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Regional District Okanagan Similkameen (RDOS)  
Development Services Department

Re: DEVELOPMENT VARIANCE APPLICATION FOR BUILDING  
SETBACK RELAXATION AT 4535 MILL ROAD, NARAMATA BC.

This letter is to accompany our Development Variance Permit application for the property located at 4535 Mill Road, Naramata, legally described as LOT 21, PLAN KAP3889, DISTRICT LOT 211, SDYD, FORESHORE FRONTING ON WATERFRONT 715 OKANAGAN LAKE - PRIVATE MOORAGE.

On November 14<sup>th</sup> 2023 we attended and discussed the DVP with the Naramata APC. The outcome of the meeting was a supporting vote from the Committee for the proposed DVP, however comments were made encouraging us to reduce the overall height of the building.

During the RDOS Board meeting on December 7<sup>th</sup> 2023 additional comments from the Directors also suggested to reduce the height of the building and to push back the building further away from Mill Rd.

The outcome of the Board meeting was denial vote for the DVP.

From these meeting we have actively reduced the building width, height and relocated the building further away from Mill Rd as suggested.

Please see below for our updated DVP request.

We are proposing to vary the building setback requirements as required in Zoning Bylaw 2800, 2022.

Specifically we are requesting setback reduction to Section 16.1.5.a)

Front setback from 6.0m to 1.98m (6'-6")

Rear (Lakeside) setback from 6.0m to 4.01m (13'-2")

The proposed setback relaxations will allow for a proposed single family dwelling. Due to the existing lot configuration, size and proximity to Okanagan lake the aforementioned Lot falls completely within the Riparian setback.

In 2005 the Provincial government brought in the Riparian Act. The riparian setback is intended to protect waterways by having a 30m setback for new structures while existing structures would be grandfathered. At times the 30m setback cannot be reduced enough by a QEP to allow for new construction. To handle this they also created a Hardship clause so existing lots like these would not be 'Orphaned' and deemed unbuildable.

Under this Hardship, relaxation to the riparian setback allows us to facilitate a structure so long as the Hardship requirements are met.

One of the Provincial hardship requirements mandates that the proposed structure be placed as far from the Lake as possible. In order to satisfy this requirement we situated the dwelling 2.13m (7') from the Front property line, with the outermost projection of the roof overhang at 1.98m (6'-6") to property line.

Our QEP is requesting Hardship status with the Province. In order to submit our application the we need support from RDOS from approval to vary the building setbacks as requested.

Attached to this application is the Permit approval from Ministry of Transportation and Infrastructure (MoTI) for the reduction of the Front setback as proposed.

We have proposed a clean, craftsman style building design that will be aesthetically pleasing and will compliment the form and character of the neighbourhood. The dwelling footprint is a modest 42' long and 24' wide, for a total of 896ft<sup>2</sup> of Main floor living area, 797ft<sup>2</sup> on the Top floor for a total of 1693ft<sup>2</sup>. This design allows for a functional two storey dwelling with three bedrooms and three baths.

Proposed lot coverage is 30.84%  
Max allowed in the Bylaw is 50%

Proposed height for this concept design measured from Mill rd to the highest peak of the roof is approx. 7.37m (24'-2")  
Max allowed in the Bylaw is 10.0m (32'-9.75")

Alternative Septic disposal by Holding tank was approved by the RDOS Board earlier in 2023, and the Lot is currently serviced by existing waterline and power.

A preliminary Geotechnical Hazard assessment was provided by a Geotechnical engineering firm. The preliminary report reviewed potential landslide & rockfall hazards, along with bearing capacity of existing soils, drainage etc. In their opinion as stated within the report 'the land may be safely used for the intended use, which is support of a single family dwelling'.

Along Mill Rd each property has an Existing privacy fence which is approx 6' tall that the owner plans to keep. Anyone walking or driving by these lots are used to seeing this structure that makes the lot private. The distance from the fence to proposed dwelling averages 36".

Parking. Each lot provides the required two parking stalls as stated within the Bylaw. No Parking signs can be placed on the existing fence to assure Mill Rd is clear for traffic.

Along Mill rd & 1<sup>st</sup> Street there are many examples of existing dwellings and structures that are situated close to the road and or Okanagan Lake. Heading Northwest there are Two immediate examples of structures built close to the road and lake, with many other examples traveling South along Mill Road. This Lot is approx. 640m from the end of Mill Road, with approximately 15 properties accessing Mill road beyond this site.

We have many hurdles left in front of us before we can submit for BP. The next step, if the DVP is accepted and approved, is to submit the application to the Province requesting Hardship.

I would urge the Board to consider the fact that although this does not solve the housing shortage in Naramata, it does allow for the possibility for two additional families to live here. Typically we would not propose the primary structure this close to the front setback, However, given the shape of the Lot, distance to the end of the road, many examples of existing dwellings close to the lake and Mill road, approved MoTI setback permit, approved Septic Holding tanks, and with the Lot serviced with water/power, we feel strongly that our proposal is acceptable and not out of place.

Thank you for your consideration in this matter.

Signed: 

Per: Okanagan Development Consultants Inc.

Date February 22, 2024