

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** January 5, 2023

**RE:** Proposed Town of Osoyoos Boundary Expansion – 62nd Avenue and Highway 3

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### **Administrative Recommendation:**

**THAT the Ministry of Municipal Affairs be advised that the Regional District has no objection to the Town of Osoyoos proposed annexation of the properties at 4295 & 4303 Highway 3, subject to the properties not being included in the “Growth Containment Area” in the Town of Osoyoos Official Community Plan Bylaw.**

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### **Purpose:**

The Regional District has received a request from the Local Government Division of the Ministry of Municipal Affairs as well as the Town of Osoyoos for our comment on an amended municipal boundary extension proposal.

Specifically, it is being proposed to incorporate two (2) parcels situated on the south side of the intersection of Highway 3 and 62<sup>nd</sup> Avenue into the Town of Osoyoos:

- 4295 Highway 3 (Lot 1, Plan KAP3027, District Lot 43, SDYD, Except Plan 26614 34660 H95); and
- 4303 Highway 3 (Lot A, Plan KAP34660, District Lot 43, SDYD).

It is understood that the property owners petitioning the Town for inclusion within its boundaries are interested in accessing municipal water and, in future, additional services.

### **Site Context:**

The subject properties are situated on the south side of the intersection of Highway 3 and 62<sup>nd</sup> Avenue, and are adjacent to Town of Osoyoos’s municipal boundary and represent a combined land area of approximately 6.1 ha.

The properties are primarily used for agriculture, greenhouses, packing and storage, and some ancillary structures and residences. The surrounding pattern of development is characterised by similar agriculture uses.

### **Background:**

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, a stated objective includes “protect the agricultural land base” (1-D) with a supporting policy being “support urban growth boundaries that are consistent with the Agricultural Land Reserve boundaries” (1D-7).

Under the Electoral Area “A” Official Community Plan (OCP) No. 2905, 2021, the properties are currently designated as Agriculture (AG), an objective of which is to “protect the agricultural land base of the Plan Area ...”

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Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, both properties are zoned Agriculture One (AG1), which generally limits use to agricultural and related operations.

The Regional District does not operate any water, sewer or street lighting services in this area, but does provide curbside pick-up to the parcels, while the Town of Osoyoos Fire Department provide emergency response.

Both properties are also within the Agricultural Land Reserve (ALR) and have been classed as part “residential” (O1) with the property at 4305 Highway 3 classed as part Farm (Class O9) and the property at 4295 Highway 3 classed as part Business and Other (Class O6).

Under the Town of Osoyoos OCP Bylaw No. 1375, 2021, both of the subject properties are located outside of the Town’s Growth Containment Boundary (Map 1).

**Board Consideration:**

At its meeting of February 17, 2022, the Board considered a proposal to extend the Town of Osoyoos boundary to include four (4) separate parcels and resolved:

*THAT the Ministry of Municipal Affairs be advised that the Regional District has no objection to the Town of Osoyoos proposed annexation of the properties at 4270, 4295 & 4303 Highway 3 and 4275 62<sup>nd</sup> Avenue, subject to the properties being excluded from the “Growth Containment Area” in the Town of Osoyoos Official Community Plan Bylaw.*

At its meeting of October 11, 2022, the Town of Osoyoos Council resolved to amend the proposal by removing the properties at 4280 Highway 3 and 4275 Highway 3 on the basis that they fall within the Osoyoos Irrigation District service area.

In a letter dated December 1, 2022, the Ministry advised the Town that “RDOS staff must bring this proposed Extension forward for Regional District Board consideration and provide a Board resolution.”

On December 19, 2022, Town of Osoyoos staff formally requested that the Regional District Board consider the amended boundary extension proposal.

**Analysis:**

The Regional Growth Strategy generally speaks to preserving lands in the Agricultural Land Reserve (ALR) for long-term agricultural uses and focusing the provision of services within designated Primary and Rural Growth Areas.

In this instance, the subject properties are not within a designated Primary or Rural Growth Area and the extension of urban services to the subject properties (e.g. water and “additional services” in future) may create speculative expectations that these lands will eventually be made available for non-agricultural development.

Conversely, it is recognized that a number of parcels in the ALR are already situated within the Town’s boundaries and that these have generally been excluded from the Town’s “Growth Containment Area” under its OCP Bylaw.

It is generally recognized that when a parcel petitioning to receive services such as water and/or sewer from a member municipality should be included within the boundaries of that municipality (with an exception for agricultural irrigation water services).

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**Alternatives:**

1. THAT the Ministry of Municipal Affairs be advised that the Regional District objects to the proposed annexation of the properties at 4295 & 4303 Highway 3.

**Respectfully submitted**

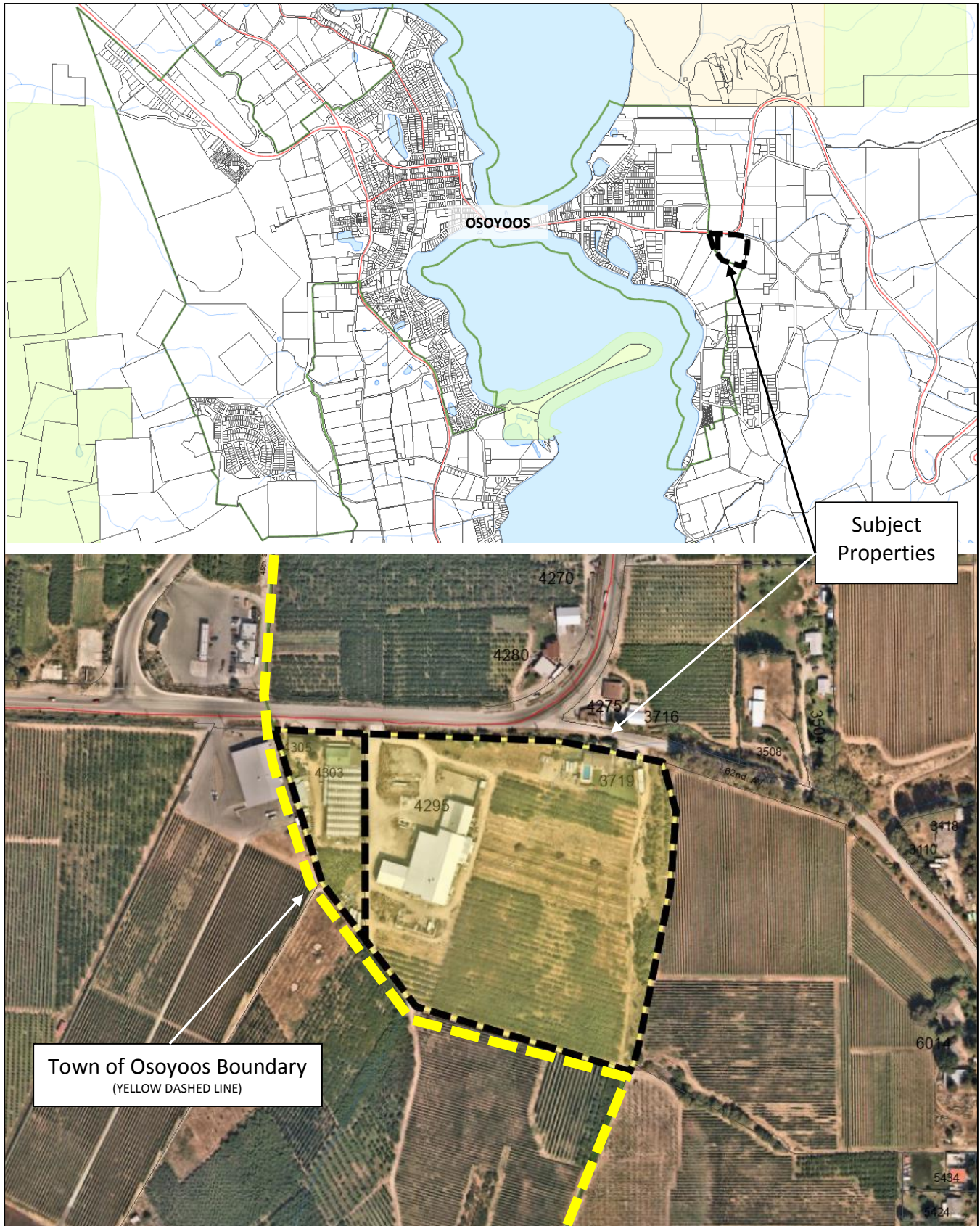


C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

No. 2 – Site Photos (Google Streetview – 2018)

Attachment No. 1 – Context Maps





Attachment No. 2 – Site Photos (Google Streetview – 2018)



4305 Highway 3



4295 Highway 3