

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: June 5, 2025

RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “H” (H2025.004-ZONE)

Administrative Recommendation:

THAT the Electoral Area “H” Official Community Plan Amendment Bylaw No. 2497.17, 2025, and the Electoral Area “H” Zoning Amendment Bylaw No. 3065.01, 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 June 5, 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. 2497.17, 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 June 19, 2025;

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

Purpose: to facilitate a two-lot subdivision in the form of a lot line adjustment. **Folio:** H-00573.050

Civic: 2531 Coalmont Road **Legal:** Lot 2, Plan KAP89110, District Lot 128, YDYP

OCP: Small Holdings (SH) **Zone:** Small Holdings Two (SH2)

Proposed Development:

This application is seeking to amend the zoning of an approximately 0.164 ha portion of the subject property in order to allow for a two-lot subdivision in the form of a lot line adjustment between 2531 and 2567 Coalmont Road, which will transfer the approximately 0.164 ha portion of 2531 Coalmont Road to 2567 Coalmont Road.

In order to accomplish this, the following land use bylaw amendments are being proposed by the applicant:

- amend the land use designation under Schedule ‘B’ (OCP Map) of the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, from Small Holdings (SH) to Low Density Residential (LR); and

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- amend the zoning under Schedule '2' (Zoning Map) of the Electoral Area "H" Zoning Bylaw No. 3065, 202, from Small Holdings Two (SH2) to Low Density Residential One (RS1).

In support of the rezoning, the applicant has stated that:

As the Owner of 2567 Otter Avenue the boundary adjustment will allow me to ensure that the privacy tree currently adjacent to my property will become part of my property. These trees offer shade and privacy to my property from the neighbouring property and will allow me to maintain the natural habitat of the area benefitting both my property but the community as well. My family has owned the property in the area for generations and I have enjoyed the community as both a child and now as a parent.

Site Context:

The subject property is approximately 6,083 m² in area and is situated on the south side of Coalmont Road. The property is also just north of the Tulameen River and approximately 18 km northwest of the boundary with the Town of Princeton. 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.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on May 27, 2009, while available Regional District records indicate that a building permits for a garage (2021), a single family dwelling (2021), a cabin demolition (2021), and a garage (2019) have previously been issued for this property.

Under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Small Holdings (SH) and is the subject of no Development Permit Area designations.

Under the Electoral Area "H" Zoning Bylaw No. 3065, 2024, the property is currently zoned Small Holdings Two (SH2) which requires a minimum parcel size of 0.5 ha, subject to servicing requirements.

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Tulameen River and future development will be required to be consistent with the Zoning Bylaw's Floodplain Regulations.

The property is not within the Agricultural Land Reserve (ALR) and has been classified as "Residential" (Class 01) by BC Assessment.

On December 6, 2024, the Ministry of Transportation and Transit (MoTT) referred a proposed 1 lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws.

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 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 part of that School District. In this instance, School District No. 58 has 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.

Public Process:

On May 5, 2025, a Public Information Meeting (PIM) was held online through Webex and was attended by approximately four (4) members of the public.

At its meeting of May 12, 2025, the Electoral Area "H" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

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 Zoning Bylaw provides a number of exemptions from minimum parcel size requirements apply to boundary adjustments, provided certain criteria is met.

In this instance, not all of these criteria are being met as the proposed "Lot A" is proposed to be split-zoned part Small Holdings Two (SH2) and part Low Density Residential One (RS1). Consequently, the minimum parcel size requirement that applies is the more onerous of these two zones; being the 0.5 ha associated with the SH2 Zone.

As the proposed size of "Lot A" is approximately 1,640 m², it does not meet this 0.5 ha requirement (NOTE: the proposed "Lot B", at approximately 5,430 m² in area, does comply) and an amendment to the zoning of the property is required.

Importantly, the proposed boundary adjustment is not otherwise resulting the creation of additional parcels (e.g. triggering the need for a community water and sewer connection), is not resulting in new parcel lines infringing on the setbacks associated with existing structures and will result in new parcel layouts generally consistent with those found elsewhere in the community.

Consistency between the parcel lines, zoning and OCP designations will alleviate future administrative challenges by more clearly delineating what uses may take place on the property.

Alternative:

Conversely, the option of not supporting the proposed rezoning is available to the Board and would result in the current parcel boundaries between the two properties being maintained (e.g. status quo).

In this instance, however, it is not clear that there is a strong community interest in maintaining the current boundaries.

Summary:

In summary, the proposed OCP and Zoning Bylaw amendments are seen to be consistent with the long-term preferred future land use of this property.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed bylaw amendments 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 Electoral Area "H" Official Community Plan Amendment Bylaw No. 2497.17, 2025, and the Electoral Area "H" Zoning Amendment Bylaw No. 3065.01, 2025, be denied.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted:

Colin Martin
Colin Martin
Planner I

Endorsed By:



C. Garrish
Senior Manager of Planning

Endorsed By:



A. Fillion
Managing Director, Dev. & Infrastructure

- Attachments:** No. 1 – Agency Referral List
No. 2 – Applicant's Site Plan
No. 3 – Aerial Photo
No. 4 – Site Photo (Google Streetview)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Amendment Bylaw No. 3065.01 & 2497.17:

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

Attachment No. 2 – Applicant’s Site Plan

**PROPOSED SUBDIVISION PLAN OF LOT 1 AND 2,
DL 128, YDYD, PLAN KAP89110.**

PID: 027-930-041 AND 027-930-017
 CIVIC ADDRESS: 2567 COALMONT ROAD AND 2531 COALMONT ROAD
 CLIENT: KELLETT / NICHOLSON

This document shows the relative location of proposed improvement(s) named above with respect to the boundaries of the described parcel.

This document was prepared for the exclusive use of the client named herein, for planning purposes.

Lot dimensions shown are derived from field survey measurements and may differ from Land Title Office records.

This document shall not be used to define property lines or corners.

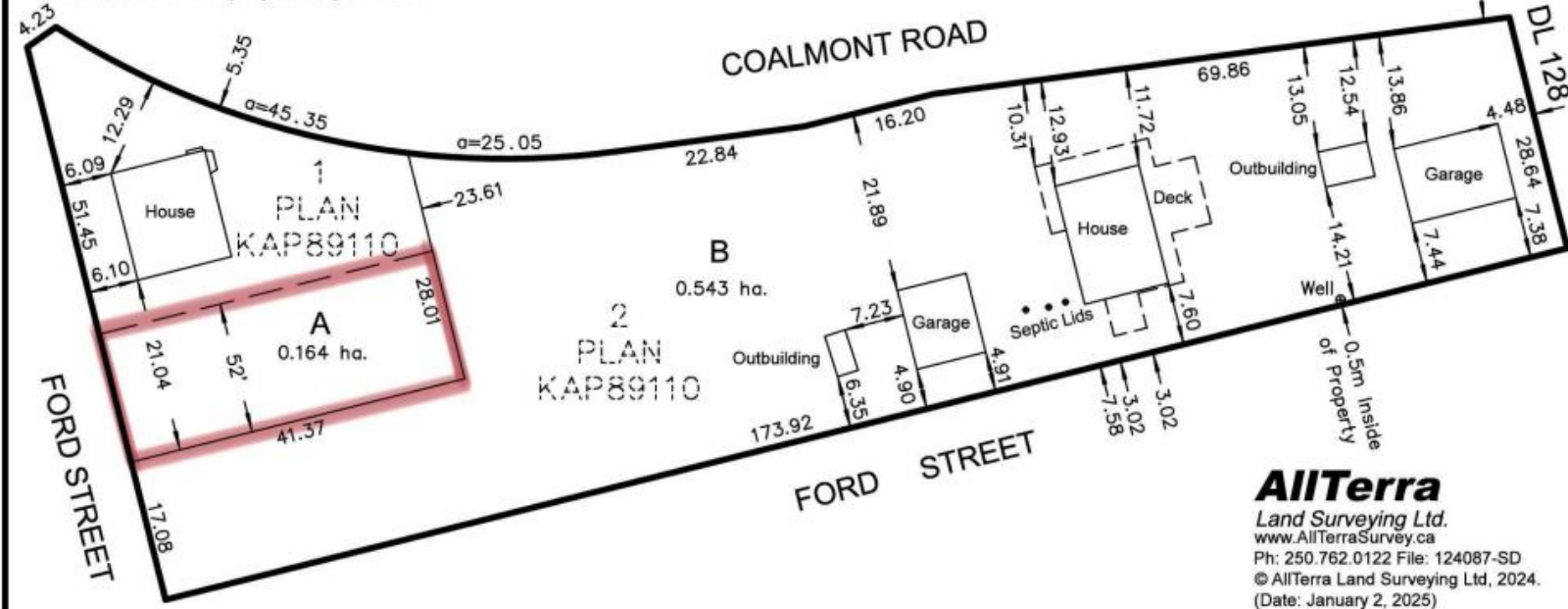
Scale 1:750 Metric. Distances shown are in metres and decimals thereof.

Notes:

- Unregistered interests have not been included or considered.
- Surveyed: October 8, 2024

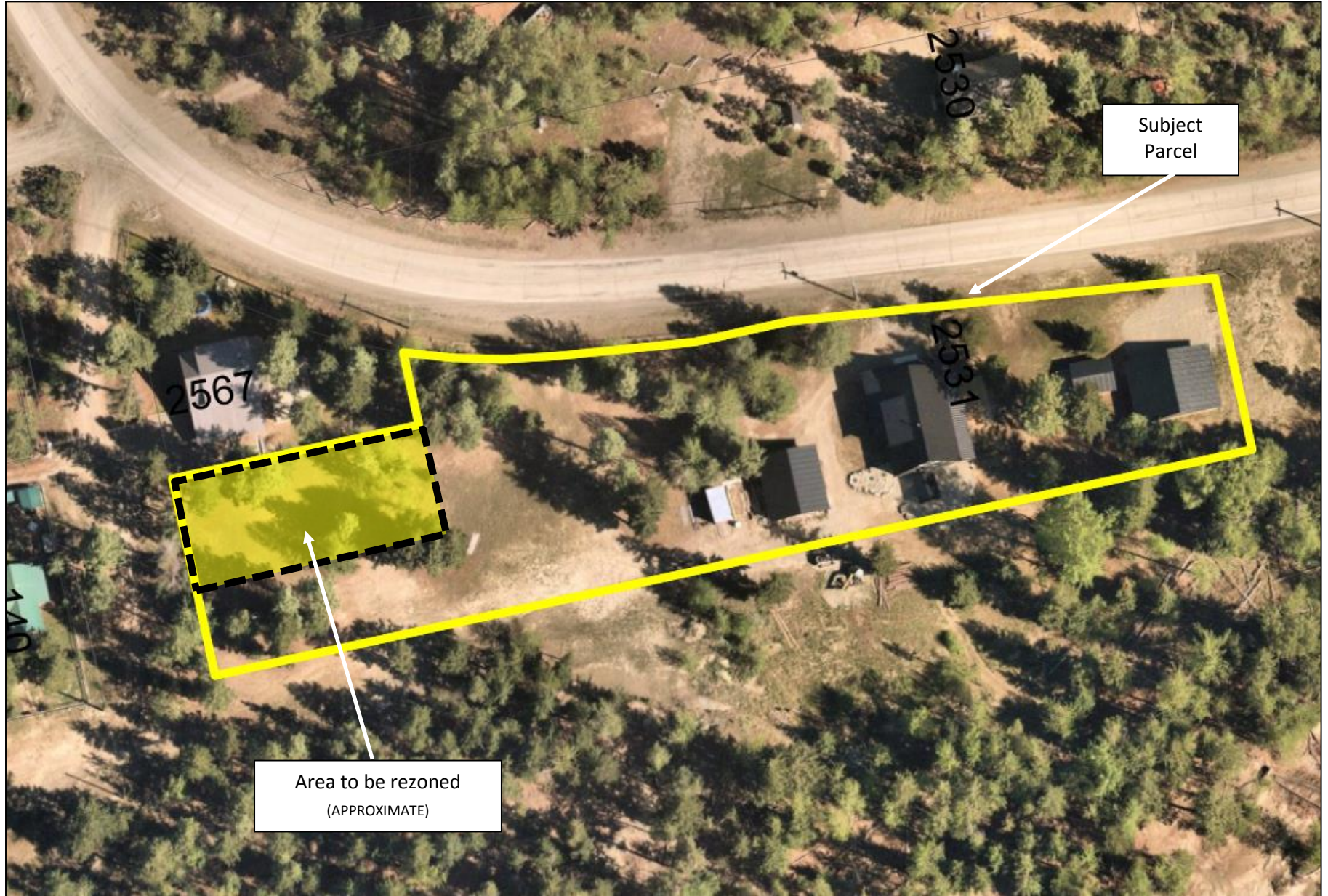
Charges on Title:

Lot 1 and Lot 2 - Statutory Right of Way: LB164058



AllTerra
 Land Surveying Ltd.
 www.AllTerraSurvey.ca
 Ph: 250.762.0122 File: 124087-SD
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 (Date: January 2, 2025)

Attachment No. 3 – Aerial Photo



Attachment No. 4 – Site Photo (Google Streetview)

