

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Permit No. DP15-0118
Development Variance Permit No. DVP15-0119

EXISTING ZONING DESIGNATION:	C4 – Urban Centre Commercial
DEVELOPMENT PERMIT PURPOSE:	To consider form and character of a non-accessory parking lot.
DEVELOPMENT VARIANCE PERMIT PURPOSE:	Vary the minimum front and side yard landscape buffer requirement from Level 2 required to Level 1 proposed.
PERMIT PREPARED BY:	Tracey Yuzik

ISSUED TO:	City of Kelowna
LOCATION OF SUBJECT SITE:	561 McKay Avenue

	LOT	BLOCK	D.L.	DISTRICT	PLAN
LEGAL DESCRIPTION :	1		14	ODYD	EPP45951

SCOPE OF APPROVAL

- ☐ This 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 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.
- ☐ Applicants for a Development Permit and/or Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

- a) THAT the dimensions and siting of the works to be constructed on the land in general accordance with Schedule "A";
- b) AND THAT the landscaping to be provided on the land in accordance with Schedule "B";
- c) AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 7.6.9 (e): Landscaping and Screening Minimum Landscape Buffers

To vary the required minimum front yard from Level 2 landscape buffer permitted to Level 1 landscape buffer zone proposed.

To vary the required minimum side yard (west) from Level 2 landscape buffer permitted to Level 1 landscape buffer zone proposed.

To vary the required minimum side yard (east) from Level 2 landscape buffer permitted to Level 1 landscape buffer zone proposed.

- d) AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit application in order for permits to be issued;
- e) AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend;

3. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

4. 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 Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee 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 the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$ N/A.
- (b) A Certified Cheque in the amount of N/A
- (c) An Irrevocable Letter of Credit in the amount of N/A

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. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree 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 granting to me the said Permit.

- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of 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.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Manager of Community Planning.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

6. APPROVALS:

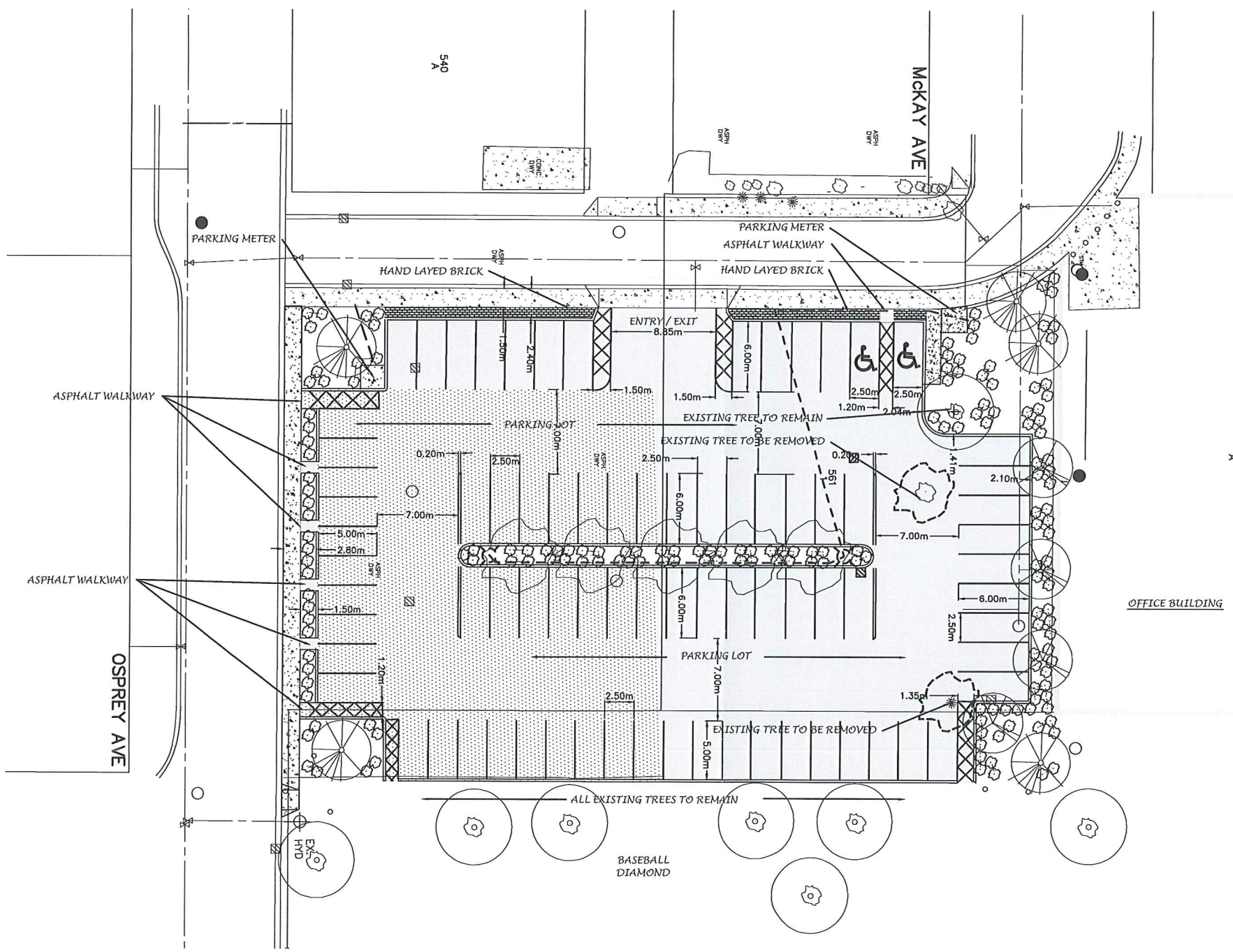
DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE
_____ DAY OF _____, 2015.

ISSUED BY THE COMMUNITY PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE
_____ DAY OF _____, 2015 BY THE DEPARTMENT MANAGER OF COMMUNITY PLANNING.

Ryan Smith,
Community Planning Department Manager

SCHEDULE A

This forms part of development
DPIS-0118
Permit # DPIS-0119



584-590
A

LEGEND

WATER

SAN. SEWER

STORM SEWER

GAS

U/G TELEPHONE

U/G ELECTRICAL

MANHOLE

UTILITY POLE

POWER POLE

LAMP STANDARD

CATCH BASIN

HYDRANT

TREES

SURVEY MONUMENT

○ M.H.

● U.P.

□ P.P.

□ L.S.

□ C.B.

□ H.D.

○ T

○ S.M.

LEGEND

PAVE WITH ASPHALT

REMOVE-REGRADE-REPLACE

LEVEL COURSE

NAD 83

INSERTION BASE POINT= 300,000 , 5,500,000

Locations and offsets of existing utilities shown on this plan are not guaranteed to be accurate and must be verified in the field PRIOR TO CONSTRUCTION. The City of Kelowna does not guarantee their accuracy. Concerned persons should not rely on these documents and should verify all information shown by way of site survey and other appropriate methods. The City of Kelowna accepts no liability for use of these files or information.

1.	15/04/03	ROS	ISSUE FOR REVIEW	TW
NO.	YY/MM/DD	BY	REVISION	CH'KD

BASE SC DESIGN TW

APPROVED TW

DATE APRIL 2015

SCALE HORIZ. 1:200 VERT. 1:20

SCALE NOT ACCURATE OVER LONG DISTANCES

THE CITY OF KELOWNA

DESIGN AND CONSTRUCTION

OSPREY AVE PARKING LOT

PLAN VIEW

DIVISION INFRASTRUCTURE DELIVERY

DRAWING NO.

REV NO

COUNCIL

THE LOCATION OF EXISTING UTILITIES SHOWN ON THIS PLAN ARE NOT GUARANTEED TO BE ACCURATE AND MUST BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION. THE CITY OF KELOWNA DOES NOT GUARANTEE THEIR ACCURACY. CONCERNED PERSONS SHOULD NOT RELY ON THESE DOCUMENTS AND SHOULD VERIFY ALL INFORMATION SHOWN BY WAY OF SITE SURVEY AND OTHER APPROPRIATE METHODS. THE CITY OF KELOWNA ACCEPTS NO LIABILITY FOR USE OF THESE FILES OR INFORMATION.

NOTES:

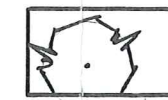
1. ALL SOFT LANDSCAPE WILL BE IRRIGATED WITH A FULLY AUTOMATIC DRIP IRRIGATION SYSTEM.
2. CONTROLLER AND WATER SUPPLY WILL COME FROM EXISTING SYSTEM IN OSPREY PARK.
3. ALL SHRUB BEDS TO BE DRESSED WITH A MINIMUM 100MM OGP-GROW.

SCHEDULE B

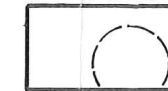
This forms part of development

Permit # DP15-0118
DVP15-0119

LEGEND



EXISTING TREES TO REMAIN



EXISTING TREES TO BE REMOVED



PROPOSED DECIDUOUS TREE



PROPOSED CONIFEROUS TREE



PROPOSED SHRUBS

PLANT LIST

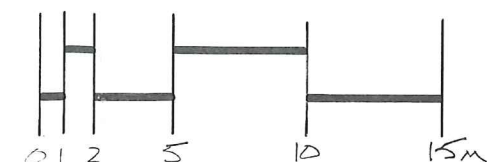
KEY	AMT.	BOTANICAL	COMMON	SIZE
A	5	PINUS NIGRA	AUSTRIAN PINE	2.0m Ht
B	1	FRAXINUS AMERICANA	AUTUMN PURPLE ASH	60mm g
C	5	ALER RUBRUM	REDPOINTE MAPLE	60mm g
D	21	EUONYMUS ALATUS COMPACTUS	DWARF BURNING BUSH	#2 FT
E	34	ROSA ROGOSA 'MEDILAND'	MEDILAND ROSE	#2 FT
F	30	HEMEROCALLIS	STELLA D'ORO DAYLILY	#1 FT
G	52	LAVANDULA ANGUSTIFOLIA	BLUE ENGLISH LAVENDER	#1 FT
H	24	PANICUM VIRGATUM	RED SWITZLI GRASS	#1 FT
I	7	PINUS MUGO PUMILIO	DWARF MUGO PINE	#2 FT

PARKING LOT - OSPREY AVENUE

LANDSCAPE PLAN

1:125

T.W.



ROAD

SIDEWALK

ENTRY/EXIT

PARKING LOT

RAIN GARDEN

PARKING LOT

OFFICE BUILDING

OSPREY AVE.

EX. TREES TO REMAIN

BASEBALL DIAMOND

OSPREY PARK