

**To:** Her Worship Mayor McKortoff and Members of Council

**From:** Christopher Garrish, Planner

**Date:** September 24, 2024

**Subject:** Zoning Bylaw No. 1395, 2024

**Tracker No:** BLW-389

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**RECOMMENDATION:**

THAT Official Community Plan (OCP) Amendment Bylaw 1375.06, 2024, and Zoning Bylaw No. 1395, 2024, be adopted.

**CAO Comments:**

Approved for Council consideration.

**Executive Summary:**

The purpose of this report is to provide Council with options in relation to the introduction of a new zoning bylaw.

**Background:**

On July 23, 2024, a Public Information Meeting (PIM) was scheduled to be held on the Zoom software platform, but was required to be rescheduled to July 30, 2024, due to technical issues. This meeting was subsequently held in a hybrid fashion (e.g. in-person and via Zoom) and attended by approximately 29 residents.

On July 30 & 31, 2024, in-person meetings (by appointment) were held with approximately eight (8) different sets of residents, in order to discuss issues related to the draft zoning bylaw.

On August 8, 2024, Council, at its Special Open Meeting, resolved to approve first and second reading of Zoning Bylaw No. 1395 and OCP Amendment Bylaw No. 1375.06, 2024, and the scheduling of a public hearing ahead of its meeting of September 10, 2024.

On September 10, 2024, a public hearing was held at the Council Chambers (i.e. 8707 Main Street, Osoyoos) and was attended by approximately 18 members of the public.

At its subsequent Regular Meeting of September 10, 2024, Council resolved to approve third reading of Zoning Bylaw No. 1395 and OCP Amendment Bylaw No. 1375.06, 2024.

Approval from the Ministry of Transportation and Infrastructure (MoTI), due to the amendment applying to land within 800 metres of a controlled area, was obtained on September 16, 2024.

## **Analysis:**

Administration consider the proposed zoning bylaw will be better aligned with the objectives and policies of Council as outlined in the Town's OCP Bylaw, will further improve ease of use by the public and staff and improve coherence of the bylaw (i.e. consolidate amendments, address internal inconsistencies, etc.) and will ensure the Town is closer to compliance with provincial requirements for Small-Scale Multi-Unit Housing (SSMUH).

## **Options:**

1. THAT Official Community Plan (OCP) Amendment Bylaw 1375.06, 2024, and Zoning Bylaw No. 1395, 2024, be adopted.
2. THAT first, second and third reading of Official Community Plan (OCP) Amendment Bylaw 1375.06, 2024, and Zoning Bylaw No. 1395, 2024, be rescinded and the bylaws abandoned.

## **Implications:**

- a) Community – Introduction of a new Zoning Bylaw will improve ease of use by the public.
- b) Organizational – Introduction of a new Zoning Bylaw will improve ease of use by staff and will ensure better coordination between the Town's land use bylaws and that Council's objectives and policies, as outlined in the OCP Bylaw, are being implemented.
- c) Budget – None at this time.
- d) Financial/Risk Implications – Infrastructure such as water and sewer will require upsizing in some areas. The exact number of pipes and associated cost is not known at this time but is estimated to be significant.
- e) Significant Dates – The Town's zoning bylaw must be updated within 90 days of a decision by the province on the SSMUH Implementation Extension Request, to comply with provincial legislative requirements. Implementation of Zoning Bylaw No. 1395, 2024, is a significant step in ensuring compliance.
- f) Sustainability – Increasing residential densities is consistent with the Town's designation as a "Primary Growth Area" under the South Okanagan Regional Growth Strategy (RGS).

## **Attachments:**

1. Official Community Plan Amendment Bylaw No. 1375.06, 2024
2. Zoning Bylaw No. 1395, 2024