ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: November 19, 2026

RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area "A" (A2026.010-ZONE)

Administrative Recommendation:

THAT the Electoral Area "A" Official Community Plan Amendment Bylaw No. 2905.08, 2026, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.70, 2026, be denied.

Alternative:

THAT the Electoral Area "A" Official Community Plan Amendment Bylaw No. 2905.08, 2026, and the [Okanagan Valley Zoning Amendment Bylaw No. 2800.70, 2026, be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated November 19, 2026, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2905.08, 2026, in conjunction with its Financial and applicable Waste Management Plans;

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

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

Purpose:	To allow for future development (i.e. subdivision)	Folio:	A-06058.120
Civic:	8405 104th Avenue	Legal:	Lot 1, Plan KAP85165, District Lot 2450S, SDYD
OCP:	Agriculture (AG)	Zone:	Agriculture One (AG1)

Purpose:

This application is seeking to amend the zoning of the subject property in order to allow for future development of the property (i.e. subdivision).

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

- amend the land use designation under Schedule 'B' (OCP Map) of the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2905, 2021, from Agriculture (AG) to Low Density Residential (LR) through Amendment Bylaw No. 2905.08, 2026; and
- amend the zoning under Schedule '2' (Zoning Map) of the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Agriculture One (AG1) to Low Density Residential Three (RS3).

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

- *The owner of the Subject Property intends to develop the property to something similar of the surrounding RS3 properties.*
- *The proposed OCP and zoning amendments represent a logical and supportable planning outcome that recognizes the existing characteristics of the subject property and its surrounding context. The amendments would align the property's land use designation and zoning with its existing use and surrounding context while facilitating development that is compatible with neighbouring properties.*
- *The subject property is already serviced by community water and sewer, supporting the efficient use of existing infrastructure and aligning with OCP policies that encourage residential development in serviced areas.*
- *The proposed OCP amendment from Agriculture (AG) to Low Density Residential (LR) is consistent with OCP policies supporting residential infill, a range of housing opportunities, and appropriately located residential growth, including Policies 11.3.2, 11.3.3, 11.3.4, and 11.4.4.*
- *Unlike many surrounding residential properties, the subject parcel is not within the Agricultural Land Reserve and therefore does not require an ALR exclusion application. As a result, the proposal does not remove land from the provincial agricultural land base and avoids a significant policy consideration commonly associated with agricultural-to-residential land use changes.*

Strategic Priorities: Operational

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 30, 2007, while BC Assessment has classified the property as "Residential" (Class 01).

Available Regional District records indicate that building permits have not previously been issued for this property.

Regional Growth Strategy

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, the Town of Osoyoos is a designated Primary Growth Area whereas the Rural Osoyoos area northwest of the Town is not a designated growth area.

Policy 1C-5 of the RGS discourages incremental and additional rural growth outside of identified growth areas and directs that proposed "developments that do not closely adhere to OCP guidelines for the protection of rural and resource areas will not be supported".

Official Community Plan

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2905, 2021, the subject property is currently designated Agriculture (AG) and is the subject of a Watercourse Development Permit (WDP) Area designation.

Policy 11.3.5 of the OCP indicates that development proposals involving the re-designation of lands as residential will be assessed against a number of criteria, including water and sewer services, environmental values, hazard risks and housing need.

Zoning Bylaw

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Agriculture One (AG1) which requires a minimum parcel size for subdivision of 4.0 hectares.

The minimum parcel size for subdivision in the Low Density Residential Three (RS3) zone is 1000m^2. Despite this, the minimum parcel size is 1.0 hectare if the parcel is not connected to community water and sewer.

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Osoyoos Lake, which is subject to a flood construction level of 280.80 metres GSC datum and a floodplain setback of 7.5 metres.

Analysis:

While the applicant has not provided conceptual development plans in support of this proposal, it is understood that the intent is to allow for future subdivision similar to nearby residential properties (i.e. the AG1 and RS3 zones allow similar residential uses, with the main difference being the minimum parcel size for subdivision).

Growth Management

The proposal would extend a historic pattern of rural-residential subdivision in the area. That pattern pre-dates the growth management framework established by the RGS and OCP, which now direct residential growth to designated growth areas.

Specifically, the Area "A" OCP includes policies that speak to only supporting the redesignation of lands to Low Density Residential within designated Primary and Rural Growth Areas.

This is intended to achieve lower servicing costs, minimize impacts to ALR and environmentally sensitive lands, and reduce exposure to natural hazards.

Community Services

While the parcel is currently serviced by community water and sewer provided by the Town of Osoyoos, the zoning bylaw would require each parcel created through future subdivision to be connected to community water and sewer.

While the Town of Osoyoos has indicated that it has no concerns with the proposal, it has also stated that only a "limited amount of connections are available on a first-come, first-serve basis". It is unclear whether sufficient connections would be available to serve future subdivision, and therefore whether the proposal supports the servicing efficiency objectives of the OCP.

Agricultural Considerations

The Area "A" OCP includes policies supporting the *Ministry of Agriculture Guide to Edge Planning,* which encourages (amongst other things) a 30 metre setback or 15 metre vegetated buffer from the ALR boundary for new residential development to reduce land use conflicts.

The Agricultural Land Commission has provided written comments encouraging buffers and setbacks following Ministry of Agriculture guidelines for any residential development on the property.

Because the parcel is situated between Osoyoos Lake and the ALR, floodplain and riparian setbacks limit its developable area and make adherence to the Ministry guidelines challenging.

Accordingly, there is concern that the introduction of additional residential development adjacent to farm land may contribute to conflicts between residential and agricultural land uses.

Riparian and Floodplain Areas

While future subdivision and development of this parcel *may* be capable of meeting applicable development permit and floodplain requirements, not designating this land for additional residential density is seen to be more prudent long-term land use management.

This is because larger parcels sizes limit development pressure within environmentally sensitive and hazard areas and are therefore considered more consistent with the objectives of the OCP.

Alternative:

Conversely, the surrounding area has previously been subdivided for residential use, subdivision of the parcel will not result in fragmentation or alienation of ALR land, and the parcel is connected to community water and sewer.

Because the surrounding area is generally within the ALR, there is limited opportunity for additional incremental residential development in the area.

The OCP criteria speak to considering housing need, and the Regional District Housing Needs Report (2024) indicates a 5-year housing need of 99 dwelling units and a 20-year housing need of 323 dwelling units in Electoral Area "A".

Based on parcel area alone, the proposed RS3 Zone could allow for subdivision to a maximum of approximately nine (9) parcels (this figure does not account for other regulations that may apply at subdivision). Each parcel could be developed to a maximum of one single detached dwelling, one secondary suite and one accessory dwelling.

Summary:

In summary, the proposal is not considered supported by the Area "A" OCP, as it is not in a designated growth area, it is uncertain if adequate servicing exists to accommodate subdivision, it may contribute to conflicts with adjacent ALR land, and it is within the floodplain and riparian areas associated with Osoyoos Lake.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed bylaw amendments have been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District's Development Procedures Bylaw No. 2500, 2011.

Site Context:

The subject property is approximately 9854m^2 in area and is situated on the east side of 104th Avenue, approximately 200 metres west of the boundary with Town of Osoyoos. It is understood that the parcel is comprised of a single detached dwelling and various accessory structures.

The surrounding pattern of development is generally characterised by Osoyoos Lake to the north, ALR lands to the east, south and west (other than three non-ALR residential lands immediately to the west). The abutting parcels to the south and east are being used for agriculture, whereas all but three residential properties in the immediate vicinity are within the ALR.

Referrals:

Approval from the Ministry of Transportation and Transit (MoTT) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 53 has been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Solid Waste Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural land. The ALC has been made aware of the proposed amendment bylaws.

Public Process:

On November 4, 2026, a Public Information Meeting (PIM) was held online via Webex and was attended by approximately 5 members of the public.

Administration recommends that the written notification of affected property owners, the public meetings as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, the consultation process undertaken is seen to be sufficiently early and does not need to be further ongoing.

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

Will a PowerPoint presentation be presented at the meeting? No

Some material in this report was generated using Microsoft Copilot and was reviewed for accuracy by a member of the Planning Department before publication.

Respectfully submitted:	**Endorsed By:**	**Endorsed By:**
Ben Kent		*Allen FIllion*
Ben Kent	C. Garrish	A. Fillion
Planner II	Senior Manager of Planning	Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Agency Referral List

No. 2 – Applicant's Context Map

No. 3 – Watercourse Development Permit Areas

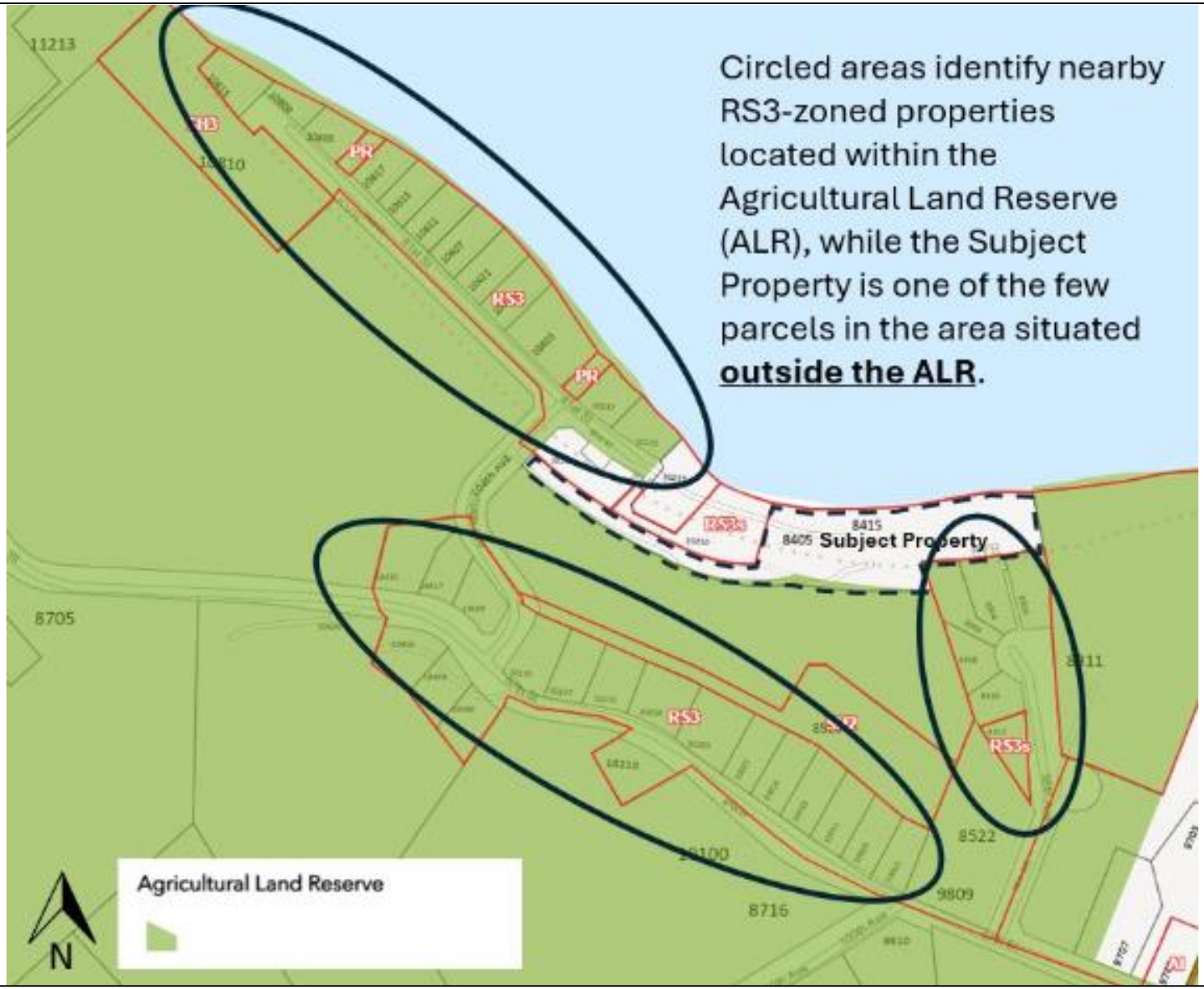
No. 4 – Aerial Photo

Attachment No. 1 – Agency Referral List

Referrals to be sent to the following agencies as highlighted with a þ, prior to the Board considering first reading of Amendment Bylaw No. 2905.08, 2026:

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

Attachment No. 2 – Applicant's Context Map



Attachment No. 3 – Watercourse Development Permit Area



Attachment No. 4 – Aerial Photo

