

CITY OF KELOWNA

MEMORANDUM

Date: August 1, 2014
File No.: DVP14-0133
To: Urban Planning (RS)
From: Development Engineer Manager (SM)
Subject: 519,529 & 539 Truswell Road

The Development Engineering comments and requirements regarding this Development Permit application are as follows:

This development variance permit application to eliminate the side yard setback between the two buildings and a share a common emergency access does not compromise any municipal services.

Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA

MEMORANDUM

Date: August 1, 2014
File No.: DP14-0132
To: Urban Planning (RS)
From: Development Engineer Manager (SM)
Subject: 519,529 & 539 Truswell Road

The Development Engineering comments and requirements regarding this Development Permit application are as follows:

1. General.

- a) All the offsite infrastructure and services upgrades are addressed in the Development Engineering Rezoning Report under file Z14-0030.

Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

- ☐ Development Permit No.: DP14-0132
- ☐ Development Variance Permit No.: DVP14-0133

EXISTING ZONING DESIGNATION: C9 - Tourist Commercial

WITHIN DEVELOPMENT PERMIT AREA: Comprehensive Development Permit Area

ISSUED TO: MKS Resources Inc.

LOCATION OF SUBJECT SITE: 529 Truswell Road

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	A	1		25	ODYD	EPP52732

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 Development and 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:

- The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- Landscaping to be provided on the land be in general accordance with Schedule "C";
- 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 professional landscaper;
- The variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 8.1.2 Off-Street Vehicle Parking

Vary the maximum number of parking spaces permitted from 125% of the required minimum (33 parking stalls) to 200% of the required minimum (52 parking stalls).

Section 14.9.5 (c) Development Regulations

Vary the front yard setback requirement from 6.0 metre required to 2.5 metre proposed.

Section 14.9.5 (d) Development Regulations

Vary the north flanking side yard setback requirement from 4.5 metre required setback to 1.8 metre proposed.

Section 14.9.5 (d) Development Regulations

Vary the south side yard setback requirement from 3.0 metre required setback to 0.0 metre proposed.

2. 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; OR
- (b) A Certified Cheque; OR
- (c) An Irrevocable Letter of Credit in the amount of \$

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. 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 transferable 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.

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 Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning & Real Estate 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

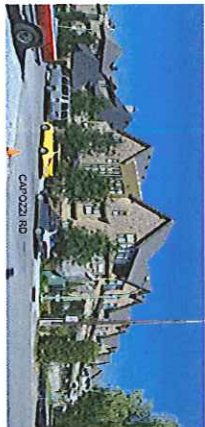
Print Name in Bold Letters

Telephone No.

6. APPROVALS:

ISSUED BY THE URBAN PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE ____ DAY OF _____, 2015 BY THE
DIVISIONAL DIRECTOR OF COMMUNITY PLANNING & REAL ESTATE.

Doug Gilchrist
Divisional Director of Community Planning & Real Estate



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- RESPECT ALL PERMITS AND CONDITIONS TO THE ARCHITECT.
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DP DRAWINGS
NOT FOR CONSTRUCTION

DATE	BY	NO.	REVISION
Jul 4, 2014	GR		REVISION FOR INCREMENTAL POWER
Jul 3, 2014	GR		ADDITIONAL ENERGY
Jul 27/28/14	GR		REVISION FOR INCREMENTAL POWER

Qa
Qa

Garry Tomporowski Architect Ltd.
242-1880 Springfield Rd
Kelowna, British Columbia,
V1Y 5W5
Fax: (250) 878-4385
Telephone: (250) 878-1068
email: gto@office@shawbiz.ca

WATER'S EDGE
NORTH
phase II

THE

SITE PHOTOS

DATE	WELL NO.
ORDER AS NOTED	A0.1
SOIL N.T.S.	
DATE NOV. 27, 2013	

SCHEDULE A+B
This forms part of development
Permit # DP14-0132 / DP14-0133

DP DRAWINGS
NOT FOR CONSTRUCTION

DATE	BY	NO.	REMARKS
Aug 11, 2014	DN		STANDARD POWER READING
Aug 6, 2014	DN		MODIC FOR BENCHMARK READING
Jul 3, 2014	DN		INTERNAL SURVEY
Aug 13, 2014	DN		REMARKS
DATE	BY	NO.	REMARKS

5

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Telephones: (250) 878-1660
email: gtooffice@shawbiz.ca

WATER'S EDGE
NORTH
phase II

KEY WORDS

ORDERED AS NOTED	A0	WELT NO.
AS NOTED		
DATE NOV. 27, 2013		FILE# A10-27

Permit # D114-0132 / D114-0133



DP DRAWINGS
NOT FOR CONSTRUCTION

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Ca
et

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WATER'S EDGE
NORTH
phase II

SITE PLAN

DATE	2013.11.27
ORIGINAL AS NOTED	A1.1
NOTE	3/8" x 1/2"
DWG	FILE: A10-27

SCHEDULE A

This forms part of Permit # DP14-0132 / DN14-0132

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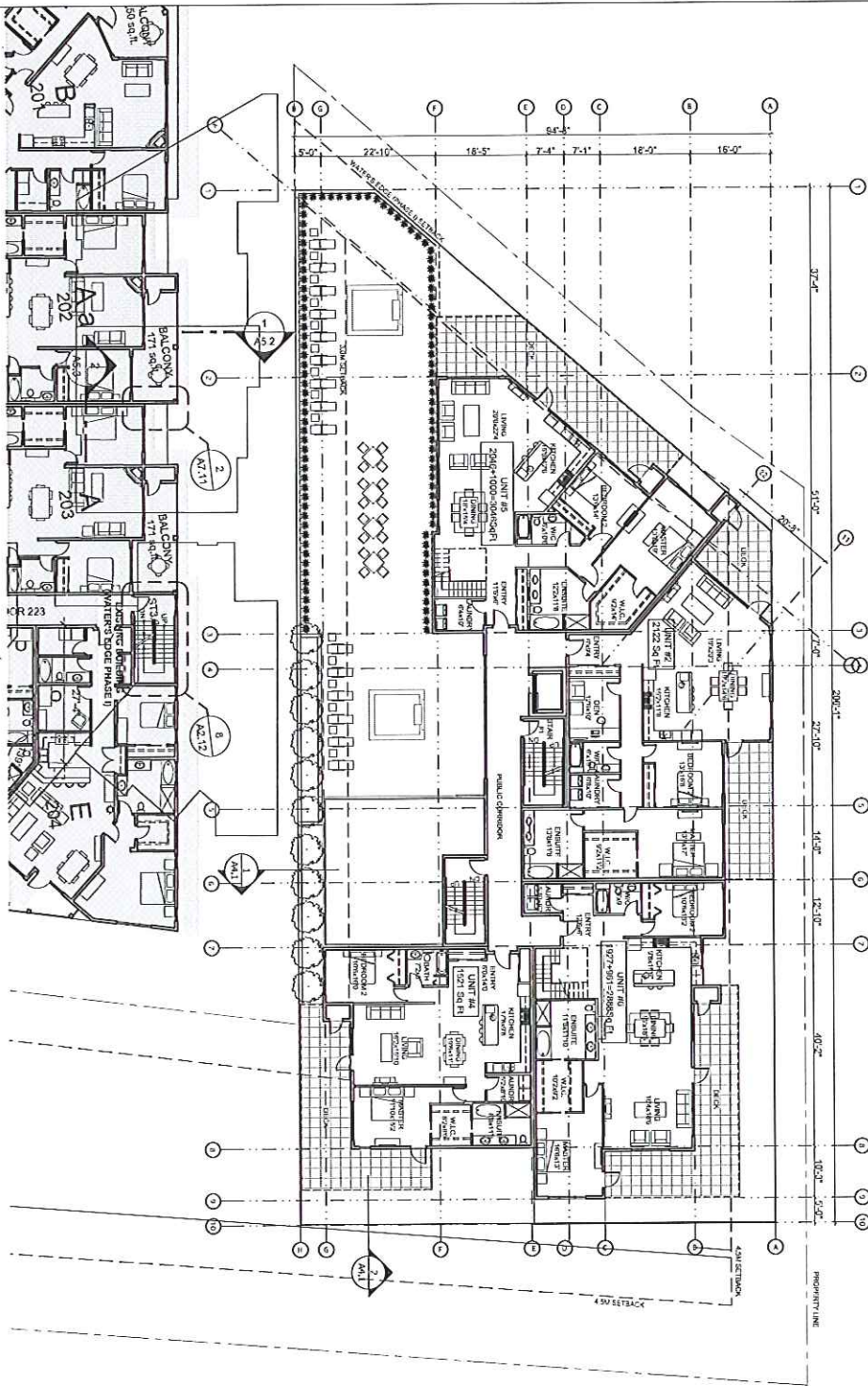


D

Permit # 094-032-100000000

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ORDER NO.	A2.3
ORDERED AS NOTED	
SCALE 3/32" = 1'-0"	



SCHEDULE

A

This forms part of development
Permit # DP14-0132 / 01114-0133

DP DRAWINGS
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- ANY INFORMATION MUST BE KEPT FROM THE ARCHITECT.
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NO.	DATE	DESCRIPTION
1	10/11/14	ISSUED FOR PERMIT
2	10/11/14	ISSUED FOR PERMIT
3	10/11/14	ISSUED FOR PERMIT
4	10/11/14	ISSUED FOR PERMIT
5	10/11/14	ISSUED FOR PERMIT
6	10/11/14	ISSUED FOR PERMIT
7	10/11/14	ISSUED FOR PERMIT
8	10/11/14	ISSUED FOR PERMIT
9	10/11/14	ISSUED FOR PERMIT
10	10/11/14	ISSUED FOR PERMIT

gta

Gentry Thompson Architects Ltd.
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V1V 5S0, British Columbia
Fax: (250) 729-4346
Telephone: (250) 575-1666
www.gentrythompson.ca

WATERS'EDGE
NORTH
phase II

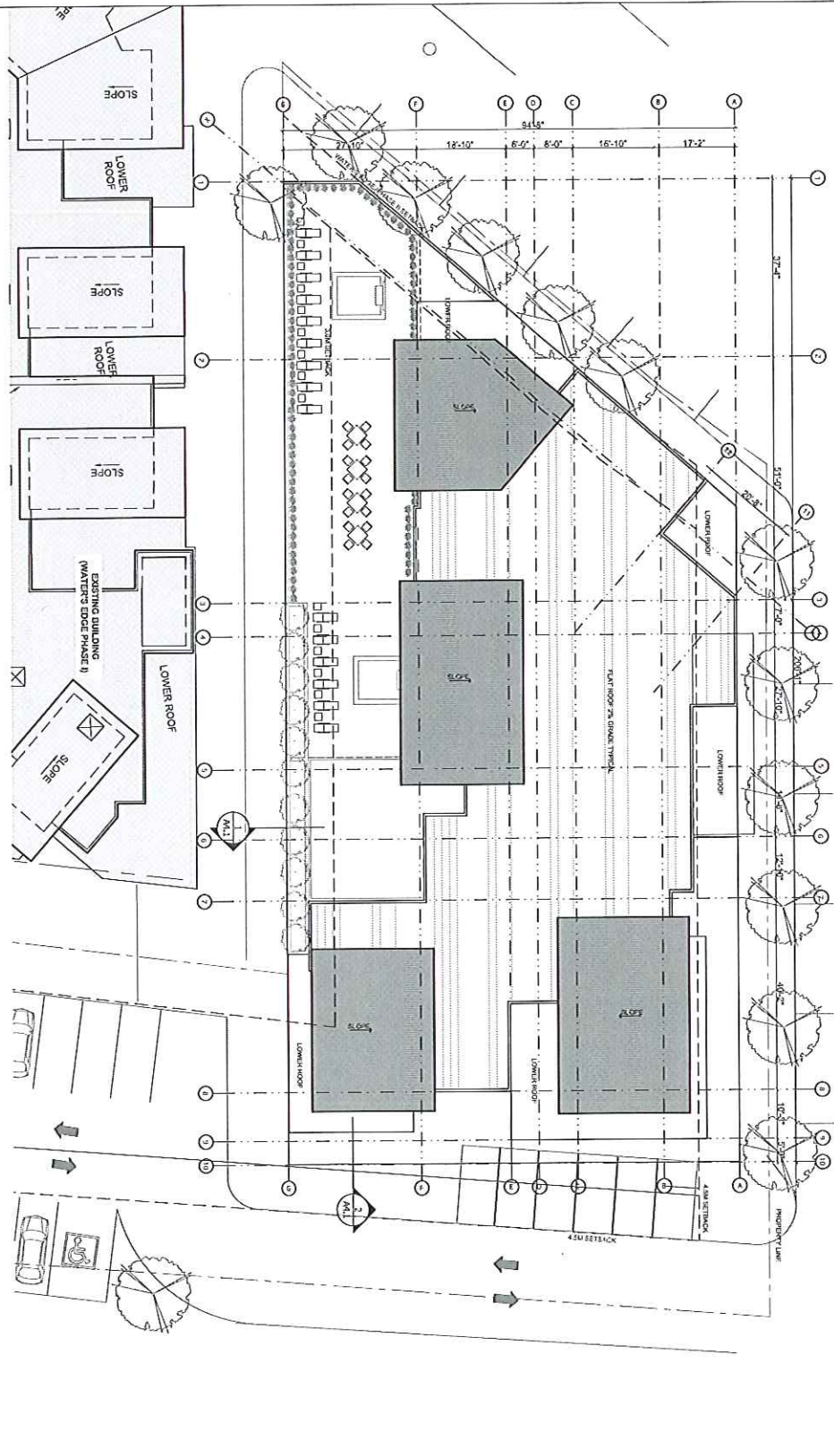
FIFTH
FLOOR PLAN

NO.	DATE	DESCRIPTION
1	10/11/14	ISSUED FOR PERMIT
2	10/11/14	ISSUED FOR PERMIT
3	10/11/14	ISSUED FOR PERMIT
4	10/11/14	ISSUED FOR PERMIT
5	10/11/14	ISSUED FOR PERMIT
6	10/11/14	ISSUED FOR PERMIT
7	10/11/14	ISSUED FOR PERMIT
8	10/11/14	ISSUED FOR PERMIT
9	10/11/14	ISSUED FOR PERMIT
10	10/11/14	ISSUED FOR PERMIT

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DP DRAWINGS
 NOT FOR CONSTRUCTION

NO.	DATE	BY	DESCRIPTION
1	11/27/13	DP	ISSUED FOR PERMIT
2	11/27/13	DP	ISSUED FOR PERMIT
3	11/27/13	DP	ISSUED FOR PERMIT
4	11/27/13	DP	ISSUED FOR PERMIT
5	11/27/13	DP	ISSUED FOR PERMIT
6	11/27/13	DP	ISSUED FOR PERMIT
7	11/27/13	DP	ISSUED FOR PERMIT
8	11/27/13	DP	ISSUED FOR PERMIT
9	11/27/13	DP	ISSUED FOR PERMIT
10	11/27/13	DP	ISSUED FOR PERMIT



SCHEDULE A
 This forms part of development

Permit # DP14-0132 / NDP14-0133

gta

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 2500 Highway 101
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 Burnaby, BC
 V5C 5S2
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 Fax: (604) 299-5207
 Email: gta@gtatransport.com

WATERSEDGE
 NORTH
 Phase II

ROOF PLAN

DATE	REVISION
NOV 27, 2013	FILED A2.7

DP DRAWINGS
NOT FOR CONSTRUCTION

5

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1

ORDERED AS NOTED	A3.1
SCALE 3/32" = 1'-0"	
DWG NOV. 27, 2013	FILE: A10-27



2

Permit # DP14-0132 / DVP14-0133

DP DRAWINGS
NOT FOR CONSTRUCTION

2

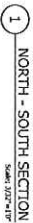
Garry Tompkinson Architects Ltd.
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email: gloffice@thorhaz.co

BUILDING
ELEVATIONS

DATE	SHEET NO.
DRAWN AS NOTED	A3.2
SCALE 3/32" = 1'-0"	
SHEET NOV. 27, 2013	
FILE: A10-27	



Permit # DP14-0132 / DP14-0133



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[illegible]

2

Sta

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email: gtaoffice@shawbiz.co

WATER'S EDGE
NORTH
phase II

WEEK 10

BUILDING
SECTIONS

ORDER NO.	
QUANTITY AS NOTED	A4.1
SCALE	1/8" = 1'-0"

DATE	FILE#
NOV. 27, 2013	A10-27

①





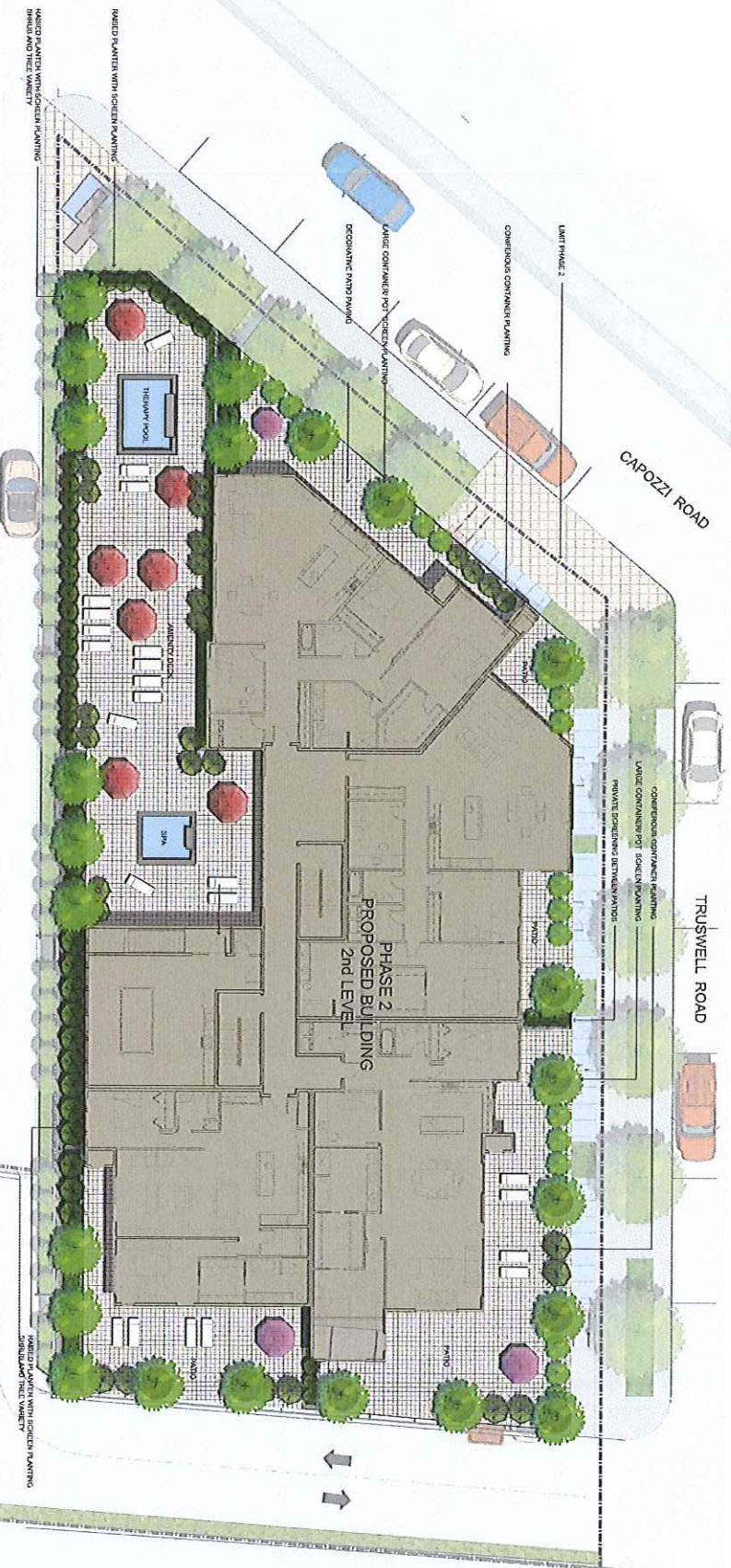
INVENTORIES / INVENTORY	
3	Inventory from US Army Reserve
2	Inventory from US Army Reserve
1	Inventory from US Army Reserve

THE WATERS EDGE - PHASE 2

PRODUCT
THE WATERS E
FAIRFAX
MKS RESOURCES
Corporate, 1997

[illegible]

REPRESENTATIVE PLANT LIST



REPRESENTATIVE PLANT LIST NOTES

- [illegible]

SCHEDULE

This forms part of development

Permit # DP14-0132 / DP14-0133

**MMM GROUP**[illegible]

LANDSCAPE PLAN