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## Appeal to the Board of Variance

It is recommended that applicants consult Planning & Development Services staff prior to submitting an application. This application will not be accepted unless it is complete and the required fee and plans are attached.

APPLICANT:		OWNER(S):	
Name: Sheelagh Fredsborn		Name: [REDACTED]	
Address: [REDACTED]		Address: [REDACTED]	
City/Town: [REDACTED]		City/Town: [REDACTED]	
Province: [REDACTED]	Postal Code: [REDACTED]	Province: [REDACTED]	Postal Code: [REDACTED]
Day Phone: [REDACTED] Fax: [REDACTED]		Day Phone: [REDACTED] Fax: [REDACTED]	
Cell Phone: [REDACTED]		Cell Phone: [REDACTED]	
Email: [REDACTED]		Email: [REDACTED]	

AGENT AUTHORIZATION:	
If the registered owner(s) of the subject property elects to have someone act on their behalf in submission of this application this section must be completed:	
As owner(s) of the land described in this application, I/we hereby authorize <u>Sheelagh Fredsborn</u> to act as applicant in regard to this land development application.	
Signature of [REDACTED]	Date: November 12, 2025
Signature of Owner [REDACTED]	Date: November 12, 2025

NOTICE OF COLLECTION OF PERSONAL INFORMATION:	
The personal information you provide on this form is being collected under the authority of Section 895 of the Local Government Act and Section 32 of the Freedom of Information and Protection of Privacy Act. This information will be used to determine eligibility for a development variance permit and for enforcement of applicable laws. This information may be circulated to persons or authorities as necessary for the review process. Your personal information is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act. If you have any questions about the collection of this information please contact the Town's Corporate Services staff at <a href="mailto:info@osoyoos.ca">info@osoyoos.ca</a> .	

**PROPERTY DESCRIPTION:**

Civic address: 6803 Cottonwood Drive

Legal Description

Lot: A Plan: KAP37639 Block: District Lot: 41 Section: Township:

Current Zoning: RM1 OCP designation:

Current land use: Residential

Surrounding land uses: Residential

Current method of sewerage disposal: ☒ Community Sewer ☐ Septic ☐ OtherCurrent method of water supply: ☒ Community Water ☐ Well ☐ OtherAny restrictive covenants registered on the subject property: ☐ Yes ☒ No (if yes, provide details)Any registered easements or rights-of-ways on subject property: ☒ Yes ☐ No (if yes, provide details) Registration Number 46309E (Well)Does the subject property possess a legal road access: ☒ Yes ☐ No (if no, provide details)Agricultural Land Reserve: ☐ Yes ☒ No Riparian Area: ☐ Yes ☒ NoEnvironmentally Sensitive: ☐ Yes ☒ No MoT Approval: ☐ Yes ☒ No  
(required for setbacks within 4.5 metres of a road reserve)**GROUND(S) OF APPEAL:**This is an appeal to the Board of Variance under the following Section of the *Local Government Act*.540(a) ☒ A bylaw respecting the siting, dimensions, or size of a building or structure, of the siting of a manufactured home in a manufactured home park.540(b) ☐ A subdivision servicing requirement in an area zoned for agricultural or industrial use under Section 506(1)(c) of the *Local Government Act*.540(c) ☒ The prohibition of a structural alteration of an addition to a structure pursuant to Section 531(1) of the *Local Government Act*.**REQUESTED VARIANCE(S):**

List all requested variances to the regulations in bylaws of the Town. 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.): 1395 Section: 531 (1)

Proposed variance: \_\_\_\_\_

2. Bylaw (Include No.): 1395 Section: 12.1.5 (a) (iii)

Proposed variance: setback in question is the min interior side parcel line setback, which is 3m



#### DEVELOPMENT INFORMATION:

Provide a description of the proposed development (please attach as a separate sheet, as required):

We are proposing two small additions to the side of our home—one 5' x 8' and the other 5' x 9'. These spaces will provide closets and allow us to move the laundry from the basement to the main floor. Our house is very small, and I [REDACTED] several years ago, which has made using the stairs increasingly difficult and unsafe. These modest additions will make our home more accessible and allow me to continue living here safely and comfortably.

#### SUPPORTING RATIONALE:

**A person may apply for an order of the Board of Variance in circumstance where it is believed that compliance with certain regulations may cause undue hardship and the variance is minor.**

1. Please describe the regulations, requirements and circumstances, which if complied with, would cause undue hardship. Describe the nature of the hardship and how the requested variance would prevent undue hardship:

Compliance with the current setback regulations would prevent us from being able to add two small extensions (5' x 8' and 5' x 9') on the side of our home to create closets and relocate the laundry to the main level. Our house is very small, and my current closet and laundry are located in the basement. [REDACTED] several years ago, and using the stairs has become increasingly difficult and unsafe. Without these additions, I cannot reasonably access essential areas for daily living. The requested variance would allow us to make modest, functional changes that enable me to live safely and independently in our home.

2. A variance should not result in inappropriate development of a site. Please describe how the requested variance meets this criteria:

The proposed additions are small in scale and have been designed to blend seamlessly with the existing house. They do not alter the character, massing, or form of the dwelling and maintain the residential appearance of the property. The additions are limited to what is necessary to address the accessibility issue and do not constitute an over-development of the site.

3. The variance should not adversely affect the natural environment. Please describe how the requested variance meets this criteria:

The additions will be built on existing landscaped areas immediately adjacent to the home, and no trees or natural features will be disturbed or removed. Construction will be limited to the footprint of the existing developed area, ensuring there is no adverse effect on the natural environment or drainage patterns.

4. The variance should not substantially affect the use and enjoyment of adjacent land. Please describe how the requested variance meets this criteria:

The small additions are located on the side of the house will have no visual or shading impact on neighbouring properties. The proposed changes will not block views, reduce privacy, or increase noise. We have discussed the project with our immediate neighbours, and they are supportive of the improvements to make our home more accessible.

5. The variance should not vary the permitted uses or densities on a parcel, nor should a variance defeat the intent of the bylaw. Please describe how the requested variance meets this criteria:

The intent of the setback bylaw is to ensure adequate separation between buildings for privacy, safety, and neighborhood character. The proposed additions maintain these principles. The variance requested is minor in nature and solely for the purpose of addressing a medical and accessibility hardship, not to increase density or change the use of the property. The spirit and intent of the bylaw remain fully respected.

**REQUIRED DOCUMENTATION:**

All plans and drawings referred to in this section should be submitted with one full scale and one reduced (11 x 17) copy suitable for black and white reproduction. When possible, Adobe PDF versions should also be included.

- ☐ **Certificate of Title** – to provide proof of ownership, copies of titles should be dated no more than 30 days prior to the date of application. Copies of titles are available from the Land Titles Office, or through a Government Agent's Office, a notary, lawyer or search company.
- ☐ **Site Plan** – drawn to scale and showing dimensions, shall include the following (as applicable):
  - ☐ North arrow and scale;
  - ☐ Dimensions and boundaries of property lines, rights-of-way, and easements;
  - ☐ Location, dimensions and setbacks of proposed and existing buildings / structures (including projections and overhangs) to lot lines, rights-of-ways, easements;
  - ☐ Location of existing & proposed access roads, driveways, pathways, screening and fencing;
  - ☐ Natural & finished grades of site, at buildings & retaining walls (indicate source of grade data)
  - ☐ Location of any physical or topographical constraints (such as watercourses, shorelines, ravines, wetlands, steep slopes, bedrock outcrops, etc...);
  - ☐ Location of all existing & proposed water lines, wells, septic fields, sanitary sewer & storm drain facilities, including sizes; and,
  - ☐ Proposed covenant areas (if any).
- ☐ **Development Plans** – drawn to scale, in metric, and including the following (as applicable):
  - ☐ Building sections, elevations, floor plans and finishes;
  - ☐ Landscaping, screening & fencing proposed for the site; and
  - ☐ Access roads and driveways (proposed and existing), vehicle parking spaces and pathways.
- ☐ **Project Summary Sheet** – outlining density and number of dwelling units, site coverage, heights, setbacks and other relevant data (may be combined with "Development Plans").
- ☐ **Site Survey** - if a proposed development involves a variance to the siting or building envelope of a structure a current sketch plan, certified by a BC Land Surveyor (BCLS), in metric, shall be required. This may be combined with the requirements for sub-Section 4 (where appropriate).

*Additional material or more detailed information may be requested by the Town upon reviewing the application.*

**DECLARATION:**

I, the undersigned, hereby certify that the information provided with respect to this application is full and complete and is, to the best of my knowledge, a true statement of the facts related to this application.

  
\_\_\_\_\_  
Signature of Owner or Authorized Agent

November 12, 2025

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sheelagh Fredsborn  
Print name of Owner or Authorized Agent