



CITY OF WEST KELOWNA
DEVELOPMENT PERMIT WITH VARIANCES
DP 22-06

TO: RAJINDER KUMAR VERMANI



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:

Lot A District Lots 5059 and 5069 Osoyoos Division Yale District Plan EPP69264
(3746A Wetton Road)

3. This Permit allows for the development of twelve (12) townhouse units in two buildings in the **Multiple Family and Intensive Residential (DPA 3), Hillside (DPA 4), Aquatic (DPA 5), and Sensitive Terrestrial Ecosystem (DPA 6) Development Permit Areas** subject to the following conditions and related Schedules:
 - a. The dimensions, siting, exterior design, and finish of buildings and retaining walls is to be in accordance with Schedule 'A';
 - b. The landscape works to be in accordance with Schedule 'B';
 - c. All construction activities and phasing to be conducted on the land in general accordance with Schedule 'C' and the following reports and conditions:
 - i. Functional Servicing Report, prepared by Mainland Engineering Design Corporation, dated January 31, 2022;
 - ii. Environmental Reports prepared by Triton Environmental Consultants including:
 - i. Riparian Area Protection Regulation Assessment, dated December 8, 2021;
 - ii. Environmental Impact Assessment, dated December 8, 2021; and
 - iii. Environmental Management Plan, dated December 10, 2021;
 - iii. Geotechnical Reports prepared by Interior Testing Services Ltd. including:
 - i. Geotechnical Investigation, dated November 29, 2021;
 - ii. Proposed Residential Development, dated December 6, 2021; and
 - iii. Additional Geotechnical Comments, dated September 14, 2022
 - d. The following variances to Zoning Bylaw No. 0265 are included as part of this Development Permit:
 - i. That the 0.6m siting exemption for balconies (s.3.8.4(a)ii.b)) into the required minimum siting distance from the interior side and exterior side parcel boundary be increased from 35% of the overall length of the building face to 100%.
 - ii. That the maximum height for a principal building (s.10.10.5(f)) be increased from 10.0 m to a maximum of 3 storeys to 13.7m to a maximum of 4 storeys.
 - iii. That the front parcel boundary setback (s.10.10.5(g)i.) be reduced from 4.5 m to 2.9 m.

- iv. That the minimum distance parking spaces shall be located from the front parcel boundary in multiple residential zones (s.4.3.2(b)) be reduced from 3.0 m to 0.71 m.
4. 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:

An Irrevocable Letter of Credit or Bank Draft in the amount of \$90,927.87

- 5. 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 change be required to this permit, please ensure that you obtain written approval from the City of West Kelowna prior to making any changes.
- 6. If this Development Permit has not been issued within one year from approval, Development Permit with Variance DP 22-06 shall be deemed to have been refused and the file will be closed.
- 7. **This Permit is not a Building Permit.**
- 8. **This Permit is not a Municipal Highway 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 two years after the date it is issued, the permit lapses.

AUTHORIZING RESOLUTION NO. (_____) PASSED BY THE MUNICIPAL COUNCIL ON (_____)

Signed on _____

City Clerk

As received on _____, there is filed accordingly an Irrevocable Letter of Credit or Bank Draft deposit in the amount of \$90,927.87 for landscaping works outlined in the above permit.

I hereby confirm that I have read and agree with the conditions of Development Permit with Variances DP 22-06 and will ensure that copies of the Permit will be provided to onsite personnel at time of construction.

Signed on _____

ISSUED on _____

Attached Schedules:

Schedule A:

1. Architectural Plans (site plan, floor plans, building perspectives, and building elevations), prepared by Bluegreen Architecture Inc., dated October 21, 2022, and July 5, 2022.

Schedule B:

1. Landscape Plans, prepared by Architectural Panel Inc., dated October 21, 2022 and Estimate dated December 9, 2022; and
2. 3746/3748 Wetton Road Streamside Protection Enhancement Area (SPEA) landscape costs, prepared by Triton Environmental Consultants, dated November 9, 2022

Schedule C:

1. Cross Sections, prepared by Bluegreen Architecture, dated January 28, 2022.
2. Civil Drawings, prepared by Mainland Engineering Design Corporation, dated November 15, 2021.
3. Functional Servicing Report, prepared by Mainland Engineering Design Corporation, dated January 31, 2022;
4. Environmental Reports prepared by Triton Environmental Consultants including:
 - a. Riparian Area Protection Regulation Assessment, dated December 8, 2021;
 - b. Environmental Impact Assessment, dated December 8, 2021; and
 - c. Environmental Management Plan, dated December 10, 2021;
5. Geotechnical Reports prepared by Interior Testing Services Ltd. including:
 - a. Geotechnical Investigation, dated November 29, 2021;
 - b. Proposed Residential Development, dated December 6, 2021; and
 - c. Additional Geotechnical Comments, dated September 14, 2022