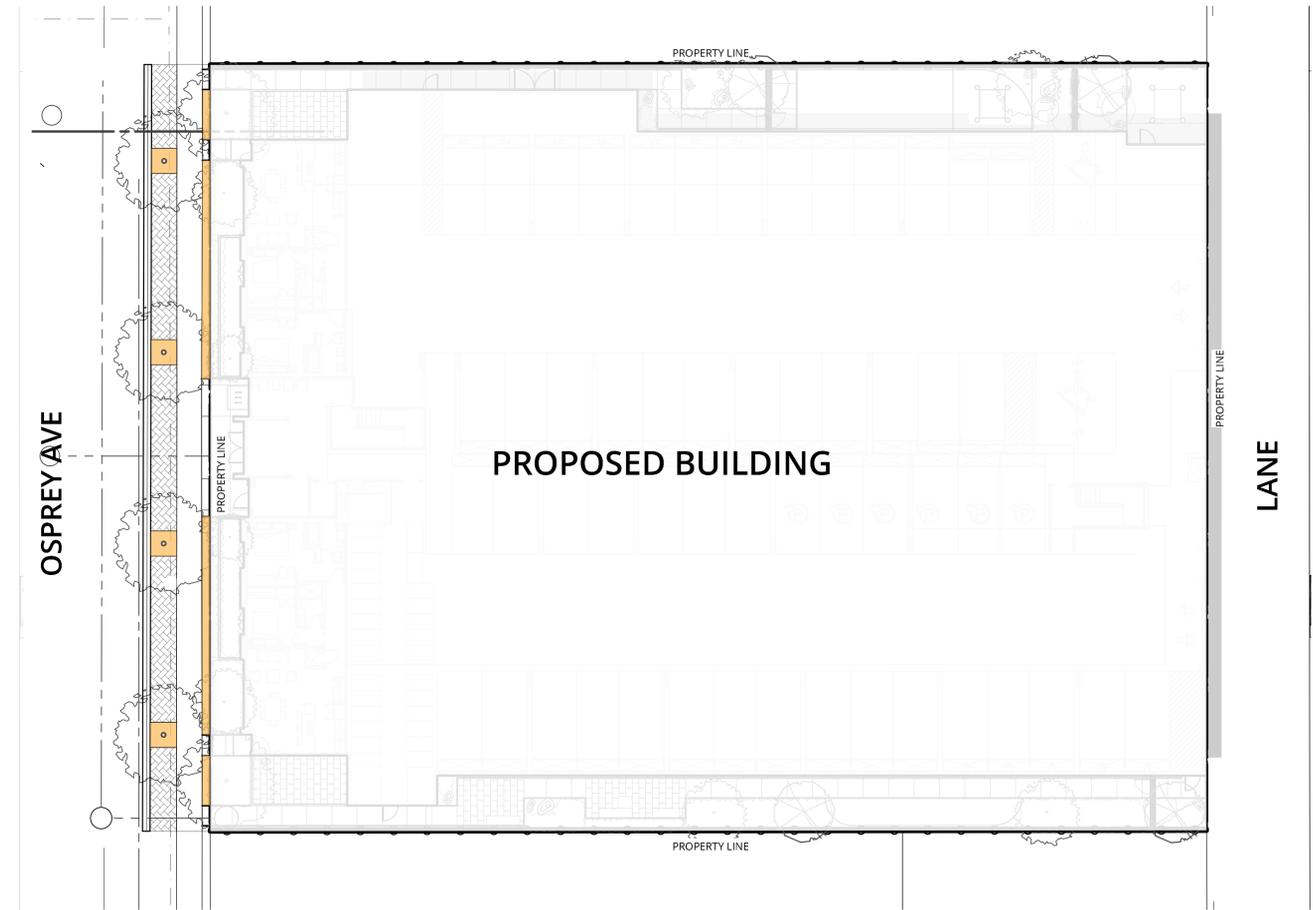
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ON SITE



OFF SITE

**SCHEDULE C**

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City of  
**Kelowna**  
 DEVELOPMENT PLANNING

# 445/453/459 OSPREY AVE DEVELOPMENT

## PANDOSY LAND DEVELOPMENTS JV

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0	ISSUED FOR DEVELOPMENT PERMIT	2022-06-17



1 BIKE RACK  
LDP 4 NTS



PRODUCT SPECIFICATIONS

### PET PLATINUM

Offering superior durability in high foot traffic areas is what sets this artificial grass variety apart from the rest of the pack. Ideal turf for a multitude of applications where durability and reliability matter.

SKU	ST343 PETS
Grass Zone Name/Color	PE / Field Green / Apple
Grass Zone Density	10,800 / 6
Thatch Zone Name/Color	PE / Field Green / Beige
Thatch Zone Density	5,000 / 8
Grass Zone Year Shape	Omega
Finished Pile Height	1.12"
Finished Pile Weight	80 oz.
Backing	15 / 18 PP 2-Part / 22oz. EverLac™
Tuft Gauge	3/8"
Total Weight	108 oz.
Tuft Bind	> 8 lbs.
Permeability	> 1,200 inches per / 5"
Features	Sanitized*, EverLac™, DualBlock™ Anti-Static, DualChill™ IR Reflective, Deluster, UV Stabilizers
Test Data	ASTM F1908 Class A Fire Rating, F1292, F1631, F1991, IFMA Certified

- Unmatched Lifetime Warranty
- EnviroLoc™ "Plank-Backed" Backing
- Deluster + UV Protection
- ASTM F1908 Class A Fire Rating

**SUPER YARN™ TECHNOLOGY**

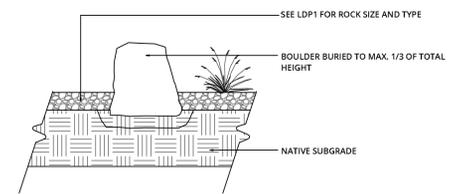
Sanitized\* Antimicrobial    DualChill™ IR Reflective    DualBlock™ Anti-Static

[Learn more at CADetails.com](#)

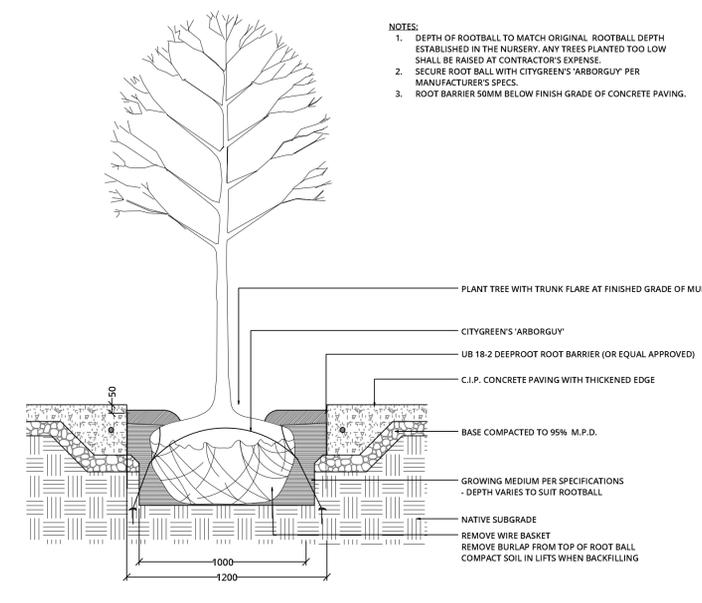
LANDSCAPE
PETS
PLAY
ROOFTOP

For ordering and questions, contact SYNLAWN at 866-756-7888 or visit SYNLAWN.ca

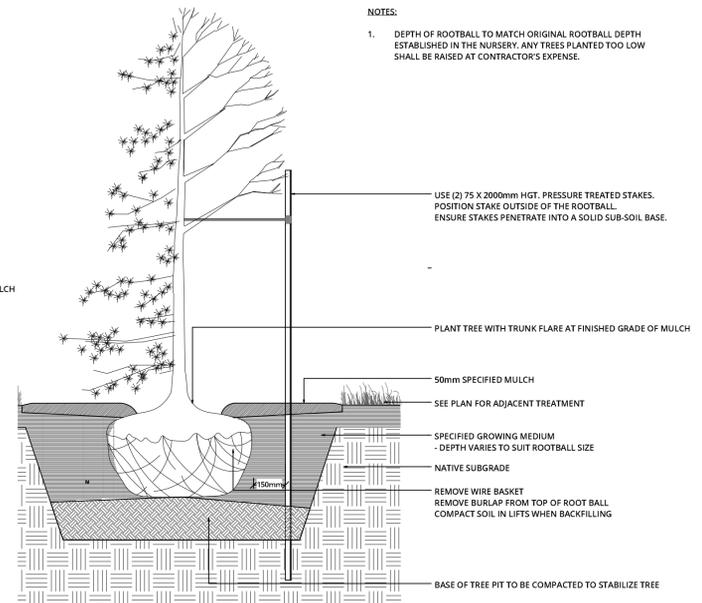
2 ARTIFICIAL TURF  
LDP 4 NTS



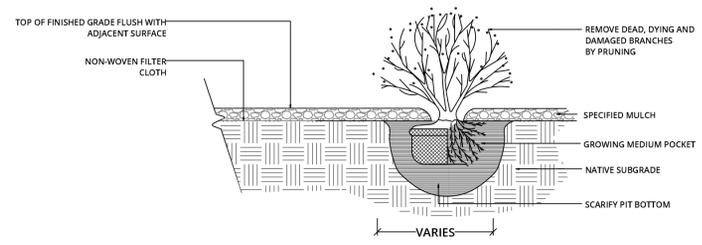
3 LANDSCAPE BOULDER  
LDP 4 1:20



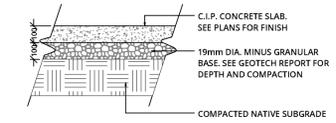
4 TREE PLANTING WITH ROOT BARRIER  
LDP 4 1:20



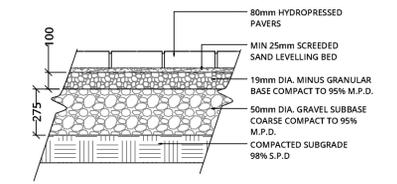
5 TREE PLANTING  
LDP 4 1:20



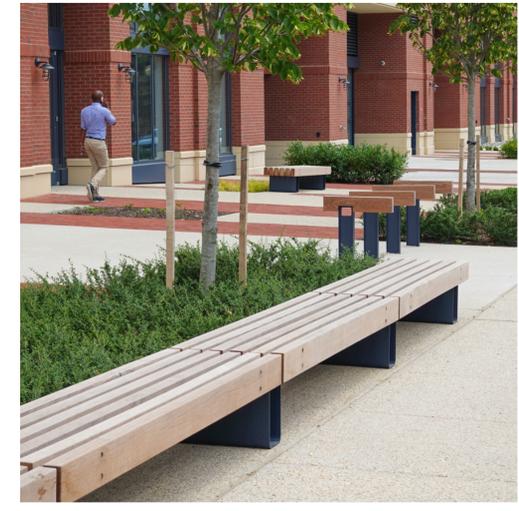
6 SHRUB PLANTING  
LDP 4 1:20



7 CONCRETE PAVING (REFER ARCHITECT)  
LDP 4 1:20



8 HYDRO-PRESSED PAVERS  
LDP 4 1:20



9 BENCH  
LDP 4 NTS

**SCHEDULE** C

This forms part of application  
# DP22-0194

Planner Initials TC



SEAL

NORTH

ISSUED FOR :

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SCALE : NTS

NO. DESCRIPTION DATE

DETAILS

LDP 4

PROJECT # : 22030      DATE : 2022-03-14

## FORM & CHARACTER - DEVELOPMENT PERMIT GUIDELINES

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

<b>RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE</b> <i>(1 is least complying &amp; 5 is highly complying)</i>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>CHAPTER 4.0: LOW &amp; MID-RISE RESIDENTIAL &amp; MIXED USE</b>						
<b>4.1 Guidelines</b>						
<b>4.1.1 Relationship to the Street</b>						
Lobby area and main building entrance is clearly visible from the fronting street and sidewalk.						✓
Wherever possible, blank walls at grade are not encouraged.					✓	
Enclosed parking garages are located away from street frontages or public open space.						✓
Ground oriented units with entries or glazing have been provided to avoid the blank/dead frontage along the street.						✓
When unavoidable, blank walls have been screened with landscaping or have been incorporated with a patio/café or special materials have been provided to make them visually interesting.						✓
<b>Residential and Mixed-use Buildings</b>						
Residential buildings at the ground floor have a set back between 3-5m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio.			✓			
A maximum 1.2m desired height (e.g., 5-6 steps) for front entryways has been provided. Where the water table requires this to be higher, in these cases, larger patio has been provided and parking has been screened with ramps, stairs, and landscaping.						✓
Ground floor units accessible from the fronting street or public open spaces have been provided with individual entrances.						✓
Buildings are sited and oriented so that windows and balconies are overlooking public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences.						✓
<b>4.1.2 Scale and Massing</b>						
Proposed residential building façade has a length of 60m (40m length is preferred).						✓
Buildings over 40m in length are incorporating significant horizontal and vertical breaks in façade.	✓					
Proposed residential building has a maximum width of 24m.						✓
<b>4.1.3 Site Planning</b>						
On sloping sites, building floor levels are following the natural grade and avoiding the blank wall situation.	✓					

<b>RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE</b> <i>(1 is least complying &amp; 5 is highly complying)</i>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
Building sides that are interfacing with streets, mid-block connections, and other open spaces (building fronts) are positively framing and activating streets and open spaces and supporting pedestrian activity.						✓
Larger buildings are broken up with mid-block connections which have public accessibility wherever possible.	✓					
Ground floors adjacent to mid block connections have entrances and windows facing the mid block connection.						✓
<b>4.1.4 Site Servicing, Access, and Parking</b>						
Vehicular access is provided from the lane.						✓
Where there is no lane, and where the re-introduction of a lane is difficult or not possible, access is provided from the street, provided: <ul style="list-style-type: none"> <li>• Access is from a secondary street, where possible, or from the long face of the block;</li> <li>• Impacts on pedestrians and the streetscape is minimized; and,</li> <li>• There is no more than one curb cut per property.</li> </ul>	✓					
When parking cannot be located underground due to the high water table and is to be provided above ground, screen the parking structure from public view as follows: <ul style="list-style-type: none"> <li>• On portions of the building that front a retail or main street, line the above ground parking with active retail frontage;</li> <li>• On portions of the building that front onto non-retail streets, line the above ground parking with an active residential frontage, such as ground oriented townhouse units;</li> <li>• When active frontages are not able to be accommodated, screen parking structures by using architectural or landscaped screening elements;</li> <li>• On corner sites, screen the parking structure from public view on both fronting streets using the appropriate strategy listed above.</li> </ul>						✓
Buildings with ground floor residential may integrate half-storey underground parking to a maximum of 1.2m above grade, with the following considerations: <ul style="list-style-type: none"> <li>• Semi-private spaces should be located above to soften the edge and be at a comfortable distance from street activity; and</li> <li>• Where conditions such as the high water table do not allow for this condition, up to 2m is permitted, provided that entryways, stairs, landscaped terraces, and patios are integrated and that blank walls and barriers to accessibility are minimized.</li> </ul>						✓
<b>4.1.5 Publicly Accessible and Private Open Spaces</b>						
Publicly accessible private spaces (e.g., private courtyards accessible and available to the public) have been integrated with public open areas to create seamless, contiguous spaces.	✓					

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying &amp; 5 is highly complying)</i>	N/A	1	2	3	4	5
Semi-private open spaces have been located to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units.					✓	
Outdoor Amenity Areas: design plazas and parks to: <ul style="list-style-type: none"> <li>• Contain 'three edges' (e.g., building frontage on three sides) where possible and be sized to accommodate a variety of activities;</li> <li>• Be animated with active uses at the ground level; and,</li> <li>• Be located in sunny, south facing areas.</li> </ul>						✓
Mid-block connections design includes active frontages, seating, and landscaping.				✓		
<b>Rooftop Amenity Spaces</b>						
Shared rooftop amenity spaces (such as outdoor recreation space and rooftop gardens on the top of a parkade) are designed to be accessible to residents and to ensure a balance of amenity and privacy by: <ul style="list-style-type: none"> <li>• Limiting sight lines from overlooking residential units to outdoor amenity space areas through the use of pergolas or covered areas where privacy is desired; and</li> <li>• Controlling sight lines from the outdoor amenity space into adjacent or nearby residential units.</li> </ul>						✓
Reduce the heat island effect by including plants or designing a green roof, with the following considerations: <ul style="list-style-type: none"> <li>• Secure trees and tall shrubs to the roof deck; and</li> <li>• Ensure soil depths and types are appropriate for proposed plants and ensure drainage is accommodated.</li> </ul>					✓	
<b>4.1.6 Building Articulation, Features &amp; Materials</b>						
Articulate building facades into intervals that are a maximum of 15m wide for mixed-use buildings and 20m wide for residential buildings. Strategies for articulating buildings should consider the potential impacts on energy performance (see 2.2.1), and include: <ul style="list-style-type: none"> <li>• Façade Modulation – stepping back or extending forward a portion of the façade to create a series of intervals in the facade;</li> <li>• Repeating window patterns at intervals that correspond to extensions and step backs (articulation) in the building facade;</li> <li>• Providing a porch, patio, deck, or covered entry for each interval;</li> <li>• Providing a bay window or balcony for each interval, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance;</li> <li>• Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval;</li> <li>• Changing the materials with the change in building plane; and</li> <li>• Provide a lighting fixture, trellis, tree, or other landscape feature within each interval.</li> </ul>						✓

<b>RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE</b> <i>(1 is least complying &amp; 5 is highly complying)</i>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
Break up the building mass by incorporating elements that define a building's base, middle and top.					✓	
Use an integrated, consistent range of materials and colors and provide variety by, for example, using accent colors.						✓
Articulate the facade using design elements that are inherent to the building as opposed to being decorative. For example, create depth in building facades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a byproduct of massing.					✓	
<b>Weather Protection</b>						
Provide weather protection (e.g. awnings, canopies, overhangs, etc.) along all commercial streets and plazas ( <i>See Figure 4.2</i> ), with particular attention to the following locations: <ul style="list-style-type: none"> <li>• Primary building entrances,</li> <li>• Adjacent to bus zones and street corners where people wait for traffic lights;</li> <li>• Over store fronts and display windows; and</li> <li>• Any other areas where significant waiting or browsing by people occurs.</li> </ul>			✓			
<b>Signage</b>						
Provides attractive signage on commercial buildings that identifies uses and shops clearly but which is scaled to the pedestrian rather than the motorist. Some exceptions can be made for buildings located on highways and/or major arterials in alignment with the City's Sign Bylaw.						✓
Avoid the following types of signage: <ul style="list-style-type: none"> <li>• Internally lit plastic box signs;</li> <li>• Pylon (stand alone) signs; and</li> <li>• Rooftop signs.</li> </ul>						✓
Uniquely branded or colored signs are encouraged to help establish a special character to different neighbourhoods.				✓		

**ATTACHMENT B**

This forms part of application  
# DP22-0194

Planner Initials TC



City of Kelowna  
DEVELOPMENT PLANNING