

PROPERTY DESCRIPTION:

Civic address: 577 HODY DRIVE, OKANAGAN FALLS B.C.

Legal Description (e.g. Lot, Plan No. and District Lot):

LOT A, DISTRICT LOT 337, SDYD, PLAN 11597

Current land use:

LR - LOW DENSITY RESIDENTIAL

Surrounding land uses: NORTH - LR SOUTH - LR

EAST - AG WEST - LR AND MR

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: 2800, 2022

Section No.: 16.2.5 (ii)

Current regulation: REAR PARCEL LINE IS 7.5m

Proposed variance: EXISTING DWELLING IS 1.72m

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")

SUBDIVIDING LOT A, AS MENTIONED ABOVE, INTO 2 SEPERATE PARCELS. RDOS FILE NO. D2022.015-SUB

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:

THE REQUEST TO CHANGE ZONING REGULATION IS TO ADDRESS THE PHYSICAL CONSTRAINT OF THE EXISTING HOUSE LOCATED ON PROPOSED LOT B. WHEN THE HOUSE WAS CONSTRUCTED THE SETBACK TO THE NORTH PROPERTY LINE WAS 1.5m AS AN INTERIOR LINE. THE PROPOSED SUBDIVISION WILL BE CONSIDERING THE SAME NORTH PROPERTY LINE TO BE THE REAR SETBACK OF 7.5m. THIS NEW REAR SETBACK DISTANCE REQUIRES VARIANCE. THIS CHANGE IN ZONING WILL NOT NEGATIVELY IMPACT THE NEIGHBOURHOOD BECAUSE ITS AN EXISTING HOUSE. THIS ZONING REQUEST CHANGE IS CONSISTANT WITH THE GENERAL INTENT OF THE ZONE BECAUSE IT IS ONLY ONE DISTANCE IN NON-COMPLIANCE. SEE ATTACHED VARIANCE DRAWING.