



CITY OF WEST KELOWNA
DEVELOPMENT PERMIT WITH VARIANCES
DP 22-29

TO: 0798721 BC Ltd.
3922-205A Street
Langley, BC, V3A 2A3

cc: Matt Johnston, Lime Architecture Inc.
205-1626 Richter Street
Kelowna, BC, V1Y 2M3

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 **Commercial Form and Character Development 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:

Lot 18, District Lot 486, ODYD, Plan 27961
(3595 Elliott Road)

3. This Permit allows for the development of a six-unit live/work unit building with the following variances to Zoning Bylaw No. 0265:
 - S.11.2.5(d), to increase the maximum parcel coverage from 40% to 45.4%; and
 - S.11.2.5(e), to increase the maximum building height from 9.0 m to 12.6 m
4. This permit is subject to the following conditions and related schedules:
 - The siting of building, exterior design and finish of building are to be in accordance Architectural Submission, Drawing A-001, A-100-103, A-200-203, prepared by Lime Architecture Inc., dated Feb. 8, April 4, and March 13, 2023, attached as Schedule "A"; and
 - The landscaping to be provided on the land be in accordance with Landscape Plan, prepared by Ecora, Drawing No. L1/1, dated March 14, 2023, attached as Schedule "B".
5. As a condition of the issuance of this Permit, the property owner shall deposit 125% of the cost estimate for the landscaping (**\$25,698.06**) as performance security to ensure installation of the required landscape plantings, in accordance with the City's Development Application Procedures Bylaw No. 0260 and Schedule "B".
 - 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.

6. 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.

7. If this Development Permit has not been issued within one year from approval, Development Permit DP 22-29 shall be deemed to have been refused and the file will be closed.
8. **This Permit is not a Building Permit.**
9. 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.CXXX/XX** PASSED BY THE MUNICIPAL COUNCIL ON _____, 2023

Signed on _____

City Clerk

I hereby confirm that I have read and agree with the conditions of DP 22-29 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:

- Schedule 'A': Architectural Submission, Drawing A-001, A-100-103, A-200-203, prepared by Lime Architecture Inc., dated Feb. 8, April 4, and March 13, 2023.
- Schedule 'B': Landscape Plan, prepared by Ecora, Drawing No. L1/1, dated March 14, 2023