

# Development Variance Permit

## DVP19-0080



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

3060 Pooley Road

and legally known as

Lot 2 Section 15, Township 26 ODYD Plan 6585

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

To vary Zoning Bylaw No. 8000 Section 11.1.5(b) to reduce the minimum lot area from 4.0 ha to 0.6 ha

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

Date of Council Decision June 4<sup>th</sup> 2018

Decision By: COUNCIL

Development Permit Area: N/A

**This permit will not be valid if development has not commenced by June 4<sup>th</sup> 2021.**

Existing Zone: A1

Future Land Use Designation: REP

**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: Michael Neid

Applicant: City of Kelowna

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Ryan Smith  
Divisional Director  
Community Planning & Development

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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 of the proposed lot shall be in accordance with Schedule "A";

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

## **3. 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.**

# Schedule "A" – Proposed Subdivision

