

**PROPERTY DESCRIPTION:**

Civic address: 17212-87 street, Osoyoos, B.C.

Legal Description (e.g. Lot, Plan No. and District Lot):

Current land use: Proposed  
(residential) / agricultural

Surrounding land uses:  
residential / agricultural

**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.

Zoning Bylaw: OVZB 2800, 2022

Section No.: 6.13.2

Current regulation: h<sub>12</sub> distance between walls = hgt of walls

Proposed variance: ~~reduce width of planter between retaining walls from 4' to 2' 6" for a length of 37' 6"~~

Section No.: OVZB 2800, 2022 - 6.13.2.

Current regulation: refer to enclosed letter.

Proposed variance:

**DEVELOPMENT INFORMATION:**

Please provide a general description of the proposed development:  
(e.g. "to allow for an addition over an existing garage")

- construction of retaining walls to create a building plot for new dwelling

#### SUPPORTING RATIONALE:

When considering a variance request, Regional District staff will *generally* assess the proposal against the following criteria:

- *is the proposed variance consistent with the general purpose and intent of the zone?*
- *is the proposed variance addressing a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.)?*
- *is strict compliance with the zoning regulation unreasonable or un-necessary?*
- *will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?*

A request to change a zoning regulation should only be considered as a last resort to a design challenge. Please explain how the requested variance(s) meet the assessment criteria listed above:

- the proposed variance is consistent with the general intent of the zone
- the proposed variance will not adversely affect the character of the streetscape or surrounding neighbours
- the proposed variance addresses the steep topography of the site. The variance will allow for the creation of an acceptable building 'bench' on which to construct the proposed residence.