



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, April 20, 2017

RDOS Boardroom – 101 Martin Street, Penticton

## SCHEDULE OF MEETINGS

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9:00 am	-	9:15 am	Planning and Development Committee [Page 2]
9:15 am	-	10:00 am	Community Services Committee [Page 10]
10:00 am	-	11:00 am	Corporate Services Committee [Page 30]
11:00 am	-	11:15 am	Environment and Infrastructure Committee [Page 98]
11:15 am	-	12:15 pm	Protective Services [Page 103]
12:15 pm	-	12:45 pm	Lunch
12:45 pm	-	3:00 pm	RDOS Board [Page 105]

*"Karla Kozakevich"*

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Karla Kozakevich  
RDOS Board Chair

### Advance Notice of Meetings:

May 04, 2017	RDOS Board/Committee Meetings
May 18, 2017	RDOS Board/OSRHD Board/Committee Meetings
June 01, 2017	RDOS Board/Committee Meetings
June 15, 2017	RDOS Board/OSRHD Board/Committee Meetings
July 06, 2017	RDOS Board/Committee Meetings
July 20, 2017	RDOS Board/OSRHD Board/Committee Meetings



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, April 20, 2017

9:00 a.m.

## REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Planning and Development Committee Meeting of April 20, 2017 be adopted.

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B. FIRST QUARTER 2017 ACTIVITY REPORT – FOR INFORMATION ONLY [Page 3]

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C. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Planning & Development Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** First Quarter Activity Report – For Information Only

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### 1.0 DEVELOPMENT SERVICES DEPARTMENT

#### 1.1 PLANNING

See Attachment No. 1 for number of Planning Applications / Referrals received as of March 31, 2017.

##### Q1 Activities

- Planning Committee report on proposed amendments to Community Plan and Zoning Map Schedules to address a range of mapping issues and to finalize the Environmentally Sensitive Development Permit (ESDP) Guidelines for Electoral Areas "A", "C", "D", "E" and "F" project;
- Retained consultant for Area "F" Community Plan Review project and commenced the first phase including advertising for Citizen's Advisory Committee;
- Adopted revised Regional Growth Strategy and received Regional Snapshot monitoring report;
- Commenced Okanagan Falls Town Centre Plan, Phase 3 by retaining consultants for project;
- Conservation Fund Service Area – review of operational / administrative details;
- First Nations Referrals Board Report;
- Continued to provide planning services to Oliver and Keremeos, including the new Oliver Community Plan;
- Climate Action Plan – work on CARIP report;
- 25 planning reports to the Board / Planning Committee and 12 reports for Advisory Planning Committee meetings.

##### Planned Activities for Q2 - 2017

- Work on the Area "F" Community Plan – Inventory, Issues, infrastructure and public consultation;
- Adoption of Environmentally Sensitive Development Permit Area Community Plan Amendments;

- Okanagan Falls Town Centre Plan – prepare Area Plan and proceed with property owner/community consultation and work on Community Plan amendments;
- Zoning Bylaw amendments for retaining walls and building height, review of Hillside Development Permit Area;
- Zoning Bylaw amendments for livestock and agricultural accessory dwellings;
- Commence Bylaw Enforcement Policy review;
- Provide planning services to Oliver and Keremeos;

## 1.2 BUILDING INSPECTIONS

- In the first 3 month of 2017, permits are being applied for and issued at a higher rate than 2016 (which was a record year).
- To end of March we have issued 101 permits, up from 92 in 2016.
- Review of Kennedy Lake permits underway to access number of non-compliant files to be notified with demolition orders and to continue with inspections.
- Ongoing work and review of policies and procedures.

See Attachment No. 2 for the summary of issued Building Permits for the 2017 1st quarter.

## 1.3 BYLAW ENFORCEMENT

### Activity Highlights:

#### · Q1 Enforcement Activity

- ∅ Thirteen (13) files opened
- ∅ Twenty (20) files closed
- ∅ Bylaw Enforcement Clerk position has been posted, candidates interviewed and position filled
- ∅ Introduced Regional Dog Control Bylaw to Board
- ∅ Introduced Animal Control Bylaw for Areas "B" and "G" to Board
- ∅ Issued two (2) fines for Building Bylaw infractions
- ∅ Entered into Compliance Agreement to rectify occupancy of recreational vehicle
- ∅ Four Hundred and Twenty dollars (\$420.00) received for paid fines
- ∅ Dog Control Bylaw preparation for Recreation Commission meeting attendance in 2<sup>nd</sup> Quarter
- ∅ Processing of Untidy and Unsightly Property file in Coalmont for legal review ongoing
- ∅ Review and update of Bylaw Enforcement Officer contract

#### · Enforcement Activity Planned for Q2, 2017

- Ø Amalgamated Untidy and Unsightly Premises Bylaw to be introduced to Board
- Ø Continue with moving files into EDMS
- Ø Processing older files is ongoing
- Ø Input outstanding ticket information into new ticketing tracking
- Ø Rescind and replace dated bylaws to recognize new Animal Shelter facilities
- Ø Work with Public Works staff to initiate review of Apex Mountain Waste Transfer Station Bylaw for inclusion into BON Bylaw
- Ø Work with new Bylaw Enforcement Clerk to familiarize with departmental duties
- Ø Attend meetings to introduce Regional Dog Control Bylaw to Recreation Commissions in all Electoral Areas except "H"
- Ø Sign updated contract with South Okanagan Security for Bylaw Enforcement Services

#### 1.4 SUBDIVISION SERVICING

##### Q1 Activities:

##### · Subdivision Referrals

- Ø 14 referrals received for 2016 to date
- Ø 53 referrals ongoing and pending applicants' action

##### · Ongoing Major Subdivisions:

- Ø Twin Lakes Golf Resort – DVP to the Subdivision Bylaw registered
  - ✓ Developer submitted revised plan for 50 units. Staff are in discussion with Developer.
- Ø Reflection Point
  - ✓ – Phase 2 - 20 strata lots –Letter of Requirement issued – pending developer
- Ø Naramata Benchlands
  - ✓ Revised subdivision plan for Phase 2 – 42 strata lots
  - ✓ Pending developer – anticipating completion in early 2017.
  - ✓ Phase 3 nearing registration (large lot subdivision)
- Ø Kettle Ridge - Phase 2 - 19 fee simple lots
  - ✓ Pending developer – anticipating completion in early 2017.
  - ✓ Water Service Area Petition complete
- Ø Kettle Ridge - Phase 3 - 31 fee simple lots
  - ✓ Developer split Phase 3, review of subdivision design needed

- Ø St Andrews - Phase 4 - 25 strata lots
  - ✓ Pending revised subdivision plan
- Ø Shuttleworth Properties - 7 (industrial) lots
  - ✓ Letter of Requirement issued
- Ø Bassett Avenue Subdivision, 6 lots
  - ✓ Pending developer – anticipating completion in early 2017.
- Ø **Other Projects:**
- Ø Service Area Petitions
  - ✓ Gallagher Lake water and sewer
- Ø Planning development application referrals
- Ø Gallagher Lake: Area Plan and water and sanitary service areas
- Ø (Subdivision) Works and Services Bylaw
- Ø Water and Sewer Regulatory Bylaws review

**Planned Activities for Q2:**

**Ongoing or Planned:**

- Ø Major Subdivisions
  - ✓ Twin Lakes Golf Resort
  - ✓ Naramata Benchlands, Phase 2
  - ✓ Reflection Point, Phase 2
  - ✓ Kettle Ridge, Phase 2 and 3
  - ✓ St Andrews, Phase 4
  - ✓ Shuttleworth Properties
  - ✓ Bassett Avenue Subdivision
  - ✓ Acherman subdivision
  - ✓ Willow Beach (proposed zoning and subdivision)
- Ø Naramata DCC and Capital Plan
- Ø Gallagher Lake Area
  - ✓ Petitions for sewer and water service area
  - ✓ Gallagher Lake Village, Phase 3
- Ø (Subdivision) Works and Services Bylaw review
- Ø Water and Sewer Regulatory Bylaws review

**Respectfully Submitted,**

*Donna Butler*

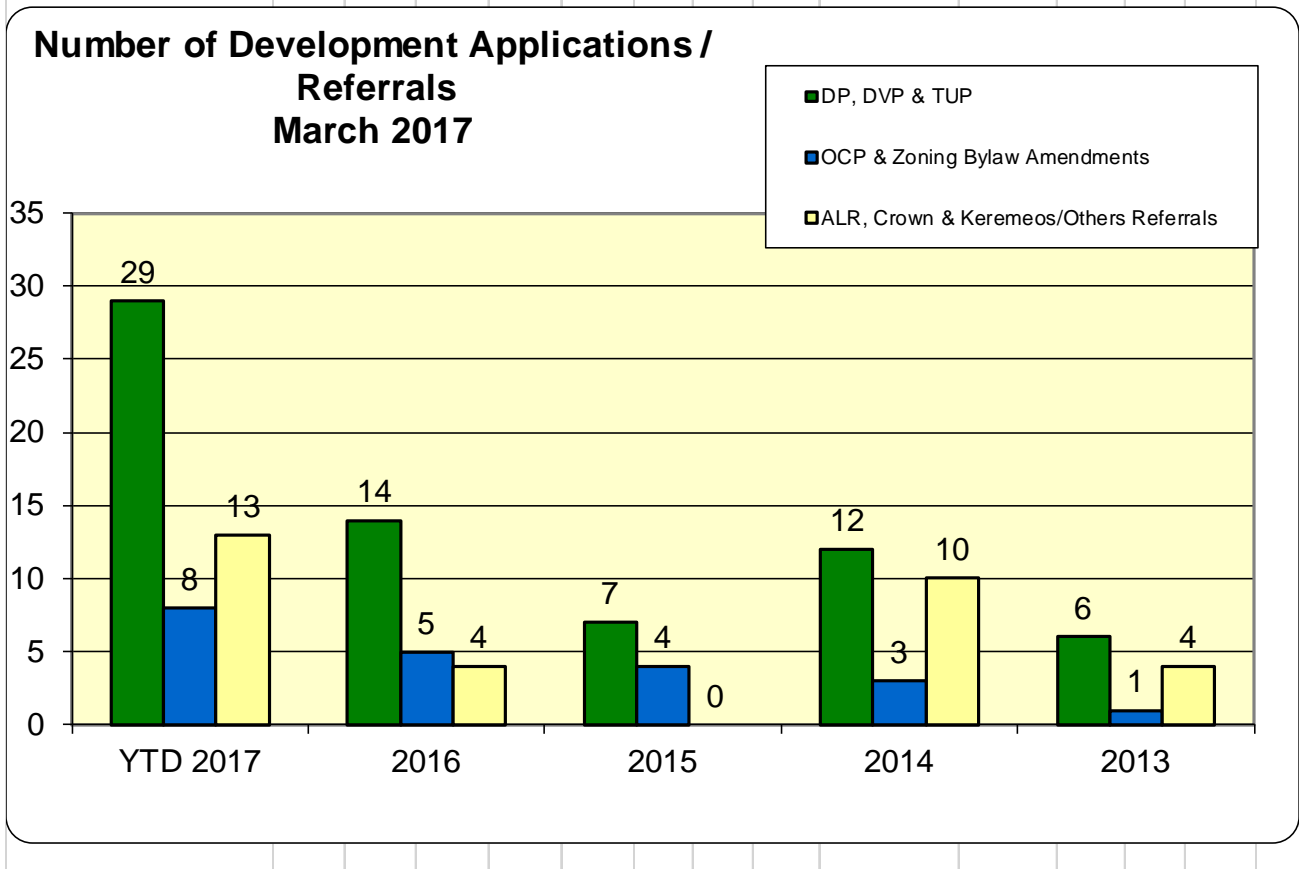
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Donna Butler, Development Services Manager

Attachments: Attachment No. 1 – Number of Development Applications / Referrals (YTD – March)  
Attachment No. 2 – Summary of Building Permits (YTD – March)

Attachment No. 1 - Number of Development Applications / Referrals

Number of Development Applications / Referrals March 2017 Year to Date															
	1														
	A	B	C	D	E	F	G	H	Month Total	YTD 2017	2016	2015	2014	2013	
Develop Permit & DVP	4		1	4	3	1		1	14						
TUP					1				1						
<b>DP, DVP &amp; TUP</b>									<b>15</b>	<b>29</b>	14	7	12	6	
Zoning					1			1	2						
OCP/Zoning								1	1						
<b>OCP &amp; Zoning Bylaw Amendments</b>									<b>3</b>	<b>8</b>	5	4	3	1	
ALR							1		1						
Crown Land			1			1		2	4						
KER/OLI/OSO			2				1		3						
<b>ALR, Crown &amp; Keremeos/Others Referrals</b>									<b>8</b>	<b>13</b>	4	0	10	4	





## Attachment No. 2 – Summary of Building Permits Issued to Date, 2017

NUMBER OF PERMITS ISSUED									
DESCRIPTION	A	C	D	E	F	H	TOTAL	2017	2016
RENEWAL/DEFICIENCY			3	1			4	9	7
S.F.D.	2	1	4			3	10	25	19
MOBILE/MANU HOMES		3	1			1	5	10	3
CABINS/REC							0	0	3
SEMI-DETACHED, DUPLEX, MULTI							0	0	0
DEMOLITION / MOVE			1				1	4	5
ACCESSORY USES		1	2	1	2		6	15	20
ADDITIONS / REPAIRS / PLUMBING	1	3	1	3	1	1	10	28	25
COMMERCIAL		1					1	5	4
INDUSTRIAL							0	0	0
FARM BUILDING									
EXEMPTION			1				1	5	2
INSTITUTIONAL							0	0	1
SOLID FUEL APPLIANCE							0	0	3
<b>MONTHLY TOTAL</b>	<b>3</b>	<b>9</b>	<b>13</b>	<b>5</b>	<b>3</b>	<b>5</b>	<b>38</b>	<b>101</b>	<b>92</b>
<b>YEAR TO DATE 2017</b>	<b>15</b>	<b>22</b>	<b>40</b>	<b>9</b>	<b>6</b>	<b>9</b>	<b>101</b>		
<i>SAME MONTH 2016</i>	<i>3</i>	<i>7</i>	<i>6</i>	<i>6</i>	<i>6</i>	<i>7</i>	<i>35</i>		
<i>YEAR TO DATE 2016</i>	<i>8</i>	<i>15</i>	<i>31</i>	<i>13</i>	<i>8</i>	<i>17</i>	<i>92</i>		
<b>DOLLAR VALUE OF PERMITS</b>									
DESCRIPTION	A	C	D	E	F	H	TOTAL	TOTAL YEAR	
RENEWAL/DEFICIENCY	\$662,950		\$62,500	\$12,500			\$737,950	\$740,950	
S.F.D.		\$462,840	\$1,045,818			\$727,615	\$2,236,273	\$6,927,708	
MOBILE/MANU HOMES		\$627,910	\$215,260			\$142,560	\$985,730	\$1,799,005	
CABINS/REC							\$0	\$0	
SEMI-DETACHED, DUPLEX, MULTI							\$0	\$0	
DEMOLITION / MOVE			\$1,000				\$1,000	\$4,000	
ACCESSORY USES		\$50,000	\$36,200	\$78,520	\$257,385		\$422,105	\$537,573	
ADDITIONS / REPAIRS / PLUMBING	\$45,780	\$86,000	\$25,000	\$370,475	\$67,580	\$19,200	\$614,035	\$1,529,078	
COMMERCIAL		\$70,000					\$70,000	\$504,000	
INDUSTRIAL							\$0	\$0	
FARM BUILDING								not valued / no revenue	
EXEMPTION							\$0	\$0	
INSTITUTIONAL							\$0	\$0	
SOLID FUEL APPLIANCE							\$0	\$0	
<b>MONTHLY TOTAL</b>	<b>\$708,730</b>	<b>\$1,296,750</b>	<b>\$1,385,778</b>	<b>\$461,495</b>	<b>\$324,965</b>	<b>\$889,375</b>	<b>\$5,067,093</b>	<b>\$12,042,313</b>	
<b>YEAR TO DATE 2017</b>	<b>\$1,972,965</b>	<b>\$2,483,525</b>	<b>\$5,252,403</b>	<b>\$574,495</b>	<b>\$790,550</b>	<b>\$968,375</b>	<b>\$12,042,313</b>		
<i>SAME MONTH 2016</i>	<i>\$292,515</i>	<i>\$821,890</i>	<i>\$567,227</i>	<i>\$602,133</i>	<i>\$213,392</i>	<i>\$664,025</i>	<i>\$3,161,182</i>		
<i>YEAR TO DATE 2016</i>	<i>\$319,715</i>	<i>\$1,917,550</i>	<i>\$3,514,939</i>	<i>\$1,038,153</i>	<i>\$322,752</i>	<i>\$1,616,210</i>	<i>\$8,729,319</i>		
<b>BUILDING INSPECTION REVENUE</b>									
MONTH	2011	2012	2013	2014	2015	2016	2017		
JANUARY	\$17,959.62	\$16,098.23	\$15,847.48	\$8,965.60	\$17,905.98	\$38,090.55	\$39,602.01		
FEBRUARY	\$18,531.97	\$14,200.42	\$18,055.76	\$25,842.00	\$19,575.32	\$29,419.02	\$44,897.41		
MARCH	\$26,221.83	\$38,322.59	\$28,007.02	\$30,397.81	\$32,251.07	\$41,406.24	\$62,053.58		
APRIL	\$31,870.85	\$18,059.44	\$20,973.73	\$28,055.24	\$47,883.66	\$15,209.80			
MAY	\$42,136.91	\$30,849.83	\$43,054.17	\$47,678.54	\$34,819.01	\$88,336.89			
JUNE	\$46,768.25	\$44,166.92	\$42,069.21	\$78,964.49	\$62,473.80	\$105,215.54			
JULY	\$39,690.56	\$57,024.83	\$46,889.56	\$48,610.54	\$93,218.43	\$70,891.24			
AUGUST	\$37,792.51	\$58,020.08	\$35,669.63	\$41,182.51	\$59,620.80	\$73,568.01			
SEPTEMBER	\$40,835.92	\$24,513.20	\$24,607.81	\$68,044.72	\$121,384.59	\$102,226.37			
OCTOBER	\$27,711.60	\$34,125.76	\$28,791.57	\$36,694.11	\$39,069.81	\$44,894.56			
NOVEMBER	\$23,710.90	\$29,782.64	\$25,620.64	\$40,766.83	\$58,845.97	\$32,663.33			
DECEMBER	\$41,386.71	\$33,035.38	\$16,484.32	\$39,792.14	\$40,132.41	\$29,147.95			
<b>TOTAL</b>	<b>\$394,617.63</b>	<b>\$398,199.32</b>	<b>\$346,070.90</b>	<b>\$494,994.53</b>	<b>\$627,180.85</b>	<b>\$671,069.50</b>	<b>\$146,553.00</b>		



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Community Services Committee

Thursday, April 20, 2017

9:15 a.m.

## REGULAR AGENDA

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### A. APPROVAL OF AGENDA

#### RECOMMENDATION 1

THAT the Agenda for the Community Services Committee Meeting of April 20, 2017 be adopted.

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### B. DELEGATION

1. Aaron McRann - Executive Director, Community Foundation South Okanagan/Similkameen (CFSOS)
2. Kim English - Community Development Officer, Community Foundation South Okanagan/Similkameen (CFSOS)

Mr. McRann and Ms. English will address the Board to present an update on CFSOS activities.

- i. Presentation [Page 11]
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### C. FIRST QUARTER 2017 ACTIVITY REPORT – FOR INFORMATION ONLY [Page 27]

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### D. ADJOURNMENT



# COMMUNITY FOUNDATION

south okanagan | similkameen

*Building Smart & Caring Communities*

# Who is the Community Foundation of the South Okanagan Similkameen?

CFSOS is a proud member of



COMMUNITY  
FOUNDATIONS  
OF CANADA  
*all for community.*

- Over 25 years of service
- \$11 million assets under management
- \$2.8 million total in grants
- \$420,000 granting for 2017

# What does the Community Foundation do?



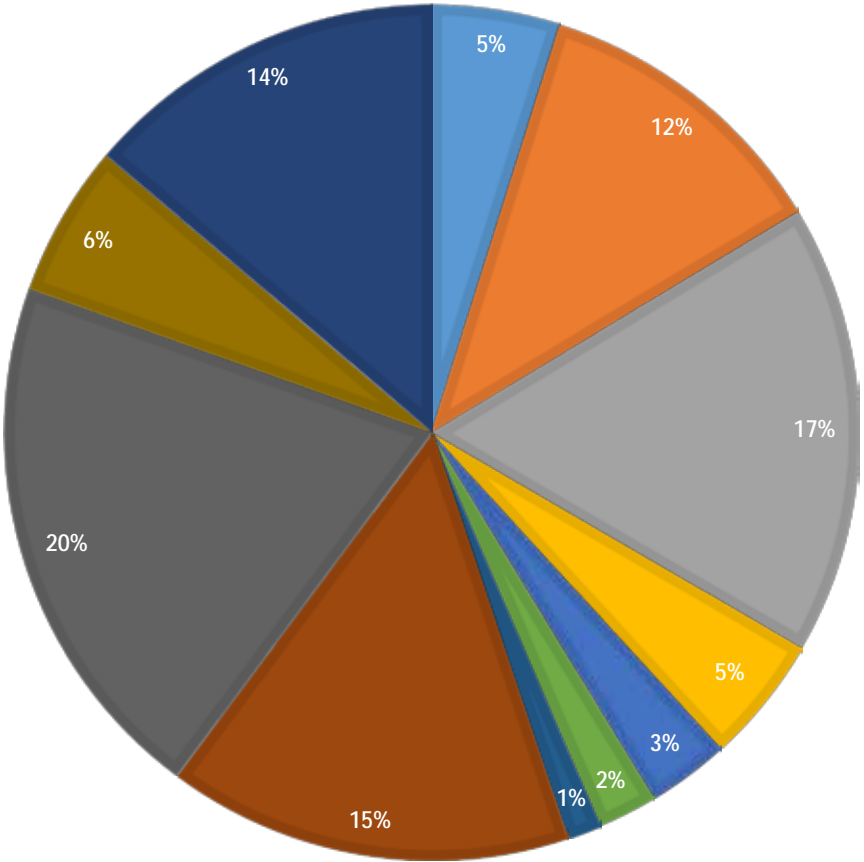
- Annual Grant Cycle
- Bursaries
- Neighbourhood Small Grants
- Community Champions
- Vital Signs, Community Conversations
- Random Acts of Kindness Day
- Workshops: Grant Writing & Estate Planning

# We help build stronger communities

- Canada Red Cross, S.O.S
- Farmfolk, City Folk – Young Agrarians
- Dragonfly Pond Family Society
- OK Boys & Girls Club
- OSNS Child Development Centre
- Okanagan College – Child Centre
- Pathways Addiction Recourses Society
- SOWINS
- Arthritis Society of BC /Yukon
- YMCA of Okanagan

32 charities  
received  
funding in  
2017

# Areas of funding in 2017



- Admin
- Arts & Culture
- Children & Youth
- Education
- Environment
- Health
- Heritage & Restoration
- Scholarship

# We develop and grow local endowment funds

Community	Established	Capital as of 31/12/2016	Disbursements total to date:
Summerland	1997	\$18,601	\$8,306
Oliver	1994	\$18,827	\$4,110
Osoyoos	2000	\$12,370	\$2,482
Lower Similkameen	2013	\$22,092	\$1,350
Princeton & District	2013	\$10,200	\$1,300



# We manage Legacy Funds & Bursaries

• Over 100 managed funds, nearly \$11,000,000 assets under management

• Six bursaries, \$37,000 in yearly distribution



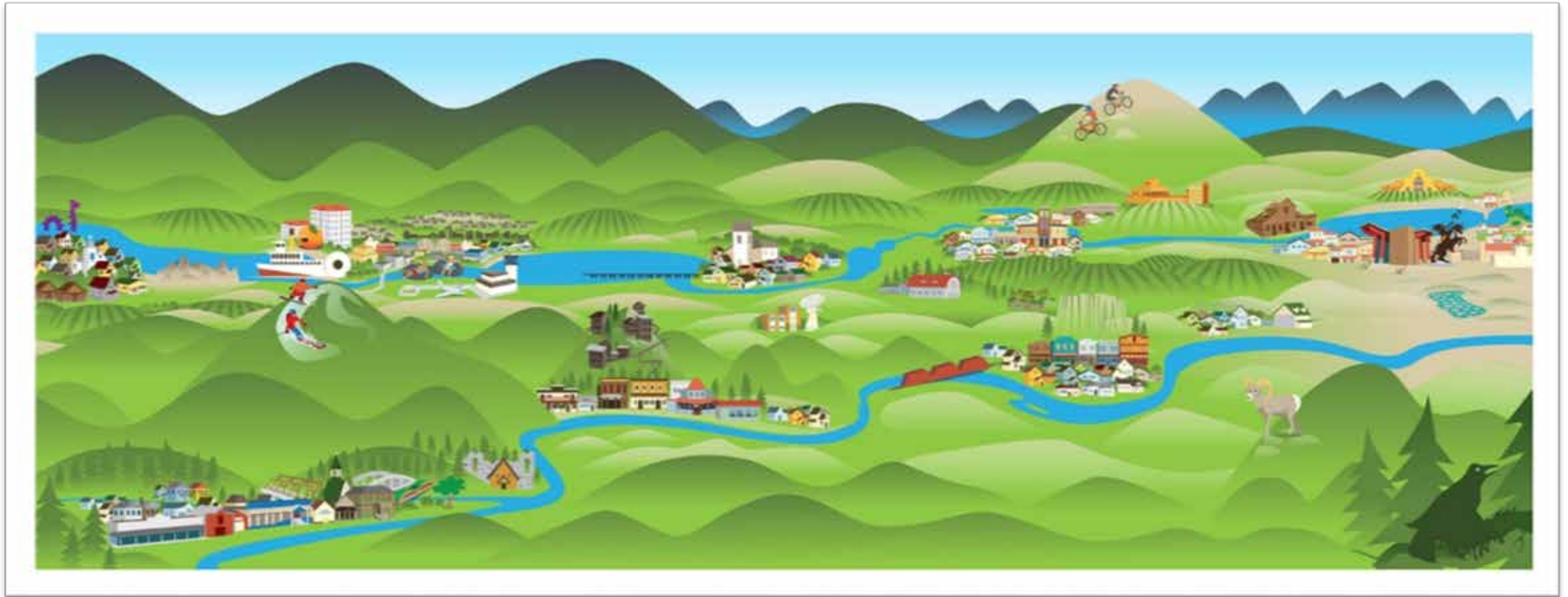
# Local Advisory Committees what do they do?

- Six member committee
- Local ambassador of the Foundation
- Six meetings a year
- Grant Review support
- Information dissemination
- Endowment Fund building



# neighbourhood small grants

A unique program to help build community and strengthen connections right where people live.



# neighbourhood small grants

## Goals

1. Connect and engage neighbourhood residents
2. Share residents' skills and knowledge
3. Build a sense of ownership and pride
4. Respect and celebrate diversity



Hastings Street Gathering

neighbourhood small grants  
was accomplished through partnerships



vancouver  
foundation



# meet the neighbours!

**block  
PARTY**

**Participate in the Inaugural  
Toronto Avenue Residents Block Party**

**SUNDAY OCTOBER 23**

**11:00 am – 1:00 pm**

*Show your community spirit and offer to host an activity – sign up for one of these ideas! (the supplies for each idea will be funded from the grant – just email what you will be doing before Oct 19! - torontoavenueresidents@gmail.com)*

- BBQ hot dogs •
- Coffee & Hot Chocolate •
- Cake •
- Face Painting •
- Balloon Animals •
- Chalk Art on Sidewalk or Hop Scotch •
- Craft Corner •
- Entertainment •

*Do you have a hidden talent you wish to share with your neighbours? Let us know what it is and email torontoavenueresidents@gmail.com*

**LIKE the 'Toronto Avenue Residence' Facebook page to stay up to date:  
<https://www.facebook.com/Toronto-Avenue-Residence-289938264732710/>**

Funded in part by the 'Neighbourhood Small Grants' in partnership with Community Foundation of the South Okanagan, Cowichan, the City of Port Huron and the Vancouver Foundation



# building deeper connections between neighbours



# why this matters? Program Objectives

**Mission** to harness local skills and energy in order to build connected, empowered communities that foster a sense of belonging and make neighbourhoods a better place to live!

## Impact Over Time

As the program matures, the enhanced skills, knowledge and confidence of project leaders and volunteers  
Enhancing local capacity and create the building blocks for a sustainable program.

**The legacy is a network of people, place and traditions that can continue to benefit the community for many years to come.**







COMMUNITY FOUNDATION  
south okanagan | similkameen

neighbourhood small grants

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**HAVE A GREAT IDEA FOR YOUR NEIGHBOURHOOD?**

Apply for a grant of up to \$500 to bring people together and make the South Okanagan Similkameen an even better place to live.

Neighbourhood Small Grants support residents like you who want to make our community a better place to live. Neighbourhood Small Grants is a unique program that helps build community and strengthening connections right where people live.

We give grants from \$50 to \$500 to projects that focus on connecting and engaging residents.

Block parties, art shows, craft workshops, community gardens, yoga at sunrise or movies under the stars. There's no limit to your creativity!

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Apply online by April 28, 2017  
[www.cfso.net](http://www.cfso.net)

Contact:  
Community Foundation South Okanagan Similkameen  
390 Main Street, 2nd Floor  
Penticton, BC  
250-493-9331  
[www.cfso.net](http://www.cfso.net) | [ktroughish@cfso.net](mailto:ktroughish@cfso.net)

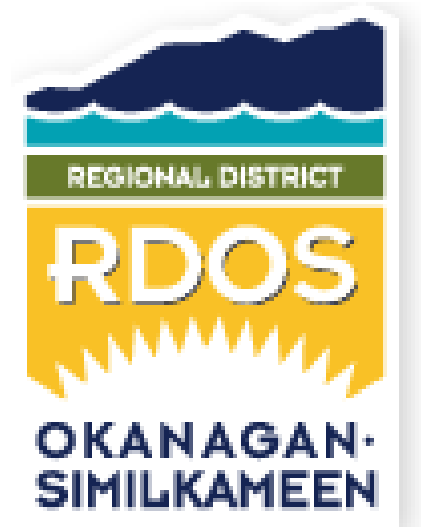



# NSG Dates 2017

Application opens	March 31, 2017
Application closes	April 28, 2017
Penticton NSG awarded projects	June 15, 2017
Projects completed by	November 15, 2017



# Questions?



## ADMINISTRATIVE REPORT

**TO:** Community Services Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** First Quarter Activity Report – For Information Only

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### COMMUNITY SERVICES DEPARTMENT

Parks, Recreation, Heritage, Culture, Transit and Rural Projects

#### Activities for Q1 2017

##### **Parks, Recreation and Trails**

- Completed trail design and posted RFP for the KVR trail replacement project from Road 21 to Osoyoos Lake
- Participated in Parks and Recreation Commission AGM's and provided orientation to new Commission members
- Initiated sub-division for Creek Park acquisition
- Started lighting and servicing project for Naramata "Robinson" Park
- Renewed park maintenance contracts for Naramata and Area B parks
- Winter snow clearing from Okanagan Falls, Kaleden and Westbench park paths
- Supported the Town of Princeton's off road vehicles KVR By-pass Trail Committee
- Carried out the Okanagan Falls and Kaleden Winter Program
- Developed a new Recreation Program Guide for Spring Recreation program - a variety of programs for tots, middle years, teens and adults.
- Offered spring break camp – Young Picasso
- Drafted field use agreement for sport and recreation groups
- Commenced planning for Canada Day 150 events
- Applied for Tree Canada Grant, received one grant for Naramata
- Coordinated discussions with three recreation registration software companies

##### **Rural Projects**

- Ongoing engagement with the Province to complete a License of Occupation for the Manitou Park foreshore in Naramata

##### **Electoral Area "D" Community Service Office**

- Hosted Area "D" Twelfth Night community event
- Hosted Okanagan Falls and Kaleden Town Hall meetings
- Submitted grant application to BC Canada 150 – Keogan Chimney
- Received Rural Dividend grant for Town Centre Phase 3
- Held grant meeting with Kal-Rec and other community organizations
- Drafted proposal for regional recreation approach
- Drafted volunteer handbook for recreation and parks
- Met with MOTI on Area "D" road concerns and updates

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## **Transit, Heritage and Culture**

- Provided support to BC Transit in the Explore BC by Bus spring marketing campaign, which featured Route 10 (Naramata – Penticton)
- Worked with municipal partners and BC Transit to reach consensus on the regional fare structure for the South Okanagan-Similkameen Regional Transit Integration Project
- Presented Regional Integration Project for Board endorsement
- Provided input to BCT Transit and municipal partners regarding details of implementation of Regional Integration Project
- Worked with BC Transit and Town of Osoyoos to ensure necessary agreements in place as per the South Okanagan Transit Transition action plan
- Initiated talks with Town of Princeton regarding RDOS contribution agreements to Princeton transit service
- Applied for BC Canada 150 Funding through BC Museums Association for RDOS Stories of the Land Project
- Assisted Granite Creek Preservation in application for BC Canada 150 Funding
- Liaised between Ministry of Forest Lands and Natural Resource Operations and Fairview Heritage Townsite Society, regarding site management plan
- Continued development of Statements of Significance for Area “G”
- Planning and promotion of heritage workshop at the Grist Mill
- Met with Kaleden Hotel Group regarding future plans and funding opportunities for potential stabilization and renovation, provided advice regarding approvals process

## **Planned Activities for Q2 2017**

### **Parks, Recreation and Trails**

- Install water treatment for public washroom in Tulameen
- Strategic planning (capital projects) with Parks Commissions
- Parks and trails spring startup and maintenance
- Initiate 2017 parks projects
- Continue with the KVR/Okanagan River Channel trail development planning for Areas A&C
- Subdivision and re-zoning application for Naramata Creek Park acquisitions
- Participate in RDOS Safe Work Procedures project
- Apply for grants for park and rec priorities (Area “D”)
- Completion of Kenyon House exterior upgrades
- Select registration software system
- Attend BC Recreation and Parks Conference
- Recreation guide for summer programs and special events

### **Rural Projects**

- Research donation policies and best practices
- Work with the Anarchist Mountain Community Association on infrastructure upgrades at Sasquatch Pond Park
- Complete the property transfer of the Electoral Area H - Coalmont land donation
- Complete the property transfer and supporting use agreements with SD 67 for the portion of Naramata Elementary School lands
- Complete a Use Agreement with the Tulameen Community Club for ongoing operations of community recreation facilities

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### Area "D" Community Service Office

- Continue to support the South Skaha Housing Society affordable housing project
- Phase 3 of Town Centre Revitalization as per Rural Dividend funding/deliverables
- Regional Recreation invite to partners and asset mapping
- Develop a "promotion/tourism" pamphlet for Area "D"
- Integrate Area "D" websites to RDOS Content Management Software (CMS)
- Start design and permitting process for McLean Creek pedestrian pathway

### Transit, Heritage and Culture

- Present South Okanagan Transit Service Agreement for final Board endorsement
- Implement communications plan regarding RDOS administration of South Okanagan Transit System
- Assume administration of South Okanagan Transit service
- Develop and begin implementation of communications plan in collaboration with BC Transit regarding new regional integration fare structure and riders' guide
- Update transit information on RDOS public website
- Conduct inventory of transit infrastructure
- Host heritage workshop at the Grist Mill in Keremeos on April 10<sup>th</sup>
- Complete Statements of Significance for Area "G"
- Continued development of Statements of Significance for Areas "B" and "D"
- Complete the sub-license agreement between Granite Creek Preservation Society and RDOS
- Commence work on interpretive signage for Granite Creek Townsite and Cemetery
- Facilitate workshop with Fairview Heritage Society to assist the completion of the site management plan and completion of the License of Occupation application
- Continued work with West Bench Parks Commission on interpretation of heritage walking corridor
- Host follow-up workshop regarding heritage conservation methods, practices, and funding opportunities
- Provide ongoing support to Kaleden Hotel Group regarding future plans and engagement regarding potential stabilization and renovation of Kaleden Hotel
- Continue updating Community Heritage Register to coincide with BC Registry of Historic Places

Respectfully submitted:



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M. Woods, Manager of Community Services



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, April 20, 2017

10:00 a.m.

## REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Corporate Services Committee Meeting of April 20, 2017 be adopted.

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B. FIRST QUARTER 2017 ACTIVITY REPORT - FOR INFORMATION ONLY [Page 31]

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C. FIRST QUARTER 2017 CORPORATE ACTION PLAN [Page 35]

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D. RESPONSIBLE CONDUCT OF LOCAL GOVERNMENT ELECTED OFFICIALS [Page 54]

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E. UBCM PROVINCIAL ELECTION PLATFORM 2017 [Page 81]

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F. CLOSED SESSION

**RECOMMENDATION 2**

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.

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G. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee  
**FROM:** Bill Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** First Quarter Activity Report – For Information Only

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### **1.0 OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER/LEGISLATIVE SERVICES**

#### **2017 Q1 Completed Activities**

- Commenced the development of the Business Continuity plan
- Created a Business Continuity Committee and identify critical corporate functions
- Completed move of all Legislative Service documents to EDMS
- Conducted 2017 Citizen Survey (phone and online)
- Facilitated RDOS/FN Joint Council Meeting
- Facilitated RDOS/FN Steering Committee Meeting
- Regional District Chair/CAO Forum
- Coordinate report writing workshop
- Draft and obtain Board adoption for 2017 Fees & Charges Bylaw
- Finalize Victim Assistance bylaws for areas A, C, and DEF
- Introduce new service establishment bylaws for Animal and Dog control

#### **2017 Q2 Planned Activities**

- Finalize Water/Sewer system acquisition policy, with PW
- Continue process for Electoral Area “D” split
- Orientation for 3 new managers
- Review and present findings of Citizen Survey, develop recommendations
- Obtain funding for Fall C2C forum and commence planning
- Put out RFP for annual advertising
- Bring forward conversion bylaw for Sun Valley Water System
- Commence administration of the Conservation Fund
- Amend Board Procedure bylaw
- Introduce surveillance camera policy

### **2.0 INFORMATION SERVICES DEPARTMENT**

#### **2017 Q1 – Planned Activities**

- Decommission old Silverlight map services
- Upgrade to current version ESRI software
- Electronic Document Management System (EDMS)
  - Move Public Works Department to managing documents in EDMS

- Moving OCAO documents to EDMS.
- Move Electoral Area Boundaries to new locations on mapping
- Create login and workspace for OASISS access to ArcGISOL (RDOS GIS cloud server)
- Joint RFP with all member municipalities to update orthos
- Research requirements for new SAN (Storage Area Network) device
- Complete work on ESDP area mapping for Planning
- Update of Development Tracker so easier/more efficient for Planning staff
- Roll out updated version of Building Inspection tracker.
- Set up new wireless hardware at 101 Martin St.
- Set up new spam filter

### **2017 Q2 – Planned Activities**

- Research moving public internet mapping applications to the cloud
- Electronic Document Management System (EDMS)
  - RFP to upgrade EDMS to current version
  - Move various committee documents to EDMS.
- Set up new (Storage Area Network) device
- Conduct RFP for updated orthos and DEMs (Digital Elevation Models) for RDOS landfills and Dams in Naramata area
- Update internet mapping software to current version
- Upgrade mobile EOC software to current version of software and datasets and perform a test setup
- Work on new Wellness Points tracker
- Updates to Time Tracker
- Move backup virtual server to off-site location

## **3. FINANCE DEPARTMENT**

### **2017 Q1 Completed Activities**

- Presented Q4 Budget Variance report to the Board
- Conducted online consultation process for 2017 budget
- Adoption of 2017 Budget
- Prepared year-end working documents for 2016 audit
- Completed 2017 department business plan
- Completed 2017 performance plans with staff
- Implemented fire fighter benefit program
- Initiated quarterly fire department payroll (in conjunction with benefits)
- Distributed T4s/T4As for employees and contractors
- Completed transition of Sun Valley Improvement District to RDOS
- Transitioned West Bench Water Service to quarterly consumption billing
- Prepared submissions for parcel and Ad Valorem taxes
- Submit unpaid utility accounts to property taxes
- Continued Vadim upgrades



### **2017 Q2 Planned Activities**

- Submit Parcel tax and Ad Valorem tax requisitions to Province
- Complete tax requisition reconciliation
- Send requisition letters to member municipalities
- Assist in updates to contract templates
- Present 2016 audited financial statements
- Complete and submit 2016 Statement of Financial Information (SOFI)
- Complete and submit 2016 Gas Tax report
- Assist in completion of 2016 CARIP reporting
- Provide continued support for Asset Management Plan
- Distribute annual utility billings
- Complete West Bench Water Service first quarter consumption billing
- Continue Vadim upgrades
- Conduct RFP for 2017 audit
- Update Tangible Capital Asset Policy
- Create audit work plan for internal Recreation Facilities audit

## **4.0 HUMAN RESOURCES DEPARTMENT**

### **2017 Q1 Activities**

- Recruited Manager of Finance
- Recruited Public Works Manager
- Commenced recruitment for a Development Services Manager
- Enterprise Unit recruitment/performance review completed
- Completed Vehicle Use Administrative Directive update.
- Worked with Board sub-committee to review exempt staff compensation survey results.
- Start-up of the High Performance & Innovation Committee and action plan for 2017
- All staff annual performance evaluations complete
- Bullying and Harassment training provided to VFDs
- Began an update of Safe Work Procedures (will be ongoing for all of 2017)
- Completed the Pro.file testing for the IS department
- Completed Long Service Award biographies and luncheon
- Continued to provide HR assistance to external departments as required.

### **2017 Q2 Planned Activities**

- Complete Development Services Manager recruitment
- Recruitment for Board approved program changes and seasonal staff
- Job Evaluation Process (JEP) maintenance review
- Plan a 2017 all staff business meeting with the HPIC Committee
- Continue the update of Safe Work Procedures
- Complete a Pro.file session with the IS department
- Represent RDOS at SIMEA AGM and SIMEA Administrative Team benefit meetings to address current issues

- Move HR department files to EDMS (ongoing for 2017)

## 2017 Corporate Action Plan

### Dashboard

#	Objective	Status	Points Available	KSD Total	Page
1.1.1	By providing the Board with accurate, current financial information.		5	15	5
1.1.2	By being an effective local government		2		5
1.2.1	By implementing the 2017 joint occupational health and safety action plan		4		6
1.2.2	By implementing the 2017 Wellness Action Plan.		1		6
1.3.1	By developing and implementing an Organizational Development Plan		3		7
2.1.1	By promoting regional district facilities and services		6	20	7
2.2.1	By developing and implementing a community relations program		6		8
2.3.1	By introducing a process of continuous improvement into the organization		8		8
3.1.1	By implementing the regional transit future plan		3	50	9
3.1.2	By developing a regional fire service master plan		2		9
3.1.3	By establishing a Naramata Fire Service Satellite Fire Hall		2		9
3.1.4	By developing the Erris Volunteer Fire Department		3		10
3.1.5	By implementing the regional trails program		5		10
3.1.6	By implementing the 2017 Phase of the Parks Program		5		11
3.1.7	By providing public recreational opportunities		2		11
3.1.8	By constructing a pedestrian pathway in Okanagan Falls		2		12
3.1.9	Investigate energy options		1		12
3.2.1	By developing an Asset Management Plan		3		12
3.2.2	By updating the Naramata Water System Development Cost Charge Bylaw		2		12
3.3.1	By commencing the Electoral Area "F" Official Community Plan review		2		13
3.3.2	By conducting a Bylaw Enforcement Policy Review.		2		13

3.3.3	By completing a new Water Regulatory and Conservation Bylaw		4		13
3.3.4	By implementing the 2017 Phase of the Solid Waste Management Plan		7		14
3.3.5	By bringing Kaleden and Skaha Estates into the Okanagan Falls Waste Water Treatment System		3		14
3.3.6	By constructing a wetlands filtration system for the Okanagan Falls Waste Water Treatment Plant		1		15
3.3.7	Set out the Regional District responsibility for orphan dikes		1		15
3.3.8	Establish a position around Uplands Water Storage		0		15
4.1.1	By maintaining, evaluating and executing the Strategic Planning and Enterprise Risk Management Programs.		3	15	16
4.2.1	By organizing government to government meetings		2		16
4.2.2	By implementing the terms of the First Nations Protocol Agreement		2		17
4.3.1	By assisting the Board to operate in an effective manner		3		17
4.3.2	By supporting a governance review for Electoral Area "D"		2		17
4.4.1	By ensuring all existing bylaws and policies are kept in a current and useful form and content.		3		18
		<b>Total</b>	<b>100</b>	<b>100</b>	

**Progress Colour Key:**

No Issues	GREEN
Minor issue(s)	YELLOW
Significant issue(s)	RED

For the full detail on each corporate objective refer to the appropriate # or page # in the document attached hereto.

# **2017 Corporate Action Plan**

**Corporate Action Plan Adopted by the Board on 2 February 2017**  
**Corporate Action Plan Reviewed at Corporate Services Committee 19 January 2017**  
**2017 Business Plan Adopted by the Board of Directors on 15 December 2015**

**Definitions:**

CAO = Chief Administrative Officer  
MCS = Manager of Community Services  
MDS = Manager of Development Services  
MFS = Manager of Financial Services  
MHR = Manager of Human Resources  
MIS = Manager of Information Systems  
MLS = Manager of Legislative Services  
MPW = Manager of Public Works

**Status Colour Key:**

Q1 – Black

Q2 – Red

Q3 - Blue

Q4 - Green

<b>KSD 1 HIGH PERFORMING ORGANIZATION</b>					
<b>Goal 1.1 To Be a Fiscally Responsible Organization</b>					
<b>Objective 1.1.1 - By providing the Board with accurate, current financial information.</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
1.1.1.1	2	Develop a new document for the Board in the form of a Management Discussion and Analysis Report, including comparative metrics	MFS	Q4	.
1.1.1.2	1	Receipt of an unqualified independent audit for 2016	MFS	Q2	.
1.1.1.3	2	Meet Budget at the end of the year	MFS	Q4	.

<b>Objective 1.1.2 - By being an effective local government</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
1.1.2.1	1	Develop a Business Continuity Plan for 101 Martin St	MLS	Q4	.
1.1.2.2	1	Participate in the Shared Services Project with other regional local government/education entities	MLS	Q2	.

<b>Goal 1.2 To Be a Healthy and Safe Organization</b>					
<b>Objective 1.2.1 By implementing the 2017 joint occupational health and safety action plan</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
1.2.1.1	2	Develop a plan for the Safe Work procedures and implement the 2017 phase	MHR	Q4	.
1.2.1.2	2	Keep the RDOS injury rate below the average for our classification unit (WorkSafeBC)	MHR	Q4	.

<b>Objective 1.2.2 By implementing an employee wellness program</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
1.2.2.1	1	Implement the 2017 Phase of the Employee Wellness Action Plan	MHR	Q4	.



<b>Goal 1.3 To Cultivate a High Performing Organizational Culture</b>					
<b>Objective 1.3.1 By developing and implementing an Organizational Development Plan</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
1.3.1.1	1	Update the Communications Plan and implement the 2017 phase	MLS	Q2	.
1.3.1.2	1	Organize All Staff Business Meeting with topic relevant to staff perception survey results.	MHR	Q2	<ul style="list-style-type: none"> <li>· All-staff Business meeting scheduled for April 26<sup>th</sup>.</li> <li>·</li> </ul>
1.3.1.3	1	Improved results on the 2017 Survey over 2016 Survey	MHR	Q2	<ul style="list-style-type: none"> <li>· Survey complete</li> <li>· Analysis to commence</li> </ul>

<b>KSD 2 FOCUS ON THE CUSTOMER EXPERIENCE</b>					
<b>Goal 2.1 To Increase Public Awareness of RDOS Services</b>					
<b>Objective 2.1.1 - By promoting regional district facilities and services</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>Status</b>
2.1.1.1	1	Promote Local Government Awareness Week	MLS	Q4	.
2.1.1.2	2	Complete the 2017 citizen survey and develop a schedule for implementing recommendations	MLS	Q2	.
2.1.1.3	1	Investigate setting up a “panel” for use as a rolling survey program	MLS	Q2	.
2.1.1.4	1	Improve communications by advertising in local community hot spots such as store bulletin boards and coffee shops, going beyond newspaper advertisements	MLS	Q2	.
2.1.1.5	1	Continue weekly articles	MLS	Q1	· Complete

<b>Goal 2.2 To Foster Dynamic and Effective Community Relationships</b>					
<b>Objective 2.2.1 By developing and implementing a community relations program</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>Status</b>
2.2.1.1	2	Develop a community relations plan and implement the 2017 phase	MLS	Q2	.
2.2.1.2	2	Organize an open house, public meeting or tour in each electoral area.	MLS	Q4	.

<b>Goal 2.3 To Meet Public Needs Through the Provision and enhancement of Key Services</b>					
<b>Objective 2.3.1 By introducing a process of continuous improvement into the organization</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>Status</b>
2.3.1.1	2	Facilitate two Kaizens under the Lean Management Program	MHR	Q4	.
2.3.1.2	1	Review RDOS Bylaws and Policies for relevancy and currency	MLS	Q4	.
2.3.1.3	3	Ensure all irrigation district bylaws have been transferred to RDOS format	MLS	Q3	.
2.3.1.4	1	Conduct a "Lessons Learned" exercise at end of all projects and exit surveys for all departing staff	SMT	Q4	.
2.3.1.5	1	Implement the actions identified in the 2017 Request for Decision Kaizen	MHR	Q3	.

<b>KSD 3 - BUILDING A SUSTAINABLE REGION</b>					
<b>Goal 3.1 To Develop a Socially Sustainable Region</b>					
<b>Objective 3.1.1 By implementing the regional transit future plan</b>					
#	Points	ACTION	WHO	WHEN	Status
3.1.1.1	1	Develop an annual program under the Transit Future Plan and implement the 2017 phase	MCS	Q4	· Schedule and Fare consolidation complete
3.1.1.2	1	Transfer operations of the South Okanagan Transit Service from the Town of Osoyoos to the RDOS	MCS	Q1	· Complete
3.1.1.3	1	Develop a marketing program for existing services	MCS	Q2	·

<b>Objective 3.1.2 - By developing a regional fire service master plan</b>					
#	Points	ACTION	WHO	WHEN	Status
3.1.2.1	1	Present a Fire Service Master Plan to the Board	MCS	Q3	· Master Plan underway
3.1.2.2	1	Ensure that regional fire chiefs are involved in the development of the plan	MCS	Q2	· Public consultation ongoing · Visits to each Fire Hall

<b>Objective 3.1.3: By establishing a Naramata Fire Service Satellite Fire Hall</b>					
#	Points	ACTION	WHO	WHEN	STATUS
3.1.3.1	1	Acquire an appropriate site for the satellite fire hall	MCS	Q1	· Site selected · License of Occupation submitted
3.1.3.2	1	Finalize building site design and contract for construction	MCS	Q3	· Grants/donations received

<b>Objective 3.1.4 By developing the Erris Volunteer Fire Department</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>Status</b>
3.1.4.1	1	Undertake the Fire Underwriter study of proposed service	MCS	Q4	.
3.1.4.2	1	Carry out a service establishment process	MCS	Q4	.
3.1.4.3	1	Provide an orientation for the Department Members to ensure compliance with RDOS standards	MCS	Q2	.

<b>Objective 3.1.5: By implementing the regional trails program</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.1.5.1	1	Construct the KVR Trail South Spur section from Road 18 to Osoyoos Lake	MCS	Q3	.
3.1.5.2	1	Assist the Province with a critical habitat inventory management plan for the KVR trail from Vaseux Lake to Osoyoos	MCS	Q3	.
3.1.5.3	1	Pursue Provincial tenure for the KVR trail – Area A and C phase	MCS	Q3	.
3.1.5.4	1	Pursue tenure for the KVR trail – OIB phase	MCS	Q3	.
3.1.5.5	1	Work with senior levels of government to secure tenure for the KVR trail – Vaseux Lake phase	MCS	Q4	.

<b>Objective 3.1.6 - By implementing the 2017 Phase of the Parks Program</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>Status</b>
3.1.6.1	1	Implement a 2017 parks improvement program	MCS	Q4	.
3.1.6.2	1	Implement the service establishment process for an Electoral Area H parks service	MCS	Q3	.
3.1.6.3	1	Update Regional and Community parks bylaws	MCS	Q3	.
3.1.6.4	1	Pursue a Contribution Agreement and Facility Use Agreement with the Tulameen Community Club	MCS	Q2	.
3.1.6.5	1	Review the Princeton/ Area H Park Contribution Service	MCS	Q2	.

<b>Objective 3.1.7: By providing public recreational opportunities</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.1.7.1	1	Carry out the 2017 Recreation and Wellness Programs under the guidance of the Recreation Advisory Commissions	MCS	Q4	.
3.1.7.2	1	Implement a Regional approach to booking Recreation Programs, Facilities and Events, e.g. common calendar between Rec programs	MCS	Q4	.

<b>Objective 3.1.8: By constructing a pedestrian pathway in Okanagan Falls</b>					
#	Points	ACTION	WHO	WHEN	STATUS
3.1.8.1	1	Undertake the design, consultation and permitting phases	MCS	Q2	.
3.1.8.2	1	Complete final design and submit for 2018 Budget consideration between Rec programs	MCS	Q3	.

<b>Objective 3.1.9: Investigate energy options</b>					
#	Points	ACTION	WHO	WHEN	STATUS
3.1.9.1	1	Research and report on solar and wind power advancements	MDS	Q4	.

<b>Goal 3.2 To Develop an Economically Sustainable Region</b>					
<b>Objective: 3.2.1: By Developing an Asset Management Plan</b>					
#	Points	ACTION	WHO	WHEN	STATUS
3.2.1.1	1	Investigate options for asset management systems and which would be appropriate for the Regional District	MPW/ MIS	Q4	.
3.2.1.2	2	Present the Phase 2 Asset Management Plan to the Board	MPW	Q3	.

<b>Objective: 3.2.2: By updating the Naramata Water System Development Cost Charge Bylaw</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.2.2.1	2	Determine methodology and rescind development cost charge bylaw	MPW		<ul style="list-style-type: none"> <li>· NWAC prefers to terminate DCC Bylaw</li> <li>· Province is evaluating proposal</li> </ul>

<b>Goal 3.3 By Developing an Environmentally Sustainable Region</b>					
<b>Objective: 3.3.1: By commencing the Electoral Area "F" Official Community Plan review</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.1.1	1	Citizen Committee appointments, project Inventory, Issue identification, constraints and opportunities, Background Report	MDS	Q3	<ul style="list-style-type: none"> <li>· <b>Project underway</b></li> </ul>
3.3.1.2	1	Community engagement, Draft Plan	MDS	Q4	<ul style="list-style-type: none"> <li>·</li> </ul>

<b>Objective: 3.3.2: By conducting a Bylaw Enforcement Policy Review</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.2.1	1	Review Best Practices for bylaw enforcement and compare to current RDOS procedures and policies	MDS	Q3	<ul style="list-style-type: none"> <li>·</li> </ul>
3.3.2.2	1	Identify gaps and prepare revised procedures and policies	MDS	Q4	<ul style="list-style-type: none"> <li>·</li> </ul>

<b>Objective: 3.3.3: By completing a new Water Regulatory and Conservation Bylaw</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.3.1	2	Conduct literature search and benchmarking exercise	MPW	Q1	· Complete
3.3.3.2	2	Develop a draft bylaw for discussion and present final version	MPW	Q2	· 1 <sup>st</sup> draft complete

<b>Objective: 3.3.4: By implementing the 2017 Phase of the Solid Waste Management Plan</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.4.1	2	Complete organics site analysis, procurement and design of the new organics processing facility	MPW	Q3	· Preferred sites identified · Public consultation underway ·
3.3.4.2	2	Complete the procurement for Curbside service beginning in July 2018	MPW	Q1 Q3	· RFP Released ·
3.3.4.3	2	· Pilot a Bio-cover methane mitigation project to achieve approval for substituted requirements permit. · Winter testing · Response from Province	MPW	Q1 Q2  Q1 2018 Q2 2018	· Stockpiling materials · Plots prepared for pilots ·
3.3.4.4	1	Develop the Keremeos landfill closure plan	MPW	Q1 Q2	· Plan development underway



<b>Objective: 3.3.5: By bringing Kaleden and Skaha Estates into the Okanagan Falls Waste Water Treatment System</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.5.1	1	Initiate the public assent process to establish a Service to attach to the Okanagan Falls Wastewater Treatment Plant	MPW	Q2	<ul style="list-style-type: none"> <li>Phase 1 BCF Grant approved for Skaha Estates</li> </ul>
3.3.5.2	1	Complete the detail design of a sewerage collection system for Kaleden and Skaha Estates	MPW	Q4	<ul style="list-style-type: none"> <li>Commence in Q2 but not complete until Q1 2018</li> </ul>
3.3.5.3	1	Actively search for a grant to move this project forward	MPW	Q2	<ul style="list-style-type: none"> <li>Consider Strategic Priorities Grant application</li> </ul>

<b>Objective: 3.3.6: By constructing a wetlands filtration system for the Okanagan Falls Waste Water Treatment Plant</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.6.1	1	<ul style="list-style-type: none"> <li>· Pursue funding for a Wetland System</li> <li>· Complete the design</li> <li>· Construction</li> </ul>	MPW	Q1	<ul style="list-style-type: none"> <li>· Grant applications being prepared</li> <li>· Design grant dependent</li> <li>· Construction grant dependent</li> </ul>

<b>Objective: 3.3.7: Set out the Regional District responsibility for orphan dikes</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.7.1		Conduct an inventory of orphan dikes within the regional district and present a discussion paper to the Board identifying liability when/if there is flooding or disaster related to the dikes	MPW	Q3	<ul style="list-style-type: none"> <li>· FLNRO attended at Committee on April 6<sup>th</sup></li> </ul>

<b>Objective: 3.3.8: Establish a position around Uplands Water Storage</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.8.1		Bring a report to the Board identifying the issue/history/risk of RDOS involvement in uplands water storage	MPW	Q2	<ul style="list-style-type: none"> <li>· Need to identify speaker to appear before Committee</li> </ul>

<b>KSD 4 PROVIDE GOVERNANCE &amp; OVERSIGHT IN A REPRESENTATIVE DEMOCRACY</b>					
<b>Goal 4.1 To Execute a Well-Defined Strategic Planning Cycle</b>					
<b>Objective: 4.1.1: By maintaining, evaluating and executing the Strategic Planning and Enterprise Risk Management Programs.</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
4.1.1.1	2	Development of the 2018 Corporate Business Plan	CAO	Q4	.
4.1.1.2	1	Review and update the Enterprise Risk Management Register	CAO/ MIS	Quarterly	.

<b>Goal 4.2 To Encourage Partnerships with all Member Municipalities, Electoral Areas, Indian Bands and Other Levels of Government</b>					
<b>Objective: 4.2.1: By organizing government to government meetings.</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
4.2.1.1	1	Organize and host a C2C Forum.	MLS	Q4	.
4.2.1.2	1	Organize regular Regional CAO meetings	MLS	Q2	.

<b>Objective: 4.2.2: By implementing the terms of the First Nations Protocol Agreement</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
4.2.2.1	1	Support regular joint council and steering committee meetings to promote good relations in the Regional District and report to the Board on highlights	MLS	Q4	· 1 <sup>st</sup> Joint Council Mtg. Feb. 17 <sup>th</sup>
4.2.2.2	1	Implement the 2016 actions identified in the Joint Council Action Plan	MLS	Q4	· 1 <sup>st</sup> Steering Committee March 10 <sup>th</sup>

<b>Goal 4.3 To Promote Board and Chair Effectiveness</b>					
<b>Objective: 4.3.1: By assisting the Board to operate in an effective manner</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
4.3.1.1	1	Plan and implement a legislative workshop in 2017	MLS	Q4	·
4.3.1.2	1	Enhance relationship with committees/commissions	MLS	Q1	· Attended at all Recreation Commission and Water Commissions to discuss relationship/reporting/record keeping, etc.
4.3.1.3	1	Facilitate the Board evaluation	MLS	Q4	·

<b>Objective 4.3.2: By supporting a governance review for Electoral Area "D"</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
4.3.2.1	2	Develop an implementation plan to address opportunities from the Area "D" governance review	MLS	Q2	.

<b>Goal 4.4 To Develop a Responsive, Transparent, Effective Corporation</b>					
<b>Objective: 4.4.1: By ensuring all existing bylaws and policies are kept in a current and useful form and content.</b>					
<b>#</b>	<b>Points</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
4.4.1.1	2	Ensure all irrigation district bylaws have been transferred to RDOS format	MLS	Q4	.
4.4.1.2	1	Conduct Privacy Impact Assessments on new recreation software, building permit tracker, enforcement ticket tracker, development tracker and Vadim updates	MLS	Q4	.

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# **RESPONSIBLE CONDUCT OF LOCAL GOVERNMENT ELECTED OFFICIALS**


*Working Group on Responsible Conduct*

*Consultation Paper*

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March 2017



The Working Group on Responsible Conduct is a joint initiative by the Union of B.C. Municipalities; the Local Government Management Association; and the Ministry of Community, Sport and Cultural Development. The staff-level Working Group was created in Fall 2016 to undertake collaborative research and policy work on the issue of responsible conduct of local government elected officials.

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# 1. INTRODUCTION

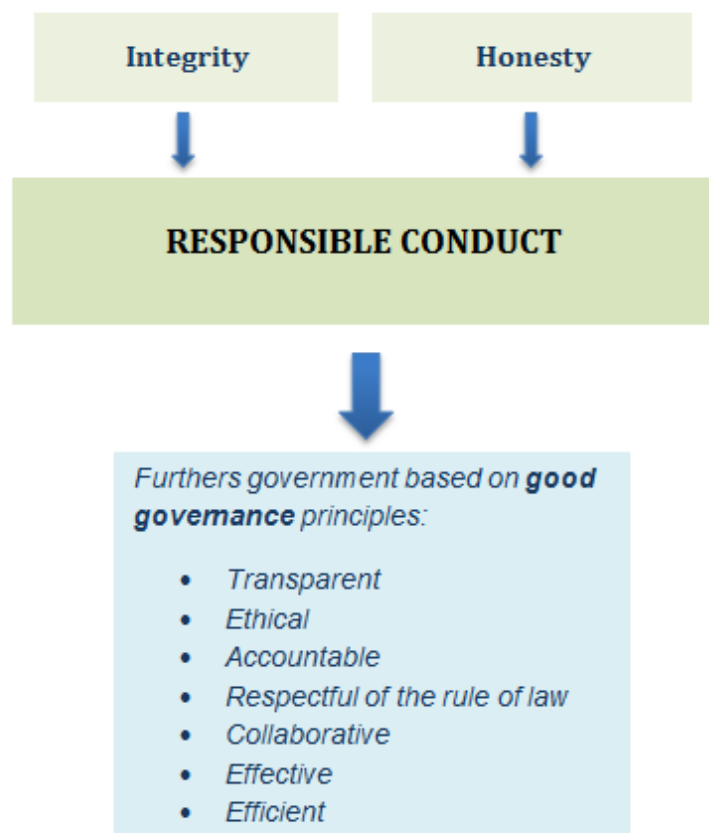
*Responsible conduct broadly refers to how local government elected officials conduct themselves with their colleagues, with staff, and with the public.*

*Responsible conduct is grounded in conducting oneself with honesty and integrity and in a way that furthers a local government's ability to provide good governance.*

## ***What does responsible conduct mean?***

Local government elected officials have authority to make decisions that affect the daily lives of citizens, families, businesses and others and help shape the long-term vision for their community as a whole. *Responsible conduct* broadly refers to how local government elected officials conduct themselves with their elected official colleagues, with staff, and with the public – three key groups that play a significant role in helping elected officials carry out their responsibilities as decision-makers in their communities. *Responsible conduct* is grounded in conducting oneself with honesty and integrity and in a way that furthers a local government's ability to provide good governance to their community (e.g. governing in a way that is transparent, ethical, accountable, respectful of the rule of law, collaborative, effective and efficient).

If a local government faces issues related to responsible conduct among its elected decision-makers, it can affect the local government's ability to provide good local governance. These issues can include disputes among local government elected officials on municipal council and regional district boards, inappropriate behaviour towards staff, questionable behaviour at council/board meetings or in interactions with the public, conflict of interest violations, and alleged breaches of other procedures/rules such as open meetings and duty to respect confidentiality.



## ***What is the Working Group on Responsible Conduct?***

Generally, local government elected officials effectively carry out their responsibilities as decision-makers and work well with each other, with local government staff and with the public to carry out governance functions. However, several high-profile incidents involving the conduct of local government elected officials have led to growing debate and interest across Canada (including B.C.) about the issue of responsible conduct of local government elected officials.

At the 2016 Union of B.C. Municipalities Convention, a resolution related to responsible conduct (specifically about municipal Integrity Commissioners) was referred for further exploration. As a result, staff of the Union of B.C. Municipalities (UBCM), the Local Government Management Association (LGMA), and the Ministry of Community, Sport and Cultural Development (the Ministry) formed a Working Group on Responsible Conduct (WGRC) that has been undertaking collaborative research and policy work to explore issues related to responsible conduct more broadly. The aim of the WGRC's work is to gain a more complete understanding of the background to this issue, and of the benefits and challenges of various approaches to furthering responsible conduct as they support the collective goal of an effective local government system.

## ***What is the purpose of this consultation paper?***

The main purpose of this paper is to provide an overview of the tools that are used in B.C. and other Canadian jurisdictions to support and further responsible conduct of local government elected officials that help to ensure local governments can provide effective governance to their communities. The paper is based on research that has been undertaken by the WGRC and is intended to:

- provide an opportunity to consider B.C.'s responsible conduct framework in contrast with the best of what tools other provinces have in place or are exploring;
- flag emerging trends; and
- create a basis for discussion on how these trends may or may not be of value to B.C.'s local government system.

As such, this paper:

- provides a description and analysis of the issue;
- provides an overview of B.C.'s current responsible conduct framework and tools that support responsible conduct of local government elected officials in B.C.;
- provides an overview of some tools of interest that support responsible conduct of local government elected officials in other Canadian jurisdictions; and
- analyzes emerging trends from the research.

***The Working Group on Responsible Conduct consists of staff from:***

- ***the Union of B.C. Municipalities;***
- ***the Local Government Management Association; and***
- ***the Ministry of Community, Sport and Cultural Development.***

***The main purpose of this paper is to provide an overview of tools used in B.C. and other Canadian jurisdictions to support and further responsible conduct and flag emerging trends from the research to create a basis for discussion on how these trends may/ may not be of value to B.C.'s local government system.***

## 2. ISSUE SUMMARY

### ***What is the issue?***

There have been some concerns raised about whether there has been a diminishment of responsible conduct in B.C.'s local government system. This is an important concern because local government elected officials can be more effective in providing good governance to their communities if they engage in responsible conduct.<sup>1</sup>

Generally, how elected officials conduct themselves with each other, with local government staff, and with the public can impact a local government body's ability to provide good local governance. Good governance includes:

- providing for the stewardship of a community's public assets;
- providing services, laws, and other matters for community benefit; and
- acting in a way that is accountable, transparent, ethical, respectful of the rule of law, collaborative, effective and efficient.

In addition, good governance principles ensure that participation and perspectives from the public and stakeholders are taken into account when making decisions.

### ***What factors provide a foundation for responsible conduct in B.C.?***

Both written rules (such as rules established in legislation) and unwritten rules or conventions provide a foundation for responsible conduct of local government elected officials in B.C.

#### **WRITTEN RULES**

One important factor that provides a foundation for the responsible conduct of local government elected officials and good governance in communities is the set of written rules that are established in legislation, bylaws, and created by the courts. For example, the *Community Charter* establishes the responsibilities of councillors and mayors. In addition, local government legislation sets out rules for local government elected officials such as conflict of interest disclosure process, attendance at meetings, and the duty to respect confidentiality of certain records and information. Local government policies and bylaws, such as procedure bylaws, also constitute written rules that set out further requirements and standards to ensure a local government operates effectively and efficiently.

#### **UNWRITTEN RULES**

The set of unwritten rules, or norms, that typically provide a foundation for how local government elected officials conduct themselves with their colleagues, with local government staff, and with the public are also important in helping local government bodies provide good governance in their communities. These norms may sometimes be seen as the shared understanding of how things should be done that fills the space between the written rules and guides day-to-day behaviour. These norms include:

- conduct of local government elected officials is grounded in respect and honesty;
- the public (or collective) interest is more important than personal interests;

*Continued on next page...*

*There have been some concerns raised about whether there has been a diminishment of responsible conduct in B.C.'s local government system.*

*This is important because elected officials can be more effective in providing good governance if they engage in responsible conduct.*

<sup>1</sup>One of the purposes of a local government set out in the *Community Charter* and *Local Government Act* is to provide for the good government of its community.

## WRITTEN RULES

Local government elected officials must also follow rules established in other legislation and legal frameworks, such as: the *Freedom of Information and Protection of Privacy Act* (which has the objective of making public bodies accountable to the public and protecting personal privacy); WorkSafe B.C. rules (which aim to ensure a healthy and safe work environment for local government staff); and the *Criminal Code* (which penalizes extreme behaviours, such as breach of trust). Further, court rulings may create, interpret, expand and apply legal rules (e.g. conflict of interest) thereby setting additional parameters and providing guidance for decision-making.

## UNWRITTEN RULES

- local government elected officials take into account the implications of options and various perspectives when making decisions for communities;
- council discourse, public discussions and other aspects of democratic processes are carried out civilly and respectfully; and
- the differing roles and responsibilities of local government elected officials and local government staff are clearly understood by all participants.

The institutional culture of a local government can also have impacts on responsible conduct and the ability of local government bodies to provide effective local governance. For example, a local government that has a strong ethical foundation as part of its culture would be more likely to facilitate elected officials engaging in responsible conduct.

### ***What pressures are impacting these factors?***

A variety of pressures appear to be impacting these factors, especially the unwritten rules and conventions. These pressures can result in unclear and shifting rules and a weaker foundation upon which to support and further responsible conduct and good governance in communities.

Key pressures include:

- ***Pervasiveness of technology and social media:*** While technology and social media have resulted in some positive outcomes (e.g. increased access to information for the public and elected officials), they can also put pressure on local government elected officials to react quickly to issues that have a social media platform and potentially turn the focus away from other significant issues. “24/7” attention can be wearing. In addition, the norms for social media communication vary considerably from the norms for communication in other social spaces (e.g. conversations that take place in the workplace or during meetings). Statements that may not be based on verified facts and discourse that appears to be inappropriate or offensive can “go viral” at great speed. Elected officials may find themselves defending their actions against anonymous critics or actually becoming actively engaged in this often uncontrolled discourse. This type of social media use can put pressure on local government elected officials and may result in challenges in retaining council and board members (as elected officials ask themselves whether that type of public scrutiny is “worth it”).

*Key pressures that appear to be impacting unwritten rules and conventions that provide a foundation for responsible conduct are:*

- *Pervasiveness of technology and social media;*
- *Challenges of ensuring responsible conduct and providing good governance in a ‘post-truth’ environment;*
- *Loss of knowledge and continuity on local government bodies and staff; and*
- *Lack of shared understanding/ agreement of what the unwritten rules or conventions should be for elected officials.*

- **‘Post-truth’ era:** Another pressure is the challenge of ensuring responsible conduct and providing good governance in a time that has been increasingly described as a ‘post-truth’ era “in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief”.<sup>2</sup> This approach may lead to greater public interest and attention; however, a significant impact of operating in a ‘post-truth’ environment is that it can be more difficult for groups of people to find common ground and to agree on the facts that are necessary to make effective decisions for communities.
- **Loss of knowledge and continuity:** Individuals who are new to local government, whether they are elected officials or staff members, are vital to democracy and can positively impact a community by bringing new ideas and approaches to solving issues. However, there can also be challenges associated with rapid or continuous turn-over on local government bodies and staff, which can include a loss of knowledge and continuity and fewer individuals who can provide expert guidance to local government colleagues in navigating challenging situations.
- **Lack of shared understanding:** As technology and other social changes take place (e.g. demographic changes), there may be a shift in the conventional rules or norms that have typically provided a foundation for responsible conduct and good governance. This can result in a loss or lack of shared understanding in what the unwritten rules are, or should be (e.g. what behaviour is expected of local government elected officials); this may lead to challenges in finding common ground upon which to build a foundation for developing and maintaining relationships among elected officials, with staff, and with the public.

<sup>2</sup>Oxford Dictionaries defines “post-truth” as “[r]elating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief” (“Post-truth”, Oxford Living Dictionaries, <https://en.oxforddictionaries.com/definition/post-truth>).

## ***Why does the issue matter?***

An environment that is characterized by unclear and shifting rules can result in issues related to responsible conduct, such as:

- disrespectful use of social media;
- disruptive meetings;
- procedural bylaw violations; and
- disrespectful behaviour towards fellow local government elected officials, staff, and members of the public.

This type of conduct can negatively impact a local government by resulting in strained relationships, decreased credibility and the inability of a local government to function effectively and fulfill its legislative requirements. These impacts may also further undermine sustaining a shared commitment to responsible conduct, which affects a local government's ability to govern according to good governance principles. It may also affect the ability to attract new candidates or retain those currently elected to local government office.

When issues related to responsible conduct negatively impact a local government, communities may also face additional challenges, including lower voter turnout due to voter apathy, businesses that may choose to settle in more stable communities, and the inability of a local government to hire and retain good staff. It is important to note that different types of behaviour can have different impacts on communities. For example, an issue that seems small can escalate into a larger issue that results in the chronic disruption of meetings and decision-making. These chronic disruptions can, in turn, lead to more pressure for written rules to be established, which may result in greater certainty but also in a less flexible basis for relations among local government elected officials, with staff and with the public.

***An environment characterized by unclear and shifting rules can result in issues related to responsible conduct (such as disrespectful use of social media and disruptive meetings) and these issues can negatively impact a local government.***

***It is important for local governments to have a shared commitment to responsible conduct to ensure the local government's ability to govern according to good governance principles.***

### 3. B.C.'S CURRENT RESPONSIBLE CONDUCT FRAMEWORK

#### ***Understanding B.C.'s responsible conduct framework***

In light of the pressures and challenges that are impacting the conventions and unwritten rules that have typically guided the conduct of local government elected officials, it is important to understand B.C.'s current foundation for responsible conduct and the tools available in B.C. and other Canadian jurisdictions to address related issues. It is also helpful to identify trends in approaches to responsible conduct to ensure local government bodies can effectively provide good local governance.

#### ***a) What are the components of B.C.'s responsible conduct framework?***

B.C.'s local government framework consists of a variety of components that provide a foundation for responsible conduct, including access to advice, education and training for local government elected officials and staff; and the legislative framework. The legislative framework includes local government legislation (e.g. *Community Charter*; *Local Government Act*), other pieces of legislation to which local governments and elected officials must adhere (e.g. *Workers Compensation Act*; *Freedom of Information and Protection of Privacy Act*), and statutory Offices.

As a whole, these components of B.C.'s responsible conduct system are meant to provide support and guidance for local government elected officials and ensure that elected officials can govern effectively and according to good governance principles.

*Components of B.C.'s local government framework include:*

- *access to advice, education and training for elected officials and staff; and*
- *rules and requirements set out in the legislative framework.*

*The courts also play an important decision-making role.*

***Access to education, advice and training:*** B.C. has a tradition of close collaboration among the “partner” organizations that support the local government system (e.g. UBCM; LGMA; the Ministry) when it comes to advice, education and training for elected officials and staff, including topics related to responsible conduct. Education opportunities ranging from written guides to interactive workshops are provided by these organizations, sometimes separately but often collectively. Such collaboration among these organizations and others led to the establishment of the Local Government Leadership Academy (LGLA), a ground-breaking approach to education for local government and First Nation elected officials and senior staff.

Many of the sessions at LGLA forums and other important training opportunities, such as LGMA courses, are presented by peers, or by specialized consultants who work extensively, sometimes exclusively, with local governments (i.e. providing general education; being called on to provide customized sessions for a particular council or board; or being retained to advise on specific challenges facing a council or board). Representatives from Offices such as the Ombudsperson or the Auditor General for Local Government participate in education and training opportunities (such as LGLA sessions), but not in a directive role.

**Legislation:** Both local government legislation (such as the *Community Charter* and *Local Government Act*) and other pieces of legislation set out obligations of a local government itself and some of the roles and responsibilities of local government elected officials. In addition, the responsible conduct framework includes some legislated Offices that have targeted oversight functions related to local governments; however, generally, issues related to responsible conduct fall outside the mandates of these Offices.

**Local government legislation:**

The *Community Charter* and *Local Government Act* set out the purposes of municipalities and regional districts and include some specific obligations of the local government itself. For example, the purposes of a local government include providing for the good government of its community. In addition, local governments are required to establish procedure bylaws, which set out the general procedures and standards to be followed by councils and boards when conducting local government business.

These statutes also include requirements for elected officials to attend and participate in meetings; respect the confidentiality of records and information held in confidence by the local government; and refrain from interfering with, hindering, or obstructing local government staff in performing their duties. Elected officials are also required to abide by ethical standards (e.g. conflict of interest rules), which are designed to ensure that elected officials adhere to their duty to the public and do not use their position to pursue personal financial interests.

**Other legislation:**

As employers, local governments are required by the *Workers Compensation Act* to ensure the health and safety of their employees. As part of ensuring a safe workplace, local governments must also establish workplace harassment policies. As such, local governments have harassment policies that are aimed at preventing inappropriate behaviour in the workplace and prohibit different forms of harassment defined in the *Criminal Code*, *B.C. Human Rights Code*, and the *Workers Compensation Act*.

**Statutory Offices:**

*Office of the Inspector of Municipalities (Inspector):* The Inspector's work focuses primarily on the financial performance of local governments and statutory requirements, such as approval of some bylaws. Through Ministry staff, the Inspector also delivers advice, education and capacity-building tools often in collaboration with the Office's local government partners. Although the *Local Government Act* provides the Inspector with some powers to enquire into the conduct of local government business (with Cabinet approval), those extraordinary powers have rarely been used (i.e. being reserved for matters that would affect the fundamental viability of a local government or have serious consequences for the local government system).

*Office of the Auditor General for Local Government (OAGLG):* The purpose of the OAGLG is to conduct independent performance audits of the operations of local governments (e.g. a performance audit could investigate questions about whether a service is effective in achieving its intended results). The Office's performance audits provide objective information and advice to assist local governments in their stewardship of public assets and the achievement of value for money in their operations. The OAGLG's mandate is limited to operations of a local government (e.g. providing a service), and does not include reviewing policy decisions or objectives of a local government, or considering complaints respecting the actions of individual elected officials.



*Office of the Information and Privacy Commissioner (OIPC):* Local governments are subject to the *Freedom of Information and Protection of Privacy Act* (FOIPPA), which governs how public authorities (including the provincial government, health authorities and other governmental bodies) provide access to information and protect personal information under their control. The OIPC provides independent oversight of B.C.’s information access and privacy laws as set out in FOIPPA.

*Office of the Ombudsperson:* Under the *Ombudsperson Act*, individuals can make complaints to the Ombudsperson regarding unfair treatment by a wide range of public authorities, including local governments (e.g. unreasonable delay, unfair policies, and arbitrary decisions). The Ombudsperson deals with complaints respecting the actions of the corporate body (e.g. the municipality) rather than those of individual elected officials.

It is also important to note that the courts play a significant role in B.C.’s responsible conduct framework, as judges would be responsible for making final decisions about matters such as a dispute between two elected officials resulting in a defamation lawsuit; a prosecution against an elected official for divulging personal information contrary to FOIPPA; a judicial review of a local government’s decision based on a failure to comply with closed meeting rules; or an application by 10 electors for a disqualification declaration against an elected official for allegedly failing to disclose receipt of a gift.

***b) What tools are available in B.C. to support responsible conduct and address related issues?***

B.C.’s responsible conduct framework also includes a range of tools that can be used to prevent or address non-responsible conduct (see Table 1 on the next page). As previously noted, different types of conduct have different impacts on a local government. As such, the nature of the tool that is used to address a specific issue will depend on the specific circumstances. There is a range of tools, from those focused on education and expert advice to setting standards, that can be chosen to address circumstances before pursuing tools that address more serious situations.

The tools available in B.C. range from voluntary tools to more directive tools (e.g. from voluntarily establishing a code of conduct to penalties for contravening legislated ethical standards rules). Some of the tools are aimed at the collective decision-making body (e.g. the council or board) while others are for individual elected officials. They also tend to align with B.C.’s tradition of local government autonomy and focus on local government elected officials being directly accountable to their citizens, rather than through direct provincial government supervision.

**Responsible Conduct Tools in B.C.**

- Education and advice
- Orientations and planning processes
- Professional assistance and conflict resolution
- Policies that set standards for conduct of elected officials
- Policies that set standards for relationships between elected officials and staff
- Oath of office and procedure bylaws
- Censure
- Disqualification penalties
- Penalties for breaching statutes
- *Criminal Code* offences

**Table 1: Tools to support responsible conduct and address related issues in B.C.**

**Education and advice**

**Use of Tool**

*Education:*

- The education programs and advice provided by LGLA and LGMA are resources that can be voluntarily accessed by local government elected officials and local government staff to build knowledge about their roles and responsibilities and to obtain advice for navigating various situations.

Examples:

- A. LGLA offers a Certificate Program for local government elected officials, holds annual forums (including post-election training for new and returning officials) and emphasizes skill-building seminars, including seminars targeted to responsible conduct (e.g. “Roles, Responsibilities and Teamwork”; elected-elected/elected staff relations).
  - B. LGMA’s TeamWorks program provides local governments with access to resources and advice in several fields (e.g. council/staff relations, change management, human resources) and access to coaching/informal advice.
- The Office of the Ombudsperson has developed a guide on best practices for open meetings.
  - Workshops on managing access to information under FOIPPA are available to elected officials (workshops are delivered by a third party in partnership with the OIPC).

*Advice:*

- Consultants can be hired to provide proactive tools, decision-making frameworks or orientations for a new council or board.
- Elected officials may seek legal advice about conflict of interest issues and topics.
- The Ministry provides advice regarding legislative intent to local government elected officials and staff, and points to possible resources when issues emerge respecting roles and relationships and understanding ethical standards rules. General advice is also provided on the rules related to a range of topics, such as elections (e.g. webinar for candidates).

**Legislative Authority**

- Voluntary
- Framework not established in legislation

**Table 1: Tools to support responsible conduct and address related issues in B.C.**

<b>Orientations and planning processes</b>	
<p style="text-align: center;"><b><u>Use of Tool</u></b></p> <ul style="list-style-type: none"> <li>• Can be used to clarify the roles and responsibilities of local government elected officials and staff and to facilitate building effective relationships among elected officials and staff.</li> </ul>	<p style="text-align: center;"><b><u>Legislative Authority</u></b></p> <ul style="list-style-type: none"> <li>• Voluntary</li> <li>• Framework not established in legislation</li> </ul>
<b>Professional assistance and conflict resolution</b>	
<p style="text-align: center;"><b><u>Use of Tool</u></b></p> <ul style="list-style-type: none"> <li>• Local governments may choose to seek informal advice or hire a consultant to work with the council/board to facilitate solutions to various issues that may arise related to responsible conduct (e.g. targeted workshop on appropriate behaviour, relationship-building and clarifying roles and responsibilities).</li> <li>• Where there has been a triggering event (e.g. loss of council quorum), the Ministry (Inspector) may suggest expectations of behaviour and sources of professional assistance.</li> </ul>	<p style="text-align: center;"><b><u>Legislative Authority</u></b></p> <ul style="list-style-type: none"> <li>• Voluntary</li> <li>• Framework not established in legislation</li> </ul>
<b>Policies that set standards for conduct of elected officials</b>	
<p style="text-align: center;"><b><u>Use of Tool</u></b></p> <ul style="list-style-type: none"> <li>• Several B.C. local governments have adopted codes of conduct for elected officials.<sup>3</sup> Developing a code of conduct can be used to establish a shared set of expectations for how elected officials should conduct themselves while carrying out their duties.</li> <li>• Some local governments (e.g. Vancouver, Whistler) provide for an independent third party to consider alleged code of conduct breaches, which may include recommendations for resolving the situation.</li> <li>• The involvement of local government elected officials in the development and implementation of the code of conduct, regular reviews of the code and processes for enforcing the code can be key parts of effectively utilizing this tool.</li> </ul>	<p style="text-align: center;"><b><u>Legislative Authority</u></b></p> <ul style="list-style-type: none"> <li>• Voluntary</li> <li>• Framework not established in legislation</li> </ul>
<b>Policies that set standards for relationships between elected officials and staff</b>	
<p style="text-align: center;"><b><u>Use of Tool</u></b></p> <ul style="list-style-type: none"> <li>• Local government bodies may establish policies that are additional to those required under the <i>Worker's Compensation Act</i> to clarify the roles and responsibilities of elected officials and staff and to establish further guidelines for these relationships.</li> </ul> <p>Example: Resort Municipality of Whistler includes guidelines for elected official/staff relationships in their "Council Governance Manual" (which also includes the code of conduct for elected officials).</p>	<p style="text-align: center;"><b><u>Legislative Authority</u></b></p> <ul style="list-style-type: none"> <li>• Voluntary</li> <li>• Framework not established in legislation</li> </ul>

<sup>3</sup>Examples of B.C. local governments that have adopted codes of conduct include Comox Valley Regional District, Vancouver, West Kelowna and Whistler.

**Table 1: Tools to support responsible conduct and address related issues in B.C.**

Oath of office and procedure bylaws	
<b><u>Use of Tool</u></b>	<b><u>Legislative Authority</u></b>
<ul style="list-style-type: none"> <li>The <i>Community Charter</i> requires local government elected officials to make an oath or solemn affirmation of office upon being elected and also requires local governments to establish procedure bylaws. These tools may be used to reinforce standards and set expectations of conduct (e.g. a local government can customize its oath of office to include value-based language in relation to conduct; procedure bylaw can address expectations of behavior at meetings).</li> </ul>	<ul style="list-style-type: none"> <li>Legislative requirement</li> </ul>
<b>Censure</b>	
<b><u>Use of Tool</u></b>	<b><u>Legislative Authority</u></b>
<ul style="list-style-type: none"> <li>Censure is a common law concept that may be used by a local government body that wishes to distance itself from a particular elected official due to that official's unacceptable conduct (e.g. bullying; rude comments; disrespectful behaviour).</li> <li>It is important for a local government body to establish a clear policy that includes satisfactory procedural fairness measures, such as an individual's right to respond to allegations, to ensure the motion does not fail on a procedural basis.</li> </ul>	<ul style="list-style-type: none"> <li>Voluntary</li> <li>Common law tool, but framework not established in legislation</li> </ul>
<b>Disqualification penalties</b>	
<b><u>Use of Tool</u></b>	<b><u>Legislative Authority</u></b>
<ul style="list-style-type: none"> <li>The <i>Community Charter</i> establishes serious penalties for breaching some rules related to responsible conduct and good governance. For example, a local government elected official who breaches the following rules can be declared disqualified (through a court process) from holding office:             <ul style="list-style-type: none"> <li>◇ contravening conflict of interest rules and other ethical standards;</li> <li>◇ failing to make the oath of office within the specified time;</li> <li>◇ having an unexcused absence from meetings for a specified period; or</li> <li>◇ authorizing the use of money contrary to local government legislation.</li> </ul> </li> <li>Disqualification is considered a serious penalty and instances of disqualification are rare.</li> </ul>	<ul style="list-style-type: none"> <li>Framework established in legislation</li> </ul>

**Table 1: Tools to support responsible conduct and address related issues in B.C.**

<b>Penalties for breaching statutes</b>	
<p style="text-align: center;"><b><u>Use of Tool</u></b></p> <ul style="list-style-type: none"> <li>• Breaching rules established in legislation may result in an offence prosecution. For example, breaching a local government statute may be prosecuted under the <i>Offence Act</i> with penalties being a fine, imprisonment, or both.</li> <li>• Contravening rules set out in FOIPPA can result in an offence prosecution under that Act.</li> <li>• As a corporate entity, a local government may be subject to administrative penalties and offence prosecutions under the <i>Workers Compensation Act</i>.</li> </ul>	<p style="text-align: center;"><b><u>Legislative Authority</u></b></p> <ul style="list-style-type: none"> <li>• Framework established in legislation</li> </ul>
<b>Criminal Code offences</b>	
<p style="text-align: center;"><b><u>Use of Tool</u></b></p> <ul style="list-style-type: none"> <li>• There are specific offences under the federal Criminal Code that deal with criminal behaviour beyond the scope of local government legislation. For example, it is an offence: <ul style="list-style-type: none"> <li>◇ for a public officer to commit a fraud or breach of trust in connection with the duties of his/her office; and</li> <li>◇ for a municipal official to accept any form of consideration in order to vote in (or abstain from voting in) a certain manner, to influence the adoption of a resolution or motion, or to perform or fail to perform an official act.</li> </ul> </li> <li>• If found guilty, penalties can include fines and imprisonment for up to 5 years.</li> </ul>	<p style="text-align: center;"><b><u>Legislative Authority</u></b></p> <ul style="list-style-type: none"> <li>• Framework established in legislation</li> </ul>

## 4. TOOLS TO SUPPORT RESPONSIBLE CONDUCT IN OTHER CANADIAN JURISDICTIONS

### *a) What are some tools used by other Canadian jurisdictions to support responsible conduct and address related issues?*

The responsible conduct frameworks in other Canadian jurisdictions have similar components to B.C.'s framework, such as some form of ethical standards (e.g. legislated conflict of interest rules) and rules around protecting personal information. Other provinces and territories may, however, operate in a different context and with different traditions (for example, Québec's framework emphasizes more direct provincial involvement than would be traditional in B.C.). This section is based on research undertaken by the WGRC and provides an overview of some tools of interest that are used to further responsible conduct across Canada that may be different than those components already part of B.C.'s framework.<sup>4</sup> Please see Appendix A for a table that provides an overview of these tools in comparison to tools available in B.C.

#### **Additional Responsible Conduct Tools in Other Canadian Jurisdictions**

- Peer-based advice and mediation programs
- Mandatory education
- Legislated code of conduct
- Mandatory policies that set standards for relationships between elected officials and staff
- Integrity Commissioner
- Spectrum of penalties

See next page for Table 2, which provides an overview of some tools of interest in other Canadian jurisdictions that can be used to support responsible conduct and address related issues.

<sup>4</sup>The research undertaken by the WGRC captures some tools of interest available at a particular point in time and may not reflect proposed legislative amendments or other tools adopted after early March 2017.

**Table 2: Tools to support responsible conduct and address related issues across Canada**

Peer-based advice and mediation programs	
<p style="text-align: center;"><b><u>Use of Tool</u></b></p> <ul style="list-style-type: none"> <li>Formal peer-based programs have been established in New Brunswick and Alberta.</li> <li>These programs can be accessed by local government officials and staff who are in need of advice or mentorship that draws on shared experiences of peers who have/had similar roles or who have experienced similar issues and conflicts. The programs may be focused on individual elected officials or a whole decision-making body.</li> </ul> <p>Examples:</p> <p>A. New Brunswick’s Conflict Resolution Committee consists of members of the Union of Municipalities of New Brunswick and the Association of Municipal Administrators of New Brunswick and provides a “first step” in assisting municipalities that are experiencing challenging relationships. Municipalities that request mediation are assigned a team that leads the municipality through the mediation process by assisting the municipality in identifying challenges so the parties can reach agreement on how these challenges may be solved.<sup>5</sup></p> <p>B. Alberta’s Peer Network for Municipal Dispute Resolution is a network of peer mentors whom council members can contact to obtain free, confidential advice and conflict resolution and assistance on local issues. Mentors, available to council members and senior administrators in Alberta, can share their experience and wisdom with municipal leaders requesting advice.<sup>6</sup></p>	<p style="text-align: center;"><b><u>Legislative Authority</u></b></p> <ul style="list-style-type: none"> <li>Voluntary</li> <li>Framework not established in legislation</li> </ul>
Mandatory education	
<p style="text-align: center;"><b><u>Use of Tool</u></b></p> <ul style="list-style-type: none"> <li>Local government legislation in Québec <u>requires</u> elected officials to participate in a professional development program on municipal ethics and good conduct if they have not previously participated. Legislation in Alberta <u>requires</u> municipalities to offer an orientation training program for newly elected officials (as of July 2017).</li> <li>Québec: A councillor who has not already done so must participate in a professional development program on municipal ethics and good conduct within 6 months of the start of his/her term. The council member must report their participation to the municipality within 30 days after participating in the program. Non-participation could become an aggravating factor if sanctions are being considered by the Commission municipale du Québec for violating the municipality’s “code of ethics and conduct”.</li> </ul>	<p style="text-align: center;"><b><u>Legislative Authority</u></b></p> <ul style="list-style-type: none"> <li>Legislative requirement</li> </ul>

<sup>5</sup>“Conflict Resolution Committee,” The Association of Municipal Administrators of New Brunswick, <http://www.amanb-aamnb.ca/Conflict-Resolution>

<sup>6</sup>“Look to your peers for help,” The Peer Network for Municipal Dispute Resolution, <http://www.peernetwork.ca/index.php/look-to-your-peers>

**Table 2: Tools to support responsible conduct and address related issues across Canada**

<b>Mandatory education <i>continued</i></b>	
<ul style="list-style-type: none"> <li>• Alberta: As of July 2017, municipalities must offer orientation training to be held within 90 days after each councillor takes the oath of office. Legislation sets out the range of topics that must be addressed (e.g. role of municipalities in Alberta; roles and responsibilities of elected officials and administrative staff; public participation; municipality's code of conduct). No specific requirement or consequence for elected officials for failing to participate in or complete the orientation program, but municipalities could address this issue in code of conduct bylaws.</li> </ul>	
<b>Legislated code of conduct</b>	
<b><u>Use of Tool</u></b>	<b><u>Legislative Authority</u></b>
<ul style="list-style-type: none"> <li>• Used to set shared expectations for standards of conduct.</li> <li>• Establishing codes of conduct (also known as a “code of ethics”) is mandatory in Alberta,<sup>7</sup> Saskatchewan, Manitoba, Québec, and Prince Edward Island.<sup>8</sup></li> <li>• In Ontario, legislation currently enables municipalities to establish a code of conduct if they wish to do so,<sup>9</sup> with the exception of the City of Toronto, which is required to establish a code of conduct. Legislation in the Northwest Territories also enables local governments to establish codes of conduct.</li> </ul>	<ul style="list-style-type: none"> <li>• Framework established in legislation</li> <li>• Legislative requirement in several jurisdictions</li> </ul>
<b>Mandatory policies that set standards for relationships between elected officials and staff</b>	
<b><u>Use of Tool</u></b>	<b><u>Legislative Authority</u></b>
<ul style="list-style-type: none"> <li>• Legislative amendments proposed in Ontario (November 2016) would require local governments to adopt policies respecting the relationship between council members and officers and employees of the municipality.<sup>10</sup></li> <li>• Other jurisdictions explicitly require codes of conduct to include standards and/or values in their dealings with municipal employees (e.g. Saskatchewan, Manitoba, Québec).</li> </ul>	<ul style="list-style-type: none"> <li>• Legislative requirement</li> </ul>

<sup>7</sup>Legislative requirements will be effective in Alberta once regulations are developed (anticipated to be Fall 2017).

<sup>8</sup>Legislation that requires councils to establish a code of conduct was passed in December 2016. These amendments are not yet in force.

<sup>9</sup>Legislative amendments that would require local government elected officials to adopt a code of conduct were proposed in November 2016. See Legislative Assembly of Ontario, Bill 68: An Act to amend various Acts in relation to municipalities, [http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&BillID=4374&detailPage=bills\\_detail\\_the\\_bill](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4374&detailPage=bills_detail_the_bill)

<sup>10</sup>See Legislative Assembly of Ontario, Bill 68: An Act to amend various Acts in relation to municipalities, [http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&BillID=4374&detailPage=bills\\_detail\\_the\\_bill](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4374&detailPage=bills_detail_the_bill)



**Table 2: Tools to support responsible conduct and address related issues across Canada**

**Integrity Commissioner**

**Use of Tool**

- Only Ontario legislatively enables a municipality to appoint an Integrity Commissioner (and the City of Toronto must appoint an Integrity Commissioner); in Québec, an independent body at the provincial level carries out similar functions.
- An Integrity Commissioner typically has one or more of the following functions:
  - ◊ enforcing a local government’s code of conduct by investigating alleged breaches of the code and recommending sanctions to council, if appropriate;
  - ◊ advising individual local government elected officials on how to meet standards of conduct; and
  - ◊ educating local government elected officials on issues of ethics, integrity, and personal conduct.

**Note:** Council typically decides whether to impose any sanctions recommended by an Integrity Commissioner. In Québec, the provincial body determines and imposes legislated sanctions.

- Legislative amendments proposed in Ontario (November 2016) would establish that if a municipality does not have an Integrity Commissioner, or if its Integrity Commissioner does not perform all of the statutory functions, the municipality must make arrangements for those responsibilities to be provided by an Integrity Commissioner of another municipality.<sup>11</sup>
- Some cities have voluntarily appointed an Integrity Commissioner: The City of Calgary has appointed two positions — an Integrity Commissioner and an Ethics Advisor; the City of Regina anticipates appointing an Integrity Commissioner; the City of Winnipeg recently appointed an Integrity Commissioner. The roles/responsibilities of an Integrity Commissioner are not established in legislation in these provinces.

**Legislative Authority**

- Typically tied to legislative frameworks that require or enable local governments to establish a code of conduct
- Framework may be established in legislation
- May be a legislative requirement

**Spectrum of penalties**

**Use of Tool**

- Some jurisdictions have implemented, or are considering, penalties other than disqualification for elected officials who have breached a code of conduct or contravened conflict of interest rules.
- *Code of conduct:*
  - ◊ Penalties for contravening a code of conduct in Ontario include reprimand and suspension of remuneration for up to 90 days. If the Integrity Commissioner reports that an elected official has contravened the code, council may choose to impose a penalty.
  - ◊ In Manitoba and the Northwest Territories, legislation establishes that a local government elected official may be censured for contravening the code of conduct.
  - ◊ In Québec, the minister plays a role in deciding whether an alleged breach of the code of conduct should proceed to inquiry; inquiries can then lead to imposition of sanctions (if appropriate), which include a reprimand, restitution, and suspension for up to 90 days.

**Legislative Authority**

- Framework established in legislation

<sup>11</sup>See Legislative Assembly of Ontario, Bill 68: An Act to amend various Acts in relation to municipalities, [http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&BillID=4374&detailPage=bills\\_detail\\_the\\_bill](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4374&detailPage=bills_detail_the_bill)

**Table 2: Tools to support responsible conduct and address related issues across Canada**

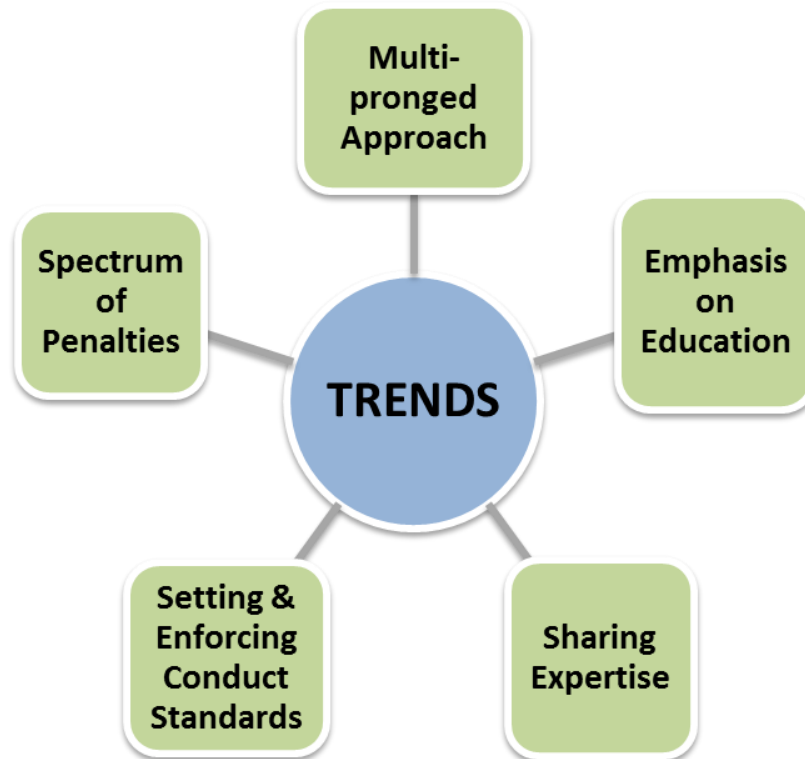
**Spectrum of penalties *continued***

- **Conflict of interest rules:**
  - ◇ In November 2016, Ontario introduced amendments to its *Municipal Conflict of Interest Act* (MCIA) that, if passed, would replace the narrow scope of penalties for contraventions of the MCIA with a broader range of penalties.<sup>12</sup> Proposed penalties include reprimand and suspension of remuneration for up to 90 days.
  - ◇ There is interest in Manitoba about the concept of a range of penalties for conflict of interest violations as recommended by the Manitoba Law Reform Commission. Recommended penalties include a suspension of the elected officials (up to 90 days), a \$5,000 fine, an order of restitution, and removal from office (ultimate sanction for the most serious offences).
  
- **Other:**
  - ◇ In Québec, a council member may be declared “provisionally incapable to perform any duty of office” if that council member is facing charges for an offence that is punishable by 2 years or more.

<sup>12</sup>Other new proposed provisions under MCIA relate to the requirement for written disclosure of interest, dealing with influence, and a requirement for municipalities to create a registry that tracks all registered conflicts of interest. Proposed legislative amendments also add principles to the duties of elected officials in relation to conflict of interest rules (e.g. council members are expected to perform their duties with *integrity* and *impartiality*). See Legislative Assembly of Ontario, Bill 68: An Act to amend various Acts in relation to municipalities, [http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&BillID=4374&detailPage=bills\\_detail\\_the\\_bill](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4374&detailPage=bills_detail_the_bill)

## ***b) What trends have emerged from the research on responsible conduct tools?***

The following diagram highlights the trends that emerge from reviewing the tools implemented by other Canadian jurisdictions. A discussion of each trend follows the diagram.



### ***Multi-pronged Approach:***

- It appears that a multi-pronged approach that provides a spectrum of tools to address various circumstances and different behaviours can be an important part of a robust framework that supports responsible conduct, and, in turn, supports local governments in providing good governance to communities. Voluntary tools, including education and peer-based programs, as well as tools that are established in legislative frameworks, are all part of the approaches taken by different jurisdictions – there is no one tool that “solves” everything. The mix of tools differ from jurisdiction to jurisdiction, as do the degrees of formality, the extent to which they are mandated, who is involved in delivering them, how they are implemented and what are the consequences of non-compliance.

### ***Emphasis on Education:***

- Developing educational resources (such as programs, handbooks, and webinars) is common in jurisdictions across Canada to provide guidance and support to both local government elected officials and staff. Education is generally seen as an important part of encouraging responsible conduct. The topics of education initiatives vary, as do the form and who provides the education. As discussed, some jurisdictions have taken this approach one step further: in Québec, local government elected officials are required to participate in a professional development program, and in Alberta, municipalities are required to offer orientation training to elected officials (as of July 2017). These approaches aim to ensure individuals have a strong foundational knowledge of their roles, responsibilities, and ethical conduct from the start of their career as an elected official. However, mandating education brings into sharp focus important “who”, “what”, “how” and “when” design questions of education programs, as well as questions of consequences if individuals do not participate in the required programs, and measuring the effectiveness of education programs.

### ***Sharing Expertise:***

- Peer-based programs are also a trend, with some jurisdictions expressing this as formal peer mediation programs. In that way, local government elected officials can obtain advice and guidance from experts on a variety of topics. Considerations for developing a formal peer mediation program include recruitment of volunteers to be mentors, providing adequate training for mentors and ensuring that mentors have varied experiences to account for the wide variety of challenges that local governments may face and on which elected officials may seek advice.

### ***Setting and Enforcing Conduct Standards:***

- *Setting conduct standards:* Setting standards for conduct is a trend towards explicitly encouraging or requiring certain standards of conduct, rather than leaving assumptions about what is/is not acceptable behaviour to unwritten rules. For example, several jurisdictions require elected officials to develop a code of conduct, which provides a shared understanding of expectations and standards against which an individual’s conduct can be held accountable. Legislative frameworks often set out additional tools to administer and enforce the code of conduct and processes and sanctions if a local government elected official is found to have breached the code. Codes of conduct are generally viewed as one component of a larger responsible conduct framework, not just a stand-alone tool.
- *Enforcing conduct standards:* An important consideration for setting standards is developing processes for their enforcement. There seems to be greater interest in enforcement that has some elements of independence from the local government itself. Jurisdictions that enable or require codes of conduct take a variety of approaches, including enabling local governments to appoint an Integrity Commissioner (and potentially providing for Integrity Commissioners to be “shared” by multiple communities), implementing a centralized model centered on a provincial-level body (in Québec), and authorizing the Ombudsperson to investigate alleged breaches of the code of conduct. It is important to note, however, that the Integrity Commissioner model in Ontario still requires councils to make the final decisions (i.e. the council decides on and imposes sanctions if the Integrity Commissioner finds the code has been contravened).

### *Spectrum of penalties:*

- Given the variety of behaviours which may be seen as a problem, there also seems to be interest in finding greater flexibility when considering the consequences for this behaviour. Therefore, another trend is exploration of a spectrum of penalties that may be applied to local government elected officials who breach rules related to responsible conduct. These approaches provide for a range of penalties for consideration beyond disqualification, which is such a serious penalty that there may sometimes be reluctance to impose it. Suspension of remuneration, censure motions, and issuing a reprimand are examples of alternative penalties that may be imposed in other provinces. At the same time, these penalties remain focused on public “calling out” of the behaviour (i.e. remedial actions such as required training are not typically part of the consequences).

## 5. NEXT STEPS

UBCM and LGMA will be consulting with their respective members in Spring 2017 using this paper as a basis for gathering views on the issue summary, tools used to support responsible conduct in B.C. and in other Canadian jurisdictions, and emerging trends. Consultation with local government elected officials and local government staff will consist of both in-person presentations (e.g. at area association meetings for local government elected officials and at Chapter events and LGMA’s Annual Conference for local government staff) and a survey tool. Feedback from the consultation will then be provided to the Working Group members once the consultation process is completed.

UBCM Executive has made a commitment to draft recommendations on the issue of responsible conduct and bring these before delegates at the 2017 UBCM Convention.

## APPENDIX A: OVERVIEW OF TOOLS TO SUPPORT AND FURTHER RESPONSIBLE CONDUCT

The following table provides an overview of key tools used to support and further responsible conduct in other Canadian jurisdictions and notes any equivalent tools available in B.C.

Tool	Jurisdictions	Key Features	B.C. comparison
Peer-based advice and mediation programs	Alberta New Brunswick	<ul style="list-style-type: none"> <li>Local government elected officials and staff can seek advice and mentorship from experienced peers to help work through issues/conflicts</li> <li>Low-cost, informal, typically requires involvement of partner organizations</li> <li>Framework not established in legislation</li> </ul>	<ul style="list-style-type: none"> <li>May choose to hire consultant to help facilitate solutions to challenging situations</li> <li>Informal networks established among elected officials</li> <li>Not established in legislative framework</li> </ul>
Mandatory education	Alberta Québec	<ul style="list-style-type: none"> <li>Local government legislation in Québec <u>requires</u> elected officials to participate in a professional development program on municipal ethics and good conduct if they have not previously participated. Legislation in Alberta <u>requires</u> municipalities to offer orientation training for newly elected officials (as of July 2017).</li> <li>Programs may cover various topics (e.g. role of local governments; elected official responsibilities; municipal ethics)</li> <li>Legislative requirement</li> </ul>	<ul style="list-style-type: none"> <li>Voluntary access to education and training resources</li> <li>Framework not established in legislation</li> </ul>
Code of conduct	Alberta Saskatchewan Manitoba Ontario Québec Prince Edward Island Northwest Territories	<ul style="list-style-type: none"> <li>Sets out shared standards and expectations to guide conduct of elected officials</li> <li>Suggested key components of developing a code of conduct include:<sup>13</sup> <ul style="list-style-type: none"> <li>Should be one component of a larger 'ethics' regime;</li> <li>Elected officials should be involved in developing the code;</li> <li>Effective process for dealing with complaints is important and enforcement should consider administrative fairness procedures and effective, appropriate sanctions; and</li> <li>Independent third party should enforce the code (e.g. Integrity Commissioner; contractor with appropriate experience; municipal solicitor).</li> </ul> </li> <li>Framework established in legislation</li> <li>Legislative requirement in several jurisdictions (Ontario has proposed amendments to require code of conduct)</li> </ul>	<ul style="list-style-type: none"> <li>Voluntary</li> <li>Used by a number of local governments</li> <li>Framework not established in legislation</li> </ul>

<sup>13</sup>Clyde K. Wells, Q.C.; "Report to St. John's City Council on Recommended Adjustments to the City's Ethical Conduct Legislation", September 28, 2015.

## APPENDIX A: OVERVIEW OF TOOLS TO SUPPORT AND FURTHER RESPONSIBLE CONDUCT

Tool	Jurisdictions	Key Features	B.C. comparison
Mandatory policies that set standards for relationships between elected officials and staff	Ontario (proposed) <i>Required in code of conduct:</i> Saskatchewan Manitoba Québec	<ul style="list-style-type: none"> <li>Ontario recently proposed legislative amendments to require local governments to adopt policies respecting the relationship between council members and officers and employees of the municipality</li> <li>Other jurisdictions explicitly require codes of conduct to include standards and/or values to which elected officials must comply in their dealings with municipal employees</li> <li>Legislative requirement</li> </ul>	<ul style="list-style-type: none"> <li>Voluntary</li> <li>Framework not established in legislation</li> </ul>
Integrity Commissioner	Ontario Québec (provincial-level) City of Calgary City of Regina City of Winnipeg	<ul style="list-style-type: none"> <li>Main role is to administer and enforce codes of conduct</li> <li>May also provide advice about meeting code of conduct requirements and education on issues related to ethics, integrity, and personal conduct</li> <li>There are variations in the approach to Integrity Commissioners or other bodies that carry out similar functions. For example:               <ul style="list-style-type: none"> <li>Ontario: legislation enables municipalities to appoint an Integrity Commissioner (City of Toronto is <u>required</u> to appoint Integrity Commissioner)</li> <li>Québec: legislation requires Commission municipale du Québec (provincial body) to investigate alleged code of conduct breaches</li> <li>Cities of Calgary, Regina, Winnipeg: Have voluntarily appointed an Integrity Commissioner (or anticipate appointing an Integrity Commissioner)</li> </ul> </li> <li>Framework for Integrity Commissioner (or body that has similar functions) may or may not be established in legislation</li> </ul>	<ul style="list-style-type: none"> <li>Some local governments (e.g. Vancouver, Whistler) provide for an independent third party to consider alleged code of conduct breaches, which may include recommendations for resolving the situation</li> <li>Framework not established in legislation</li> </ul>
Spectrum of penalties (other than disqualification)	Manitoba Ontario Québec Northwest Territories	<ul style="list-style-type: none"> <li>Some jurisdictions establish penalties (other than disqualification), or have proposed/are interested in establishing penalties, in their legislation for breaching a code of conduct or conflict of interest rules. Examples of penalties include:               <ul style="list-style-type: none"> <li>Reprimand</li> <li>Suspension of pay for up to 90 days</li> <li>Censure motion (for contravening code of conduct)</li> </ul> </li> <li>Framework established in legislation</li> </ul>	<ul style="list-style-type: none"> <li>Disqualification penalties for breaching ethical standards rules</li> <li>Framework for disqualification penalties established in legislation</li> </ul>

# APPENDIX B: MEMBERS OF THE WORKING GROUP ON RESPONSIBLE CONDUCT

The Working Group on Responsible Conduct consists of the following staff/expert members from the Union of B.C. Municipalities (UBCM); the Local Government Management Association (LGMA); and the Ministry of Community, Sport and Cultural Development (the Ministry).

UBCM	LGMA	Ministry
<ul style="list-style-type: none"><li>• Gary MacIsaac</li><li>• Brenda Gibson</li><li>• Paul Taylor</li></ul>	<ul style="list-style-type: none"><li>• Nancy Taylor</li><li>• Elizabeth Brennan</li><li>• Allison Habkirk</li></ul>	<ul style="list-style-type: none"><li>• Gary Paget</li><li>• Nicola Marotz</li><li>• Michelle Dann</li><li>• Lesley Scowcroft</li></ul>



# UBCM PROVINCIAL ELECTION PLATFORM

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# 2017

## OUR COMMUNITIES: BUILDING BC'S FOUNDATION





## OUR COMMUNITIES:

# BUILDING BC'S FOUNDATION

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UBCM 2017 Provincial Election Platform

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## INTRODUCTION



Local governments are a key order of government that provide the pillars of vibrant, sustainable and prosperous communities.

From roads and bridges, to sewers and water lines, local governments provide the critical infrastructure and core services that businesses and citizens have come to depend upon. Through supportive housing programs, efficient public transit, and strong protective services, they help create safe and connected communities that draw young families and workers. And through innovative policies and effective planning, they help attract new investments so vital to growing the provincial economy.

**British Columbians recognize that their best interests are served when there is co-operation and mutual respect amongst governments.**

As frontline service providers, local governments are uniquely positioned to understand the evolving demands of citizens. They channel that knowledge into action. Home to innovative approaches and solutions, they are responsive to the shared challenges facing communities – a mounting infrastructure deficit; skyrocketing shelter costs; shifting economic bases and cycles; and more frequent extreme weather events. In this sense, local governments build the very communities where people want to live and where companies want to locate.

To support future growth and livable communities, we must provide local governments with a diversified financial base. Now, more than ever, we must empower them with the resources, tools, and flexibility necessary to plan for the long-term sustainability of the services and infrastructure so vital to our communities.

When BC's communities flourish, so to does the province as a whole. And when BC's communities struggle, our ability to create a strong, secure, and thriving British Columbia is threatened.

British Columbians recognize that their best interests are served when there is co-operation and mutual respect amongst governments. They expect partnerships at all levels to achieve their shared desire for economically viable, environmentally responsible, and socially rich communities.

No one order of government can address the myriad of challenges facing our residents alone. We must work together – through collaborative, consultative, and integrated approaches – to improve the quality of life for all.

As the cornerstone of communities, British Columbia's local governments are committed to building the foundations of a better BC.



## INFRASTRUCTURE RESPONSIVE INFRASTRUCTURE INVESTMENTS

Local infrastructure has, and continues to be, the foundation on which British Columbia's economy rests. Reliable infrastructure and modern transportation networks are critical to the efficient flow of goods and people. State of the art recreation and cultural facilities help businesses attract skilled labour and young families. Upgraded water and sewage plants support healthy populations, protect the environment, and preserve our natural resources.

Public investment in local infrastructure is a proven tool for improving productivity and stimulating economic growth – key components of BC's economic competitiveness. Building and renewing infrastructure stimulates the local multiplier effect, generates new business spin-offs, and creates well paying jobs across numerous sectors.

**IN BC ALONE, THERE IS AN ESTIMATED \$19.9 BILLION INFRASTRUCTURE GAP OF IMMEDIATE RENEWAL AND REPLACEMENT INFRASTRUCTURE FOR LOCAL GOVERNMENTS.**

Every dollar spent on infrastructure results in \$1.14 dollars in gross domestic product (GDP) growth.<sup>1</sup> When workers and businesses have access to a comprehensive and connected infrastructure base, we unlock the potential of communities to compete globally.

The demands for sustained and strategic investments in local infrastructure have never been so great as they are today. Local governments are now called upon to fund and deliver an expanding array of services; meet regulatory requirements imposed on them by the provincial and federal government; and maintain existing infrastructure while addressing infrastructure deficits. In BC alone, there is an estimated \$19.9 billion infrastructure gap of immediate renewal and replacement infrastructure for local governments.<sup>2</sup> And the demands for new infrastructure investments will be even greater in the future.





While local governments are committed to making the investments the public needs, they cannot do it alone. They need to work in partnership with our senior governments to give the communities the certainty to plan, build and repair infrastructure.

In recent years, intergovernmental co-operation on infrastructure investment has made great strides. The federal Gas Tax program, the joint federal-provincial New Building Canada Fund, and the provincial only Towns for Tomorrow and BC Community Recreation programs, have meant significant new provincial and federal investments.

To build upon the momentum of past years, we need sustained, predictable, and long-term funding commitments made by the federal and provincial governments. We need to build upon the historic contributions made to date in local infrastructure and create the foundations for long-term sustainability and growth.

The federal government has committed to a renewed partnership with local governments through the 10 year Long Term Infrastructure Plan. A new cost sharing funding formula under the first phase of the Plan recognizes the importance of, and challenges in, funding local infrastructure. To take full advantage of the new federal investment, we need a secure provincial commitment to maintain, at minimum, a 33% contribution to cost shared programs and projects. In doing so, communities of all sizes can leverage both federal and scarce local dollars to meet their ever increasing service demands and infrastructure needs.

In addition, infrastructure programs should maximize local choice for projects. They should ensure eligibility for the full range of local government infrastructure in light of differing requirements and capabilities amongst communities. And to be truly effective, they must embed a local voice into their design, delivery, and oversight.

When infrastructure investments are responsive to the needs of every community, we pave the way for a prosperous and vibrant British Columbia.

## RECOMMENDATIONS FOR PROVINCIAL ACTION

### TO SUPPORT SOUND INFRASTRUCTURE INVESTMENTS AND LEVERAGE FEDERAL COMMITMENTS, ALL PROVINCIAL PARTIES MUST COMMIT TO:

- Maintaining, at minimum, 33% provincial funding for all federal cost-shared local government infrastructure programs and projects;
- The creation of long-term, predictable and dedicated infrastructure funding for local governments;
- Recognizing the need to meet senior government regulatory requirements and reduce the infrastructure deficit in funding programming;
- Maximizing eligible infrastructure categories in funding programs; and
- Ensuring active local government involvement in the design, implementation and governance of infrastructure programs.



THERE IS NOW 'WIDESPREAD AGREEMENT THAT MUNICIPALITIES DO NOT HAVE SUFFICIENT REVENUE RAISING TOOLS TO MEET THEIR EXPENDITURE RESPONSIBILITIES'.<sup>3</sup>

## FINANCE

### RE-TOOLING LOCAL GOVERNMENT FINANCE

A sound finance system is key to good governance in British Columbia. With access to the right financial tools and revenue sources, local governments can plan for the long-term sustainability of their communities.

Under the current local-provincial fiscal framework, local governments must rely heavily on property tax to fund their core services and infrastructure investments. Having property tax as the cornerstone of local government financial capacity stems from an era of long ago - where local governments provided a narrower range of services, and citizen demands were more modest.

To compete globally, local governments must work harder to attract the human and financial capital critical to growth and innovation in communities. Businesses expect modern transportation hubs and networks to support their enterprises; young families require parks, recreational facilities and strong protective services to feel connected and safe.

Now, more than ever, local governments are called upon to fund an expansive range of services – often arising from the fiscal decisions of the senior governments to downsize or withdraw services. Significant new and emerging capital needs are now requiring them to partner in large-scale infrastructure investments. They must now comply with the provincial and federal regulatory requirements imposed upon them in areas such as environmental protection. In Kelowna alone, the cost of meeting new provincial water regulation is estimated at \$380 million, while \$40 million is required for the small community of Kimberley's wastewater upgrade.

While local governments are delivering on all of these fronts, the costs are unprecedented and the expenditure pressures significant. There is now 'widespread agreement that municipalities do not have sufficient revenue raising tools to meet their expenditure responsibilities' amidst the broadening of their service commitments.<sup>3</sup>



Without increased fiscal flexibility and access to revenue sources that grow with the economy, local governments will be challenged in providing the very services and infrastructure new businesses and citizens depend upon – now and in the future.

One option, the Community Development Bank, holds the richest potential for diversifying local revenue streams while cementing a local-provincial partnership for growing the economy.

Rather than seek private investment dollars to leverage domestic seed capital like the proposed federal infrastructure bank, the Community Development Bank is a revenue sharing concept – which provides local governments with a guaranteed share in improved economic growth. The Province would share revenues in those years where growth surpassed a set GDP benchmark. Incorporating a performance pay incentive, the amount allocated to communities would increase as BC's economy expands and flourishes through local-provincial efforts.

With a benchmark determined through intergovernmental dialogue, the Bank would help smooth out BC's economic cycles by stimulating job creation during periods of slow growth. It would permit a scaling up of community infrastructure investment when shovels in the ground are most needed, and when labour and construction costs are lower.

Such investments are invaluable to the fiscal health of communities and the province as a whole - for every \$1 billion spent on infrastructure, 16,700 jobs are supported annually across multiple sectors.<sup>4</sup> And governments recover between 30% – 35% of every dollar spent on public infrastructure through higher personal, corporate, and indirect taxes.<sup>5</sup>

Through its creation, the Bank would assist local governments in addressing their mounting infrastructure renewal and replacement needs; attracting and retaining well paying skilled jobs; and easing their reliance on property taxation as a revenue source.

Re-tooling and modernizing our outdated local government finance system is critical to maintaining the very building blocks of communities. If we are to meet current demands and future priorities, we must look to reforming the current local-provincial fiscal arrangement.

## RECOMMENDATIONS FOR PROVINCIAL ACTION

To improve the long-term financial capacity of local governments, all provincial political parties must commit to working with local governments to provide the revenue tools needed to meet current and emerging service and infrastructure needs. This includes revenue sources that recognize growth in the economy such as the Community Development Bank.

## PROTECTIVE SERVICES

### REDUCING COST PRESSURES



**COMBATting CRIME AND CREATING SAFER COMMUNITIES MEANS PROTECTIVE SERVICES NOW APPROACH OVER 30% OF MOST URBAN LOCAL GOVERNMENT BUDGETS.**

Our communities depend on protective services for their health and safety. As front line operators, they tackle a range of ever changing public safety challenges – from fentanyl overdoses, to the mental health crisis, to transnational crime threats. Above all, local police and fire personnel are valued employees crucial to the protection of our homes, streets, and work places.

While essential to the well-being of our communities, the services they perform weigh heavily on local budgets. Combatting crime and creating safer communities means protective services now approach over 30% of most urban local government budgets. Recent senior government decisions in policing have compounded the fiscal pressure of these services by adding new and emerging costs. And these costs are projected to rise through equipment renewal and replacement, new training programs, and arbitrated settlements.



Under the current legislative framework, failure to reach an agreement through collective bargaining results in an arbitrator being appointed to determine compensation. For many local governments, the pattern of arbitrated settlements is one of disproportionate wage increases disconnected from local conditions or a community's ability to pay. Nelson, for example, saw its fire services secure a 24.5% increase in wages and benefits from a recent arbitrated award – in line with Vancouver's wages and nearly double the increases Nelson's other unionized staff received.

Communities throughout BC now face wage parity in fire services and a de facto provincial wage standard.<sup>6</sup> The history of settlements raises fundamental questions for local governments about: equity with internal employees; the value of collective bargaining with a largely predetermined outcome; and the financial welfare of the community to sustain awards.

While committed to fiscal discipline, communities are constrained in their ability to control the costs of these essential services. As a result of arbitrated awards, protective service costs are increasingly outstripping a community's ability to pay – as they rise faster than the cost of inflation and the cost of other local services. Faced with limited revenue tools, local governments must make tough choices – accommodate settlement costs through property tax increases or service reductions. Either choice impacts the sustainability of government services and operations.

Now is the time for intergovernmental dialogue on ways to support the vital services fire and police perform, while reducing cost pressures that ensure the financial well being of our communities.

## RECOMMENDATIONS FOR PROVINCIAL ACTION

### TO ASSIST LOCAL GOVERNMENTS IN CONTROLLING A KEY COST DRIVER WHILE STILL RESPONDING TO A FULL RANGE OF PUBLIC SAFETY CHALLENGES, ALL POLITICAL PARTIES MUST COMMIT TO:

- Reviewing the arbitration process within essential services labour relations agreements, with a specific focus on a local government's ability to pay;
- Collaborating in proposing changes that would mitigate the cost pressures of arbitrated settlements, including having the Province exercise its statutory authority to specify that arbitrators are to give consideration to local conditions; and
- Enhancing communication and consultation on all policing issues to create an integrated, collaborative, and respectful decision making framework on new and emerging costs.

## CLIMATE ACTION REDUCING EMISSIONS AND READYING COMMUNITIES

Over the past decade, British Columbians have increasingly come to recognize the need for, and value of, action on climate change. They realize that strong climate leadership can generate new economic opportunities, support a shift to a green and clean economy, and promote the health and well-being of their communities.

Local governments have been at the forefront of climate action. Incorporating climate action into their core operations and services, they have invested significant financial and human capital into building energy efficient and weather resilient communities. Today, 98% have voluntarily signed the Climate Action Charter; 54% are carbon neutral; and 509,780 tonnes of corporate greenhouse gas emissions have been balanced or offset by communities.<sup>7</sup>



**VOLUNTARY FRAMEWORKS OF ACTION, RATHER THAN LEGISLATIVE OR REGULATORY REQUIREMENTS, WILL PROPEL GREEN INNOVATION AND TAKE CLIMATE ACTION TO THE NEXT LEVEL.**

For some, mitigation is the primary focus – creating connected transportation networks, developing renewable energy sources and systems, and densifying neighbourhoods with green buildings. For others, action means increasing their preparedness to deal with drought, wildfires, and floods as weather related emergencies rise in frequency and scope. Each approach is as unique as the community.





Apart from protecting vital infrastructure and improving community health, climate action at the local level creates tangible economic benefits. Creating a low carbon culture and clean economy stimulates job creation and economic growth, enhancing BC's competitiveness. The clean economy alone contributed \$6.3 billion to BC's GDP growth and employs over 68,000 people in the province.<sup>8</sup>

Satisfying the public interest in, and need for, compact, energy efficient, and weather resilient communities can be challenging for many local governments. Faced with limited technical abilities and financial resources, communities often need greater assistance to support their work on climate change. Many smaller communities, in particular, struggle to achieve the next level of progress without a solid capacity in risk assessment, planning, and decision-making.

Effective climate action requires the right balance of consultation, collaboration, and resource provision. To design sound approaches that meet provincial targets, we need to include local input and context – that includes respecting the varying ability to make strategic investments in GHG reductions and adaptation. To sustain local government leadership, we must provide the tools and flexibility for tailor made solutions to local climate challenges.

Voluntary frameworks of action, rather than legislative or regulatory requirements, will propel green innovation and take climate action to the next level – both locally and provincially, one community at a time.

## RECOMMENDATIONS FOR PROVINCIAL ACTION

### TO HELP BUILD ENVIRONMENTALLY SUSTAINABLE AND RESILIENT COMMUNITIES, ALL PROVINCIAL POLITICAL PARTIES MUST COMMIT TO:

- Providing appropriate funding and decision making tools to build the capacity of local governments to adapt to, and mitigate the effects of, climate change;
- Respecting local government autonomy in pursuing climate action solutions that meet the needs of their communities;
- Creating an enabling environment for climate action that gives flexibility and scalability of projects in light of differing community capabilities; and
- Developing climate action approaches in consultation with local governments.



## HOUSING

### RESPONDING TO HOUSING CHALLENGES

Amidst ever rising shelter costs, the affordability of BC's housing system has been at the forefront of civic agendas. The desirability of BC, and its resultant growth, has placed unprecedented demands on our housing infrastructure. Faced with aging rental stock, insufficient supportive housing options, and the commodification of market housing, communities are now struggling to maintain their liveability.

Rising housing costs threaten the foundations of local economies and community connections.

Our residents have record debt burdens from soaring housing prices, reducing disposable income for local purchases. High ownership costs are pushing families out of urban centres, hindering the ability of businesses to attract and retain skilled labour critical to economic growth. And with the flow of global capital and people, homes have increasingly become commodities for speculative investment. All of these pressures exacerbate the precarious shelter situation of our most at risk citizens – adding to the growing mental health and homelessness challenges we face.

When housing prices and rents are too high relative to incomes, a ripple effect is felt throughout the housing system. Homeowners, renters, and the most vulnerable are impacted along with the social fabric and economic viability of our communities.

Building strong communities means building safe, secure, and affordable housing options for all residents of British Columbia. Access to affordable housing fosters civic engagement, stimulates new investment, and lays a foundation for current and future generations to thrive.

Recognizing this, all levels of government are taking action – on both the demand and supply side of the housing equation. A multi-billion dollar federal investment in social housing, along with the \$500 million provincial affordable housing plan, mark significant new investments in housing support.



Equally, local governments have been on the front lines of the affordability crisis, working hard to plan, co-ordinate and deliver strategies that will improve housing affordability at all levels. They push their mandates by managing social housing units and programs. Leading through innovative tools and approaches, they create a supportive environment for promoting growth, incentivizing development, and sustaining local livelihoods.

Communities like Kelowna grant a 10 year property tax exemption for purpose built rentals to expand rental options; rezoning in Gibsons requires a percentage of affordable units in new developments; and Vancouver's Empty Homes Tax and \$250 million land donation for cost-shared affordable housing will bring much needed new rental and supportive housing units online. And jointly, local efforts are paying off.

While steps are being taken to meet the housing demands of British Columbians, we need to collectively expand and accelerate our efforts. We must work together to address the drivers of unaffordability to keep BC a desirable place for those that want to live, work, and contribute to its success.

## RECOMMENDATIONS FOR PROVINCIAL ACTION

### TO IMPROVE HOUSING AFFORDABILITY AND SUPPORT THE MOST VULNERABLE IN OUR COMMUNITIES, ALL POLITICAL PARTIES MUST COMMIT TO:

- Incentivizing and supporting the retention and expansion of purpose built rental units;
- Preserving and increasing the supply of supportive housing units – for low income, seniors, the homeless, and those with mental health and addiction issues;
- Recognizing and respecting the role of local governments in providing housing programs and facilitating an increase in the supply of housing units;
- Implementing measures to reduce speculation within the housing market throughout the province;
- Reviewing the existing development finance model to ensure it: recognizes that development should pay its fair share of the infrastructure and amenities supporting growth; and provides flexible tools which reflect the real and current challenges in building liveable, sustainable and complete communities; and
- Partnering to deliver elements of the new national housing strategy to address BC's housing challenges.

## ENDNOTES

1. Conference Board of Canada, 2013.
2. Data analysis from the 2012 LGDE (502 – Statement of Non-Financial Assets, MCSCD) indicates that local governments, collectively, own approx. \$200 B of infrastructure assets (Current Replacement Costs, excluding land values). Further extrapolation from the 2016 Canadian Infrastructure Report Card, which estimates local government assets in poor and/or very poor condition (needing immediate renewal) at 12%, but using a more conservative estimate of 10%, the estimate for BC local government infrastructure needing immediate renewal/replacement is \$19.9 Billion.
3. Casey Vander Ploeg and Michael Holden, “At the Intersection: The Case for Sustained and Strategic Public Infrastructure Investment” (Calgary: Canada West Foundation, 2013).
4. Conference Board of Canada, 2013.
5. Conference Board of Canada, 2013.
6. Arbitrator David McPhillips, In the Matter of the Fire and Police Services Collective Bargaining Act R.S.B.C 1996, Chapter 142, City of Burnaby and Burnaby Firefighter’s Union.
7. Data provided by the Climate Action Secretariat, Ministry of Environment and Ministry of Community Sport and Cultural Development, which accounts for corporate emission since the creation of the carbon neutral framework in 2012.
8. Clean Energy & The Pembina Institute, Evaluating Climate Leadership in British Columbia, 2016.

## IMAGE SOURCES

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# UBCM



The Voice of B.C. Local Government

## UNION OF BC MUNICIPALITIES

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# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, April 20, 2017

11:00 a.m.

## REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Environment and Infrastructure Committee Meeting of April 20, 2017 be adopted.

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B. FIRST QUARTER 2017 ACTIVITY REPORT – FOR INFORMATION ONLY [Page 90]

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C. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Environment and Infrastructure Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** First Quarter Activity Report – For Information Only

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### 1.0 PUBLIC WORKS

#### ACTIVITIES FOR Q1 2017:

##### SOLID WASTE

- Apex Mountain Transfer Station initial design work complete. Fortis design completed. Public meetings were held to discuss two available options.
- Organic Feasibility Study – Preparations beginning for public consultation to provide the social component of the triple-bottom-line analysis for the two preferred sites.
- Campbell Mountain Landfill Gas – Preparing for installation of test plots in Q2 of 2017. Prepared mixing site on CML for the different materials required for biocover mixes. Original plots planned for 30m x 30m. Change made to 25m x 25m so installation of a third biocover mix can be included with minimal costs.
- Campbell Mountain Landfill Leachate – Third downstream monitoring well near the KVR trail was installed and sampled. No impact from landfill leachate was observed in the well. Additional line of seismic mapping of the bedrock surface on the southwest corner of the landfill was completed. Three test wells were installed in specific locations following the seismic results and pump tests will be carried out in early Q2. Once tests are completed, the final design for leachate collection system will be completed.
- Keremeos Landfill Closure Plan – Background work underway for preparation of closure plan for landfilled portion of Keremeos Landfill. Site will remain a Transfer Station.
- Landfill lifecycle cost for Oliver and Okanagan Falls Landfills – Gap and information analysis report being prepared by consultant for review by staff.
- The WildSafeBC program is continuing in 2017. Activities have been ongoing over winter, throughout the region with presentations at schools, local Guides and Scouts, SPCA Spring Camp, as well as radio interviews and articles in local media

##### WATER

- Faulder – New well brought online without uranium treatment media to ensure all electrical and hydraulic issues were looked after. System has been operating with the new well since beginning of March. Media was reinstalled and one vessel brought online as a test to determine if issues could occur with growth of background bacteria in the media. Once testing is completed, decision will be made on procedures and timing for the remaining media vessels coming online.
- Olalla – Phase 2 project was successful in receiving from funding from the Clean Water and Wastewater Fund (CWWF) program. Tender preparation was initiated with the consultant for release in early Q2.

- 
- Regional Water Use Regulation and Conservation Bylaw- Draft bylaw received and currently under review. Presentation to the Board is planned for Q2 to discuss specific items in the bylaw and receive Board direction.
  - Missezula Lake Water Works District – Assessment of water system and operations underway. Completion of assessment report expected in Q3.
  - Naramata Standby Generators – construction work underway at three locations with expected completion in late Q2. One generator was installed in March and the other two have been shipped from the manufacturer with arrival expected by mid-April. Commissioning is expected to occur by early May.
  - Naramata watermain upgrade project for 2017 – RFP released and awarded. Design completed to 50% and reviewed. 90% design drawings are expected in early Q2 with construction tender following shortly after. Grant funding was received from the CWWF program for this project work.
  - Naramata – Retroactive Right of Way acquisition for water main ongoing.
  - Sun Valley Water System – Operations of the system began on January 1, 2017. CWWF grant was received to install a SCADA and communications system for the water system to allow for remote monitoring and controls.
  - Willowbrook water system – Crown Land Tenure application continuing for road access to the reservoir site. CWWF grant received for Phase 1 of SCADA and communications system installation for the water system and replacement of building siding.
  - West Bench Water System – Water rate structure selected and approved for implementation. New rate structure was approved in the 2017 Fees and Charges Bylaw for setting user fees with a base fee plus a usage fee.

#### SEWER

- Okanagan Falls Wetland-Project has temporarily delayed until Public Works staffing is at full strength again. Preparation of RFP document will continue in Q3 with a planned release by Q4 for design.
- Okanagan Falls sewer liftstations – Grant funding was received from the CWWF program to install alarming and communications to three liftstations and selected manholes near the lakeshore.
- Skaha Estates & Kaleden sewer expansion – Funding was received from the New Building Canada Fund – Small Communities Fund program for the Phase 1 of the project – bringing sewers to Skaha Estates. Project planning has been initiated. RFP for retaining a consultant is being developed.

#### OTHER PROJECTS/PROGRAMS

- Similkameen Valley Watershed Master Plan – Phase 3 – Consultant preparing final report. Private well survey results sent to each participating resident. Few final components on governance and First Nations historical information is under development.
- OBWB Drought and Flood Risk Mitigation and Management Plan Phases 2: the Draft on Gap Analysis will be complete by late April and presented to the Board.
- RBC Blue Water Project Grant: Protecting our Natural Assets - Riparian workshops are underway throughout the region. 6 of 8 presentation workshops are complete.

- 
- Riparian Workshop series project was augmented by the successful submission to Heritage Canada's Canada 150 grant program. This project will broaden the riparian rehabilitation work to include the ONA and Enowk'n Centre using the FN keystone species Black Cottonwood as an intergenerational, student inspired planting project. The Grant received was \$45,000
  - Asset Management Investment Plan (AMIP) – Work initiated on next phase, staff interviews were completed. Draft report planned for Q2.

## 2.0 PUBLIC WORKS

### ACTIVITIES FOR Q2 2017:

#### SOLID WASTE

- Apex Mountain Transfer Station - Tendering and construction scheduled for Q2 and Q3.
- Organic Feasibility Study – Completion of public consultation on the two potential sites. Final triple-bottom-line analysis results will be prepared for Board review.
- Campbell Mountain Landfill Gas –Construction of bio-cover test plots will be completed. Testing on planned schedule will begin to collect data for alternative application for landfill gas management.
- Campbell Mountain Landfill Leachate – Monitoring will continue with down gradient monitoring wells and requirements for the Contaminated Site Regulations will continue as planned. Final pump test from an installed well on the landfill will be carried out so the final design of leachate collection system and storage pond will occur; Release of tender for installation of leachate and drainage system construction.
- Keremeos Landfill Closure Plan – Overall survey of landfilled area planned; Draft closure plan document is expected for review by early Q3.
- Landfill lifecycle cost for Oliver and Okanagan Falls Landfills – Gap and information analysis report completed and reviewed by staff. Draft lifecycle cost report expected for review.
- Campbell Mountain Landfill Closure Plan – Final signoff from Province will not occur until after the biocover alternative application work is completed.
- RDOS WildSafeBC program will continue to be busier as the weather improves and conflicts arise. Outreach is being planned for the summer season Q3

#### WATER

- Faulder –complete deficiencies, install booster station back-up generator. Obtain IHA approval of uranium removal once all media canisters are brought on line.
- Faulder/Olalla/Naramata/West Bench SCADA-complete deficiencies.
- Regional Water Use Regulation and Conservation Bylaw and Regional Water Conservation Strategy – Draft report to be reviewed by staff; comments will be provided back to consultant for review and revision.
- Naramata 2017 watermain replacement project- Design is completed; tender released and construction begins.
- Regional Water Use Regulation and Conservation Bylaw- Draft bylaw received and currently under review. Presentation to the Board is planned for Q2 to discuss specific items in the bylaw and receive Board direction. Public meetings are planned for Q2.
- Olalla –Phase 2 project was successful in receiving from funding from the Clean Water and Wastewater Fund (CWWF) program. Tender will be released and construction will begin for Phase 2 of the water upgrades.

- 
- Sun Valley Water System – RFP will be prepared and released for the upgrading/addition of SCADA and communication equipment for the pumphouse. Work is expected to begin late Q2 or early Q3.
  - Willowbrook water system – Crown Land Tenure application continuing for road access to the reservoir site. RFP will be prepared and released for Phase 1 of the upgrading/addition of SCADA and communication equipment to the water system.
  - Naramata Back-up Generators – Project work expected to be complete.

#### SEWER

- Okanagan Falls Wetland-Project has temporarily delayed until Public Works staffing is at full strength again. Preparation of RFP document will continue in Q3 with a planned release by Q4 for design.
- Okanagan Falls sewer liftstations – RFP will be prepared and released for the addition of communication equipment for three liftstations and several manholes along the lakeshore.
- Skaha Estates & Kaleden sewer expansion – Funding agreement to be executed. Project planning to be continued. RFP will be prepared and released for retaining a consultant.

#### OTHER PROJECTS/PROGRAMS

- Asset Management Assessment and Improvement Plan – Workshop to be held with key staff to develop the plan to move forward. Report to be finalized by consultant by Q3.
- Similkameen Valley Watershed Master Plan – Phase 3 - project is expected to be complete. Presentation of study to Board.
- OBWB Drought and Flood Risk Mitigation and Management Plan Phases 2 and 3 – Work will continue on plan. OBWB grant received. Phase 3 will begin.
- Water Conservation Outreach will continue in Q1 – Q4 that include residential irrigation workshops and property owner riparian stewardship workshops.
- Continued partnership with the OBWB in the Make Water Work program, and Don't Move A Mussel Program.
- The West Bench Leak Detection Program is continuing in Q2 as the first quarterly utility bills with 'leak' reminders will be sent shortly.
- The RDOS will continue to be on the oversight committee of the BC Climate Adaptation for Agriculture – water conservation pilots in the region. These projects connect agriculture with drought planning, better use of on-farm water, and purveyor/producer communication strategies. 3 projects totalling \$300,000 began in Q1 and will continue in Q2-4
- Mosquito Program – program commence for the season; starting April 18<sup>th</sup>

**Respectfully submitted:**

*Liisa Bloomfield*

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L.Bloomfield, Engineering Supervisor



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, April 20, 2017

11:15 a.m.

## REGULAR AGENDA

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

THAT the Agenda for the Protective Services Committee Meeting of April 20, 2017 be adopted.

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**B. DELEGATION**

1. Staff Sergeant Kirsten Marshall, Acting Officer in Charge, RCMP South Okanagan Similkameen Regional Detachment
2. Superintendent Ted De Jager, Detachment Commander, RCMP South Okanagan Similkameen Regional Detachment

S/Sgt. Marshall and Supt. De Jager will present the 2017 first quarter reports on policing issues within the Regional District.

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**C. FIRST QUARTER 2017 ACTIVITY REPORT – FOR INFORMATION ONLY [Page 104]**

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**D. ADJOURNMENT**

## ADMINISTRATIVE REPORT

**TO:** Protective Services Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** First Quarter Activity Report – For Information Only

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### COMMUNITY SERVICES DEPARTMENT

**Fire Services, Emergency Management, Policing, 911**

#### Activities in Q1 2017:

- Updated the Regional Emergency Operations Center staffing plan
- New Fire engine into service for the community of Tulameen
- Facilitated Hazard Risk and Vulnerability Assessment workshop in Keremeos
- Submitted and received approval for Community Fire Smart applications to UBCM for Husula Heights and Faulder areas
- Initiated the Regional Fire Master Plan process

#### Planned Activities for Q2 2017:

- Facilitate Emergency Support Services (ESS) Registration and Referral training for Keremeos, Princeton, Oliver, Osoyoos, Willowbrook and Okanagan Falls
- Present the Fire Department Vehicle and Equipment Use Policy to the Board for consideration
- Develop and present ESS with documentation and resource acquisition training
- Continue with land acquisition and building planning process for the Naramata satellite Fire Hall
- Support the Fire Departments and consultant on the Fire Master Plan process
- Research and review options for Upper Carmi area Fire Service
- Master Fire Plan results presentation to the board.
- Facilitate Introduction to EOC 1, Basics of Emergency Management, and Incident Command Systems training to partners
- Continue working with Industry Canada on RDOS radio spectrum compliance
- Spring Freshet readiness
- Host Emergency Evacuation Training Course

**Respectfully submitted:**

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M. Woods, Manager of Community Services





# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BOARD of DIRECTORS MEETING

Thursday, April 20, 2017

12:45 p.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 April 6, 2017 be adopted.

#### 1. Consent Agenda – Corporate Issues

**a. Community Services Committee – April 6, 2017 [Page 112]**

*THAT the Minutes of the April 6, 2017 Community Services Committee be received.*

**b. Environment and Infrastructure Committee – April 6, 2017 [Page 114]**

*THAT the Minutes of the April 6, 2017 Environment and Infrastructure Committee be received.*

**c. RDOS Regular Board Meeting – April 6, 2017 [Page 116]**

*THAT the minutes of the April 6, 2017 RDOS Regular Board meeting be adopted.*

**d. Electoral Area “D” Advisory Planning Commission – January 10, 2017 [Page 126]**

*THAT the Minutes of the January 10, 2017 Electoral Area “D” Advisory Planning Commission be received.*

**e. Electoral Area “D” Advisory Planning Commission – March 21, 2017 [Page 129]**

*THAT the Minutes of the March 21, 2017 Electoral Area “D” Advisory Planning Commission be received.*

**f. Electoral Area “E” Advisory Planning Commission – April 10, 2017 [Page 132]**

*THAT the Minutes of the April 10, 2017 Electoral Area “E” Advisory Planning Commission be received.*

**g. Electoral Area “F” Advisory Planning Commission – April 6, 2017 [Page 135]**

*THAT the Minutes of the April 6, 2017 Electoral Area “F” Advisory Planning Commission be received.*

**h. Naramata Parks & Recreation Commission – April 3, 2017 [Page 137]**

*THAT the Minutes of the April 3, 2017 Naramata Parks & Recreation Commission be received.*

- i. Parks & Recreation Commission Appointments [Page 141]**  
*THAT the Board of Directors appoint the following members to the subsequent Commissions:*
- i. Area "B" – Kobau Park: Wendy Stewart*
  - ii. Area "D" – Kaleden: Jennifer Strong, Randy Cranston*
  - iii. Similkameen Recreation: Tom Robins*
- AND THAT the Board of Directors rescind the appointment of Doug Lepage from the Area "B" Kobau Park Commission;*  
*AND THAT a letter be forwarded to Doug Lepage thanking him for his contribution on the Commission.*

**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 – C. Bissonette, 14013 81<sup>st</sup> Street, Osoyoos, Electoral Area "A" [Page 142]**
- i. Permit No. A2017.036-DVP [Page 146]*  
*THAT the Board of Directors approve Development Variance Permit No. A2017.036–DVP.*
- b. Development Variance Permit Application – Burrowing Owl Vineyards Limited, 500 Burrowing Owl Place, Oliver, Electoral Area "C" [Page 152]**
- i. Permit No. C2017.044-DVP [Page 155]*  
*THAT the Board of Directors approve Development Variance Permit No. C2017.044–DVP.*
- c. Development Variance Permit Application – L. Beliveau, Robinson Avenue, Naramata, Electoral Area "E" [Page 160]**
- i. Permit No. E2017.042-DVP [Page 164]*
  - ii. Responses Received [Page 170]*  
*THAT the Board of Directors approve Development Variance Permit No. E2017.042–DVP.*
- d. Development Variance Permit Application – M. & M. O'Connor, 411 Vedette Drive, West Bench, Electoral Area "F" [Page 173]**
- i. Permit No. F2017.026-DVP [Page 176]*
  - ii. Responses Received [Page 182]*  
*THAT the Board of Directors approve Development Variance Permit No. F2017.026–DVP.*

- e. **Development Variance Permit Application – B. Moberg & H. Ferguson, 8089 Princeton-Summerland Road, Faulder, Electoral Area “F” [Page 184]**
  - i. Permit No. F2017.039-DVP [Page 187]
  - ii. Responses Received [Page 191]

*THAT the Board of Directors approve Development Variance Permit No. F2017.039–DVP.*

**RECOMMENDATION 3** (Unweighted Rural Vote – Simple Majority)  
**THAT the Consent Agenda – Development Services be adopted**

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

1. **Zoning Bylaw Amendment – A. Joyner & D. McCartney, 137 Taggart Crescent, Kaleden, Electoral Area “D” [Page 195]**
  - a. Bylaw No. 2457.18, 2017 [Page 202]
  - b. Bylaw No. 2457.19, 2017 [Page 208]

To discharge the LUC-23-D-77 for the subject property and replace it with a Small Holdings Four (SH4) zone, and to initiate an early termination process for the remaining properties within the LUC.

**RECOMMENDATION 4** (Unweighted Rural Vote – Simple Majority)  
**THAT Bylaw No. 2457.18, 2017 and Bylaw No. 2457.19, 2017, Electoral Area “D-1” Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing.**

**RECOMMENDATION 5** (Unweighted Corporate Vote – Simple Majority)  
**THAT the holding of the public hearing be delegated to Director Siddon or delegate;**

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

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

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2. **Zoning Bylaw Amendment – G. & G. Peat, 6900 Indian Rock Road, Naramata, Electoral Area “E” [Page 211]**
  - a. **Bylaw No. 2459.23, 2017 [Page 215]**

To permit the conversion of an accessory structure into an accessory dwelling.

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

**THAT** Bylaw No. 2459.23, 2017, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time;

**AND THAT** the holding of a public hearing be scheduled for the Regional District Board meeting of May 4, 2017;

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

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**c. COMMUNITY SERVICES – Recreation Services**

1. **Award of Osoyoos Lake North Trail Resurfacing Project [Page 218]**
  - a. **Trail Overview Map [Page 220]**

The RDOS continues to work to connect the communities of the South Okanagan with a regional active transportation and recreation trail. This project is the next step towards realizing the goal by reconstructing and surfacing the KVR trail from Osoyoos Lake (91st Street) to Road 21.

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

**THAT** the Board of Directors approve the tender evaluation report and recommendations for award of the “Osoyoos Lake North KVR Trail Resurfacing” Request for Proposals;

**AND THAT** the Board of Directors award the “Osoyoos Lake North Trail Resurfacing” project to MacKinley-Clark Paving Ltd. up to the amount of \$193,326.56 exclusive of GST;

**AND THAT** the Board of Directors authorizes the Chair and Chief Administrative Officer to execute a contracting services agreement with MacKinley-Clark Paving Ltd.

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**D. COMMUNITY SERVICES – Rural Projects****1. South Okanagan Transit System Implementation [Page 221]**

- a. South Okanagan Transit Service Agreement – April 1, 2017 [Page 224]
- b. South Okanagan Transit Service Agreement Annual Operating Agreement –April 1, 2017 [Page 239]
- c. 2017/18 System Specific Budget Notes [Page 250]
- d. 2017/18 Lease Fee Summary [Page 251]

That RDOS assumes administration of the South Okanagan Transit System (SOTS).

**RECOMMENDATION 8** (Weighted Corporate Vote – Majority)

**THAT the Board of Directors enter into a Transit Service Agreement and Annual Operating Agreement with BC Transit for the South Okanagan Transit System.**

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**E. FINANCE****1. MFA Leasing of Regional Trails Vehicle [Page 252]**

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

**THAT the Board of Directors authorize a liability under Section 175 of the Community Charter to purchase a 2017 GMC 1500 in the amount of \$34,727.70 with no provisions for renewal.**

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**F. LEGISLATIVE SERVICES****1. Noble Ridge Vineyard & Winery – Special Events Area [Page 254]**

- a. RDOS Liquor License Policy No. 4320-00.03 [Page 256]
- b. Applicant Letter of Intent to LCLB dated March 25, 2017 [Page 257]

Noble Ridge Vineyard & Winery has applied to the Liquor Control and Licensing Branch (LCLB) for Special Event areas to be located at 2320 Oliver Ranch Road in Okanagan Falls, BC.

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

**THAT the Board of Directors advise the Liquor Control and Licensing Branch that it will not provide comment on Noble Ridge Vineyard & Winery’s application for special event areas.**

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2. **Outstanding Young Farmer National Event in Penticton [Page 258]**
  - a. Letter dated March 17, 2017 [Page 260]

The 2017 National Outstanding Young Farmers (OYF) Organizing Committee is requesting sponsorship for their national conference.

**RECOMMENDATION 11** (Weighted Corporate Vote – Majority)

**THAT the Regional District of Okanagan-Similkameen provide a \$500 contribution to the Outstanding Young Farmer National Event taking place in Penticton November 30 to December 3, 2017, to be funded through the General Government budget.**

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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. Developing Sustainable Rural Practice Communities - *McKortoff*
  - b. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
  - c. Municipal Finance Authority (MFA) – *Kozakevich, Bauer*
  - d. Municipal Insurance Association (MIA) - *Kozakevich, Bauer*
  - e. Okanagan Basin Water Board (OBWB) – *McKortoff, Hovanes, Waterman*
    - i. March Report [Page 264]
    - ii. April Report [Page 265]
  - f. Okanagan Film Commission (OFC) – *Jakubeit*
  - g. Okanagan Regional Library (ORL) – *Kozakevich*
  - h. Okanagan Sterile Insect Release Board (SIR) – *Bush*
  - i. Okanagan-Similkameen Regional Hospital District (OSRHD) - *Brydon*
  - j. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
  - k. Southern Interior Local Government Association (SILGA) – *Kozakevich*
  - l. Southern Interior Municipal Employers Association (SIMEA) – *Kozakevich, Martin*
  - m. Starling Control - *Bush*
  - n. UBCO Water Chair Advisory Committee – *Bauer*
-

**3. Directors Motions**

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**4. Board Members Verbal Update**

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**I. ADJOURNMENT**



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

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Community Services Committee

Thursday, April 06, 2017

9:12 a.m.

## Minutes

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### MEMBERS PRESENT:

Chair R. Hovanes, Town of Oliver  
Vice Chair M. Bauer, Village of Keremeos  
Director K. Maynard, Alt. Town of Princeton  
Director T. Boot, District of Summerland  
Director M. Brydon, Electoral Area "F"  
Director G. Bush, Electoral Area "B"  
Director R. Mayer, Alt. Electoral Area "G"  
Director B. Coyne, Electoral Area "H"  
Director A. Jakubeit, City of Penticton

Director H. Konanz, City of Penticton  
Director K. Kozakevich, Electoral Area "E"  
Director A. Martin, City of Penticton  
Director S. McKortoff, 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 E. Christensen, Electoral Area "G"

Director F. Armitage, Town of Princeton

### STAFF PRESENT:

B. Newell, Chief Administrative Officer  
C. Malden, Manager of Legislative Services

M. Woods, Manager of Community Services

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### A. APPROVAL OF AGENDA

#### RECOMMENDATION 1

#### It was MOVED and SECONDED

THAT the Agenda for the Community Services Committee Meeting of April 6, 2017 be adopted. - CARRIED

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### B. CORPORATE DONATIONS AND NAMING RIGHTS

#### 1. Discussion Paper

The Committee discussed a potential Naming policy.

Director Konanz vacated the Boardroom at 9:47 a.m.

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### C. ADJOURNMENT

By consensus, the Community Services Committee meeting of April 6, 2017 adjourned at 9:58 a.m.



APPROVED:

CERTIFIED CORRECT:

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R. Hovanes  
Community Services Committee Chair

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B. Newell  
Chief Administrative Officer



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

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Environment and Infrastructure Committee

Thursday, April 06, 2017

10:03 a.m.

# Minutes

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### MEMBERS PRESENT:

Chair T. Siddon, Electoral Area "D"

Vice Chair M. Pendergraft, Electoral Area "A"

Director K. Maynard, 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 B. Coyne, Electoral Area "H"

Director R. Mayer, Alt. Electoral Area "G"

Director R. Hovanes, Town of Oliver

Director A. Jakubeit, City of Penticton

Director K. Kozakevich, Electoral Area "E"

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director T. Schafer, Electoral Area "C"

Director J. Sentes, City of Penticton

Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Director E. Christensen, Electoral Area "G"

Director H. Konanz, City of Penticton

Director F. Armitage, Town of Princeton

### STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

L. Bloomfield, Engineer

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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 April 6, 2017 be adopted. - **CARRIED**

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## B. DELEGATION

1. Mike Noseworthy, Regional Dam Safety Officer and Deputy Inspector of Dikes  
Mr. Noseworthy addressed the Board regarding orphan dikes.

[Presentation](#)

Directors Jakubeit, Martin and Sentes vacated the Boardroom at 10:44 a.m.

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## C. ADJOURNMENT

By consensus, the meeting adjourned at 10:54 a.m.

APPROVED:

CERTIFIED CORRECT:

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T. Siddon  
Environment and Infrastructure Committee Chair

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B. Newell  
Chief Administrative Officer



Minutes are in DRAFT form and are subject to change pending approval by the 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 11:02 a.m. Thursday, April 6, 2017 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"	Director A. Jakubeit, City of Penticton
Vice Chair M. Bauer, Village of Keremeos	Director H. Konanz, City of Penticton
Director K. Maynard, Alt. Town of Princeton	Director A. Martin, City of Penticton
Director T. Boot, District of Summerland	Director S. McKortoff, 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 B. Coyne, Electoral Area "H"	Director T. Schafer, Electoral Area "C"
Director R. Mayer, Alt. Electoral Area "G"	Director T. Siddon, Electoral Area "D"
Director R. Hovanes, Town of Oliver	Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Director E. Christensen, Electoral Area "G"	Director F. Armitage, Town of Princeton
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### STAFF PRESENT:

B. Newell, Chief Administrative Officer  
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 April 6, 2017 be adopted. - **CARRIED**

#### 1. Consent Agenda – Corporate Issues

- a. Environment and Infrastructure Committee – March 16, 2017  
*THAT the Minutes of the March 16, 2017 Environment and Infrastructure Committee be received.*
- b. Planning and Development Committee – March 16, 2017  
*THAT the Minutes of the March 16, 2017 Planning and Development Committee be received.*
- c. RDOS Regular Board Meeting – March 16, 2017  
*THAT the minutes of the March 16, 2017 RDOS Regular Board Meeting be adopted.*
- d. Area "B" Parks and Recreation Commission – March 14, 2017  
*THAT the Minutes of the March 14, 2017 Area "B" Parks and Recreation Commission be received.*
- e. Area "F" Parks and Recreation Commission – February 2, 2017  
*THAT the Minutes of the February 2, 2017 Area "F" Parks and Recreation Commission be received.*

- f. Kaleden Parks and Recreation Commission (AGM) – January 17, 2017  
*THAT the Minutes of the January 17, 2017 Kaleden Parks and Recreation Commission Annual General Meeting be received.*
- g. Kaleden Parks and Recreation Commission – January 17, 2017  
*THAT the Minutes of the January 17, 2017 Kaleden Parks and Recreation Commission be received.*
- h. Kaleden Parks and Recreation Commission – February 21, 2017  
*THAT the Minutes of the February 21, 2017 Kaleden Parks and Recreation Commission be received.*
- i. Similkameen Recreation Commission (AGM) – January 24, 2017  
*THAT the Minutes of the January 24, 2017 Similkameen Recreation Commission Annual General Meeting be received.*
- j. Similkameen Recreation Commission – January 24, 2017  
*THAT the Minutes of the January 24, 2017 Similkameen Recreation Commission be received.*
- k. Similkameen Recreation Commission – February 28, 2017  
*THAT the Minutes of the February 28, 2017 Similkameen Recreation Commission be received.*
- l. Naramata Water Advisory Committee – March 14, 2017  
*THAT the Minutes of the March 14, 2017 Naramata Water Advisory Committee be received.*
- m. Oliver Parks & Recreation Society Appointment
- i. Letter from Town of Oliver dated March 22, 2017  
*THAT the Regional District of Okanagan-Similkameen replace Petra Veintimilla with Larry Schwartzenberger as the Oliver council representative on the Oliver Parks & Recreation Society; and,*
- THAT the Regional District of Okanagan-Similkameen replace Jack Bennest with Petra Veintimilla as the Oliver "Alternate" on the Oliver Parks & Recreation Society.*

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

**IT WAS MOVED AND SECONDED**

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

---

**B. DEVELOPMENT SERVICES – Building Inspection**

1. Building Bylaw Amendment
  - a. Bylaw No. 2333.09, 2017

Housekeeping amendments to align the demolition permit requirements set out in the Building Bylaw with the Public Works Application for Demolition and Renovation Waste.

**RECOMMENDATION 3 (Unweighted Corporate Vote – 2/3 Majority)****It was MOVED and SECONDED**

THAT Bylaw No. 2333.09, 2017 Regional District of Okanagan-Similkameen Building Amendment Bylaw be read a first, second and third time and be adopted. - **CARRIED**

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

1. Regional Context Statement – Town of Osoyoos
  - a. Town of Osoyoos Bylaw No. 1230.19, 2017

The Town of Osoyoos has requested acceptance of their new Regional Context Statement that is based on the newly updated Regional Growth Strategy.

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

Participants: District of Summerland, City of Penticton, Town of Oliver, Town of Osoyoos, Electoral Areas "A", "C", "D", "E" and "F"

**It was MOVED and SECONDED**

THAT the Board of Directors accept the Town of Osoyoos' Regional Context Statement;

AND THAT staff are directed to advise the Town of Osoyoos of this resolution in accordance with Section 448(2) of the Local Government Act.

**CARRIED**

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2. Floodplain Exemption Application – J. LeComte, 10613 81<sup>st</sup> Street, Osoyoos, Electoral Area “A”
  - a. Rock Glen Consulting Ltd. Flood Protection Report dated February 16, 2017

To reduce the requirement that the floor of a dwelling unit be 1.0 metre above natural ground elevation to 0.0 metres, in order to facilitate the construction of a new single detached dwelling.

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

**It was MOVED and SECONDED**

THAT the Board of Directors approve a floodplain exemption for Lot 5, Plan KAP8741, DL 2450s, SDYD, in order to permit the development of a single detached dwelling containing a floor located less than 1.0 metre above natural ground elevation, subject to the following condition:

- i) a statutory covenant is registered on title in order to:
  - a) “save harmless” the Regional District against any damages as a result of a flood occurrence; and
  - b) secure the recommendations contained within the flood hazard assessment report prepared by Amber LeComte (P.Eng.) of Rock Glen Consulting Limited, dated February 16, 2017.

**CARRIED**

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3. Floodplain Exemption Application – B. Forbes, 3376 Coalmont Road, Tulameen, Electoral Area “H”
  - a. Rock Glen Consulting Ltd. Flood Protection Report dated March 13, 2017
  - b. Rock Glen Consulting Ltd. Flood Protection Report Addendum dated March 27, 2017

To facilitate the construction of a new single detached dwelling.

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

**It was MOVED and SECONDED**

THAT the Board of Directors approve a floodplain exemption for District Lot 1790, YDYD, and Parcel A (DD 170420F), District Lot 274, YDYD, in order to permit the development of a single detached dwelling containing a habitable area located less than 1.5 metres above the designated flood construction level, within 15.0 metres of the natural boundary of a watercourse and 0.0 metres above the natural ground elevation at any point on the perimeter of the building, subject to the following condition:

- i) a statutory covenant is registered on title in order to:
  - a) “save harmless” the Regional District against any damages as a result of a flood occurrence; and
  - b) secure the recommendations contained within the flood hazard assessment report, dated March 13, 2017, and Addendum dated March 27, 2017, prepared by Paul Glen (P.Eng.) of Rock Glen Consulting Limited.

**CARRIED**

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4. Zoning Bylaw Amendment – R. & K. Kildaw, 2011 Green Mountain Road, Electoral Area “D”
  - a. Bylaw No. 2457.17, 2017
  - b. Responses Received

To rezone the subject property in order to facilitate a two lot subdivision of the subject property that will result in an approximately 8.0 ha new parcel and 12.5 ha remainder parcel.

**RECOMMENDATION 7 (Unweighted Rural Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2457.17, 2017, Electoral Area “D” Zoning Amendment Bylaw be read a third time and adopted. - **CARRIED**

Opposed: Director Brydon

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5. Official Community Plan (OCP) and Zoning Bylaw Amendment – M. Ingraham & S. Nelson, 170 Sunnybrook Drive, Okanagan Falls, Electoral Area “D”
  - a. Subdivision Picture
  - b. Bylaw No. 2455.27, 2017
  - c. Bylaw No. 2603.10, 2016

To allow for the subdivision of two new lots.

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2603.10, 2017, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.27, 2017, Electoral Area “D-2” 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 April 6, 2017, 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 of Directors has considered Amendment Bylaw No. 2603.10, 2017, in conjunction with its Financial and applicable Waste Management Plans.

**CARRIED**

**RECOMMENDATION 9 (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 THAT staff schedule the date, time, and place of the public hearing in consultation with Director Siddon;

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

**CARRIED**

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**D. PUBLIC WORKS**

1. Award of Contract for Campbell Mountain Sanitary Landfill Operation Services
  - a. RDOS Request for Proposals "Sanitary Landfill Operations Services Campbell Mountain and/or Oliver" dated February 22, 2017

**RECOMMENDATION 10 (Weighted Corporate Vote – Majority)****It was MOVED and SECONDED**

THAT the Board of Directors approve the award and execution of a five year contract for operations at the Campbell Mountain Sanitary Landfill to SSG Holdings Ltd. as described in the "Sanitary Landfill Operations Services" Request for Proposals.

**CARRIED**

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2. Award of Contract for Oliver Sanitary Landfill Operation Services
  - a. RDOS Request for Proposals "Sanitary Landfill Operations Services Campbell Mountain and/or Oliver" dated February 22, 2017

**RECOMMENDATION 11 (Weighted Corporate Vote – Majority)****It was MOVED and SECONDED**

THAT the Board of Directors approve the award and execution of a five year contract for operations at the Oliver Sanitary Landfill to B&B Group Ventures Inc. as described in the "Sanitary Landfill Operations Services" Request for Proposals. - **CARRIED**

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3. Purchase of Public Works Vehicles
  - a. RDOS Vehicle Replacement Guideline Scoring Sheet dated March 23, 2017

To ensure the Public Works Operations have reliable and cost effective vehicles to perform the work at the various facilities throughout the Regional District.

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

THAT the Board of Directors approve an expenditure from the 'Deposit – Vehicle Replacement' account for the purchase of three fleet vehicles for Public Works operations up to the maximum amount of \$115,000. - **CARRIED**

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**E. LEGISLATIVE SERVICES**

1. Lower Similkameen Community Forest Corporation
  - a. Letter from Alternate Director Meyer
  - b. Summary of Costs

**RECOMMENDATION 13 (Weighted Corporate Vote – Majority)****It was MOVED and SECONDED**

THAT the Board of Directors withdraw the Regional District participation in the Lower Similkameen Community Forests Ltd (“Ltd”) and the Lower Similkameen Community Forest Limited Partnership (“LLP”) and transfer its interest to the Lower Similkameen Indian Band Business Trust.

THAT, in accordance with the Declaration of Trust signed by the Electoral Area “G” Director on December 11, 2014, the Electoral Area “G” Director be instructed to execute all documents requiring his signature to transfer the Regional District of Okanagan-Similkameen’s interest in the Lower Similkameen Community Forest Ltd; and further,

THAT should the Electoral Area “G” Director not execute the required documents, the Board of Directors authorize the transfer of legal interest in the shares registered in the name of Elef Christensen to the Chair of the Board of Directors.

**CARRIED**

Opposed: Directors Mayer, Bush

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2. Corcelettes Estate Winery Ltd. – Structural Alterations & Picnic Area Endorsement
  - a. RDOS Liquor Licensing Policy No. 4320-00.03

**RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the Board of Directors advise the Liquor Control and Licensing Branch that it will not provide comment on Corcelettes Estate Winery’s application for a Manufacturing Facility Structural Change endorsement;

AND THAT the Board of Directors will not provide comment on Corcelettes Estate Winery Picnic Area endorsement.

**CARRIED**

The meeting recessed at 12:13 p.m. for lunch  
The meeting reconvened at 12:35 p.m.

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3. Harker's Organics Rustic Roots Winery – Winery Lounge & Picnic Area Endorsement
  - a. RDOS Liquor Licensing Policy No. 4320-00.03
  - b. Applicant Letter of Intent

**RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors advise the Liquor Control and Licensing Branch that it will not provide comment on Harker's Organics Rustic Roots' application for a winery lounge endorsement;

AND THAT the Board of Directors will not provide comment on Harker Organics Rustic Roots Picnic Area endorsement.

**CARRIED**

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4. Inclusion BC – “Help Canada Celebrate Canada 150 Inclusively” Grant Program
  - a. Letter from Inclusion BC dated February 17, 2017
  - b. RDOS Staff Report dated March 2, 2017

Inclusion BC is requesting every municipality in the province to make a \$1,000.00 contribution towards their “Help Celebrate Canada 150 Inclusively” grant program.

**RECOMMENDATION 16 (Weighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Regional District of Okanagan-Similkameen provide a \$1,000 contribution to Inclusion BC's “Help Celebrate Canada 150 Inclusively” grant program, to be funded through the General Government budget. - **CARRIED**

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5. Board of Variance Appointment

**RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors appoint Larry James to the Board of Variance to serve until December 31, 2018. - **CARRIED**

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**F. CAO REPORTS**

1. Verbal Update
- 

**G. OTHER BUSINESS**

1. Chair's Report
-

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## 2. Directors Motions

- a. Quagga/Zebra Mussel Resolution – Federation of Canadian Municipalities AGM (Bauer)

**RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

Whereas alien species introduction into the ecosystems of Canadian waterways are the leading cause of loss of biodiversity and water quality; and,

Whereas affected regions suffer major remediation costs and economic losses; and,

Whereas the movement of infested watercrafts are not limited to border crossings but increasingly move across unprotected provincial boundaries;

Now Therefore be it Resolved that the Federation of Canadian Municipalities (FCM) seek funding from the Federal Government to match provincial funding directed to enhance prevention measures halting the movement of invasive mussels into Canadian waterways.

**CARRIED**

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- b. Fortis Electrical Rates (Knodel)

**RECOMMENDATION 19 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

WHEREAS the cost of the Conservation Rate on Fortis Electric customers has been extremely onerous over the past winter; and

WHEREAS this high rate has had a devastating social impact on the disabled and retired on fixed income, lower income families;

NOW THEREFORE BE IT RESOLVED that the Regional District of Okanagan Similkameen send a letter to the Premier, the B.C. Utilities Commission and the opposition parties supporting the removal of the Conservation Rate entrenched in the Fortis Rate Order.

**CARRIED**

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## 3. Board Members Verbal Update

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## H. ADJOURNMENT

By consensus, the meeting adjourned at 1:04 p.m.

APPROVED:

CERTIFIED CORRECT:

\_\_\_\_\_  
K. Kozakevich  
RDOS Board Chair

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



# Minutes

Electoral Area “D” Advisory Planning Commission

Meeting of Tuesday, January 10, 2017

Okanagan Falls Firehall

5013 – 11<sup>th</sup> Avenue, Okanagan Falls, BC

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**Present:**

Mr. T. Siddon, Director, Electoral Area “D”

Members: Jerry Stewart, Doug Lychak, Don Allbright, Bob Haddow, Ron Obirek, Yvonne Kennedy, Robert Handfield, Robert Pearce,

Absent: Doreen Olson, Jill Adamson, Navid Chaudry,

Staff: Susan Lightfoot, Planning Technician

Recording Secretary: Vickie Hansen

Delegates: Christa Paine, Agent for clients John & Deanna Thomson

**1. CALL TO ORDER**

The meeting was called to order at 7:03 p.m.

**ADOPTION OF AGENDA**

**MOTION**

It was Moved and Seconded that the Agenda be adopted.

**CARRIED (UNANIMOUSLY)**

**2. APPROVAL OF PREVIOUS MEETING MINUTES**

**MOTION**

It was Moved and Seconded by the APC that the Minutes of November 15, 2016 be approved.

The Chair called for errors or omissions and there were none.

**CARRIED (UNANIMOUSLY)**

### 3. DEVELOPMENT APPLICATIONS

#### 3.1 Development Application: D01532.000 / D2016.126 - DVP

Delegate: Christa Paine, Agent presented for clients John and Deanna Thomson.

Discussion

#### MOTION

The APC recommends to the RDOS Board that the subject development application be approved.

CARRIED (UNANIMOUSLY)

### 4. ROUND TABLE

Discussion on setbacks and variances in Area "D" and the need for a policy on design standards.

APC will invite Donna Butler to have a discussion with APC on design standards and guidelines and zoning implications with respect to residential construction.

The APC voted unanimously by a show of hands that Jerry Stewart remain chair of APC and Doug Lychak to remain vice chair for 2017.

Concern expressed with respect to the contaminated soil dumped in OK Falls landfill. Bob Hamilton's email/report will be forwarded to APC members by Vickie Hansen.

### 5. ADJOURNMENT

#### MOTION

It was Moved and Seconded that the meeting be adjourned at 8:17 pm.

CARRIED (UNANIMOUSLY)

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Advisory Planning Commission Chair

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Advisory Planning Commission Recording Secretary

Please check spelling Obirek on agenda





# Minutes

## Electoral Area "D" Advisory Planning Commission

Meeting of Tuesday, March 21, 2017

Okanagan Falls Firehall (Rear Door)

5013 – 11<sup>th</sup> Avenue, Okanagan Falls, BC

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Present: Mr. T. Styffe, Alternate Director, Area "D"  
Members: Jerry Stewart, Doug Lychak, Don Allbright, Bob Haddow, Robert Handfield, Robert Pearce, Doreen Olson, Jill Adamson  
Absent: Mr. T. Siddon, Yvonne Kennedy, Navid Chaudry, Ron Obirek,  
Staff: Evelyn Riechert, Planner  
Vickie Hansen, Recording Secretary  
Delegates: Graham Birds, Agent for Mike Ingraham and Sandra Nelson; Brad Elenko, Agent for OK Falls RV Resort Ltd.

### 1. CALL TO ORDER

The meeting was called to order at 7:12 p.m.

#### ADOPTION OF AGENDA

#### MOTION

It was Moved and Seconded that the Agenda be adopted.

**CARRIED (UNANIMOUSLY)**

### 2. APPROVAL OF PREVIOUS MEETING MINUTES

#### MOTION

It was Moved and Seconded by the APC that the Minutes of January 10, 2017 be approved.

The Chair called for errors or omissions and there were none.

**CARRIED (UNANIMOUSLY)**

### 3. DEVELOPMENT APPLICATIONS

#### 3.1 Development Application: D06799.610 (D2017.014-ZONE) – Zoning Bylaw Amendment Application

Delegates: Graham Birds, Agent for Mike Ingraham and Sandra Nelson

Discussion

#### MOTION

The APC recommends to the RDOS Board that the subject development application be approved. Seconded.

Discussion.

**DEFEATED**

#### MOTION

The APC recommends to the RDOS Board that the subject development application be approved as presented with a recommendation for amendment which asks the developer to put a covenant on proposed Lot 2 to limit future development to a one floor rancher at road grade level. Seconded.

Discussion.

**CARRIED (UNANIMOUSLY)**

#### 3.2 Development Application: D01110.100 (2016.106-ZONE) – OCP/ Zoning Bylaw Amendment Application

Delegate: Brad Elenko, Agent for OK Falls RV Resort Ltd.

Discussion (handout received and attached)

#### MOTION

The APC recommends to the RDOS Board that the subject development application be approved with an amendment subject to the RDOS enforcing the 300 m exclusion zone as shown in red on Attachment 2 on page 6 of the report.

**CARRIED 1 opposed**

#### MOTION

The APC recommends to the RDOS Board that the subject development application be approved as a freehold development and not as a strata development.

No second.

**Motion died.**

**4. OTHER**

Discussion on setbacks and variances in Area "D" and the need for a policy on design standards.

Evelyn Riechert spoke to APC on design standards and guidelines and zoning implications with respect to residential construction and development. If the APC has any zoning change recommendations, they should be taken to the RDOS board through their area director.

Landfill Update - Contaminated soil dumping discussion.

**5. ADJOURNMENT**

**MOTION**

It was Moved that the meeting be adjourned at 8:50 pm.

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Advisory Planning Commission Chair

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Advisory Planning Commission Recording Secretary



# Minutes

## Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, April 10th, 2017

OAP Hall, 330 - 3rd Street, Naramata, BC

### Present:

Members: Dave Kopp (as Chair), Heather Fleck, Tim Forty, Tom Hoenisch, Judi Harvey

Absent: Bruce Clough (Chair, Electoral Area "E" APC), Don Mancell, Phil Janzen

Staff: Christopher Garrish (RDOS Planning Supervisor)

Guests: Karla Kozakevich (RDOS Area 'E' Director), Joe Babinszky and Marion Babinszky left meeting @ 8:08 p.m.

Recording Secretary: Heather Lemieux (Recording Secretary)

Delegates: Grady Peat, Jarret Lobley left meeting @ 8:08 p.m.

### 1. ADOPTION OF AGENDA

The meeting was called to order at 7:35 p.m. Quorum Present.

#### MOTION

It was Moved and Seconded that the Agenda be adopted as presented.

**CARRIED (UNANIMOUSLY)**

### 2. DELEGATIONS

2.1 Beliveau, Leslie for Development Variance Permit Application Agent:  
Beliveau, Jean  
E00694.008 /.010 /(E2017.042-DVP)

2.2 Sail Away Vineyards (Lobley, Jarrett) for Temporary Use Permit Application  
E02055.030 / (E2017.037-TUP)

2.3 Peat, Grady & Gail for Zoning Bylaw Amendment Application  
E02329.310 / (E2017.028-ZONE)

### 3. DEVELOPMENT APPLICATIONS

- 3.1 E00694.008 / .010 (E2017.042-DVP) - Development Variance Permit Application  
Administrative Report submitted by Christopher Garrish, Planning Supervisor

#### MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.

**CARRIED (UNANIMOUSLY)**

- 3.2 E02055.030 (E2017.037-TUP) - Temporary Use Permit Application  
Administrative Report submitted by Christopher Garrish, Planning Supervisor

Clarification is needed on the application. APC Members deferred recommendation.

- 3.3 E02329.310 (E2017.028-ZONE) - Zoning Bylaw Amendment Application  
Administrative Report submitted by Evelyn Riechert, Planner

Heather Fleck & Judi Harvey recused themselves due to an acquaintance with Grady and Gail Peat at 8:09 p.m. Quorum not maintained. Rejoined meeting at 8:15 p.m.

No Quorum, APC Members are in favour THAT that the subject development application be approved.

### 4. OTHER

- 4.1 APC Bylaw No. 2339 5.1 - Chair of the Commission  
Election of the Chair, Vice-Chair and Secretary (to be performed at the first meeting of each new year - Section 5.1; Bylaw No. 2339)

Voting postponed to the next Area 'E' APC Meeting on May 8th, 2017

### 5. APPROVAL OF PREVIOUS MEETING MINUTES

#### MOTION

It was Moved and Seconded by the APC that the Minutes of November 14th, 2016 be approved as presented.

**CARRIED (UNANIMOUSLY)**

6. **ADJOURNMENT**

**MOTION**

It was Moved and Seconded that the meeting be adjourned at 8:16 p.m.

**CARRIED (UNANIMOUSLY)**

**Next Electoral Area 'E' Advisory Planning Commission Meeting**

Monday, May 8th, 2016 at 7:30 p.m.

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Advisory Planning Commission Chair



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Advisory Planning Commission Recording Secretary / minute taker

MINUTES  
Electoral Area F Advisory Planning Commission  
Meeting of Thursday April 6 2017  
RDOS 101 Martin Street, Penticton

RECEIVED  
Regional District

APR 10 2017

101 Martin Street  
Penticton BC V2A 5J9

Members Present:  
Natalie Minunzie, Chair  
Don Barron  
Sandy Berry  
Stewart Patterson, Secretary  
Hillary Ward, Vice-Chair  
Bob Nicholson

Also Present:  
Michael Brydon, RDOS Director Area F

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED UNANIMOUSLY

2. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of Thursday December 15 2016 be approved.

CARRIED UNANIMOUSLY

3. DELEGATIONS

3.1 O'Connor, Martin & Maureen for Development Variance Permit Application F07338.005 / Project # F2017.026-DVP

3.2 Moberg, Bryan for Development Variance Permit Application F07241.101 / Project # F2017.039-DVP

3.3 Okanagan Lake Boat Company for Integrated Land Management Referral Application F2017.047-CROWN

4. DEVELOPMENT APPLICATIONS

4.1 To allow for the development of a detached garage.

Martin & Maureen O'Connor 411 Vedette Drive, West Bench Small Holdings (SH)

Agent: Martin O'Connor

Legal: Lot B, Plan KAP29733, District Lot 5076, ODYD Zone: Small Holdings Five (SH5)

to vary the minimum rear parcel line setback for an accessory structure from 9.0 m to 1.4 m, as measured to the outermost projection.

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the subject development application be supported.

CARRIED UNANIMOUSLY

4.2. To formalize the development of a detached garage within an interior side setback.

Bryan Moberg & Halley Ferguson Agent: Bryan Moberg Folio: F-07241.101

Lot 2 and an undivided 1/9 share in Lot 1, Plan KAP55324, DL 2893, ODYD, Except Plan KAP65813 8089 Princeton-Summerland Rd. OCP: Small Holdings (SH) Zone: Small Holdings Three (SH3)

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the subject development application be supported.

CARRIED UNANIMOUSLY

## 5. REFERRALS

5.1 To allow for the temporary moorage of the MV Fintry Queen adjacent to Kikiniinee Provincial Park. Crown land Agent: Okanagan Lake Boat Company Inc. Folio: N/A  
Civic: N/A OCP: N/A Zone: N/A

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the proposed use of Crown land not be supported.

CARRIED

RATIONALE: 1. Kikiniinee Provincial Park is a small day-park with limited parking that quickly fills in the summer. Its busy boat ramp is a potential access for parking and servicing the Fintry Queen, thereby encroaching on public space.

2. The marine area near Kikiniinee Provincial Park and nearby Sunoka Beach Park has very busy boating and other water activity in the summer, and the moored Fintry Queen would create a potential boating hazzard.

3. A moored Fintry Queen would be a commercial venture occupying public space obstructing Kikiniinee Provincial Park's lake view.

## 6. OTHER

6.1 APC Bylaw No. 2339 5.1 – Chair of the Commission

Election of the Chair, Vice-Chair and Secretary (to be performed at the first meeting of each new year – Section 5.1; Bylaw No. 2339)

MOTION – It was moved and seconded that the following three APC members be appointed:

Chair- Hillary Ward

Vice Chair- Sandy Berry

Secretary – Bob Nicholson

CARRIED (UNANIMOUSLY)

## 7. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 9pm.

CARRIED (UNANIMOUSLY)

**Natalie Minunzie**

Advisory Planning Commission Chair

**Stewart Patterson**

Advisory Planning Commission Recording Secretary





# MINUTES

## Naramata Parks & Recreation Commission

Monday, April 3, 2017, 6:30 pm  
Naramata Fire Hall

- Members Present:** Dennis Smith (Chair), Jim Pearmain, Maureen Balcaen, Richard Roskell, Jacqueline Duncan, Lyle Resh, Jeff Gagnon arrived at 6:48 pm
- Absent:** None
- Area 'E' Director** Karla Kozakevich
- Staff & Contractors:** Deb Linton (Recreation Coordinator Contractor), Justin Shuttleworth (RDOS Parks & Facilities Coordinator) Heather Lemieux (Recording Secretary)
- Guests:** Misty Knoll and Kurt Joudrey left meeting at 7:21 pm

### 1. APPROVAL OF AGENDA

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the Agenda for the Naramata Parks & Recreation Meeting of April 3, 2017 be adopted and all presentations and reports be received.

**CARRIED (UNANIMOUSLY)**

### 2. APPROVAL OF LAST MEETING MINUTES

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the minutes for the Naramata Parks & Recreation Meeting of February 27, 2017 be adopted.

**CARRIED (UNANIMOUSLY)**

### 3. CORRESPONDENCE/DELEGATIONS

- 3.1. Misty Knoll and Kurt Joudrey proposed to revitalize the August Faire. Event budget is \$4,750. Requested initial \$1,500 funding from NPR. Discussed liability insurance and grants.



# MINUTES

## Naramata Parks & Recreation Commission

Monday, April 3, 2017, 6:30 pm  
Naramata Fire Hall

### 4. RDOS DIRECTOR REPORT

- 4.1. Grants have been received for the satellite fire hall, water pipe replacement, museum and parks.
- 4.2. Community sign plans will be submitted at the next NPR meeting.
- 4.3. Suggestions have been received by the community to name the park adjacent to the school. A survey will be conducted. First Nations will be consulted if a First Nation name is selected by the public.

### 5. RDOS STAFF & CONTRACTOR REPORTS

Justin Shuttleworth (RDOS Parks & Facilities Coordinator):

- 5.1. The *RDOS Commission Member Handbook* was distributed to NPR Members
- 5.2. Tennis court lighting contract will be awarded soon. Water service planning is underway. A public consultation is being planned.
- 5.3. The Creek Park survey is complete, subdivision plans have been submitted to land owners for approval.
- 5.4. A Expression Of Interest (EOI) park vendor template was distributed. The EOI must be available to the public before a contract is awarded.

Deb Linton (Recreation Coordinator Contractor), report submitted:

- 5.5. Easter Egg Drop budget will increase within the Recreation Coordinator budget.
- 

### 6. COMMISSION MEMBER REPORTS

- 6.1. Woodwacker Report: First track rock slide, ditching, Gorman & Bros. planner has been contacted and plans are under revision. Discussed third track logging activity and GPS vs. maps.
- 6.2. 2017 Priority Projects
  - 6.2.1. Priorities, park categories and sub-priorities identified in each category.



# MINUTES

## Naramata Parks & Recreation Commission

Monday, April 3, 2017, 6:30 pm  
Naramata Fire Hall

- 6.2.2. Manitou Master Plan - Site Meeting & RFP Planning  
Priorities Age-friendly, boat storage, cenotaph and park entrance locations. RFP planning underway for phases of walking path at Manitou Park.
- 

### 7. BUSINESS ARISING

7.1. The Tree Canada Grant has been approved. CN corporate partner will cover the cost of a commemorative plaque. Planting and ceremony are being planned.

7.2. August Faire discussion.

7.3. Naramata PAC Recreation Grant Request - \$7,000

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

To approve the Naramata PAC grant request of \$7,000 for recreational purposes

**CARRIED (UNANIMOUSLY)**

7.4. Naramata Playschool Recreation Grant Request - \$2000

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

To approve the Naramata Playschool grant request of \$2,000 for recreational purposes.

**CARRIED (UNANIMOUSLY)**

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### 8. ADJOURNMENT 8:44 pm

NEXT MEETING: April 24, 2017 6:30 pm, Naramata Fire Hall

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Recreation Commission Chair

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# MINUTES

## Naramata Parks & Recreation Commission

Monday, April 3, 2017, 6:30 pm  
Naramata Fire Hall

Recording Secretary

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** Commission Appointment

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### Administrative Recommendation:

**THAT the Board of Directors appoint the following members to the subsequent Commissions;**

Area "B" - Kobau Park	Area "D" - Kaleden	Similkameen Recreation
Wendy Stewart	Jennifer Strong	Tom Robins
	Randy Cranston	

**AND THAT the Board of Directors rescind the appointment of Doug Lepage from the Area "B" Kobau Park Commission;**

**AND THAT a letter be forwarded to Doug Lepage thanking him for his contribution on the commission.**

### Purpose:

As outlined in RDOS Parks and Recreation Commission Bylaw No. 2732, 2016, commission members must be appointed by the Board. The Electoral Area Directors have reviewed the applications and are recommending the following members for Board appointment to the various commissions.

### Reference:

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

### Alternatives:

The Board not approve the recommendations of the Similkameen Recreation Commission.

### 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:** April 20, 2017  
**RE:** Development Variance Permit Application — Electoral Area “A”

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## **Administrative Recommendation:**

**THAT the Board of Directors approve Development Variance Permit No. A2017.036–DVP**

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Purpose: To allow for the placement of a single detached dwelling (modular home).

Owners: Carole Bissonnette      Agent: Cam Bissonnette      Folio: A-05989.000

Civic: 14013 81<sup>st</sup> Street, Osoyoos      Legal: Lot 10, Plan KAP4984, District Lot 2450S, SDYD, Portion Lot 446

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

Requested to vary the minimum front parcel line setback for a principal structure from 7.5 metres to 5.75 metres, as measured to the outermost projection.  
Variances:

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## **Proposed Development:**

This application seeks to reduce the minimum front parcel line setback for a principal building from 7.5 metres to 5.75 metres, as measured to the outermost projection, in order to facilitate the construction of a new single detached dwelling.

In support of the application, the applicant has stated that the “variance [is] needed to stay out of S.P.E.A” (Streamside Protection and Enhancement Area).

## **Site Context:**

The subject property is approximately 945 m<sup>2</sup> in area and is bounded by 81<sup>st</sup> Street to the west and Osoyoos Lake to the east and is approximately 0.48 km to the north of the Town of Osoyoos.

The property currently comprises a private tennis court previously associated with the adjacent parcel at 14015 81<sup>st</sup> Street, while the surrounding pattern of development is residential dwellings on similarly sized parcels.

## **Background:**

The property was created by a subdivision deposited at the Land Title Office in Kamloops on February 23, 1950, while there are no known records of building or other development permits having been issued for this site (which is likely a reflection of its previous use for recreational purposes).

Under the Electoral Area “A” Official Community Plan (OCP) Bylaw No. 2450, 2008, the subject property is designated Low Density Residential (LR) and is the subject of a Watercourse Development Permit (WDP) Area designation.

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With regard to the WDP Area designation, a WDP application and supporting Riparian Area Assessment prepared by a qualified environmental professional (QEP) was submitted to the Regional District on March 13, 2017, and establishes a 15.0 SPEA on the subject property.

Under Section 17.3.7 of the OCP Bylaw, "the Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA."

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the subject property is zoned Residential Single Family One (RS1), which establishes a minimum front parcel line setback of 7.5 metres for principal buildings and structures.

The property is within the floodplain associated with Osoyoos Lake and the proposed dwelling will be required to comply with the Floodplain Regulations contained at Section 8.0 of the Zoning Bylaw.

Finally, the property is also within the Agricultural Land Reserve, but is exempt from the the restrictions on lands within the ALR provided for under Section 23 (Exceptions) of the *Agricultural Land Commission Act*, as it is less than 2.0 acres in area and was created by subdivision after December 21, 1972.

**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 and these include the intent of 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 and is not supported by Administration. The OCP, however, encourages the relaxation of front setbacks if this will result in a greater protection of the riparian values associated with Osoyoos Lake. In this instance, the applicant's QEP has determined a 15.0 metres SPEA from Osoyoos Lake and the variance request, if approved, will minimize the impact of the new dwelling in this SPEA.

Administration also recognises the historically small sizes of parcels created adjacent to the lake already limit the area available to construct a dwelling without intruding into prescribed setbacks (including riparian setbacks).

In addition, the Board has previously approved a separate variance for a property on 81<sup>st</sup> Street (13829) in order to reduce the intrusion of a new dwelling into the SPEA, while the Board of Variance approved a similar setback reduction for the construction of a new dwelling at 13827 81<sup>st</sup> Street.

In summary, while the placement of structures within the front setback is not common on the properties immediately adjacent to the subject property, Administration considers the requested 5.75 metre setback to provide the best protection of the riparian values associated with Osoyoos Lake.

**Alternatives:**

- .1 THAT the Board of Directors deny Development Variance Permit No. A2017.036-DVP; or

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.2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "A" Advisory Planning Commission (APC).

**Respectfully submitted:**

**Endorsed by:**



Donna Butler

C. Garrish, Planning Supervisor

D. Butler, Development Services Manager

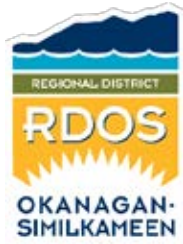
Attachments: No. 1 – Site Photos (from Riparian Area Regulation Assessment Report)



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Attachment No. 1 – Site Photos (from Riparian Area Regulation Assessment Report)





# Development Variance Permit

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FILE NO.: A2017.036-DVP

Owner: Carole Bissonnette  
PO Box 941  
Osoyoos, BC, V0H-1N0

Agent: Cam Bissonnette  
PO Box 941  
Osoyoos, BC, V0H-1N0

## 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' & '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 10, Plan KAP4984, DL 2450S, SDYD, Portion Lot 446

Civic Address: 14013 81<sup>st</sup> Street, Osoyoos

Parcel Identifier (PID): 010-415-301 Folio: A-05989.000

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "A" Zoning Bylaw No. 2451, 2008, in the Regional District of Okanagan-Similkameen:
  - a) The minimum front parcel line setback for a principal building in the Residential Single Family One (RS1) Zone, as prescribed at Section 11.1.6(a)(i), is varied:
    - i) from: 7.5 metres.

to: 5.75 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 \_\_\_\_\_, 2017.

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

# Regional District of Okanagan-Similkameen

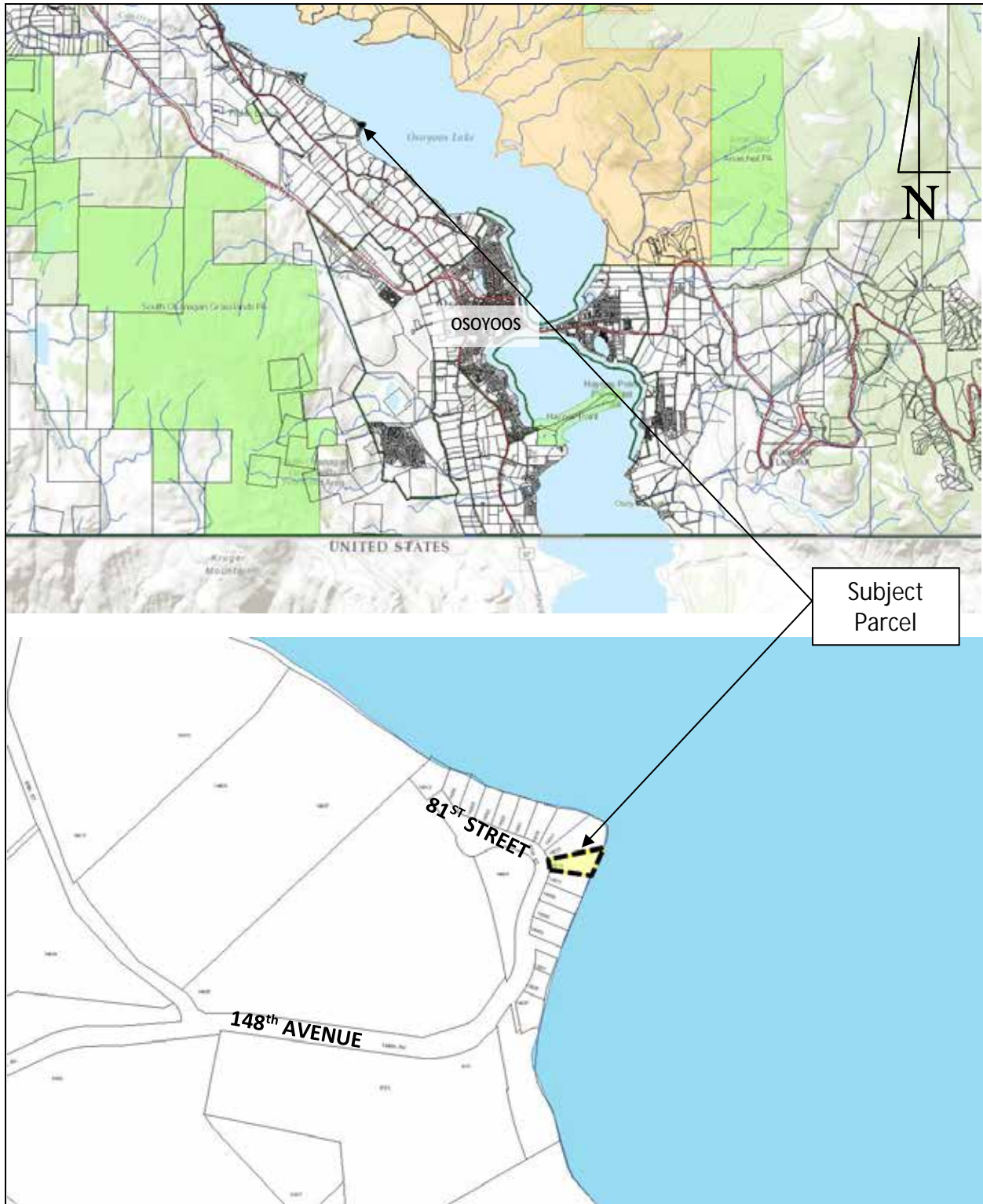
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. A2017.036-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

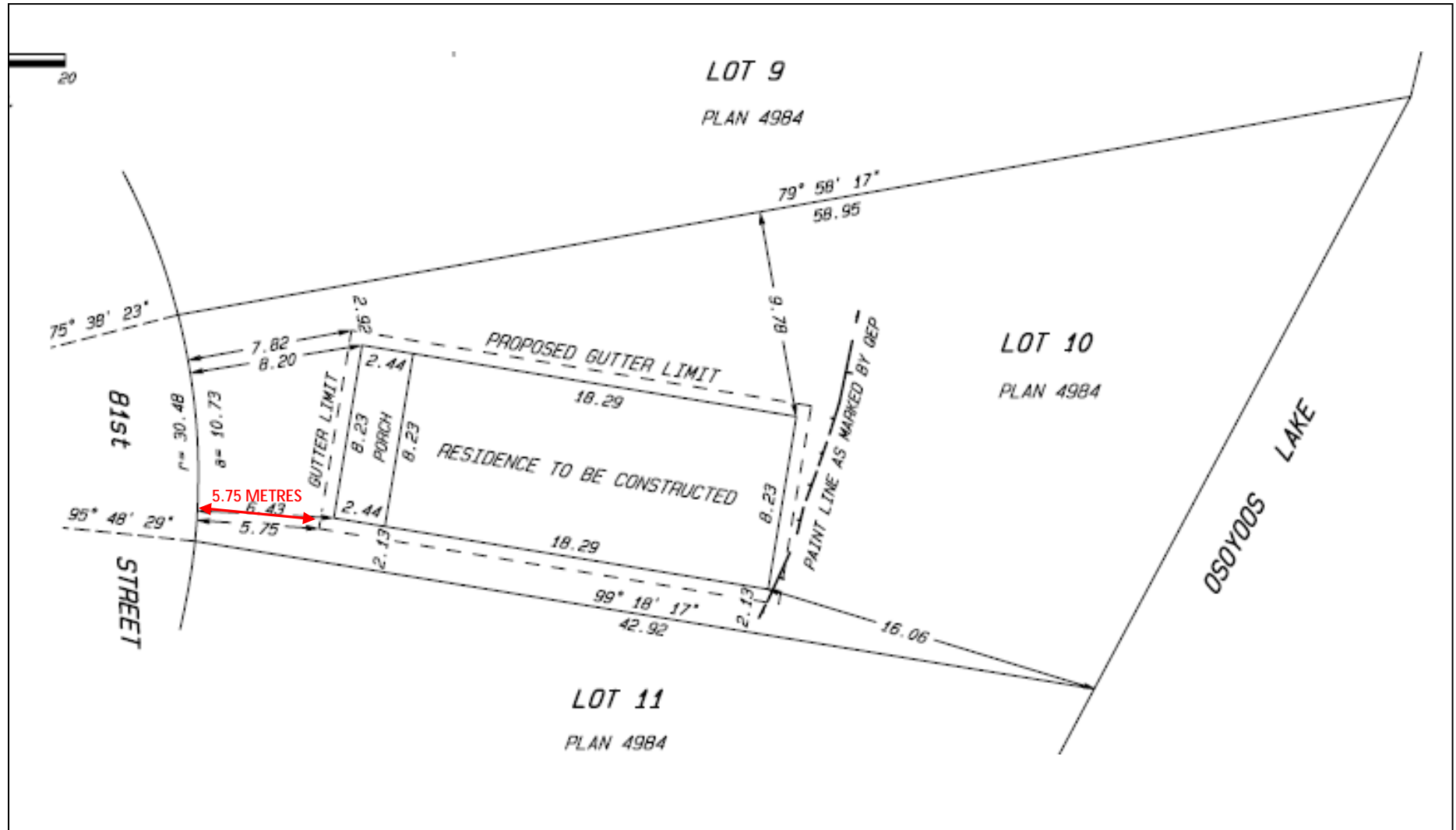
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. A2017.036-DVP

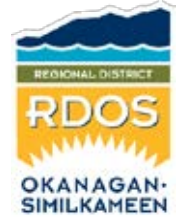
Schedule 'B'



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. A2017.036-DVP

## Schedule 'C'

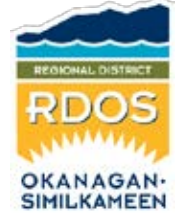


Any renderings and depictions are conceptual only and are for the convenience of reference. They should not be relied upon as representations, express or implied, of the final detail of the Units. Moduline Industries expressly reserves the right to make modifications, revisions, and changes it deems desirable in its sole and absolute discretion. All depictions of appliances, counters, furniture, finishes, lighting, plumbing fixtures, soffits, floor coverings and other matters of detail are conceptual only and are not necessarily included in each Unit. Consult your Purchase Agreement and the Offering Documents for the items included with the Unit. Dimensions and square footage are approximate and may vary with actual construction.

# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

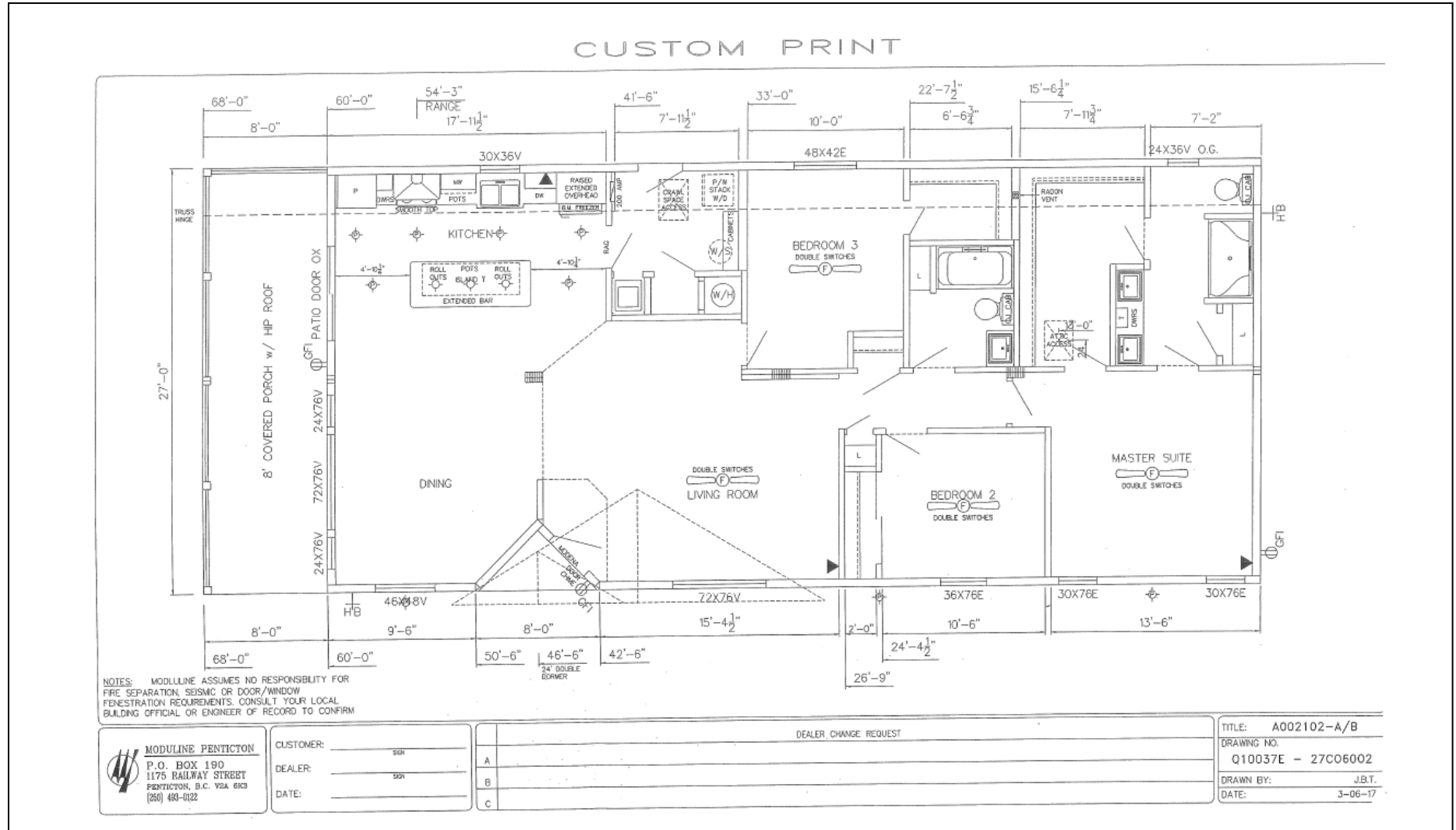
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



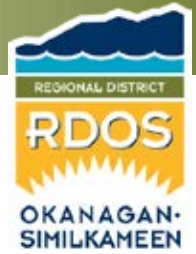
Development Variance Permit

File No. A2017.036-DVP

## Schedule 'D'



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** Development Variance Permit Application — Electoral Area “C”

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**Administrative Recommendation:**

**THAT the Board of Directors approve Development Variance Permit No. C2017.044–DVP**

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Purpose: To allow for an increase in wall height in order to screen solar panels being installed on roof of winery.

Owners: Burrowing Owl Vineyards Limited Agent: Robert MacKenzie Architects Folio: C-06576.485

Civic: 500 Burrowing Owl Place, Oliver Legal: Lot A, Plan KAP90850, District Lot 2450S, SDYD

OCP: Agriculture (AG) Zone: Agriculture Two (AG2)

Requested Variances: to increase the maximum height of a building from 10.0 metres to 15.39 metres

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**Proposed Development:**

This application seeks to increase the maximum height for a structure in the Agriculture Two (AG2) Zone from 10.0 metres to 15.39 metres in order to allow for the extension of a wall on an on-going expansion of the Burrowing Owl Winery so as to partially screen solar panels being installed on the roof.

In support of the application, the applicant has stated that, amongst other things, that the proposal variance will “not add significantly to the height of the existing building ... [and will] match the adjacent existing crush pad roof parapet in height which is still well below the overall height of the winery production building.”

In addition, they have stated that “the intent of the raised parapet is to provide a visual and windscreen for the roof-mounted photovoltaic solar panels. Raising the height of the parapet would provide the most effective windscreen, reducing the amount of uplift on the backside of the panels due to the strong winds that occur on site.”

**Site Context:**

The subject property is approximately 13.775 ha in area and is located at the terminus of Burrowing Owl Place, east of Black Sage Road approximately 4,000 metres north of the head of Osoyoos Lake.

The property is primarily under agricultural production and comprises the Burrowing Owl Winery. The surrounding pattern of development is characterised by similar agricultural operations.

**Background:**

The property was created by a subdivision deposited at the Land Title Office in Kamloops on May 25, 2010, while available Regional District records indicate the issuance of numerous Building Permits

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including dwelling units (1997) and the commencement of the winery and subsequent additions and expansions (1997-2016).

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated Agriculture (AG) and is zoned Agriculture Two (AG2) under Zoning Bylaw No. 2453, 2008, which establishes a maximum building height of 10.0 metres for all buildings and structures.

**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 would have a detrimental impact upon the amenity of the area and/or adjoining uses.

The purpose of establishing a maximum building height is generally related to achieving a particular built form in a neighbourhood or rural landscape and is important when considering how buildings may impact the shade and outdoor privacy on adjacent properties or views of significant landmarks or natural features.

In this instance, Administration considers the proposed increase to the height of the Burrowing Owl Winery to be of a very minor nature and unlikely to adversely impact on adjacent uses, and to further be consistent with the established building line of the existing winery.

The Board is asked to be aware that the requested increase of 5.39 metres to maximum height, while seemingly significant (representing a 53.9% increase over what is allowed in the zone), is not reflective of the actual addition to the winery.

Rather, it is a result of height being calculated as an average of all elevations of the existing structure which, in the case of the Burrowing Owl winery includes a bell tower and thereby increases the overall height of the addition. The visual impact of the proposed addition is seen to be significantly less than 15.39 metres (see Attachment No. 1).

**Alternatives:**

- .1 THAT the Board of Directors deny Development Variance Permit No. C2017.044-DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "C" Advisory Planning Commission (APC).

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed by:**

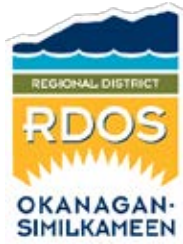
Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo





# Development Variance Permit

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FILE NO.: C2017.044-DVP

Owner: Burrowing Owl Vineyard Limited  
500 Burrowing Owl Place  
Oliver, BC, V0H-1T1

Agent: Robert MacKenzie Architects  
5130 North Naramata Road  
Naramata, BC, V0H-1N1

## 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 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 A, Plan KAP90850, District Lot 2450S, SDYD

Civic Address: 500 Burrowing Owl Place, Oliver

Parcel Identifier (PID): 028-269-519 Folio: C-06576.485

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "C" Zoning Bylaw No. 2453, 2008, in the Regional District of Okanagan-Similkameen:
  - a) The maximum building height for a building or structure in the Agriculture Two (AG2) Zone, as prescribed at Section 10.3.7(a), is varied:
    - i) from: 10.0 metres.

to: 15.39 metres, 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 \_\_\_\_\_, 2017.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

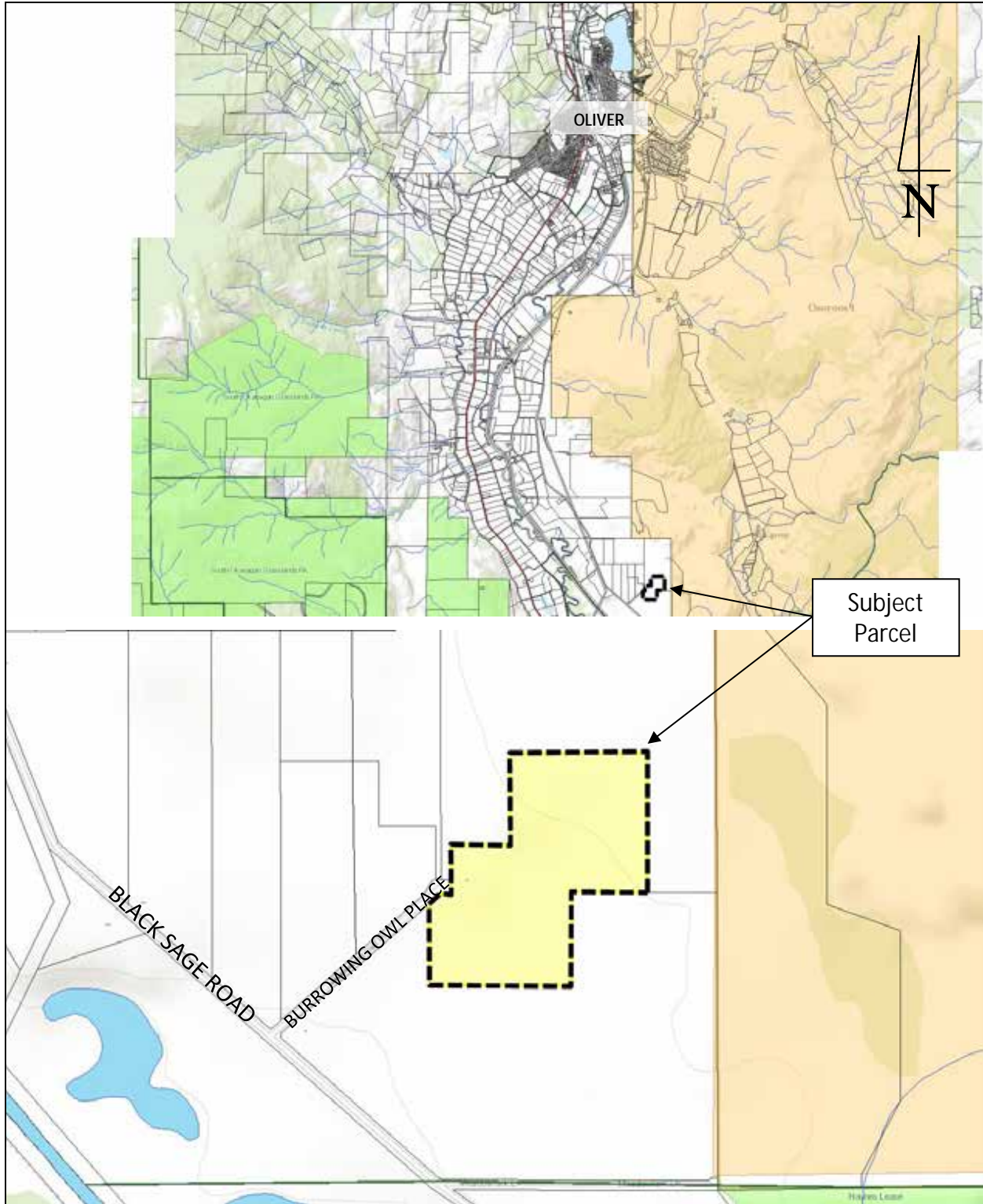
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. C2017.044-DVP

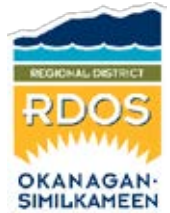
Schedule 'A'



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

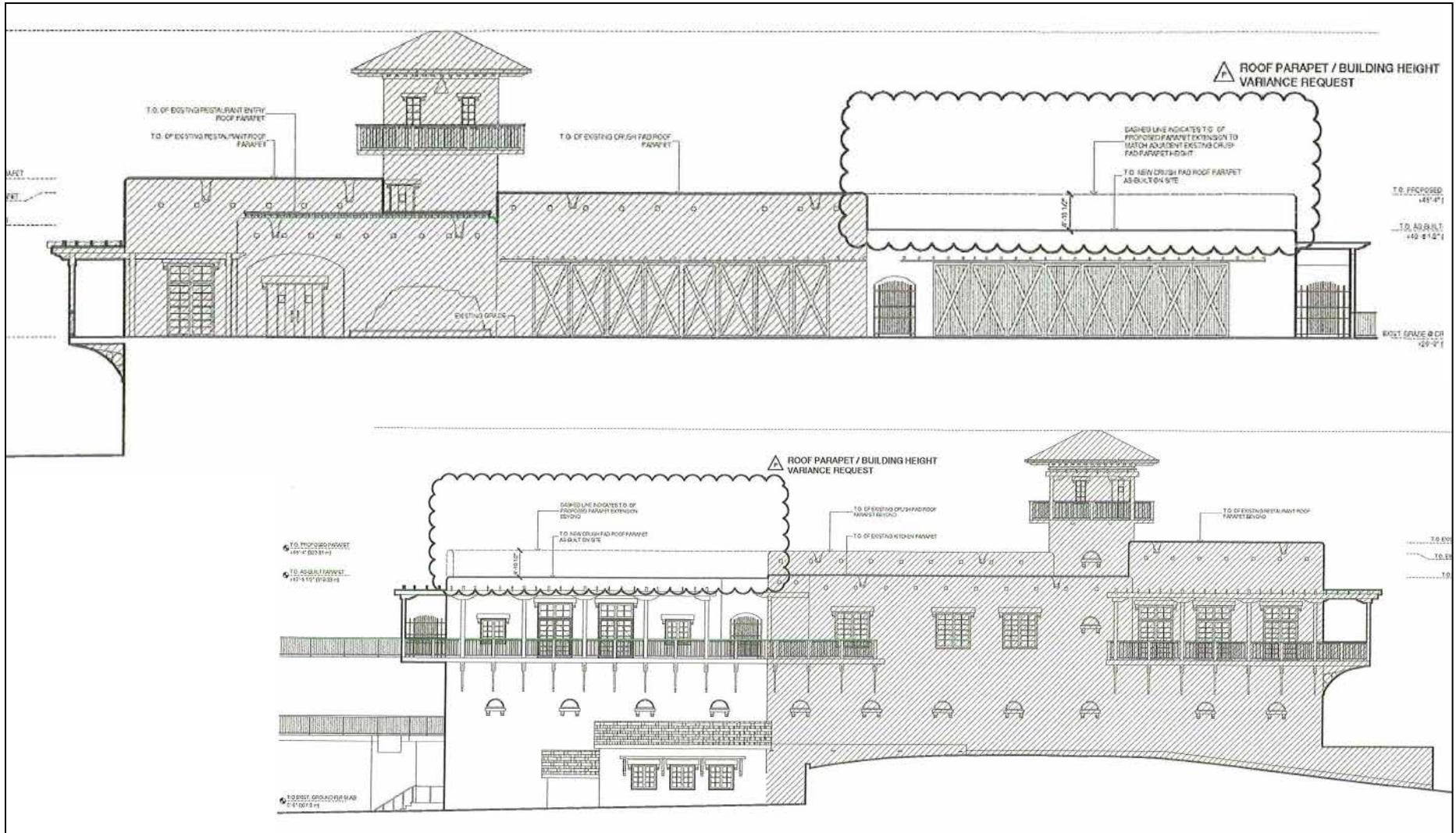
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. C2017.044-DVP

## Schedule 'B'

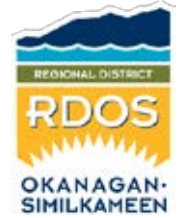


File No. C2017.044-DVP

# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

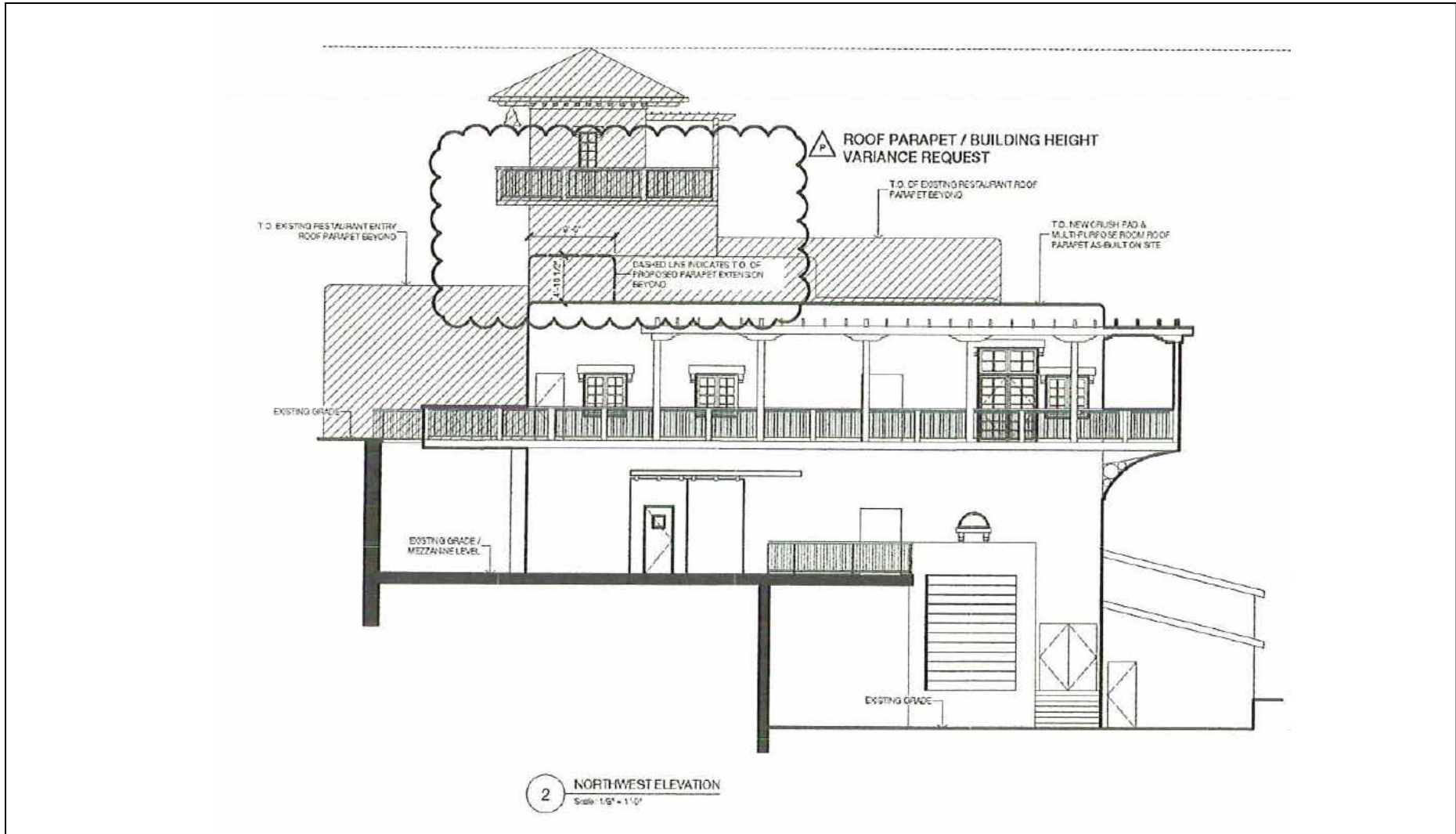
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. C2017.044-DVP

## Schedule 'C'







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**Background:**

The subject parcels were created by a subdivision plan prepared on July 8, 1908, while the Regional District has no record of any development permits having previously been issued for these parcels.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is designated Low Density Residential (LR) and is subject to an Environmentally Sensitive Development Permit (ESDP) Area and Naramata Townsite Development Permit Area designations.

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is zoned Residential Single Family One (RS1) and is potentially subject to the floodplain associated with Okanagan Lake and Robinson Creek, while the geotechnical classification of the property is "limited or no hazard of slumps and slides."

**Public Process:**

At its meeting of April 10, 2017, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the Board that Development Variance Permit No. E2017.042-DVP be approved.

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 would have a detrimental impact upon the amenity of the area and/or adjoining uses.

With respect to parcel line setbacks, an objective of this type of zoning regulation is to provide physical separation between neighbouring uses in order to avoid conflict, protect privacy, and prevent the appearance of overcrowding.

In this instance, there appear to be no physical or other constraints that would support a variance to the prescribed setbacks (i.e. with a 30.0 metre depth, there should be sufficient area for an amenity area at the rear of the property).

In addition, it appears that a reduced front setback to Robinson Avenue is not characteristic of residential properties east of Fourth Street whereas west of Fourth Street development closer to the front setback is generally associated with commercial development.

Alternately, Administration recognises that a majority of properties fronting Robinson Avenue are screened from the road by some level of vegetation and that the applicant is proposing to introduce similar landscaping. Similarly, the requested variance of 1.8 metres is relatively minor and is unlikely to adversely affect the streetscape characteristics of Robinson Avenue or the amenity of adjacent uses (one of which will be a shared septic system/field on the western side boundary).

With regard to the variance to the interior side parcel line setback, Administration notes that the Electoral Area "E" Zoning Bylaw is unique in the Okanagan Electoral Areas in that it is the only one that does not require a 1.5 metre setback in the RS1 Zone. In this context, the applicant's request is not unreasonable and is, again, unlikely to adversely impact adjacent uses.

**Alternative:**

THAT the Board of Directors deny Development Variance Permit No. E2017.042-DVP.

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Respectfully submitted:

Endorsed by:



C. Garrish, Planning Supervisor

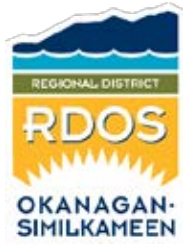
Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)





# Development Variance Permit

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FILE NO.: E2017.042-DVP

Owner: Leslie Beliveau  
4675 Quentin Street SW  
Calgary, Alberta, T2T-6J1

Agent: Jean Beliveau  
4675 Quentin Street SW  
Calgary, Alberta, T2T-6J1

## 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' & '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: Lots 4 & 5, Block 71, Plan KAP519, District Lot 210, SDYD

Civic Address: Robinson Avenue, Naramata

Parcel Identifier (PID): 012-284-556 / 012-284-572 Folio: E-00694.008 / .010

## 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. 2461, 2008, in the Regional District of Okanagan-Similkameen:
  - a) The minimum front parcel line setback for a principal building in the Residential Single Family One (RS1) Zone, as prescribed at Section 11.1.6(a)(i), is varied:
    - i) from: 7.5 metres.

- to: 5.7 metres, as measured to the outermost projection and as shown on Schedule 'B'.
- b) The minimum rear parcel line setback for a principal building in the Residential Single Family One (RS1) Zone, as prescribed at Section 11.1.6(a)(ii), is varied:
  - i) from: 7.5 metres.
    - to: 6.7 metres, as measured to the outermost projection and as shown on Schedule 'B'.
- c) The minimum interior side parcel line setback for a principal building in the Residential Single Family One (RS1) Zone, as prescribed at Section 11.1.6(a)(iv), is varied:
  - i) from: 3.0 metres.
    - to: 2.2 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 \_\_\_\_\_, 2017.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

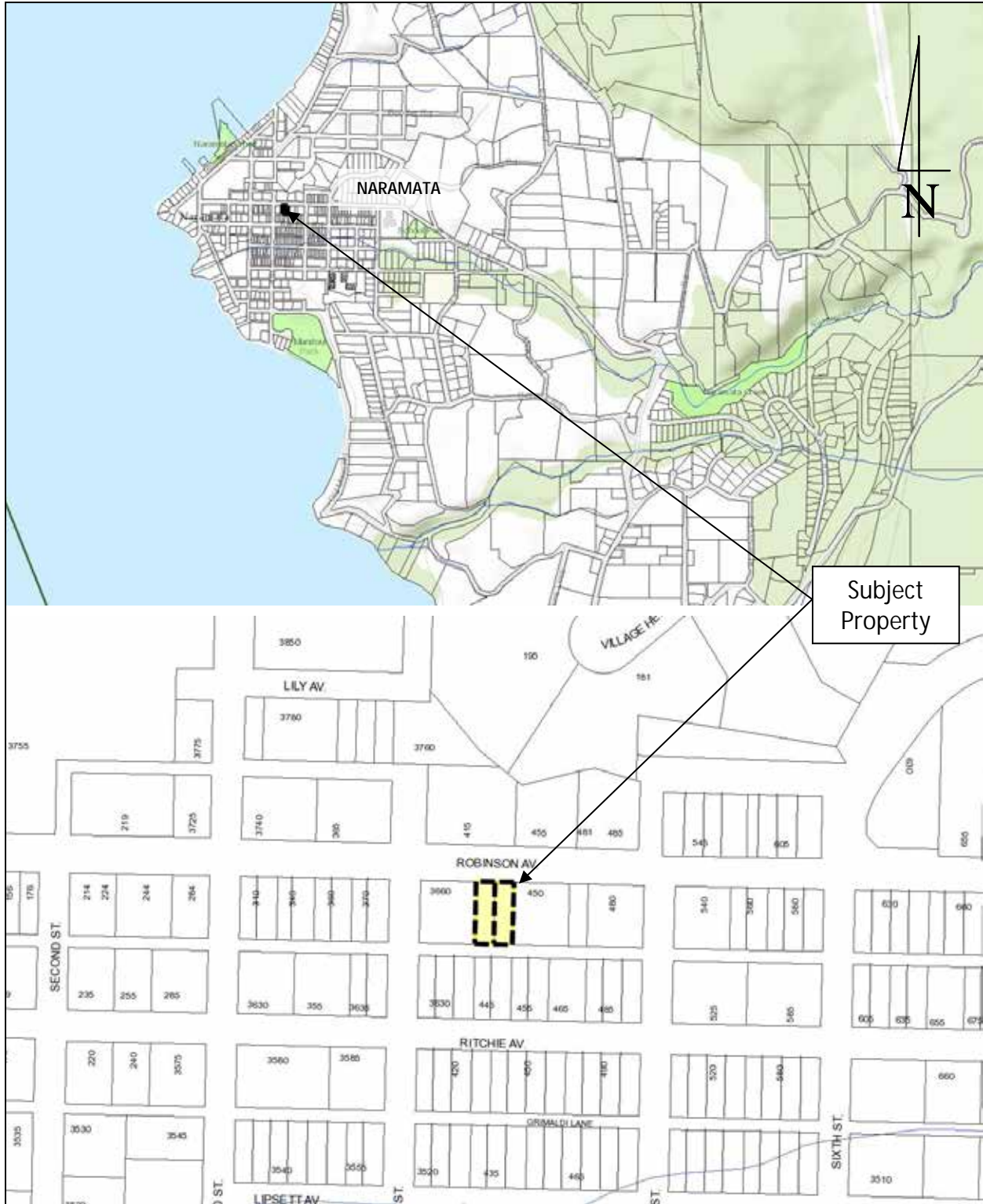
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2017.042-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

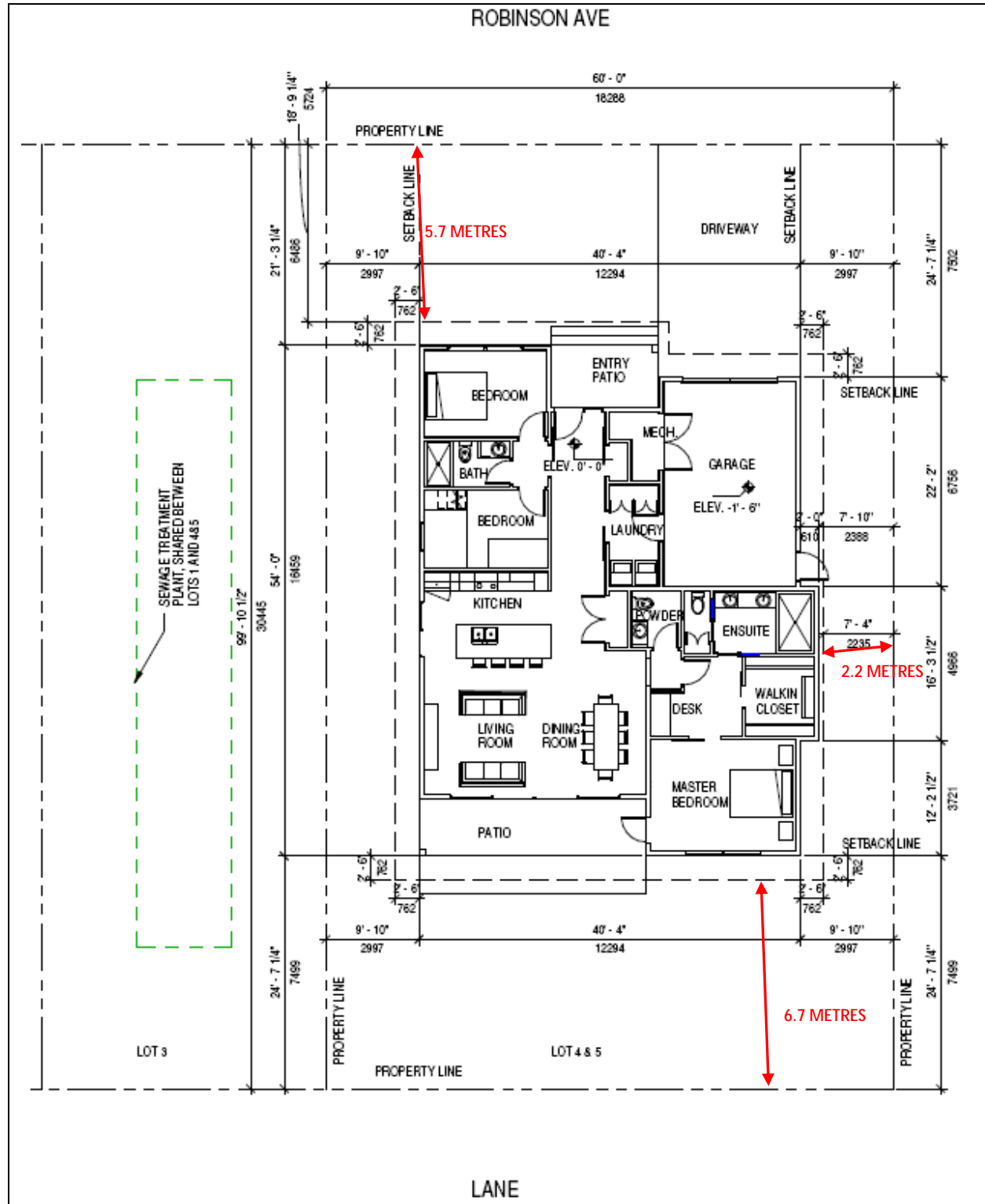
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2017.042-DVP

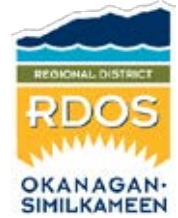
Schedule 'B'



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2017.042-DVP

## Schedule 'C'

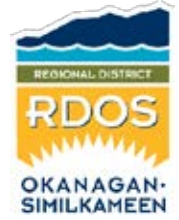




# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

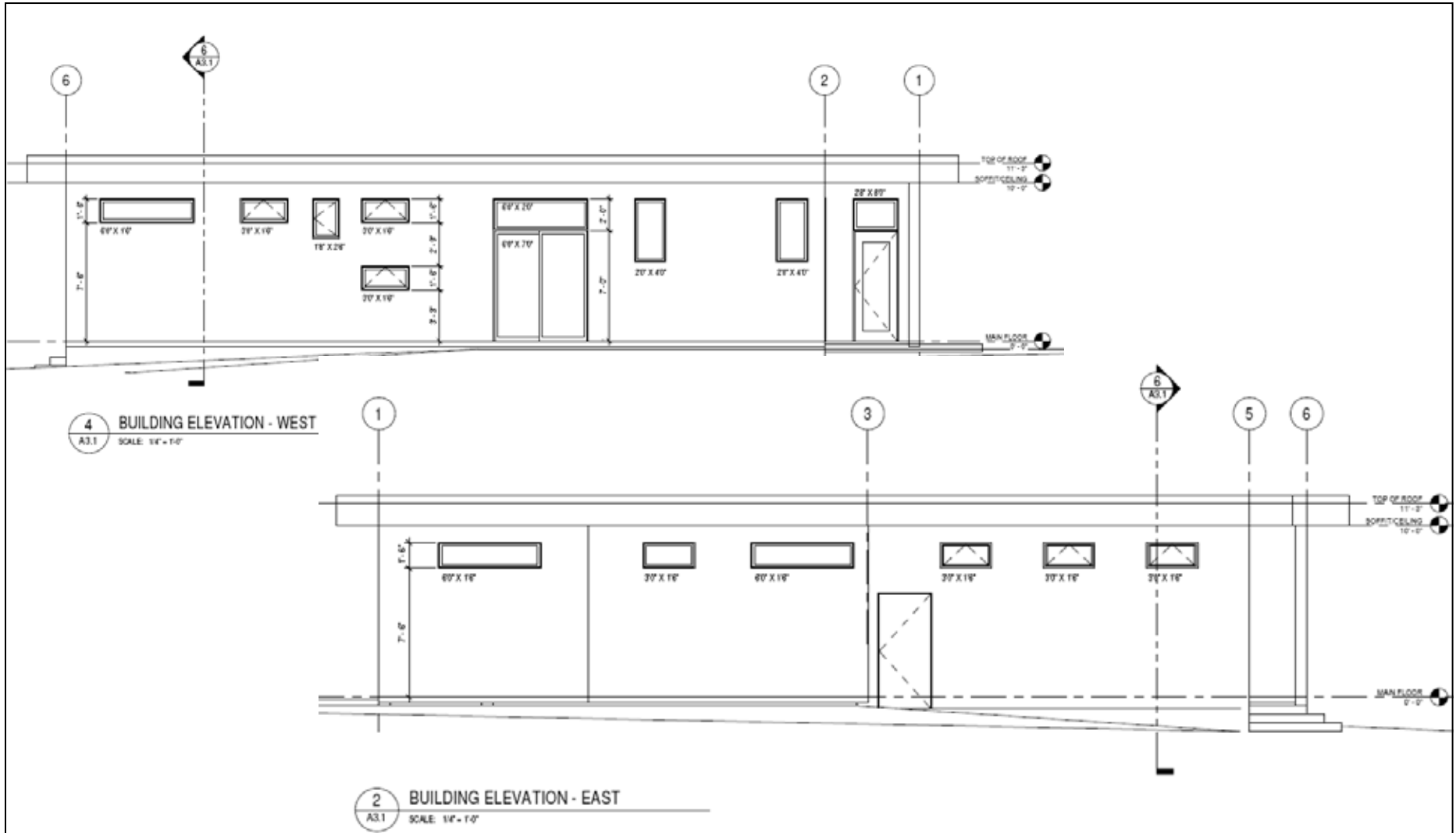
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2017.042-DVP

Schedule 'D'





# Minutes

## Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, April 10th, 2017

OAP Hall, 330 - 3rd Street, Naramata, BC

### Present:

Members: Dave Kopp (as Chair), Heather Fleck, Tim Forty, Tom Hoenisch, Judi Harvey

Absent: Bruce Clough (Chair, Electoral Area "E" APC), Don Mancell, Phil Janzen

Staff: Christopher Garrish (RDOS Planning Supervisor)

Guests: Karla Kozakevich (RDOS Area 'E' Director), Joe Babinszky and Marion Babinszky left meeting @ 8:08 p.m.

Recording Secretary: Heather Lemieux (Recording Secretary)

Delegates: Grady Peat, Jarret Lobley left meeting @ 8:08 p.m.

### 1. ADOPTION OF AGENDA

The meeting was called to order at 7:35 p.m. Quorum Present.

#### MOTION

It was Moved and Seconded that the Agenda be adopted as presented.

**CARRIED (UNANIMOUSLY)**

### 2. DELEGATIONS

2.1 Beliveau, Leslie for Development Variance Permit Application Agent:  
Beliveau, Jean  
E00694.008 /.010 /(E2017.042-DVP)

2.2 Sail Away Vineyards (Lobley, Jarrett) for Temporary Use Permit Application  
E02055.030 / (E2017.037-TUP)

2.3 Peat, Grady & Gail for Zoning Bylaw Amendment Application  
E02329.310 / (E2017.028-ZONE)

### 3. DEVELOPMENT APPLICATIONS

- 3.1 E00694.008 / .010 (E2017.042-DVP) - Development Variance Permit Application  
Administrative Report submitted by Christopher Garrish, Planning Supervisor

#### MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.

**CARRIED (UNANIMOUSLY)**

- 3.2 E02055.030 (E2017.037-TUP) - Temporary Use Permit Application  
Administrative Report submitted by Christopher Garrish, Planning Supervisor

Clarification is needed on the application. APC Members deferred recommendation.

- 3.3 E02329.310 (E2017.028-ZONE) - Zoning Bylaw Amendment Application  
Administrative Report submitted by Evelyn Riechert, Planner

Heather Fleck & Judi Harvey recused themselves due to an acquaintance with Grady and Gail Peat at 8:09 p.m. Quorum not maintained. Rejoined meeting at 8:15 p.m.

No Quorum, APC Members are in favour THAT that the subject development application be approved.

### 4. OTHER

- 4.1 APC Bylaw No. 2339 5.1 - Chair of the Commission  
Election of the Chair, Vice-Chair and Secretary (to be performed at the first meeting of each new year - Section 5.1; Bylaw No. 2339)

Voting postponed to the next Area 'E' APC Meeting on May 8th, 2017

### 5. APPROVAL OF PREVIOUS MEETING MINUTES

#### MOTION

It was Moved and Seconded by the APC that the Minutes of November 14th, 2016 be approved as presented.

**CARRIED (UNANIMOUSLY)**

6. **ADJOURNMENT**

**MOTION**

It was Moved and Seconded that the meeting be adjourned at 8:16 p.m.

**CARRIED (UNANIMOUSLY)**

**Next Electoral Area 'E' Advisory Planning Commission Meeting**

Monday, May 8th, 2016 at 7:30 p.m.

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Advisory Planning Commission Chair



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Advisory Planning Commission Recording Secretary / minute taker

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** Development Variance Permit Application — Electoral Area “F”

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## **Administrative Recommendation:**

**THAT the Board of Directors approve Development Variance Permit No. F2017.026–DVP**

---

Purpose: To allow for the development of a detached garage.

Owners: Martin & Maureen O'Connor      Agent: Martin O'Connor      Folio: F-07338.005

Civic: 411 Vedette Drive, West Bench      Legal: Lot B, Plan KAP29733, District Lot 5076, ODYD

OCP: Small Holdings (SH)      Zone: Small Holdings Five (SH5)

Requested to vary the minimum rear parcel line setback for an accessory structure from 9.0 m to 1.4 m,  
Variances: as measured to the outermost projection.

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## **Proposed Development:**

This application seeks to reduce the minimum rear parcel line setback for an accessory building from 9.0 metres to 1.4 metres, as measured to the outermost projection, in order to facilitate the construction of a new garage.

In support of the application, the applicant has stated that “I would like to bring my trailer’s in to property so as to keep it off the road. To allow us access to the garage down the side.”

## **Site Context:**

The subject property is approximately 1,822 m<sup>2</sup> in area and is located on the east side of Vedette Drive in the West Bench, approximately 1,300 metres west of the City of Penticton boundary.

The property contains a single detached dwelling and in-ground swimming pool. The surrounding pattern of development is generally characterised by rural residential uses.

## **Background:**

The property was created by a subdivision deposited at the Land Title Office in Kamloops on February 22, 1979, while available Regional District records indicate that Building Permits were previously issued for the development of a single detached dwelling on April 11, 1980, a pool on July 21, 1982, and a structural addition on March 7, 1984.

The geotechnical classification of the property under the “West Bench/Sage Mesa Area Geological Hazards Review” (1992), prepared by Klohn Leonoff Limited, is “hazard of slumps and slides. Site specific engineering investigations recommended where high density development is anticipated.”

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The Regional District's Building Inspection Services has advised that a geotechnical assessment report will be required if the building is to contain any plumbing fixtures and that spatial separation requirements under the BC Building Code may be a consideration at the building permit stage.

**Public Process:**

At its meeting of April 6, 2017, the Electoral Area "F" Advisory Planning Commission (APC) resolved to recommend to the Regional Board of Directors that Development Variance Permit No. F2017.026-DVP be approved.

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 would have a detrimental impact upon the amenity of the area and/or adjoining uses.

With respect to parcel line setbacks, an objective of this type of zoning regulation is to provide physical separation between neighbouring uses in order to avoid conflict, protect privacy, and prevent the appearance of overcrowding.

In this instance, there appear to be no physical or other constraints that would support a variance to the prescribed setbacks.

Administration recognizes, however, that the SH5 Zone in Electoral Area "F" is the only version of this zone that requires a rear setback for accessory dwellings of 9.0 metres. In Electoral Areas "C", "D-2", "E" and "H", the rear setback for an accessory structure in the SH5 Zone ranges from 1.5 metres to 3.0 metres to 4.5 metres.

It is not clear what the basis of the 9.0 metre requirement is in Electoral Area "F" and should the Board be supportive of this variance, Administration considers there to be merit in reviewing the SH5 Zone setbacks and potentially bringing these in-line with the other Electoral Areas.

In addition, relaxing the rear setback is unlikely to adversely impact on the amenity or use of the adjacent parcel which shares the rear parcel line due to local topography (which slopes away to the east) and the placement of the adjacent dwelling (which is sited to the north).

**Alternatives:**

THAT the Board of Directors deny Development Variance Permit No. F2017.026-DVP.

**Respectfully submitted:**

**Endorsed by:**



Donna Butler

C. Garrish, Planning Supervisor

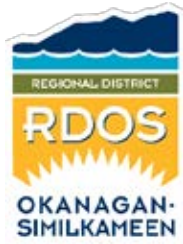
D. Butler, Development Services Manager

Attachments: No. 1 – Site Photos

Attachment No. 1 – Site Photo



Existing driveway and proposed access to new garage



# Development Variance Permit

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FILE NO.: F2017.026-DVP

Owner: Martin and Maureen O'Connor  
411 Vedette Drive  
Penticton, BC, V2A-8Y3

## 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' & '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 B, Plan KAP29733, District Lot 5076, ODYD

Civic Address: 411 Vedette Drive, West Bench

Parcel Identifier (PID): 004-188-721 Folio: F-07338.005

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "F" Zoning Bylaw No. 2461, 2008, in the Regional District of Okanagan-Similkameen:
  - a) The minimum rear parcel line setback for an accessory dwelling in the Small Holdings Five (SH5) Zone, as prescribed at Section 10.8.7(b)(ii), is varied:
    - i) from: 9.0 metres.



to: 1.4 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 \_\_\_\_\_, 2017.

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

# Regional District of Okanagan-Similkameen

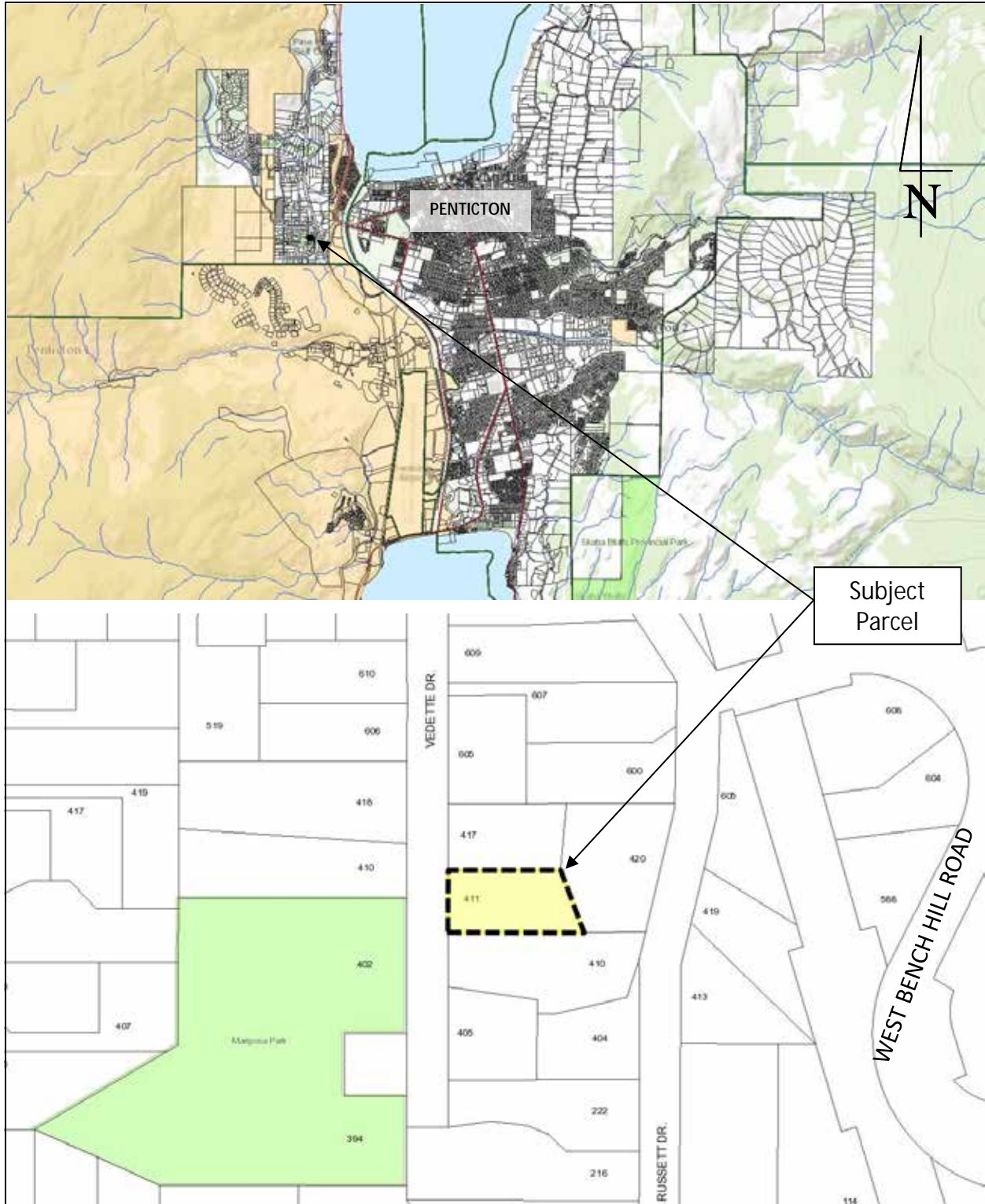
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. F2017.026-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

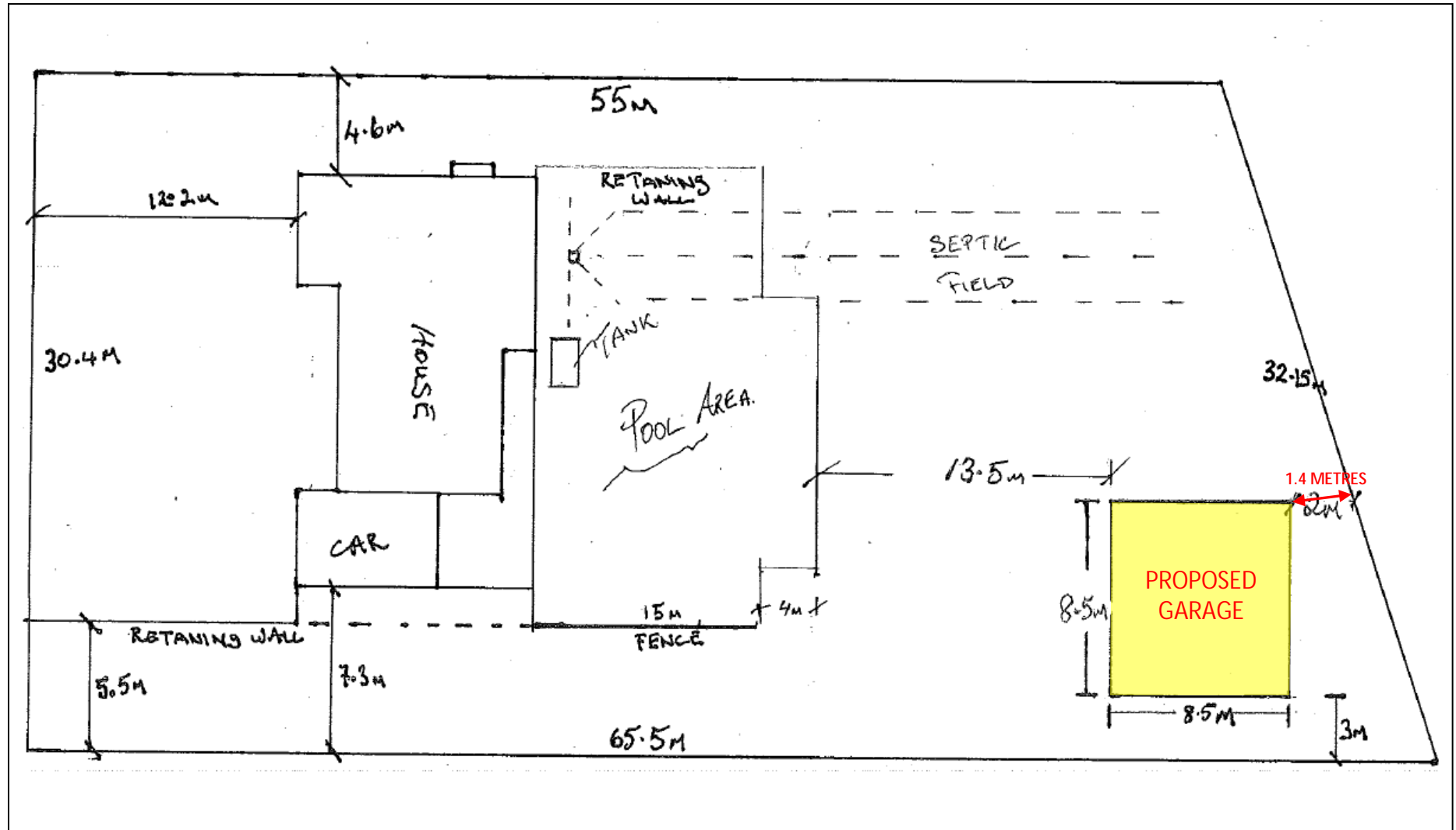
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. F2017.026-DVP

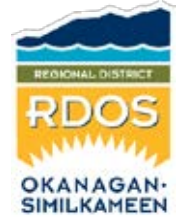
Schedule 'B'



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

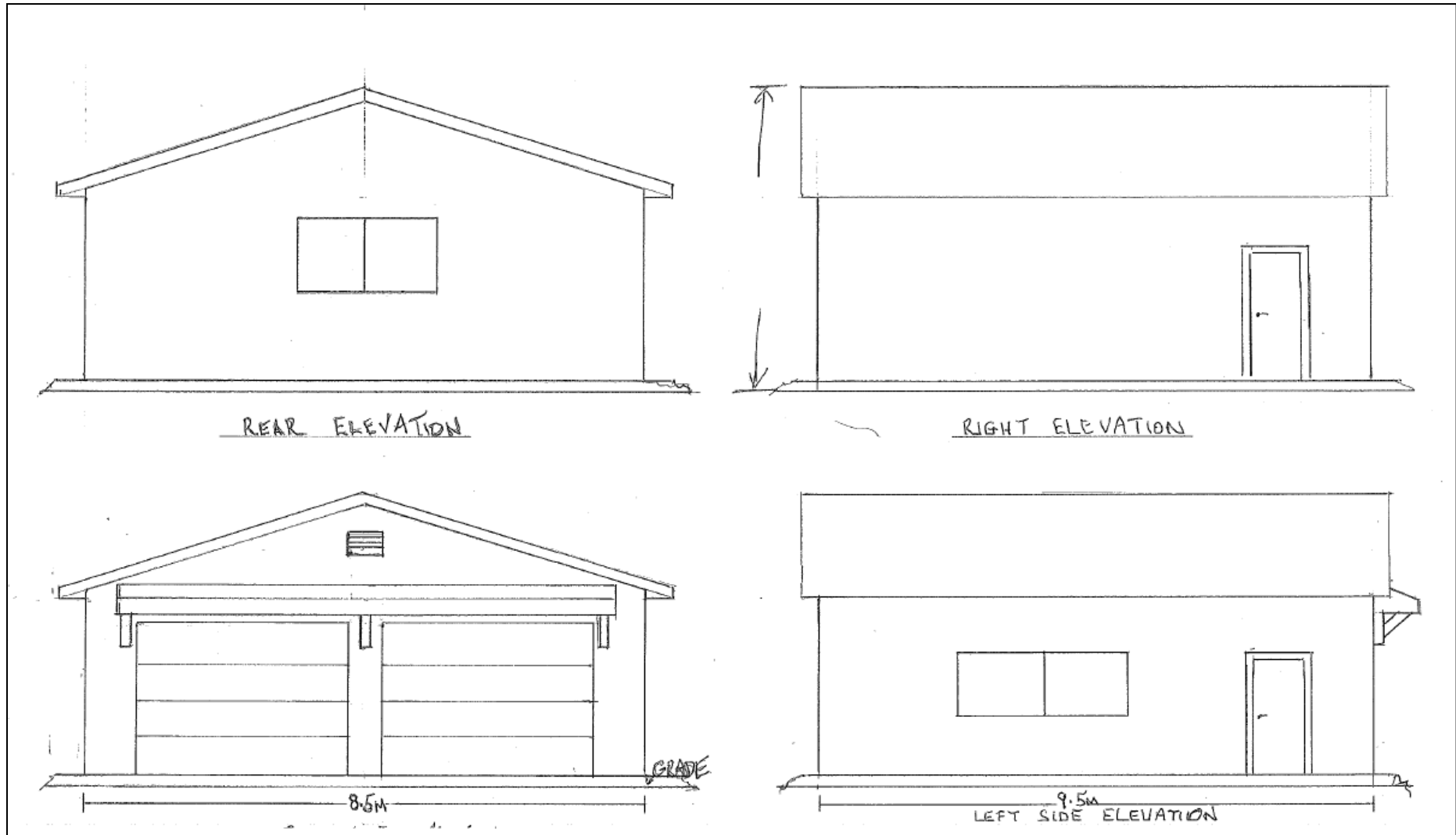
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. F2017.026-DVP

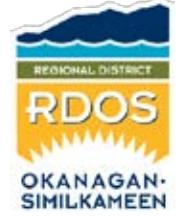
Schedule 'C'



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

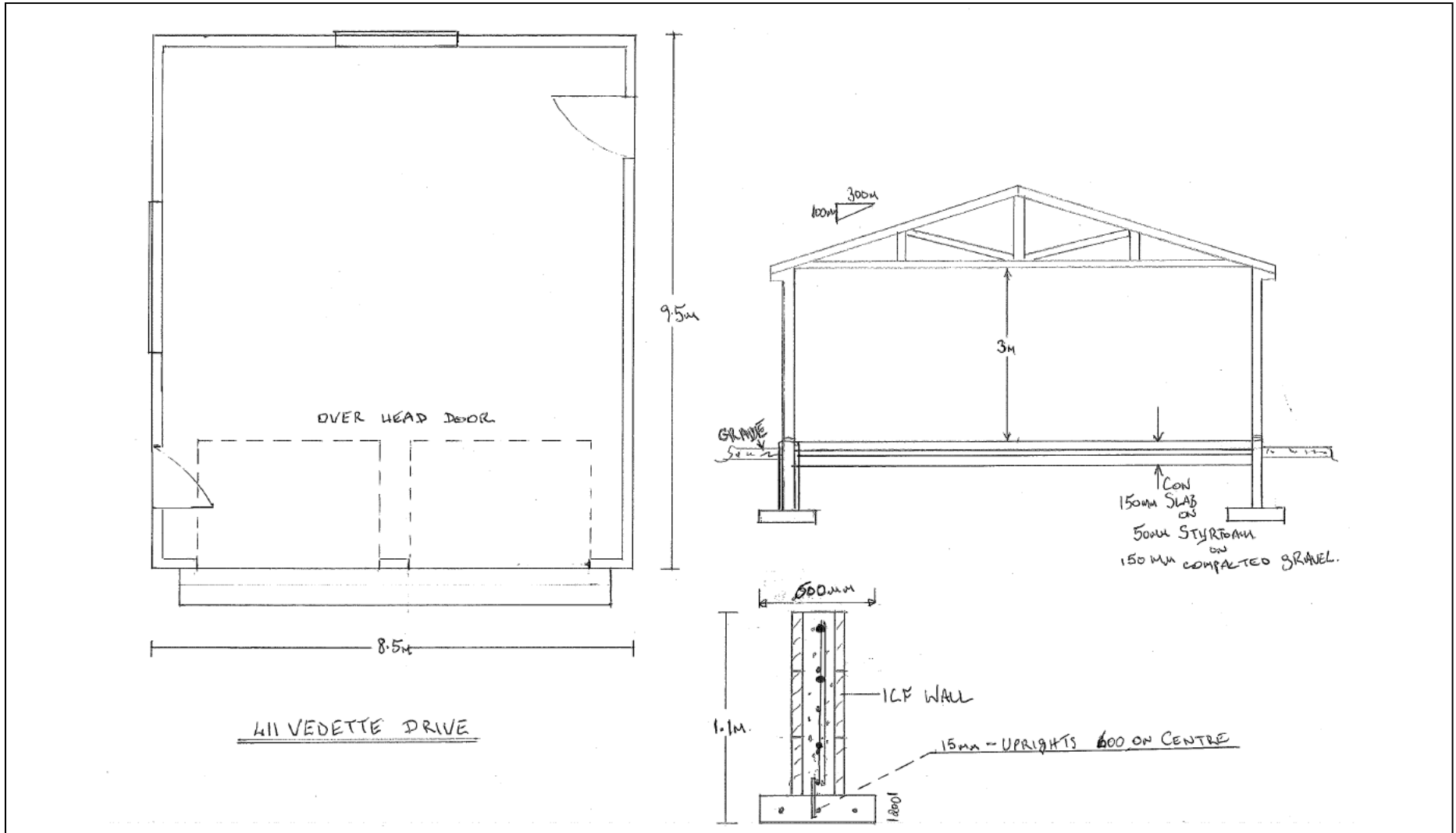
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. F2017.026-DVP

Schedule 'D'



MINUTES  
Electoral Area F Advisory Planning Commission  
Meeting of Thursday April 6 2017  
RDOS 101 Martin Street, Penticton

RECEIVED  
Regional District

APR 10 2017

101 Martin Street  
Penticton BC V2A 5J9

Members Present:  
Natalie Minunzie, Chair  
Don Barron  
Sandy Berry  
Stewart Patterson, Secretary  
Hillary Ward, Vice-Chair  
Bob Nicholson

Also Present:  
Michael Brydon, RDOS Director Area F

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED UNANIMOUSLY

2. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of Thursday December 15 2016 be approved.

CARRIED UNANIMOUSLY

3. DELEGATIONS

3.1 O'Connor, Martin & Maureen for Development Variance Permit Application F07338.005 / Project # F2017.026-DVP

3.2 Moberg, Bryan for Development Variance Permit Application F07241.101 / Project # F2017.039-DVP

3.3 Okanagan Lake Boat Company for Integrated Land Management Referral Application F2017.047-CROWN

4. DEVELOPMENT APPLICATIONS

4.1 To allow for the development of a detached garage.

Martin & Maureen O'Connor 411 Vedette Drive, West Bench Small Holdings (SH)

Agent: Martin O'Connor

Legal: Lot B, Plan KAP29733, District Lot 5076, ODYD Zone: Small Holdings Five (SH5)

to vary the minimum rear parcel line setback for an accessory structure from 9.0 m to 1.4 m, as measured to the outermost projection.

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the subject development application be supported.

CARRIED UNANIMOUSLY

4.2. To formalize the development of a detached garage within an interior side setback.

Bryan Moberg & Halley Ferguson Agent: Bryan Moberg Folio: F-07241.101

Lot 2 and an undivided 1/9 share in Lot 1, Plan KAP55324, DL 2893, ODYD, Except Plan

KAP65813 8089 Princeton-Summerland Rd. OCP: Small Holdings (SH) Zone: Small Holdings Three (SH3)

O'Connor  
application

Moberg  
application

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the subject development application be supported.

CARRIED UNANIMOUSLY

## 5. REFERRALS

5.1 To allow for the temporary moorage of the MV Fintry Queen adjacent to Kikiniinee Provincial Park. Crown land Agent: Okanagan Lake Boat Company Inc. Folio: N/A  
Civic: N/A OCP: N/A Zone: N/A

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the proposed use of Crown land not be supported.

CARRIED

RATIONALE: 1. Kikiniinee Provincial Park is a small day-park with limited parking that quickly fills in the summer. Its busy boat ramp is a potential access for parking and servicing the Fintry Queen, thereby encroaching on public space.

2. The marine area near Kikiniinee Provincial Park and nearby Sunoka Beach Park has very busy boating and other water activity in the summer, and the moored Fintry Queen would create a potential boating hazard.

3. A moored Fintry Queen would be a commercial venture occupying public space obstructing Kikiniinee Provincial Park's lake view.

## 6. OTHER

6.1 APC Bylaw No. 2339 5.1 – Chair of the Commission

Election of the Chair, Vice-Chair and Secretary (to be performed at the first meeting of each new year – Section 5.1; Bylaw No. 2339)

MOTION – It was moved and seconded that the following three APC members be appointed:

Chair- Hillary Ward

Vice Chair- Sandy Berry

Secretary – Bob Nicholson

CARRIED (UNANIMOUSLY)

## 7. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 9pm.

CARRIED (UNANIMOUSLY)

**Natalie Minunzie**

Advisory Planning Commission Chair

**Stewart Patterson**

Advisory Planning Commission Recording Secretary

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** Development Variance Permit Application — Electoral Area “F”

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## **Administrative Recommendation:**

**THAT the Board of Directors approve Development Variance Permit No. F2017.039–DVP**

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Purpose: To formalise the development of a detached garage within an interior side setback.

Owners: Bryan Moberg & Halley Ferguson Agent: Bryan Moberg Folio: F-07241.101

Legal: Lot 2 and an undivided 1/9 share in Lot 1, Plan KAP55324, DL 2893, ODYD, Except Plan KAP65813

Civic: 8089 Princeton-Summerland Rd. OCP: Small Holdings (SH) Zone: Small Holdings Three (SH3)

Requested to vary the minimum rear parcel line setback for an accessory structure from 9.0 m to 0.13 m,  
Variances: as measured to the outermost projection.

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## **Proposed Development:**

This application seeks to reduce the minimum rear parcel line setback for an accessory building or structure from 9.0 metres to 0.13 metres, as measured to the outermost projection, in order to formalise the siting of an existing garage.

In support of the application, the applicant has stated that “I made a mistake and put the building close to property. The driveway is very wide [and] it gives full access to everyone going up.”

In addition, the applicant has recently reduced the roof overhang on the western elevation in order to remove an encroachment over the parcel line.

## **Site Context:**

The subject property is approximately 1.202 ha in area and is located on the west side of Princeton-Summerland Road in Faulder, with physical access to the property provided via a “common lot” on the western side boundary.

The property contains a single detached dwelling. The surrounding pattern of development is generally characterised by rural residential uses.

## **Background:**

The property was created by a subdivision deposited at the Land Title Office in Kamloops on August 10, 1995, and available Regional District records indicate that a Building Permit application for the subject accessory structure (garage) was submitted on July 15, 2004.



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This accessory structure was deemed to be non-compliant with the (then) Electoral Area "F" Rural Land Use Bylaw (RLUB) as it was proposed to situate the garage within 4.5 metres of the rear parcel line when the bylaw required the setback be 9.0 metres.

At its meeting of August 10, 2004, Regional District's Board of Variance (BoV) resolved to vary the rear parcel line setback to 3.0 metres and a Building Permit was subsequently issued on August 25, 2004.

At its meeting of February 26, 2009, the Regional District Board resolved to file a Section 695 Notice on Title against the subject property to reflect that works had been undertaken contrary to the Regional District's Building Bylaw No. 1922 (i.e. expired permit – "construction may not meet the requirements of the Building Code and poses a potential risk to safety").

**Public Process:**

At its meeting of April 6, 2017, the Electoral Area "F" Advisory Planning Commission (APC) resolved to recommend to the Board that Development Variance Permit No. F2017.039-DVP be approved.

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 would have a detrimental impact upon the amenity of the area and/or adjoining uses.

With respect to parcel line setbacks, an objective of this type of zoning regulation is to provide physical separation between neighbouring uses in order to avoid conflict, protect privacy, and prevent the appearance of overcrowding.

In this instance, there appear to be no physical or other constraints that would support a further variance to the prescribed setbacks than what was previously approved by the Board of Variance in 2004 (i.e. to 3.0 metres).

In addition, the development of an accessory structure so close to the rear setback does not appear to be characteristic on those properties which utilise the common lot for access to Princeton-Summerland Road and is a setback that Administration would not normally support.

Alternately, Administration recognises that due to the rural residential character of the area and the width of the common lot vis-à-vis the location of the paved road, the location of the garage is unlikely to have an adverse impact on the amenity or use of adjacent parcels or users of the road.

**Alternative:**

THAT the Board of Directors deny Development Variance Permit No. F2017.039-DVP.

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed by:**

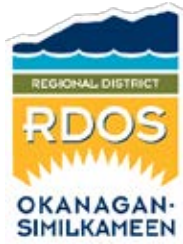
Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 – Site Photos

Attachment No. 1 – Site Photos





# Development Variance Permit

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FILE NO.: F2017.039-DVP

Owner: Bryan Moberg & Halley Ferguson  
8089 Princeton-Summerland Road  
Faulder, BC, V0H-1Z8

## 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', 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 and an undivided 1/9 share in Lot 1, Plan KAP55324, District Lot 2893, ODYD, Except Plan KAP65813

Civic Address: 8089 Princeton-Summerland Road, Faulder

Parcel Identifier (PID): 023-188-171 Folio: F-07241.101

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "F" Zoning Bylaw No. 2461, 2008, in the Regional District of Okanagan-Similkameen:
  - a) The minimum interior side parcel line setback for an accessory building or structure in the Small Holdings Three (SH3) Zone, as prescribed at Section 10.6.7(b)(iii), is varied:

- i) from: 9.0 metres.  
to: 0.13 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 \_\_\_\_\_, 2017.

---

B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

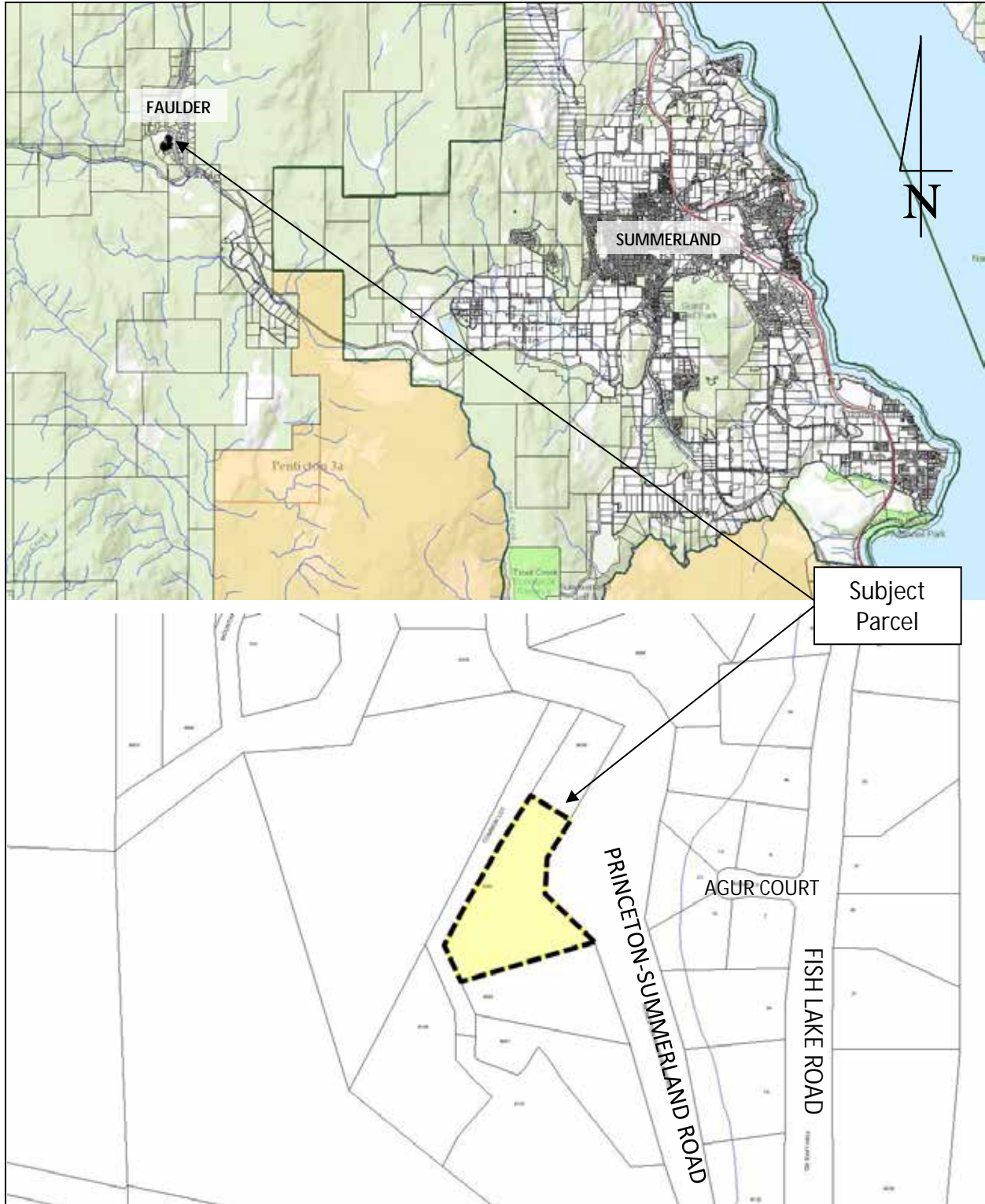
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. F2017.039-DVP

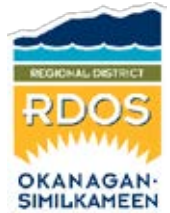
Schedule 'A'



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

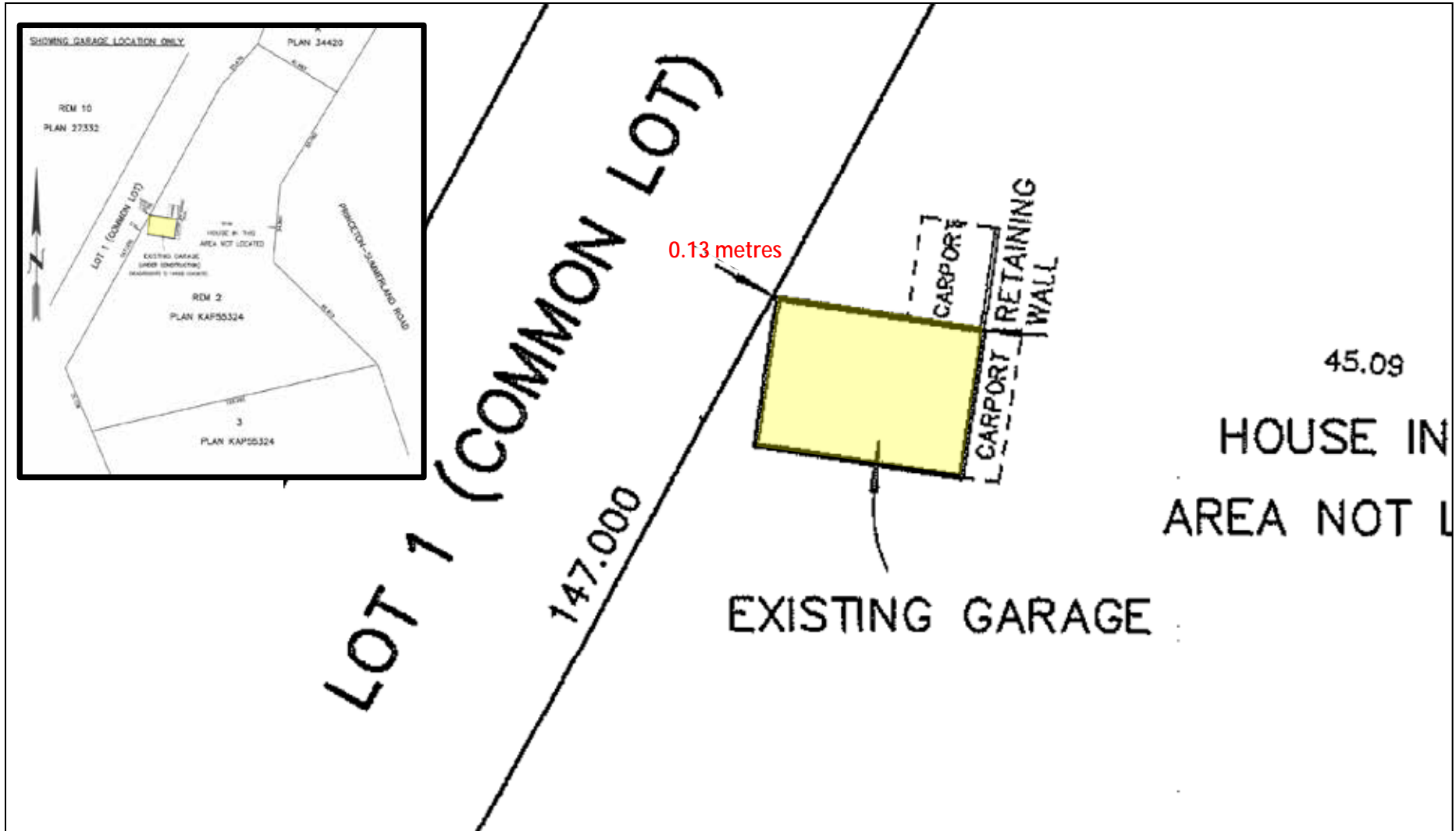
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. F2017.039-DVP

Schedule 'B'




March 23, 2017

To: Laura Miller  
RDOS

RE: 8089 Princeton-Summerland Road, Summerland BC Property

We agree with allowing the variance on this property with regards to the shop.

Thank you,  
Kyla and Jeff Gaudioso  
8093 Princeton-Summerland Road,  
Summerland BC V0H1Z8

F-07241.101   
MORBERG

Bryan Moberg and Halley Ferguson

8089 Princeton-Summerland Rd.  
Summerland B.C., V0H 1Z8

April 5, 2017

Advisory Planning Commission Board  
R.D.O.S  
101 Martin St.  
Penticton B.C., V2A 5J9

Dear Advisory Planning Commission Board

We the owners of the neighbouring properties to 8089 Princeton-Summerland Rd  
summerland do not oppose the the location of the shop on the above mentioned property.

Sincerely yours,

Devan Kilby  
8097 - Princeton-Summerland Rd.

DWAYNE SMITH  
8105 PRINCE/SUMMERLAND RD

Joseph Murt

8101 PRINCE/SUMMERLAND RD



MINUTES  
Electoral Area F Advisory Planning Commission  
Meeting of Thursday April 6 2017  
RDOS 101 Martin Street, Penticton

RECEIVED  
Regional District

APR 10 2017

101 Martin Street  
Penticton BC V2A 5J9

Members Present:  
Natalie Minunzie, Chair  
Don Barron  
Sandy Berry  
Stewart Patterson, Secretary  
Hillary Ward, Vice-Chair  
Bob Nicholson

Also Present:  
Michael Brydon, RDOS Director Area F

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED UNANIMOUSLY

2. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of Thursday December 15 2016 be approved.

CARRIED UNANIMOUSLY

3. DELEGATIONS

3.1 O'Connor, Martin & Maureen for Development Variance Permit Application F07338.005 / Project # F2017.026-DVP

3.2 Moberg, Bryan for Development Variance Permit Application F07241.101 / Project # F2017.039-DVP

3.3 Okanagan Lake Boat Company for Integrated Land Management Referral Application F2017.047-CROWN

4. DEVELOPMENT APPLICATIONS

4.1 To allow for the development of a detached garage.

Martin & Maureen O'Connor 411 Vedette Drive, West Bench Small Holdings (SH)

Agent: Martin O'Connor

Legal: Lot B, Plan KAP29733, District Lot 5076, ODYD Zone: Small Holdings Five (SH5)

to vary the minimum rear parcel line setback for an accessory structure from 9.0 m to 1.4 m, as measured to the outermost projection.

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the subject development application be supported.

CARRIED UNANIMOUSLY

4.2. To formalize the development of a detached garage within an interior side setback.

Bryan Moberg & Halley Ferguson Agent: Bryan Moberg Folio: F-07241.101

Lot 2 and an undivided 1/9 share in Lot 1, Plan KAP55324, DL 2893, ODYD, Except Plan

KAP65813 8089 Princeton-Summerland Rd. OCP: Small Holdings (SH) Zone: Small Holdings Three (SH3)

O'Connor  
application

Moberg  
application

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the subject development application be supported.

CARRIED UNANIMOUSLY

## 5. REFERRALS

5.1 To allow for the temporary moorage of the MV Fintry Queen adjacent to Kikiniinee Provincial Park. Crown land Agent: Okanagan Lake Boat Company Inc. Folio: N/A  
Civic: N/A OCP: N/A Zone: N/A

Discussion

MOTION

It was moved and seconded that the APC recommends to the RDOS Board that the proposed use of Crown land not be supported.

CARRIED

RATIONALE: 1. Kikiniinee Provincial Park is a small day-park with limited parking that quickly fills in the summer. Its busy boat ramp is a potential access for parking and servicing the Fintry Queen, thereby encroaching on public space.

2. The marine area near Kikiniinee Provincial Park and nearby Sunoka Beach Park has very busy boating and other water activity in the summer, and the moored Fintry Queen would create a potential boating hazard.

3. A moored Fintry Queen would be a commercial venture occupying public space obstructing Kikiniinee Provincial Park's lake view.

## 6. OTHER

6.1 APC Bylaw No. 2339 5.1 – Chair of the Commission

Election of the Chair, Vice-Chair and Secretary (to be performed at the first meeting of each new year – Section 5.1; Bylaw No. 2339)

MOTION – It was moved and seconded that the following three APC members be appointed:

Chair- Hillary Ward

Vice Chair- Sandy Berry

Secretary – Bob Nicholson

CARRIED (UNANIMOUSLY)

## 7. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 9pm.

CARRIED (UNANIMOUSLY)

**Natalie Minunzie**

Advisory Planning Commission Chair

**Stewart Patterson**

Advisory Planning Commission Recording Secretary

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 20, 2017  
**RE:** Zoning Bylaw Amendment – Electoral Area “D”

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## Administrative Recommendation:

**THAT** Bylaw No. 2457.18, 2017 and Bylaw No. 2457.19, 2017, Electoral Area “D-1” Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing;  
**AND THAT** the holding of the public hearing be delegated to Director Siddon or delegate;  
**AND THAT** staff schedule the date, time, and place of the public hearing in consultation with Director Siddon;  
**AND THAT** staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

---

**Purpose:** To discharge the LUC-23-D-77 for the subject property and replace it with a Small Holdings Four (SH4) zone, and to initiate an early termination process for the remaining properties within the LUC.

**Owner:** Andrew Joyner & Debbie McCartney      **Agent:** N/A      **Folio:** D-02779.010

**Civic:** 137 Taggart Crescent, Kaleden      **Legal:** Lot 2, DL 411, SDYD, Plan 29328

**OCP:** Small Holdings (SH)      **Proposed:** N/A

**Zoning:** LUC-23-D-77      **Proposed:** Small Holdings Four (SH4)

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## Proposal:

This application proposes to remove Land Use Contract (LUC) No. LU-23-D-77 on the subject property and replace it with a new Small Holdings Four (SH4) Zone that will allow for a secondary suite (which is not currently permitted by the LUC).

In support of the proposal the applicant states that “the goal is to keep the elderly living with the family as long as possible to avoid the use of a care home” and that “the project will not have any negative impact on land use pattern or the adjacent land as it will only require minor modifications to an existing building.”

In addition, Administration is recommending that the Board initiate the early termination process for LU-23-D-77 in order to similarly replace it with a Small Holdings Four (SH4) zone over the other 10 properties currently subject to the LUC.

## Site Context:

The subject property is approximately 4,134 m<sup>2</sup> in size, and is located in the Twin Lakes area, fronting Trout Lake, approximately 220 m from Highway 3. The entire LUC area is approximately 4.7 ha in area and contains 11 properties.

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The subject property has an existing dwelling and associated accessory structures on site including a garage/ workshop within which the secondary suite is contained.

The surrounding pattern of development is characterized as rural residential lots of similar size along Taggart Crescent with larger rural parcels to the north. The Twin Lakes commercially zoned property containing the Twin Lakes store and gas station is to the south of Trout Lake.

**Background:**

From 1971 to 1978 the Provincial *Municipal Act* permitted the Regional District to enter into agreements, know as Land Use Contracts(LUC) with property owners for the purpose of creating specific land use and conditions of development.

In 2014, the provincial government amended the *Local Government Act* (LGA) in order that all remaining LUCs will automatically be terminated by June 2024.

Bylaw No. 133, that authorized LUC-23-D-77, was approved in 1977, and the properties were subdivided in 1980.

The two methods to replace a LUC with current land use designations are through an ‘early termination’ process and a ‘voluntary discharge’ process. The LGA allows local governments to remove a LUC without the consent of an owner; however, in applying this approach the LGA stipulates that any new zoning adopted as part of an early termination process does not come into effect until 12 months plus a day following termination.

The voluntary discharge option is available to anyone who is considering new development in the next 12 months who does not want to wait for the zoning to take effect.

RDOS records indicate a building permit was issued for the subject property in 1980 for a single family dwelling, and in 1994 for a hay barn. In 2007 a building permit was issued for an accessory garage and workshop. Records also indicate that an enforcement file was opened in 2016 pertaining to a suite above the garage.

Under the recently updated Electoral Area “D-1” OCP Bylaw 2683, 2016, the subject property is designated as Small Holdings (SH). A Watercourse Development Permit (WDP) is identified on the property; however, a permit would not be required as the existing buildings are outside of the mapped WDP area.

**Referrals:**

A Public Information Meeting was held on March 29, 2017 at the Kaleden Hall where eight members of the public were in attendance.

At its meeting of April 11, 2017, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this application be approved.

Referral comments on this proposal have been received from the Ministry of Forest, Lands and Natural Resource Operations (MFLNRO), Ministry of Transportation and infrastructure (MOTI), Interior Health Authority (IHA) and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposed amendment affects land within 800 metres of a controlled area.

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**Analysis:**

In considering this proposal, Administration notes that most of the permitted uses and siting regulations contained with LUC-23-D align directly with those permitted within the Small Holdings Four (SH4) zone. A comparison chart between the two zones is attached to this report.

The notable difference between the two zones is that the SH4 zone permits a secondary suite whereas the LUC does not. In the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, a secondary suite may; however, be contained in an accessory structure such as a garage.

The applicant has voluntarily agreed to discharge the LUC from the subject property and thereby the new SH4 zoning will be in effect as soon as the amendment bylaw is approved by the Board. Other LUC property owners were given the opportunity to voluntarily discharge the LUC for their properties if they wished to be rezoned at the same time. To date, no one has taken this opportunity.

As it is being recommended that the RDOS initiate the early termination process, all the properties will have the LUC replaced with SH4 zoning one year and a day after the bylaw amendment is approved. No further action will be required by those property owners.

With regards to the subject application, Administration supports the voluntary discharge of the LUC that will formalize a use not currently permitted (secondary suite). Administration also supports the replacement of all the LUCs in a timely matter.

Administration has been systematically addressing inconsistencies across electoral area zoning bylaws and in 2015 addressed secondary suites in Electoral Area "D". Both "D-1" and "D-2" now have consistent regulations for the zones where secondary suites are permitted.

Permitting secondary suites, as long as they meet the associated regulations with regards to size of property, servicing requirements and location, has been seen as a progressive step in providing housing options and consistency between electoral areas. The Board is advised that a future planning project is to consider the merits of introducing 'carriage houses' as a permitted accessory use in certain zones, such as the SH4 zone.

For the above reasons, Administration supports the proposed subject application.

**Alternatives:**

THAT Bylaw No. 2457.18, 2017 and Bylaw No. 2457.19, 2017, Electoral Area "D-1" Zoning Bylaw amendments be denied.

**Respectfully submitted:**

**Endorsed by:**

**Endorsed by:**

*E. Riechert*

\_\_\_\_\_

Donna Butler

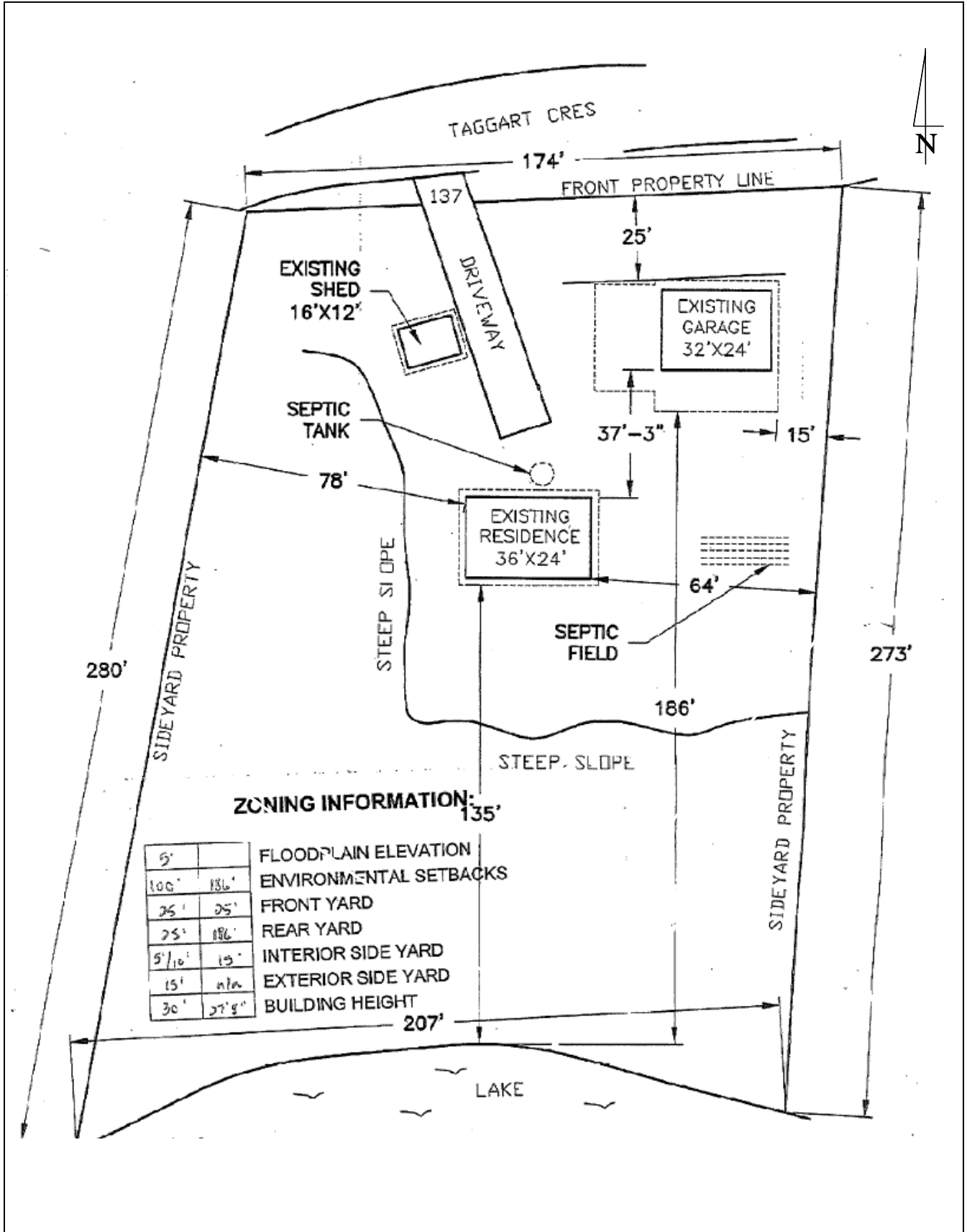
E. Riechert, Planner

C. Garrish, Planning Supervisor

D. Butler, Development Services Manager

**Attachments:** No. 1 – Applicant's Site Plan  
No. 2 – Site Photo (Google Streetview)  
No. 3 – LUC & Zone Comparison

Attachment No. 1 – Applicant's Site plan



Attachment No. 2 – Site Photo (Google Streetview)



Attachment No. 3 – LUC & Zone Comparison

<p><b>Small Holdings Four (SH4)</b> <i>proposed</i></p>	<p><b>LUC-23-D-77</b> <i>existing</i></p>	<p><b>Comments</b></p>
<p><b>Permitted Uses:</b> <u>Principal uses:</u> a) agriculture, excluding intensive agriculture; b) single detached dwellings; <u>Secondary uses:</u> c) secondary suite; subject to 7.12 d) home occupations, subject to Section 7.17 e) bed and breakfast operation, subject to Section 7.19; f) accessory buildings and structures, subject to Section 7.13</p>	<p><b>Permitted Uses:</b> a) agriculture, subject to number of horses, sheep or other large animals not to exceed one (1) for each one half (1/2) acre total number of fowl, rabbits other small fur-bearing animals, or number of colonies of bees not to exceed 25 plus 1 for each 500 f<sup>2</sup> in excess of one half acre. Processing, packing and sale of produce grown in the same lot only shall be permitted. b) Single family dwellings, mobile homes (CSA approved) c) Travel trailers, subject to conditions d) Home occupations subject to conditions</p>	<p>Number of livestock is regulated through the general regulations in the zoning bylaw. Currently: .1 on any parcel 2.0 ha or less in area, the total number of livestock must not exceed 1 animal for each 0.4 ha of area .2 on any parcel 0.4 ha or less in area, the total number of poultry and/or furbearing animals shall not exceed 25.  (will be amended later 2017)</p>
<p><b>Minimum Parcel Size:</b> a) 0.5 ha, subject to servicing requirements;</p>	<p>a) Minimum Site Area for residential purposes shall be (1) one acre b) Minimum site area for residential purposes shall be 0.9 ha for those lots described as forming part of Lot 9, Plan 29328</p>	<p>1 acre=4047 m<sup>2</sup> [0.4 ha]</p>
<p><b>Minimum Parcel Width:</b> a) Not less than 25% of the parcel depth</p>	<p>Minimum mean site width shall be ten (10) percent of the site perimeter</p>	<p>Lots are already subdivided</p>
<p><b>Maximum Number of Dwellings Permitted Per Parcel:</b> a) one (1) dwelling per parcel; and b) one (1) secondary suite per parcel</p>	<p>Not more than one (1) dwelling unit or one travel trailer shall be permitted upon any lot</p>	<p>Zoning provides for a secondary suite which is not permitted in the LUC.</p>
<p><b>Minimum Setbacks:</b></p>	<p><u>Siting</u></p>	<p>Rear setback less in proposed SH4 zone.</p>



<p>a) Principal buildings:</p> <ul style="list-style-type: none"> <li>i) Front parcel line: 7.5 metres</li> <li>ii) Rear parcel line: 3.0 metres</li> <li>iii) Exterior side parcel line: 4.5 metres</li> <li>iv) Interior side parcel line: 4.5 metres</li> </ul> <p>b) Accessory buildings and structures:</p> <ul style="list-style-type: none"> <li>i) Front parcel line: 7.5 metres</li> <li>ii) Rear parcel line: 3.0 metres</li> <li>iii) Exterior side parcel line: 4.5 metres</li> <li>iv) Interior side parcel line: 4.5 metres</li> </ul>	<p>Minimum building setbacks from property line:</p> <p>Front – Twenty-five (25) feet [7.6 m]</p> <p>Rear – Twenty-five (25) feet [7.6 m]</p> <p>Side – Five (5) feet and ten (10 feet respectively for interior lots</p> <p>Side – Fifteen (15) feet [4.6 m] when flanking a road</p>	
<p><b>Maximum Height:</b></p> <p>a) No principal building shall exceed a height of 10.0 metres;</p>	<p>No building shall exceed a height of thirty (30 feet [9.1 m]</p>	<p>Similar height restriction for the principal dwelling but includes a lesser height for accessory structures (e.g. detached garage)</p>
<p><b>Maximum Parcel Coverage:</b></p> <p>a) 25%</p>	<p>n/a</p>	<p>Parcel coverage prevents a parcel from being too crowded</p>
<p><b>Minimum Building Width:</b></p> <p>a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed</p>	<p>n/a</p>	
	<p><u>Parking</u></p> <p>Sufficient parking areas will be provided on site to accommodate two (2) vehicles per dwelling unit.</p>	<p>Note: all Parking requirements are listed under the General Regulations section of the Zoning Bylaw. Two off street parking is normal. One extra would be needed for a secondary suite.</p>

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2457.18, 2017**

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**A Bylaw to partially discharge Land Use Contract No. LUC-23-D-77 and  
to amend the Electoral Area "D" Zoning Bylaw No. 2457, 2008**

---

WHEREAS pursuant to s. 548 of the *Local Government Act*, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government; and

WHEREAS the registered owner of the land described in section 2 of this bylaw has agreed to the discharge for the land use contract that applies to their lands;

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 "D" Trout Lake Land Use Contract 23-D-77 Discharge and Zoning Amendment Bylaw No. 2457.18, 2017."
2. The Land Use Contract No. LUC-23-D, registered in the Kamloops Land Title Office under charge number N26319 against title to the land described as Lot 2, District Lot 411, SDYD, Plan 29328, and shown shaded yellow on the attached Schedule 'Y-1' (which forms part of this Bylaw), is discharged in respect of that land and the authorized signatories of the Regional District may execute the discharge agreement attached to this bylaw as Schedule 'Z'.
3. The land specified in section 2, and shown shaded yellow on the attached Schedule 'Y-1' (which forms part of this Bylaw) is zoned Small Holdings Four (SH4) in the Regional District of Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2457, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended accordingly.
4. The Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:

- a) adding a new reference to “Small Holdings Four SH4” under Section 6.1 (Zoning Districts).
- b) adding a new sub-section 10.7 (Small Holdings Four Zone) under Section 10.0 (Rural Zones) to read as follows:

**10.7 SMALL HOLDINGS FOUR ZONE (SH4)**

**10.7.1 Permitted Uses:**

Principal Uses:

- a) agriculture, subject to Section 7.22;
- b) single detached dwellings;

Secondary Uses:

- c) secondary suites, subject to 7.12;
- d) home occupations, subject to Section 7.17;
- e) bed and breakfast operations, subject to Section 7.19;
- f) accessory buildings and structures, subject to Section 7.13.

**10.7.2 Site Specific Small Holdings Four (SH4s) Provisions:**

- a) see Section 16.25

**10.7.3 Minimum Parcel Size:**

- a) 0.5 ha, subject to servicing requirements.

**10.7.4 Minimum Parcel Width:**

- a) Not less than 25% of the parcel depth.

**10.7.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite.

**10.7.6 Minimum Setbacks:**

- a) Buildings and structures, subject to Section 7.22:

- i) Front parcel line 7.5 metres
- ii) Rear parcel line 7.5 metres
- iii) Interior side parcel line 4.5 metres
- iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings or structures, subject to Section 7.22:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 3.0 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**10.7.7 Maximum Height:**

- a) No building, accessory building or structure shall exceed a height of 10.0 metres;

**10.7.8 Maximum Parcel Coverage:**

- a) 25%

**10.7.9 Minimum Building Width:**

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

- c) adding a new sub-section 16.25 under Section 16.0 (Site Specific Designations) to read as follows:

**16.25 Site Specific Small Holdings Four (SH4) Provisions:**

- .1 *blank*

READ A FIRST AND SECOND TIME this \_\_\_ day of \_\_\_\_\_, 2017.

PUBLIC HEARING held on this \_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_ day of \_\_\_\_\_, 2017.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area 'D' Zoning Amendment Bylaw No. 2457.18, 2017" as read a Third time by the Regional Board on this \_\_\_day of \_\_\_, 2017.

Dated at Penticton, BC this \_\_ day of \_\_\_, 2017

\_\_\_\_\_

Chief Administrative Officer

Approved pursuant to Section 52(3) of the Transportation Act this \_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_

Board Chair

\_\_\_\_\_

Corporate Officer

# Regional District of Okanagan-Similkameen

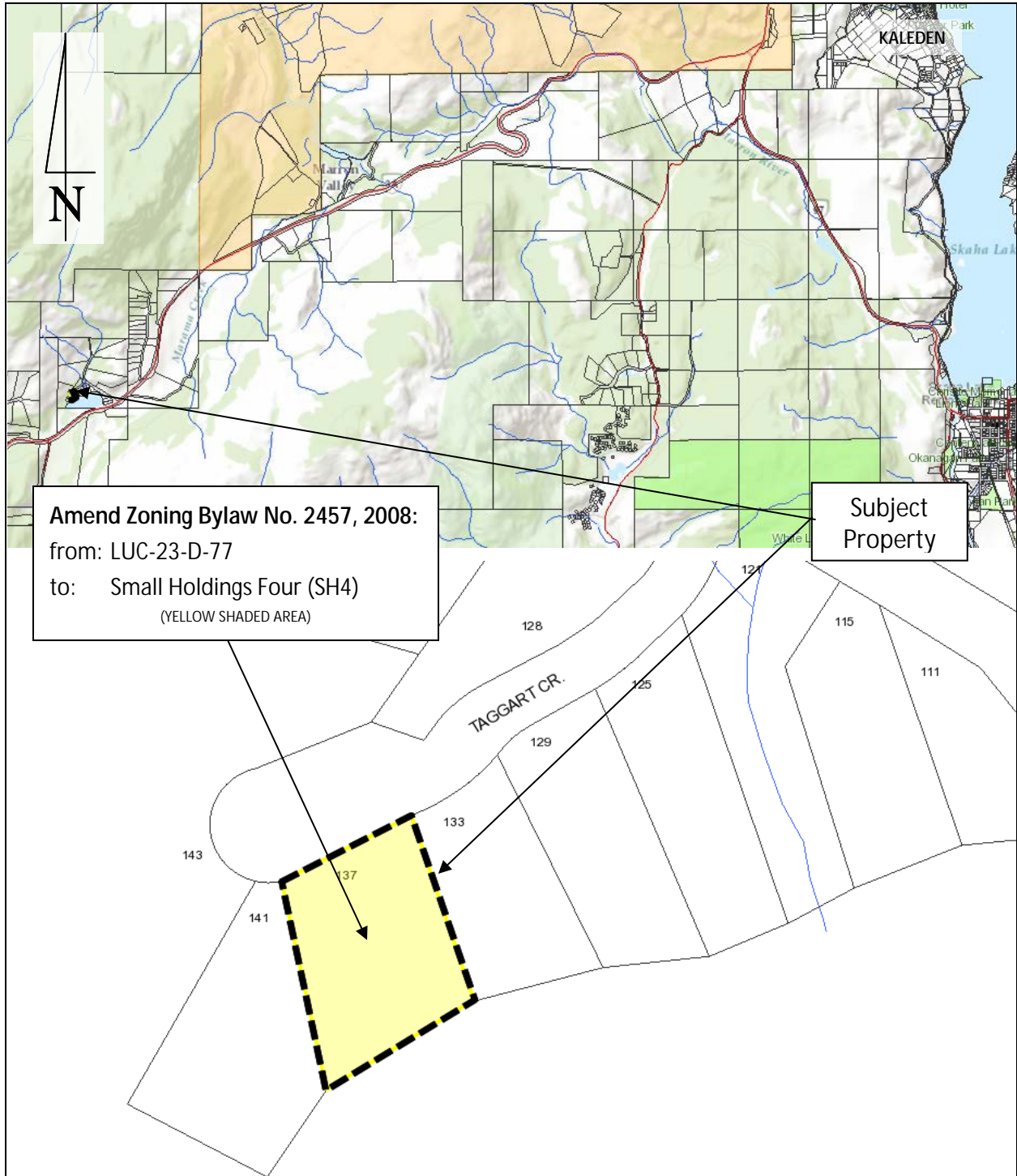
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2457.18, 2017

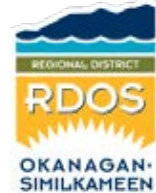
Project No: D2017.016-ZONE

## Schedule 'Y'



# Regional District of Okanagan-Similkameen

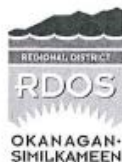
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2457.18, 2017

Project No: D2017.016-ZONE

## Schedule 'Z' voluntary Discharge



## LAND USE CONTRACT DISCHARGE AGREEMENT

Regional District of Okanagan-Similkameen

WHEREAS on November 17, 1977 the Okanagan-Similkameen Regional District entered into a land use contract with TAB Holdings Ltd in respect to lands described as "that part shown as parcel "B" on Plan "B"6484 of District Lot 411, Similkameen Division Yale District, Kettle River Assessment Area", which land use contract was authorized by Electoral Area "D" Zoning Bylaw No. 100 Amendment Bylaw No. 377, 1977 and registered in the Kamloops Land Title Office under N26319 (the 'Land Use Contract'); and

WHEREAS the Land was subsequently subdivided by Plan 29328 deposited in the Kamloops Land Title Office on October 11, 1978; and

WHEREAS on May 26, 2006 Andrew Gordon Joyner and Debbie Lee McCartney (the "Owners") became the owners in fee simple of Lot 2, District Lot 411, SDYD, Plan 29328 ("Lot 2"); and

WHEREAS the Regional District and the Owner wish to discharge the Land Use Contract in respect of Lot 2; and

WHEREAS under Section 546 of the *Local Government Act* a land use contract that is registered in a land title office may be discharged by bylaw, with the agreement of the local government and the owner of any parcel of land that is described in the bylaw as being covered by the amendment; and

WHEREAS the Regional District has held a public hearing in accordance with Sections 464 of the *Local Government Act* and has authorized the execution of this Agreement by Electoral Area "D" Land Use Contract Discharge and Zoning Amendment Bylaw No. 2457.18, 2017;

THIS AGREEMENT is evidence that, in consideration of the premises and the sum of one dollar paid to the Regional District by the Owner, the receipt and sufficiency of which are acknowledged by the Regional District, the Owner and the Regional District agree that the Land Use Contract is discharged in relation to Lot 2.

**ANDREW G JOYNER AND DEBBIE L MCCARTNEY AS JOINT TENANTS**

  
\_\_\_\_\_  
Authorized Signatories:

**REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN**  
By its authorized signatories:

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

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

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2457.19, 2017**

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**A Bylaw to terminate Land Use Contract No. LU-23-D-77 and  
to amend the Electoral Area "D" Zoning Bylaw No. 2457, 2008**

---

WHEREAS pursuant to s. 548 of the *Local Government Act*, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government;

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 "D" Trout Lake Land Use Contract LU-23-D-77 Termination and Zoning Amendment Bylaw No. 2457.19, 2017."
2. The Land Use Contract No. LU-23-D-77, registered in the Kamloops Land Title Office under charge number JN26319 against title to the land described as:
  - i) Lots 1, 3-8, District Lot 411, SDYD, Plan KAP29328; and
  - ii) Lots 1-3, District Lot 411, SDYD, Plan KAP58276;and shown shaded yellow on the attached Schedule 'Y' (which forms part of this Bylaw), is terminated.
3. The land specified in section 2, and shown shaded yellow on the attached Schedule 'Y' (which forms part of this Bylaw) is zoned Small Holdings Four (SH4) in the Regional District of Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2457, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended accordingly.
4. This Bylaw shall come into force on the day that is one year and one day after the date this Bylaw is adopted.



READ A FIRST AND SECOND TIME this \_\_\_ day of \_\_\_\_\_, 2017.

PUBLIC HEARING held on this \_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_ day of \_\_\_\_\_, 2017.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area 'D' Zoning Amendment Bylaw No. 2457.19, 2017" as read a Third time by the Regional Board on this \_\_\_day of \_\_\_, 2017.

Dated at Penticton, BC this \_\_ day of \_\_\_, 2017

\_\_\_\_\_

Chief Administrative Officer

Approved pursuant to Section 52(3) of the Transportation Act this \_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_

Board Chair

\_\_\_\_\_

Corporate Officer

# Regional District of Okanagan-Similkameen

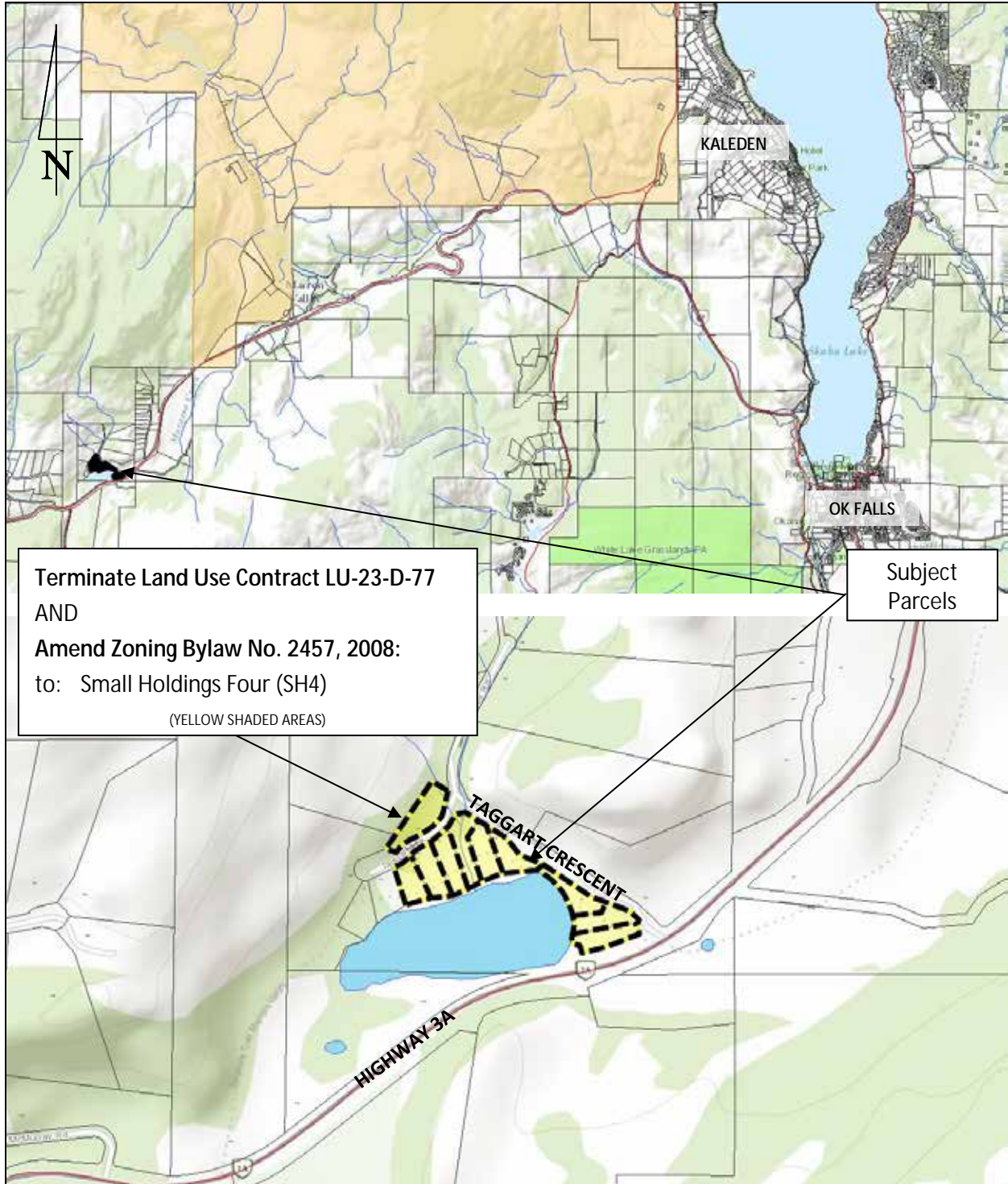
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2457.19, 2017

File No. D2017.016-ZONE

Schedule 'Y'





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## Background:

The current boundaries of the subject property were established by a subdivision in 1985, and available Regional District records indicate that a Building Permit for a single detached dwelling was issued in 1991 and a farm building exemption was given in 2016.

Under the Electoral Area "E" OCP Bylaw No. 2458, 2208 the subject property is designated as Small Holdings (SH) and under the Zoning Bylaw No. 2459, 2008, the property is zoned Small Holdings Two (SH2). There are no development permits designated on the property nor is the property within the Agricultural Land Reserve.

## Referrals:

At its meeting of April 10, 2017, the Electoral Area "E" Advisory Planning Commission (APC) no quorum was achieved; however, conversation among those members in attendance was supportive.

A Public Information Meeting was held ahead of the APC meeting on April 10, 2017, and two members of the public were in attendance.

Referral comments on this proposal have been received from the Interior Health Authority (IHA), and this is included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the proposed amendment affects land beyond 800 metres of a controlled area.

## Alternatives:

- .1 THAT Bylaw No. 2459.28, 2017, Electoral Area "E" Zoning Amendment Bylaw be denied; OR
- .2 THAT Bylaw No. 2459.28, 2017, Electoral Area "E" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;  
AND THAT the holding of the public hearing be delegated to Director Kozakevich or delegate;  
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Kozakevich;  
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

## Analysis:

In considering this proposal, Administration notes that the applicant is seeking to transfer the additional dwelling unit (i.e. secondary suite) from being within the principal dwelling to an accessory building elsewhere on the property. In exchange, they are proposing to remove 'secondary suite' as a permitted use on the subject property so that the overall density remains unchanged.

The neighbourhood characteristics would not appear to be negatively impacted by the proposed conversion as the existing building is located on the northern portion of the site and is immediately across from Sunset Acres Resort, while the land across from Indian Rock Rd is vacant.

Administration further notes that the current Electoral Area "E" Zoning Bylaw permits secondary suites and accessory dwellings on properties zoned Large Holdings (LH), Agriculture One (AG1). The ability to develop either an accessory detached dwelling (i.e. "carriage house") or secondary suite on

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a parcel is a separate project that Administration is currently working on and is tentatively planning to bring forward for consideration by the Board in the near future.

It is envisioned — much like what this application is proposing — that property owners will be given flexibility in the location of their accessory dwelling. For this reason, Administration supports the proposed rezoning application.

Administration is recommending that the public hearing occur at the Board meeting of May 4, 2017; however, an alternate option of scheduling the hearing in the community is also available.

Respectfully submitted

Endorsed by:

Endorsed by:

*ERiechert*

\_\_\_\_\_

Donna Butler

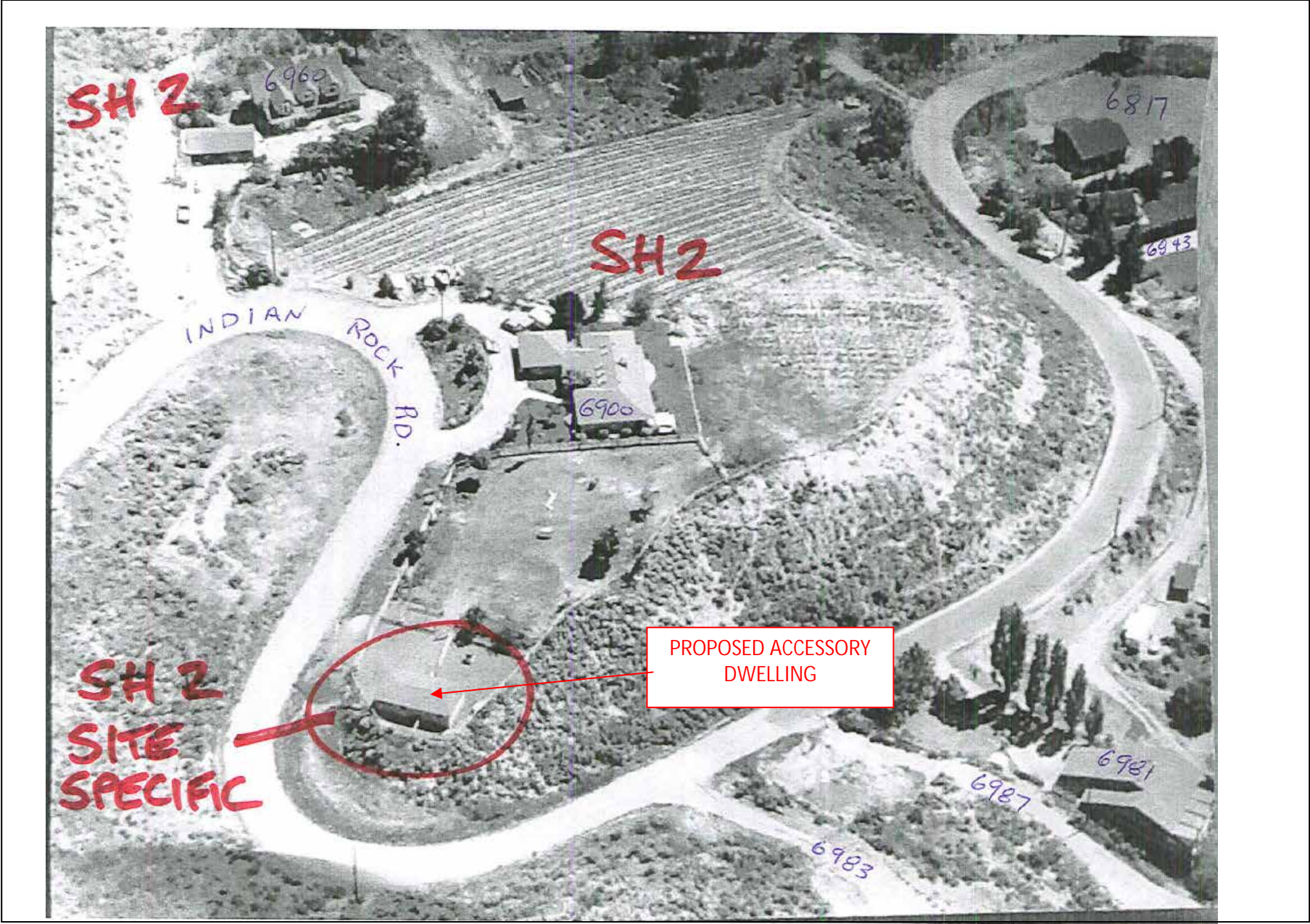
E.Riechert, Planner

C. Garrish, Planning Supervisor

D. Butler, Dev. Services Manager

Attachments: No. 1 – Applicant’s Site Plan

Attachment No. 1 – Applicant's Site Plan



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2459.23, 2017**

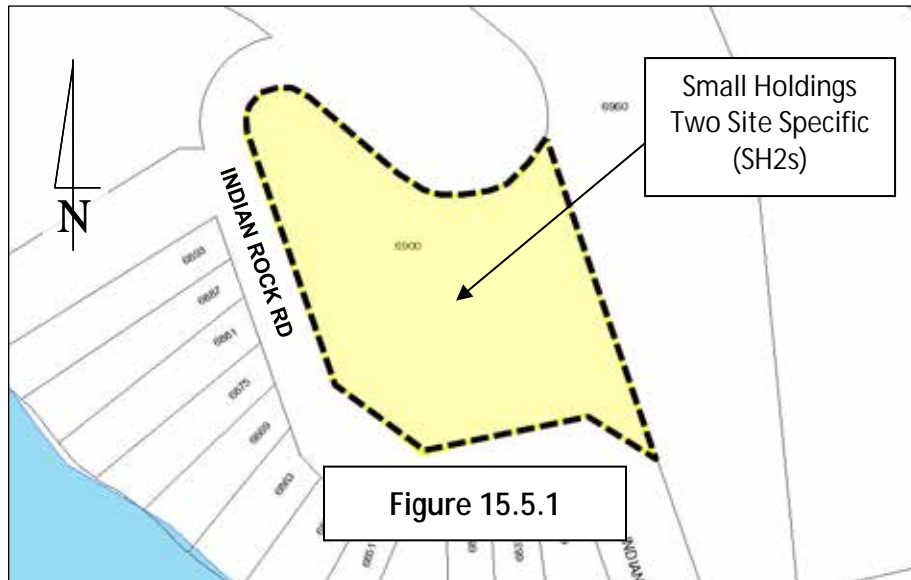
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**A Bylaw to amend the Electoral Area "E" Zoning Bylaw No. 2459, 2008**

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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 "E" Zoning Amendment Bylaw No. 2459.23, 2017."
2. The Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on land described as Lot 1, District Lot 391, SDYD, Plan 35614, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Two Site Specific (SH2s).
3. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
  - i) replacing section 15.5.1 (Site Specific Small Holdings Two (SH2) Provisions) under Section 15.0 (Site Specific Designations) with the following:
    - .1 in the case of land described as Lot 1, District Lot 391, SDYD, Plan 35614, and shown shaded yellow on Figure 15.5.1
      - a) despite Section 10.5.5, the maximum number of accessory dwellings permitted on the subject parcel shall be one (1); and
      - b) despite Sections 10.5.1 (f) a secondary suite shall not be permitted.



READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2017.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

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

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





## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 20, 2017

**RE:** Award of Osoyoos Lake North Trail Resurfacing Project

---

### Administrative Recommendation:

**THAT the Board of Directors approve the tender evaluation report and recommendations for award of the “Osoyoos Lake North KVR Trail Resurfacing” Request for Proposals;**

**AND THAT the Board of Directors award the “Osoyoos Lake North Trail Resurfacing” project to MacKinley-Clark Paving Ltd. up to the amount of \$193,326.56 exclusive of GST;**

**AND THAT the Board of Directors authorizes the Chair and Chief Administrative Officer to execute a contracting services agreement with MacKinley-Clark Paving Ltd.**

### Purpose:

The RDOS continues to work to connect the communities of the South Okanagan with a regional active transportation and recreation trail. This project is the next step towards realizing the goal by reconstructing and surfacing the KVR trail from Osoyoos Lake (91<sup>st</sup> Street) to Road 21.

### Reference:

Area Map

### Business Plan Objective:

- Key Success Driver: Build a sustainable region
- Goal 3.1: To develop a socially sustainable region
- Objective 3.1.4: By implementing the Regional Trails Program
- Activity: KVR South Spur Development

### Background:

In July of 2015, the RDOS was awarded a \$124,600 grant through the Canada 150 Community Infrastructure Program, to reconstruct the KVR trail from Osoyoos Lake to Road 21. The federal grant is a 50 percent subsidy, with the RDOS contribution being funded with capital reserves through the 2017 Regional Trails budget. The grant funding was structured over a two-year period allowing for planning and design in 2016 and construction in 2017.

The impetus for the reconstruction of this 3km section of KVR corridor stems from its removal and partial replacement during the Highway 97 “Four Lane” project in 2011. This trail rehabilitation project will create a key link from Osoyoos Lake north towards Oliver.

RDOS consulted with qualified engineering and environmental professionals along with provincial staff for the trail design. All required permitting for this project has been acquired through the Ministry of Transportation and Infrastructure and BC Transportation Finance Authority. The scope of the contract includes: earth works, surfacing and re-vegetation.

**Analysis:**

One RFP submission was received from a qualified contractor. The same contractor has previously completed other KVR trail re-surfacing projects in Naramata and Kaleden. A committee comprised of Community Services and Engineering staff evaluated the proposal based on the criteria outlined in the RFP advertisement. Criteria included price, company history, methodology and proposal clarity.

Contractor	Evaluation Score/ 100	Improvements (Plus GST)
MacKinley-Clark Paving Ltd.	95	\$193,326.56

The MacKinley-Clark Paving Ltd. proposal meets all mandatory requirements and is within budget.

**Alternatives:**

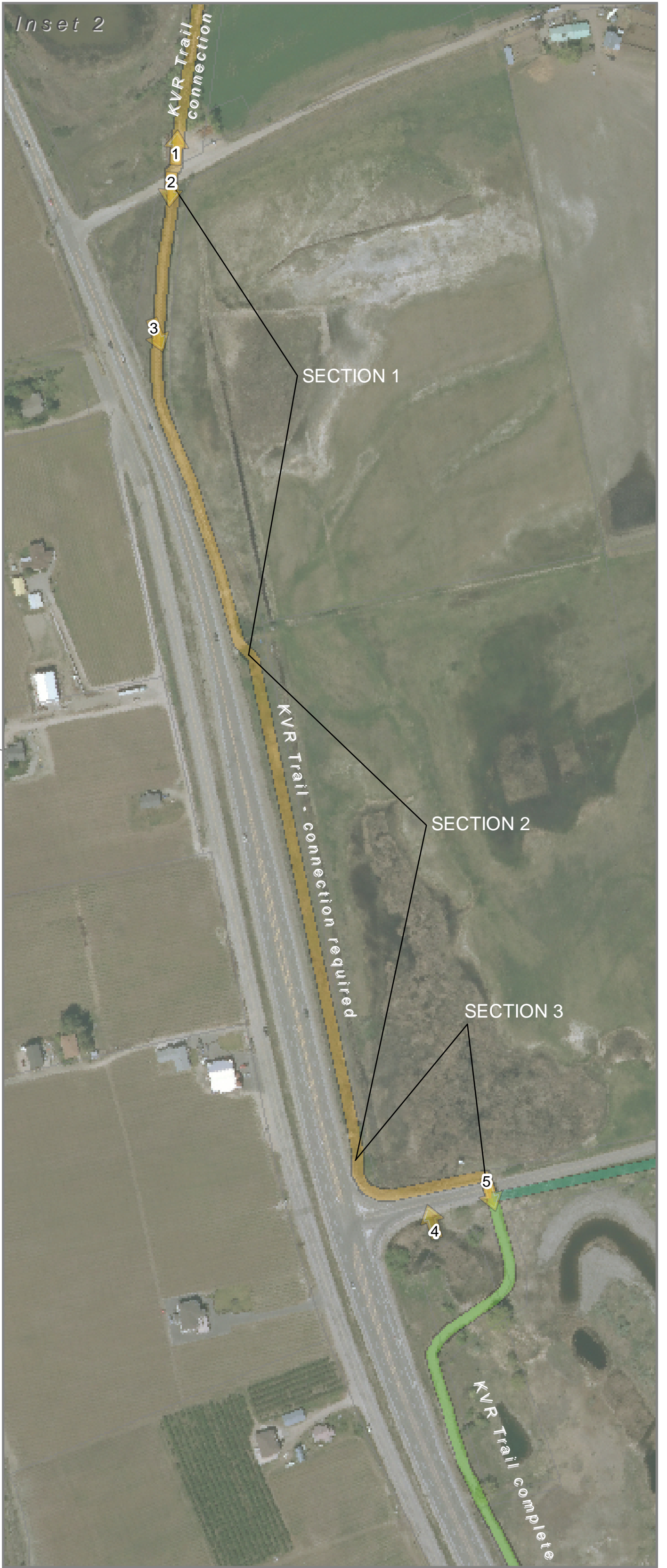
The Board may choose to not award the project to the recommended proponent.

**Respectfully submitted:**

*Justin Shuttleworth*

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J. Shuttleworth, Park/Facilities Coordinator



**Legend**

**Kettle Valley Rail Trail**

- Trail Complete
- Trail Construction
- Trail Bypass - Complete
- Properties
- Lake



## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 20, 2017

**RE:** South Okanagan Transit System Implementation

---

### Administrative Recommendation:

**THAT the Board enter into a Transit Service Agreement and Annual Operating Agreement with BC Transit for the South Okanagan Transit System.**

### Purpose:

That RDOS assumes administration of the South Okanagan Transit System (SOTS).

### Reference:

- Transit Service Agreement
- Annual Operating Agreement
- Budget Notes
- Lease Fee Summary

**Business Plan Objective:** KSD #3 Goal 3.1: To Develop a Socially Sustainable Community

### Background:

The South Okanagan Transit System (SOTS) is currently administered by the Town of Osoyoos in partnership with BC Transit and the operator, the South Okanagan Transit Society. Since 2008, Electoral Areas "A" "C" and "D", the Town of Oliver and the Town of Osoyoos have been contributing to the system through local share contribution agreements.

While the Board previously resolved to direct staff to begin the process for creating a regional service for the SOTS in 2007, BC Transit first required a Transit Future Study prior to transferring the service. The Okanagan-Similkameen Transit Future Plan was completed in April of 2015, and the Board endorsed the plan on April 9<sup>th</sup>, 2015.

On July 7<sup>th</sup>, 2016, the South Okanagan Transit System Service Establishment Bylaw No. 2741, 2016 received three readings by the Board. The Inspector of Municipalities provided statutory approval on August 8<sup>th</sup>, 2016. Administration received consent from the Board on September 1<sup>st</sup>, 2016 to proceed with an Alternative Approval Process. On November 17, 2016, the Board adopted Bylaw No. 2741, 2016 to establish and operate a transit system in the South Okanagan portion of the Regional District of Okanagan-Similkameen.

**Analysis:**

SOTS is comprised of three routes, providing service between Osoyoos and Kelowna. *Route 1* operates within Osoyoos, Monday to Thursday mornings and in the afternoons Tuesday to Thursday. *Route 2* provides service between Osoyoos and Penticton (including scheduled stops in Oliver, Okanagan Falls) on Tuesdays, Wednesdays, and Thursdays, and provides on-request services to Summerland Health Centre. *Route 3* operates between Osoyoos and Kelowna (including scheduled stops in Oliver, Okanagan Falls, Penticton, Summerland, and Kelowna) every Monday.

In assuming administration of SOTS, RDOS will uphold a previous commitment made by the Town of Osoyoos on June 9, 2014 to expand Route 2 (Osoyoos to Penticton) to include a Friday service. This planned expansion is set for implementation in September of 2017.

The projected net municipal (local) share of costs for SOTS along with the same for the Friday expansion are outlined in the following table. Please note that these figures do not include the Health Connections Grant that RDOS is confirmed to receive from Interior Health for the same operative year.

2017/18 Budget	Net Municipal Cost	Revenue	Local Share Operating Costs
SOTS	\$57,191	\$28,886	\$28,305
Expansion	\$18,895	\$2,076	\$16,819
<b>Total</b>	<b>\$76,086</b>	<b>\$30,962</b>	<b>\$45,124</b>

According to the formula set out in **Bylaw No. 2741 2016**, the apportionment of requisition for the service will be as follows.

Area	Apportionment	Total
Electoral Area "A" (All)	11.79%	\$5,320.12
Electoral Area "C" (All)	15.83%	\$7,143.13
Electoral Area "D" (Service Area)	15.46%	\$6,976.17
Town of Oliver (All)	20.39%	\$3,361.05
Town of Osoyoos (All)	36.53%	\$16,483.80
<b>Total</b>	<b>100.00%</b>	<b>\$45,124.00</b>

**Alternatives:**

That the Board not enter into the Transit Service Agreement and Annual Operating Agreement for the South Okanagan Transit System with BC Transit.

**Communication Strategy:**

If endorsed, the transfer of the SOTS will be communicated via press release and on the RDOS website and social media.

**Respectfully submitted:**

*Candice Gartner*

---

C. Gartner, Rural Projects Coordinator

**SOUTH OKANAGAN (OSOYOOS)  
TRANSIT SERVICE AGREEMENT**

**between**

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**and**

**BRITISH COLUMBIA TRANSIT**

**Effective**

**April 1, 2017**

**INFORMATION CONTAINED IN THIS AGREEMENT IS SUBJECT TO THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT. CONSULT WITH THE AUTHORITY PRIOR TO RELEASING INFORMATION TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.**



**TRANSIT SERVICE AGREEMENT**

BETWEEN:

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

(the "Municipality")

AND:

**BRITISH COLUMBIA TRANSIT**

(the "Authority")

WHEREAS the Authority has, at the request of the Municipality, established the Transit Service Area described in this agreement pursuant to the *British Columbia Transit Act*,

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area; and

WHEREAS the Municipality and the Authority wish to define their respective rights and responsibilities with respect to the provision of transit services in the Transit Service Area.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

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## **SECTION 1: DEFINITIONS**

The Definitions that shall apply to this Agreement as approved pursuant to the *BC Transit Act* and Regulations are defined in Schedule "A" and, unless the context clearly indicates to the contrary, any words defined in the singular shall include the plural and vice versa.

## **SECTION 2: INCORPORATION OF SCHEDULES**

The parties agree that the attached schedules form part of this agreement and are binding on the parties.

## **SECTION 3: ANNUAL OPERATING AGREEMENT**

The Municipality and the Authority shall enter into an Annual Operating Agreement prescribed by regulation made pursuant to the British Columbia Transit Act.

## **SECTION 4: INCORPORATION OF ANNUAL OPERATING AGREEMENT**

Upon execution, this Transit Service Agreement shall be deemed integrated into the Annual Operating Agreement and thereafter the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the British Columbia Transit Act, as amended from time to time.

## **SECTION 5: TRANSIT SERVICE AREA**

For the purposes of this agreement, the "Transit Service Area" is defined as the area comprised within the boundaries shown in Schedule "B" to be known as the South Okanagan Transit Service Area.

## **SECTION 6: TERM AND TERMINATION**

The parties agree that the effective date of this agreement is to be April 1, 2017, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Annual Operating Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.

Upon commencement of this agreement it shall remain in full force and effect unless and until terminated in accordance with the provisions of this Agreement. Either party may terminate this agreement as follows:

- a) Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 18.
- b) Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 18.

## SECTION 7: MUNICIPAL RESPONSIBILITIES

In accordance with the terms and provisions of this Agreement, and the *British Columbia Transit Act*, and regulations made pursuant to the Act, the Municipality shall be responsible for:

- a) Participating in the development of, and where in agreement approving, plans and amendments to the Public Passenger Transportation System including:
  - i. Determining service goals, levels and objectives for the Public Passenger Transportation System;
  - ii. Establishing service performance standards and guidelines for the System;
  - iii. Approving transit service plans and, where feasible, incorporating these plans into Official Community Plans and transportation plans for the Municipality;
  - iv. Approving bus routes;
  - v. Approving the Service Specifications prepared by the Authority consistent with operating and capital budgets set by the Authority; and
  - vi. Approving, after prior consultation with the Authority, requests for Special Transit Services in accordance with the policies and procedures developed by the Authority and the contingency budget provisions or as otherwise agreed to by parties for the payment of the Special Transit Services.
- b) Bus stops, shelters and related amenities including:
  - i. Approving, installing and maintaining bus stops, shelters and related amenities. The purchasing of materials, installation and maintenance of stops and shelters and related costs are the responsibility of the Municipality except in instances where the Authority has, by a separate written agreement entered into with the Municipality, agreed to share the costs according to the terms of that agreement;
  - ii. Identifying bus stops or shelters with signs and decals provided by the Authority and consistent with the Authority's brand standards; and
- c) Notifying the Operating Company and the Authority at least 48 hours in advance of any scheduled or anticipated street closures or traffic disruptions affecting transit service; develop alternate routings in consultation with the Operating Company; and ensure that adequate signage is posted along affected portions of routes.
- d) Establishing necessary traffic control by-laws and transit priority measures on their streets;
- e) With respect to System Revenues:
  - i. In consultation with the Authority, establishing a tariff and Fares and prescribing the terms and conditions applicable to each Fare category and amending this Fare structure in whole or in part from time to time;
  - ii. Depositing system revenues received from the Operating Company.
  - iii. Submitting a completed "Report of Revenue" form, supplied by the Authority, within 10 working days of the end of each month showing all system revenues collected on a monthly basis.
- f) With respect to budgets and payment:
  - i. Approving annual budgets consistent with the Service Specification and the Authority's budgets;
  - ii. Paying the amounts owing to the Authority on a monthly basis as invoiced by BC Transit in accordance with the budget provided in the Annual Operating Agreement;
  - iii. Where requested by BC Transit, the Municipality shall determine its administration costs relative to its responsibilities. Payment for these costs shall not exceed 2% of the Direct Operating Costs provided in the budget provided in the Annual Operating Agreement;
- g) Supporting the sustainability of the Public Passenger Transportation System by:

- i. Taking into consideration the impacts on transit service effectiveness when making local land use decisions;
  - ii. Promoting the use of the Public Passenger Transportation System.
- h) Notifying the Operating Company and the Authority of any customer complaints or concerns received by the Municipality; and,
- i) The Municipality may negotiate and enter into Community Transit Partnership Agreements only with prior written approval from the Authority;
- j) The Municipality agrees that the Authority will be the primary spokesperson for transit operational issues relating to the Public Passenger Transportation System and will cooperate when necessary to ensure accurate and effective public communications.

## SECTION 8: AUTHORITY RESPONSIBILITIES

The Authority shall:

- a) Set the annual operating and capital budgets for all transit services in the Transit Service Area;
- b) Provide the personnel required to develop and implement transit service plans, fare tariffs and marketing programs for the Transit Service Area;
- c) Administer and manage the activities of the operating company with respect to the services provided under this agreement, including:
  - i. Conducting financial and service audits of the Public Passenger Transit System; and
  - ii. Monitor the Transit Services provided in the Transit Service Area and report and make recommendations to the Municipality with respect to the standards of service and performance of the public transportation systems
- d) Institute marketing programs for transit service in the Transit Service Area, including:
  - i. In consultation with the Municipality, providing public information, marketing and communications services consistent with the budget established in the Annual Operating Agreement and the Authority's branding standards to promote the Public Passenger Transportation System, and
  - ii. Ensuring that the Municipality's respective corporate graphic standards are met in local promotions and communications.
- e) In accordance with the terms and provisions of this Agreement, and the *British Columbia Transit Act* and relevant *Regulations*, the Authority shall be responsible for providing and directing the Shared Services Resources for managing the Operating Company's overall delivery of Transit Services including:
  - i. Establishing customer service practices and procedures; and
  - ii. Conducting any inspections and audits the Authority deems necessary of the Operating Company, Transit Services, Revenue Service Vehicles, Premises and other Physical Assets.
- f) Develop policies and procedures for the delivery of the Transit Services including:
  - i. Prescribing Registered User eligibility criteria and developing procedures and policies to be used by the Operating Company for the assessment and registration of Eligible Users for Custom Transit Services; and
  - ii. Developing procedures and policies for the delivery of Extra Services.
- g) Plan, prepare and implement the Transit Services including:
  - i. Providing Public Passenger Transportation System marketing in accordance with Section 8(d) of this agreement;
  - ii. Ensuring that the terms and conditions of the transit advertising agreement between the Authority and the advertising contract company are met, and

- that the designated revenues generated by this contract are credited to the Municipality;
- iii. Negotiating the terms of the Provincial BC Bus Pass and ensuring that the designated revenue is credited to the Municipality;
  - iv. Providing to the Municipality on a periodic basis reports which will specify:
    - 1) The actual costs of service compared to the budgeted costs specified in the Annual Operating Agreement;
    - 2) The revenue accrued to date, including farebox and other transit revenue (obtained from the Municipality or credited to the Municipality) compared to the budgeted revenue amount; and
    - 3) The annual performance summary of the service compared to the service standards established by the Municipality as outlined in Schedule "C".
  - h) Determining and providing the Revenue Service Vehicles, Premises and other Physical Assets required by the Operating Company for the provision of the Transit Services pursuant to lease or license agreements with the Authority and monitor the use, maintenance and conditions of such Revenue Service Vehicles, Premises and Physical Assets;
  - i) Provide to the Municipality full contact information for the Operating Company, so that the Municipality may fulfill all obligations under this agreement and/or the Annual Operating Agreement with respect to providing notice to the Operating Company;
  - j) Exercise its authority as primary spokesperson for transit operational issues relating to the Public Passenger Transportation System in a manner which does not interfere with the authority of the Municipality to communicate with the public with respect to local public transportation issues; and,
  - k) The Authority shall receive and review any and all proposals from the Municipality to enter into a Community Transit Partnership Agreement and, if acceptable to the Authority, provide its prior written approval of such Community Transit Partnership Agreement, such approval not to be unreasonable withheld by the Authority.

## **SECTION 9: FUNDING AGREEMENT**

The Municipality and the Authority agree to contribute their respective portion of the annual cost of the Public Passenger Transportation System as prescribed in the Annual Operating Agreement.

## **SECTION 10: CAPITAL AND OPERATING EXPENDITURES**

Nothing in this agreement shall be construed as committing the Authority or the Municipality to incur capital or operating expenditures for equipment, facilities or otherwise, within the Transit Service Area unless the same shall be contained within the approved budget of British Columbia Transit.

## **SECTION 11: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT**

This Agreement and the parties hereto are subject to the provisions of the Freedom Of Information And Protection Of Privacy Act ("FOIPPA"). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

**SECTION 12: AMENDMENT**

This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.

**SECTION 13: SETTLEMENT OF DISPUTES**

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

**SECTION 14: ENUREMENT**

This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.

**SECTION 15: ASSIGNMENT**

This Agreement shall not be assignable without prior written consent of the parties.

**SECTION 16: GOVERNING LAW**

This Agreement is governed by and shall be construed in accordance with the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the government of Canada.

**SECTION 17: COUNTERPARTS**

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or .pdf copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

## **SECTION 18: NOTICES AND COMMUNICATIONS**

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed or if mailed by prepaid registered mail to the Authority at:

**BRITISH COLUMBIA TRANSIT**  
c/o President & CEO  
P.O. Box 610  
520 Gorge Road East  
Victoria, British Columbia V8W 2P3

and to the Municipality at:

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
c/o Chief Administrative Officer  
101 Martin Street  
Penticton, BC V2A 5J9

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.



IN WITNESS WHEREOF, the parties have hereunto set their hand this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

**Regional District of Okanagan-Similkameen**

\_\_\_\_\_  
  
\_\_\_\_\_

**BRITISH COLUMBIA TRANSIT**

\_\_\_\_\_  
PRESIDENT & CEO

\_\_\_\_\_  
CORPORATE SECRETARY

**SCHEDULE "A": DEFINITIONS**

- a) **"Annual Operating Agreement"** means the Annual Operating Agreement and all attached schedules negotiated and entered into on a periodic basis pursuant to the British Columbia Transit Act, between the parties hereto this Transit Service Agreement;
- b) **"Attendant"** means a person whose presence is essential to the Registered User to enable the Registered User to physically use the service and whose origin and destination are the same as the Registered User;
- c) **"Community Transit Partnership Agreement"** means a partnership agreement entered into by the Municipality and a third party pursuant to Section 7(i) and Section 8(k), whereby the third party agrees to pay a fee to the Municipality in order to fund certain services provided under the Service Specifications;
- d) **"Companion" or "Escort"** means a person who accompanies the Registered User but whose presence is not essential to the Registered User to physically use the service and whose origin and destination are the same as the Registered User;
- e) **"Conventional Transit Services"** shall mean services and facilities operated by or for a Public Passenger Transportation System to transport persons on specified fixed routes and schedules using public streets or thoroughfares, but does not include Custom Transit Services or Paratransit Services;
- f) **"Custom Transit Services"** shall mean services and facilities operated or provided by a Public Passenger Transportation System for on demand point to point transportation of any Registered User;
- g) **"Direct Operating Costs"** means the sum of the Fixed Costs and Variable Costs of service, maintenance and other costs of service, where:
  - i. **"Fixed Costs"** means items of cost that may be reasonably and conveniently identified with the overall service but which cannot be directly assigned to a unit of service such as hours or kilometres of service. Items of cost will exclude the cost of items which are normally capitalized but may include appropriate charges for depreciation of capital assets or the leasing of capital assets. The use of the term Fixed Costs does not mean that some items of cost included will not vary depending on service requirements;
  - ii. **"Variable Costs"** means items of cost which may be reasonably and conveniently identified and allocated to a specific unit of service such as hours or kilometres of service;
  - iii. **"Maintenance Costs"** means parts and materials, sublet and labour costs of a qualified licensed mechanic for the maintenance of the Revenue Service Vehicles, but shall not include costs associated with interior and exterior transit advertising signs and non-mechanical servicing of Revenue Service Vehicles such as fuelling, clearing fareboxes, cleaning and painting wheel rims, vehicle washing and other work performed by a serviceman; and,
  - iv. **"Other Costs"** shall include but not be limited to vehicle insurance costs, incurred by the Authority and Operating Company, contingency costs, taxi program costs (if applicable);
- h) **"Eligible User"** means any person who is deemed eligible to use Custom Transit Services as defined in Section 11 of the British Columbia Transit Act Regulations.
- i) **"Extra Service"** means Overloads or Special Transit Service;
- j) **"Fare"** means an entitlement to ride upon the services of the Public Passenger Transportation System;
- k) **"FOIPPA"** means the Freedom of Information and Protection of Privacy Act and Regulations (British Columbia);
- l) **"Operating Company"** means:

- i. the company or person contracted by the Authority to operate and manage the Public Passenger Transportation System within the Transit Service Area, or
  - ii. a person designated by the minister to contract with the Authority with respect to the operation by that person of a Public Passenger Transportation System in the Transit Service Area;
- m) **“Overloads”** means additional Revenue Service Vehicles operating on specified routes to cope with ridership demands which cannot be served by the regularly scheduled service;
- n) **“Paratransit Services”** shall mean services and facilities operated or provided by a Public Passenger Transportation System offering more flexible service than Conventional Transit Services. Paratransit Service is a blend of Conventional Transit Services and Custom Transit Services providing service to able bodied transit passengers as well as Registered Users using the same Revenue Service Vehicles that deviate periodically from their fixed route and fixed schedules to provide on demand point to point service;
- o) **“Physical Assets”** other than revenue service vehicles, means any land, buildings, equipment or other items of a material nature which for accounting purposes are considered to contribute to delivery of Transit Services for a period exceeding one fiscal year;
- p) **“Premises”** means the lands, buildings and equipment owned or leased by the Authority and used in the provision of the Public Passenger Transportation System;
- q) **“Public Passenger Transportation System”** means a public transit system as prescribed by the British Columbia Transit Act;
- r) **“Registered User”** means an Eligible User who has satisfied certification and registration requirements established by the Authority to allow them to use Custom Transit Services;
- s) **“Revenue Hours”**, **“Revenue Kilometres”** means those units of service that are actually offered to the public as reflected in the public timetable and set out in the Service Specification, including lay over time between trips;
- t) **“Service Specifications”** means a detailed description of the Public Passenger Transportation System;
- u) **“Shared Services Resources”** means the management, planning, financial, procurement, fleet and maintenance management, contract and performance management, marketing, environmental, safety, training and other services and resources provided by the Authority to support the Public Passenger Transportation System;
- v) **“Special Transit Service”** means infrequent and temporary service provided within the Transit Service Area for specific events or purposes beyond the Revenue Hours outlined in the Service Specifications. Special Transit Services will not exceed the boundaries of the ICBC coverage unless written permission is given in advance by the Municipality and the Authority;
- w) **“Statutory Holidays”** means New Year’s Day, Family Day, Good Friday, Victoria Day, Canada Day, B.C. Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day and/or any other days that may be gazetted as being a holiday in and for the Province of British Columbia;
- x) **“System Revenues”** means the revenue of the Public Passenger Transportation System and includes revenue from farebox, revenue from sale of passes and tickets, revenue from advertising contracts and any other Fare related revenue accruing from the operation of the Public Passenger Transportation System pursuant to this Agreement;
- y) **“Transit Services”** includes without limitation any activity related to the provision of the Public Passenger Transportation System, whether conducted directly or indirectly by the Operating Company or its agents, affiliates, subsidiaries, contractors or representatives,

to operate, maintain, repair or store vehicles, equipment or infrastructure and conduct any related environmental and waste management measures and includes Conventional, Custom and Paratransit Transit Services;

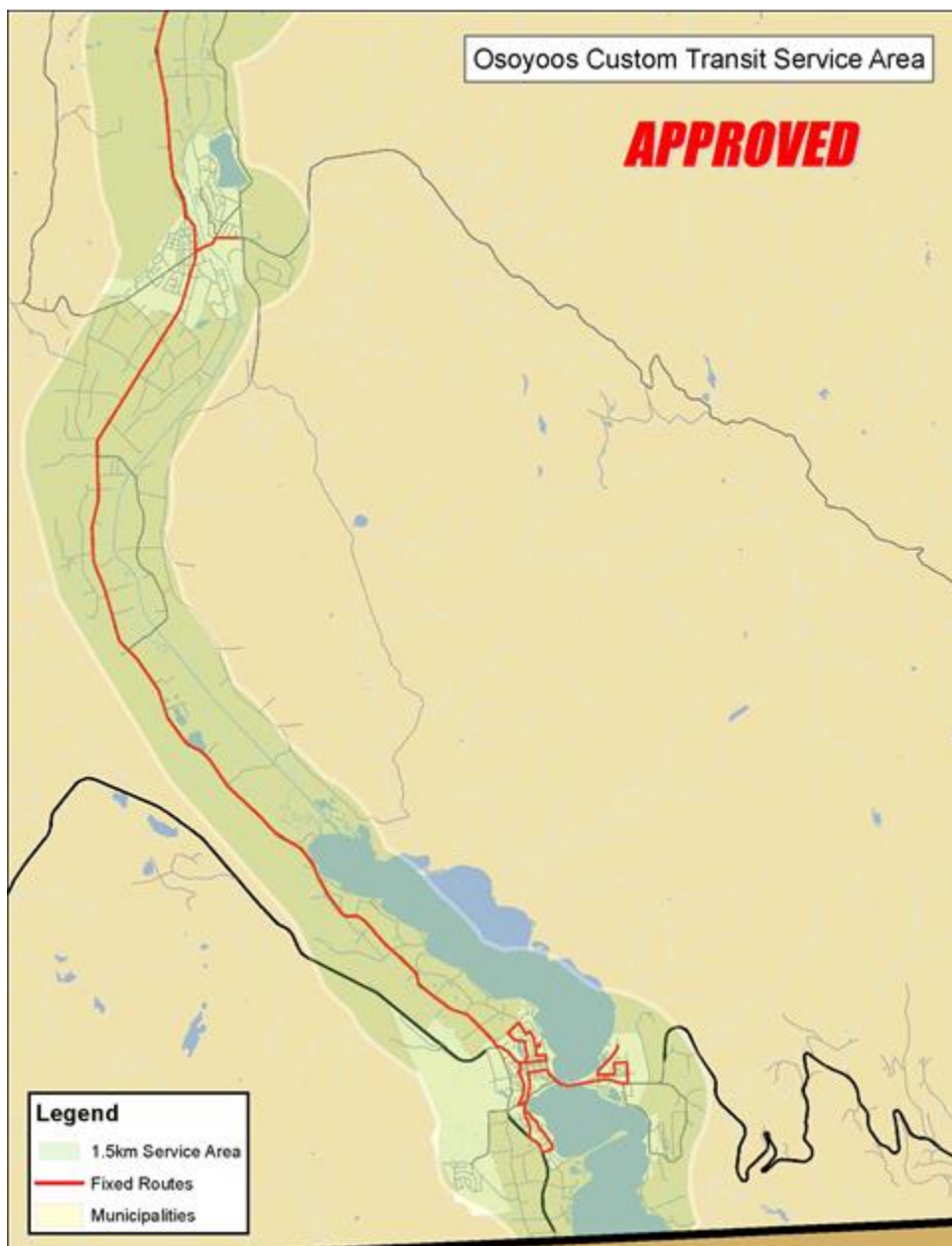
- z) **Transit Service Area**” means the boundaries of the Transit Services as defined in Schedule “B” of this Agreement.

## SCHEDULE "B": TRANSIT SERVICE AREA

The boundaries of the Municipal Transit Service Area shall be defined as follows:

- (a) The boundaries of the South Okanagan Transit Service Area shall be the corporate boundaries of the Regional District Okanagan-Similkameen and the Central Okanagan Regional District.
- (b) For the purpose of delivering custom transit service, the custom transit service area is defined in Figure A. For all those who register for on demand transit service after May 31, 2012, all pick-up and drop-off locations must be within the service area boundary. Any future extensions in fixed-route service will require review of the service area.

Figure A.



### **SCHEDULE "C": SERVICE STANDARDS**

The service standards established for the South Okanagan Transit System are to be reviewed, confirmed and incorporated into this schedule at a future date in accordance with Section 12 of this Agreement to satisfy the requirements of Section 8(g)iv(3).

**OSOYOOS  
ANNUAL OPERATING AGREEMENT**

**between**

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**and**

**BRITISH COLUMBIA TRANSIT**

**Effective**

**April 1, 2017**

**INFORMATION CONTAINED IN THIS AGREEMENT IS SUBJECT TO THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT. CONSULT WITH THE AUTHORITY PRIOR TO RELEASING INFORMATION TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.**

**ANNUAL OPERATING AGREEMENT**

BETWEEN:

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

(the "Municipality")

AND:

**BRITISH COLUMBIA TRANSIT**

(the "Authority")

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area;

WHEREAS the parties hereto have entered into a Transit Service Agreement which sets out the general rights and responsibilities of the parties hereto;

WHEREAS the Municipality and the Authority are authorized to share in the costs for the provision of a Public Passenger Transportation System pursuant to the *British Columbia Transit Act*;

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Transit Service Agreement, the specific terms and conditions for the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:



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## **SECTION 1: DEFINITIONS**

Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Transit Service Agreement shall apply to this Annual Operating Agreement including:

- a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendments negotiated and entered into by the parties subsequent hereto;
- b) "Transit Service Agreement" shall mean the Transit Service Agreement between the parties to this Annual Operating Agreement, including any amendments made thereto;

## **SECTION 2: INCORPORATION OF SCHEDULES**

All schedules to this agreement are incorporated into the agreement, and form part of the agreement.

## **SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT**

Upon execution, this Annual Operating Agreement shall be deemed integrated into the Transit Service Agreement and thereafter the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the *British Columbia Transit Act*, as amended from time to time.

## **SECTION 4: TERM AND RENEWAL**

- a) The parties agree that the effective date of this agreement is to be April 1, 2017, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
- b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2018 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
- c) Either party may terminate this agreement as follows:
  - a. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least ninety (180) days prior written notice. Such notice to be provided in accordance with Section 10.
  - b. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.

## **SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT**

This Agreement and the parties hereto are subject to the provisions of the *Freedom Of Information And Protection Of Privacy Act* ("FOIPPA"). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to

the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

## **SECTION 6: SETTLEMENT OF DISPUTES**

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

## **SECTION 7: MISCELLANEOUS PROVISIONS**

- a) Amendment: This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.
- b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
- c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- d) Operating Reserve Fund: In accordance with OIC 594, in fiscal year 2015/16, BC Transit established a Reserve Fund to record, for each local government, the contributions that BC Transit has received but has not yet earned.
  - a. BC Transit will invoice and collect on monthly Municipal invoices based on budgeted Eligible Expenses.
  - b. Any expenditure of monies from the Reserve Fund will only be credited towards Eligible Expenses for the location for which it was collected.
  - c. Eligible Expenses are comprised of the following costs of providing Public Passenger Transportation Systems:
    - i. *For Conventional Transit Service:*
      1. the operating costs incurred in providing Conventional Transit Service excluding interest and amortization;
      2. the amount of any operating lease costs incurred by BC Transit for Conventional Transit Services;
      3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement;
      4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
    - ii. *For Custom Transit Service:*
      1. the operating costs incurred in providing Custom Transit Service excluding interest and amortization, but including the amount paid by BC Transit to redeem taxi saver coupons issued under the Taxi Saver Program after deducting from that amount the amount realized from the sale of those coupons;
      2. the amount of any operating lease costs incurred by BC Transit for Custom Transit Service;

3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and,
  4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
- d. Eligible Expenses exclude the costs of providing third-party 100%-funded services; and,
  - e. BC Transit will provide an annual statement of account of the reserves received and utilized, including any interest earned for each local government.
- e) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.
- f) BC Transit acknowledges receipt of a copy of that certain Community Transit Partnership Agreement between the Municipality and the Interior Health Authority (the "Partner") effective April 1, 2005. BC Transit hereby provides written consent for the Municipality to enter into the Community Transit Partnership Agreement; provided, however, that:
- a. In the event the Partner provides one years' notice of its intention to terminate the Community Transit Partnership Agreement, the Municipality will immediately notify the Authority in writing of such termination;
  - b. In the event the Partner provides the Municipality with a payment in lieu of providing notice of termination pursuant to Section 4 of the Community Transit Partnership Agreement, the Municipality will immediately forward to BC Transit the full amount of such payment, without setoff whatsoever; and,
  - c. In the event the Partner provides the Municipality with payment in accordance with the subsection above, and the Municipality fails or neglects to forward such payment to the Authority, the Authority shall have the right to include such amount in its monthly invoice to the Municipality for immediate payment by the Municipality.

## **SECTION 8: GOVERNING LAW**

This Agreement is governed by and shall be construed in accordance with the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the government of Canada.

## **SECTION 9: COUNTERPARTS**

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or pdf copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

## **SECTION 10: NOTICES AND COMMUNICATIONS**

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed or if mailed by prepaid registered mail to the Authority at:

**BRITISH COLUMBIA TRANSIT**  
c/o President & CEO  
P.O. Box 610  
520 Gorge Road East  
Victoria, British Columbia V8W 2P3

and to the Municipality at:

**Regional District of Okanagan-Similkameen**  
c/o Chief Administrative Officer  
101 Martin Street  
Penticton, BC V2A 5J9

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

IN WITNESS WHEREOF, the parties have hereunto set their hand this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

\_\_\_\_\_

\_\_\_\_\_

**BRITISH COLUMBIA TRANSIT**

\_\_\_\_\_

CHIEF OPERATING OFFICER

\_\_\_\_\_

CHIEF FINANCIAL OFFICER

**SCHEDULE "A": TARIFF AND FARES**

## Appendix 1: TARIFF AND FARES

**1) Fares**

One-way trip cash fares are as follows:

*Effective as of January 1, 2015*

All Passengers:

Within Osoyoos or Penticton	\$1.75
Osoyoos to Oliver	\$2.75
Osoyoos to OK Falls/Kaleden	\$4.00
Osoyoos to Penticton	\$5.25
Osoyoos to Summerland	\$7.75
Osoyoos to Kelowna	\$11.00
Oliver to Penticton	\$5.25
Oliver to Summerland	\$7.75
Oliver to OK Falls/Kaleden	\$4.00
Oliver to Kelowna	\$11.00

## SCHEDULE "B": SERVICE SPECIFICATIONS

Osoyoos Para Base Budget Official AOA

2017/2018

### Osoyoos Para Base Budget Official AOA 2017/2018

### Schedule 'B'

Effective Apr 01, 2017

#### Scheduled Revenue Service

17/18 Full Year (Apr 01, 2017 to Mar 31, 2018)							
	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Hrs/Day	0.50	9.50	9.50	9.50			
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00

#### Adjusted Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018
Adjusted Revenue Hours	24.00	24.00	24.00	24.00	24.00	18.00	24.00	24.00	18.00	30.00	18.00	24.00

#### Extra Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

#### 2017/2018 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2017 to Apr 30, 2017	3	4	4	4	3	5	5	2	30	Apr 14, 2017 Good Friday 2017 (Fri)
May 01, 2017 to May 31, 2017	4	5	5	4	4	4	4	1	31	Apr 17, 2017 Easter Monday 2017 (Mon)
Jun 01, 2017 to Jun 30, 2017	4	4	4	5	5	4	4	0	30	May 22, 2017 Victoria Day 2017 (Mon)
Jul 01, 2017 to Jul 31, 2017	5	4	4	4	4	4	5	1	31	Jul 01, 2017 Canada Day 2017 (Sat)
Aug 01, 2017 to Aug 31, 2017	3	5	5	5	4	4	4	1	31	Aug 07, 2017 BC Day 2017 (Mon)
Sep 01, 2017 to Sep 30, 2017	3	4	4	4	5	5	4	1	30	Sep 04, 2017 Labour Day 2017 (Mon)
Oct 01, 2017 to Oct 31, 2017	4	5	4	4	4	4	5	1	31	Oct 09, 2017 Thanksgiving Day 2017 (Mon)
Nov 01, 2017 to Nov 30, 2017	4	4	5	5	4	3	4	1	30	Nov 11, 2017 Remembrance Day 2017 (Sat)
Dec 01, 2017 to Dec 31, 2017	3	3	4	4	5	5	5	2	31	Dec 25, 2017 Christmas Day 2017 (Mon)
Jan 01, 2018 to Jan 31, 2018	4	5	5	4	4	4	4	1	31	Dec 26, 2017 Boxing Day 2017 (Tue)
Feb 01, 2018 to Feb 28, 2018	3	4	4	4	4	4	4	1	28	Jan 01, 2018 New Years Day 2018 (Mon)
Mar 01, 2018 to Mar 31, 2018	4	4	4	5	4	5	4	1	31	Feb 12, 2018 Family Day 2018 (Mon) Mar 30, 2018 Good Friday (2018) (Fri)
<b>Total</b>	<b>44</b>	<b>51</b>	<b>52</b>	<b>52</b>	<b>50</b>	<b>51</b>	<b>52</b>	<b>13</b>	<b>365</b>	<b>13 Exceptions</b>

#### Monthly Summary

Month	Paratransit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2017	115.50		24.00	139.50	0.00			
May, 2017	135.00		24.00	159.00	0.00			
June, 2017	125.50		24.00	149.50	0.00			
July, 2017	116.50		24.00	140.50	0.00			
August, 2017	144.00		24.00	168.00	0.00			
September, 2017	115.50		18.00	133.50	0.00			
October, 2017	125.50		24.00	149.50	0.00			
November, 2017	135.00		24.00	159.00	0.00			
December, 2017	106.00		18.00	124.00	0.00			
January, 2018	135.00		30.00	165.00	0.00			
February, 2018	115.50		18.00	133.50	0.00			
March, 2018	125.50		24.00	149.50	0.00			
<b>Total</b>	<b>1,494.50</b>	<b>0.00</b>	<b>276.00</b>	<b>1,770.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	



**SCHEDULE "C": BUDGET****Osoyoos Para Paratransit**

	<b>Base Budget 2017/2018</b>
Total Revenue	\$29,591
Total Direct Operating Costs	\$116,635
Total Operating Costs	\$127,464
Total Costs (including Local Government Share of Lease Fees)	\$149,547
<b>Net Local Government Share of Costs</b>	<b>\$59,340</b>



## **System Specific Budget Notes**

March 24, 2017

For Osoyoos Transit System

Prepared by Daniel Pizarro, Senior Regional Transit Manager

The following budget notes outline details associated with year-over-year revenue and expense changes that are included in Schedule C of your Operating Agreement.

### **Budget Notes**

#### **Revenue**

- Passenger revenue forecasted in the AOA reflects the most recent actual performance and fare assumptions. As this information is most current, the revenue budget may vary from the information presented in your October budget forecast; and
- BC Bus Pass program revenue line item has been adjusted to reflect a 7% client withdraw of the program as a result of the 2016 changes where clients have the option of receiving \$77 a month in lieu of an annual transit pass.

#### **Operating Costs**

- Operating company fixed costs reflect corporate lifts which includes all of the operating company's overhead (non-driver and non-mechanic) costs to deliver service such as supervision, dispatching, training, bus fueling, bus interior cleaning & washing, utilities, rents and administration;
- There is a increase in driver related labour costs of 10%, to reflect overall changes to wage and benefit rates and increased statutory employer contributions as per the operator contract agreement;
- While this AOA includes costs associated with your base (existing) transit services with no change in the service levels, variable costs are impacted by a 0.7% decrease in service hours resulting from a decrease in statutory holidays which fall within the 2017/18 operating year; and
- Funds have been allocated for the implementation and training of the Enterprise Resource Planning (ERP) initiative to help improve administrative processes; and
- Variable Fuel Costs reflect a fuel price of \$1.28/L.

#### **Maintenance**

- Changes to the Fleet Maintenance budget reflect actual activity during the current year and upcoming work forecasted for 2017/18 as well as assumptions on inflationary increases related to parts.

#### **Capital Initiatives and Debt Service**

- Vehicle Lease Fees reflect the new Standardized Lease Fee model for the forecasted fleet plan, including both current and replacement vehicles for the upcoming operating year.

**Osoyoos Paratransit**  
**Lease Fee Summary**  
*(figures in local share)*

	<u>2017/2018</u>
<b>Land &amp; Buildings</b>	
Current	\$ 17
Shared Services Facilities Upgrades	24
<b>Total Land &amp; Building</b>	<b>\$ 41</b>
<b>Vehicles</b>	
Current (1 vehicles)	\$ 22,552
Transitional SLF Adjustment	(1,244)
<b>Total Vehicles</b>	<b>\$ 21,309</b>
<b>Equipment</b>	
Current	\$ 480
Shared Services IT Upgrades	255
<b>Total Equipment</b>	<b>\$ 734</b>
<b>Local Share of Lease Fees</b>	<b><u>\$ 22,084</u></b>

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 20, 2017

**RE:** MFA Leasing of Regional Trails Vehicle

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### Administrative Recommendation:

**THAT the Board of Directors authorize a liability under Section 175 of the Community Charter to purchase a 2017 GMC 1500 in the amount of \$34,727.70 with no provisions for renewal**

### Reference:

Local Government Act s 403 (1)  
Community Charter Section 175

### Background:

As part of the 2017 annual budget, the Board approved the acquisition of a vehicle for Regional Trails. The budget approval was for \$40,000 to be leased over a five years with funding to come from reserves

### Analysis:

The new MFA Equipment leasing program requires a separate Board resolution identifying the item purchased and the total cost to be financed. As such, to proceed with the acquisition, the above noted Board resolution is required

The annual leasing costs are estimated at approximately \$7,500.

### Alternatives:

The Board may choose not to authorize the lease.

### Respectfully submitted:

*Noelle Evans-MacEwan*

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Noelle Evans-MacEwan, Acting Finance Manger



## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 20, 2017

**RE:** Noble Ridge Vineyard & Winery –Special Event Areas

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### Administrative Recommendation:

**THAT the Board of Directors advise the Liquor Control and Licensing Branch that it will not provide comment on Noble Ridge Vineyard & Winery’s application for special event areas.**

### References (all attached):

1. RDOS Liquor License Policy No. 4320-00.03
2. Applicant Letter of Intent to LCLB (March 25, 2017)

### Background:

Noble Ridge Vineyard & Winery has applied to the Liquor Control and Licensing Branch (LCLB) for Special Event areas to be located at 2320 Oliver Ranch Road in Okanagan Falls, BC.

### Analysis:

The LCLB has requested that the Regional District Board either provide comments in the form of a Board resolution or confirm that the Board wishes to opt out of the process. In order to opt out, the Regional District is to provide written confirmation to the LCLB.

If the Board wishes to comment, it must consider the regulatory criteria, as follows:

- Gather public input for the community within the immediate vicinity of the establishment
- Consider the location and the capacity and hours of liquor service of the establishment, when providing a resolution or comment
- Comment on noise on nearby neighbours
- Comment on impacts to the community if the application is approved
- Gather the view of residents and a description of the method used to gather those views
- Provide a recommendation and the responses on which the recommendation is based
- Provide all records referenced or used to determine a resolution

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Regional District Okanagan-Similkameen Policy No. 4320-00.03 addresses Liquor Licensing. This policy is intended to guide the Board of Directors in its consideration of liquor license applications which it receives notice of from the Liquor Control and Licensing Branch (LCLB).

The response outlined in the policy is as follows:

- a) The Board does not want to comment on individual winery lounge endorsement applications or individual picnicking applications. Nevertheless, the Board is to ask the general manager of the Liquor Control and Licensing Branch to impose, as a term or condition of a winery lounge endorsement or picnicking endorsement, if issued, hours of liquor service authorized by the endorsement ending no later than sunset. This application is neither a winery lounge or a picnicking application, therefore this response would not be applicable.
- b) The Board does not want to comment on individual liquor license amendment applications.

The policy currently indicates that the Board is not to apply the policy rigidly and that for each liquor license application, the Board is to consider whether to apply this policy and resolve accordingly.

This policy has been under review for some time; however, with significant changes recently to provincial liquor licensing regulations and the potential for additional responsibilities of local governments, further research is required prior to bringing an amended policy back to the Board. As this process may take some time, administration expects to include it on the 2018 work plan for quarter one. A workshop to be held at a future corporate services meeting is being arranged.

**Alternatives:**

1. THAT the Board provide a resolution on the proposed license application including consideration and comment on the regulatory criteria required by LCLB.

**Respectfully submitted:**

*"Christy Malden"*

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C. Malden, Manager of Legislative Services

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

**P O L I C Y**


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**POLICY NO.:** 4320-00.03 **Page 1 of 1**

**SUBJECT:** LIQUOR LICENSING

<b>Effective Date</b> May 22, 2003	<b>Amendment</b>	<b>Board Resolution</b> B381/03	<b>Administered By</b> Legislative Services Mgr.
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**Purpose**

On December 2, 2002, the role of local government in liquor licensing changed substantially. The *Liquor Control and Licensing Act* was amended and a new Liquor Control and Licensing Regulation (B.C. Reg. 244/2002) came into effect. This policy is intended to guide the Board of Directors (the “Board”) in its consideration of liquor licence applications of which it receives notice from the Liquor Control and Licensing Branch.

**Application**

The Board is not to apply this policy rigidly. For each liquor licence application, the Board is to consider whether to apply this policy and resolve accordingly.

**Interpretation**

The definitions sections of the *Liquor Control and Licensing Act* and Liquor Control and Licensing Regulation (B.C. Reg. 244/2002), so far as the terms defined can be applied, extend to this policy.

**Responses to Liquor Licence Applications**

- The Board does not want to comment on individual winery lounge endorsement applications or individual picnicking endorsement applications. Nevertheless, the Board is to ask the general manager of the Liquor Control and Licensing Branch to impose, as a term or condition of a winery lounge endorsement or picnicking endorsement, if issued, hours of liquor service authorized by the endorsement ending no later than sunset.
- The Board does not want to comment on individual liquor licence amendment applications.





# NOBLE RIDGE

25 March 2017

BC Liquor Control and Licensing Branch,  
PO Box 9292, Stn Prov Govt,  
4<sup>th</sup> Floor, 3350 Douglas St.,  
Victoria, BC V8Z 3L1

## LETTER OF INTENT:

### APPLICATION for SPECIAL EVENT AREA

We are requesting that the LCLB consider our application for 5 areas to be designated as SPECIAL EVENT AREAS for Noble Ridge. This will allow us to meet the needs of our customers as they request and enjoy participating in our special events held throughout the year.

During all Noble Ridge Special Events (NRSEs), water and non-alcoholic Sparkling juice is always available. Occasionally coffee is also provided. All NRSEs involve a meal or food component. This may be in the form of a sit-down meal, stand-up canapes or “small-bites” (e.g., cheese and charcuterie, chocolate, popcorn, etc.) especially chosen to pair with the wine being served.

When entertainment is offered, it varies with the NRSE. At Noble Ridge, entertainment may include

- Lawn games such as Bocce Ball and Croquet
- Live music – guitar, harp, violin
- Dancing
- Horse rides
- Picking grapes

Noble Ridge is located just outside of Okanagan Falls in a residential neighbourhood. The Special Events areas being requested near the Wine Shop are located in the center of our 24 acre parcel. The Winery side Special Events areas are closer to the road but even further away from any residential properties. Several of our neighbours are in fact wineries, some of which have picnic endorsements and on-site winery restaurants. It is unlikely that our new Special Events areas will add any new impact to our neighbourhood.

Nonetheless, we will make every effort to keep noise levels to a reasonable level. We will comply with all noise bylaws in our area, which among other things require that there is no noise after 11 pm.

If you have any questions, please contact me. Thank you.

Leslie D’Andrea  
Owner, CEO

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** March 2, 2017  
**RE:** Outstanding Young Farmer National Event in Penticton

---

### Administrative Recommendation:

**THAT the Regional District of Okanagan-Similkameen provide a \$500 contribution to the Outstanding Young Farmer National Event taking place in Penticton November 30 to December 3, 2017, to be funded through the General Government budget.**

### Purpose:

The 2017 National Outstanding Young Farmers (OYF) Organizing Committee is requesting sponsorship for their national conference.

### Reference:

Correspondence from Harkers Organics / National OYF Conference Committee.

### Background:

The National OYF organization aims to create opportunities for young people to get into farming and help to develop and support a sustainable industry.

The OYF program is a leader in supporting the next generation of farmers, and Harkers Organics, a well known organic farm in Cawston (Electoral Area B) was recognized through the program in 2013.

### Analysis:

The 2017 event will take place in Penticton November 30 to December 3, 2017 and the committee has reached out to the Regional District to invite sponsorship of the event.

The list attached to this report outlines those levels of sponsorship and the benefits at each level

### Alternatives:

1. THAT the Board of Directors chose to contribute at a different sponsorship level.

2. THAT the Board of Directors decline to contribute to the event through sponsorship.
3. THAT the OYC Organizing Committee be requested to approach each jurisdiction separately, for sponsorship.

**Communication:**

Should the Board resolve to provide a level of sponsorship, administration will work with the organizers on Regional District signage and branding opportunities before and during the event.

**Respectfully submitted:**

*"Christy Malden"*

---

C. Malden, Manager of Legislative Services

**Gillian Cramm**

Action Board  
11/16

**Subject:** FW: Outstanding Young Farmer National Event in Penticton  
**Attachments:** OYF 2017 Sponsorship Letter.docx

**Importance:** High

-----Original Message-----

**From:** Harkers Organics [mailto:hfr@nethop.net]  
**Sent:** March-17-17 4:46 PM  
**To:** Info <info@rdos.bc.ca>  
**Subject:** Outstanding Young Farmer National Event in Penticton  
**Importance:** High

Hello Regional District,

My name is Troy Harker and I am reaching out to you regarding sponsorship for the National Outstanding Young Farmers event in Penticton B.C. November 30-Dec 3.

I am the chair of BC/Yukon OYF and my wife Sara Harker is the chair of organizing the national event.

OYF celebrates excellence in Agriculture from Coast to Coast and Sara and I won BC/Yukon in 2013 and we are very excited to showcase our beautiful valley and the diversity of agriculture and value added in the region.

Thanks for your consideration of the attached document and if you have any questions, just give me a call.

Troy and Sara Harker

The Harker Family  
Troy, Sara, Bruce and Kathy



Celebrating 2014 International Year of Family Farming Take a moment to view the Trailer for the documentary The Family Farm which will be showcasing Harker's Organics and other Family Farms across Canada!!





**2017 National OYF Conference Organizing Committee**  
2239 Agar Road  
Cawston, BC  
VOX 1C2

E-mail: [hfr@nethop.net](mailto:hfr@nethop.net)

February 2017

**National OYF Conference in Penticton, BC November 29 to December 3, 2017**

We Canadians are blessed with a food supply bar none on this planet. Its quality, variety and availability are unequalled, and it comes—when compared to income—at of the lowest consumer prices in the world. This would not have been possible without the hard work and dedication of our Canadian farmers. Competing with the rest of the world, delivering safe, affordable food, and building local communities are all part of their contribution. We Canadians tend to take this all for granted.

One of the biggest challenges facing Canadian farming is the ageing population of farmers. We need to bring more young farmers into the business. The renewed energy and fresh ideas that they bring are essential. We need to create the opportunities, the encouragement and the support to lure young people into farming, and to keep them there. It is essential if we want to continue to enjoy affordable, safe, and locally available food every day.

This is your opportunity to make a contribution to help build the community of Canadian young farmers! Canada's Outstanding Young Farmer Program—for farmers between the ages of 18 and 39—will host its annual National Conference in Penticton, BC from November 29 to December 3, 2017, to award this years' Canadian Outstanding Young Farmer. We would like to invite you to help sponsor this important event.

Here are some great reasons to get involved:

- The Outstanding Young Farmers Program is a recognized leader in profiling and supporting the development of the next generation of farm leaders
- Bolster your marketing program with this unique opportunity to profile your products/services/mission to THE very best farm managers and decision makers of their generation (over 250 farmers expected from across Canada – all recognized for their superior farm management as program alumni)
- Enhance public and client relations by showing support for and celebrating the future of the agri-food industry through association with this positive, progressive program when all of Canada is watching!

Please see attached sponsorship package to choose your level of involvement. If you need more information or have additional sponsorship ideas, please do not hesitate to give us a call (our numbers are below). We can also design a custom-made solution for you above the Gold level of sponsorship.

We thank you for supporting Canada's Outstanding Young Farmer program.

Sincerely,

**Sara Harker**  
2017 National Hosting Chair  
Tel 250-499-8909  
[hfr@nethop.net](mailto:hfr@nethop.net)

**Troy Harker**  
2017 BC/Yukon Chair  
250-499-9011  
[hfr@nethop.net](mailto:hfr@nethop.net)

**Derek Janzen**  
2017 Sponsorship Chair  
Tel 604-309-1331  
[bordercreek@telus.net](mailto:bordercreek@telus.net)

For more information on the Outstanding Young Farmer Program go to [www.oyfcanada.com](http://www.oyfcanada.com).

	Friend	Bronze	Silver	Gold	Platinum (only three available)
<b>SPONSORSHIP OPPORTUNITIES AND BENEFITS</b>					
	\$500	\$1,000	\$2,500	\$5,000	\$10,000
	Yes	Yes	Yes	Yes	Yes
Recognition on promotional material or literature	Listed on website	Listed on website and potential for one flyer	Listed on website and potential for two flyers	Registration info, logo on website and potential for three flyers	All – including registration package, conference website; potential for four
Tickets for Gala (Reception and Banquet)			2	4	8
Recognition at Gala Reception (not the Banquet – reserved for National Sponsors)	Yes (Signage)	Yes (Signage)	Yes (Signage)	Yes (Signage and verbal mention)	Yes (Signage and verbal mention)
Recognition in hotel lobby and hospitality suite	Yes	Yes	Yes	Yes	Yes
Representation in the Hospitality Suite – Passes Provided			2	2	4
Attendance for Honouree Presentations		Yes	Yes	Yes	Yes
Passes to the Forum				2	2
Nomination process participation	Yes	Yes	Yes	Yes	Yes
Recognition on National Website					Yes
Literature distribution in conference package/bag				Yes	Yes
Verbal recognition at meals			Yes (1)	Yes (2)	Yes (3)
Program recognition	Yes	Yes	Yes	Yes	Yes
Additional Gala Tickets	Opportunity to purchase 2 additional tickets	Opportunity to purchase 2 additional tickets	5% discount on up to 2 additional tickets	10% discount on up to 4 additional tickets	15% discount on up to 4 additional tickets



## PRESENTING AND EXTRA SPONSORSHIP OPPORTUNITIES

- **Airport Transportation Sponsor** (\$2,000) - one available (includes signage, two gala tickets)
- **Registration Bag Sponsor** (\$2,000) – one available (include logo/name on canvas bags and literature insert, two gala tickets)
- **Welcome Reception & Tour Sponsor** (\$4,000) - one available (includes entrance recognition, verbal recognition, two meal tickets, two gala tickets.)
- **Honouree and Judge Gift Baskets Sponsor** (\$1,000) – one available (includes verbal recognition, literature/product availability in the basket)
- **Honouree Tour Lunch Sponsors** (\$2,500) – one available (includes verbal recognition, two seats, two gala tickets)
- **Honouree Night Sponsor** (\$2,000) - one available (includes verbal recognition, two seats, two gala tickets)
- **Breakfast Sponsors** (\$3,500 each) – four available (Includes entrance recognition sign, verbal recognition, literature availability at event, two meal tickets, speaking opportunity)
- **Friday Forum Luncheon Sponsors** (\$3,000 each) - two available (includes entrance recognition, verbal recognition, two meal tickets, two gala tickets)

- **Hospitality Suite Sponsors** (\$2,500 each) – four available (Includes recognition sign and banner, four hospitality passes for your night, literature availability, two gala tickets)
- **Coffee Break Sponsor** (\$1,000) - one available (includes recognition signage, attendance for honouree presentations, two gala tickets)
- **Banquet Entertainment Sponsor** (\$3,000) – one available (includes verbal recognition, two gala tickets)
- **Saturday Transportation Sponsor** (\$4,000) – one available (includes signage, two gala tickets, two tickets for four day activities)
- **Saturday Tour Luncheon Sponsor** (\$1,500) - one available (includes verbal recognition, two gala tickets)
- **Saturday Night Dinner Sponsor** (\$4,000) - one available (includes signage and verbal recognition, two gala tickets)
- **Saturday Night D.J. Sponsor** (\$1,000) - one available (includes verbal recognition and two gala tickets)
- **Conference booklet advertisement** (\$1,000 each) - four available. Purchase a ½ page black and white ad in our conference booklet. This booklet is included with every registration package, is set on the tables at the gala and is sent to all alumni and sponsors across Canada.

In-kind contributions for BC food products, beverages, etc. are welcome and appreciated and can be worked into a sponsorship package based on estimated retail value.

Note: Each event sponsor will receive specific recognition for that event. In addition, they will be entitled to the benefits for the corresponding sponsorship level. For example, the Breakfast Sponsor (value \$3,500) receives recognition at the breakfast. Plus they will be recognized as a Silver Sponsor (value \$2,500) and receive those corresponding benefits. If they wish to invest an additional \$1,500, they will be listed as a Gold Sponsor, and enjoy the corresponding benefits.





**Okanagan Basin**  
WATER BOARD

**BOARD REPORT: March 10, 2017**

1450 KLO Road, Kelowna, BC V1W 3Z4  
P 250.469.6271 F 250.762.7011  
[www.obwb.ca](http://www.obwb.ca)

### **OBWB Directors**

**Tracy Gray - Chair,**  
Regional District of Central  
Okanagan

**Juliette Cunningham - Vice-  
Chair,** Regional District of  
North Okanagan

**Doug Dirk,** Regional District of  
North Okanagan

**Rick Fairbairn,** Regional  
District of North Okanagan

**Doug Findlater,** Regional  
District of Central Okanagan

**Cindy Fortin,** Regional District  
of Central Okanagan

**Ron Hovanes,** Regional  
District of Okanagan-  
Similkameen

**Sue McKortoff,** Regional  
District of Okanagan-  
Similkameen

**Peter Waterman,** Regional  
District of Okanagan-  
Similkameen

**Lisa Wilson,** Okanagan Nation  
Alliance

**Toby Pike,** Water Supply  
Association of B.C.

**Brian Guy,** Okanagan Water  
Stewardship Council

**The next regular meeting of  
the OBWB will be at 10 a.m.  
April 4, 2017 at the Regional  
District of North Okanagan in  
Coldstream.**

## **Okanagan Basin Water Board Meeting Highlights**

**Board hears from conservation groups on possible partnerships:** Directors heard a presentation from Bryn White of the South Okanagan and Similkameen Conservation Partnership and Scott Boswell with the Okanagan Collaborative Conservation Program. The two presented on the “Biodiversity Conservation Strategy for the Okanagan Region” and how it aligns with OBWB initiatives, such as protection of ecosystems, including wetlands, and water quality. There was also discussion around the recently adopted South Okanagan Conservation Fund and how it may be a possible match with the OBWB’s Water Conservation and Quality Improvement Grant Program for future conservation projects.

**OBWB continues to push for mussel action on federal front:** The board was updated on a recent meeting with Kelowna-Lake Country MP Stephen Fuhr regarding an OBWB request for funding and increased support to provinces on the invasive mussel issue. There was also discussion about the need to ensure a consistent approach to watercraft inspections at Canada-U.S. border crossings. Staff have also been working with the Kelowna Chamber of Commerce to assist their efforts on this file at the federal chamber and government levels. Directors also discussed plans to address the issue at the upcoming Federation of Canadian Municipalities Annual Convention in Ottawa this June.

**Water grant applications being reviewed:** It has been another strong year for applications to the OBWB’s Water Conservation and Quality Improvement Grant Program. The office received 25 eligible applications from throughout the Okanagan. Requests for funding came in at just over \$467,000, with \$300,000 available. Submissions are being reviewed and recommendations will go to the board in April.

**Canada Water Week makes splash in Okanagan:** The Water Board’s Okanagan WaterWise program has several events lined up to celebrate UN World Water Day (March 22) and Canada Water Week (March 19-25). Events include a special screening of the award-winning film *RiverBlue*, followed by a Q&A with director and Kelowna resident David McIlvride. This visually stunning documentary follows B.C.-based Mark Angelo, an internationally-celebrated rivers conservationist, as he explores the textile industry and the resulting pollution in waterways around the world. Also, the ever-popular – and free – **public forum** and mixer makes a return with this year’s topic “Why WASTE Water?” The panel will be MC’ed by Kelowna broadcaster Phil Johnson, host of AM1150’s The Early Edition. Johnson will keep the conversation flowing as he leads audience members on a story-telling water journey. The **Okanagan WaterWise Challenge** for youth invites young people to participate in up to three challenges that help conserve and protect our water with great prizes to be won. Plus, there are water plant tours and more. For full details, visit [www.OkWaterWise.ca](http://www.OkWaterWise.ca).

**For more information, please visit: [www.OBWB.ca](http://www.OBWB.ca)**





**Okanagan Basin**  
WATER BOARD

**BOARD REPORT: April 7, 2017**

1450 KLO Road, Kelowna, BC V1W 3Z4  
P 250.469.6271 F 250.762.7011  
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### **OBWB Directors**

**Tracy Gray - Chair,**  
Regional District of Central  
Okanagan

**Juliette Cunningham - Vice-  
Chair,** Regional District of  
North Okanagan

**Doug Dirk,** Regional District of  
North Okanagan

**Rick Fairbairn,** Regional  
District of North Okanagan

**Doug Findlater,** Regional  
District of Central Okanagan

**Cindy Fortin,** Regional District  
of Central Okanagan

**Ron Hovanes,** Regional  
District of Okanagan-  
Similkameen

**Sue McKortoff,** Regional  
District of Okanagan-  
Similkameen

**Peter Waterman,** Regional  
District of Okanagan-  
Similkameen

**Lisa Wilson,** Okanagan Nation  
Alliance

**Toby Pike,** Water Supply  
Association of B.C.

**Brian Guy,** Okanagan Water  
Stewardship Council

**The next regular meeting of  
the OBWB will be at 10 a.m.  
May 2, 2017 at the Regional  
District of Central Okanagan in  
Kelowna.**

## **Okanagan Basin Water Board Meeting Highlights**

**Project will help farmers address climate change & water impacts:** Harmony Bjarnson with B.C. Agriculture and Climate Change Action Initiative spoke to the board about a number of projects aimed at helping producers adapt to climate change effects (e.g. drought and flooding) and build resiliency. In the Okanagan this includes an Agricultural Water Supply Status Outreach Project, being developed with producers, affected groups including the BC Fruit Growers Association, and the Okanagan Basin Water Board. The project should improve communication between the province, water purveyors and growers about water supplies so farmers can plan ahead for their crops. A pilot project is underway with City of Penticton and Greater Vernon Water.

**OBWB awards \$300K in funding to valley water projects:** Directors approved \$300,000 in Water Conservation and Quality Improvement grant funding to 17 projects in the valley. Projects include: a watershed improvement project By Sqilxw Apna at the head of Okanagan Lake in Vernon; a program by the Okanagan Collaborative Conservation Program to work with foreshore residents and promote the importance of these ecosystems for water quality; and a Vaseux Lake project by Regional District of Okanagan-Similkameen, looking at nutrient and sediment sources contributing to milfoil and algae growth. More details available soon at [www.OBWB.ca](http://www.OBWB.ca).

**Water Board responds to B.C. mussel announcement:** The board discussed the recent provincial mussel announcement which includes: an expansion of inspection hours to “generally dusk to dawn” with the Golden station moving to 24-hours, two new inspection stations, a doubling of enforcement staff to 68 starting in June, funds for mussel monitoring, and a mussel-sniffing dog who starts July 1. It was noted the announcement includes many of the items the OBWB has been calling for, however, the board will continue to push for potential loopholes to be closed, including regulations ensuring all boats are inspected prior to launching and locked-in funding to ensure sustainability of the provincial program. The board also noted efforts to engage federal ministers at the Federation of Canadian Municipalities annual convention in Ottawa this June. Find the OBWB’s response to the province’s announcement here: <http://bit.ly/2o79UTJ>.

**B.C. grant to help develop Wetland Guidebook for local governments:** The Water Board was told of a \$10,000 grant from B.C. Ministry of Community, Sport and Cultural Development to develop a guidebook for local governments and organizations to build wetlands in the Okanagan. This is part of the larger Okanagan Wetland Project, helping re-establish these valuable ecosystems. More than 85% of the valley’s wetlands & natural riparian areas are gone, and remaining areas are at risk of loss.

**Don’t Move A Mussel – special public info event:** The OBWB’s Okanagan WaterWise program is pleased to partner with the Okanagan & Similkameen Invasive Species Society and present “Don’t Move A Mussel,” Tues., April 25 at Okanagan College Lecture Theatre in Penticton, 6:45 – 9 p.m. Hear about Montana’s experience, where the mussels were discovered in Fall 2016. And meet Hilo, one of Alberta’s mussel-sniffing dogs, and his handler Cindy Sawchuk speaking on that province’s efforts to keep the mussels out. Register at <http://bit.ly/2oFTi7I>. A special event is also planned for local government and First Nation councils Apr. 26, 10:30 a.m. – 12:30 p.m. Location TBA. Details at [www.OBWB.ca/?p=10835](http://www.OBWB.ca/?p=10835).

**For more information, please visit: [www.OBWB.ca](http://www.OBWB.ca)**