



Town of Osoyoos
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Office use only	
File No.:	
Received:	
Fee:	\$500.00
Receipt No:	

Application to the Board of Variance

It is recommended that applicants consult 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: <u>David Corbett</u>	Name: [REDACTED]		
Address: [REDACTED]	Address: [REDACTED]		
City/Town: [REDACTED]	City/Town: [REDACTED]		
Province: [REDACTED]	Province: [REDACTED]		
Postal Code: [REDACTED]	Postal Code: [REDACTED]		
Day Phone: [REDACTED]	Day Phone: [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>David Corbett</u> to act as applicant in regard to this land development application.	
Signature: [REDACTED]	Date: <u>Mar. 3, 2026</u>
Signature: [REDACTED]	Date: <u>March 3, 2026</u>

NOTICE OF COLLECTION OF PERSONAL INFORMATION:

The personal information you provide on this form is being collected under the authority of Section 460 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 Freedom of Information Officer at the Town of Osoyoos for information.

PROPERTY DESCRIPTION:

Civic address: 11 Osprey Place Osoyoos B.C.

Legal Description

Lot: 4 Plan: KAP7717 Block: 1 District Lot: 24505 Section: Township:

Current Zoning: RMI OCP designation: Medium Density Residential

Current land use: RS1 - Single Detached Dwelling

Surrounding land uses: Primarily Low Density Residential, Some Medium Density Residential

Current method of sewerage disposal: Community Sewer Septic Tank Other

Current method of water supply: Community Water Well Other

Any restrictive covenants registered on the subject property: Yes No (if yes, provide details)

Any registered easements or rights-of-ways over the subject property: Yes No (if yes, provide details)

Does the subject property possess a legal road access: Yes No (if no, provide details)

Agricultural Land Reserve: Yes No Riparian Area: Yes No

Environmentally Sensitive: Yes No MoT Approval: Yes No
(required for setbacks within 4.5 metres of a road reserve)

GROUNDS 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, or the siting of a manufactured home in a manufactured home park.

540(c) The prohibition of a structural alteration or an addition to a structure pursuant to Section 531(1) of the *Local Government Act*.

540(b) A subdivision servicing requirement under Section 506(1)(c) of the *Local Government Act*.

REQUESTED VARIANCE(S):

List all requested variances to the regulations in bylaws of the Town of Osoyoos. 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.): 12.1.1 Section: 12.0
Proposed variance: To make necessary upgrades to existing single-detached dwelling

2. Bylaw (Include No.): _____ Section: _____
Proposed variance: _____

DEVELOPMENT INFORMATION:

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

See attached proposed development description

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:

See attached sheet
Supporting Rationale #1

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

See attached sheet
Supporting Rationale #2

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

See attached sheet
Supporting Rationale #3

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

See attached sheet
Supporting Rationale #4

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:

See attached sheet
Supporting Rationale #5

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.

Location Map – showing the area in which the subject property is situated.

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;
- Trees and vegetation to be retained and removed; and
- Existing and proposed covenant areas.

Development Plans – drawn to scale 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 Information" required on page 3).

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 of Osoyoos 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

March 3, 2026
Date

David Corbett
Print name of Owner or Authorized Agent

Proposed Development Description

To build an attached garage, enclose existing carport, minor interior renovation, add a new front entrance with wheel chair access, and add a covered deck in the back of the property. All updates are to be wheel chair accessible to allow the owners to continue to live in their home through their senior years.

Supporting Rationale

1. The new Bylaw 12.1 Medium Density Residential One (RM1) Zone brought in to effect September 24, 2024, does not permit the use of a single detached dwelling. The previous bylaw, 8.8 R6- Medium Density Residential allowed for a single detached dwelling provided that it existed prior to 2016. Under the new Bylaw the owners are not permitted to do the necessary upgrades to their home that would allow them to live comfortably throughout their senior years. The existing single detached dwelling has been on the property since 1956. Further, undue hardship is already occurring since the bulk of the homeowner's wealth [REDACTED] [REDACTED] has already been spent on this project and is non-refundable.
2. The requested variance does not result in an inappropriate development of the site in that it is not applying to construct a new single detached dwelling, but to make necessary upgrades to an existing dwelling to allow for the owners to maintain their independence in their home while aging.
3. The requested variance does not adversely affect the natural environment as the site was developed decades ago. In fact, it actually enhances the environment.
4. The requested variance does not substantially affect the use and enjoyment of the adjacent land, as the majority of adjacent land is currently being used as single detached dwelling units with only one Medium Density Building in the area. All the surrounding neighbours, that have been contacted, have expressed their desire to keep the area Low Density.
5. The requested variance does not vary the permitted uses or densities on the parcel nor defeat the intent of the bylaw, as it is not requesting the construction of a new single detached dwelling unit, simply requesting to do the necessary upgrades to allow the owners to live out their senior years in the comfort of their own home without having to relocate and sell the property.