ADMINISTRATIVE REPORT

TO: Advisory Planning Commission

FROM: J. Zaffino, Chief Administrative Officer

DATE: November 2, 2026

RE: Zoning Bylaw Amendment – Electoral Area "I" (I2026.008-ZONE)

Purpose: To allow for an accessory dwelling as a permitted accessory use. Folio: I-05076.090

Civic: 216 Twin Lakes Road Legal: Lot A, Plan EPP9077, Section 36, Township 89, SDYD

OCP: Small Holdings (SH) Zone: Small Holdings One (SH1)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to accessory dwelling as a permitted accessory use.

In order to accomplish this, the applicant is proposed to amend the zoning of the property under the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Small Holdings One (SH1) to Small Holdings One Site Specific (SH1s), with the site specific regulation with the site specific regulation to permit an accessory dwelling on the land in addition to the permitted uses.

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

- *The proposed location for the new dwelling is approximately the same location as the current bunkies, on the west side of the parcel near Nipit Lake. This new dwelling would meet the zoning bylaw setbacks, lot coverage, floodplain etc. A preliminary QEP report has noted the boundaries of the riparian setback and will be confirmed as the project proceeds.*
- *The owners are aware of the one hectare rule with no community sewer available and understand that the odds of approval are not in their favor. However, with the history of the bunkies and primary dwelling both being used concurrently as residences in the past, we are hopeful that this rezone can take place so that the new dwelling can proceed.*

Site Context:

The subject property is approximately 0.34 ha in area and is situated on the west side of Twin Lakes Road, adjacent to Twin Lakes. It is understood that the parcel is comprised of a single detached dwelling and various accessory structures.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been development with single detached dwellings.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 20, 2010, while BC Assessment has classified the property as "Residential" (Class 01).

Available Regional District records indicate that a building permits for an egress window addition (2022) and to decommission a suite (2022).

RGS Bylaw:

Under the Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, Twin Lakes is designated as a Rural Growth Area but this does not include the subject property.

Official Community Plan (OCP):

Under the Electoral Area "I" OCP Bylaw No. 2683, 2016, the subject property is currently designated Small Holdings (SH), which includes a Board policy of supporting "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."

Zoning Bylaw:

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Small Holdings One (SH1) which requires a minimum parcel size of 1.0 ha for an accessory dwelling, when connected to a community sewer.

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Twin Lakes and no building or structure shall be located within 7.5 metres of the natural boundary of any lake.

"1.0 Hectare Policy":

In response to provincial infrastructure grant and Okanagan Basin Water Board (OBWB) grant criteria, the RDOS has applied a "1.0 ha Policy" to all areas within the jurisdiction of the Regional District.

This was to forestall the creation of small parcels dependent upon on-site septic fields for the disposal of wastewater throughout unincorporated areas (i.e. rural sprawl) and to prevent the development of additional detached dwelling units served by septic on parcels less than 1.0 ha in area.

The province has identified 1.0 hectare as being the minimum parcel size upon which a septic field for a single residential use should be utilised, as higher densities are likely to lead to septic failure over the long-term and implementation of this requirement had been consistently applied by the Ministry throughout the province when considered grant requests.

Since implementing the "1.0 ha Policy" in 2008, the Board had not supported an exception to this policy for subdivision, while a number of allowances for the short-term use of a recreation vehicle (RV) as a dwelling unit on parcels have been approved on a temporary basis through the issuance of a temporary use permit (TUP).

Following revisions to its grant funding criteria in 2024, the OBWB now requires local governments to provide, on an annual basis, "a list of all adopted amendment bylaws and issued permits approved by the local government in the previous calendar year, if any, that provided exceptions and/or variances to the bylaw regulations that relate to the OBWB's 1.0 ha Policy."

Analysis:

In considering this proposal, Administration notes that the OCP contains a clear policy requiring that all additional detached dwellings on a parcel less than 1.0 ha in size are to be connected to a community sewer system.

This servicing requirement reflects direction from the province and Okanagan Basin Water Board (OBWB) regarding continuing eligibility of the Regional District to qualify for grant funding for key infrastructure projects (e.g. Osoyoos Lake North West Sewer Extension, Okanagan Falls Wastewater Treatment Plant, etc.).

As the subject property is approximately 0.34 ha in area, the development of an accessory dwelling to be serviced by an on-site septic system is inconsistent with the OCP.

It is also noted that the OCP speaks to discouraging the development of private systems for the provision of sewer and stormwater prior to considering increasing density. Other considerations include aquifer protection for the subject parcel abutting Twin Lakes.

Finally, it has been a long-standing policy of the Board to restrict densities outside designated rural growth areas, and that this has been done by prohibiting accessory dwellings, and the subdivision of land under 1.0 ha.

Alternative:

Conversely, while the option to approve the requested accessory dwelling is available to the Board, doing so cannot be justified within the context of the OBWB's grant funding criteria for sewer facilities assistance. The Regional District will also be required to report such a divergence from the "1.0 Policy" to the OBWB, which could impact current and future grant funding opportunities.

Summary:

For the reasons outlined above, and concerns regarding compliance with OBWB 1.0 Ha Policy requirements and the absence of required sewer and stormwater infrastructure, Administration is recommending that the application be denied.

Administrative Recommendation:

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.68, 2026, be denied.

Options:

1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved with the following conditions:
   i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

Respectfully submitted:

Tharini Prakash

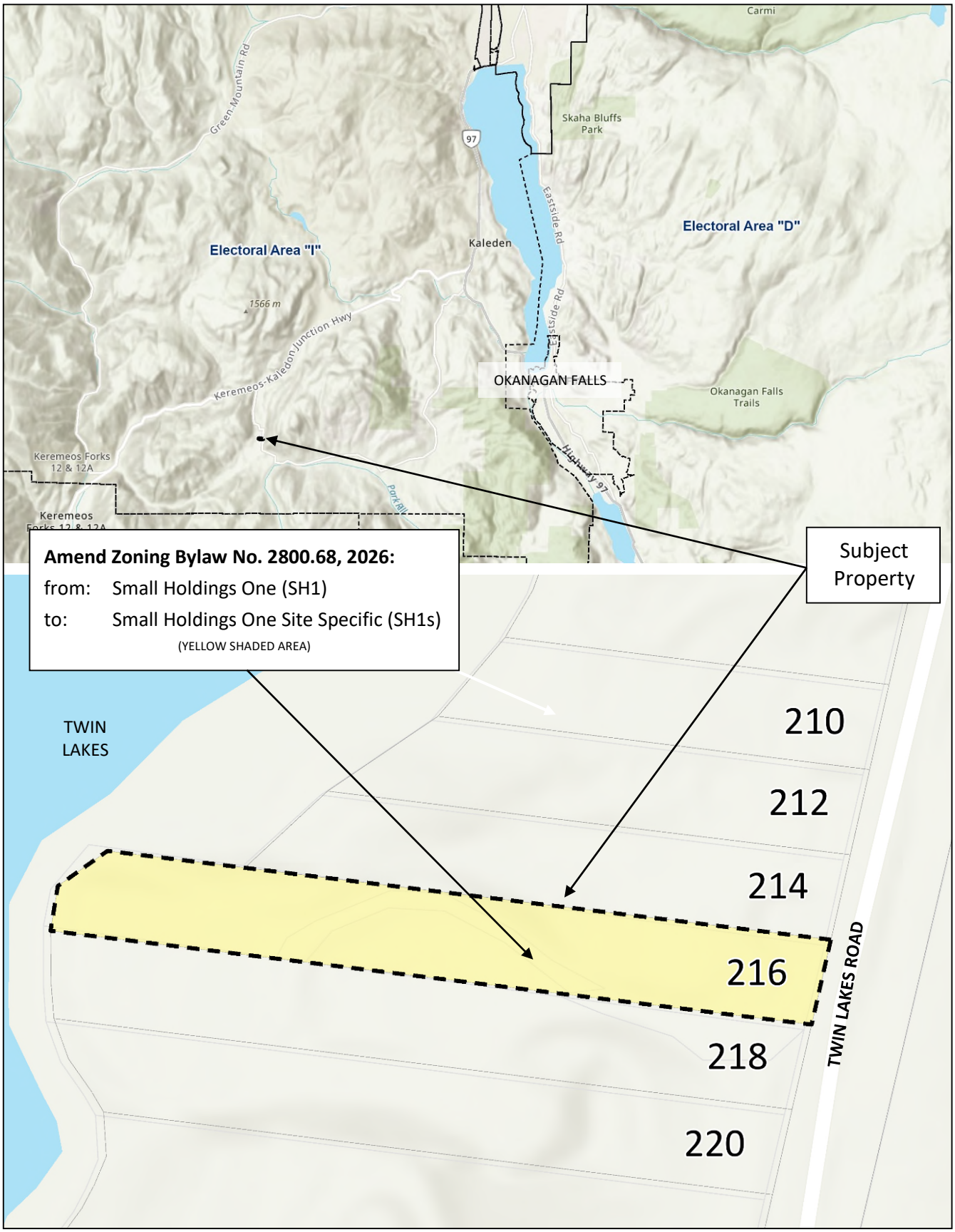
Tharini Prakash, Planning Tech.

Endorsed By:

C. Garrish, Senior Manager of Planning

Attachments:
No. 1 – Context Maps
No. 2 – Applicant's Site Plan
No. 3 – Site Photo

Attachment No. 1 – Context Maps





1 Site Overview
1" = 50'-0"



2 Site Project Area
1 : 250

Proposed Accessory Dwelling Floor Area Calculations

Main Floor-	975sq.ft
Upper Floor-	975sq.ft
Attic Floor-	415sq.ft
Total Floor Area=	**2365sq.ft (219.71m2)**

Please See JOSS DESIGN INC. For Detailed Accessory Dwelling Plans.

JPM DRAFTING & DESIGN

JPM DRAFTING AND DESIGN
JEFF & AIMEE GAGNON
250-770-1585
jpmdraftinganddesign@gmail.com
jpmdraftinganddesign.ca

PROJECT:

PROPOSED REZONE FOR BROOKE & SCOTT VENEMA

PROJECT ADDRESS:

216 TWIN LAKES RD, KALEDEN BC.

LEGAL DESCRIPTION:

LOT A, PLAN EPP9077, SECTION 36, TOWNSHIP 89, SIMILKAMEEN DIV OF YALE LAND DISTRICT

No.	Description	Date
1	Revision 1	26-06-15
2	Revision 2	26-06-18
3	Revision 3 - Issued for rezone application	26-07-13

Date: 2026-07-13
Drawn by: Jeff & Aimee Gagnon
Checked by: J.Gagnon

A2.0

Proposed Project Area

Scale As indicated

Attachment No. 3 – Site Photo

