

ADMINISTRATIVE REPORT



TO: Electoral Area Services Committee

FROM: J. Zaffino, Chief Administrative Officer

DATE: September 24, 2026

RE: Electoral Area "F" OCP Bylaw Amendment – ESDP Mapping / Bald Range Fire Impacts (F2026.009-ZONE)

Administrative Recommendation:

THAT the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, be amended in order to remove the Environmentally Sensitive Development Permit (ESDP) Area designation from all parcels within the area of the Bald Range Wildfire.

Alternatives:

1. THAT the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, be amended in order to remove the Environmentally Sensitive Development Permit (ESDP) Area designation from all parcels within the area:
 - a) *TBD*
 2. THAT the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, be amended in order to remove the Environmentally Sensitive Development Permit (ESDP) Area designation to exempt single detached dwellings and residential accessory buildings and structures on parcels within the area of the Bald Range Wildfire.
 3. Status quo.
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Purpose:

The purpose of this report is to present options and seek direction from the Board regarding possible amendments to the Environmentally Sensitive Development Permit (ESDP) Area designation that applies to properties within the area affected by the Bald Range Wildfire.

Strategic Priorities: 5.2 Optimize Development Approval Function

Statutory Requirements:

Under Section 473 (Content and process requirements) of the *Local Government Act*, an Official Community Plan (OCP) is required to "include statements and map designations for ... restrictions on the use of land that is ... environmentally sensitive to development."

Under Section 488 (Designation of development permit areas) an OCP *may* designate a development permit area for the purpose of protecting "the natural environment, its ecosystems and biological diversity."

Background:

The Regional District has historically satisfied the legislative requirements of the *Local Government Act*, as it relates to restriction on the development of environmentally sensitive lands, by adopting OCP map schedules that indicate environmentally sensitive lands in each electoral area where an OCP has been enacted along with policy statements, such as the following:

Will strive for development that avoids impacting important native species, habitats, ecosystems or sensitive areas and to retain important ecosystem features and functions.

The Regional District has further enacted development permit area designations under Section 488 of the Act in most electoral area OCP bylaws in order to protect “the natural environment, its ecosystems and biological diversity” on privately held parcels that possess high or very high sensitivity and which are generally situated outside of the Agricultural Land Reserve (ALR).

The mapping used to establish these Environmentally Sensitive Development Permit (ESDP) Area designations is generally based on mapping prepared between 2010 and 2012 by the South Okanagan Similkameen Conservation Program (SOSCP) as part of a biodiversity strategy (“Keeping Nature in Our Future”) that had been a recommended action in the Regional Growth Strategy (RGS) Bylaw (adopted in 2010) and was subsequently actioned by the Board.

The introduction of an ESDP Area designation to Electoral Area “F” dates to the implementation of the mapping prepared in support of “Keeping Nature in Our Future”, which was adopted by the Board at its meeting of June 15, 2017.

Bald Range Wildfire (2026):

On August 7, 2026, a wildfire sparked approximately 15 kilometres west of the District of Summerland and near the unincorporated community of Faulder.

As of September 25, 2026, the size of the fire was mapped at approximately 25,000 ha and greatly affected the communities of Faulder and Meadow Valley with 110 structures either damaged or destroyed.

Within the area affected by the wildfire, the Regional District has designated approximately 124 parcels as ESDP Areas due to identified environmental values. These designations represent approximately 1170 ha of land, with the majority located in Faulder and its immediate vicinity (see Attachment No. 1).

Analysis:

Administration is aware of the Board’s desire to reduce bureaucratic delays and financial burdens for residents displaced by the Bald Range Wildfire, especially where structures have been damaged or destroyed and reconstruction (including site clearing activities) is required.

In response, a number of options are seen to be available in relation to the Environmentally Sensitive Development Permit (ESDP) Area designation, each of which will be discussed below:

Option 1 - Repeal ESDP Area Designation in whole of burn area:

Under this option, the Environmentally Sensitive Development Permit (ESDP) Area designation would be removed from all properties within the burn area on the basis that a high-severity fire such as the

Bald Range Wildfire has likely incinerated all of the native vegetation, nesting habitats, and surface ecosystems on a parcel of land that has previously been identified as environmentally sensitive.

This would negate the need for a property owner to engage and pay the services of a Qualified Environmental Professional (QEP) to “assess” the environmental values on a property that has been affected by wildfire prior to obtaining a building permit (BP) from the Regional District.

Administration is also aware that the damage from a wildfire is not always absolute and that there is a likely “mosaic pattern” on the lands affected by the Bald Range Wildfire. For instance, some areas have likely suffered high-severity burns where the soil and canopy have been heavily damaged, while other areas likely escaped with low-severity burns that actually stimulate ecological renewal.

Accordingly, any repeal of the ESDP Area designation in the burn area is not considered to be permanent as the designation can always be re-introduced in future when new ESDP mapping is prepared and current values identified (it is anticipated that the timeline for such an update could be 10-20 years).

Conversely, it is recognised that a burnt ecosystem is a fragile ecosystem and disruptive practices such as vegetation removal and soil disturbance in existing ESDP Areas affected by the wildfire might result in erosion, landslides, and invasive species infestations. The “mosaic” nature of a wildfire burn might also mean environmental values have survived in certain areas.

Retaining the ESDP layer would ensure that rebuilding activities don't inadvertently cause further, permanent damage to the landscape.

Option 2 - Repeal ESDP Area Designation in select areas:

Under this option, the ESDP Area designation would be removed from a more defined area, such as the rural-residential parcels in Faulder and along Bathville Road. Many of the considerations outlined under Option 1 (see above), would be applicable here.

Option 3 – Residential Exemption

Under this option, an exemption for the development of a principal dwelling unit and accessory structures within the Bald Range Wildfire burn area would be introduced into the OCP bylaw with a corresponding map amendment to delineate the area to which the exemption would be applied.

Given the known challenges associated with rebuilding after a disaster, Administration recommends that any such exemption should not be time sensitive and that the Board revisit it at regular intervals in future based on the pace of re-building (e.g. every 5-10 years).

The exemption could be worded as follows:

- .4 the development or construction of a “single detached dwelling” or a residential “accessory building or structure” on a parcel within the Bald Range Wildfire Area as shown on Schedule ‘I’ (Environmentally Sensitive Development Permit Areas) to this bylaw;*

Administration notes that the District of Summerland already utilizes a general exemption for residential development throughout the whole of its ESDP Area designation.

Specifically; residential development in Summerland is exempt if the footprint of the dwelling does not exceed 250 m² and there is no other dwelling on a property, while all accessory residential structures are also exempt.

Option 4 - Status Quo

Under this option, no amendments would be made to the ESDP Area designation in the Electoral Area "F" OCP Bylaw and property owners subject to the designation would be required to obtain a development permit from the Regional District prior to undertaking development in an ESDP Area.

This would require affected property owners to retain a QEP along with the cost and time delay associated with completing an assessment.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

Any proposed bylaw amendments to the Electoral Area "F" OCP bylaw will be notified in accordance with the requirements of the *Local Government Act* as well as the Regional District's Development Procedures Bylaw No. 2500, 2011.

Will a PowerPoint presentation be presented at the meeting? Yes

Respectfully submitted:



C. Garrish, Senior Manager of Planning

Endorsed By:

Allen Fillion

A. Fillion, Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Bald Range Wildfire Burn Area vs ESDP Area Designation

Attachment No. 1 – Bald Range Wildfire Burn Area vs ESDP Area Designation

