

**PROPERTY DESCRIPTION:**

Civic address: 137 TABGART CRES

Legal Description

Lot: 2 Plan: KAP29328 Block: District Lot: 411 Section: Township:

Current Zoning: SLL OCP designation:

Current land use: RESIDENTIAL

Surrounding land uses: RESIDENTIAL

Current method of sewerage disposal:  Community Sewer  Septic Tank  Other

Current method of water supply:  Community Water  Well  Other

Any restrictive covenants registered on the subject property:  Yes (if yes, provide details)  No

Any registered easements or rights-of-ways over the subject property:  Yes (if yes, provide details)  No

Does the subject property possess a legal road access:  Yes  No (if no, provide details)

Agricultural Land Reserve:  Yes  No Riparian Area:  Yes  No

Environmentally Sensitive:  Yes  No MoT Approval:  Yes  No (required for setbacks within 4.5 metres of a road reserve)

**DEVELOPMENT INFORMATION:**

Provide a description of the proposed development (please attach as a separate sheet, as required):

APPLYING TO KEEP AN EXISTING BATHUB.

**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.

1. Bylaw (Include No.): 2457 Section: 7.13.3

Proposed variance: TO ALLOW A BATHUB IN THE BATHROOM IN THE ACCESSORY BUILDING.

2. Bylaw (Include No.): 2457 Section: 7.13.4

Proposed variance: TO ALLOW TO KEEP EXISTING BATHROOM OF 5.86 M<sup>2</sup>

**SUPPORTING RATIONALE:**

All new development should meet the Regional District's applicable bylaw standards. A variance is considered only as a last resort. An application for a development variance permit should meet most, if not all, of the following criteria, in order to be considered for approval (please attach as a separate sheet, as required).

1. The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw. Please elaborate how the requested variance meets this criteria:

THIS IS NOT A SECONDARY SUITE, THERE IS NO KITCHEN.  
IT WILL NOT BE USED AS A SECONDARY SUITE.

2. The variance should not adversely affect adjacent or nearby properties or public lands. Please elaborate how the requested variance meets this criteria:

THERE IS NO EXTERIOR WORK AND WILL NOT  
AFFECT NEIGHBOURS AND IS NOT BEING USED AS A  
SECONDARY SUITE.

3. The variance should be considered as a unique solution to an unusual situation or set of circumstances. Please elaborate how the requested variance meets this criteria:

WE ARE NEW OWNERS, BOUGHT THIS HOME AND TOOK POSSESSION MAY 1ST 2021.  
WE ARE ATTEMPTING TO MAKE THIS SPACE COMPLIANT WITHOUT  
TEARING APART AND DEMOLISHING WHAT IS ALREADY THERE.

4. The variance represents the best solution for the proposed development after all other options have been considered. Please elaborate how the requested variance meets this criteria:

IT WOULD BE A SHAME TO HAVE TO RIP APART THE BATHROOM  
AFTER JUST PURCHASING THE PROPERTY. WHEN THE BATHROOM WAS BUILT  
BY THE PREVIOUS OWNERS THE BATHROOM WAS WITHIN BY LAW REGULATIONS  
THEY DID NOT GET THE PERMIT NEEDED AND THE BY LAW CHANGED AFTERWARDS.

5. The variance should not negatively affect the natural site characteristics or environmental qualities of the property. Please elaborate how the requested variance meets this criteria:

N/A