

August 22, 2025

Reply to the attention of Lindsay McCoubrey  
ALC Planning Review: 46792  
Local Government File: PRO25-07

Amy Robinson  
Deputy Corporate Officer, Town of Osoyoos  
[plan@osoyoos.ca](mailto:plan@osoyoos.ca)

**Re: Bylaw Referral: Bylaw No. 1375.09, 2025**

Thank you for forwarding the Bylaw Referral (the “Referral”) for Bylaw No. 1375.09 (“Bylaw No. 1375.09”) for review and comment by the Agricultural Land Commission (“ALC” or “Commission”). The following comments are provided to help ensure that the Bylaw Referral is consistent with the purposes of the *Agricultural Land Commission* (“ALCA”), the Agricultural Land Reserve (“ALR”) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

In July 2024, ALC staff provided comments to the Town of Osoyoos (the “Town”) on updates to the Bylaw related to the changes to the *Local Government Act* which require the Town to ensure that its land use bylaw comply with the Small-Scale Multi-Unit Housing (“SSMUH”) requirements of Bill 44 (i.e. Phase 1 SSMUH). This Referral is for ‘Phase 2’ of the Town’s updates to meet the statutory requirements as it relates to housing needs reports and SSMUH. The Referral specifically related to the inclusion of housing policies in the Official Community Plan (“OCP”) respecting each class of housing needs required to be addressed in the most recent housing needs report.

[Section 46 of the ALCA](#) requires local governments to ensure their bylaws are consistent with the ALCA, ALR regulations, and any orders of the Commission. Inconsistent bylaws include (but are not limited to) those which allow a use of land in the ALR that is not permitted under the ALCA or contemplate a use of land that would impair or impede the intent of the ALCA. ALC staff provide the following comments to help ensure that the bylaw is consistent with the purposes of the ALCA, ALR regulations, and any previous decisions of the ALC. Please note that ALC staff cannot endorse any inconsistencies – that requires a resolution of the Commission.

---

**Draft OCP Bylaw No.1375.09, 2025****Section 6.B Housing and Our Neighbourhoods &  
Section 9 Implementation “Projects”**

ALC staff generally have no concerns with the Town’s policies to increase the number of housing units. ALC staff encourage residential density on non-ALR lands. Where density may be proposed on ALR land, whether inside or outside of the Urban Containment Boundary, the number or size of residences may not exceed what is permitted in the ALCA and ALR Use Regulation.

For land located within the ALR, the ALCA and ALR Use Regulation permit up to three residential units:

- A principal residence with a total floor area of up to 500 m<sup>2</sup>;
- A secondary suite within that principal residence; and,
- An additional residence with a total floor area of up to 90 m<sup>2</sup> for parcels 40 ha or less, or up to 186 m<sup>2</sup> for parcels larger than 40 ha.

Please note that although SSMUH legislation refers to several different types of possible multi-unit housing; duplexes, triplexes, townhomes, etc. are not permitted in the ALR.

**Previous Referrals**

With respect to agriculture and lands within the ALR, ALC staff encourage continued implementation of the ALC’s previous recommendations outlined in 2021 regarding the Town’s OCP in general, and the ALC’s 2024 referral responses regarding Phase 1 SSMUH amendments to this bylaw. A copy of the September 24, 2021 (46792m1) and the July 29, 2024 (46792m2) letters are attached for your reference.

\*\*\*\*\*

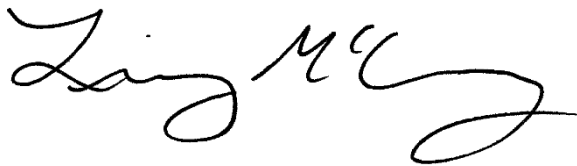
The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the regulations, or any decisions of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and

decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3257 or by e-mail at [ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)).

Yours truly,

A handwritten signature in black ink, appearing to read "Lindsay McCoubrey". The signature is fluid and cursive, with the first name "Lindsay" written in a larger, more prominent script than the last name "McCoubrey".

Lindsay McCoubrey, Policy Planner

Enclosures: 46792m1; 46792m2

CC: Ministry of Agriculture and Food – Attention: Allison Fox

46792m3