



PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure
Penticton Area Office
102 Industrial Place
Penticton, BC V2A 7C8

("The Minister")

AND:

Rob & Donalyn Hirtz
1701 Shaleridge Place
West Kelowna, BC V1Z 3E4

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way...
B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The construction of a residential building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow a proposed 84 m^2 residential dwelling to be located no closer than 1.5 meters from the property line adjacent to Mill Road, to serve the property legally described as Lot 22, Plan KAP3889, DL 211, SDYD at 4545 Mill Road, Naramata BC, as shown on Okanagan Development Consultants Inc. Drawing A-1, dated February 8, 2023 (attached).

- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

- 1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure...
2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation...
3. The Permittee shall indemnify and save harmless the Ministry, its agents and employees...
4. The permission herein granted to the Permittee will be in force only during such time as the Structure is used, maintained, and owned by the Permittee...



BRITISH
COLUMBIA

Ministry of
Transportation

Permit/File Number: 2023-00654

Office: Penticton Area Office

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Penticton, British Columbia, this 15th day of February, 2023

On Behalf of the Minister