

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

**From:** Shannon Duong, Planner

**Date:** September 10, 2024

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

**Tracker No:** BLW-389

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**Recommendation:**

THAT the Town of Osoyoos Official Community Plan (OCP) Amendment Bylaw No. 1375.06, 2024, and the Town of Osoyoos Zoning Bylaw No. 1395, 2024, be read a third time.

**CAO Comments:**

Approved for Council consideration.

**Executive Summary:**

Zoning Bylaw No. 1395 represents an update to the current Town of Osoyoos Zoning Bylaw Zoning Bylaw No. 1085, 1998, and addresses the Small-Scale Multi-Unit Housing (SSMUH) requirements which were introduced into the *Local Government Act* by the *Housing Statutes (Residential Development) Amendment Act, 2023* (Bill 44).

Official Community Plan Amendment Bylaw No. 1375.06, 2024 generally relates to, and proposes, the designation of development permit areas on parcels which are currently zoned Comprehensive Development (CD).

**Background:**

On July 23, 2024, an electronic public information meeting for residents 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 (i.e., 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.

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

All comments received to date in relation to this application are included with this report.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e., Highways 97 & 3).

## **Analysis:**

Administration considers that 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).

Updates have been made to Zoning Bylaw No.1395 to reflect Council's deliberation at its Special Open Meeting of August 8, 2024, which are summarized as follows:

- Changing the rear parcel line setback applicable to principal and accessory buildings and structures within the RS1 Zone to 2.0 metres (previously 1.5 metres); and,
- Changing the definition of "motel" to stipulate that a motel shall include a bathroom, and may include cooking facilities.

In summary, Administration is supportive of Zoning Bylaw No. 1395, 2024 and OCP Amendment Bylaw No. 1375.06, 2024 and recommends that third reading be given to both bylaws.

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