ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: November 19, 2026

RE: Zoning Bylaw Amendment – Electoral Area "I" (I2026.008-ZONE)

Administrative Recommendation:

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.68, 2026, be denied.

Alternative:

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.68, 2026, be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of December 3, 2026;

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

Purpose:	To allow for an accessory dwelling as a permitted accessory use.	Folio:	I-05076.090
Civic:	216 Twin Lakes Road	Legal:	Lot A, Plan EPP9077, Section 36, Township 89, SDYD
OCP:	Small Holdings (SH)	Zone:	Small Holdings One (SH1)

Purpose:

This application is seeking to amend the zoning of the subject property in order to allow accessory dwelling as a permitted accessory use.

In order to accomplish this, the applicant is proposing to amend the zoning of the property under the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Small Holdings One (SH1) to Small Holdings One Site Specific (SH1s), with the site specific regulation to permit an accessory dwelling on the land in addition to the permitted uses.

In support of the rezoning, the applicant has stated that, amongst other things:

- *The proposed location for the new dwelling is approximately the same location as the current bunkies, on the west side of the parcel near Nipit Lake. This new dwelling would meet the zoning bylaw setbacks, lot coverage, floodplain etc. A preliminary QEP report has noted the boundaries of the riparian setback and will be confirmed as the project proceeds.*
- *The owners are aware of the one hectare rule with no community sewer available and understand that the odds of approval are not in their favor. However, with the history of the*

bunkies and primary dwelling both being used concurrently as residences in the past, we are hopeful that this rezone can take place so that the new dwelling can proceed.

Strategic Priorities: Operational

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 20, 2010, while BC Assessment has classified the property as "Residential" (Class 01).

Available Regional District records indicate that a building permits for an egress window addition (2022) and to decommission a suite (2022).

Official Community Plan (OCP):

Under the Electoral Area "I" OCP Bylaw No. 2683, 2016, the subject property is currently designated Small Holdings (SH), which includes a Board policy of supporting "secondary suites and accessory dwellings, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system."

The property is subject of a Watercourse Development Permit (WDP) Area designation.

Zoning Bylaw:

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Small Holdings One (SH1) which requires a minimum parcel size of 1.0 ha for an accessory dwelling, when connected to a community sewer.

"1.0 Hectare Policy":

In response to provincial infrastructure grant and Okanagan Basin Water Board (OBWB) grant criteria, the RDOS has applied a "1.0 ha Policy" to all areas within the jurisdiction of the Regional District (i.e. all Electoral Areas).

This was to forestall the creation of small parcels dependent upon on-site septic fields for the disposal of wastewater throughout unincorporated areas (i.e. rural sprawl) and to prevent the development of additional detached dwelling units served by septic on parcels less than 1.0 ha in area.

The province has identified 1.0 hectare as being the minimum parcel size upon which a septic field for a single residential use should be utilised, as higher densities are likely to lead to septic failure over the long-term and implementation of this requirement had been consistently applied by the Ministry throughout the province when considered grant requests.

Since implementing the "1.0 ha Policy" in 2008, the Board had not supported an exception to this policy for subdivision, while a number of allowances for the short-term use of a recreation vehicle (RV) as a dwelling unit on parcels have been approved on a temporary basis through the issuance of a temporary use permit (TUP).

Following revisions to its grant funding criteria in 2024, the OBWB now requires local governments to provide, on an annual basis, "a list of all adopted amendment bylaws and issued permits approved by the local government in the previous calendar year, if any, that provided exceptions and/or variances to the bylaw regulations that relate to the OBWB's 1.0 ha Policy."

Floodplain:

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Twin Lakes and no building or structure shall be located within 7.5 metres of the natural boundary of any lake.

Analysis:

In considering this proposal, Administration notes that the Area "I" OCP Bylaw contains a clear policy requiring that all additional detached dwellings on a parcel less than 1.0 ha in size are to be connected to a community sewer system.

This servicing requirement reflects direction from the province and Okanagan Basin Water Board (OBWB) regarding continuing eligibility of the Regional District to qualify for grant funding for key infrastructure projects (e.g. Osoyoos Lake North West Sewer Extension, Okanagan Falls Wastewater Treatment Plant, etc.).

As the subject property is approximately 0.34 ha in area, the development of an accessory dwelling to be serviced by an on-site septic system is inconsistent with the OCP.

It is also noted that the OCP speaks to discouraging the development of private systems for the provision of sewer and stormwater prior to considering increasing density. Other considerations include aquifer protection for the subject parcel abutting Twin Lakes.

Finally, it has been a long-standing policy of the Board to restrict densities outside designated rural growth areas, and that this has been done by prohibiting accessory dwellings, and the subdivision of land under 1.0 ha.

Alternative:

Conversely, Administration recognizes that the South Okanagan RGS acknowledges that "some infill development may occur" outside Rural Growth Areas as settlement areas evolve, provided it does not significantly increase unit counts or density and maintains community character.

In this instance, the proposed development increases the established density for medium sized parcel with the rural residential character, outside the rural growth area.

The Board may consider permitting accessory dwellings on a case-by-case basis in considering the significance of the proposal with respect to the size of the parcel within the Twin Lakes community.

The applicant may also consider proposing the additional dwelling in the form of a secondary suite which is permitted on the subject parcel when it is connected to the same on-site septic disposal system that serves the principal dwelling unit.

NOTE: approving the proposed development, however, cannot be justified within the context of the OBWB's grant funding criteria for sewer facilities assistance.

Summary:

For the reasons outlined above, and concerns regarding compliance with OBWB 1.0 Ha Policy requirements and the absence of required sewer and stormwater infrastructure, Administration is recommending that the application be denied.

Financial Implications:

It is also possible that there may be costs associated with utility upgrades resulting from a proposed development related to a rezoning, such as development cost charges considering the increased demand to the water system, amongst others.

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.

Site Context:

The subject property is approximately 0.34 ha in area and is situated on the west side of Twin Lakes Road, adjacent to Twin Lakes. It is understood that the parcel is comprised of a single detached dwelling and various accessory structures.

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

Referrals:

Approval from the Ministry of Transportation and Transport (MoTT) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 3A).

Public Process:

On November 4, 2026, a Public Information Meeting (PIM) was held online via Webex and was attended by approximately four (4) members of the public.

At its meeting of November 2, 2026, the Electoral Area "I" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be denied.

Under Section 464(4) of the *Local Government Act*, the Regional District "must not hold a public hearing on a zoning bylaw proposed for the sole purpose of complying with section 481.3 *[zoning bylaws and small-scale multi-family housing]*."

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

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted:	**Endorsed By:**	**Endorsed By:**
Tharini Prakash		*Allen Fillion*
Tharini Prakash	C. Garrish	A. Fillion
Planning Technician	Senior Manager of Planning	Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Agency Referral List
No. 2 – Applicant's Site Plan
No. 3 – Site 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 No. 28000.68, 2026:

MEMBER MUNICIPALITIES			
☐	City of Penticton	☐	Town of Oliver
☐	District of Summerland	☐	Town of Osoyoos
☐	Town of Princeton	☐	Village of Keremeos
FIRST NATIONS			
☐	Okanagan Nation Alliance (ONA)	☐	Lower Similkameen Indian Band (LSIB)
☐	Osoyoos Indian Band (OIB)	☐	Upper Similkameen Indian Band (USIB)
☐	Penticton Indian Band (PIB)		
SCHOOL DISTRICTS			
☐	School District No. 53 (Areas A, C & G)	☑	School District No. 67 (Areas D, E, F, I)
☐	School District No. 58 (Area H)		
REGIONAL DISTRICTS			
☐	Central Okanagan Regional District	☐	Kootenay Boundary Regional District
☐	Fraser Valley Regional District	☐	Thompson Nicola Regional District
IRRIGATION & IMPROVEMENT DISTRICTS			
☐	Allison Lake Improvement District	☐	Keremeos Irrigation District
☐	Apex Mountain Resort (utilities)	☑	Lower Nipit Improvement District
☐	Boundary Line Irrigation District	☐	Meadow Valley Irrigation District
☐	Cawston Irrigation District	☐	Osoyoos Irrigation District
☐	Farleigh Lake Water Users Community	☐	Red Wing Resorts (Water System)
☐	Fairview Heights Irrigation District	☐	Rolling Hills Waterworks District
☐	Hedley Improvement District	☐	Similkameen Improvement District
☐	Kaleden Irrigation District	☐	Vaseux Lake Improvement District
FIRE DEPARTMENTS			
☐	Anarchist Mtn. Volunteer Fire Department	☐	Oliver Fire Department
☐	Apex Volunteer Fire Department	☐	Osoyoos Fire Department
☐	Kaleden Volunteer Fire Department	☐	Penticton Fire Department
☐	Naramata Volunteer Fire Department	☐	Summerland Fire Department
☐	OK Falls Volunteer Fire Department	☐	Willowbrook Volunteer Fire Department
PROVINCIAL MINISTRIES & AGENCIES			
☐	Agricultural Land Commission (ALC)	☐	Ministry of Agriculture & Food
☐	Archaeology Branch	☐	Ministry of Energy & Climate Solutions
☐	BC Parks	☐	Ministry of Housing & Municipal Affairs
☐	Integrated Land Management Bureau	☐	Ministry of Infrastructure
☐	Interior Health Authority (IHA)	☐	Ministry of Mining & Critical Minerals
☐	Mountain Resort Branch	☑	Ministry of Transportation and Transit
		☐	Ministry of Water, Land & Resource Stwd.
FEDERAL MINISTRIES & AGENCIES			
☐	Canadian Wildlife Services	☐	Fisheries and Oceans Canada
☐	Dominion Radio Astrophysical Observatory	☐	Parks Canada
☐	Environment Canada		
OTHER			
☑	Fortis		



1 Site Overview
1" = 50'-0"



2 Site Project Area
1 : 250

Proposed Accessory Dwelling Floor Area Calculations

Main Floor-	975sq.ft
Upper Floor-	975sq.ft
Attic Floor-	415sq.ft
Total Floor Area=	**2365sq.ft (219.71m2)**

Please See JOSS DESIGN INC. For Detailed Accessory Dwelling Plans.

JPM DRAFTING & DESIGN

JPM DRAFTING AND DESIGN
JEFF & AIMEE GAGNON
250-770-1585
jpmdraftinganddesign@gmail.com
jpmdraftinganddesign.ca

PROJECT:

PROPOSED REZONE FOR BROOKE & SCOTT VENEMA

PROJECT ADDRESS:

216 TWIN LAKES RD, KALEDEN BC.

LEGAL DESCRIPTION:

LOT A, PLAN EPP9077, SECTION 36, TOWNSHIP 89, SIMILKAMEEN DIV OF YALE LAND DISTRICT

No.	Description	Date
1	Revision 1	26-06-15
2	Revision 2	26-06-18
3	Revision 3 - Issued for rezone application	26-07-13

Date: 2026-07-13
Drawn by: Jeff & Aimee Gagnon
Checked by: J.Gagnon

A2.0

Proposed Project Area

Scale As indicated

Attachment No. 3 – Site Photo

