

Heritage Alteration Permit

HAP18-0014



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

1983 Abbott Street

and legally known as

Plan 2, District Lot 14, Osoyoos Division, Yale District, Plan 3998

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

Large Lot Housing with new single detached house and a detached accessory building used as garage

with variances to the following sections of Zoning Bylaw 8000 in accordance with Schedule "A"

Section 6.5.3(f): General Development Regulations

To vary the minimum distance between an accessory building and a principle dwelling in a residential zone from 3.0m permitted, to 2.65 m proposed

Section 13.1.6(a): RU1 - Urban Residential Zone, Development Regulations

To vary the maximum site coverage of buildings from 40% permitted, to 42.6% proposed.

The development has been approved subject to any attached terms and conditions, and to full compliance with the approved plans bearing the stamp of approval and the above described development permit number.

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

Date of Decision: June 18, 2019

Decision By: City Council

Issued Date: **TBD**

Development Permit Area: Abbott Marshall Heritage Conservation Area

This permit will not be valid if development has not commenced by **XXXX, 2021.**

Existing Zone: RU1 Future Land Use Designation: S2RES

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: Robert Bruce Wall and Hilda Agnes Wall

Terry Barton, Development Planning Department Manager

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";
- b) The exterior design and finish 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 Community Planning Department Manager 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.**