

PROPERTY DESCRIPTION:

Civic address: 260 Alder Ave, Kaleden

Legal Description (e.g. Lot, Plan No. and District Lot):

Lot 1, Plan EPP109600, District Lot 105S, SDYD

Current land use: no structures or utilities, recent removal/demolition of a modular home and concrete slabs

Surrounding land uses: East is Skaha Lake, north and south are single family residences, west are vacant lots (KVR trail?).

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.

Zoning Bylaw: No. 2800 (2022)

16.2.5 (RS2 Minimum Setbacks)

Section No.:

Current regulation: Front Parcel Setback 7.5m to a building

Proposed variance: Front Parcel Setback 4.52m to a building

Section No.:

Current regulation:

Proposed variance:

DEVELOPMENT INFORMATION:

Please provide a general description of the proposed development:
(e.g. "to allow for an addition over an existing garage")

A 260m² house/garage is proposed on this vacant 790m² lakeshore lot. This property is subject to the Riparian Areas Protection Regulation and a candidate for undue hardship allowances of 40% development. The Province requires that variances to setbacks are sought to maximize the conservation of the riparian area.

A Riparian Assessment was submitted to the Province with parcel setbacks and it was rejected. The Province has asked that variances to setbacks be sought.

SUPPORTING RATIONALE:

When considering a variance request, Regional District staff will *generally* assess the proposal against the following criteria:

- *is the proposed variance consistent with the general purpose and intent of the zone?*
- *is the proposed variance addressing a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.)?*
- *is strict compliance with the zoning regulation unreasonable or un-necessary?*
- *will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?*

A request to change a zoning regulation should only be considered as a last resort to a design challenge. Please explain how the requested variance(s) meet the assessment criteria listed above:

The Electoral Area "I" OCP Section 24.4.6 states that "The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.

This property is subject to undue hardship calculations since the riparian setback covers 750m² of this 790m² property. As the site is 'brownfield', 40% of the property is allowed to be developed.

However, the Province requires that development is set back as far as possible from the lake and requires owners to seek relaxation of parcel line setbacks to achieve this.

Nearby properties along Alder Ave appear to have structures that are also approximately 4.5m from the front parcel line.