

PROPERTY DESCRIPTION:			
Civic address: <u>5535 Highway 97 Oliver, BC</u>			
Legal Description			
Lot: <u>158</u>	Plan: <u>KAP1728</u>	Block:	District Lot: <u>24505</u> Section: Township:
Current Zoning: <u>AG 1</u>		OCP designation:	
Current land use: <u>AGRICULTURE</u>			
Surrounding land uses: <u>AGRICULTURE</u>			
Current method of sewerage disposal: <input type="checkbox"/> Community Sewer <input checked="" type="checkbox"/> Septic Tank <input type="checkbox"/> Other			
Current method of water supply: <input checked="" type="checkbox"/> Community Water <input type="checkbox"/> Well <input type="checkbox"/> Other			
Any restrictive covenants registered on the subject property: <input type="checkbox"/> Yes (if yes, provide details) <input checked="" type="checkbox"/> No			
Any registered easements or rights-of-ways over the subject property: <input type="checkbox"/> Yes (if yes, provide details) <input checked="" type="checkbox"/> No			
Does the subject property possess a legal road access: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if no, provide details)			
Agricultural Land Reserve: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Riparian Area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Environmentally Sensitive: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		MoT Approval: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (required for setbacks within 4.5 metres of a road reserve)	

DEVELOPMENT INFORMATION:
Provide a description of the proposed development (please attach as a separate sheet, as required): <u>FRUIT MARKET.</u>

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.
1. Bylaw (Include No.): <u>2453</u> Section: <u>7.20.3</u> Proposed variance: <u>EXCEED TOTAL SIGN AREA ALLOWED.</u>
2. Bylaw (Include No.): <u>2453</u> Section: <u>7.20.3</u> Proposed variance: <u>EXCEED NUMBER OF SIGNS ALLOWED</u>

SUPPORTING RATIONALE:

All new development should meet the Regional District's applicable bylaw standards. A variance is considered only as a last resort. An application for a development variance permit should meet most, if not all, of the following criteria, in order to be considered for approval (please attach as a separate sheet, as required).

1. The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw. Please elaborate how the requested variance meets this criteria:

WE ARE NOT CLEAR ON THE INTENT OF THE BYLAW AS IT DOES NOT ALLOW OR TAKE INTO ACCOUNT THE TOTAL SQUARE FOOTAGE OF THE BUILDING OR LEGIBILITY OF THE SIGNAGE TO PROPERLY ADVERTISE THE BUSINESS OR THE AMOUNT OF SIGNAGE ALLOWED TO SURROUNDING BUSINESSES. THE EXISTING BYLAW WILL ONLY DISCOURAGE THE LOCAL ECONOMY THAT IS DRIVEN BY BUSINESSES SUCH AS OURS.

2. The variance should not adversely affect adjacent or nearby properties or public lands. Please elaborate how the requested variance meets this criteria:

ALL THE SURROUNDING PROPERTIES HAVE THE SAME TYPE OF BUSINESSES AND HAVE SIGNAGE THAT DOES NOT CONFORM TO THE BYLAW. WE FIRMLY BELIEVE THAT OUR VARIANCE REQUEST WILL NOT ADVERSELY AFFECT THOSE PROPERTIES BUT WOULD ALLOW OUR BUSINESS TO ADVERTISE ON A LEVEL PLAYING FIELD. THERE ARE NO SURROUNDING PUBLIC LANDS TO BE AFFECTED.

3. The variance should be considered as a unique solution to an unusual situation or set of circumstances. Please elaborate how the requested variance meets this criteria:

THE CIRCUMSTANCES ARE THAT WE CANNOT PROPERLY ADVERTISE OUR BUSINESS TO THE SAME EXTENT AS OUR SURROUNDING COMPETITIVE BUSINESSES. THE BYLAW LIMITS OUR ABILITY TO PROPERLY ADVERTISE OUR BUSINESS TO OUR PROSPECTIVE CUSTOMERS

4. The variance represents the best solution for the proposed development after all other options have been considered. Please elaborate how the requested variance meets this criteria:

WE FIRMLY BELIEVE THAT THE BEST SOLUTION IS TO ALLOW OUR BUSINESS TO FAIRLY REPRESENT AND ADVERTISE ITSELF TO OUR CUSTOMERS. WE WOULD ACCOMPLISH THIS WITH ATTRACTIVE, WELL THOUGHT OUT SIGNAGE THAT IS VISIBLE AND PROPERLY SCALED TO THE SIZE OF OUR BUILDING

5. The variance should not negatively affect the natural site characteristics or environmental qualities of the property. Please elaborate how the requested variance meets this criteria:

THE SIGNAGE THAT WE ARE PRESENTING WITH THIS VARIANCE IS NON-OBTRUSIVE, FITS WELL WITH THE BUILDING DESIGN AND IS LEGIBLE TO OUR CLIENTS. WE ARE PROMOTING AND PROUDLY REPRESENTING THE FRUIT INDUSTRY, THE AGRICULTURAL VALUES OF THE SITE AND THE SURROUNDING AREAS AND THE ENVIRONMENTAL QUALITIES OF BOTH THE PROPERTY AND THE VALLEY.