# **Development Permit**

## DP23-0013



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

#### 3196 Appaloosa Road

and legally known as

#### Lot 14 Sections 2 and 3 Township 23 ODYD Plan 18861 Except Plan EPP64644

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

#### **General Industrial Use**

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

Date of Council Approval:	July 10 <sup>th</sup> , 2023
Development Permit Area:	Form and Character DPA
Existing Zone:	I2 – General Industrial
Future Land Use Designation:	IND – Industrial

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:

Watermark Developments Ltd., Inc. No. 1191800

Applicant:

Donovan Klassen – CTQ Consultants

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. DP23-0013 for Lot 14 Sections 2 and 3 Township 23 ODYD Plan 18871 located at 3196 Appaloosa Rd, 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;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Manager 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 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 \$93,401.25

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

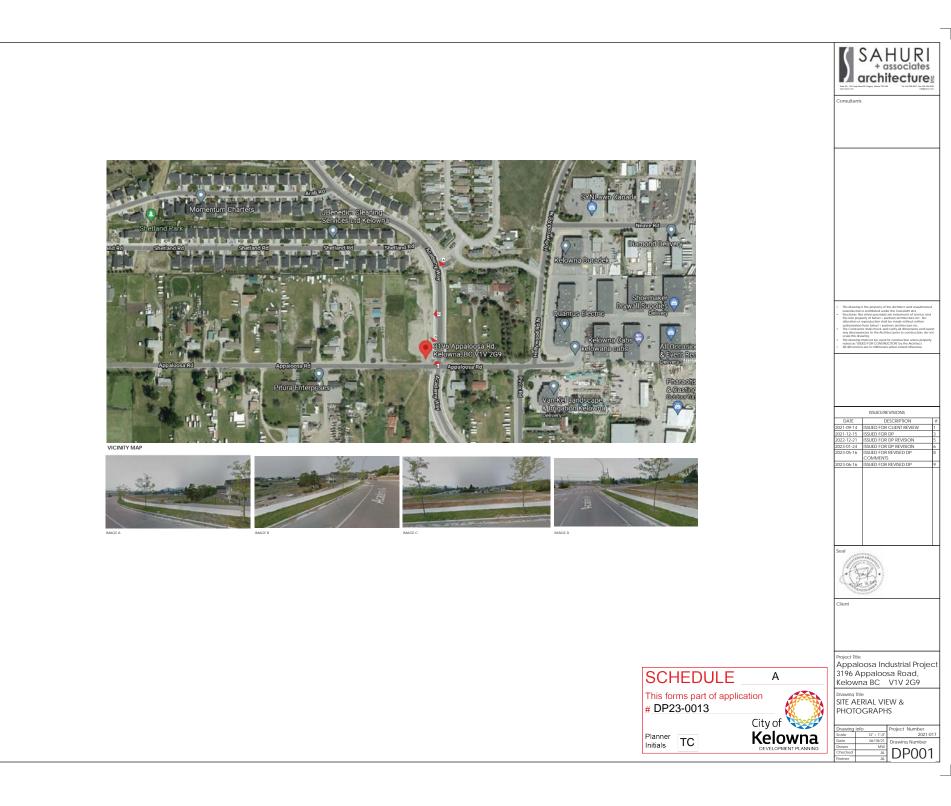
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

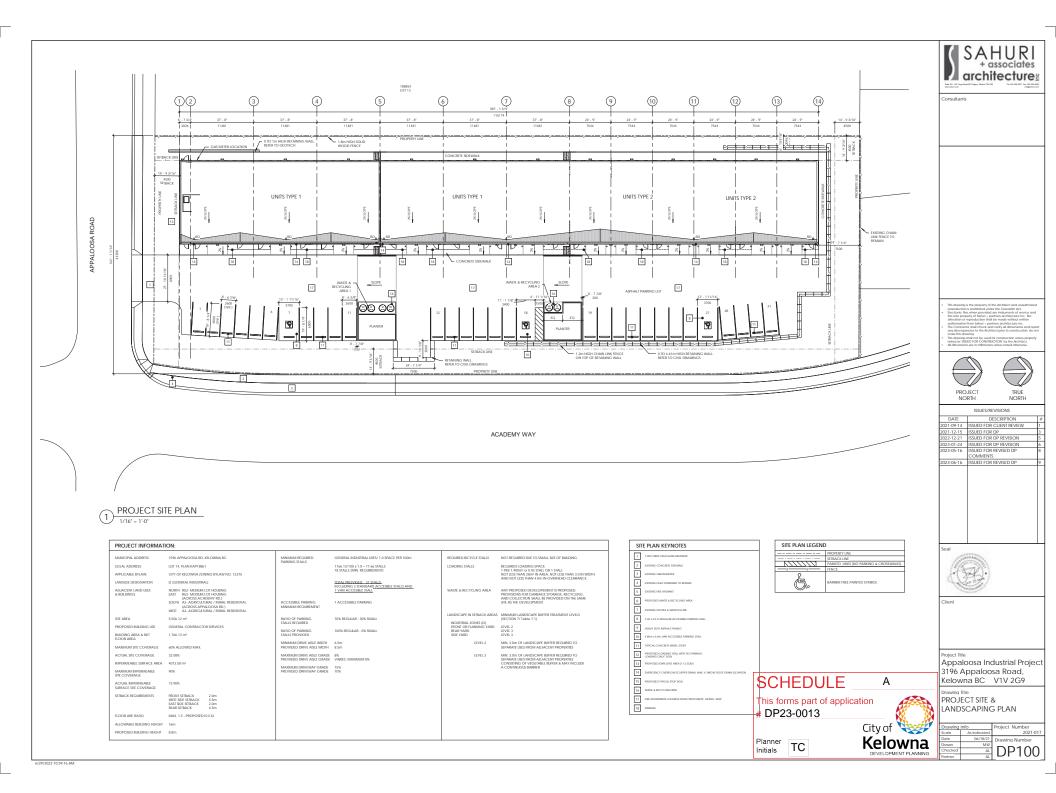
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

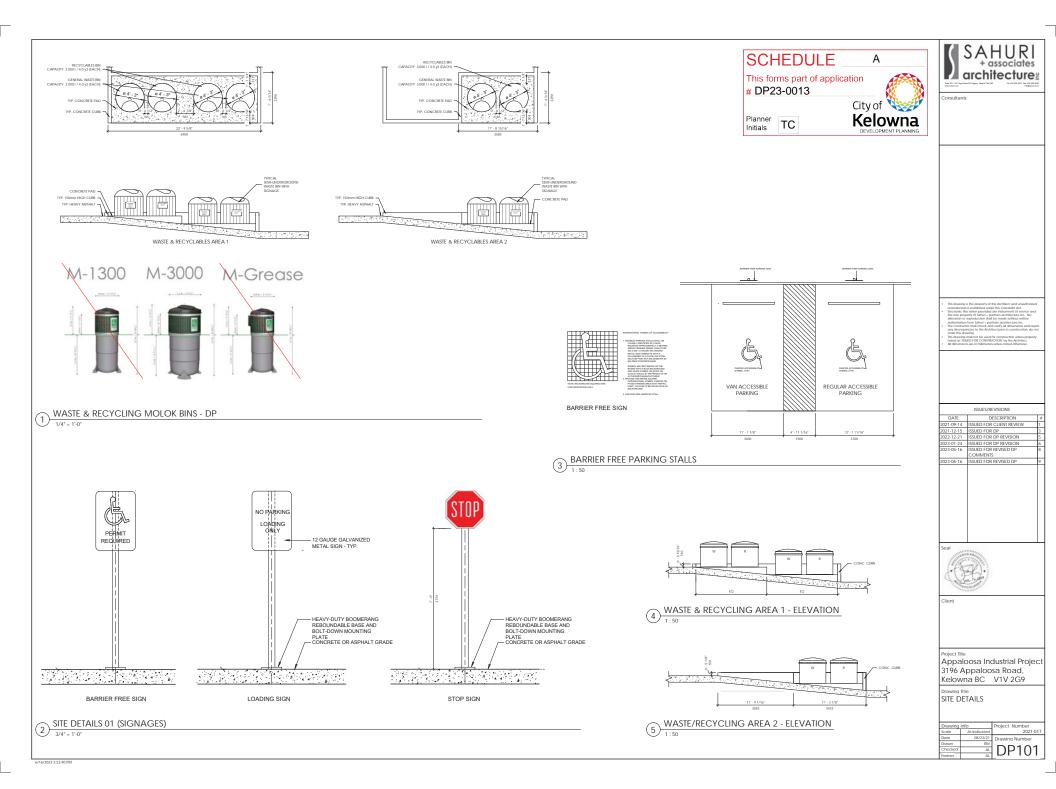
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly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

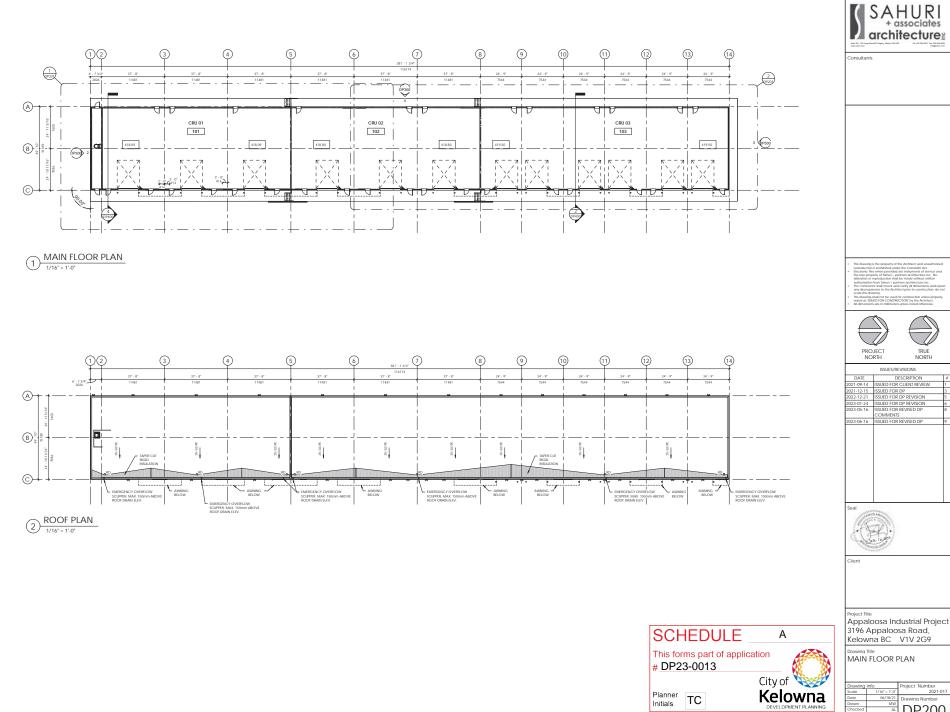
ATTACHMEN	ТА
This forms part of applica # DP23-0013	ation
Planner Initials TC	City of <b>Kelowna</b>

### 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.



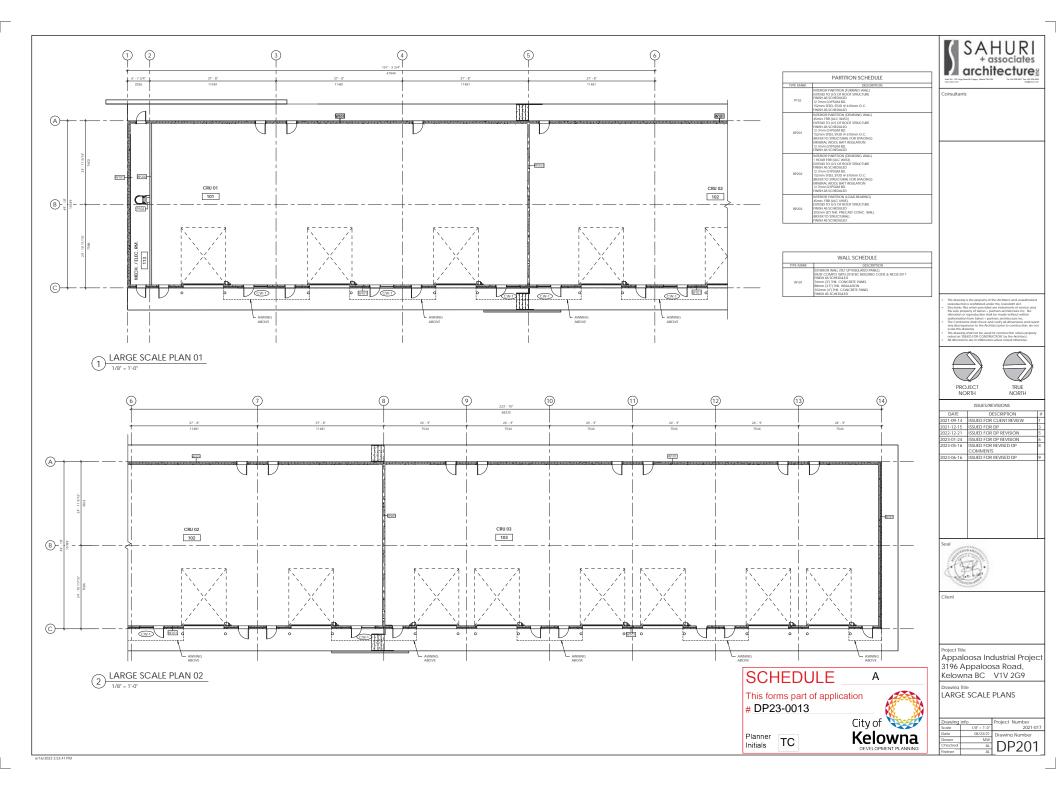


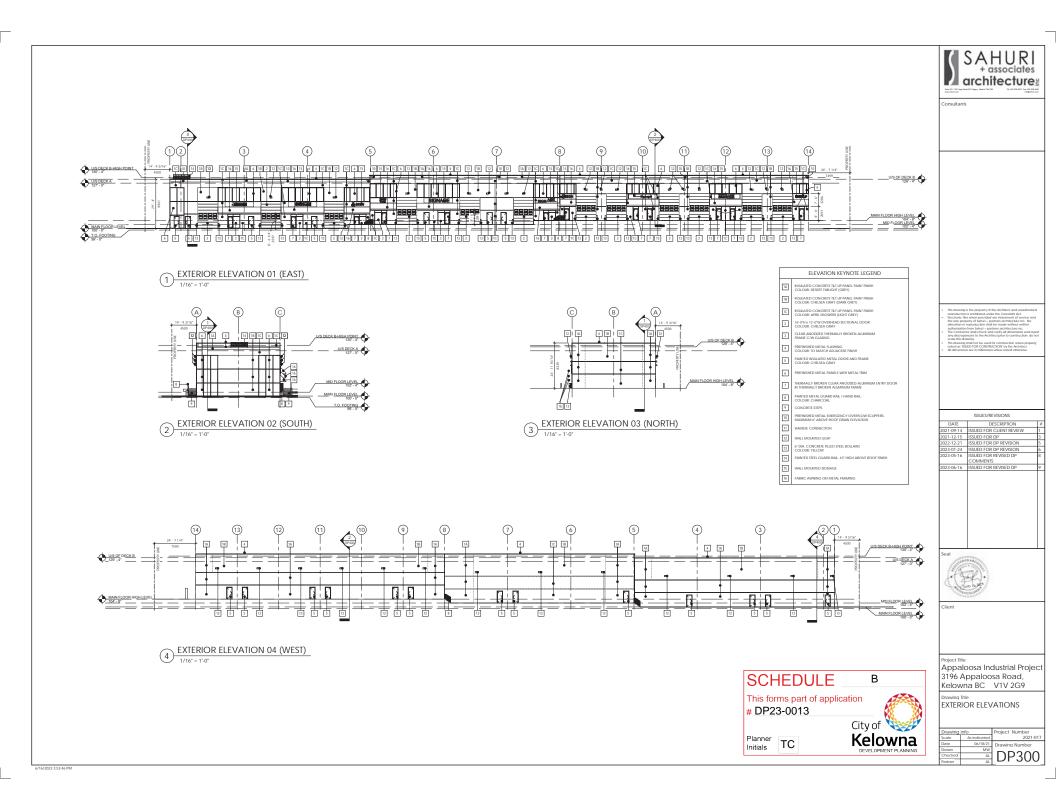




6/16/2023 3:53:41 PM

AL DP200





architecture

Consultants

SAHURI + associates

ISSUES/REVISIONS

DATE 021-09-14 DESCRIPTION

SUED FOR CLIENT REVI

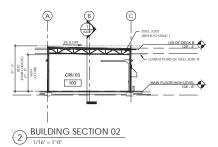
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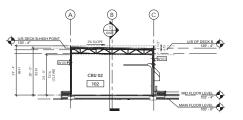
Project Number 2021-017

DP400

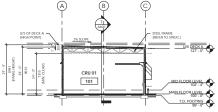
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1 BUILDING SECTION 01

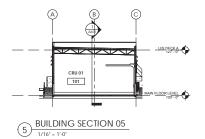


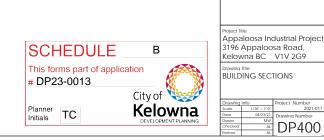


3 BUILDING SECTION 03



4 BUILDING SECTION 04



























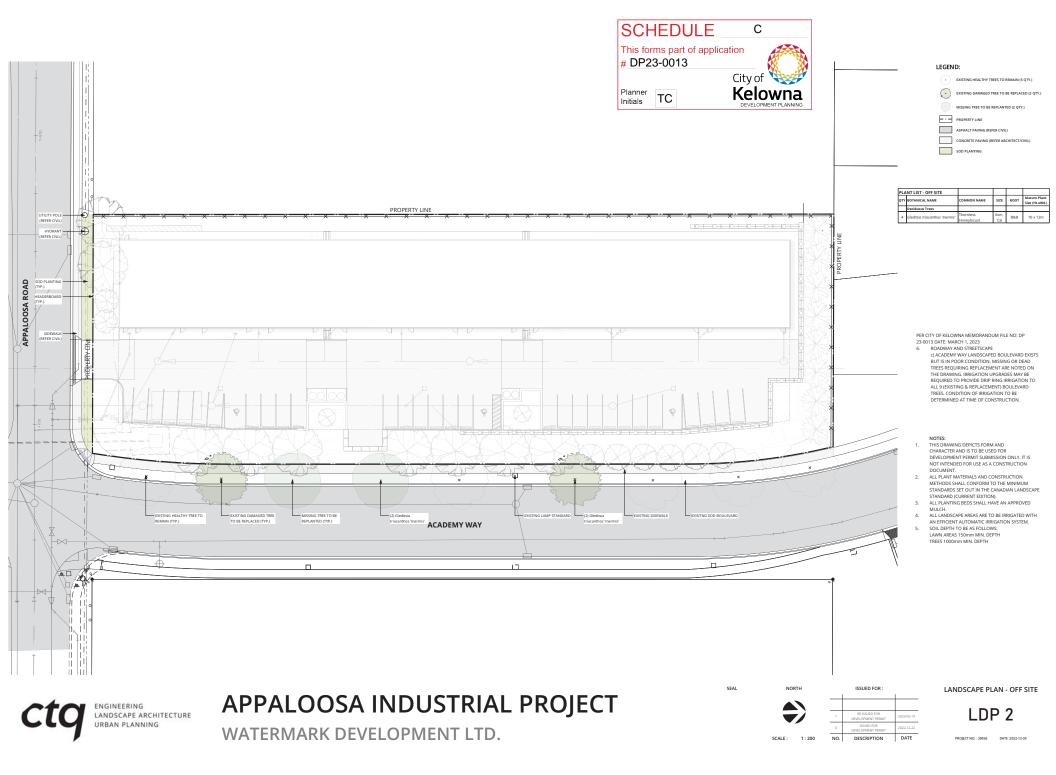






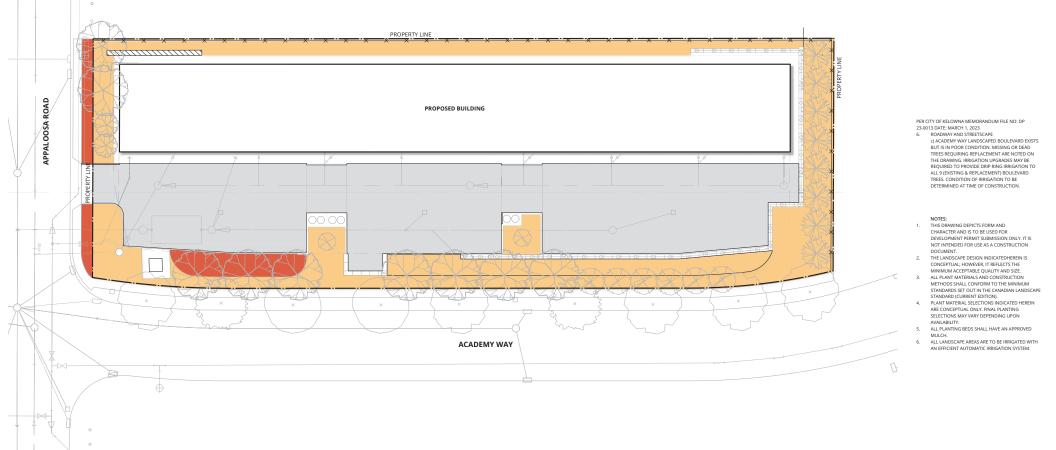












APPALOOSA INDUSTRIAL PROJECT

LANDSCAPE PLAN - WATER CONSERVATION

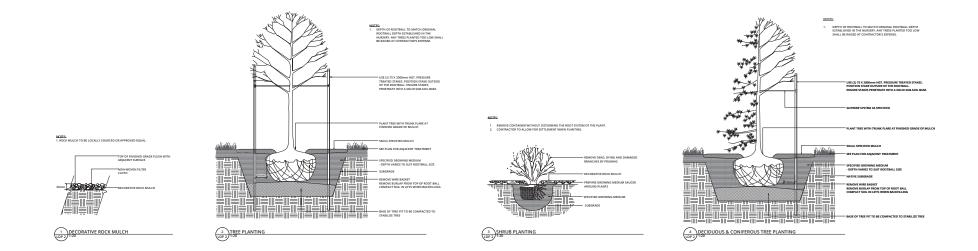
ISSUED FOR 2022-12-22
DESCRIPTION DATE

PROJECT NO.: 20026 DATE :2022-12-20

WATERMARK DEVELOPMENT LTD.

ENGINEERING

LANDSCAPE ARCHITECTURE URBAN PLANNING





# APPALOOSA INDUSTRIAL PROJECT

ISSUED FOR: LANDSCAPE DETAILS

DESCRIPTION

DATE

NO.

SCALE :

1:20

SEAL

WATERMARK DEVELOPMENT LTD.

ENGINEERING LANDSCAPE ARCHITECTURE

URBAN PLANNING

PROJECT NO.: 20026 DATE :2022-12-2

### 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:

	TE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
	is least complying & 5 is highly complying) L General Guidelines						
	L.1 Relationship to the Street						-
		N/A	1	2	3	4	5
d.	Orient the long side of each building to be parallel to the public street.						Ť
h	Locate entries to be visible and directly accessible from the public					<ul> <li>✓</li> </ul>	
b.	street.					•	
~		<ul> <li>✓</li> </ul>					
c.	For buildings fronting highways, entries can be located away from the street, as long as there is a direct pedestrian connection to the	•					
	site.						
4	Avoid blank walls adjacent to the highway, streets, walkways,						<b>√</b>
u.	parks, or other amenity spaces.						ľ
6 .	L.2 Site Planning and Landscaping	N/A	-	2	2		-
	Locate buildings to ensure good sight lines for vehicular and	IN/A	1	2	3	4	5
a.	pedestrian traffic.						ľ
b.	Provide direct, safe, continuous, and clearly defined pedestrian						<b>√</b>
υ.	access from public sidewalks, parking areas, and transit stops to						·
	building entrances.						
c.	Use large canopy trees to define the public realm (e.g. at the			-	✓		
C.	sidewalk and property edge facing the street)						
d.	Distribute trees and landscaping throughout the site in order to:					$\checkmark$	
•	Soften property edges facing the street;						
•	Define internal roads, pedestrian routes, and open spaces;						
•	Create pleasant pedestrian conditions;						
•	Screen parking, loading, service, and utility areas;						
•	Manage stormwater on-site; and						
•	Break up large rows of parking by substituting a parking stall with						
•	a canopy tree in planter every 8-10 parking stalls;						
e.	Use permeable materials such as paving blocks or permeable		✓				
e.	concrete in parking areas to maximize rainwater infiltration.						
f.	Pedestrian pathways should provide clear sight lines and connect						<b>√</b>
1.	the following:						
•	Parking areas to building entrances;						
•	Main building entrances to public sidewalks (where applicable);						
•	Main building entrances to transit stopes (where applicable);						
•	Between buildings on adjacent lots.						
g.	Provide separation between vehicular routes (especially truck						<b>√</b>
9.	access/loading) and pedestrian routes on-site to avoid conflict and	1	1		1	1	·



	distinguish pedestrian routes from driving surfaces by using varied						
	paving treatments and/or raising walkways to curb level.						
h.	Base new development on an internal circulation pattern that						$\checkmark$
	allows logical movement throughout the site and that will						
	accommodate, and not preclude, intensification over time.						
6.1	.3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	Design site accesses to provide the potential for future shared	$\checkmark$					
	access with neighbours and to minimize curb cuts.						
b.	Where practical, link access drives and parking lots of adjacent	$\checkmark$					
	properties in order to allow for circulation of vehicles between						
	sites.						
с.	The preferred location for main parking areas is at the rear and/or				$\checkmark$		
	side of the building. Avoid locating large parking areas between						
	the building and the street.						
d.	Where parking areas are visible from the street, screen them using		1				$\checkmark$
	strategies such as tree planting, berming, low walls, decorative						
	fencing and/or hedging.						
e.	Break parking areas into smaller blocks defined by landscaping in						$\checkmark$
	order to minimize the amount of paved areas.						
f.	Locate loading, utilities, mechanical equipment and garbage					$\checkmark$	
	collection areas away from public view by:						
•	Integrating these facilities into the footprint of the building; or						
•	Screening using fencing, walls, and/or landscaping						
6.1	.4 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a.	Avoid facing unarticulated facades to the street and use						$\checkmark$
	projections, recesses, arcades, awnings, color, and texture to						
	improve the nodestrian experience						
	improve the pedestrian experience						
b.	improve the pedestrian experience Design primary entrances to face the street, exhibit design				<ul> <li>✓</li> </ul>		
b.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or				<b>√</b>		
b.	Design primary entrances to face the street, exhibit design				<ul> <li>✓</li> </ul>		
b. c.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry.				<ul> <li>✓</li> <li>✓</li> </ul>		✓
	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or				<ul> <li>✓</li> </ul>		<ul> <li>✓</li> </ul>
	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character				<ul> <li>✓</li> <li>✓</li> </ul>		✓
C.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall).				<ul> <li>✓</li> <li>✓</li> </ul>		<ul> <li>✓</li> </ul>
C.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and				<ul> <li>✓</li> <li>✓</li> </ul>		<ul> <li>✓</li> </ul>
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c. d.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and				✓		$\checkmark$
c. d.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site.				✓		✓ ✓ ✓
c. d. e.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to						<ul> <li>✓</li> <li>✓</li> </ul>
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c. d. e.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles. Provide shielded, down lighting to provide security and ambient lighting while minimizing light pollution and spill over lighting into						✓ ✓ ✓
c. d. e. f. g.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles. Provide shielded, down lighting to provide security and ambient						✓ ✓ ✓



i.	Incorporate substantial, natural building materials such as			$\checkmark$			
	masonry, stone, and wood into building facades.						
j.	Use an integrated, consistent range of materials and colors and				<b>√</b>		
J.	provide variety by, for example, using accent colors.						
6 /	Industrial and Service Commercial	1	<u> </u>			1	<u>I</u>
	Relationship to the Street	N/A	1	2	3	4	5
a.	Design primary entries to be clearly visible and accessible from the street.					ľ	V
b.	Site the building's primary façade parallel to the street and close to the minimum setback to establish a defined street edge.						~
C.	Include glazing, as a major component of street facing facades.						<b>√</b>
d.	Maintain and enhance street edge definition by preserving or incorporating street trees.						~
e.	Locate the office, reception, or sales component of the building closer to the street than the plant or warehouse component.	~					
f.	Do not locate service doors (e.g., an overhead loading door) facing the street.				~		
6.4	2 Site Planning and Landscaping	N/A	1	2	3	4	5
a.	Pedestrian pathways should provide clear sight lines and connect					<u> </u>	_√
	the building to outdoor amenity spaces.						
b.	Consider providing landscaped green roofs to manage runoff, add visual appeal, improve energy efficiency, reduce heat island effect, and provide amenity value.		~				
6.4	3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	The preferred location for main parking areas is at the rear and/or side of the building.					~	
b.	Avoid locating large parking areas between the building and street. A single loaded row of visitor parking and passenger drop- off areas may be located between the building and the street.				~		
c.	Where parking areas are visible from the street, screen it using strategies such as tree planting, berming, low walls, decorative fencing and/or hedging.						<b>√</b>
d.	Break parking areas into smaller blocks defined by landscaping in order to minimize the amount of paved areas.						~
e.	Locate outdoor storage areas within rear yards and/or interior side yards and screened from street view.	~					
6.4	.4 Building Articulation, Features and Materials	N/A	1	2	3	4	5
а.	Avoid facing unarticulated facades to the street and use projections, recesses, plantings, awnings, color and texture to reduce the visual size of any unglazed walls.					✓ ✓	
b.	Use different exterior materials to distinguish between the plant/warehouse component of a building from the office/sales component.	~					

