



PO BOX 22024  
Penticton, B.C. V2A 8L1  
250-276-6440  
GST # 85363 8997 RT0001

**Rationale for Front Setback Variance - 815 Wiseman, Naramata**

This outline following provides the supporting rationale for the attached development variance permit application. On behalf of my clients, I am requesting one variance to reduce the front yard setback by 3.0m, from 7.5.m to 4.5 m. Complete building plans are included with the application package but smaller images from the plan set are included below to explain our rationale.

**Design Background**

My clients purchased this beautiful property on which they plan to construct their forever home and raise their young daughter while enjoying the benefits of it's quiet & natural surroundings. Because they intend to be here long term, all aspects of their current daily (and future) lives have been considered in the design including large spaces to work from home, long, high ceiling mechanical bay (future hobbies), dedicated small RV storage, courtyard entry and well thought out private interior spaces for all family members. In addition, large rear facing decks have been provided to enjoy the views of the natural back yard space. The home is designed for maximum area of south facing roof to accommodate photovoltaic solar panels to ensure the home is net-zero ready. Proposed design and site images below.

***Front of home from street***



***Subject lot is im***



**Location of lot on cul-de-sac.** Note that this and the adjacent lot are the last two lots not yet built upon.



**Request for reduced front yard setback from 7.5m 4.1m**

Currently there is 6.0m (20ft) from edge of asphalt on Wiseman to the property line, then a further 7.5m (25ft) setback from property line to building. Due to the lot positioning on arc of cul-de-sac with the house being parallel to lot lines, the resultant distance from garage door to street is 15.8m (52ft). This could accommodate 3 standard sized vehicles parked end to end at each garage bay. While having extra room is nice for some, it would be far more sensible to move home to closer to the street, reallocating the driveway space into natural rear yard for the family to enjoy instead. (enlarged view no variance)





In the image below, the home is moved 3.0m closer to street, bringing the length of driveway down to approx 13.4m (44ft)



*View from rear yard toward street*

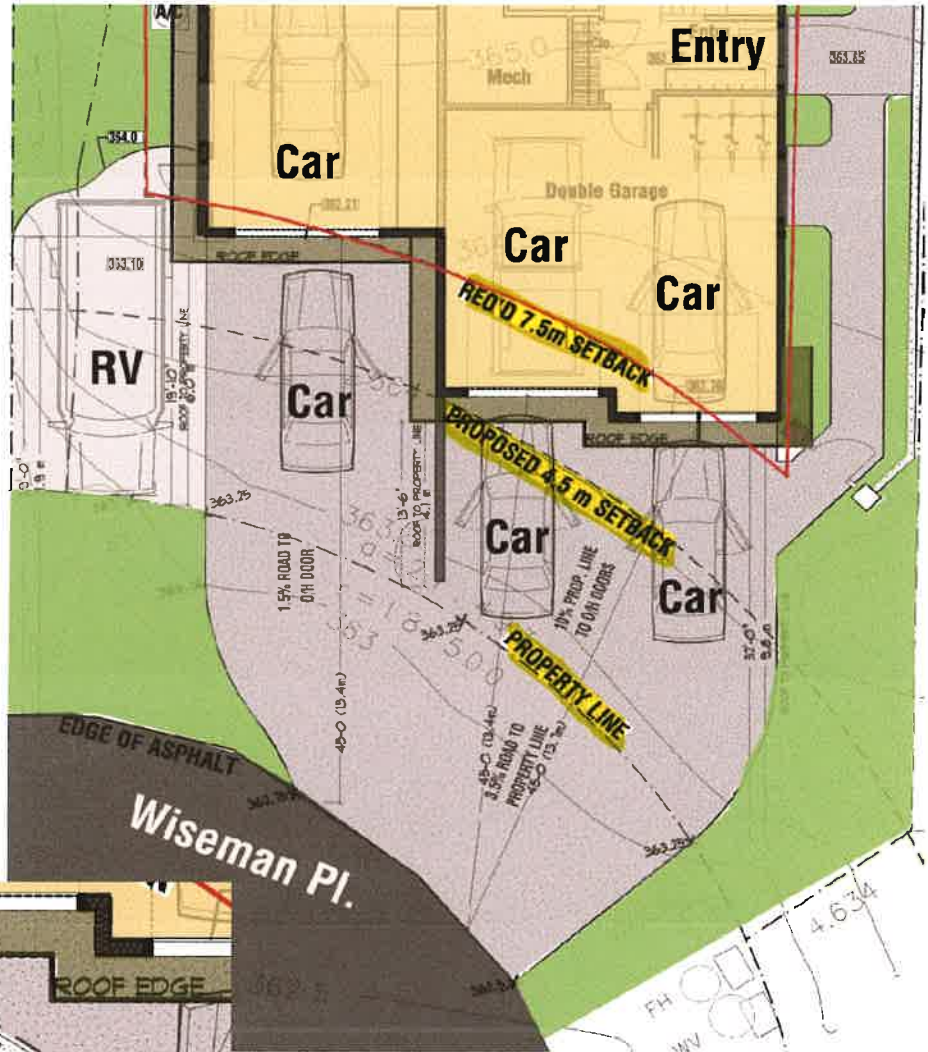
This is such a wonderful property, it seems a shame to not maximize the rear yard and reduce paved areas when there is no reason for 9 vehicle stalls. While 3.0m doesn't sound like much, based on the lot width, there is a loss of over 700 sq.ft (65.0sq.m.) of natural area in the rear which is larger than a typical one bedroom apartment. Much better to play in !



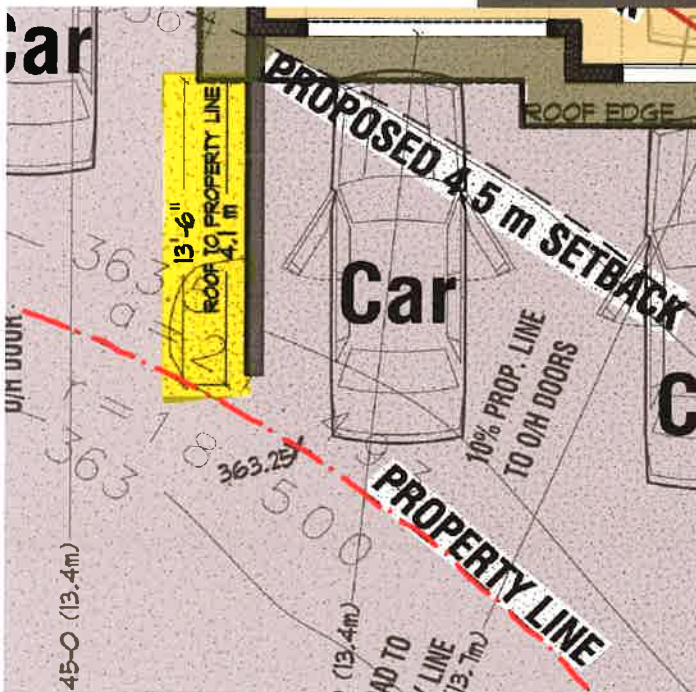
*View from south east towards yard*



The image below shows the proposed home configuration at the reduced 4.5m setback. The required 7.5m setback is shown in red. There is still room for vehicles between property line and overhead door, plus space for guests if needed behind vehicles in the driveway. The third bay on left is specifically pushed back to minimize the appearance of garages from the street and give a varied appearance to the house. An inviting entry to the courtyard is placed on the right side with a walkway to the side entry into the home.



Please note that the closest roof projection to the closest property line is 4.1m (image below)



This outline provides the supporting rationale requested for the attached variance application

Below are the requested explanations from the Development Variance Permit Application page 2 of 4 and supporting rationale page 3 of 4.

Requested Variances From Bylaw 2459, 2008, section 11.1.4(a)(i):

Supporting Rationale - I request that the front setback be reduced from 25ft (7.5m) to 4.5m (14'-9")

**1. The variance should not significantly depart from intent of the bylaw.** The intent of the bylaw would be to ensure that adequate front yards and minimum driveway lengths are provided so vehicles would not be required to park on the roadway. The property lines in this development are 6.0m (20ft) from road after which a 7.5m (24'-7") setback is required. The total distance from curb to the closest corner of the structure would be 13.5m (44'-3") and driveway length nearly 52ft.

Reducing the setback by 3.0 m significantly reduces the paved area for surface water runoff, still allows a longer than req'd driveway and significantly increases the area of useable, private & natural rear yard space. In addition, moving the home forward on the lot reduces retaining wall heights required along property line adjacent to 810 Wiseman Pl. This subdivision was constructed in 1994 when our concerns were different. Since that time, our need to preserve natural space and has greatly evolved; this is more in line with today's thinking.

**2. The variance should affect the adjacent properties or public lands.** The intent of the bylaw would be to ensure no structure was significantly closer to the roadway than the adjacent properties for consistency. Most properties in this development are aligned in a row along the street but this is set back already in the buld of the cul-de-sac. Moving the home slightly forward will have no visial effect and will not appear as inconsistent.

**3. The variance should be seen as a unique solution to an unusual problem.** This solution provides the most common sense approach to the problem. It is a simple and effective way to meet the intent of the bylaw and simply allows for more yard space with no detrimental effect. This is not a particularly unusual problem, it is a simple issue with a commom sense solution.

**4. This variance represents the best solution to the proposed development after all other solutions have been considered.** An alternate solution considered was to widen the home by 1.5m (5ft), making it tight to side setbacks & pulling it 1.5m more from the rear. The only effect this had was to make the rear rooms wider than needed, the left garage bay moved much closer to street, 150 sq.ft of solar panels were lost and only 5ft was gained at rear.

**5. This variance should not negatively affect the natural site characteristics or environmental qualities of the property.** Because this lot steeply rises approximately 6ft from the street, the home will need to be cut into the yard to meet the height restriction and allow for shallow driveways. This would be true even if the variance were not granted. Because the home would be moved out of the yard, by default it would reduce the volume of excavation by 120 cubic yards. As mentioned above several times, this would actually improve the natrural characterisitcs of the property simply by distubing less of it. It should be noted that the home will still be constructed with the same design as submitted even if the variance were not granted because it is so specifically tailored to my clients' needs; there would simply be a disappointing loss of yard space.

Your consideration and support of this variance is greatly appreciated.

Sincerely,

Dave Sutton  
Building Designer