

# Development Variance Permit

## DVP18-0114



This permit relates to land in the City of Kelowna municipally known as

**2053 Union Rd and 148 Summerhill Pl**

and legally known as

**Lot M Section 4 Township 23 ODYD Plan KAP56062 & Lot N Section 4 Township 23 ODYD Plan KAP56062**

and permits the land to be used for the following development:

### **Two Dwelling Housing**

and that variances to the following Section of Zoning Bylaw No. 8000 be granted in general accordance with Schedule "A":

#### **Section 13.6.5(b): Urban Residential Zones**

To vary lot width from 18.0 m to 13.46 m for proposed Lot A

#### **Section 13.6.5(c): Urban Residential Zones**

To vary the lot depth from 30.0 m to 29.0 m for proposed Lot A and 28.51 m for proposed Lot D

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

Date of Decision: December 4, 2018

Decision By: City Council

Development Permit Area: N/A

**This permit will not be valid if development has not commenced by December 4, 2020.**

Existing Zone: RU6 – Two Dwelling Housing

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: 1119422 B.C. Ltd., Inc No. BC1119422 & City of Kelowna

Applicant: Mehdi Tehrani

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Ryan Smith  
Community Planning Department Manager  
Community Planning & Strategic Investments

Date

## 1. SCOPE OF APPROVAL

This Development 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 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 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";

This Development Permit is valid for two (2) years from the date of December 4, 2018 approval, with no opportunity to extend.

## 3. PERFORMANCE SECURITY

None Required

## 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.**