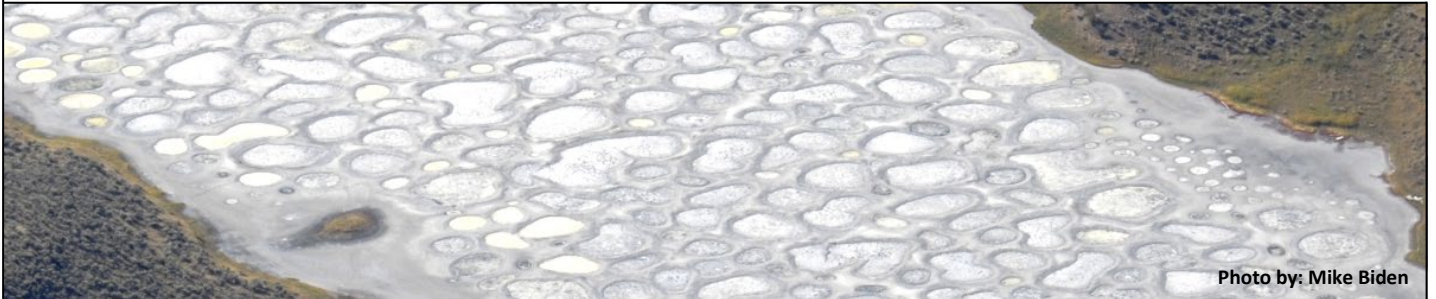


# AREA “A”

OSOYOOS  
RURAL



OCP Bylaw No. 2905, 2021 – Regional District of Okanagan-Similkameen

# OFFICIAL COMMUNITY PLAN

This Bylaw has been consolidated for  
Convenience only and includes all  
Amendments to the text up to:  
**May 18, 2023**





**Regional District of Okanagan-Similkameen**  
**Electoral Area “A”**  
**Official Community Plan Bylaw No. 2905, 2021**

**TABLE OF CONTENTS**

1.0	INTERPRETATION AND ADMINISTRATION.....	7
2.0	WHAT IS AN OFFICIAL COMMUNITY PLAN? .....	10
3.0	COMMUNITY PROFILE .....	11
4.0	OFFICIAL COMMUNITY PLAN DESIGNATIONS .....	18
5.0	VISION AND BROAD GOALS .....	19
6.0	GROWTH MANAGEMENT .....	21
7.0	LOCAL AREA POLICIES .....	27
8.0	RESOURCE AREA .....	34
9.0	AGRICULTURE .....	38
10.0	RURAL HOLDINGS .....	42
11.0	RESIDENTIAL .....	45
12.0	COMMERCIAL .....	49
13.0	INDUSTRIAL.....	51
14.0	ADMINISTRATIVE, CULTURAL AND INSTITUTIONAL.....	53
15.0	PARKS, RECREATION AND TRAILS.....	58
16.0	NATURAL ENVIRONMENT AND CONSERVATION .....	63
17.0	HAZARD LANDS.....	73
18.0	TRANSPORTATION .....	77
19.0	INFRASTRUCTURE WORKS AND SERVICES.....	80
20.0	AGGREGATE AND MINERAL RESOURCES.....	88
21.0	CLIMATE CHANGE MITIGATION AND ADAPTATION.....	91
22.0	TEMPORARY USE PERMITS .....	94
23.0	DEVELOPMENT PERMIT AREAS .....	97
24.0	IMPLEMENTATION AND MONITORING .....	106

---

## LIST OF SCHEDULES AND MAPS

---

- Schedule 'A' Official Community Plan Text
- Schedule 'B' Official Community Plan Map
- Schedule 'C' Parks, Recreation and Trails
- Schedule 'D' Hazard Lands – Flood
- Schedule 'E' Hazard Lands – Steep Slopes
- Schedule 'F' Hazard Lands – Wildfire
- Schedule 'G' Transportation Network
- Schedule 'H' Environmentally Sensitive Development Permit Areas
- Schedule 'I' Watercourse Development Permit Areas

**Note:** Schedules 'B', 'C', 'D', 'E', 'F', 'G', 'H', and 'I' can be viewed either on the Regional District website at [www.rdos.bc.ca](http://www.rdos.bc.ca), or by request in hard copy at the Regional District office.

## LIST OF FIGURES

<b>Figure 1:</b> Plan Area Regional Context .....	11
<b>Figure 2:</b> NK'Mip Desert Cultural Centre .....	14
<b>Figure 3:</b> Regional Growth Rate Comparisons 2011-2016 .....	14
<b>Figure 4:</b> Electoral Area "A" 2016 Population by Gender and Age Cohort .....	15
<b>Figure 5:</b> BC 2016 Population by Gender and Age Cohort .....	16
<b>Figure 6:</b> Electoral Area "A" Projected Population Growth (1996-2041).....	16
<b>Figure 7:</b> Housing by Dwelling Type in Electoral Area "A", 2016 .....	17
<b>Figure 8:</b> Electoral Area "A" Household Size, 2016 .....	17
<b>Figure 9:</b> Cherry trees in Electoral Area "A" .....	20
<b>Figure 10:</b> New Dwelling Unit Requirements Projections .....	22
<b>Figure 11:</b> Plan Area Rural Growth Areas .....	22
<b>Figure 12:</b> Anarchist Mountain Growth Area Boundary.....	24
<b>Figure 13:</b> Willow Beach Rural Growth Area Containment Boundary .....	24
<b>Figure 14:</b> Willow Beach .....	28
<b>Figure 15:</b> Osoyoos Lake South (west side) .....	30
<b>Figure 16:</b> Kilpoola from the air .....	33
<b>Figure 17:</b> Plan Area – Designated Community Watersheds.....	36
<b>Figure 18:</b> Agricultural Lands in Electoral Area "A" .....	41
<b>Figure 19:</b> Agricultural Land Reserve, Electoral Area "A" .....	41
<b>Figure 20:</b> Plan Area Fire Protection Service Areas .....	54
<b>Figure 21:</b> kllil'xw (Spotted Lake).....	57
<b>Figure 22:</b> Proposed South Okanagan National Park Reserve.....	59
<b>Figure 23:</b> Park at Reflection Point, Electoral Area "A" .....	72
<b>Figure 24:</b> Resource Extraction Potential .....	88

**Regional District of Okanagan-Similkameen**  
**Electoral Area “A”**  
**Official Community Plan Bylaw No. 2905, 2021**

---

A Bylaw to guide land use decisions within Electoral Area “A”  
pursuant to Division 4 of Part 14 the *Local Government Act of British Columbia, R.S.B.C. 2015.*

---

WHEREAS the Regional District of Okanagan-Similkameen wishes to adopt an Official Community Plan pursuant to Division 4 of Part 14 of the *Local Government Act*;

AND WHEREAS the Regional Board may adopt an Official Community Plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that bylaw;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan, and economic strategy plan that is applicable in the RDOS to ensure consistency between them, in accordance with the *Local Government Act*;

AND WHEREAS the Regional Board shall refer the Official Community Plan to the Province for comment with respect to land in the Agricultural Land Reserve pursuant to the *Agricultural Land Commission Act*;

AND WHEREAS the Regional Board has provided one or more opportunities for consultation with persons, organizations and authorities it considers affected in the development of the Official Community Plan in accordance with Section 475 of the *Local Government Act*;

AND WHEREAS the Regional Board of the RDOS has complied with all requirements of the *Local Government Act*, prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

AND WHEREAS the Regional Board has considered the purpose and goals set out in s. 428(2) of the *Local Government Act* to the extent that the Official Community Plan deals with those matters;

AND WHEREAS upon adoption of this bylaw, the Plan is an Official Community Plan of the RDOS;

NOW THEREFORE the Regional Board of the RDOS, in open meeting assembled, enacts as follows:

The Electoral Area “A” Official Community Plan attached hereto as Schedule ‘A’ and Map Schedules ‘B’, ‘C’, ‘D’, ‘E’, ‘F’, ‘G’, ‘H’, and ‘I’ forming part of this bylaw are adopted as the Regional District of Okanagan-Similkameen Electoral Area “A” Official Community Plan.

The bylaw shall apply only to that portion of the RDOS shown outlined on Schedule ‘B’ (Official Community Plan Map) forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the Electoral Area “A” Official Community Plan Bylaw No. 2905, 2021.

### TRANSITION

The Electoral Area “A” Official Community Plan Bylaw No. 2450, 2008, is repealed.

READ A FIRST AND SECOND TIME on the 18<sup>th</sup> day of March, 2021.

PUBLIC HEARING held on the 21<sup>st</sup> day of April, 2021.

READ A THIRD TIME on the 6<sup>th</sup> day of May, 2021.

ADOPTED on the 6<sup>th</sup> day of May, 2021.

---

Chair

---

Corporate Officer

---

## **SCHEDULE 'A'**

**Regional District Okanagan-Similkameen**

**Electoral Area "A" Official Community Plan Bylaw No. 2905, 2021**

---



# 1.0 INTERPRETATION AND ADMINISTRATION

---

The provisions of this Plan apply to all lands and water within Electoral Area “A” identified on Schedule ‘B’ Official Community Plan Map of this bylaw.

## 1.1 Purpose

The Electoral Area “A” Official Community Plan (OCP) contains objectives, policies, and land use designations adopted by the Regional District of Okanagan-Similkameen (RDOS) Board of Directors.

The purpose of these objectives, policies and designations is to provide direction for land use and development consistent with the community values of the Electoral Area.

The policies of the Plan are intended to balance the demands placed on the land base to ensure an equitable, comprehensive, and logical distribution of land uses. Policies are often implemented on a long-term basis, such as every decade.

The Official Community Plan provides a basis for the following actions:

- .1 The adoption or amendment of the Zoning Bylaw and other land use regulations;
- .2 The direction of public investment;
- .3 The guidance of elected officials, and others who have statutory approval authority, in the evaluation of proposals, referrals, and amendment of bylaws; and
- .4 Compliance with provincial legislation including the greenhouse gas management requirements of the *Local Government Act* and the *Climate Change Accountability Act*.

## 1.2 Interpretation

An Official Community Plan means an Official Community Plan as referred to in the *Local Government Act*, and as adopted by the Regional Board of Directors of the RDOS (hereafter referred to as the Regional Board), in accordance with the requirements of the *Local Government Act*.

## 1.3 Administration

- .1 This Official Community Plan comes into effect as of the date of adoption by the Regional Board.
- .2 The Zoning Bylaw will be the primary tool to regulate development, not the Official Community Plan. All rezoning amendments must be consistent with this Official Community Plan that serves as a policy foundation for the Zoning Bylaw.
- .3 This Official Community Plan will be re-examined and updated in accordance with an Electoral Area Official Community Plan Bylaw Review schedule endorsed by the Regional District to ensure that it continues to reflect the long-range planning objectives of Plan Area residents, local government staff, and the Regional Board.

- .4 The Official Community Plan can only encourage senior levels of government to act; it cannot force or require senior governments to act. Furthermore, although the Official Community Plan cannot commit the Regional Board to specific expenditures, the Regional Board cannot enact bylaws or undertake works that are contrary to it without amending the Plan.
- .5 No one goal, objective or policy contained within this Official Community Plan should be read in isolation from the others to imply a particular action or consequence.

#### **1.4 Development Approval Information**

Electoral Area “A” (the “Plan Area”) is a Development Approval Information Area, and the Regional District may require development approval information for a Zoning Bylaw amendment application, Development Permit application, or Temporary Use Permit application.

The objective in designating the Plan Area as a Development Approval Information Area is to ensure the Regional District can obtain information from the applicant to gain a sound understanding of the anticipated impact of the proposed activity or development on the community and to make a well-informed decision regarding such applications. An applicant may be required to provide information regarding:

- .1 The impact of the proposed development on surrounding land uses.
- .2 The consideration of public facilities such as schools, parkland, public spaces, and/or amenities.
- .3 The impact of the proposed development on groundwater quantity and quality, storm water run-off generated by the proposed development, and the options for collection, storage, and dispersal of such drainage.
- .4 The impact of the proposed development on the natural environment such as adjacent aquatic areas, vegetation, soils and erosion, geotechnical characteristics, topographical features, ecosystems and biological diversity, fish and wildlife, fish and wildlife habitat, environmentally sensitive features, and rare or endangered plant or animal species.
- .5 The ability of the proposed development to provide on-site water and wastewater or to connect to community services, if available.
- .6 The impact of the proposed development on public infrastructure and community services such as water supply, sewage disposal, fire protection systems, solid waste management and recycling.
- .7 The aesthetic values of the proposed development such as visual character, integration with public areas and the natural environment, lighting, noise, and odour.
- .8 The impact of proposed development on traffic volumes and roads.
- .9 How the proposed development provides buffers for adjoining farming and rural areas to ensure no negative impact is caused by the proposal.

- .10 The archaeological impact of a proposed development in areas identified to have high archaeological potential.
- .11 Fire hazard risk assessment in accordance with the *Community Wildfire Protection Plan*.

## 2.0 WHAT IS AN OFFICIAL COMMUNITY PLAN?

---

### 2.1 Background

An Official Community Plan (OCP) is a planning document that provides policies on a broad range of topics including land-use, transportation, housing, parks and infrastructure. Official Community Plans designate land for specific purposes, such as commercial/retail, residential, park, and industrial. Official Community Plans are developed through public consultation and the objectives and policy statements within them reflect the collective desires of the people within the planning area.

Effectively, Official Community Plans provide a blueprint and map for the community's future. They are created to guide decisions on planning and land use management by establishing a long-term vision, supporting goals and objectives, and policies to achieve them.

Local governments in British Columbia are given the authority to adopt an Official Community Plan through the *Local Government Act* (LGA), which describes what must be included in the Official Community Plan, what may optionally be included, and what steps need to be followed for the Official Community Plan to be adopted. The required content of an Official Community Plan is defined in Section 473 of the *Local Government Act*. Occasional updates also ensure the Official Community Plan remains consistent with other procedures, bylaws and government implementation tools.

### 2.2 Planning Process

Commencing in November 2019, development of the Plan included a community outreach component, which included two on-line project surveys, project newsletters, a project webpage on the RDOS website, meetings with community stakeholders and agencies throughout the process (e.g. Province, Town of Osoyoos, Osoyoos Indian Band, Anarchist Mountain Community Association), and regular update meetings with the Electoral Area "A" Advisory Planning Commission. It should be noted that in-person engagement was limited by the Coronavirus pandemic that emerged in the province in mid-March 2020. An in-person open house took place in mid-September 2020 that followed strict public health guidance.

### 2.3 Amending the Plan

An Official Community Plan is not a static document. Rather, it is intended to be adaptable to new trends within society and responsive to changing circumstances within the community. As such, following careful consideration by the Regional District Board, policies and land use designations in this Official Community Plan may be revised by an amending bylaw pursuant to provisions outlined within the *Local Government Act*. A comprehensive review of the Official Community Plan will be undertaken in accordance with the Regional District Board's Official Community Plan Review Schedule to ensure it continues to reflect the long-range planning objectives of Plan Area residents, local government staff, and the Regional Board.

## 3.0 COMMUNITY PROFILE

### 3.1 Location and Geography

Covering 313 square kilometres, Electoral Area “A” is located in the Regional District of Okanagan-Similkameen (RDOS) at the south end of the Okanagan Valley on the international border of Canada with the United States of America. The rural Osoyoos area is the smallest Electoral Area in the region and makes up 2.8% of the total area of the RDOS. The entire Osoyoos area includes rural Osoyoos, Osoyoos Indian Band lands, and the Town of Osoyoos.

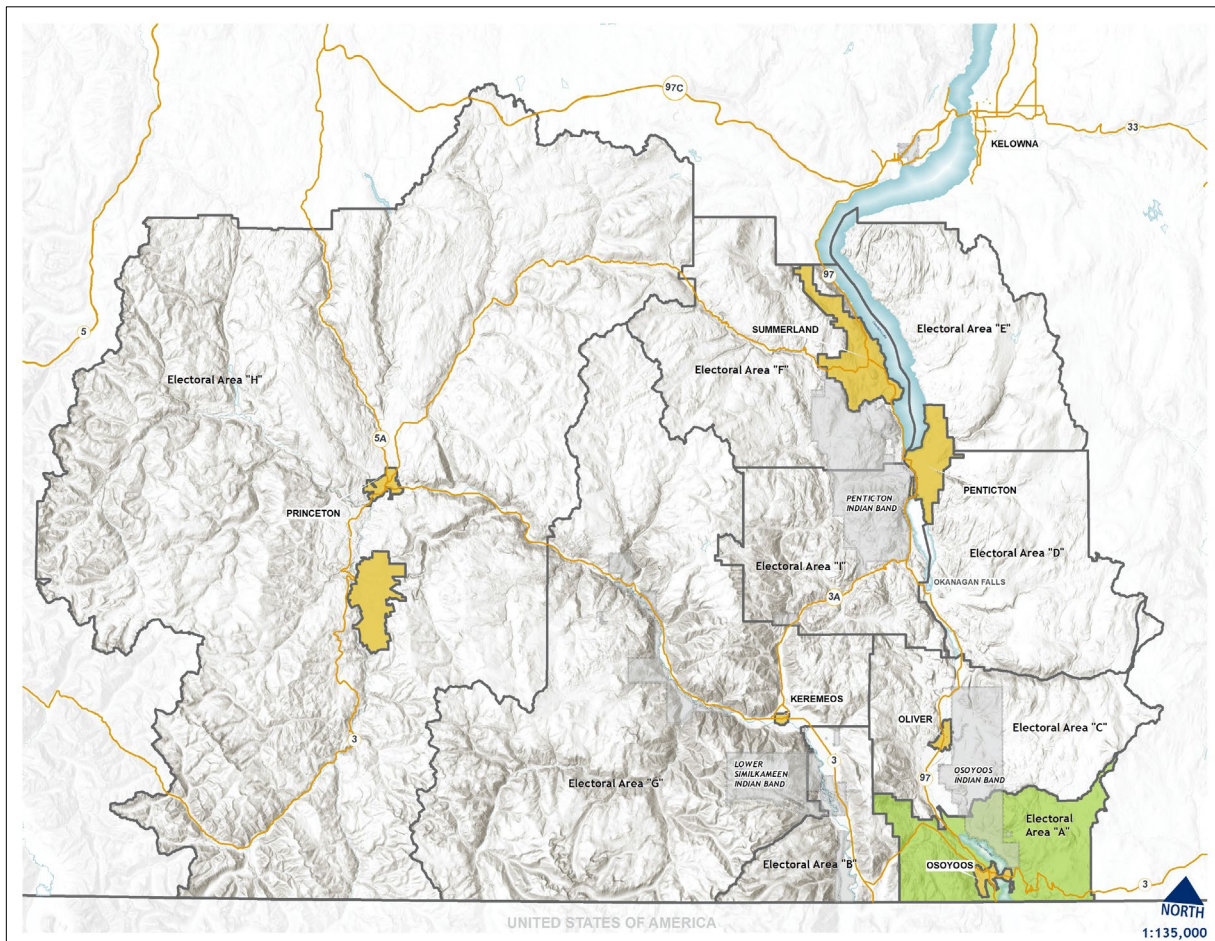


Figure 1: Plan Area Regional Context

### 3.2 History

Indigenous people have lived in the RDOS area for thousands of years prior to the arrival of Europeans. The original people of the Okanagan are known as the Syilx speaking people – the “Okanagans” and according to their history have been in the area since the beginning of people on this land. The Okanagans (Syilx) people occupied an area that extended over approximately 69,000 square kilometres. The northern area of this

territory stretched from the area of Mica Creek, just north of modern-day Revelstoke, BC and east to Kootenay Lake. The southern boundary extended to the vicinity of Wilbur, Washington and the western border extended into the Nicola Valley.

Okanagan First Nations once travelled widely to fishing, gathering and hunting areas. Each year, the first harvests of roots, berries, fish and game were celebrated by ceremonies honouring the food chiefs who provided for the people. During the winter, people returned to permanent winter villages and the names of many of the settlements in the Okanagan Valley – Osoyoos, Keremeos, Penticton and Kelowna – all come from Indigenous words for these settled areas and attest to the long history of the Syilx people on this land.

Osoyoos means ‘narrowing of the waters’ or ‘sand bar across’ and was the original place name for the area where the water was shallow enough to walk across, while Nk’Mip was originally the name of the village at the north end of Osoyoos.

The non-Indigenous historical records of the plan area date back to 1821 with establishment of the Hudson’s Bay Fur Brigade Trail. The Trail represented a fur trading supply route through the Okanagan Valley north to Kamloops. With the United States and Canada boundary settlement in 1847, alternative trails were developed from Kamloops through the Fraser Canyon to Fort Langley. The last brigade took the trail in 1847.

Non-Indigenous settlement in the plan area began in the mid 1850’s. During this period, several of the settlements known today were established (e.g., Okanagan Falls). Due to the absence of a public roadway system connecting the early settlements, stern-wheeler boats played an important role in transporting supplies to residents, and agricultural products to trail heads at the three Okanagan Valley centres.

The first fruit trees planted in the Okanagan were planted by Hiram “Okanagan” Smith on his land beside Osoyoos Lake. Over the years the region established itself as an agricultural area. Orchard development increased towards the early 1900’s when land speculators bought out the estates of the early ranchers and subdivided the parcels into smaller lots, some with irrigation systems. Grapes and wine making emerged as a new industry in the late 1950s and early 1960s.

### **3.3 Communities and Settlement Areas**

Electoral Area “A” is largely rural area characterised by lower density housing largely concentrated around Osoyoos Lake and the valley bottom. The principal settlement areas include Anarchist Mountain, Kilpoola, Willow Beach, and smaller, rural residential agglomerations, including the area south of S̓w̓i̓w̓s (Haynes Point Park) located along Osoyoos Lake.

The predominant development pattern reflects the historic growth of this area in the 1920s under the provincial *Land Settlement and Development Act* (1917). The idea behind this legislation was to settle soldiers returning from the “Great War” on farmland. To this end, the provincial government acquired large ranch holdings in the

Osoyoos area and subdivided these into parcels ranging between 10 to 20 acres in size (e.g. 4.0 to 8.0 ha) for orchards.

Over the proceeding 100 years, some of these agricultural lands — principally in close proximity to Osoyoos Lake — were converted to recreational uses, initially as small-lot seasonal (cottage) properties or campgrounds catering to tourists, and later as year-round residential properties.

Starting in the 1970s, new communities adjacent Highway 3 such as “Kilpoola” in the west and on Anarchist Mountain in the east have emerged as smaller, rural-residential communities within Electoral Area “A”.

All of these communities are described further in Section 7.0 (Local Area Policies).

### **3.4 Osoyoos Indian Band**

The Osoyoos Indian Band (OIB) has reserve land in Electoral Area “A”. The main 13,009 hectare reserve stretches from the Town of Osoyoos into Electoral Area “C” and the Town of Oliver on the east side of the Okanagan Valley. There is second much smaller reserve located adjacent to the main reserve in the Electoral Area “A”. The majority (335) of the OIB's 550 members live on the main reserve which is also where all OIB services, facilities, homes, and businesses are located.

OIB has nine companies employing more than 500 people on reserve, including Nk'Mip, a 4-star destination resort featuring Spirit Ridge Vineyard Resort & Spa, a golf course, an RV and campground on the shores of Osoyoos Lake, Nk'Mip Desert Cultural Centre, and Nk'Mip Cellars Winery, North America's first Indigenous winery. OIB also operates the Senkulmen Business Park to the east of the Town of Oliver and is a development partner in 241 unit The Cottages on Osoyoos Lake development located on OIB lands.

OIB is a member of the Okanagan Nation Alliance (ONA). The ONA was formed in 1981 as the inaugural First Nations government in the Okanagan which represents the eight member communities including Okanagan Indian Band, Upper Nicola Band, Westbank First Nation, Penticton Indian Band, Osoyoos Indian Band and Lower and Upper Similkameen Indian Bands and the Colville Confederated Tribes on areas of common concern. The ONA mandate is to work collectively to advance and assert Syilx/Okanagan Nation Title and Rights over the Okanagan Nation Territory. The organization facilitates collaborative working in areas of shared interest including Title and Rights, natural resource management, social services and economic development.





Figure 2: NK'Mip Desert Cultural Centre

### 3.5 Population and Demographics

The total population of Electoral Area “A” decreased slightly between 2011 and 2016, from 1,892 residents to 1,858, a change of 34 fewer residents, or 2%. Of the eight electoral areas that comprise the RDOS, half grew in population between 2011 and 2016 while the other half declined. Overall the population of the RDOS grew by 3% in this five-year time period (Figure 3).

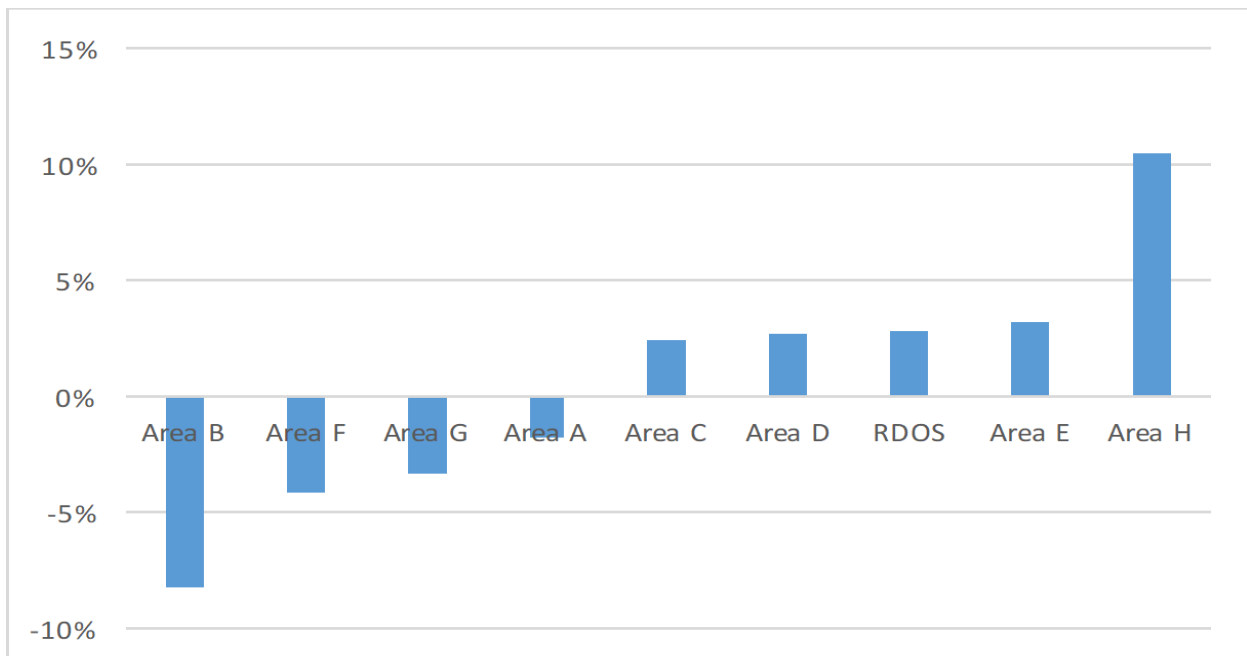
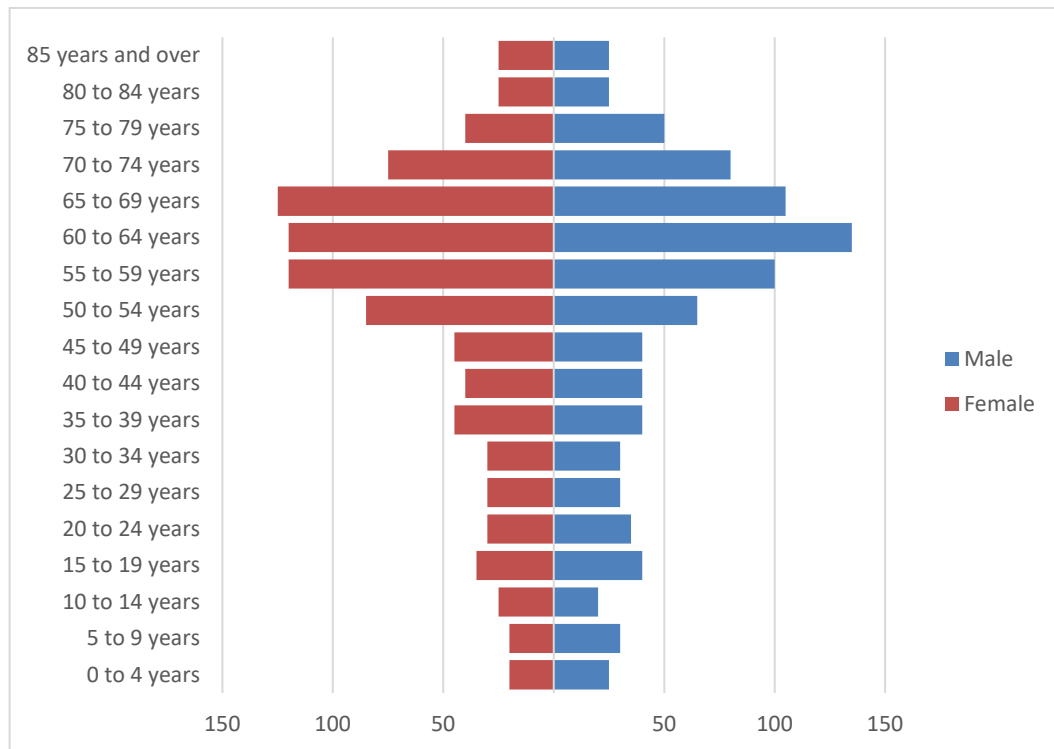


Figure 3: Regional Growth Rate Comparisons 2011-2016

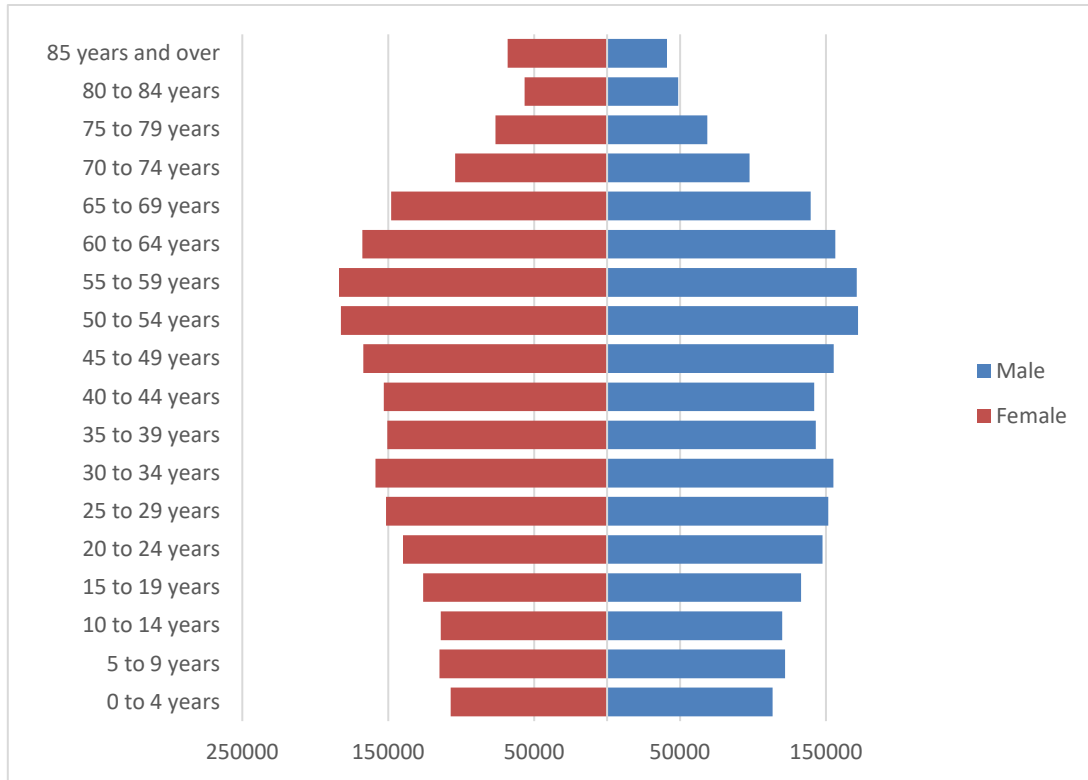


The age and gender distribution of Electoral Area “A” is illustrated in Figure 4. Overall, approximately 51% of the population is female and 49% male. In Electoral Area “A”, the “baby boomer” generation (currently aged 55 - 75 years old) makes up the largest proportion of the population (46% of the population in 2016). In comparison, the 20 to 34-year old age group comprised only 5% of the population in the 2016 census. The profile shown in Figure 4 provides a strong contrast to the Province of BC, which is shown in Figure 5. Both show an aging population; however, the proportion of residents aged 20 - 34 years in Electoral Area “A” is quite low relative to the provincial average.

In 2016, the median age in Electoral Area “A” was 58 years, while the provincial median age was 43 years - a difference of 15 years. The median age for Electoral Area “A” is also higher than that of the RDOS where the median age in 2016 was 55 years. Electoral Area “A” has a significantly higher proportion of older residents in proportion to youth and young adults.

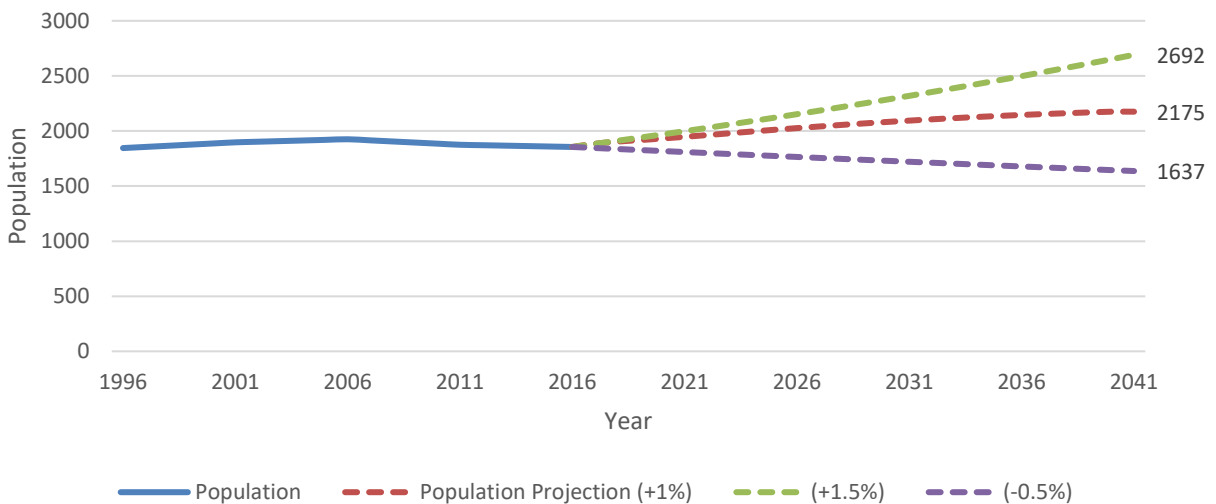


**Figure 4:** Electoral Area “A” 2016 Population by Gender and Age Cohort



**Figure 5: BC 2016 Population by Gender and Age Cohort**

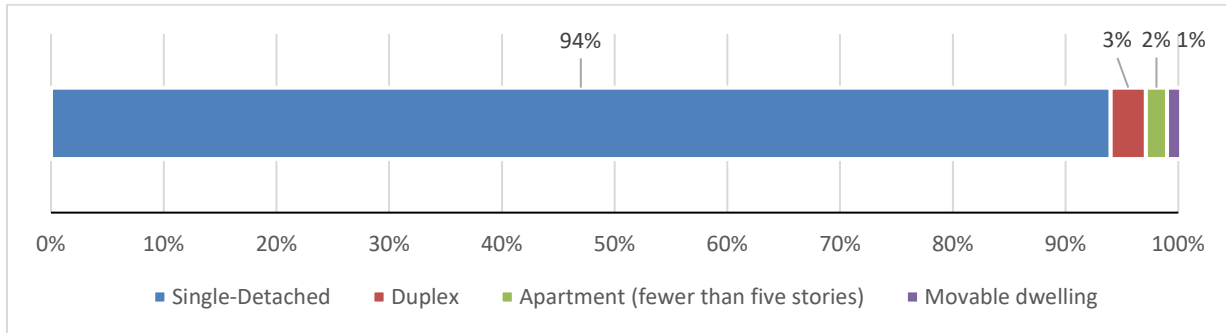
Total population figures from 1996 to 2016 suggest a stable population with a slight decline from 2006 to 2016 (Figure 6). If modest population growth or decline were to continue for the next 20 years, the population could be expected to be between 1,637 and 2,175 by 2041, given scenarios of +1% growth, +1.5% growth or -0.5% decline.



**Figure 6: Electoral Area "A" Projected Population Growth (1996-2041)**

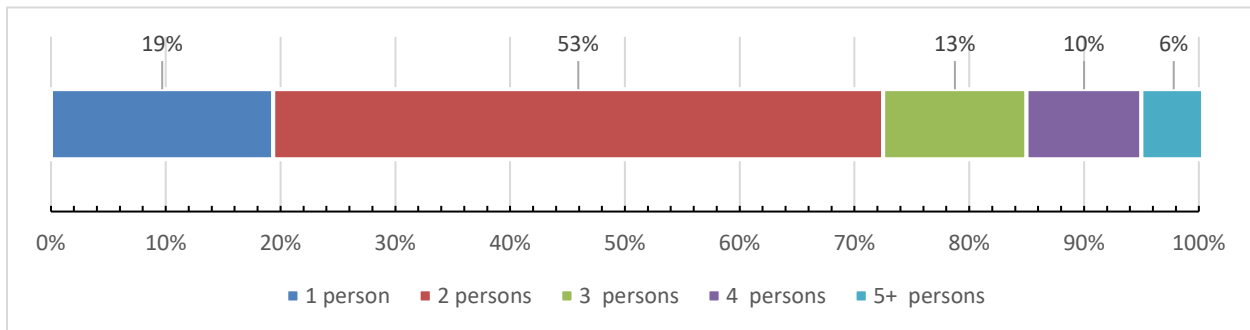
### 3.6 Housing types

The overwhelming majority of housing in Electoral Area “A” consists of single-detached homes (Figure 7). This comprises 94% of all housing. The remaining housing forms are mobile homes, duplex/semi-detached housing, and apartment units fewer than five stories. Generally, the housing in Electoral Area “A” is relatively low-density and dispersed.



**Figure 7:** Housing by Dwelling Type in Electoral Area “A”, 2016

Most households (53%) in Electoral Area “A” are two person households (Figure 8). Together, one and two person households account for 72% of households. These smaller household sizes are consistent with the older population in the planning area.



**Figure 8:** Electoral Area “A” Household Size, 2016

## 4.0 OFFICIAL COMMUNITY PLAN DESIGNATIONS

---

The future use and development of land within Electoral Area “A” must be consistent with the land use designations illustrated on Schedule ‘B’ (Official Community Plan Map).

### **Resource Area Designations**

Resource Area RA

### **Agricultural Designations**

Agriculture AG

### **Rural Holdings Designations**

Large Holdings LH

Small Holdings SH

### **Residential Designations**

Low Density Residential LR

Medium Density Residential MR

### **Commercial Designations**

Commercial C

Commercial Tourist CT

### **Industrial Designation**

Industrial I

### **Administrative, Cultural and Institutional Designations**

Administrative, Cultural and Institutional AI

### **Parks, Recreation and Trails Designations**

Parks, Recreation and Trails P

### **Natural Environment and Conservation Designations**

Conservation Area CA

Okanagan Basin Lakes BL

The general types of uses encouraged in each land use designation are explained in subsequent sections of this Bylaw.

The Regional Board recognizes that some existing land uses do not conform to the designations shown on Official Community Plan maps. The intent of the Regional Board is not to change the uses of this land in the immediate future but to illustrate the preferred pattern of land use as redevelopment occurs while this Plan is in force.

## 5.0 VISION AND BROAD GOALS

---

### 5.1 Vision

The Plan Area's communities and settlement areas share a similar rural lifestyle and values. While each may face its own unique challenges, community consultation identified a set of common values and a shared vision for the Plan Area. The following vision statement describes a preferred future for the Plan Area:

*Electoral Area "A" is a predominantly rural region made up of smaller settlement areas and neighbourhoods. Residents value its rural character and preserving and stewarding its important agricultural areas, natural habitats, and recreation areas. Residents are also committed to ensuring water resources are well-managed and protected and that community wildfire risks are reduced.*

### 5.2 Broad Goals

The following broad goals reflect the input and priorities of Plan Area residents and are the guiding principles of this Official Community Plan. The goals were first developed and refined through two rounds of community surveys and other outreach. The goals will be used by the Regional District and senior government agencies to help guide future decisions on development proposals, environmental protection initiatives, and infrastructure development in the Plan Area:

- .1 **Community safety and health.** Manage and reduce community wildfire risks and promote community wellbeing for all generations
- .2 **Water resources.** Protect and manage water resources, including both surface and groundwater, for residential uses, agriculture, and ecosystem health.
- .3 **Agriculture.** Maintain existing and encourage new, compatible agricultural activities in the Agricultural Land Reserve, while limiting subdivision of designated agricultural properties.
- .4 **Residential development and housing.** Provide the opportunity for limited new growth and housing options for all age groups, while ensuring new housing development maintains the area's rural character.
- .5 **Natural environment.** Steward and protect the area's natural features, including sensitive ecosystems and habitat.
- .6 **Infrastructure and services.** Improve and support the development of new infrastructure, including community water and sanitary sewer systems and improved internet connectivity.
- .7 **Transportation.** Maintain a safe and efficient multi-modal transportation system

for all road users working in cooperation with the Ministry of Transportation and Infrastructure.

- .8 **Osoyoos Indian Band engagement and collaboration.** Improve and expand communications, consultation and engagement with Osoyoos Indian Band.



**Figure 9:** Cherry trees in Electoral Area “A”

## 6.0 GROWTH MANAGEMENT

---

### 6.1 Background

Growth Management is a critical aspect of planning for a community's future. It allows a community to forecast growth, based on trends and aspirations and to direct anticipated growth to areas that align with the community's vision and broad goals.

In 2010, the Regional District adopted a Regional Growth Strategy (RGS) Bylaw for the South Okanagan in collaboration with local governments in the region – City of Penticton, District of Summerland, Town of Oliver, and the Town of Osoyoos.

The RGS was updated through a minor update process in 2016. Under the *Local Government Act*, once an RGS has been adopted, OCP policies must be consistent with RGS policies. The goal of the RGS is to direct the substantial majority of future growth in the south Okanagan Valley area to designated Primary Growth Areas (Summerland, Penticton, Osoyoos, Okanagan Falls, and Oliver). The RGS envisions maintaining the rural character of the Plan Area by directing growth to designated Rural Growth Areas, which the RGS specifically identifies as areas with:

- Established rural settlement areas with a minimum of 200 lots and/or dwelling units;
- Community water or community sewer services in place;
- Existing commercial or industrial; or
- Where development has been pre-determined through zoning, but not yet developed.

Within Electoral Area "A", the South Okanagan RGS designates Willow Beach and Anarchist Mountain as Rural Growth Areas. There are no Primary Growth Areas in Electoral Area "A", although the Town of Osoyoos has this designation.

The South Okanagan RGS recognizes that "some infill development may occur" in areas not designated as Rural Growth Areas if development "does not significantly increase the number of units or the established density and respects the character of the communities." Under the objective of "Protect the character of rural areas", the South Okanagan RGS further stipulates that, "proposed developments that do not closely adhere to OCP guidelines for the protection of rural and resource areas will not be supported."

It should further be noted that the two designated Rural Growth Areas were included in the original South Okanagan RGS because, at the time, these areas had proposals for significantly higher densities. Neither area has been developed to the extent originally proposed.



## 6.2 Rural Growth Areas and Capacity

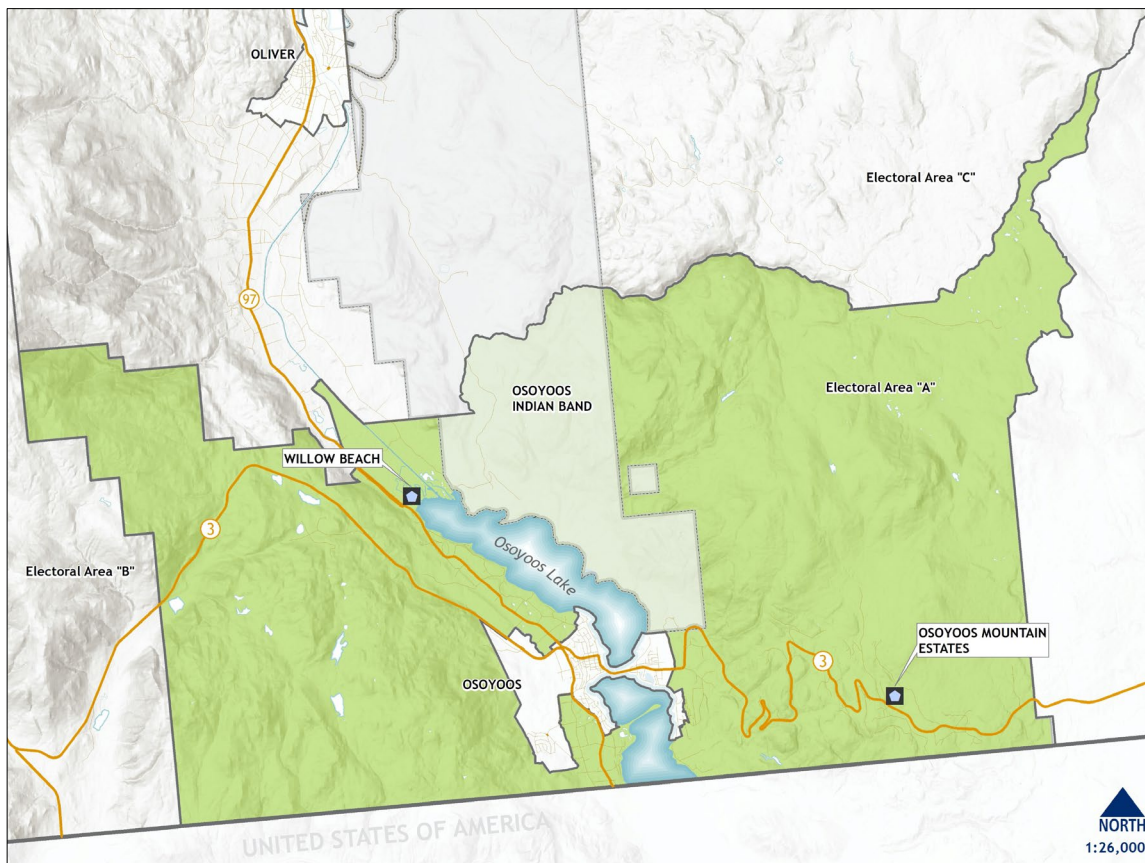
Based on a projected population increase of up to 1.5% per year (see Section 3.5), the Plan Area’s population could increase by approximately 470 people by 2031. Based on 2.3 people per household (2016 Census Canada figures), this indicates a potential need for the Plan Area to accommodate 205 new homes over the next 15 years.

Additional population estimate (2031)	<b>470</b>
Persons per household	<b>2.3</b>
New dwellings	<b>205</b>

**Figure 10:** New Dwelling Unit Requirements Projections

There are significant undeveloped areas designated for residential uses (including residential and small and large holding designations) in the existing rural growth areas. The Anarchist Mountain area contains 314 undeveloped Small Holdings (SH) and Large Holdings (LH) designated parcels.

Development concepts for the Willow Beach area indicate a capacity for around 80 single detached units. Accounting for the existing development at the site that would be replaced by proposed development, the Willow Beach area has a capacity to supply around 50 net new dwelling units.



**Figure 11:** Plan Area Rural Growth Areas



Together, the Anarchist Mountain and Willow Beach Rural Growth Areas have the capacity to add an addition 374 units. This exceeds the projected need for 212 new dwellings by 2031, which would be required to meet the upper-bound population growth scenario of 1.5%.

### **6.3 Rural Growth Area Development Considerations and Constraints**

Future growth and development in the two designated Rural Growth Areas will be influenced by a number of potential development constraints and considerations. These constraints and considerations are summarized by area on the following pages. Approximate Rural Growth containment boundaries are illustrated in accompanying figures.

The Regional Board recognizes that to create a continuous boundary to contain growth there are properties within the boundary that are protected from development by provincial legislation and Development Permit Area regulations. It is not the intention of the Regional Board to encourage development of land within designated Agricultural areas or land identified as environmentally sensitive or watercourse development permit areas and terrain hazards within the defined growth boundary. Land with these designations or characteristics should continue to be protected from development.

#### **6.3.1 Anarchist Mountain**

The Regional District's South Okanagan Regional Growth Strategy Bylaw has designated Anarchist Mountain as a Rural Growth Area. Due to the geographic extent and rural-residential character of this area (e.g., parcels are generally not less than 1.0 ha in area spread out over an area representing two thousand hectares), future higher residential density and mixed-use growth potential is seen to be limited.

In recognition that the Anarchist Mountain area does not meet three of the criteria established for Rural Growth Areas (i.e., established rural settlement areas with a minimum of 200 lots and/or dwelling units; community water or community sewer services in place; and existing commercial or industrial) the suitability of maintaining its status as a Rural Growth Area is questionable.

Feedback from area residents provided through community surveys further indicated that there is limited desire for increased development in the area (although there is a desire for improved services). The Rural Growth Area boundary shown in Figure 12 is based on the boundaries of the commercial area, which is seen to be the most likely location for the development of community infrastructure and mixed-uses in future.

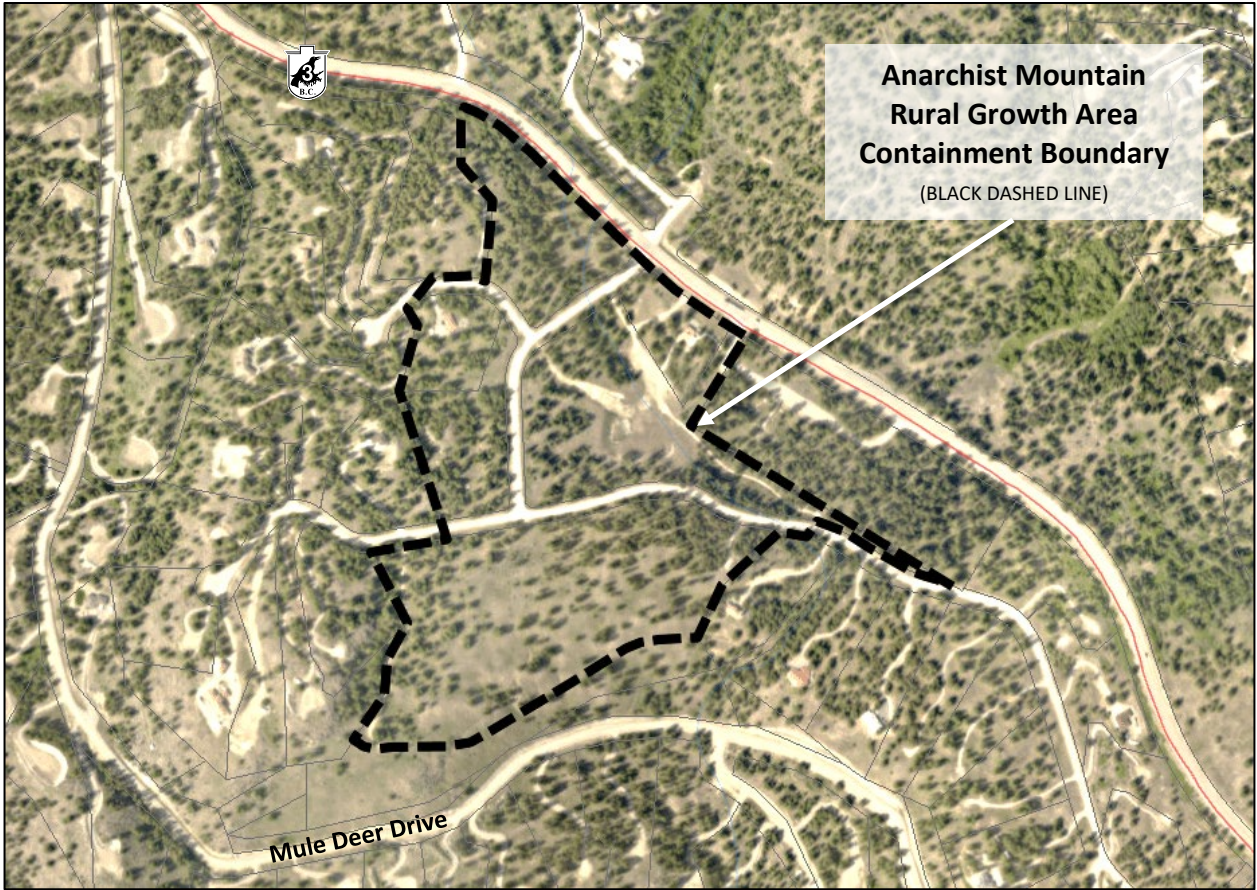


Figure 12: Anarchist Mountain Growth Area Boundary

### 6.3.2 Willow Beach Rural Growth Area

The Regional District’s South Okanagan Regional Growth Strategy Bylaw has designated Willow Beach as a Rural Growth Area. Due to the location of the site within the floodplain associated with Osoyoos Lake as well as the Okanagan River channel and the limited infrastructure servicing available growth potential is seen to be limited. Flood risk in the area is expected to increase over the next 25-years due to climate change.

In recognition that the Willow Beach site does not meet the criteria established for Rural Growth Areas (i.e. established rural settlement areas with a minimum of 200 lots and/or dwelling units; community water or community sewer services in place; existing commercial or industrial; and development pre-determined through zoning, but not yet developed) the suitability of maintaining its status as a Rural Growth Area is questionable. The Rural Growth Area boundary shown in Figure 13.



**Figure 13:** Willow Beach Rural Growth Area Containment Boundary

## 6.4 Objectives

- .1 Manage growth within the Plan Area by directing residential development to the designated Rural Growth Areas subject to servicing (water and wastewater) requirements.
- .2 Accommodate anticipated growth while maintaining the rural character and conserving the natural environment of the Plan Area.
- .3 Consider limited new development in other existing settlement areas where appropriate and in keeping with this OCP's broad goals and policies.

## 6.5 Policies

The Regional Board:

- .1 Recognizes Willow Beach and Anarchist Mountain as a designated Rural Growth Areas and will direct growth to these locations notwithstanding 6.5.4.
- .2 Recognizes the Town of Osoyoos and Town of Oliver as designated Primary Growth Areas that have the community infrastructure, community services,



economic and employment opportunities to sustain higher densities and residential growth than the Plan Area.

- .3 Will support Primary and Rural Growth Areas by discouraging the re-designation or re-zoning of land that permits increased residential densities outside of Growth Area containment boundaries.
- .4 Will review the suitability of Willow Beach and Anarchist Mountain as Rural Growth Areas when the Regional Growth Strategy is reviewed or updated.
- .5 Will ensure any new development in a designated Rural Growth Area provides community services pursuant to the Regional District's Subdivision and Development Servicing Bylaw.
- .6 Generally, does not support increasing densities or intensifying land uses within areas designated as an Environmentally Sensitive Development Permit Area or shown as an Important Ecosystem Area on Schedule 'C'. Increasing densities or intensifying land uses in areas previously zoned to allow such developments, however, will be considered if the development meets the policies and guidelines set out in this Plan.
- .7 Directs residential development away from designated Agricultural (AG) areas.
- .8 Supports water metering and other residential water conservation measures.
- .9 Requires new development on parcels less than 1.0 hectare in area to connect to a community sanitary sewer system.
- .10 Encourages residents to construct new dwellings that are energy efficient, low-impact buildings that include storm water management, water conservation, drought-resistant landscaping and minimal impervious surfaces.
- .11 Encourages residents to retrofit and construct energy efficient and low-carbon homes in accordance with the Regional District's *Building Climate Resilience in the Okanagan: A Homeowner's Resource Guide*.

## 7.0 LOCAL AREA POLICIES

---

### 7.1 Background

Due to the development of the Electoral Area as an agricultural community under the *Land Settlement and Development Act (1917)* in the early part of the 20<sup>th</sup> Century, the emergence of distinct local areas is not as pronounced as in other parts of the Regional District as the community coalesced around the Town of Osoyoos. Consequently, there is no common name applied to the agricultural lands that predominate in the valley bottom to the north and south of the Town of Osoyoos, although specific place names such as “Reflection Point” and “Willow Beach” do exist.

With improved transportation routes into and out of the South Okanagan after 1960, additional communities outside of the valley bottom began to emerge, specifically at Anarchist Mountain (to the east) and at “Kilpoola” (to the west).

While each of these communities have things in common, including a strong desire to maintain and protect the larger Plan Area’s rural qualities and environmental values, each community is also unique. This section of the Plan outlines policies for each of the Plan Area’s communities.

### 7.2 North West Osoyoos Lake

The lands located north of the Town of Osoyoos and bounded by Osoyoos Lake to the east and Highway 3 to the west represents a land area of approximately 955 ha that is primarily within the Agricultural Land Reserve (ALR). There are approximately 95 parcels that are currently assessed as “farm” by BC Assessment and can include value added operations such as wineries, fruit stands, packing and cold storage facilities and greenhouses.

Residential clusters can be found adjacent to Osoyoos Lake at 81<sup>st</sup> Street, 120<sup>th</sup> Avenue (“Reflection Point”), 87<sup>th</sup> Street, 95<sup>th</sup> Street and at “Willow Beach” (at the head of the lake). In total, there are 210 parcels zoned for Low Density Residential and Small Holdings uses in this area (as of 2021).

This area is bisected by Highway 97, which the main thorough fare through the South Okanagan and also an important approach route to the Town of Osoyoos.

The Town of Osoyoos operates a community water system in this area after assuming the functions of the former South Okanagan Lands Irrigation District in 1990. With the completion of the North West Sewer Extension project in 2008, the Town provides some community sewer connections to households in the Plan Area adjacent to Osoyoos Lake.

As discussed at Section 6.4, the former “Willow Beach” campground property was designated as a Rural Growth under the South Okanagan Regional Growth Strategy (RGS) Bylaw adopted in 2010. The Willow Beach site is considered to be of a high ecological value due to the number of wetlands it contains. The site also includes a

number of former oxbows and is within the floodplain associated with Osoyoos Lake and the Okanagan River and has a long history of flooding that is expected to increase over the next 25-years due to climate change.



**Figure 14:** Willow Beach

### **7.2.1 Policies**

The Regional Board:

- .1 Supports the Town of Osoyoos providing community sewer connections to existing parcels fronting Osoyoos Lake in order to improve water quality in the area but does not support increasing density on parcels connected to the North West Sewer as this is an agricultural area and the potential for conflict from new residential uses.
- .2 Does not support the exclusion, subdivision or non-farm use of parcels designated as Agriculture under this bylaw and/or Agricultural Land Reserve (ALR) lands under the *Agricultural Land Commission Act*.
- .3 Encourages signage within provincial highway road dedications to comply with the Ministry of Transportation and Infrastructure's *Policy Manual for Supplemental Signs* (2005).
- .4 Encourages the establishment of a quality landscape and built form by limiting the amount of commercial signage and prohibiting the placement of commercial signage promoting third-party and off-site uses, particularly on important thoroughfares through the community such as Highway 97 and Highway 3.
- .5 Does not support the creation of new Commercial designations adjacent to Highway 97 and directs such uses to the Town of Osoyoos.
- .6 Will re-consider the suitability of Willow Beach as a Rural Growth Area when conducting a review of the RGS Bylaw.
- .7 Encourages the protection, stewardship and conservation of sensitive wetland, riparian, and lake habitats in the Willow Beach Rural Growth Area and surrounding land, including dedication of these lands to a conservation organisation.

- .8 Recognizes the potential archeological values in the area and encourages new development to work with Osoyoos Indian Band to safeguard culturally important sites.
- .9 Supports preserving the former BC Tree Fruits packinghouse site at 12611 87th Street (Lot 1, Plan KAP60396, District Lot 2450S, SDYD) for the future processing, packing and storage needs of the agricultural and food-processing industry in the South Okanagan.

### **7.3 Osoyoos Lake South**

The lands located south of the Town of Osoyoos on the west and east side of Osoyoos Lake and bounded by the Town boundary to the west and Anarchist Mountain to the east represent a land area of approximately 780 ha that is primarily within the Agricultural Land Reserve (ALR). There are approximately 137 parcels that are currently assessed as “farm” by BC Assessment and can include value added operations such as wineries, fruit stands, packing and cold storage facilities and greenhouses.

There are significant low density residential developments in this area, including 85<sup>th</sup>, 87<sup>th</sup> & 91<sup>st</sup> Streets on the west side of the lake and 33<sup>rd</sup>, 35<sup>th</sup> & 39<sup>th</sup> Streets on the east side of the lake. In total, there are 241 parcels zoned for Low Density Residential and Small Holdings uses in this area (as of 2021).

The Town of Osoyoos operates a community water system in the west side of this area after assuming the functions of the former South Okanagan Lands Irrigation District (SOLID) in 1990, while the Osoyoos Irrigation District (OID) operates a similar system on the east side of the lake, and the Boundary Line Irrigation District operates a system south of the Town of Osoyoos. There is no community sewer system in this area, with the exception of a dedicated line that extends from the Town to service the buildings at the Canada Border Services Agency Osoyoos-Oroville Border Crossing.



**Figure 15:** Osoyoos Lake South (west side)

### **7.3.1 Policies**

The Regional Board:

- .1 Encourages the establishment of a quality landscape and built form by limiting the amount of commercial signage and prohibiting the placement of commercial signage promoting third-party and off-site uses, particularly on important thoroughfares through the community such as Highways 97 & 3.
- .2 Does not support the creation of new Commercial designations adjacent to Highway 97 and directs such uses to the Town of Osoyoos.
- .3 Encourages signage within provincial highway road dedications to comply with the Ministry of Transportation and Infrastructure's *Policy Manual for Supplemental Signs* (2005).
- .4 Supports the eastward extension of the Town of Osoyoos boundary and community services such as water and sewer to include the residential and rural-residential parcels west of 33<sup>rd</sup> Street.
- .5 Does not support the exclusion, subdivision or non-farm use of parcels designated as Agriculture under this bylaw and/or Agricultural Land Reserve (ALR) lands under Section 15 of the *Agricultural Land Commission Act*.
- .6 Supports the retention of the parcel legally described as Block 2, Plan KAP4040, District Lot 2450S, SDYD, Portion Lot 634, as Conservation Area (CA) lands.
- .7 Supports the retention of existing Commercial Tourist (CT) designated lands near Osoyoos Lake as an important component of the seasonal tourist industry.

### **7.4 Anarchist Mountain**

Anarchist Mountain is located approximately 15 km east of the Town of Osoyoos and, according to a 1952 description of the area, includes:

*...some of the finest scenery that British Columbia has to offer. As travellers leave the valley floor, lush with orchards and ground crops, they glimpse from the benches desertlike country. A few miles farther, sand and sagebrush, cactus and greaseweed are left behind, and green and shady ranges watered by springs and creeks are reached. Here and there are tall trees and a wealth of wild flowers, as well as abundant grass and wildlife. Parklike vistas open, and to the west the Cascades rise tier on tier ...*

The first European settlements on Anarchist occurred in the late 1880s as settlers attracted to the Camp McKinney mineral claims to the north began to spread out to the surrounding region. The Dwedney Trail traversed Anarchist Mountain and spurred the development of a post office and customs office on the mountain at this time.



The first road between Osoyoos and Bridesville, to the west, was constructed in 1910 and improved access to the Mountain. Mining eventually gave way to ranching and logging on the mountain and this was followed by the first residential subdivisions on the west side of the mountain in the early 1970s.

In 2003, a proposal to create an approximately 275 rural-residential parcels on the remainder of the Mountain was approved by the Regional District Board. Known as “Regal Ridge”, this eventually expanded through zoning to contemplate the development of over 600 residential units with a commercial core, golf course, public art and airport surrounded by approximately 1,100 ha of lands designated for conservation purposes was envisioned.

As of 2021, approximately 180 homes have been constructed within the “Regal Ridge” community and a volunteer fire department established on Anarchist Mountain and, despite being designated as a Rural Growth Area under the RGS Bylaw, there are no community water or sewer services within or planned for this area.

Anarchist Mountain comprises lands within high and very high wildfire hazard areas, but also with very high conservation values. Balancing new development with fire smart practises and maintaining the high environmental values are of chief concern for the community.

As Anarchist Mountain has been designed as a Rural Growth Area under the South Okanagan Regional Growth Strategy, a “growth boundary” has been established in Figure 16 under Section 6.3.

#### **7.4.1 Policies**

The Regional Board:

- .1 Supports the development of local Community Wildfire Protection Plan for the Anarchist Mountain area.
- .2 Encourages the involvement of the Anarchist Mountain FireSmart Committee in educating new residents and builders to learn about local fire hazards and what they can do to mitigate losses in the event of a wildfire.
- .3 Encourages *FireSmart* best practises on private land in and around the Anarchist Mountain area to reduce wildfire hazards in the area and to engage the local Anarchist Mountain Fire Department in educating new residents and builders on *FireSmart* best practises.
- .4 Supports home occupations throughout the area but will not support home industries on parcels less than 2.0 ha in area.
- .5 Encourages limiting future development to lands designated Large Holdings (LH) on lots greater than 4.0 ha in area.
- .6 Encourages the use of residential solar and wind power where facilities do not impact views from surrounding properties.

- .7 Supports efforts to maintain and protect the area’s high-quality well water and aquifer.
- .8 Supports the designation of the Rural Growth Area as “Anarchist Mountain Village” (AMV) at such time as it is proposed to develop the lands and establish community services such as water and sewer.
- .9 Supports the development of a community hall for the Anarchist Mountain community.
- .10 Supports the provision of high-speed internet for the area.
- .11 Will assess new residential development proposals within the designated Rural Growth Area containment boundary subject to water supply and community sewage disposal availability.
- .12 Will re-consider the suitability of designating Anarchist Mountain as a Rural Growth Area when conducting a future review of the RGS Bylaw.
- .13 Will consider new park land dedications in conjunction with the *Regal Ridge Park and Open Space Plan (2011)*.

## 7.5 Kilpoola

The Kilpoola settlement area is located south of Highway 3, along Old Richer Pass Road and Kruger Mountain Road, and consists of a variety of land designations, but is predominantly rural-residential. There are no community water or sewer systems servicing this area, nor are any anticipated in the foreseeable future.

### 7.5.1 Policies

The Regional Board:

- .1 Supports the protection of source water and water supply in the Kilpoola area by discouraging the rezoning and subdivision of properties as well as potential limits on accessory dwellings.
- .2 Supports the protection of high environmental values in the Kilpoola area by discouraging the rezoning and subdivision of properties as well as potential limits on accessory dwellings.
- .3 Encourages *FireSmart* best practises on private land in and around the Kilpoola area to reduce wildfire hazards.
- .4 Supports home occupations throughout the area but will not support home industries on parcels less than 2.0 ha in size.
- .5 Recognises the cultural significance of klil’x<sup>w</sup> (Spotted Lake) to the Syilx/Okanagan Nation and will explore the implementation of land use regulations to protect this natural feature.



**Figure 16: Kilpoola from the air**

## 8.0 RESOURCE AREA

---

### 8.1 Background

This designation encompasses lands used and valued for grazing or rangelands, forestry, natural resource extraction, recreation, and environmental conservation opportunities. Designated Resource Areas (RA) in Electoral Area “A” reinforce the rural character of the Plan Area and are a valued community resource as employment lands and for recreation.

The Resource Area (RA) designation is intended to guide development outside of existing settlement areas, and, provide direction for responses to referrals from provincial, or other agencies. Resource Areas are described as large parcels of land that include both private and/or Crown land.

It is recognized that certain matters considered in this section are beyond the jurisdiction of the Regional District (e.g., Provincial Crown land); however, the objectives and policies relating to these are intended to serve as indicators of community preference and to assist senior levels of government in planning and decision making.

### 8.2 Objectives

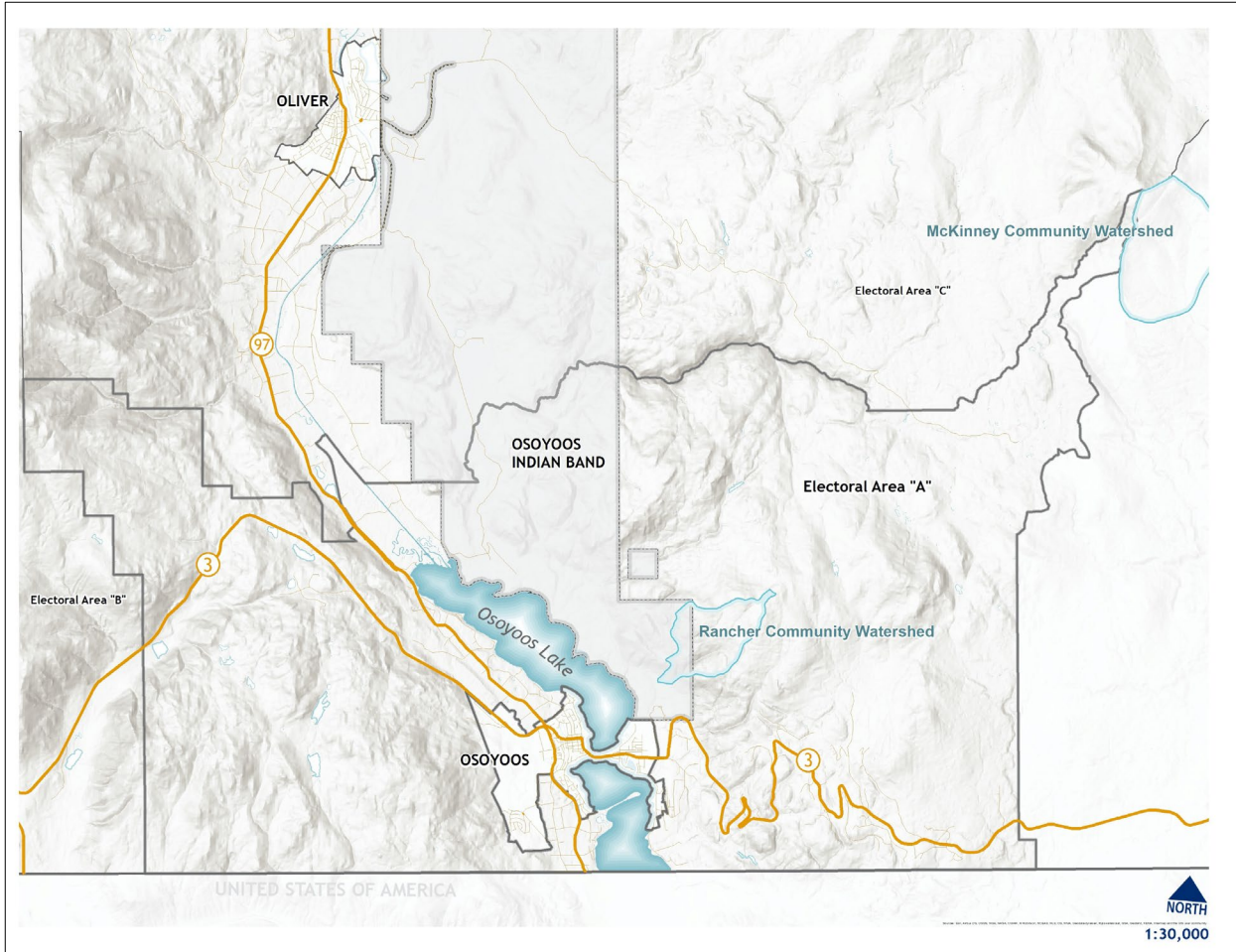
- .1 Conserve scarce water resources and protect the quality and quantity of those resources for future generations.
- .2 Maintain the renewable natural resource land base and protect it from activities that may diminish the resource value and potential.
- .3 Plan for and protect wildlife corridors, habitat of threatened and endangered species and ecosystem connectivity.
- .4 Encourage and protect responsible, low impact outdoor recreation activities.

### 8.3 Policies

The Regional Board:

- .1 Supports the use of lands designated Resource Area (RA) identified in Schedule ‘B’ (Official Community Plan Map) for grazing or rangelands, forestry, natural resource extraction, recreation, environmental conservation, watershed protection and management opportunities, and limited rural residential uses.
- .2 Supports land designated as a Resource Area (RA) generally being maintained as large land parcels (i.e., as un-surveyed Crown land, or as District Lots) or not less than 20.0 ha in area in recognition that these areas will remain rural, with limited to no community services and infrastructure.

- .3 Supports low impact recreational uses which avoid critical habitats and minimize disturbance; and will work with the Province and others to ensure there are adequate staging areas with off-road parking.
- .4 Supports communication with and participation by Osoyoos/Okanagan First Nations communities in the management and development of provincial land in Resource areas.
- .5 Supports activities that improve range and forage conditions, including the continuation of the Noxious Weed Control Program to help control the invasion and spread of noxious weeds in the Plan Area.
- .6 Where there is forestry use, supports selective logging to maintain undiminished capacity of the land to absorb and retain water, prevent erosion, and permit groundwater recharge throughout the harvest cycle.
- .7 Supports the identification and establishment of a Watershed Resource Area (WRA) zone in the Zoning Bylaw for designated community watersheds under the *Forest and Range Practices Act* where:
  - a) one of the primary land management priorities is to maintain and manage local water quality and quantity;
  - b) the minimum parcel size is 120.0 ha with a limited range of uses permitted;
  - c) intensive recreation, subdivision and rezoning of lands within the zone are discouraged;
  - d) recreationalists are encouraged to minimize stream crossings and to stay on existing trails to prevent erosion; and
  - e) the Province is encouraged to permanently retain public ownership and to manage, for watershed protection purposes, all Crown land within designated community watersheds of existing major or minor domestic water sources.



**Figure 17: Plan Area – Designated Community Watersheds**

- .8 Encourages the Province to have due consideration for the impact of resource extraction activities on existing adjacent residential developments and infrastructure such as roads.
- .9 Encourages the Province to not issue permits for mineral extraction and processing within 1,000.0 metres of Rural and Residential Designations.
- .10 Encourages the Provincial Government to refer applications for licences, permits, the disposition of Crown land, mineral exploration proposals involving surface disturbance of any other development or activity within the Rural Planning Area to the Regional District.
- .11 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
- .12 Will consider proposals for a micro cannabis production facility on a case-by-case basis through a site-specific zoning amendment process, and may use the following criteria to assess an application:

- a) the facility is approved by Health Canada under its micro cultivation license;
- b) the parcel under application has an area not less than 2.0 hectares;
- c) the maximum size of the plant surface cultivation area is 200.0 m<sup>2</sup>;
- d) confirmation is provided that adequate water and servicing is available to the site; and
- e) if the parcel of land that is the subject of an application adjoins a Low or Medium Density Residential zone, the micro cannabis production facility will be setback 60.0 metres from that zone boundary.

## 9.0 AGRICULTURE

---

### 9.1 Background

Approximately 15% of land in Electoral Area “A” is within the Agricultural Land Reserve (ALR). This land area is designated Agriculture (AG) and comprises a total area of 3,786 ha. Most of the land in Electoral Area “A” designated AG is within the ALR; however, there are also small portions of AG in the rural west area that lie outside of the ALR. Additionally, there are significant portions of ALR land in the Anarchist Mountain area designated as “Small Holdings” and an area along the northeast border of Electoral Area “A” that are ALR and designated as “Resource Areas.”

The Agriculture (AG) designation within the Plan Area applies to land used or intended to be used for an agricultural operation or activity. This includes the production of livestock, poultry, farmed game, fur bearing animals, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, wood and fibre crops, grapes, and horticultural and aquaculture products, as well as activities associated with the production and processing of these items.

### 9.2 Objectives

- .1 Protect the agricultural land base of the Plan Area including associated farming, orchards, vineyards, ranching, and associated value-added activities.
- .2 Minimize conflicts between agricultural and non-agricultural uses.
- .3 Minimize the impacts of agriculture and ranching on sensitive environmental resources.

### 9.3 Policies

The Regional Board:

- .1 Supports the use of lands designated Agriculture (AG) identified on Schedule ‘B’ (Official Community Plan Map) for agricultural use. This includes the production of livestock, poultry, farmed game, fur bearing animals, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, wood and fibre crops, grapes, and horticultural and aquaculture products, as well as activities associated with the production and processing of these items.
- .2 Will generally not support applications to the Agricultural Land Commission (ALC) that seek to:
  - a) subdivide land or adjust the boundaries between parcels that results in the fragmentation of farm, vineyard or orchard units, or seek to create homesite parcels; or
  - b) introduce non-agricultural uses.



- .3 Recognizes agricultural land as necessary for agricultural businesses that provide regional economic stability and growth opportunities.
- .4 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.
- .5 Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land Commission Act such as non-farm use, non-adhering residential use and subdivision.
- .6 Supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.
- .7 Encourages the preservation of environmental values in the Agriculture (AG) designation.
- .8 Supports and encourages developing food system infrastructure (production, processing, storage and distribution of food) to contribute to a resilient local and regional food supply.
- .9 Encourages the consolidation of small parcels into larger farm units that increase efficiency and enhance the land base of the ALR.
- .10 Encourages new development adjacent to agricultural areas to provide sufficient buffering in the form of setbacks, fencing and landscaping that is consistent with the *Ministry of Agriculture Guide to Edge Planning Promoting Compatibility Along Agricultural – Urban Edges*.
- .11 Encourages provincial ministries and utilities to minimize the impact of new roads and utility corridors through agricultural land by utilizing only those lands necessary, and by maximizing the capacity of existing corridors and roads.
- .12 Supports the agricultural and rural economy by encouraging secondary, value-added uses such as agritourism, secondary processing of products, and home occupations/industry provided they are compatible with surrounding land uses.
- .13 Supports the protection of normal farm practices within Agriculture (AG) designated lands including the *Farm Practices Protection (Right to Farm) Act*.
- .14 May consider supporting the following applications to subdivide parcels smaller than 4.0 ha within the Agricultural Land Reserve in the following cases:
  - a) for a homesite severance under the ALC’s homesite severance policy;
  - b) where the applicant can demonstrate that the subdivision or boundary adjustment will enhance agricultural viability; and
  - c) to support a public use such as a public park or community facility.

- .15 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
- .16 Will consider proposals for a micro cannabis production facility on a case-by-case basis through a site-specific zoning amendment process, and may use the following criteria to assess an application:
- a) the facility is approved by Health Canada under its micro cultivation license;
  - b) the parcel under application has an area not less than 2.0 hectares;
  - c) the maximum size of the plant surface cultivation area is 200.0 m<sup>2</sup>;
  - d) confirmation is provided that adequate water and servicing is available to the site; and
  - e) if the parcel of land that is the subject of an application adjoins a Low or Medium Density Residential zone, the micro cannabis production facility will be setback 60.0 metres from that zone boundary.
- .17 Supports additional dwellings within the Agricultural (AG) designation where they are used to support agricultural activities and purposes (e.g., workers' housing).<sup>i</sup>
- .18 Supports the temporary siting of a dwelling unit for farm labour that does not comply with zoning regulations where permitted by a Temporary Use Permit. The Regional Board may use the following criteria to assess applications:<sup>ii</sup>
- a) the accommodation is to be installed on a temporary foundation with no basement.
  - b) the size of the current farm unit (i.e., total size of all parcels under the farm operation).
  - c) whether other farm unit parcels contain existing dwellings suitable for use as farm worker accommodation.
  - d) the size of the accommodation and total residential footprint.
  - e) the number of proposed persons to be housed in the accommodation structure.
  - f) the parcel has been classified as "farm" under the *BC Assessment Act*.
  - g) the location of the accommodation on a parcel, specifically:
    - i) is it to be sited on the least arable soils on a property or within an existing "farm home plate" (i.e. that portion of a property where all residential and related buildings, structures and activities are clustered, thereby leaving the balance of the property for agricultural use);

---

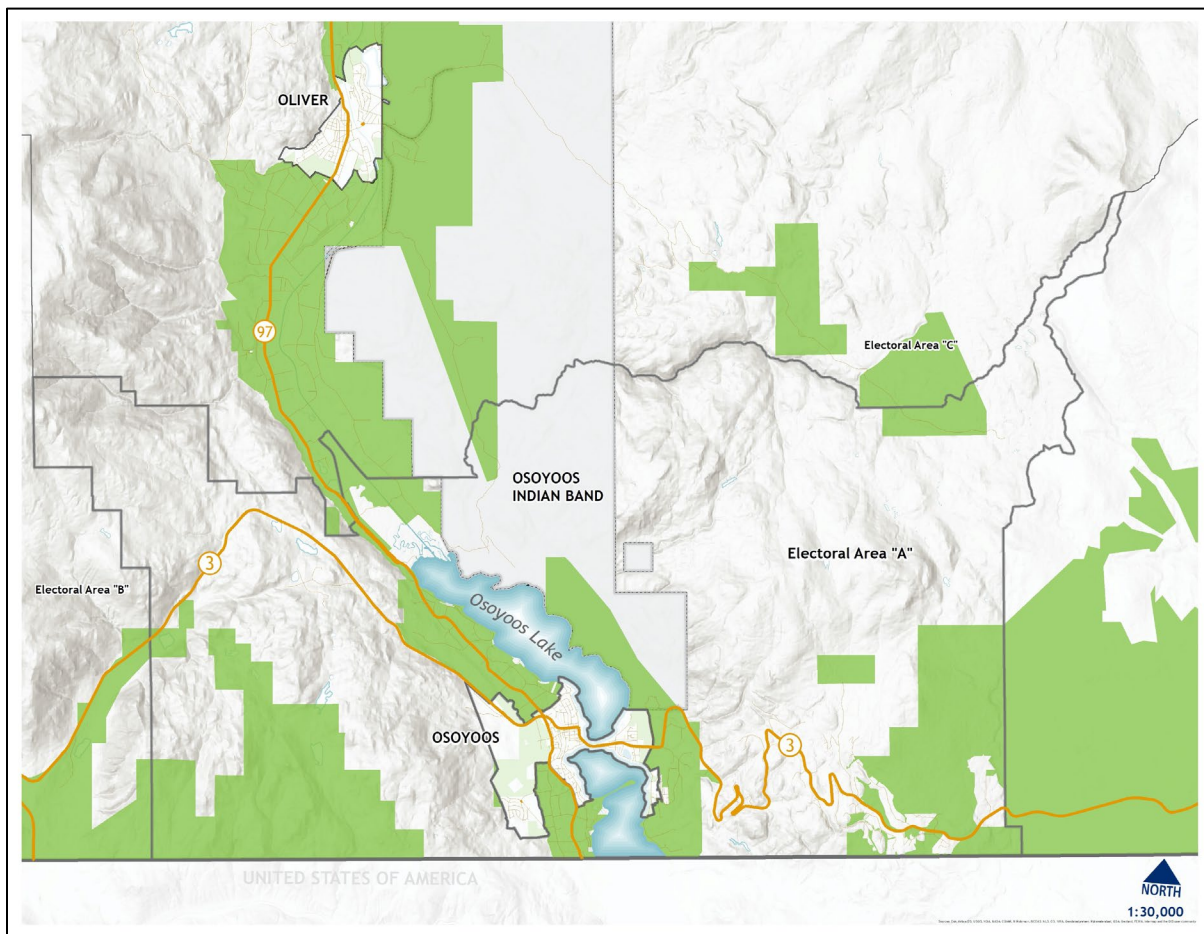
<sup>i</sup> Amendment Bylaw No. 2956, 2022 – adopted May 5, 2022.

<sup>ii</sup> Amendment Bylaw No. 2956, 2022 – adopted May 5, 2022.

- ii) if new driveways and vehicle parking areas are required and will result in the alienation of cultivated land.



**Figure 18:** Agricultural Lands in Electoral Area "A"



**Figure 19:** Agricultural Land Reserve, Electoral Area "A"

# 10.0 RURAL HOLDINGS

---

## 10.1 Background

The Plan Area's rural character and lifestyles are some of the most valued aspects to area residents. Within the Plan Area, Rural Holdings are generally grouped into two categories, Large Holdings (LH) and Small Holdings (SH).

The LH designation typically applies to large privately held properties between 4.0 ha and 8.0 ha in area and includes parcels of land generally used for acreages, hobby farms, limited agriculture, ranching, grazing, and other uses that fit with the character of this area. An LH designated parcel should have a range of parcel sizes but not less than of 4.0 ha. There are 150 parcels designated as LH in the Plan area with 59 parcels currently (2021) considered vacant or with building values less than \$10,000.

The SH designation includes parcels of land generally used for rural residential, part time farming, limited agriculture, home industry and other uses that fit with the character of the area. As with Large Holdings, SH designations are largely located outside the ALR. There are 398 parcels designated SH of which 241 are currently (2021) considered vacant or with building values less than \$10,000.

## 10.2 Objectives

- .1 Retain and enhance the rural character of lands designated for Large Holdings and Small Holdings.
- .2 Prevent rural sprawl by limiting the re-designation of Large Holdings and Small Holdings properties to allow subdivision or higher residential densities.
- .3 Reduce potential conflicts between rural residential developments and agricultural operations on Rural Holdings.
- .4 Reduce the wildfire hazard threat to residential areas located within the Small and Large Holdings designations.

## 10.3 Policies - General

The Regional Board:

- .1 Supports home occupations on lands designated Small Holdings (SH) and Large Holdings (LH), provided the uses are compatible with the surrounding rural character.
- .2 Supports home industry uses (e.g., vehicle repair, machine shops) only on lands that are larger than 2.0 ha in size, provided the uses are compatible with the surrounding rural character.
- .3 Will evaluate new Rural Holdings developments against the implications and impacts on the agricultural uses in the area.

- .4 Requires any proposal to create additional land designated or zoned either Large Holdings (LH) or Small Holdings (SH) to:
  - a) Clearly demonstrate and articulate the need for it in the context of its impact on the community and the objectives of this OCP; and
  - b) Provide an assessment of the proposal against the following criteria:
    - i) availability of vacant land currently designated as either Large Holdings (LH) or Small Holdings (SH);
    - ii) capability of the natural environment to support the proposed development;
    - iii) impact on environmentally sensitive areas, as illustrated on Schedule 'H' (Environmentally Sensitive Development Permit Areas);
    - iv) capability of accommodating on-site domestic water and sewage disposal, or availability of community water or sewer, and submission of an assessment from a qualified professional in accordance with applicable Regional District requirements;
    - v) proximity to existing roads and other community and essential services;
    - vi) susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
    - vii) compatibility with adjacent land uses and designations, and the character of the existing area;
    - viii) consideration of visual impacts where development is proposed on hillsides and other visually sensitive areas; and
    - ix) type, timing and staging of the development.
- .5 Encourages the protection and conservation of agriculturally productive land, and environmentally sensitive areas within designated Small Holdings (SH) and Large Holdings (LH) areas.
- .6 Encourages the Subdivision Approving Authority to ensure that rural developments and subdivisions allow for public access to Crown land.
- .7 Encourages voluntary environmental stewardship on private lands within Small and Large Holdings areas.
- .8 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .9 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland

- .10 Will consider proposals for a micro cannabis production facility on a case-by-case basis through a site-specific zoning amendment process, and may use the following criteria to assess an application:
- a) the facility is approved by Health Canada under its micro cultivation license;
  - b) the parcel under application has an area not less than 2 hectares;
  - c) the maximum size of the plant surface cultivation area is 200 m<sup>2</sup>;
  - d) confirmation is provided that adequate water and servicing is available to the site; and
  - e) if the parcel of land that is the subject of an application adjoins a Low or Medium Density Residential zone, the micro cannabis production facility will be setback 60 metres from that zone boundary.

#### **10.4 Policies – Large Holdings**

The Regional Board:

- .1 Supports the use of lands designated Large Holdings identified in Schedule ‘B’ (Official Community Plan Map) for ranching, grazing, equestrian centres, open space, limited residential use and other uses that will have minimal environmental impact and preserve the lands in a largely undeveloped state.
- .2 Will establish a range of densities and parcel sizes, to be no less than 4.0 ha in area, for land designated Large Holdings (LH) in the Plan area through the Zoning Bylaw.
- .3 Supports secondary suites or accessory dwellings and may consider additional accessory dwellings based on the size of parcel.
- .4 Discourages changes in land designation or zoning that will allow for incompatible land uses or the subdivision of Large Holdings (LH) parcels to less than 4.0 ha in size.

#### **10.5 Policies – Small Holdings**

The Regional Board:

- .1 Supports a range of uses on the lands designated Small Holdings (SH) in Schedule ‘B’ (Official Community Plan Map), including rural residential, hobby farming, limited agriculture, and others uses that fit within the rural character of the surrounding area.
- .2 Will establish a range of densities and parcel sizes from 0.2 ha to 2.0 ha, for lands designated Small Holdings (SH) in the Plan Area through the Zoning Bylaw.
- .3 Supports a minimum parcel size of one hectare for lands without community sewer within the Small Holdings (SH) designation.
- .4 Supports 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.

# 11.0 RESIDENTIAL

---

## 11.1 Background

There are two residential land use designations recognized within this Plan; Low Density Residential (LR) and Medium Density Residential (MR). Rural Holdings (i.e., Large Holdings and Small Holdings) are not included as residential designations.

- **Low Density Residential (LR):** includes single detached dwellings, mobile homes, duplexes, and complementary secondary uses such as daycares, preschools, and small parks which are integral to a low-density residential neighbourhood.
- **Medium Density Residential (MR):** includes townhouses, triplexes, fourplexes, and those complementary secondary uses such as daycares, preschools, and small parks, which are integral to a medium density area.

Low Density Residential (LR) development in the Plan Area has typically occurred adjacent to or near Osoyoos Lake and low-density single detached dwellings are the predominant housing form throughout the Plan Area. Other forms of low-density residential housing include semi-detached, and manufactured homes.

Medium Density Residential (MR) designated lands in the Plan Area are limited to areas at the north end of Osoyoos Lake (Willow Beach) near the Town of Osoyoos.

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw, Willow Beach and Anarchist Mountain have been designated as Rural Growth Areas in the Plan area, while the Town of Osoyoos is a designated Primary Growth Area.

The Plan supports these designations by directing new LR and MR designations to Rural Growth Areas, subject to servicing, as well as to Primary Growth Areas (i.e. Town of Osoyoos), and that proposed high density residential developments also be directed to Primary Growth Areas.

## 11.2 Objectives

- .1 Direct new residential development to existing serviced areas to protect the predominantly rural character of the Plan Area.
- .2 Minimize impacts from new residential development on the natural environment and the ALR.
- .3 Accommodate a range of housing types and tenures to meet the socio-economic needs of the community.
- .4 Direct new residential development away from hazard lands, critical habitat areas, and watercourses.

## 11.3 Policies – General Residential

The Regional Board:



- .1 Directs the development of new housing to existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more residential development on non-residential designations in identified Rural Growth Areas.
- .2 Encourages residential infill development to maximize land use and servicing efficiencies.
- .3 Supports a range of residential densities and parcel sizes for the existing residential areas in the Plan Area.
- .4 Supports housing for a range of income levels, lifestyles and ages including rental housing and secondary suites where appropriate and feasible.
- .5 Will assess proposed residential developments on the following development criteria:
  - a) capability of accommodating on-site domestic water and sewage disposal, or the availability of community water or sewer;
  - b) ability of community water or sewer systems to be extended to existing neighbouring subdivisions which are presently un-serviced;
  - c) proximity to Environmentally Sensitive Development Permit Areas;
  - d) proximity to Watercourse Development Permit Areas;
  - e) impact on adjacent land uses and character of the existing area;
  - f) impact on adjacent lands designated as Agriculture (AG);
  - g) proximity to and impact on Osoyoos Lake;
  - h) proximity to existing roads and other community and essential services;
  - i) susceptibility to natural hazards including, but not limited to, flooding, soil instability, land slide, rockfall, moderate or higher forest fire;
  - j) parkland dedication; and
  - k) demonstration of housing need, and provision for a variety of housing types.
- .6 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .7 Encourages residential development that abuts land designated Agriculture (AG) to provide buffers pursuant to Ministry of Agriculture guidelines.
- .8 Requires that new parcels to be created by subdivision that are less than 1.0 ha in area be connected to a community sanitary sewer system.
- .9 Requires that secondary suites on parcels less than 1.0 ha in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.
- .10 Does not support the development of “micro cannabis production facilities” on land designated Low Density Residential (LR) or Medium Density Residential (MR).

## **11.4 Policies –Low Density Residential**

The Regional Board:

- .1 Generally supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single detached dwellings, duplexes, secondary suites, accessory dwellings, manufactured home parks, parks, religious buildings and facilities, institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.
- .2 Establishes a maximum density for principal detached dwelling units on lands designated Low Density Residential (LR) to be 30 units per hectare for areas served by a community water system and a community sewage treatment system. The calculation of net density does not include accessory dwellings or secondary suites.
- .3 Supports a maximum net density for duplexes on lands designated Low Density Residential (LR) to be 45 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .4 Supports the re-designation of lands to Low Density Residential (LR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- .5 Supports home occupations and bed and breakfasts within a single detached dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.

## **11.5 Policies –Medium Density Residential**

The Regional Board:

- .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes, townhouses, apartment buildings and community care facilities that fit with the residential intent of the designation.
- .2 Supports a maximum net density on lands designated Medium Density Residential (MR) of 60 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- .4 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.
- .5 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands

designated as Medium Density Residential (MR) in a new Multi-Family Development Permit Area.

## **11.6 Policies - Vacation Rentals**

The Regional Board:

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.
- .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit. The Regional Board may use the following criteria to assess applications:
  - a) capability of providing domestic water and accommodating on-site sewage disposal;
  - b) mitigating measures such as screening and fencing;
  - c) provision of adequate off-street parking;
  - d) confirmation that the structure proposed complies with the BC Building Code; and
  - e) benefits that such accommodation may provide to the community.

## 12.0 COMMERCIAL

---

### 12.1 Background

Commercial development in the Plan area is generally limited to existing commercial sites along Highway 97 and Highway 3, and adjacent to Osoyoos Lake. A portion of the Anarchist Mountain Rural Growth Area is designated Commercial (C) but is currently undeveloped.

Designated Commercial (C) uses include the sale of agricultural products and auto courts. Designated Commercial Tourist (CT) uses surround Osoyoos Lake which consist primarily of campgrounds, motels, and resorts. The Plan recognizes that large scale service and commercial development will be directed to existing settlement areas, such as the Town of Osoyoos, which are better able to function as service centers.

At the time of adoption of this Plan, the Regional District is not designating any additional areas for proposed commercial uses, as it considers that there is sufficient unused land presently designated for commercial uses.

### 12.2 Objectives

- .1 Maintain the current level of local commercial sites to serve the existing communities and tourists and expand services as future growth may dictate.
- .2 Direct major commercial development to Primary Growth Areas.
- .3 Support existing and new recreation and resort commercial opportunities.

### 12.3 Policies – General Commercial

The Regional Board:

- .1 Supports the use of lands designated Commercial (C) identified in Schedule 'B' *Official Community Plan Map* for smaller-scale, neighbourhood-serving commercial activities.
- .2 Limits local commercial uses to those existing designated areas, or to areas where they may be considered in conjunction with future residential or commercial tourism developments.
- .3 Directs major office, service and general business commercial uses to Primary Growth Areas such as the Town of Osoyoos, which has the necessary infrastructure and support services.
- .4 May support future commercial development on locations away from Osoyoos Lake to reduce human impact on the lake and maintain and improve water quality and habitat, provided that the development:

- a) enhances local employment and diversify the economic base;
  - b) are located outside the ALR;
  - c) can accommodate on-site domestic water and sewage disposal, or have community water or sewer available;
  - d) enhances adjacent land uses or the character of the existing area;
  - e) can be accessed safely from local highways, Highway 97, or Highway 3;
  - f) can be adequately serviced by emergency services;
  - g) meets any Watercourse, Environmentally Sensitive, or Wildfire Interface Development Permit Area requirements; and
  - h) are outside areas susceptible to natural hazards, including steep slopes, flooding, soil instability, or rock fall.
- .5 Encourages signage within provincial highway road dedications to comply with the Ministry of Transportation and Infrastructure's *Policy Manual for Supplemental Signs* (2005).

#### **12.4 Policies – Tourist Commercial**

The Regional Board:

- .6 Supports the use of lands designated Commercial Tourist (CT) identified in Schedule 'B' *Official Community Plan Map* for commercial services and activities catering to visitors and tourists, including golf courses, campgrounds, resorts, RV parks, and agri-tourism businesses, including fruit stands.
- .7 May support open space recreation and resort commercial opportunities subject to rezoning, such as guest ranches, trail rides, campgrounds, and/or wilderness guides in areas designated as Resource Area (RA) or Large Holdings (LH) provided that development:
  - a) enhances local employment and diversify the economic base;
  - b) are located outside the ALR;
  - c) can accommodate on-site domestic water and communal sewage disposal, or have community water or sewer available;
  - d) enhances adjacent land uses or the character of the existing area;
  - e) can be accessed safely from local highways, Highway 97, or Highway 3;
  - f) can be adequately serviced by emergency services;
  - g) meets any Watercourse, Environmentally Sensitive, or Wildfire Interface Development Permit Area requirements; and
  - h) are outside areas susceptible to natural hazards, including steep slopes, flooding, soil instability, or rock fall.

## 13.0 INDUSTRIAL

---

### 13.1 Background

There are currently seven designated Industrial parcels in the Plan Area. These parcels are associated with the Osoyoos & District Sanitary Landfill. The principal industrial activity in the Plan Area is logging, which generally occurs on Crown lands that are subject to the Resource Area (RA) designation. Small-scale resource extraction also occurs within the Plan Area.

Limited and small-scale industrial uses (e.g., small scale sawmilling) can occur on lands designated as Resource Areas and Rural Holdings. Larger industrial activities, including light manufacturing and fabricating are encouraged to locate in designated, serviced industrial areas in the Town of Osoyoos' Buena Vista Business Park, Osoyoos Indian Band's Senkulmen Enterprise Park or Okanagan Falls, which are better suited to accommodate them.

Accordingly, at the time of adoption of this Plan, the Regional District is not designating any additional areas for proposed industrial uses. The Regional District may consider designating land for proposed industrial uses on a case-by-case basis if or when demand warrants.

### 13.2 Objectives

- .1 Supports retaining existing industrial land use designations for small-scale industrial uses serving the needs of the community.
- .2 Encourage large-scale industrial uses requiring major services or with significant impacts to locate in the Town of Osoyoos' Buena Vista Business Park, Osoyoos Indian Band's Senkulmen Enterprise Park or Okanagan Falls.

### 13.3 Policies

The Regional Board:

- .1 Supports the use of lands designated Industrial (I) identified in Schedule 'B' *Official Community Plan Map* for activities associated with cannabis production, indoor; construction supply centre; fleet service; food and beverage processing; freight terminal; manufacturing; outdoor storage; packing, processing and storage of farm products; salvage operation; self-storage; service industry establishment; storage and warehouse; vehicle sales and rentals; veterinary establishment; and wholesale business.
- .2 Encourages larger-scale industrial and light manufacturing activities to locate in the Town of Osoyoos and other serviced and designated industrial areas in the Town of Oliver, Okanagan Falls, or the Senkulmen Enterprise Park on Osoyoos Indian Band Reserve lands.

- .3 May consider re-designating land Industrial, where appropriate, on a case-by-case basis.



# 14.0 ADMINISTRATIVE, CULTURAL AND INSTITUTIONAL

---

## 14.1 Background

As a primarily rural area with a relatively small, dispersed population, the Plan Area contains limited administrative and community facilities and cultural resources.

The Administrative, Cultural and Institutional designation includes public, non-profit or utility uses such as schools, religious buildings, recreation facilities, community centres, public health facilities, community care facilities, fire halls, libraries, post offices, cultural and historic sites, and local government and improvement or irrigation district buildings.

At the time of adoption of this Plan, the Regional District is not designating any additional areas for proposed institutional uses. The Regional District may consider designating land for proposed institutional uses on a case-by-case basis, as demand warrants.

## 14.2 Educational and Community Facilities

The school system within the Plan Area is operated by School District No. 53 (Okanagan Similkameen). The Regional District has no mandate on education policies other than advocating to the School Districts on policy areas that impact the Regional District. At present, there are no schools within the Plan area. Osoyoos Elementary & Osoyoos Secondary are both located within the Town of Osoyoos.

### 14.2.1 Objective

- .1 Support existing educational facilities within the Town of Osoyoos that serve Electoral Area "A".

### 14.2.2 Policy

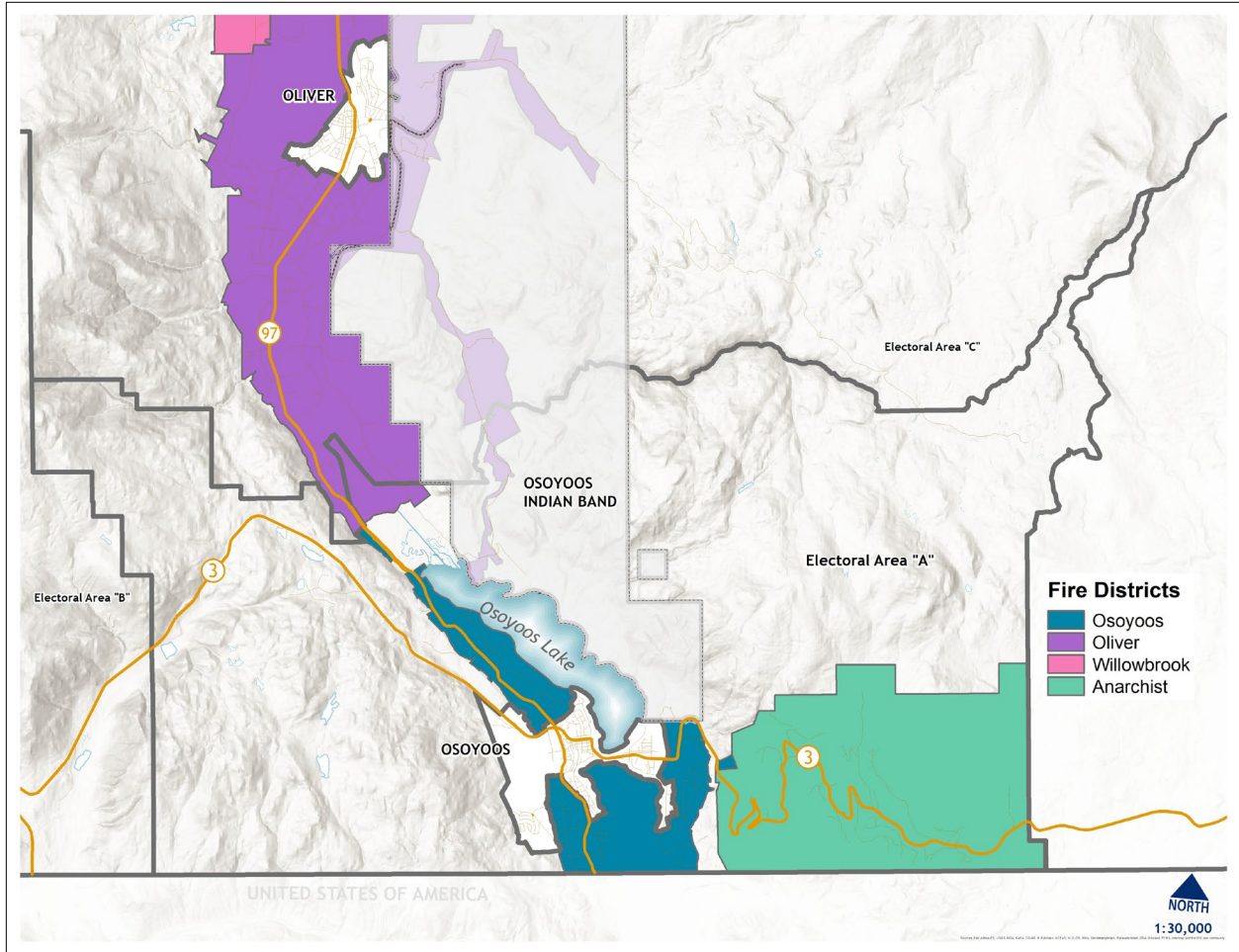
The Regional Board:

- .1 Continues to liaise with School District No. 53 (Okanagan Similkameen) concerning their needs and issues.

## 14.3 Protective Services

The Town of Osoyoos and the Osoyoos Rural Fire Protection District provides fire protection for the valley bottom area to the head of Osoyoos Lake, while the Town of Oliver provides fire protection services to Road 22. The Anarchist Mountain Fire District serves the area to the east of Osoyoos, including the Anarchist Mountain area.

Police services are provided by the RCMP, which has a station in the Town of Osoyoos, as does the BC Ambulance Service.



**Figure 20: Plan Area Fire Protection Service Areas**

### 14.3.1 Objectives

- .1 Maintain existing protective services and facilities, and coordinate resources to establish new facilities and services.
- .2 Expand and enhance existing community policing programs as resources and population growth allow.

### 14.3.2 Policies

The Regional Board:

- .1 Will continue to work with senior governments to ensure adequate and visible provincial and federal services are maintained in the Plan Area.
- .2 Encourages new and existing community water systems to be capable of fire suppression in accordance with the latest Fire Underwriters Survey (FUS).
- .3 Will work with the RCMP and Regional District to review opportunities to expand community policing in the Plan Area where necessary.

- .4 Will support and facilitate effective and efficient bylaw enforcement in the Plan Area.
- .5 Supports fire protection service for all established communities within the Plan Area.
- .6 Supports the location of new or relocated public facilities such as a fire hall in accordance with the following criteria:
  - a) suitability of location on a major network road;
  - b) proximity to any concentration of residential development;
  - c) adequacy of water supply; and
  - d) other siting requirements and physical attributes.

#### **14.4 Heritage and Cultural Resources**

The Regional District recognizes that heritage conservation is an important community value that contributes to the distinct identity of the region.

The RDOS Regional Heritage Strategic Plan identifies several heritage resources or “valued settlements” located in Electoral Area “A”, including Spotted Lake, or *kłil’xʷ* as it is called by Syilx/Okanagan people, S̓w̓i̓w̓s Park, Dividend Ridge Mine, Haynes Ranch, and Patullo Dam.

The Heritage Strategic Plan supports the following goals and objectives for Electoral Area “A”:

- Encourage the conservation of sites and structures with cultural heritage values.
- Recognize and validate heritage, cultural and historical sites in cooperation with appropriate provincial ministries, committees, societies and organizations.

With Indigenous traditional use activities dating back millennia, the Plan Area is home to important cultural sites and landscapes of value to the Osoyoos Indian Band and other Okanagan Nation Alliance members. Syilx place names are an integral part of Syilx culture.

Located west of the Town of Osoyoos in Electoral Area “A” off of Highway 3, Spotted Lake, or *kłil’xʷ* as it called by Syilx/Okanagan people, is a sacred medicine lake and a protected cultural heritage site of the Syilx/Okanagan People. In 1979, the Okanagan Elders and Chiefs came together and wrote the Statement of the Okanagan Tribal Chiefs on *kłil’xʷ* (Spotted Lake), which reflected the thoughts, feelings and voice of the Syilx/Okanagan people.

*Since the dawn of history, Spotted Lake or kłil’xʷ as we call it, has been a sacred place. Indians from all tribes came to visit the lake for the medicine the lake contains. The ceremonial cairns, too numerous to count that surround the lake testify to that. Some of these are so ancient they have sunk underground and only their tops remain above ground. Some are buried*

*altogether. There are many stories told by our ancestors about the cures this lake has provided, physically and spiritually through its medicine powers.*

In 2001, the Chiefs of the Okanagan Nation Alliance and the Minister of Indian Affairs and Northern Development successfully finalized the acquisition of a 22.6-hectare site of kłlil'xw (Spotted Lake) lands for the use and benefit of the Okanagan First Nation.

The importance of this sacred site cannot be underestimated. In order that it may be preserved for future generations, access to the lake is monitored by the Syilx/Okanagan Nation. Those wishing to visit the lake should seek permission by contacting the Okanagan Nation Alliance.

#### **14.4.1 Objectives**

- .1 Promote the conservation of heritage resources in the Plan Area, as indicated by the Regional District's Regional Heritage Strategic Plan in cooperation with appropriate provincial ministries, interest groups and Indigenous governments.
- .2 Protect and steward kłlil'xw (Spotted Lake) in partnership with Osoyoos Indian Band and Okanagan Nation Alliance.
- .3 Celebrate the culture and heritage of the peoples and communities, including Indigenous communities, within the Plan Area to educate and inform visitors and residents alike.
- .4 Seek opportunities to work with Osoyoos Indian Band to recognize, protect and, where appropriate and feasible, interpret important cultural sites and features in the Plan Area.
- .5 Seek opportunities to recognize Syilx place names where they have been approved by Osoyoos Indian Band members.
- .6 Support incorporation of Osoyoos Indian Band cultural and heritage resource objectives within the Regional District's Regional Heritage Strategic Plan where appropriate and practical.

#### **14.4.2 Policies**

The Regional Board:

- .1 May consider the inclusion of heritage conservation in all aspects of community and regional planning.
- .2 Supports the Province and other interest groups in identifying and protecting features and sites of Indigenous, paleontological, scenic, architectural, historical, archaeological and other sites of significance within the Plan Area.
- .3 Supports the management of heritage resources on a regional basis including the establishment of a Regional District community heritage commission and the creation of a community heritage register.

- .4 Should undertake the conservation and protection of heritage resources through the Regional Heritage Strategic Plan using appropriate heritage conservation tools.
- .5 Supports public education including the use of directional signage and interpretive plaques to enhance recognition of heritage resources.
- .6 Encourages developers to consider cultural and heritage resource opportunities in project planning and design.
- .7 Recognizes and celebrates the rich Syilx/Okanagan cultural and cultural features that exist in the Plan Area, including Syilx place names that have been approved by Osoyoos Indian Band (OIB) members for use.
- .8 Should exchange information, identify issues of concern and coordinate efforts to address those issues with Osoyoos Indian Band (OIB) and other members of the Okanagan Nation Alliance (ONA) through appropriate planning and collaboration avenues.
- .9 Supports the stewardship of kłlil'xʷ (Spotted Lake) and the Syilx/Okanagan Nation's management of access to the lake.
- .10 Supports the designation of the federally owned parcels that surround kłlil'xʷ (Spotted Lake) as Conservation Area (CA) to help buffer and protect kłlil'xʷ (Spotted Lake) and its watershed.
- .11 Encourages the Federal Government to purchase undeveloped RA lands surrounding Spotted Lake wherever feasible and appropriate.



**Figure 21:** kłlil'xʷ (Spotted Lake)

## 15.0 PARKS, RECREATION AND TRAILS

---

### 15.1 Background

Parks are generally publicly owned areas that provide an opportunity for individuals to pursue leisure and recreation activities. In the Plan Area, parkland includes Crown land, land owned by the Regional District, land zoned for park purposes and land designated as park on a subdivision plan. Parkland also includes land or general areas that the Regional District may have an interest in for future park use.

Some of the types of park and recreation facilities under the Parks, Recreation and Trails (PR) designation in the Plan Area include:

- **Regional Parks:** Osoyoos Lake Regional Park is operated and maintained by the Regional District.
- **Kettle Valley Railway (KVR) Trail:** The sections of the KVR Trail that are publicly owned and maintained by the Regional District are designated Park, Recreation and Trails.
- **Provincial Recreation Areas:** s̄w̄īw̄s Provincial Park (formerly Haynes Point) is a provincially designated Recreation Area.

The Plan Area also provides diverse recreation opportunities for a range of trail users. Local residents use the trail system for activities ranging from an evening stroll along the KVR to commuting to work from one community to another, to active motorized and non-motorized trail-based recreation. Visitors also frequent the Plan Area's trails to participate in a wide range of activities from walking and backcountry hiking to cycle touring and off-road vehicle recreation.

Together, parks and trails provide a valued amenity for Plan Area residents and visitors and provide important environmental benefits. While the Plan Area currently includes three designated regional parks, the need for additional community parks is moderated both by the area's small population and the extensive opportunities available on Crown land, area lakes, and in provincial protected areas. It is also a challenge to provide community park services to areas with small, dispersed populations.

Provincial legislation authorizes the provision of land to the Regional District as parkland — equivalent in size to 5% of the parcel being subdivided. It is anticipated that acquisition of new land will be focused upon completion of the Kettle Valley Railroad (KVR) trail and improving Osoyoos Lake access, although the Regional District will consider acquiring new parkland as opportunities arise.

In 2012, the Regional District adopted a *Regional Trails Master Plan* that defines future direction, policies, priorities, standards and actions for the Regional District and its partners with respect to existing and potential future linear parks and trails and support of a regional trail network. The plan provides the basic framework to define and guide



regional trail development and management through to 2021.

In July 2019, the governments of Canada and British Columbia and the syilx/Okanagan Nation signed a Memorandum of Understanding (MoU) to formally work toward establishing a National Park Reserve in the South Okanagan-Similkameen. This MoU confirms the working boundary of the South Okanagan National Park Reserve, which includes 273 square kilometres of natural and cultural landscapes in the t̓xasq̓n (Mt Kobau), k̓l̓ilx̓w̓ (Spotted Lake), and n̓k̓lpulax̓w̓ (Kilpoola) areas of the iʔ nx̓w̓əl̓x̓w̓əltantət̓ (South Okanagan - Similkameen) area, including BC Parks' South Okanagan Grasslands Protected Area, much of which covers the western side of the Plan Area. This national park would protect the area's ecological-diversity and integrity, strengthen relationships between all levels of government, and bring economic opportunities.

See Schedule 'C' (Parks, Recreation and Trails) for a map of designated trails in the Plan Area.

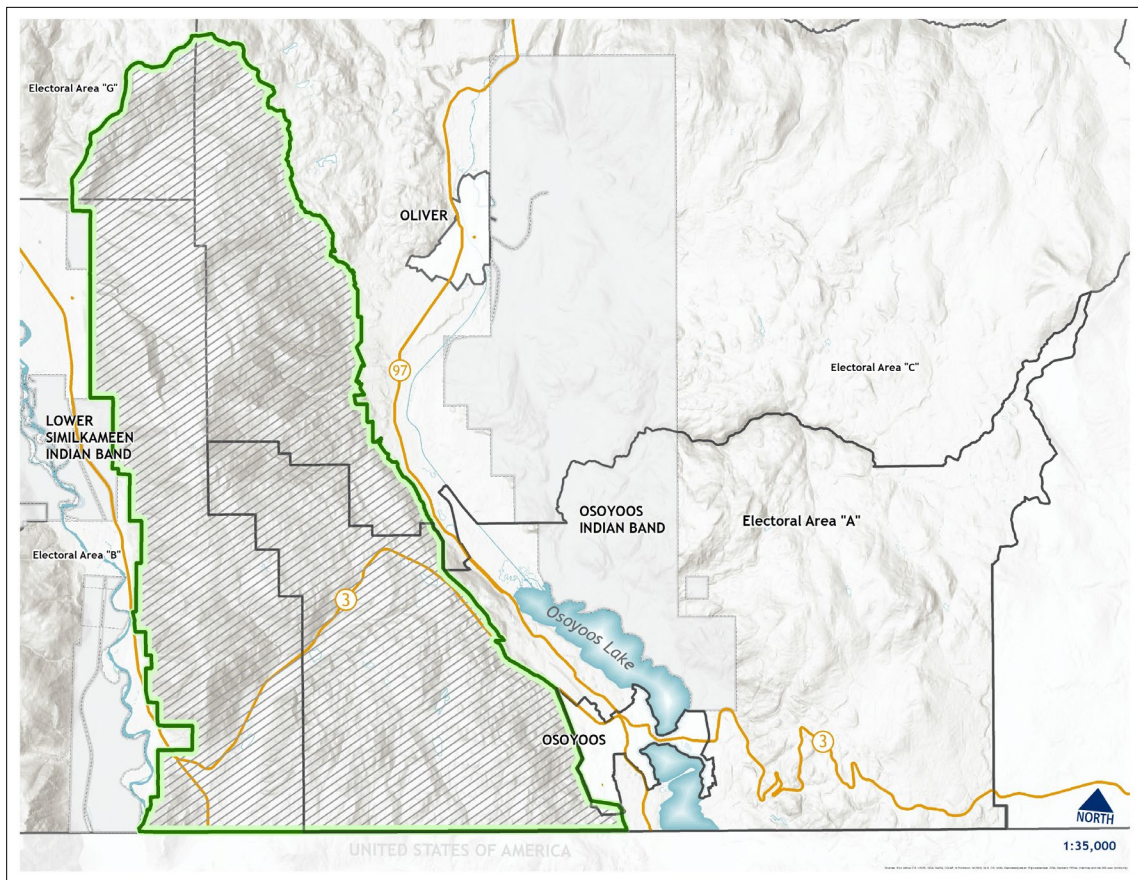


Figure 22: Proposed South Okanagan National Park Reserve

## 15.2 Objectives

- .1 Provide a level of parks and recreational opportunities that can meet the needs of local residents, within their ability and resources to pay for such facilities.



- .2 Promote recreational opportunities that meet local needs and complement the natural environment and existing resources.
- .3 Improve and maintain public access to park and recreation resources.
- .4 Promote the development of an integrated trail and park system.
- .5 Identify and work to acquire parks and recreation sites to fairly and equitably meet the present and future needs of residents.

### **15.3 Policies**

The Regional Board:

- .1 Encourages all new trail projects to be designed and constructed using provincial best management practices, in order to minimize the impact on the natural environment.
- .2 Seeks to mitigate existing and future conflicts between trail users, agricultural operators and rural landowners.
- .3 Encourages trails proposed on agricultural lands, including those located within the ALR, to be developed using Ministry of Agriculture guidelines.
- .4 Encourages tenure holders to preserve, steward and maintain trails to maintain the integrity of the larger trail system and the natural environments they traverse.
- .5 Encourages the Province to undertake a backcountry recreation planning process.
- .6 Encourages relevant provincial agencies and tenure holders to manage public access to the backcountry.
- .7 Seeks to work with regional partners and local environmental organizations to support wildlife education programs to minimize wildlife/human conflicts on trails.
- .8 Seeks to work with regional partners to ensure that trails within Plan Area boundaries include adequate parking, bear-proof garbage and recycling receptacles, and signage where feasible and appropriate.
- .9 Supports trail use guidelines that promote “leave no trace” trail use.
- .10 Supports the continued public use of Osoyoos Lake Park.
- .11 Seeks to review this Official Community Plan for consistency with any National Park Reserve proposal approved by the Federal Government and which affects lands within the Plan Area.
- .12 Recognizes that parkland corridors located along the Okanagan River channel are located within a flood control right-of-way, and that the Province needs to undertake and maintain flood control works, activities and devices within the PR designation.
- .13 Seeks to continue to work towards developing a comprehensive system of linear parks, trails and pedestrian linkages throughout the Plan Area to accommodate a variety of

uses, including but not limited to walking, running, bicycling, horseback riding and cross-country skiing.

- .14 Seeks to ensure that future linear parks, trails, and pedestrian linkages connect to existing and future parks, schools, Crown land, and natural open space, and allow for easy pedestrian access through residential areas.
- .15 Seeks to continue to provide universal access to recreational amenities in the Plan Area, where feasible, including parks, trails, facilities and programs.
- .16 Strives to ensure that there are recreational opportunities that suit a variety of age groups and interests.
- .17 Supports local First Nations to continue traditional cultural practices and uses in any National Park Reserve that may be established in the Plan Area.
- .18 Will consider new parkland dedications at Anarchist Mountain in conjunction with the *Regal Ridge Park and Open Space Plan (2011)*.

#### **15.4 Parkland Dedication Policies**

The Regional Board:

- .1 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- .2 Recognises that the Plan Area is generally rural in nature, and that when land is acquired it should be focused upon lake accesses, greenways, and trails.
- .3 May determine, in accordance with Section 510 of the *Local Government Act*, at the time of a subdivision to which Section 510 applies, whether the owner of land being subdivided must:
  - a) provide without compensation, park land in an amount up to 5% of the land being proposed for subdivision and in a location acceptable to the Regional District; or
  - b) pay to the Regional District an amount that equals the market value of the land that may be required for park land purposes.
- .4 May consider, when determining a potential park land dedication under Section 510 of the *Local Government Act*, the following policies:
  - a) proximity to settlement areas, other parks & trails, and bodies of water;
  - b) distance from environmental hazard areas;
  - c) average slope should be 10% or less;
  - d) adequate accessibility:
    - i) vehicular ingress and egress should meet Ministry of Transportation standards;

- ii) in the case of trails and parks with pedestrian only access, there should be various linkages to and from the trail or park, with at least one linkage wide enough to allow for maintenance vehicle access;
  - e) cultural or natural features of significance;
  - f) potential for additional dedication of parkland from subdivision applications of surrounding parcels; and
  - g) potential for recreation (active park), conservation (passive park) or enhancement of public access.
- .5 Considers that park land proposals should provide a benefit for the community and those lands with no benefit to the community should not be accepted.
  - .6 Strongly prefers that land being considered for parkland be maintained in its natural state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed parkland is to be used for recreational uses which require cleared lands or can be reclaimed for park purposes.
  - .7 Encourages developers to dedicate greater than 5% parkland in areas where parkland is desired.
  - .8 Considers that if cash in-lieu is chosen at the time of subdivision for park acquisition and development in the Plan Area, the preference is that the benefits accrue to those communities from which the funds are received.
  - .9 Where environmentally sensitive areas or critical habitat for species at risk have been identified, encourages developers to donate such lands to a conservation organization or the Regional District in addition to the parkland or cash in-lieu required by the Act.

## 16.0 NATURAL ENVIRONMENT AND CONSERVATION

---

### 16.1 Background

The South Okanagan-Similkameen is recognized as a region that combines a wide range of natural habitat areas with a large number of unique species, many of which are not found elsewhere in the province or in Canada. The area is also home to the largest number of endangered and threatened species of plants and animals in BC and Canada.

The variety of life (also called biodiversity) is very high in the South Okanagan-Similkameen, because of the region's milder climates and diversity of landscapes. Species at risk are linked to human settlement areas and land use. The Plan Area is the most diverse and sensitive rural area in the South Okanagan with one of the highest concentrations of biodiversity and species-at-risk in Canada.

The Plan Area itself is home to many unique environmental features, including Kruger Mountain, Richter Pass as well as various lakes and streams important to biodiversity in the area.

Under the *Local Government Act*, the Regional District has the authority to establish Development Permit (DP) Areas in order to protect the natural environment, its ecosystems and biological diversity.

In order to protect important sensitive ecosystems and biological diversity including valuable habitat areas for wildlife and plant communities, the Regional District has implemented an Environmentally Sensitive Development Permit (ESDP) Area. This area generally comprises privately held lands not in the Agricultural Land Reserve (ALR) that possess "high" and "very high" ecologically sensitive classifications as identified by the *Keeping Nature in our Future: A Biodiversity Conservation Strategy for the South Okanagan-Similkameen* (2012) prepared by South Okanagan Similkameen Conservation Program (SOSCP), and is described further in Section 18.2 of this Plan.

Some other ecologically sensitive lands found on Crown land or privately held land in the ALR have not been formally designated as an ESDP Area but are equally sensitive and are shown on Schedule 'H' as an "Important Ecosystem Area" and is described further in Section 23.2 of this Plan.

As a local government listed under Section 2(1)(b) of the *Riparian Areas Protection Regulation* (RAPR), the Regional District has implemented a Watercourse Development Permit (WDP) Area designation in order to protect riparian areas. WDP Areas are lands within 30 metres of the high-water mark or active floodplain of streams and ravines including lakes and watercourses, as well as and ditches, springs, and wetlands adjoining by surface flow, and as described further at Section 23.3 of this bylaw.

For maps of development permit areas and other environmentally sensitive areas in the Plan Area see Schedule 'H' (Environmentally Sensitive Development Permit Area and

Other Important Ecosystem Area) and Schedule 'I' (Watercourse Development Permit Area).

### **16.1.1 Objectives – General**

- .1 Maintain and sustain a healthy environment by encouraging the enhancement of ecological systems and by protecting biodiversity.
- .2 Integrate measures to sustain environmental quality and consider impacts on the environment in future land use decisions.
- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to important landscape features such as watercourses, hillsides, and sensitive ecosystems of the Okanagan.
- .4 Support efforts to protect source water quality and quantity today and for future generations.

### **16.1.2 Policies – General**

The Regional Board:

- .1 Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives.
- .2 Recognizes and encourages the educational and eco-tourism contribution toward protection of the community's natural environment made by environmental organizations and supports accommodating these uses with the necessary changes to the land use designations so long as the general intent of policies in this Plan are met.
- .3 Requires that, where a proposed development affects land subject to an Environmentally Sensitive Development Permit Area, an Environmental Assessment (EA) be prepared by a Qualified Environmental Professional (QEP) in accordance with the policies outlined at Section 23.2 as well as relevant federal and provincial best management guidelines.
- .4 Requires that EA reports prepared by QEPs be undertaken in accordance with the Regional District's Development Procedures Bylaw.
- .5 Supports the incorporation of traditional ecological knowledge in the stewardship of important foreshore, riparian, and terrestrial ecosystems, and will seek to work with the Penticton Indian Band, Osoyoos Indian Band, Upper Similkameen Indian Band and Lower Similkameen Indian Band to incorporate it where feasible, practical and appropriate.

## **16.2 Riparian and Foreshore Areas**

Riparian areas are places under the influence of water. They surround and contain wetlands, ponds, permanent and intermittent creeks, springs, wet meadows, etc. The Plan Area includes one large lake, Osoyoos Lake, and several smaller lakes including Spotted, Kilpoola, Blue, and Richter Lakes. The Plan Area also includes the Okanagan River and various smaller streams including Haynes Creek, Nine Mile Creek, Inkameep Creek among others.

The Plan Area is generally dry and riparian areas tend to be unusually productive and support a disproportionately high number of species. In addition, riparian and foreshores areas tend to have significant land use and development impacts. Most wetlands that once occurred in the Okanagan have been lost to infilling, development, roads, agriculture etc. Thus, the areas that remain are very important to retain. Many species and species at risk require riparian habitats for some part of their life cycle.

Activities in and around riparian areas have potential to impact water quality, affect erosion, damage fish habitat and impact habitat for species at risk.

Trees like Black Cottonwood that once were common in these areas have been removed and replaced with non-native trees or invasive trees like Russian Olive and Siberian Elm. Some limited areas of willow, birch, red osier dogwood and other shrubs remain in foreshore areas, but much of the developed area has been replaced by lawns and landscaped yards. Road construction near, or within riparian areas is also common. Agriculture impacts are significant and range from infilling to cultivation and livestock use.

Because riparian and foreshore areas are so strongly connected to both habitats for species at risk and water quality through groundwater/surface water, it is vital that land use practices protect riparian areas by retaining and restoring native species, and ecosystems. Natural riparian areas provide significant ecosystems benefits that costly water treatment and recovery planning for species at risk cannot replace.

Most land above the high-water mark (natural boundary) is privately held while land below the high-water mark belongs to the Crown and forms part of the water resource in the province. Land within 30.0 metres of the high-water mark or active floodplain of a stream or a ravine is identified as being within a Watercourse Development Permit Area and any development within this area may require a Development Permit (see Section 18.3). Other activities that are subject to regulation include dock construction and modification, mooring buoy installation, and shoreline modifications (including sand, soil, vegetation removal, disturbance, and addition).

### **16.2.1 Objectives**

- .1 Foster community awareness of the importance and sensitivity of the riparian and foreshore environments in the Plan Area.

- .2 Protect aquatic habitat areas and associated environmentally sensitive areas from negative impacts of development as identified in Schedule 'H' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) and Schedule 'I' (Watercourse Development Permit Areas).
- .3 Improve and better manage waterfront public access along the Osoyoos Lake shoreline.
- .4 Minimize and avoid development in high hazard soil instability areas on the Okanagan Lake foreshore and riparian area.
- .5 Encourage high quality lakeshore development that maintains the natural character of all lakes and sustains the sensitive riparian and foreshore ecosystems.
- .6 Conserve, protect and enhance surface, ground and aquifer water sources in cooperation with provincial ministries, local water purveyors and landowners.
- .7 Identify, manage and protect significant watercourses to maintain their natural habitat and environmental quality.

### 16.2.2 Policies

The Regional Board:

- .1 Recognises riparian values and, in accordance with the provincial *Riparian Area Protection Regulation*, has designated land within 30.0 metres of the high-water mark or active floodplain of a stream or a ravine as a development permit area. Land designated as a Watercourse Development Permit Area shall be developed according to the guidelines outlined in Section 23.3 (Watercourse Development Permit Area) of this Plan, unless an exemption applies. The Watercourse Development Permit Area includes the lands within 30.0 metres of the high-water mark of a stream or ravine identified on Schedule 'I'.
- .2 Encourages provincial and federal water and resource managers to protect and enhance water quality, base flows, natural drainage patterns, and continuous riparian corridors of sufficient width to accommodate the dynamic nature of the hydrologic system, to avoid and reduce flood damage, to avoid the need for channel stabilization, to avoid underground drainage systems, to avoid groundwater interruption, and to protect and sustain aquatic biota, important fish populations and habitats.
- .3 Supports efforts that maintain appropriate riparian buffers, determined by qualified professionals that take into account processes of natural erosion, deposition and movement of natural stream boundaries, floodplain provisions and sensitive terrestrial habitats.
- .4 Continues to work with the Okanagan Basin Water Board (OBWB) to promote the shared water interests of Okanagan communities.



- .5 Encourages and supports the analysis of ground water hydrology in areas with identified aquifers and requires environmental assessments in advance of considering zoning amendments for uses such as heavy industrial, mining, fuel storage and/or sewage or waste containment.
- .6 Discourages development that will have a negative environmental impact on lake riparian and foreshore areas.
- .7 Encourages the subdivision Approving Officer to ensure that public access to lakes is provided pursuant to Section 75 of the *Land Title Act*.
- .8 Supports the use of Section 86 of the *Land Title Act* and Section 56 of the *Community Charter* to regulate development in a floodplain and provide for the safe use of the land for the intended purpose.

### **16.3 Terrestrial Areas**

Terrestrial areas are simply described as upland areas or land above water. They include areas with grassland and shrub-steppe, sparsely vegetated, broadleaf woodlands, coniferous woodlands and old forest ecosystems. Many at risk species are found in terrestrial ecosystems in the Plan Area.

Like foreshore and riparian areas, terrestrial areas also contain areas sensitive to development and land use. Of the various ecosystem types, the grassland and shrub-steppe ecosystems are particularly sensitive to disturbance and subject to habitat loss through development, agriculture conversion, impacts from invasive plants, and habitat loss resulting from recreation use.

Significant proportions of sensitive terrestrial habitat have been provincially recognized and protected in the Plan Area and include: the Haynes & Field Lease Ecological Reserves, Anarchist Mountain Protected Area, and South Okanagan Grasslands Protected Area. The Nature Trust of BC, Nature Conservancy of Canada, Ducks Unlimited Canada and other conservation organizations have also purchased properties for habitat and terrestrial ecosystem conservation purposes.

#### **16.3.1 Objectives**

- .1 Protect and steward sensitive and important terrestrial ecosystem areas as identified in Schedule 'H' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Areas).
- .2 Encourage provincial and federal governments, private organizations and private landowners to protect, enhance and manage critical habitat areas for species at risk in the Plan Area.
- .3 Work cooperatively with regional partners and support rehabilitation, restoration and enhancement of wildlife habitats and environmentally sensitive areas that have been subject to negative impacts in the past.

- .4 Encourage and facilitate linkages of protected habitat areas.
- .5 Encourage the integration of FireSmart approaches in the management of terrestrial areas where practical and appropriate.

### 16.3.2 Policies

The Regional Board:

- .1 Recognizes the values of environmentally sensitive lands on Schedule 'H' and has:
  - a) Designated these lands as an Environmentally Sensitive Development Permit Area pursuant to Section 488(1)(a) of the *Local Government Act*; or
  - b) Identified these lands as an "Important Ecosystem Area".
- .2 Requires that land designated as an Environmentally Sensitive Development Permit Area shall be retained in a natural state and not developed prior to the issuance of an Environmentally Sensitive Development Permit (ESDP) in accordance with the guidelines outlined at Section 23.2 of this Plan, unless an exemption applies.
- .3 Considers that land identified as an "Important Ecosystem Area" should generally be retained in a natural state and, if a re-designation of the land under the OCP or a rezoning of the land under the Zoning Bylaw is proposed, that these lands be considered for inclusion in the Environmentally Sensitive Development Permit Area in Schedule 'H'.
- .4 Encourages the parcel sizes of land designated as an Environmentally Sensitive Development Permit Area or identified as an Important Ecosystem Area on Schedule 'H' to remain as large as possible to protect these habitat areas.
- .5 Will not support the re-designation of land under the OCP or the re-zoning of land under the Zoning Bylaw where it is determined that the proposed development is contrary to the ESDP Area Guidelines of this Plan and the impact cannot be mitigated to a level acceptable to the Regional Board.
- .6 Will strive for development that avoids impacting important native species, habitats, ecosystems or sensitive areas and to retain important ecosystem features and functions. Responsiveness to this policy will be a very important consideration in the approval of an application.
- .7 Encourage the protection, preservation, enhancement and management of sensitive ecosystems or land contiguous to sensitive ecosystems of private lands through the following methods:
  - a) donation of areas to the Regional District or provincial government;
  - b) donation of areas to a land trust or conservation organization;
  - c) introduction of conservation area designation and zoning;

- d) creation of conservation covenants in favour of local, provincial government, private conservation organizations;
  - e) establishment of statutory right of ways under the *Land Title Act* for affected areas;
  - f) establishment of long-term leases for sensitive areas;
  - g) land stewardship and participation in conservation initiatives by the private landowner; or
  - h) consideration of alternative development standards.
- .8 Supports conserving, enhancing and promoting the protection of wildlife corridors and ecosystem connectivity with interfacing Crown lands.
  - .9 Encourages the use of native vegetation to restore disturbed sites.

## 16.4 Conservation Areas

For the purpose of protecting environmentally sensitive areas (ESAs), the Regional District may designate lands as Conservation Area (CA). The Conservation Area designation is applied to land that is preserved and protected for its unique natural value, land left in a natural or semi-natural state for the purpose of conserving plant life and providing habitat for wildlife or fish.

Conservation Area lands may include Crown land designated as an Ecological Reserve or Wildlife Management Areas, but is generally applied to private lands that have been acquired or donated for conservation purposes and which are held by an individual or an organisation, such as The Nature Trust of British Columbia or the Nature Conservancy of Canada. In the Plan Area, the Conservation Area designation applies to a large area at the head of Osoyoos Lake held by various conservation organisations. In addition, approximately 50% of the “Regal Ridge” development situated on Anarchist Mountain was set aside for conservation purposes in 2004.

The two Federally owned parcels that comprise kllil’xw (Spotted Lake) are designated Conservation Areas to help protect and steward the lake’s unique ecosystem and deep Syilx cultural values associated with the lake.

For a map of Conservation Areas in the Plan Area see Schedule ‘B’ (Official Community Plan Map).

### 16.4.1 Objectives

- .1 Protect and steward designated Conservation Areas in their natural or semi-natural state for the purpose of conserving plant life and providing habitat for wildlife or fish.
- .2 Work with agencies and partners, including local First Nations, to enhance, protect and interpret ecological systems and biodiversity in Conservation Areas.

- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to adjacent or abutting Conservation Areas.
- .4 Encourage the integration of FireSmart approaches in Conservation Areas where practical and appropriate.

#### **16.4.2 Policies – General**

The Regional Board:

- .1 Recognizes and encourages the educational and eco-tourism contributions toward protection of Conservation Areas made by environmental organizations and supports accommodating these uses where they do not conflict with Conservation Area objectives.
- .2 Supports the incorporation of traditional ecological knowledge in the stewardship of Conservation Areas, and will seek to work with local First Nations to incorporate it where feasible, practical and appropriate.

#### **16.5 Okanagan Basin Lakes**

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to promote the major lakes in the Valley for community and visitor use, while also seeking to protect existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

##### **16.5.1 Objective**

- .1 Provide opportunities for water-based recreation on Osoyoos Lake, including small-scale docks and swimming platforms associated with adjacent residential use.

##### **16.5.2 Policies – General**

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Consider that docks, swimming platforms, and marinas should not include non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
  - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
  - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
  - iii) compatibility with, and proximity to adjacent land uses; and
  - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).



**Figure 23:** Park at Reflection Point, Electoral Area “A”

# 17.0 HAZARD LANDS

---

## 17.1 Background

Hazard lands include but are not limited to areas the Regional District has reason to believe are subject to natural hazards including flooding, mud flows, debris torrents, erosion, rockfall, landslip, sink holes and wildfire.

The information available for the entire Regional District can be variable and may lack detail, so hazards often need to be investigated on a site-by-site basis. Recognizing this, site planning for proposed developments should consider the potential hazards on any given site. Some hazards can be evaluated and mitigated at the time of development. Other hazards, such as wildfire, can not only impact new developments, but also threaten existing structures.

A *Community Wildfire Protection Plan (CWPP)* was completed for the Regional District in 2011. The plan assessed wildfire risk across the region and made recommendations to improve the community's risk profile through pre-planning and preparedness, policy, and fuel management.

As a predominantly rural area, the CWPP determined that development in the Plan Area generally consists of:

- low to moderately dense rural intermix areas (>1structure/ha) with more forested areas between structures and a less defined perimeter;
- a well-defined urban/interface complex where the interface perimeter is more clearly defined; and
- individual structures remotely scattered within the wildlands.

In the next few decades, climate change will have a significant change on fire hazard within Electoral Area "A" based on the decreases in precipitation and changes in forest fuel structure and composition (Associated Environmental, 2017).

See Schedule 'D' (Hazard Lands – Flood), Schedule 'E' (Hazard Lands – Steep Slopes), and Schedule 'F' (Hazard Lands – Wildfire) for maps of key hazard areas in the Plan Area. High risk wildfire interface areas are subject to a Wildfire Interface Development Permit Area (Section 23.4). See Schedule 'J' (Wildfire Development Permit Area) for the development permit area.

## 17.2 Objectives

- .1 Prevent injury and loss of life and to prevent or minimize property damage because of natural hazards.
- .2 Ensure development does not occur in areas subject to known hazardous conditions, unless the hazard has been sufficiently addressed and mitigated.

- .3 Recognize that important habitat may also be found in natural areas that are considered hazardous, and that disruption of these areas should be minimized.
- .4 Minimize wildfire hazards to people and property in existing and proposed new development.
- .5 Minimize exposure to future flood damage by avoiding or minimizing development adjacent to Osoyoos Lake and Okanagan River Channel.

### **17.3 Policies - General**

The Regional Board:

- .1 Encourages annual inspections, and as-needed inspections after large storms, runoff or flooding events, at the highest risk areas for impacts, such as steep slopes and major culverts outfalls.
- .2 Encourage the provincial Approving Officer to ensure that technical reports for hazard lands are prepared by appropriately qualified individuals and that any recommended conditions for safe use of the land area are registered as s. 219 covenants to inform future property owners.
- .3 Will not support the rezoning of development on lands with natural hazards or hazardous geotechnical conditions as identified by the Regional District or other agencies having jurisdiction, unless the applicant can provide a report by a Qualified Professional Engineer or Geoscientist that the land can be safely used for the use intended.
- .4 Encourages provincial and/or federal agencies to conduct further research on possible radon health risks in and around the Plan Area.
- .5 Encourages Plan Area residents to test their homes for radon exposure and to take appropriate mitigation measures where radon levels are found to be higher than recommended levels.
- .6 Supports providing information on radon and radon mitigation opportunities to Plan Area residents.

### **17.4 Policies – Steep Slopes**

The Regional Board:

- .1 Discourages development on slopes with grades in excess of 30% to avoid geotechnical hazards.
- .2 Will recommend that the Approving Officer require a geotechnical report indicating the land can be safely used for the use intended for a subdivision where the new development is located on slopes greater than 30%, including those areas that may be regraded to slopes less than 30% after development, in order to address potential soil instability, hazardous conditions and environmental sensitivity.



## 17.5 Policies - Flood Hazard Management

The Regional Board:

- .1 Discourages development of land susceptible to flooding and encourages those lands to be used for parks, open space, habitat conservation, recreation or agricultural uses.
- .2 Requires that where land subject to flooding is to be developed and no alternative land is available, construction and siting of buildings and manufactured homes to be used for habitation, business, industry, or the storage of goods damageable by floodwaters shall comply with the floodplain regulation of the Zoning Bylaw with any relaxation subject to the recommendations of a report prepared by a qualified Professional Engineer or Geoscientist, where applicable.
- .3 Supports the use of Section 86 of the *Land Title Act* and Section 56 of the *Community Charter* to regulate development in a floodplain and provide for the safe use of the land for the intended purpose.
- .4 Supports minimizing exposure to future flood damage by avoiding development adjacent to Osoyoos Lake and Okanagan River Channel or implementing flood mitigation measures.
- .5 Supports mitigating the impacts of potential flooding on buildings and properties in the floodplain area and affected by groundwater through design and site grading prior to construction as per the recommendations of a report prepared by a qualified Professional Engineer or Geoscientist.

## 17.6 Policies - Wildfire Hazard Mitigation

The Regional Board:

- .1 In reviewing a rezoning application submitted to the Regional District for development in those areas identified in the *Community Wildfire Protection Plan* (CWPP) and shown on Schedule 'F' (Hazard Lands – Wildfire), the Regional District may require a fire hazard risk assessment by a qualified professional with recommendations concerning but not limited to the following:
  - a) incorporating fuel breaks adjacent to, or on, residential subdivisions;
  - b) establishing zones around proposed building sites which are clear of debris and highly combustible materials;
  - c) utilizing fireproofing techniques and fireproof materials in building design;
  - d) designing roads that provide evacuation routes and facilitate movement of firefighting equipment;
  - e) ensuring all roads are named and signed;

- f) ensuring availability of water supply facilities adequate for fire suppression;
  - g) ensuring the provision of access to local water sources, lakes and watercourses as part of access requirements; and
  - h) implementing setbacks, interface fire protection standards, building material standards, and vegetation pursuant to Provincial FireSmart guidelines.
- .2 Using the FireSmart guide as a principal guidance document, strives to foster wildfire awareness and resiliency through public education materials, programs and events.
  - .3 Strongly encourages that new developments with moderate or higher fire hazard ratings to incorporate best practice interface forest fire mitigation techniques for buildings and landscaping.
  - .4 Should review and update wildfire protection approaches as often as necessary based on changing community circumstances, climate change driven ecosystem conditions, and mitigation techniques.
  - .5 Encourages property owners to adhere to the relevant Provincial guidelines to protect properties and communities from wildfire risk through such measures as reducing fuel loads and regular maintenance of eaves. Such measures should be supportive of the natural environment and mimic the natural effects of localized ground fire such as thinning and spacing trees and vegetation, removal of debris and dead material from the ground, and removal of lower tree branches.
  - .6 Supports pursuing provincial funding and resources to undertake wildfire risk reduction in the community/forest interface areas.
  - .7 Supports the development of an inventory of accessible water sources by the province that could be enhanced to support water extraction by firefighting equipment.

# 18.0 TRANSPORTATION

---

## 18.1 Background

The Province identifies Highway 97 and Highway 3 as Controlled Access highways and is projecting that Highway 97 will see increased traffic volumes over the next 20 years. As of 2021, no development of new major road systems by the Province is anticipated within the Plan Area.

The road network indicated on Schedule 'G' (Transportation Network) shows:

- Highways (Highway 97, Highway 3), which allow for rapid, efficient movement of large volumes of through traffic to achieve regional continuity. To secure swift and safe traffic movement, direct access onto Controlled Access Highways will be limited, and more turning lanes and channelization may be required at major intersections;
- Collector Roads (e.g., 87<sup>th</sup> Street) are mostly paved secondary roads linking rural communities.
- Local Roads (e.g., Bullmoose Road, Old Richter Passage Road, 160<sup>th</sup> Avenue) are generally gravel roads providing access to smaller, secondary settlement areas.

In addition, Schedule 'C' (Parks, Recreation and Trails) shows existing trails within the Plan Area.

BC Transit's *South Okanagan Transit Future Plan* (2015), provides a vision for transportation in the region. Transit options in Electoral Area "A" are limited but the Plan Area has one of the highest levels of riders within the RDOS system. As of 2021, there is one bus service (Route 40 & 41) that runs twice a week between the Town of Osoyoos and City of Penticton. There are five bus stops within the Town of Osoyoos before heading north to Oliver, OK Falls, Kaleden and Penticton but no bus stops within Electoral Area "A" itself.

## 18.2 Objectives

- .1 Enable safe, efficient mobility of goods and people within the Plan Area.
- .2 Ensure safe and convenient movement of goods and people through Highways 97 and 3.
- .3 Provide for safe and convenient pedestrian and bicycle access to schools and parks throughout all Plan Area communities.
- .4 Minimize the impacts of traffic corridors on farmland, ESDP Areas and WDP Areas.
- .5 Support an expanded regional transit system that services communities throughout the Regional District.
- .6 Provide a multi-model transportation system and secure road and trail networks for all forms of transport, including pedestrians and bicycles.

### 18.3 Policies

The Regional Board:

- .1 The Regional District supports, where possible, the establishment of bicycle lanes adjacent to arterial roads, for transportation purposes in addition to recreation.
- .2 Supports and encourages the provision of safe pedestrian and cycling opportunities along all Plan Area roads where feasible and appropriate as improvements are made to the roadways.
- .3 Encourages MoTI and the Approving Officer to ensure that each new parcel of land to be created by subdivision has frontage on, and reasonable and practical access to, a public road.
- .4 Where existing highways and roads have deficient right-of-way widths, MoTI and or the Approving Officer should secure, where possible, additional land to remove all or part of the deficiency.
- .5 Encourages the Province to widen and pave shoulders on designated cycle routes and improve safety signage for cyclists and drivers.
- .6 Encourages the Province to require traffic impact studies as part of subdivision proposals which may impact safety and mobility on network roadways and, to ensure that:
  - a) existing and future roads and alignments are designed with due consideration for watercourses and critical habitat areas;
  - b) safety is maintained through access management and control;
  - c) disruption to farming operations is minimized; and
  - d) projected traffic volumes do not reduce the present service levels for the existing roadway.
- .7 Encourages MoTI to support enforcement of relevant provincial legislation regarding the control of roadside parking along provincial highways, local roads and on Crown land and implement more effective tools to manage illegal roadside parking, including improved regulatory signage.
- .8 Supports the implementation of the Okanagan-Similkameen Transit Future Plan.
- .9 Although the Plan Area does not currently warrant public transit service, the Regional District will continue to monitor conditions and liaise with B.C. Transit regarding future ridership demand.
- .10 Encourages the Province and the RCMP to improve traffic safety and enforcement on all Plan Area roads.

- .11 Supports the closure of unused, unconstructed road right of ways, where such closures result in traffic pattern improvements and are not detrimental to the use of adjoining lands.
- .12 Supports the creation of a pedestrian and other non-vehicular right-of-ways between established residential and park areas, and between tourist commercial developments within the plan area, and exploring this in cooperation with MoTI.

# 19.0 INFRASTRUCTURE AND SERVICING

---

## 19.1 Background

Infrastructure and services within the jurisdiction of the Regional District include water distribution, solid waste management, and community sanitary sewer systems. Roads, road right-of-ways and stormwater management are managed by the Province. As electrical, gas and communication utilities are also important to the community, the Regional District has an interest in helping guide the provision of these services.

## 19.2 Objectives

- .1 Implement a coordinated approach to infrastructure planning within the Plan Area.
- .2 Ensure that water, wastewater and drainage systems support good health and safety and meet recognized standards of service.
- .3 Maintain and foster relationships with provincial agencies, Improvement and Irrigation Districts, and other operators that influence the delivery and management of community infrastructure.
- .4 Discourage the development of private systems for the provision of water and sewer services.

## 19.3 Policies

The Regional Board:

- .1 Supports adequate infrastructure, including water, sewer, roads, and stormwater management be provided in new developments, at no cost to public agencies.
- .2 Requires that all new parcels to be created by subdivision with a land area of less than 1.0 ha connect to a community sewer system.
- .3 Encourages the implementation of sustainable development principles through consideration of renewable and alternative technologies for community infrastructure.

## 19.4 Water Supply and Distribution

Two major water systems exist within Electoral Area “A”, Osoyoos Rural Water Systems No. 8 and No. 9. Both systems are owned and operated by the Town of Osoyoos to service rural residents north and south of the Town. A number of other water systems were identified within Electoral Area “A”, including:

- Osoyoos Irrigation District (OID)
- Brookvale Holiday Resort Water System
- Osoyoos Lake Park Water System
- Boundary Irrigation District

- Burrowing Owl Estates Winery Water System
- Willow Beach Mobile Home Park Water System
- Idle-O Apartments Water System

The remainder of the Plan Area is serviced through individual groundwater wells or surface-water licenses.

The Town of Osoyoos provides water from six active groundwater wells. Water is currently treated with chlorine disinfection, which began in the fall of 2018. Water systems are required to comply with Interior Health’s 4-3-2-1-0 objective.

The Town of Osoyoos is investigating the potential of switching to a surface water source. A water quality sampling plan is planned to determine if this is an option.

The Osoyoos Irrigation District (OID) is located on the east bench of Osoyoos Lake, east of the Town of Osoyoos. The system was constructed in 1967 and consists of approximately 150 domestic connections and 40 agricultural connections, supplied by a submerged intake in Osoyoos Lake and treated with chlorination. This system was used to service both domestic and irrigation demands until a groundwater well was drilled to provide potable water to the area. The groundwater well is now used during the irrigation off season to supply water to the domestic connections in the area.

Surface water is a critical resource within the Plan Area for residential use, agriculture, and the environment. Protecting Osoyoos Lake water quality is highlighted in multiple OCP policy sections.

The capacity of all Electoral Area “A” water systems can be increased through water conservation measures, and the Regional District has actively encouraged water conservation and additional measures have been recommended to the RDOS, such as leak detection and water metering.

#### **19.4.1 Objectives**

- .1 Continue cooperation and coordination between water purveyors (Town of Osoyoos, private and irrigation districts) and the Province to ensure sustainable water quantity and quality is provided to residents in the Plan Area.
- .2 Manage development to ensure that surface water sources and aquifers are not depleted, and their long-term sustainability is protected.
- .3 Manage and protect the Plan Area’s groundwater resources on a sustainable basis and work to prevent irreversible or other adverse impacts to water resources.
- .4 Continue to work in conjunction with the Ministry of Environment, the Interior Health Authority, and residents to protect, manage and maintain high water quality and to ensure the sustainable use of the Plan Area’s surface and groundwater resources.

## 19.4.2 Policies

The Regional Board:

- .1 Will require new development to demonstrate a proven and adequate water supply and meet all current water quality regulations as well as the Interior Health Authority drinking water objective.
- .2 Will work with and support the Town of Osoyoos to determine a long-term treatment plan for existing water systems in the Plan Area.
- .3 Encourages all groundwater users within Electoral Area “A” to ensure that groundwater well infrastructure and maintenance is completed as required by the Groundwater Protection Regulation under the *Water Sustainability Act*, including the installation of sufficient surface seals.
- .4 Encourages well owners using water for domestic purposes to register their well in the provincial database in order to document water use and help ensure existing uses are considered in future water license applications.
- .5 Supports working work with water purveyors to establish water conservation programs, including the promotion of xeriscaping and the use of other waterwise landscaping.
- .6 Actively promotes, educates, coordinates and implements water conservation practices, and will work with water utilities to establish water conservation programs including pricing and metering.
- .7 Strongly discourages the creation of new private community water utilities.
- .8 Strives to ensure that new developments do not restrict or limit the availability of water supply for existing users and agricultural irrigation.
- .9 Supports working with other stakeholders on regional water management initiatives to protect, revitalize and restore watersheds within the Plan Area, including the identification and establishment of a Watershed Resource Area (WRA) zone in the Zoning Bylaw for designated community watersheds under the *Forest and Range Practices Act*.
- .10 Supports reviewing fire protection and fire suppression provisions throughout Electoral Area “A” and working with service providers to ensure an adequate level of fire protection is provided for new and existing developments.

## 19.5 Wastewater and Sewage

The Town of Osoyoos’ Northwest Sector Sanitary Sewer system services 137 properties located along Osoyoos Lake, north of the Town’s boundary and up to an area known as “Willow Beach”. The remaining properties in the Plan Area are serviced with on-site septic. Liquid waste from users within the Plan Area is not accepted at the Town of Osoyoos’ treatment facility, and is instead landfilled at the Osoyoos landfill, also located within Electoral Area “A”.



Individual on-site septic systems are not viewed as a long-term sustainable method of sewage disposal unless parcels are over 1.0 ha in size. This method of disposal also increases the probability of groundwater contamination and nutrient loading into watercourses and lakes, such as Osoyoos Lake.

### **19.5.1 Objectives**

- .1 Reduce levels of nutrients and effluent disposal into watercourses.
- .2 Encourage investigating options for septage receiving at the Town of Osoyoos' WWTP.
- .3 Maintain healthy aquatic and groundwater environments and protect human health from water contamination.
- .4 Establish long-term sustainable sewage collection and disposal methods for existing and proposed properties smaller than one hectare and adjacent to watercourses.

### **19.5.2 Policies**

The Regional Board:

- .1 Encourages the Province to educate residents about the requirements for properly maintaining a septic tank and tile fields.
- .2 In areas where there is no community sanitary sewer or water systems, requires all development to adhere to the best practices recommendations of the Regional District's Liquid Waste Management Plan as well as the Provincial Sewerage System Regulation administered by the Ministry of Health and the Interior Health Authority (IHA) for on-site sewage disposal and private groundwater wells.
- .3 Encourages the Ministry of Health to ensure that private septic tanks and ground disposal systems be sited to minimize pollution of surface and groundwater, and have appropriate setbacks from watercourses, lakes, and water wells.
- .4 Does not support the use of septic holding tanks for existing or new developments.
- .5 Strongly discourages the creation of new private community sanitary sewer utilities.

## **19.6 Stormwater Management**

Effective stormwater management will help protect the water quality of the various lakes and other water bodies found within the Plan Area. Currently, stormwater drainage in the Plan Area is the responsibility of MoTI, and their contractor, and predominantly comprises open ditches, natural drainage courses and absorption into the ground through dry wells. Osoyoos Lake and other surface waters and aquifers, which are the area's sources for drinking water, are the ultimate destination for much of the stormwater in the Plan Area.

### **19.6.1 Objectives**

- .1 Improve the management of stormwater quality and quantity within the Plan Area.
- .2 Ensure off-site surface runoff for new development does not exceed predevelopment flows.
- .3 Coordinate stormwater management with the Ministry of Transportation and Infrastructure where subdivision approval is involved.

### **19.6.2 Policies**

The Regional Board:

- .1 Encourages the Province to require master storm drainage plans for new residential subdivisions.
- .2 Encourages the Approving Officer to require that each parcel of land within a proposed subdivision address stormwater runoff and that it protect aquatic ecosystems (lakes, wetlands, rivers, streams).
- .3 Encourages the use of permeable surfaces on driveways, parking lots and access roads, as well as other measures such as xeriscaping, infiltration basins, swales and other sustainable design features to reduce overland runoff.
- .4 Encourages MoTI to involve the Regional District in developing terms of reference for community Storm Water Management Plans (SWMP).
- .5 Supports the sharing of all storm water reports between government agencies.
- .6 Encourages property owners to:
  - a) maintain private driveway culverts and watercourse crossings to ensure high flow capacity can be accommodated; and,
  - b) upgrade substandard driveway culverts to ensure that 1:200 year storm flows can be accommodated.

### **19.7 Solid Waste**

The Regional District adopted a Solid Waste Management Plan (2012) that specifies how a waste diversion rate over 70% will be achieved.

At present, solid waste is collected and deposited at the Osoyoos & District Sanitary Landfill, which also serves the Town of Osoyoos and Osoyoos Indian Band. Since composting was started at the landfill in 2016, waste volume has decreased significantly and the landfill has an estimated usable life between 23 and 30 years, dependent on the waste generation rate.

### **19.7.1 Objectives**

- .1 Reduce the volume of solid waste requiring disposal in accordance with Provincial waste reduction targets.
- .2 Increase recycling, source separation and reuse in the Plan Area.
- .3 Maximize the diversion of organic waste from the landfill by increased composting or burning.
- .4 Increase the reuse and recycling of construction, demolition and renovation waste.

### **19.7.2 Policies**

The Regional Board:

- .1 Encourages and supports efficient and environmentally acceptable solid waste disposal methods through an education process, especially reduction of waste, reuse of materials, recycling, and backyard composting.
- .2 Continues to implement the strategies of its Solid Waste Management Plan, as it is amended from time to time.
- .3 Supports continuing public education to recognize and encourage the critically important role of area residents and businesses in implementing the Solid Waste Management Plan.
- .4 Encourages well designed development that supports the delivery of the solid waste services to existing and future residents.

## **19.8 Street Lighting<sup>iii</sup>**

The Regional District does not currently maintain a service area for street lighting within Electoral Area “A”. While street lights can improve visibility and safety for pedestrians and traffic, particularly at intersections, the Plan Area is comprised of predominately rural communities and street lighting is seen to be incompatible with the character of these areas (e.g. loss of dark skies to light pollution).

Typically, there are two types of street lights used within the Regional District, being Overhead Street Lights, which is typically mounted to a utility pole and is in the form of a “cobra-head”. The other type is Ornamental Street Lights, which are independent, free-standing and serviced through underground wiring and tend to be “decorative”.

### **19.8.1 Objectives**

- .1 Discourage the creation of street lighting service areas outside of designated Primary and Rural Growth Areas in order to preserve the rural character of the Plan Area.

---

<sup>iii</sup> Amendment Bylaw No. 2944, 2021 – adopted December 16, 2021.

## 19.8.2 Policies

The Regional Board:

1. Strongly discourages the creation of new street lighting service areas outside of Primary and Rural Growth Areas.
2. Requires the establishment of a new street lighting service area occur through a formal assent process initiated by property owners living within an area currently un-served by street lighting.
3. Will assess requests seeking to create a new or expand an existing street lighting service area on the following criteria:
  - a) if the proposed service area is within a designated Primary or Rural Growth Area;
  - b) if there is a need to improve vehicle and pedestrian safety;
  - c) if neighbourhood support exceeds 66% of affected property owners representing more than 50% of the land value within the proposed boundaries of the service area; and
  - d) if street lights will promote economic development.
4. Will evaluate requests proposing the installation new street lighting within a service area administered by the Regional District against the following priority locations:
  - a) intersections;
  - b) adjacent to an existing educational facility;
  - c) adjacent to an existing park;
  - d) a transit stop;
  - e) a cluster mailbox location; or
  - f) within a designated Town Centre or Village Centre area.
5. Supports the conversion of existing street lights to energy efficient fixtures in order to reduce maintenance, energy consumption costs and “sky glow”.
6. Supports new street lights being energy efficient fixtures in order to reduce maintenance, energy consumption costs and “sky glow”.
7. Supports the use of ornamental poles and fixtures that are owned and funded by the Regional District complying with approved fixtures and designs set within the Approved Products List under the subdivision servicing bylaw.

## 19.9 Other Utilities

Utility services, including electrical, gas, phone and Internet are vital services to a community. The Regional District is not the provider of these utility service and the *Local Government Act* does not allow for the Regional District to regulate these services by bylaw when subdivision is being undertaken. Nevertheless, these utilities play a vital role in the level of services to a community and, through the objectives and policies of this section, the community is encouraged to work with utility providers to ensure that Plan Area residents have access to the best possible services.

Being a predominately rural community, the Plan Area, particularly smaller settlement areas are not well serviced by high-speed Internet or cellular phone service. Residents support the improvement of communication services in the community.

### 19.9.1 Objectives

- .1 Encourage the operators of utilities to provide residents and businesses in the rural settlement areas with utility services.
- .2 Encourage cooperation and coordination of the provision of utilities to existing and future developments.

### 19.9.2 Policies

The Regional Board:

- .1 Should work with utility providers to deliver affordable and convenient utility services, including high-speed Internet and cellular service, throughout the Plan Area.
- .2 Encourages public utility companies and the Province to develop and maintain infrastructure corridors in a manner that will not negatively impact existing residents and the natural environment or have a negative impact on existing Environmentally Sensitive Development Permit Areas and Watercourse Development Permit Areas.
- .3 Supports the establishment of renewable energy projects that use water, wind, sunlight, biomass or geothermal energy to generate electricity for sale into the electrical transmission and distribution infrastructure when those facilities:
  - a) have been properly evaluated and are shown to be technically sound, environmentally sensitive and socially responsible;
  - b) are located, designed, constructed and operated in a manner that is consistent with the overall vision for the region;
  - c) can be connected into the existing transmission and distribution infrastructure with minimal impact; and
  - d) provide tangible community benefits.

# 20.0 AGGREGATE AND MINERAL RESOURCES

## 20.1 Background

The Regional District has limited influence on the extraction of mineral and aggregate resources. The objectives and policies of this section remain broad in nature to offer guidance to senior governments in their decision-making process. Figure 24 illustrates *potential* aggregate extraction areas in the Plan Area and existing aggregate operations.

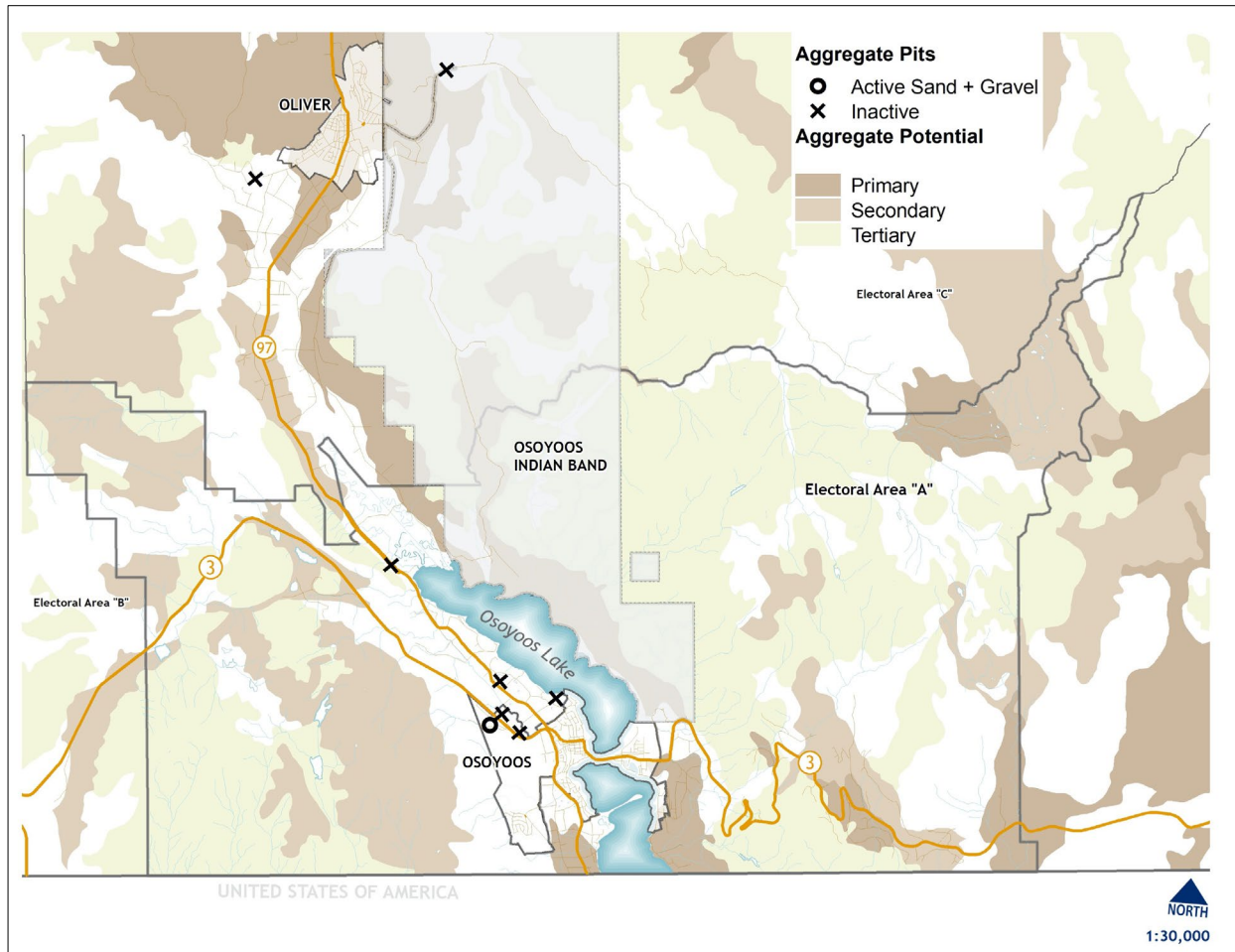


Figure 24: Resource Extraction Potential

## 20.2 Objectives

- .1 Protect sand and gravel aggregate supplies for anticipated future needs.
- .2 Protect non-agricultural lands with recoverable aggregate or mineral resources from development or adjacent uses that would limit or prohibit extraction.
- .3 Minimize conflicts between sand and gravel processing operations and adjacent land uses.

- .4 Support the Province to require rehabilitation and remediation of resource extraction sites.
- .5 Direct sand and gravel extraction proposals toward sites that have no significant adverse environmental impact or where the impact can be adequately mitigated.

### 20.3 Policies

The Regional Board:

- .1 Encourages the Province to continue referrals of mineral exploration proposals to the Regional District for comment and due consideration of the impact of resource extraction activities on surrounding land uses and development.
- .2 Will consider the use of land designated Resource Area (RA) for sand and gravel extraction, where the uses will not cause a significant visual, environmental, or cultural resource disturbance.
- .3 Will consider rezoning applications for the processing of aggregate resources based on any or all the following criteria:
  - a) extent of visual screening, and other mitigation works proposed;
  - b) type of processing proposed;
  - c) prevailing wind direction, and the potential for noise and dust;
  - d) compatibility with adjacent land uses;
  - e) environmental sensitivity of the site, and lands adjacent to potential aggregate resource processing site;
  - f) accessibility; and
  - g) characteristics of aggregate deposits and groundwater resources.
- .4 Encourages the Province not to issue new surface leases and permits for mineral processing within 1,000 metres of designated residential areas unless effective mitigation measures can be implemented to significantly reduce or nullify the effects of the proposed activity.
- .5 Encourages the Province to include in their licensing, the rehabilitation of aggregate extraction and processing sites after extraction and processing are completed.
- .6 May consider implementing conditions set by the ALC to mitigate the impact of aggregate extraction and processing sites on lands outside the ALR.
- .7 Supports additional product end-use consideration for areas slated for gravel and sand extraction. Specifically: gravel or rock crushing sites characteristic of radon rich materials should be avoided for concrete mix, otherwise the concrete used in residential foundations could import radon gas that could persist indoors for

centuries. Likewise, material taken from sites high in crystalline silica or containing significant clay/silt fines used as winter road grit may cause an outdoor air dust problem, and associated air quality advisory, that could otherwise be avoided if equally or better quality road grit was used with a lesser capacity for airborne fines.

- .8 Does not support the exploration and mining of uranium within the Plan Area.
- .9 Will not issue temporary use permits for aggregate processing activities or asphalt plants within 600 metres of a Residential Designation or Small Holdings designation.
- .10 Supports timely reclamation of aggregate resource extraction sites on private land.



# 21.0 CLIMATE CHANGE MITIGATION AND ADAPTATION

---

## 21.1 Background

The scientific community has reached consensus that the increasing emissions of human-caused greenhouse gases (GHGs) are rapidly changing the earth's climate. Greenhouse gases refer to any or all of carbon dioxide, methane, nitrous oxide, hydro fluorocarbons, perfluorocarbons, sulphur hexafluoride and any other substance prescribed by regulation.

Globally, the impacts of climate change will be significant, and are already evident in some areas. Locally, the potential impacts and vulnerabilities are less well documented; however, they are a growing concern.

As one of 187 local governments that are signatory to the B.C. Climate Action Charter, the RDOS is committed to reducing GHGs and has agreed to take actions to achieve certain goals. Under the *Climate Change Accountability Act*, B.C.'s GHG emissions are to be reduced by at least 40% below 2007 levels by 2030, at least 60% below 2007 levels by 2040 and by at least 80% by 2050. The three areas where local government can play a role in reducing greenhouse gas emissions are in the transportation, waste management and building sectors.

The three Okanagan regional districts commissioned a climate change report to assist in medium- and long-term planning. The February 2020 report, termed *Climate Change for the Okanagan Region*, provided information on anticipated climate change for the medium-term future (2050s) and the long-term future (2080s).

In the past, the Okanagan region experienced just under a week per year, on average, of days above 30°C. By the 2050s, the region can expect an average of over three weeks above 30°C per year and over five weeks per year by the 2080s. The valley bottoms are projected to experience the greatest changes, with approximately 50 additional days above 30°C projected by the 2080s, compared to the past.

In the past, the coldest winter night for the Okanagan region was about -25°C. By the 2050s, the coldest night is expected to warm by 6°C to -19°C, and by the 2080s, temperatures are projected to warm by 10°C to -15°C. While the coldest night is projected to warm in all seasons, the coldest night in winter is projected to warm more rapidly than other seasons.

The largest precipitation increases are expected to occur during the spring and autumn months with between 10% and 20% more precipitation during these seasons by the 2080s. Summer will remain the driest season and become even drier. By the 2080s, the region can expect about one quarter less precipitation than in the past. Natural year-to-year variation could result in some years experiencing extended periods without (or with low) precipitation.

For the Okanagan as a whole, climate change is anticipated to cause far-reaching impacts and generate new risks. This includes heat waves and droughts and reduced precipitation, combined with warmer summer temperatures, which will likely result in the depletion of water resources, loss of wetlands, stress on local fisheries, and depletion of aquatic species. Warmer winters will on average result in less snow accumulation on the valley uplands, reducing water availability and increasing the need for water storage. Groundwater and aquifer recharge will also be compromised as drought conditions increase. Warmer temperatures will also enhance the potential for invasive species, pests, and pathogens across the region. Extreme events such as flooding, wildfires, and landslides will increase in intensity.

## 21.2 Objectives

- .1 Understand the likely impacts and vulnerabilities of regional climate change within the Plan Area.
- .2 Reduce GHG emissions within the Plan Area as per the reduction targets in the *Climate Change Accountability Act*.
- .3 Achieve carbon neutral local government operations.
- .4 Promote and provide community outreach and education related to climate change and reduction of GHG emissions.

## 21.3 Policies

The Regional Board:

- .1 Will work towards the target of reducing GHG emissions by 40% below 2007 levels by 2030, 60% by 2040 and 80% by 2050 as per the *Climate Change Accountability Act*.
- .2 Will work with other agencies, stakeholders and the community to achieve emission reduction targets and energy conservation goals by encouraging:
  - a) the construction of energy efficient buildings;
  - b) improvements to the energy efficiency of existing buildings;
  - c) the increased use of alternative energies;
  - d) energy efficient developments;
  - e) improvements to alternative transportation amenities;
  - f) the use of fuel-efficient vehicles;
  - g) reduction and diversion of waste from landfills;
  - h) maximizing value from agricultural wastes;
  - i) the development of more compact and complete communities;
  - j) the protection and restoration of natural areas and forest ecosystems; and

- k) the protection of riparian areas and sensitive habitats.
- .3 Supports continuing public education as essential to the success of climate change adaptation and mitigation.
- .4 Will work towards a corporate GHG reduction strategy to achieve carbon neutral operations.
- .5 Supports investigation of the BC Energy Step Code as an optional compliance path in the BC Building Code that local governments may use as an incentive or requirement for energy efficiency in new construction that goes above and beyond the requirements of the BC Building Code.
- .6 Encourages builders to use the performance approach in the BC Energy Step Code as a compliance path to meet or exceed the energy-efficiency requirements of the BC Building Code.
- .7 Support innovative building technology that improves energy conservation such as the installation of energy efficient appliances and alternative energy systems, alternate siting of buildings, the use of solar panels to maximize passive solar gain, heat exchange pumps and insulation standards that exceed the BC Building Code.
- .8 Encourages homeowners to retrofit existing homes to become more energy efficient and to reduce their carbon footprint.
- .9 Encourages applicants for subdivision and new building construction consider the orientation of lots in subdivision proposals and building designs that take passive solar power potential into consideration.
- .10 Encourage builders to exceed the current energy conservation standards of the BC Building Code as provided in the Energy Step Code using either “prescriptive” or “performance” approaches to comply with the code’s efficiency requirements.
- .11 Supports current initiatives to enhance energy conservation such as the BC Energy Step Code, and Passive House standards for building and site design and construction.
- .12 Encourages the Province to update its Climate Action Plan Thompson / Okanagan Region 2016 – 2018 to better understand what actions the RDOS can take to improve community-wide resiliency to climate hazards.
- .13 Supports ongoing public education to help residents understand changing risks posed by climate change (e.g., drought, heat waves, flooding, wildfire) and take actions to address them and improve community resiliency.
- .14 Supports working with Interior Health to educate residents on climate change and to help reduce the health impact heat can have on residents through the development of a Heat Alert and Response System.

## 22.0 TEMPORARY USE PERMITS

---

### 22.1 Background

Temporary Use Permits may be considered by the Regional Board to allow specific land uses to occur for a maximum of three years. The permit can contain detailed requirements such as indicating the buildings that can be used, the time frame of the permit, and other conditions.

Such permits are provided at the discretion of the Regional Board and are only in effect for a limited period of time. Temporary Use Permits are not a substitute for a rezoning.

### 22.2 Objectives

- .1 To avoid conflicts between different types of uses (i.e., residential, commercial, agricultural).
- .2 To provide for temporary approval of transitional uses or uses where uncertainty exists respecting appropriateness or viability of the use, and where it is premature to decide rezoning and long-term land use patterns.
- .3 To ensure that Temporary Use Permits are not considered a substitute for a rezoning application.
- .4 To consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

### 22.3 Policies

The Regional Board's policies are as follows:

- .1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.
- .2 The holding of a public information meeting may occur prior to the issuance of a Temporary Use Permit.
- .3 Any proposed access to a public road must be reviewed and approved by the Ministry of Transportation and Infrastructure.
- .4 In evaluating a Temporary Use Permit application submitted to the Regional District, the Regional District Board may consider the following criteria:
  - a) the use must be clearly temporary or seasonal in nature;
  - b) compatibility of the proposal with adjacent uses;

- c) impact of the proposed use on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas;
  - d) intensity of the proposed use;
  - e) opportunity to conduct the proposed use on land elsewhere in the community; and
  - f) the remedial measures to be carried out to mitigate any damage to the natural environment because of the temporary use.
- .5 In issuing a Temporary Use Permit, the Regional District may specify conditions including, but not limited to:
- a) the buildings to be used;
  - b) the area of use;
  - c) the hours of use;
  - d) appearance;
  - e) environmental protection measures; and
  - f) groundwater protection.
- .6 In issuing a Temporary Use Permit for a short-term vacation rental, the Regional District may specify conditions, in addition to those listed under sub-section 22.3.5, including, but not limited to:
- a) the provision of screening or fencing to address potential impacts or to address neighbour privacy issues;
  - b) the provision of the manager or owner's contact information, as well as a copy of any issued Temporary Use Permit, to each neighbour whose property is located within 100 metres of the subject property;
  - c) the availability or accessibility of the manager or owner;
  - d) the posting of the following information:
    - i) the location of property lines by way of a map;
    - ii) any applicable Regional District noise bylaws;
    - iii) measures to address water conservation;
    - iv) fire safety regulations;
    - v) storage and management of garbage;
    - vi) septic system care; and
    - vii) control of pets (if pets are permitted) in accordance with the applicable Regional District bylaw.

- e) a maximum accommodation of ten (10) persons, with an aggregate occupancy of two (2) persons per bedroom within a dwelling unit when such dwelling unit is being occupied as a vacation rental;
  - f) the provision of one (1) parking space for each bedroom available for vacation rental use;
  - g) the prohibition of the use of recreational vehicles or camping on the property or any use of accessory buildings for vacation rental occupancy;
  - h) confirmation from a qualified person that the building used for vacation rental meets a minimum standard for health and safety; and
  - i) other requirements that the Regional District Board may consider appropriate.
- .7 In issuing a Temporary Use Permit for a dwelling unit for farm labour, the Regional Board may specify conditions, in addition to those listed under sub-section 22.3.5, including, but not limited to:
- a) the use of the accommodation be restricted to farm labour only;
  - b) the structure be removed from the property when the permit lapses, if the renewal of that permit has not been approved by the Regional Board;
  - c) the structure be constructed or manufactured in a manner that makes it easily moveable from one location to another; and
  - d) the foundation be temporary in nature (i.e. not concrete).<sup>iv</sup>
- .8 As a condition of issuing a Temporary Use Permit, the Regional District may require the posting of a security so as to ensure compliance with the conditions of a permit.

---

<sup>iv</sup> Amendment Bylaw No. 2956, 2022 – adopted May 5, 2022.

## 23.0 DEVELOPMENT PERMIT AREAS

---

### 23.1 Background

Pursuant to Section 488 of the *Local Government Act*, an Official Community Plan (OCP) may designate Development Permit Areas within the Plan Area. Unless otherwise specified, a Development Permit must be approved by the Regional Board prior to any disturbance, development or subdivision of land within a designated Development Permit Area.

For lands within a Development Permit Area, the OCP must describe the special conditions or objectives that justify the designation and specify guidelines respecting the manner by which the special conditions or objectives will be addresses.

There are two Development Permit Areas designated in the Electoral Area “A” OCP:

- Environmentally Sensitive Development Permit (ESDP) Area; and
- Watercourse Development Permit (WDP) Area.

### 23.2 Development Permit Offences<sup>v</sup>

- .1 No person shall commence any development on lands within any development permit area without obtaining a valid development permit.
- .2 The development of land in contravention of the terms or conditions of a development permit that has been issued under Section 489 of the *Local Government Act* is prohibited.

### 23.3 Environmentally Sensitive Development Permit (ESDP) Area

#### 23.3.1 Category

The Environmentally Sensitive Development Permit (ESDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

#### 23.3.2 Area

The lands shown as Environmentally Sensitive Development Permit Area on Schedule ‘H’ are designated as an Environmentally Sensitive Development Permit Area.

#### 23.3.3 Justification

To regulate development activities within environmentally sensitive areas in order to protect important sensitive ecosystems and biological diversity including valuable

---

<sup>v</sup> Amendment Bylaw No. 3006, 2023 – adopted May 18, 2023.

habitat for endangered species of native, rare vegetation or wild, and provide wildlife corridors and secondary habitat.

#### **23.3.4 Background**

The natural environment provides essential habitat and corridors for plants, fish, birds and other organisms. It also acts as a natural water storage, drainage and purifying system, which can help to protect private property from flooding or land loss due to watercourse erosion. Furthermore, as concerns over climate change grow, it should be recognized that functioning ecosystems are more efficient at consuming carbon dioxide as well as carbon storage. Vegetation adjacent to watercourses needs to remain in a largely undisturbed state to maintain a healthy environment and clean water.

The south Okanagan-Similkameen area is considered one of the most ecologically diverse in British Columbia and Canada and includes sensitive ecosystems which support several provincially Red and Blue-listed species (extirpated, endangered, threatened, and vulnerable) and federally listed Species at Risk. The ESDP Area is intended to protect habitat for endangered species of native, rare vegetation or wildlife, and provide wildlife corridors and secondary habitat within the Plan Area.

The ESDP Area is comprised of important habitat areas for wildlife and plant communities. Sensitive ecosystems in the area include grasslands, riparian areas, old forest, shrub-steppe, broadleaf woodland, coniferous woodland, wetlands, shallow soiled rock outcrops and ridges. Specifically, BC's pocket desert, Kruger Mountain, Osoyoos Lake, the oxbows and wetlands of Okanagan River, Richter Pass with the natural ridgeline views between Highway 3 and Osoyoos Lake. It is the close proximity of these diverse habitats that contribute to a wide variety of species, both common and rare, that are found in this Electoral Area.

#### **23.3.5 Development Requiring a Permit**

- .1 A development permit is required, except where exempt under Section 22.3.8 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:
  - a) subdivision;
  - b) the construction of, addition to or alteration of a building or other structure; and
  - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

#### **23.3.6 Guidelines**

- .1 A Development Permit is required for development within an ESDP Area, and shall be in accordance with the following guidelines:



- a) An Environmental Assessment (EA) Report, prepared in accordance with the requirements of the Regional District's Development Procedures Bylaw, must be submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that shall include a RPBio under contract to the development applicant, and shall include:
  - i) An Ecological Assessment Phase including:
    - .1 background information;
    - .2 an ecological assessment;
    - .3 listing of rare and endangered species; and
    - .4 stratification and rating of ESAs;
  - ii) An Impact Assessment and Mitigation Phase including:
    - .1 description of proposed development;
    - .2 assessment of potential impacts;
    - .3 short- and long-term impacts;
    - .4 cumulative and residual impacts;
    - .5 avoidance of ESAs;
    - .6 mitigation and compensation;
    - .7 security requirements;
    - .8 monitoring reports;
    - .9 accountability; and
    - .10 monitoring plan.
- b) Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees.
- c) Habitat connectivity and the retention of connectivity corridors between sensitive ecosystems should be preserved. Wildlife crossings should be designed to protect continuity of wildlife corridors where these are interrupted by roadways.
- d) Monitoring reports may be required to be submitted to the Regional District following the completion of a development in order to confirm the conditions of a development permit have been met.

- e) The Regional District may incorporate any areas or measures identified in an EA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.
- .2 If an area of land is subject to additional Development Permit Area designations under Section 488(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

### **23.3.7 Expedited Development Permit**

- .1 Despite sub-section 22.3.6.1 (a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report for development where:
- a) A REA, prepared in accordance with the Regional District’s Development Procedures Bylaw, has been submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia or team that includes a Registered Professional Biologist in British Columbia (RPBio) under contract to the development applicant, and includes:
    - i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.
    - ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:
      - .1 there is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or
      - .2 known EVR occurrence(s) have been identified and:
        - a) measures have been prescribed to avoid impacts; or
        - b) acceptable restoration/mitigation have been prescribed.
    - iii) recommended avoidance or mitigation measures if known EVR occurrences have been identified.
  - b) If a QEP cannot certify the absence of EVRs or that impacts have been avoided or acceptably mitigated through a REA, to the satisfaction of the Regional District, an EA as outlined under sub-section 22.3.6(a) will be required.
  - c) The Regional District may incorporate any areas or measures identified in a REA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

### 23.3.8 Exemptions

A development permit is not required for development within land in the ESDP area for:

- .1 The construction, repair, maintenance or alteration of public utility works, including sanitary sewer, stormwater, water, natural gas, cable, hydro-electric or telecommunications works, but excluding communication towers and antenna systems;
- .2 The repair or maintenance of existing buildings and structures provided there are no additions or increases to the footprint of the building or structure;
- .3 Residential development where a completed Building Permit application has been accepted by the Regional District, the proposed development does not exceed 50.0 m<sup>2</sup> from the original footprint of the principal dwelling unit and the development comprises either:
  - a) an alteration or addition to the original footprint of an existing principal dwelling unit; or
  - b) the construction of an accessory building or structure provided a majority of the footprint of the accessory building or structure is not situated beyond 10.0 metres of a principal dwelling unit.
- .4 Works conducted in accordance with the Provincial FireSmart Manual, provided that all landscaping is conducted within 30.0 metres of an existing structure or building (existing on-site native plants which meet the FireSmart Manual guidelines are encouraged to be maintained as part of the landscaping);
- .5 The construction, alteration, addition, repair, demolition and maintenance of buildings and structures to be used in relation to a farm use as defined in the *Agricultural Land Commission Act* on land located in the ALR and classified as “farm” under the *Assessment Act*;
- .6 Any farm use as defined in the *Agriculture Land Commission Act* on land located in the ALR;
- .7 Any farm use that is subject to an approved Environmental Farm Plan (EFP) through the Canada-British Columbia Environmental Farm Plan Program;
- .8 The repair of existing fences; and
- .9 Subdivisions that:
  - a) consolidate existing parcels, including the consolidation of parts of a closed road to an existing parcel; or
  - b) alter parcel lines between two or more parcels where no additional parcels are created upon completion of the alteration.

## **23.4 Watercourse Development Permit (WDP) Area**

### **23.4.1 Category**

The Watercourse Development Permit (WDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

### **23.4.2 Area**

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'D'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:
  - a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or
  - b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation* (RAPR) shall apply.

### **23.4.3 Justification**

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

### **23.4.4 Development requiring a permit**

- .1 A development permit is required, except where exempt under Section 23.4.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
  - a) subdivision;
  - b) the construction of, addition to or alteration of a building or other structure; and
  - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

### 23.4.5 Guidelines<sup>vi</sup>

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:
  - a) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the RAPR, must be received by the Regional District in respect of the proposed development from the responsible provincial minister; or
  - b) if the minister will not provide the Assessment Report under Section 6 (Administration of assessment reports by minister) of the RAPR because the development that is the subject of the Assessment Report has already occurred, then the person who prepared the Assessment Report may submit it to the Regional District, together with evidence of the minister’s rejection of the report, and any reasons the minister provided for the rejection.
  - c) if the provincial ministry responsible for reviewing Assessment Reports has indicated to the Regional District that Assessment Reports are unlikely to be reviewed and forwarded to the District within six (6) months of being submitted, then a Watercourse Development Permit (WDP) may be considered for issuance without an “Assessment Report” having been received from the responsible provincial Minister, provided that an Assessment Report prepared in accordance with the Riparian Areas Protection Regulation has been submitted directly to the Regional District, certifying that the proposed development:<sup>vii</sup>
    - i) will not occur in the streamside protection and enhancement area (SPEA); and
    - ii) if the Assessment Report is based on a detailed assessment, will not result in any harmful alteration, disruption or destruction (HADD) of natural features, functions and conditions in the streamside protection and enhancement area that support the life processes of protected fish.

### 23.4.6 Variance to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots to reduce impacts and preserve the SPEA.

### 23.4.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

---

<sup>vi</sup> Amendment Bylaw No. 2950, 2022 – adopted May 5, 2022.

<sup>vii</sup> Amendment Bylaw No. 3008, 2023 – adopted May 18, 2023.

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.
- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;
- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

### **23.4.8 Exemptions**

A WDP is not required under this section for any of the following:

- .1 development on Crown land.<sup>viii</sup>
- .2 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails.
- .3 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works.

---

<sup>viii</sup> Amendment Bylaw No. 2950, 2022 – adopted May 5, 2022.

- .4 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.
- .5 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the *Riparian Areas Protection Regulation* on the parcel of land.
- .6 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial “Firesmart” standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.
- .7 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .8 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .9 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
- .10 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Act*.
- .11 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
  - a) emergency flood or protection works;
  - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
  - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

## 24.0 IMPLEMENTATION AND MONITORING

---

### 24.1 Introduction

The OCP sets out broad objectives, polices and directions for the Plan Area, but does not provide the tools for implementing its policies. The Regional District has several tools and methods available for implementing the Plan. The purpose of this section is to set out specific steps the Regional District can take to implement this Plan. Some of the steps include refining the Plan; changing existing bylaws; adopting new bylaws; conducting studies to obtain more information and direction; and working closely with other jurisdictions and government agencies. Some of the specific steps are set out in the subsections below.

### 24.2 Refinements and Amendments

OCP amendments are usually triggered by site-specific rezoning proposals that are inconsistent with the OCP. Other changes to the OCP may be proposed by RDOS staff to keep the plan up-to-date and to meet the needs of a changing community.

The *Local Government Act* regulates the process for an application for an OCP amendment. The process requires public notification, public hearing, and opportunities for consideration of the application by the RDOS Board.

The Regional District may also consider refinements to this OCP. These refinements may include but are not limited to the following:

- .1 Periodic assessment of the Plan Area OCP to determine area revisions.
- .2 Coordination with changes to Provincial legislation (e.g. *Local Government Act*, *Community Charter*, *Agricultural Land Commission Act*, etc.)
- .3 Coordination with new or revised Provincial plans and policies that relate to land use and community issues in the Plan Area.
- .4 Coordination with new or revised regional plans and policies (e.g. South Okanagan Regional Growth Strategy).
- .5 Changes resulting from transportation planning (e.g. Okanagan-Similkameen Transit Future Plan) and capital improvements.
- .6 Changes to the known geographic extent of Environmentally Sensitive Development Permit Areas, as determined through the review of plans, reports and applications submitted by project proponents to the Regional District.
- .7 Changes recommended by the Joint Council (i.e., Regional District, Penticton Indian Band, Lower Similkameen, Osoyoos Indian Band).

Recognizing this Plan is a living document the Plan should be reviewed and updated every seven to 10 years and a comprehensive update should take place every 10 to 15 years.



Some future additions to the OCP have also been identified as follows:

OCP Policy	Action Required
6.6.3	Will review the suitability of Willow Beach and Anarchist Mountain as Rural Growth Areas when the Regional Growth Strategy is reviewed or updated.

### 24.3 Zoning Bylaw

The Zoning Bylaw sets out the density of development on a parcel of land, as well as specifies the permitted uses allowed. It also contains specific regulations that control the size, siting and various other details of development on a parcel of land. The Zoning Bylaw will be updated to ensure consistency with the OCP and to implement portions of this Plan.

### 24.4 Subdivision and Development Servicing Bylaw

The Regional District’s Subdivision and Development Servicing Bylaw sets out minimum levels of works and services and standards for roads, sidewalks, curb and gutter, water systems, sewer systems, storm drainage, and street lighting. Subdivisions must meet these standards before they are a “Letter of Compliance” is provided to the Ministry of Transportation and Infrastructure (MoTI) by the Regional District. The Subdivision and Development Servicing Bylaw will need to be reviewed and amended where necessary to ensure it works to implement various policies in the Plan, particularly with respect to servicing levels related to parcel sizes.

### 24.5 Other Agencies

The Regional District will take a leadership role in coordinating work with Provincial, Federal and other agencies to help implement and complement portions of the Plan.

### 24.6 Follow-up Studies and Initiatives

The following are studies and initiatives that have been identified in the OCP as actions that could implement portions of this Plan. Recognizing the capacity issues (i.e., limited time, human resources, financial resources) faced by the RDOS and stakeholders who may be involved in implementing OCP actions, RDOS staff screened and prioritized the actions.

Actions	Lead Responsibility
<b>Short-term (one to three years)</b>	
Revise OCP where required from South Okanagan Regional Growth Strategy update.	RDOS

## 24.8 Monitoring

The Regional District Board should monitor the OCP on an ongoing basis. The OCP should be revised when necessary to ensure it addresses current needs and aspirations of the community and reflects changing local and external conditions. In support of this initiative, the Regional District will monitor:

- .1 population and demographic changes;
- .2 groundwater supply, consumption and management issues;
- .3 land supply / demand;
- .4 changing housing requirements; and
- .5 economic, social, and environmental factors.

Based on the review of information collected from OCP monitoring, the Regional District may choose to refine or amend the Electoral Area “A” OCP accordingly as resources permit.

~ end of Schedule ‘A’ ~