



DEVELOPMENT VARIANCE PERMIT

District of Lake Country
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 Lake Country, BC V4V 2M1
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APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT (pursuant to Sec. 498 of the Local Government Act)

PERMIT #: DVP00405
 FOLIO #: 02952.021
 ZONING DESIGNATION: RU1 – Small Scale Multiple Housing
 ISSUED TO: DG & A. McClure
 SITE ADDRESS: 12558 Lake Vista Court
 LEGAL DESCRIPTION: LOT 21 SECTION 27 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP76998
 TOWNSHIP 20
 PARCEL IDENTIFIER: 026-135-833

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.

Development Variance Permit DVP00405 for 12558 Lake Vista Court, legally described as LOT 21 SECTION 27 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP76998 TOWNSHIP 20, varies Zoning Bylaw 561, 2007 in accordance with the following:

- a) Section 8.5.8 – Retaining Wall Height for Wall #1:
From: 1.5m
To: 4.05m
- b) Section 8.5.8 – Retaining Wall Height for Wall #2:
From: 1.5m
To: 5.05m
- c) Construction and maintenance of the retaining wall shall be in compliance with:
 1. Schedule A: Gabion Walls, Drawing #2, Revision C prepared by Valley Geotechnical on January 1, 2024.

2. Schedule B: Topographic Site Plan of Lot 21 Sec 27 TP 20 ODYD Plan KAP76998 prepared by AllTerra Land Surveying Ltd, dated September 8, 2022.

- d) All building permit(s) issued by the District of Lake Country regarding the construction and on-going maintenance for the retaining walls.
- e) The applicant is responsible for any and all future permits that are required by the District of Lake Country pertaining to existing and future retaining walls.

1. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, a security deposit is required in the amount of \$ Nil (125% of the Landscape Estimate and Environmental Monitoring Estimate).

- a) Cash in the amount of \$ N/A
- b) A Certified Cheque in the amount of \$ N/A
- c) An irrevocable Letter of Credit in the amount of \$ N/A

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 months 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 months warranty period, subject to a final inspection by Municipal staff to confirm the survival of the required works;

2. 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**

DVP00405

3. APPROVALS

Authorization passed by Council on the ___ day of _____, <Year>.

Issued by the Corporate Officer of the District of Lake Country this ___ day of _____, <Year>.

Corporate Officer, Reyna Seabrook