

# Development Variance Permit

DVP22-0215



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

**156 Red Sky Place**

and legally known as

**Lot 58 Section 5 Township 23 ODYD PLAN EPP64875**

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

**RU1 – Large Lot Housing**

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

**ATTACHMENT A**

This forms part of application  
# **DVP22-0215**

Planner Initials **SS**

The logo for the City of Kelowna Community Planning, featuring a colorful circular geometric pattern above the text "City of Kelowna COMMUNITY PLANNING".

**Date of Council Approval:** Feburary 14<sup>th</sup>, 2023

Development Permit Area: Form and Character DPA

Existing Zone: RU1 – Large Lot Housing

Future Land Use Designation: S-RES – Suburban Residential

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

## **This is NOT a Building Permit.**

In addition to your Development Variance 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: 1059430 Ontario Inc. C/O Sharon Goldberg

Applicant: Chatham Homes On The Hill Ltd.

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Terry Barton  
Development Planning Department Manager  
Planning & Development Services

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Date of Issuance

## 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

THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0215 for Lot 58 Section 5 Township 23 ODYD PLAN EPP64875 located at 156 Red Sky Place, Kelowna, BC, subject to the following:

- a) The dimensions and siting of the building & pergola structure to be constructed on the land be in accordance with Schedule "A";

AND THAT variances to the following section of Zoning Bylaw No. 12375 be granted:

**Section 11.5: RU1 – Large Lot Housing Development Regulations**

To vary the required minimum side yard from 2.1 m permitted to 0.0 m proposed for the pergola structure abutting the North side yard.

## 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.

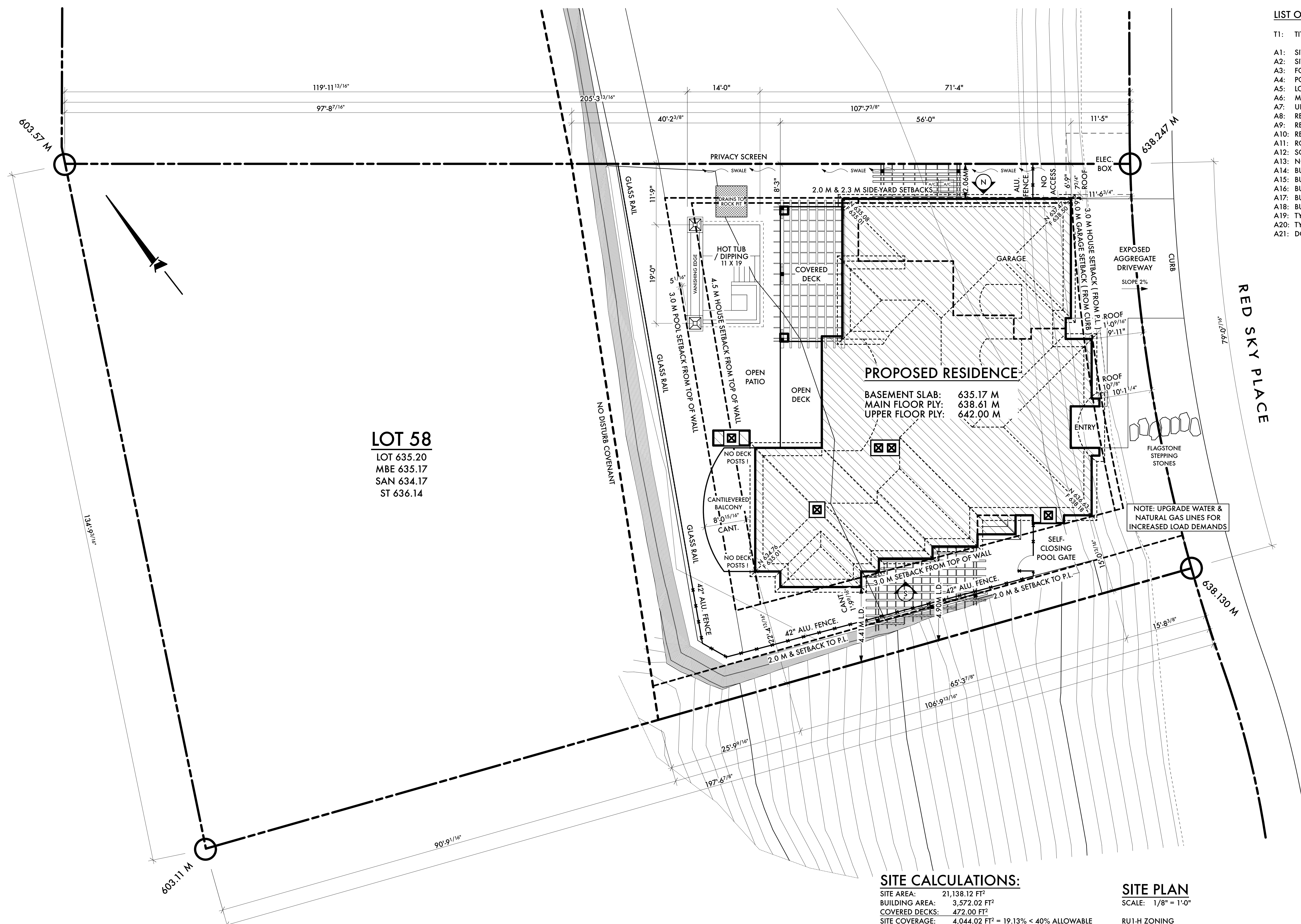
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly 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.**



**LIST OF DRAWINGS:**

- T1: TITLE
- A1: SITE PLAN
- A2: SITE SECTIONS & FIRE SEPS
- A3: FOUNDATION PLAN
- A4: POOL PATIO & CABANA PLAN
- A5: LOWER FLOOR PLAN
- A6: MAIN FLOOR PLAN
- A7: UPPER FLOOR PLAN
- A8: REFLECTED CEILINGS - LOWER
- A9: REFLECTED CEILINGS - MAIN
- A10: REFLECTED CEILINGS - UPPER
- A11: ROOF PLAN
- A12: SOUTH & EAST ELEVATIONS
- A13: NORTH & WEST ELEVATIONS
- A14: BUILDING SECTIONS - 1
- A15: BUILDING SECTIONS - 2
- A16: BUILDING SECTIONS - 3
- A17: BUILDING SECTIONS - 4
- A18: BUILDING SECTIONS - 5
- A19: TYPICAL WALL SECTIONS - 1
- A20: TYPICAL WALL SECTIONS - 2
- A21: DOOR & WINDOW SCHEDULE



**SITE CALCULATIONS:**  
 SITE AREA: 21,138.12 FT<sup>2</sup>  
 BUILDING AREA: 3,572.02 FT<sup>2</sup>  
 COVERED DECKS: 472.00 FT<sup>2</sup>  
 SITE COVERAGE: 4,044.02 FT<sup>2</sup> = 19.13% < 40% ALLOWABLE

**SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 RU1-H ZONING

**SCHEDULE A**

This forms part of application  
 # DVP22-0215

Planner Initials **SS**

**City of Kelowna**  
 COMMUNITY PLANNING

**JEREMY NEWELL DESIGN INC.**  
 info@jeremynewell.com

**PROJECT TITLE**  
 THE GOLDBERG RESIDENCE  
 LOT 58 ROCKY POINT AT WILDEN, 156 RED SKY PLACE KELOWNA, BC

**SHEET TITLE**  
 SITE PLAN

**SCALE**  
 1/8" = 1'-0"  
 DATE  
 AUG 22<sup>ND</sup> 2023

**A1**

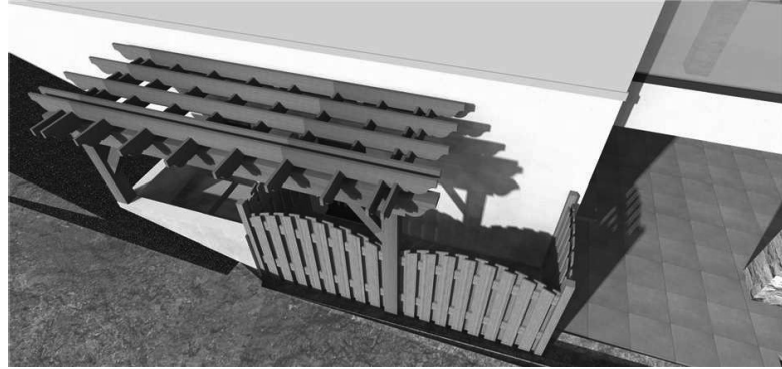
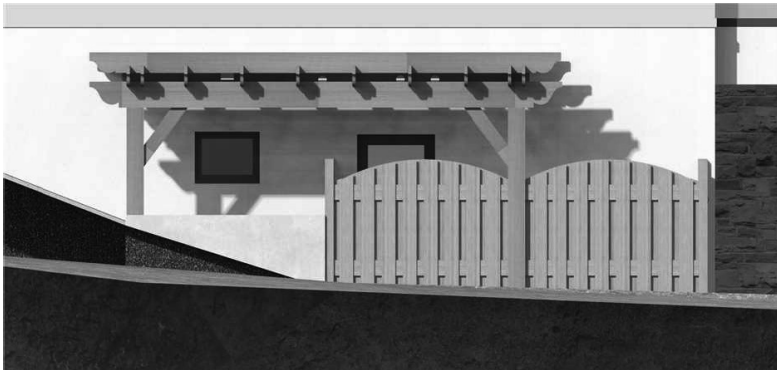
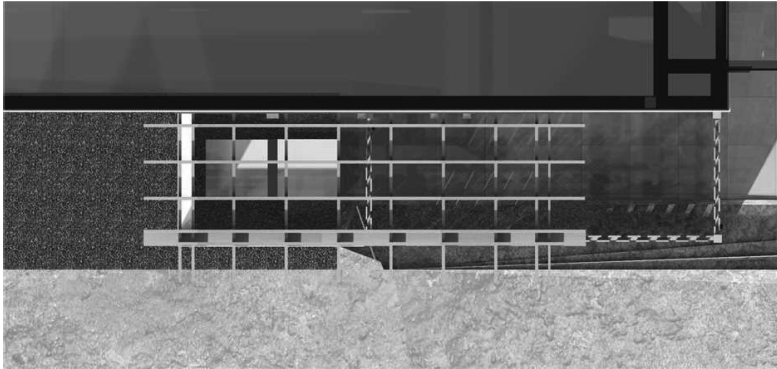
ALL WORK IS TO BE DONE IN ACCORDANCE WITH PART 7 OF THE BCBC (2018). PORTIONS OF WORK FALLING OUTSIDE PART 7 SHALL BE DESIGNED BY A LICENSED ENGINEER. TRADES TO CONFIRM ALL MEASUREMENTS AND REPORT ANY ERRORS OR OMISSIONS BACK TO THIS OFFICE. THESE PLANS ARE THE EXCLUSIVE PROPERTY OF THE CLIENT & JEREMY NEWELL DESIGN INC. © 2022 J.N.D.



# SCHEDULE A

This forms part of application  
# DVP22-0215

Planner Initials SS



W.A.SMITH INTERIORS

Whitney Smith  
D.I.D, B.F.A  
Interior Design Consultant  
W.A.Smith Interiors  
C. 250-878-9552  
E: w.a.smithinteriors@gmail.com

CLIENT  
GOLDBERG  
Lot #58 Red Sky Place  
Wilden

PROJECT  
PERGOLA CONCEPTS

REVISIONS

NO.	MM/DD/YY	REMARKS
A	--/--/--	...
B	--/--/--	...
C	--/--/--	...
D	--/--/--	...
E	--/--/--	...
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GENERAL NOTES

\*DRAWING NOT TO SCALE  
\*FOR DESIGN PURPOSES ONLY, CONSULT WITH CONSULTANT

ISSUE  
APRIL 29 2020  
RE-ISSUE

REV.
1

SHEET TITLE  
NORTH PERGOLA  
CONCEPTS

# A0.4

DRAWN BY  
The Owl & Key Co.  
info@theowlandkey.com

# SCHEDULE A

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# DVP22-0215



Planner Initials **SS**

W.A.SMITH INTERIORS

Whitney Smith  
D.I.D, B.F.A  
Interior Design Consultant  
W.A.Smith Interiors  
C. 250-878-9552  
E: w.a.smithinteriors@gmail.com

CLIENT  
GOLDBERG  
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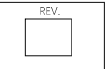
REVISIONS

NO.	MM/DD/YY	REMARKS
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B	--/--/--	...
C	--/--/--	...
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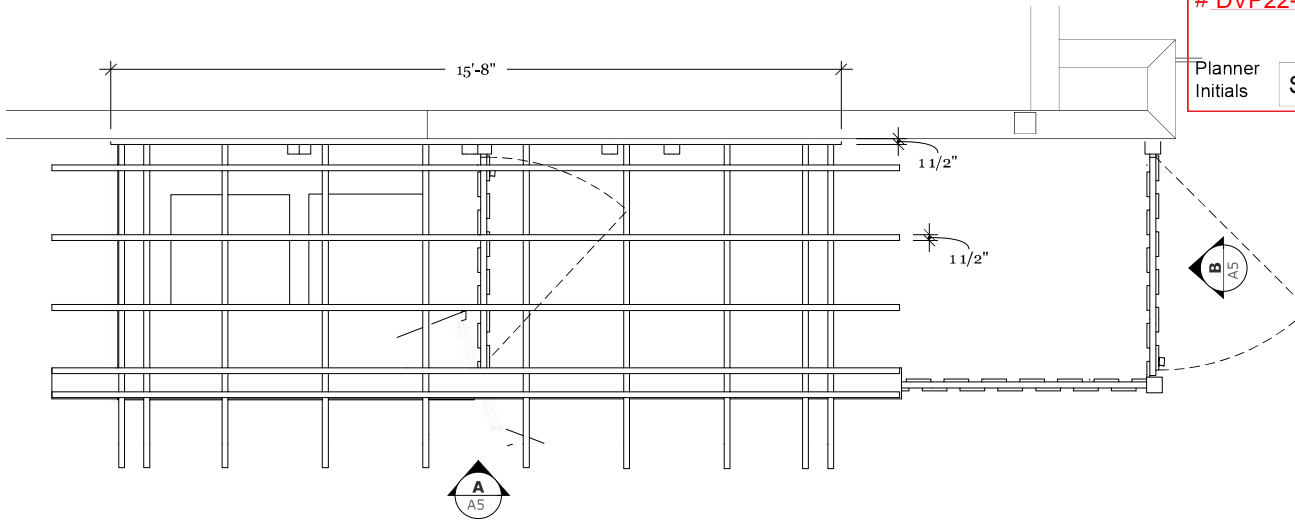
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APRIL 29 2020  
REV-ISSUE



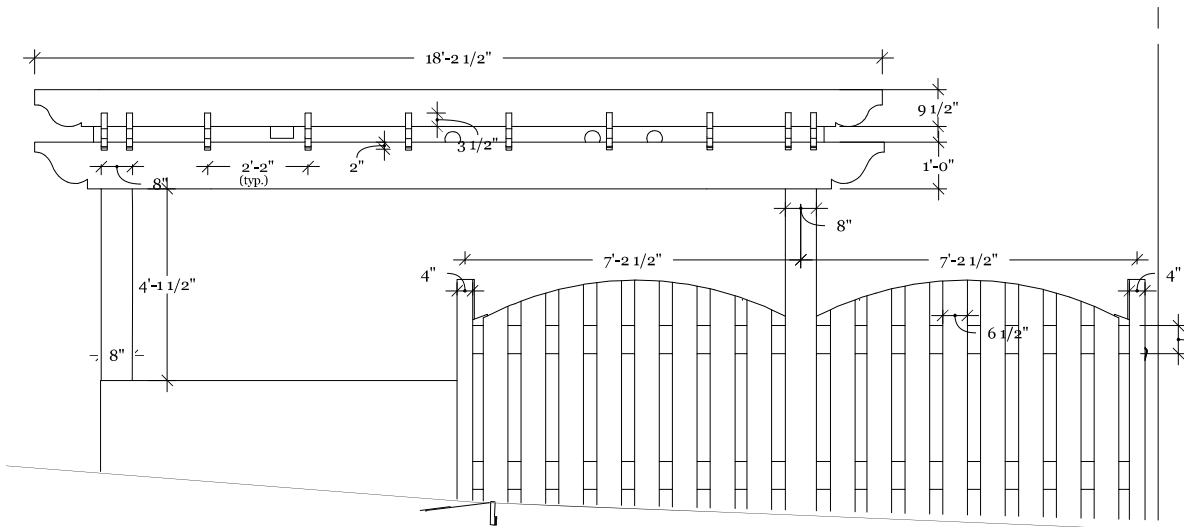
SHEET TITLE  
NORTH PERGOLA PLAN+  
ELEVATIONS

# A0.5

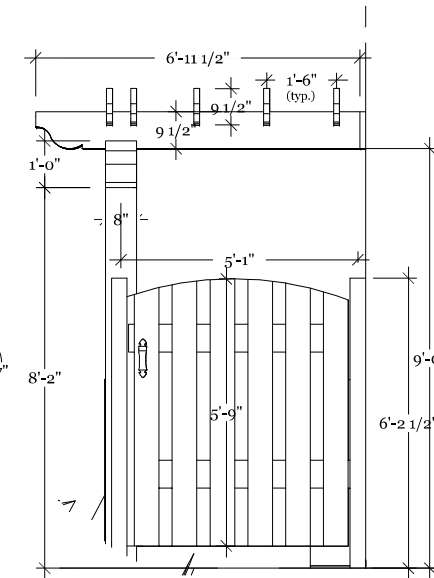
DRAWN BY  
The Owl & Key Co.  
info@theowlandkey.com



PLAN VIEW :: **A**  
05



ELEVATION "A" :: **A**  
05



ELEVATION "B" :: **A**  
05