



August 14, 2024

Colin Martin, RDOS Planning Technician
Via email: cmartin@rdos.bc.ca; planning@rdos.bc.ca

**RE: Letter of Support for Variance Application
Variance to RDOS Area H Zoning Bylaw No. 3065, 2024
1245 Baker Hill Road, Princeton
RDOS File: H2022.014-SUB, MoTI File: MOTI 2022-05370**

AllTerra Land Surveying Ltd is acting as agent for Sandra Dixon in the boundary adjustment between Lot A Plan KAP92425 and District Lot 1192.

The properties are located on Baker Hill Road, off the Princeton-Summerland Road approximately 15km north east of Princeton.

These properties fall within the Agricultural Land Reserve and are actively used for agricultural purposes. The ranch house is located on DL1192 and has water rights to Christian Creek, Hayes Creek, and Red Creek. The water from Christian Creek feeds the irrigation pond that has been developed which in turn irrigates the hayfield to the south (visible in the aerial photo overlay attached to this package). Lot A is currently dryland grazing (non-irrigated) and forested areas. Lot A does not benefit from water rights from Christian Creek, and removing the boundary between Lot A and DL 1192 will allow for continued grazing with the benefit of seasonal ponds within the same parcel.

Proposed Lot 1 will create a parcel of 48.3 ha in the south west corner of the properties, and Proposed Lot 2 will consolidate the farming operations as noted above to a parcel of 102ha.

These lots fall within the Regional District of Okanagan Similkameen and are zoned AG3 with a minimum parcel size of 20ha.

Prior to this survey, District Lot 1192 had not been surveyed since the time of the original grant from the Crown in 1905. As a result, there were several survey items to be addressed, including road dedication of a long section of Baker Hill Road, and surveying of the Crown Creeks.

Specifically, this variance application is meant to resolve challenges arising from the stipulated survey requirements associated with the road dedication.

Variance Request: Setbacks to Buildings

The Ministry of Transportation requested a significant dedication of Baker Hill Road, which runs very close to the structures on proposed Lot 2. We were able to design the road dedication in such a way as to keep the structures themselves from encroaching into the road, but it was not possible to dedicate the road in the travelled location and maintain the zoning setbacks. Specifically, we request variances to Section 13.1.5(a)(iv) for the main house and sheds to vary the exterior side yard setback from 7.5m to 1.5m and Section 13.1.5(d)(iv) for the greenhouse and barns to vary the exterior side yard from 15.0m to 1.05m. It is critical to note these are existing structures that have been in place for many years, and the variance is now a necessity as the result of the road dedication and placement of the new property boundary with the road. Please refer to the Attached PDF named 122106-CO_digitally signed.



In direct response to the questions on the Development Variance Application:

Is the proposed variance consistent with the general purpose and intent of the zone.

The desire to have appropriate setbacks between structures and property lines is understood. However, in this case the travelled road "is where it is" and so there is only so much flexibility when designing the road dedication. The structures on this property have existed for many years, and no new structures are proposed. The variance is strictly to allow this application to move forward to conclusion.

Is the proposed variance addressing a physical or legal constraint associated with the site.

Yes, this variance addresses a technical inability to meet the requirements of the zoning bylaws as a result of the physical position of the road and long-standing structures on the property.

Is strict compliance with the zoning regulation unreasonable or un-necessary?

Strict compliance with the zoning regulation is not possible. The variances are required for existing buildings that have been in place for many years and not a result of proposed future development.

Will the proposed variance unduly impact the character of the streetscape or surrounding neighborhood?

As there is no change proposed to the current use, we do not believe there is any adverse impact to nearby properties of the streetscape. Baker Hill Road is not a through road and so traffic in this section is very limited.

Please contact me with any questions or comments.

Sincerely,

A handwritten signature in blue ink that reads "Bronwyn D. Denton".

Bronwyn D. Denton, BCLS