



CITY OF WEST KELOWNA
DEVELOPMENT PERMIT WITH VARIANCE
DP 19-07

To: 598573 Alberta Ltd.
103, 1626 115 Avenue NE
Calgary, AB T3K 2E4

c/o OK Glacier Homes Inc.
4495 Maxwell Road
Peachland, BC V0H 1X3

1. This Permit is issued subject to compliance with all of the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands within the City of West Kelowna described below, and any and all buildings, structures and other developments thereon:

Strata Lot 23 DL 3871 ODYD Strata Plan KAS968 together with an interest in the common property in proportion to the entitlement of the strata lot as shown on form 1
(#23 901 Westside Road)

3. This Permit allows the construction of a single family dwelling, elevated tram and restoration plantings in the **Hillside Development Permit Area (DPA 4), Aquatic Ecosystem Development Permit Area (DPA 5), and Sensitive Terrestrial Ecosystem Development Permit Area (DPA 6)** subject to the following conditions and related Schedules:

General

4. The dimensions and siting of buildings to be constructed on the land be in accordance with House Drawings (elevations, plan and profiles), dated September 24, 2019 prepared by Okanagan Glacier Homes, Geotechnical Assessment Report dated March 2019 and attached within Schedule "A";
5. The landscaping and restoration works to be provided on the land be in accordance with the Overall Site Plan dated September 30, 2019 prepared by Hampton Pools & Spas, dated September 13, 2018 and attached within Schedule "B";
6. All construction, landscaping and restoration activities be conducted on the land be in general accordance with the Environmental/Riparian Setback Assessment dated February 11, 2019 and Addendum 2 – Environmental/Riparian Setback Assessment dated October 11, 2019 prepared by Ecora Engineering & Resource Group Ltd;
7. All construction activities to be conducted on the land be in general accordance with the Geotechnical Assessment Report dated October 2019 prepared by Ecora Engineering & Resource Group Ltd.;

Variances

8. The following variances to Zoning Bylaw No. 0154 are included as part of this Development Permit:
 - a. That the front parcel boundary setback (s.10.4.5(g.)1) be reduced from 6.0 m to 1.81m for a front facing garage; and
 - b. That the front parcel boundary setback (s.10.4.5(g.)1) be reduced from 4.5 m to 1.5m for the remainder of the structure adjacent to the front parcel boundary.

Protection & Maintenance of the Riparian Area

9. The Streamside Protection and Enhancement Area (SPEA) boundary must remain clearly marked (i.e. with silt fencing) on the subject property to accurately delineate setbacks prior to the undertaking of any construction works.
10. Encroachment into the SPEA with construction and associated materials, machinery or soils during construction shall not occur.
11. Stockpiling of fill material shall not occur within the Streamside Protection and Enhancement Area, unless it is considered advisable by the Environmental Monitor and is carried out under their direction.
12. Excess soil material must be removed from the property and disposed of appropriately.
13. All equipment must be in good operating condition, clean, and free of leaks. No equipment refuelling can take place within 30 metres of Okanagan Lake.
14. All materials and equipment associated with concrete works used during construction must be washed offsite away from any watercourse. Sediments, debris, concrete, concrete fines, and wash water must not come into contact with Okanagan Lake, or any other watercourse.

Restoration Works within the SPEA

15. All landscape works, including siting, plant quantities, sizes, and type, shall be in general accordance with Schedule 'B'. Changes to the plant list may be permitted under the approval of the Environmental Monitor, provided that the changes are consistent with the Aquatic Development Permit Area guidelines in the City's Official Community Plan Bylaw No. 0100.
16. Any future landscaping works in the SPEA beyond those specified in Schedule 'B' of this permit must not occur without authorization from the City of West Kelowna by approval of a Development Permit application.

Environmental Monitoring

17. All construction activities shall be consistent with the recommendations in the Environmental/Riparian Setback Assessment dated February 11, 2019 prepared by Ecora Engineering & Resource Group Ltd. An environmental monitor shall be retained to document compliance with the recommendations, mitigation measures, and operational best practices for the duration of the construction activities.
18. An environmental monitor must remain on site during the excavation works to ensure that the excavation works are consistent with the recommendations in the

Environmental/Riparian Setback Assessment dated February 11, 2019 prepared by Ecora Engineering & Resource Group Ltd.

19. Monitoring reports must be completed on a regular basis by an Environmental Monitor and submitted to the City of West Kelowna and any other applicable regulatory agencies, consistent with the recommendations in the Environmental/Riparian Setback Assessment dated February 11, 2019 prepared by Ecora Engineering & Resource Group Ltd. Upon substantial completion of the construction works, a final report must also be submitted.

Hillside

20. That the property owner retains the services of a Geotechnical Engineer (Ecora Engineering and Resource Group Ltd.) to ensure all recommendations in the Geotechnical Assessment Report dated October 2019 prepared by Ecora Engineering & Resource Group Ltd., including inspections, additional reviews and confirmations, and all monitoring and inspections during development and construction.
21. An adequate level of monitoring of construction activities by a Geotechnical Engineer includes:
 - a. Review of foundation subgrades, drilled anchor holes, and dowelling;
 - b. Full time monitoring of rock scaling and rock support; and
 - c. Full time monitoring for earthworks and compaction testing.
22. Retaining walls shall comply with Zoning Bylaw No.0154, with all walls exceeding 1.2m in height to be designed by a professional engineer
23. Permanent cut slopes shall be graded no steeper than 2H:1V and shall be revegetated immediately after construction to prevent surface erosion.

Security

24. As a condition of the issuance of this Permit, the City of West Kelowna is holding a landscape 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 the Permit within the time provided, the City of West Kelowna 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 below, the security shall be returned to the Permittee. There is filed accordingly:
 - a. **An Irrevocable Letter of Credit or Bank Draft in the amount of \$19,327.50.**
25. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof. Should any changes be required to this permit, please ensure that you obtain written approval from City of West Kelowna prior to making any changes.
26. If this Development Permit has not been issued within one year from approval, Development Permit DP 18-16 shall be deemed to have been refused and the file will be

closed.

27. This Permit is not a Building Permit.

28. Subject to the terms of the permit, where the holder of a permit issued under the *Local Government Act* does not substantially commence any construction with respect to which the permit was issued within one year after the date it is issued, the permit lapses.

AUTHORIZING RESOLUTION NO. C###/19 PASSED BY THE MUNICIPAL COUNCIL ON _____.

Signed on _____

City Clerk

I hereby confirm that I have read and agree with the conditions of Development Permit DP 19-07 and will ensure that copies of the Permit will be provided to onsite personnel at time of construction.

Signed on _____

Property Owner or Agent

ISSUED on _____

Schedules:

- A. House Designs dated September 24, 2019, prepared by Okanagan Glacier Homes
- B. Landscape Plan dated September 30, 2019, prepared by Hampton Pools and Spas

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