

PROPERTY DESCRIPTION:	
Civic address:	245 Alder Ave Kaleden BC
Legal Description (e.g. Lot, Plan No. and District Lot):	LOT 4, PLAN EPP74523, DISTRICT LOT 105S, SIMILKAMEEN DIVISION OF YALE LAND DISTRICT
Current land use:	Bareland
Surrounding land uses:	Residential

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.	
<u>Zoning Bylaw:</u>	2800,2022
<u>Section No.:</u>	16.2.5(a)(i)
<u>Current regulation:</u>	a) the minimum front parcel line setback for a principal building in the Low Density Residential Two (RS2) Zone, i) 7.5 metres
<u>Proposed variance:</u>	Increase eave projection into front set back by 1.71 m. This would reduce the frontyard setback from 7.5 m to 5.79 m (as approved under previous file no.: 12022.024 DVP)
<u>Section No.:</u>	
<u>Current regulation:</u>	
<u>Proposed variance:</u>	

DEVELOPMENT INFORMATION:
<p>Please provide a general description of the proposed development: (e.g. "to allow for an addition over an existing garage")</p> <p>This application is to replace expired File No.:12022.024 DVP, expiry date was July 7 2024. The expired DVP states "if the holder of this permit does not substantially start any construction with respect to which the permit was issued within 2 years after the date it was issued, the permit lapses". Construction could not begin without a building permit and a building permit was not applied for without a signed contract and a sign contract was based on a budget and approved financing which revolved around discussions with the Geo-technical Engineer and Structural Engineer regarding ground preparation. After numerous geo-technical draft reports a sign/stamped copy was issued July 18 2024, after the DVP expired.</p> <p>We are looking to simply reinstate the existing file no.: 12022.024 DVP so we can apply for a building permit.</p>

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?*
The rest of the house meets the bylaw. The eave extension is for sun shading and for architectural intent.
- *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.)?*
The buildable area for the site is confined by the slope restriction to the rear, and the septic field to the South. To take advantage of the views to the lake, and to enhance the front elevation, the garage was positioned to the rear, which required the driveway along the North property line. Because of the need for shading the upper deck, a variance is requested for the eave to project further to retain the architectural intent of the design.
- *is strict compliance with the zoning regulation unreasonable or un-necessary?*
This is the best solution as there is only an eave extension, and not a building footprint extension.
- *will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?*
The proposed eave extension is centered on the property and does not present shading issues for the property to the North. There are no adverse conditions to the adjacent properties or streetscape.

This Development Variance Permit application is submitted to reflect the RDOS' Development Variance Permit application process required when an existing Development Variance Permit expires.