

PROPERTY DESCRIPTION:

Civic address:

120 5th St

Legal Description

Lot: A

Plan: KAP13 Block: 9

District Lot:

Section:

Township:

Current Zoning: RS1

OCP designation:

Current land use:

Residential

Surrounding land uses:

Residential

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:

(5th Street)

☒ 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):

Install 7ft high retaining wall (for safety purposes) along 5th Street and east lane. Scope of work includes installation of concrete pool on northeast corner of property

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.): 2457

Section: 11.1.6 (a)(i)

Proposed variance: Vary setback for a pool from 7.5m to 1.37m

2. Bylaw (Include No.): 2457

Section: 7.30.4(a)

Proposed variance: Vary height for retaining wall from 1.2m to 2.14m (7ft)

3. Bylaw (Include No.): 2457

Section: 7.8.1

Proposed Variance: Fence Exceeding 1.2 m in front setback

4. Bylaw (Include No.): 2457

Section: 7.30.4 (B)

Proposed Variance: Retaining Wall within 4.5 m from corner of site

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 design works in the limited space of the property, yet takes into consideration the neighbouring house site lines as well as the roadway appearance. This proposal not only greatly improves the character of the home and property but the street scape as well with the presence of architectural custom block walls, negative lighting and street art installations.

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

Retaining wall will maintain privacy and safety for the public and the home owner. Pool location is limited by appropriate land available for pool construction

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:

Pool location has been determined by the location of the existing house (limited backyard). The elevated retaining walls on front and alley side lead to improved security & public safety

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:

Pool can only be located in the front of property due to minimal space in back of property. Site safety and security is also influenced by the proposed minimal increase in height.

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 low profile of the pool and adding both privacy screening and greenery elements to the design keep with the spirit of the original bylaw to limit much taller and intrusive structures from being built