

PROPERTY DESCRIPTION:

Civic address: 177 Clearview Crescent, Apex, BC V0X 1K0

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

Lot 2, District Lot 395S, Plan KAP65691

Current land use:

Vacant Lot - RD2 - Low Density Residential Apex Duplex Zone

Surrounding land uses:

RD2 - 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.

Zoning Bylaw: 16.7.5

Section No.: a) i

Current regulation: Front Parcel Line Setback - 7.5m

Proposed variance: Front Parcel Line Setback - 5.2m - Roof Overhang, closest point to property line

Section No.: a) ii

Current regulation: Rear Parcel Line Setback - 7.5m

Proposed variance: Rear Parcel Line Setback - 1.2m - Rear Entry Roof Overhang, closest point to property line

DEVELOPMENT INFORMATION:

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

Construction of a new duplex on a vacant lot

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:

We are requesting a development variance on the premise that our specific building lot and surrounding development does not require strict compliance to the currently required setbacks for our specific zoning bylaw. It does not appear that the majority of neighboring properties are in compliance to the current setback requirements, with no negative impact on the surrounding properties. The structure as currently designed will be set back into a small hillside following the current natural slope of the property and will not interfere with or negatively impact the neighboring properties. There is an access road directly behind our property that we believe would not be affected by a variance in the rear setback, and the front currently has an adequate amount of space to meet the general purpose and intent of the bylaw with a 6.0m instead of a 7.5m setback.

In 2024, the property was rezoned from a triplex to a duplex lot. As currently designed, our duplex fits within the setbacks required for a triplex (6.0m front and 3.0m rear) but when we had the property rezoned to RD2 the setbacks were changed to 7.5m front and 7.5m rear. The parcel has a maximum coverage bylaw of 45%, and the proposed building design currently has a parcel coverage of 42%.

The current design also meets the parking and snow storage requirements for the parcel, with extra room available for both if necessary.