

PROPERTY DESCRIPTION:Civic address: **3285 Lyons Road, Naramata, B.C. V0H 1N1, Canada.**

Legal Description

Lot: **A** Plan: **KAP54932** Block: District Lot: **266** Section: **SDYD** Township: **Naramata**Current Zoning: **SH3 Bylaw 2459** OCP designation: **2458, 2008 Area E**Current land use: **Residential**Surrounding land uses: **Residential to the South & West.
A Farm to the east and a Vineyard to the north.**Current method of sewerage disposal: Community Sewer Septic Tank OtherCurrent method of water supply: Community Water Well OtherAny restrictive covenants registered on the subject property: Yes (if yes, provide details) NoAny registered easements or rights-of-ways over the subject property: Yes (if yes, provide details) NoDoes the subject property possess a legal road access: Yes No (if no, provide details)Agricultural Land Reserve: Yes NoRiparian Area: Yes NoEnvironmentally Sensitive: Yes NoMoT Approval: Yes No **NOT APPLICABLE**
(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):

**Replacement of an existing retaining wall on the west side(rear)of the property.
Please see attached sheets: Application letter, supplied photos,
property sketches and plan views.****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.): 2459 Section: 7.27.4Proposed variance: Variance for height of replacement retaining wall from 2.0M to 3.66M. PLEASE NOTE: The old existing wall is 3.02M(9'-11").Existing wall is crumbling old KVR railway ties and boulders- please see photos2. Bylaw (Include No.): 2459 Section: 7.27.4aProposed variance: Variance for height of wall at South setback from 1.2M to 3.35M.PLEASE NOTE: The Existing crumbling retaining wall height is already 3.02M and the increase in height would be only 0.33M (1'-1").3. Bylaw (Include No.): 2459 Section: 10.6.6Variance for the Interior setback from 4.5M to 0M for the south wall corner between our south neighbours - Our Neighbours are in agreement of wall design, height and setback from their property.PLEASE NOTE: Existing retaining wall is already right on the south property line.

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:

The existing 3.02M (9'-11") retaining wall is crumbling, a safety hazard and an eyesore. The requested replacement retaining wall would be a little higher at 3.66M(12ft)at the basement patio slab area. A difference of 0.64M. This allows the existing area to be made safe and to improve the view for the neighbours and ourselves. A 3.66M wall also allows the extension of the existing basement top patio area to the west by approximately 4M.

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

In discussions with our nearest neighbours directly to the South they welcome an upgrade to the existing situation as the present view is horrendous and an eyesore. They fully support the new wall and the proposed elevation at their side of the wall. Height at south corner is 3.02M (9'-11").

Our other neighbours to the west are also in support of the replacement wall. PLEASE SEE ATTACHED SUPPORTING LETTERS FROM EACH OF OUR NEIGHBOURS.

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:

The existing wall was built with KVR railway ties and boulders placed within the structure. These KVR wood ties are crumbling with age and from the effects of insects and marmots. We are proposing to use an interlocking block wall that both enhances the look of the south and west side of the house and makes it safe. The concrete block wall is impervious to insects & marmots.

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:

The local terrain is a steep slope and sandy area and shoring up the existing wall structure would be a bandaid to the situation - we propose a Redi-Rock type interlocking wall that is superior to wood or plain concrete. We have chosen the block wall type to reflect the local rugged type of rock terrain and colours.

There are many examples in the area of natural looking block walls - please see info attached on the type we would like to use and example photos provided.

Because of the steep slope, a single tier retaining wall is the best solution.

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:

The existing KVR railway wood tie structure presently looks hideous and the proposed Redi-Rock block type wall with rugged natural looking stone will enhance the south and west side aspects of the property for us, our neighbours and for public that visit Naramata as it is visible from the busy road.

The proposed natural stone type wall is in keeping with the local natural rocky terrain and is consistent with new walls in nearby developments in our area.