



CITY OF WEST KELOWNA
DEVELOPMENT PERMIT WITH VARIANCES
DP 21-27

To: Kerr Properties 002 LTD.
c/o Travis Tournier
26138 – 31B Avenue
Aldergrove, BC
V4W 2Z6

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 2689 ODYD Plan 38090 (852 Anders Rd)

3. This Permit allows the construction of twenty (20) townhouse units contained in five (5) buildings within a **Multiple Family and Intensive Residential (DPA 3) Development Permit Area**, subject to the following conditions and related Schedules:
 - The siting, exterior design and finish of the buildings are to be in accordance with the **Architectural Submission** (site plan, elevations, material and colour schedule, renderings) prepared by Gravity Architecture, dated November 12, 2021, attached as Schedule "A";
 - The dimensions and siting of the structures to be constructed on the land be in accordance with **Civil Engineering Drawings** (composite utility, site servicing and grading plans, site drainage, erosion and sediment control plan), package, prepared by Aplin Martin, dated May 28, 2021, attached as Schedule "B";
 - The landscaping to be provided on the land be in accordance with the **Landscape Plan**, Drawing No. L1/1, prepared by Outland Design, dated November 22, 2021, attached as Schedule "C";
4. The following **variances to Zoning Bylaw No. 0154** are included as part of this Development Permit:
 - Reduction of the required number of loading spaces from one (1) to zero (0), in accordance with Schedule "A" (S.4.10.1(a)); and
 - Reduction of the required amenity space contribution from 500 m² to 0.0 m², in accordance with Schedule "A" (S.10.10.5(h).3).
5. As a condition of the issuance of this Permit, the property owner shall deposit 125% of the cost estimate for the **Landscaping (\$87,414.00)** 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 "C".
6. 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:

7. 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.
8. If this Development Permit has not been issued within one year from approval, Development Permit DP 21-27 shall be deemed to have been refused and the file will be closed.
9. **This Permit is not a Building Permit.**
10. 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 DATE

Signed on _____

City Clerk

I hereby confirm that I have read and agree with the conditions of Development Permit DP 21-27 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 (site plan, elevations, material and colour schedule, renderings), prepared by Gravity Architecture, drawing number DP0 – DP26, dated November 12, 2021.
- B. Civil drawings (composite utility plan, site servicing and grading plan, site drainage, erosion and sediment control plan), prepared by Alpin Martin, dated May 28, 2021.
- C. Landscape Plan, Drawing No. L1/1, prepared by Outland Design, dated November 22, 2021.