

**PROPERTY DESCRIPTION:**

Civic address: 6771 Indian Rock Road, Naramata, BC V0H 1N1

Legal Description

Lot: 19 Plan: 13417 Block: \_\_\_\_\_ District Lot: 212 Section: \_\_\_\_\_ Township: \_\_\_\_\_

Current Zoning: RS3 Low Density Residential OCP designation: LR

Current land use:

Residential - Low Density

Surrounding land uses:

Low Density 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 <sup>Partly</sup>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):

See attached dock drawing/diagram

**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.): \_\_\_\_\_ Section: \_\_\_\_\_

Proposed variance: 5m setback of dock from south property line reduced to 2.1 m.

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:

This requested variance proposes to replace the existing dock with a new dock in essentially the same location, with the proposed set back from the property line being 2.1 metres instead of 5 metres. As such it is a relatively small variance from the bylaw and does not defeat the intent of the bylaw or significantly depart from the planning principle or objective intended by the bylaw.

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

I do not believe that the proposed new dock in the same location as the existing dock represents any adverse affect on adjacent or nearby properties or public lands. The plan has been approved by the owner of the closest property (to the south), owned by Florence Davenport. Please see Ms. Davenport's letter of support dated August 10th, 2021 as attached to this application. Furthermore, the Navigation Protection Program of Transport Canada has approved this plan. Please see their 'approval' letter dated Dec 20th, 2021 as attached to this application.

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:

To the north (opposite) side of the property, a concrete flume discharges water into the Okanagan Lake. To assess any potential impact on the associated delta, Paul Glen of Rock Glen Consulting provided a "New Dock Hydrotechnical Report" that stated that "the existing dock piles have a negligible effect on currents and sediment movement and accumulation patterns." Please see his 2020 report as attached to this application. Furthermore, Yi Li, the Assistant Water Manager of the Provincial Ministry of FLNRORD stated that having the dock stay at the existing position (as compared to situating it further north which would be required to meet the 5 metre setback) may further reduce any potential impact on the delta. See attached documentation.

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:

Please see the above comments.

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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:

Please see the above comments, with particular reference to the findings of the Engineering firm Rock Glen Consulting "New Dock Hydrotechnical Report" of 2020 as attached to this application.

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