

PROPERTY DESCRIPTION:

Civic address: 4257 Mill Rd

Legal Description: KAP

Lot: Plan: 48883 Block: 210 District Lot: 504D Section: Township: Navamata

Current Zoning: RS1 OCP designation:

Current land use: Low Density Residential

Surrounding land uses:

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): The plan is to build a garage attached to the house with an expansion of an existing bedroom above the garage. This design envelope is virtually the same as was approved in 2019 variance. No actions for building were possible in 2020 due to COVID and hence that approval expired in

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.): 11.1.6 Section: 9 IV

Proposed variance: Request a decrease in the side setback from 3.0 to 1.5m as per the conditions in 1994 when the house was built. A setback of 3m was provided on the north side with the understanding that the setback on the south side was 1.5 meters to allow future building in this space

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

Proposed variance: _____

Dec 2021

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:

A variance was granted in Dec 2019 for the design envelop provided. The 1994 building code was complied with by providing a 10 foot (3 m) width on the north side of the house. The plan at that time was to expand the house in the future on the south side assuming a 5 ft (1.5m) setback. This would allow a garage/expanded bedroom to be installed which meets the minimum width required.

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

The adjacent building on the south has maximized the space to the property line using the 1994 setback criteria of 5 feet. There is a metal fence on the property line for privacy. Our building would be parallel to this fence and have no windows facing the property line. Refer to the attached drawings by David Haywood.

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:

This request is unique in the fact that the setback criteria were changed from 1994. The new criteria would prevent expansion in this area as the space is too small for a garage. We fully complied with the 10 foot (3m) criteria on the north side but need more space on the south. The building envelop for this application is the same as was submitted for the 2019 variance.

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 space requested is a minimum width for a garage as per our designer David Haywood. The only difference from the approved 2019 variance is a slight extension of 4 feet to the rear to allow an SUV vehicle to fit into the garage as per David Haywood advice.

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 area proposed is currently a grass lawn and does not contain natural vegetation species. The front of the garage on the lake side is outside the Riparian Zone as mapped by David Cassidy RPP biologist (drawing included)