

Exhibit "A"

- 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**

Bylaw 2455, 2008 Section 10.2 2b - Setbacks: Request a variance for interior side line from 1 ½ metres (5') to 0,52 M in keeping with other variances in the immediate area, namely 4609, 4617, 4620, 4621, 4632 and possibly 4616 Peach Crescent as crosshatched and highlighted in yellow on attached **Exhibit "B"**;

Please Note: We are prepared to move the Sea Can Back from the front property line minimum of 8 meters to comply with Bylaw 2455, 2008 Section 10.2 2b.

- 2. The variance should not adversely affect adjacent or nearby properties or public lands.**

The location of the Sea Can follows the fence line of the adjacent property, namely 4621 Peach Crescent, which is not adversely affecting the use and enjoyment of the adjacent land as per letter received from Owner of the adjacent property attached as **Exhibit "C"**.

- 3/4. The variance should be considered as a unique solution to an unusual situation or set of circumstances and represents the best solution for the proposed development after all other options have been considered.**

My brother, Doug Cowe, age 71, occupies the property, is an independent General Contractor, and plans to wind down his business within the next few years. The Sea Can is required to store miscellaneous items and his tools for his current activities. Once he retires the Sea Can will no longer be required but, at present, it is necessary in order for him to continue earning his livelihood.

He requires easy access to the Sea Can in order to store and remove various heavy and bulky items. If the Sea Can was to be moved 1 ½ meters (5 feet) from the side property line, it would sit in the middle of his driveway and not allow him access to the back of his lot and the entrance of the Sea Can. (ie measurement from side property line to Mobile home is 18'6" – 8' for Sea Can – 5 feet Set Back = 5'6" for driveway) Most motor vehicles and trucks measure 8' and therefore requiring a driveway of approx. 10'. Therefore, to move the Sea Can 1 ½ metres (5 feet) sideways (**actually 3.9 feet** from the side property line as it already is 1.3 feet) would not allow vehicles to utilize the back portion of the lot. (**See Exhibit "D" and "E"**).

Further to move the Sea Can sideways would not be without considerable expense and create considerable hardship to the applicant for a temporary, non-permanent structure. Also, it would be difficult to find the equipment to accomplish the move and may mean hiring a crane which may or may not be readily available.

Exhibit "A" Continued

5. **The variance should not negatively affect the natural site characteristics or environmental qualities of the property.**

The lot is pie shaped with a very narrow entrance and has a riparian restriction due to a creek running through the back edge of the property. (See Exhibit "D " and Exhibit "F"). This greatly restricts relocating the Sea Can to another location on the lot. The present location best utilizes the lot while not affecting the natural site characteristics or environmental qualities of the property.

In Summary

The present location of the Sea Can, which is a temporary structure, has been fully painted a neutral "sage green" color to match the neighbour's fence and to better blend in to the neighbourhood, and it:

- a) Does not result in inappropriate development of the site;
- b) Does not adversely affect the environment and would actually act as a fire wall given the current number of fires in the area during the fire season;
- c) Does not substantially affect the use and enjoyment of adjacent land;
- d) Does not vary permitted uses and densities of the applicable by laws;
- e) Is not unique in its use of the property when reviewing the other adjacent and nearby properties which have temporary and permanent auxiliary buildings situated within the setbacks as outlined in the by-laws; and
- f) Would cause undue hardship and financial costs to the applicant through compliance.