

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: May 23, 2024
RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “A” (A2023.015-ZONE)

Administrative Recommendation:

THAT the Electoral Area “A” Official Community Plan Amendment Bylaw No. 2905.06, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.35, 2024, be read a third time.

Purpose: To facilitate a two-lot subdivision. Folio: A-06349.000
Civic: 601 6th Avenue Legal: Lot 639A, Plan KAO1950, District Lot 2450S, SDYD
OCP: Agriculture (AG) and Low Density Residential (LR)
Zone: Agriculture One (AG1) and Low Density Residential Three (RS3)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to facilitate a two-lot subdivision.

In order to accomplish this, the following land use bylaw amendments are being proposed by the applicant:

- amend the land use designation under Schedule ‘B’ (OCP Map) of the Electoral Area “A” Official Community Plan (OCP) Bylaw No. 2905, 2021, from Agriculture (AG) to Low Density Residential (LR); and from Agriculture (AG) to Small Holdings (SH);
- amend the zoning under Schedule ‘2’ (Zoning Map) of the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Agriculture One (AG1) to Agriculture One Site Specific (AG1s) with the site specific regulation to allow a minimum parcel size of 0.9 ha despite Section and Agriculture One (AG1) to Low Density Residential Three (RS3).

In support of the rezoning, the applicant has stated that “the proposed OCP and Zoning amendments to the farm parcel will not have a negative impact on the use and enjoyment of adjacent or surrounding properties, as the agricultural farm will continue to be leased by a local farmer.”

Site Context:

The subject property is approximately 2.12 ha in area and is situated on the end of 6th Avenue on the west side of Osoyoos Lake, approximately 1 km south of the Town of Osoyoos. It is understood that the parcel is comprised of an orchard on the western side of the property and vacant land on the east.

The surrounding pattern of development is generally characterised by similarly sized residential and agricultural parcels that have been developed with single detached dwellings.

Background:

On April 22, 2024, a Public Information Meeting (PIM) was held at the online through Zoom and was attended by 0 members of the public.

At its meeting of May 9, 2024, the Regional District Board resolved to approve first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of May 23, 2024.

On May 23, 2024, a public hearing was held, and all comments received to date in relation to this application are included with this report.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (Highway 97).

Analysis:

In considering this proposal, Administration notes that the subject property has been split-zoned with the western portion designated for future residential development since the mid – 1990s and that the current proposal will separate this area from the agricultural remainder and potentially facilitate its development.

While it is recognized that this area is not within a designated Growth Area under the South Okanagan Regional Growth Strategy (RGS) Bylaw, the residential zoning as well as a commitment by the Town of Osoyoos to provide water and sewer service to the site predates the implementation of the RGS.

In addition, while the remainder parcel will remain in the ALR, its proposed size of approximately 0.9 ha, is not consistent with the Agriculture (AG) designation under the OCP (which requires that parcel be not less than 4.0 ha in area) and is considered to be a rural-residential parcel. It is for this reason that a Small Holdings (SH) designation is being applied to the property (NOTE: the SH3 Zone lists “agriculture” as a permitted accessory use).

In summary, the proposed OCP and Zoning Bylaw amendment are seen to be consistent with the long-term preferred future land use of this property.

Alternatives:

1. THAT first and second readings of the Electoral Area “A” Official Community Plan Amendment Bylaw No. 2905.06, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.35, 2024, be rescinded and the bylaws abandoned.

Respectfully submitted:

Colin Martin

Colin Martin, Planner I

Attachments: No. 1 – Applicant’s Site Plan

No. 2 – Aerial View

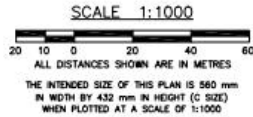
No. 3 – Site Photo (Google Earth, 2024)

Attachment No. 1 – Applicant’s Site Plan

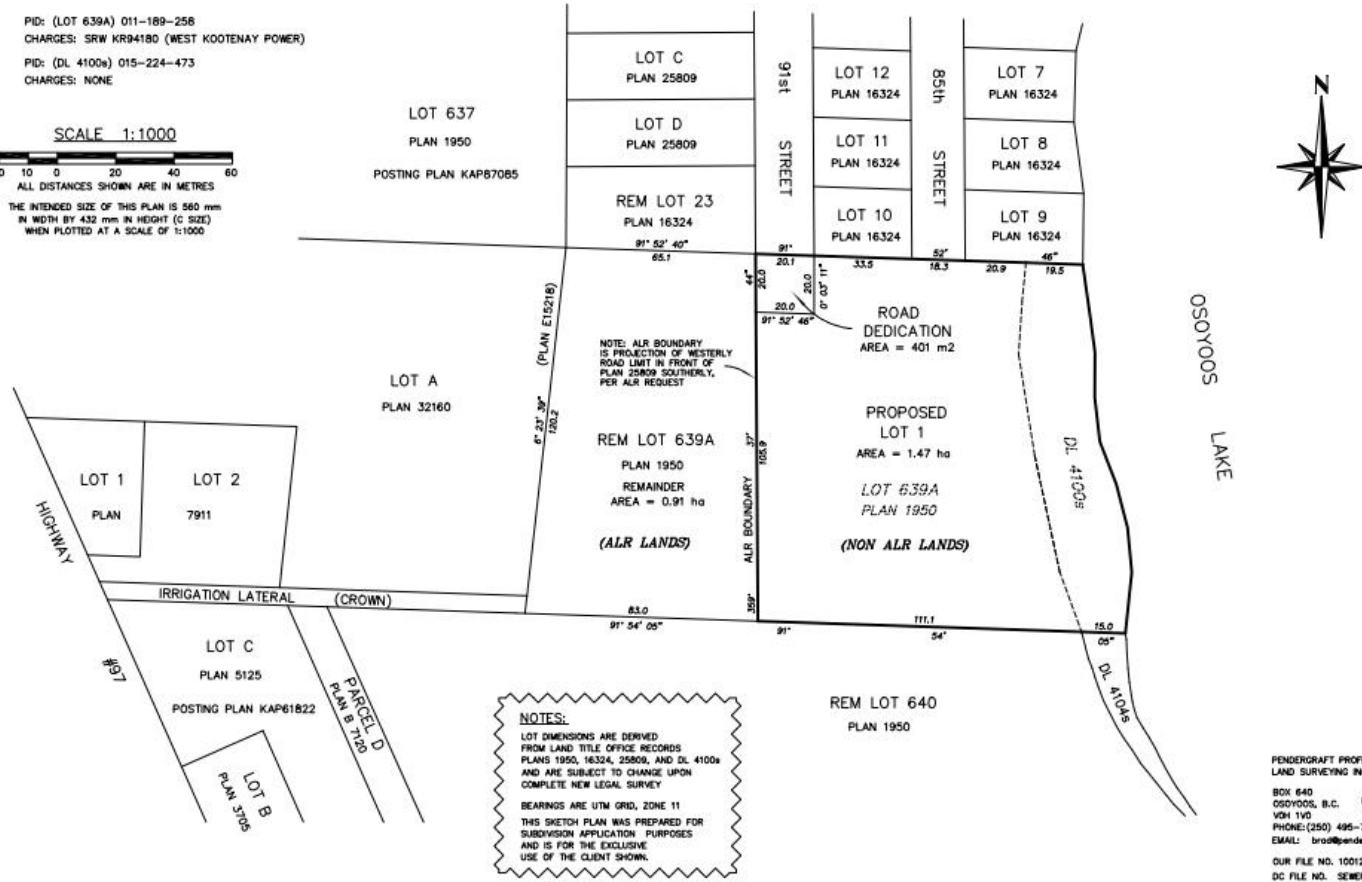
**PROPOSED
SUBDIVISION PLAN OF:**
1) PART OF LOT 639A, DL 2450s,
SDYD, PLAN 1950
2) DL 4100s, SDYD

BCGS 82E.003

PID: (LOT 639A) 011-189-258
CHARGES: SRW KR94180 (WEST KOOTENAY POWER)
PID: (DL 4100s) 015-224-473
CHARGES: NONE



CIVIC ADDRESS:
601 – 6th AVENUE, OSOYOOS
CLIENT: IMPERIAL WAX LTD.
KEITH TAPP
PLAN DATE: OCTOBER 23, 2023
VERSION #3



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OUR FILE NO. 10012028 PROJ.DWG
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Attachment No. 2 – Aerial View



Attachment No. 3 – Site Photo (Google Earth, 2024)

