

573 Johnson Crescent BP No 23192 Variance Supporting Rationale

1. Complying with the SH3 minimum setback requirements *15.3.6i* of 7.5m from the front parcel line clashes with the existing septic drain field serving our house. This condition was unknown until we received our building permit (No. 23192) and commenced the excavation, since we had no "as-built" documentation or prior knowledge of the extent of our existing septic drain field. Any damage to the septic drain field would compromise the proper function of the septic sewage disposal system serving our house. Shifting the siting of the garage as per the attached BC Land surveyor's certified drawing is necessary to avoid the clash with and damage to the existing septic field. This adjusted siting for the garage would result in shortened setback distances of 5.05m and 4.14m between the NW and SW corners of the garage and the curved West property line along the public road (Johnson Crescent).
2. Other than the relaxation of the minimum setback requirements from the front parcel line as described in point 1 above for the already issued building permit, the appealed variance does not impact or deviate from any additional requirements outlined in the applicable RDOS Zoning Bylaw for SH3.
3. The appealed variance would not adversely affect the natural environment. In fact, the original as well as this adjusted siting for the garage were selected with this in mind. In particular, the selected siting is as close as possible to the entrance of the property in an area that was formerly a garden patch to minimize the need for an extended driveway and unnecessary encroachment on the natural environment. The entire property is within the designated environmentally protected area and most of the property to the south and east of the house remains in its natural state with indigenous grassland and ponderosa pine trees. Prior to applying for and receiving our building permit we commissioned Rapid Environmental Assessment based on which we received the ESDP (RDOS File C2022.020-ESDP).
4. The appealed variance would not affect the use and enjoyment of adjacent land. The proposed siting of the garage is along the property line fronting a public road (Johnson Crescent). The houses of our two direct neighbours across Johnson Crescent and the house of our third direct neighbour on the South are each approximately 80 m away. None of them has a direct line of sight to the proposed garage site due to rows of trees along the Johnson Crescent for the two neighbours across the street, and due to a steep hill largely obstructing the view from our direct neighbour on the South. On the North, the property borders the community owned Willowbrook Parkland with Kearns Creek approximately 30 m away. This side has no dwellings or any other permanent structures.
5. By retaining and complying with all of the remaining requirements of the building permit (No. 23192) the appealed variance does not vary in any way the permitted uses or densities on the property, and it does not defeat the intent of the bylaw.