



**8405/8415 104TH AVENUE,
OSOYOOS, BC**

September 2, 2026

**OCP AMENDMENT &
REZONING
APPLICATION**

Regional District of Okanagan-Similkameen (RDOS)
101 Martin Street, Penticton, BC V2A 5J9

Contact

Brad Elenko, MCIP RPP
belenko@mcelhanney.com

Address

2281 Hunter Road, Kelowna, BC
Canada V1X 7C5

Our file: 2451 82610 00

1. Location of Subject Property

The subject property is located at 8405/8415 104th Avenue, Osoyoos, BC is approximately 0.97 hectares in size and is located just north of the Town limits of Osoyoos, within the Regional District of Okanagan-Similkameen (RDOS) Electoral Area “A”, as see in **Figure 1**. The property has ~165 m of waterfront on Osoyoos Lake and has two homes and a large garage/structure. Access to the property is from a panhandle off 104th Avenue.

Figure 1 - Location of Subject Property



2. Site Features & Surrounding Uses

The subject property is just under 1 ha. in area and is a panhandle lot with ~165 m of waterfront on Osoyoos Lake. There are currently two homes, a large garage/structure, a dock, vehicles and boats on the property. The surrounding area is characterized by a mix of agricultural land to the south, Osoyoos Lake to the north, and residential land to the east and west.

3. Current Land Use Designations

Official Community Plan

The subject property is currently designated Agriculture (AG) in the Electoral Area “A” Official Community Plan (OCP) Bylaw No. 2905, 2021 as seen in **Figure 2**, and is within a Watercourse Development Permit (WDP) Area designation (**Figure 3**). The OCP does not specify a minimum parcel size requirement for the AG land use designation.

The RDOS mapping also shows a small portion of the lands within the Agriculture Protection Development Permit as shown in **Figure 4**, however this appears to be a mapping error and additionally our understanding is that no such DP exists anywhere in the OCP and is just outdated mapping on the RDOS website.

Figure 2 - OCP Land Use Designation of Subject Property

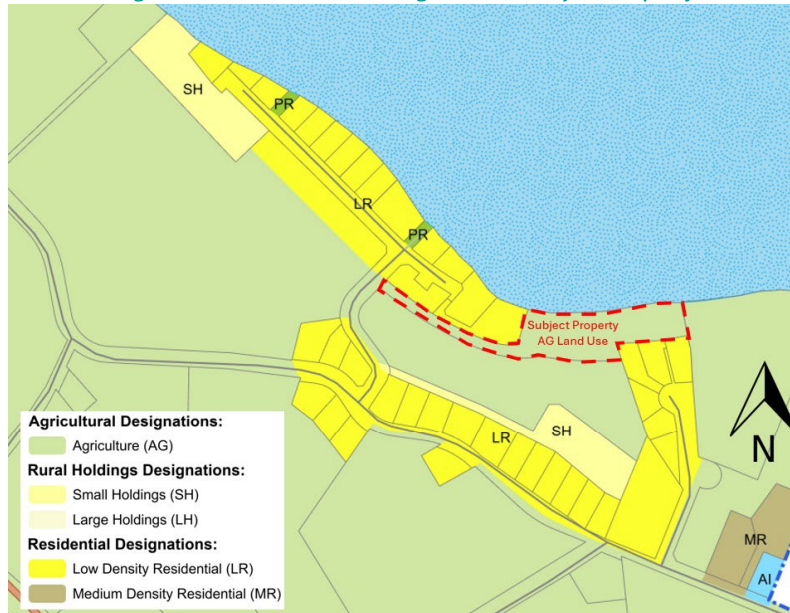


Figure 3 - Watercourse Development Permit (WDP)

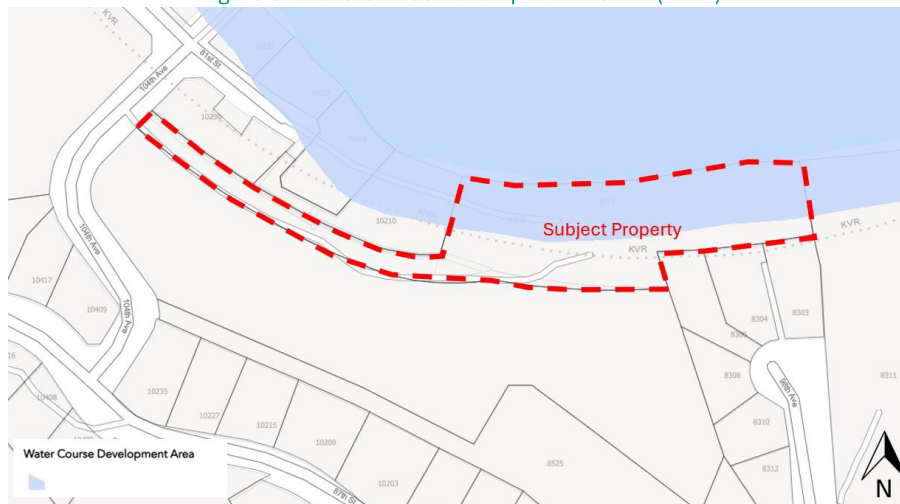
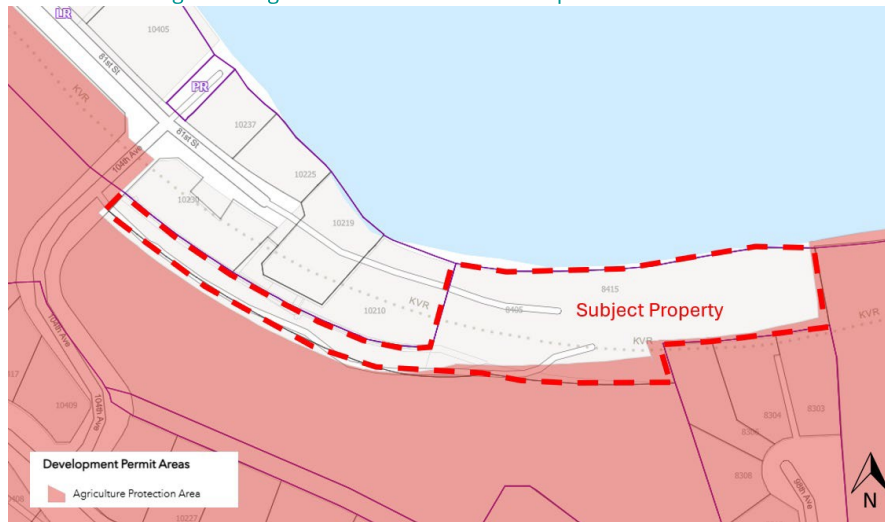


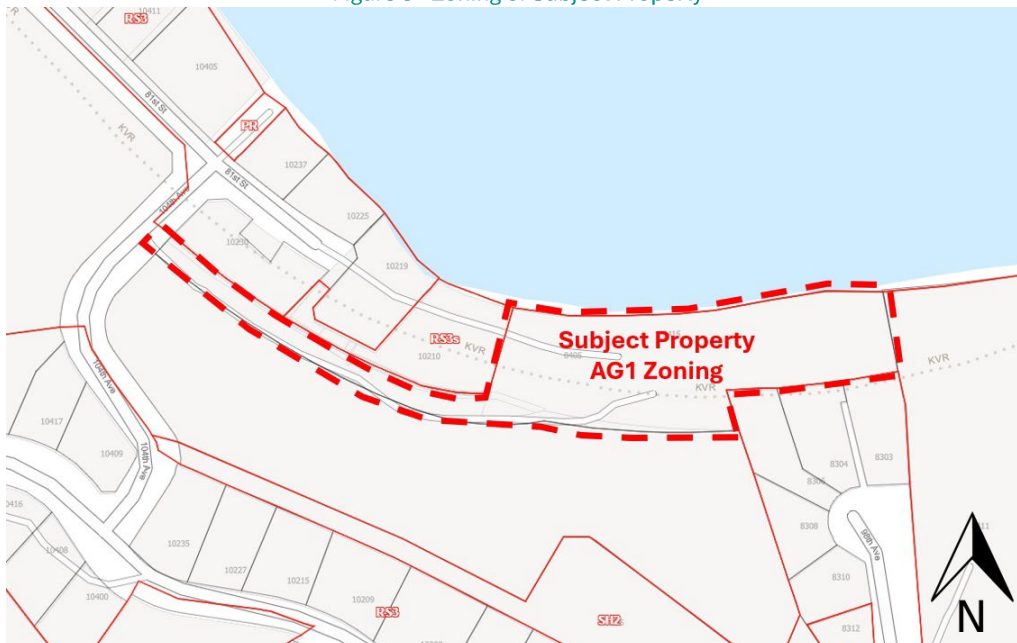
Figure 4 - Agriculture Protection Development Permit Area



Zoning

The property is zoned Agriculture One (AG1), as shown in **Figure 5**, within the Okanagan Valley Zoning Bylaw No. 2800, 2022 which permits various uses such as agriculture, alcohol production, equestrian centre, packing, processing and storage of farm products and a single detached dwelling or mobile home. The AG1 zoning permits one (1) secondary suite, one (1) accessory dwellings, and one (1) accessory building or structure in addition to a single detached dwelling. The minimum parcel size for subdivision in the AG1 zone is 4.0 ha.

Figure 5 - Zoning of Subject Property



Agricultural Land Reserve

The property is not located in the Agricultural Land Reserve (ALR). According to RDOS mapping there is a small portion that runs along the ALR, shown in **Figure 6** below, however; this information has been verified through the ALC website mapping (**Figure 7**) and it appears to be a mapping error on the RDOS website.

Figure 6 - Agriculture Land Reserve Boundary

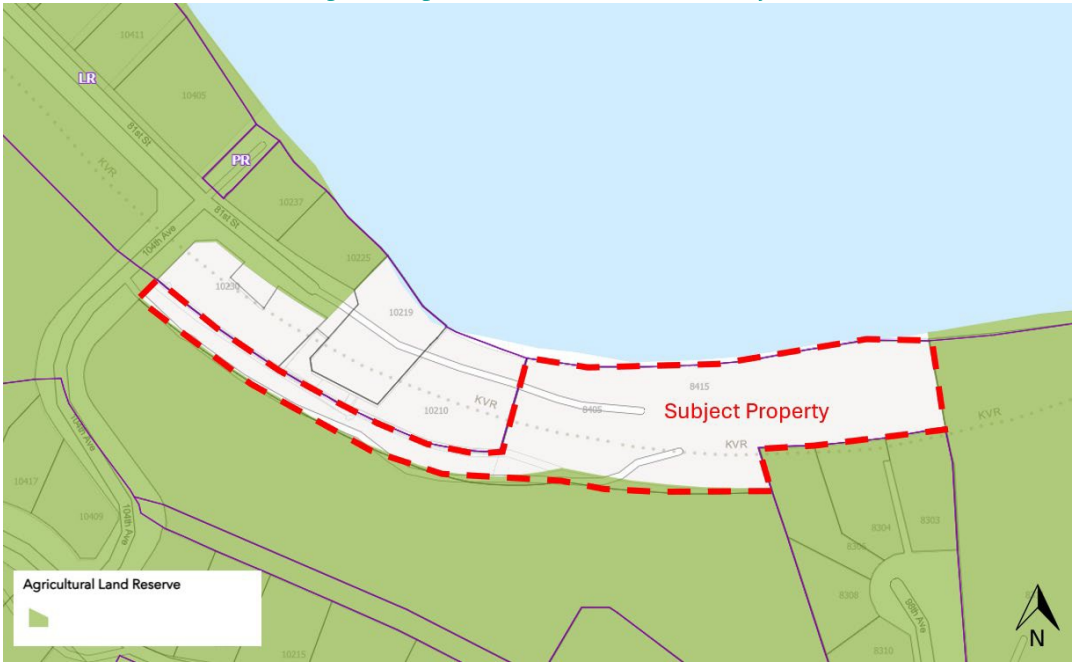


Figure 7 - ALC Mapping



4. Proposed Development

The owner of the Subject Property intends to develop the property to something similar of the surrounding RS3 properties. To accommodate residential development of the subject property, the specific OCP amendment and Rezoning request is as follows:

Table 1 - Existing and Proposed OCP and Zoning

	Existing	Proposed
OCP Land Use Designation	Agriculture (AG)	Low Density Residential (LR)
Zoning Designation	Agriculture One (AG1)	Low Density Residential Three (RS3)

The LR land use designation and RS3 zoning designation is consistent with many parcels that are surrounding the property. The current zoning and land use designation of the property does not match current conditions as the parcel is not being farmed, is too small to be farmed, is already utilized as a residential use and is a highly developable waterfront parcel that is not with ALR.

5. Consistency with the OCP

The proposed amendment to redesignate the subject property from Agriculture (AG) to Low Density Residential (LR) is consistent with the intent of the Electoral Area "A" Official Community Plan and reflects the established residential character of the surrounding area.

The OCP recognizes Low Density Residential lands as areas intended for single detached dwellings, duplexes, secondary suites, accessory dwellings, and other uses compatible with a low-density residential neighbourhood. Policy 11.4.4 supports the redesignation of lands to Low Density Residential within designated Primary Growth Areas and Rural Growth Areas in order to achieve lower servicing costs and minimize environmental impacts. The subject property is already serviced by community water and sewer, which aligns with this policy direction.

The proposal is further supported by OCP Objective 11.2.3, which seeks to accommodate a range of housing types and tenures within the community, and by Policy 11.3.2, which encourages residential infill development to maximize land use and servicing efficiencies. Policies 11.3.3 and 11.3.4 also support a range of residential densities, parcel sizes, and housing forms within existing residential areas.

The subject property is less than 1.0 hectare in area, is not with the Agricultural Land Reserve (ALR), is not currently utilized for agricultural production, and is already used for residential purposes. Given its limited size, existing use, and surrounding context, the parcel makes a negligible contribution to the regional agricultural land base. While designated Agriculture (AG), the property is characterized by approximately 160

metres of waterfront frontage and is situated within an established waterfront residential area that includes several nearby residential properties.

The proposed amendment does not involve the removal of land from the ALR and therefore does not affect the integrity of the provincial agricultural land base. Rather, it recognizes the property's existing characteristics and aligns the OCP designation with the established development pattern. As such, the proposal represents a logical infill opportunity that supports the OCP's direction for residential growth, housing choice, and efficient use of existing services.

5.1. WATERCOURSE DEVELOPMENT PERMIT (WDP) AREA

The proposed OCP and zoning amendments are not anticipated to result in significant adverse environmental impacts. Any future development of the subject property will be subject to the Regional District's environmental protection requirements, including applicable Development Permit Area guidelines and permitting processes.

Accordingly, a Watercourse Development Permit (WDP) will be required prior to development of the site. Through the development permit process, any riparian impacts can be appropriately assessed and mitigated through measures such as building setbacks, erosion and sediment control measures, native vegetation retention and restoration, and other recommendations provided by qualified environmental professionals.

6. Zoning Amendment Rationale

The proposed rezoning from Agriculture One (AG1) to Residential Small Holdings Three (RS3) is appropriate given the physical characteristics of the property and the established residential nature of the surrounding area.

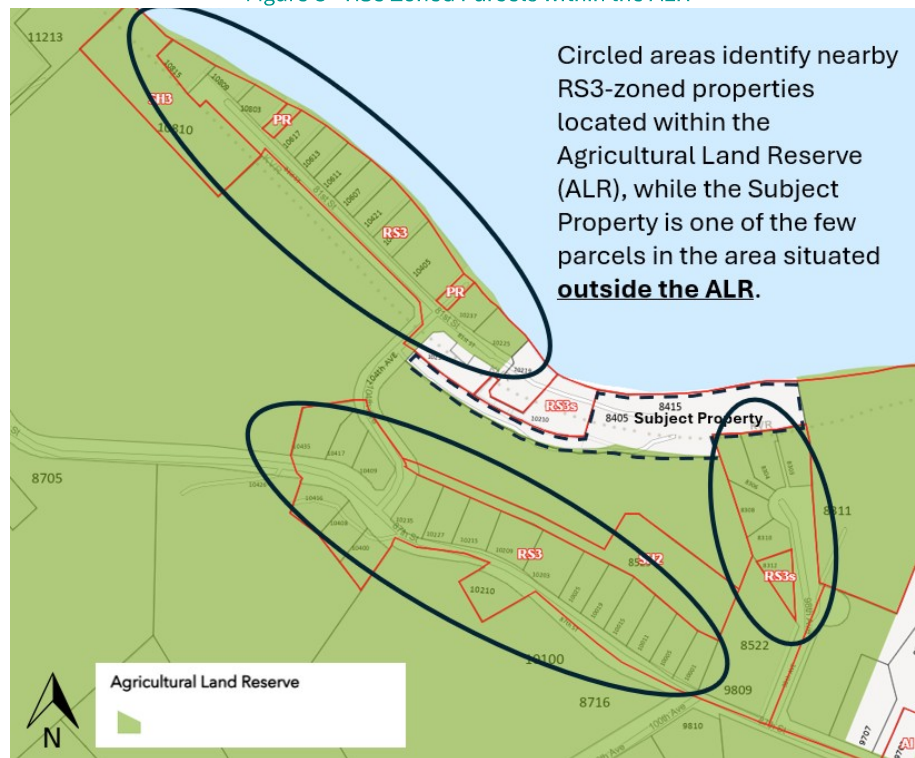
The subject parcel is legally existing and contains just under 1.0 hectare of land. This is substantially smaller than the 4.0-hectare minimum parcel size generally associated with agricultural lands and does not reflect the parcel sizes typically contemplated for agricultural uses within Electoral Area "A". By contrast, the RS3 zone permits a minimum parcel size of 1,000 m², which is more appropriate given the parcel's existing size, configuration, and intended use.

The parcel's waterfront orientation, approximately 160 metres of waterfront frontage, existing residential use, and limited land area significantly constrain its agricultural utility and make it more suitable for residential use. The proposed rezoning would therefore better align the zoning of the property with its actual characteristics and function.

The surrounding area contains existing residential development, including nearby properties zoned RS3. The proposed rezoning would be consistent with this established land use pattern and would not introduce a new or incompatible form of development. Rather, it would align the zoning of the subject property with neighbouring residential properties that exhibit similar physical characteristics and development patterns.

Notably, many of the surrounding RS3-zoned properties are located within the Agricultural Land Reserve, whereas the subject property is one of the few parcels in the area located outside the ALR, as illustrated in **Figure 8**. As a result, the proposed rezoning does not require an ALR exclusion and does not remove land from the provincial agricultural land base. This eliminates one of the primary regulatory and policy barriers often associated with residential development on agriculturally designated lands and supports consideration of the rezoning on its individual planning merits.

Figure 8 - RS3 Zoned Parcels within the ALR



The proposed RS3 zone would provide a zoning framework that reflects the parcel's existing context and anticipated use while maintaining compatibility with surrounding development. The rezoning would not create additional fragmentation of agricultural lands, as the parcel is already separately titled, outside the ALR, and not actively farmed.

Accordingly, the proposed rezoning represents a logical and appropriate adjustment that better reflects the parcel's size, existing use, surrounding land uses, and established waterfront residential character.

7. Conclusion

The proposed OCP and zoning amendments represent a logical and supportable planning outcome that recognizes the existing characteristics of the subject property and its surrounding context. The amendments would align the property's land use designation and zoning with its existing use and surrounding context while facilitating development that is compatible with neighbouring properties.

- The subject property is already serviced by community water and sewer, supporting the efficient use of existing infrastructure and aligning with OCP policies that encourage residential development in serviced areas.
- Unlike many surrounding residential properties, the subject parcel is not within the Agricultural Land Reserve and therefore does not require an ALR exclusion application. As a result, the proposal does not remove land from the provincial agricultural land base and avoids a significant policy consideration commonly associated with agricultural-to-residential land use changes.
- Any future development of the property will be subject to applicable environmental permitting requirements, including a Watercourse Development Permit, ensuring that shoreline and riparian values are appropriately assessed and protected through the development review process.
- The proposed OCP amendment from Agriculture (AG) to Low Density Residential (LR) is consistent with OCP policies supporting residential infill, a range of housing opportunities, and appropriately located residential growth, including Policies 11.3.2, 11.3.3, 11.3.4, and 11.4.4.
- The property is situated within a waterfront area containing existing residential development, including nearby RS3-zoned properties, and the proposal reflects the established residential character of the surrounding neighbourhood.
- The proposed rezoning from AG1 to RS3 would establish a zoning designation that is more consistent with the parcel's size, physical characteristics, surrounding land uses, and anticipated future use.
- The proposal will not fragment viable agricultural land, and will create significant impacts on adjacent agricultural lands or operations. OCP Policies 11.3.6 and 11.3.7 provide direction regarding fencing and buffering where agricultural interfaces exist.
- The amendments would improve consistency between the property's OCP designation, zoning, and the existing pattern of waterfront residential development in the area.
- Overall, the proposed amendments represent a reasonable and supportable planning outcome that is consistent with the intent and objectives of the Electoral Area "A" Official Community Plan.

