

DEVELOPMENT VARIANCE PERMIT DEVELOPMENT PERMIT



District of Lake Country
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APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT (*pursuant to Sec. 498 of the Local Government Act*)
DEVELOPMENT PERMIT (*pursuant to Sec. 490 of the Local Government Act*)

PERMIT #: DVP00408 & DP001066
FOLIO #: 3017105
ZONING DESIGNATION: RR1– Rural Residential 1
ISSUED TO: Jade Bay Constructors Ltd.
SITE ADDRESS: 13595 Forest Hill Dr.
LEGAL DESCRIPTION: LOT 16 SECTION 33 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN KAP50067
PARCEL IDENTIFIER: 018-311-644

SCOPE OF APPROVAL

This 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 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.

Applicants for Development Permits should be aware that the issuance of a Permit limits the applicant to be in strict compliance with all District bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which have not been identified as required Variances by the applicant or Municipal staff.

If any term or condition of this permit is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this permit.

1. TERMS AND CONDITIONS

Development Variance Permit DVP00408 and Development Permit DP001066, for property located at 13595 Forest Hill Drive and legally described as LOT 16 SECTION 33 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN KAP50067, for the construction of a secondary suite, with variances shall be conducted in accordance with the following terms and documents attached to and forming part of this permit:

- a) Vary Zoning Bylaw 561, 2007 as follows:
 - i) Section 14.1.6 (a) to exceed maximum site coverage percentage requirement:

From: 10%
To: 11.3%
 - ii) Section 14.1.6 (b)) to exceed the maximum height requirement of the structure:

From: 9.5m or 2 1/2 storeys
To: 12.36m or 4 storeys

iii) Section 10.7.3 to exceed the maximum floor area of a secondary suite:

From: 90m²

To: 275.7m²

iv) Section 10.7.3 to exceed the total floor area percentage of the principal building:

From: 40%

To: 42.6%

b) The development of the subject shall be conducted in accordance with the following documents to the satisfaction of the Director of Planning and Development:

- (i) **Schedule A:** KOPP Residential Addition Lot 16 with revision date 2024-12-12 (DWG A.1/S.1 and A1.2), prepared by Jade Bay Design Construct.;
- (ii) **Schedule B:** Environmental Assessment and NEDPA Exemption with the date May, prepared by Sage Environmental;
- (iii) **Schedule C:** Geotechnical Report with date 2023-09-18, prepared by Interior Testing Services Ltd.;
- (iv) **Schedule D:** Wildland Urban Interface Fire Mitigation Report with date 2023-09-29, CABIN Resource Management.

2. PERFORMANCE SECURITY

As a condition of the issuance of this Development Permit, a security deposit is required for \$ 2,231.25 (125% of the Landscape Estimate and Environmental Monitoring Estimate). This will be collected prior to the issuance of the applicable Building Permit.

Upon acceptance of the works by municipal staff, 85% of the security shall be returned. The Municipality shall retain the remaining 15% for a period of 24 months from the date of acceptance of the works, during which time the Municipality may use the remaining security to replace the required works, if necessary. Upon the expiration of the 24-month warranty period, the Permit Holder must provide a statement certified by a qualified professional indicating that the works have met the requirements of the survival monitoring and reporting as identified in the Environmental Assessment Report along with the conditions specified in the Development Permit. The remaining security funds shall be refunded at the expiration of the 24-month warranty period, subject to a final inspection by Municipal staff to confirm the survival of the required works.

3. DEVELOPMENT

The development described herein shall be undertaken strictly in accordance with the terms, conditions and provisions of this Permit and any plans and specifications attached to shall form a part hereof.

The development shall commence within **TWO** YEARS of the date that this permit is issued.

If the Permit Holder does not substantially commence the development permitted by this Permit within **TWO** years of the date of issuance of this permit, this permit shall lapse.

The terms of the permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the permit.

**THIS IS NOT A BUILDING PERMIT
OR A CERTIFICATE TO COMMENCE
CONSTRUCTION**

2. APPROVALS

Authorization passed by Council on the _____ day of _January_____, 2025.

Issued by the Corporate Officer of the District of Lake Country this ___ day of _____, 2025.

Corporate Officer, Reyna Seabrook

DRAFT