

PROPERTY DESCRIPTION:

Civic address: **3909 Summers Creek Road**

Legal Description

Lot: **15** Plan: **Kap28645** Block: District Lot: **DL1909 4522** Section: Township:

Current Zoning: **RS1** OCP designation:

Current land use:
Recreational Homes and accessory structures

Surrounding land uses:
Recreational Homes and accessory structures

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):
We started construction of a shelter for our boat, but have been advised by the building inspector of front line setback variance, thus applying for the variance in this application .

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.): Electoral Area 'H' Zoning Bylaw No. 2464, 2008 Section: 12.1.5

Proposed variance: To reduce front setback from 7.5 Metres to 5.1 Metres

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

Proposed variance: _____

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 road allowance in front of our lot is quite wide, thus the actual SummersCreek Road bed is over 13 metres from the front of our boat shelter. Thus the visual ascetic is maintained as per the intention of the bylaw.

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

Our side yard setbacks to the boat shelter are 10 metres and 11.7 meters, thus not infringing on the side neighbours.

The adjacent lots and across the road are all in the 3/4 acre size range, thus allowing large spaces between all structures.

The property (205 Missezula Lake Road) across the road from our lot has a 2 storey garage on Summers Creek Road within the 7.5 Metre rear set back at about 2 metres. (see attached photo)

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 variance request is our attempt to compromise several factors on our lot. Most of our lot is on a steep hill, so not suitable for a boat shelter. We have a Fortis easement along one side and a driveway on the other. There is a septic field and mature Aspen behind the new structure, thus trying to give a wide berth.

photos attached to application

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:

Given the factors in #3 above, we could have located the shelter along the front on our lot in a wider zone, but wished to place adjacent to the existing driveway, thus leaving the remainder of our front yard in its natural vegetation state.

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:

per above note, the proposed location requires a relaxation of the front setback, but keeps the rest of the yard with its vegetation.

REQUIRED DOCUMENTATION:

All plans and drawings referred to in this section should be submitted with one full scale and one reduced (11 x 17) copy suitable for black and white reproduction. When possible, Adobe PDF versions should also be included.

Certificate of Title – to provide proof of ownership, copies of titles should be dated no more than 30 days prior to the date of application. Copies of titles are available from the Land Titles Office, or through a Government Agent’s Office, a notary, lawyer or search company. RDOS to obtain

Location Map – showing the area in which the subject property is situated.

Site Plan – drawn to scale and showing dimensions, shall include the following (as applicable):

- North arrow and scale;
- Dimensions and boundaries of property lines, rights-of-way, and easements;
- Location and dimensions of existing structures and setbacks (including projections and overhangs) to parcel lines, rights-of-ways, easements;
- Location of existing access roads, driveways, vehicle parking spaces, pathways, screening and fencing;
- Natural & finished grades of site, at buildings & retaining walls (indicate source of grade data)
- Location of any physical or topographical constraints (such as watercourses, shorelines, ravines, wetlands, steep slopes, bedrock outcrops, etc...);
- Location of all existing water lines, wells, septic fields, sanitary sewer & storm drain facilities, including sizes; and
- Existing covenant areas (if applicable).

Development Plan - shall be drawn to scale and indicate the following:

- detailed drawings of the proposed development, including building sections, elevations, finishes, floor plans, landscaping, access roads, driveways, vehicle parking spaces, pathways, and screening and fencing proposed for the site;

NA a project summary sheet outlining density and number of dwelling units, site coverage, heights, setbacks, and other relevant data; and

- location and width of proposed access(es) to the property, driveways, manoeuvring aisles and parking layout.

Site Survey - If the proposed development involves a variance to the siting or building envelope of a structure a current BC Land Surveyor’s survey certificate (in metric) shall be required. This may be combined with the requirements for a **Site Plan**, where appropriate.

Landscape Plan – where applicable, the Landscape Plan shall be drawn to scale and shall show existing and proposed landscaping and to include an estimate of the cost of landscaping, provided by a Landscape Architect or qualified professional. This estimate will be used to determine the amount of any security required. NA

Additional material or more detailed information may be requested by the Regional District upon reviewing the application.

DECLARATION:

I, the undersigned, hereby certify that the information provided with respect to this application is full and complete and is, to the best of my knowledge, a true statement of the facts related to this application.

Peter and Lorna Tomlinson
Signature of Owner or Authorized Agent

June 5, 2020
Date

Peter and Lorna Tomlinson
Print name of Owner or Authorized Agent