

Watercourse Development Permit (WDP) Area Zoning Regulations (Accessory Structures) Review

Bald Range Wildfire

Electoral Area Services Committee (EASC)
October 8, 2026

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Background

- August 7, 2026; a wildfire sparked approximately 15 kilometres west of the District of Summerland and near the unincorporated community of Faulder.
- Approximately 110 structures would be either damaged or destroyed as a result of the fire.



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Background

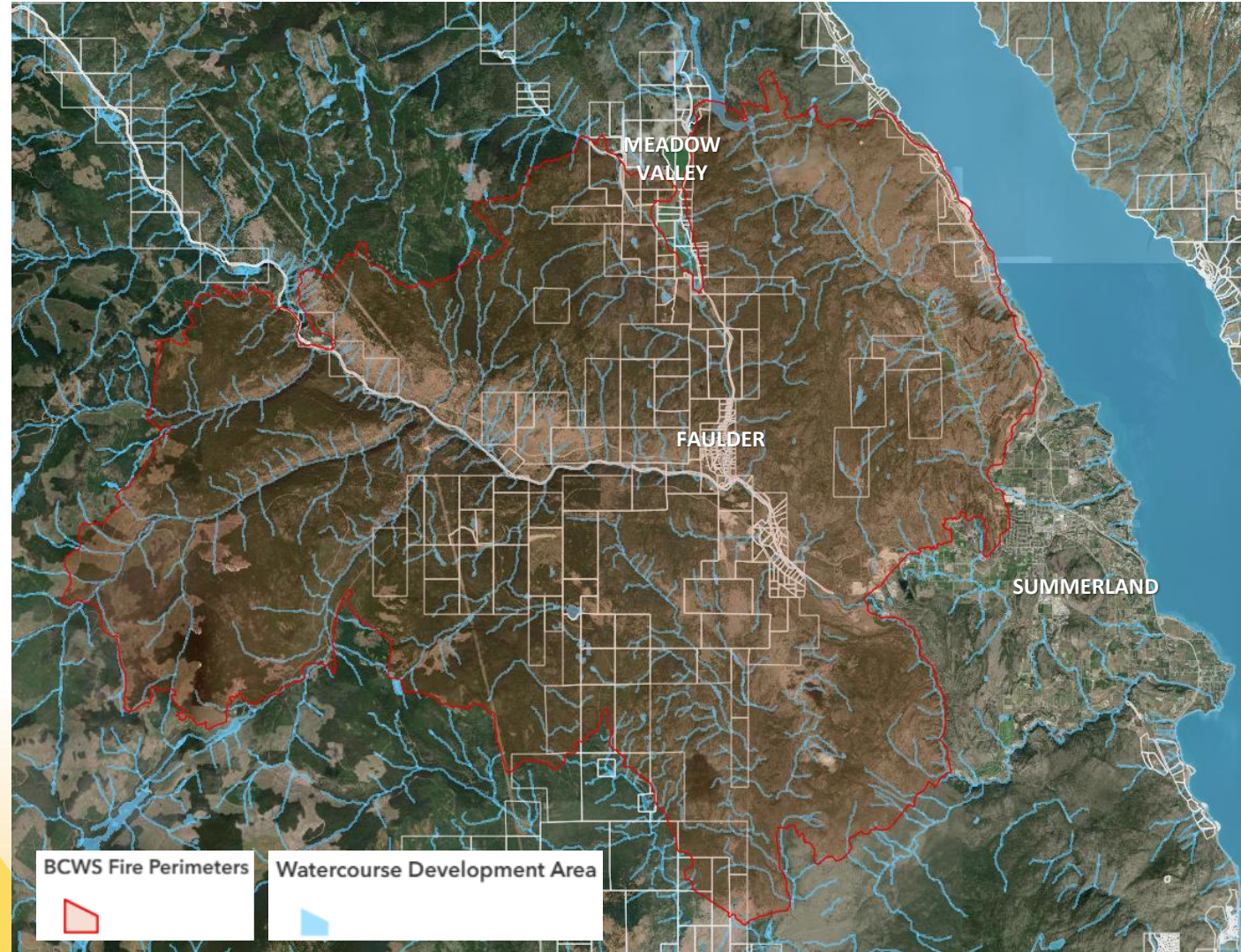
- As of September 25, 2026, the size of the fire was mapped at approximately 25,000 ha and significantly impacted the communities of Summerland, Faulder and Meadow Valley.



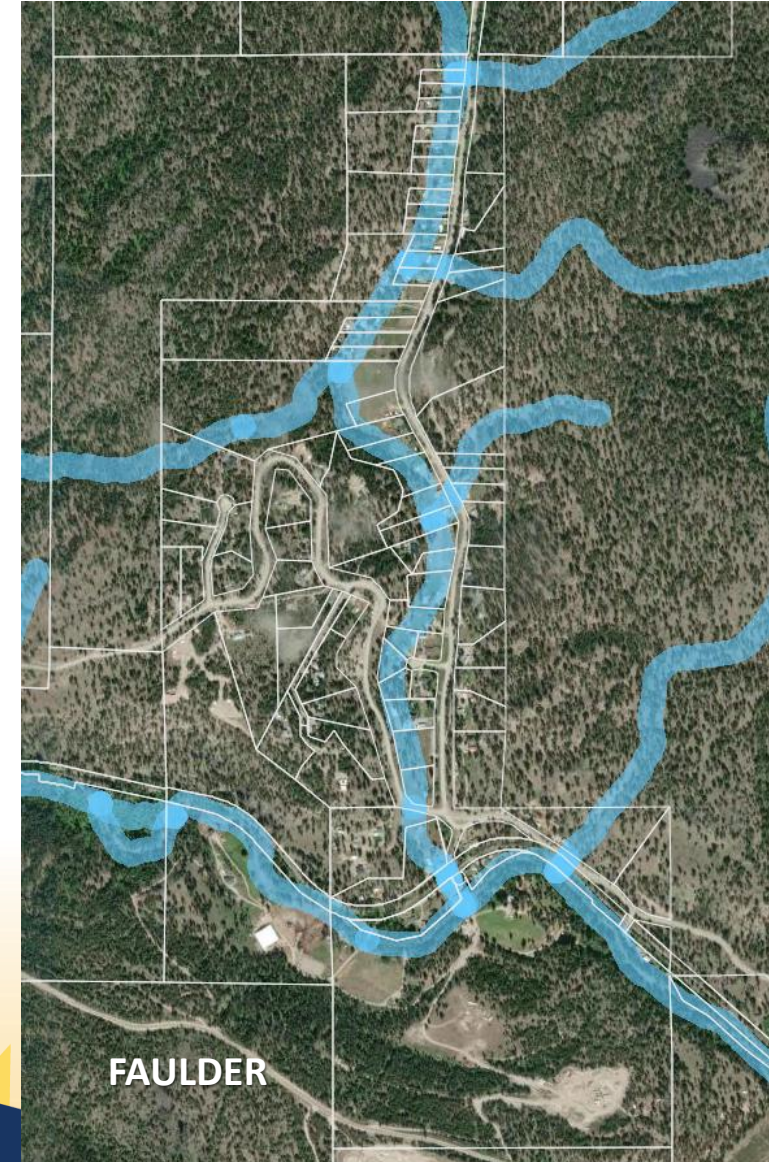
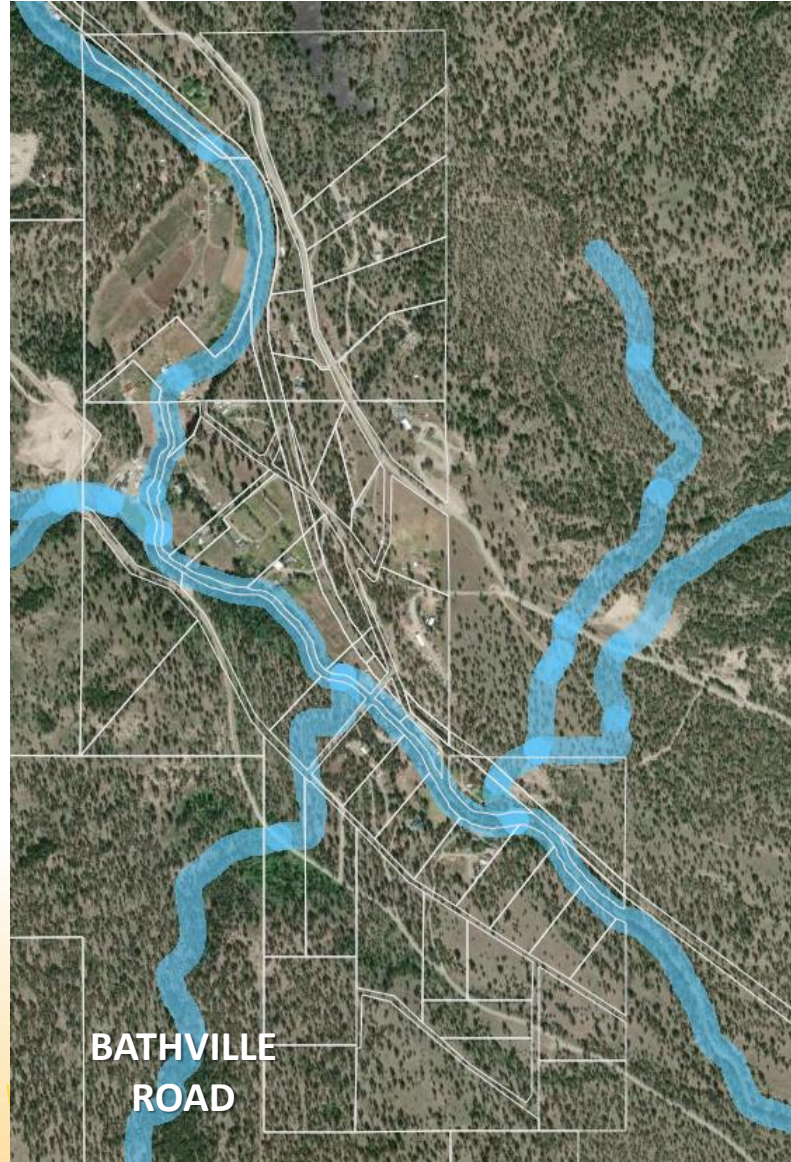
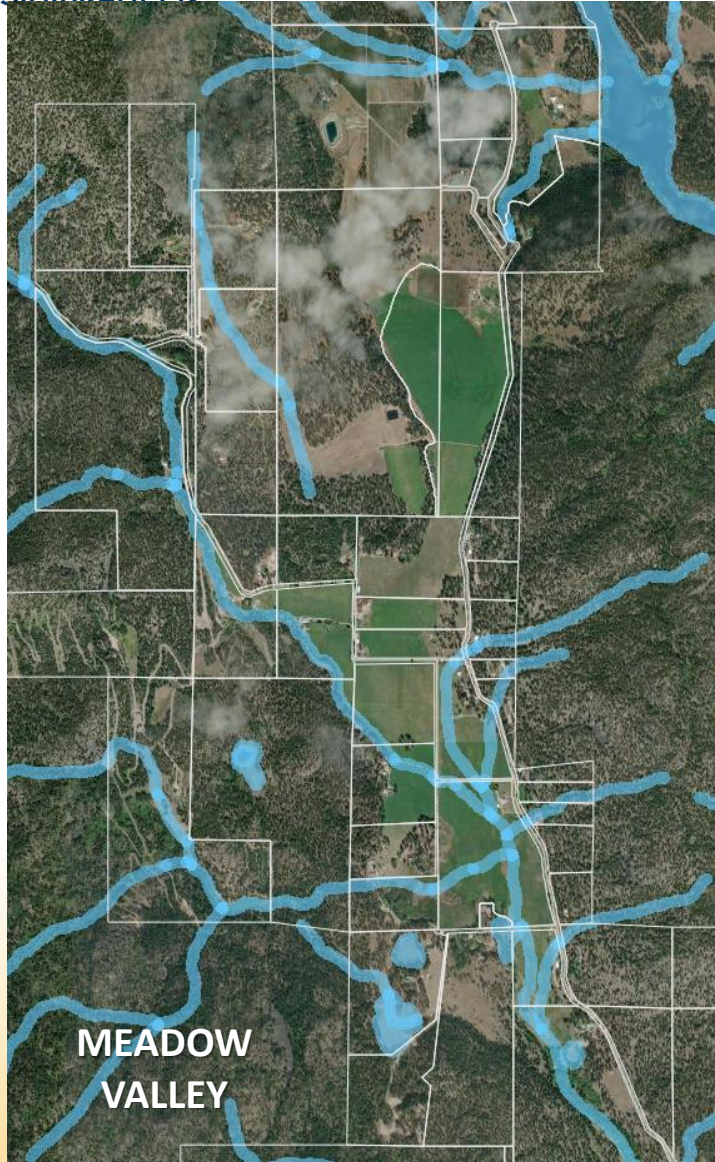
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Background

- The burn area affected approximately 221 parcels designated as WDP Areas.
- The land affected and designated as WDP represents approximately 940 ha.



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Statutory Requirements

- The *Local Government Act* requires that an OCP “include statements and map designations for ... restrictions on the use of land that is ... environmentally sensitive”.
- An OCP *may* also designate a development permit area for the purpose of protecting “the natural environment, its ecosystems and biological diversity.”



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Legislative Compliance:

- The Board has undertaken the following:
 - adopting policies to limit the impact of development on riparian areas; and
 - designating lands as WDP in most Electoral Areas.



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Board Policies:

- WDP Map is based on mapping provided by the province as part of the introduction of the *Riparian Area Regulation* (2004).
- Under the *Riparian Area Protection Regulation* (2019), the Regional District a “named” local government and is required to implement riparian protections.



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Issues:

- Administration is aware of the Board's desire to reduce bureaucratic delays and financial burdens for residents displaced by the Bald Range Wildfire
- Particularly where structures have been damaged or destroyed and reconstruction is required.
- Example: enforcement of RV occupancy.

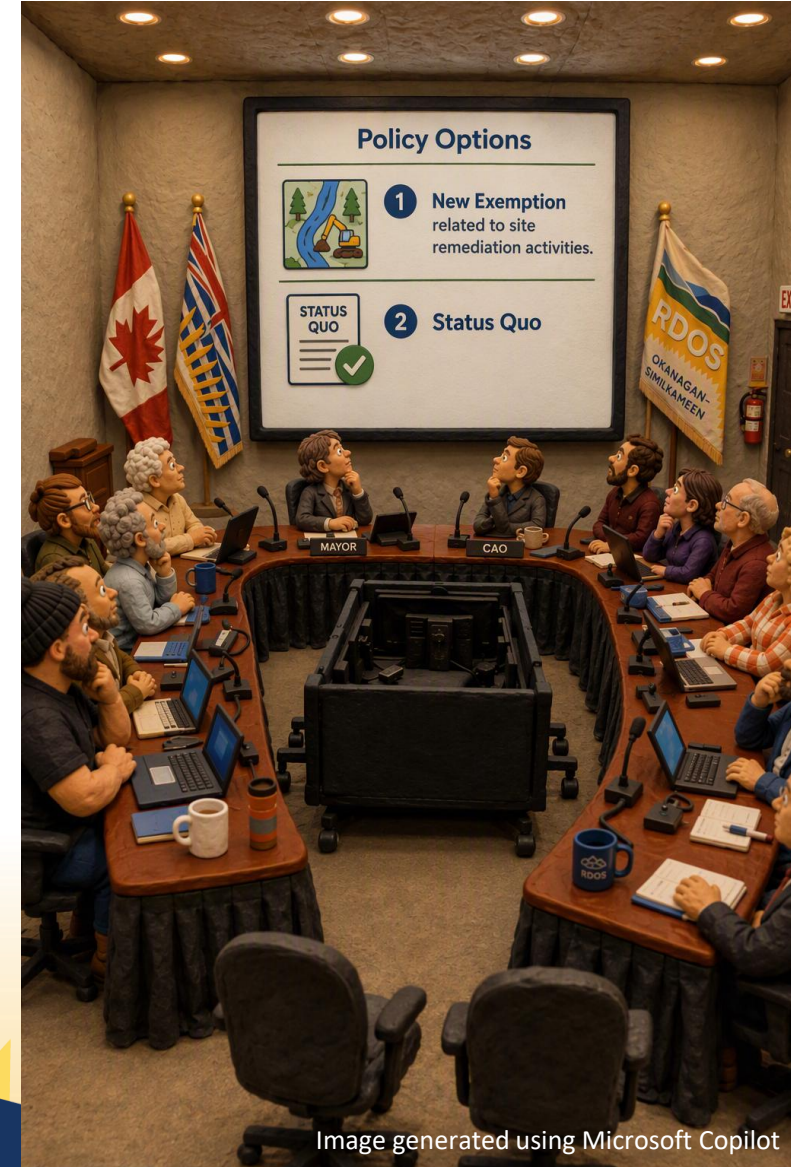


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Options:

Limited options due to the requirements of the *Riparian Area Protection Regulation*:

1. New Exemption related to site remediation activities; or
2. Status Quo



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Option No. 1 – New Exemption

- Would be applied to site remediation activities carried out within 2 years of a fire.
- Would allow for the removal of burnt building materials, ash, and waste as well as hazardous trees.
- No assessment by a QEP or permit from the Regional District would be required.



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Option No. 2 – Status Quo

- The “alteration of the land, including grading, removal of vegetation, deposit or moving of soil ...” continues to require a permit.
- The permit application must be supported by an assessment prepared by a QEP and approved by the province.*



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Provincial Response:

The Province has advised that its approach to the wildfire recovery in riparian areas will be in two phases:

1. *by reducing regulatory requirements for urgent cleanup and safety work through interim exemptions**; and
2. *by introducing a streamlined and lower-cost pathway for rebuilding destroyed homes once the RAPR amendments come into effect in January 2027.*



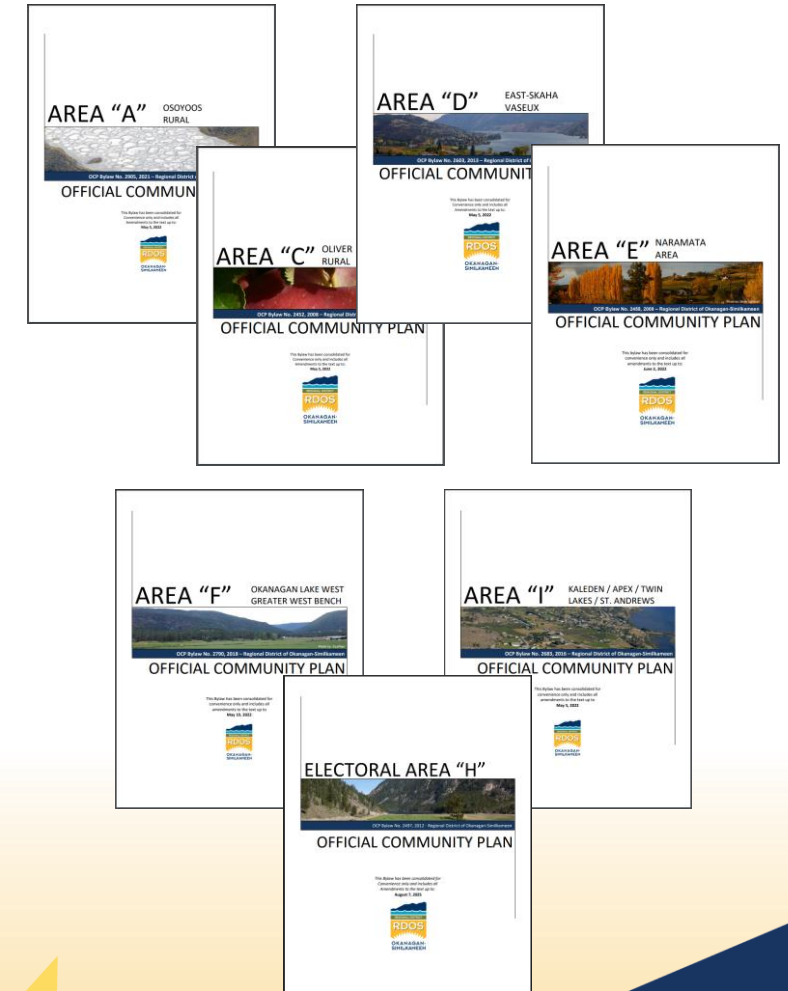
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Administrative Recommendation:

THAT amendments to the Electoral Area OCP Bylaws to exempt site remediation activities in a WDP Area where a primary or accessory structures, or vegetation, were damaged or destroyed by the wildfire be initiated.

Alternative:

1. Status quo.



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Accessory Buildings

- Are prohibited on vacant parcels in order to protect the intent of a Zone by ensuring a principal use is established.
- The regulation is used to ensure unpermitted uses are not established (e.g. storage or manufacturing).
- Is a common regulation and is found in every member municipality zoning bylaw.



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Accessory Buildings

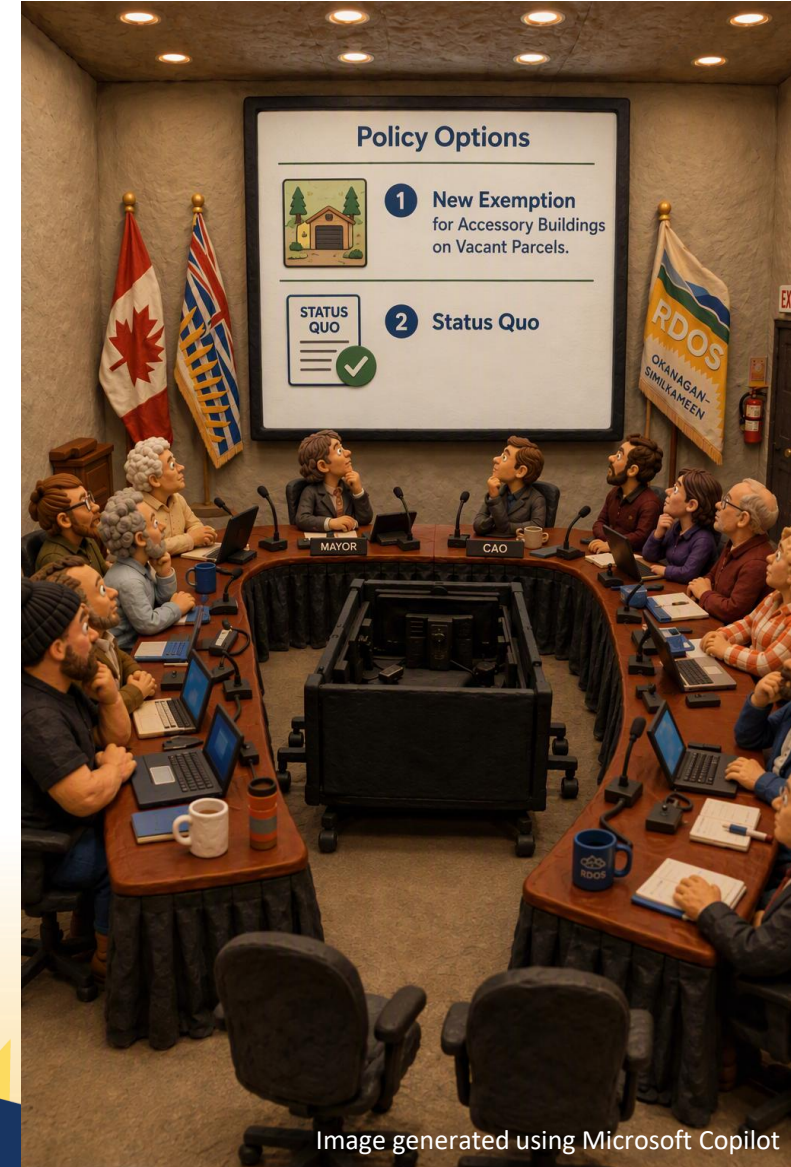
- Regulation can present challenges in an area affected by a wildfire.
- Existing accessory buildings may not provide sufficient storage.
- Allowance for the placement of a metal storage container with a valid building permit (BP) may also not provide sufficient storage.



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Options:

1. New Exemption for “accessory buildings or structures” on vacant parcels; or
2. Status Quo



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Option No. 1 – New Exemption

- Would allow for an accessory structure to be constructed on a property without a principal use (e.g. main house).*
- Would allow for one (1) accessory structure per parcel with a maximum floor area of 100 m².
- Would be time-limited (e.g. BP to be submitted by September 1, 2028).



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Option No. 2 – Status Quo

- Accessory Buildings remain prohibited on vacant parcels.
- Only allowance would be for a metal storage container where a BP has been issued for the construction of a principal building (e.g. house).



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Administrative Recommendation:

THAT amendments to the Okanagan Valley Zoning Bylaw to allow for a limited form of accessory structure to be constructed on parcels affected by the Bald Range Wildfire Area be initiated.

Alternative:

1. Status quo.



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Consultation:

If OCP is to be amended, the following will occur:

- Materials posted to RDOS webpage;
- Preparation of an Information Release;
- Social media notification;
- Voyent Alert! Notification;
- Scheduling of an online public info meeting;
- First Nations and external agency consultation;
- Written notice to affected property owners.



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Questions?