

April 29, 2024

FROM: Corvidae Environmental Consulting Inc.
6526 Water Street
Sooke, BC V9Z 0X1

TO: Cowichan Valley Regional District (CVRD)
175 Ingram Street
Duncan BC V9L 1N8

Re: Rationale for Side Yard Setback Reduction at Lot 2 Miracle Close

To Whom it may concern,

In addition to the reduction in the watercourse setback, the owners of Lot 2 Miracle Close are applying for a Development Variance Permit for the reduction of the north side yard setback to 1m (from the 3m setback that is required by zoning). The reduction would allow for the house, septic and driveway to shift 2m north.

The potential for development on Lot 2 is severely constrained. Under the Riparian Area Protection Regulation (RAPR), the lot is in an undue hardship situation. A RAPR assessment has been undergoing the approvals process since 2021 to request an authorized SPEA encroachment to create a building site on the north side of the property. The landowner has reduced his house footprint as much as feasible for his needs (600ft²). As per a phone call on February 21st, the RAPR has accepted the undue hardship calculations for the property (*personal communication, Mya Eastmere, Mya Eastmure, R.P.Bio, P.Ag, Unit Head, Aquatic Ecosystems Policy and Programs*). One issue is outstanding for RAPR approval: the approval or denial of a side-yard setback reduction by the CVRD.

The rationale for the reduction of side yard setback on the north side of the property is that shifting the house further from the stream (~8.5m away following setback reduction) would reduce the area of authorized SPEA encroachment, allowing for more area to be restored as riparian habitat and providing a wider buffer between the house and stream.

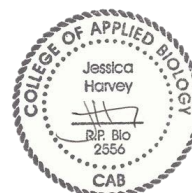
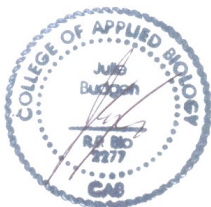
Given the unique constraints of Lot 2 Miracle Close, a reduction in the side yard setback would provide a compromise between the zoning requirements and RAPR requirements, allowing the construction of the owner's home while minimizing the long-term impact on the riparian and aquatic ecosystems.

A site plan is included on the following page to illustrate the setback reduction.

Thank you,

Julie Budgen, R.P. Bio., P.Ag.
Senior Environmental Biologist
Corvidae Environmental Consulting Inc

Jessica Harvey, R.P. Bio., M.Sc.,
Senior Environmental Biologist
Asio Environmental Consulting Inc.



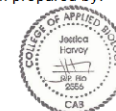


32 Miracle Close Riparian Restoration Landscape Plan

CORVIDAE
ENVIRONMENTAL CONSULTING INC

Corvidae Project Number: 2021-107

Plan prepared by:



Jessica Harvey, MSc., RPBio.
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