

DRAFT RESOLUTION

Re: Development Variance Permit Application No. DVP10-0146 - Waiver of
Condition to Forward to the Advisory Planning Commission

THAT Council waive the condition that Development Variance Permit Application No. DVP10-0146 be forwarded to the Advisory Planning Commission.

BACKGROUND:

As a result of the Court decision in *Schnellert v. the City of Kelowna and Curatolo*, the owner of 660 Thorneloe Road has applied for a variance to vary the required side yard setback for an accessory development.

Development Application Procedures Bylaw No. 8140 states that the Director, Land Use Management must refer a variance application to the Advisory Planning Commission, unless there is support of the application from the immediate neighbours. Although such support is lacking, staff recommend Council consider the application directly.

Date: November 17, 2010.

A handwritten signature in black ink, consisting of a stylized, cursive letter 'R' followed by a horizontal line extending to the right.