

Draft Development Variance Permit DVP19-0233



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

795-797 Birch Avenue

and legally known as

Strata Lot 1 & Lot 2, District Lot 136, ODYD, Strata Plan KAS1996 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1

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

P2 – Education and Minor Institutional

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

Date of Council Decision August 11, 2020

Decision By: COUNCIL

Development Permit Area: N/A

Existing Zone: P2 – Education and Minor Institutional

Future Land Use Designation: EDINST – Educational / Major Institutional

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: Velma Rena Feeny

Applicant: Velma Rena Feeny

Terry Barton
Development Planning Department Manager
Planning & Development Services

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 location of on-site parking to be in accordance with Schedule "A";

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

3. PERFORMANCE SECURITY

Not required.

5. 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.**



Legend

SCHEDULE A

This forms part of application
DVP19-0233

Planner Initials AF



Notes


0 13 25Meters

March 10, 2020

This map is for general information only. The City of Kelowna does not guarantee its accuracy, currency or completeness. All information should be verified.

Rationale Letter

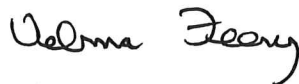
City of Kelowna
Re: 795-797 Birch Ave Parking

ATTACHMENT		B
This forms part of application # DVP19-0233		
Planner Initials	AF	 City of Kelowna DEVELOPMENT PLANNING

Re: Variance

Currently and up to this point our parking system has been working very well. We have a loading zone directly out front which accommodates about 3 vehicles at a time. Since all parents do not arrive at the same time and may only need approximately 5 minutes for pick up, this provides a good flow. There is also 2hr street parking to accommodate any extras. There is public parking in Cameron Park with a four hour limit across the street. Should my staff need to use it, they require only 2 1/2 – 3 hours in the late part of the day. On site there are 8 spaces for staff or other wise use parking. This borders the back alley.

This all has been working very efficiently and we do not anticipate any changes.



Velma Feeny ,