

PROPERTY DESCRIPTION:	
Civic address 5411 31st Osoyoos B C	
Legal Description	
Lot: 24	Plan: KAP4351 Block: District Lot: 43 223 Section: SDYD Township: Osoyoos
Current Zoning: AG1	OCP designation: AG
Current land use: Residential	
Surrounding land uses: Residential and Agriculture	
Current method of sewerage disposal:	<input type="checkbox"/> Community Sewer <input checked="" type="checkbox"/> Septic Tank <input type="checkbox"/> Other
Current method of water supply:	<input type="checkbox"/> Community Water <input type="checkbox"/> Well <input checked="" type="checkbox"/> Other
Any restrictive covenants registered on the subject property:	<input type="checkbox"/> Yes (if yes, provide details) <input checked="" type="checkbox"/> No
Any registered easements or rights-of-ways over the subject property:	<input type="checkbox"/> Yes (if yes, provide details) <input checked="" type="checkbox"/> No
Does the subject property possess a legal road access:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if no, provide details)
Agricultural Land Reserve:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Riparian Area:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Environmentally Sensitive:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
MoT Approval:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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): Retaining wall.

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.): <u>2800</u> Section: <u>6.12.4</u> Proposed variance: <u>Hight of retaining wall from 1.2 meters to 2.74 meters.</u>
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:

Redi rock wall, visually pleasing and not ugly, on the west side of the house

Not blocking any views or change of the natural lay of the land. Built for a safe walk out from the side door.

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

The retaining wall does not affect any adjacent property or public lands, it is well with in our lot and away from set backs. My family is the land owners on the one Property line that we share and my sister is my other neighbour that will see the wall.

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 retaining wall was the only solution to provide a safe walk out from the door of the master suite. It also was a must to provide safe windows in the basment living room for the safest exit in an emergency, rather than a window well.

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:

This meets the criteria because if the land was left with the existing slope it would cause more natural erosion and potential damage to the structure over the years. And with no safe exit point from the Master bedroom door.

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 retaining wall supports the natural land characteristics by tapering down on the west side following the natural slope. It is also lower than the previous land hight prior to excavating the site for the house to the final grade.