

Agricultural Land Reserve (ALR) Block Exclusion Proposal

December 9, 2025 Committee of the Whole Meeting

Item D.4

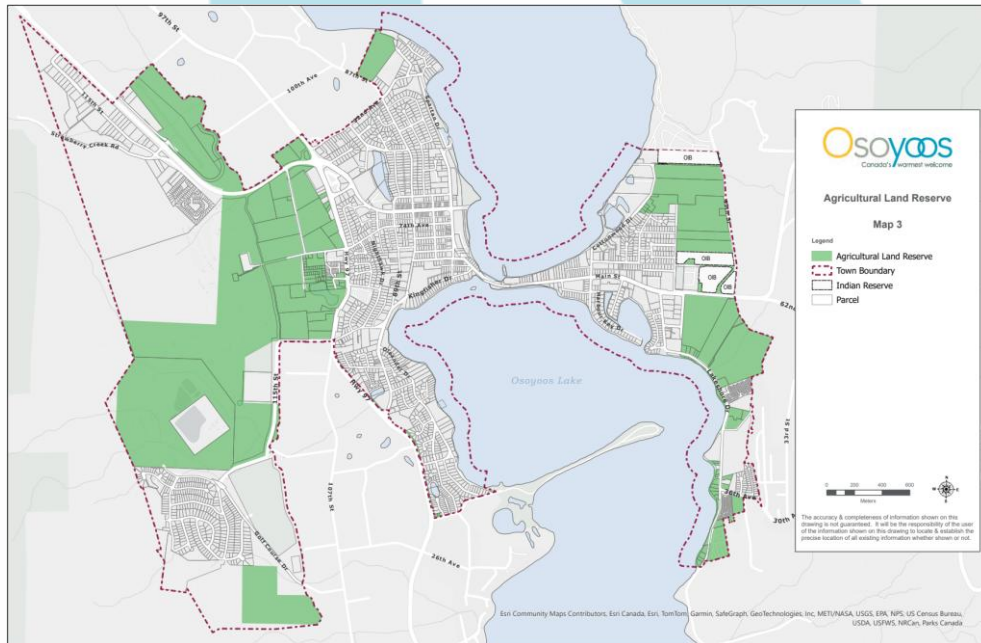


Background

Item No. D.4 – ALR Exclusion Proposal

Background

- Approximately 326.7 ha of lands in the Town are within the Agricultural Land Reserve (ALR).
- 138.24 ha is designated Agriculture (AG) under the Official Community Plan (OCP) Bylaw No. 1375, 2021.
- A majority (~54%) of ALR lands within the Town have non-agricultural land use designations.

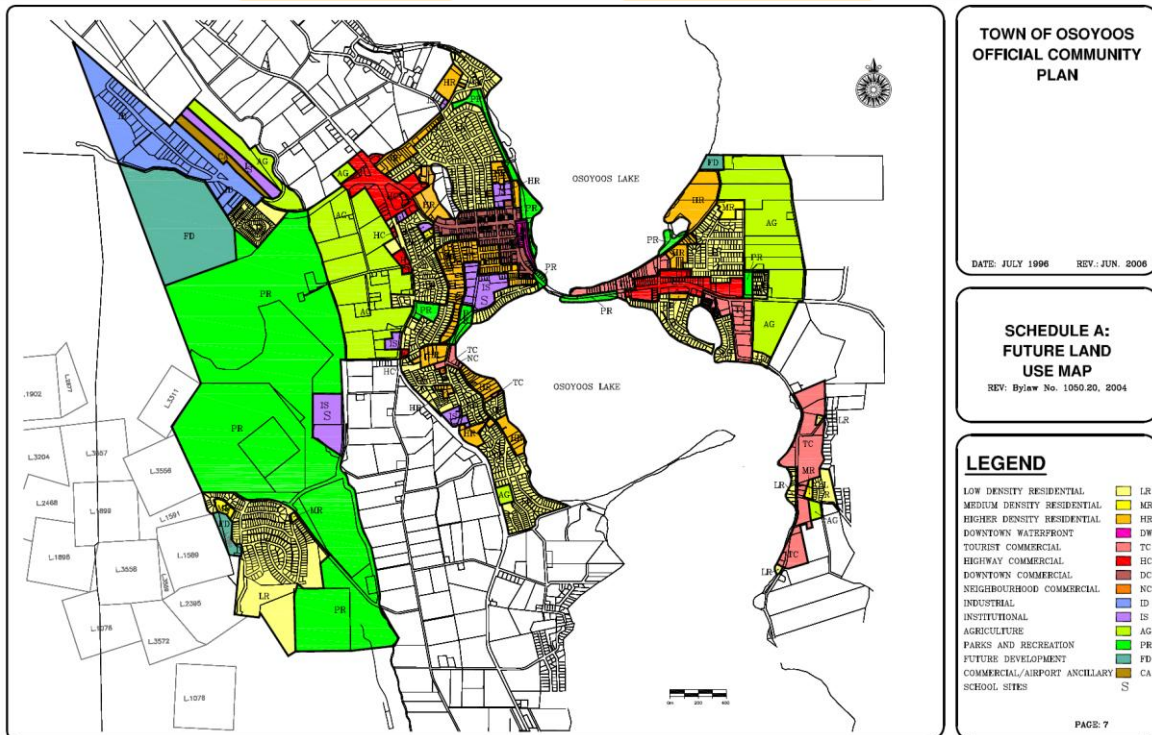


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Background

- The non-agricultural designation of these lands is not new.
- Former Town of Osoyoos OCP Bylaw No. 1050, 1996, had applied non-agricultural land use designations to a number of ALR properties within the Town.

- Residential lots;
- Commercial and tourist accommodation lots;
- Golf course;
- Administrative and institutional lots



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Background

- Agricultural Land Commission (ALC) was engaged in the preparation of OCP Bylaw No. 1050, in accordance with the former *Municipal Act*.
 - ALC reviewed the draft bylaw and provided comments, including comments in relation to the land use designations proposed for those lands in the ALR.
- By way of ALC Resolution #799/96, the ALC “consented” to the proposed non-agricultural OCP designations to apply to various ALR parcels that were historically not used for agriculture.
- The lands were not automatically excluded from the ALR.
- **These lands have remained in the ALR, and an exclusion application (and ALC approval) would be required to remove them.**

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Issue

- ALR status not reflective of intended land use.
- Can be a surprise to some property owners and result in confusion, challenges and delays at the time of Town permitting review (e.g., during building permit zone checks).
- Where ALR status has been noted in a zone check and the application is for a non-farm use, staff would expect an ALC decision approving the proposed use or ALC confirmation that the property is an exception to the *ALC Act*.

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Proposal

- To apply to the ALC for a “block exclusion” of non-agricultural lands within the Town to provide clarity and remove unnecessary administrative barriers for current and future property owners.

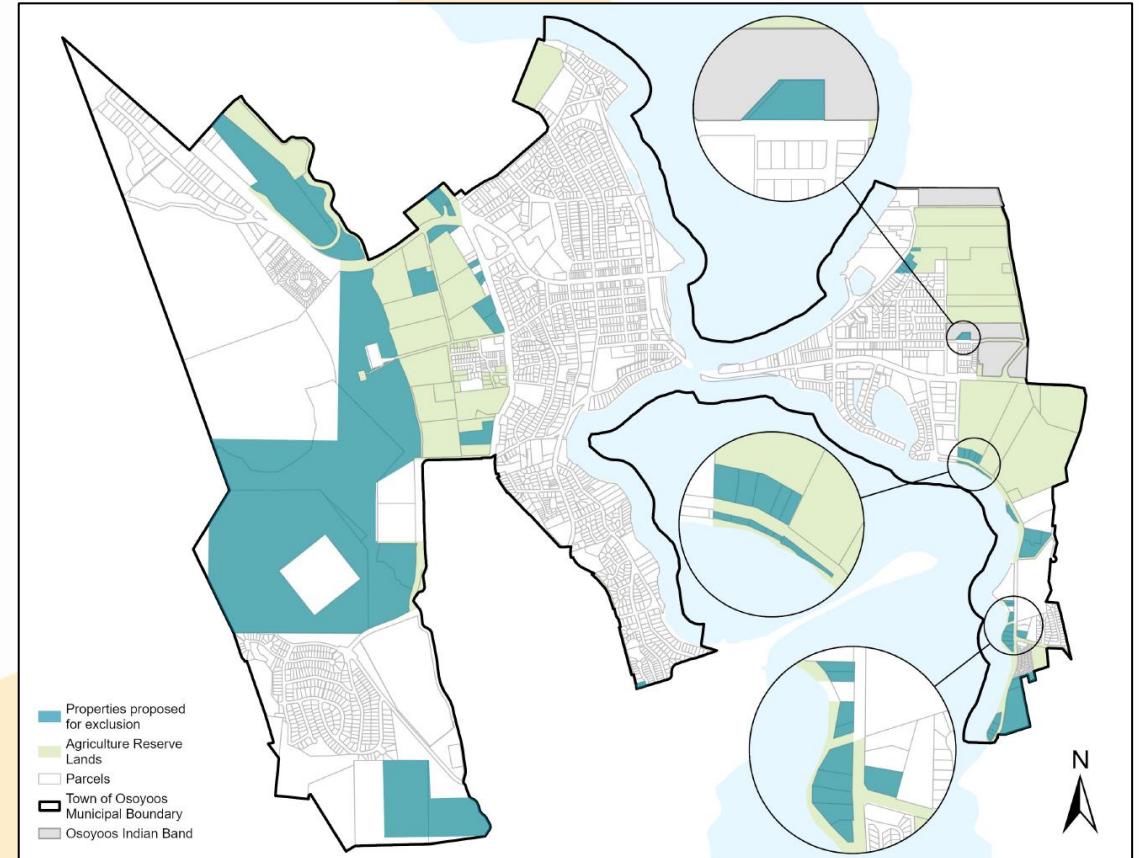


Proposal

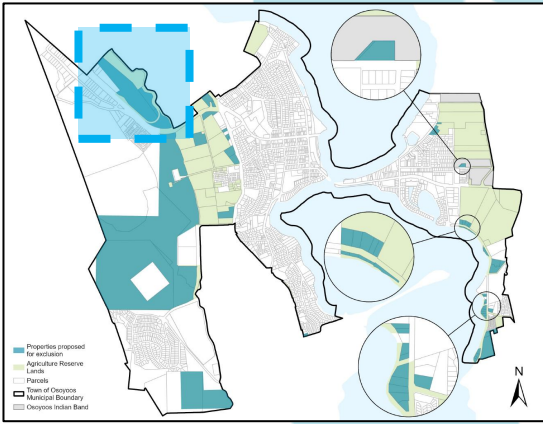
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The Subject Lands

- ALR lands designated for non-agricultural land uses under the OCP Bylaw.
- ALR lands which historically and currently are not being used for agriculture.
- ~ 176.45 ha within 62 properties proposed for exclusion*
 - Largely inclusive of the lands with non-agricultural designations the ALC previously “consented” to, but includes other lands as well.



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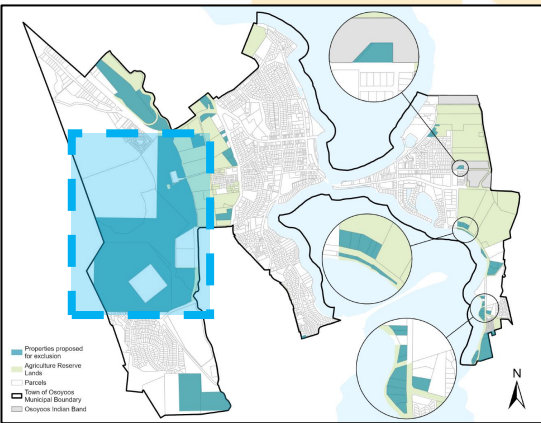


Civic Address: N/A
OCP Designation: Environmental Conservation (ENV)
Zoning Designation: Conservation Area (CA)
Current Use: Undeveloped Crown land
*** NOTE: This parcel was not included in the report but is also being proposed for exclusion**

Civic Address: 10800 Highway 3
OCP Designation: Airport (AP)
Zoning Designation: Airport (AP)
Current Use: Airport

Civic Address: N/A
OCP Designation: Environmental Conservation (ENV)
Zoning Designation: Conservation Area (CA)
Current Use: Undeveloped Crown land

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Civic Address: 8214 Meadowlark Drive
OCP Designation: **Agriculture (AG)**
Zoning Designation: **Agriculture (AG)**
Current Use: Auto Yard

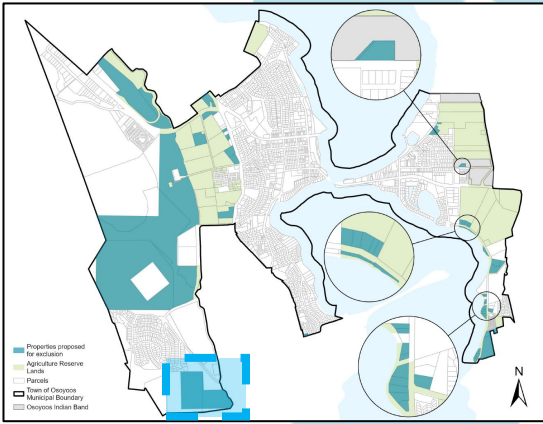
Civic Address: N/A
OCP Designation: Recreation (REC)
Zoning Designation: Parks & Recreation Site Specific (PRs)
Current Use: Golf Course

Civic Address: N/A
OCP Designation: Recreation (REC)
Zoning Designation: Parks & Recreation (PR)
Current Use: Sports Field Parking (West Bench Complex)

Civic Address: N/A
OCP Designation: Recreation (REC)
Zoning Designation: Parks & Recreation Site Specific (PRs)
Current Use: Golf Course

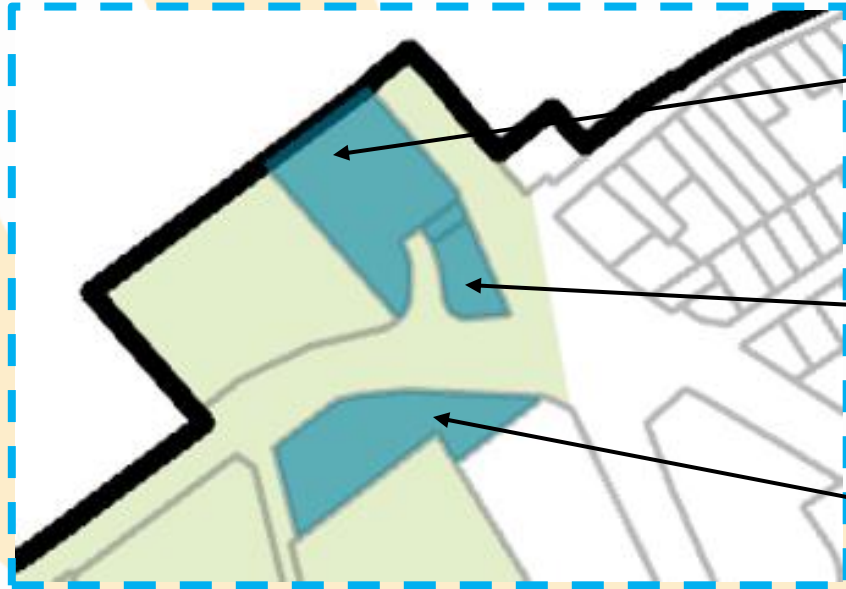
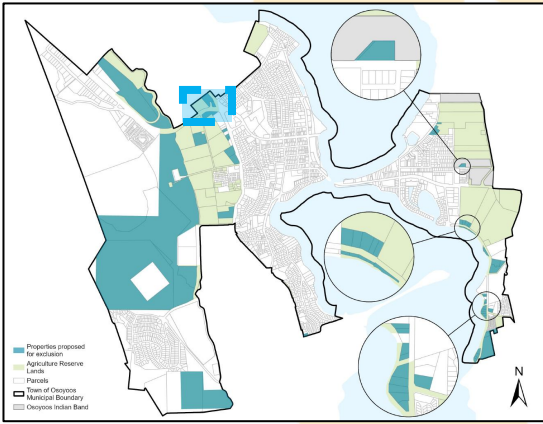
Civic Address: N/A
OCP Designation: **Agriculture (AG)**
Zoning Designation: **Agriculture (AG)**
Current Use: Municipal Bladders

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Civic Address: N/A
OCP Designation: Environmental Conservation (ENV)
Zoning Designation: Conservation Area (CA)
Current Use: Undeveloped Crown lands

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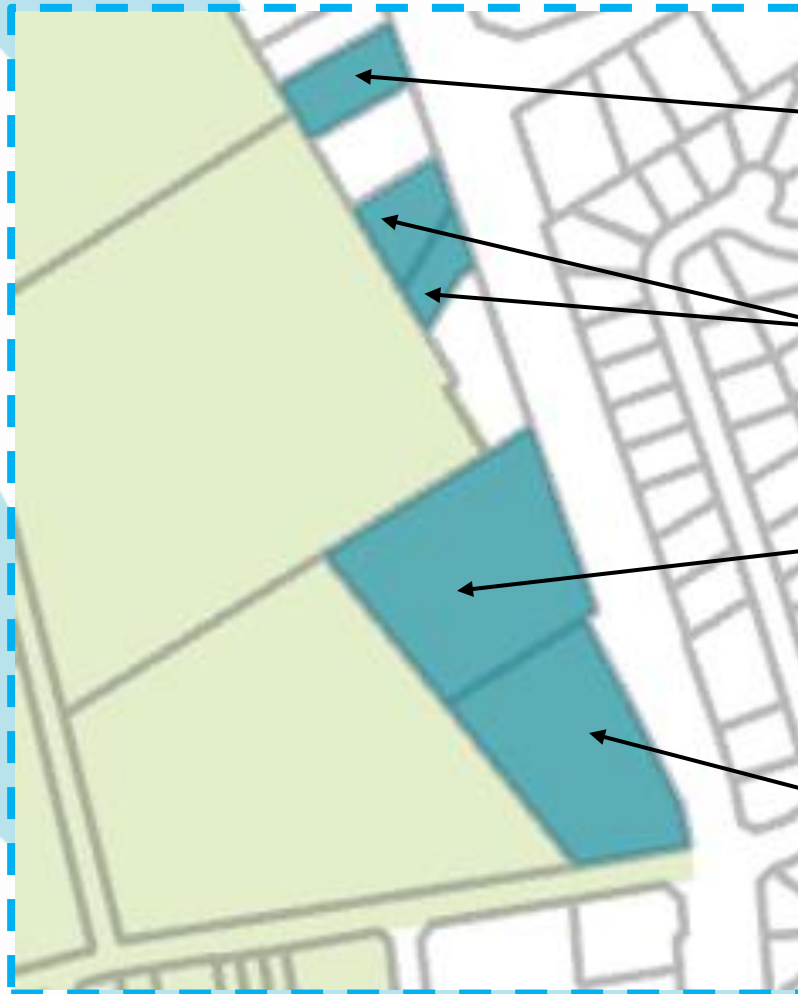
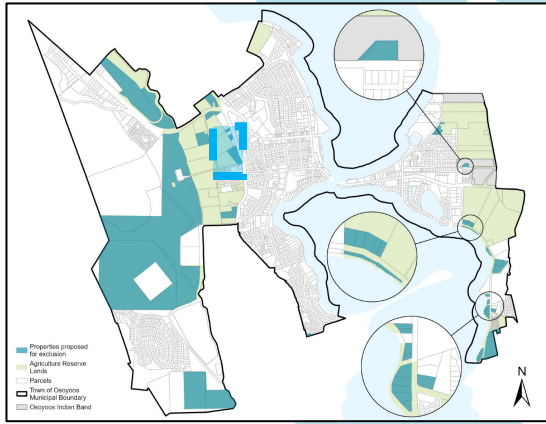


Civic Address: 9206 97th Street
OCP Designation: General Commercial (GC)
Zoning Designation: Service Commercial One (CS1)
Current Use: Gas Station

Civic Address: 9912 Highway 3
OCP Designation: General Commercial (GC)
Zoning Designation: Highway Commercial (C1)
Current Use: Osoyoos Visitor Centre

Civic Address: 9913 Highway 3
OCP Designation: Tourist Commercial (TC)
Zoning Designation: Highway Commercial (C1)
Current Use: Tourist Accommodations and Restaurant

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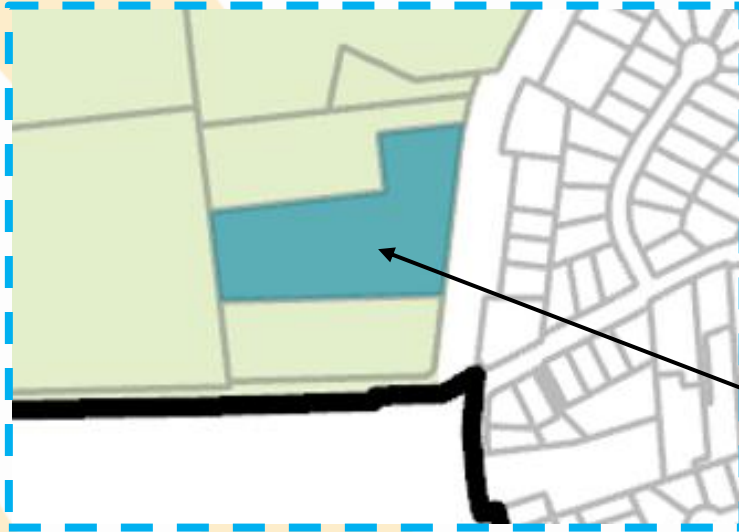
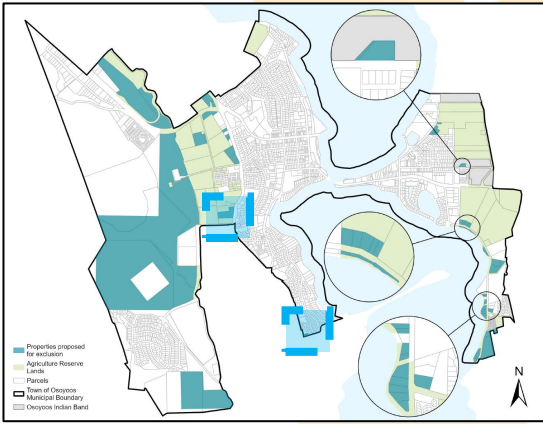
Civic Address: 8404 97th Street
OCP Designation: General Commercial (GC)
Zoning Designation: Highway Commercial (C1)
Current Use: Bowling Alley and Fitness Facilities

Civic Address: 8210 & 8016 97th Street
OCP Designation: Low Density Residential (LR)
Zoning Designation: Small-Scale Multi-Unit Residential (RS1)
Current Use: Residential

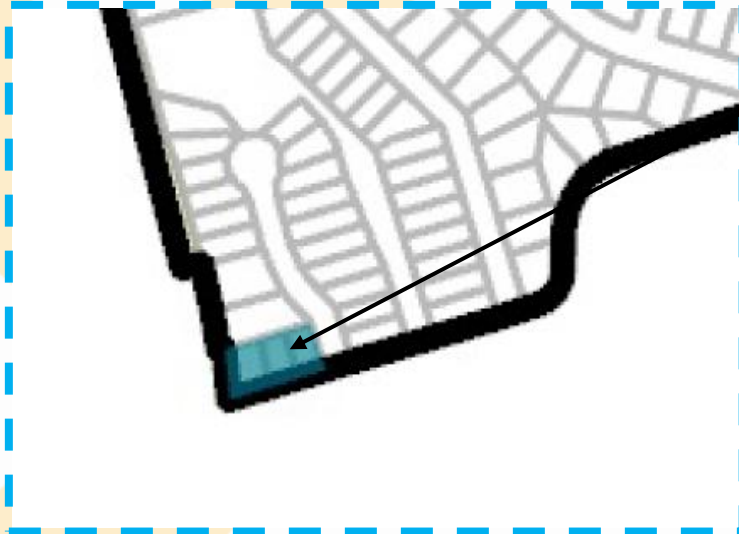
Civic Address: 7612 97th Street
OCP Designation: Medium Density Residential (MR)
Zoning Designation: Residential Manufactured Home Park (RSM)
Current Use: Manufactured Home Park

Civic Address: 7414 97th Street
OCP Designation: Medium Density Residential (MR)
Zoning Designation: Residential Manufactured Home Park (RSM) and General Commercial (C1)
Current Use: Manufactured Home Park and Tourist Accommodations

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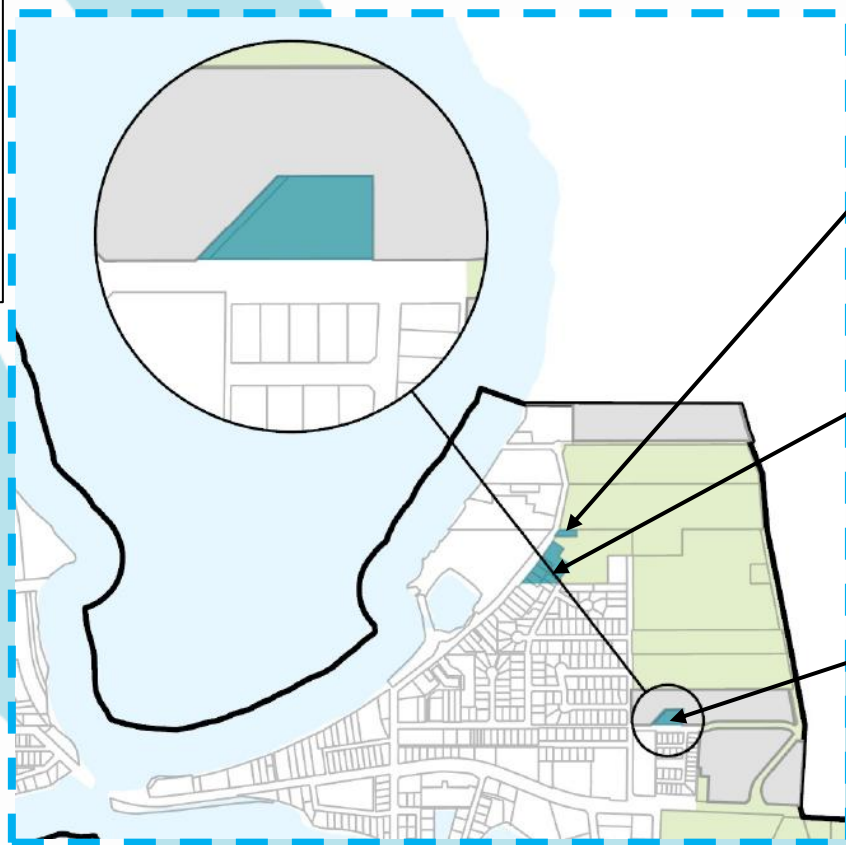
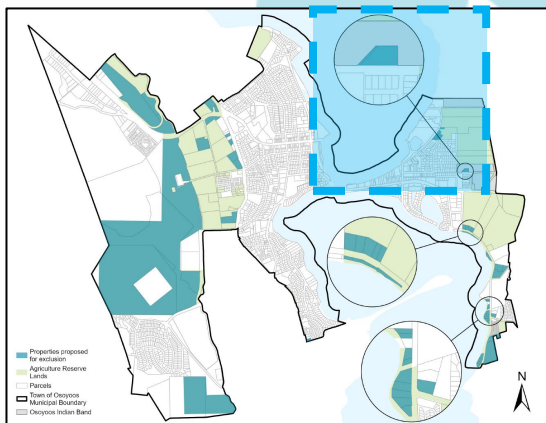


Civic Address: 6210 97th Street
OCP Designation: **Agriculture (AG)** & Institutional (INST)
Zoning Designation: **Agriculture (AG)** & Administrative & Institutional (AI)
Current Use: Church



Civic Address: 9506 32nd Avenue & 9308 32nd Avenue
OCP Designation: Low Density Residential (LR)
Zoning Designation: Small-Scale Multi-Unit Residential (RS1)
Current Use: Residential

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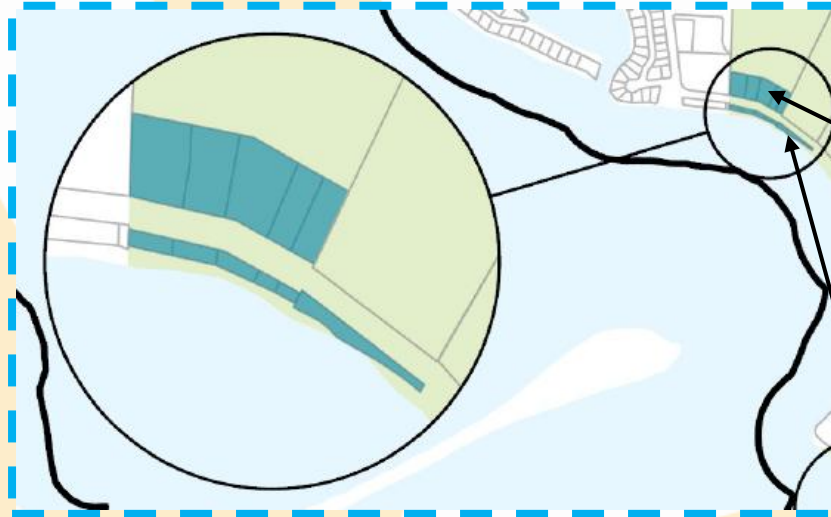
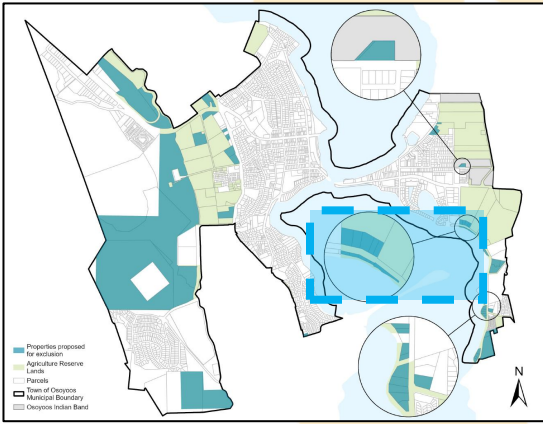


Civic Address: 7401 Cottonwood Drive
OCP Designation: Institutional (INST)
Zoning Designation: Administrative & Institutional (AI)
Current Use: Utilities (FortisBC)

Civic Address: 7013, 7225, 7227, 7237, & 7401 Cottonwood Drive
and 7012 & 7014 Maple Drive
OCP Designation: Low Density Residential (LR)
Zoning Designation: Small-Scale Multi-Unit Residential (RS1)
Current Use: Residential

Civic Address: 4906 Cedar Lane
OCP Designation: Low Density Residential (LR)
Zoning Designation: Small-Scale Multi-Unit Residential (RS1)
Current Use: Residential

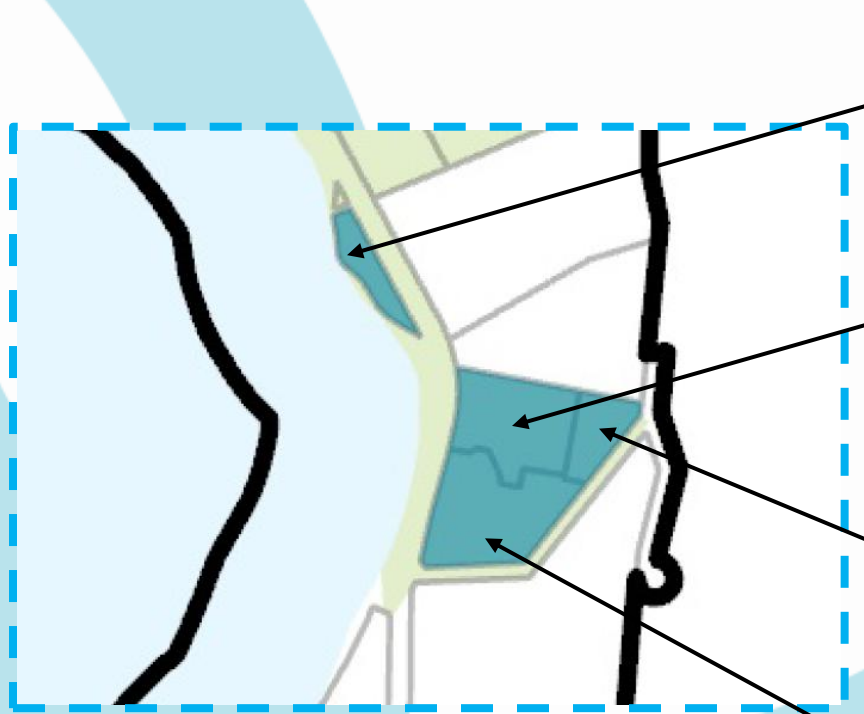
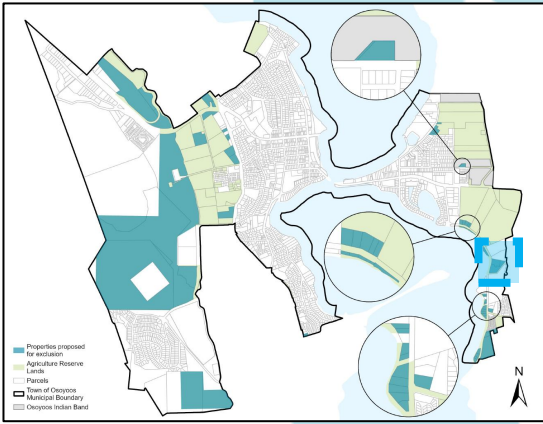
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Civic Address: 5223, 5225, 5227, 5229, 5231 Lakeshore Drive
OCP Designation: Low Density Residential (LR)
Zoning Designation: Small-Scale Multi-Unit Residential (RS1)
Current Use: Residential and Lakefront

Civic Address: N/A
OCP Designation: Low Density Residential (LR)
Zoning Designation: Small-Scale Multi-Unit Residential (RS1)
Current Use: Lakefront

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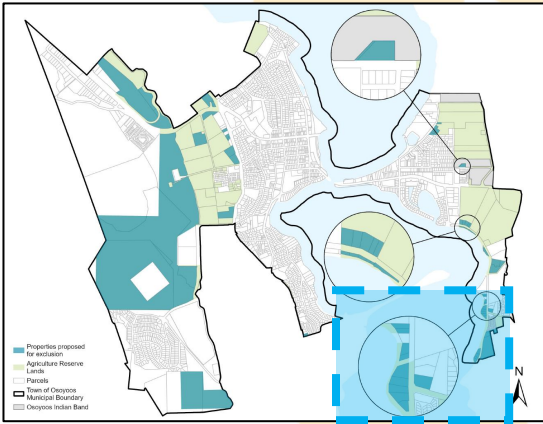
Civic Address: N/A
OCP Designation: Tourist Commercial (TC)
Zoning Designation: Campground Commercial (CT2)
Current Use: Lakefront

Civic Address: 4413 Lakeshore Drive
OCP Designation: Tourist Commercial (TC)
Zoning Designation: Medium Density Residential One (RM1)
Current Use: Vacant

Civic Address: 4610 44th Avenue
OCP Designation: Low Density Residential (LR)
Zoning Designation: Small-Scale Multi-Unit Residential (RS1)
Current Use: Residential

Civic Address: 4300 44th Avenue
OCP Designation: Tourist Commercial (TC)
Zoning Designation: Resort Commercial (CT4)
Current Use: Resort Residential

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Civic Address: 3404, 3408, 3604, 3612, 3804, 3808, 3818 & 3820 Lakeshore Drive

OCP Designation: Low Density Residential (LR)

Zoning Designation: Small-Scale Multi-Unit Residential (RS1)

Current Use: Residential

Civic Address: 3013 Lakeshore Drive

OCP Designation: Low Density Residential (LR)

Zoning Designation: Tourist Commercial (CT1)

Current Use: Residential

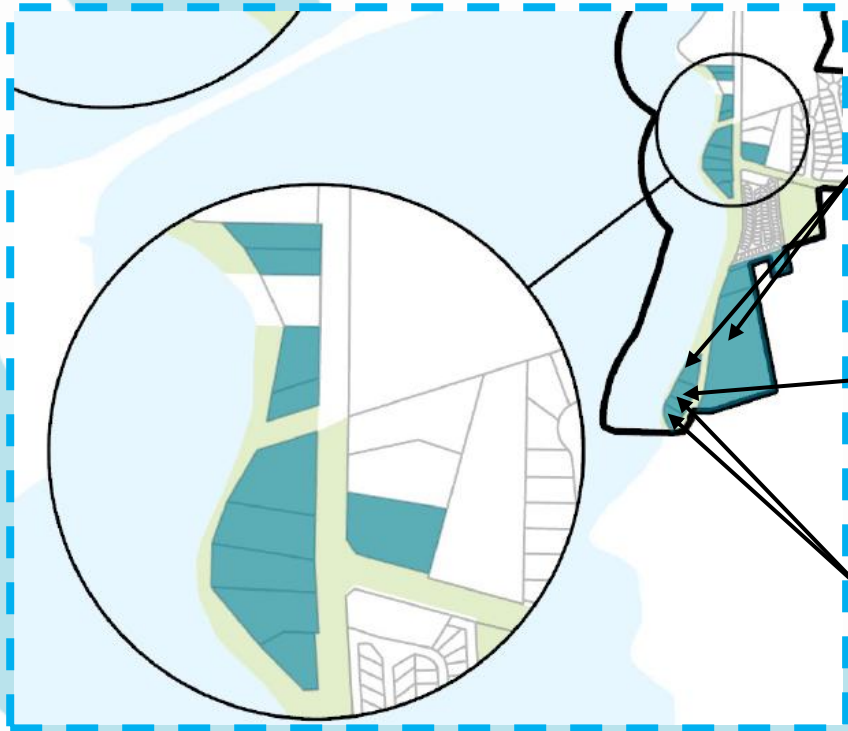
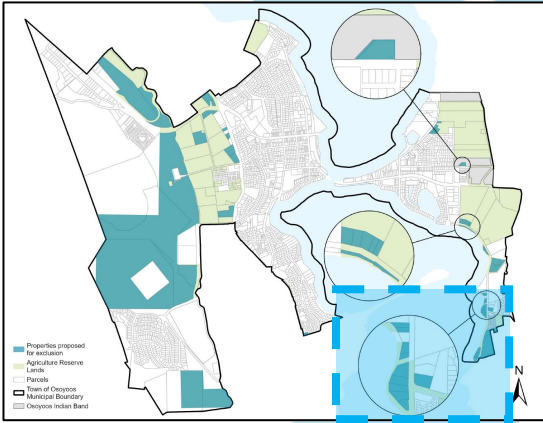
Civic Address: N/A

OCP Designation: Tourist Commercial (TC)

Zoning Designation: Campground Commercial (CT2)

Current Use: Campground

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Civic Address: 2615 Lakeshore Drive
OCP Designation: Tourist Commercial (TC)
Zoning Designation: Campground Commercial (CT2)
Current Use: Campground and Lakefront

Civic Address: 2418 Lakeshore Drive
OCP Designation: Medium Density Residential (MR)
Zoning Designation: Resort Commercial (CT4)
Current Use: Resort Residential

Civic Address: 2412 & 2414 Lakeshore Drive
OCP Designation: Low Density Residential (LR)
Zoning Designation: Small-Scale Multi-Unit Residential (RS1)
Current Use: Residential



Considerations

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Considerations

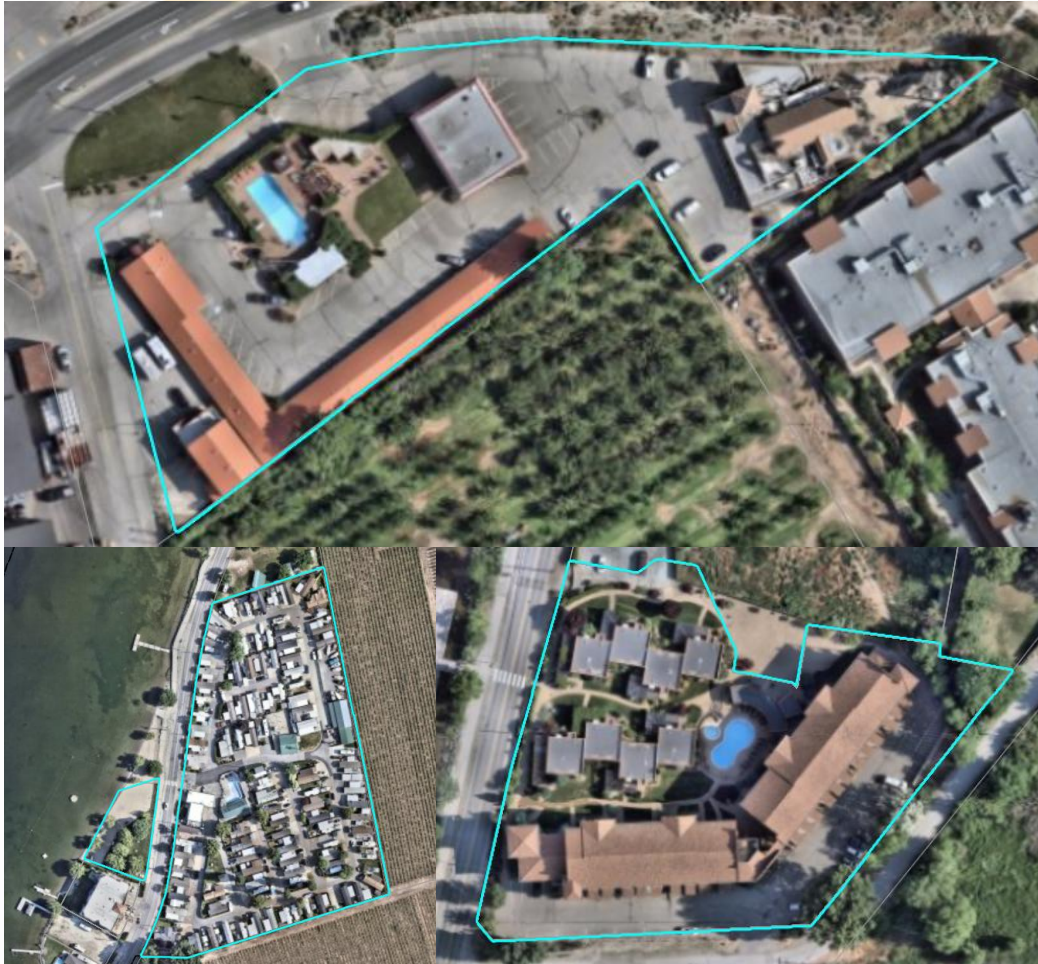
- The Town of Osoyoos OCP Bylaw No. 1375, 2021 supports the ALC's mandate to preserve agricultural land and encourage farming within the ALR.
- Supports the use of land designated as Agriculture (AG) for agricultural purposes.
- Exclusions not supported except where:
 - Transportation connections are required;
 - ALR parcels less than 0.8 ha (2 acres) in size being used for non-farm purposes that were issued title on or before the establishment of the ALR

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Considerations

- Though the proposal is not clearly consistent with either of the two criteria for exclusion support, the proposed exclusion would be consistent with the non-agricultural designations which apply to the properties.

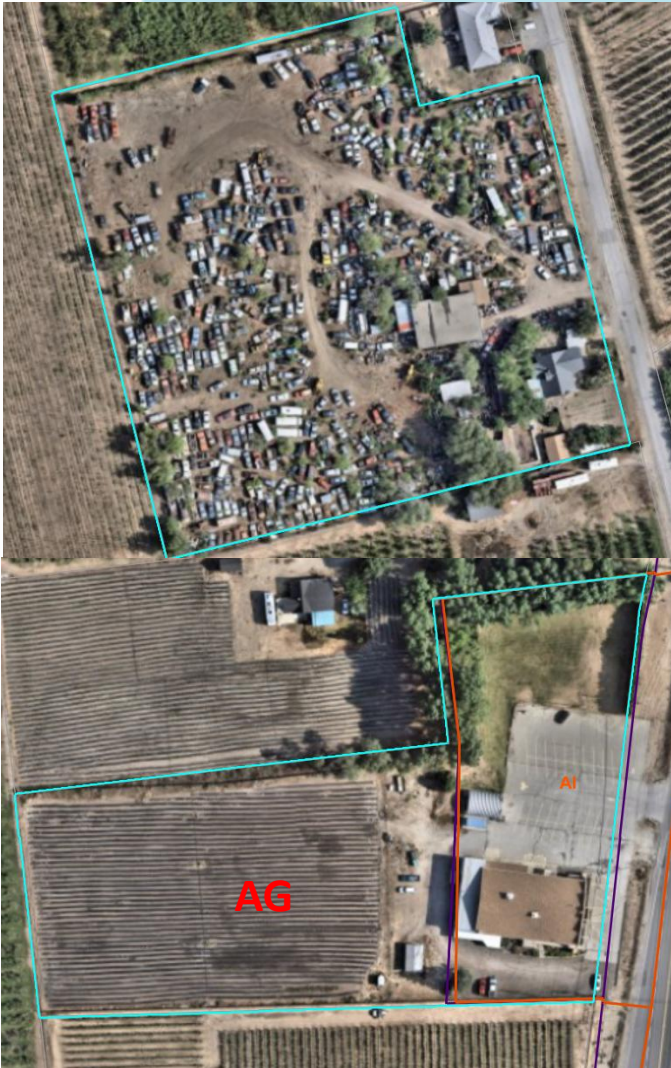
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Considerations

- The subject properties generally consist of lands that:
 - Have non-agricultural land use designations under the OCP;
 - Have historically not been used for agricultural purposes.
- The historical and existing development and use of these properties make it unlikely for the lands to be reverted to agricultural uses.

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Considerations

- Some properties are currently entirely or partially designated Agriculture (AG), but are not being used for agricultural purposes.
- 6210 Highway 97; Osoyoos Baptist Church – partially designated/zoned AG, appears to be used for agricultural purposes on AG portion.
 - If excluded, the property may continue to be used for agricultural activities on the AG portion

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Next Steps

- If Council supports the proposal and initiates the exclusion application, the Town would need to work through the following steps:
 1. Schedule, notify, and undertake a public hearing in accordance with the *ALC Act* and regulations.
 2. Following the public hearing, Council would need to consider whether to submit an exclusion application to the ALC.
 3. If Council resolves to submit an exclusion application, staff would work with the ALC to progress the application (e.g., attend exclusion meeting).
 4. If the exclusion is approved, conditions may need to be met prior to the approval being actioned.

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Implications

- The exclusion application, including the \$750 application fee and required notification (i.e., newspaper ads, signage, etc.) for the public hearing, would incur a minimum cost of approximately \$4,250.00.
 - This cost does not include staff time.

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Options

1. THAT an application to the Agricultural Land Commission (ALC) to exclude 62 non-agricultural parcels from the Agricultural Land Reserve (ALR), be initiated.
AND THAT staff give notice of the application in accordance with s. 29(2)(a) of the *Agricultural Land Commission Act* and s. 15 of the *Agricultural Land Reserve General Regulation*;
AND THAT a public hearing be scheduled in accordance with s. 29(2)(b) of the *Agricultural Land Commission Act* for February 10, 2026;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT the proposed application to the Agricultural Land Commission (ALC) to exclude 62 non-agricultural parcels from the Agricultural Land Reserve (ALR), not be initiated