

# Development Variance Permit

## DVP18-0036



This permit relates to land in the City of Kelowna municipally known as **2820 Quesnel Road** and legally known as **Lot 6, District Lot 135, Osoyoos Division Yale District, Plan 18974** and permits the land to be used for the following development: **A Carriage House**

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Decision: XXXX

Decision By: CITY COUNCIL

Issued Date: XXXX

**This permit will not be valid if development has not commenced by XXX, 2020.**

Existing Zone: RU1C Future Land Use Designation: S2RES – Single/Two Unit Residential

### **This is NOT a Building Permit.**

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

### **NOTICE**

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Roderick Glenn Myers and Lorrie Joy Myers

Applicant: Lorrie Joy Myers

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Ryan Smith  
Community Planning Department Manager  
Community Planning & Strategic Investments

Date

## 1. SCOPE OF APPROVAL

This Development Variance 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 Development Variance 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.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Variance Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

## 2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,";
- b) The elevations, exterior design and finish of the carriage house to be constructed on the land, be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";

That variances to the following section of Zoning Bylaw No. 8000 be granted:

### **Section 9.5b.1 (a): Carriage House Regulations - Development Regulations in Residential Development Zones**

To vary the permitted maximum combined site coverage of a carriage house and existing accessory building from 130m<sup>2</sup> (required), to 146m<sup>2</sup> (proposed).

This Development Permit is valid for two (2) years from the date of XXXX, 2018 approval, with no opportunity to extend.

## 3. PERFORMANCE SECURITY

N/A

## 4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.  
Security shall ONLY be returned to the signatory of the  
Landscape Agreement or their designates.**