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January 26, 2026

Attn: Regional District Okanagan Similkameen (RDOS) Development Services Department  
Re: DEVELOPMENT VARIANCE APPLICATION FOR BUILDING SETBACK RELAXATION AT  
4535 MILL ROAD, NARAMATA BC. LOT 21, PLAN KAP3889, DISTRICT LOT 211, SDYD

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

We are proposing to vary the building setback requirements as required in Zoning Bylaw 2800, 2022. Specifically, we are requesting a setback reduction to Section 16.1.5.a) (i) Front setback from 6.0m to 1.98m (6'-6"). The setback relaxation will allow for the construction of a proposed single family dwelling on site.

We note that this property currently has an approved development variance permit to reduce the front setback from 6.0m to 1.98m and the rear setback from 6.0m to 4.01m. This application was approved by the RDOS Board in April of 2024.

From that time, we have had many discussions with Provincial staff, through our QEP, regarding our proposed plans and request for Hardship approval. The outcome of those discussions required revisions to the floor plans which changed the dwelling footprint and general layout of the development.

Generally speaking, the dwelling footprint was reduced from 42'x24' to 50'x20. Within this new footprint is an attached carport with living space above and overall, the total living area was reduced from 1691sq.ft to 1564sq.ft.

With the changes to the dwelling footprint we are now only requesting a variance to the front setback as the rear setback is in compliance with the zoning bylaw. To be clear, the proposed front setback of 1.98m is the same distance approved by the RDOS board in April 2024.

This application is essentially requesting an amendment or an update to the current development variance permit. We understand that new approval is required due to these changes in the dwelling design. This new approval will grant us additional time to submit and obtain permits for the additional applications, and ultimately the building permit, to construct the dwelling.

Please see below for supporting comments and additional information for this proposed development.

- 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. They also created a Hardship clause at this time to rectify the issue of existing parcels being 'Orphaned' and deemed unbuildable, as at times the 30m setback cannot be reduced enough by a QEP to allow for new construction. Under this Hardship clause, relaxation to the riparian setback would allow 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. 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 the property line.
- Riparian Areas Protection Regulation (RAPR) report requesting Hardship status has been approved by the province.
- Proposed main floor footprint is 50'x20'. Of that 1000sq.ft., 564sq.ft is proposed living area, 76sq.ft. Is a covered deck and 360sq.ft. Is for the carport.
- Proposed Top floor area 1000sq.ft. 360sq.ft of living above the carport.
- Total Proposed dwelling living area 1564sq.ft.
- Two parking stalls are located on site within the carport.
- Proposed height from Mill Rd, 7.58m (24'-10.25") Max height allowed is 10.0m
- Proposed Lot coverage is 29.67%. Max allowed 50%
- Septic disposal by Holding tank was approved by the RDOS Board December 2025.
- 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'.

Typically, we would not have proposed placing the primary structure this close to the front property line. Despite that, we feel strongly that our proposal is acceptable and not out of place based on the following factors:

- The shape of the lot
- Distance to the end of the road
- Approved MoTI setback permit
- Approved septic holding tanks
- Parcel serviced with water/power
- Many examples of existing dwellings close to the lake and Mill Road

Along Mill Road and 1st Street there are many examples of existing dwellings and structures that are situated close to the road and 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 roughly 640m from the end of Mill Road, with approximately 15 properties accessing Mill Road beyond this site.

Within this small but functional dwelling are three bedrooms, an office, and three baths. We have proposed an aesthetically pleasing, craftsman style design that will blend in and complement the existing landscape of the neighborhood.

Thank you for your consideration in this matter.

Jeff Gagnon

250-770-1585

607 Schneider Rd Keremeos BC, V0X 1N5

Jpmdraftinganddesign@gmail.com