

**To:** Mayor and Council  
**From:** Paul Gipps, CAO

**Meeting Date:** February 4, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Paul Gipps, Chief Administrative Officer  
**Department:** Planning and Development

**Title:** OCP and Zoning Bylaw 1249 & 1250 | OPZ00003 | O'Rourke Family Vineyard  
**Description:** Consideration following 3rd reading.

**RECOMMENDATION**

THAT Official Community Plan Amendment (OPZ00003) Bylaw 1249, 2024 be adopted;  
AND THAT Zoning Amendment (OPZ00003) Bylaw 1250, 2024 be adopted with the condition that the Applicant be required to provide:

- a) Park and trail improvements works including widening the access drive to accommodate two-way traffic, and grading and surface improvements to facilitate parking for the Spion Kop trail head located near the District Reservoir at Raven Ridge; or
- b) Land dedication from Lot 1 Plan EPP141228 (PID 032-401-914) to facilitate access to crown land.

**SUMMARY**

O'Rourke Family Vineyard proposes to develop a vineyard, winery, amphitheater/event center, restaurants, tourist accommodation units, and residential uses on the subject properties (Figure 1).

Under the current zoning of A1 for CD zone Areas A and B (Figure 2) the operation of the winery, outdoor events up to 500, restaurant (limited size), tastings, agriculture extensive, accessory buildings, additional dwelling unit, retail sales of products produced, seasonal accommodation for farm help, heli pad and associated secondary uses are permitted.

In CD zone Area C (Figure 2) the operation of the wine storage and other agriculture extensive uses are currently permitted.

The proposed development by Orouke Family vineyard is looking to add additional uses, beyond what is currently permitted in the A1, RR1 and RR2 zones, under the CD 13 zone by allowing the following additional uses:

Area A

- Event Center, Spectator Entertainment Establishment, Amphitheatre,
- Food and Liquor Primary Establishment (i.e. increased restaurant size)
- Retail Convenience and Liquor Store

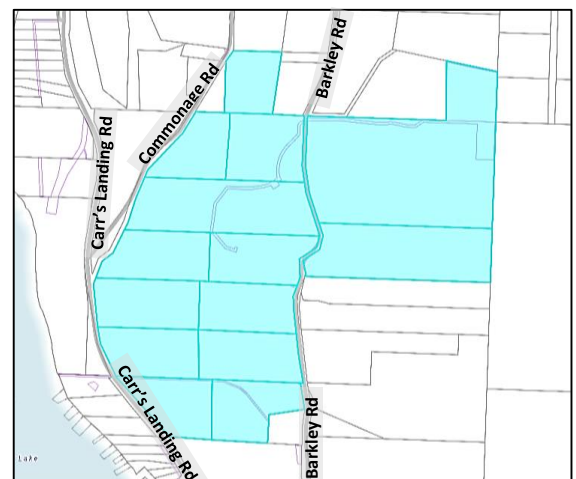


Figure 1: Subject Properties

- Winery Tourist Accommodation

Area B

- Outdoor Storage
- Winery Tourist Accommodation

Area C

- Children’s Camp,
- Agri-Tourism
- Employee Housing
- Outdoor Storage

Therefore Council’s consideration regarding the OCP and Zoning Bylaws (Attachments A and B) is for the additional incremental uses that are identified in the CD13 zone.

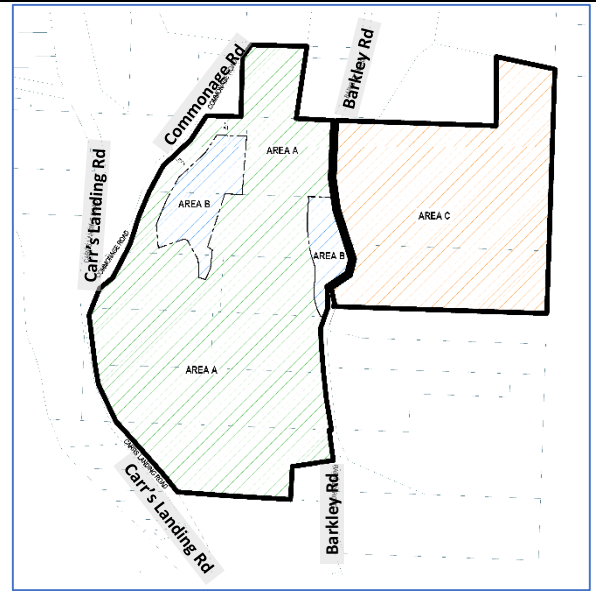


Figure 2: CD Zone Areas

**KEY DATES**

Date	Event
November 19, 2024	<ul style="list-style-type: none"> <li>• First reading to OCP Amendment Bylaw 1249, 2024 and Zoning Amendment Bylaw 1250, 2024</li> </ul>
December 17, 2024	<ul style="list-style-type: none"> <li>• Second reading to OCP Amendment Bylaw 1249, 2024 and Zoning Amendment Bylaw 1250, 2024</li> </ul>
January 21, 2025	<ul style="list-style-type: none"> <li>• Public Hearing held for OCP Amendment Bylaw 1249, 2024 and Zoning Amendment Bylaw 1250, 2024</li> <li>• Third reading to OCP Amendment Bylaw 1249, 2024 and Zoning Amendment Bylaw 1250, 2024</li> </ul>

Application Information			
Application Type	OCP Amendment / Rezoning Application		Application Date: 2020-07-17
Properties	Folio/Roll #	PID & Legal Description	Civic Address:
1	1747085	012-273-660; LOT 17 SECTION 5 TWP 14 ODYD PLAN 525	15150 Barkley Rd
2	1747090	012-273-716; LOT 18 SECTION 5 TWP 14 ODYD PLAN 525	Barkley Rd
3	1747110	012-273-791; LOT 22 SECTION 5 TWP ODYD PLAN 525	15251 Commonage Rd
4	1747115	012-273-813; LOT 23 SECTION 5 TWP 14 ODYD PLAN 525	15155 Carrs Landing Rd
5	1747120	012-273-856; LOT 24 SECTION 5 TWP 14 ODYD PLAN 525	Carrs Landing Rd
6	1747125	012-273-864; LOT 25 SECTION 5 TWP 14 ODYD PLAN 525	14985 Carrs Landing Rd
7	1747097	029-287-634; LOT B SECTION 5 TWP 14 ODYD PLAN EPP34669	Barkley Rd
8	Not yet assigned	032-401-906; LOT A SECTIONS 5 AND 8 TOWNSHIP 14 OSOYOOS DIVISION YALE DISTRICT PLAN EPP141227	15595 Commonage Rd
9	Not yet assigned	032-401-914; Lot 1 Sections 5 and 8 Township 14 Osoyoos Division Yale District Plan EPP141228	15445 Barkley Rd
A	<del>1747070</del>	<del>012-273-601; LOT 14 SECTION 5 TWP 14 ODYD PLAN 525</del>	<del>15474 Barkley Rd</del>
B	<del>1747080</del>	<del>012-273-651; LOT 16 SECTION 5 TWP 14 ODYD PLAN 525</del>	<del>15240 Barkley Rd</del>
C	<del>1747100</del>	<del>012-273-759; LOT 20 SECTION 5 TWP 14 ODYD PLAN 525</del>	<del>15495 Commonage Rd</del>
D	<del>1758030</del>	<del>003-064-549; LOT 14 SECTION 8 TWP 14 ODYD PLAN 712</del>	<del>Commonage Rd</del>
E	<del>1747130</del>	<del>030-634-211; LOT A SECTION 5 TWP 14 ODYD PLAN EPP87503</del>	<del>15362 Barkley Rd</del>
F	<del>1747015</del>	<del>012-273-465; LOT 3 SECTION 5 TWP 14 ODYD PLAN 525</del>	<del>15255 Barkley Rd</del>
G	<del>1758012</del>	<del>030-665-809; LOT B SECTIONS 5 AND 8 TWP 14 ODYD PLAN EPP88444</del>	<del>15445 Barkley Rd</del>

Property Information	
<b>OCP Designation:</b> current	Agricultural and Rural Residential
proposed	Agricultural
<b>Zoning Designation:</b> current	A1 – Agriculture 1, RR1 – Rural Residential 1 and RR2 – Rural Residential 2
proposed	CD13 – Comprehensive Development 13 (O’Rourke Family Vineyard)
<b>Parcel Size:</b>	82.3 hectares (203.78 acres)
<b>Development Permit Areas:</b>	Agricultural, Wildland Fire, Natural Environment, Commercial, Industrial, and Multi-Unit DP Areas
<b>Water Supply:</b>	Private
<b>Sewer:</b>	Private

## DISCUSSION

Following the public hearing during the regular meeting (January 21, 2025) Council considered and moved third reading of the attached bylaws. Council also tasked staff to determine, for Councils consideration, the extent of proposed park improvement work in the Spion Kop area, as well as determine the potential dedication of land for access to lands beyond for eventual access to crown land for recreation values.

### OCP & Mobility Master Plan Context:

- Both documents contain maps indicating future recreation trail connections to the Glacier Glades crown lands from the east (Barkley Road)
- Future trail alignments are conceptual and for planning purposes only - final infrastructure solutions are determined on a case-by-case basis taking into consideration all constraints.

### Constraints/Challenges with Glacier Glades:

- There is 50-100m elevation change over steep, rugged terrain from the nearest public corridor (Barkley Road) to the western boundary of the crown lands
- The crown lands are currently land-locked with private property surrounding all sides
- The crown lands are leased from the Province for agriculture/grazing purposes, held by a private individual
- The crown lands are within the Commonage Land Claim area of OKIB
- Trail network development and associated infrastructure, such as parking lots and washrooms, would be costly to build/maintain and would require additional land acquisition for trailhead/staging area

### Analysis:

- The proposed pedestrian easement at the north boundary of the O’Rourke property would not provide any immediate benefit to the community and is unlikely to provide a long-term solution for access to Glacier Glades due to lack of space for parking, too narrow of a corridor, challenging and steep terrain. For trail network creation to truly be considered at Glacier Glades, at minimum the following steps should be undertaken:
  - An agreement negotiated with the current crown land leaseholder for public access
  - Provincial approvals obtained for trail network construction on crown land, including First Nations consultation/acceptance
  - Land acquisition of a 5+ acre parcel for trailhead/staging area from Barkley Road
  - Significant capital funding for construction of trail network and associated infrastructure, along with ongoing operational funding for maintenance
- The proposed improvements at Raven Ridge Trailhead at the Spion Kop hiking trail network would instead provide an immediate and long-lasting benefit to the community by addressing issues with lack of parking, and impact/nuisance to neighbouring properties. Spion Kop already includes an extensive network of hiking trails, and is supported by the local community group, Walk Around Lake Country (WALC).

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- The contribution of works has a significant financial value in the neighbourhood of approximately \$150,000 of works, equipment and in-kind services. The use of other funds such as reserves and DCC's may be viable however it does come at a cost of other potential park and trail improvements being considered.

#### **RESPONSE TO PUBLIC HEARING COMMENTS**

Please see Attachment C.

#### **ALTERNATE RECOMMENDATIONS**

- A. THAT Official Community Plan Amendment (OPZ00003) Bylaw 1249, 2024 be adopted;  
THAT third reading of Zoning Amendment (OPZ00003) Bylaw 1250, 2024 be rescinded,  
AND THAT Zoning Amendment (OPZ00003) Bylaw 1250, 2024 be amended by adding:  
*(additional requirements as identified by Council)*  
AND THAT Zoning Amendment (OPZ00003) Bylaw 1250, 2024, be read a third time as amended.  
AND FURTHER THAT Zoning Amendment (OPZ00003) Bylaw 1250, 2024, be adopted.
  
- B. THAT first, second and third reading of Official Community Plan Amendment (OPZ00003) Bylaw 1249, 2024 be rescinded and the file be closed;  
THAT first, second and third reading of Zoning Amendment (OPZ00003) Bylaw 1250, 2024 be rescinded and the file be closed.

Respectfully Submitted,

**Paul Gipps, Chief Administrative Officer**

## Report Approval Details

Document Title:	OPZ00003 - Bylaw 1249, 1250 - O'Rourke-Consideration after 3rd.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - OPZ00003 - OCP Amendment (OPZ00003) Bylaw 1249, 2024.pdf</li> <li>- Attachment B - OPZ00003 - Zoning Amendment (OPZ00003) Bylaw 1250, 2024.pdf</li> <li>- Attachment C - OPZ00003 - Summary of PH Questions.pdf</li> </ul>
Final Approval Date:	Jan 31, 2025

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

**Jeremy Frick, Director of Development Approvals - Jan 31, 2025 - 12:30 PM**

**Reyna Seabrook, Director of Corporate Services - Jan 31, 2025 - 2:47 PM**

**Task assigned to Paul Gipps, Chief Administrative Officer was completed by workflow administrator Reyna Seabrook, Director of Corporate Services**

**Paul Gipps, Chief Administrative Officer - Jan 31, 2025 - 2:48 PM**