

**Variance Application Summary****Purpose**

To obtain a variance allowing 54 additional sq ft over the current allowable square footage for an existing newly built structure so it complies with the new regulations of the recent rezoning to allow the new building to be used as a carriage house.

History

The subject building is a newly constructed building that was originally designated to be used as a workshop and recreation space. It has been built according to plans submitted and approved by City staff and all necessary inspections and approvals over the course of construction to date have been obtained. During the course of construction, discussions with City staff made us aware that we could apply for a rezoning to allow the building to be converted to a carriage house. We worked with City staff on the rezoning process and the rezoning application was approved by Council on January 17th, 2023. As a result of the rezoning and change of use to a carriage house, the existing newly built structure exceeds the new regulations by 54 sq ft.

Community Input Regarding the Structure

There was a process for community input during the rezoning process and presentations made to council by neighbours and ourselves to council and as there are records of that input already with the City I will not reiterate them here but by way of summary the overwhelming majority of the neighbours had no objection to the rezoning. During this process, however we did become aware of the concerns of one neighbour next to us who opposed the rezoning and our understanding is this neighbour may also be opposed to the variance request.

Addressing Potential Opposition to the Variance

Our understanding is the neighbour that may be opposed to the variance is opposed on the basis of the structure causing impediment to their privacy and enjoyment of their property by virtue of the balcony structure that faces their backyard. To provide Council and Staff with the best understanding possible of the concerns we have attached numerous photos showing the impact of our structure on their privacy which we consider to be very minimal. We have also attached photographs of an existing home recently built behind our property and the neighbours property to show the impact on both properties which is significantly greater than the impact from our new building. We have lived in our current home for 25 plus years and want to continue to be good neighbours and be cognizant of the impact of our actions on our neighbours. With this in mind, should the variance be granted, we could address the neighbours potential concern by installing additional privacy screening on a section of the balcony area of the new structure and would be prepared to do so.

January 23, 2023

Re: Development Variance Permit Request for 5428 Tanager Court Carriage House

To Whom it May Concern: A Summary of Applicant's Supportive Rationale for Variance Allowance

We ask that you kindly consider all points and photographs listed below in support of our very reasonable request for a development variance permit.

1. Please refer to photo 1A. This picture shows the small balcony facing west on the existing carriage house. Measures 5'x9' and has mostly enclosed sides except for one small triangular opening on each side. Note that the balcony is recessed.

2. Please refer to photo 2A. This one of the side walls of the balcony that shows the small triangular opening mentioned in point 1. Measurements of the openings have been noted directly on the photo (36" x 36"). This photo looks south toward the roughly 8000 square foot home under construction at 280 Stellar Court that looms behind both our lot and our neighbours lot to the west (Botha residence).

3. Please refer to photo 3A. This photo is taken right at the sidewall opening on the right of the balcony (southwest facing) and demonstrates what we would see of the direct neighbors home to the west of us (Botha residence) if we were peering right at it. Its important to remember that this view is what can be seen during winter months with less foliage present. In the spring, summer and fall months, however, we see almost nothing over there as it is covered with well established dense trees and vines to provide great privacy.

4. Please refer to photo 4A. This photo was taken from the small balcony of the carriage house, facing west. We see some trees located at the less used, sloped section of the yard at the rear of the Botha's property line. Then, if you look to the left side of the photo please note that it shows the neighbour's rear property line with only chain link fencing, allowing for very unobstructed views of each others properties.

5. Please refer again to photo 1A. Shows the door that leads out to the balcony. This will serve as an essential fire exit from the upper floor. It is a safety feature of the

building that would not make sense to get rid of and would actually increase hazard risk.

6. Please now refer to photo #1. This photos shows the clear current view of the rear of house and back yard of 5427 Tanager Court (Botha residence) as seen from behind the chain link fencing of the home under construction at 280 Stellar Court.

7. Please refer to photo #2. This photo taken from the carriage house balcony, looks at the neighboring house under construction to the south of our property and our direct neighbours (Botha residence). Here you can see 6 windows all facing directly at the rear of 5427 Tanager Court. The views from each of the 6 windows may very well be similar to that shown in photo #1 (and also look into our back yard and windows at the rear of our home). Please also notice fence lines and fence types utilized (obstructive fencing as we have consructed, versus transparent chain link fencing used by the neighbouring propery owners).

8. Please refer to photo #3. This is another photo taken from the carriage house balcony looking to the neighbouring property to the south that includes a clearer view of both a lower patio and upper deck on the west side of the home under construction (280 Stellar Court) that also look over the rear of the propery and house at 5427 Tanager Court. The upper deck measures approximately 12' deep and has a very large window facing north (again toward the rear of 5427 Tanager Court).

9. We respectfully request the area variance be permitted with regard to the consideration a hardship that would exist if not granted. This is based on the fact that our building development went through several different stages along the way, but were always done with full regard and in complaince with city bylaws and processes. The building development at 5428 Tanager Court had 2 previous permits approved by the city and passed with the allowance of the structure as is. While the original plan was for accesory building, the area allowance for a carriage house was not considered at the time and so now that the zoning has been approved for carriage house, the existing constructed building is approximately 6 meters square over the area allowance. We ask you to please consider the circumstances here and allow for the minor variance for the structure.

***Many of the above points address the concerns regarding privacy but our photos and rationale show proof that there is no invasion of privacy. We appreciate privacy as well but also realize that we live in a suburban neighbourhood with neighbours all around. When we too initially made our forever home here 35 years ago, there were few homes around and, over the years, we have watched it grow around us. We have previously maintained healthy and friendly relationships with all of the previous direct

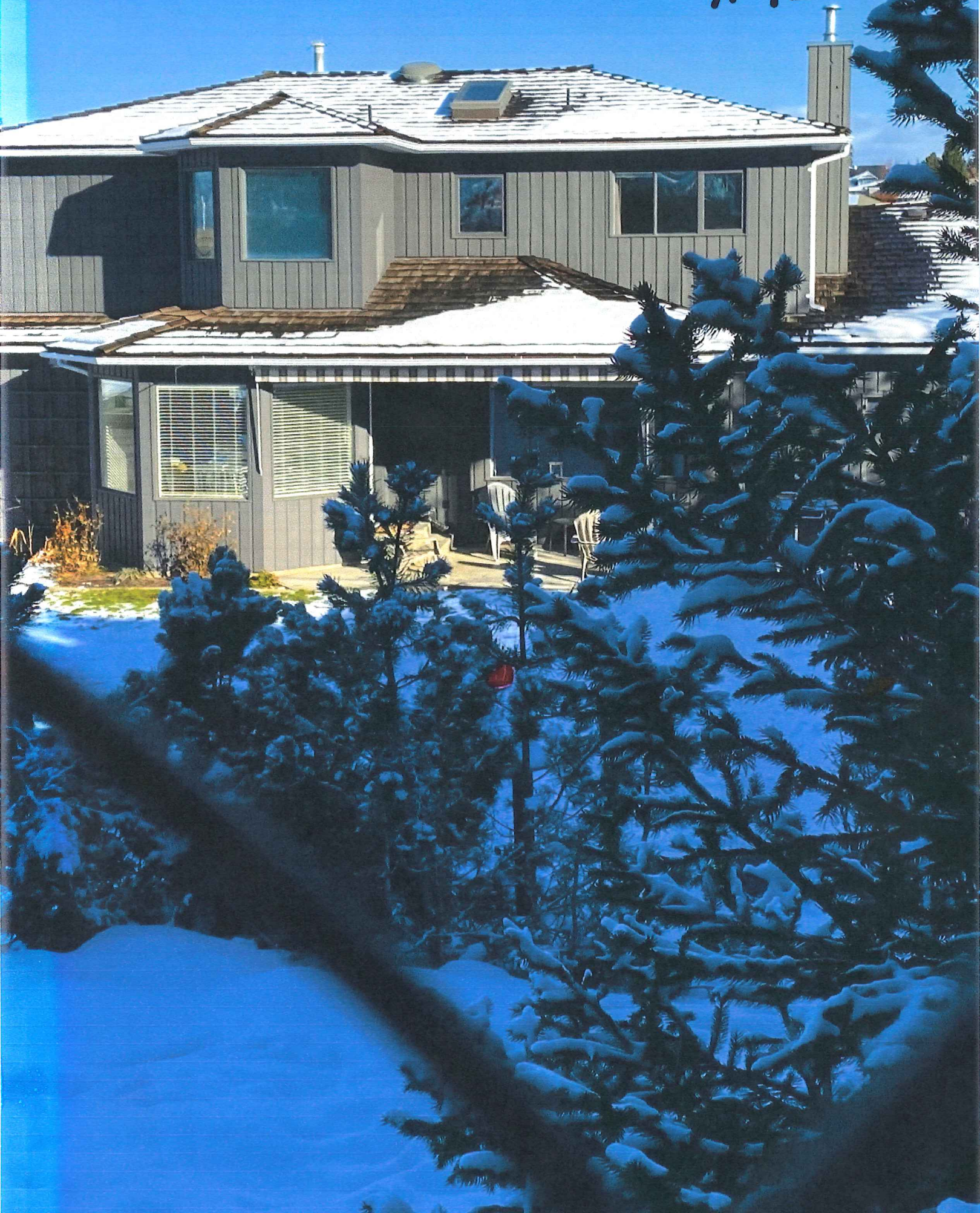
neighbours that have lived at 5427 Tanager Court.

*****AS A GESTURE OF GOOD WILL, WE WOULD BE WILLING TO INSTALL SOME LATTICE OR SCREENING TO THE EXISTING BALCONY SIDE WALL OPENINGS TO FURTHER ADDRESS PRIVACY CONCERNS.**

Sincerely,

Dianne and George Kamoschinski.

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#1A

POORING

#23



← My Fence

#2A

3 1/8"

3 1/8"

HomeWra

HomeWra



3



Deck

Patio

3A



4A

