



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, October 6, 2016

RDOS Boardroom – 101 Martin Street, Penticton

## SCHEDULE OF MEETINGS

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9:00 am	-	10:00 am	Corporate Services Committee
10:00 am	-	11:00 am	RDOS Board

*~ Lunch will not be served ~*

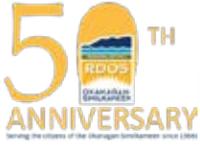
*"Mark Pendergraft"*

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Mark Pendergraft  
RDOS Board Chair

### Advance Notice of Meetings:

October 20	RDOS Board/OSRHD Board/Committee Meetings
November 3	Inaugural RDOS Board Meeting
November 17	Budget Meeting/RDOS Board/OSRHD Board/Committee Meetings
December 1	Budget Meeting/RDOS Board/Committee Meetings
December 2	Budget Meeting
December 8	Budget Meeting (if required)
December 15	RDOS Board/OSRHD Board/Committee Meetings



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, October 6, 2016

9:00 a.m.

## REGULAR AGENDA

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

THAT the Agenda for the Corporate Services Committee Meeting of October 6, 2016 be adopted.

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**B. Electoral Area "D" Governance Study**

Bob Daly, Governance Study Committee Chair, will be in attendance.

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**C. Interior Region Healthy Communities Forum Registration**

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**D. ADJOURNMENT**

## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**SUBJECT:** Electoral Area “D” Governance Study



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**THAT the Regional District of Okanagan Similkameen proceed with an application for a boundary change for Electoral Area “D”; dividing the area into two parts consistent with Official Community Plan Service Areas D1 and D2.**

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### Reference

1. [Electoral Area “D” Governance Study Committee Report](#)
2. [LeftSide Partners Consultants Report](#)

### Background

At UBCM in 2014, the Board met with Minister for Community, Sport and Cultural Development to discuss concerns over the future governance for the residents of Okanagan Falls, and the Minister confirmed support for a governance study process. In the spring of 2015, administration and the Electoral Area Director and Alternate met with Ministry staff to outline the process and guidelines for the study and expanded the scope to include the entire electoral area. The Board endorsed a terms of reference for a governance study committee, and appointed 10 citizens from within that electoral area. A consultant was retained and work began.

The goal of the study was to inform the RDOS Board of Directors of the range of issues that are of greatest concern to citizens in Area “D”, how citizens envision future governance and services provision, and the nature of citizen feedback on proposed future options.

Early in the process, the Committee and the Consultants developed a public engagement strategy which involved a combination of approaches including a webpage, surveys, newsletters, three governance forums (in various communities) and a summary of community input/survey results for the public.

The involvement objectives of the public engagement strategy were to ensure participants had the opportunity to clearly understand the current Area “D” governance and service provision framework and to encourage input that would shape the development of options for future governance and service provision, within the regional district framework.

To ensure that residents in all parts of Electoral Area “D” were provided the information and materials needed to take part in the process, the committee appointed ‘Community Champions’ for each area. The ‘Community Champion’ efforts involve each committee member taking on responsibility for a designated community and/or outlying area, distributing Fact Sheets and surveys, making contacts

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and established themselves as a willing sounding board for any questions or comments from those citizens. The Community Champions spent a significant amount of time talking with different groups in those areas, attending community associations and other meetings to relay the information about the purpose and goals of the study.

### **Analysis**

The Committee concurred with the findings in the consultants' report and included the following recommendations in their report to the Board.

***Boundary Change*** - the committee recommended that the Board consider a boundary change involving Area "D" that creates at least one additional electoral area, and addresses the imbalance of representation, and the diversity of communities encompassed within one electoral area.

Electoral Area "D" has the highest population of the eight electoral areas which range from 1,140 (Electoral Area "B" – Cawston) to Area "D" at 5,717, based on 2011 census data.

While various options were proposed, including a north-south split, adjustments to neighbouring electoral areas, the creation of a separate electoral area for Okanagan Falls and for Apex, the preferred public option was to use the planning division of D1 and D2.

Changes to the boundaries of an electoral area may have significant impacts to neighbouring electoral areas and municipalities, and the Board may want to consider requesting funds for a region wide boundary study to determine the best fit for each of the small outlying areas which have been identified in the governance study such as Upper Carmi and Apex.

Consideration could be given to reviewing the current boundary between Electoral Area "D" and "F" with regard to the Penticton Indian Band.

***Water*** - The committee recommended that a committee be created to facilitate collaboration on water, with a representative from the RDOS, Interior Health Authority, Improvement Districts and private water purveyors.

The Regional District has one small water system within Electoral Area "D" at this time (Sun Valley) and may see a value in partnering in this type of collaborative arrangement. However, improvement/irrigation districts and Interior Health are their own forms of government, each with their own regulations; therefore, the Regional District would not be an overseer.

The consultant's report identified options with respect to improved service delivery which would be achieved simply with the creation of new services or adjustments of existing services. The committee formulated recommendations based on community input and the consultant's report, and these should be explored by staff to ensure feasibility.

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**Fire Services** - *The committee recommended that the Board review fire services to determine options for areas that remain unprotected.*

**Roads** – *the committee recommended that the Board work together with the Ministry of Transport and Infrastructure to identify some key safety projects that are possible in Okanagan Falls and other projects that align with the Revitalization Plan and other community initiatives; and that the Board develop a stronger form of leverage in dealing with the Ministry of Transport and Infrastructure with regard to roads and highways issues throughout Electoral Area “D”.*

**Policing** – *the committee recommended that the Board work toward increasing police presence in Area “D”.*

**Bylaw Enforcement** – *the committee recommended that the Board review ways to improve the levels of bylaw enforcement to address bylaw enforcement issues.*

**Landfill** – *the committee recommended that the Board review the demand for adding weekend hours to the Okanagan Falls landfill.*

**Committees/Commissions** - *the committee recommended that the Board consult with the communities of Okanagan Falls and Apex regarding the feasibility of creating a committee or commission for each of these communities as a tool to provide opportunities for community input, identify local concerns, enhance local control and seek resolution to multi-jurisdictional issues.*

**Communications** – *the committee recommended that the Board focus the Region’s communication efforts to clarify roles, educate residents on what services they receive (and from which agency) and how the residents may influence that process.*

### **Summary**

Administration would like to commend the Electoral Area “D” Governance Committee and Leftside Partners for their tireless efforts to bring awareness of the services and governance to the citizens of Electoral Area “D” and their work in formulating recommendations to the Board. Acknowledgement and thanks are also extended to the citizens of Electoral Area “D” who came out to the open houses, participated in the surveys and attended the monthly meetings of the committee.

### **Alternatives:**

THAT status quo be maintained.

### **Respectfully submitted:**

*“Christy Malden”*

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C. Malden, Manager of Legislative Services

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## Register Now: Interior Region Healthy Communities Forum

### Healthy Communities Partnerships: Moving Upstream for Greater Impact

**Date:** October 27, 2016 (full day session - mark your calendars!)

**Time:** 9:00 - 4:30 pm (Registration starting at 8:30 am)

**Location:** Paddlewheel Hall - 7801 Okanagan Landing Rd, Vernon, BC

This is a free event hosted by [Interior Health](#) and facilitated by [BC Healthy Communities Society](#) on behalf of the [PlanH](#) program.

Space is limited, so please [REGISTER HERE](#)

## Event Details

Interior Health and BC Healthy Communities are pleased to invite you to be part of this exciting forum to take stock of our collective journey towards healthy communities in the region, and to identify key steps for moving forward.

This forum will showcase some of the successes to date of partnerships and collaborations for healthier communities throughout the Interior region, providing inspirational stories and practical tools for addressing key health and well-being challenges together.



Building on the morning's learnings across communities, we invite you to join us for a focused afternoon session on "Climate Change and Human Health: Local Implications and Actions", exploring the links to many important community issues such as healthy built environments, active transportation, food security and more.

# Interior Region Healthy Communities Forum

in partnership with  plan

## Join us to:

**HEAR** the stories behind the successes and learnings from multi-sector partnerships and collaborations across the region.

**LEARN** from various agencies more about the focus theme of "Climate Change and Human Health: Local Implications and Actions", and the links to important healthy communities issues such as healthy built environments, active transportation, and food security.

**EXPLORE** what's possible when local governments, health authorities and community organizations partner for greater impact.

**CONNECT** with others to get innovative ideas and useful resources for your community.

**IDENTIFY** critical next steps for collaborative partnerships towards healthier communities in the region, including how to move further upstream and innovate for even greater impact.

## WHO SHOULD PARTICIPATE?

This forum is open to local government and First Nations staff and elected officials, Interior Health staff and their community partners.

## REGISTER HERE

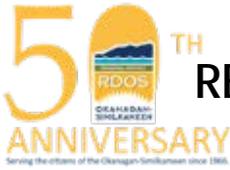
## PRE-REGISTRATION REQUIRED AND SPACE IS LIMITED!

You are being invited to this forum based on your role and involvement as an important partner in collaborative healthy communities work in the Interior region. Note that in order to ensure diverse participation, there are a limited number of forum spots available for different sub-regions and sectors.

Limited **travel subsidies** are available upon request.

For more information, please contact Celeste Zimmer at [celeste@bchealthycommunities.ca](mailto:celeste@bchealthycommunities.ca)

TAKE ACTION 



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BOARD of DIRECTORS MEETING

Thursday, October 6, 2016

10:00 a.m.

## REGULAR AGENDA

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### A. APPROVAL OF AGENDA

**RECOMMENDATION 1** (Unweighted Corporate Vote – Simple Majority)

**THAT** the Agenda for the RDOS Board Meeting of October 6, 2016 be adopted.

#### 1. Consent Agenda – Corporate Issues

##### a. Corporate Services Committee – September 15, 2016

*THAT* the Minutes of the September 15, 2016 Corporate Services Committee be received.

*THAT* the Regional District register to appear before the Finance and Government Services Committee on September 26, 2016 or October 4.

*THAT* the Board of Directors appoint two Directors to participate in the Request for Decision Guidelines Kaizen on October 11, 12, and 13, 2016; and further,

*THAT* the Board of Directors support the inclusion of participants from a Regional District Water Committee, Recreation Commission and Advisory Planning Commission; and further,

*THAT* the Board of Directors support the inclusion of participants from local media in both the October 11, 2016 Kaizen training session and the October 13, 2016 Kaizen outcome presentation.

##### b. Environment and Infrastructure Committee – September 15, 2016

*THAT* the Minutes of the September 15, 2016 Environment and Infrastructure Committee be received.

##### c. Planning and Development Committee – September 15, 2016

*THAT* the Minutes of the September 15, 2016 Planning and Development Committee be received.

##### d. Protective Services Committee – September 15, 2016

*THAT* the Minutes of the September 15, 2016 Protective Services Committee be received.

e. **RDOS Regular Board Meeting – September 15, 2016**

*THAT the minutes of the September 15, 2016 RDOS Regular Board meeting be adopted.*

**RECOMMENDATION 2** (Unweighted Corporate Vote – Simple Majority)

**THAT the Consent Agenda – Corporate Issues be adopted.**

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2. **Consent Agenda – Development Services**

a. **Development Variance Permit Application - Y. Leung, 2760 Winifred Road, Electoral Area "E"**

i. **Permit No. E2016.085-DVP**

*THAT the Board of Directors approve Development Variance Permit No. E2016.085-DVP.*

b. **Development Variance Permit Application – Daydreamer Wines Inc., 1305 Smethurst Road, Electoral Area "E"**

i. **Permit No. E2016.087-DVP**

ii. **Responses Received**

*THAT the Board of Directors approve Development Variance Permit No. E2016.087-DVP.*

c. **Temporary Use Permit Application – J. & E. Reichert, 256 Copper Mountain Road, Electoral Area "H"**

i. **Permit No. H2016.086-TUP**

*THAT the Board of Directors approve Temporary Use Permit No. H2016.086-TUP.*

**RECOMMENDATION 3** (Unweighted Rural Vote – Simple Majority)

**THAT the Consent Agenda – Development Services be adopted.**

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**B. DEVELOPMENT SERVICES – Building Inspection**

1. **Folio H6-01344.000, 1840 Highway 3 (Building Violation)**

**RECOMMENDATION 4** (Unweighted Corporate Vote – Simple Majority)

**THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as District Lot 3954S except Plan H10294, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and further,**

**THAT injunctive action be commenced.**

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**C. DEVELOPMENT SERVICES – Rural Land Use Matters****1. Gallagher Lake Area Plan**

- a. Bylaw No. 2452.16, 2016
- b. Appendix 1 to the Electoral Area “C” Zoning Bylaw No. 2452, 2008
- c. Schedule B – Oliver Rural Official Community Plan Bylaw No. 2452, 2008
- d. Bylaw No. 2453.30, 2016 - Draft
- e. Responses Received

To adopt the Gallagher Lake Area Plan as a component of the Electoral Area “C” Official Community Plan No. 2452, 2008, and to amend the zoning of 8307 Highway 97, which is within the Plan Area, to address an inadvertent zoning change that occurred in 2002.

**RECOMMENDATION 5** (Unweighted Rural Vote – Simple Majority)

**THAT** Bylaw No. 2452.16, 2016, Electoral Area “C” Official Community Plan and Bylaw No. 2453.30, 2016, Electoral Area “C” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing; and further;

**THAT** the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated October 6, 2016, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and further;

**THAT**, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2683, 2016, in conjunction with its Financial and applicable Waste Management Plans.

**RECOMMENDATION 6** (Unweighted Corporate Vote – Simple Majority)

**THAT** the holding of the public hearing be delegated to Director Schafer or delegate; and further;

**THAT** staff schedule the date, time, and place of the public hearing in consultation with Director Schafer; and further;

**THAT** staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

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**D. PUBLIC WORKS****1. Contract Extension Agreement – Collection, Transportation, and Processing of Recyclable Gypsum**

To continue providing the diversion of gypsum from disposal at Regional District administered sanitary landfills.

**RECOMMENDATION 7** (Weighted Corporate Vote – Majority)

**THAT the Board of Directors award a two-year contract extension for the collection, transportation, and processing of recyclable gypsum to Sivan Enterprises Ltd. at a revised rate from \$119.00 per metric tonne to \$124.00 per metric tonne.**

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**2. Establishment of Natural Gas Service for the Husula Highlands Neighborhood – For Information Only**

To establish a service area and borrow money for the provision of installing a natural gas main to residents of Husula Highlands.

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**E. COMMUNITY SERVICES – Recreation Services****1. Naramata Parks & Recreation Commission Rescinding Appointment**

The Board of Directors appoints members to the Recreation Commission a resolution is required to rescind the appointment of members.

**RECOMMENDATION 8** (Unweighted Corporate Vote – Simple Majority)

**THAT the Board of Directors rescind the appointment of Darren Rettie from the Naramata Parks & Recreation Commission; and further,**

**THAT a letter is forwarded to Mr. Rettie thanking him for his contribution.**

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**F. COMMUNITY SERVICES – Rural Projects****1. BC Rural Dividend Fund – Phase 3 Town Centre Revitalization**

To secure Provincial funding for the design focused economic revitalization plan and implementation strategy for Okanagan Falls Town Centre (Phase 3).

**RECOMMENDATION 9** (Unweighted Corporate Vote – Simple Majority)  
**THAT the Board of Directors support the application to the Rural Dividend Funding Program for Phase 3 of the Okanagan Falls Town Centre Revitalization Plan.**

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**G. OFFICE OF THE CAO****1. Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw**

- a. Bylaw No. 2733, 2016
- b. Naramata Fire District Proposed Boundary Extension Map

**RECOMMENDATION 10** (Unweighted Corporate Vote – Simple Majority)  
**THAT Bylaw No. 2733, 2016 Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw be adopted.**

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**2. 2016 UBCM Update – For Information Only**

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**H. CAO REPORTS****1. Verbal Update**

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**I. OTHER BUSINESS****1. Chair's Report**

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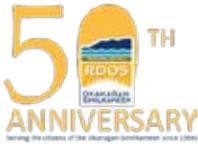
**2. Directors Motions**

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**3. Board Members Verbal Update**

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**J. ADJOURNMENT**



**Minutes are in DRAFT form and are subject  
to change pending approval by Regional District Board**

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### Corporate Services Committee

Thursday, September 15, 2016

10:11 a.m.

## Minutes

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### MEMBERS PRESENT:

Chair M. Pendergraft, Electoral Area "A"  
Director R. Doughty, Alt. Town of Princeton  
Director M. Bauer, Village of Keremeos  
Director T. Boot, District of Summerland  
Director M. Brydon, Electoral Area "F"  
Director G. Bush, Electoral Area "B"  
Director E. Christensen, Electoral Area "G"  
Director B. Coyne, Electoral Area "H"

Director R. Hovanes, Town of Oliver  
Director H. Konanz, City of Penticton  
Director K. Kozakevich, Electoral Area "E"  
Director A. Martin, City of Penticton  
Director C. Rhodes, Alt. Town of Osoyoos  
Director J. Sentes, City of Penticton  
Director T. Schafer, Electoral Area "C"  
Director T. Siddon, Electoral Area "D"  
Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Director F. Armitage, Town of Princeton  
Vice Chair A. Jakubeit, City of Penticton

Director S. McKortoff, Town of Osoyoos

### STAFF PRESENT:

M. Woods, Manager of Community Services  
C. Malden, Manager of Legislative Services

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### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

#### **It was MOVED and SECONDED**

THAT the Agenda for the Corporate Services Committee Meeting of September 15, 2016 be adopted. - **CARRIED**

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### B. PROVINCIAL FINANCE COMMITTEE DELEGATION

To gauge interest in presenting to the Provincial Committee on Finance and Government Services.

#### **RECOMMENDATION 2**

By consensus, the Corporate Services Committee resolved:

THAT the Regional District register to appear before the Finance and Government Services Committee on September 26, 2016 or October 4.

The Committee suggested the following items for discussion with the Provincial Finance and Government Services Committee:

1. Road Maintenance Program for unincorporated rural communities – Ministry of Transportation and Infrastructure has a program for numbered highways, but not for other regional district roads.
  2. Preventative Health Care – We request the Province to fund the Healthy Living Program instead of downloading it to local government.
  3. Infrastructure – We are falling further and further behind in our efforts to maintain utility infrastructure or extend new infrastructure, in sparsely populated areas.
  4. Fire Smart Program
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**C. KAIZEN – REQUEST FOR DECISION GUIDELINES**

1. Board Policy - Decision Making Guidelines

The Board has previously resolved to review the Legislative Structure and the Decision-Making Model annually at their Legislative Workshop.

**RECOMMENDATION 3**

**It was MOVED and SECONDED**

THAT the Board of Directors appoint two Directors to participate in the Request for Decision Guidelines Kaizen on October 11, 12, and 13, 2016; and further,

THAT the Board of Directors support the inclusion of participants from a Regional District Water Committee, Recreation Commission and Advisory Planning Commission; and further,

THAT the Board of Directors support the inclusion of participants from local media in both the October 11, 2016 Kaizen training session and the October 13, 2016 Kaizen outcome presentation.

**CARRIED**

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**D. CLOSED SESSION**

**RECOMMENDATION 4**

**It was MOVED and SECONDED**

THAT in accordance with Section 90(1)(c) of the *Community Charter*, the Board close the meeting to the public on the basis of labour relations or other employee relations.

**CARRIED**

The meeting was closed to the public at 10:23 a.m.

The meeting was opened to the public at 10:35 a.m.

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**E. ADJOURNMENT**

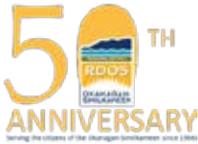
By consensus, the meeting adjourned at 10:35 a.m.

APPROVED:

CERTIFIED CORRECT:

\_\_\_\_\_  
M. Pendergraft  
RDOS Board Chair

\_\_\_\_\_  
B. Newell  
Corporate Officer



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## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### Environment and Infrastructure Committee

Thursday, September 15, 2016

11:11 a.m.

## Minutes

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#### MEMBERS PRESENT:

Chair T. Siddon, Electoral Area "D"

Vice Chair K. Kozakevich, Electoral Area "E"

Director R. Doughty, Alt. Town of Princeton

Director M. Bauer, Village of Keremeos

Director T. Boot, District of Summerland

Director M. Brydon, Electoral Area "F"

Director G. Bush, Electoral Area "B"

Director E. Christensen, Electoral Area "G"

Director B. Coyne, Electoral Area "H"

Director A. Jakubeit, City of Penticton

Director R. Hovanes, Town of Oliver

Director H. Konanz, City of Penticton

Director A. Martin, City of Penticton

Director M. Pendergraft, Electoral Area "A"

Director C. Rhodes, Alt. Town of Osoyoos

Director J. Sentes, City of Penticton

Director T. Schafer, Electoral Area "C"

Director P. Waterman, District of Summerland

#### MEMBERS ABSENT:

Director F. Armitage, Town of Princeton

Director S. McKortoff, Town of Osoyoos

#### STAFF PRESENT:

M. Woods, Manager of Community Services

C. Malden, Manager of Legislative Services

R. Huston, Manager of Public Works

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#### A. APPROVAL OF AGENDA

##### **RECOMMENDATION 1**

##### **It was MOVED and SECONDED**

THAT the Agenda for the Environment and Infrastructure Committee Meeting of September 15, 2016 be adopted. - **CARRIED**

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#### B. WEST BENCH WATER METER RATE STUDY – For Information Only

To implement a user-pay water rate fee for the residents of West Bench based on consumption obtained through the water meter.

1. Andrew McLaren, InterGroup Consultants

Mr. McLaren addressed the Committee to present the West Bench Water Rate Structure Review.

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**C. ADJOURNMENT**

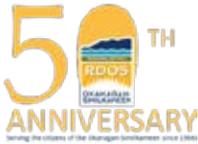
By consensus, the Environment and Infrastructure Committee meeting of September 15, 2016 adjourned at 11:30 a.m.

APPROVED:

CERTIFIED CORRECT:

\_\_\_\_\_  
T. Siddon  
Environment and Infrastructure Committee Chair

\_\_\_\_\_  
B. Newell  
Chief Administrative Officer



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## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### Planning and Development Committee

Thursday, September 15, 2016

9:00 a.m.

## Minutes

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### MEMBERS PRESENT:

Chair M. Brydon, Electoral Area "F"

Vice Chair G. Bush, Electoral Area "B"

Director R. Doughty, Alt. Town of Princeton

Director M. Bauer, Village of Keremeos

Director T. Boot, District of Summerland

Director E. Christensen, Electoral Area "G"

Director B. Coyne, Electoral Area "H"

Director R. Hovanes, Town of Oliver

Director K. Kozakevich, Electoral Area "E"

Director H. Konanz, City of Penticton

Director A. Martin, City of Penticton

Director C. Rhodes, Alt. Town of Osoyoos

Director M. Pendergraft, Electoral Area "A"

Director T. Schafer, Electoral Area "C"

Director J. Sentes, City of Penticton

Director T. Siddon, Electoral Area "D"

Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Director F. Armitage, Town of Princeton

Director A. Jakubeit, City of Penticton

Director S. McKortoff, Town of Osoyoos

### STAFF PRESENT:

M. Woods, Manager of Community Services

C. Malden, Manager of Legislative Services

C. Garrish, Planning Supervisor

E. Riechert, Planner

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### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

#### **It was MOVED and SECONDED**

THAT the Agenda for the Planning and Development Committee Meeting of September 15, 2016 be adopted.

#### **CARRIED**

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### B. DELEGATION – MINISTRY OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT

1. Kris Nichols, Manager for Growth Strategies

2. Urszula Mezynska, Senior Project Analyst

Mr. Nichols and Ms. Mezynska addressed the Committee regarding Regional Growth Strategies.

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**C. ADJOURNMENT**

By consensus, the Planning and Development Committee meeting of September 15, 2016 adjourned at 9:58 a.m.

APPROVED:

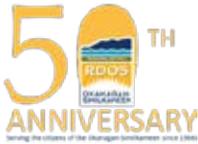
CERTIFIED CORRECT:

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M. Brydon  
Planning and Development Committee Chair

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B. Newell  
Corporate Officer



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## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### Protective Services Committee

Thursday, September 15, 2016

10:37 p.m.

## Minutes

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#### MEMBERS PRESENT:

Chair A. Jakubeit, City of Penticton	Director R. Hovanes, Town of Oliver
Vice Chair T. Schafer, Electoral Area "C"	Director H. Konanz, City of Penticton
Director R. Doughty, Alt. Town of Princeton	Director K. Kozakevich, Electoral Area "E"
Director M. Bauer, Village of Keremeos	Director A. Martin, City of Penticton
Director T. Boot, District of Summerland	Director C. Rhodes, Alt. Town of Osoyoos
Director M. Brydon, Electoral Area "F"	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director J. Sentes, City of Penticton
Director E. Christensen, Electoral Area "G"	Director T. Siddon, Electoral Area "D"
Director B. Coyne, Electoral Area "H"	Director P. Waterman, District of Summerland

#### MEMBERS ABSENT:

Director F. Armitage, Town of Princeton	Director S. McKortoff, Town of Osoyoos
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#### STAFF PRESENT:

M. Woods, Manager of Community Services	D. Kronebusch, Emergency Services Supervisor
C. Malden, Manager of Legislative Services	

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Vice Chair Schafer chaired the meeting as Chair Jakubeit was absent at the beginning of the meeting.

#### A. APPROVAL OF AGENDA

##### **RECOMMENDATION 1**

##### **It was MOVED and SECONDED**

THAT the Agenda for the Protective Services Committee Meeting of September 15, 2016 be adopted. - **CARRIED**

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#### B. NEXT GENERATION 9-1-1- (NG9-1-1) – For Information Only

1. T911 Briefing Notes and Media Information

Chair Jakubeit entered the meeting at 10:49 a.m.

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Addition: The Committee discussed the recent earthquake felt in the South Okanagan.

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#### C. ADJOURNMENT

By consensus, the Protective Services Committee meeting of September 15, 2016 adjourned at 11:01 a.m.

APPROVED:

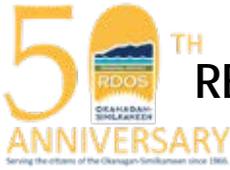
CERTIFIED CORRECT:

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T. Schafer  
Protective Services Committee Vice Chair

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B. Newell  
Chief Administrative Officer



**Minutes are in DRAFT form and are subject  
to change pending approval by Regional District Board**

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 1:30 p.m. Thursday, September 15, 2016 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

Chair M. Pendergraft, Electoral Area "A"	Director R. Hovanes, Town of Oliver
Vice Chair A. Jakubeit, City of Penticton	Director H. Konanz, City of Penticton
Director R. Doughty, Alt. Town of Princeton	Director K. Kozakevich, Electoral Area "E"
Director M. Bauer, Village of Keremeos	Director A. Martin, City of Penticton
Director T. Boot, District of Summerland	Director C. Rhodes, Alt. Town of Osoyoos
Director M. Brydon, Electoral Area "F"	Director J. Sentes, City of Penticton
Director G. Bush, Electoral Area "B"	Director T. Schafer, Electoral Area "C"
Director E. Christensen, Electoral Area "G"	Director T. Siddon, Electoral Area "D"
Director B. Coyne, Electoral Area "H"	Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Director F. Armitage, Town of Princeton	Director S. McKortoff, Town of Osoyoos
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### STAFF PRESENT:

M. Woods, Manager of Community Services  
C. Malden, Manager of Legislative Services

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### A. APPROVAL OF AGENDA

**RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)**

**IT was MOVED and SECONDED**

THAT the [Agenda](#) for the RDOS Board Meeting of September 15, 2016 be adopted as amended to include item F2 Next Generation 911. - **CARRIED**

---

### 1. Consent Agenda – Corporate Issues

- a. Corporate Services Committee – September 01, 2016  
*THAT the Minutes of the September 01, 2016 Corporate Services Committee be received.*
- b. Environment and Infrastructure Committee – September 01, 2016  
*THAT the Minutes of the September 01, 2016 Environment and Infrastructure Committee be received.*

*THAT the Board authorize a non-binding letter of intent to allow for the assessment of a private property for the potential development of an Organics Management site; and,*

*THAT the Board authorize the development of a public consultation strategy and budget as laid out in the report dated September 1, 2016 from B. Newell.*

- c. Protective Services Committee – September 01, 2016  
*THAT the Minutes of the September 01, 2016 Protective Services Committee be received.*
- d. RDOS Regular Board Meeting – September 01, 2016  
*THAT the minutes of the September 01, 2016 RDOS Regular Board meeting be adopted.*

**RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)**

**IT was MOVED and SECONDED**

THAT the Consent Agenda – Corporate Issues be adopted. - **CARRIED**

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2. Consent Agenda – Development Services
  - a. Development Variance Permit Application – R. & L. Farquharson, 4112 Meadow Crescent, Bankeir, Electoral Area “H”
    - i. Permit No. H2016.079-DVP  
*THAT the Board of Directors approve Development Variance Permit No. H2016.079–DVP.*

**RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)**

**IT was MOVED and SECONDED**

THAT the Consent Agenda – Development Services be adopted. - **CARRIED**

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**B. DEVELOPMENT SERVICES – Rural Land Use Matters**

1. Official Community Plan – Electoral Area “D-1”
  - a. Draft Official Community Plan
  - b. Official Community Plan Map
  - c. Responses Received
  - d. Community Survey Report

**RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2683, 2016, Electoral Area “D-1” Official Community Plan, be read a first and second time and proceed to a public hearing; and further,

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated September 15, 2016, to be appropriate consultation for the purpose of Section 475 of the Local Government Act; and further,

THAT, in accordance with Section 477 of the Local Government Act, the Board of Directors has considered Amendment Bylaw No. 2683, 2016, in conjunction with its Financial and applicable Waste Management Plans.

**CARRIED****RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the holding of the public hearing be delegated to Director Siddon or delegate; and further,

THAT staff schedule the date, time, and place of the public hearing in consultation with Director Siddon; and further,

THAT staff give notice of the public hearing in accordance with the requirements of the Local Government Act.

**CARRIED**

- 
2. Official Community Plan & Zoning Bylaw Amendment – Commercial Zone Update – Electoral Area “D-2”
    - a. Bylaw No. 2455.24, 2016

**RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)****It was MOVED and SECONDED**

THAT Bylaw No. 2455.24, 2016, Electoral Area “D” Zoning Amendment Bylaw be adopted. - **CARRIED**

- 
3. Zoning Amendment Bylaw – Modular and Mobile Homes – Electoral Areas “A”, “C”, “D”, “E”, “F” and “H”
    - a. Bylaw No. 2743, 2016

**RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)****It was MOVED and SECONDED**

THAT Bylaw No. 2743, 2016, Regional District of Okanagan-Similkameen Modular and Mobile Home Amendment Bylaw be adopted. - **CARRIED**

Opposed: Director Brydon

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- 
4. Development Variance Permit Application – S. Hancheroff & B. Paterson, 128 5<sup>th</sup> Street, Kaleden – Electoral Area “D”
    - a. Permit No. D2016.072-DVP

**RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors approve Development Variance Permit No. D2016.072–DVP. - **CARRIED**

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**C. PUBLIC WORKS**

1. Parkland Dedication, Okanagan Falls – 4148 Bassett Avenue, Okanagan Falls, Electoral Area “D”

**RECOMMENDATION 9 (Weighted Corporate Vote – Majority)**

**It was MOVED and SECONDED**

THAT the requirement of parkland dedication be accepted in the form of 5%, cash in-lieu option rather than the dedication of land for the subdivision of Lots 6; Plan KAP9973; Land District Similkameen Div of Yale, Okanagan Falls Townsite.

**CARRIED**

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**D. COMMUNITY SERVICES – Recreation Services**

1. Kaleden Parks & Recreation Commission – Rescind Appointment

**RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors rescind the appointment of Bruce Ramage from the Kaleden Parks & Recreation Commission; and further

THAT a letter is forwarded to Mr. Ramage thanking him for his contribution.

**CARRIED**

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**E. FINANCE**

1. Property Tax Exemption
  - a. Bylaw No. 2762, 2016

**RECOMMENDATION 11 (Weighted Corporate Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2762, 2016 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted. - **CARRIED**

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**F. OFFICE OF THE CAO**

## 1. RCMP Superintendent Selection Committee

**RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT The Board of Directors appoint the Chair of the Board, Mark Pendergraft, to represent the Regional District of Okanagan-Similkameen on the RCMP Superintendent Selection Committee. - **CARRIED**

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## 2. NEXT GENERATION 9-1-1- (NG9-1-1)

This item was brought forward from the Protective Services Committee meeting held earlier in the day.

**RECOMMENDATION 13****It was MOVED and SECONDED**

THAT the Board of Directors endorse the implementation of T911 (Phase 1) of NG911 within the boundaries of the Regional District of Okanagan-Similkameen.

**CARRIED**

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**G. CAO REPORTS**1. Verbal Update

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**H. OTHER BUSINESS**1. Chair's Report

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## 2. Board Representation

- a. Municipal Finance Authority (MFA) - *Pendergraft*
  - b. Okanagan Basin Water Board (OBWB) – *Hovanes, McKortoff, Waterman*
  - c. Okanagan-Kootenay Sterile Insect Release Board (SIR) - *Bush*
  - d. Okanagan Regional Library (ORL) - *Kozakevich*
  - e. Okanagan Film Commission (OFC) – *Jakubeit*
  - f. Rural Practices - *McKortoff*
  - g. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
  - h. Southern Interior Municipal Employers Association (SIMEA) - *Kozakevich*
  - i. Southern Interior Local Government Association (SILGA) – *Kozakevich*
  - j. Starling Control - *Bush*
  - k. UBC Water Chair Advisory Committee – *Bauer*
-

3. Directors Motions

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4. Board Members Verbal Update

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I. ITEMS COMING OUT OF CLOSED SESSION (from the Protective Services Committee September 1, 2016)

1. RDOS Fire Dispatch Service – Renewal of Contract
  - a. Fire Dispatch Agreement – September 9, 2011

**RECOMMENDATION 14 (Weighted Corporate Vote – Majority)**

**It was MOVED and SECONDED**

THAT the Regional District exercise the option clause to extend the Fire Dispatch Service Delivery agreement with the City of Kelowna for an additional five (5) years.

**CARRIED**

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J. ADJOURNMENT

By consensus, the meeting adjourned at 2:28 p.m.

APPROVED:

CERTIFIED CORRECT:

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M. Pendergraft  
RDOS Board Chair

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B. Newell  
Corporate Officer

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** Development Variance Permit Application — Electoral Area “E”



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### Administrative Recommendation:

**THAT the Board of Directors approve Development Variance Permit No. E2016.085–DVP.**

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Purpose: To construct a retaining wall on the property.

Owners: Yin Fong Leung                      Agent: Martin Au-Yeung                      Folio: E-02096.310

Civic: 2760 Winifred Road                      Legal: Lot 2, District Lot 207, SDYD, Plan KAP51753

OCP: Low Density Residential (LR)                      Zone: Residential Single Family One (RS1)

Requested Variances: to vary the minimum interior side parcel line setback from 3.0 metres to 0.15 metres.

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### Proposed Development:

This application seeks to reduce the minimum interior side parcel line setback for an accessory structure from 3.0 metres to 0.15 metres (as measured to the outermost projection) to allow for the construction of a retaining wall on the property ranging in height from 1.0 metre to 3.6 metres.

The applicant has stated the following in support of their application:

- As a result of the site excavation, the north side of the property is now exposed by dirt which needs to be protected by the wall for safety reasons.
- When my neighbour builds a home next door, a [driveway] will be developed along the side of the property which makes it more important to retain the section for future slope stability.
- The wall will only be visible from our property: will not affect our neighbours.
- The wall will be built fully within the property.

### Site Context:

The subject property is approximately 1,823 m<sup>2</sup> in area. It is situated on the east side of Winifred Road approximately 2.5 kilometres southeast of the Naramata townsite and is bounded by the KVR at its rear. The surrounding pattern of development is generally characterised by similar low density residential uses.

### Background:

The subject property was created by a subdivision approved under the Land Title Act on March 7, 1994. A building permit for the single detached dwelling currently under construction on the property was issued on March 4, 2016.

---

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the subject property is zoned Residential Single Family One (RS1), which permits "accessory structures" as a permitted secondary use.

At Section 11.1.6(b)(iv) of the Zoning Bylaw, the minimum interior side parcel line setback is 3.0 metres.

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

**Analysis:**

When assessing variance requests a number of factors are generally taken into account. These include: the intent of the zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and, whether the proposed development will have a detrimental impact upon the amenity of the area and/or adjoining uses.

In assessing this application, Administration notes that the property is sloped and had to be excavated to place the new dwelling. As a result, soil has been exposed that needs to be retained to stabilize the slope.

The neighbouring lots along Winifred Road are similarly sloped and contain retaining walls, and placement of the proposed retaining wall is such that it will not be visible from other properties. As such, the placement of the structure within the interior side setback is not anticipated to adversely impact upon the established streetscape characteristics or the amenity of the area and/or adjoining uses, and the proposal is seen to be reasonable.

**Alternatives:**

- .1 THAT the Board of Directors deny Development Variance Permit No. E2016.085-DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "E" Advisory Planning Commission (APC).

**Respectfully submitted:**



S. Lightfoot, Planning Tech.

**Endorsed by:**



C. Garrish, Planning Supervisor

**Endorsed by:**

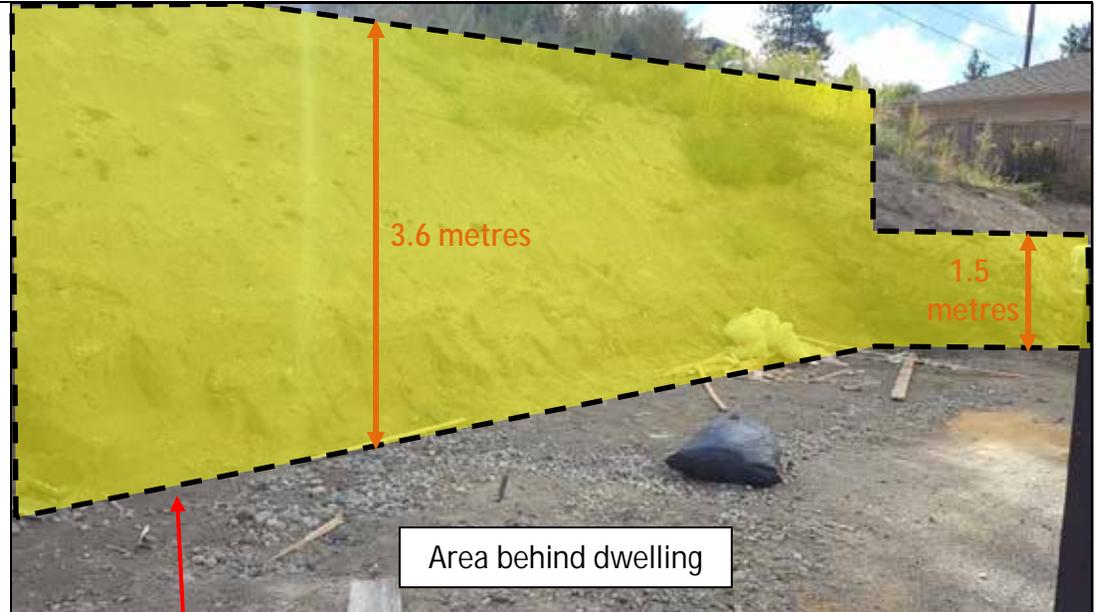
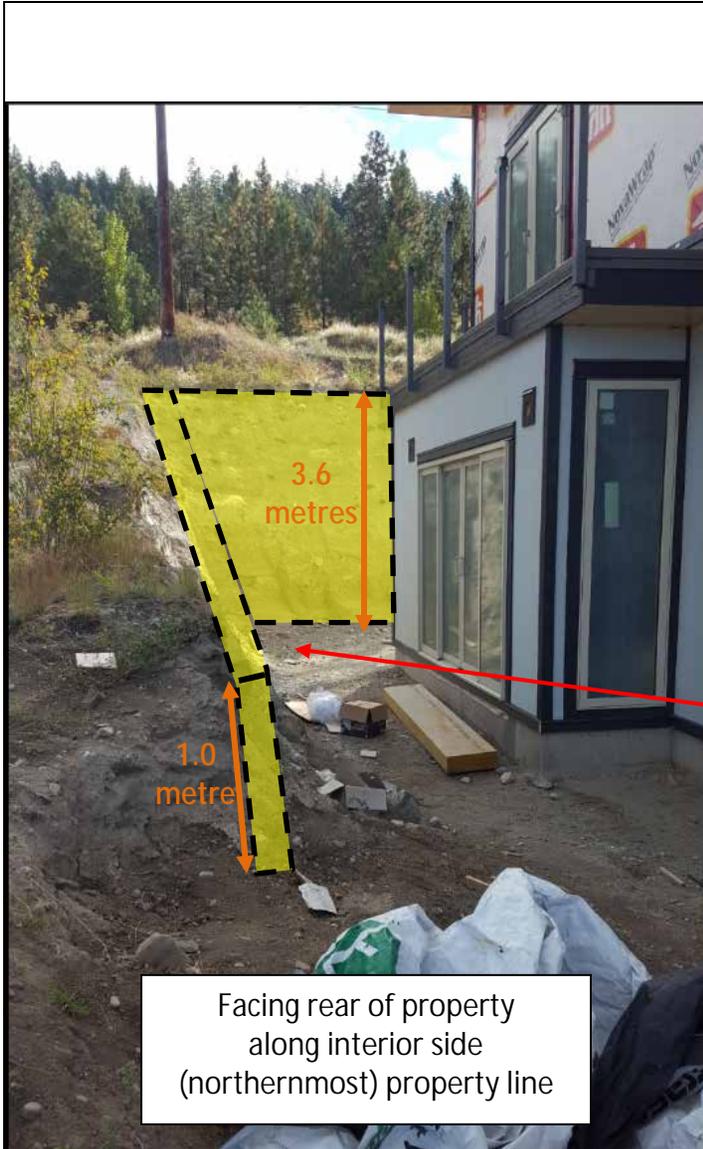
Donna Butler

D. Butler, Dev. Services Manager

Attachments:

No. 1 – Site Photos – September 21, 2016

Attachment No. 1 – Site Photos September 21, 2016





# Development Variance Permit

FILE NO.: E2016.085-DVP

Owners: Yin Fong Leung

## GENERAL CONDITIONS

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District of Okanagan-Similkameen applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit that shall form a part thereof.
3. Where there is a conflict between the text of the permit and permit drawings or figures, the drawings or figures shall govern the matter.
4. This Development Variance Permit is not a Building Permit.

## APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A', 'B', 'C', and 'D', and applies to and only to those lands within the Regional District described below, and any and all buildings, structures and other development thereon:

Legal Description: Lot 2, DL 207, SDYD, Plan KAP51753

Civic Address: 2760 Winifred Road

Parcel Identifier (PID): 018-653-901 Folio: E-02096.310

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
  - a) The minimum interior side parcel line setback for an accessory building or structure, as prescribed at Section 11.1.6(b)(iv), is varied :
    - i) from: 3.0 metres
    - to: 0.15 metres, as measured to the outermost projection and as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

a) Not Applicable

8. **SECURITY REQUIREMENTS**

a) Not applicable

9. **EXPIRY OF PERMIT**

The development shall be carried out according to the following schedule:

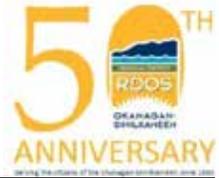
- (a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- (b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on \_\_\_\_\_, 2016.

\_\_\_\_\_  
B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

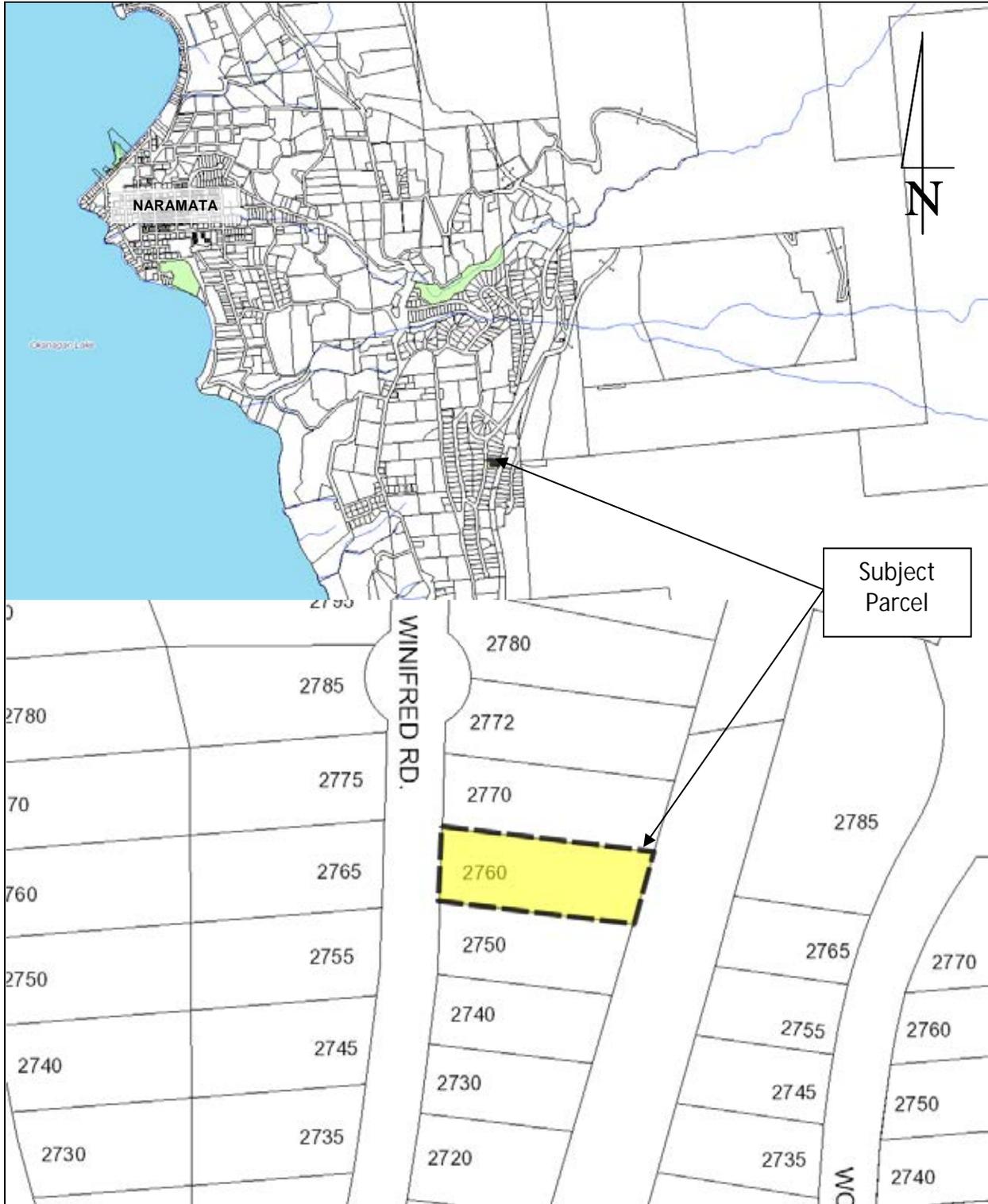
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.085-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

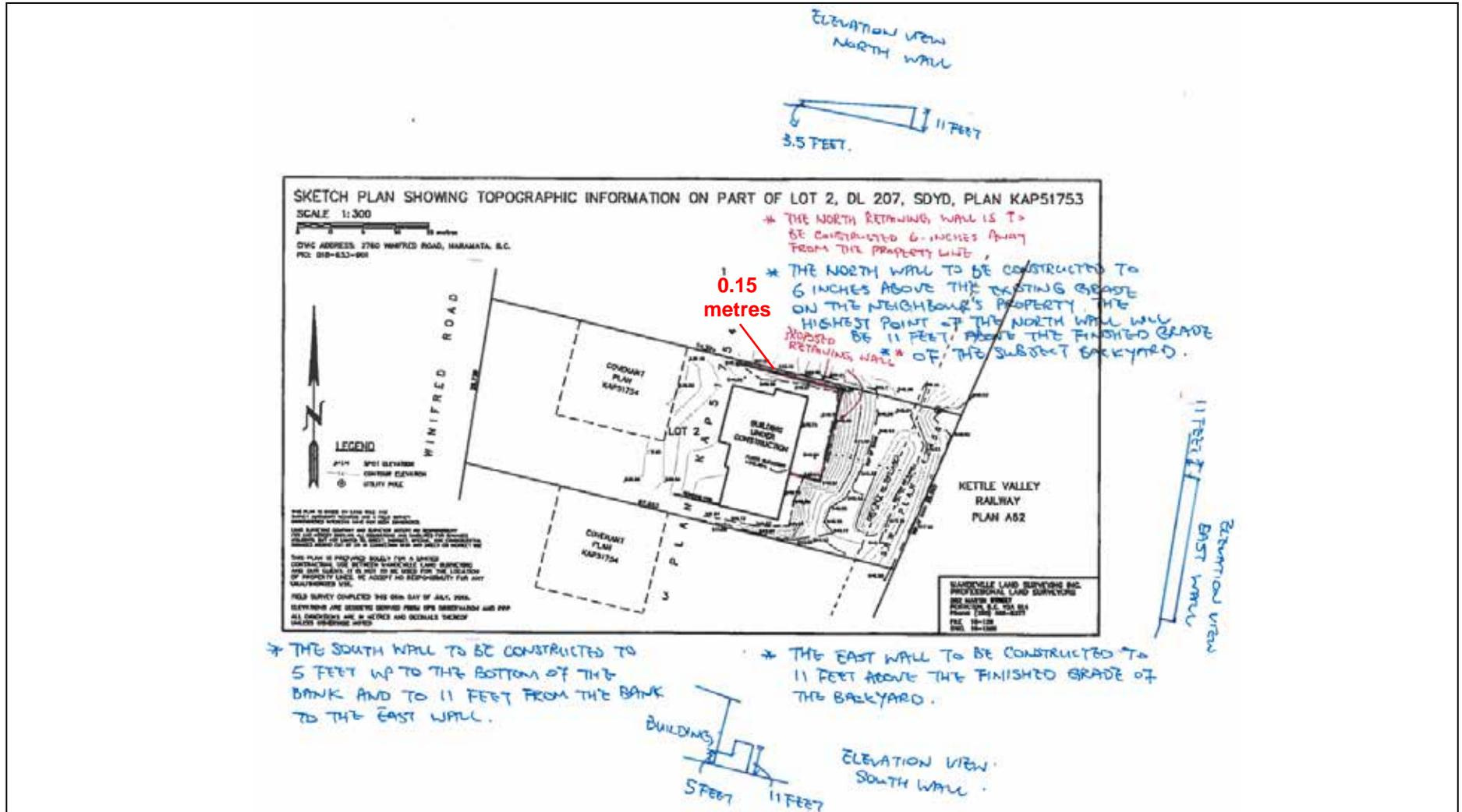
101 Martin St, Penticton, BC V2A 5J9  
 Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

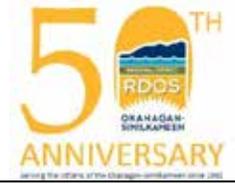
File No. E2016.085-DVP

Schedule 'B'



# Regional District of Okanagan-Similkameen

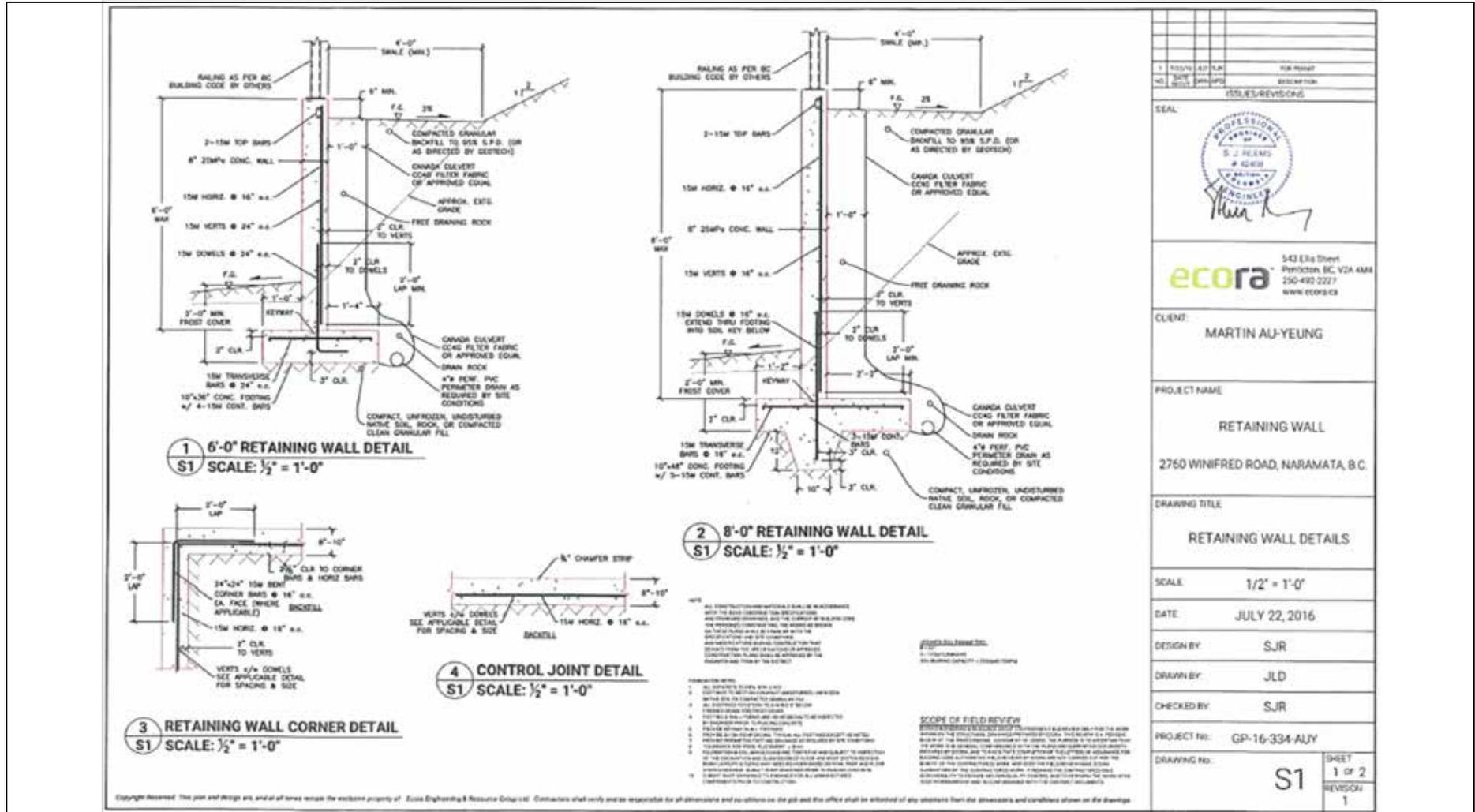
101 Martin St, Penticton, BC V2A 5J9  
 Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

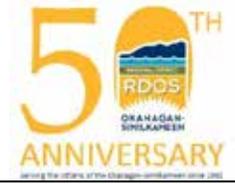
File No. E2016.085-DVP

Schedule 'C'



# Regional District of Okanagan-Similkameen

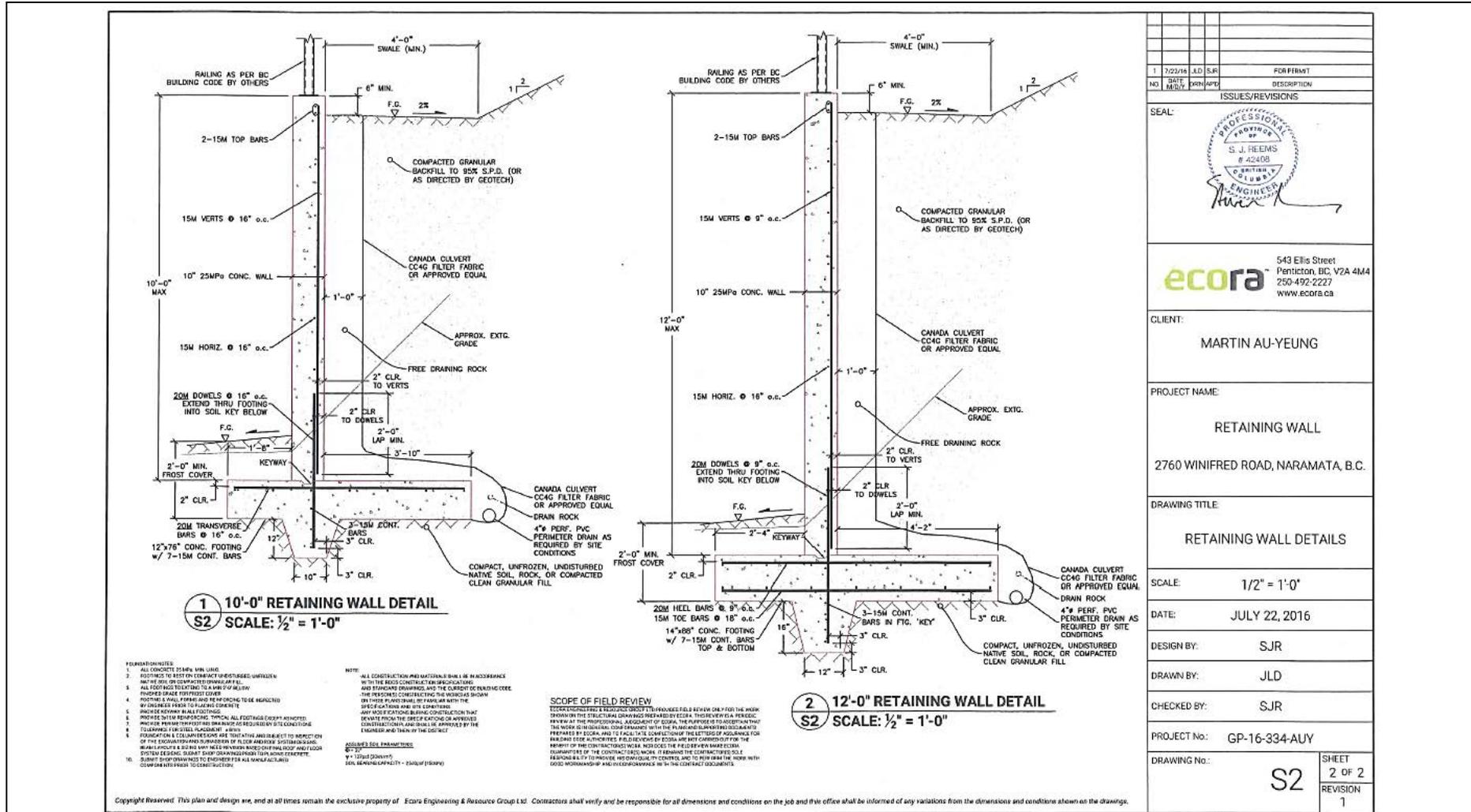
101 Martin St, Penticton, BC V2A 5J9  
 Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.085-DVP

Schedule 'D'



Copyright Reserved. This plan and design are, and at all times remain the exclusive property of Ecora Engineering & Resources Group Ltd. Contractors shall verify and be responsible for all dimensions and conditions on the job and this office shall be informed of any variations from the dimensions and conditions shown on the drawings.

1	7/22/16	J.D.	SJR	FDR PERMIT
NO	DATE	DESIGNER	CHECKER	DESCRIPTION
ISSUES/REVISIONS				
SEAL:				
543 Ellis Street Penticton, BC, V2A 4M4 250-492-2227 www.ecora.ca				
CLIENT:				
MARTIN AU-YEUNG				
PROJECT NAME:				
RETAINING WALL				
2760 WINIFRED ROAD, NARAMATA, B.C.				
DRAWING TITLE:				
RETAINING WALL DETAILS				
SCALE: 1/2" = 1'-0"				
DATE: JULY 22, 2016				
DESIGN BY: SJR				
DRAWN BY: JLD				
CHECKED BY: SJR				
PROJECT NO.: GP-16-334-AUY				
DRAWING NO.:				SHEET
				2 OF 2
				REVISION
				1

## ADMINISTRATIVE REPORT

TO: Board of Directors  
FROM: B. Newell, Chief Administrative Officer  
DATE: October 6, 2016  
RE: Development Variance Permit Application — Electoral Area “E”



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### Administrative Recommendation:

**THAT the Board of Directors approve Development Variance Permit No. E2016.087-DVP**

---

Purpose: To allow for the conversion of an existing garage into a winery production and retail sales building.

Owners: Daydreamer Wines Inc.                      Agent: Dominic Unsworth                      Folio: E-01948.000

Civic: 1305 Smethurst Road, Naramata      Legal: Lot 209, Plan KAP706, DL 266, SDYD

OCP: Agriculture (AG)                              Zone: Agriculture One Zone (AG1)

Requested to vary the minimum front parcel line setback for a winery building from 7.5 metres or the  
Variances: maximum height of the building, whichever is greater, to 5.5 m or the maximum height of the building, whichever is greater.

---

### Proposed Development:

This application seeks to reduce the minimum front parcel line setback for a winery building from 7.5 metres or the maximum height of the building, whichever is greater, to 5.5 m or the maximum height of the building, whichever is greater, in order to allow for the conversion of an existing garage into a winery production and retail sales building.

The applicant has stated that “the application is to allow an existing garage to be used as a temporary winery production and retail sales location. The garage is screened from view by existing trees and bushes to the east .... New construction of a permanent production building is planned for this fall under a new building permit application.”

### Site Context:

The subject property is approximately 2.1 hectares in area and is situated on the north side of Smethurst Road in Naramata. The property contains winery buildings and a singled detached dwelling. The surrounding pattern of development is generally characterised by agricultural and residential uses.

### Background:

Under the Electoral Area “E” Zoning Bylaw, the subject property is zoned Agriculture One (AG1) Zone, wherein a “winery” is a permitted use.

On July 13, 2016, while the conversion of the existing garage into a winery building was under way, the owner was issued a ‘stop work’ order, as the scope of work requires a building permit. The applicant then submitted a building permit application the same day. After the application was

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reviewed, a variance was seen to be required. The applicant was advised and subsequently submitted this DVP application on August 29, 2016.

As the proposal is not situated within 4.5 metres of a road reserve, Ministry of Transportation and Infrastructure approval is not required prior to Board consideration (as per the requirements of the Regional District's Development Procedures Bylaw).

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

**Analysis:**

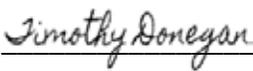
When assessing variance requests a number of factors are generally taken into account. These include: the intent of the zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and, whether the proposed development will have a detrimental impact upon the amenity of the area and/or adjoining uses.

Generally, development within a front setback is considered to represent poor streetscape design. However, in this case, the building is obscured from the road by trees and vegetation along Smethurst Road. Further, as the lot slopes downward from the road, a significant portion of the building would be located below road level. Therefore, it is not anticipated that a reduction in the front parcel line setback to facilitate the conversion of the garage into a winery building would adversely impact upon the amenity of the area, adjoining uses, or streetscape characteristics.

**Alternatives:**

- .1 THAT the Board of Directors deny Development Variance Permit No. E2016.087-DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "E" Advisory Planning Commission (APC).

**Respectfully submitted:**

  
\_\_\_\_\_  
T. Donegan, Planning Technician

**Endorsed by:**

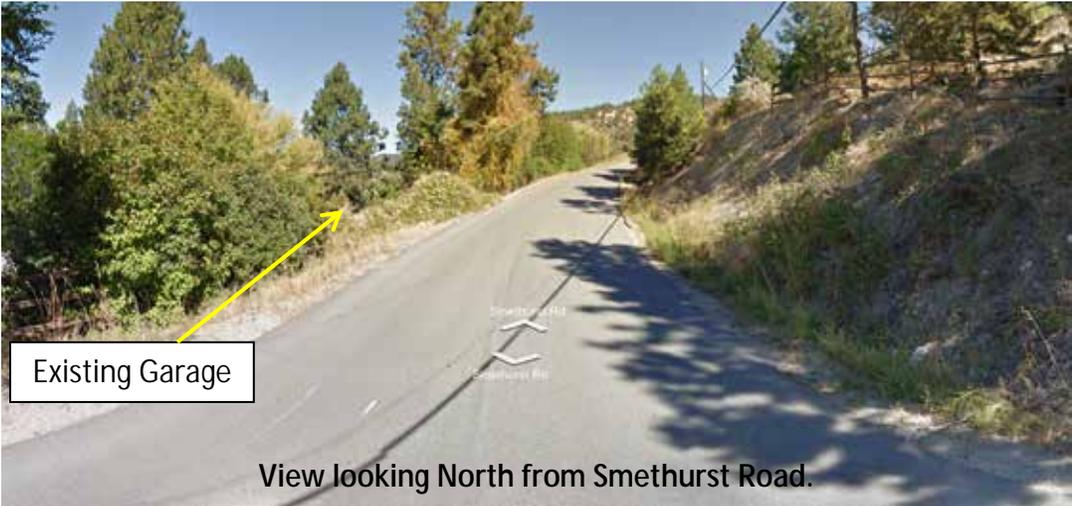
  
\_\_\_\_\_  
C. Garrish, Planning Supervisor

**Endorsed by:**

Donna Butler  
\_\_\_\_\_  
D. Butler, Dev. Services Manager

Attachments: No. 1 — Site Photos

Attachment No. 1 – Site Photos





# Development Variance Permit

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FILE NO.: E2016.087-DVP

Owner: Daydreamer Wines Inc.  
Marcus and Rachel Ansems  
1305 Smethurst Road  
Naramata, BC V0H 1N1

Agent: Dominic Unsworth  
S2A C8 RR1  
Kaleden, BC V0H 1K1

## GENERAL CONDITIONS

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District of Okanagan-Similkameen applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit that shall form a part thereof.
3. Where there is a conflict between the text of the permit and permit drawings or figures, the drawings or figures shall govern the matter.
4. This Development Variance Permit is not a Building Permit.

## APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A', 'B', 'C', and 'D', and applies to and only to those lands within the Regional District described below, and any and all buildings, structures and other development thereon:

Legal Description: Lot 209, Plan KAP706, DL 266, SDYD

Civic Address: 1305 Smethurst Road, Naramata

Parcel Identifier (PID): 009-101-764 Folio: E-01948.000

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
  - a) The minimum front parcel line setback for a winery building, as prescribed at Section 10.2.6(b)(i), is varied:

- i) from: 7.5 metres or the maximum height of the building, whichever is greater.  
to: 5.5 m or the maximum height of the building, whichever is greater, as measured to the outermost projection and as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

- a) Not Applicable

8. **SECURITY REQUIREMENTS**

- a) Not applicable

9. **EXPIRY OF PERMIT**

The development shall be carried out according to the following schedule:

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on \_\_\_\_\_, 2016.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

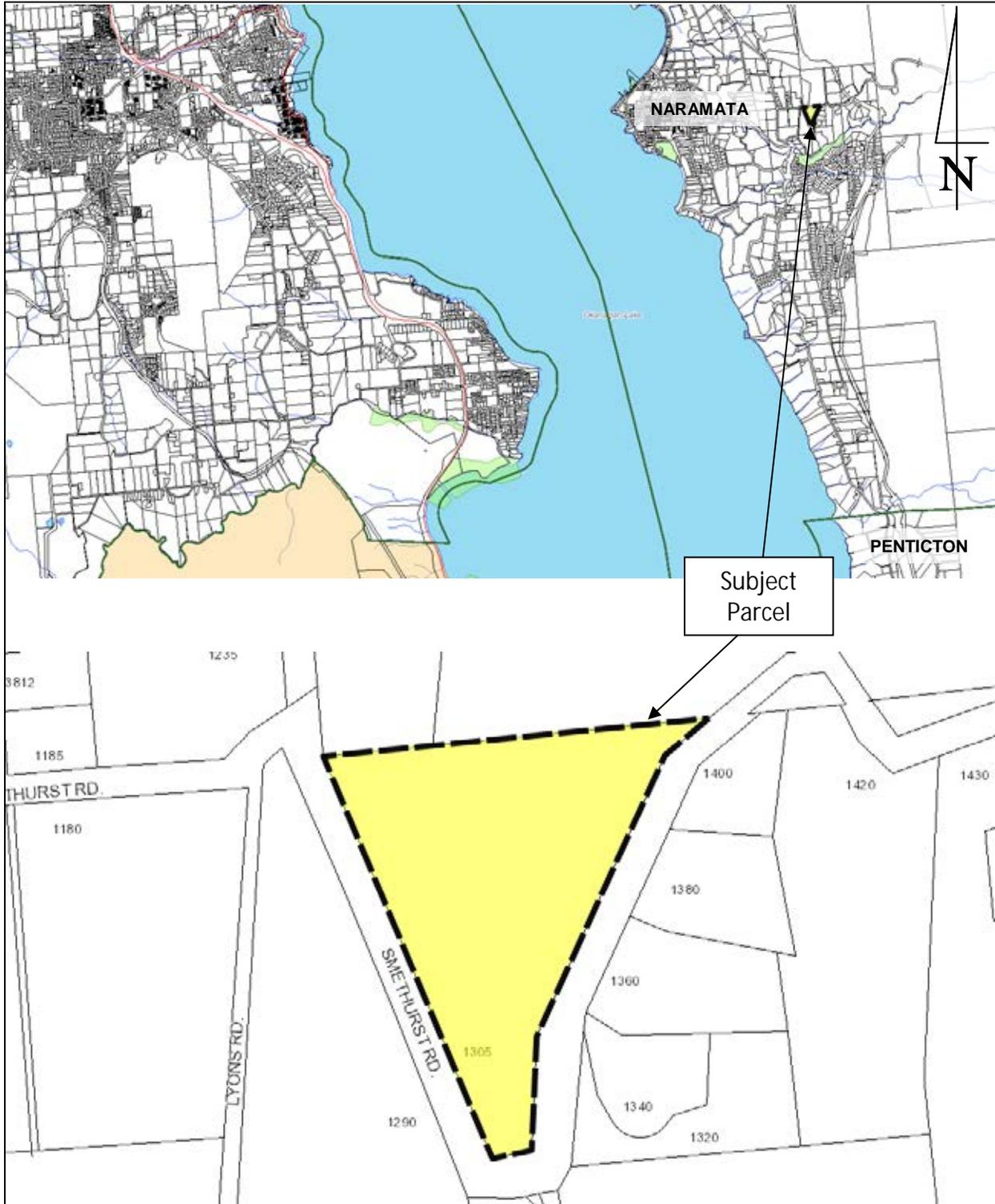
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

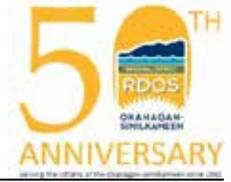
File No. E2016.087-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

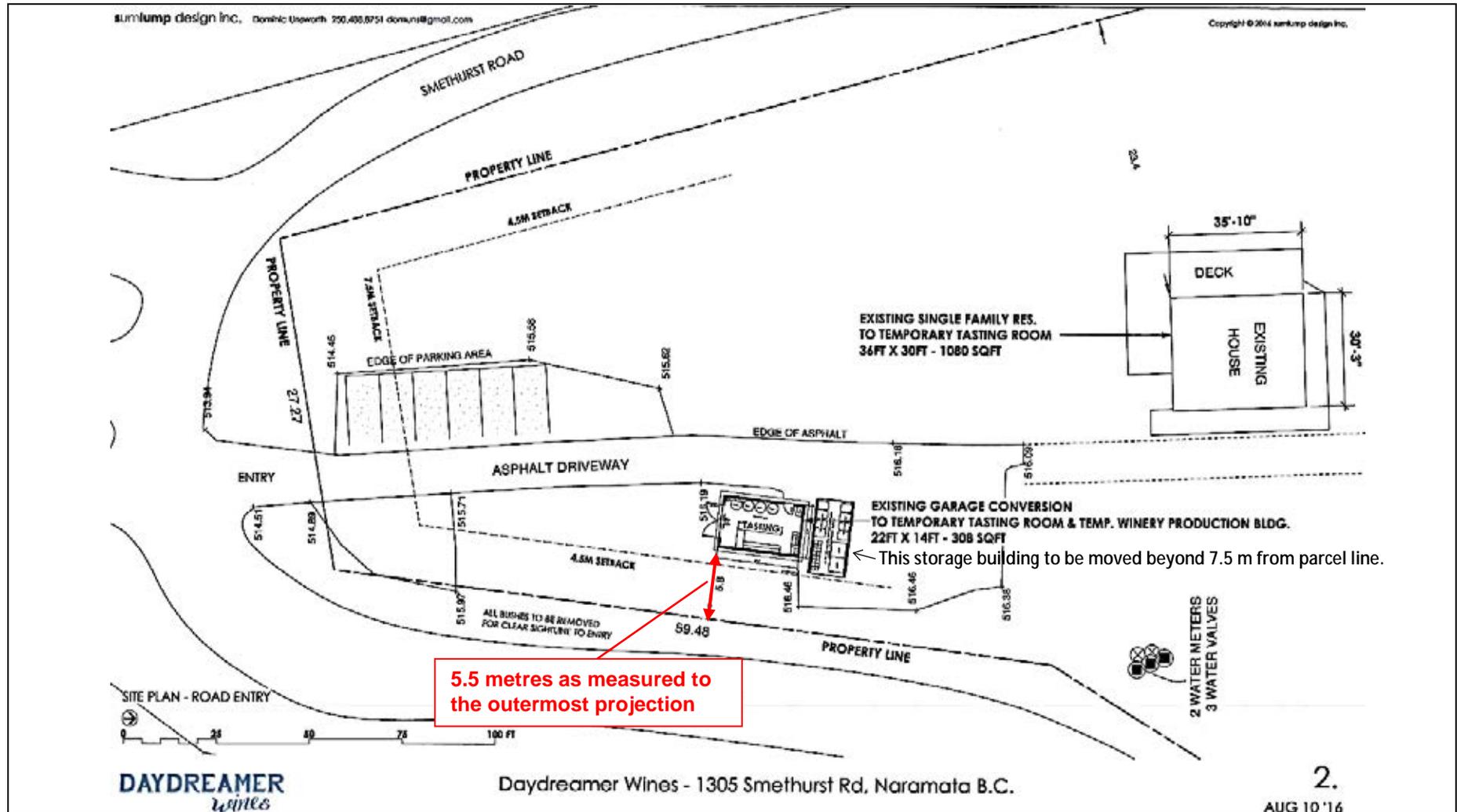
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.087-DVP

## Schedule 'B'



A.2.b.ii  
DV. PERMIT  
RESPONSE

SUNDAY SEPT. 25/16

DEAR MR. TIMOTHY DONEGAN

IN REGARDS TO THE REZONING APPLICATION OF 1306 SMETHURST RD. MEETING OF BOARD OCT. 6 2016. BEING THE OWNERS OF 1298 SMETHURST RD. WE WILL BE OUT OF CANADA OVER THE NEXT 3 WEEKS.

THE OWNERS OF 1306 SMETHURST RD. HAVE BEING OPERATING THE EXISTING GARAGE AS A TASTING ROOM AND WINERY FOR THE PAST SIX MONTHS.

THE TRAFFIC HAS BEING HEAVY AT THE TASTING ROOM ON THE BLIND CORNER. THE ADDITION OF BUILDING WILL ONLY MAKE MATTERS WORSE, WITH WINE TOUR BUSES, CUSTOMER CARS AND THE ADDITION OF PARK BENCHES IN FRONT YARD, ALL PUSHED FORWARD TO ROAD; PLUS THE PARKING LOT EXTENDES IN THE EXISTING SETBACK ON THE EAST SIDE OF DRIVE (NOT SHOWN ON SITE PLAN)

WITHOUT THE PROPER SETBACKS WILL ONLY WORSEN THE MATTER. THE TEMPORARY BUILDING AS INDICATED IS FOR HOW LONG 1, 5, 10 YEARS? SMETHURST RD IS A VERY BUSY ROAD WITH THE KVR PARKING LOT AND FOREST SERVICE RD.

WE DO NOT AGREE WITH THE VARIANCE PERMIT

RECEIVED  
Regional District

SEP 28 2016

101 Martin Street  
Penticton BC V2A 5J9

Raw MITCHELL

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** Temporary Use Permit Application — Electoral Area “H”



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### Administrative Recommendation:

**THAT the Board of Directors approve Temporary Use Permit No. H2016.086-TUP.**

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Purpose: To allow for the temporary operation of a “vehicle and equipment salvage operation”.

Owners: Joe and Edward Reichert      Folio: H-01005.005

Civic: 256 Copper Mountain Road      Legal: Lot A, Plan 17187, DL 1822, SDYD, Except Plan H17425

OCP: Industrial (I)      Zoning: Industrial (Light) One (I1)

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### Proposal:

The applicant is requesting a 3-year renewal of a Temporary Use Permit (TUP) for a “vehicle and equipment salvage operations” occurring at the subject property which was previously approved by the Board at its meeting of September 5, 2013.

The Board is asked to be aware that this renewal request was not received in time to be considered prior to the expiration of TUP No. H2013.023-TUP on September 5, 2016. Accordingly, Administration is handling this application on the basis that it will be a new TUP.

### Site Context:

The subject property is approximately 7,246 m<sup>2</sup> in area and is located at the intersection of Copper Mountain Road and Old Copper Mountain Road. Development of the property includes a shop that is used for vehicle and equipment repairs and a fenced storage area for the salvaged vehicles.

Adjacent development is seen to be characterised by rural and industrial.

### Background:

The subject property was created by a subdivision deposited in the Kamloops Land Title Office on May 30, 1969, while available Regional District files indicate that a Building Permit for an addition to a shop was previously issued on June 2, 2000.

In late 2012, the Regional District received a written complaint regarding the operation of a salvage operation on the subject property.

Under the Electoral Area ‘H’ Zoning Bylaw No. 2498, 2012, a “salvage operation” is listed as a principal permitted use in the Heavy Industrial (I2) Zone but not in the Light Industrial (I1) Zone that applies to the subject property.

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Accordingly, the property owners subsequently applied for a TUP, which was presented at a public information meeting on August 6, 2013. This TUP was approved by the Regional District Board at its meeting September 5, 2013, and expired on September 5, 2016.

Although the property is within the Agricultural Land Reserve, the parcel is less than two acres and was created prior to establishment of the reserve in 1972 and therefore it has been determined and confirmed with the ALC that the ALC regulations do not apply to this parcel.

**Public Process:**

The Electoral Area "H" Advisory Planning Commission (APC) failed to achieved a quorum at its meeting of September 20, 2016, and, therefore, was unable to provide a recommendation to the Regional District Board on this application.

A Public Information Meeting was held prior to the APC meeting on September 20, 2016, and no members of the public attended.

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

Agency referral comments have been received from the Ministry of Forests, Lands and Natural Resource Operations (Ecosystems Section & Archaeology Branch) and are included as a separate item on the Agenda.

**Analysis:**

In considering this proposal, Administration believes that many of the points previously considered in 2013 remain relevant, such as the use being complimentary to the existing repair and service operations and that excessive noise is not anticipated as no vehicle crushing will take place on site.

The absence of complaints regarding the operation of this use over the previous 3 years also appears to indicate that this is a suitable location and that the issue of another 3-year permit is supportable.

Going forward, however, Administration notes that an objective for TUPs is that they be used to "provide for temporary approval of transitional uses, or uses where uncertainty exists respecting appropriateness or viability of the use, and where it is premature to decide upon rezoning and long-term land use patterns" and that they "do not become a substitute for a rezoning application."

Accordingly, Administration will encourage the applicant to give consideration to submitting a rezoning application prior to the expiration of this permit (should it be approved).

**Alternative:**

THAT the Board of Directors deny Temporary Use Permit No. H2016.086-TUP.

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed by:**



D. Butler, Development Services Manager

Attachments: No. 1 – Agency Referral List  
No. 2 – Site Photos

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, prior to Board consideration of TUP No. H2016.086-TUP:

<b>p</b>	Agricultural Land Commission (ALC)	<input type="radio"/>	City of Penticton
<b>p</b>	Interior Health Authority (IHA)	<input type="radio"/>	District of Summerland
<b>p</b>	Ministry of Agriculture	<input type="radio"/>	Town of Oliver
<input type="radio"/>	Ministry of Community, Sport and Cultural Development	<input type="radio"/>	Town of Osoyoos
<input type="radio"/>	Ministry of Energy & Mines	<input type="radio"/>	Town of Princeton
<b>p</b>	Ministry of Environment	<input type="radio"/>	Village of Keremeos
<input type="radio"/>	Ministry of Forests, Lands & Natural Resource Operations	<input type="radio"/>	Okanagan Nation Alliance (ONA)
<b>p</b>	Archaeology Branch	<input type="radio"/>	Penticton Indian Band (PIB)
<input type="radio"/>	Ministry of Transportation and Infrastructure	<input type="radio"/>	Osoyoos Indian Band (OIB)
<input type="radio"/>	Integrated Land Management Bureau	<b>p</b>	Upper Similkameen Indian Bands (USIB)
<input type="radio"/>	BC Parks	<b>p</b>	Lower Similkameen Indian Bands (LSIB)
<input type="radio"/>	School District #53 (Okanagan Similkameen)	<input type="radio"/>	Environment Canada
<input type="radio"/>	School District #58 (Nicola Similkameen)	<input type="radio"/>	Fisheries and Oceans Canada
<input type="radio"/>	School District #67 (Okanagan Skaha)	<b>p</b>	Fortis
<input type="radio"/>	Lakeshore Highland Water System	<input type="radio"/>	Canadian Wildlife Service

Attachment No. 2 – Site Photos





# TEMPORARY USE PERMIT

FILE NO.: H2016.086-TUP

OWNER: Joe and Edward Reichert

## GENERAL CONDITIONS

1. This Temporary Use Permit is issued subject to compliance with all of the bylaws of the Regional District of Okanagan-Similkameen applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions of this Permit, and any plans and specifications attached to this Permit which shall form a part thereof.
3. Where there is a conflict between the text of the permit and permit drawings or figures, the drawings or figures shall govern the matter.
4. This Temporary Use Permit is not a Building Permit.

## APPLICABILITY

5. This Temporary Use Permit applies to, and only to, those lands, including any and all buildings, structures and other development thereon, within the Regional District as shown on Schedules 'A' and 'B', and described below:

Legal Description: Lot A, Plan 17187, DL 1822, SDYD, Except Plan H17425

Civic Address/location: 256 Copper Mountain Road, Princeton

Parcel Identifier (PID): 007-990-341 Folio: H-01005.005

## TEMPORARY USE

6. In accordance with Section 16.0 of the Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012, the land specified in Section 5 may be used for a "salvage operation", which is defined as meaning the use of a building or land for the storing of obsolete, discarded or salvaged motor vehicles and machinery for the purpose of wrecking or dismantling, or salvaging parts thereof for sale or other disposal.

## CONDITIONS OF TEMPORARY USE

7. The use of the land for a salvage operation is subject to the following conditions:
  - (a) The dismantling or salvaging of parts from motor vehicles be conducted within a building or structure. The external storage of materials is permitted.
  - (b) Hours of operation shall be:
    - i) 7:30 am to 8:00 pm, Monday to Saturday; and
    - ii) 10:00 am to 5:00 pm, Sunday.
  - (c) All industrial noises and use of exterior lights will take place during these operating hours only.
  - (d) All uses must be restricted to existing buildings and structures, and to land already disturbed.
  - (e) Screening of the salvage operation shall be a 2.4 metre minimum height, and no materials shall be stacked higher than the solid screen.
  - (f) Crushing of vehicles is prohibited.

## COVENANT REQUIREMENTS

8. Not applicable.

## SECURITY REQUIREMENTS

9. Not applicable.

## EXPIRY OF PERMIT

10. This Permit shall expire on October 6, 2019.

Authorising resolution passed by Regional Board on \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

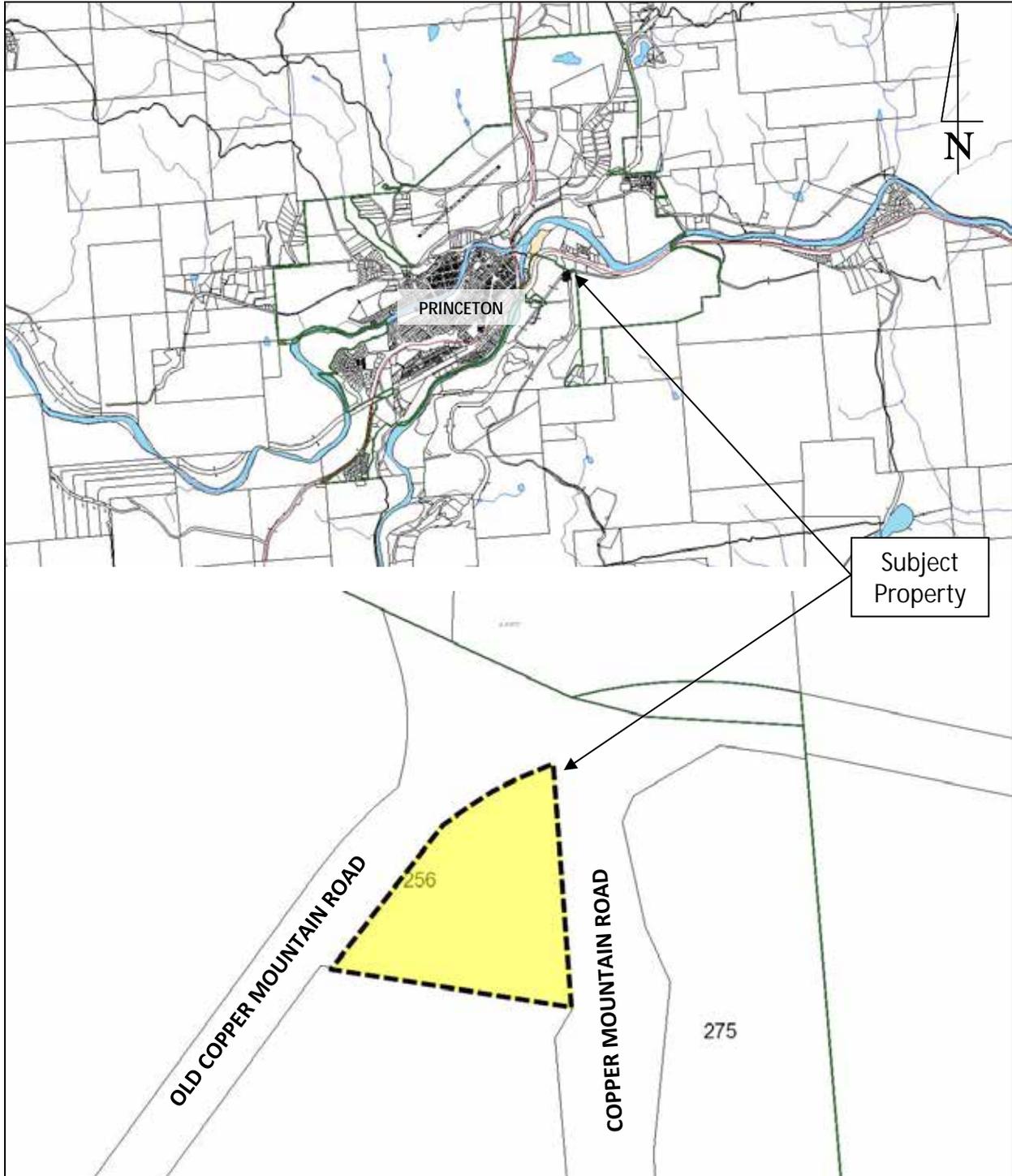
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit

File No. H20160.086-TUP

Schedule 'A'



# Regional District of Okanagan-Similkameen

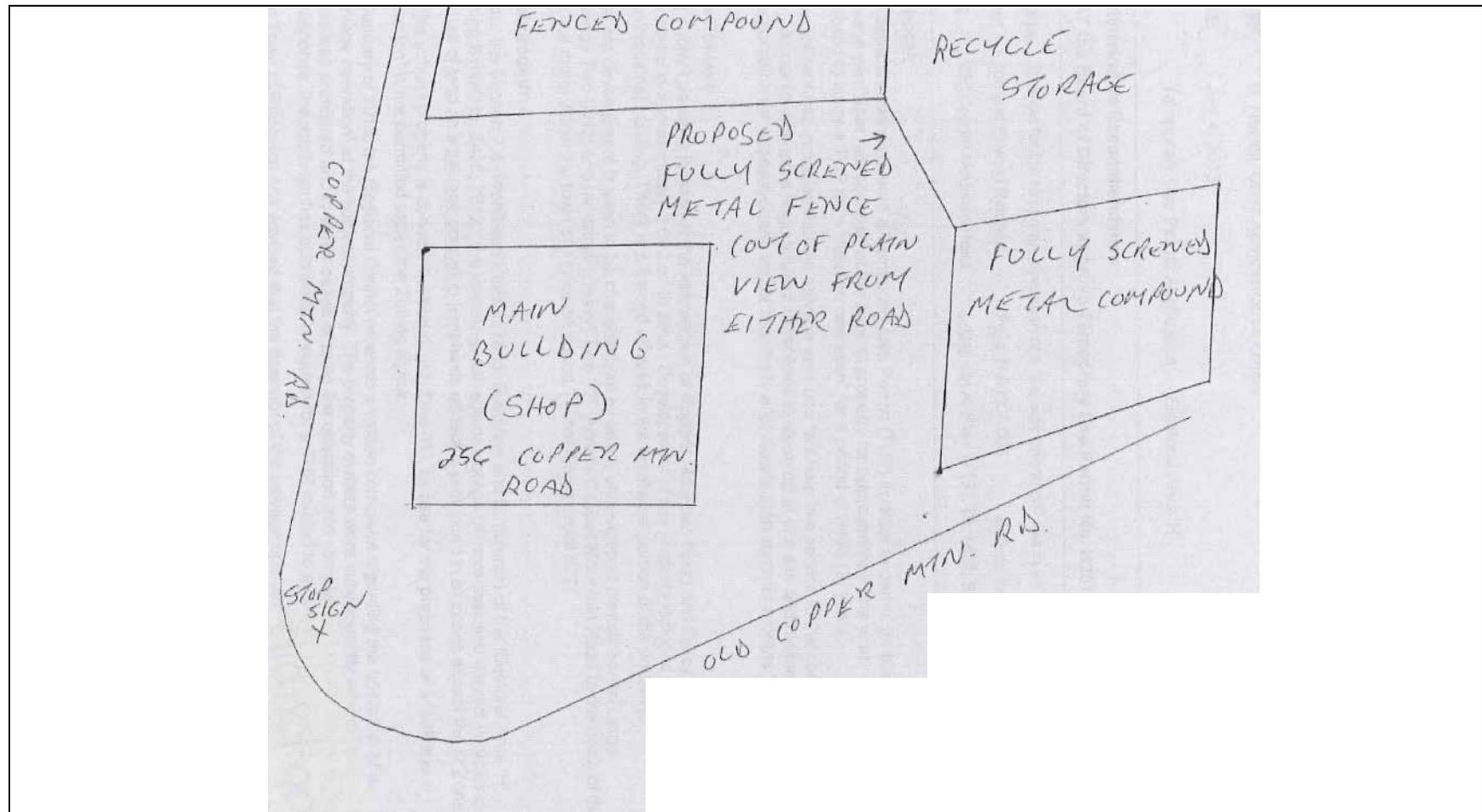
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



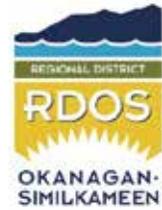
Temporary Use Permit

File No. H2016.086-TUP

## Schedule 'B'



## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** Building Violation  
Folio: H6-01344.000 Lot: Plan: DL: 3954S  
Civic Address: 1840 HIGHWAY 3

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### Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as District Lot 3954S except Plan H10294, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

### Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333.

### History:

This property is located on Highway 3, just north of Bromley Rock. This 15.6 hectare lot is zoned AG3. It is not currently assessed as a farm. Zoning allows for up to three accessory dwellings (for farm help).

This property was previously the subject of an outstanding enforcement action by the Regional District Okanagan-Similkameen for a structure that was built into the river bank in a riparian area. A court order was obtained in May, 2014 from Madam Justice A. Beames. The property owners were to bring the property into compliance within 90 days of the date of the order or alternatively remove the structure by not later than May, 2015. The RDOS is authorized to have the structure removed and recover all costs of demolition as assessed. Due to ongoing violations, staff did not proceed to enforce the court order in order to deal with all violations collectively.

The Contravention of Building Regulations Report dated June 9, 2016 from the Building Official indicates that on May 3, 2016 a Stop Work Notice was placed on an accessory structure which was immediately adjacent to the dwelling and appeared to be a covered shelter of some sort. A letter advising of the requirements was sent out on May 11, 2016 with follow up letters on May 25, 2016 and a final letter of June 6, 2016. No application has been made for the structures although Mr. Kuoppala did telephone and leave a message on May 24, 2016 in response to the letter advising that no permit was required for the sun shelter as it was moveable. Work continued on the structure and the stop work order was removed or covered up with a new sign stating "Keep Off".

In addition to the most recent work done without a permit, in 2012 an accessory structure which looked like a small cabin (#1) was built. It was reduced in size to less than 10m<sup>2</sup> (which would not require a permit). The owner was advised that no residential use is permitted in this structure.

Two additional accessory structures were also built without permits. One was a wood shed which was to be reduced in size to less than 10m<sup>2</sup> (which would not require a permit). The other is what appears to be another cabin (#2) which is 171ft<sup>2</sup> in size. The owner was given the option of reducing the cabin in size and was informed it was not for "residential use". Despite letters and contact with this office, the size of cabin #2 has not been reduced and no permit has been applied for.

The property owner feels the land is a farm and that they have a right to building farm structures and permits are not required despite being informed otherwise by Madam Justice A. Beames in May, 2014.

A site visit was done on August 23, 2016 which identified the following:

- Sunshelter – this structure is larger than 10m<sup>2</sup> and requires a building permit & inspections.
- Cabin #1 – this building is less than 10m<sup>2</sup>, however it contains a bed & is being used for residential use. Either residential use must stop or building permit & inspections are required.
- Cabin #2 - this building is larger than 10m<sup>2</sup> and is being used for residential use. It contains 2 sets of triple bunk beds and other beds as well as an unapproved wood burning stove. A building permit & inspections are required for the building and the wood stove.
- Woodshed- this building was reduced in size to less than 10m<sup>2</sup> and is being used to store wood. Nothing further is required.

As the two cabins are being used for residential sleeping, and cabin #2 has an unapproved wood stove, there are considered to be health and safety related deficiencies.

In order to close the enforcement file, building permits must be applied for and issued for all structures which requiring them and inspections done.

This Building Bylaw infraction is considered to be Category 3.

A map showing the location of this property and photos of the infraction are attached.

**Alternatives:**

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

**Category 1** (Minor Deficiencies) – Place notice of deficiencies on folio file.

**Category 2** (Major Deficiencies) – Place Section 302 Notice on title.

**Category 3** (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

**Analysis:**

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

**Respectfully submitted:**

*“L. Walton”*

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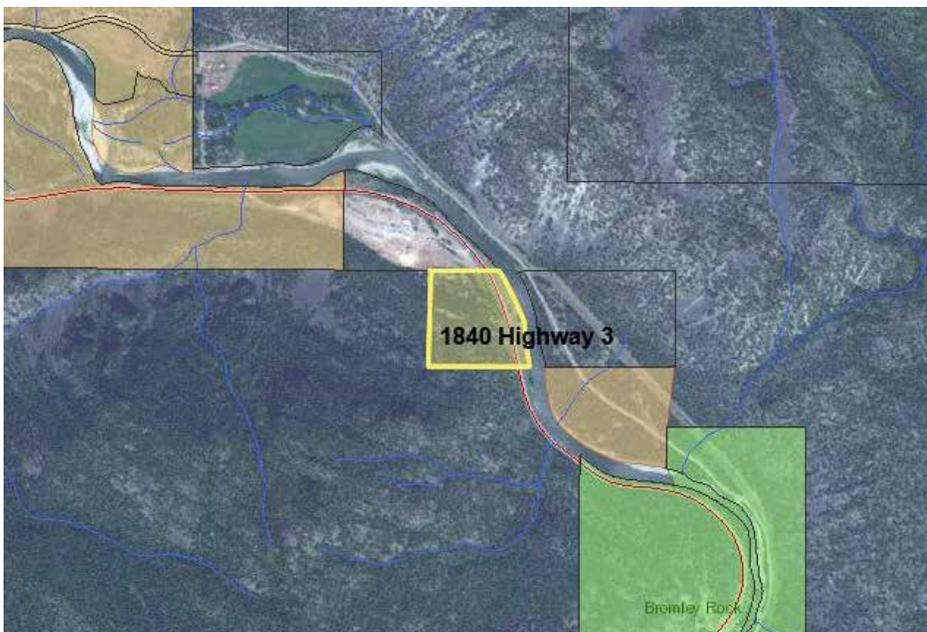
Laura Walton, Building Inspection Services Supervisor

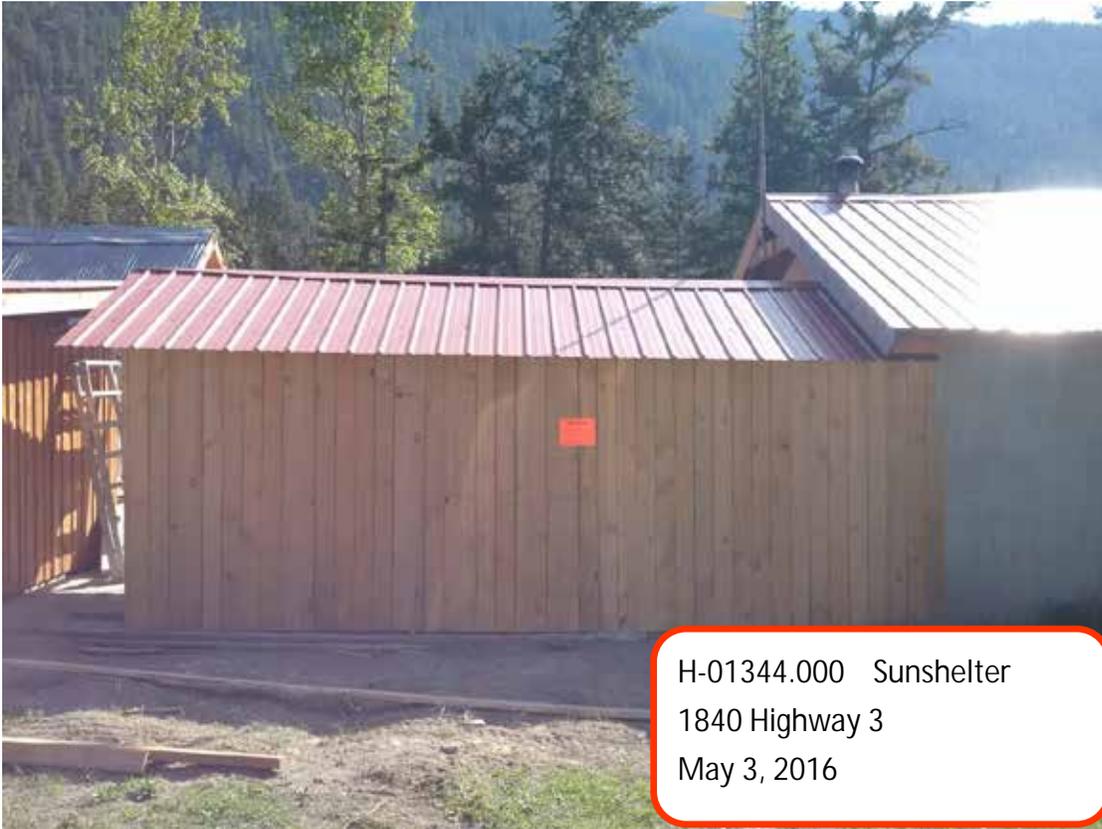
**Endorsed by:**

*“D. Butler”*

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D. Butler, Development Services Manager



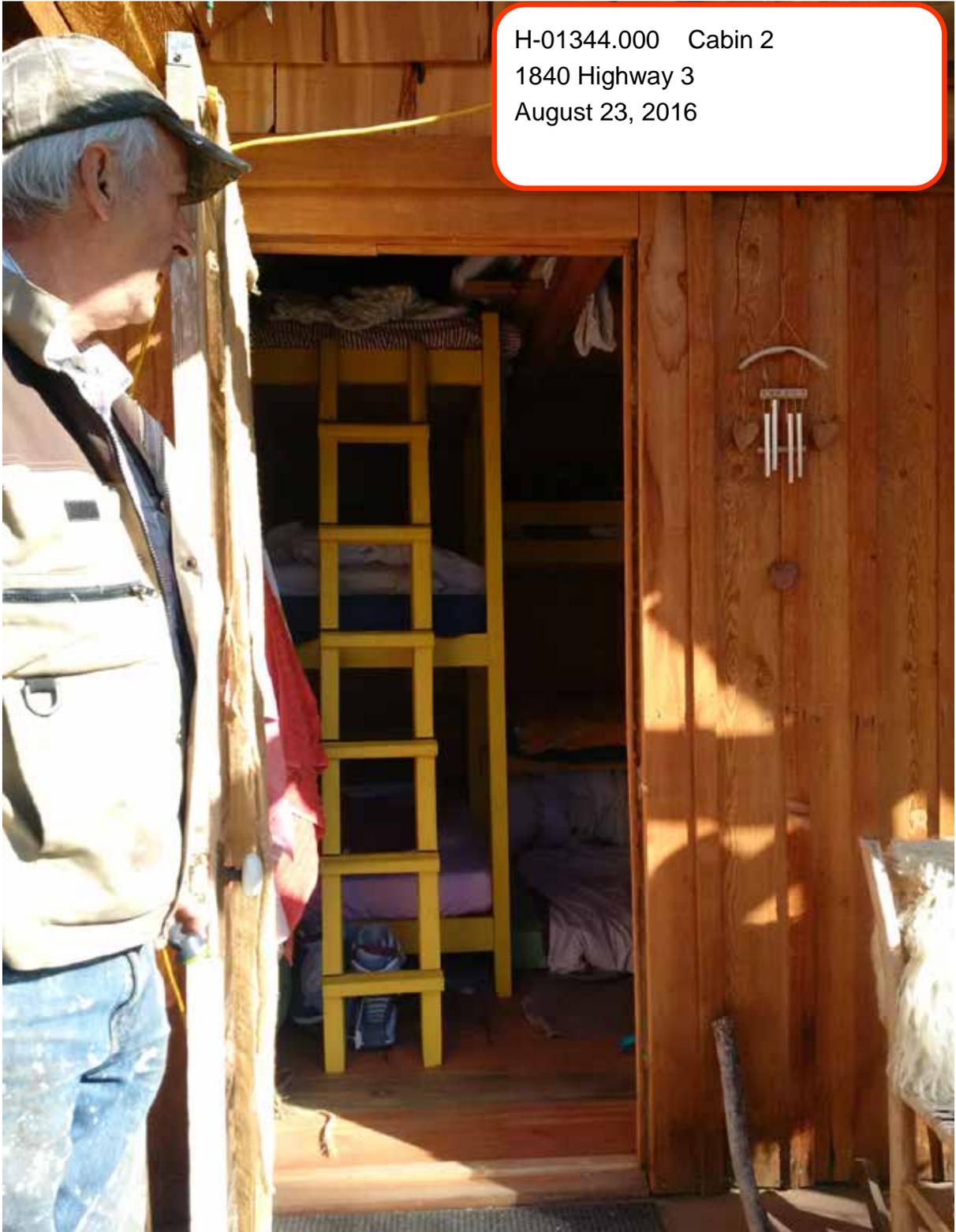


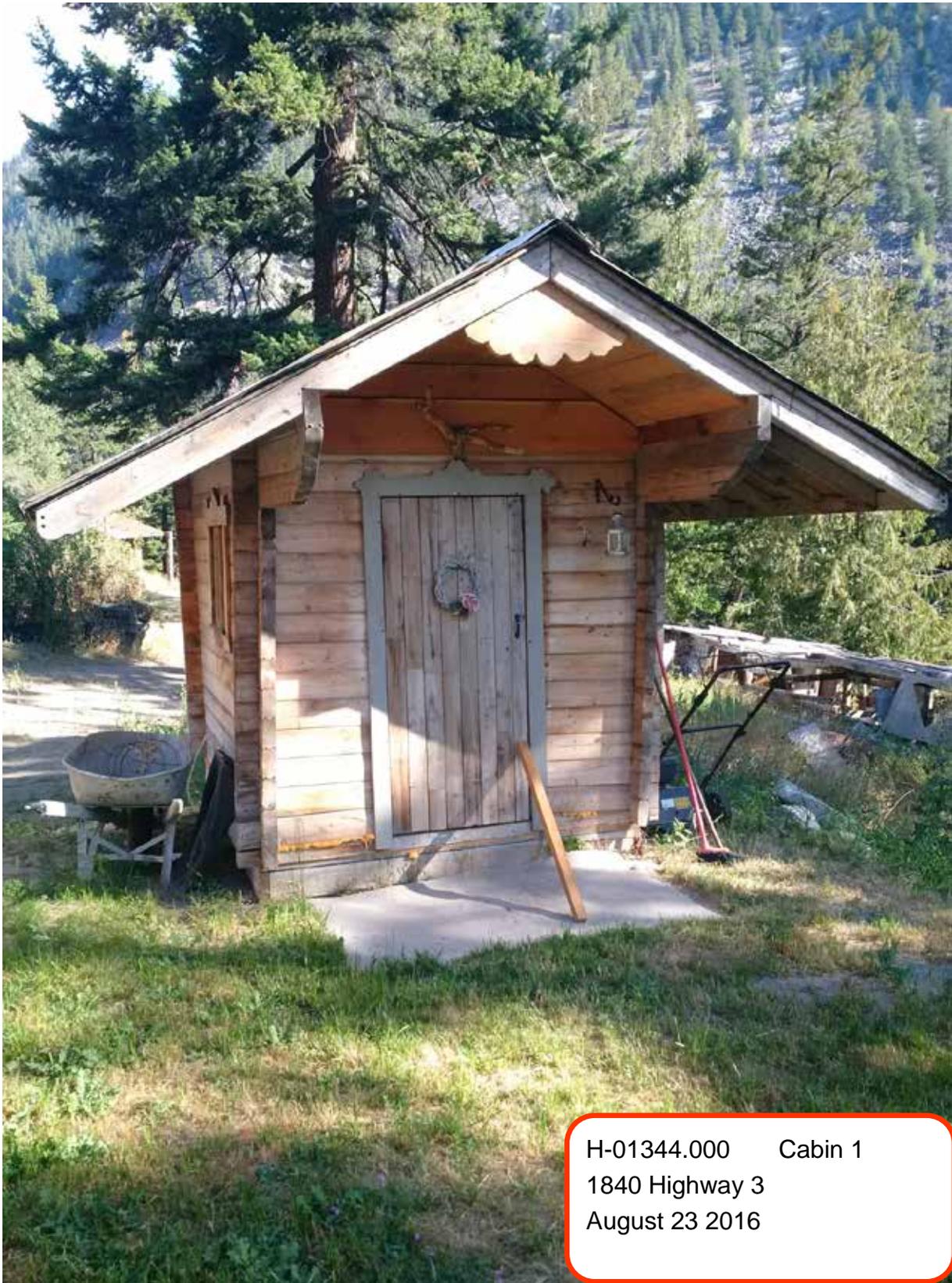
H-01344.000 Sunshelter  
1840 Highway 3  
May 3, 2016



H-01344.000 – Sunshelter  
1840 Highway 3  
May 25, 2016

H-01344.000 Cabin 2  
1840 Highway 3  
August 23, 2016





H-01344.000 Cabin 1  
1840 Highway 3  
August 23 2016

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** OCP & Zoning Bylaw Amendment – Electoral Area “C”  
Gallagher Lake Area Plan



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### Administrative Recommendation:

THAT Bylaw No. 2452.16, 2016, Electoral Area “C” Official Community Plan and Bylaw No. 2453.30, 2016, Electoral Area “C” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated October 6, 2016, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2683, 2016, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of the public hearing be delegated to Director Schafer or delegate;

AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Schafer;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

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### Proposal:

To adopt the Gallagher Lake Area Plan as a component of the Electoral Area “C” Official Community Plan No. 2452, 2008, and to amend the zoning of 8307 Highway 97 — which is within the Plan Area — to address an inadvertent zoning change that occurred in 2002.

### Business Plan Objective:

Sustainable Community 2016 priority project.

### Background:

Gallagher Lake is a small settlement in Area “C”, just north of the Oliver. The preparation of the Gallagher Lake Area Plan has been initiated by the Regional District of Okanagan-Similkameen to address policy, growth and development trends that are influencing the Gallagher Lake Area. Gallagher Lake is identified in the Regional Growth Strategy as a “Rural Growth Area”. The Area Plan will provide policies on a broad range of topics including land-use, transportation, housing, parks and infrastructure specific to the Gallagher Lake community and will form a part of the Electoral Area “C” Official Community Plan Bylaw. Many of the policies of the Area “C” Community Plan remain in effect in Gallagher Lake.

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This Area Plan was developed by CTQ Consultants Ltd. over a period of 24 months, commencing in late 2014. Development of the plan included establishment of a Citizens Committee, mail out newsletters, website information, public information meetings and consultation with stakeholders and agencies. Public meetings were well attended with active citizen engagement.

Gallagher Lake is affected by changes in the surrounding region, including industrial and institutional developments in the adjacent Osoyoos Indian Reserve including the Senkulmen Business Park and new Provincial Correctional Facility anticipated to be open in 2017 and new residential development within the community. Although it is a community that will be restricted in the overall spatial area, Gallagher Lake is now subject to transitioning from a rural to a more urban community, with the introduction of sanitary sewer and water systems.

Limits to growth are imposed by area geography, land ownership, the Osoyoos Indian Reserve No. 1, and environmentally sensitive land. Nevertheless, Gallagher Lake benefits from being located along Highway 97, an important international transportation corridor with significant traffic volume. Unfortunately, the highway also physically divides the community creating challenges for community cohesion. In recent years, there has been an evolving pattern of ownership and tenure in housing stock, population demographics and dynamics of uses including a new distillery, manufactured homes, recreational camping and strata residential projects.

A plan that articulates a vision for the next 25 to 30 years and that is supported by community planning policy will assist the Regional District in managing growth and land use changes at Gallagher Lake. The intent is to implement a plan that will continue to create a livable and sustainable community for today's and tomorrow's residents.

#### **Referrals:**

Approval of Amendment Bylaw No. 2453.30 by the Ministry of Transportation and Infrastructure (MoTI) will be required prior to adoption of this bylaw as the proposed amendments affect land within 800 metres of a controlled area (i.e. Highway 97).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 53 has been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

#### **Public Process:**

Well attended community meetings / open houses were held in April and June 2015 and July 2016. A community survey early in the process had over 100 responses and a summary of results on Attachment 1. Results of the June 2016 open house exit survey are in Attachment 2 of this report.

There is general support for the Area Plan and its continued focus on low density residential, tourist and local commercial, environmental protection and extension of water and sewer services to new

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development and existing areas as needed. There are mixed views on the trail network and pedestrian underpass at Vaseux Bridge.

Administration recommends that consideration by the Citizens Committee, written notification of affected property owners as well as formal referral to the agencies listed at Attachment No. 3 should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, this process is seen to be sufficiently early and does not need to be further ongoing.

Agency comments have been received from Interior Health Authority (IHA), MoTI, FortisBC, Ministry of Forests, Lands and Natural Resources (MFLNR), and the Town of Oliver and these are included as a separate item on the Board Agenda.

### **First Nations Consultation:**

In addition to a number of referrals to the Osoyoos Indian Band, there was a staff and consultant meeting early in the process and ongoing communication on the water and sewer services.

### **Analysis:**

#### Gallagher Lake Area Plan:

The existing community of Gallagher Lake has a population of about 550 residents. The dominant land uses are manufactured home developments and a number of tourist commercial facilities. The Area Plan provides for a full build out in future of up to additional 765 residents. The broad goals and key policies of the Plan includes:

- Build out of residential developments on the west side. Comprehensive plans for new development on the east side.
- Focus of commercial development on the west side of Highway 97 along the Frontage Road – tourist commercial, local retail and services, plus a mix of residential with streetscape improvements and new design guidelines for development
- Future redevelopment of the gravel quarry to business park, tourist commercial or mixed use residential. Current designation is I, Industrial.
- Future redevelopment of the agricultural lot north of the Vaseux Creek and east of Highway 97 to single family and/or multiple family residential and commercial uses. Current designation is LR, Low Density Residential.
- Support the future health and protection of the Lake
- Recognize the importance of parks and trails along water bodies to access to the KVR and allow for an interconnected community
- Manage vehicle access points to Highway 97 and enhance pedestrian safety in crossing the Highway
- Work with the Osoyoos Indian Band to maintain and enhance provision of community water and sanitary services to Gallagher Lake.

The Growth Area boundary of Gallagher Lake is outlined in the new Area Plan. The community is divided into the following designations:

- Resource Area -- existing gravel quarry
- Small Holdings -- 1 rural lot

- 
- . Low Density Residential -- most of the community
  - . Commercial -- Frontage Road and tourist uses on the east side
  - . Industrial -- Fortis gas facility
  - . Parks -- existing RDOS natural park and Okanagan River/Vaseux Creek natural area
  - . Trail corridors area designated along Highway 97, including proposed highway underpass, creek and river connection to the KVR

These are the significant policy changes outlined in the Area Plan. At this time the only new development proposal is the rezoning to expand the Gallagher Village development to the north to Vaseux Creek. This application is being brought forward at the same time as the new Area Plan.

#### Proposed Rezoning - 8307 Highway 97:

During public consultation, the owners of 8307 Highway 97 identified to the RDOS that zoning changes introduced in 2002 undid a previous rezoning application approved by the Board in 1997.

Specifically, Amendment Bylaw No. 1697, 1996, had introduced "gift shops" and "home occupations" as permitted principal uses in the (then) Campground (CT3) Zone, whereas the adoption of Zoning Bylaw No. 2123, 2002, removed these same uses from the CT3 Zone.

In considering this issue, the use of the (then) CT3 Zone to accommodate the property owners request for a "gift shop" and "home occupation" use within their dwelling was ill-advised and it is understandable why the 2002 Comprehensive Review of the Electoral Area "C" land use bylaws removed these provisions from the zone.

Unfortunately, this had the unintended consequence of removing the ability of the property owner to undertake the commercial uses they had received Board approval for 6 years earlier and simultaneously rendered their dwelling legally non-conforming.

In order to address this, it is noted that the SH4 Zone which applies to the main part of the property currently permits for "home occupations" while the reintroduction of a "gift shop" would be best accommodated through a site specific regulation allowing "retail stores, general, not to exceed 200 m<sup>2</sup> in gross floor area."

Accordingly, it is recommended that the CT4 Zone be removed and a SH4s Zone be introduced to the whole of the property.

#### **Alternatives:**

- .1 THAT Bylaw 2452.16 2016 be denied.
- .2 THAT Bylaw 2452.16, 2016 be deferred until the following conditions are met: (*TBD*).

#### **Respectfully submitted:**

*Donna Butler*

D. Butler, Development Services Manager

Attachments: No. 1 – Public Survey Results – April 14, 2015  
No. 2 – Open House Exit Survey Comments – July 6, 2016

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No. 3 - List of Referral Agencies

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Attachment No. 1 – Public Survey Results – April 14, 2015

A key component of the Gallagher Lake Area Plan is public engagement. An Open House was held on April 14. A survey was available at the Open House and was also later provided to the Country Pines Mobile Home Park, Deer Park and the Gallagher Village developments. A total of 105 surveys were completed as follows:

. Open House	- 27
. Country Pines	- 48
. Deer Park	- 14
. Gallagher Village	<u>- 16</u>
Total	105

Note: There may be some duplicate responses, as some attendees at the Open House may have also filled out surveys that were circulated in the housing developments. The survey is not “scientific”, but is intended to identify items of concerns and interest to local residents.

RESULTS

1. Housing Needs: A significant majority of respondents favour supporting the type of housing that currently available in the community to continue into the future. About 10% respondents support some low density multiple family housing.
2. Commercial Uses: Of the one-half of respondents who answered the question, there was support for additional commercial development at G. Lake with some limitations to tourist commercial, retail, restaurant, grocery, arts and crafts and similar small scale operations and one-half who did not support additional retail.
3. Redevelopment: The majority, about 75%, supported redevelopment for residential uses, 50% for commercial and 50% for no industrial development.
4. Services & Utilities: 25% supported future utilities over the next 5 years, 35% as demand warrants and about 40% did not support expansion of sewer (mainly from Country Pines).
5. Tourism: The respondents provided the most support for “landscaping along the frontage road” for community enhancement.
6. Community Amenities: 80% of respondents did not see a need for institutional facilities or community amenities, feeling that they can go to other centres.
7. Highway Situation: Most respondents desire a lower speed limit on Highway 97 and safer pedestrian crossing of the Highway. There is also some support for frontage road beautification and pedestrian improvements.
8. Parks and Trails: About 40% of respondents answered this question and supported trails and walking opportunities.
9. Environment and Creeks: Written concerns focused on keeping natural areas clean and tidy, concerns about the gravel operation, and about the trail along the water canal.
10. Industrial Uses: Large majority of respondents do not support more industrial development.
11. Access to Gallagher Lake: About 40% favoured public access to Gallagher Lake, while 60% did not (most from Country Pines) due to concerns about a small, crowded lake with limited access.

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Attachment No. 2 - Open House Exit Survey Comments – July 6, 2016

Do you agree with the vision and Goals outlined for the community:

- . Yes – 19 No - 8

Comments:

- . Not enough info given out
- . When they 4 lane the Highway, coordinate your improvements
- . No public access to Gallagher Lake due to impact on water quality, fish and wildlife and facilities (3 responses)
- . Access points must be established before real estate development plans are approved
- . For the most part (4)
- . Traffic controlled crosswalk at Gallagher Lake should be priority
- . Mainly support – would not like to see any public access on the riparian area west of Gallagher Lake Village
- . Lack of communication re – KVR hiking trail through Deer Park and other trails/parks
- . No bridge underpass
- . Support with appropriate caveats as outlined in Plan
- . But need to be kept informed of the costs as the Plan is moving towards implementation

Single family homes will continue to be the main housing type, but some 2 storey townhouses may be considered:

- . Yes – 30 No – 7

Comments:

- . No 2 storey townhouses (10 responses)

Support future redevelopment of the gravel quarry to residential, light industrial or tourist commercial:

- . Yes – 31 No – 3

Comments

- . No light industrial (2 responses), residential only
- . As long as there is cooperation with the community
- . Only be considered when the current use ceases – no hostile rezoning
- . If it does not interfere with the existing community
- . Winery type of use
- . Traffic turns dangerous
- . Not sure why this is being suggested as quarry is still in use

Continue to focus new commercial development on the Frontage Road and work to improve appearance and walking:

- 
- . Yes – 33 No - 3

Comments

- . Lower speed on road
- . Clean up of the Frontage Road
- . Needs another access – poor existing access
- . Do no encroach on the private GLVP walkway along the river (4 responses)
- . Don't encroach trails on private property unless approved by owner
- . Residential, commercial not heavy industrial
- . With all the traffic are cars trying to get on Highway – 60 km speed limit
- . Only suitable place
- . Left turn lane used as a high speed passing lane – up to 100 km/hour

No support for new heavy industry:

- . Yes – 27 No – 6

Comments

- . Do not ban all – there may be some necessary in the future
- . Should be considered on a case-by-case basis – community needs growth and new business

Protect environmentally sensitive areas including cliff above lake, lake shore and riparian areas along creek and river:

- . Yes –27 No – 6

Comments

- . Yes, but leave the chestnut tree along the river (2 responses)
- . Yes for new development – but they should be reasonable
- . Don't need poison ivy
- . Often too restrictive
- . Rocks still falling weekly

Support new natural parks and trail network:

- . Yes – 19 No – 16

Comments

- . But not on private land / Gallagher Village (5 responses)
- . KVR proposal is great – does not affect private property
- . Parks and trails for tax paying residents only
- . Provided the trail south of Vaseux Creek does not connect cross the creek
- . Support KVR, not other trails

Support highway pedestrian underpass at Vaseux Bridge:

- 
- . Yes – 19 No – 16

Comments

- . Lower speed on Highway and raised crosswalk
- . Controlled light pedestrian crossing would be better (6responses)
- . Yes, much safer (2)
- . Top priority
- . Very important
- . Provide access to Deer Park which creates security problems
- . Allow path on south side of creek, not north side
- . Not in normal movement of people

Support extension of community water and sanitary service to new development and to existing areas as needed:

- . Yes – 32 No – 3

Comments

- . If they pay their fair share
- . Only if the fees are covered by the users, not everybody else
- . Yes but not forced. All costs should be considered on each plan for sewer / water
- . ASAP
- . Not without knowing costs – Country Pine

Attachment No. 3 - Agency Referral List

Referrals to be sent to the following agencies as highlighted with a **P**, prior to the Board considering first reading of Amendment Bylaw No. 2452.16, 2016.

<b>P</b>	Agricultural Land Commission (ALC)	<b>O</b>	Kootenay Boundary Regional District
<b>P</b>	Interior Health Authority (IHA)	<b>O</b>	City of Penticton
<b>P</b>	Ministry of Agriculture	<b>O</b>	District of Summerland
<b>P</b>	Ministry of Energy & Mines	<b>P</b>	Town of Oliver
<b>O</b>	Ministry of Community, Sport and Cultural Development	<b>O</b>	Town of Osoyoos
<b>P</b>	Ministry of Environment	<b>O</b>	Town of Princeton
<b>P</b>	Ministry of Forest, Lands & Natural Resource Operations	<b>O</b>	Village of Keremeos
<b>P</b>	Ministry of Jobs, Tourism and Innovation	<b>P</b>	Okanagan Nation Alliance (ONA)
<b>P</b>	Ministry of Transportation and Infrastructure	<b>O</b>	Penticton Indian Band (PIB)
<b>O</b>	Integrated Land Management Bureau	<b>P</b>	Osoyoos Indian Band (OIB)
<b>P</b>	BC Parks	<b>O</b>	Upper Similkameen Indian Bands (USIB)
<b>P</b>	School District #53 (Okanagan Similkameen)	<b>O</b>	Lower Similkameen Indian Bands (LSIB)
<b>O</b>	School District #58 (Nicola Similkameen)	<b>O</b>	Environment Canada
<b>O</b>	School District #67 (Okanagan Skaha)	<b>O</b>	Fisheries and Oceans Canada
<b>O</b>	Central Okanagan Regional District	<b>P</b>	Archaeology Branch
<b>P</b>	Fortis	<b>O</b>	Westbank First Nation
<b>O</b>	Lakeshore Highland Water System	<b>O</b>	Okanagan Falls Irrigation District
<b>P</b>	Natures Trust	<b>P</b>	OBWB

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2452.16, 2016**

---

**A Bylaw to amend the Electoral Area "C"  
Official Community Plan Bylaw No. 2452, 2008**

---

The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

1. This Bylaw may be cited for all purposes as the "Gallagher Lake Area Plan Official Community Plan Amendment Bylaw No. 2452.16, 2016."
2. The "Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008" is amended by:
  - (i) adding a new Appendix '1' (Gallagher Lake Area Plan) as shown on the attached Schedule 'X-1' (which forms part of this bylaw).
  - (ii) replacing Schedule 'B' (Official Community Plan Map) with a new Schedule 'B' (Official Community Plan Map), as shown on the attached Schedule 'X-2' (which forms part of this bylaw).

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2016.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2016.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2016.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

---

Board Chair

---

Corporate Officer

# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2452.16, 2016

Project No: C2016.082-ZONE

Schedule 'X-1'

*[Gallagher Lake Area Plan]*

DRAFT

# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2452.16, 2016

Project No: C2016.082-ZONE

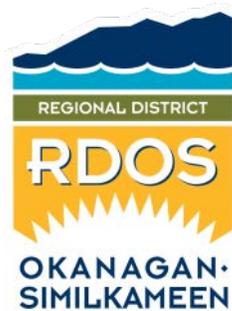
Schedule 'X-2'

*[Official Community Plan Map]*

DRAFT

# GALLAGHER LAKE AREA PLAN

*Appendix 1 to the Electoral Area "C" Zoning Bylaw No. 2452, 2008*





# GALLAGHER LAKE AREA PLAN

## REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

### TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>3</b>
1.1	BACKGROUND TO THE PLAN.....	3
1.2	ELECTORAL AREA "C" OFFICIAL COMMUNITY PLAN .....	3
<b>2.0</b>	<b>COMMUNITY PROFILE.....</b>	<b>5</b>
2.1	THE COMMUNITY SETTING .....	5
2.2	HOUSING AND DEMOGRAPHICS.....	5
2.3	GROWTH MANAGEMENT .....	6
2.4	COMMUNITY CONSULTATION.....	7
<b>3.0</b>	<b>VISION AND BROAD GOALS .....</b>	<b>9</b>
3.1	VISION .....	9
3.2	BROAD GOALS .....	9
<b>4.0</b>	<b>LAND USE DESIGNATIONS .....</b>	<b>12</b>
<b>5.0</b>	<b>RESOURCE AREA .....</b>	<b>13</b>
5.1	BACKGROUND.....	13
5.2	POLICIES .....	13
6.1	BACKGROUND.....	14
6.2	POLICIES .....	14
<b>7.0</b>	<b>RESIDENTIAL .....</b>	<b>15</b>
7.1	BACKGROUND.....	15
7.2	POLICIES .....	15
<b>8.0</b>	<b>COMMERCIAL.....</b>	<b>16</b>
8.1	BACKGROUND.....	16
8.2	POLICIES .....	16
9.1	BACKGROUND.....	17
9.2	POLICIES .....	17
<b>10.0</b>	<b>CONSERVATION AREA, LAKES AND STREAMS.....</b>	<b>18</b>

10.1	BACKGROUND.....	18
10.2	POLICIES .....	18
<b>11.0</b>	<b>PARKS, TRAILS AND OPEN SPACE.....</b>	<b>19</b>
11.1	BACKGROUND.....	19
11.2	POLICIES .....	19
<b>12.0</b>	<b>TRANSPORTATION, ROADS &amp; PEDESTRIAN MOBILITY .....</b>	<b>21</b>
12.1	BACKGROUND.....	21
12.2	POLICIES .....	22
<b>13.0</b>	<b>SERVICING &amp; UTILITIES .....</b>	<b>23</b>
13.1	BACKGROUND.....	23
13.2	POLICIES .....	23
<b>14.0</b>	<b>DEVELOPMENT PERMIT AREAS.....</b>	<b>25</b>
14.1	GALLAGHER LAKE COMMERCIAL DEVELOPMENT PERMIT AREA.....	25
.1	<i>Category</i> .....	25
.2	<i>Area</i> .....	25
.3	<i>Justification</i> .....	25
.4	<i>Guidelines</i> .....	25
.5	<i>Bonding and Security</i> .....	27
.6	<i>Exemptions</i> .....	28
<b>15.0</b>	<b>IMPLEMENTATION .....</b>	<b>29</b>
15.1	GOVERNMENT AGENCY COORDINATION.....	29
15.2	FUTURE INITIATIVES .....	29

## LIST OF MAP SCHEDULES

<u>Schedule 'A'</u>	<u>Future Land Use Map</u>
<u>Schedule 'B'</u>	<u>Roads and Trails Map</u>
<u>Schedule 'C'</u>	<u>Commercial Development Permit Area Map</u>

# 1.0 INTRODUCTION

---

## 1.1 Background to the Plan

Preparation of the Gallagher Lake Area Plan has been initiated by the Regional District of Okanagan-Similkameen to address policy, growth and development trends that are influencing the Gallagher Lake Area of the South Okanagan-Similkameen. Gallagher Lake is identified in the Regional Growth Strategy as a “Rural Growth Area”. The Area Plan will form a part of the Electoral Area “C” Official Community Plan Bylaw. The Area Plan will provide policies on a broad range of topics including land-use, transportation, housing, parks and infrastructure specific to the Gallagher Lake community.

This Area Plan was developed over a period of 24 months, commencing in late 2014. Development of the plan included establishment of a Citizens Committee, mail out newsletters, website information, public information meetings and consultation with stakeholders and agencies. Public meetings were well attended with active citizen engagement.

Gallagher Lake is affected by changes in the surrounding region, including industrial and institutional developments in the adjacent Osoyoos Indian Reserve including the Senkulmen Business Park and new Provincial Correctional Facility anticipated to be open in 2017 and new residential development within the community. Although it is a community that will be restricted in the overall spatial area, Gallagher Lake is now subject to transitioning from a rural to a more urban community, with the introduction of sanitary sewer and water systems.

Limits to growth are imposed by area geography, land ownership, the Osoyoos Indian Reserve No. 1, and environmentally sensitive land. Nevertheless, Gallagher Lake benefits from being located along Highway 97, an important international transportation corridor with significant traffic volume. Unfortunately, the highway also physically divides the community creating challenges for community cohesion. In recent years, there has been an evolving pattern of ownership and tenure in housing stock, population demographics and dynamics of uses including a new distillery, manufactured homes, recreational camping and strata residential projects.

A plan that articulates a vision for the next 25 to 30 years and that is supported by community planning policy will assist the Regional District in managing growth and land use changes at Gallagher Lake. The intent is to implement a plan that will continue to create a livable and sustainable community for today's and tomorrow's residents.

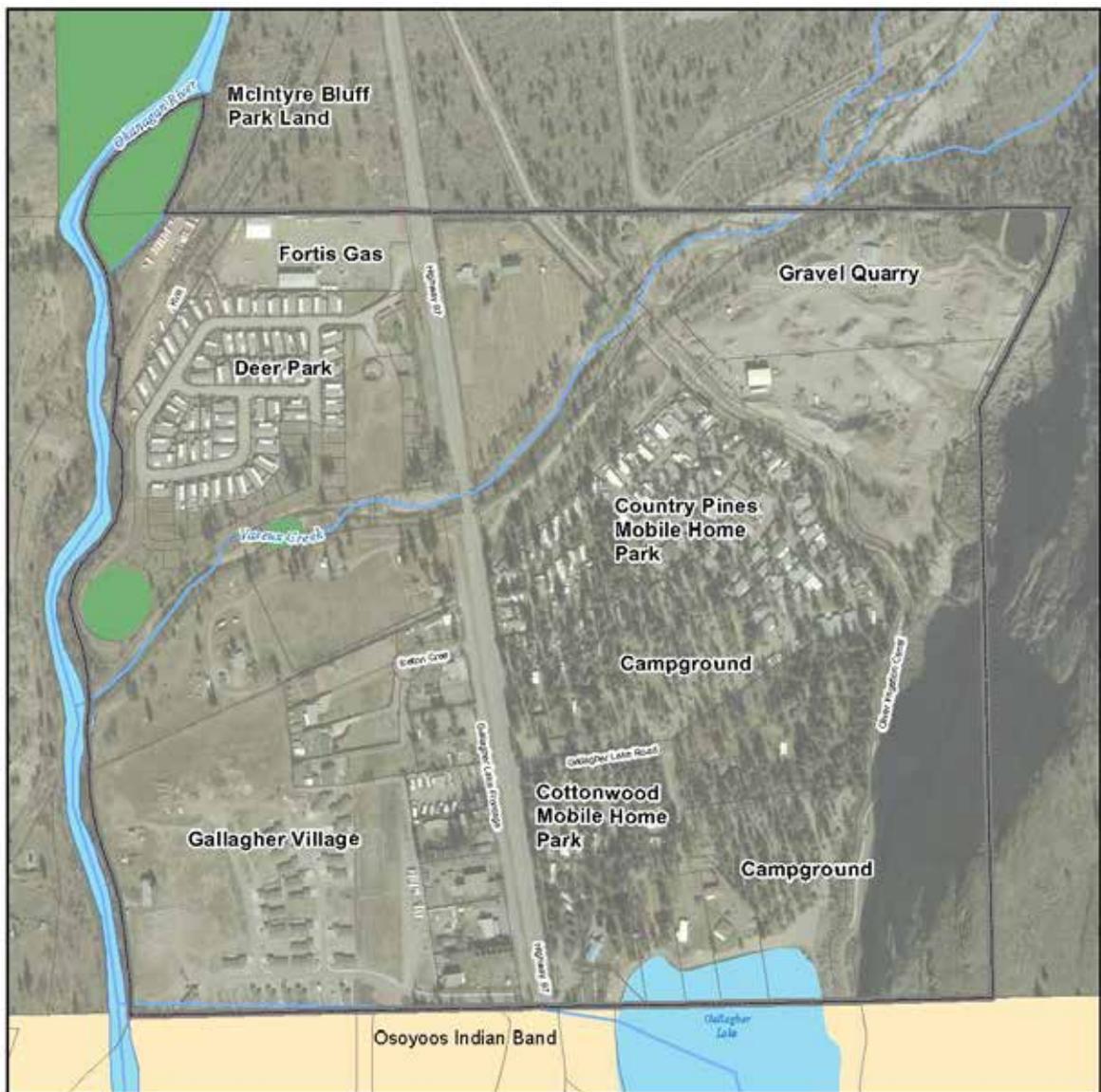
## 1.2 Electoral Area “C” Official Community Plan

The Electoral Area ‘C’ Community Plan (Oliver –Rural) was initially adopted in 2002 and re-enacted in 2008. In this Plan, the community of Gallagher Lake is identified as one of a number of low density residential areas within the Electoral Area and also a location for manufactured home parks. The Community Plan reflects the land uses in Gallagher

Lake, with Low Density Residential (LR) being the predominant designation. The Commercial (C) designation applies to the west side of the Frontage Road, the campground and motel on the east side of Highway 97, an undeveloped area south of Vaseux Creek and a small area across from the Fortis Gas facility. There is one parcel designated Industrial (I) along the Frontage Road as is the Fortis Gas facility at the northern edge. On the eastern side, there is a Small Holdings (SH) designation along Vaseux Creek and the gravel quarry lands are designated as Resource Area (RA).

The Gallagher Lake Area Plan will form part of the Electoral Area "C" Community Plan attached as Appendix 1. The overall goals, objectives and policies of the Electoral Area "C" Plan apply to Gallagher Lake. This Area Plan provides more specific direction for the future development of the Gallagher Lake community.

### GALLAGHER LAKE AREA PLAN



## 2.0 COMMUNITY PROFILE

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### 2.1 The Community Setting

The community takes its name from Gallagher Lake, a small fresh water lake approximately 3.8 miles north of Oliver and 40 kilometers south of Penticton. The community is located on both sides of Highway 97 in the south Okanagan valley and adjacent to, Nfaylintn, (formerly McIntyre Bluff), an area landmark. Over the years, the lake, area camping, seasonal accommodation and roadside service helped create a small tourist destination.

The Gallagher Lake campground was complemented by seasonal accommodation which ultimately became permanent residential units in the form of trailers and modular homes. Although the lake does not have public access, visitors to the campground and motels can enjoy the beaches, swimming and fishing. Today, Gallagher Lake includes motels, camping, a restaurant/pub, a distillery and other services, mainly located along the Gallagher Lake Frontage Road parallel to the Highway.

It is recognized that Highway 97 divides the community in half. The west side contains the most recent development with new homes, utilities and commercial uses. The east side is largely made up of long-standing manufactured homes/trailers, camp ground facilities and motels.

There is a Fortis Gas facility located to the north of Deer Park, , a gravel quarry in the north east area and a larger Fortis power substation just north east and outside of the community. A Fortis natural gas and electric power right-of-way passes through the west side of the community. The quarry operation has several years of gravel resources but is deemed to have future redevelopment opportunities for other urban uses.

The community benefits from Okanagan River and Vaseux Creek flowing through and along the edge of the residential areas. Such features enhance the open space, parks and trail system and provide drainage corridors through the community. The Town of Oliver retains ownership and management responsibility for the irrigation canal that is passes through the eastern portion of the Gallagher Lake.

The lands north of the community contain very environmentally sensitive Antelope-brush on the McIntyre Ranch property. These lands are in the process of being acquired by the Nature Trust and will complement other Nature Trust lands, the Vaseux Bighorn National Wildlife Area and Provincial Protected Areas. The McIntyre Bluff Natural Park, owned by the RDOS, is located at the northern edge of Gallagher Lake.

### 2.2 Housing and Demographics

Gallagher Lake is primarily comprised of manufactured home developments as follows:

- Cottonwood Mobile Home Park on east side of Highway 97 with 23 units, developed in the 1970's.

- Country Pines Mobile Home Park also located on the east side, with about 125 units, developed in the 1970's.
- Deer Park, an 80 unit strata development originally built in the 1990's located on the west side of Gallagher Lake on the north side of Vaseux Creek. A new Developer acquired the final phase of Deer Park and created an additional 30 lots in 2015. At the subdivision approval stage in 1994, a walkway was dedicated along Vaseux Creek and the Okanagan River up to the KVR.
- Gallagher Lake Village modular home development located in the south west is supplied with water and sanitary sewer services through agreement with the Osoyoos Indian Band. As of 2016 the Village is currently approximately three-quarters developed, with a total of 100 units at full build out. The Developer has also proposed to expand development on lands to the north up to Vaseux Creek.
- There are also 12 single family dwellings located on Icton Crescent, at the north of the Lake and on larger lots in the north east sector.

The population of the community is approximately 550 based on dwelling unit count of 314 and an average household size of 1.8. There are Census statistics available for Electoral Area "C", but not for Gallagher Lake – which is largely a retirement area, with some working residents and few children. Many residents spend part of their winters in southern locations, while others use the properties during the summer months, returning annually from their northern homes.

### 2.3 Growth Management

On April 1, 2010, the Regional District adopted a Regional Growth Strategy (RGS) for the South Okanagan. Under the *Local Government Act*, once an RGS has been adopted, Official Community Plans (OCPs) must be consistent. The goal of the RGS is to direct the substantial majority of future growth in the south Okanagan Valley area to designated Primary Growth Areas -- Penticton, Summerland, Oliver, Osoyoos, and Okanagan Falls. The RGS envisions maintaining the rural character of the Plan Area, and anticipates directing growth to designated Rural Growth Areas, which the RGS specifically identifies as areas with the following:

- established rural settlement areas with a minimum of 200 lots and/or dwelling units;
- community water or community sewer services in place;
- existing commercial or industrial; or
- where development has been pre-determined through zoning, but not yet developed (e.g., Twin Lakes).

Within Electoral Area "C", the South Okanagan RGS designates Gallagher Lake as a "Rural Growth Area". Due to identified constraints, the growth management

boundaries of Gallagher Lake remains unchanged from the area zoned for development on the Plan Map Schedules in this Plan.

As of 2016, future development opportunities have been identified in the Area Plan process and include:

- 30 units (approx.) remaining in the Gallagher Village Modular Home Development;
- 25 units (approx.) remaining in the Deer Park development;
- 35 units (approx.) on a 3.0 ha area of land south of Vaseux Creek / west of Hwy 97 that is proposed to be re-designated from Tourist Commercial to Low Density Residential;
- 65 units (approx.) on a 4.5 ha area of land north of the Gallagher Village development that is proposed to be re-designated from Small Holdings to Low Density Residential;
- 200 units (approx.) on a 14.5 ha part of an existing gravel quarry (i.e. 10 ha developable, potential mixed residential);
- 30 units (approx.) on a 2.0 ha area of land between campground on Gallagher Lake Road; and
- 40 units (approx.) of infill housing on lands north of the Lake and adjacent to the Frontage Road commercial (i.e. 4 units per lot).

Note: Based on 15 single family units per ha, and 20 mixed single & multiple units per ha

The future capacity to accommodate growth at Gallagher Lake is for an additional population of approximately 765 persons, based on full build out potential of approximately 425 new units and an average household size of 1.8. This would more than double the current population of Gallagher Lake.

Over the past 40 years, the population has grown sporadically with the addition of new manufacture home developments. Assuming a 1980 population of 300, the average growth of Gallagher Lake has been about 2% per year. At the same rate of growth there is over 30 years of development capacity in Gallagher Lake. Nevertheless, a more rapid rate of growth is anticipated in coming years with the introduction of urban services and new employment opportunities in the area.

## 2.4 Community Consultation

The Regional District provided opportunities to engage the residents of Gallagher Lake in discussions about the future planning and development of the community. The initial step involved the creation of a Citizens Committee made up of representatives of the three main neighborhoods, development community, small business and industrial enterprises in Gallagher Lake. This afforded the consultant and Regional District staff the means to discuss the issues that arose in a comprehensive manner. The Committee, along with the (RDOS) Electoral Area Representative provided on-going

input to policy response or options that could address the many planning, development and servicing issues. Since March, 2015, the Committee has been actively involved through meetings with the Consultant and RDOS staff, attendance at public open houses and review of various draft documents.

Open Houses were held in April and June 2015 and in June 2016, to engage the residents and stakeholders of Gallagher Lake. Input was also obtained from surveys and comment sheets distributed at the Open Houses. Over 100 surveys were completed, providing the consultant and the RDOS a comprehensive understanding of concerns and areas of interest amongst the community members.

Public comments through the Meetings and Survey are highlighted below:

- Support for similar types of new residential development currently existing in Gallagher Lake. Limited support for some multiple family uses;
- General support for additional commercial uses limited to tourist commercial, retail, restaurant, arts and crafts and similar scale development;
- Concerns about the impact and costs of expanding sewer services to the Country Pines development;
- Community enhancement by landscaping the frontage road, and improved pedestrian safety and mobility;
- Lack of support for institutional or community facilities due to proximity to Oliver;
- Desire for a lower speed limit and safer pedestrian crossing on Highway 97;
- Mixed support for trail development to enhance walking opportunities;
- Protection of creek and river fronts and natural areas;
- No support for new industrial development; and
- Mixed views regarding public access to Gallagher Lake.

## 3.0 VISION AND BROAD GOALS

---

### 3.1 Vision

During the public consultation, the residents of Gallagher Lake expressed their sentiments regarding a vision for the future of the community. This vision has set the backdrop for the policy direction of the Plan. The following statement outlines the vision for the community:

*Gallagher Lake will continue to evolve as a small and quaint community made up of predominantly low density residential homes, surrounded by the natural beauty of the South Okanagan landscape and streams. Managed growth will be accommodated in an environmentally sustainable manner, allowing for infill and redevelopment opportunities of older properties and underutilized land. The appeal and charm of the community is experienced by both its residents and visitors travelling along Highway 97. Local retail and tourism-oriented services will complement the aesthetically pleasing character of Gallagher Lake. The community will continue to work towards its goal of community cohesion amongst its neighborhoods, achieving a safe and pedestrian friendly community in the South Okanagan. Safe crossing of the highway will continue as a predominant quest by the residents of Gallagher Lake.*

### 3.2 Broad Goals

Gallagher Lake will grow and evolve based on its current and limited land base, municipal services/utilities and allocation of land uses. The policies will reflect existing uses but also promote sustainability, protect environmental features and foster a livable community. New development will receive urban services, and as such compatibility between older/rural areas and new development should be managed and phased in a sensitive manner. Population growth in Electoral Area "C" has shown slow growth in the past, but recent developments including the new Correctional Centre just south of Gallagher Lake will spark new investment and development interest in the immediate area. The following are the key goals to help manage growth and achieve the ultimate community character:

- .1 Residential development areas on the west side of the highway will continue to be built out in comprehensive single family unit neighborhoods.
- .2 The frontage properties on the west side of the highway between Vaseux Creek and the south border of the Area Plan will continue to provide commercial space for tourist and retail and other services for locals and the travelling public. This use should not preclude some addition of mixed use with residential units above the commercial, but ensuring that the primacy of local and tourist services is maintained in that area.
- .3 The east side of the highway contains residential uses in the form of both manufactured homes and trailers, along with camping and fixed roof tourist

accommodation, in the form of small motels. Changes to this precinct should only occur in a comprehensively planned manner, ensuring owners of homes and property are engaged and consulted.

- .4 An important element in achieving the vision stated in sub-section 3 is the design character along the Gallagher Lake Frontage Road. Streetscape improvements will be encouraged in the form of landscaping, pedestrian facilities, lighting and upgrades to buildings and properties. Design Guidelines will respect some of the basic architectural design and materials already included in the Ye Old Welcome Inn Pub and the Dubh Glas Distillery.
- .5 As the gravel quarry is exhausted in the future, the vision is to consider uses that will be compatible with residential uses to the south. A comprehensive plan would be required to address access, phasing, servicing, as well as the proposed land use. Potential future uses include business park, tourist commercial and mixed use residential. At the time of adoption, the Area Plan will retain an Industrial designation at the quarry site.
- .6 The most northerly lands on the east side of and adjacent to Highway 97 have potential for residential or tourist commercial uses. Any proposed development will require a comprehensive plan to address access management, floodplain, riparian objectives, highway widening and compatibility with adjacent existing development. At the time of adoption, the Area Plan is proposing an Low Density Residential designation.
- .7 The most northerly foreshore of Gallagher Lake is a critical interface between aquatic environment and human habitation. Collaboration between all property owners, Provincial government and Osoyoos First Nation will be required to ensure the future health and protection of Gallagher Lake. The feasibility of public access deserves further study, but in the meantime, preserving the integrity of this natural asset is paramount in the quest to maintain the character of the community.
- .8 Parks and trails will form an important part of the amenity base at Gallagher Lake. The interrelationship with streams and connections to natural areas beyond the community, along with the protection of the KVR right of way for public use, will allow for an interconnected community and promote pedestrian friendly neighborhoods. Pedestrian facilities for safe crossing of Highway 97 will also be critical to the character envisioned for this community.
- .9 Extension of community water and sanitary services will occur over time in conjunction with new development or to serve existing uses as required.

- .10 Access points will be managed and road connectivity will be established for residential areas on both sides of Highway 97 to serve new growth and to provide secondary access to existing development in consultation with the Ministry of Transportation and Infrastructure. Enhancing pedestrian safety in crossing Highway 97 is very important to the community.
- .11 RDOS will continue to collaborate with the Osoyoos Indian Band to maintain and enhance provision of water and sanitary services to the community.

## 4.0 LAND USE DESIGNATIONS

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The future use and development of land within the Gallagher Lake Community of Electoral Area "C" must be consistent with overall pattern of land use depicted on Schedule 'A' (Future Land Use Map) of this Plan and based on the following land use designations:

**Rural Designations:**

Resource Area	RA
Small Holdings	SH

**Residential Designations:**

Low Density Residential	LR
-------------------------	----

**Commercial Designations:**

Commercial Use	C
----------------	---

**Industrial Designations:**

Industrial Use	I
----------------	---

**Community Services and Administrative Designations:**

Parks	P
-------	---

The general types of uses encouraged in each land use designation are explained in following sections of this Plan.

The Regional District recognizes that some existing land uses do not conform to the designations shown on the Future Land Use Map. The intent is not to change the uses of this land in the immediate future but to illustrate the preferred pattern of land use as redevelopment occurs while this Plan is in force.

## 5.0 RESOURCE AREA

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### 5.1 Background

The Resource Area designation applies to the gravel quarry lands at the eastern edge of Gallagher Lake, including the steep cliff adjacent to the lake. Understanding that the gravel quarry will be redeveloped in the future once the pit is exhausted, the residents requested that a master plan be prepared for the lands to revert to a more compatible use. The preference was for a clean business park or a mixture of uses such as residential, mixed-use village, tourist commercial or destination attraction such as a winery.

The Regional Growth Strategy recognizes Gallagher Lake as a growth area, therefore more efficient and better use of the quarry land could provide future development opportunities to enhance the community.

### 5.2 Policies

The Regional Board:

- .1 Encourages the existing quarry to carry out its operations in a manner sensitive to adjacent residential areas.
- .2 Supports the re-designation of the lands at 8583 & 8713 Highway 97 (Lots A & B, Plan KAP87618, District Lots 28S & 4108S, SDYD) to a non-heavy industrial use when the existing gravel pit is exhausted.
- .3 Considers that appropriate non-heavy industrial uses for the lands noted in policy .2 above to include: light industrial/business park; mixed use residential; and/or tourist commercial.
- .4 Requires that any proposal to re-designate or subdivide the above lands be supported by a Comprehensive Development Plan.



Existing Quarry

## 6.0 SMALL HOLDINGS

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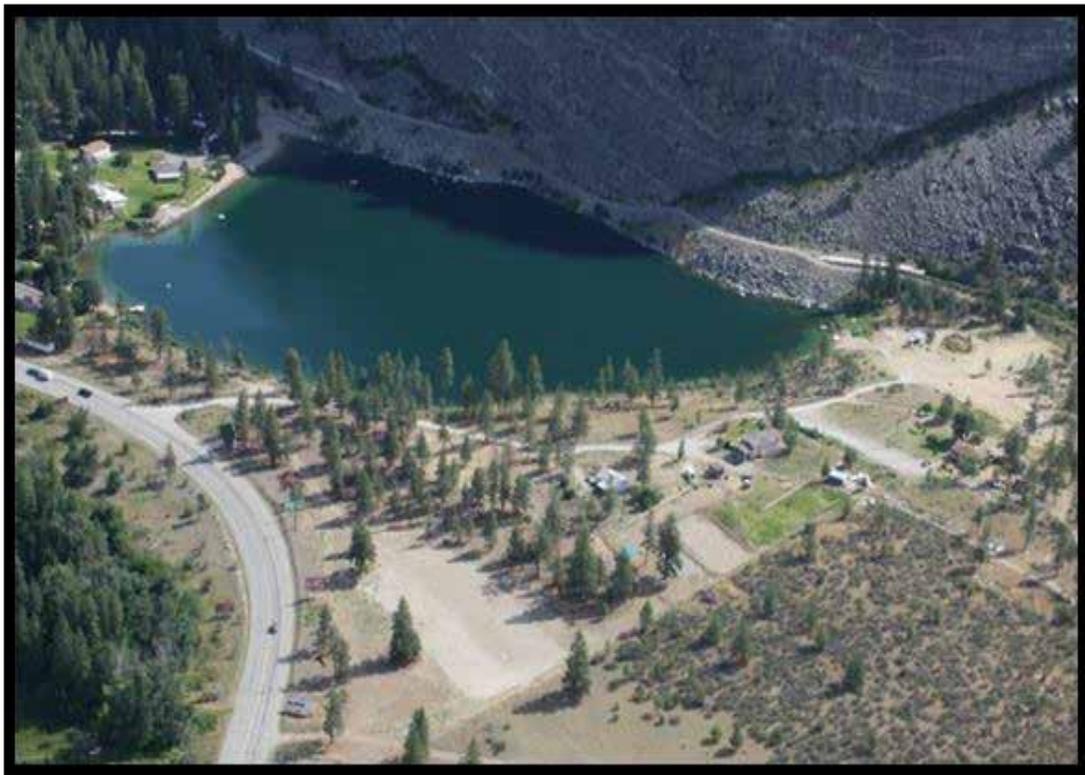
### 6.1 Background

The Small Holdings designation applies to one parcel in the eastern area of Gallagher Lake, adjacent to the gravel quarry that has significant constraints to further subdivision.

### 6.2 Policies

The Regional Board:

1. Considers the existing Rural Holdings policies found in the Electoral Area "C" Official Community Plan Bylaw to be applicable to the Plan Area.



Gallagher Lake – Aerial View

## 7.0 RESIDENTIAL

---

### 7.1 Background

The majority of residents surveyed in Gallagher Lake support the types of housing currently available in the community. The survey also suggested support for some low density multi-family housing in the form of low profile town houses. The Regional Growth Strategy for the Regional District supports attainable housing within mixed use neighborhoods. The strategy is therefore to continue with the single family forms of housing including modular and manufactured forms, but incorporate some mixed use and town house forms to permit a cross-section of family demographics in future development areas.

### 7.2 Policies

The Regional Board:

- .1 Directs that residential uses will be predominately in the form of single detached dwellings with limited townhouse or mixed use residential /commercial.
- .2 Encourages a mix of housing forms to permit a cross-section of family demographics.
- .3 Recognizes (older) mobile homes as a form of affordable housing.
- .4 Supports the re-development of lands adjacent to existing commercial areas along the Gallagher Lake Frontage Road to multiple family uses in the form of 2 storey town house units.
- .5 Requires that a Form and Character Multiple Family Development Permit Area be established at such time that the Plan is amended to allow for multi-family housing.
- .6 Requires that new residential development involving more than 20 hectares of land or the creation of 20 or more housing units prepare a Comprehensive Development Plan to ensure land use is compatible with the vision of the community and adjacent development and addresses access, servicing and environmental aspects.

## 8.0 COMMERCIAL

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### 8.1 Background

Existing commercial uses along the Gallagher Frontage Road are a mix of tourist (pub, motel, RV park and distillery) and service (roofing contractor, body shop, motorcycle sales and service), as well as several residential uses.

The community offered significant support for limited commercial expansion but largely related to convenience retail and services, tourism destination and highway commercial uses, including a general store. The residents expressed a strong sentiment against large format stores, indicating that such development would ruin the character of the community. Furthermore, most survey respondents noted that retail, services and many amenities are close by in centers such as Oliver and Penticton and therefore not warranted for Gallagher Lake.

### 8.2 Policies

The Regional Board:

- .1 Supports the main commercial area on the west side of Highway 97 (along Gallagher Lake Frontage Road) remaining the focus for future commercial development serving the community, and to reduce pedestrian highway crossing.
- .2 Supports new commercial uses that address local consumer needs and/or enhance tourism and directs larger retail stores and similar uses to the Town of Oliver and other larger urban centres.
- .3 Supports convenience retail and services, tourist destination and highway commercial uses including a general store. Automotive and other service uses that are compatible with the existing uses and scale of commercial development will be supported.
- .4 Supports residential uses being incorporated into commercial developments in order to broaden the range of housing options and add to the pedestrian character of the community.
- .5 Will consider new small-scale local commercial or tourist commercial development on the east side of the community in new development areas.
- .6 Supports the evolution of the commercial development character along the Frontage Road over time with urban design elements, improved pedestrian access and streetscape beautification, such as landscaping.
- .7 Designates the area on Map Schedule C as a Commercial Development Permit Area to address the Form and Character of development.

## 9.0 INDUSTRIAL

---

### 9.1 Background

The community voiced opposition to any further heavy industrial uses in Gallagher Lake. The Fortis Gas facility is currently the only designated Industrial Use in the community. There is an existing supply of industrial land available in the nearby Senkulmen Business Park on OIB lands.

### 9.2 Policies

The Regional Board:

- .1 Supports existing industrial use and employment opportunities at their current scale of intensity.
- .2 Does not support future heavy industrial development occurring at Gallagher Lake.



New tourist commercial Distillery development – on Gallagher Lake Frontage Road.

## 10.0 CONSERVATION AREA, LAKES AND STREAMS

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### 10.1 Background

Conservation lands surround much of the community. Gallagher Lake contains several natural areas worthy of protection and enhancement. Besides Gallagher Lake itself, the steep cliff above the lake, the Okanagan River and Vaseux Creek (also called McIntyre Creek) are prominent features of the community. The residents support protection of these conservation areas as well as supporting access to low impact trails in certain areas. Some lands within the community designated as Environmentally Sensitive on the eastern side of the community as identified in the Electoral Area "C" Official Community Plan and are subject to the Development Permit Guidelines in that Plan. Comprehensive policies for Riparian areas area also established in the Electoral Area "C" Official Community Plan.

### 10.2 Policies

The Regional Board:

- .1 Will apply the Watercourse and Environmentally Sensitive Development Permit Areas from the Electoral Area "C" Official Community Plan Bylaw to all streams and water bodies and specifically designated lands in the eastern area of the community.
- .2 Supports the establishment of low impact trails corridors and natural parks in designated riparian areas on Schedule 'B' of the Plan along Vaseux Creek and the Okanagan River Channel.
- .3 Supports initiatives to enhance stream and lake shorelines and protect water quality in Gallagher Lake.
- .4 Will collaborate with the Osoyoos Indian Band regarding the health and protection of Gallagher Lake.
- .5 Will explore joint initiative with the Provincial Ministries responsible for their particular areas of interest including fisheries and aquatic health of all water bodies.
- .6 Will explore the establishment of a community stewardship program that will monitor, maintain and enhance natural areas; program should include signage and education for the benefit of the community and for visitors.

## 11.0 PARKS, TRAILS AND OPEN SPACE

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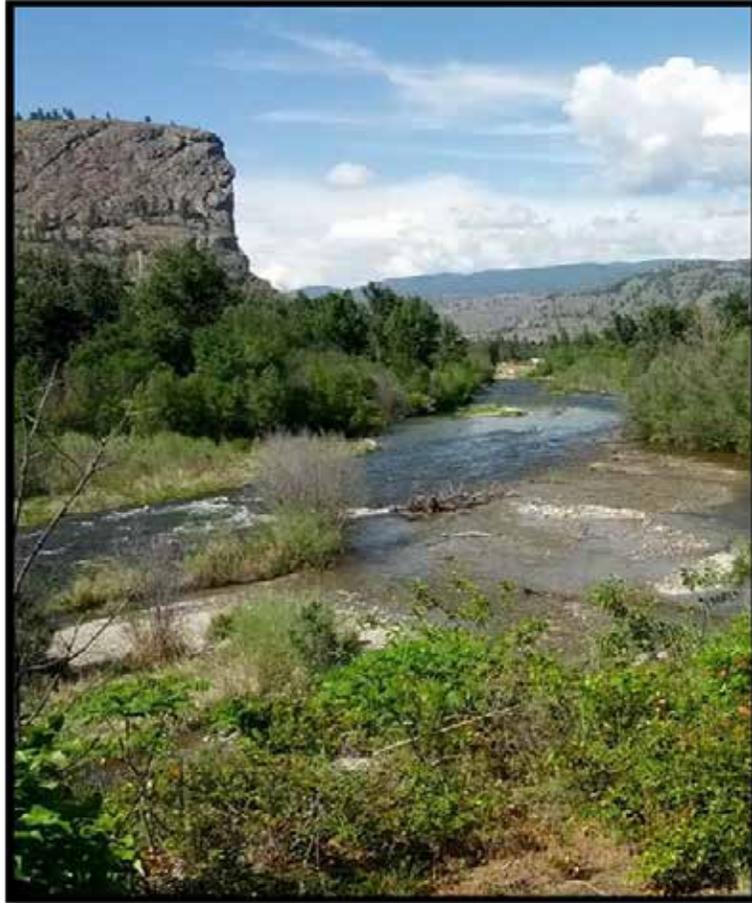
### 11.1 Background

The residents of Gallagher Lake appreciate the benefits of protecting the natural environment and even more so the ability to access nearby parks and open space. Unfortunately, the community itself is void of parks that the public can enjoy for daily activities. Besides support for small local public parks, the survey results showed that trail connections through Gallagher Lake are a priority. The dedicated walkway along Vaseux Creek and the Okanagan River provides community aNorth of the community is the RDOS – owned McIntyre Bluff natural area park.

### 11.2 Policies

The Regional Board:

- .1 Supports neighbourhood parks being integrated into new developments as the community population grows due to the limited amount of parks available to community residents and for day use activities.
- .2 Will seek future neighbourhood park locations in the context of a community wide parks plan or as a result of development reviews and approvals.
- .3 Supports trail development allowing for access to destinations such as McIntyre Bluff, connections to the KVR system and natural areas and water courses areas shown on Schedule 'B' of this Plan.
- .4 Supports trail development also connecting to the sidewalk/walkway system in newly developed residential areas, and ultimately to the existing commercial area.
- .5 Will explore the use of the 5% park dedication requirement at subdivision stage and other means available including donations, agreements, or outright purchase to secure sensitive waterfront areas for open space as well as small local parks.
- .6 Will explore the protection of the KVR right of way as a public corridor and any private impediments to passage, and designates the KVR as a Park (P) in this Area Plan.
- .7 Will explore the opportunity for a trail/walkway connection under the Vaseux Creek (McIntyre) bridge at Highway 97 in collaboration with the Ministry of Transportation and Infrastructure.
- .8 Supports improvements within parks, along trails and near water incorporating opportunities for seating /contemplative spaces, fishing and wildlife viewing areas.
- .9 Will undertake consultation with the community prior to any future securing of public access to Gallagher Lake.



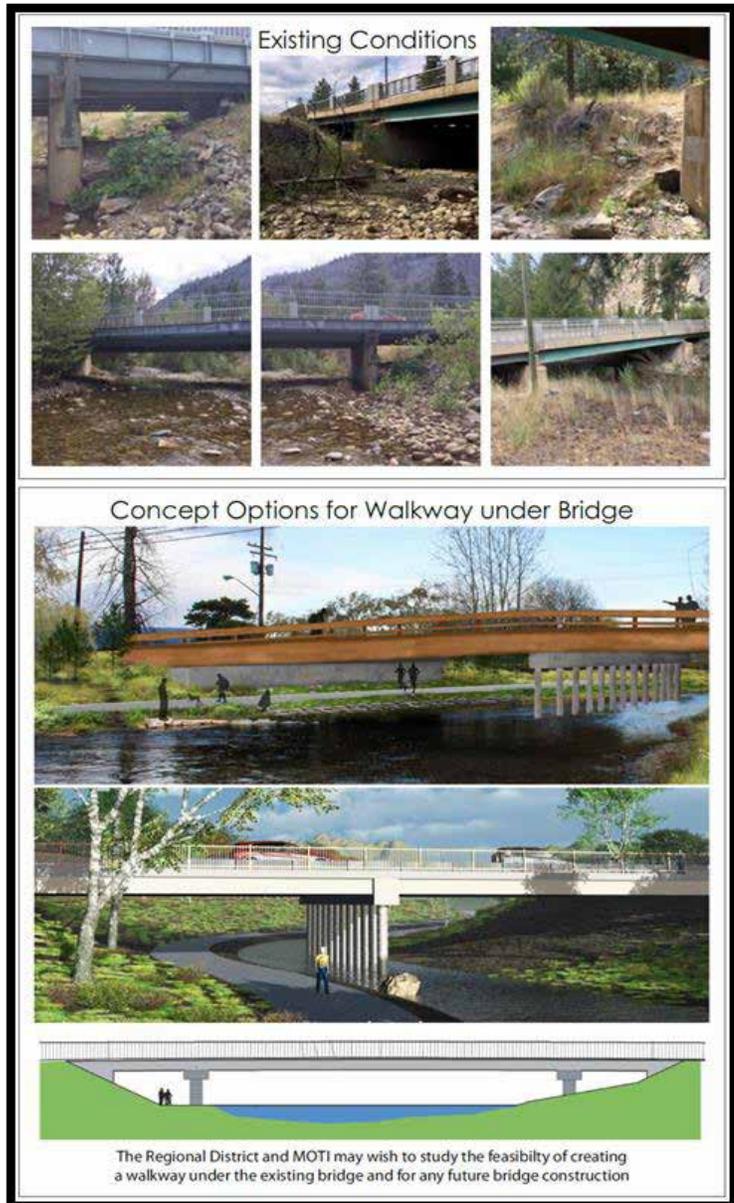
**McIntyre Bluff Park**

## 12.0 TRANSPORTATION, ROADS & PEDESTRIAN MOBILITY

### 12.1 Background

The transportation system for Gallagher Lake is inextricably linked to Highway 97, the major traffic corridor that runs through the entire Okanagan Valley. Since the community is divided by the highway, safe crossing and access management are critical to the future development of the community. The transportation system also includes internal roads and pedestrian mobility along the roads. The residents confirmed in all public forums associated with this Area Plan that safe movement across Highway 97 is of utmost importance. Past efforts have included petitions to the Ministry of Transportation to slow traffic along the highway. Expected growth in the community is likely to increase movement across the highway, in turn increasing the need for safe crossings.

The Regional Growth Strategy suggests working with the Provincial Transportation authorities to ensure public safety and transportation efficiency. The community survey continued to echo this sentiment through high support for changing the speed limit, implementing pedestrian crossings, initiating streetscape enhancements and developing Frontage Road pedestrian walkways. The concept of a walkway under McIntyre bridge was also strongly endorsed and is under review by the Ministry.



## 12.2 Policies

The Regional Board:

- .1 Will continue communication with Ministry of Transportation and Infrastructure regarding safety, traffic speed and development along Highway 97, and to coordinate Ministry Access Management Plans for the Corridor and improve safe crossing.
- .2 Will require all new major development that will result in greater vehicular movement onto and off the Highway 97 to include a Traffic Impact Assessment as a condition of rezoning approval.
- .3 Will require that future development proposals provide an interconnected road network and provide secondary access to existing development areas on either side of Highway 97 as shown on Schedule 'B'.
- .4 Will work with the Ministry of Transportation and Infrastructure to focus access to Highway 97 at existing intersections by closing other accesses to Highway 97.
- .5 Supports a future crosswalk or controlled pedestrian access across Highway 97 if foot traffic counts warrant such a crossing.
- .6 Supports a review of access to the property in the north east section of the community at 8703 Highway 97) to determine safe and appropriate access routes if re-development is proposed.
- .7 Supports enhancing pedestrian mobility via sidewalks, shoulder widening, walkways and trails that are interconnected for the entire community and for both existing and new development areas as shown on Schedule 'B'.
- .8 Supports streetscape improvements along the Gallagher Lake Frontage Road that provide pedestrian mobility and safety, enhanced aesthetics by landscaping between the Frontage Road and Highway 97, improved street lighting, signage and related amenities. (These improvements are conceptually illustrated on the drawing below).



## 13.0 SERVICING & UTILITIES

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### 13.1 Background

Gallagher Lake has the benefit of access to community water and sanitary sewer systems but not the entire community is serviced. Over the years, the various neighborhoods have developed private on-site systems and some of these systems are in need of improvements. The first agreement for water and sewer services was between Osoyoos Indian Band, Senkulmen Utilities Ltd. (SUL), and the Gallagher Village Modular Home Development.

By 2013, the RDOS and the Osoyoos Indian Band (OIB) entered into an agreement through SUL to provide domestic water and sanitary sewer services to the Gallagher Lake Community. This Agreement provides for an additional 300 dwellings units (or equivalent commercial use). The initial intent was to service the Deer Park bare land strata subdivision at the northeast corner of the community and then expand the system. The service now consists of the Senkulmen providing potable water and sewer treatment facility to the OIB boundary and the RDOS is responsible for the pipes and collection system in the Frontage Road. At present connections to the RDOS system are limited, but there are several other owners interested in connecting to the system.

Water and sewer mains have also been extended to the east side of Highway 97, but there are no properties connected in this area. To date, residents from the Country Pines development are not supportive of extending sewer pipe mains or paying for the service due to concerns about the potentially high cost. There is interest in domestic water service.

The Regional District supports the introduction of a community-wide sanitary sewer system over the long term to ensure protection of the lake and ground water. Residents have been generally supportive of fire protection through the use of hydrants on the water system, but there have been mixed views on the extension of the overall-all domestic community water system. At this time the RDOS is in discussions with the OIB about provision of domestic water service to the Country Pines area. The preparation of this Area Plan has been a good forum for discussing new policy direction on this important matter.

### 13.2 Policies

The Regional Board:

- .1 Requires that any new development or subdivision of land less than 1.0 hectare in area in the Gallagher Lake Area Plan must be connected to the sanitary sewer system.
- .2 Will prioritize the extension of community sewer services to development on the west side of Highway 97 and, as demand warrants, phasing in community sewer services on the east side of Highway 97 at a later date.

- .3 Requires that new development petition the Regional District in order to formally enter into water and sewer service areas.
- .4 Will work closely with the Osoyoos Indian Band and residents of Gallagher Lake to explore the option of extending the domestic water system throughout the community in the short term.
- .5 Will work closely with other responsible agencies to monitor the functional and environmental aspects of ground water and any potential impacts of existing development and attendant septic systems on the natural and aquatic environment.
- .6 Will work with responsible Provincial agencies to implement a long term lake water quality testing/monitoring program that serves to confirm water quality for the benefit of tourism and the environmental integrity of the lake.
- .7 Will continue to investigate sources of funds and financing mechanisms to lessen the financial burden on all residents that may ultimately need to connect to a community sanitary sewer system.
- .8 Will continue a close working relationship with OIB with regard to system upgrades to their main water and sanitary sewer treatment plants and to extend the Servicing Agreement to accommodate growth and development at Gallagher Lake.
- .9 Will continue to engage community residents in their ongoing needs for infrastructure improvements and changes as the community evolves and circumstances arise.
- .10 Will collaborate with the Town of Oliver regarding the protection, access and use of the Irrigation Canal running through the community.



## 14.0 DEVELOPMENT PERMIT AREAS

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### 14.1 Gallagher Lake Commercial Development Permit Area

#### .1 Category

The Gallagher Lake Commercial Development Permit Area is designated under Section 488(1)(f) of the *Local Government Act*, for the establishment of objectives for the form and character of commercial development.

#### .2 Area

The designated areas are shown as the Gallagher Lake Commercial Development Permit Area in Schedule 'C'.

#### .3 Justification

The Gallagher Lake commercial area is located on the west side of the Frontage Road with a focus on local, tourist commercial uses and other service. With Highway 97 running right through the community it is highly visible to many motorists. The commercial area serves as a strong focal point and it provides a sense of identity for the community. Residents would like to encourage the commercial area to develop as a pedestrian oriented, vibrant hub of mixed use commercial and residential land uses. Future development should be harmonious and in keeping with the current scale and character of Gallagher Lake.

#### .4 Guidelines

Development permits issued in this area shall be in accordance with the following guidelines:

##### a) Buildings and Structures

- i) Buildings should define a pedestrian oriented first floor with canopies, window and door trim, varied building facades, and similar design features.
- ii) Variety, continuity and pedestrian interest should be expressed in the design of buildings, especially at ground level and articulated roof lines are encouraged.
- iii) Front entrances should be well defined and provide a focal point to the building.
- iv) Monolithic structures and long expanses of straight walls should be avoided.
- v) Large buildings should be designed in a way that creates the impression of smaller units and less bulk, by using building jogs and irregular faces;

- vi) Building finish should be consistent in terms of appearance and colour on all elevations, and should be comprised largely of stucco, rock, stone, brick, and wood materials.
- vii) Earth tones and natural colour schemes are encouraged but with some contrasting colours for accentuating architectural details, façade elements or change in materials.

b) Signage

Notwithstanding the requirements of the Electoral Area 'C' Zoning Bylaw, additional signage may be assessed and approved in keeping with the guidelines below:

- i) As part of an overall comprehensive sign plan, businesses may erect a combination of sign types. Signs must be of high quality and must be appropriately scaled to positively contribute to the community's visual appeal and people's overall experience.
- ii) Awning, canopy signs or projecting signs, must be located on the first storey of a building and must not project 2.5 m beyond the face of the building.
- iii) Fascia signs should not exceed more than 15% of a building face.
- iv) Window signs should not exceed more than 15% of a window face.
- v) Businesses located on corners of intersecting streets may place signs on each building's frontage.
- vi) Only one sidewalk sandwich board sign per business is permitted and must be no larger than 1.0 m<sup>2</sup>. Sandwich board signs must be located directly in front of the business it advertises and must not block pedestrian traffic.
- vii) Signs on roof tops, signs with flashing lights, outdoor neon signs, and signs with moving parts are not permitted.
- viii) Free standing signage is permitted if it is low, front lit or unlit, with a landscaped base, and free standing signage will not be permitted on Highway right-of-way without Ministry of Transportation approval.

c) Access and Parking

- i) New development must provide safe and efficient vehicle entrances, exits and site circulation as approved by Ministry of Transportation and Infrastructure.
- ii) Sites should be designed in a way that accommodates alternative modes of transportation, with provisions made for such features as pedestrian sidewalks, bicycle and walking paths or lanes, and bicycle parking racks on the site. Networks on the site would link with networks off the site.

- iii) Parking lots should be located at the side or rear of the principal buildings. Large parking areas should be broken into smaller groups that are screened and shaded with landscaping. Site distances at parking area aisle intersections must be preserved to ensure safety of vehicles and pedestrians.
- d) Screening, Landscaping and Amenities
  - i) Sites should be provided with screening in the form of walls, decorative fencing, hedging, planting, other screening materials or a combination of materials in the following areas:
    - .1 between parking areas and roadways; and
    - .2 between buildings and parking areas.
  - ii) Landscaping design plans prepared by a landscape professional will be required with landscaping densities designed to industry standards.
  - iii) Landscaping comprised of plant material that has high decorative value and is drought tolerant and indigenous is encouraged.
  - iv) Boulevards, landscaped areas, and setback areas adjacent to streets and boulevards should be planted with boulevard trees and a combination of shrubs, perennials and groundcover with mulch to conserve water and discourage weed growth.
  - v) Landscaping areas should include an underground irrigation system which should be programmed to maximize efficient water use.
  - vi) Any existing mature trees or remnant ecosystems that enhance the amenity and ecological functioning of the urban environment should be incorporated into the site design wherever possible.

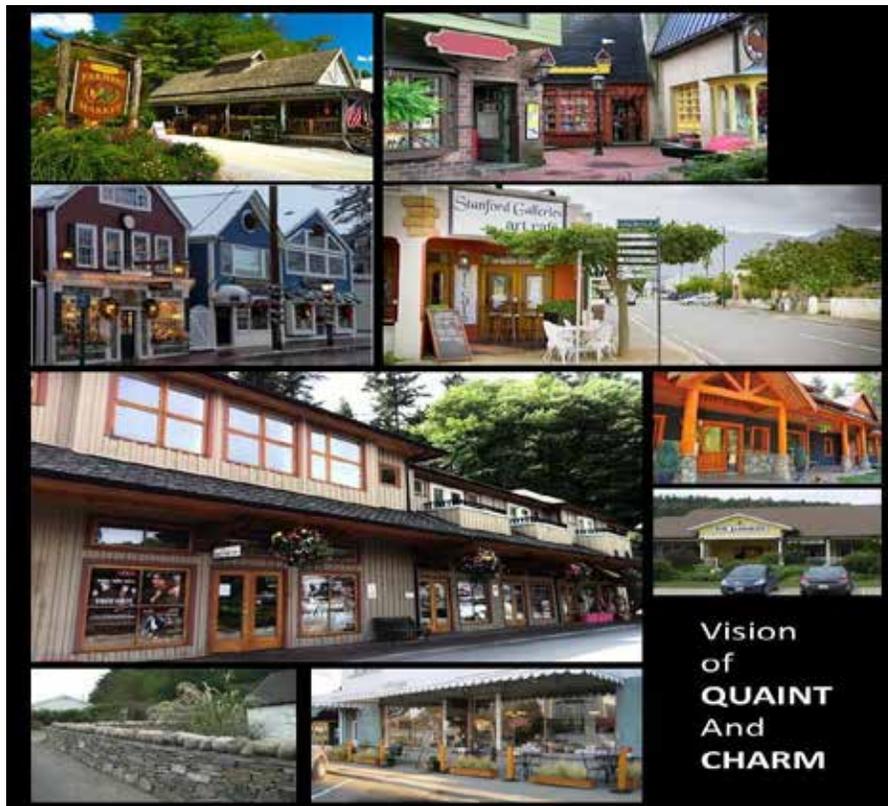
## **.5 Bonding and Security**

- a) The Regional District Board may require security as a condition of issuance of a development permit in accordance with Section 502 of the *Local Government Act* to pay for remediation if:
  - i) a condition in a permit respecting landscaping has not been satisfied;
  - ii) an unsafe condition has resulted as a consequence of contravention of a condition in a permit.
- b) Where the Regional District requires a security deposit as a condition of the development permit approval, the applicant must provide a security deposit at 115% of the estimated cost of any remediation works, as prepared by a qualified professional.
- c) The security deposit shall remain in effect until the Regional District are satisfied that the conditions of the development permit have been met.

## .6 Exemptions

A Development Permit is not required under this section for any of the following:

- a) Routine building repairs / maintenance including new roof, residing, re-stuccoing, window and door replacement.
- b) Internal renovations.
- c) Canopies, awnings and decks.
- d) Building Code and safety requirements / upgrades such as fire alarms, fire exits, disabled ramps, etc.
- e) Building additions less than 20 square metres.
- f) Open roofed structures, gazebos and trellises
- g) Glass balcony enclosures.
- h) Subdivision
- i) Construction of fences
- j) Signs attached to businesses they are advertising and not installed at the same time as the building construction.



Examples of building designs consistent with the Commercial Development Permit

## 15.0 IMPLEMENTATION

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This Area Plan provides policy direction towards achieving a vision, and based on principles and goals for a particular part of Electoral Area "C". This Plan remains a component of the Electoral Area "C" Community Plan and many of the overall OCP policies are applicable in Gallagher Lake. The purpose of this section is to set out some of the main steps that the Regional District can take to implement the plan by working closely with other government agencies and through continuous dialogue with residents and stakeholders on community development initiatives.

### 15.1 Government Agency Coordination

The Regional District will communicate with all necessary levels of government, First Nations, local developers and institutions that will provide assistance, direction or cooperation in addressing the studies or initiatives in the Plan and:

- .1 Will coordinate with the Ministry of Transportation and Infrastructure regarding pedestrian safety, highway crossings, highway traffic speeds, and access along the highway and the Gallagher Lake Frontage Road design of streetscape and pedestrian facilities.
- .2 Will continue communication with all agencies regarding the use of the KVR right-of-way and river walkway to connect Gallagher Lake to a regional trail system.
- .3 Will develop the Vaseux Creek trail network, the Vaseux Creek Bridge underpass and walkways along either side of Highway 97 / Frontage Road to connect the community to the KVR.
- .4 Will coordinate with the Osoyoos Indian Band regarding provision of sanitary sewer treatment and water services in the short term and long term.
- .5 Will work with the Ministry of Environment and/or other Provincial agencies on establishing a water quality testing program for Gallagher Lake.

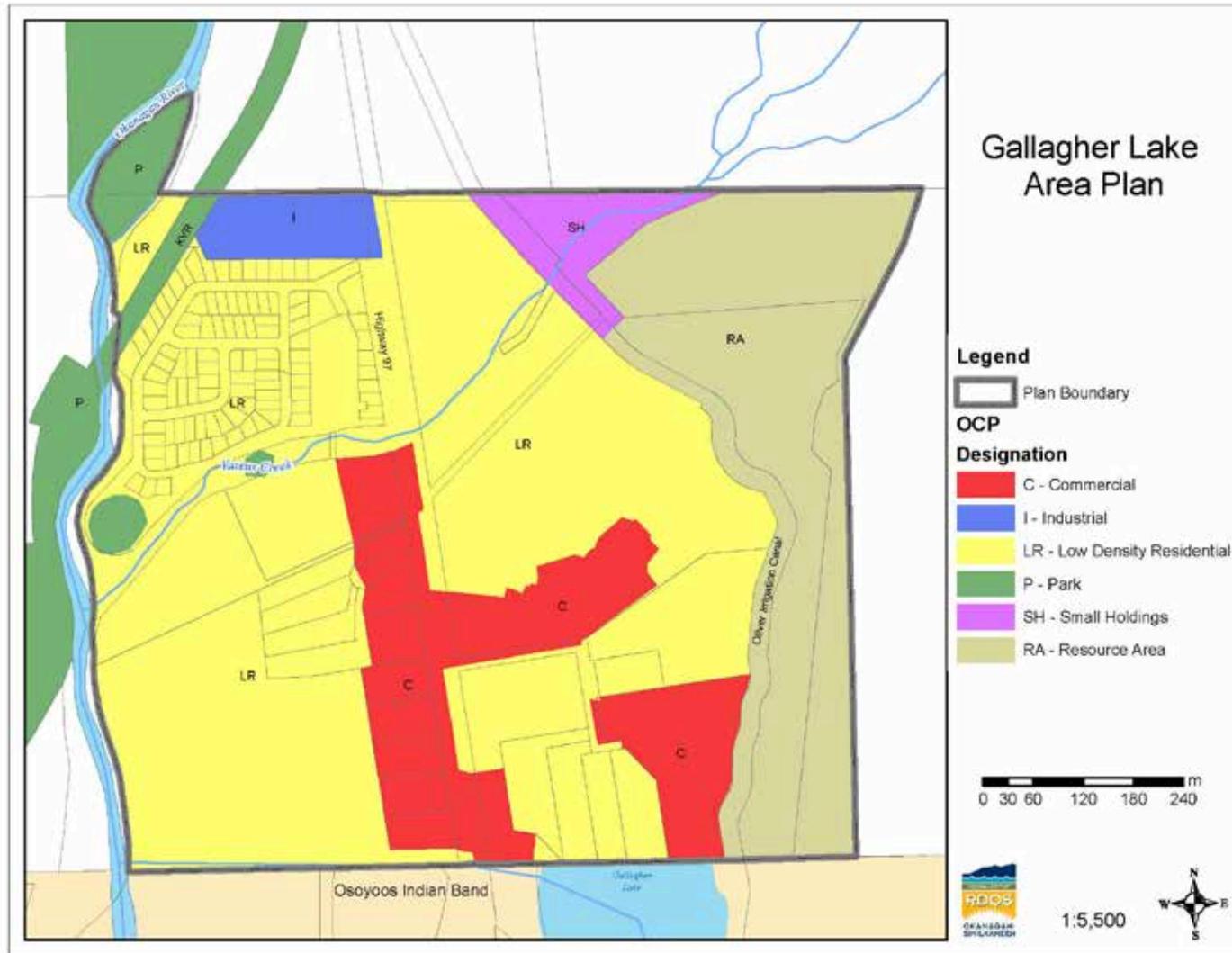
### 15.2 Future Initiatives

Other initiatives that have been identified or implied in the policies of this Plan include those such as the following:

- .1 Consideration of gaining public access to Gallagher Lake for local residents. (A more definitive survey of the public or properly defined study of the merits of public access is warranted).
- .2 Design of frontage road streetscape and pedestrian facilities.
- .3 Revisit the Liquid Waste Management Plan in response to concerns about sanitary sewer service voiced by residents of Country Pines.
- .4 Acquisition and ongoing development and of trail corridors and local parks identified in the Plan.

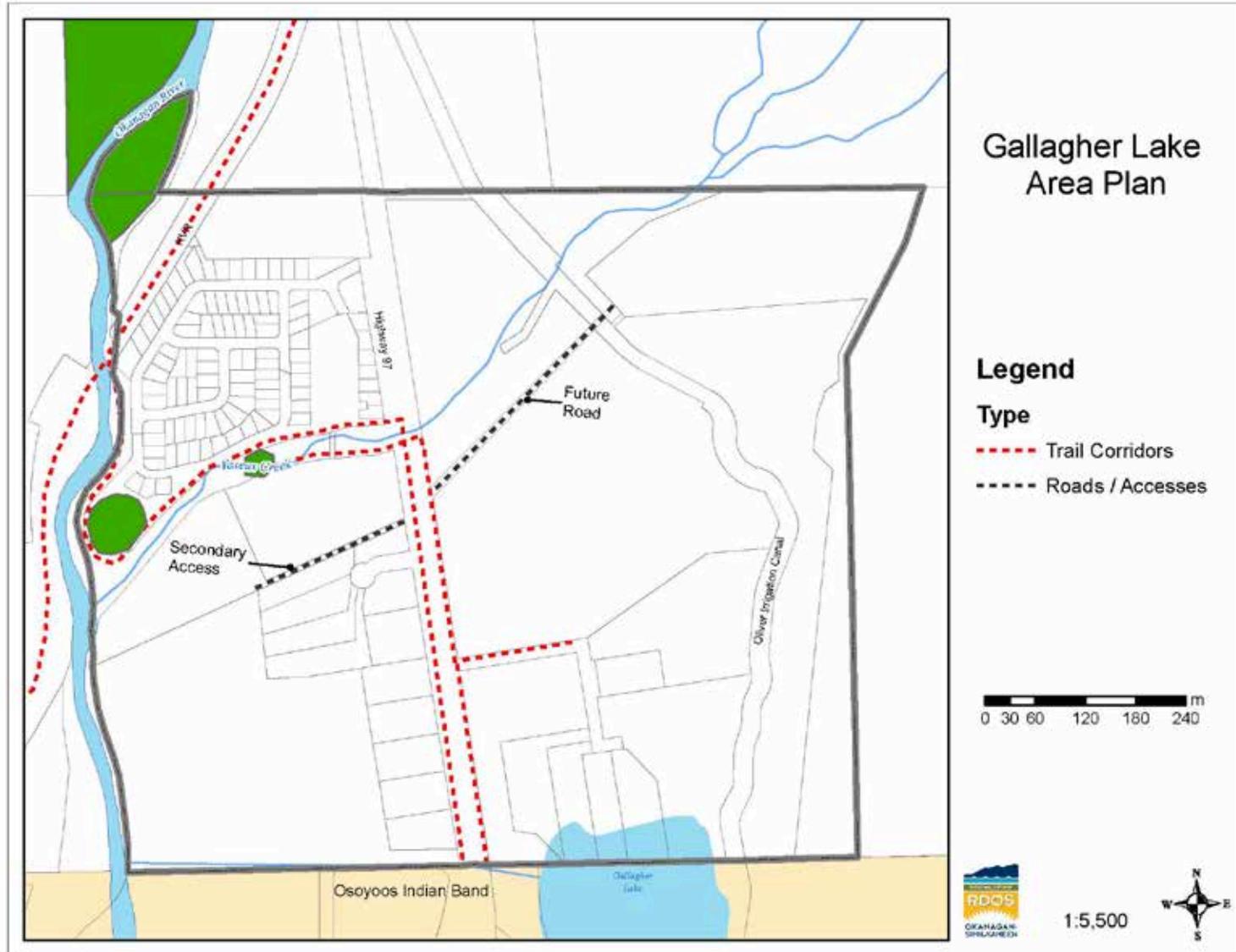
SCHEDULE 'A'

GALLAGHER LAKE AREA PLAN – FUTURE LAND USE MAP

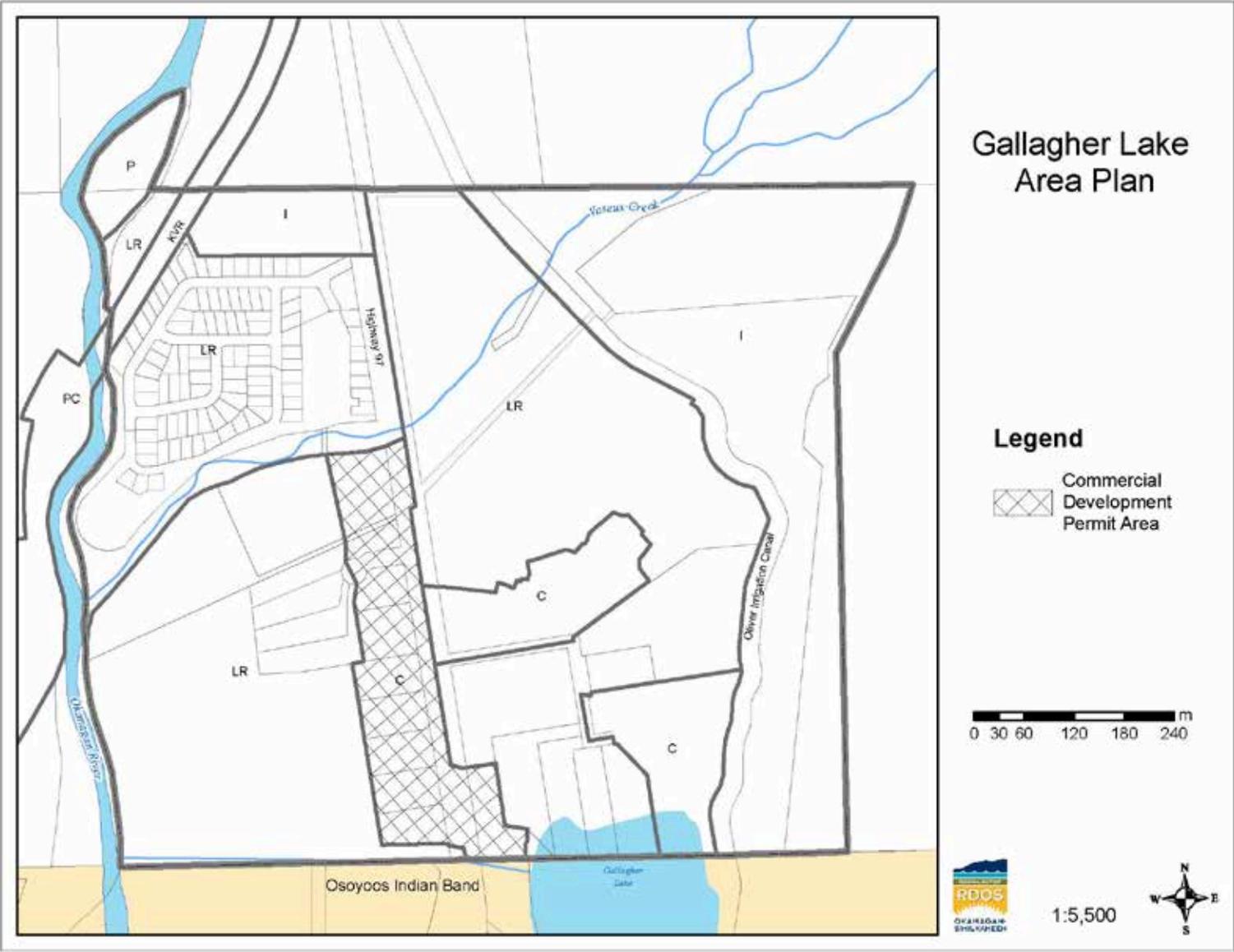


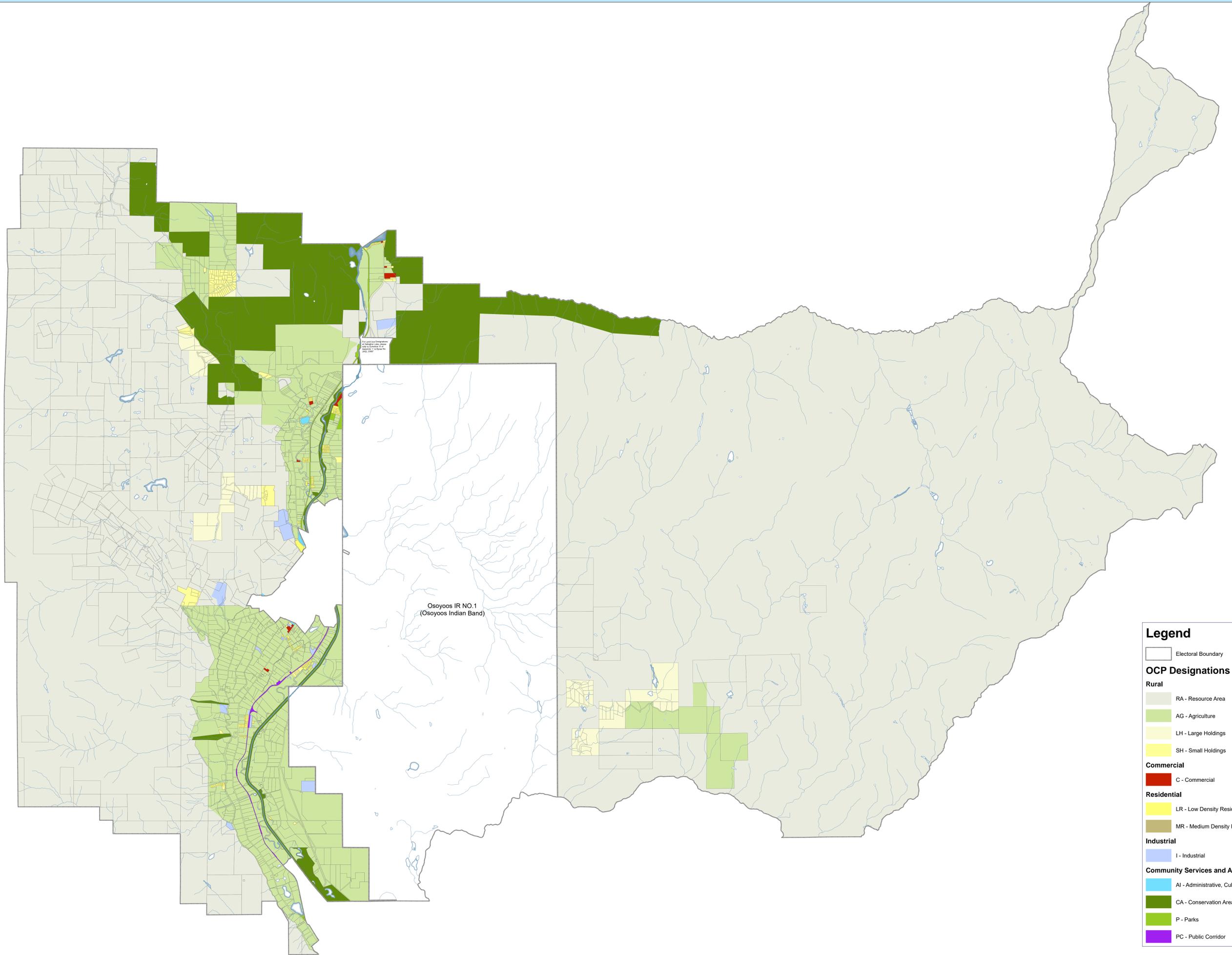
SCHEDULE 'B'

GALLAGHER LAKE AREA PLAN – ROADS AND TRAILS



SCHEDULE 'C'  
 GALLAGHER LAKE AREA PLAN – DEVELOPMENT PERMIT AREA





**Legend**

-  Electoral Boundary
- OCP Designations**
- Rural**
-  RA - Resource Area
-  AG - Agriculture
-  LH - Large Holdings
-  SH - Small Holdings
- Commercial**
-  C - Commercial
- Residential**
-  LR - Low Density Residential
-  MR - Medium Density Residential
- Industrial**
-  I - Industrial
- Community Services and Administration**
-  AI - Administrative, Cultural and Institutional
-  CA - Conservation Area
-  P - Parks
-  PC - Public Corridor

Osoyoos IR NO.1  
(Osoyoos Indian Band)



**Official Community Plan Map**  
Schedule B – Oliver Rural Official Community Plan Bylaw No. 2452, 2008



This is Schedule B (Official Community Plan Map) as referenced in the Regional District of Okanagan-Similkameen's Oliver Rural Official Community Bylaw No. 2452, 2008

Chair \_\_\_\_\_ Chief Administrative Officer \_\_\_\_\_



1:30,000

October 2016

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2453.30, 2016**

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A Bylaw to amend the Electoral Area "C" Zoning Bylaw No. 2453, 2008

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The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

1. This Bylaw may be cited for all purposes as the "Electoral Area "C" Zoning Amendment Bylaw No. 2453.30, 2016."
2. The Official Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation on the land described as Lot 1 Plan KAP3579 DL 28S SDYD, and shown shaded yellow on Schedule 'Y', which forms part of this Bylaw, from part Tourist Commercial Four (Campground) (CT4) and part Small Holdings Four (SH4) to Small Holdings Four Site Specific (SH4s).
3. The "Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:
  - i) replacing Section 16.7.1 under "Site Specific Small Holdings Four (SH4s) Provisions" with the following:
    1. In the case of land described as Lot 4, Plan 11959, District Lot 28s, SDYD, and shown shaded yellow on Figure 16.15.1:
      - a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 13.6.1:
        - i) retail stores, general, not to exceed 200 m<sup>2</sup> in gross floor area.



Figure 16.7.1

DRAFT

READ A FIRST AND SECOND TIME this \_\_\_ day of \_\_\_\_\_, 2016.

PUBLIC HEARING held on this \_\_\_ day of \_\_\_\_\_, 2016.

READ A THIRD TIME this \_\_\_ day of \_\_\_\_\_, 2016.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area 'C' Zoning Amendment Bylaw No. 2453.30, 2016" as read a Third time by the Regional Board on this \_\_\_ day of \_\_\_, 2016.

Dated at Penticton, BC this \_\_\_ day of \_\_\_, 2016.

\_\_\_\_\_  
Chief Administrative Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this \_\_\_ day of \_\_\_\_\_, 2016.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Corporate Officer

# Regional District of Okanagan-Similkameen

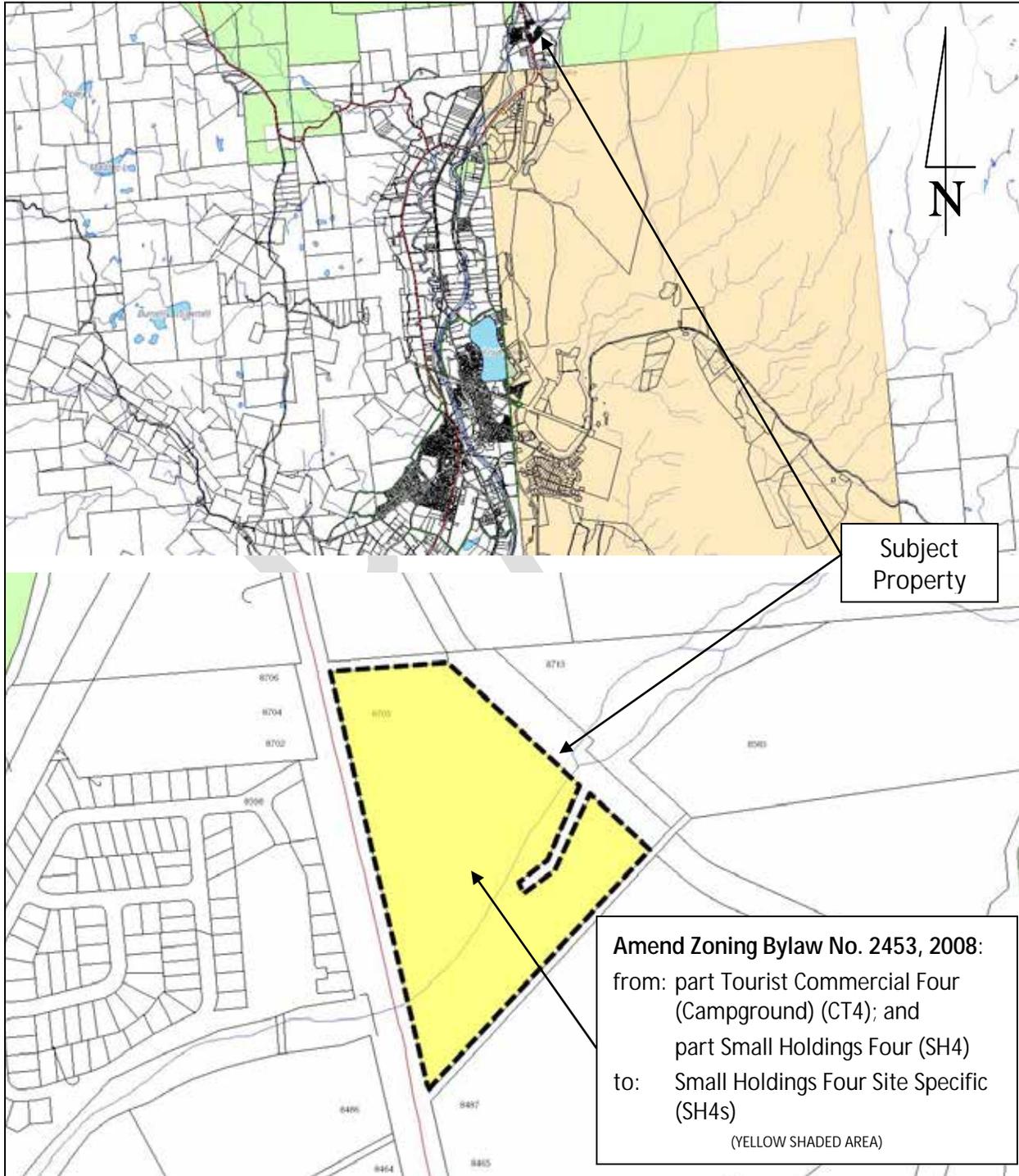
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2453.30, 2016

Project No: C2016.082-ZONE

Schedule 'Y'





May 15, 2015

File: 58000-20/103478  
Your file: Gallagher Lake OCP

101 Martin Street  
Regional District Okanagan Similkameen  
Penticton, BC, V2A 5J9

Attention: Donna Butler

Re: Gallagher Lake Official Community Plan amendment

Staff from the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO), Ecosystems Program, reviewed the above referral. We have the following comments.

The Gallagher Lake area is in the Bunchgrass Biogeoclimatic Zone. This zone is one of four Biogeoclimatic Zones of conservation concern in B.C. (Austin et al. 2008). It is ranked as Red-listed (S2/Imperiled) in British Columbia due to historic and ongoing habitat destruction and degradation (Austin et al. 2008). Cumulative impacts related to ecosystem conversion by urban/rural development and agriculture have seriously impacted British Columbia's biodiversity in this Zone. Cumulative effects have increased the environmental risk of development in this Zone to a high level.

The area also is important for numerous species and ecosystems at risk, including critical habitat identified under the Species at Risk Act.

We appreciate the opportunity to identify these environmental issues to your attention and recommend following provincial Develop with Care 2014 Guidelines (see link below).

We have a strong interest in the Official Community Plan amendment and appreciate being involved in formal consultation at a later date.

Helpful References:

- Develop with Care 2014
  - <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/>
- Cumulative Effects Framework
  - <http://www2.gov.bc.ca/gov/topic.page?id=57D4625607564CED96C9C9EAF2E91ACA>
- Species at Risk Act (SARA) public registry
  - <http://www.registrelep-sararegistry.gc.ca/default.asp?lang=En&n=24F7211B-1>

- BC species at risk plans
  - [http://www.env.gov.bc.ca/wld/recoveryplans/recovery\\_doc\\_table.html](http://www.env.gov.bc.ca/wld/recoveryplans/recovery_doc_table.html)

If you have questions, please feel free to contact me.

Yours truly,

A handwritten signature in black ink, appearing to be 'Orville Dyer', written in a cursive style.

Orville Dyer  
Ecosystems Biologist

OD/cl

## Lauri Feindell

---

**From:** Donna Butler  
**Sent:** July 28, 2015 11:03 AM  
**To:** Lauri Feindell  
**Subject:** FW: Gallagher Lake Area Plan

For file.

**Donna Butler, M.C.I.P.** · Development Services Manager  
Regional District of Okanagan-Similkameen

*This Communication is intended for the use of the recipient to which it is addressed, and may contain confidential, personal and/ or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication and do not copy, distribute or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.*

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**From:** Clifford, Robyn M TRAN:EX [mailto:Robyn.Clifford@gov.bc.ca]  
**Sent:** July-24-15 3:59 PM  
**To:** Donna Butler  
**Cc:** Wiseman, Jeff TRAN:EX; Rob Bitte  
**Subject:** Gallagher Lake Area Plan

Our file: 2015-03829

Hi Donna –in response to your questions I provide the following information for you:

- The Ministry is continuing to monitor the 80km/h posted highway speed in the Gallagher Lake area. We have conducted speed surveys and find that there is high compliance with respect to the 80km/h posted speed.
- We have conducted pedestrian counts and safety review in this area and concluded that a crosswalk is not warranted at this time. We have installed illumination to improve visibility of the intersection and pedestrians that may be on the highway, and we have installed advisory signage indicating Slow to 60km/h when Pedestrians on Road. We are continuing to monitor accordingly.
- Pedestrian crossing under the highway at the Vaseaux Creek Bridge would have to be investigated and proven to meet safety requirements, bridge clearances, etc. The Ministry would be open to reviewing any information provided in this regard. There is a pedestrian walkway on the west side of the Vaseaux Creek Bridge providing good connectivity north and south of the creek.
- The existing frontage road does not have sufficient right-of-way to develop a walkway. Development of a walkway along the frontage road would be development driven and additional right-of-way would have to be provided accordingly.
- Landscaping of the highway ditch could impede traffic sight lines as well as the flow of drainage water in the ditch. It would also hinder normal highway maintenance of the ditch and would be at risk of damage or removal by highway maintenance equipment and therefore we feel it would not be appropriate in this location.
- Good access management strategies should be applied at the time of development of the lands on the east side of the highway. Access should be focussed to the existing intersection, with a strategy to closing existing direct accesses and providing good connectivity between the properties. Access to the property lying north of the bridge will also require study in order to determine safe and appropriate access. In both cases, addressing access would become a requirement at the time of redevelopment.
- Questions regarding the KVR trail should be addressed by the local government.
- Highway 97 in this area is intended to remain a two-lane rural cross-section. Passing opportunities are being provided along the corridor where possible, such as the recently constructed passing lanes north of Vaseaux Creek.

As discussed, the creation of the area plan provides an excellent opportunity to create strategies and direction for future development, such as access management, local road network and pedestrian connectivity. We look forward to working with you on this project as you move forward.

Yours truly,

Robyn M. Clifford  
Sr. District Development Technician  
Ministry of Transportation & Infrastructure, Okanagan Shuswap District  
tel 250.712-3665 cell 250.878-4518 email [robyn.clifford@gov.bc.ca](mailto:robyn.clifford@gov.bc.ca)

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**From:** Donna Butler [<mailto:dbutler@rdos.bc.ca>]  
**Sent:** Monday, July 13, 2015 10:10 AM  
**To:** Clifford, Robyn M TRAN:EX  
**Cc:** Ed Grifone ([egrifone@ctaconsultants.ca](mailto:egrifone@ctaconsultants.ca)); Lauri Feindell  
**Subject:** Gallagher Lake

Hi Robyn, thanks for the phone call on Friday. Hopefully you didn't feel ambushed – the consultant just happened to be meeting with me at the time you called. As we discussed there are a number of Highway 97 topics that have come up so far in our Gallagher Lake Area Plan, after several meetings with the Citizen's Committee, a public Open House and reviewing survey results. We are largely through the Inventory and Issues/Opportunity identification phases and are moving in the draft Plan phase. Our next meeting is a public open house on July 27.

As the Highway divides the community, it is a main concern to the residents. Here are some key items:

- Highway traffic speed
- Safe pedestrian crossing of the Highway
- Pedestrian crossing under the Hwy/McIntyre Creek bridge
- Frontage Road intersection with Hwy
- Walkway along Frontage Road
- Landscaping of ditch between Frontage Road and Hwy
- Additional access to lands on the east side of Highway including
  - To future development of Gravel Pit combined with secondary access to Country Pines Mobile Home Park
  - To Klein property on north side of bridge
- KVR trail north of Okanagan River crossing
- MOTI Plans for right-of-way acquisition and highway widening through Gallagher Lake

We recognize that access to east side lands will be addressed in detail at the time of new development, but we would like to establish some basic requirements in the Area Plan. Some of the other items, such crossing under the bridge, Frontage walkway and landscaping, will need design work, but at this time we would like to be comfortable that they are doable.

Perhaps we could discuss these items before the public open house. Thanks for your time.



**Donna Butler, M.C.I.P.** • Development Services Manager  
Regional District of Okanagan-Similkameen  
101 Martin Street, Penticton, BC V2A 5J9  
p. 250.490.4109 • tf. 1.877.610.3737 • f. 250.492.0063  
[www.rdos.bc.ca](http://www.rdos.bc.ca) • [dbutler@rdos.bc.ca](mailto:dbutler@rdos.bc.ca)

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August 15, 2016

Donna Butler  
Development Services Manager  
Regional District of Okanagan-Similkameen

Dear Donna,

RE: Gallagher Lake Area Plan

Thank you for the opportunity to provide a population health perspective to this Area Plan. Gallagher Lake will be affected by changes in the surrounding region including the Senkulmen Business Park and the new Provincial Correctional Facility. Both will impact the growth in the Gallagher Lake area which is limited by the geographical constraints, land ownership and the adjacent Osoyoos Indian Band.

The area anticipates a more than doubling of the population with residences located on both sides of Highway 97. Not all homes are serviced by the community water and sewer services and the community recognizes that some of the private on-site systems are in need of improvement.

The following comments offer a health perspective;

1. The community has identified as a priority safe pedestrian crossing of Highway 97 to both sides of the Gallagher Lake area. From a health perspective encouraging and shifting behaviors to a more active form helps to reduce the risk factors associated with some chronic diseases such as cardiovascular disease, diabetes and some cancers. People are more likely to change behavior when the environment is perceived as safe. Interior Health welcomes the opportunity to discuss with all stakeholders how to improve pedestrian facilities to encourage active transportation. The resource below identifies the economic benefit of reducing risk factors associated with chronic disease-physical inactivity, excess weight and smoking.

[The economic benefits of risk factor reduction in British Columbia: Excess weight, physical inactivity and tobacco smoking](#)

2. Connection to community water and sewer services is supported by Interior Health as sustainable land use practice. Stormwater, sewage, and sustaining ecosystem functions are critical issues for drinking water source protection in urban development. Interior Health encourages local governments to use community planning to facilitate recognized better practices for stormwater management, on-site and municipal sewage disposal, and intake protection. Attached is a Q & A fact sheet for onsite waste water systems that may be of benefit during community conversations.

The five regional health authorities within BC have refocused staff and resources to help support local governments in creating healthier communities. The recent release of the Provincial Health Services Authority (PHSA) - [Healthy Built Environment Linkages-A toolkit for Design-Planning-Health](#) makes the connection between health evidence and planning principles that impact health.

As part of the ongoing commitment to local governments to deliver the most current health evidence, PHSA has also developed a Small Communities Fact Sheet that builds on the HBE Linkages Toolkit. Permission has been given to share this fact sheet with you.



Small Comm Fact  
Sheet - 9Aug2016 DR

Interior Health would welcome the opportunity to become more involved with the Regional District by provide additional evidence or IH resources.

If you have any comments or questions, please contact me at [pam.moore@interiorhealth.ca](mailto:pam.moore@interiorhealth.ca).

Sincerely,

Pam Moore  
Healthy Built Environment Team  
250-980-5077

## Land Use Planning – Onsite Wastewater System and Healthy Community Environments

On site waste water systems are robust systems that work well, and they have a proven track record. Sewerage disposal systems require a minimum of ongoing maintenance and are reliable as long as there is enough land in which these systems are placed, the soils are appropriate and there is a reserve area available. The cost to build a sewerage disposal field is relatively affordable. The cost to replace a sewerage disposal system when a reserve area is not available will be dependent on whether the existing soil and drain field needs replacement or a type 2 or 3 systems needs installation since they are very expensive and may not be affordable to many residents.

The viability of on-site wastewater systems is a concern when they are used in higher density, urban-boundary areas. Interior Health has opposed using advanced on-site treatment systems as a means to accommodate higher density development given the increased maintenance and likelihood of failure over the long-term compared to conventional septic and trench disposal designs. Mitigations can be put in place to ensure sustainability (e.g. local service bylaws for maintenance and nutrient removal). However, in general we've considered "big-pipe" solutions a better option. Centralized flow to community disposal systems not only maximizes economies of scale, it provides the best opportunity to manage contaminants of concern going forward (e.g. through community source control initiatives; focused monitoring programs; specialized treatment equipment).

### **On site waste water systems - Sewerage Disposal System - *Questions and Answers***

1. All septic fields will eventually fail. What is the life expectancy that IHA commonly uses (i.e. 10 to 30years)? Looking at the age of the homes in various areas this can provide insight into the range for remaining life.

This is an often debated topic. In the past we considered 15 years as a (conservative) lifespan, but systems can function much longer with the right maintenance, wastewater quantity/quality, adherence to critical setbacks (Horizontal separations) and receiving soils. Also, the newer products on the market are more durable and potentially longer lasting.

Please note: Any setback from freshwater or source of drinking water less than 15 m/ 50 ft. should be accompanied by an active local government by-law outlining monitoring and maintenance conditions

2. When sewerage disposal systems fail, under what conditions are the drainage field replaced? I'm assuming that there will be minimum set back requirements, soil requirement and slope requirements. What are the requirements?

When a sewerage disposal system fails, the owner must immediately comply with the sewerage system regulation to prevent the discharge of domestic sewerage covered in section 3 then meet the requirement in section 2 to prevent a health hazard

. [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/22\\_326\\_2004](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/22_326_2004)

For standard on-site sewage system construction the details are in [the BC Standard Practice Manual](#) (BC SPM.) The typical limiting factors for installing a replacement field are adequate discharge area and setbacks (see Section 2.3 of SPM). You may find the attached, unofficial cheat-sheet on typical discharge area requirements helpful. Without adequate space the land-owner is faced with more costly soil replacement and/or advanced treatment solutions.

3. What is the rough cost for an average single family home to build a backup field assuming space is available?

We've observed costs for on-site sewerage construction are highly variable depending on authorized person (AP) availability and market demand. In speaking with industry reps rarely can a field replacement be made without upgrading other major components. A Type 1 system will typically run \$10,000 to \$15,000 with Type 2 systems starting at \$17,000 to \$25,000 depending on site conditions. Where Type 3 systems are typically required have costs start ~\$23,000. There isn't a significant difference between Type 2 and 3 in these situations but costs climb rapidly as conditions become more and more restrictive. You may wish to cross check these numbers with the [West Coast On-site Waste Management Association](#) and/or [BC On-site Sewage Association](#) who might have additional information on their member's typical rate structures.

4. If a backup field is not available, what options are available? What are typical costs for an average single family home?

Where a back-up field is not available and connection to a municipal system is not an option soil replacement, advanced on-site treatment, or holding-tanks may be required. As per bullet #3 construction costs for complex treatment solutions typically begin at ~\$20,000 with systems requiring greater maintenance. If holding-tanks are an option, it will typically cost over \$300 per pump-and-haul to empty a holding tank with most homes requiring this service at least monthly.

5. Under what conditions will a type 2 or 3 system be required to replace an existing type 1 system or other existing onsite system (i.e. dry well)? What are typical costs?

Where the disposal field size and soil conditions do not meet the BC SPM standards (see bullet #2) Type 2 or 3 treatment system may be the only viable option for on-site disposal. This is often the case where a dry well was used for original construction to accommodate limited disposal areas. As discussed in bullet #3, we've observed costs for complex on-site treatment systems begin at ~\$20,000 with Type 3 engineered systems often exceeding \$40,000.

6. Septic systems and sewage treatment plants do not remove nutrients from the soil (Phosphorus and Nitrogen) these can potentially cause harm to the environment and cause problems to nearby water wells (blue baby syndrome). Do you have any statistics or can you comment on this?

On-site wastewater treatment systems can remove considerable amount of nutrients but are not usually specifically designed to do so. The BC SPM (see p.54) identifies typical nutrient levels in Type 1 effluent of 12-20mg/L total phosphorus\* and 30-50mg/L total nitrogen. Nutrient removal is much poorer in inefficient designs (e.g. dry wells) and failing systems. Whether these levels constitute a threat to the environment depends on the density of development (i.e. how many systems are located in the area), proximity of neighbouring wells, groundwater flow volumes, and capacity of the soils to bind/uptake the nutrients. The historic provincial benchmark of 0.5acres (2.5acre with an on-site drinking water source) lots reflects a density generally considered unlikely to result in significant accumulation of nitrates in groundwater.

\* As a point of reference, total phosphorous concentration in Okanagan Lake are <0.02mg/L)

7. Disinfection of effluent from package treatment plants occurs within the soils. High water tables or breakouts of effluent from package treatment plants may be clear and may not be as easily identifiable as break outs from Septic systems, but will carry the same pathogens.  
Differences in breakouts from advanced treatment systems have not been observed. These systems typically fail due to improper maintenance resulting in partially treated effluent backing-up into the residence and/or pooling on the ground. There has always been distinctive odour of sewage and high *E.coli* counts in the investigations to date.
8. I understand that waste water practitioners are required to guarantee their work. What is the nature of that guarantee? What happens if they go out of business?  
Specific questions about the responsibility of APs for their work should be directed to the [Applied Science Technicians and Technologists](#) and the [Association of Professional Engineers and Geoscientists of BC](#). Both of these organizations are responsible for overseeing their member's practices.

Interior Health - Health Protection – Healthy Built Environments recommendations for approving land use activities is to provide local government with explicit information to allow for healthy community growth.

## Lauri Feindell

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**From:** Danielson, Steven <Steven.Danielson@fortisbc.com>  
**Sent:** August 10, 2016 5:03 PM  
**To:** Planning  
**Subject:** Gallagher Lake Area Plan (Bylaw 2452, 2008)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution and transmission facilities servicing properties within the Gallagher Lake Area Plan. It should be noted that proposals for construction within the transmission right of way area, including, but not limited to, water, sewer and other utilities must be reviewed and approved by FBC(E) prior to installation for safety and operational purposes. Further, crossings will be permitted subject to appropriate conditions. Parallel construction within the right of way will not likely be approved. Applicants should be reminded that they are responsible for costs related to the detailed review of their proposal in addition to any other costs which may arise or be required related to their development's potential or actual impact on the transmission corridor.

Otherwise, FBC(E) has no concerns with this circulation.

If you have any questions or comments, please contact me at your convenience.

Best Regards,

*Steven Danielson,*  
*Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, P.App.**  
**Supervisor | Property Services | FortisBC Inc.**

2850 Benvoulin Rd  
Kelowna, BC V1W 2E3  
Office: 250.469.8033  
Mobile: 250.718.9398  
Fax: 1.866.636.6171  
[nicholas.mirsky@fortisbc.com](mailto:nicholas.mirsky@fortisbc.com)



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**Lauri Feindell**

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**Subject:** FW: Council meeting minutes on-line?

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**From:** Diane Vaykovich [<mailto:dvaykovich@oliver.ca>]

**Sent:** September 20, 2016 9:24 AM

**To:** Christopher Garrish

**Subject:** RE: Council meeting minutes on-line?

No resolution just comment:

J-4      Gallagher Lake Area Plan  
            - RDOS Referral Request

Council commented positively on the walkways under the bridge and that the plan is concentrated building around available services.

**Diane Vaykovich | Corporate Officer**

Town of Oliver

Direct: 250-485-6207

Email: [dvaykovich@oliver.ca](mailto:dvaykovich@oliver.ca)

## ADMINISTRATIVE REPORT

**TO:** Environment and Infrastructure Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** Contract Extension Agreement "Collection, Transportation and Processing of Recyclable Gypsum"

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### Administrative Recommendation:

**THAT the Board of Directors award a two year contract extension for the 'COLLECTION, TRANSPORTATION AND PROCESSING OF RECYCLABLE GYPSUM' to Sivan Enterprises Ltd. at a revised rate from \$119.00 per Metric Tonne to \$124.00 per Metric Tonne.**

### Reference Documents:

- Contract 'COLLECTION, TRANSPORTATION AND PROCESSING OF RECYCLABLE GYPSUM' October 1<sup>st</sup>, 2013 (RDOS/SIVAN ENTERPRISES LTD.)
- Draft Contract Extension Agreement
- RDOS Purchasing and Sales Policy

### Purpose:

To continue providing the diversion of Gypsum from disposal at Regional District administered Sanitary Landfills.

### Business Plan Objective:

Solid Waste Management Plan

### Funding:

The funding for the provision of this service is available in:

2016 Budget Line Item 1-2-3500- 2593 GYPSUM RECYCLING - \$100,000

2016 Budget Line Item 1-2-3000-3529 CONTRACT SERVICES – \$ 20,000

**Background:**

In continuing the leadership role of the Regional District of Okanagan-Similkameen (RDOS) with regards to protecting the local environment, the RDOS established a Gypsum Recycling Program in 2003 that aids in diverting the Gypsum board from being buried into our landfills. Gypsum, when buried in a landfill site, decomposes anaerobically producing toxic Hydrogen Sulphide Gas. Presently, the diverted RDOS Gypsum is transported to Bio-Cycle Nutrients Solutions Ltd. in Strathmore, Alberta, where it is a component of a soil amendment utilized in the remediation of Brown Fields and Feed Lots. It is observed that a number of other companies in the Gypsum Recycling Industry have refused to accept or divert gypsum from other Landfill Sites and Transfer Stations in the Province.

Operationally, the existing contractor, Sivan Enterprises Ltd., attends onto our landfill sites approximately every 10 days to transport the gypsum off-site. The schedule of arriving on site is based on how much volume is being collected. With the increase in residential and commercial construction and renovation, a sharp demand to dispose of gypsum has been realized. In 2015, all RDOS administered Landfills diverted 1,325 Metric Tonne (M.T.) of Gypsum board from landfill disposal at a tipping fee of \$95 per M.T.

The Contract Term with the RDOS is for a three year term with a two year extension option. The three year term has now expired. During the three year term, Sivan Enterprises Ltd. has performed the contracted service in a safe and timely manner. The current cost per M.T. to recycle Gypsum board is \$119.00. The Contractor is requesting a \$5.00 per M.T. increase. Staff at RDOS have contacted other landfill operations to evaluate and understand their process in diverting their gypsum and to gain insight into who they utilize for this service. If other landfill operations do divert gypsum, Sivan Enterprises is their contractor also because of cost and service.

Staff recommends that the RDOS exercise the two year Contract Extension option at the proposed increased price of \$124.00 per M.T. from the existing contract price of \$119.00 per M.T. This \$5.00 per M.T. increase would equate to an additional \$6,625.00 annually based on the 2015 volume diverted. The existing budget will be able to absorb this increase. It should be noted that this contract is based on volume collected and the annual budget expense line may fluctuate throughout the years.

**Alternatives:**

The Board may choose to to not award this project at this time.

**Respectfully submitted:****Endorsed by:**

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D.Hamilton, Solid Waste Facilities Supervisor

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R. Huston, Public Works Manager



## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** INFORMATION ONLY:  
Establishment of Natural Gas Service for the Husula Highlands neighbourhood.

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### Purpose:

To establish a service area and borrow money for the provision of installing a Natural Gas main to residents of Husula Highlands.

### Reference:

*Local Government Act*

### Business Plan Objective: *(Tie to current RDOS Business Plan)*

Key Success Driver 2 – To optimize the customer experience through the provision and enhancement of key services.

### Background:

In 2014, FortisBC received inquiries from residents in the Sage Mesa and Husula Heights neighborhoods about the possibility of having natural gas installed in their area. As a result, FortisBC commenced preliminary discussions with the staff at the RDOS of the possibility of installing a gas main in those areas, with the premise that the gas main would be installed by FortisBC and the cost of installing the gas main absorbed by the residents of those areas. The role of the RDOS would be to financially administer those costs through a service area. There will be no maintenance costs realized by the RDOS.

On October 22, 2015, FortisBC and the RDOS held an open house for the residents of Husula Highlands and Sage Mesa to discuss the feasibility of installing natural gas in those neighborhoods. Estimated costs were provided to the residents by FortisBC at this meeting. Sage Mesa costs would be estimated at \$130,000 for a gas main install that would service 79 homes resulting in a per lot cost of \$2,000 and the Husula Highland area at a per lot cost of \$2,050 for 76 homes. With these budget numbers amortized over 20 years, the estimated annual cost per household would be \$190 for Sage Mesa and \$198 for Husula Highlands. It should be noted that this cost encompasses the install of the natural gas main in the road right-of-way plus a service lateral of up to 20m from the centerline of the road to the property. Costs to install the service to the residence house would be borne by the homeowner.

At the public meeting held in October 2015, an exit survey was distributed asking if the residents were interested in pursuing the process of installing natural gas in their areas, that being Sage Mesa and Husula Highlands. The result of the exit survey was an approval from Husula Highlands ( 92%) while Sage Mesa had an approval of 45% to move to the next step of securing a natural gas main.

In April 2016, an informal petition was received by the residents of Husula Highlands, requesting consideration of an extension to the Fortis Gas main into that neighborhood. The result of this informal petition spurred on the direction to initiate a formal petition process for the residents of Husula Highlands.

As a result, a second Information meeting was presented to the residents of Husula Highlands on September 15, 2016 for further discussion on the gas main installation and costs to the residents as part of the formal petition process. The formal petition was closed on September 27, 2016.

**Analysis:**

Upon the closing of the deadline of the formal petition, the petition for the installation of the Husula Highlands Natural gas main did not receive the required number of affirmative responses. The results showed only 30 of 68 eligible properties returned their petition, thus falling short of the 50% required.

**Respectfully submitted:**

*Roger Huston*

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R. Huston, Public Works Manager

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** Naramata Parks & Recreation Commission Rescinding Appointment

---



### Administrative Recommendation:

**THAT the Board of Directors rescind the appointment of Darren Rettie from the Naramata Parks & Recreation Commission; and further,**

**THAT a letter is forwarded to Mr. Rettie thanking him for his contribution.**

### Purpose:

The Regional District Board appoints members to the Recreation Commission a resolution is required to rescind the appointment of members.

### Reference:

Bylaw 2732, 2016 Regional District of Okanagan-Similkameen Parks and Recreation Commission Establishment Bylaw.

### Respectfully submitted:

*Justin Shuttleworth*

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J. Shuttleworth, Park/Facilities Coordinator

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** BC Rural Dividend Fund – Phase 3 Town Centre Revitalization



---

### Administrative Recommendation:

**THAT the Board of Directors support the application to the Rural Dividend Funding Program for Phase 3 of the Okanagan Falls Town Centre Revitalization Plan.**

### Purpose:

To secure Provincial funding for the design focused economic revitalization plan and implementation strategy for Okanagan Falls Town Centre (Phase 3).

### Analysis:

The Provincial Rural Dividend grant program is available through the Ministry of Forestry, Lands and Natural Resources Operations. The Rural Dividend program contributes to the strength and sustainability of small rural communities, making them more attractive places to live and work. The program is focused on supporting worthy projects that help rural communities navigate changes impacting their economies. The program goals match those of the RDOS Strategic Plan surrounding KSD 3 – Build a Sustainable Community.

The ultimate objective of the RDOS is to help reverse the economic fortunes of Okanagan Falls through strategic public and private investments and partnerships, positive streetscapes, quality urban design that can together provide a distinctive place to live, work, invest, shop and play.

Phase 3 is to prepare a Community Plan amendment for the Town Centre Area, establish goals, objectives and priorities for future redevelopment, include land designations, density and building heights, public spaces and a transportation network plan supported by MOTI.

### Financial:

For the single applicant funding stream, supporting community-driven projects applicants must contribute 20% of the total project cost. Local funding for the project is to be provided using Electoral Area D Economic Development funds and has been added to the RDOS 2017 Financial Plan.

### Alternatives:

**The Board of director could choose not to support the Rural Dividend Grant Application.**

Respectfully submitted:

*Shona Schleppe*

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Shona Schleppe



## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 2733, 2016

---

### Administrative Recommendation:

**THAT Bylaw No. 2733, 2016 Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw be adopted.**

### Reference:

1. Bylaw No. 2733, 2016 (attached)
2. Staff reports of April 28, 2016 and July 28, 2016

### History:

On April 28, 2016, the Board of Directors gave three readings to Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 2733, 2016, to incorporate all remaining properties physically located within the service area boundaries, but which were not included in the original service. Additionally, the service would be expanded to include several properties outside the existing service area that have requested to come into the service.

The Inspector of Municipalities provided statutory approval on June 28, 2016 and Administration received consent from the Board on July 28, 2016 to proceed with an Alternative Approval Process.

### Analysis:

The September 12, 2016 deadline for receipt of elector response has passed and the results below confirm that elector approval through an AAP has been obtained for the bylaw.

### AAP Results for Bylaw No. 2733, 2016:

Number of eligible electors within the affected area – 160  
Number of elector response forms needed to prevent adoption of the bylaw – 16  
Valid elector response forms received prior to deadline - 0

On the basis of the elector response forms received before the deadline, I have determined and hereby certify that elector approval in accordance with *Section 86* of the Community Charter has been obtained, therefore the Board may now proceed with the adoption of Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 2733, 2016.

### Respectfully submitted:

**C. Malden, Manager of Legislative Services**

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN  
BYLAW NO. 2733, 2016**

---

**A bylaw to amend the Naramata Fire Prevention and Suppression Local Service  
Establishment Bylaw.**

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WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wishes to proceed under the *Local Government Act*, to amend the boundaries of the service area of the Naramata Fire Prevention and Suppression Local Service Establishment Bylaw No. 1619, 1995;

AND WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen has obtained the approval of the electorate within the area joining the existing service area, by an alternative approval process in accordance with the *Local Government Act*,

NOW THEREFORE the Board of Directors of the Regional District of Okanagan-Similkameen in open meeting assembled ENACTS as follows:

**1.0 CITATION**

1.1 This bylaw may be cited for all purposes as the “Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 2733, 2016”.

**2.0 AMENDMENT OF SERVICE**

2.1 The service area established by “Naramata Fire Prevention and Suppression Local Service Establishment Bylaw No. 1619, 1995” is amended by adding the properties that are outlined in black on Schedule 'A' which is attached to and forms part of this Bylaw.

**READ A FIRST, SECOND, AND THIRD TIME** this 28<sup>th</sup> day of April, 2016.

**APPROVED BY THE INSPECTOR OF MUNICIPALITIES** this 28<sup>th</sup> day of June, 2016.

**RECEIVED APPROVAL OF THE ELECTORATE WITHIN THE AREA JOINING THE EXISTING SERVICE AREA THROUGH ALTERNATIVE APPROVAL** this 13<sup>th</sup> day of September, 2016.

**ADOPTED** this xx day of xx, 2016

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Board Chair

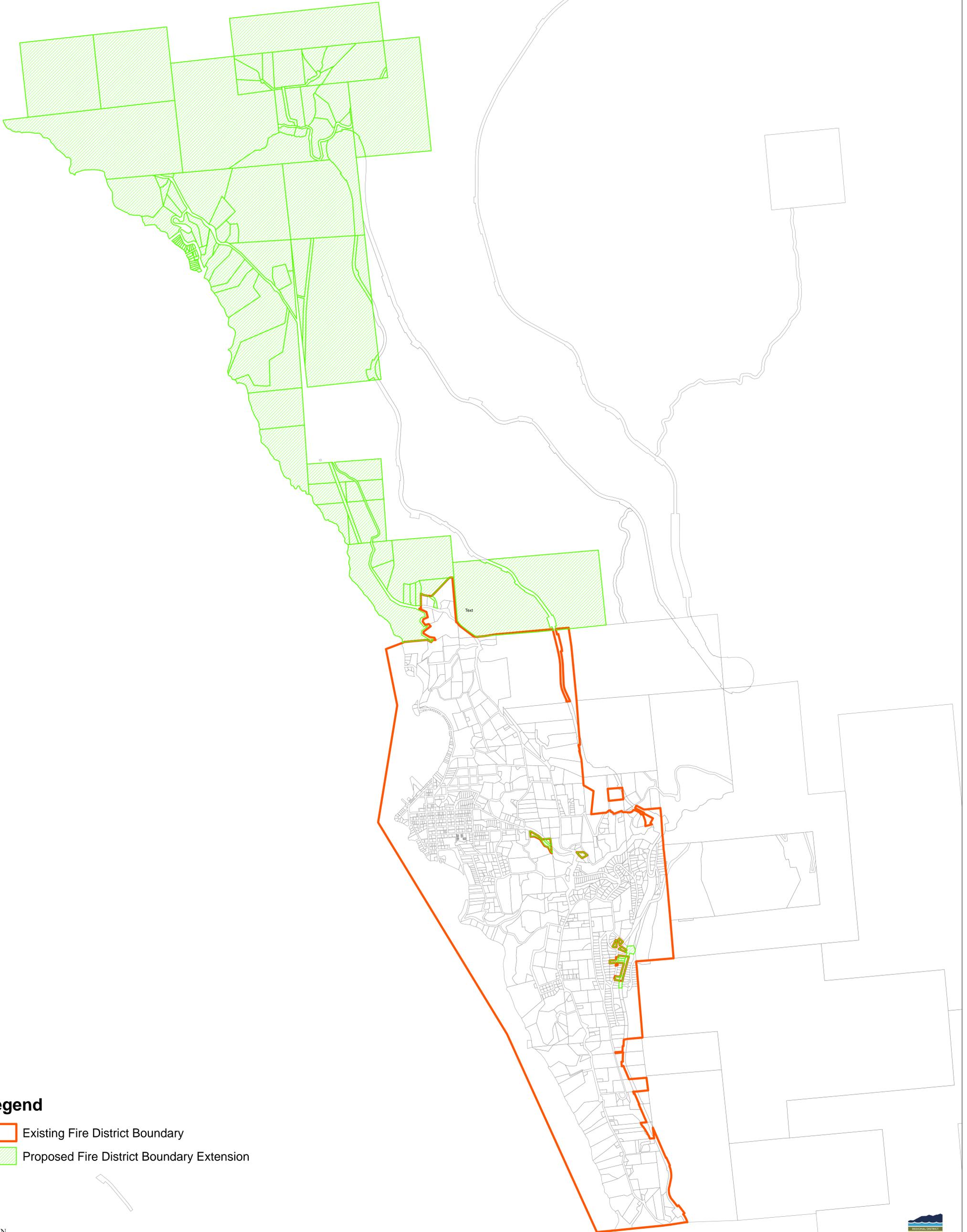
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Corporate Officer

**FILED WITH THE INSPECTOR OF MUNICIPALITIES** this xx day of xx, 2016.....

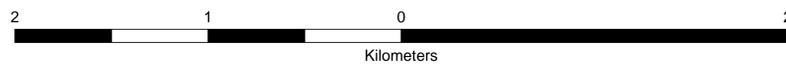
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# Naramata Fire District



## Legend

-  Existing Fire District Boundary
-  Proposed Fire District Boundary Extension



## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 6, 2016  
**RE:** 2016 UBCM Update – For Information Only



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### Background:

The Union of British Columbia Municipalities meets annually to discuss issues on interest to municipalities and regional districts within the Province of British Columbia. During this conference, the province provides opportunities to meet with senior government elected and appointed officials.

In addition to the general benefit of networking with colleagues, elected officials have the opportunity to attend various educational workshops to either learn more about provincial programs they might be interested in or talk about what's going well or wrong in other municipalities.

The Regional District had several issues up for discussion with Ministers and Senior Staff:

### Tuesday, 27 September 2016

Minister of Education: The Regional District expressed our concern about the process used over the last year for the potential closing of 4 schools in our geographic area. While we understand and respect the role of the School Board, the Regional District believes that schools also have an economic and social sustainability factor that should require that the local government be included in the discussion. The Minister advises that the Province is working diligently to improve the process prior to the end of the two-year reprieve for West Bench, Trout Creek and Osoyoos schools that had been identified for closure in 2016 and that our suggestions would be taken into consideration.

Solicitor General: The Regional District had, in previous years, expressed concern about the need for additional rural policing. The RDOS falls under the provincial policing contract and the province has not increased resources for several years. The RDOS is allotted 8 Officers for the 8 electoral areas in the South Okanagan/ Similkameen. With the growth in the area, the new corrections facility and additional administrative duties for RCMP Officers, there seems a reduction in front-line service to our citizens. The RDOS made this case again to the Solicitor General, Corrections and Senior provincial policing administrators. The Solicitor General advised that they will be watching the effect of the Gallagher Lake Corrections Facility closely and will identify other options to address policing concerns.

Minister of Aboriginal Relations: Local Governments are experiencing increased pressure to consult with Indian Bands on development and other land use applications on private or community lands. The Indian Bands have advised that they need additional resources to handle the referrals from all levels of government and they have suggested that local governments should collect additional fees from applicants to cover the First Nation referrals staff. Local Governments are reluctant to increase fees, for obvious reasons.

The Regional District was, more or less, asking the Minister of Aboriginal Affairs to consider establishing a provincial position on First Nation Referrals to gain consistency across the province and provide support for local government in negotiating any agreements that may be required.

Minister of Health: The Regional District had the opportunity to meet with the Minister of Health to discuss four issues of interest in the South Okanagan Similkameen:

- Youth Mental Health – There seems to be a gap in programming for adolescent children requiring the support of mental health professionals. In fact, schools have reported that they only receive support after a suicide has been attempted. The Regional District has asked the Minister to investigate to ensure holistic coverage for all British Columbians, regardless of age.
- Planning for an Ageing Population – The Regional District believes that the Province needs to start preparing a holistic provincial strategy for the increasingly aged population in the Okanagan/Similkameen. Not only health care, but transit, recreation, healthy living, etc.
- Sage Mesa Water System – IHA is an important partner in the regulation of water quality. The Sage Mesa Water System is privately held, but was seized by the Province due to poor management. The Province has contracted with the Regional District to manage and operate the service on their behalf. IHA has an Order against the owner of the system due to a rapidly deteriorating infrastructure causing continuous “boil water notices” in times of turbidity due to lack of significant contact time for the chlorine injection at the start of their system. But, IHA seems reluctant to pull the trigger on the enforcement and the problem only continues to exacerbate.
- High Risk Hazard Field Support Guide – The Province has recently changed their policy on the role of Ambulance First Responders at accident sites. Typically Fire, Ambulance and Police respond to accidents in the field and they work well together if we leave them alone. Due to recent Worker’s Compensation Board findings against the Ambulance Service, a policy was established restricting assistance at traffic sites. The Minister advises this may have been an over-reaction, a review is underway and the outcome should be out soon.

Wednesday, 28 September 2016

Meeting with FLNRO Staff re: KVR Tenure – RDOS met with Rick Manwaring, ADM Regional Operations South, John Hawkings, Director of Recreation Sites and Robert Turner to discuss tenure on the KVR, especially in the south Okanagan between Osoyoos and Penticton. The Regional District is especially interested in the environmentally sensitive west side of Vaseux Lake. FLNRO is prepared to conduct a feasibility study to determine the threats involved with opening up the west side and how to mitigate them. They expect the outcome to cost millions of dollars, but believe there are programs in place to address that.

**CORD Meeting with the Minister of Environment re: Biosolid Disposal** – The RDOS was invited to attend the meeting arranged by the Central Okanagan Regional District to discuss their problem with disposal of biosolids. CORD has previously contracted to have the biosolids produced at the Westside Waste Water Treatment Plant disposed of in Merritt. Due to public pressure, the contract has been cancelled and the biosolids are being trucked to Alberta at a cost of \$3,000/trip + \$300,000/year for tipping fees.

The RDOS is currently in non-compliance with the BC Gas Capture Regulation because we failed to install a methane recovery system at Campbell Mountain by February 2016. We have a meeting with the Minister of Environment on Thursday to gain her approval to substitute a BioCover Gas Mitigation System and, in that situation; we could use CORD's BioSolids along with other problem areas like Vancouver. CORD will be in attendance in support of the RDOS tomorrow when we meet with Minister.

**Meeting with MoTI Staff re: road maintenance in Rural Areas** – We met with Paula Cousins, Deputy Director of the Southern Interior Region to explain that while Regional Districts are not responsible for roads in British Columbia many of our citizens believe we are and we receive regular requests for service and complaint, both for maintenance and rehabilitation. We wanted to talk to MoTI staff to determine if they had a budget for maintenance or rehabilitation and how their priorities were determined. They have advised that Maintenance (potholes) were covered in the Argo Contract and that we could refer complaints or requests directly to them. Rehabilitation and Repaving are a MoTI responsibility and they go through an annual inspection and prioritization process. They suggested we invite them to a meeting to discuss their priority list for the next year and to receive input on electoral area priorities to consider in their budgeting.

While we have these other issues on for discussion with the Minister tomorrow, they did advise that speed limits were considered a technical matter and are not easily changed unless the studies indicate a warrant for that change.

They also suggested that the Province is willing to accept possession of Weyerhauser Road, but that the developer must bring it up to the standard necessary to handle the current traffic, i.e. logging trucks. If they could prove that the road base is already to that standard, no further work would be required.

**Minister Responsible for Housing** – RDOS met with the Deputy Premier/ Minister Responsible for Housing to discuss an application from the Okanagan Falls Housing Society. The proposal is to take shape on 3 Lots owned by the Legion and one lot owned by the Catholic Church on Willow Street behind the Legion. The Minister advised that they like the proposal and consider it a high priority for the next round of announcements, but the Housing Society must show that they have tenure on the land. For this to proceed, the Legion must buy the lot from the RC Church, consolidate the lots and enter into a lease with the Housing Society. This all has to happen very quickly.

**Thursday 29 September 2016**

**Community Excellence Award** - The Regional District of Okanagan Similkameen received the Partnership Award for work done on the First Nation Protocol Agreement.

**Premier/ Ministry of Community Sport and Cultural Development** - The Regional District met with Premier Clark and Minister Fasbender to discuss the results of the Area "D" Governance Study. The Recommendation coming from the Committee was to split Area "D" into two electoral areas and the Premier was supportive of this approach. The Committee Report will come to the Board on October 6<sup>th</sup> and if the recommendation goes forward to the Minister, it seems likely to succeed prior to the next election.

**Minister of Transportation and Infrastructure** -