

Development Variance Permit

DVP22-0223



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

845 Bay Avenue

and legally known as

Lot 2 Section 30 Township 26 ODYD Plan 10292

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

Single Dwelling Housing

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

Date of Council Approval: May 9, 2023

Existing Zone: RU4 – Duplex Housing

Future Land Use Designation: IND – Industrial

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: David Tribiger

Applicant: David Tribiger

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date of Issuance

ATTACHMENT A

This forms part of application

DVP22-0223

Planner
Initials

GA



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. DVP22-0223 for Lot 2 Section 30 Township 26 ODYD Plan 10292, located at 845 Bay Avenue, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 12375 be granted as shown on Schedule "A":

Section 11.5: RU4 – Duplex Housing Development Regulations

To vary the required minimum west side yard setback from 2.1 m permitted to 2.0 m proposed and the required minimum east side yard setback from 2.1 m permitted to 1.48 m proposed.

Section 11.5: RU4 – Duplex Housing Development Regulations

To vary the required minimum rear yard setback from 7.5 m permitted to 3.35 m proposed

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

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.**

BP 30718

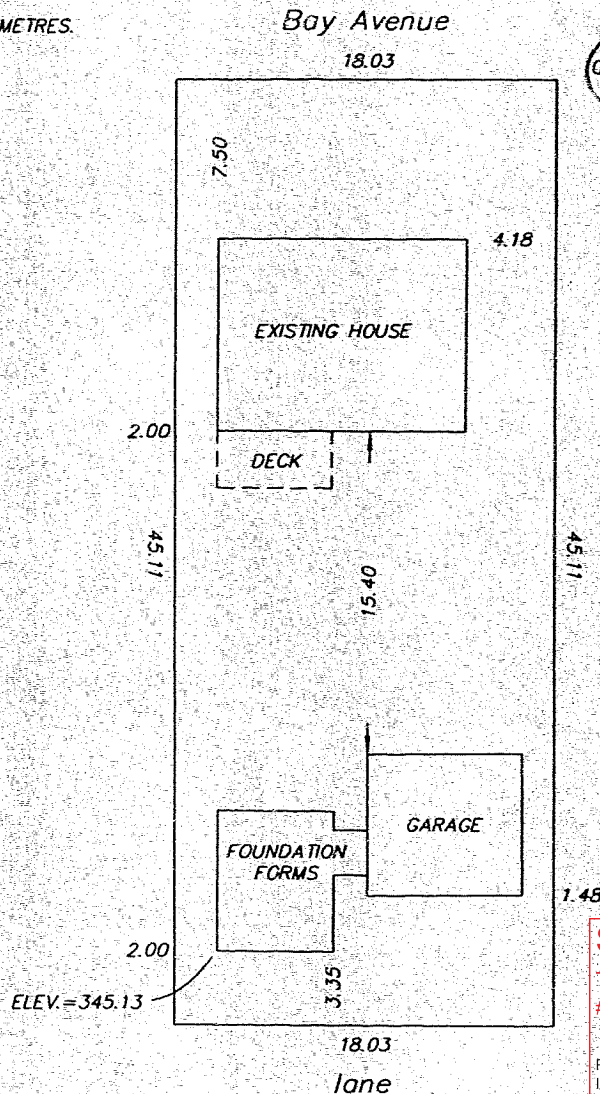
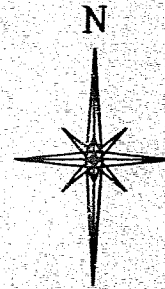
2-845 Bay Ave

BY

B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF BUILDING ON LOT 2 PLAN 10292 SEC. 30 TP. 26 O.D.Y.D.

SCALE 1:300

DISTANCES ARE IN METRES.



RECEIVED

MAR 17 2006

CITY OF KELOWNA
Inspection Services Dept

SCHEDULE A

This forms part of application
DVP22-0223

Planner Initials GA

(C)

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

CERTIFIED CORRECT
this 14th day of March, 2006.

D.A. Goddard BCLS

FILE 13561 FB 297

RE: Intex Renovations

THIS PLAN IS FOR MORTGAGE OR
MUNICIPAL PURPOSES ONLY AND IS
NOT TO BE USED TO DEFINE THE
BOUNDARIES OF THIS LOT.

D.A. Goddard Land Surveying Inc.
103-1358 ST. PAUL STREET KELOWNA