

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** J. Zaffino, Chief Administrative Officer  
**DATE:** January 4, 2024  
**RE:** Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “H” (H2023.009-ZONE)

---

## Administrative Recommendation:

**THAT the Electoral Area “H” Official Community Plan Amendment Bylaw No. 2497.16, 2023, and the Electoral Area “H” Zoning Amendment Bylaw No. 2498.27, 2023, be read a third time.**

---

<u>Purpose:</u>	To allow for a one lot and two remainder subdivision	<u>Folio:</u> H-00923.000
<u>Civic:</u>	551 Un-named Road	<u>Legal:</u> District Lot 1195, YDYD, Except those portions thereof included within the boundaries of District Lots 901 and 627
<u>OCP:</u>	Commercial (C) and Resource Area (RA)	<u>Zone:</u> Tourist Commercial One (CT1) and Resource Area (RA)

---

## Proposed Development:

This application is seeking to amend the zoning of the subject property in order to allow a one lot and two remainder subdivision.

In support of the rezoning, the applicant has stated, amongst other things, that “the owner hopes to create Proposed Lot 1 for development, working within the guidelines of the CT1 zone ...” and that development of the remainder will occur at some future point.

## Site Context:

The subject property is approximately 17.4 ha in area and is mostly situated on the south side of Highway 3, with a 0.2 hectare portion that is hooked on the north side. It is understood that the parcel is currently vacant, but that a portion of the parcel immediately south of the highway had previously been used as a campground.

The surrounding pattern of development is generally characterised by Crown Land and rural holdings parcels. Some of these parcels appear vacant and others have been developed with single detached dwellings.

## Background:

On November 8, 2023, a Public Information Meeting (PIM) was held electronically via Webex and was attended by approximately seven (7) members of the public.

---

At its meeting of November 14, 2023, the Electoral Area “H” Advisory Planning Commission (APC) did not achieve quorum and therefore was unable to provide a recommendation to the RDOS Board regarding the subject development.

At its meeting of December 7, 2023, 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 January 4, 2024.

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 (i.e. Highway 3).

**Analysis:**

Further to the direction provided by the Board at first reading, it is being recommended that the amendment bylaws be given third reading.

Alternate

Conversely, Administration maintains its concern that this proposal will result in the creation of a new parcel that may be unsuitable for development due to numerous land constraints. Specifically:

- highway safety measures preclude construction of an access on the part fronting a public road;
- the Similkameen River alienates the remainder from the highway;
- the OCP speaks to not rezoning lands susceptible to natural hazards, possessing environmental values or with inadequate road access;
- hooked parcels are generally discouraged as undesirable form of development and can be used to undermine the intent of a zoning;

**Alternatives:**

1. THAT first and second readings of the Electoral Area “H” Official Community Plan Amendment Bylaw No. 2497.16, 2023, and the Electoral Area “H” Zoning Amendment Bylaw No. 2498.27, 2023, be rescinded and the bylaws abandoned.

**Respectfully submitted:**

*Ben Kent*

Ben Kent, Planner I

**Endorsed By:**



C. Garrish, Senior Manager of Planning

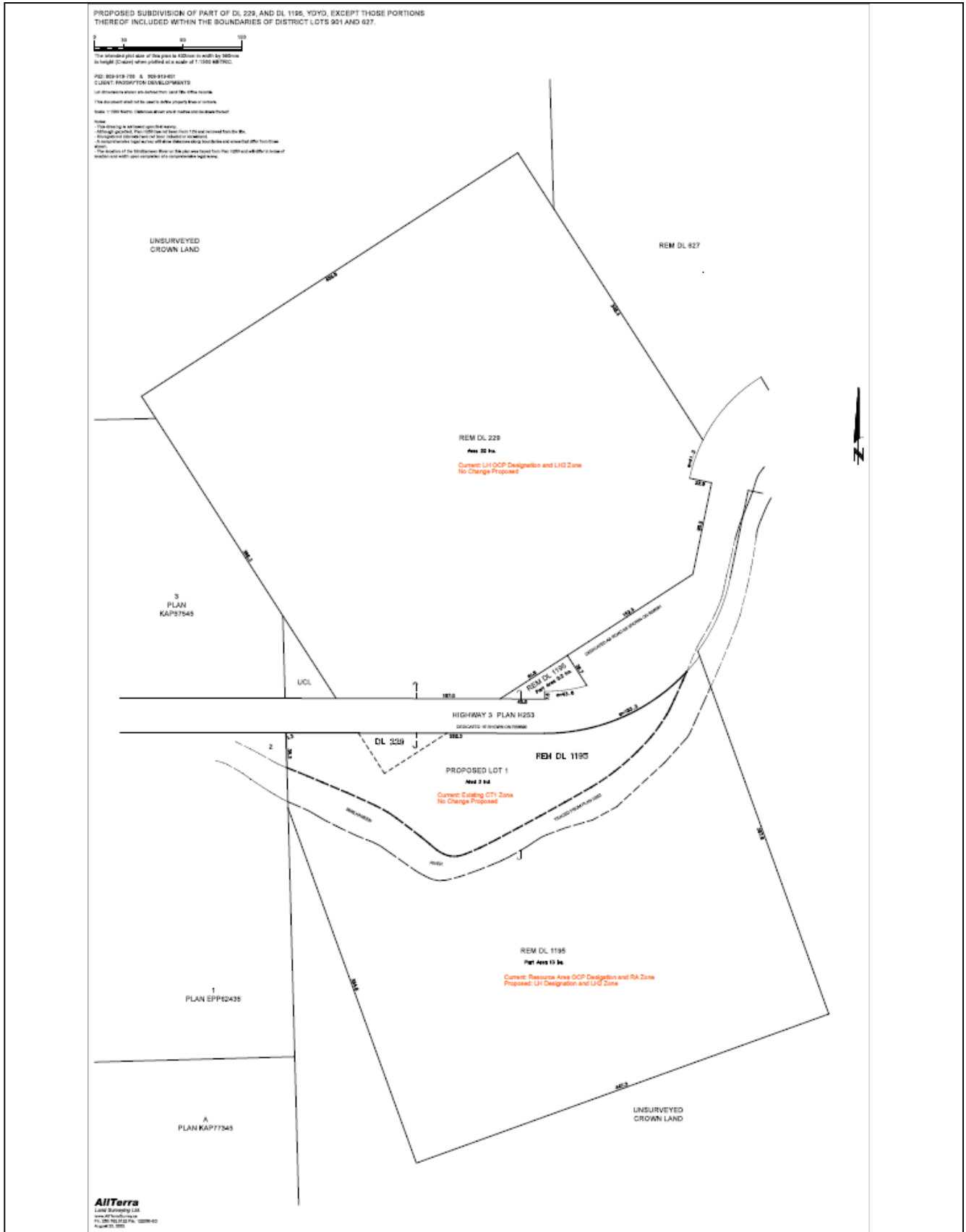
- Attachments: No. 1 – Agency Referral List  
No. 2 – Applicant’s Site Plan  
No. 3 – Proposed Land Use Bylaw Changes  
No. 4 – Site Photo Facing Southeast (Street View – 2023)  
No. 5 – Site Photo Facing Southwest (Street View – 2023)  
No. 6 – Aerial Photo

Attachment No. 1 – Agency Referral List

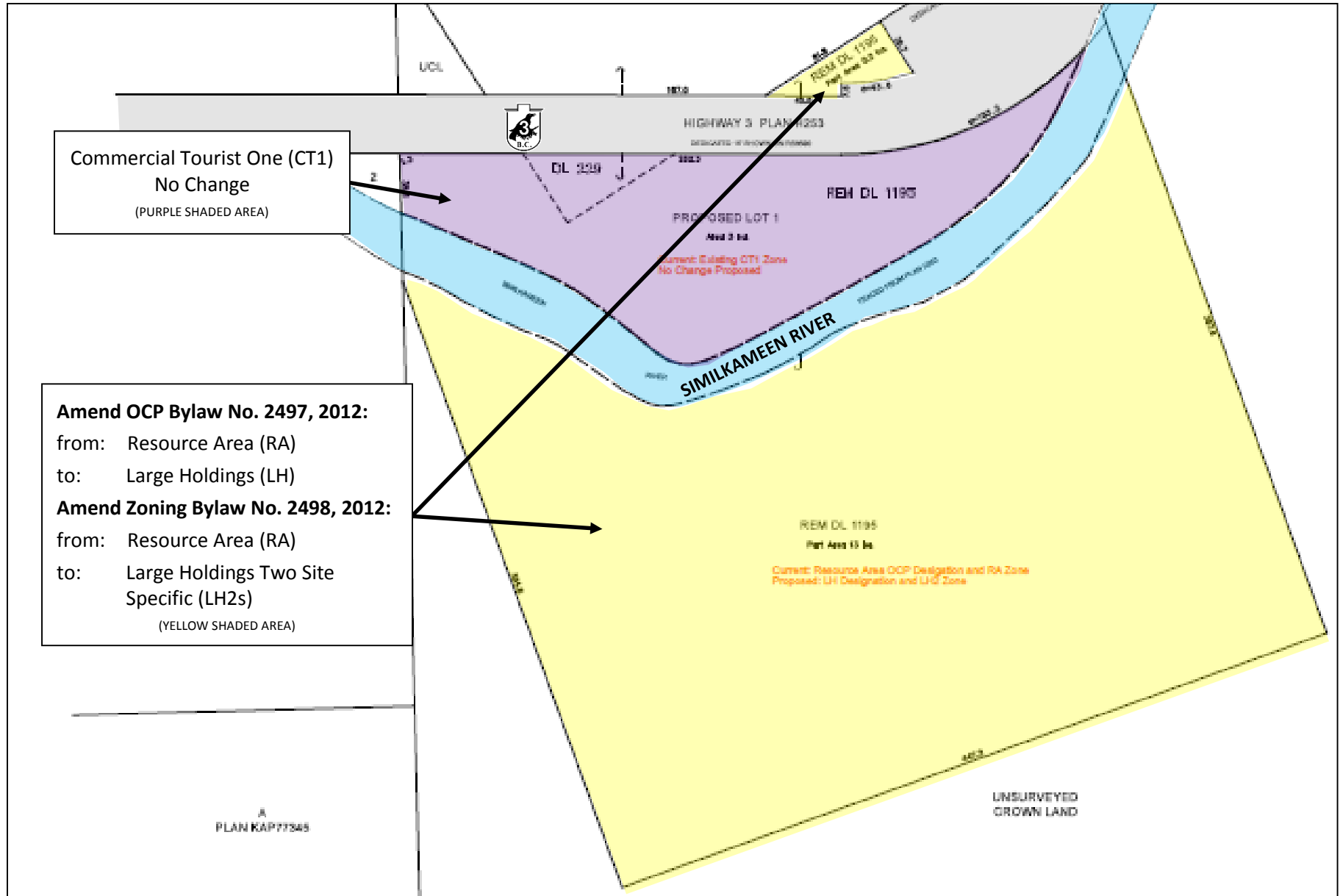
Referrals to be sent to the following agencies as highlighted with a , prior to the Board considering first reading of Amendment Bylaw Nos. 2498.27, 2023 and 2497.16.

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input type="checkbox"/>	Fortis
<input type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input checked="" type="checkbox"/>	Ministry of Lands, Water and Resource Stewardship	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input checked="" type="checkbox"/>	ONA/ OIB / LSIB (via NationsConnect)
<input checked="" type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	OK Falls Irrigation District
<input checked="" type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Vaseux Lake Irrigation District
<input type="checkbox"/>	Keremeos Irrigation District	<input type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Kootenay Boundary Regional District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Fraser Valley Regional District
<input type="checkbox"/>	Volunteer Fire Department		

# Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Applicant’s Building Elevations



Attachment No. 4 – Site Photo Facing Southeast (Street View – 2023)



Attachment No. 5 – Site Photo Facing Southwest (Street View –2023)



Attachment No. 6 – Aerial Photo

