



CITY OF WEST KELOWNA
DEVELOPMENT PERMIT WITH VARIANCE
DP 20-18

TO: Karen Lobello
657 Westside Road
West Kelowna, BC V1Z 3S2

c/o Denis Apchin, Apchin Design Corp.
100-1649 Cary Road
Kelowna, BC V1X 2C1

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 Lot 2924 ODYD Plan KAP46732 (657 Westside Road)

3. **This permit allows for the demolition of existing structures and construction of a new single detached dwelling in an Aquatic Ecosystem and Terrestrial Development Permit Area subject to the following conditions and related schedules:**
 - a) All construction, landscaping and restoration works and activities shall be in general conformance with the recommendations of the Environmental Impact Assessment, prepared by Lakestream Environmental Services, dated July 2020, attached as Schedule 'A' and the Addendum Letter, prepared by Lakestream Environmental Services., dated September 29, 2020, attached as Schedule 'B'.
 - b) The dimensions and siting of buildings to be constructed on the subject property be in general accordance with the Development Permit Drawings, prepared by Apchin Design Corp, dated July 31, 2020, attached as Schedule 'C'.
 - c) The on-site stormwater management system shall be in general conformance with the Stormwater Management Plan documents prepared by CTQ Consultants Ltd., attached as Schedule 'D' and the recommendations contained in Schedule 'C'.
4. **This Permit reduces the required setbacks for a the proposed front entry garages in accordance with Schedule C. Specifically this permit varies the following section of Zoning Bylaw No. 0154:**
 - **10.4.5(g).1** to reduce the minimum setback from a private access easement from 6.0 m to 5.47 m for the proposed front entry garages.

Environmental Monitoring

5. 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.

6. Regular monitoring reports must be completed by an Environmental Monitor and submitted to the City of West Kelowna and any other applicable regulatory agencies, consistent with the recommendations in Schedules 'A' & 'B'. Upon substantial completion of the construction works, a final report must also be submitted to the City of West Kelowna.

Protection & Maintenance of the Riparian Area

7. Prior to commencing the works, a silt fence will be placed along the lakeside edge of the construction zone, between the construction and Okanagan Lake.
8. Once demolition works are completed, the Streamside Protection and Enhancement Area (SPEA) boundary, as identified in Schedules 'A' & 'B', must be clearly marked (i.e. with silt fencing) on the subject property to accurately delineate setbacks.
9. Encroachment into the SPEA with construction and associated materials, machinery or soils during construction shall not occur.
10. Stockpiling of fill material shall not occur within the SPEA, unless it is considered advisable by the Environmental Monitor and is carried out under their direction.
11. Excess soil material must be removed from the property and disposed of appropriately.
12. 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.
13. 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

14. 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 within the City's Official Community Plan Bylaw No. 0100.
15. 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 or Development Permit Amendment application.

Revegetation outside the SPEA

16. Vegetation removal (i.e. shrubs, trees) outside of the SPEA will be subject to timing restrictions to reduce risk of disturbing breeding/nesting migratory birds. The work window for shrub and tree removal is September 1 to March 31.
17. All vegetation added outside of the SPEA will be native species or considered non-invasive.

Security

18. As a condition of the issuance of this permit, the City of West Kelowna 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 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 \$4,937.50**

General Terms

- 19. 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.
- 20. If this Development Permit has not been issued within one year from approval, Development Permit DP 20-18 shall be deemed to have been refused and the file will be closed.
- 21. **This Permit is not a Building Permit.**
- 22. 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. C _____ PASSED BY THE MUNICIPAL COUNCIL
ON _____, _____.

Signed on _____, _____

City Clerk

I hereby confirm that I have read and concur with the conditions of DP 20-18 and will ensure that copies of DP 20-18 will be provided to onsite personnel at time of construction.

Signed on _____, _____

Property Owner or Agent

ISSUED ON _____, _____

Attached Schedules:

- A: Environmental Assessment, prepared by Lakestream Environmental Services, dated July 2020
- B: Addendum Letter, prepared by Lakestream Environmental Services, dated September 29, 2020

C: Construction Layout drawings, prepared by Apchin Design Corp., dated July 31, 2020
D: Storm Water Management Letter, prepared by CTQ Consultants Ltd., dated October 9, 2020

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