

To: Mayor and Council
From: Paul Gipps, CAO

Meeting Date: July 8, 2025
Meeting Type: Regular Council Meeting

Prepared by: Carie Liefke, Manager of Current Planning
Department: Planning and Development

Title: Copper Hill OCP and Zoning Bylaw Amendments | OCP00062 & Z0000253 | Copper Hill
Description: Copper Hill Land Use Changes Proposed for Residential, Light Industrial and Park Purposes – Consideration of 2nd Reading

RECOMMENDATION

THAT Official Community Plan Amendment (OCP00062) Bylaw 1284, 2025, as amended, be considered in conjunction with the District's financial plan and waste management plan;
AND THAT Official Community Plan Amendment (OCP00062) Bylaw 1284, 2025 be read a second time, as amended;
AND THAT Zoning Amendment (Z0000253) Bylaw 1285, 2025 be read a second time, as amended;
AND THAT prior to adoption of Zoning Amendment (Z0000253) Bylaw 1285, 2025 and OCP Amendment (OCP00062) Bylaw 1284, 2025, the applicant be required to:

1. construct the emergency egress route through the subject property (PID 013-537-270), from Sherman Drive to the McCarthy Road extension, and enter into an agreement to make such route open and available to the District and the public prior to adoption of the above noted bylaws and prior to being dedicated as a road right of way; and
2. enter into an agreement with the District, establishing that:
 - a) the egress route is to be fully constructed and dedicated to the District prior to the first building in CD-16 Area B and/or Area C being occupied;
 - b) the applicant will transfer approximately 1.8 ha (4.4 acres) of land (as shown on Attachment F to the Report to Council dated July 8, 2025) to the District for institutional purposes; and
 - c) the applicant will transfer undevelopable land (as shown on Attachment F to the Report to Council dated July 8, 2025) to the District for park conservation purposes.

EXECUTIVE SUMMARY

A request to amend the Official Community Plan and Zoning Bylaw has been requested for lands located south of the existing Clearwater-Copper Hill neighbourhood and north of the City of Kelowna Boundary. The proposed amendments would allow the subject lands to be used for residential, light industrial, open space and institutional uses. Development of these lands would result in significant benefit to the community, with the construction of a much-needed collector road and emergency egress, and dedication of lands to the District for park and institutional uses.

District staff are supportive of the proposed development as it integrates into the existing terrain and would benefit the area and contribute to the community at large.

BACKGROUND

Application Information			
Application Type	Official Community Plan and Zoning Bylaw Amendment	Application Date:	
Applicant:	Eldorado Ranch Ltd	Owner:	Eldorado Ranch Ltd
Application Description	Request to amend the Official Community Plan future land use designations, and amend the Zoning Bylaw to facilitate residential, industrial and institutional uses on the subject property.		

Property Information: General	
Folio/Roll #:	a portion of Roll # 02392.001
Legal Description	THE EAST 1/2 OF THE WEST 1/2 OF SECTION 11 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLANS 19644 KAP44270, KAP67056, KAP77161, KAP79528 AND KAP82523
PID	013-537-270
Civic Address:	Unassigned (Sherman Drive / Copper Hill Road)
Property Information: Land Use	
OCP Designation (current):	Urban Residential, Industrial, Parkland & Conservation
Zoning Designation (current):	RU1 – Small-Scale Multiple Housing
ALR:	n/a
Parcel Size:	~ 25 hectares / ~62 acres
Development Permit Areas:	Agricultural, Natural Environment, Stability / Drainage / Erosion Hazard

Adjacent Land Summary:	Zoning:	Use:
<i>North:</i>	P2 – Administration, Public Service & Assembly RU1 – Small-Scale Multiple Housing	Peter Greer Elementary School Residential
<i>East:</i>	A1 – Agriculture 1	Agricultural grazing
<i>South:</i>	P4 – Utilities Industrial (City of Kelowna Boundary)	DLC Treatment Plan Industrial
<i>West:</i>	A1 – Agriculture 1	Agricultural grazing, tree fruits

Property Information: Infrastructure and Development Engineering	
Road Network	Collector (Sherman Drive extension) and local road classifications
Driveway Access	Will be reviewed as part of future development applications
Water Supply:	Municipal (Okanagan/Beaver Lake source)
Sewer:	Municipal
Drainage / Stormwater	Will be reviewed as part of future subdivision applications
Comments:	As part of future development, permanent access/egress will be provided by extending Sherman Drive to McCarthy Road.

ANALYSISBackground

The subject property (Attachment A), located at the south end of Sherman Drive, is approximately 25 hectares in size. It is proposed that the land would be used for residential, industrial, institutional, and conservation park land. The proposed development would allow the long-awaited second egress from the Clearwater-Copper Hill neighbourhood to McCarthy Road (Attachment B, Map 1); the developer would be responsible for constructing the road through the subject property to the eastern boundary of Lot D Plan 457 McCarthy Road, and the District intends to finish the connection through to McCarthy Road. Both park and institutional lands would be dedicated to the District for community purposes.

To facilitate this proposal, an amendment to the Official Community Plan (OCP) and the Zoning Bylaw have been proposed. The application was first reviewed by Council on June 17, 2025, where Council granted both bylaws first reading (resolution # 2025-06-137).

The proposal has now been referred to both internal departments and external agencies for their review and comment. Based on input from the referral department/agencies, several amendments to the proposal have occurred, as described below.

Official Community Plan

The OCP currently identifies the property as being located within the Urban Containment Boundary, and the Future Land Use map designates the lands for urban residential, industrial, and park and open space use.

The proposed amendment to the OCP includes:

- a) adding the Institutional designation in the south-east corner of the subject proper, and
- b) realigning the industrial, residential, and park designation boundaries based on current topographical analysis of the land, and to reduce foreseeable land use conflicts and increase the industrial land area within the community

A comparison on the existing and proposed OCP designations are included as Attachment B Map 2. The proposed land use designation amendments included in Bylaw 1284, 2025 (Attachment C) would be consistent with OCP policies.

Zoning Bylaw

Zoning Bylaw #561, 2007 currently designates the entirety of the subject property as 'RU1 – Small Scale Multiple Housing'. With the current zone of RU1, the land owner currently had development rights to develop the entire property with single dwelling housing (up to 500 lots) and small-scale multi-unit housing (up to 2000 units).

The landowner has requested an amendment to the zoning bylaw to allow the OCP and zoning of the lands to be consistent. This would reduce the potential for residential (80 lots proposed / ~5 ha), increase the potential for industrial (~11 ha / 27 acres), plus provide for institutional lands (~1.8 ha / 4.4 acres) and park conservation lands (~7 ha / 17 acres). A comparison of the existing and proposed zone areas are included as Attachment B Map 3.

Zoning Amendment Bylaw 1285, 2025 was granted first reading on June 17, 2025. Based on referral reviews, it is proposed that the bylaw should be amended as follows:

- a) change the proposed park zone from P1 – Public Park and Open Space to P5 – Conservation Area, to better reflect the intended use of the land,
- b) correct the use of 'fueling stations' to read as 'gas bars', to be consistent with current bylaw nomenclature,
- c) reorder the use tables to allow for alphabetical order.

These amendments have been incorporated into the bylaw (Attachment D); a redlined copy of the bylaw showing the proposed changes are included as Attachment E.

Concern was raised about having I3 – Heavy Industrial uses within the CD-16 industrial area. As shown in Table 1, industrial uses that are in both the I1 – General Industrial and the I3 – Heavy Industrial have been included in the CD-16 zone; if a use was only listed in the I3 zone, then it was not included in the CD zone.

Table 1: Zone Comparison - CD-16 vs I1 & I3

Use	Proposed CD-16	I1	I3
breweries and distilleries, major	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
bulk fuel depots	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
cannabis production	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
general industrial uses	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
outdoor storage	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
recycled materials drop-off centres	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
recycling depots	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
vehicle and equipment services, industrial	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
medical marihuana production	-	✓ <input type="checkbox"/>	✓ <input type="checkbox"/>
recycling plants	-	-	✓ <input type="checkbox"/>
utility services, major impact	-	-	✓ <input type="checkbox"/>
wrecking yards	-	-	✓ <input type="checkbox"/>

The CD-16 industrial area uses permitted are a blend of the C10 – Service Commercial zone and I1 – General Industrial zone.

The proposed zoning amendments would be consistent with OCP policies and the proposed OCP future land use designations.

Servicing and Infrastructure

The proposed development would be fully serviced by municipal infrastructure. Installation of all required municipal infrastructure would occur during the subdivision process and would adhere to Subdivision and Development Servicing Bylaw 1121, 2020 (unless otherwise varied by Council).

The proposed new access road to the Clearwater-Copper Hill subdivision (Attachment B Map 1) would be upgraded incrementally throughout the development of the lands. Initially the access would be upgraded to a passable standard to be used for emergency egress of the neighbourhood and by the developer for construction traffic, thereby limiting construction traffic through the existing neighbourhood. During this initial stage, the egress route would have a lockable gate at both ends to allow District staff and the developer to manage usage. The road would open to the community on a permanent basis once construction traffic has reduced, full construction of the road has been completed and prior to the first building in CD-16 Area B or C being occupied. The final location and configuration of the permanent road will be determined through the subdivision review and approval process.

To prepare the property for subdivision (site grading, infrastructure installation, etc.) the developer intends to blast and move materials (soil, rock, etc.) around the site. Part of these works would occur within a portion of the area proposed as park (Attachment B, Map 4); any disturbed areas within the park zone would be restored by the developer based on a professional restoration plan. To help limit disturbance to nearby residents, the developer has indicated work in areas directly adjacent to homes is likely to be limited to the hours of 7am to 6pm, though the the Nuisance Bylaw 857, 2013 would permit noise between 7am and 9pm unless authorization has been granted otherwise. Staff are supportive of works in this area as it would help reduce potential impacts to existing road infrastructure and existing residents.

Waste Management Plan

The proposed development of the subject property would not impact the districts waste management plans as this proposal was previously envisioned and therefore is already included in the District's waste management plans. In addition, the proposal includes the dedication of land which could be made available for expansion to the wastewater treatment plant.

FINANCIAL IMPLICATIONS

☐ None ☐ Budget Previously Approved ☒ Other (see below)

The proposal would result in additional taxation revenue for the District due to the residential and industrial uses proposed. While the development would provide the District with additional assets (new roads, infrastructure, parkland), the additional taxation would more than offset the costs of maintaining the assets. This development would generate more revenue than costs for the District of Lake Country.

COMMUNICATION

- This application has reviewed by staff and various referral agencies.
- Newspaper advertisement, surrounding property owner letters, and the posting of development signs on the property have occurred in accordance with Development Approval Procedures Bylaw 1227, 2024.

ALTERNATE RESOLUTION OPTION(S)

1. THAT Official Community Plan Amendment (OCP00062) Bylaw 1284, 2025 be considered in conjunction with the District's financial plan and waste management plan;
AND THAT Official Community Plan Amendment (OCP00062) Bylaw 1284, 2025 be read a second time subject to conditions as identified by Council;
AND THAT Zoning Amendment (Z0000253) Bylaw 1285, 2025 be read a second time, subject to conditions as identified by Council;
2. THAT Official Community Plan Amendment (OCP00062) Bylaw 1284, 2025 not be considered in conjunction with the District's financial plan and waste management plan, not be read a second time, and the file be closed;
THAT Zoning Amendment (Z0000253) Bylaw 1285, 2025 25 not be read a second time, and the file be closed.
3. THAT Official Community Plan Amendment (OCP00062) Bylaw 1284, 2025 be deferred pending additional information identified by Council;
THAT Zoning Amendment (Z0000253) Bylaw 1285, 2025 be deferred pending additional information identified by Council.

Respectfully Submitted,
Carie Liefke, Manager of Current Planning

Report Approval Details

Document Title:	OCP00062 Z0000253 Copper Hill Land Use – 2 nd reading proposed.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A – OCP00062 Z0000253 – Property Maps.pdf - Attachment B – OCP00062 Z0000253 – Land Maps.pdf - Attachment C – OCP00062 – Bylaw 1284 for 2nd clean and redline.pdf - Attachment D – Z0000253 – Bylaw 1285 for 2nd – clean.pdf - Attachment E – Z0000253 – Bylaw 1285 for 2nd – redline.pdf - Attachment F – OCP00062 Z0000253 – Dedication
Final Approval Date:	Jul 3, 2025

This report and all of its attachments were approved and signed as outlined below:

Steven Gubbels, Development Engineering Manager – Jul 2, 2025 – 10:37AM

Jeremy Frick, Director of Development Approvals - Jul 3, 2025 – 8:19 AM

Reyna Seabrook, Director of Corporate Services – Jul 3, 2025 – 1:30 PM

Paul Gipps, Chief Administrative Officer - Jul 3, 2025 – 3:50 PM

Makayla Ablitt, Legislative & FOI Coordinator - Jul 3, 2025 – 3:52 PM