

TOWN OF OSOYOOS

BYLAW 1375.04

A Bylaw to Amend Official Community Plan Bylaw 1375, 2021

The council of the Town of Osoyoos, in open meeting assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited for all purposes as “Town of Osoyoos Official Community Plan Amendment Bylaw 1375.04, 2024.”
2. The Town of Osoyoos Official Community Plan Bylaw No. 1375, 2021, is amended by:
 - i) replacing sub-section 7 (Development Permit Area Guidelines) under Section 2 (Introduction) in its entirety with the following:
 7. **Development Permit Area Guidelines.** Establishes various areas in the community that are subject to additional controls to assure that new development occurs in a manner that sensitive to the unique character of Osoyoos.
 - ii) replacing the third column (OCP Section) of the row entitled “Ecosystems, Natural Areas and Parks” in the table under Section 4 (Regional Context Statement) in its entirety with the following:
 - 5. Growth Management
 - 7.G. Environment
 - 8.D Environmentally Sensitive Development Permit Area
 - 8.E Riparian Development Permit Area
 - iii) renaming Section 5.A.1 (Residential Growth Containment) to “Urban Containment Boundary”.
 - iv) replacing sub-section 5.A.1.1 (Residential Growth Containment) under Section 5.A (Growth Management Policies) in its entirety with the following:
 - .1 Contain residential growth in the Town within areas outlined on Map 1, which includes existing developed areas and parcels identified as having potential for Future Development.
 - v) deleting sub-section 5.A.1.9 (Residential Growth Containment) under Section 5.A (Growth Management Policies) in its entirety.
 - vi) deleting sub-section 5.B (Land Use Designations) in its entirety.

Commented [CG1]: Proposes to replace existing statement: *Development Permit Area Guidelines. Establishes eight areas in the community that are subject to additional controls to assure that new development occurs in a manner that sensitive to the unique character of Osoyoos, its significant environmental features, and hazardous areas.*

Commented [CG2]: Updated to reflect proposed deletion of the Foreshore and Lake DP Area and Hillside DP Area as well as new numbering of DP sections under Section 8 of the OCP.

Commented [CG3]: Proposes to replace existing reference to “Residential Growth Containment” with “Urban Containment Boundary” to reflect language now used in Local Government Act as it relates to SSMUH.

Commented [CG4]: Proposes to delete existing reference to: “the Meadowlark Neighbourhood Plan area” as this plan (being Schedule ‘A’ of the Plan) is proposed to be deleted.

Commented [CG5]: Proposes to delete policy as the Meadowlark Neighbourhood Plan (being Schedule ‘A’ of the Plan) is proposed to be deleted. Existing policy states: *Implement the goals, objectives, and policies outlined in Schedule A of this plan when considering applications for development in the Meadowlark Neighbourhood Plan Area.*

Commented [CG6]: Proposes to delete the table outlining all of the different land use designations found in the OCP. The presentation of the designations in this way is unnecessary and including references to specific zones is problematic in terms of amendments that occur to the zoning bylaw. It is proposed to include the Description and General Uses found in the table under Section 7 (Land Use Designation Policies).

vii) replacing Section 6.A.3.4(c) (Policies - Ensure that Osoyoos is a safe place to live, work, and play) under Section 6 (Community Goals and Policies) in its entirety with the following:

- c) Adhere to Crime Prevention Through Environmental Design (CPTED) principles and other guidelines outlined in development permit area designations enacted to establish objectives for the form and character of commercial, industrial or multi-family development in order to encourage a safe built environment.

Commented [CG7]: Proposes to replace existing policy to reflect proposed changes to DP Areas:
Adhere to Crime Prevention Through Environmental Design (CPTED) principles and other guidelines outlined in the Mixed Use and Commercial, Multi-Family Residential, Intensive Residential, and Industrial Development Permit Area Guidelines that encourage a safe built environment

viii) replacing Section 6.B.3.2(e) (Policies) under Section 6 (Community Goals and Policies) in its entirety with the following:

- e) Update the 2020 Regional Housing Assessment Report in accordance with provincial methodology.

Commented [CG8]: Proposes to update policy in order to reflect that the Town is required to update its Housing Needs Report by December 31, 2024.

ix) adding a new Section 6.B.3.2(f) (Policies) under Section 6 (Community Goals and Policies) to read as follows and renumbering all subsequent sections:

- f) Update the 2010 Housing Strategy to reflect the findings of the new Housing Needs Report.

Commented [CG9]: Proposes to update policy in order to reflect that the Town is required to update its Housing Needs Report by December 31, 2024. Existing policy currently states the following:
Update the 2010 Housing Strategy to reflect the findings of the 2020 Housing Needs Report.

x) replacing Section 6.B.3.3 (Policies) under Section 6 (Community Goals and Policies) in its entirety with the following:

.3 ~~deleted.~~

Commented [CG10]: Proposes to replace existing policy which is seen to be inconsistent with the direction contained in the provincial SSMUH Policy Manual. Existing policy states:
Promote residential infill development that is sensitive to existing neighbourhood design and character/

xi) replacing the third sentence in the fourth paragraph under Section 7.A.1 (Context) under Section 7.A. (Agriculture) in its entirety with the following:

The Town's growth containment boundary will dampen speculative expectations that adjacent ALR lands will inevitably be released for development.

Commented [CG11]: Proposes to replace sentence in order to change reference from "growth containment area" to "growth containment boundary" to reflect language now used in Local Government Act as it relates to SSMUH.

xii) adding a new Section 7.A.2.1(a) (Policies) under Section 7 (Land Use Designations) to read as follows and renumbering all subsequent sections:

- a) Supports the use of lands designated Agriculture (AG) on Map 2 (Land Use Designations) for agricultural uses. This includes growing, producing, harvesting, storage, processing, and sale of agricultural goods, as well as activities associated with the production and processing of these items.

Commented [CG12]: Proposes to carry forward wording from the Table at Section 5.B.

xiii) replacing Section 7.B. (Residential) under Section 7 (Land Use Policies) in its entirety with the following:

7.B. RESIDENTIAL

Commented [CG13]: Proposed changes are too extensive to detail in column comments.

.1 Context

The Town has a number of existing residential neighbourhoods surrounding Downtown, to the south near swiws (Haynes Point) Provincial Park, adjacent to the Industrial Park, Dividend Ridge, and east Osoyoos. Many

neighbourhoods are largely low-density in nature with single-detached homes. There are pockets of multi-family residential units throughout the community; for example Cottonwood Drive in east Osoyoos and areas close to the Downtown.

As the community continues to grow and demands for more affordable and diverse housing options increase, single-detached development will become increasingly difficult to accommodate, especially due to the geographic and boundary constraints of the Town and more intensive forms of residential development are required. This will entail infill and intensification of existing residential neighbourhoods as well as higher density forms of housing on lands that are currently vacant or have redevelopment potential.

It is the intent of this Residential Land Use section to provide direction on how and where residential growth and development shall occur within the Town. The Residential Land Use category includes the following designations, as shown on Map 2 (Land Use Designations):

- Low Density Residential; and
- Medium Density Residential.

.2 Policies

.1 General Policies

- a) Support live-work units and ensure zoning regulations continue to support opportunities for appropriate home-based businesses.
- b) Encourages the provision of outdoor amenity areas such as parks, community gardens, off-leash dog areas, and playgrounds.
- c) Encourage the development of pedestrian-friendly and active transportation infrastructure (sidewalks, bike lanes) as new residential development occurs.
- d) Encourage new residential development to consider age-friendly principles in the design and construction of units.
- e) Discourage residential developments requiring downzoning, or developments that do not take advantage of allowable residential densities.
- f) Supports the release of Crown land in the West Bench, and shown on Figure 7.B.1, for residential development due to the limited land available to meet the Town's anticipated housing needs.

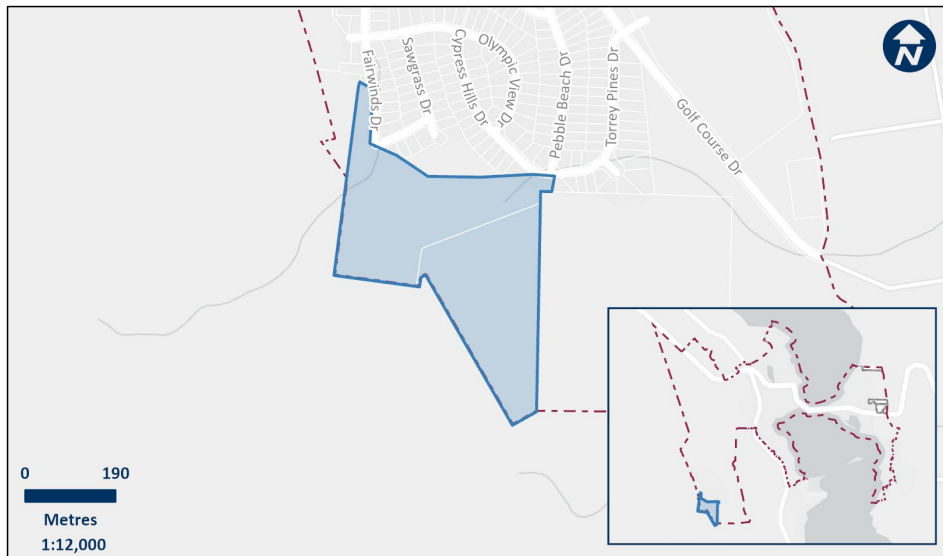


FIGURE 7.B.1

.2 Low Density Residential Designation Policies

- a) Supports the use of lands designated Low Density Residential (LR) on Map 2 (Land Use Designations) for residential, parks, religious buildings and facilities, institutional buildings, child care facilities, local convenience stores and other uses that fit with the low density residential character of the designation.
- b) Supports housing types in the form of single detached dwellings, accessory dwellings, secondary suites, townhouses and apartment buildings.
- c) Supports the following residential densities on parcels connected to a community water system and community sewer system provided by the Town of Osoyoos:
 - i) for parcels greater than 280 m² in area, a maximum of four (4) dwelling units; and
 - ii) for parcels less than 280 m² in area, a maximum of three (3) dwelling units.
- d) Supports a maximum residential density on parcels not connected to a community water system and community sewer system of one (1) principle dwelling unit and one (1) secondary suite.
- e) Require new subdivisions to be developed with access points suitable for evacuation and movement of emergency response equipment.

- f) Discourages subdivision as a form of infill densification in existing low density neighbourhoods.

Double fronting lots means a lot which abuts a street and a lane or two streets, both of which are parallel, or nearly parallel, to the lot.



.3 Medium Density Residential Designation Policies

- a) Supports the use of lands designated Medium Density Residential (MR) on Map 2 (Land Use Designations) for multi-family developments, including triplexes, fourplexes, townhouses, apartment buildings and community care facilities that fit with the residential intent of the designation.
- b) Permitted housing types in the Medium Density Residential designation include townhouses, and apartment buildings, when connected to a community water and community sewer system.
- c) Permit densities of no more than 75 units per hectare in Medium Density Residential areas.
- d) Supports a high standard of architectural building design for medium density residential development by including lands designated as Medium Density Residential (MR) within a development permit area designation establishing objectives for the form and character of multi-family residential development.
- e) Supports applying a form and character development permit to multi-family residential developments comprising seven (7) or more dwelling units.
- f) Encourages lot consolidations to facilitate higher residential densities.

xiv) adding a new Section 7.C.2.2(a) (Downtown Commercial Designation Policies) under Section 7.C. (Commercial) to read as follows and renumbering all subsequent sections:

- .1 Supports the use of lands designated Downtown Commercial (DC) on Map 2 (Land Use Designations) for pedestrian oriented, mixed-use retail, office, food and beverage, tourist commercial, and medium & high density residential uses.

Commented [CG14]: Proposes to carry forward wording from the Table at Section 5.B.

xv) adding a new Section 7.C.2.2(f) (Downtown Commercial Designation Policies) under Section 7.C. (Commercial) to read as follows and renumbering all subsequent sections:

- f) Will consider variances to maximum building height where taller and narrower buildings are considered appropriate to preserve views or green space instead of longer, shorter buildings.

Commented [CG15]: It is being proposed to transfer this policy from the Guideline section of the Mixed Use and Commercial DP Area designation and into the Downtown Commercial policies section of the Plan.

xvi) adding a new Section 7.C.2.3(a) (General Commercial Designation Policies) under Section 7.C. (Commercial) to read as follows and renumbering all subsequent sections:

- a) Supports the use of lands designated Commercial (GC) on Map 2 (Land Use Designations) for a range of commercial uses including shopping centres, service commercial, and smaller scale neighbourhood commercial uses.

Commented [CG16]: Proposes to carry forward wording from the Table at Section 5.B.

xvii) adding a new Section 7.C.2.4(a) (Tourist Commercial Designation Policies) under Section 7.C. (Commercial) to read as follows and renumbering all subsequent sections:

- a) Supports the use of lands designated Commercial Tourist (CT) on Map 2 (Land Use Designations) for commercial services and activities catering to both visitors and residents and provides accommodation, entertainment, and food and beverage options.

Commented [CG17]: Proposes to carry forward wording from the Table at Section 5.B.

xviii) adding a new Section 7.D.2.2(a) (Industrial Designation Policies) under Section 7.D. (Industrial) to read as follows and renumbering all subsequent sections:

- a) Supports the use of lands designated Industrial (ID) on Map 2 (Land Use Designations) for light and heavy industrial uses characterized by goods production, manufacturing, distribution, and storage.

Commented [CG18]: Proposes to carry forward wording from the Table at Section 5.B.

xix) replacing Section 7.D.2.2(h) (Industrial Designation Policies) under Section 7.D. (Industrial) in its entirety with the following:

- h) Require an impact assessment be provided by an applicant for any proposed rezoning of a parcel to allow a heavy industry use in order to protect public safety and environmental quality.

Commented [CG19]: Proposes to delete reference to the assessment "at-cost to the applicant" and to introduce this as an application requirement for applicable rezoning applications in the Town Land Use Procedures (LUP) Bylaw. See proposed introduction of "Development Approval Information" section in Draft LUP Amendment Bylaw 1235.08.

xx) deleting the third "Note" at Section 7.E.1 (Context) under Section 7.E. (Airport) in its entirety.

xxi) replacing Section 7.E.2.2(a) (Airport Designation Policies) under Section 7.E. (Airport) in its entirety with the following:

- a) Supports the use of lands designated Airport (AP) on Map 2 (Land Use Designations) for a variety of commercial and service uses associated with the aviation industry.

Commented [CG20]: Proposes to delete Note as the Industrial DP does not actually apply to the whole of the Airport lands. *The Industrial Development Permit Area is applicable to lands with the Airport designation in accordance with Map 2. The guidelines for the Industrial Development Permit Area are included in Section 8 of this plan.*

Commented [CG21]: Proposes to carry forward wording from the Table at Section 5.B.

xxii) replacing Section 7.F.2.2(a) (Institutional Designations Policies) under Section 7.F. (Institutional) in its entirety with the following:

- a) Supports the use of lands designated Institutional (INST) on Map 2 (Land Use Designations) for a variety of uses providing services and amenities for the community, including community centres, places of worship, museums, galleries and schools.

Commented [CG22]: Proposes to carry forward wording from the Table at Section 5.B.

xxiii) replacing Section 7.F.2.2(c) (Institutional Designation Policies) under Section 7.F. (Institutional) in its entirety with the following:

- c) Ensure a high standard of design for all institutional development by encouraging developers to closely follow the Mixed Use and Commercial Development Permit Area Guidelines outlined in Section 8.

Commented [CG23]: Proposes to update policy to reflect new title of the DP Area (i.e. deletion of reference to "DPA-3"). Current policy states the following:
Ensure a high standard of design for all institutional development through encouraging developers to closely follow the DPA-3: Mixed Use and Commercial Development Permit Area Guidelines outlined in section 8.D.

xxiv) replacing the third "Note" at Section 7.G.1 (Context) under Section 7.G. (Environment) in its entirety with the following:

Development Permits are applicable to certain lands with the Environmental Conservation designation and lands with environmentally sensitive features, riparian areas, and/or foreshore areas. This includes the Environmentally Sensitive Development Permit Area and Riparian Development Permit Area, the guidelines for which are included in Section 8 of this plan.

Commented [CG24]: Proposes to update policy to reflect proposed deletion of the Foreshore and Lake DP Area:
Development Permits are applicable to certain lands with the Environmental Conservation designation and lands with environmentally sensitive features, riparian areas, and/or foreshore areas. This includes the Environmentally-Sensitive Development Permit Area, Riparian Development Permit Area, and Foreshore and Lake Development Permit Area, the guidelines for which are included in Section 8 of this plan.

xxv) adding a new Section 7.G.2.1(a) (General Policies for the Protection of the Natural Environment) under Section 7.G. (Environment) to read as follows and renumbering all subsequent sections:

- a) Supports the use of lands designated Environmental Conservation (ENV) on Map 2 (Land Use Designations) for environmental protection and conservation purposes as well as passive recreational purposes.

Commented [CG25]: Proposes to carry forward wording from the Table at Section 5.B.

xxvi) replacing the third "Note" at Section 7.H.1 (Context) under Section 7.H. (Parks and Recreation) in its entirety with the following:

Development Permits are applicable to certain lands with the Parks and Recreation designation. This includes the Environmentally Sensitive Development Permit Area and Riparian Development Permit Area, the guidelines for which are included in Section 8 of this plan.

Commented [CG26]: Proposes to update policy to reflect proposed deletion of the Foreshore and Lake DP Area:
Development Permits are applicable to certain lands with the Parks and Recreation designation. This includes the Environmentally-Sensitive Development Permit Area, Riparian Development Permit Area, and Foreshore and Lake Development Permit Area, the guidelines for which are included in Section 8 of this plan.

xxvii) adding a new Section 7.H.2.4(a) (Active Parkland Designation Policies) under Section 7.G. (Parks and Recreation) to read as follows and renumbering all subsequent sections:

- a) Supports the use of lands designated Active Parkland (PR) on Map 2 (Land Use Designations) for active recreation opportunities in the form of parks, trails, beaches, sports fields and courts.

Commented [CG27]: Proposes to carry forward wording from the Table at Section 5.B.

xxviii) adding a new Section 7.H.2.5(a) (Recreation Designation Policies) under Section 7.G. (Parks and Recreation) to read as follows and renumbering all subsequent sections:

- a) Supports the use of lands designated Recreation (REC) on Map 2 (Land Use Designations) for indoor and outdoor recreational amenities.

Commented [CG28]: Proposes to carry forward wording from the Table at Section 5.B.

- xxix) deleting the second and third “Notes” at Section 7.I.1 (Context) under Section 7.I. (Hazard Areas – Flooding, Steep Slopes, Wildfire) in its entirety.
- xxx) replacing Section 7.I.2.3(b) (Steep Slopes and Hillside Development Policies) under Section 7.I. (Hazard Areas – Flooding, Steep Slopes, Wildfire) in its entirety with the following:
- b) may investigate the designation of a development permit area under Section 488(1)(b) of the *Local Government Act* in order to protect development from hazardous conditions on lands with slopes steeper than 30%.
- xxxi) deleting Section 7.L. (Comprehensive Development) under Section 7 (Land Use Policies) in its entirety.
- xxxii) replacing Section 8 (Development Permit Area Guidelines) in its entirety with the Section 8 (Development Permit Area Guidelines) attached as Schedule ‘F’ to this bylaw.
- xxxiii) replacing Map 1 (Growth Management) under Section 10 (Maps) in its entirety with the Map 1 (Growth Management) contained at Schedule ‘A’ to this bylaw.
- xxxiv) replacing Map 2 (Land Use Designations) under Section 10 (Maps) in its entirety with the Map 2 (Land Use Designations) contained at Schedule ‘B’ to this bylaw.
- xxxv) replacing Map 15 (DPA-1: Multi-Family Residential) under Section 10 (Maps) in its entirety with the Map 15 (Multi-Family Residential Development Permit Area) contained at Schedule ‘C’ to this bylaw.
- xxxvi) deleting Map 16 (DPA-2: Southeast Meadowlark) under Section 10 (Maps) in its entirety and renumbering all subsequent Maps.
- xxxvii) deleting Map 19 (DPA-5: Foreshore and Lake) under Section 10 (Maps) in its entirety and renumbering all subsequent Maps.
- xxxviii) replacing Map 20 (DPA-6 and DPA-7: Environmentally Sensitive and Riparian) under Section 10 (Maps) in its entirety with the Map 20 (Environmentally Sensitive Development Permit Area) contained at Schedule ‘D’ to this bylaw.
- xxxix) adding a new Map 21 (Riparian Development Permit Area) under Section 10 (Maps) with the map schedule contained at Schedule ‘E’ to this bylaw.
- xl) deleting Map 21 (DPA-8: Hillside) under Section 10 (Maps) in its entirety.
- xli) deleting Map 22 (Meadowlark Plan Area) under Section 10 (Maps) in its entirety.

Commented [CG29]: Proposes to delete notes to reflect proposed deletion of the Hillside DP and Foreshore and Lake DP Areas.

Development permits are applicable to certain lands subject to hazards. The Hillside Development Permit Area sets out guidelines for development on hillsides in section 8 of this plan. Osayoos uses Hillside Development Permits to ensure all new hillside development is sensitive to the topographical constraints of the land. The Foreshore and Lake Development Permit Area as well as the Riparian Development Permit Area in section 8 of this plan may also apply to some areas that are within the floodplain area.

Commented [CG30]: Proposes to update policy to reflect the proposed deletion of the current Hillside DP Area designation and leaves the door open for Council to revisit this class of DP in future, should it decide such a DP is warranted. Current policy states: *Continue to require Hillside Development Permits for development on lands with slopes steeper than 15% to ensure all new hillside development addresses potential steep slopes hazards and is developed in a manner that is sensitive to the topographical constraints of the land and the visual impacts of development.*

Commented [CG31]: It is being proposed to transition existing CD designations to other, existing land use designations, such as Residential or Tourist Commercial. Accordingly, it is proposed that this section be deleted.

Commented [CG32]: Proposed changes are too extensive to detail in column comments.

xlj) deleting Appendix A (Definitions) under Section 11 (Appendices) in its entirety.

xlj) deleting Schedule 'A' (Southeast Meadowlark Area Plan) under Section 12 (Schedules) in its entirety .

Read a first and second time on the ____ day of _____, 2024.

Public hearing held on the ____ day of _____, 2024.

Read a third time on the ____ day of _____, 2024.

Adopted on the ____ day of _____, 2024.

Mayor

Corporate Officer

DRAFT

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Map 1

Urban Containment Area

Legend

- Urban Containment Area
- Town Boundary
- Parcel
- Indian Reserve

0 200 400 600
Meters

The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & validate the precise location of all existing information whether shown or not.

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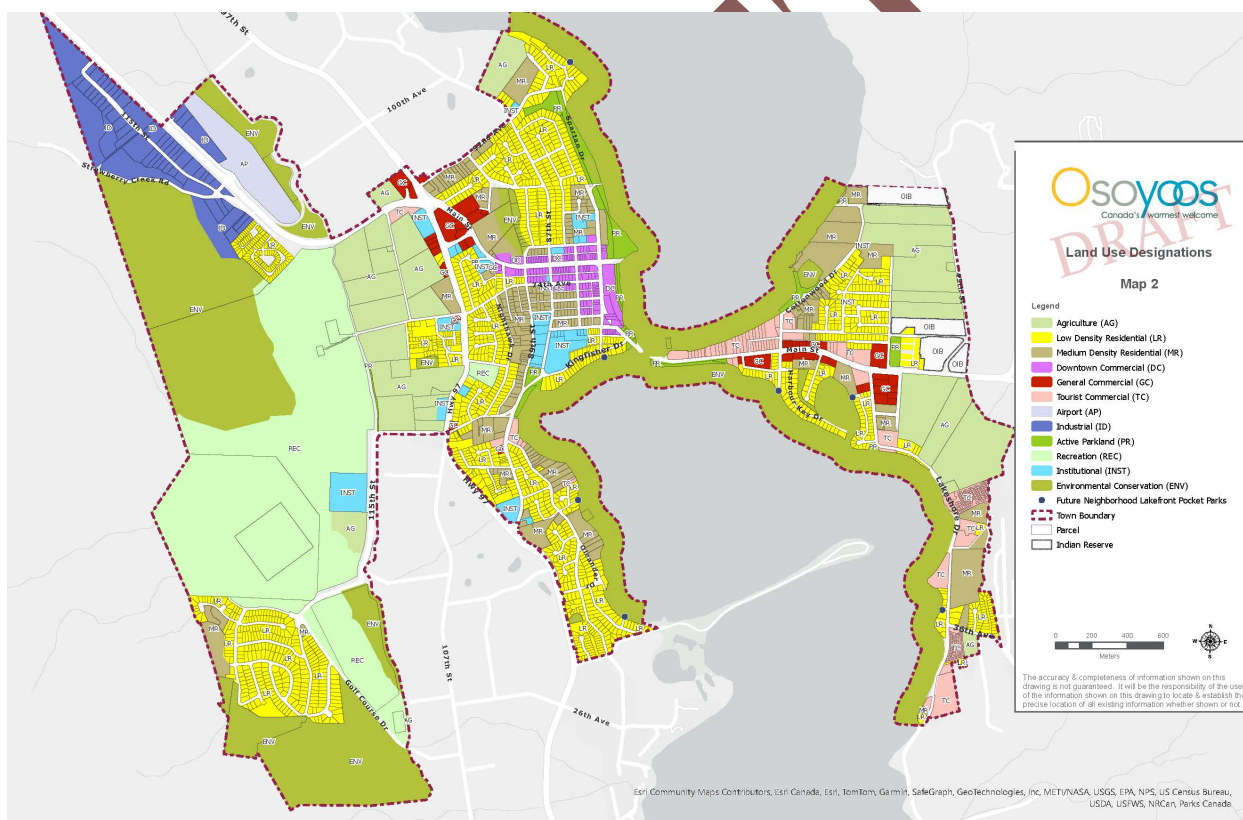
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Amendment Bylaw No. 1375.04, 2024

Schedule 'B'



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Town of Osoyoos

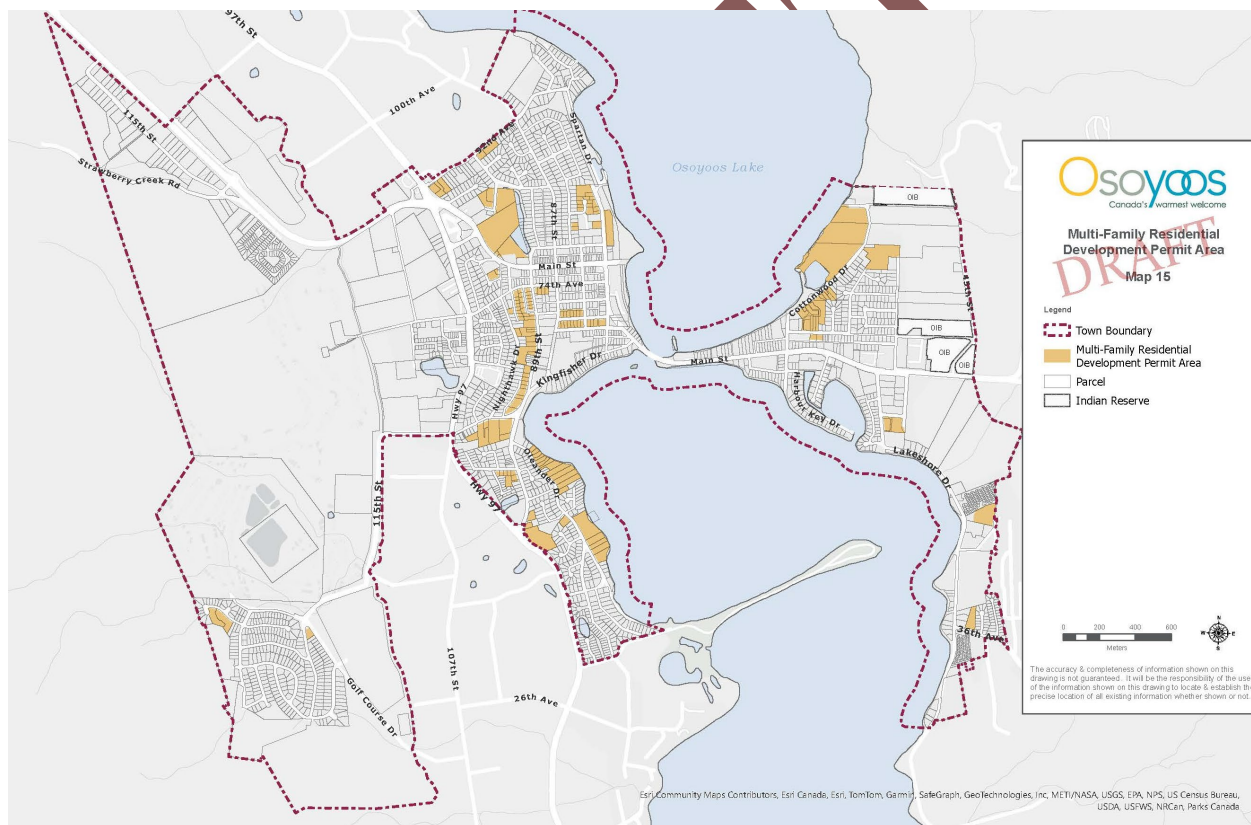
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Schedule 'C'



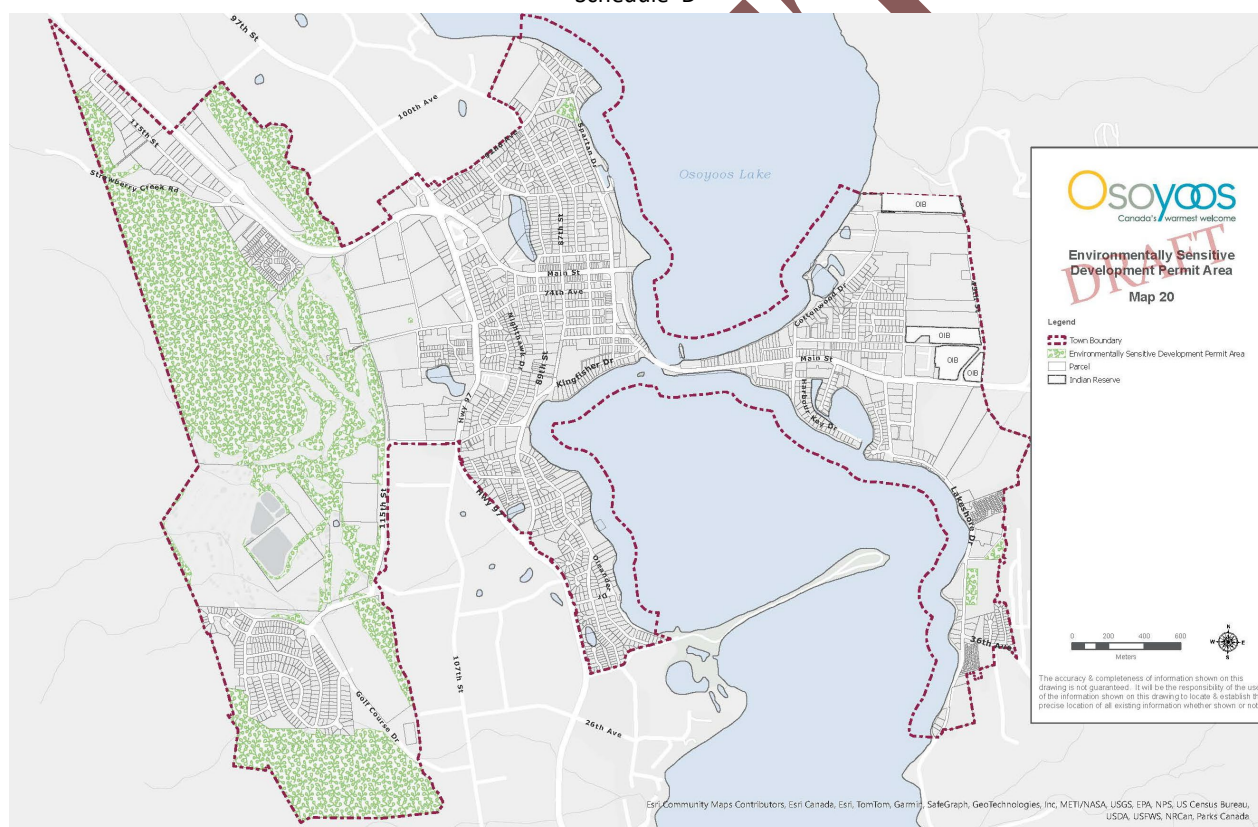
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Amendment Bylaw No. 1375.04, 2024

Schedule 'D'



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Town of Osoyoos

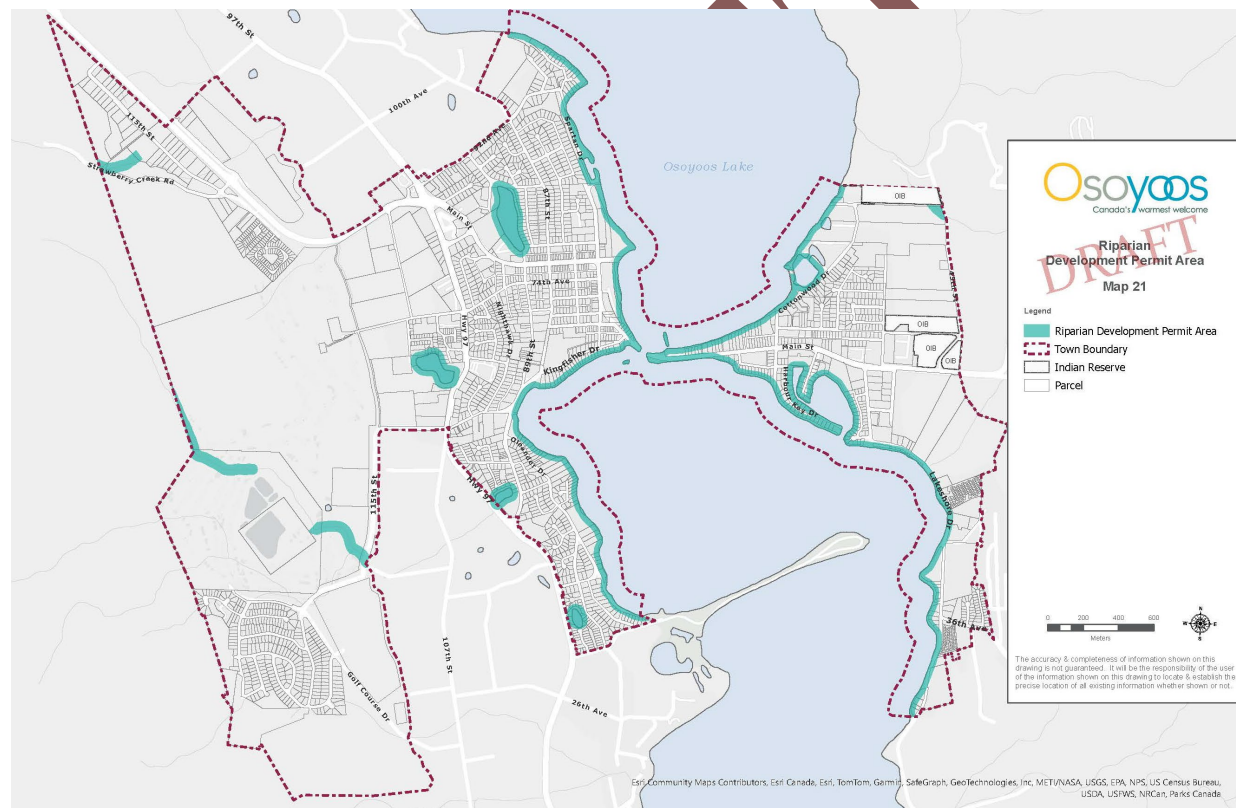
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Schedule 'E'



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Amendment Bylaw No. 1375.04, 2024

Schedule 'F'

[Section 8 – Development Permit Areas]

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