

# DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT NO. DP15-0251/DVP15-0252

**Issued To:** Lance Johnson & Tracey Skulmoski  
**Site Address:** 160 Gibbs Road  
**Legal Description:** Lot 4 Section 26 Township 26 ODYD Plan 12452  
**Zoning Classification:** RU1c - Large Lot Housing with Carriage House  
**Development Permit Area:** Intensive Residential

### 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.

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 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.

### 1. TERMS AND CONDITIONS

THAT Development Permit No. DP15-0251 for Lot 4 Section 26 Township 26 ODYD Plan 12452, located at 160 Gibbs Road, Kelowna, BC to allow the construction of a carriage house be approved subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0252 for Lot 4 Section 26 Township 26 ODYD Plan 12452, Located at 160 Gibbs Road W, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

**Section 9.5b.15: Carriage House Regulations**

To vary the required minimum rear yard setback from 2.0 m permitted to 1.5 m proposed.

AND FURTHER THAT this Development Permit & Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

**2. PERFORMANCE SECURITY**

None required.

**3. DEVELOPMENT**

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

**This Permit IS NOT a Building Permit.**

**4. APPLICANT'S AGREEMENT**

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree 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 granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of 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.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

_____	_____
Signature of Owner / Authorized Agent	Date

_____	_____
Print Name in Bold Letters	Telephone No.

**5. APPROVALS**

Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

_____	_____
Ryan Smith, Community Planning Department Manager Community Planning & Real Estate	Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.  
Security shall be returned to the PERMIT HOLDER.**