

## DEVELOPMENT VARIANCE PERMIT

NO. DVP00573

TO: MCKAY, JOHN  
(Address)

(Email: )

1. This DEVELOPMENT VARIANCE PERMIT (DVP00573) is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. DVP00573 applies to and only to those lands within the Municipality described below to permit the construction of a 10 unit (5 Duplexes) development thereon:

for: **LOT A PLAN 23988 SECTION 11 TOWNSHIP 8 OSOYOOS  
DIVISION YALE DISTRICT  
PID – 006-172-466**

and having a civic address at 5300 PLEASANT VALLEY RD.

3. John Mckay (hereinafter referred to as the "Owner") has requested the Development Variance Permit and has agreed to the terms of same.
4. Pursuant to Section 498 of the Local Government Act – City of Vernon Zoning Bylaw 5000 is hereby varied as follows:
  - a) Section 4.16.1 to allow the construction of buildings, structures and swimming pools on slopes greater than 30%;
  - b) Section 6.5.11 to increase the maximum height of a retaining wall from 1.2m to 4.5m; and
  - c) Section 7.1.12 to reduce the minimum width of a two-way aisle from 7.0m to 5.5m.
5. The variance(s) granted are subject to the following conditions:
  - a) The development shall be constructed in general conformance with the plans set out in the following Schedules, attached hereto:
    - i. Schedule A: Site Plan, Site Grading Plan and Cross-Sections
    - ii. Schedule B: Geotechnical Investigation and Report



- b) A qualified geotechnical engineer be retained to review the site and any design(s) or other work for soils or for soils related structures connected with this project regarding conformity to the project requirements and intent of the geotechnical report, as well as to monitor the development of the subject property through the construction phase of development.
- c) A Section 219 Covenant be registered on the title of the subject property to ensure the following:
- i. That all buildings and structures, including covered decks, have fire suppression systems (sprinklers) installed;
  - ii. That no parking is permitted on either side of the Deleenheer Road access or drive aisle within the site;
  - iii. That no snow accumulation or piles are to be placed or stored in the required vehicle turn arounds; and
  - iv. That Technical Memorandum, prepared by Kerr Wood Leidal Consulting Engineers, dated September 9, 2022 (Attachment 5), is attached to ensure any future residents, owners or strata corporation are aware of the requirements imposed on structures, as well as the access route from Deleenheer Rd through the subject property;
6. If the development authorized by this Permit (DVP00573) does not commence within 24 months of the date of Permit issuance, this Permit shall lapse.

**\*\*\*\*\* THIS IS NOT A BUILDING PERMIT \*\*\*\*\***

AUTHORIZING RESOLUTION PASSED BY COUNCIL THE XX<sup>th</sup> DAY OF MONTH, YEAR AND ISSUED THIS XX<sup>th</sup> DAY OF MONTH, YEAR.

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Jennifer Bruns, Manager, Legislative Services  
City of Vernon

**I ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE TO THE TERMS AND CONDITIONS UPON WHICH THIS PERMIT IS ISSUED:**

\_\_\_\_\_  
Applicant (or Authorized Agent or  
Representative of Applicant)

