

**PROPERTY DESCRIPTION:**

Civic address: 2735 GREEN LAKE ROAD

Legal Description (e.g. Lot, Plan No. and District Lot):  
LOT B, PLAN KAP53159, DISTRICT LOT 5595

Current land use: Agriculture, Winery, Agri-Tourism

Surrounding land uses: NATURAL MOUNTAIN LANDSCAPE

**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.

Zoning Bylaw:

Section No.: 7.29 (4)

Current regulation: NUMBER OF AGRICULTURE ACCOMMODATIONS SLEEPING UNITS PERMITTED ON OUR PARCEL IS 10 (BUT CONTAINED UNDER ONE ROOF).

Proposed variance: WE ARE REQUESTING A VARIANCE ON THE REQUIREMENT TO BE UNDER ONE ROOF. OUR ECO-TENTHOUSES ARE INDIVIDUAL UNITS THAT MEET ALL OTHER REQUIREMENTS.

Section No.:

Current regulation:

Proposed variance:

**DEVELOPMENT INFORMATION:**

Please provide a general description of the proposed development: (e.g. "to allow for an addition over an existing garage")

WE CURRENTLY HAVE A BUILDING PERMIT #23282 FOR ONE TENTHOUSE, BUT WE HAD APPLIED TO DEVELOP TWO ON THE PROPERTY AT THIS TIME. THESE ARE ECO-FRIENDLY ACCOMMODATIONS DESIGNED TO SUPPORT AGRICULTURE IN THE OKANAGAN FALLS AREA, WHICH IS DESPERATELY SHORT OF LUXURY OVERNIGHT ACCOMMODATIONS.

### SUPPORTING RATIONALE:

When considering a variance request, Regional District staff will generally assess the proposal against the following criteria:

- is the proposed variance consistent with the general purpose and intent of the zone?
- is the proposed variance addressing a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.)?
- is strict compliance with the zoning regulation unreasonable or un-necessary?
- will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?

A request to change a zoning regulation should only be considered as a last resort to a design challenge. Please explain how the requested variance(s) meet the assessment criteria listed above:

- ① THE PROPOSED VARIANCE IS CONSISTENT WITH THE PURPOSE AND INTENT OF OUR ZONING, WHILE PROMOTING AN AUTHENTIC AGRI-TOURISM EXPERIENCE.
- ② THIS VARIANCE WILL ALLOW FOR THE ECO-TENTHOUSES TO MAINTAIN THE PHYSICAL ORIENTATION NESTLED ON THE MOUNTAIN, IMMERSSED IN THE NATURAL SURROUNDINGS WITH MINIMAL DISRUPTION TO THE SURROUNDING LANDSCAPE.
- ③ THE VARIANCE REQUESTED DOES NOT IMPACT THE CHARACTER OF THE SURROUNDING AREA. IN FACT, IT ONLY ENHANCES IT, WHILE ALLOWING VISITORS TO ACCESS AN AGRICULTURAL OPERATION AND THE NATURAL SURROUNDINGS. AN EXPERIENCE AT NIGHTHAWK VINEYARDS WILL SERVE TO PROMOTE ENVIRONMENTAL STEWARDSHIP, AND APPRECIATION FOR THE TERROIR OF THE GREEN LAKE VALLEY.