

PROPERTY DESCRIPTION:

Civic address: 268 Creeksview Rd Apex

Legal Description

LD-54

Lot: 4

Plan: KAP83847 Block:

District Lot: 395 S

PID 027-087-999

Section:

Township:

Current Zoning: RD2

OCP designation: low density residential

Current land use:

Bare Land

Surrounding land uses:

Bare Land

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):

Side by Side Duplex

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.): 12.5.6 a) i) Section: Minimum setbacks (front)

Proposed variance: 7.5m front setback to be reduced to 3.84m

to outermost projection of roof overhang structure at 4.5m

2. Bylaw (Include No.): _____ Section: _____

Proposed variance: _____

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:

See attached sheet

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

see attached sheet

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:

see attached sheet

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:

see attached sheet

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:

see attached sheet

Development Variance Permit Application for 268 Creekview Rd, Apex

Bylaw: 12.5.6. a) i) minimum front setback

Variance Request: 7.5m front setback to be reduced to 4.5m

We are hoping to build a side-by-side duplex that meets step code level 5 and adheres to some passive house principles. To achieve this, building geometry becomes significantly important. The fewer outside corners (the more box-like), the more energy-efficient the building will be. Due to the skewed geometry of the site, a straight box is not an easy fit. We are proposing a building footprint with 6 outside corners to best use the site and best achieve an energy-efficient building shape.

Also, due to the skewed geometry of the site, it is harder to maximize the potential building footprint area, resulting in smaller units. The proposed site plan allows for 2 small units.

Over 3 floors (top floor ½ loft), the smaller unit will be:

21' x 32' for approx 1458 sq ft + 222 sq ft.garage = 1680 sq ft. total including all floor area, stairwells, basement and garage

Over 3 full floors, the larger unit will be:

21' x 39' for approx 2235 sq ft + 222 sq ft garage = 2457 sq ft total including all floor area, stairwells, basement and garage

Due to the steeper slope at the rear of the site, it is more practical to keep the building forward on the site, adhering to the rear and side set-backs and only altering the front setback.

There will be 4 parking spaces total - 2 off-street parking spaces per side of the duplex. One in each enclosed single car garage and one in each driveway in front of the garage door. There will remain ample space on site for snow storage with the proposed single driveway being approx 22' wide = @ ⅓ the width of the front property line.

1. The variance does not defeat the intent of the bylaw because we are respecting the setbacks as much as possible to allow for a modest sized duplex on a skewed lot.
2. The variance should not adversely affect nearby properties or public lands because rear and side setbacks are maintained, parking is contained on site and ample room remains set-aside on site for snow storage.
3. The variance should be considered as a unique solution because it places a reasonably sized, reasonably shaped building onto an unusually shaped available building area.
4. The variance represents the best solution for the proposed development after all other options have been considered. The size, shape and location of the proposed building is the best reasonable use of space, fit in the neighbourhood, protection of the natural site and energy efficiency (climate protection) moving forward.
5. The variance should not negatively affect the natural site characteristics or environmental qualities of the property as we are building with the natural slope of the site and we are avoiding altering the steeper slope at the back of the site.