

# ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** J. Zaffino, Chief Administrative Officer

**DATE:** February 20, 2025

**RE:** Official Community Plan (OCP) & Zoning Bylaw Amendments (X2024.013-ZONE)

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## **Administrative Recommendation:**

**THAT the Official Community Plan Amendment Bylaw No. 3089, 2025, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.45, 2025, be read a first and second time and proceed to public hearing;**

**AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated February 20, 2025, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;**

**AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 3089, 2025, in conjunction with its Financial and applicable Waste Management Plans;**

**AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of March 6, 2025;**

**AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.**

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## **Proposed Development:**

The draft amendment bylaws propose multiple amendments to the Electoral Area "A", "D" & "F" Official Community Plan (OCP) Bylaws and the Okanagan Valley Zoning Bylaw No. 2800, 2022, in order to address a number of mapping, typographical or other issues identified through day-to-day use of the bylaws.

## **Background:**

At its regular meeting of October 3, 2024, the Planning and Development Committee of the Regional District Board considered the draft bylaws and moved to initiate the proposed amendments.

## **Referrals:**

Approval from the Ministry of Transportation and Transport (MoTT) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97 & 3).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any

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part of that School District. In this instance, School District No. 53 and 67 have been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Solid Waste Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural land. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaws.

**Public Process:**

On February 6, 2025, a Public Information Meeting (PIM) was held online via Webex and was attended by approximately one (1) member of the public.

Administration recommends that the written notification of affected property owners, the public meetings as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, the consultation process undertaken is seen to be sufficiently early and does not need to be further ongoing.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

**Analysis:**

In considering this proposal, Administration notes that the following changes are contemplated by the proposed amendment bylaws:

Mapping:

In preparing mapping updates in support of Small-Scale Multi-Unit Housing (SSMUH) Implementation, a number of mapping issues were identified in Electoral Area "D" wherein some privately held lands were designated and zoned for park purposes, while some Crown land was designated and zoned for residential purposes.

Similarly, two parcels in Electoral Area "E" and one parcel in Electoral Area "A" that have previously been acquired by the Regional District for park purposes were identified as retaining rural-residential (SH) zoning.

In response, it is being proposed to apply a PR Zone to the Crown and RDOS park lands, and to remove the PR Zone from privately held lands. With regard to the park land in Electoral Area "A", it is further being proposed to remove this land from the Environmentally Sensitive Development Permit (ESDP) Area designation.

Separately, recent boundary adjustment proposals by the Town of Osoyoos have been approved by the province, resulting in ten (10) parcels being removed from Electoral Area "A". In response, it is

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being proposed to update all applicable OCP and Zoning Bylaw map schedules to reflect Osoyoos' new municipal boundaries.

In Electoral Area "F", the provincial government recently announced the acquisition of approximately 11 ha of land to be added to the Okanagan Provincial Park campground near Greata Ranch. This land is currently split-zoned tourist commercial (CT2s) and rural-residential (SH4) and it is being proposed to replace these zones with the same PR Zone that currently applies to the provincial campground.

While local government zoning cannot regulate provincial uses of Crown land, Administration considers it good practice to apply zoning that reflects the intended use of Crown land.

One 560m<sup>2</sup> parcel that is subject to this CT2s zone remains private property and is proposed to be replaced with low density residential (RS2) zoning in keeping with adjacent properties. This is because this CT2s zone related to a historic campground proposal that is no longer relevant due to Provincial acquisition of the adjacent land.

Typographical:

A typographical error in the Electoral Area "A" OCP Bylaw, wherein references to a Wildfire Interface Development Permit Area designation retained in the bylaw, despite the Board resolving not to pursue such a designation in 2022. To address this, it is proposed to delete all such references to a wildfire DP area.

Strata Subdivisions:

Finally, it is proposed to clarify that parcel size and dimension rules in the Okanagan Valley Zoning Bylaw do not apply to designated access routes in a bare land strata plan.

Alternative:

Conversely, the option to pursue only some of the proposed amendments outlined above, or none of the proposed amendments is available to the Board.

**Financial Implications:**

Financial implications have been considered and none were found.

**Communication Strategy:**

The proposed bylaw amendment(s) have been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District's Development Procedures Bylaw No. 2500, 2011.

**Alternatives:**

1. THAT the Official Community Plan Amendment Bylaw No. 3089, 2025, and the [Okanagan Valley Zoning Amendment Bylaw No. 2800.45, 2025, be denied.

**Respectfully submitted:**

*Ben Kent*

Ben Kent,  
Planner II

**Endorsed By:**



C. Garrish  
Senior Manager of Planning

**Endorsed By:**



A. Fillion  
Managing Director, Dev. & Infrastructure

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Attachments: No. 1 – Agency Referral List

No. 2 – Town of Osoyoos Boundary Expansion (2021)

No. 3 – Town of Osoyoos Boundary Expansion (2024)

