

PROPERTY DESCRIPTION:

Civic address: 2415 Kettle Ridge Way, Naramata, BC

Legal Description (e.g. Lot, Plan No. and District Lot):

Lot 20, Plan EPP71589, District Lot 206

Current land use:

Residential, empty

Surrounding land uses:

Residential, developed and empty

REQUESTED VARIANCE(S):

List all requested variances to the regulations in bylaws of the Regional District. Each variance should be marked on the applicable drawings. A variance cannot be considered where use or density would be affected.

Zoning Bylaw: Okanagan Valley Zoning Bylaw No. 2800, 2022

Section No.: 16.3.6 b)

Current regulation: No accessory building or structure shall exceed a height of 4.5 metres.

Proposed variance: No accessory building or structure shall exceed a height of 8.41 metres.

Section No.:

Current regulation:

Proposed variance:

DEVELOPMENT INFORMATION:

Please provide a general description of the proposed development:
(e.g. "to allow for an addition over an existing garage")

To allow the construction of an accessory dwelling on a steeply sloping site while maintaining site character.

SUPPORTING RATIONALE:

When considering a variance request, Regional District staff will *generally* assess the proposal against the following criteria:

- *is the proposed variance consistent with the general purpose and intent of the zone?*
- *is the proposed variance addressing a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.)?*
- *is strict compliance with the zoning regulation unreasonable or un-necessary?*
- *will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?*

A request to change a zoning regulation should only be considered as a last resort to a design challenge. Please explain how the requested variance(s) meet the assessment criteria listed above:

Lot 20 is a steeply sloping lot with vehicle access on the east property line from an access lane. This access lane is provided through an easement on the property which removes significant portions of the site from the buildable area (particularly with regard to an additional easement in the southeast corner of the site). The lot falls 16.5m (55') from east to west, culminating in a rough cut rock bank with a 3.0m drop to Kettle Ridge Way below. Vehicle access and parking for the accessory dwelling (as required by zoning bylaw) can only be achieved on the east property line as there is no reasonable way to construct a driveway and parking area from the west property line without extensive and disruptive site blasting.

Owing to the steep topography, there are only a few buildable areas of sufficient size for a building accessed from the east property line. The main dwelling utilizes most of the accessible bench, and easement EPP72790 curves to eliminate the south east corner of the site. The next most reasonable build location is the proposed location. However, for a pedestrian to reach this location would require extensive and disruptive blasting which would destroy a significant natural rocky outcrop. It would also create an unnecessarily hazardous stair to get down from the parking area above. The proposed bridge element allows access to an upper floor via a much smaller exterior stair from the parking space, with minimal site disturbance.

In its proposed location (see site plan) the impact of increasing the allowed height of the accessory dwelling as sited is negligible on surrounding built and unbuilt sites, and will not have an impact on the character of the streetscape, as the top of the accessory dwelling sits below the grade of the access lane (see sections and elevations). View planes of neighbours on Lot 19 or Lot 21 are unaffected, as are those of any future neighbours further up the east slope.

The proposed design seeks a creative solution to building on an incredibly steep slope through the use of a bridge to minimize disturbance of an otherwise beautiful rocky site. It manages to do so without unduly impacting its neighbours or disrupting the character of the streetscape and is practically invisible from above, despite its height.