

DEVELOPMENT PERMIT

District of Lake Country
10150 Bottom Wood Lake Road
Lake Country, BC V4V 2M1
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APPROVED ISSUANCE OF DEVELOPMENT PERMIT *(pursuant to Sec. 488 of the Local Government Act)*

PERMIT #: DP000839
 FOLIO #: 11576000
 ZONING DESIGNATION: RM5 – Medium Density Multiple Housing
 ISSUED TO: Focus West Developments
 SITE ADDRESS: 11551 Bottom Wood Lake Road
 LEGAL DESCRIPTION: LOT 1 DISTRICT LOT 169 OSOYOOS DIVISION YALE DISTRICT PLAN 9194 EXCEPT PLAN 15147
 PARCEL IDENTIFIER: 006-438-318

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

Applicants for Development Permits should be aware that the issuance of a Permit limits the applicant to be in strict compliance with all District bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which have not been identified as required Variances by the applicant or Municipal staff.

If any term or condition of this permit is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this permit.

1. TERMS AND CONDITIONS

Development Permit DP000839 for 11551 Bottom Wood Lake Road, legally described as LOT 1 DISTRICT LOT 169 OSOYOOS DIVISION YALE DISTRICT PLAN 9194 EXCEPT PLAN 15147 for the development of a four-storey apartment containing 76 units, with variances shall be conducted in accordance with the recommendations contained in the following documents attached to and forming part of this permit:

- a) Amend Zoning Bylaw 561, 2007 as follows:
 - i) Section 15.7.6 (b) to exceed the maximum percentage of site coverage of buildings, driveways, and parking area requirements:
 - From: 60%**
 - To: 73%**
 - ii) Section 9.1.5(a) (iii) to vary the off-street parking requirement along the north side of the property line:
 - From: 1.5m**
 - To: 1.2m**

iii) Section 9.2.3 (a) to vary the location of off-street loading parking space:

From: within the property of the development being served, and shall be subject to all setbacks and yard requirements

To: within the property of the development being served, and within the front setback

iv) Section 8.6.1 (c) to vary the minimum landscaping setback:

From: 3.0m on the north and east yards

To: 1.2m (north) side yard

1.9m (east) rear yard

b) The development of the subject shall be conducted in accordance with the following documents to the satisfaction of the Director of Planning and Development:

- (i) **Schedule A:** Addendum No. 1 with revision date 2024-12-05, prepared by Matt Johnston, LIME Architecture Inc.;
- (ii) **Schedule B:** Design Rationale for the Proposed Development, with revision date 2024-11-29, prepared by Matt Johnston, LIME Architecture Inc.;
- (iii) **Schedule C:** Civil-11551 Bottom Wood Lake Road, with revision date 2024-12-04, prepared by Protech Consulting;
- (iv) **Schedule D:** Landscape Plan with revision date 2024-11-28, prepared by SPHERE Site Planning + Design.

2. PERFORMANCE SECURITY

As a condition of the issuance of this Development Permit, a security deposit is required for \$ 108,466.00 (125% of the Landscape Estimate and Environmental Monitoring Estimate). This will be collected prior to the issuance of the applicable Building Permit.

Upon acceptance of the works by municipal staff, 85% of the security shall be returned. The Municipality shall retain the remaining 15% for a period of 24 months from the date of acceptance of the works, during which time the Municipality may use the remaining security to replace the required works, if necessary. Upon the expiration of the 24 months warranty period, the Permit Holder must provide a statement certified by a qualified professional indicating that the works have met the requirements of the survival monitoring and reporting as identified in the Environmental Assessment Report along with the conditions specified in the Development Permit. The remaining security funds shall be refunded at the expiration of the 24 months warranty period, subject to a final inspection by Municipal staff to confirm the survival of the required works.

3. DEVELOPMENT

The development described herein shall be undertaken strictly in accordance with the terms, conditions and provisions of this Permit and any plans and specifications attached to shall form a part hereof.

The development shall commence within **TWO** YEARS of the date that this permit is issued.

If the Permit Holder does not substantially commence the development permitted by this Permit within **TWO** years of the date of issuance of this permit, this permit shall lapse.

The terms of the permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the permit.

**THIS IS NOT A BUILDING PERMIT
OR A CERTIFICATE TO COMMENCE
CONSTRUCTION**

4. APPROVALS

Authorization passed by Council on the ___ day of _____, 2025.

Issued by the Corporate Officer of the District of Lake Country this ___ day of _____, 2025.

Corporate Officer, Reyna Seabrook