



**CITY OF WEST KELOWNA**  
**DEVELOPMENT PERMIT WITH VARIANCES**  
**DP 19-23**

**To:** TCD Developments Ltd./ PMA Architecture  
3430 Benvoulin Road  
Kelowna, BC  
V1W 4M5

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, DL 2689 ODYD Plan 28409 Except Part in Plan EPP85670**  
(2750 Olalla Road)

3. This Permit allows the construction of 193 apartment units in four buildings in the **Multiple Family and Intensive Residential Development Permit Area (DPA 3)**, subject to the following conditions and related Schedules:
  - A. The siting, exterior design, and finish of buildings are to be in accordance with the Architectural submission (site plan, elevations, renderings, and materials and colour schedule) by Patricia McCusker Architecture Inc., dated March 9, 2020 and attached within Schedule "A";
  - B. The dimensions and siting of the structures to be constructed on the land be in accordance with Civil Engineering Drawings (site servicing and grading plans, elevations, plan and profiles, stormwater management plan, turning template, and erosion and sediment control plan), dated October 23, 2019 by Aplin Martin and Functional Servicing Report dated June 19, 2018 by Aplin Martin, and attached within Schedule "B" and subject to the following:
    - i. Prior to any construction on the lands the developer is to install the required erosion and sediment control works and provide confirmation in writing to the City; and
    - ii. Weekly erosion and sediment control reports shall be submitted to the City during periods of active construction.
  - C. The landscaping and lighting works to be provided on the land be in accordance with Landscape Drawings by Outland Design Landscape Architects, dated March 6, 2020 and attached within Schedule "C"; and
  - D. All construction activities to be conducted on the land be in general accordance with the Geotechnical Reports by Interior Testing Services Ltd., dated August 13, 2019 attached within Schedule "D".
  - E. The following variances to Zoning Bylaw No. 0154 are included as part of this Development Permit:

- i. Increase the maximum permitted number of stories for a rooftop access and storage area on Building 2 from 2 stories to 3 stories (CD9 S.4.2);
  - ii. Reduce the minimum setback distance for sixth floor deck spaces from 32m to 28.8m (CD9 S.4.2);
  - iii. Increase the maximum permitted height for the first two stories abutting an A1 Zone or ALR from 6.0m to 7.3m (CD9 S.4.6(v));
  - iv. Reduce the minimum interior side parcel setback for buildings and structures from the north parcel boundary on Site 4 from 3.0m to 1.5m (CD9 S.4.3); and
  - v. Reduce the number of required loading spaces from 5 to 3 (S.4.10.1).
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:
- a) An Irrevocable Letter of Credit or Bank Draft in the amount of \$429,826.25.**
5. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and appendices 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.
6. If this Development Permit has not been issued within one year from approval, Development Permit DP 19-23 shall be deemed to have been refused and the file will be closed.
- 7. This Permit is not a Building Permit.**
8. 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. \_\_\_\_\_ 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 19-23 with Variances 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. Architectural Submission by Patrick McCusker Architecture Inc., dated March 9, 2020
- B. Civil Engineering Plans and Functional Servicing Report by Colin Martin dated October 23, 2019 and June 19, 2018
- C. Landscape Plan by Outland Design Landscape Architecture, dated March 6, 2020
- D. Geotechnical Report by ITSL, dated August 13, 2019

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