

# Development Variance Permit

DVP24-0200



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

**154 Applebrooke Cr**

and legally known as

Lot 46 Section 5 Township 23 ODYD Plan KAP47769

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

## Single Detached 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:** February 24, 2025

Existing Zone: MF1 – Infill Housing

Future Land Use Designation: C-NHD – Core Area Neighbourhood

**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: Isaac Anthony Smit

Applicant: McElhanney

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Nola Kilmartin  
Development Planning Department Manager  
Planning & Development Services

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Date of Issuance

**ATTACHMENT** A

This forms part of application  
# DVP24-0200

Planner Initials TC

  
**City of Kelowna**  
DEVELOPMENT PLANNING

### 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. DVP24-0200 for Lot 46 Section 5 Township 23 ODYD Plan KAP47769, located at 154 Applebrooke Cr, Kelowna, BC;

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

**Section 13.4: Multi-Dwelling Zones – Subdivision Regulations:**

To vary the minimum lot width from 13.0 m required to 9.9 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.

### 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.**

<b>ATTACHMENT</b> _____ <b>A</b>	
This forms part of application # <b>DVP24-0200</b> _____	
Planner Initials	<b>TC</b>
 <b>City of Kelowna</b> DEVELOPMENT PLANNING	

**IMPERMEABLE SURFACES TABLE  
FOR REMINDER LOT 46**

SURFACE	TOTAL AREA	% OF COVERAGE
HOUSE	379m <sup>2</sup>	25%
DECKS	63m <sup>2</sup>	4%
CONCRETE	158m <sup>2</sup>	10%
ASPHALT	330m <sup>2</sup>	21%
<b>TOTAL</b>	<b>930m<sup>2</sup></b>	<b>60%</b>

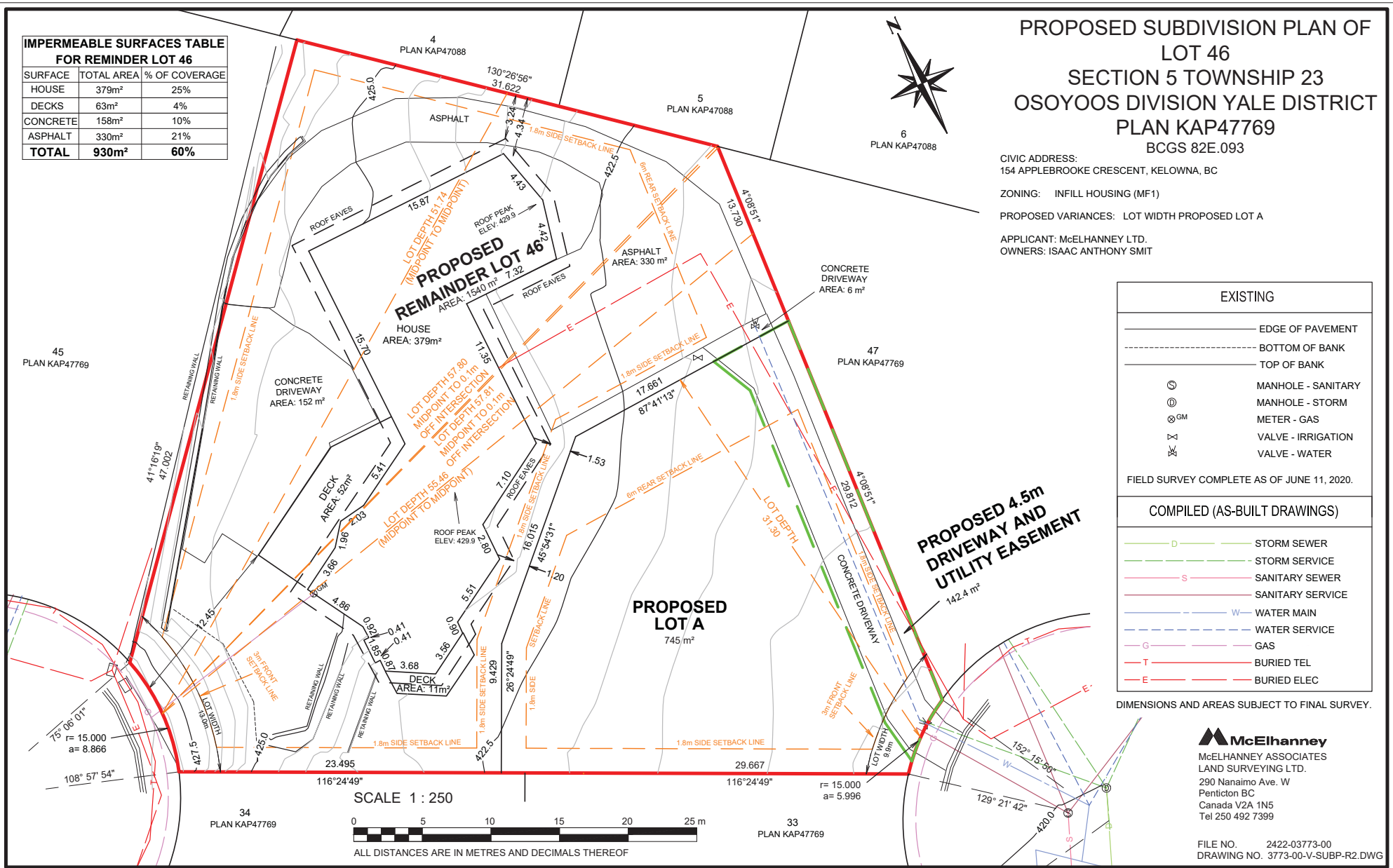
**PROPOSED SUBDIVISION PLAN OF  
LOT 46  
SECTION 5 TOWNSHIP 23  
OSOYOOS DIVISION YALE DISTRICT  
PLAN KAP47769  
BCGS 82E.093**

CIVIC ADDRESS:  
154 APPLEBROOKE CRESCENT, KELOWNA, BC

ZONING: INFILL HOUSING (MF1)

PROPOSED VARIANCES: LOT WIDTH PROPOSED LOT A

APPLICANT: McELHANNEY LTD.  
OWNERS: ISAAC ANTHONY SMIT



EXISTING	
	EDGE OF PAVEMENT
	BOTTOM OF BANK
	TOP OF BANK
	MANHOLE - SANITARY
	MANHOLE - STORM
	METER - GAS
	VALVE - IRRIGATION
	VALVE - WATER

FIELD SURVEY COMPLETE AS OF JUNE 11, 2020.

COMPILED (AS-BUILT DRAWINGS)	
	STORM SEWER
	STORM SERVICE
	SANITARY SEWER
	SANITARY SERVICE
	WATER MAIN
	WATER SERVICE
	GAS
	BURIED TEL
	BURIED ELEC

DIMENSIONS AND AREAS SUBJECT TO FINAL SURVEY.

**McElhanney**  
McELHANNEY ASSOCIATES  
LAND SURVEYING LTD.  
290 Nanaimo Ave. W  
Penticton BC  
Canada V2A 1N5  
Tel 250 492 7399

FILE NO. 2422-03773-00  
DRAWING NO. 3773-00-V-SUBP-R2.DWG

**SCHEDULE A**

This forms part of application  
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City of Kelowna  
DEVELOPMENT PLANNING