

Development Variance Permit

DVP22-0189



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

5428 Tanager Court

and legally known as

Lot 13 Section 23 Township 28 SDYD PLAN 35953

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

Carriage House

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

DVP22-0189

Planner
Initials

SS



Date of Council Approval: March 21st, 2023

Existing Zone: RU1c – Large Lot Residential with Carriage House

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 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: George Kamoschinski & Dianne Kamoschinski

Applicant: Dianne Kamoschinski

Terry Barton
Development Planning Department Manager
Planning & Development Services

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. DVP22-0189 for Lot 13 Section 23 Township 28 SDYD PLAN 35953 located at 5428 Tanager Court, Kelowna, BC, 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 "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 maximum net floor area from 90.0 m² to 96.52 m²

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.**