

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Richard Blackwell

Street Address : mill rd

City / Town : Naramata

Project Address : 4535 mill road

Support the requested variances to the zoning ? : No

Additional comments : building is to high, creating ice hazard in winter and no sun! reduce to 16 ft, from road elevation and use flat roof, still get two stories.

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : gonda Angus

Street Address : Mill Road Naramata B C

City / Town : Naramata B C

Project Address : 4535 Mill Road Naramata

Support the requested variances to the zoning ? : No

Additional comments : The lot is too small to although for a structure of this size The set backs of 6 meters should be adhered to as this sets a huge precedent for future builds along Mill Rd

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Evelyn McCarthy

Street Address : Mill Road

City / Town : Naramata

Project Address : 4535 Mill RoX

Support the requested variances to the zoning ? : No

Additional comments : Property is too close to the road and lake. Where are the set backs? Where is the septic going to be placed?

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Danielle Audet

Street Address : Robinson Ave

City / Town : Naramata, BC

Project Address : 4545 and 4535 Mill Bay Rd

Support the requested variances to the zoning ? : No

Additional comments :

Lauri Feindell

Subject: FW: Application comments/concerns for # E2023.032 & 033

From: Baker, Graeme
Sent: September 11, 2023 3:24 PM
To: Planning <planning@rdos.bc.ca>; Ben Kent <bkent@rdos.bc.ca>
Subject: Application comments/concerns for # E2023.032 & 033

Hi there,

Writing today to share some thoughts/comments on these proposed applications along Mill Road in Naramata.

Without belaboring my thoughts, in summary I am opposed to these applications for several reasons:

- Prior to dividing the lot a couple summers' ago, that was one lot which was already very small and in a flood zone. I'm perplexed as to why the RDOS would have permitted it to be divided? Since that time there have been trailer homes parked on both lots for extended periods and used as dwellings which I'm not sure is to code?
- These lots are not large enough to support the size of homes proposed, they are very small and any buyer should have known that permanent structures likely wouldn't be allowed on such small lots. If pursued, subsequent designs should contemplate much smaller structures one story in height.
- I find the setbacks as proposed to be concerning, there will be a two story wall of house right adjacent to the road and there will be no view across the bay when walking or driving on the road.
- Given the size of houses proposed, where will the homeowners and visitors park? Will they park along the road and restrict traffic and access for other residents? Will they park along the road in the bay where currently you are not allowed to?
- I don't believe that either of these lots are far enough back, nor high enough from the lake to install a septic system. As a result, are there going to be above ground holding tanks for everyone's viewing pleasure?
- I'm also concerned about the riparian zone at the water's edge and what a newly built structure that close to the lake means for the ecological environment?
- As a precedent, a house was awarded a building permit in Mill Bay several years ago which has frustrated many in the neighborhood. That house in question is still under construction, 10 years on..., and has had scaffolding located at the front of the house since building started as it is a similar structure, three stories high right against the lake and road. The owners even built a small retaining wall which is into the road and impedes the flow of traffic. The house as approved and subsequently built is an atrocious scar on Mill Bay.

Appreciate you taking my concerns into consideration and encourage all stakeholders and decision makers involved to think constructively about these applications - they seem rather absurd given the size of the lots. Approving these applications will set yet another concerning precedent regarding lot size to buildable square footage, both of which should always be balanced, particularly on waterfront lots.

Thanks again,
GB

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Joanie Ball

Street Address : Robinson Point Road

City / Town : Naramata

Project Address : 4535 Mill Bay Road

Support the requested variances to the zoning ? : No

Additional comments : Please protect the shoreline and don't allow over building on lots. Maximum development of lots is not in keeping with the flavour of Naramata.

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Karen bressler

Street Address : Mill rd

City / Town : Natamata

Project Address : 4535 Mill Rd

Support the requested variances to the zoning ? : No

Additional comments : That is a very narrow road , with my hidden driveway on the sharp bend in the road .
Where are the vehicles going to park that are going to build this house ? There is no room for through way traffic .

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Sue Gunning

Street Address : Wiseman Place

City / Town : Naramata

Project Address : Mill Bay

Support the requested variances to the zoning ? : No

Additional comments : This bay needs to be protected and building closer to the water could have long term environmental effects. Look at the damage that has been done to the local ecosystem already. More info is needed on the impact of such a project.

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Ross

Street Address :

City / Town : Naramata, bc

Project Address : 4545 mill bay rd naramata

Support the requested variances to the zoning ? : No

Additional comments : Same response as 4535 mill bay rd

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Steven & Judy Jaeger

Street Address : Mill Road

City / Town : Naramata

Project Address : 4335 & 4545 Mill Road, Naramata

Support the requested variances to the zoning ? : No

Additional comments : First of all as close neighbours we did not get notified and did not see any public RDOS signage on the properties in question ! Secondly we fully concur with the following statement;

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Colleen Balfry

Street Address : Gulch rd

City / Town : Naramata

Project Address : 4535 Mill Bay road

Support the requested variances to the zoning ? : No

Additional comments :

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

From: LT Admin365 <ltadmin365@rdos.ca>

Sent: September 12, 2023 7:31 PM

To: Planning <planning@rdos.bc.ca>

Subject: DVP Feedback

Importance: Low

DO NOT REPLY TO THIS EMAIL! This is an automatic e-mail notification message.

The following DVP Feedback has been submitted :

Contact Name : Randy Brown

Street Address : Ritchie Ave

City / Town : Naramata

Project Address : 4535 &4545 Mill rd, Naramata

Support the requested variances to the zoning ? : No

Additional comments : Too close to the lake, and road

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Danny Cox

Street Address : Mill Rd

City / Town : Naramata

Project Address : 4535 Mill Rd

Support the requested variances to the zoning ? : No

Additional comments : We have a number of objections to this Variance request. Please see attached letter.

September 12, 2023

To: RDOS

Re: Variance Application E2023.033-DVP for 4535 Mill Rd.

We are strongly opposed to granting of this application for the following reasons:

- This lot is consistently under water during peak water years that exceed the “full pool” goal of 342.48 m. We have lived at 4347 Mill Rd since 1989 and paddle board by this lot almost daily during summers in the past 10 years. In 2017 when water was 343.25 m the entire lot was under 1-2 ft of water. In ensuing years we exceeded “full pool” in 2018, 2020 and 2022. In 2020, the front half of the lot was flooded (peak water mark was about 242.757 m).
- The entire lot is within the Riparian setback requirements. We note Mr. Cassidy says in the RAPR Assessment Report in Section 4.8 that “the rock wall is intact and the area above and behind the wall has not eroded indicating that flooding with wave action is not commonly above and beyond the rock wall. Therefore, the stream channel at this location would not be considered dynamic such that the area above the wall is typically flooded”. This is not true. A south wind during high water above “full pool” will provide wave action over the wall and this area does flood. Mr Cassidy did not see any evidence of erosion as the lot was levelled and terrain modified about a year ago (after high water) by the owner. The photos in the report show the modified terrain in August 2022. Thankfully we did not reach full pool in 2023.
- Storm water is directed to a rock pit which (we believe) will be under water during peak lake high water. Therefore, it essentially is directing it into the lake.
- There is no parking available on the lot. Even now, vehicles must park on the road for this lot (only one vehicle will fit on the driveway, which will also be the septic tank location).
- With four bathrooms, it will heavily tax any septic tank system. We assume the plan is to pump out holding tanks but this does not seem feasible based upon the proposed construction. It seems sewage handling will be a problem one way or another.
- The two storey house has grade level at or above road level. Therefore looking across the water (as we do), the house will be much higher than the allowed height for a 2-storey structure. This just does not fit in with the vast majority of buildings along Mill Rd.
- We do not believe this lot is a hardship for the current owner. He purchased the lot fully knowing it was unbuildable under any interpretation of the existing rules. He therefore must have known and should have expected he would not be able to build. We do recognize that there have been compromises along Mill Rd but not nearly to this extent.

Thank you for considering our concerns.

Sincerely,

Danny Cox & Lauren Shaw

dannycox@shaw.ca & lauren.shaw@shaw.ca

kl

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Shay Dancey

Street Address : Robinson Ave

City / Town : Naramata

Project Address : Mill Bay road Naramata

Support the requested variances to the zoning ? : No

Additional comments : It is a geographically inappropriate area to build on. A build of this nature will be in violation of the area protection of the waterf and there is a cliff behind the area as well that will likely come down at some point as well.

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Lynne Felton

Street Address : Kinney road

City / Town : Naramata

Project Address : Mill Bay road

Support the requested variances to the zoning ? : No

Additional comments : It appears the rock wall will be beyond the high water mark and my understanding the lakefront to the high water mark is public?

Lauri Feindell

From: Steven Jaeger <sjaeger@telus.net>
Sent: September 12, 2023 10:22 AM
To: Ben Kent
Subject: Re: DVP Feedback

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ben

Looking below where I had submitted "the following statement". I do not see it! Did it get recorded?

Spacing, privacy,
density, light and air
and gives our
neighbourhood its
form and character.

While there is no
legal right to a view
over the property of
others, protecting the
views and visual
enjoyment of open
areas shared by the
community is
important.

The negative impact
of insensitive and
obstructive
overbuilding on
greenery/riparian like
Mill Rd. lakeshore will
destroy this beautiful
well used recreation
walking, running,
biking area. That bay
is a beautiful area
that is enjoyed by the
community please
don't ruin it. Whether
from the roadside or
paddling into the bay
from the water, this
shoreline is such a
gem.

This variance will only set a precedent for future development along our lakeshore. Pretty soon we won't be able to see the lake at all.

The proposed variances would unduly impact the character of the lakeshore, streetscape, or surrounding neighbourhood.

Regards

Steven Jaeger

On Sep 12, 2023, at 10:15 AM, Ben Kent <bkent@rdos.bc.ca> wrote:

Hi Steven and Judy,

Thank you for providing feedback on RDOS files E2023.032-DVP and E2023.033-DVP at 4535 and 4545 Mill Road. Please refer to the Current Applications & Decisions section of our website for the proposal details and any updates to this application: <https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-e/>

All representations received will be made publicly available on the Board Agenda prior to the Board Meeting. Please refer to the Board Meetings section of our website for information about upcoming Board Meetings: <https://www.rdos.bc.ca/regional-government/board-meetings/>

For your own information, RDOS notifies variance applications online on our "Current Applications and Decisions" webpage and by mailing letters to all properties within 60 metres. A notice of development sign is not required for this type of application.

Regards,

<image002.png> **Ben Kent**, MPL • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250-490-4109 • tf. 1-877-610-3737
www.rdos.bc.ca • bkent@rdos.bc.ca

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From: LT Admin365 <ltadmin365@rdos.ca>
Sent: September 11, 2023 6:52 PM
To: Planning <planning@rdos.bc.ca>
Subject: DVP Feedback
Importance: Low

DO NOT REPLY TO THIS EMAIL! This is an automatic e-mail notification message.

The following DVP Feedback has been submitted :

Contact Name : Steven & Judy Jaeger

Street Address : Mill Road

City / Town : Naramata

Email :

Project Address : 4335 & 4545 Mill Road, Naramata

Support the requested variances to the zoning ? : No

Additional comments : First of all as close neighbours we did not get notified and did not see any public RDOS signage on the properties in question ! Secondly we fully concur with the following statement;

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Sue Kirschmann

Street Address : Smethurst Rd

City / Town : Naramata

Project Address : 4535 Mill Road

Support the requested variances to the zoning ? : No

Additional comments : Please see attached document

RE: Development Variance Permit application for 4535 Mill Road, Naramata

I do not support the requested variances to the zoning for this property.

It does not seem appropriate to build a 2 story house on this small lot, especially with another 2 story house being proposed on the adjacent small lot. So close together, and directly abutting Mill Bay Road, these houses would create a high density pocket not in keeping with the rest of the lakeshore. Not only would this detract from the beauty of Naramata's lakefront, it could also set a precedent for other higher density housing which would further detract from Naramata's rural character.

I have two other concerns:

1. This essentially flat lot is very close to lake level and was flooded when Okanagan Lake rose to unprecedented levels in 2017. My concern is that the highwater mark shown on the plans doesn't take into account climate change. Flooding events are more likely in the future as the weather becomes more unpredictable. Knowing this, it does not seem prudent to build on this lot.
2. The development plans show that septic waste will be piped to 2 holding tanks located under the driveway. I am concerned that these tanks and associated pipes, being at or below lake level, could leak effluent into the lake. Having the infrastructure located under the driveway raises the risk of freezing (frost is pushed deeper by traffic) hence cracking and potentially leakage. I am also concerned about odors coming from the holding tanks, especially during the hot summer months.

Thank you for considering my comments.

Sincerely,

Sue Kirschmann

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Kristi Lind

Street Address : Salting Road

City / Town : Naramata

Project Address : Mill Road properties

Support the requested variances to the zoning ? : No

Additional comments : Entirely too small and inappropriate for the site.

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

From: LT Admin365 <ltadmin365@rdos.ca>

Sent: September 12, 2023 8:20 PM

To: Planning <planning@rdos.bc.ca>

Subject: DVP Feedback

Importance: Low

DO NOT REPLY TO THIS EMAIL! This is an automatic e-mail notification message.

The following DVP Feedback has been submitted :

Contact Name : barbaracmacdonald

Street Address : Robinson point road

City / Town : Naramata

Email :

Project Address : E2023,033-DVP 4535 mill road

Support the requested variances to the zoning ? : No

Additional comments : This property has no right to ask for these extensions to their property,,, my suggestion is to purchase the right property for their future home... this is definitely not the right site...

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Alex Skilton-Douglas

Street Address : Robinson ave

City / Town : Naramata

Project Address : 4535 mill road

Support the requested variances to the zoning ? : No

Additional comments : Area is too narrow as it is. Building taller will create more blind spots along the road.

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

The following DVP Feedback has been submitted :

Contact Name : Katrina Somers

Street Address : Noyes Rd

City / Town : Naranata

Project Address : 4535 Mill Bay Rd

Support the requested variances to the zoning ? : No

Additional comments :

Lauri Feindell

Subject: FW: DVP Feedback

Importance: Low

From: LT Admin365 <ltadmin365@rdos.ca>

Sent: September 13, 2023 5:18 PM

To: Planning <planning@rdos.bc.ca>

Subject: DVP Feedback

Importance: Low

DO NOT REPLY TO THIS EMAIL! This is an automatic e-mail notification message.

The following DVP Feedback has been submitted :

Contact Name : Doug somers

Street Address : Noyes Road

City / Town : Naramata

Email :

Project Address : 4535 mill road

Support the requested variances to the zoning ? : No

Additional comments : The set backs are there for a reason. There is already a house on mill road that is to close to the road and the retaining wall is a Hazard looking for trouble one day.

Regarding Variances for 4535 and 4545 Mill Rd, Naramata

For many reasons, I strongly disagree with allowing variances to setbacks on these properties (4535 and 4545) Mill Road. It is identified in the OCP that maintaining the Rural Village character is important but this proposed development crowds both the road and the lake. A structure of this proposed size will block lake views, create a feeling of claustrophobia for walkers and drivers along Mill Rd. There is already one such house (at 4389 Mill Rd) that should never have been allowed for similar reasons. Mill Rd is a frequently used recreation route for walkers, bikers and lake users and the rural nature needs to be protected as much as possible. An imposing 9.94 meter high structure (a shear, +two story house wall, roof and overhang (1.3 m from roadway) would create an uncomfortable crowding of the public space. (refer to the NW 3D View on sheet A4.0!).

The developer's rationale gives a reference to the Hardship clause! Of course, it's a "hardship" to construct a 2000+ sq. ft house on this land. Without the variances, the house would need to be reduced to around 1.5 meters in width! The owner was very aware of these limitations when they recently bought the property. The land is small and the current setbacks make sense. It is not reasonable that this lot with this particular proposed house be granted the variances requested. The letter of Rationale states that "one of the provincial hardship requirements mandates that the proposed structure be placed as far from the lake as possible." However, 6 meters setback is required in the zoning bylaw and yet they are requesting a variance to build **closer** to, not further from the lake! How does this meet the provincial requirement?

On page 3 of the application, under the title Supporting Rationale, it clearly states that "A request to change a zoning regulation should only be considered as a last resort to a design challenge." This has not been done. Send it back to the designer to come up with a house that suits the lot- smaller, lower, aesthetically size-appropriate for a lot that is, in all appearances, unbuildable. The proposed plan is inappropriate and the variances requested are not desirable for the community.

In addition, I question the stats and numbers in the proposal.

- 1) The proposed house (described as 'modest') in the introductory letter is much larger than stated.
- 2) Parcel coverage numbers are incorrect and misleading.

According to the zoning bylaw: "'parcel coverage" means the total horizontal area of structures measured to the outside of the exterior walls of the buildings and structures on a lot **including** the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no defined Okanagan Valley Zoning Bylaw No. 2800, 2022 18 exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area."

- 3) Questionable representation of the high-water mark (HWM). According to the publication "Guidance for Determining High Water Marks for Lakes in the Okanagan under the Riparian Areas Regulation" (as stated on page 2 of the publication) "The recommended HWM for a site is the HTLL plus 0.5 m to account for wave action. This value has been measured as the average HWM in exposed foreshore areas of Okanagan Lake..."

On page 3, table 1, the HTLL (Highest Target Lake Level) of Okanagan Lake is 342.48. Adding .5 meters equals 342.98 meters- essentially 343 meters. .5 meters makes a big difference in a period of high water.

In conclusion, I vehemently oppose these variances. The lots are too small, the lake and the road are too close to allow these monstrosities to be approved.

David Tauzer

September 14th, 2023

Regarding: 4535 and 4545 Mill Rd,

Request for numerous variances in Naramata,

As a longterm resident of Naramata, I am totally opposed to the proposed LARGE house development on Mill Bay. This lot floods regularly. The house proposal does not accurately portray THE SIZE. This is a tiny piece of land and even their little cabin has been damaged by the lake. It is not a modest home they are proposing.

Follow your RDOS RULES- **DO NOT give more variances on this development**

1. High water is not where this owner says.
2. Encroaching on the road creates a hazard for everyone.
3. Their proposal minimizes the size of the house. The property is too small for a 3 bedroom, 2 bath home. The height is also an issue.

THIS proposal IS NOT OK

Written by

Katherine Tomczuk Salting Road, Naramata V0H1N1

RDOS-Naramata AREA E

RE: Development permits
4545 and 4535 Mill Rd. Naramata, B.C.

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-e/e2023-033-dvp/>

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-e/e2023-032-dvp/>

To the RDOS,

Healthy riparian areas serve many functions including protecting water quality, providing habitat for wildlife and providing aesthetic and recreational value. These areas also provide a sustainable source of forage.

The Riparian Areas Regulation requires our local government to protect riparian areas during residential development or any development.

These variances will only set a precedent for future development along our lakeshore. Pretty soon we won't be able to see the lake at all and proposed variances would unduly impact the character and quality of the lakeshore, streetscape, and surrounding neighborhood.

Spacing, privacy, density, light, and air and gives our neighborhood its form and character.

While there is no legal right to a view over the property of others, protecting the views and visual enjoyment of open areas shared by the community is important.

The negative impact of insensitive and obstructive overbuilding on Mill Rd. lakeshore will destroy this beautiful well-used recreation area. That bay is beautiful and is enjoyed by the community, please don't ruin it. Whether from the roadside, going for a walk or paddling into the bay from the water, this shoreline is such a gem.

Eileen Meehan

█ 3rd Street

Naramata, B.C, V0H 1N0

█

█

Lauri Feindell

Subject: FW: Feedback on 4535 and 4545 Mill Road, Naramata
Attachments: 4535 mill bay road. sep 11.23.docx; 4545 mill bay road. sep 11.23.docx

From: Cheryl Berry
Sent: November 10, 2023 9:38 AM
To: Ben Kent <bkent@rdos.bc.ca>
Subject: Feedback on 4535 and 4545 Mill Road, Naramata

Hi Ben,

I am very concerned about the loss of my Feedback and others' on the above-noted properties. I personally know of five missing forms. I wonder how many other forms have been "lost" by RDOS. The feedback form posted by RDOS was of the type that you could not copy and print; it disappeared after it was submitted. I asked RDOS to not allow the variances. I saved my comments and attach them hereto. They were submitted on Sep 11, 2023 at 10:17 a.m.

I will ask others to re-send their comments to you as well.

Please look into this issue and let me know what has happened.

Sincerely,

Cheryl Berry

Sent from [Mail](#) for Windows

Do not grant the requested variances for this property (4535 Mill Bay Road).

Mill Bay Road has always been a beautiful part of Naramata with lovely vistas of the water, bird habitat and a quiet rural vibe. Locals and visitors love walking, running and cycling along Mill Bay Road. Paddlers love paddling along this shoreline.

The property in question was purchased by the current property owner with full knowledge that it is only 13.72 meters in depth. With front yard and rear yard setbacks of 6 metres each (total 12 metres), it leaves 1.72 metres for a structure. It is not even close. For the property owner to now claim undue hardship is completely inappropriate. He paid for what he received. It is a beautiful piece of Naramata lakeshore that is a private area for enjoyment, not building.

Variances should be granted only if there is a compelling reason to do so. This is not that case.

If this variance and the one for the adjacent lot are granted, the sightlines of the water will be forever altered. This precious area of Mill Bay will be a wall of houses right up to the road instead of what the zoning was put in place to protect. Setbacks are established by municipalities and regional districts for a reason and they should be respected.

I question the high water mark line in the sketch. The high water mark should not be established by a manmade retaining wall. It should be based on the natural line of the water in spring. Pursuant to the Guidance for Determining High water Marks for Lakes in the Okanagan under the Riparian Areas Regulation, the High Water Mark for Okanagan Lake is "343". This line on Schedule C of the sketch submitted with the proposed building appears to intersect the proposed dwelling. I have observed that this lot often floods in spring. Based on my observations, I believe that the high water mark is closer to Mill Bay Road than set out in the sketch. I am concerned that RDOS is accepting liability for future, predictable flooding of this home if the variance is granted and the house is built as requested.