

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, August 19, 2021  
RDOS Boardroom – 101 Martin Street, Penticton

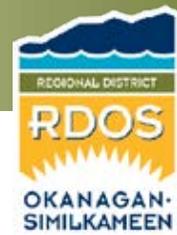
### SCHEDULE OF MEETINGS

9:00 am	-	9:45 am	Planning and Development Services Committee
9:45 am	-	11:15 am	Protective Services Committee
11:15 am	-	11:30 am	Break
11:30 am	-	12:15 pm	Corporate Services Committee
12:15 pm	-	1:15 pm	Environment and Infrastructure Committee
1:15 pm	-	1:45 pm	Lunch
1:45 pm	-	2:00 pm	OSRHD Board of Directors
2:00 pm	-	3:30 pm	RDOS Board of Directors

***“Karla Kozakevich”***

Karla Kozakevich  
RDOS Board Chair

2021 Notice of Meetings			
September 2	RDOS Board		Committee Meetings
September 23	RDOS Board	OSRHD Board	Committee Meetings
October 7	RDOS Board		Committee Meetings
October 21	RDOS Board	OSRHD Board	Committee Meetings
November 4	RDOS Board Inaugural	OSRHD Board Inaugural	



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
**Planning and Development Committee**

Thursday, August 19, 2021

9:00 a.m.

**AGENDA**

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**THAT the Agenda for the Planning and Development Committee Meeting of August 19, 2021 be adopted.**

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**B. ZONING REVIEW – FAULDER WATER SYSTEM SERVICE AREA (ELECTORAL AREA F)**

1. Bylaw No. 2790.03 (draft)
2. Bylaw No. 2461.19 (draft)

**RECOMMENDATION 2**

**THAT the Regional District commence a review of the Area “F” Official Community Plan and Zoning Bylaw for the purposes of protecting the aquifer which serves the Faulder Water System and those who have wells on the Meadow Valley Aquifer.**

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**C. STREET LIGHTING POLICIES AND REGULATIONS**

**RECOMMENDATION 3**

**THAT the Regional District commence consultation on moving street lighting into the Official Community Plans and removing them from the Subdivision Servicing Bylaw.**

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**D. MOBILE HOME REGULATIONS IN THE ELECTORAL AREA ZONING BYLAWS**

**RECOMMENDATION 4**

**THAT the resolution passed by the Board of Variance (BoV) at its meeting of April 6, 2021, requesting a review of zoning regulations governing the placement of mobile homes in the ALR be respectfully denied.**

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**E. ADJOURNMENT**

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## ADMINISTRATIVE REPORT

**TO:** Planning & Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** Zoning Review – Faulder Water System Service Area (Electoral Area “F”)

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### Administrative Recommendation:

**THAT THE Regional District commence a review of the Area “F” Official Community Plan and Zoning Bylaw for the purposes of protecting the aquifer which serves the Faulder Water System and those who have wells on the Meadow Valley Aquifer.**

### Purpose:

To strengthen the policies and regulations governing subdivision and land use in the Faulder Water System Service Area and Meadow Valley Aquifer.

### References:

- *Faulder Water Supply Capacity Review – Technical Memorandum*, Associated Engineering, April 2008.
- *Groundwater Provenance and Water Level Assessment, Faulder, British Columbia*, Golder Associates, August 2008.
- *Groundwater Development in the Meadow Valley Aquifer, District of Summerland, British Columbia*, Golder Associates, November 2013.
- *Faulder Well Aquifer Assessment and Water Supply Options Evaluation*, Golder Associates, December 2013.
- *Water Conservation Plan – Faulder Water System*, Ecora, February 2016.
- *Faulder Water System Well Protection Planning Report*, Ecora, February 2016.

### Background:

The Faulder Water System relies on groundwater from the Meadow Valley Aquifer for water supply and, in 2015, a new community well was drilled to address depleting water levels and to add a Uranium Extraction Plant to supply domestic water to an estimated 215 residents. Other properties outside the Faulder Water System area also use the Meadow Valley Aquifer.

Water levels in the aquifer are again depleting and further study is required to determine how growth in the area will affect the greater Meadow Valley Aquifer. The aquifer seems to be subject to irregular recharge rates.

A 1996 review of the Faulder water system completed by Stantec concluded that “the water system was designed to supply a maximum of 80 lots ... [and that] prior to exceeding the original 80 lots, we would recommend a review of the actual demands be completed.”

In 2008, the Faulder water system lost its supply of water due to drought conditions and water was trucked into the community. In 2015, the new deeper well was drilled, yet water quantity remains a concern.

When the Electoral Area “F” OCP Bylaw was reviewed between 2016-18, this situation was captured in a number of statements and policies that speak to water supply and quality concerns in the Faulder community.

Since 2020, the Regional District has received a number of development proposals involving properties within or immediately adjacent to the Faulder Water Service Area, including:

- \*\* 3-lot subdivision of 8025 Princeton-Summerland Road (in Water Service Area);
- \*\* 2-lot subdivision and rezoning of 8151 Princeton-Summerland Road (in Water Service Area);
- \*\* 2-lot subdivision of 8064 Princeton-Summerland Road (in Water Service Area);
- 2-lot subdivision\* of 8208 Princeton-Summerland Road (adjacent Water Service Area); and
- a Petition to enter the Water Service Area for District Lot 2893, ODYD, Portion EX PT S & W PL A67, Except Plan A67 27332, which is 11.2 ha in area (adjacent Water Service Area).

**\* rezoning required**

**\*\* Those properties within the the Water System Service are required to pay the tax to maintain the system; and, if subdivision was approved, any new lots would also be required to pay, even if not granted access to the system. Further, if new lots were compliant with zoning, they would have the option to drill their own well to meet the water requirements of subdivision.**

Since 2014, the Regional District has also received a number of rezoning proposals to facilitate the subdivision of properties within the broader Meadow Valley Aquifer, including:

- 464 Fish Lake Road (rezoning refused in 2014 to allow a 3-lot subdivision);
- 66 Deans Road (rezoning approved in 2016 to allow a 2-lot subdivision);
- 633 Meadow Valley Road (rezoning refused in 2017 to allow a 2-lot subdivision);
- 15 Deans Road (rezoning approved in 2018 to allow a 2-lot subdivision); and
- 8475 Princeton-Summerland Road (active rezoning proposal to allow a 3-lot subdivision).

For reference purposes, the location of these properties vis-à-vis the Faulder Community Water Service Area is shown at Attachment No. 1.

At its meeting of May 6, 2021, the Regional District Board deferred consideration of 3<sup>rd</sup> reading of Amendment Bylaw No. 2461.15, 2021, and directed that a second public information meeting (PIM) be scheduled. This was seen to be a result of water concerns raised by residents in Faulder as part of the public hearing process for the rezoning of 8475 Princeton-Summerland Road.

### Analysis:

While there are a number of background statements within the Electoral Area “F” OCP Bylaw speaking to concerns regarding the availability of water in the Faulder community, the current policy statements within the Plan *may* not accurately reflect these.

The strongest statement in the bylaw against further growth and development in the Faulder Community Water Service Area is a somewhat generic statement that “the Board “discourages subdivision of properties in order to maintain the rural character of the [Faulder] area” [emphasis added]. “Rural character” is an imprecise term that could relate to any number of characteristics, with water being only one of many potential considerations.

Further, the zoning that applies to the Faulder community contemplates the potential subdivision of a number of parcels and also allows for uses and density that may be inconsistent with these water concerns (i.e. allowing agriculture and accessory dwellings).

In light of this, as well as the direction provided by the Board at its meeting of May 6, 2021 to undertake additional community engagement on the rezoning of 8475 Princeton-Summerland Road and the recent volume of applications received to facilitate development within and around the Faulder Community Water System, it would appear to be an opportune time to review existing policies and zoning regulations.

The introduction of stronger OCP policy statements that speak to not supporting further subdivision within or expansion of the Faulder Water System Service Area and to discourage the rezoning of parcels within the broader Meadow Valley Aquifer to facilitate subdivision may be beneficial.

Consideration could also be given to introduce new zoning to be applied to all properties within the Faulder Water System Service Area in order to restrict further subdivision, density (i.e. accessory dwellings) and water-intensive uses (i.e. agriculture).

For reference purposes, annotated versions of amendment bylaws that would introduce such policies and zoning regulations are attached to this report.

Consultation with the Faulder community in conjunction with the consultation associated with the current rezonings in the area would be beneficial, but eventually OCP and Zoning Bylaw amendments would be required.

### Alternatives:

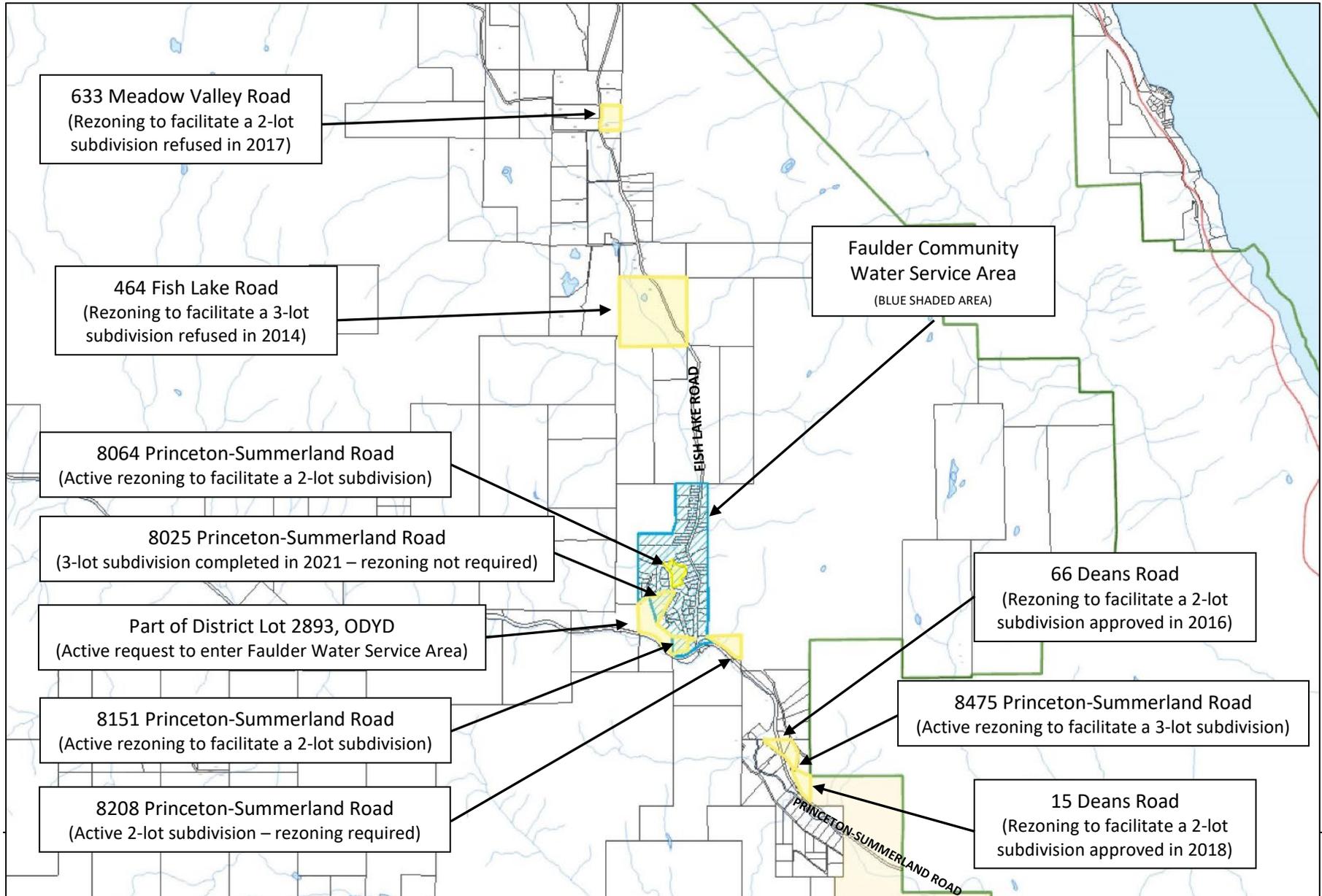
1. THAT the Electoral Area “F” Official Community Plan Amendment Bylaw No. 2790.03, 2021, and Zoning Amendment Bylaw No. 2461.19, 2021, be deferred; or
2. THAT the Electoral Area “F” Official Community Plan Amendment Bylaw No. 2790.03, 2021, and Zoning Amendment Bylaw No. 2461.19, 2021, not be initiated.

### Respectfully submitted:



C. Garrish, Planning Manager

Attachment No. 1 – Development Proposals in Meadow Valley / Faulder Area (2014-present)



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2790.03, 2021**

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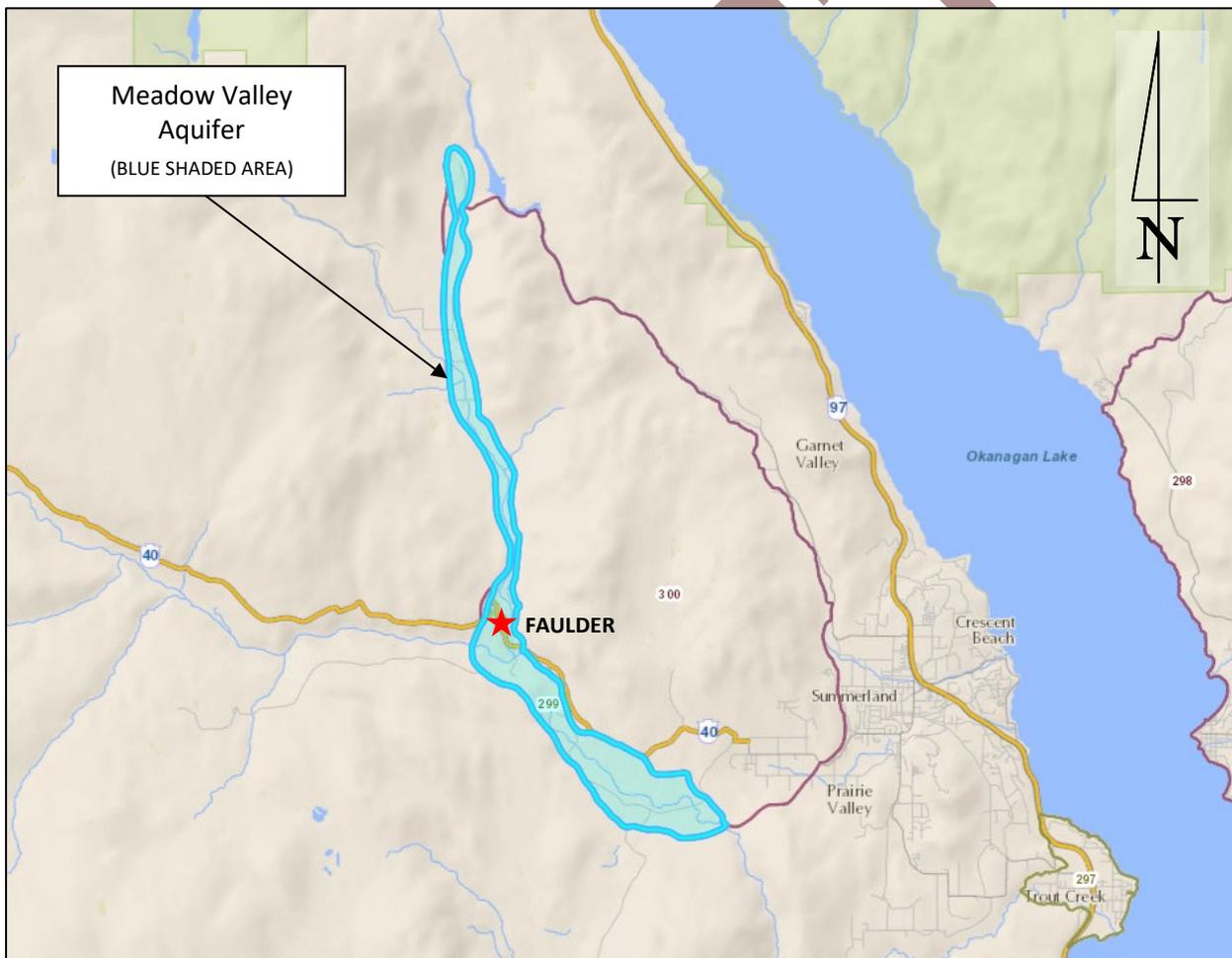
**A Bylaw to amend the Electoral Area “F”  
Official Community Plan Bylaw No. 2790, 2018**

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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 “F” Official Community Plan Amendment Bylaw No. 2790.03, 2021.”
2. The Electoral Area “F” Official Community Plan Bylaw No. 2790, 2018, is amended by:
  - i) replacing Section 7.3.1.3 (Policies) under Section 7.3 (Faulder / Meadow Valley Local Area Policies) in its entirety with the following:
    - .3 Does not support the subdivision of parcels within the Faulder Community Water System Local Service Area.
  - ii) adding a new Section 7.3.1.4 (Policies) under Section 7.3 (Faulder / Meadow Valley Local Area Policies) to read as follows and re-numbering all subsequent sections:
    - .4 Does not support the expansion of the Faulder Community Water System Local Service Area.
  - iii) adding a new Section 7.3.1.5 (Policies) under Section 7.3 (Faulder / Meadow Valley Local Area Policies) to read as follows and re-numbering all subsequent sections:
    - .5 Supports the professional decommissioning of all private water wells within the Faulder Community Water System Local Service Area in order to protect the local aquifer and prevent contamination.
  - iv) adding a new Section 7.3.1.6 (Policies) under Section 7.3 (Faulder / Meadow Valley Local Area Policies) to read as follows and re-numbering all subsequent sections:

- .6 Discourages the rezoning of parcels in order to facilitate subdivision, particularly within the Meadow Valley Aquifer in order to maintain the rural character of the area and preserve existing water resources.
- v) adding a new Section 7.3.1.7 (Policies) under Section 7.3 (Faulder / Meadow Valley Local Area Policies) to read as follows and re-numbering all subsequent sections:
  - .7 Supports an Aquifer Vulnerability Assessment being completed for the Meadow Valley and Enesas Creek Aquifers to develop aquifer vulnerability mapping and to inform future land use policy and decision making.
- vi) adding a new Figure 7.3.1 (Meadow Valley Aquifer) under Section 7.3 (Faulder / Meadow Valley Local Area Policies) to present as follows:



**Figure 7.3.1: Meadow Valley Aquifer**

- vii) replacing the first three (3) sentences of the second paragraph under Section 19.4 (Water Supply and Distribution) in its entirety with the following:

The Faulder system, which is currently is at capacity, was upgraded with a new well and uranium treatment and made operational in early 2017, bringing one of the two uranium removal canisters online.

viii) replacing Section 19.4.2.1 (Policies) under Section 19.4 (Water Supply and Distribution) in its entirety with the following:

.1 *deleted.*

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2021.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2021.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED this this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

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

DRAFT

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2461.19, 2021**

**A Bylaw to amend the Electoral Area “F” Zoning Bylaw No. 2461, 2008**

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “F” Zoning Amendment Bylaw No. 2461.19, 2021.”
2. The “Electoral Area “F” Zoning Bylaw No. 2461, 2008” is amended by:
  - i) adding a new reference to “Faulder Small Holdings Zone SH7 under “Rural Zones” at Section 5.1 (Zoning Districts).
  - ii) adding a new sub-section 10.10 (Faulder Small Holdings (SH7) Zone) under Section 10.0 (Rural) to read as follows:

**10.10 FAULDER SMALL HOLDINGS ZONE (SH7)**

**10.10.1 Permitted Uses:**

Principal Uses:

- a) single detached dwelling;

Accessory Uses:

- b) bed and breakfast operation, subject to Section 7.19;
- c) home occupation, subject to Section 7.17; and
- d) accessory building and structure, subject to Section 7.13.

**10.10.2 Site Specific Faulder Small Holdings (SH7s) Provisions:**

- a) see Section 17.25

**Commented [CG1]:** Proposed to delete allowance for agriculture and accessory dwellings as permitted uses. Secondary Suites are not currently permitted.

**10.10.3 Minimum Parcel Size for Subdivision:**

- a) 5.0 ha

**Commented [CG2]:** Proposed minimum parcel size of 5.0 ha for subdivision would preclude subdivision within the Faulder Water Service Area.

**10.10.4 Minimum Parcel Width:**

- a) Not less than 25% of the parcel depth.

**10.10.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling unit.

**Commented [CG3]:** Proposed to delete allowance for agriculture and accessory dwellings as permitted uses.

**10.10.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line: 7.5 metres
  - ii) Rear parcel line: 7.5 metres
  - iii) Interior side parcel line: 7.5 metres
  - iv) Exterior side parcel line: 7.5 metres
- b) Accessory buildings and structures:
  - i) Front parcel line: 7.5 metres
  - ii) Rear parcel line: 4.5 metres
  - iii) Interior side parcel line: 4.5 metres
  - iv) Exterior side parcel line: 4.5 metres
- c) Despite Section 10.10.6(a) & (b), livestock shelters, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:
  - i) Front parcel line: 15.0 metres
  - ii) Rear parcel line: 15.0 metres
  - iii) Interior side parcel line: 15.0 metres
  - iv) Exterior side parcel line: 15.0 metres
- d) Despite Section 10.10.6(a) & (b), incinerator or compost facility:
  - i) Front parcel line: 30.0 metres
  - ii) Rear parcel line: 30.0 metres
  - iii) Interior side parcel line: 30.0 metres

iv) Exterior side parcel line: 30.0 metres

**10.10.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres.

**10.10.8 Maximum Parcel Coverage:**

- a) 20%

**10.10.9 Minimum Building Width:**

- a) Dwelling Unit: 5.0 metres, as originally designed and constructed.

- iii) replacing Section 17.5.2 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

.2 *deleted.*

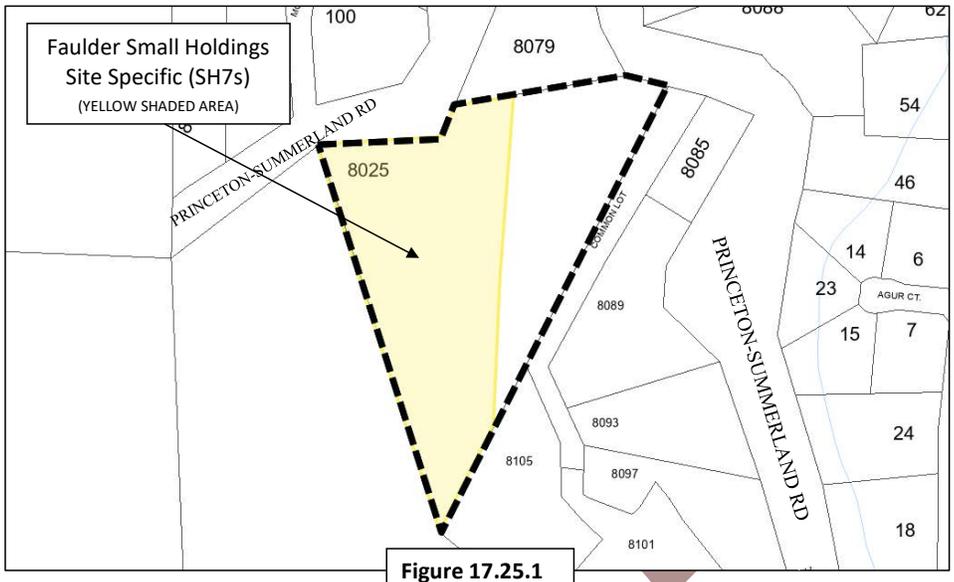
- iv) replacing Section 17.7.1 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

.1 *deleted.*

- v) adding a new Section 17.25 (Site Specific Faulder Small Holdings (SH7s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows:

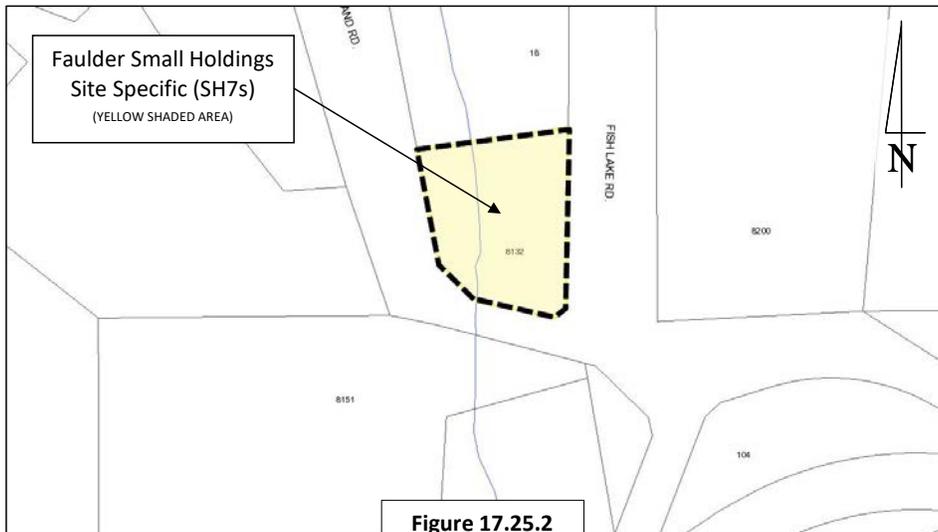
**17.25 Site Specific Faulder Small Holdings (SH7s) Provisions:**

- .1 in the case an approximately 3.3 ha part of the land described as Lot 10, Plan 27332, District Lot 2893, ODYD, Except Plan KAP51912 (8025 Princeton-Summerland Road), and shown shaded yellow on Figure 17.25.1:
- i) despite Section 7.18.2, the maximum floor area utilized for a home industry, including the indoor and outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 300.0 m<sup>2</sup>.



.2 in the case of land described as Lot 3, Plan KAP51211, District Lot 2893, ODYD (8132 Princeton-Summerland Road), and shown hatched on Figure 17.25.2:

- i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 10.10.1:
  - a) eating and drinking establishment; and
  - b) retail store, convenience.



3. The Official Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by changing the land use designation of the land shown:
- i) shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Three (SH3) to Faulder Small Holdings (SH7);
  - ii) shaded orange on Schedule 'A', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Faulder Small Holdings Site Specific (SH7s);
  - iii) shaded blue on Schedule 'A', which forms part of this Bylaw, from Small Holdings Four Site Specific (SH4s) to Faulder Small Holdings Site Specific (SH7s); and
  - iv) shaded purple on Schedule 'A', which forms part of this Bylaw, from Small Holdings Two (SH2) to Faulder Small Holdings (SH7).

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2021.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2021.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

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

DRAFT

# Regional District of Okanagan-Similkameen

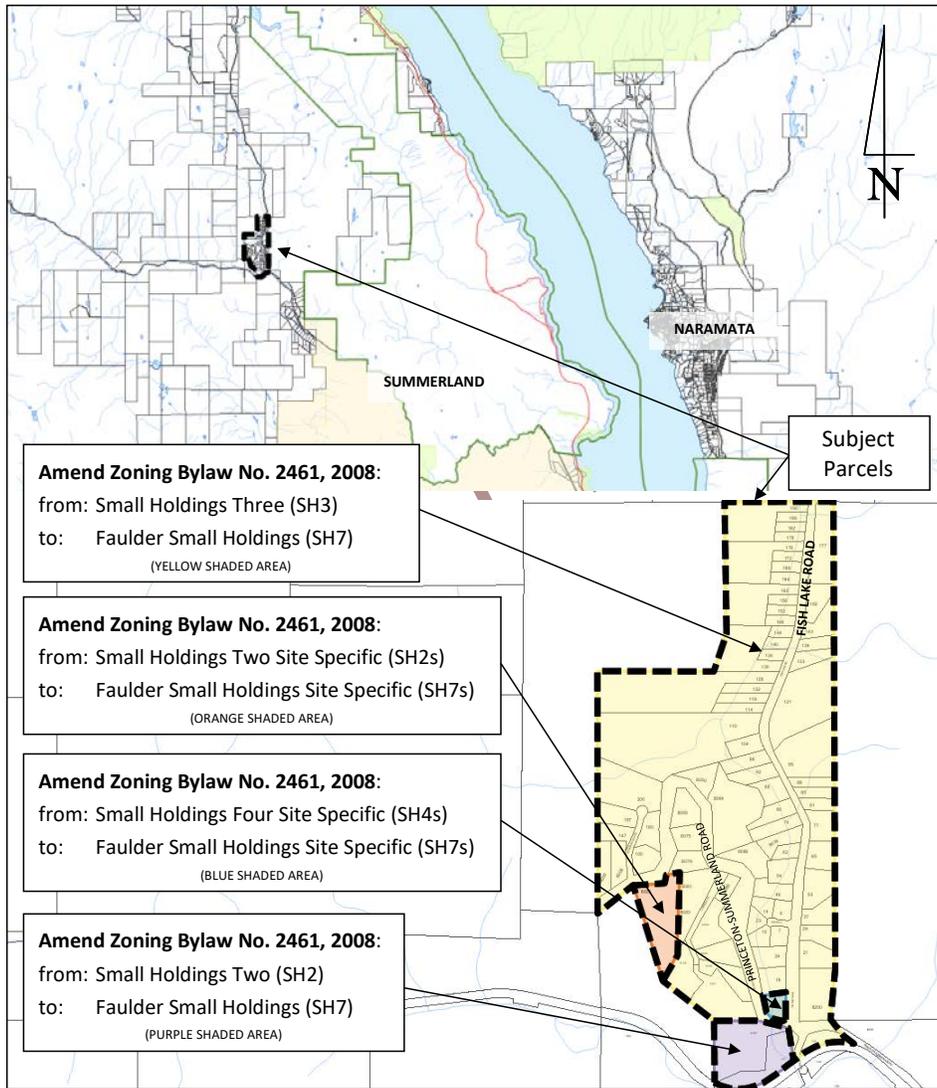
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2461.19, 2021

File No. F2021.011-ZONE

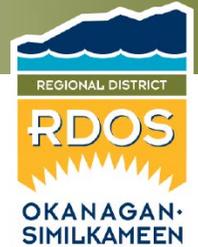
## Schedule 'A'



Amendment Bylaw No. 2461.19, 2021  
(F2021.011-ZONE)

DRAFT VERSION — 2021-08-19

Page 7 of 7



**TO:** Planning & Development Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 19, 2021  
**RE:** Street Lighting Policies and Regulations

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**Administrative Recommendation:**

**THAT the Regional District commence consultation on moving street lighting into the Official Community Plans and removing them from the Subdivision Servicing Bylaw.**

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**Purpose:**

To review the street lighting policies and regulations in the context of Subdivision Servicing Bylaw No. 2000, 2002.

**Background:**

The Regional District's Subdivision Servicing Bylaw No. 2000, 2002, currently requires street lighting be provided in the following instances:

- any subdivision of land in a Low Density Residential area creating a parcel less than 2,500 m<sup>2</sup> in area;
- any subdivision of land in a Medium Density Residential area;
- any building permit involving the construction of a building containing three (3) or more dwelling units (i.e. an apartment building or townhouse).

The Bylaw further establishes very detailed design standards that must be complied with when required to install street lighting (i.e. minimum levels of illumination, pole locations, underground ducting locations, lamp standards, etc.).

Street lighting requirements were first introduced in 1995 when a new subdivision servicing bylaw was prepared for the Regional District by a Kelowna consulting firm and appears to have been based upon a template used primarily for municipal clients.

**Existing Service Areas:**

The Regional District currently has 4 Services for street lighting, including:

- Heritage Hills (Electoral Area "D")
- West Bench (Electoral Area "F")
- Naramata (Electoral Area "E")
- Schneider Road (Electoral Area "G")

A general principle of a street lighting service area is that the benefitting properties *can* extend far beyond the physical location of the street lights. Consequently, a service area can be far more extensive than the actual location of the lights.

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At present, FortisBC owns, operates and maintains all street lighting networks within the street lighting services administered by the Regional District. The Regional District is responsible for collecting the taxes to operate these lights and has contracts with FortisBC to maintain this infrastructure and will report any equipment issues to FortisBC on behalf of the public.

There are generally two types of street lights within services administered by the Regional District:

- “Overhead” street lights are typically mounted to a utility pole and are of a design determined by FortisBC;
- “Ornamental” street lights are typically mounted on a metal pole of a non-standard design (i.e. unique / “decorative”).

#### Other Regional Districts:

A survey of 20 other Regional District indicates that 75% have not included *any* street lighting standards in their respective Subdivision & Development Servicing Bylaw.

Of those that do include street lighting standards in their Subdivision & Development Servicing Bylaw, the RDOS is one of only three (3) regional districts that have incorporated very detailed standards.

(NOTE: staff at one of these regional district’s advised that their street lighting standards similarly came from a consultant’s template prepared for municipal clients and is rarely used).

The two (2) remaining regional districts surveyed reference the Master Municipal Construction Documents (MMCD) Design Guideline Manual for street lighting standards in their respective bylaws.

#### **Analysis:**

The Subdivision Servicing Bylaw is a poor predictor of where street lighting priorities are within an Electoral Area and is leading to sub-optimal outcomes. For instance, the subdivision servicing bylaw cannot properly account for situations where:

- there is no service established, and the creation of such a service may run counter to other Board objectives (i.e. focusing services on designated Growth Areas under the RGS);
- an existing service is administered by a separate entity (i.e. an Irrigation District) that may not support the installation of additional street lighting as required by the RDOS; or
- the location of the street light would be at a location that has not been deemed a priority (i.e. schools, parks, community mailboxes, hazardous intersections, etc.).

Relief from the requirements of the bylaw can only be obtained through an approved development variance permit, which is seen to be an un-necessary cost and time delay.

The current standards within the bylaw have not been updated in over 25 years and *may* no longer be reflective of the design options offered by FortisBC, or modern technologies.

It would seem that removing street lighting requirements from the Subdivision Servicing Bylaw and replacing these with new objectives and policies in the Electoral Area Official Community Plan (OCP) Bylaws may be more effective.

Specifically, the Subdivision Servicing Bylaw could be simplified to support the standards of the authority having jurisdiction (i.e. FortisBC), to establish a delegation for an “Approved Products List”

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to be administered by staff and setting out acceptable “ornamental street light” types and to prohibit the use of high pressure sodium (HPS) lights.

To guide street lighting in new or expanded services, priority locations for new street lights and other policy objectives (e.g. support for Primary & Rural Growth Areas, “dark skies” or improving energy efficiency) a new “Street Lighting” section could be introduced into the Electoral Area OCPs.

Consultation:

Due to the proposed amendments involving OCP Bylaws, Administration is proposing consultation with the Advisory Planning Commissions (APCs) as well as a broad level public engagement (e.g. newspaper advertisements, social media posts, CivicReady notification and material posted to the RDOS website) in order to satisfy the “early and ongoing” consultation requirements of the *Local Government Act*.

**Alternatives:**

1. THAT the Regional District of Okanagan-Similkameen Official Community Plan Street Lighting Update Amendment Bylaw No. 2944 and Street Lighting Standards Update Amendment Bylaw No. 2000.16 be deferred; or
2. THAT the Regional District of Okanagan-Similkameen Official Community Plan Street Lighting Update Amendment Bylaw No. 2944 and Street Lighting Standards Update Amendment Bylaw No. 2000.16 not be initiated.

**Respectfully submitted:**



C. Garrish, Planning Manager

## ADMINISTRATIVE REPORT

**TO:** Planning & Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** Mobile Homes Regulations in the Electoral Area Zoning Bylaws -  
Administrative Response

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### Administrative Recommendation:

**THAT the resolution passed by the Board of Variance (BoV) at its meeting of April 6, 2021, requesting a review of zoning regulations governing the placement of mobile homes in the ALR be respectfully denied.**

### Purpose:

To provide Committee with an overview of resource and work plan implications and to confirm legislative and/or legal authority regarding a resolution passed by the Board of Variance requesting a review of zoning regulations governing the placement of mobile homes in the Agricultural Land Reserve (ALR).

### Background:

At its meeting of September 15, 2016, Bylaw No. 2743, 2016, which expanded the range of zones in which modular homes (CSA A277) and mobile homes (CSA Z240) could be sited was adopted.

Prior to consideration of this bylaw, the Regional District had historically attempted to exclude mobile homes from being placed in certain zones. A general exception to this approach was the Residential Manufactured Home Park (RSM1) Zone.

In reviewing this issue in 2016, the Board directed that mobile homes (CSA Z240) generally continue to be restricted to parcels greater than 4.0 ha in area, and Bylaw No. 2743 reflected this.

At its meeting of April 6, 2021, the Regional District's Board of Variance (BoV) considered an application that sought to allow for the construction of a deck and external stairs on an existing non-conforming mobile home.

In approving an exemption under Section 531(1) of the *Local Government Act* to allow for this addition to a non-conforming use, the BoV further requested that the Regional District align "zoning rules regarding siting structures to those of the ALR regarding parcels under 4 ha."

Under Section 32 (Additional Residence) of the *Agricultural Land Reserve Use Regulation* an additional residence is permitted without the need for approval from the Agricultural Land Commission (ALC) if that residence is a manufactured home that is less than 9.0 metres in width and is used by specified relatives of the property owner.

Importantly, this regulatory provision is only valid until December 31, 2021, after which approval of the ALC will be required to place a manufactured home as an accessory dwelling on a property in the ALR.

At its meeting of June 3, 2021, the Board considered the Board of Variance Minutes from its April 13, 2021, meeting and directed that the minutes “be referred to administration to undertake a review of the recommendations therein to determine potential impact to current resources and workplans or to confirm legislative and/or legal authority.”

**Analysis:**

The regulation of dwelling types is generally within the Board’s authority and there are not seen to be any legislative or legal issues with reviewing the current regulatory approach.

Due to the pending removal of the legislative exception for manufactured homes as an accessory dwelling type in the ALR on December 31, 2021, and in recognition that the Board recently (2016) completed its own review of the zoning regulations governing the placement of manufactured homes, this request would seem to be of minimal value.

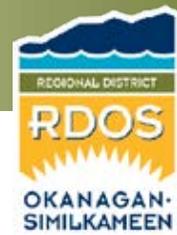
Other zoning regulations and land use issues that require attention and that have not been reviewed as recently as the zoning regulations for manufactured homes would seem to be of more value. Undertaking a further review of manufactured home zoning requirements will direct staff resources away from these other items.

**Alternatives:**

1. THAT the resolution passed by the Board of Variance (BoV) at its meeting of April 6, 2021, requesting a review of zoning regulations governing vacation rental uses be brought forward for consideration as a strategic project for 2022.

**Respectfully submitted:**

C. Garrish, Planning Manager



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
**Protective Services Committee**

Thursday, August 19, 2021

9:45 a.m.

**AGENDA**

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**THAT the Agenda for the Protective Services Meeting of August 19, 2021 be adopted.**

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**B. DELEGATION - RCMP**

1. Superintendent Brian Hunter
  2. Sergeant Don Wigglesworth, Area Detachment Commander for Oliver
  3. Sergeant Jason Bayda, Area Detachment Commander for Osoyoos
  4. Sergeant Rob Hughes, Area Detachment Commander for Princeton
  5. Sergeant Dave Preston, Area Detachment Commander for Summerland
  6. Corporal Chad Parsons, Area Detachment Commander for Keremeos
- 

**C. DELEGATION – BC EMERGENCY HEALTH SERVICES**

1. Joe Puskaric, District Manager
- 

**D. EMERGENCY OPERATIONS CENTRE UPDATE**

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**E. ADJOURNMENT**

**RCMP·GRC**



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

**PENTICTON SOUTH OKANAGAN  
SIMILKAMEEN  
REGIONAL DETACHMENT**

**QUARTERLY REPORT**

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*April – June*  
*2021*



Royal Canadian Mounted Police  
Gendarmerie royale du Canada

Canada

# 2021/22 Annual Performance Plan Policing Priorities

## **Penticton:**

Crime Reduction (Property Crimes and Drugs)  
Traffic - Road Safety  
Family and Sexual Violence  
Homelessness, Addictions and Mental Health  
Employee Wellness

## **Princeton:**

Substance Abuse - Drugs  
Traffic – Road Safety  
Employee Wellness

## **Osoyoos:**

Crime Reduction (Theft from Vehicles)  
Traffic/Marine Safety  
Employee Wellness

## **Keremeos:**

Police/Community Relations – Police Visibility  
Traffic – Road Safety (Impaired Driving)

## **Oliver:**

Crime Reduction (Property Crimes)  
Traffic - Road Safety  
Police/Community Relations – Police Visibility  
Employee Wellness

## **Summerland:**

Crime Reduction (Property Crimes, Theft from Vehicles)  
Traffic - Road Safety  
Police/Community Relations – Police Visibility



## PENTICTON (MUNICIPAL) Q2 2021 STATS

<i>Calls for Service</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Total Calls for Service	4135	4227	2%	8020	7831	-2%
<i>Violent Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	107	124	16%	212	240	13%
Sex Offences	19	18	-5%	38	38	0%
Uttering Threats	56	84	50%	105	161	53%
Domestic Violence (Violent Crime Only)	38	34	-11%	83	68	-18%
Violent Crime - Total	229	246	7%	444	494	11%
<i>Property Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	29	33	14%	95	89	-6%
Bicycle Theft	39	32	-18%	57	45	-21%
Break & Enter - Business	44	41	-7%	117	83	-29%
Break & Enter - Residence	34	18	-47%	56	39	-30%
Break & Enter - Other	18	19	6%	47	55	17%
Mischief to Property	358	474	32%	671	901	34%
Theft - Other	98	116	18%	205	210	2%
Shoplifting	56	96	71%	228	208	-9%
Theft from Vehicle	235	155	-34%	443	300	-32%
Fraud	83	74	-11%	176	159	-10%
Property Crime - Total	1048	1101	5%	2195	2163	-1%

Top 10 Calls for Service - Penticton Detachment (Municipal)	
Initial Call Type	# of Calls
Unwanted Person	361
Disturbance	320
Theft	270
Check Wellbeing	263
Suspicious Person	251
Assist Other Agency	209
Traffic Incident	183
Suspicious Circumstances	163
Assist Police/Fire/Ambulance	144
Mischief	133

**Criminal Code files:** 1810 (up 4% from 1736 in Q2 2020)



### PENTICTON (RURAL) Q2 2021 STATS

<i>Calls for Service</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Total Calls for Service	804	833	4%	1471	1477	0%
<i>Violent Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	15	17	13%	24	26	8%
Sex Offences	2	3	50%	3	3	0%
Uttering Threats	7	7	0%	12	9	-25%
Domestic Violence (Violent Crime Only)	6	6	0%	14	9	-36%
Violent Crime - Total	30	30	0%	51	53	4%
<i>Property Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	6	7	17%	14	15	7%
Bicycle Theft	3	1	-67%	3	1	-67%
Break & Enter - Business	0	2	N/C	4	3	-25%
Break & Enter - Residence	4	1	-75%	5	1	-80%
Break & Enter - Other	3	5	67%	5	5	0%
Mischief to Property	28	34	21%	47	49	4%
Theft - Other	9	17	89%	14	22	57%
Shoplifting	0	0	N/C	1	1	0%
Theft from Vehicle	21	19	-10%	36	27	-25%
Fraud	11	6	-45%	20	21	5%
Property Crime - Total	98	102	4%	167	159	-5%

Top 10 Calls for Service - Penticton Detachment (Rural)	
Initial Call Type	# of Calls
Traffic Incident	160
Suspicious Vehicle	43
Hazardous Situation	38
Suspicious Circumstances	35
Disturbance	34
Alarm	31
Suspicious Person	31
MVI	29
Abandoned Vehicle	26
Check Wellbeing	26
Theft	26

**Criminal Code files:** 222 (down 15% from 260 in Q2 2020)



## NARAMATA Q2 2021 STATS

<i><b>Violent Crime</b></i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	1	2	100%	1	3	200%
Sex Offences	0	0	N/C	1	1	0%
Uttering Threats	1	0	-100%	1	0	-100%
Domestic Violence (Violent Crime Only)	0	0	N/C	0	0	N/C
<b>Violent Crime - Total</b>	<b>2</b>	<b>2</b>	<b>0%</b>	<b>3</b>	<b>4</b>	<b>33%</b>
<i><b>Property Crime</b></i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	1	0	-100%	3	2	-33%
Bicycle Theft	3	1	-67%	3	1	-67%
Break & Enter - Business	0	0	N/C	0	0	N/C
Break & Enter - Residence	0	0	N/C	4	1	-75%
Break & Enter - Other	1	0	-100%	3	3	0%
Mischief to Property	1	3	200%	3	6	100%
Theft - Other	2	2	0%	5	2	-60%
Shoplifting	0	0	N/C	0	0	N/C
Theft from Vehicle	2	0	-100%	5	1	-80%
Fraud	0	1	N/C	1	3	200%
<b>Property Crime - Total</b>	<b>11</b>	<b>8</b>	<b>-27%</b>	<b>29</b>	<b>21</b>	<b>-28%</b>



## KALEDEN Q2 2021 STATS

<b><i>Violent Crime</i></b>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	1	1	0%	1	2	100%
Sex Offences	0	0	N/C	0	0	N/C
Uttering Threats	1	1	0%	2	2	0%
Domestic Violence (Violent Crime Only)	1	0	-100%	1	1	0%
<b>Violent Crime - Total</b>	<b>4</b>	<b>3</b>	<b>-25%</b>	<b>5</b>	<b>5</b>	<b>0%</b>
<b><i>Property Crime</i></b>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	0	1	N/C	2	1	-50%
Bicycle Theft	1	1	0%	1	1	0%
Break & Enter - Business	0	0	N/C	0	0	N/C
Break & Enter - Residence	0	2	N/C	0	2	N/C
Break & Enter - Other	0	1	N/C	0	1	N/C
Mischief to Property	1	2	100%	3	3	0%
Theft - Other	4	0	-100%	4	0	-100%
Shoplifting	0	0	N/C	0	0	N/C
Theft from Vehicle	5	1	-80%	8	2	-75%
Fraud	2	2	0%	3	5	67%
<b>Property Crime - Total</b>	<b>13</b>	<b>10</b>	<b>-23%</b>	<b>22</b>	<b>15</b>	<b>-32%</b>



## OKANAGAN FALLS Q2 2021 STATS

<b><i>Violent Crime</i></b>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	7	6	-14%	10	11	10%
Sex Offences	2	2	0%	3	3	0%
Uttering Threats	9	1	-89%	12	3	-75%
Domestic Violence (Violent Crime Only)	0	2	N/C	0	6	N/C
<b>Violent Crime - Total</b>	<b>19</b>	<b>9</b>	<b>-53%</b>	<b>27</b>	<b>18</b>	<b>-33%</b>
<b><i>Property Crime</i></b>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	2	2	0%	3	6	100%
Bicycle Theft	1	1	0%	1	1	0%
Break & Enter - Business	0	2	N/C	2	2	0%
Break & Enter - Residence	2	0	-100%	4	0	-100%
Break & Enter - Other	0	1	N/C	2	1	-50%
Mischief to Property	13	10	-23%	24	21	-13%
Theft - Other	2	1	-50%	6	7	17%
Shoplifting	0	0	N/C	0	0	N/C
Theft from Vehicle	7	8	14%	19	16	-16%
Fraud	3	3	0%	4	5	25%
<b>Property Crime - Total</b>	<b>32</b>	<b>30</b>	<b>-6%</b>	<b>67</b>	<b>62</b>	<b>-7%</b>



## SUMMERLAND Q2 2021 STATS

<i>Calls for Service</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Total Calls for Service	696	867	25%	1226	1502	23%
<i>Violent Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	15	22	47%	34	35	3%
Sex Offences	3	4	33%	6	6	0%
Uttering Threats	9	15	67%	22	19	-14%
Domestic Violence (Violent Crime Only)	6	7	17%	13	11	-15%
Violent Crime - Total	34	59	74%	79	92	16%
<i>Property Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	4	9	125%	9	12	33%
Bicycle Theft	2	7	250%	2	9	350%
Break & Enter - Business	6	4	-33%	29	10	-66%
Break & Enter - Residence	2	6	200%	5	7	40%
Break & Enter - Other	2	7	250%	3	11	267%
Mischief to Property	29	49	69%	45	69	53%
Theft - Other	14	23	64%	23	29	26%
Shoplifting	1	2	100%	4	4	0%
Theft from Vehicle	14	24	71%	21	44	110%
Fraud	9	16	78%	27	33	22%
Property Crime - Total	86	149	73%	171	232	36%

Top 10 Calls for Service - Summerland Detachment	
Initial Call Type	# of Calls
Traffic Incident	100
Theft	59
Property	56
Alarm	45
Suspicious Person	42
Suspicious Circumstances	37
Assist Other Agency	36
Assist General Public	35
Disturbance	32
Check Wellbeing	30

**Criminal Code files: 255 (up 70% from 150 in Q2 2020)**



## PRINCETON Q2 2021 STATS

<i>Calls for Service</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Total Calls for Service	527	577	9%	950	981	3%
<i>Violent Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	21	14	-33%	37	33	-11%
Sex Offences	4	3	-25%	8	6	-25%
Uttering Threats	12	10	-17%	23	11	-52%
Domestic Violence (Violent Crime Only)	5	3	-40%	12	10	-17%
Violent Crime - Total	36	34	-6%	74	62	-16%
<i>Property Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	3	10	233%	7	11	57%
Bicycle Theft	1	0	-100%	1	1	0%
Break & Enter - Business	1	3	200%	2	3	50%
Break & Enter - Residence	2	4	100%	5	5	0%
Break & Enter - Other	1	1	0%	4	1	-75%
Mischief to Property	18	25	39%	28	37	32%
Theft - Other	12	8	-33%	22	13	-41%
Shoplifting	1	2	100%	2	4	100%
Theft from Vehicle	3	11	267%	4	18	350%
Fraud	6	4	-33%	15	7	-53%
Property Crime - Total	48	71	48%	90	104	16%

Top 10 Calls for Service - Princeton Detachment	
Initial Call Type	# of Calls
Traffic Incident	63
Check Wellbeing	35
Assist General Public	33
Disturbance	33
MVI	28
Assist Police/Fire/Ambulance	27
Suspicious Circumstances	27
Theft	25
Property	21
Abandoned 911	20

**Criminal Code files:** 149 (up 35% from 110 in Q2 2020)



### KEREMEOS Q2 2021 STATS

<i>Calls for Service</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Total Calls for Service	387	364	-6%	668	650	-3%
<i>Violent Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	14	13	-7%	17	27	59%
Sex Offences	4	1	-75%	5	4	-20%
Uttering Threats	1	3	200%	1	6	500%
Domestic Violence (Violent Crime Only)	7	5	-29%	8	15	88%
Violent Crime - Total	21	16	-24%	27	39	44%
<i>Property Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	4	8	100%	7	14	100%
Bicycle Theft	3	0	-100%	3	0	-100%
Break & Enter - Business	2	2	0%	5	3	-40%
Break & Enter - Residence	2	0	-100%	3	1	-67%
Break & Enter - Other	1	2	100%	4	3	-25%
Mischief to Property	21	12	-43%	30	15	-50%
Theft - Other	12	3	-75%	17	13	-24%
Shoplifting	0	0	N/C	0	0	N/C
Theft from Vehicle	17	7	-59%	21	15	-29%
Fraud	9	2	-78%	11	9	-18%
Property Crime - Total	78	46	-41%	111	88	-21%

Top 10 Calls for Service - Keremeos Detachment	
Initial Call Type	# of Calls
Traffic Incident	41
Assist Police/Fire/Ambulance	29
Check Wellbeing	24
Disturbance	19
Suspicious Circumstances	19
Assist General Public	14
Theft	12
MVI	11
Abandoned 911	10
Assist Other Agency	10
Theft of Vehicle	10

**Criminal Code files: 78 (down 29% from 110 in Q2 2020)**



### OLIVER Q2 2021 STATS

<i>Calls for Service</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Total Calls for Service	786	842	7%	1535	1476	-4%
<i>Violent Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	35	30	-14%	88	49	-44%
Sex Offences	3	4	33%	7	8	14%
Uttering Threats	9	10	11%	15	20	33%
Domestic Violence (Violent Crime Only)	9	8	-11%	22	12	-45%
Violent Crime - OCC Only	18	19	6%	54	36	-33%
Violent Crime - Total	51	58	14%	124	110	-11%
<i>Property Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	12	15	25%	25	21	-16%
Bicycle Theft	0	2	N/C	0	3	N/C
Break & Enter - Business	3	2	-33%	12	8	-33%
Break & Enter - Residence	1	1	0%	7	2	-71%
Break & Enter - Other	7	2	-71%	12	5	-58%
Mischief to Property	45	40	-11%	70	73	4%
Theft - Other	12	22	83%	30	27	-10%
Shoplifting	6	1	-83%	18	4	-78%
Theft from Vehicle	11	15	36%	30	23	-23%
Fraud	14	19	36%	34	38	12%
Property Crime - Total	115	130	13%	258	222	-14%

Top 10 Calls for Service - Oliver Detachment	
Initial Call Type	# of Calls
Traffic Incident	89
Alarm	72
Assist Police/Fire/Amulance	64
Theft	42
Check Wellbeing	41
Assault	36
Disturbance	36
Abandoned 911	29
Suspicious Circumstances	25
Unwanted person	24

**Criminal Code files:** 224 (up 6% from 212 in Q2 2020)



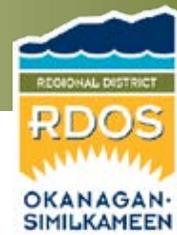
## OSOYOOS Q2 2021 STATS

<i>Calls for Service</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Total Calls for Service	776	683	-12%	1225	1158	-5%
<i>Violent Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	19	8	-58%	30	21	-30%
Sex Offences	6	4	-33%	7	8	14%
Uttering Threats	10	1	-90%	19	6	-68%
Domestic Violence (Violent Crime Only)	8	2	-75%	10	10	0%
Violent Crime - Total	53	30	-43%	82	60	-27%
<i>Property Crime</i>	Q2 2020	Q2 2021	% Change 2020 to 2021	Q2 YTD 2020	Q2 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	2	5	150%	8	8	0%
Bicycle Theft	0	3	N/C	0	3	N/C
Break & Enter - Business	3	2	-33%	17	6	-65%
Break & Enter - Residence	9	4	-56%	18	8	-56%
Break & Enter - Other	1	5	400%	6	5	-17%
Mischief to Property	26	14	-46%	40	30	-25%
Theft - Other	11	16	45%	23	25	9%
Shoplifting	7	1	-86%	12	1	-92%
Theft from Vehicle	11	32	191%	20	53	165%
Fraud	9	15	67%	22	31	41%
Property Crime - Total	84	104	24%	172	183	6%

Top 10 Calls for Service - Osoyoos Detachment	
Initial Call Type	# of Calls
Traffic Incident	61
Property	54
Theft	42
Alarm	34
Disturbance	33
Check Wellbeing	30
Abandoned 911	29
Assist General Public	29
Assist Police/Fire/Amulance	27
Suspicious Circumstances	27

**Criminal Code files:** 157 (down 6% from 167 in Q2 2020)





**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
**Corporate Services Committee**

Thursday, August 19, 2021  
11:30 a.m.

**AGENDA**

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**THAT the Agenda for the Corporate Services Meeting of August 19, 2021 be adopted.**

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**B. CITY OF PENTICTON REVIEW OF THE ADMINISTRATIVE OVERHEAD COST ALLOCATION POLICY –  
ADMINISTRATIVE RESPONSE**

For Information Only

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**C. ADJOURNMENT**

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** Administrative Response  
**City of Penticton Review of the Administrative Overhead Cost Allocation Policy**  
For Information Only

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### Executive Summary

The City of Penticton commissioned an internal study on the RDOS Administrative Overhead Cost Allocation Policy applied to the various services. This report addresses the concerns identified in the Penticton report.

The report recommends that the RDOS Board develop a general principle for allocating overhead costs for service provisions. The Board, at the November 13, 2020 budget workshop adopted an overhead allocation method for the 2021 calendar year. Options were presented to Board Members and the Board voted on which option was to be used.

The report also recommended that the RDOS Board direct RDOS staff to undertake a thorough and comprehensive review of the current overhead allocation practices to ensure fairness to all taxpayers and rate payers in the Regional District.

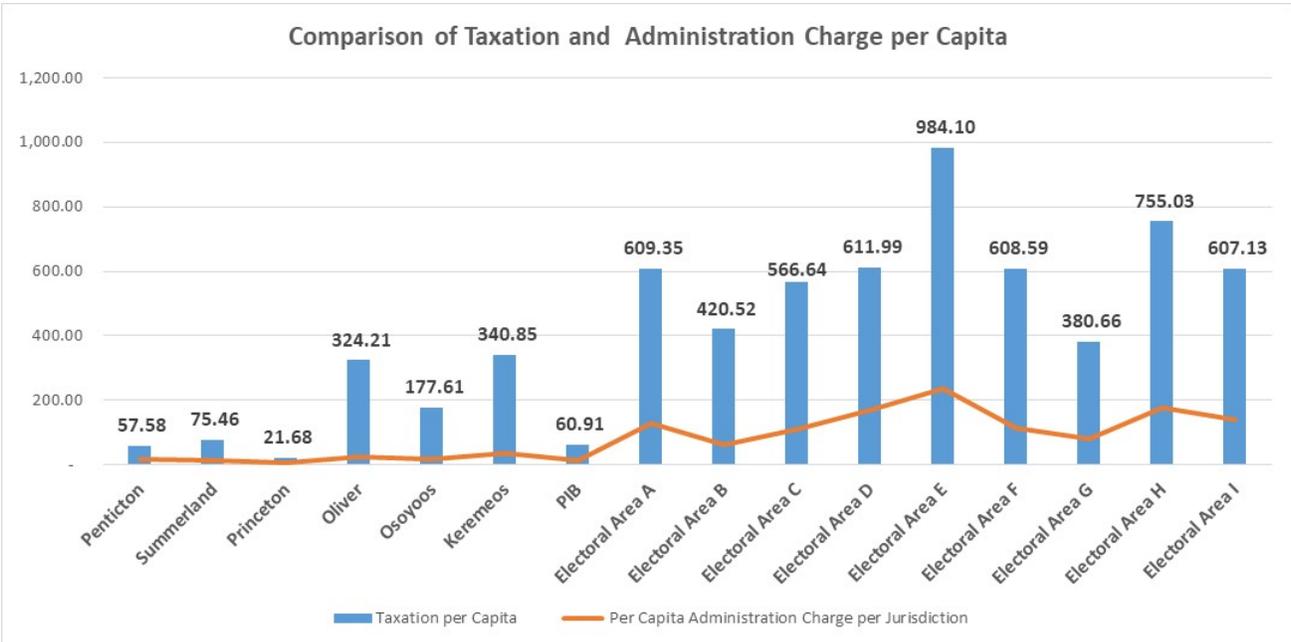
This recommendation seems to imply that the overhead allocation has not been reviewed with the intent of ensuring that the allocation is fair to all. As stated in this report the administration allocation formula has changed over the last three years. These changes were made with the intent of ensuring that the allocations were fair. At the first 2022 Board budget meeting a recommendation will be made to have the administration formula reviewed every four years (to coincide with the election).

The 155 services which the RDOS provides have gross operational budgets that range from \$720 to \$7.2 million and may be funded by one jurisdiction or by all of the 16 jurisdictions, including PIB with whom we have a taxation agreement. Each service requires differing levels of support, thus comparing the administration charges and trying to ensure that administration charges are consistent across all jurisdiction is not practical.

The budget lists the tax allocation to each jurisdiction. The amounts on the tax requisitions clearly show that the larger jurisdictions, both municipal and rural, pay larger amounts based on assessment. However, the larger participants have a higher number of residents and these residents, who are also RDOS residents, benefit from the various services and should pay their share.

The following table compares the taxation amount and the administration costs charged to each jurisdiction on a per capita basis.

Taxation and Administration Allocation per Capita		
Member Municipality/Electoral Area/PID	Taxation per Capita	Per Capita Administration Charge per Jurisdiction
Penticton	57.58	15.27
Summerland	75.46	12.12
Princeton	21.68	5.40
Oliver	324.21	22.77
Osoyoos	177.61	17.26
Keremeos	340.85	37.07
PIB	60.91	13.86
Electoral Area A	609.35	129.98
Electoral Area B	420.52	61.67
Electoral Area C	566.64	110.39
Electoral Area D	611.99	167.78
Electoral Area E	984.10	235.39
Electoral Area F	608.59	113.28
Electoral Area G	380.66	80.49
Electoral Area H	755.03	178.15
Electoral Area I	607.13	140.34



**Background:**

Administrative overhead costs refer to all indirect expenses of running an organization. These ongoing expenses support projects and services but are not linked directly to the actual project or service. They support the departments that directly provide service to the customer.

For most local governments, the following departments would be classified as administrative overhead:

- Legislative Services
- Human Resources
- Information Technology
- Financial Services
- Corporate Facility

One method of redistributing the overhead costs, which is common for municipalities is by simply calculating the total overhead costs divided into the total operational costs and coming up with one administration percentage charge. An example would be (using 2021 RDOS numbers):

Administrative overhead costs = wages \$2,766,513 + supplies, contracts and services \$1,477,084 = \$4,243,597.

Gross operational costs for all services before revenue is deducted - per 2021 budget less capital and municipal fiscal services total \$32,775,237.

Gross Expenditure Budget:	\$47,925,596
Less:	
Capital Expenditures:	\$15,150,359
 Gross Operating Budget	 <u>\$32,775,237</u>

Administration percentage before revenue is deducted, if charging a weighted average percentage for all services on operational expenses excluding capital ( $\$4,243,597 / \$32,775,237 = 12.95\%$ ). An average administration charge for a municipal government would be 18%.

Incorporated municipal governments may have 3 to 4 Funds, such as general government, water, sewer,s etc. charging a weighted average administration fee of one percentage will work. However for a Regional District such as ours who have 155 services, charging the same percentage is not a fair method.

**Regional District’s Current Method:**

All supplies, second party contracts and all other non-salary expenses which are directly associated with administrative services are calculated. All revenue associated with administrative services are deducted from these expenses. A net charge is determined and redistributed back to the 155 services on a variable percentage basis, which we call tier-charging. The tiers are based on the amount of work required for each service.

To be fully transparent, at the November 13, 2021 budget meeting, the Board received a report which detailed the department code, service description, the tier for each service, and the administration dollar amount which will be charged to the various services. The Board also received three recommendations on how the administrative overhead should be charged, as follows:

1. No change, charge the administration support expenses back to each service, after calculating the net expense which would be used to determine the administration charge. Excluded from the charge are, capital, debt servicing, transfer to reserves, and all salaries.
2. Charge the administration support expenses back to each service, however, 20% of the determined overhead amount is to be charged to capital using a tiered basis. The remaining amount would be charged after calculating the net expense which would determine the administration charge. Excluded would be capital, debt servicing, transfer to reserves, and salaries. This recommendation was recommended by staff.
3. Charge the administration support expenses back to each service after calculating the net expense which would be used to determine the administration charge. Excluded from this amount is capital, debt servicing, and transfer to reserves. Unlike option 2 this option excludes capital but would include wages.

Comments based on the City of Penticton May 18, 2021 Council Report regarding the City Review of RDOS Overhead Cost Allocation.

### **1a: City Report Page 1**

The executive summary concluded that it was difficult to compare one regional district to another, however best practices were identified. One main best practice identified in the report was that of transparency regarding overhead allocation.

### **1b: Response**

As stated at the first budget committee meeting on November 13th, 2021, all the tiers were identified by department and the allocated overhead amounts by department. In addition, how the tiers were determined was discussed.

### **2a: City Report Page 1 Cont.**

The executive summary of the report concludes that the use of the direct time allocation method for salaries results in a substantial portion of residual overhead salary cost being allocated based on tax assessment. The report recommends that a comprehensive review be taken of the current overhead allocation practices but does not make any recommendations.

In 2008 City representatives, expressed a concern that wages were unfairly allocated to the General Government program. A significant review was undertaken in 2009 that resulted in the Time-Tracker

Program, where a set of principles were developed by the Board directing that all staff had to keep track of all time spent on each Service and code the expense to that Service, including all exempt staff. This resulted in a significant shift of wage allocation from General Government to Electoral Area Administration in 2011 and has been working well since that time. What could be fairer than directly charging wages to the service which benefited from their time? The City seems to contest this principle and seem to suggest that it might be better to arbitrarily charge wages on a percentage basis to all services. While less work, that seems to be a regression as far as accuracy and transparency is concerned.

## **2b: Response**

The prime objective of the Regional District has been and will continue to be to charge overhead, salaries and all other expenses as fairly as possible. The report states that a substantial portion of residual overhead salary costs are being allocated based on tax assessment. The administration charge is not based on tax assessment, it is based on a formula and wages are based on actual application, however as stated, once the charge is determined, it becomes part of the operational charge and taxed on assessment.

The objective is to determine, as close as possible, the time which should be charged to each service. Each year the charge-out hours are fine-tuned to reflect actual. Thus, each service is paying their fair share. For the 2021 budget year the following hours and dollars were charged against the general government and electoral area administration services.

<b>Overhead Administration Charge to General Government Administration</b>		The dollars charged to General Government is \$723,486
General Administration	<b>0.490</b>	Including non-administrative staff, the FTE is 8.79% with a dollar charge of \$830,030.
Financial Services	<b>1.985</b>	
Human Resources	<b>0.150</b>	
Information Services	<b>0.460</b>	
Legislative Services	<b>4.340</b>	
Total FTEs	<u><u><b>7.425</b></u></u>	

<b>Overhead Administration Charge to Electoral Area Administration</b>		The dollars charged to Electoral Area Administration is \$1,644,152.
General Administration	0.490	Including non-administrative staff the FTE is 21.923% with a dollar charge of \$2,098,431.
Financial Services	6.748	
Human Resources	2.850	
Information Services	4.195	
Legislative Services	3.580	
Total FTEs	<u><u><b>17.863</b></u></u>	

It is important to note that the objective of using an estimated administration charge using a tiered formula method is to allocate the charge as close as possible to the service. At this point tax assessment is not taken into account. However, the wages become part of the operating expenses and all expenses are charged to the department on a tiered-basis and then taxed to fund the service which is based on assessment.

### **3a: City Report Page 9, 10, and 11**

Page 9 of the report states “That over the last 3 years the administration overhead allocation method has evolved, which has created significant swings in the amount of administration overhead allocation to each service budget”. The Report compares 2019, 2020 and 2021 administration charge and highlights the inconsistency in the charges from year to year.

### **3b: Response**

We agree that the administrative charge has changed over the last 3 years. The objective of the change was to improve the charge-out formula so that it reflects the charges to actual. The changes made make it hard to compare the year-to-year difference. We thought we had it with the adoption of the 2020 Policy at Budget Committee, but until we can get a firm direction from the Board, this inconsistency is going to continue.

### **4a: City Report Page 11 Cont.**

The report states that salaries are combined to include both the allocated time as well as direct service specific salaries. It also states that almost half of the budgets did not have any salaries charged to its budget, but adds that there could be multiple reasons, such as budgets are too small to require salary time or budget was not allocated any salaries.

### **4b: Response**

In response to the salaries being combined, our salary budgeting software does not have the capability to split the two apart. For this report, the split in salaries was done manually and time intensive, however it can be calculated manually as was done for this report.

In regards to the services which do not have salaries within the budgets, many of the services we provide are strictly contracts. Examples are Cemeteries, Heritage Society, and West Bench Contract with City of Penticton. Other services with no salaries charge include debt servicing, certain parks and recreation, certain transit contracts or wages such as bylaw which are charged to one service and then redistributed to a number of other bylaw related services.

### **5a: City Report Page 12**

This page states that five service budgets were allocated the highest tier rating, Tier 1 – full utilization, for administration overhead allocation. These budgets did not have any salary time allocated to

them, which implies that they may not be fully utilizing the administration overhead or it would be expected that some salary time would be spent on these budgets.

### **5b: Response**

The budget has classified nine services which are charged at tier 1, they all include salaries, please see the following tier one groupings:

Dept Code	Service	Tier	Salary Budget
0100	GENERAL GOVERNMENT	1	\$ 830,030
0300	ELECTORAL AREA ADMINISTRATION	1	\$ 2,098,431
2500	BUILDING INSPECTION	1	\$ 809,367
3000	REFUSE DISPOSAL- OLIVER	1	\$ 144,638
3500	REFUSE DISPOSAL - PENTICTON/D3	1	\$ 645,577
3800	SEWAGE DISPOSAL - OK FALLS	1	\$ 324,675
3940	WATER SYSTEM - NARAMATA	1	\$ 509,607
5000	ELECTORAL AREA PLANNING	1	\$ 650,833
7520	RECREATION COMM - OK FALLS	1	\$ 239,868
			<u>\$ 6,253,026</u>

### **6a: Penticton's Report Page 13**

The report compares 2020 with 2021 administrative overhead by Municipality and Electoral Area

As stated in the report

	2021	2020	Variance
Municipalities	27%	29%	-2%
Penticton Indian Band	1%	1%	0%
Electoral Area	72%	70%	2%
	100%	100%	0%

### **6b: Response**

Using the 2021 formula and adding the support staff wages to the administration charge, the administration charge is as follows:

**REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN  
2021 Administration Analysis**

Member Municipality/Electoral Area	2021 Administration Charges					Percentage of Administration By Service Area
	Support Staff Salaries Charged Directly on Services which are Taxed	Administration Overhead ( Support) on Services which are Taxed	Support Staff Salaries Charged on Services which are User Fee Collected	Administration on Capital Projects	Total Administration on all Services	
<b>PENTICTON</b>	\$ 313,881	\$ 74,949	\$ 123,220	\$ 62,496	\$ 574,545	13.54%
<b>SUMMERLAND</b>	103,529	26,952	-	112	130,593	3.08%
<b>PRINCETON</b>	21,890	3,899	-	24	25,813	0.61%
<b>OLIVER</b>	39,474	60,204	-	9,597	109,274	2.58%
<b>OSOYOOS</b>	63,434	24,275	-	69	87,779	2.07%
<b>KEREMEOS</b>	9,162	18,394	8,180	19,876	55,612	1.31%
	<b>551,369</b>	<b>208,673</b>	<b>131,401</b>	<b>92,174</b>	<b>983,617</b>	<b>23.18%</b>
<b>PENTICTON REGIONAL HOSPITAL</b>	45,327	-	-	-	45,327	1.07%
<b>PENTICTON INDIAN BAND</b>	18,603	4,486	-	16	23,105	0.54%
<b>Recoverable</b>	-	-	\$ 97	-	\$ 97	0.00%
<b>ELECTORAL AREA A</b>	206,589	50,254	10,619	2,241	269,703	6.36%
<b>ELECTORAL AREA B</b>	54,921	24,396	8,732	14,873	102,922	2.43%
<b>ELECTORAL AREA C</b>	290,112	100,961	34,375	13,028	438,476	10.33%
<b>ELECTORAL AREA D</b>	396,945	113,578	100,735	93,081	704,339	16.60%
<b>ELECTORAL AREA E</b>	296,980	81,383	90,587	31,258	500,207	11.79%
<b>ELECTORAL AREA F</b>	178,833	38,788	33,608	3,530	254,759	6.00%
<b>ELECTORAL AREA G</b>	109,867	36,977	26,056	28,096	200,995	4.74%
<b>ELECTORAL AREA H</b>	304,370	70,373	5,649	8,153	388,545	9.16%
<b>ELECTORAL AREA I</b>	238,564	65,495	18,414	9,013	331,486	7.81%
	<b>2,077,179</b>	<b>582,205</b>	<b>328,872</b>	<b>203,272</b>	<b>3,191,529</b>	<b>75.21%</b>
<b>TOTAL TAX REQUISITION FOR ALL BUDGETS</b>	<b>\$ 2,647,151</b>	<b>\$ 795,364</b>	<b>\$ 460,273</b>	<b>\$ 295,462</b>	<b>\$ 4,243,577</b>	<b>100.00%</b>

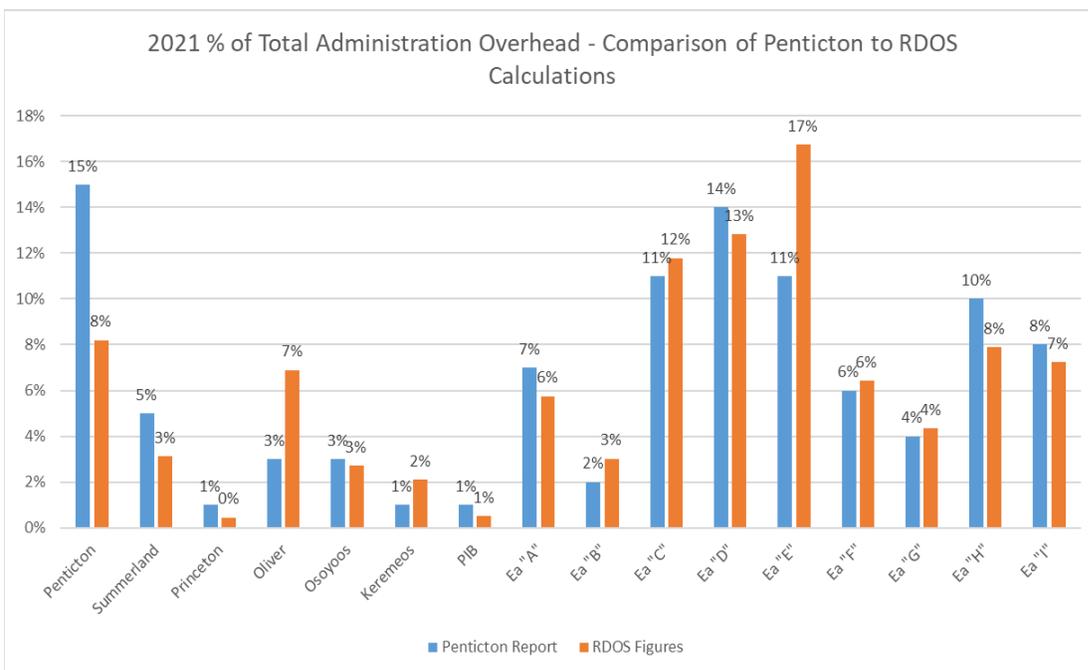
The summary for 2021 administration charge including support staff wages. Hospital comprises the 1% difference.

	2021
Municipalities	23.18%
Penticton Indian Band	0.54%
Electoral Area	75.21%

99%

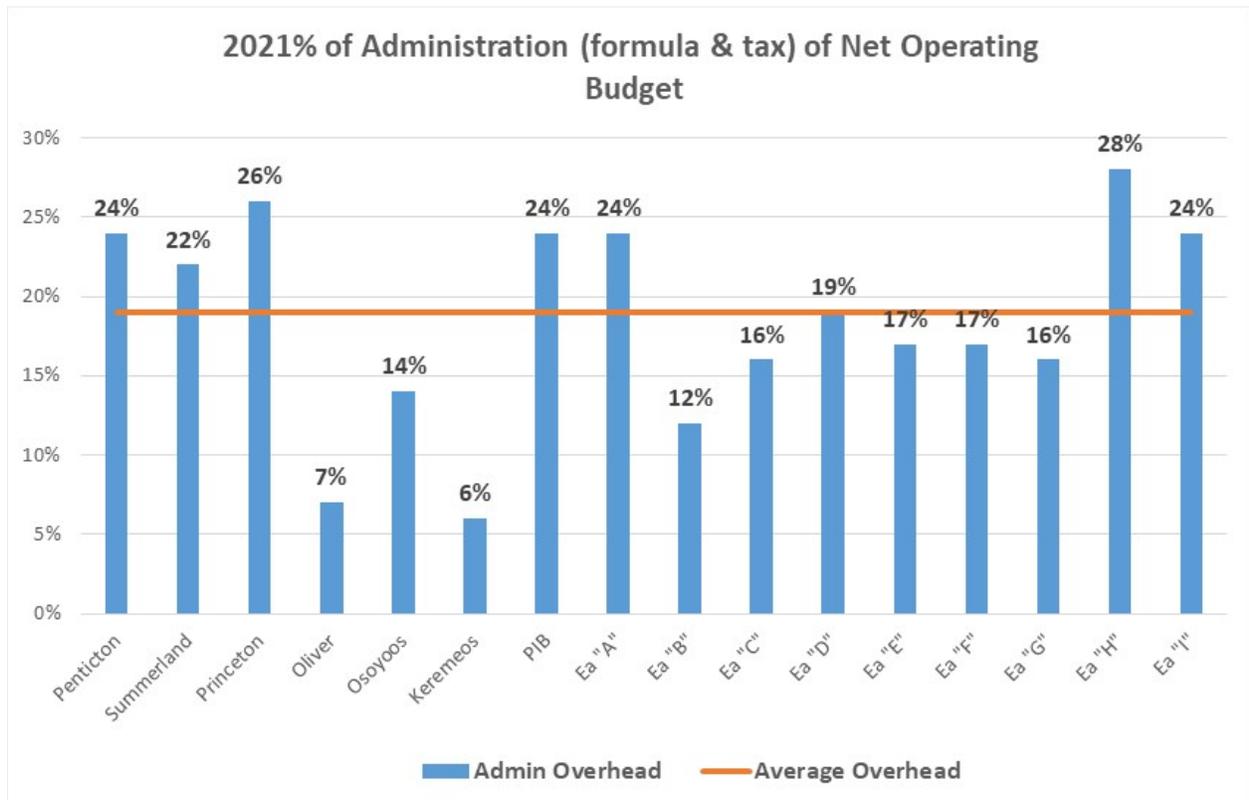
The administration charge including support staff wages is distributed as follows:

Support Staff Wages	\$2,766,513
Expenses related to Support Staff	\$1,477,084
<b>Total</b>	<b><u>\$4,243,597</u></b>



### **7a: Penticton’s Report Page 13**

The Penticton report represents (using Penticton’s numbers) the administration of net operating budget as shown below. The report states that Penticton, Princeton, Penticton Indian Band, and Electoral Areas A, H and I are charged substantially more than the average while Oliver and Keremeos are charged significantly lower than the average relative to their net operating budgets.

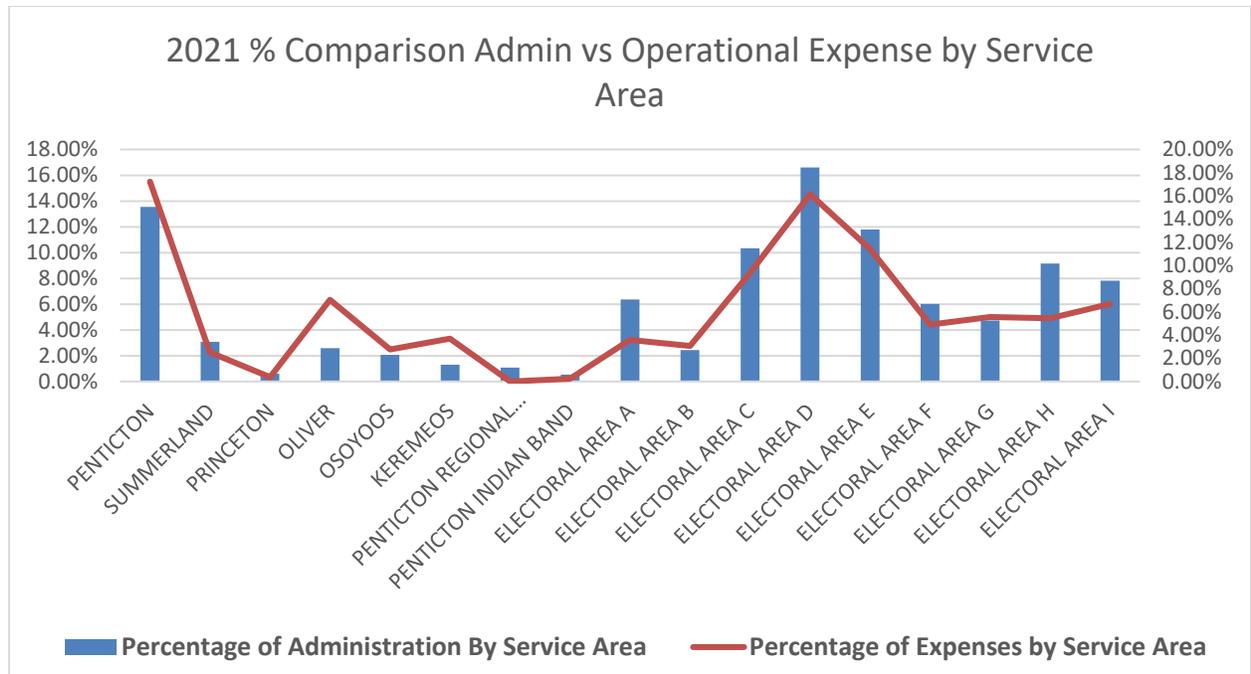


## 7b: Response

The RDOS has 155 services and each service area may require a different level of support. Each of the services may have a different taxing authority. Those services that are funded from user fees may have a high operational budget but have a low taxing amount because of the user fees. Using an average of this type to compare administration by service area is not realistic.

While this report can be reproduced using RDOS numbers, it serves no useful purpose. The following graph and spreadsheet represent a useful method for comparison.

The following graph compares the administration percentage charge by service area (blue bar) with the expenses the service area benefits (line in orange). The variances range from a high of 3.72% (service over administration charge) to a low 4.41% administration over service).



The following spreadsheet compares the gross operational costs (total costs not taking into account funding which reduces the tax requisition) against the administration charged to each area.

**REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN  
2021 Administration Analysis**

Member Municipality/Electoral Area	Consolidated Gross Operational Expenses	2021 Administration Charges					Percentage of Administration By Service Area	Percentage of Expenses by Service Area
		Support Staff Salaries Charged Directly on Services which are Taxed	Administration Overhead (Support) on Services which are Taxed	Support Staff Salaries Charged on Services which are User Fee Collected	Administration on Capital Projects	Total Administration on all Services		
PENTICTON	\$ 8,255,168	\$ 313,881	\$ 74,949	\$ 123,220	\$ 62,496	\$ 574,545	13.54%	17.22%
SUMMERLAND	1,199,593	103,529	26,952	-	112	130,593	3.08%	2.50%
PRINCETON	177,484	21,890	3,899	-	24	25,813	0.61%	0.37%
OLIVER	3,368,860	39,474	60,204	-	9,597	109,274	2.58%	7.03%
OSOYOOS	1,324,778	63,434	24,275	-	69	87,779	2.07%	2.76%
KEREMEOS	1,771,904	9,162	18,394	8,180	19,876	55,612	1.31%	3.70%
	<b>16,097,786</b>	<b>551,369</b>	<b>208,673</b>	<b>131,401</b>	<b>92,174</b>	<b>983,617</b>	<b>23.18%</b>	<b>33.59%</b>
PENTICTON REGIONAL HOSPITAL		45,327	-	-	-	45,327	1.07%	0.00%
PENTICTON INDIAN BAND	111,475	18,603	4,486	-	16	23,105	0.54%	0.23%
Recoverable	5,000	-	-	\$ 97	-	\$ 97	0.00%	0.01%
ELECTORAL AREA A	1,721,902	206,589	50,254	10,619	2,241	269,703	6.36%	3.59%
ELECTORAL AREA B	1,467,423	54,921	24,396	8,732	14,873	102,922	2.43%	3.06%
ELECTORAL AREA C	4,481,098	290,112	100,961	34,375	13,028	438,476	10.33%	9.35%
ELECTORAL AREA D	7,741,208	396,945	113,578	100,735	93,081	704,339	16.60%	16.15%
ELECTORAL AREA E	5,472,621	296,980	81,383	90,587	31,258	500,207	11.79%	11.42%
ELECTORAL AREA F	2,353,175	178,833	38,788	33,608	3,530	254,759	6.00%	4.91%
ELECTORAL AREA G	2,665,938	109,867	36,977	26,056	28,096	200,995	4.74%	5.56%
ELECTORAL AREA H	2,606,501	304,370	70,373	5,649	8,153	388,545	9.16%	5.44%
ELECTORAL AREA I	3,201,470	238,564	65,495	18,414	9,013	331,486	7.81%	6.68%
	<b>31,716,336</b>	<b>2,077,179</b>	<b>582,205</b>	<b>328,872</b>	<b>203,272</b>	<b>3,191,529</b>	<b>75.21%</b>	<b>66.18%</b>
<b>TOTAL TAX REQUISITION FOR ALL BUDGETS</b>	<b>\$ 47,925,596</b>	<b>\$ 2,647,151</b>	<b>\$ 795,364</b>	<b>\$ 460,273</b>	<b>\$ 295,462</b>	<b>\$ 4,243,577</b>	<b>100.00%</b>	<b>100.00%</b>

## **8a: Penticton's Report Page 14**

This page provides a summary comparison of four regional districts. It states that there are varying methods utilized to allocate administration overhead. The RDCO and RDNO both allocate the majority of their administration overhead by the formula method, while the RDEK and RDOS allocate the majority by tax assessment.

## **8b: Response**

Additional reports can be and will be added with the 2022 budget. In regards to the statement that we allocate using the tax assessment method, this statement is not entirely correct. The administration charge is a consistent formula which is charged to each service based on a tiered basis, once the administration is calculated it is collected from taxes which uses assessment as a basis to determine how it is distributed. It ensures that each participant of a service pays the same regardless of which jurisdiction in which they reside. It's about the service received, not where they live.

## **9a: Penticton Report Page 15**

This page states that the higher percentage of overhead that is allocated by the tax method charges more to municipalities/electoral areas that have high tax assessments and may not match utilization of these services. Also stated, is that municipalities may have duplication of the same resources as the regional district and do not utilize regional district services to the same higher level that electoral areas utilize.

## **9b: Response**

In British Columbia local governments use property assessment as the basis for calculating the annual property tax bill. The Regional District is no different than other local governments and not different from the City of Penticton. The majority of our taxes are based on assessment, however we also have some services which are taxed as a parcel tax and most of our utilities are strictly user-pay. Allocating expenses using assessment is a fair practice. In addition, the bylaws which created the various services includes the tax limit which we are allowed to tax which is based on assessment.

In regards to the administration charge, once it is calculated and assigned to each service, it becomes part of the operational cost of that service. The net cost (cost less all funding sources) is distributed back to the residents of the service area using assessment. Using assessment is the norm in British Columbia used by local governments. An example would be comparing a 2,500 square foot house that is located on a beachfront in the City of Penticton against that of the 2,500 square foot house located in the center of the City. The beach front property does not receive any additional service, however they do pay more as the beach front property is assessed higher than the centrally located property.

In regards to the comment that municipalities may have duplication of the same resources as the regional district and do not utilize regional district services to the same higher level that electoral

areas utilize. The Regional District form of government does not charge a municipality anything. Each of our 15 jurisdictions choose whether to participate in a service, or not. Once joined, the regional district each citizen within the service area the same amount. Our staff attribute wages to a service to which they dedicate time to. There are no regional district services that use municipal staff and if we do, we pay for it, like fire protection for West Bench.

### **10a: Penticton Report Page 15 and 16**

This section of the report identifies various best practices to consider.

### **10b: Response**

Most of the best practices identified in the Penticton Report are already applied. It is always beneficial to review best practices and staff will be making recommendations to the Board if the Board's wish is to have additional information added to the yearly budget documents.

### **11a: Penticton Report Page 16 Cont.**

The conclusion of the report states that there are opportunities to align the costs of services more closely to those receiving the services, based on practices in other regional districts. The RDOS Board should request the RDOS staff perform a thorough and comprehensive review of their current overhead allocation, review the best practices identified in this report, determine which are not being done, and where feasible, implement the best practices.

### **11b: Response**

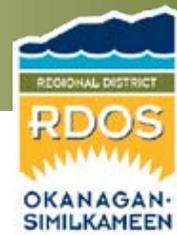
There are 27 regional districts in British Columbia, with each one developing what best meets their requirement to allocate administrative overhead. The Penticton Report itself, in its executive summary recognizes that there are a multitude of methods to allocate overhead administration. Staff's response is that the overhead is administrated fairly, but should be reviewed continually to ensure the distribution continues to be fair, and we commit to doing that.

### **Respectfully submitted:**

*Jim Zaffino, Finance Manager*

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J. Zaffino, Finance Manager



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
**Environment and Infrastructure Committee**

Thursday, August 19, 2021  
12:15 p.m.

**AGENDA**

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**THAT the Agenda for the Environment and Infrastructure Committee Meeting of August 19, 2021 be adopted.**

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**B. DELEGATION – MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE**

Erik Lachmuth, District Manager, Transportation, Okanagan Shuswap District

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**C. SOUTH OKANAGAN CONSERVATION FUND – TERMS OF REFERENCE UPDATE**

1. Terms of Reference with edits, August 2021

**RECOMMENDATION 2**

**THAT the Board of Directors approve the proposed updates and adjustments to the Terms of Reference for the South Okanagan Conservation Fund as reviewed at the August 19, 2021 Environment and Infrastructure meeting.**

---

**D. ADJOURNMENT**

## ADMINISTRATIVE REPORT

**TO:** Environment and Infrastructure Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** South Okanagan Conservation Fund – Terms of Reference Update

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### Administrative Recommendation:

**THAT the Board of Directors approve the proposed updates and adjustments to the Terms of Reference for the South Okanagan Conservation Fund as reviewed at the August 19, 2021 Environment and Infrastructure meeting.**

### Purpose:

To update the Board on adjustments to the South Okanagan Conservation Fund Terms of Reference and obtain approval for the next scheduled Fund intake/call for proposals (scheduled for late August).

### Reference:

South Okanagan Conservation Fund (SOCF) [Terms of Reference](#) – (May 2017). See attached with amendments in track changes.

### Background:

On December 15th 2016, the RDOS Board adopted Bylaw No. 2690 to establish an Environmental Conservation Service. The bylaw establishes an Environmental Conservation Service for the Electoral Areas “A”, “C”, “D”, “E”, “F” and “I” and the City of Penticton, District of Summerland, and Town of Oliver (the participating areas). The annual maximum amount that may be requisitioned for the cost of the service will not exceed the greater of \$450,000 (or \$0.0292 per thousand dollars of net taxable value of land and improvements in the RDOS).

These requisitioned funds are in support of undertaking and administering activities, projects, and works that will include, but is not limited to, water, environment, wildlife, land and habitat conservation efforts to protect natural areas within the participating areas of the Regional District of Okanagan-Similkameen.

The Fund is guided by a Terms of Reference (TOR) that addresses all aspects of fund detail including the purpose, administration, themes/goals, guiding principles, timelines, governance, fund design, and supporting appendices relating to criteria for ineligible activities, terms for a Technical Advisory Committee and conflict of interest guidelines.

### **Analysis:**

The following is a summary of proposed adjustments to the Terms of Reference as a planned update following four funding cycles of the South Okanagan Conservation Fund. The TOR update reflects needed improvements, and is in preparation for the next annual call for proposals intake scheduled for late August 2021.

- ❖ Inclusion of a new definitions section to clarify aspects of the TOR that were previously ambiguous.
- ❖ Minor amendments to provide clarification, additional background or updated information.
- ❖ Updated Fund themes based on most recent RDOS citizen survey results.
- ❖ Inclusion of background related to the [Regional Growth Strategy](#) and [Biodiversity Conservation Strategy](#).
- ❖ Introduction of in-camera process for application review with the final decision being made public as a rise and report. To reduce public discussion of ranking projects may bring to light information which could be perceived as negative about an applicant or project, and which could reasonably be expected to harm the reputation, and/or competitive position of the third party (for example if they are applying for other funding or partnerships).
- ❖ Adjustment of timelines for increased program effectiveness.
- ❖ Confirmation of the creation of the funding “reserve”.
- ❖ Increased clarity regarding 3-year project funding maximum, and guidelines for return applications with respect to SOCF funding projects, not programs.
- ❖ Clarification of disbursements for land securement projects.
- ❖ Workplan and budget change approvals.
- ❖ Inclusion of fund recognition requirements from the Contribution Agreements.
- ❖ Minor updates and clarifications to Appendices 1, 2, and 3.
  - Appendix 1 - Ineligible Project Activities. Clarification related to RDOS responsibility and the *Personal Information Protection Act*.
  - Appendix 2 - Technical Advisory Committee (composition, technical guidelines and criteria).
  - Appendix 3 - Conflict of Interest Guidelines (Confidential Information).

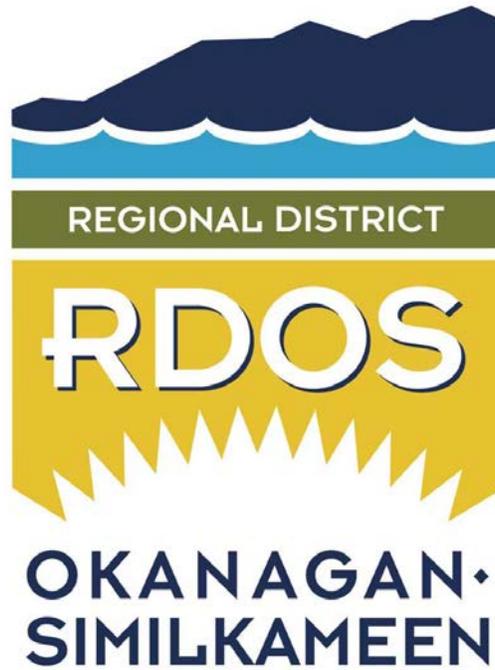
### **Alternatives:**

- THAT the adjustments be approved.
- THAT the adjustments be deferred for further information from administration.
- THAT the adjustments not be approved.

### **Respectfully submitted:**

“Christy Malden”

C. Malden, Manager of Legislative Services



**REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN**

**SOUTH OKANAGAN CONSERVATION FUND**

*Leaving a natural legacy for future generations...*

**TERMS OF REFERENCE**

**Date**

Approved on June 1, 2017

**Commented [BW1]:** Updated version for approval August 2021

**SOUTH OKANAGAN CONSERVATION FUND**

**DRAFT TERMS OF REFERENCE**

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## 1. BACKGROUND

In December 2016, the Regional District of Okanagan Similkameen (“RDOS”), with public assent, adopted Bylaw #2690 to establish an Environmental Conservation Service for the Electoral Areas “A”, “C”, “D”, “E”, “F”, and “I”, the City of Penticton, District of Summerland, and the Town of Oliver (collectively referred to as “the participating areas”). Under this Bylaw, the annual maximum amount to be requisitioned for the cost of the service was not to exceed the greater of \$450,000 or \$0.0292 per thousand dollars of net taxable value of land and improvements in the Regional District of Okanagan-Similkameen. These funds are in support of undertaking and administering activities, projects, and works that include, but are not limited to, water, environment, wildlife, land and habitat conservation efforts to protect natural areas within the participating areas of the Regional District of Okanagan-Similkameen.

For the purposes of this Terms of Reference, the Environmental Conservation Service is also known as the “South Okanagan Conservation Fund” or “the Fund”.

## 2. FUND PURPOSE

The South Okanagan Similkameen is biologically, a unique area of Canada. The RDOS has the second highest number of species at risk of any other Regional District in BC as well as the highest proportion of sensitive ecosystems.

Natural lands in both rural and urban areas filter our water, supply open spaces for wildlife and people, and provide quality of life to communities. Unfortunately, these systems are under stress. The current generation must take action now to ensure a healthy physical environment for future generations.

The purpose of the Fund is to provide local financial support for projects that will contribute to the conservation of our valuable natural areas; one step towards restoring and preserving a healthy environment. The intent is to provide funding for conservation projects that are not the existing responsibility of the federal, provincial or local governments.

## 3. FUND ADMINISTRATION

### 3.1 RDOS Responsibility

The RDOS is responsible for maintaining the integrity of the Fund and retains the responsibility for approval of all matters related thereto, including projects, payments, and financial audits of the Fund.

### 3.2 Consultant Responsibility

The RDOS may enter into agreement with a third party to be responsible for aspects of administrative management of the Fund for a fee for service.

### 3.3 Technical Advisory Committee

Some of the top-mentioned public environmental concerns from RDOS citizen and public opinion surveys include; water quality and quantity, air quality, wildfires, preserving lands and parks, the loss of natural areas due to land conversion and development, population growth and development, sprawl, and the loss or extinction of wildlife.

The RDOS may also appoint a Technical Advisory Committee to provide expertise in the review and selection of projects or recipients of funds, as outlined in Appendix 2.

#### 4. CONSERVATION THEMES AND GOALS

##### 4.1 Themes

The themes for the Fund shall address top public environmental issues including: conservation of water quality and quantity stewardship, (aquatic ecosystems, surface and groundwater), protection, enhancement and restoration of sensitive terrestrial and aquatic ecosystems, wildlife species (including those at risk), and habitat for native fish and wildlife.

These themes are based on market research done in RDOS community surveys [between \(2010, 2012, 2014, a and 2020\)](#) and [regional conservation program opinion polling and focus group research in \(2004, 2008, and 2016\)](#) to identify what residents value in the RDOS region. Themes are also consistent with the Biodiversity Conservation Strategy *Keeping Nature in Our Future*.

[A directive of the South Okanagan Regional Growth Strategy, the Biodiversity Conservation Strategy \*Keeping Nature in Our Future\* was developed in collaboration between the RDOS and the South Okanagan Similkameen Conservation Program \(SOSCP\) partners. Accepted by the RDOS Board in 2013, it provides science-based information and strategies to protect important local biodiversity, including the establishment of a local conservation fund.](#)

##### 4.2 Targets

Projects that can demonstrate a reduction of a known threat to a biodiversity target will be given priority (see Appendix 1 for a list of ineligible projects). Projects on all land tenure types will be considered. The biodiversity targets are:

- Sensitive Ecosystems as defined by Provincial SEI classifications and predominantly occurring in the valley bottom <1200m in elevation\*.
  - Riparian, foreshore and water bodies including gullies, creeks, rivers, ponds, lakes, marshes and swamps;
  - Wetlands both permanent and ephemeral including wet meadows, marshes, swamps and shallow open water areas including ponds

- Grasslands and shrub-steppe
- Sparsely Vegetated rock outcrops, talus, cliffs and slopes;
- Broadleaf & coniferous woodlands and old forests;
- Other important ecosystems such as mature forest and Seasonally Flooded Fields; and,
- \*Exception is high elevation alpine areas. These are to be included.
- Watersheds at important source water protection areas.
- Connectivity for natural areas and wildlife corridors.
- Native fish and wildlife habitat including for species at risk.
- Urban and rural wild-land interface areas.

#### 4.3 Classification Scheme

The aim is to “think globally; act locally.” The framework for Technical Review (see Appendix 2) will be based on the International Union for the Conservation of Nature (IUCN) classification of direct threats. The value of this classification scheme is to provide nomenclature for practitioners world-wide to describe the common problems they are facing and solutions they are using in a mutually intelligible way. The issues outlined below are those that currently have the highest relevance to the area around RDOS. This is only a partial list and other IUCN threats will be considered in evaluating proposals:

**(a) Residential and Commercial Development**

Development activity continues to lead to conversion and fragmentation of important habitats and greater demands on water.

**(b) Climate Change**

Climate change will have a dramatic influence on Okanagan ecosystems over the next 20 years. Higher summer and winter temperatures, declining mountain snowpack, reduced snowfall, long dry summers, and sudden heavy rains are just some of the changes. These changes will have a dramatic impact on fire regimes, geo-hazards and flooding, river flow, water availability, plant distribution, and wildlife populations.

**(c) Terrestrial and Aquatic Invasive Species**

When natural areas are disturbed there is often an opportunity for invasive species to flourish. Invasive species, both terrestrial and aquatic, can disrupt natural ecological processes as there are often no natural agents present to keep these species in check. Invasive species can affect fish and wildlife habitat, range values, food security, and timberland.

**(d) Natural System Modifications (Fire maintained ecosystems, Dams and Water Management and Use)**

When natural systems are modified such as through fire suppression, or non-ecological fireproofing or hydrological flow regimes altered, the ecological degradation and loss of biological diversity can be widespread.

**(e) Transportation and Service Corridors**

Wildlife mortality and habitat fragmentation are direct consequences of road corridors. These corridors are concentrated in valley bottoms and traffic volumes are increasing over time thereby increasing the risk.

- (f) Human Intrusions and Disturbance (Recreational Activity)**  
Recreational activity, particularly increasing off-road activity, can lead to a range of impacts including soil compaction, erosion, spread of invasive plants, and disturbance to wildlife.
- (g) Agriculture and Aquaculture**  
Threats from farming and ranching as a result of agricultural expansion and intensification, can lead to loss of important ecosystem and wildlife habitat, soil compaction, spread of invasive plants, human health issues with surface and groundwater.
- (h) Biological Resource Use**  
Harvesting trees and other woody vegetation for timber, fibre, or fuel can have an impact on ecosystems, wildlife habitat, surface and groundwater, including soil compaction, erosion, spread of invasive plants and disturbance to wildlife.

## 5. GUIDING PRINCIPLES

To best support the most effective projects, the guiding principles of the *Conservation Framework for British Columbia* will be followed:

- **Acting sooner** – before species and ecosystems are at risk.
- **Acting smarter** – priority setting is science-based; the results move us from reactive conservation to prevention using appropriate management actions.
- **Acting together** – coordinated and inclusive action.
- **Investing more wisely** – align conservation investments, priorities, and actions among conservation partners and stakeholders.

### Guiding Principles of the Biodiversity Conservation Strategy - *Keeping Nature in Our Future*

#### Guiding Principles of the Biodiversity Conservation Strategy - *Keeping Nature in Our Future*

- Protect core habitat areas.
- Connect habitat areas.
- Protect a matrix of lands outside core areas and corridors.
- Maintain diversity of ecosystems, species and genetics.
- Think regionally and share responsibility.
- Practice the precautionary principle.

The following guiding principles will also be used with respect to the Fund:

- Projects that fall into the **existing responsibilities of federal, provincial or local governments will not be eligible** for funding.
- The review process will be as **simple** as possible, particularly [for cost effective administration](#).
- Projects will be ranked on **technical soundness, technical effectiveness, and value for money**. [Project evaluation ranking and recommendations will be considered in-camera and reported publicly after Board decision](#).
- Projects will initially be ranked based on technical merit, regardless of where they occur within the participating area. Subsequently, regional equity may be considered in decision-making.
- Only **highly ranked projects** will be funded. If there are not enough high-quality projects in any given year, funds will be carried forward to future years.
- **Changes to program design** will be considered as more is learned about the needs of the areas, provided always that the goals of the Fund are still met.

## 6. TIMELINES

### 6.1 General Projects

- Call for proposals – [August](#) -September
- RDOS administrative review– October
- Technical review – October - [November](#)

- RDOS final approval –[December](#)
- Successful applicants advised and informed – January
- Contribution Agreements between the RDOS and applicants are finalized – February – [March](#)
- Interim Report Due – September
- Final Report Due – February

## 6.2 Land Securement Projects

Land acquisition or covenant proposals may be submitted at any time during the year provided there is sufficient time for the Technical Advisory Committee and RDOS to review the proposals. All securement proposals will be treated as confidential unless other specific arrangements have been approved by all parties.

## 7. GOVERNANCE

The governance model is based on three guiding principles:

1. This is a tax-based fund; therefore, in the decision-making process, taxpayers will be represented through their elected officials.
2. The Fund was created to provide a conservation service. Technical merit is of utmost importance to determine which projects are supported.
3. [It is important to maintain](#) a simple, cost effective decision-making structure.

The governance model may be modified as necessary to accommodate the goals of the Fund. A two-tiered process may be employed, with a Technical Advisory Committee (see Appendix 2) making recommendations to the RDOS.

The RDOS may appoint a Technical Advisory Committee based on nominations or applications received in response to an open call to fill a vacancy. Five to seven committee members may be selected with a maximum term of three years. Some members may be asked to serve for only one- or two-year terms to ensure membership continuity in each year. The RDOS will base any appointment of members to a Technical Advisory Committee on qualification criteria found in Appendix 2. The Technical Advisory Committee shall follow the [Code of Conduct and Conflict of Interest Guidelines](#) defined in the *Local Government Act*.

## 8. FUND DESIGN

- (1) A call for project proposals will be issued annually ([August - September](#)).
- (2) Funds will be dispersed based on responses to calls for proposals. Any funds not dispersed shall be carried forward [through an established reserve](#) to the next fiscal year [or until the Board authorizes the expenditure for a land securement application, which may occur any time throughout the year.](#)
- (3) Projects [are eligible to be delivered on any land tenure but](#) must be in the Fund participating areas.
- (4) Multi-year projects are acceptable to a maximum of three years. Multi-year projects will require annual funding approval and will be subject to oversight by the Technical Advisory Committee to ensure they are on track.

[\(5\) This fund is intended to support projects, not programs. Proponents that have completed the final year of a multi – year project and submit a new application, that](#)

application will be evaluated and considered against additional criteria to determine eligibility at the discretion of the RDOS. This may include, but not be limited to:

- a. The new application meets the definition of a project, not a program (see definitions).
- b. The new application is substantively different from previous multi-year project (s).
- c. Whether the application seeks to generate broad organizational or technical benefits to the proponent, or includes elements of on-going operational work.
- d. The history of previous funding provided to the organization, project delivery performance and standing, proposed conservation delivery theme and/or geographic service area.

- (5) Projects must address IUCN threats to biodiversity targets and fall into at least one theme area (see Section 4).
- (6) Proponents must be an incorporated non-profit society in good standing or a Qualified Donee as defined by Canada Revenue Agency, or must partner with an organization that has registered society status.
- (7) Project evaluation by the Technical Advisory Committee includes consideration of conservation value for money.
- (8) Proposals should reflect continuity with the Biodiversity Conservation Strategy *Keeping Nature in Our Future*.
- (9) If invited, proponents must be prepared to make a 10-minute presentation to the Technical Advisory Committee or the RDOS on the outcomes of their projects on an annual basis, in addition to submitting written interim and final reports.
- (10) Project proponents will receive 70% of the grant upon signing a contribution agreement and 30% upon completion of the approved final report. Land securement proponents will receive 100% of the grant upon signing a contribution agreement.
- (11) All significant changes to a workplan and more than 10% reallocation of budget must be approved by the RDOS, upon recommendation from the Technical Advisory Committee. Minor workplan adjustments, and changes under 10% may be approved administratively.
- (12) Fund recognition. Proponents are required to acknowledge in all communications products including publications, public information releases, advertising, promotional announcements, activities, speeches, lectures, interviews, ceremonies and website materials related to the project, including on permanent signage. The RDOS and SOCF logos must appear on all communications and promotional materials.

## RDOS CONSERVATION FUND

### TERMS OF REFERENCE

#### APPENDIX 1 INELIGIBLE ACTIVITIES

The following types of projects will not be considered for funding:

- (a) Existing federal, provincial or local government responsibilities;
- (b) Capacity building or operating only expenses for organizations;
- (c) Projects with recreational benefits only;
- (d) Community infrastructure services;
- (e) Lobbying or advocacy initiatives;
- (f) Wildlife feeding programs;
- (g) Non-applied research (research not related to a conservation action goal);
- (h) Training costs for contractors;
- (i) Enforcement activities;
- (j) Fish rearing, farming, stocking or hatchery projects;
- (k) \*Rehabilitation, captive breeding or control of wildlife species;
- (l) \*Mapping only projects;
- (m) \*Inventory only projects;
- (n) \*Planning only projects;
- ~~(o)~~ \*Education only projects;
- ~~(p)~~(o) Fishing and hunting tour or curriculum guides;
- ~~(q)~~(p) Information projects on regulations or stocking;
- ~~(r)~~ Conferences;
- ~~(s)~~(q) Production or sponsorship of commercial programs;
- ~~(t)~~ \*Interpretive services;
- ~~(u)~~(r) \*Creation or management of electronic databases, websites or file systems.

\*These activities will be considered if they are part of an eligible project that will lead to 'on-the-ground' implementation or if they provide knowledge which is vital to achieving the overall objectives of the Fund.

[\\*RDOS and member municipalities will not release personal information or contravene the Personal Information Protection Act. Proponents are encouraged to access the BC Assessment and Land Title and Survey Authority system for ownership information and any costs associated should be built into the project budget.](#)

**Commented [CM2]:** I have had someone ask if this is interpretive with respect to language or more to do with explanatory signage. Should we elaborate?

**Commented [BW3]:** I think we can remove conferences and interpretive services – its confusing and has been a non-issue.

## SOUTH OKANAGAN CONSERVATION FUND

### TERMS OF REFERENCE

#### APPENDIX 2

#### TECHNICAL ADVISORY COMMITTEE

##### 1. PURPOSE

The purpose of the Technical Advisory Committee (“the Committee”) is to ensure that:

- (a) All proposals to the Fund receive a sound technical review based on a fair assessment of merit and project effectiveness;
- (b) There is a high level of accountability in the review process; and
- (c) Recommended lists of technically appropriate proposals are provided to the RDOS.

##### 2. COMPOSITION

The Committee will be comprised of five to seven members with [relevant education and expertise](#) in each theme area of hydrology, ecology, conservation biology, ecosystems (sensitive terrestrial and aquatic ecosystems, management, enhancement and restoration), restoration and enhancement of habitat, fish and wildlife conservation including species at risk. To ensure consistency and continuity, some members may be asked to serve on the Committee in consecutive years. Quorum for the Technical Advisory Committee shall be 3.

##### 3. PROPOSAL RANKING GUIDELINES

- (a) Each proposal will be independently reviewed by each Committee member and be rated on what is submitted by the proponent.
- (b) The Committee will only review proposals on their technical merit, [feasibility](#) and effectiveness.
- (c) Experts in fields related to the activities within proposals may be consulted as necessary.
- (d) Each proposal will be discussed collectively and Committee members will have an opportunity to change their scores based on input from other members.
- (e) Scores from each Committee member will be used to determine the final evaluation score for the proposal. The proposals will be ranked from highest to lowest score.
- (f) New funding proposals will be rated on whether they meet the Fund criteria and if the project should be considered for funding. For continuing projects, ratings will be based on whether the project should be continued [and whether it continues to meet the criteria](#).
- (g) The Committee chair will sign the ranked list, and the Committee's comments will then be forwarded to the RDOS in a summary report.
- (h) The consultant retained by the RDOS to oversee the administrative management will participate in the technical review process but will not rank proposals or influence the TAC; will provide additional file information as requested by the Committee members before and at review meetings; and will be available to answer questions from the RDOS on behalf of the Committee.

##### 4. TECHNICAL EVALUATION CRITERIA

#### 4.1 New Projects

**(a) Feasibility** (i.e., is the project doable – Yes or No)

- Is the overall proposal well written?
- Are the objectives clearly defined?
- Are the techniques and methods proposed the most appropriate ones to address the threat?
- Does the proponent clearly understand the challenges they may face in completing the project?
- Has the proponent demonstrated that the project will be able to overcome these challenges?
- Are the proposed timelines reasonable?
- Do the proponents have the capacity to deliver the project?
- If applicable, are plans in place to get required permits or authorizations?
- Have any possible negative implications or effects on other targets been identified and minimized?

Based on the answers to the above questions, rank the feasibility of the project from 0-10 with 10 being the highest ranking.

**(b) Cost Effectiveness** (Yes or No)

- Is there value for the funding being requested?
- Are the benefits as described in the proposal in line with the cost of the project?
- Are the project budget and in-kind rates realistic?

Based on the answers to the above questions, rank the cost effectiveness of the project from 0-5 with 5 being the highest ranking.

**(c) Outside Participation / Cost Sharing** (Yes or No)

- Do the proposed activities involve other agencies and organizations?
- Does the project leverage funds from other sources?

Based on the answers to the above questions, rank the leverage potential of the project from 0-5 with 5 being the highest ranking.

**(d) Project Effectiveness** (i.e., is the project worth doing?)

- Is there a clearly demonstrated ability for the results of this project to reduce an identified threat (IUCN) to a biodiversity target?
- Is the project outside of the realm of regular government responsibilities?
- Is the project rationale science-based and do the results move us from reactive conservation to prevention using appropriate management actions?
- Does the project build on conservation measures from relevant strategies including *Keeping Nature in our Future*?
- Does the project align conservation investments, priorities, and actions among conservation partners and stakeholders?
- Is there an evaluation of project benefit or other measurables or indicators identified in the proposal?

- Is there a clearly described extension component of the project (e.g., communicating results to the community, resource managers, workshops, reports, presentations, etc.)?

Based on the answers to the above questions, rank the effectiveness of the project from 0-20 with 20 being the highest ranking.

**(e) Other Comments**

- Are there any other technical concerns?
- Are there any technical conditions to funding?
- Are there any other general comments from reviewers?

**4.2 Multi-Year, Continuing Projects**

Each Committee member answers Yes or No to the following criteria and on whether the project should continue to be funded. Continuing projects have undergone an extensive review to receive original approval; therefore, no evaluation score is needed.

**(a) Progress to Date**

- Has there been satisfactory progress to date in terms of the project's scheduled activities?
- Does the proposal build on past accomplishments?
- If difficulties arose in the previous or current year, will they affect proposal activities?
- Should the proposal be modified to address any problems arising from the previous year?
- Are any budget changes justified?

**(b) Overall Evaluation**

- Should the project continue to be funded?
- Are there any conditions to continued funding?
- Does the scope still continue to meet the criteria?

## SOUTH OKANAGAN CONSERVATION FUND

### TERMS OF REFERENCE

#### APPENDIX 3

#### TECHNICAL ADVISORY COMMITTEE CONFLICT OF INTEREST GUIDELINES

##### 1. GENERAL GUIDELINES

- (a) Technical Advisory Committee ("Committee") members will act at all times with honesty and in good faith, for the public interest.
- (b) The conduct and language of Committee members will be free from any discrimination or harassment prohibited by the *Human Rights Code of Canada*.
- (c) The conduct of Committee members will reflect social standards of courtesy, respect, and dignity.

##### 2. CONFIDENTIAL INFORMATION

- (a) Committee members will not reveal or divulge confidential information (defined as that which cannot be obtained from other sources) received in the course of Committee duties.
- (b) Confidential information must not be used for any purposes outside that of undertaking the work of the Committee.
- ~~(b)~~(c) Committee members shall refrain from discussing a proposal with anyone, including the proponent. Committee members and proponents must direct questions, concerns, clarifications to the Fund Administrator.

##### 3. DUTY TO INFORM

- (a) Committee members will disclose any perceived or real conflict of interest which may have a negative or harmful effect on their ability to perform the duties required of the appointment or the reputation of the Committee. The member will advise all other members and staff, in writing (email accepted), well in advance of the Committee meeting: (a) that there is a potential conflict; (b) the nature and scope of the conflict; and (c) the specific project to which the conflict may apply.
- (b) Upon disclosure of any conflict, the Committee member shall leave the meeting during the discussion of such proposals.

##### 4. STATEMENT OF INTENT

- (a) Participation in Committee work should not result in any personal or private financial or other substantive gain.
- (b) Members of the Committee will avoid any conflict of interest that may impair or impugn the independence, integrity or impartiality of the RDOS.
- (c) There shall be no apprehension of bias based on what a reasonably knowledgeable and informed observer might perceive of the actions of the Committee or the actions of an individual member of the Committee.

**5. PRACTICAL CONSIDERATION IN DETERMINING CONFLICT**

- (a) Activities undertaken as a citizen must be kept separate and distinct from any responsibilities held as a member of the Committee.
- (b) Activities undertaken as a Committee member must be kept separate and distinct from other activities as a citizen.
- (c) Other memberships, directorships, voluntary or paid positions, or affiliations remain distinct from work undertaken in the course of Committee work.
- (d) Committee members will not assist anyone in their dealings with the Committee if this may result in advantageous treatment or the perception of advantageous treatment by a reasonably knowledgeable and informed observer.
- (e) Actions taken in the course of Committee duties can neither cause nor suggest to a reasonably knowledgeable and informed observer that members' ability to exercise those duties has or could be affected by private gain or interest.
- (f) All personal financial interests, assets, and holdings must be kept distinct from and independent of any decision, information or other matter that may be heard by or acted upon by the Committee.
- (g) Personal employment shall not be dependent on any decision, information or other matter that may be heard by or acted upon by the Committee. If such a situation arises, Committee members must disclose to the Committee any involvement in a proposal or issue before the proposal or issue is discussed by the Committee. Members will leave the meeting during discussion of the project.

**DECLARATION**

I hereby acknowledge that I have read and considered the conflict of interest guidelines for Technical Advisory Committee members of the South Okanagan Conservation Fund and agree to conduct myself in accordance with these guidelines.

Name of Committee Member (print) \_\_\_\_\_  
Signature of Committee Member \_\_\_\_\_  
Date Signed \_\_\_\_\_

## **SOUTH OKANAGAN CONSERVATION FUND**

### **TERMS OF REFERENCE**

#### **APPENDIX 4**

#### **DEFINITIONS**

1. Fund Administrator means RDOS manager, employee or contracted administrator acting on behalf of the RDOS.
2. Project means a singular, focused endeavour to deliver a tangible output with a defined time frame and budget. The components are specific and exact, and the scope and goals are well-defined. Projects are normally focused on achieving tangible outcomes and results.
3. Program means coordinated management of two or more projects which are managed and delivered as a single package. Different projects complement each other to assist the program in achieving its overall objectives; the benefits provided by a program depend on the collective benefits of its projects. Programs often take a longer time to complete than a project and are generally focused on generating broad organizational or technical benefits and may include elements of on-going operational work.
4. Qualified Donee is determined by the Canada Revenue Agency and means organizations that are registered and can issue official donation receipts for gifts they receive from individuals and corporations under the *Income Tax Act*.

## BOARD OF DIRECTORS MEETING

Thursday, August 19, 2021

1:45 p.m.

### BOARD MEETING AGENDA

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**A. ADOPTION OF AGENDA**

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

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of August 19, 2021 be adopted.

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**B. MINUTES**

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

THAT the July 22, 2021 Minutes of the Okanagan-Similkameen Regional Hospital District Board meeting be adopted.

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**C. 101-437 MARTIN STREET DESIGNATION**

a. Letter

**RECOMMENDATION 3** (Weighted Corporate Vote – Majority)

THAT the Okanagan Similkameen Regional Hospital District request Interior Health to pursue the designation of “health facility” for the Penticton Urgent and Primary Care Centre for the purposes of the Hospital District Act. and,

THAT the Okanagan Similkameen Regional Hospital District approve funding of \$1.0M and capital bylaw approvals subject to the Penticton Urgent and Primary Care Centre qualifying as a designated facility pursuant to the Hospital District Act.

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**B. ADJOURNMENT**

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

### BOARD OF DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Okanagan-Similkameen Regional Hospital District Board (OSRHD) of Directors held at 2:45 p.m. on Thursday, July 22, 2021, 101 Martin Street, Penticton, British Columbia.

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#### MEMBERS PRESENT:

Chair J. Sentes, City of Penticton  
Vice Chair S. McKortoff, Town of Osoyoos  
Director M. Bauer, Village of Keremeos  
Director G. Bush, Electoral Area "B"  
Director B. Coyne, Electoral Area "H"  
Director S. Coyne, Town of Princeton  
Director R. Gettens, Electoral Area "F"  
Director D. Holmes, District of Summerland  
Director M. Johansen, Town of Oliver  
Director R. Knodel, Electoral Area "C"

Director K. Kozakevich, Electoral Area "E"  
Director S. Monteith, Electoral Area "I"  
Director J. D'Andrea, Alt. Electoral Area "D"  
Director M. Pendergraft, Electoral Area "A"  
Director T. Roberts, Electoral Area "G"  
Director K. Robinson, City of Penticton  
Director E. Trainer, District of Summerland  
Director J. Vassilaki, City of Penticton  
Director C. Watt, City of Penticton

#### MEMBERS ABSENT:

Director R. Obirek, Electoral Area "D"

#### STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

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#### A. ADOPTION OF AGENDA

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

**IT WAS MOVED AND SECONDED**

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of July 22, 2021 be adopted. - **CARRIED**

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#### B. MINUTES

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

**IT WAS MOVED AND SECONDED**

THAT the May 20, 2021 Minutes of the Okanagan-Similkameen Regional Hospital District Board meeting be adopted. - **CARRIED**

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#### C. INTERIOR HEALTH UPDATE

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- D. ADJOURNMENT**  
**It was MOVED and SECONDED**  
**THAT the meeting adjourn. - CARRIED**

The meeting adjourned at 2:52 p.m.

APPROVED:

CERTIFIED CORRECT:

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J. Sentes  
OSRHD Board Chair

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B. Newell  
Corporate Officer

## ADMINISTRATIVE REPORT

**TO:** Okanagan-Similkameen Regional Hospital Board

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** **101-437 Martin Street Designation**

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### Administrative Recommendation:

**THAT the Okanagan Similkameen Regional Hospital District request Interior Health to pursue the designation of “health facility” for the Penticton Urgent and Primary Care Centre for the purposes of the Hospital District Act. and,**

**THAT the Okanagan Similkameen Regional Hospital District approve funding of \$1.0M and capital bylaw approvals subject to the Penticton Urgent and Primary Care Centre qualifying as a designated facility pursuant to the Hospital District Act.**

### Purpose:

To clarify wording for the Ministry of Health for the designation of the Urgent & Primary Care Centre at 101-437 Martin Street.

### Reference:

- OSRHD resolution from 6 May 2021
- IHA comment on our letter of 11 May requesting designation

### Background:

At their meeting of 6 May 2021, the OSRHD Board of Directors adopted the following resolution:

"THAT should #101 - 437 Martin Street be designated a hospital, that the request for \$1,000,000 to assist with the funding of an Urgent & Primary Care Centre be approved, with funding to come from the Hospital Reserve."

This wording was not acceptable the the Ministry of Health and they have proposed an amendment to the resolution.

11 May 2021

Sylvia Weir  
 Chief Financial Officer  
 Interior Health Authority  
 505 Doyle Ave  
 Kelowna, BC  
 V1Y 0C5

Dear Ms. Weir:

**RE: Designation Under Section 49 of the Hospital District Act**

The Okanagan Similkameen Regional Hospital District (OSRHD) Board of Directors has received a request from the Interior Health Authority (IHA) to fund 40% of a project that is constructed and operating in Penticton, but is not yet a designated facility under the Schedule (as amended from time to time) to the Hospital District Act.

At their meeting of 6 May 2021, the OSRHD Board of Directors adopted the following resolution:

**“THAT should #101 – 437 Martin Street be designated a hospital, that the request for \$1,000,000 to assist with the funding of an Urgent & Primary Care Centre be approved, with funding to come from the Hospital Reserve.”**

The *Hospital District Act*, Section 20 (1) only allows hospital districts to fund hospitals and hospital facilities, as defined in Part 1 – Definitions. Under Section 49 of the *Hospital District Act*, the Minister may designate an institution or facility in the health field as a health facility for the purposes of the *Act*.

The Penticton Urgent Primary Care Centre is not yet designated, but we would suggest that it be submitted to the Minister for consideration.

The following information pertains to the facility and project for which funding has been approved, subject to the designation being obtained:

**Penticton Urgent Primary Care Centre:**

Address	100-437 Martin Street, Penticton BC V2A 5L1
Legal Description	Lot 1 Plan KAP49078 District Lot 4 Land District 7 Land District 54 & OF DL 202, PID: 018-109-152
Function	A community based non-emergent care centre for all people living in the South Okanagan Similkameen area, which will allow patients to access urgent care while not having to visit acute care facility emergency departments. Longitudinal primary care services will also be provided at this facility to support the underserved population living in the region. The designation applies to the entire facility.

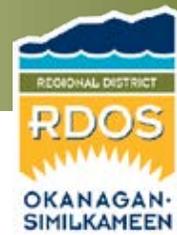
So, the request for OSRHD to contribute 40% of the project was approved; but is conditional on the facility being designated as a "hospital" under the Hospital Act by the Minister. Only this will trigger our ability to contribute funds in compliance with the Hospital District Act. 

Sincerely,



Bill Newell  
CAO

- c. Judy Sentes, Chair, Okanagan Similkameen Regional Hospital District  
Sue McKortoff, Vice-Chair, Okanagan Similkameen Regional Hospital District  
Dan Goughnour, IHA Corporate Director, Business Operations - South  
Carl Meadows, IHA Executive Director, Clinical Operations Acute



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

Thursday, August 19, 2021  
2:00 p.m.

**REGULAR AGENDA**

---

**A. APPROVAL OF AGENDA**

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

**THAT the Agenda for the RDOS Board Meeting of August 19, 2021 be adopted.**

**1. Consent Agenda – Corporate Issues**

**a. Electoral Area “A” Advisory Planning Commission Minutes – July 12, 2021**

*THAT the minutes of the July 12, 2021 Electoral Area “A” Advisory Planning Commission be received.*

**b. Electoral Area “E” Advisory Planning Commission Minutes – July 12, 2021**

*THAT the minutes of the July 12, 2021 Electoral Area “E” Advisory Planning Commission be received.*

**c. Electoral Area “F” Advisory Planning Commission Minutes – July 26, 2021**

*THAT the minutes of the July 26, 2021 Electoral Area “F” Advisory Planning Commission be received.*

**d. Electoral Area “H” Advisory Planning Commission Minutes – April 20, 2021**

*THAT the minutes of the April 20, 2021 Electoral Area “H” Advisory Planning Commission be received.*

**e. Kaleden Parks and Recreation Commission Minutes – July 20, 2021**

*THAT the minutes of the July 20, 2021 Kaleden Parks and Recreation Commission be received.*

**f. Corporate Services Committee – July 22, 2021**

*THAT the minutes of the July 22, 2021 Corporate Services Committee meeting be received.*

**g. Corporate Services Committee – August 5, 2021**

*THAT the minutes of the August 5, 2021 Corporate Services Committee meeting be received.*

**h. Environment and Infrastructure Committee – August 5, 2021**

*THAT the minutes of the August 5, 2021 Environment and Infrastructure Committee meeting be received.*

**i. Protective Services Committee – August 5, 2021**

*THAT the minutes of the August 5, 2021 Protective Services Committee meeting be received.*

**j. RDOS Regular Board Meeting – August 5, 2021**

*THAT the minutes of the August 5, 2021 RDOS Regular Board meeting be adopted.*

- 
- k. **Electoral Area “D” Service and Boundary Configuration Committee Minutes – July 14, 2021**  
*THAT the minutes of the July 14, 2021 Electoral Area “D” Service and Boundary Configuration Committee be received.*
  - l. **Electoral Area “G” Official Community Plan Citizen’s Advisory Committee Appointments**  
*THAT Cindy Regier and Roger Mayer be appointed to the Electoral Area “G” Official Community Plan (OCP) Project Citizen’s Advisory Committee.*

**RECOMMENDATION 2** (Unweighted Corporate Vote – Simple Majority)  
**THAT the Consent Agenda – Corporate Issues be adopted.**

---

**2. Consent Agenda – Development Services**

- a. **Development Variance Permit Application – 4575 Mill Road, Electoral Area “E”**
  - i. Permit  
*THAT Development Variance Permit No. E2021.028-DVP to subdivide 4575 Mill Road, Naramata into two lots be approved.*
- b. **Development Variance Permit Application – 425 Matheson Road, Electoral Area “D”**
  - i. Permit  
*THAT Development Variance Permit No. D2021.030-DVP to allow for the construction of a garage at 425 Matheson Road in Electoral Area “D” be approved.*
- c. **Temporary Use Permit Application – 130 Hallis Road, Electoral Area “A”**
  - i. Permit
  - ii. Representations  
*THAT Temporary Use Permit No. A2021.016-TUP to renew an existing TUP for an “outdoor commercial event venue” in Electoral Area “A” be approved.*
- d. **Development Variance Permit Application – 135 Towers Road, Eastgate, Electoral Area “H”**
  - i. Permit  
*THAT Development Variance Permit No. H2021.003-DVP to allow for the development of a new dwelling unit at 135 Towers Road, Eastgate, be approved.*
- e. **Temporary Use Permit Application – 3180 Bartlett Road, Electoral Area “E”**
  - i. Permit
  - ii. Representations  
*THAT Temporary Use Permit No. E2021.018-TUP to allow for a vacation rental at 3180 Bartlett Road in Electoral Area “E”, be approved.*

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

---

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

**1. City of Penticton Referral – Official Community Plan Bylaw Amendment – 955 Timmins Street**

**RECOMMENDATION 4** (Unweighted Corporate Vote – Simple Majority)  
**THAT the City of Penticton be advised that the Regional District has no objection to the proposed Official Community Plan (OCP) Amendment involving part of the property at 955 Timmins Street to “Urban Residential”.**

2. City of Penticton Referral – Official Community Plan Bylaw Amendment – 877 Westminster Avenue West

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

**THAT the City of Penticton be advised that the Regional District has no objection to the Official Community Plan (OCP) Bylaw Amendment involving the property at 877 Westminster Avenue West to “Urban Residential”.**

---

3. Letter of Concurrence (Telus) – Smethurst Road/Cottonwood Lane, Electoral Area “E”  
a. Representations

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

**THAT the Regional District send a “Letter of Concurrence” to Innovation, Science, and Economic Development Canada for proposed telecommunication tower BCB576 to be located near Smethurst Road & Cottonwood Lane; with two conditions:**

1. That the tower not be lighted except for safety lights; and,
  2. That the tower receive an exterior coating to blend into the surrounding natural setting
- 

4. Agricultural Land Commission Referral (Subdivision) – 8310 2<sup>nd</sup> Avenue, Electoral Area “A”

**RECOMMENDATION 7** (Unweighted Corporate Vote – Simple Majority)

**THAT the application to the Agricultural Land Commission to permit a 2-lot subdivision on a parcel located at 8310 2nd Avenue in Electoral Area “A” (Lot 640, Plan KAP1950, District Lot 2450S, SDYD, Except Plan B3527 3705 5125 B7120, Manufactured Home Reg.# 34560) not be “authorized” to proceed.**

---

5. Development Variance Permit Application – 1135 Jonathan Drive, Electoral Area F  
a. Permit  
b. Representations

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

**THAT Development Variance Permit No. F2021.026-DVP, being an application to construct an over height garage in the front parcel line setback at 1135 Jonathan Drive in West Bench, be denied.**

---

6. Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002 On-site Sewage Disposal System Requirements  
a. Bylaw No. 2000.13  
b. Bylaw No. 927 (to be repealed)

**RECOMMENDATION 9** (Unweighted Rural Vote – 2/3 Majority)

**THAT Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.13, 2021, being an amendment to revise onsite sewage disposal system requirements, be read a first, second and third time and be adopted.**

---

7. **Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002 Documentation requirements for confirming a water service**  
a. Bylaw No. 2000.14

**RECOMMENDATION 10** (Unweighted Rural Vote – 2/3 Majority)

**THAT** Bylaw No. 2000.14, 2021, being an amendment of the Subdivision Servicing Bylaw to clarify the requirements for confirming a source of water has been provided for new parcels, be read a first, second and third time and be adopted.

---

8. **Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002 for Documentation requirements for confirming a sewage disposal system**  
a. Bylaw No. 2000.15

**RECOMMENDATION 11** (Unweighted Rural Vote – 2/3 Majority)

**THAT** Bylaw No. 2000.15, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to clarify the requirements for confirming a connection to sewage disposal for new parcels, be read a first, second and third time and be adopted.

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## C. LEGISLATIVE SERVICES

1. **2021 Schedule of Special Meetings**

**RECOMMENDATION 12** (Unweighted Corporate Vote – Simple Majority)

**THAT** the Fall Schedule of Special Meetings be approved as presented.

- Thursday November 4, 2021 – Legislative Workshop / Inaugural Meeting (full day)
  - Friday November 12, 2021 – Budget Committee Meeting #1 (full day)
  - Friday November 19, 2021 – Budget Committee Meeting #2 (full day)
  - Wednesday November 24, 2021 – Strategic Planning (evening only) with Gordon McIntosh
  - Thursday November 25, 2021 – Strategic Planning (full day) with Gordon McIntosh.
- 

## D. CAO REPORTS

1. **Verbal Update**
- 

2. **Declaration of State of Local Emergency Approvals - *to be provided at meeting***
- 

## E. OTHER BUSINESS

1. **Chair's Report**
-

**2. Board Representation**

- a. Developing Sustainable Rural Practice Communities - *McKortoff*
  - b. Municipal Finance Authority – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
  - c. Municipal Insurance Association – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
  - d. Okanagan Basin Water Board - *McKortoff, Holmes, Knodel, Pendergraft (Alternate to McKortoff), Obirek (Alternate to Holmes), Monteith (Alternate to Knodel)*
  - e. Okanagan Film Commission – *Gettens, Obirek (Alternate)*
  - f. Okanagan Regional Library – *Monteith, Obirek (Alternate)*
  - g. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Kozakevich (Alternate)*
  - h. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
  - i. Starling Control – *Bush, Knodel (Alternate)*
  - j. Fire Chief Liaison Committee – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
  - k. Intergovernmental Indigenous Joint Council – *Kozakevich, Coyne, Roberts*
- 

**3. Directors Motions**

- a. Director's Motion – Director Gettens  
THAT the Director's Motion " *THAT Administration present to the Board for discussion the findings from the exit interviews of recently departed staff before the 2022 budget discussions begin*" be referred to Administration for analysis of the feasibility, legislative compliance and budget impacts.  

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- b. Director's Motion – Director Obirek  
THAT the Director's Motion " *THAT there be a moratorium on cannabis retail applications in Electoral Area "D" pending the review and potential amendment coming from that review*" be referred to Administration for analysis of the feasibility, legislative compliance and budget impacts.  

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**4. Board Members Verbal Update**

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**F. ADJOURNMENT**

# Minutes

## Electoral Area "A" Advisory Planning Commission

Meeting Monday July 12, 2021

Present:

Members: Peter Beckett (chair), Manfred Freese, Grant Montgomery, Dwayne Svendsen, Jim Thornton, Director Mark Pendergraft, Bill Plaskett (recording secretary)

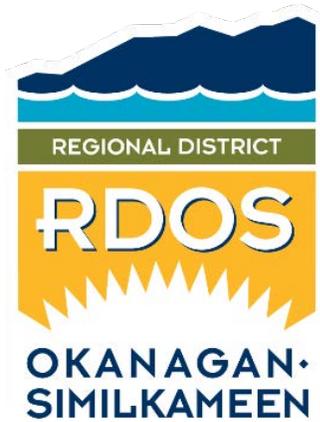
Staff: Chris Garrish, Fiona Titley

Delegate: Applicant, Rob Burk

1. Meeting called to Order at 7:00 PM
2. Moved & seconded that the minutes of the last meeting be adopted — carried
3. Moved & seconded that the agenda be adopted — carried
4. Introduction of the application to renew an existing temporary use permit for an "outdoor commercial event venue".
5. Chris Garrish gave an overview of the TUP.
6. There was discussion of the issue of fire protection in the area and on this site as well
7. It was moved & seconded that the APC recommend to the RDOS Board of Directors that the proposed temporary use permit be approved. The vote was unanimous in favour.
8. Meeting was adjourned at 7:09 PM

9. After the meeting was adjourned, there was discussion among the APC about ending meetings by WEBEX.

Recording secretary; Bill Plaskett



# Minutes

## Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, July 12, 2021 at 7:00 p.m.

RDOS WebEx, Naramata, BC

Present:

Members: Don Mancell (as Chair), Heather Fleck, Dianna Smith, Maureen Redman, Debbie Selwood, Adrienne Fedrigo

Absent: Richard Roskell (Chair, Electoral Area 'E' APC)

Staff: Fiona Titley (RDOS Planner I)

Guests: Karla Kozakevich (RDOS Area 'E' Director),

Recording Secretary: Heather Lemieux

Delegates: Colin Martin, Rosemary Renstad left meeting at 7:24 p.m.

### 1. ADOPTION OF AGENDA

The meeting was called to order at 7:07 p.m. Quorum Present.

#### 1.1 MOTION

That the Agenda for the Electoral Area 'E' Advisory Planning Commission (APC) meeting of July 12, 2021 be adopted as presented.

CARRIED

### 2. APPROVAL OF MINUTES

#### 2.1 MOTION

It was Moved and Seconded That the Minutes of the June 14, 2021, Electoral Area 'E' Advisory Planning Commission (APC) meeting be adopted as presented.

CARRIED

### 3. DELEGATIONS

- 3.1 Currie & Schaefer - Temporary Use Permit Application - E2021.018-TUP
- 3.2 Hohmann - Temporary Use Permit Application - E2021.011-TUP

### 4. DEVELOPMENT APPLICATIONS

- 4.1 Temporary Use Permit - E2021.018-TUP  
Administrative Report Submitted by Fiona Titley, Planner I

#### MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved. 5 in Favour; 1 Against.

CARRIED

- 4.2 Temporary Use Permit - E2021.011-TUP  
Administrative Report submitted by Fiona Titley, Planner I

#### MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved. 5 in Favour; 1 Against.

CARRIED

### 5. OTHER

- 5.1 General Discussion Item  
Vacation Rental Temporary Use Permits (TUPs)

One APC member raised concerns about the number of vacation rentals contributing to housing issues in the community for young families.

Discussed the Official Community Plan (OCP), zoning, the difference between incorporated and unincorporated communities, housing affordability, property values, and the complaint process. This topic was discussed at length.

### 6. ADJOURNMENT

#### MOTION

It was Moved and Seconded that the meeting be adjourned at 8:03 p.m.

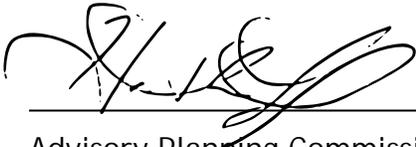
CARRIED

Next Meeting – August 9, 2021 at 7:00 p.m.

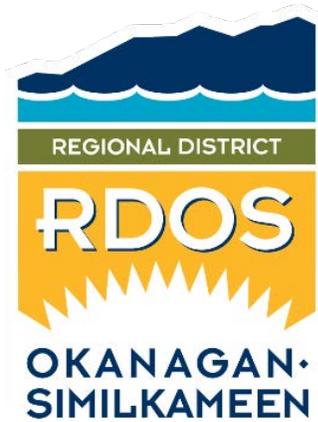
Location TBD

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Don Mancell, as Chair of the Area 'E' Advisory Planning Commission

A handwritten signature in black ink, appearing to be 'D. Mancell', written over a horizontal line.

Advisory Planning Commission Recording Secretary / minute taker



# Minutes

## Electoral Area "F" Advisory Planning Commission

Meeting of Monday, July 26, 2021 at 7:00 p.m.

RDOS WebEx, Penticton, BC

Present:

Members: Brad Hills (Chair, Electoral Area "F" APC), Rick Hatch, Margaret Holm, Gerry Lalonde

Absent: Galina Pentecost, Don Barron, Richard Johnson, Mike Stokker

Staff: Fiona Titley (RDOS Planner I), Nikita Kheterpal (RDOS Planner I)

Guests: Riley Gettens, Director, Electoral Area "F"

Recording Secretary: Heather Lemieux, via transcription

Delegates: Wojciech Artymowicz

### 1. ADOPTION OF AGENDA

The meeting was called to order at 7:04 p.m. Quorum Present.

#### 1.1 MOTION

It was Moved and Seconded That the Agenda for the Electoral Area "F" Advisory Planning Commission (APC) meeting of July 26, 2021 be adopted as presented.

CARRIED

### 2. APPROVAL OF MINUTES

#### 2.1 MOTION

It was Moved and Seconded That the Minutes of the March 22, 2021 Electoral Area "F" Advisory Planning Commission (APC) meeting be adopted as presented.

CARRIED

3. DELEGATIONS

- 3.1 Artymowicz, Urszula & Wojciech - Development Variance Permit - F2021-026-DVP

4. DEVELOPMENT APPLICATIONS

- 4.1 Development Variance Permit Application - F2021-026-DVP Administrative Report submitted by Fiona Titley, Planner I

MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved. 3 in Favour; 1 Against; 1 Against via proxy.

CARRIED

5. OTHER

None

6. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 7:29 p.m.

CARRIED

Next Meeting – August 23, 2021 at 7:00 p.m.

Location TBD

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Area "F" Advisory Planning Commission Chair



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Advisory Planning Commission Recording Secretary / minute taker



# Minutes

## Electoral Area 'H' Advisory Planning Commission

Meeting of April 20, 2021

7:00 p.m.

Location: <https://rdos.webex.com> / 1-833-311-4101  
(Meeting Number : 146 651 9274/ Password: RD@S)

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### Present:

Director: Bob Coyne

Members: Ole Juul (Chair)

Rob Miller (Vice-Chair)

Gail Smart

Lynn Smyth

Marg Reichert

Tom Rushworth (Recording Secretary)

### Absent:

Staff: JoAnn Peachey, Planner I

Recording Secretary: Tom Rushworth

Delegates: Michael & Veanna Faye – (Not

Present)

#### 1. CALL TO ORDER

The meeting was called to order at 7:15 p.m.

#### ADOPTION OF AGENDA

#### MOTION

It was Moved and Seconded that the Agenda be adopted.

**CARRIED**

#### 2. APPROVAL OF PREVIOUS MEETING MINUTES

#### MOTION

It was Moved and Seconded by the APC that the Minutes of February 16, 2021 be deferred.

**CARRIED**

### **3. DEVELOPMENT APPLICATIONS**

#### **3.1 Development Application – H2021.010-DVP**

Delegate Michael & Veanna Faye - not present.

Discussion.

#### **MOTION**

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject Development Application be denied.

**CARRIED**

### **4. REFERRALS**

#### **4.1**

### **5. AMENDMENT BYLAWS**

#### **5.1**

### **6. OTHER**

### **7. ADJOURNMENT**

#### **MOTION**

It was Moved and Seconded that the meeting be adjourned at 7:21 p.m. pm.

**CARRIED**

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Advisory Planning Commission Chair

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Advisory Planning Commission Recording Secretary / minute taker



REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN  
KALEDEN PARKS AND RECREATION COMMISSION



**MINUTES**

**JULY 20, 2021**

**Meeting at 6:30 p.m.**

**Via Webex**

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**Present:** Ms. S. Monteith, Director, Electoral Area "1"

**Members:** Dave Gill (Chair), Jaynie Malloy, Rick Johnson, Marie-Eve Lamarche, Margaret O'Brien

**Absent:** Debbie Shillito (Vice Chair), Randy Cranston

**Staff:** N/A

**Recording Secretary:** Margaret O'Brien

**Delegates / Guests:** Peter Arbic

**1. CALL TO ORDER**

The meeting was called to order at 6:31 p.m.

**ADOPTION OF AGENDA**

**RECOMMENDATION**

**It was Moved and Seconded that the Agenda of July 20, 2021 be adopted with additions.**

**CARRIED**

**2. APPROVAL OF PREVIOUS MEETING MINUTES**

**2.1 RECOMMENDATION**

**It was Moved and Seconded that the Minutes for Kaleden Parks and Recreation Commission Meeting of June 15, 2021 be approved with amendments discussed.**

**CARRIED**

### 3. CORRESPONDENCE/DELEGATIONS

- 3.1 Community member Peter Arbic attended to request Commission address multi-use safety concerns, primarily boat moorings, at Public Access Points on Alder Ave.

#### **RECOMMENDATION**

**It was Moved and Seconded that the Kal-Rec Commission allows Mr. Arbic to bring his concerns to the floor.**

**CARRIED**

As staff were unable to attend the meeting due to the ongoing wildfire emergency, the Commission would like to request RDOS staff look into the following queries and report back to the Commission at a later date:

- 1) What is the definition of a Public Access area; i.e. what is it supposed to be used for/look like, etc.
- 2) As this area is a mixed recreational use/multi-water sports use area; i.e. kite surfers, paddleboards, kayaks, out-riggers, swimmers, boat moorings, are there any options, guidelines, rules/regulations that ensure everyone has safe, unobstructed access to the lake.
- 3) Enquire why boats with engines are still allowed to be moored between Pioneer Park and the Hotel/1912/Riparian Public Access area along Ponderosa & Alder, if they are in the Kaleden Irrigation District “red zone”.
- 4) What have other jurisdictions in the Regional District done with regards to boat moorings along their shores, in/close to their Public Access areas? Have they come up with any possible solutions that we may be able to utilize?

### 4. RDOS STAFF REPORTS

- 4.1 *None*

### 5. COMMISSION MEMBER REPORTS

- 5.1 *None*

### 6. RDOS DIRECTOR’S REPORT

- 6.1 *None*

### 7. BUSINESS ARISING

- 7.1 *None*

**8. ADJOURNMENT**

**RECOMMENDATION**

**It was Moved and Seconded that the meeting be adjourned at 7:18 pm.**

**CARRIED**

**NEXT REGULAR MEETING: August 17, 2021**

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Chair, Kaleden Parks and Recreation Commission

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Recording Secretary



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN  
Corporate Services Committee**

Thursday, July 22, 2021

9:01 a.m.

**MINUTES**

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**MEMBERS PRESENT:**

Chair K. Kozakevich, Electoral Area "E"  
Vice Chair S. Coyne, Town of Princeton  
Director M. Bauer, Village of Keremeos  
Director G. Bush, Electoral Area "B"  
Director B. Coyne, Electoral Area "H"  
Director R. Gettens, Electoral Area "F"  
Director D. Holmes, District of Summerland  
Director M. Johansen, Town of Oliver  
Director R. Knodel, Electoral Area "C"  
Director S. McKortoff, Town of Osoyoos

Director S. Monteith, Electoral Area "I"  
Director J. D'Andrea, Alt. Electoral Area "D"  
Director M. Pendergraft, Electoral Area "A"  
Director T. Roberts, Electoral Area "G"  
Director K. Robinson, City of Penticton  
Director J. Sentes, City of Penticton  
Director E. Trainer, District of Summerland  
Director J. Vassilaki, City of Penticton  
Director C. Watt, City of Penticton

**MEMBERS ABSENT:**

Director R. Obirek, Electoral Area "D"

**STAFF PRESENT:**

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**It was MOVED and SECONDED**

THAT the Agenda for the Corporate Services Meeting of July 22, 2021 be adopted. - **CARRIED**

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**B. Social Media Workshop**

1. Jan Enns Presentation

The Committee was led through a discussion of the benefits, pitfalls and best practices of use of social media platforms for local government officials.

---

**C. Procedure Bylaw Amendment**

1. Bylaw No. 2789.01

**RECOMMENDATION 2**

**It was MOVED and SECONDED**

THAT Bylaw No. 2789.01, being a bylaw to amend the Board Procedure Bylaw, be read a first, second and third time and be adopted. - **CARRIED**

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**D. Board Remuneration Bylaw Amendment**

1. Bylaw No. 2903, 2020
2. Bylaw No. 2903.01, 2021

**RECOMMENDATION 3****It was MOVED and SECONDED**

THAT Bylaw No. 2903.01, 2021, being a bylaw to amend the Board Remuneration, Expense and Benefits Bylaw to facilitate electronic attendance at the same rate as in-person attendance, be read a first, second and third time and be adopted. - **CARRIED**

**It was MOVED and SECONDED**

THAT a review of the Board Remuneration, Expenses and Benefits Bylaw be initiated in 2021. - **CARRIED**

Opposed: Directors Monteith, Holmes, Watt, Robinson, Vassilaki, Bush

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**E. Q2 Activity Report**

The Committee was advised of the activities of the second quarter of 2021 and the planned activities for the third quarter.

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**F. Q2 Variance Report**

The Committee reviewed the financial position of the organization as at June 30, 2021.

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**G. Q2 Corporate Business Plan Report**

The Committee reviewed the Corporate Business Plan.

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**H. 2021 Risk Management Plan**

1. Risk Management Registry

The Committee was presented the 2021 Enterprise Risk Register. Mitigation plans will be developed for all high and moderate risks and then re-rated to determine if the risk level has changed.

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**I. ADJOURNMENT****It was MOVED and SECONDED**

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 11:52 a.m.

APPROVED:

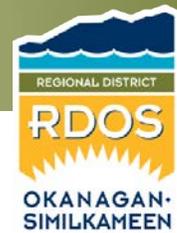
CERTIFIED CORRECT:

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K. Kozakevich  
RDOS Board Chair

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B. Newell  
Corporate Officer



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN  
Corporate Services Committee**

Thursday, August 5, 2021  
9:02 a.m.

**MINUTES**

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**MEMBERS PRESENT:**

Chair K. Kozakevich, Electoral Area "E"	Director R. Obirek, Electoral Area "D"
Vice Chair S. Coyne, Town of Princeton	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director T. Roberts, Electoral Area "G"
Director B. Coyne, Electoral Area "H"	Director K. Robinson, City of Penticton
Director R. Gettens, Electoral Area "F"	Director J. Sentes, City of Penticton
Director D. Holmes, District of Summerland	Director E. Trainer, District of Summerland
Director M. Johansen, Town of Oliver	Director J. Vassilaki, City of Penticton
Director R. Knodel, Electoral Area "C"	Director C. Watt, City of Penticton
Director S. McKortoff, Town of Osoyoos	Director S. Philpott-Adhikary, Alt. Village of Keremeos
Director S. Monteith, Electoral Area "I"	

**MEMBERS ABSENT:**

Director M. Bauer, Village of Keremeos

**STAFF PRESENT:**

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

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**It was MOVED and SECONDED**

THAT the Agenda for the Corporate Services Meeting of August 5, 2021 be adopted. - **CARRIED**

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**B. CivicReady and Transition to Voyent Alert – For Information Only**

1. CivicReady Groups and Posts
2. CivicReady Communications Plan

The Committee was advised that the current mass notification system used by the RDOS is no longer able to support its Canadian clients. With the existing contract set to expire November 2021, the RDOS is seeking to establish services through a Canadian-based mass notification system company.

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**C. Information Systems Security Assessment – For Information Only**

1. Security Assessment Overview

The Committee was provided a summary of the 2020 cyber attack.

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**D. ADJOURNMENT**

**It was MOVED and SECONDED**  
THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 9:51 a.m.

APPROVED:

CERTIFIED CORRECT:

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

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





**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN  
Protective Services Committee**

Thursday, August 5, 2021  
9:52 a.m.

**MINUTES**

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**MEMBERS PRESENT:**

Chair T. Roberts, Electoral Area "G"	Director R. Obirek, Electoral Area "D"
Vice Chair S. Coyne, Town of Princeton	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director R. Knodel, Electoral Area "C"
Director B. Coyne, Electoral Area "H"	Director K. Robinson, City of Penticton
Director R. Gettens, Electoral Area "F"	Director J. Sentes, City of Penticton
Director D. Holmes, District of Summerland	Director E. Trainer, District of Summerland
Director M. Johansen, Town of Oliver	Director J. Vassilaki, City of Penticton
Director K. Kozakevich, Electoral Area "E"	Director C. Watt, City of Penticton
Director S. McKortoff, Town of Osoyoos	Director S. Philpott-Adhikary, Alt. Village of Keremeos
Director S. Monteith, Electoral Area "I"	

**MEMBERS ABSENT:**

Director M. Bauer, Village of Keremeos

**STAFF PRESENT:**

B. Newell, Chief Administrative Officer	C. Malden, Manager of Legislative Services
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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**It was MOVED and SECONDED**

THAT the Agenda for the Protective Services Meeting of August 5, 2021 be adopted. - **CARRIED**

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**B. EMERGENCY OPERATION CENTRE REPORT – For Information Only**

The Committee was provided an update on the work of the Emergency Operation Centre in support of the wildfires within the Regional District.

---

**C. ADJOURNMENT**

**It was MOVED and SECONDED**

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 10:40 a.m.

APPROVED:

CERTIFIED CORRECT:

\_\_\_\_\_  
T. Roberts  
Committee Chair

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



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

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 11:15 a.m. on Thursday, August 5, 2021 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"	Director R. Obirek, Electoral Area "D"
Vice Chair S. Coyne, Town of Princeton	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director T. Roberts, Electoral Area "G"
Director B. Coyne, Electoral Area "H"	Director K. Robinson, City of Penticton
Director R. Gettens, Electoral Area "F"	Director J. Sentes, City of Penticton
Director D. Holmes, District of Summerland	Director E. Trainer, District of Summerland
Director M. Johansen, Town of Oliver	Director J. Vassilaki, City of Penticton
Director R. Knodel, Electoral Area "C"	Director C. Watt, City of Penticton
Director S. McKortoff, Town of Osoyoos	Director S. Philpott-Adhikary, Alt. Village of Keremeos
Director S. Monteith, Electoral Area "I"	

### MEMBERS ABSENT:

Director M. Bauer, Village of Keremeos

### 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 August 5, 2021 be adopted as amended by:

- Adding Item E.1. Declaration of State of Local Emergency Approval; and,
- Moving Item A.1.f. Corporate Services Committee Meeting Minutes from the Consent Agenda to Item D.4.

### CARRIED

## 1. Consent Agenda – Corporate Issues

### a. Electoral Area "A", Advisory Planning Commission Appointment

*THAT the Board of Directors appoint Roy Bainbridge as a member of the Electoral Area "A" Advisory Planning Commission until October 31, 2022.*

### b. Electoral Area "G" Official Community Plan Citizen's Advisory Committee Resignations

*THAT a letter be forwarded to Duncan Baynes and Andrew English, thanking them for their contribution to the Electoral Area "G" Official Community Plan (OCP) Project Citizen's Advisory Committee.*

### c. Naramata Parks and Recreation Commission – June 28, 2021

*THAT the Minutes of the June 28, 2021 Naramata Parks and Recreation Commission be received.*

### d. Okanagan Falls Parks and Recreation Commission – July 8, 2021

*THAT the Minutes of the July 8, 2021 Okanagan Falls Parks and Recreation Commission be received.*

**e. Community Services Committee – July 22, 2021**

*THAT the Minutes of the July 22, 2021 Community Services Committee meeting be received.*

**f. Corporate Services Committee – July 22, 2021**

*(This item was removed from the Consent Agenda; please refer to Item D.4).*

**g. Environment and Infrastructure Committee – July 22, 2021**

*THAT the Minutes of the July 22, 2021 Environment and Infrastructure Committee meeting be received.*

**h. Planning and Development Committee – July 22, 2021**

*THAT the Minutes of the July 22, 2021 Planning and Development Committee meeting be received.*

*THAT Bylaw No. 2931 Noise Regulation and Prohibition Bylaw be referred to the Electoral Area Advisory Planning Commissions (APC).*

*THAT Draft Section 9.0 - Sign Regulations be referred to the Electoral Area Advisory Planning Commissions (APC).*

*THAT the resolution passed by the Electoral Area “D” Advisory Planning Commission (APC) at the 13 April, 2021 meeting requesting a review of zoning regulations governing cannabis retail uses be referred to the 2022 Business Plan process for discussion.*

*THAT the recommendation from the Electoral Area “D” Advisory Planning Commission (APC) at its April 13, 2021 meeting requesting a review of zoning regulations governing vacation rental uses be respectfully denied.*

**i. Protective Services Committee – July 22, 2021**

*THAT the Minutes of the July 22, 2021 Protective Services Committee meeting be received.*

**j. RDOS Regular Board Meeting – July 22, 2021**

*THAT the minutes of the July 22, 2021 RDOS Regular Board meeting be adopted.*

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

**IT WAS MOVED AND SECONDED**

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

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

**1. Park Land Dedication Proposal – Electoral Area “D”**

The Chair enquired whether the property owner or agent was present to address the Board and the property owner did so.

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

**It was MOVED and SECONDED**

THAT the request to waive the Parkland Dedication requirement related to the subdivision of part of the parcel at 850 Railway Lane in Okanagan Falls legally described as Lots 1 & 2, Plan KAS2687, District Lot 2883S, SDYD, be denied. - **CARRIED**

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**2. Liquor and Cannabis Regulation Branch Referral – Electoral Area “D”  
Cannabis Retail Store**

- a. Public Hearing Report – June 22, 2021
- b. Responses Received

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

**It was MOVED and SECONDED**

THAT the public hearing report be received. - **CARRIED**

The Chair enquired whether the property owner or agent was present to address the Board and the applicant did so.

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

**It was MOVED and SECONDED**

THAT the Regional District object to the application from ERBN Green Cannabis Company Inc. for a proposed non-medical retail cannabis location at 936-946 Main Street, Okanagan Falls. - **DEFEATED**  
Opposed: Directors B. Coyne, Watt, Sentes, Gettens, Holmes, Robinson, Pendergraft, Knodel, McKortoff, S. Coyne, Johansen, Kozakevich, Philpott-Adhikary

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

**It was MOVED and SECONDED**

THAT the Regional District, in accordance with Section 33(1) of the *Cannabis Control and Licencing Act*, support an application from ERBN Green Cannabis Company Inc. for a proposed non-medical retail cannabis location at 936-946 Main Street, Okanagan Falls (Lot 15, Block 17, Plan KAP4, District Lot 374, SDYD) licence with operating hours from 9:00 am to 11:00 pm seven days a week;

AND THAT the following comments be provided to the Liquor and Cannabis Regulation Branch:

- a) the subject property is located in the Okanagan Falls Town Centre Transition (C4) Zone and the use is permitted in this zone;
- b) no significant negative impact on the community is anticipated if this application is approved;
- c) the Regional District provided the following opportunities for residents to submit their views, in writing, on this Cannabis Retail Store licence application:
  - i) publication in the Penticton Western News on March 31, 2021 and April 7, 2021;
  - ii) publication in Castanet.net from March 30, 2021 to April 14, 2021;
  - iii) posting on the Regional District’s web site from March 26, 2021 and social media accounts on April 22, 2021;
  - iv) mailed notification to owners and tenants within 100 metres of the subject parcel on March 26, 2021;
  - v) placement of a notification sign on the subject property from March 15, 2021, until the Board considered the application on May 6, 2021;
  - vi) consideration by the Electoral Area “D” Advisory Planning Commission (APC) at its meeting of April 13, 2021; and
  - vii) an electronic public hearing held on June 22, 2021.
- d) The views of residents were considered by the RDOS Board at its meetings of May 6, 2021 and August 5, 2021.

**CARRIED**

Opposed: Directors Trainer, Bush, Obirek, Monteith, Vassilaki, Roberts

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**3. Manufactured Home Park (MHP) Redevelopment Policy Review; and Update of Hillside/Steep Slope Development Permit Area Policy Review**

- a. Manufactured Home Park (MHP) Redevelopment Policy
- b. Update of Hillside/Steep Slope Development Permit Area Policy

**RECOMMENDATION 7** (Unweighted Corporate Vote – Simple Majority)

**It was MOVED and SECONDED**

THAT Policy No. P6930-00.01, being the “Manufactured Home Park Redevelopment Policy”, be rescinded; and,

THAT the “Hillside / Steep Slope Development Permit Area Policy” be rescinded.

**CARRIED**

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**C. COMMUNITY SERVICES**

**1. Bylaw No. 2941, 2021 – Area “D” Community Works (Gas Tax) Reserve Expenditure Bylaw**

- a. Bylaw No. 2941

**RECOMMENDATION 8** (Weighted Corporate Vote – 2/3 Majority)

**It was MOVED and SECONDED**

THAT Reserve Expenditure Bylaw No. 2941, 2021, being a bylaw to authorize an expenditure of \$156,000 from the Electoral Area “D” Community Works Reserve to fund the replacement of the Tennis/Pickle Ball Court in Okanagan Falls (\$52,000), and complete work at Garnet Family Park (\$104,000) be read a first, second, and third time and be adopted. - **CARRIED**

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**D. LEGISLATIVE SERVICES**

**1. Bylaw No. 2789.01 Board Procedure Amendment Bylaw**

- a. Bylaw No. 2789.01

**RECOMMENDATION 9** (Unweighted Corporate Vote – 2/3 Majority)

**It was MOVED and SECONDED**

THAT Bylaw No. 2789.01, being a bylaw to amend the Board Procedure Bylaw, be read a first, second and third time and be adopted. - **CARRIED**

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**2. Oliver and District Arena**

- a. Bylaw No. 2942
- b. Bylaw No. 2844
- c. Oliver Arena Society Resolution
- d. Elector Response Form
- e. Notice of Alternate Approval Process

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2942, Oliver and District Arena Conversion and Service Establishment Bylaw, be read a first, second and third time. - **CARRIED**

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**3. Town of Oliver Boundary Adjustment**

- a. Letter from Town of Oliver Boundary Adjustment to include 6450 Spartan Street

**RECOMMENDATION 11** (Unweighted Corporate Vote – Simple Majority)

**It was MOVED and SECONDED**

THAT the Board of Directors not object to the proposed boundary adjustment proposal from the Town of Oliver, which would see the inclusion of 6450 Spartan Street into the Town of Oliver boundary and removed from Electoral Area “C”. - **CARRIED**

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**4. Items Removed from Consent Agenda – Corporate Issues**

- a. Corporate Services Committee – July 22, 2021  
The Minutes of the July 22, 2021 Corporate Services Committee meeting will be corrected and returned to the next Board meeting.
- 

**E. CAO REPORTS****1. Declaration of State of Local Emergency Approval**

**It was MOVED and SECONDED**

THAT the Declaration of a State of Local Emergency for Electoral Area “D” that expired August 1 be extended for a further seven days to August 8; and,  
THAT the Declaration of a State of Local Emergency for Electoral Area “D” set to expire August 8<sup>th</sup> be extended for a further seven days to August 15; and,  
THAT all declarations be submitted to the Minister of State for Emergency Preparedness for approval.

THAT the Declaration of a State of Local Emergency for Electoral Area “H” that expired July 28 be extended for a further seven days to August 3; and,  
THAT the Declaration of a State of Local Emergency for Electoral Area “H” that expired August 3 be extended for a further seven days to August 10; and,  
THAT the Declaration of a State of Local Emergency for Electoral Area “H” that expired August 10 be extended for a further seven days to August 17; and,  
THAT all declarations be submitted to the Minister of State for Emergency Preparedness for approval.

THAT the Declaration of a State of Local Emergency for Electoral Area “A” that expired August 3 be extended for a further seven days to August 10; and,  
THAT the Declaration of a State of Local Emergency for Electoral Area “A” that expired August 10 be extended for a further seven days to August 17; and,  
THAT all declarations be submitted to the Minister of State for Emergency Preparedness for approval.

**CARRIED**

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**2. Verbal Update**

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**F. OTHER BUSINESS****1. Chair’s Report**

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**2. Directors Motions**

- a. Directors Motion to Establish Budget Parameters

**It was MOVED and SECONDED**

THAT Finance present RDOS budgets to Directors for all services with a -2, 0, 2 and 3 percent increase at the budget committee meetings annually and that Finance present RDOS budget in a live format to allow Directors to visually see impact to each electoral area and member municipality during decision making during all budget discussions.

**DEFEATED**

Opposed: Directors Gettens, Roberts, B. Coyne, Bush, Trainer, Holmes, Pendergraft, Robinson, Sentes, Johansen, Kozakevich, S. Coyne, Watt

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- b. Notice of Motion – Director Gettens

THAT Administration present to the Board for discussion the findings from the exit interviews of recently departed staff before the 2022 budget discussions begin.

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- c. Notice of Motion – Director Obirek

THAT there be a moratorium on cannabis retail applications in Electoral Area “D” pending the review and potential amendment coming from that review.

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**3. Board Members Verbal Update**

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**G. ADJOURNMENT**

**It was MOVED and SECONDED**

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 12:57 p.m.

APPROVED:

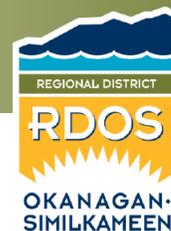
CERTIFIED CORRECT:

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K. Kozakevich  
RDOS Board Chair

---

B. Newell  
Corporate Officer



## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### Electoral Area “D” Service and Boundary Configuration Committee

#### MINUTES

Wednesday, July 14, 2021

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#### COMMITTEE MEMBERS PRESENT:

Bob Daly

David Forst

Eleanor Walker

Kurt Hiebert

Kay Medland

Kerrie McLean

Matt Taylor

Myleen Mallach

Phyllis Radchenko

Vi Creasey

#### STAFF PRESENT:

J. Zaffino, Manager of Finance

C. Ozaraci, Administrative Assistant

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#### A. CALL TO ORDER

The Meeting was called to order at 6:03 pm.

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#### B. HOUSEKEEPING

Reminder that the meeting is being recorded and ensure to mute except when speaking.

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#### C. APPROVAL OF AGENDA

The Agenda was approved. CARRIED

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#### D. RECEIPT OF THE JUNE 29, 2021 MEETING MINUTES

The minutes were received. CARRIED

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#### E. CLOSED SESSION

In accordance with Section 90(1)(j) of the *Community Charter*, the Committee close the meeting to the public on the basis of information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;

**THE MEETING WENT INTO CLOSED SESSION AT 6:09 PM**

**THE MEETING RETURNED TO REGULAR SESSION AT 6:11 PM**

**F. BUDGET**

Jim Zaffino updated the committee with respect to the budget.

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**G. AREA D COMMITTEE LOGO/BRANDING**

The committee selected the logo that contains the word Study in it.

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**H. NEXT MEETING**

The next meeting will be held July 28, 2021 at 6:00 pm

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**I. ADJOURNMENT**

The meeting adjourned at 6:30 pm

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## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** Electoral Area "G" Official Community Plan Citizen's Advisory Committee Appointments

---

### **Administrative Recommendation:**

**THAT Cindy Regier and Roger Mayer be appointed to the Electoral Area "G" Official Community Plan (OCP) Project Citizen's Advisory Committee.**

---

### **Purpose:**

The purpose of this report is to appoint two members to serve on the Electoral Area "G" OCP Project Citizen's Advisory Committee. The Citizen's Advisory Committee has played a key role in the development process for the first OCP for Electoral Area "G" by collaborating with and providing local insight to the OCP project team.

### **Background:**

The Electoral Area "G" OCP Project Citizen's Advisory Committee consisted of a total of 12 members. On May 17, 2021 and June 11, 2021, the Regional District was notified by two members of their resignation from the Committee.

### **Analysis:**

The proposed appointments will replace the vacated positions and provide representation for Hedley area and rural Keremeos.

Given the above, Administration recommends appointment of the two noted Electoral Area "G" residents to serve on the Citizen's Committee for the Electoral Area "G" OCP Project.

### **Alternative:**

1. THAT the Board of Directors not appoint Cindy Regier and Roger Mayer to the Electoral Area "G" Official Community Plan (OCP) Project Citizen's Advisory Committee.

### **Respectfully submitted:**

*Nikita Kheterpal*

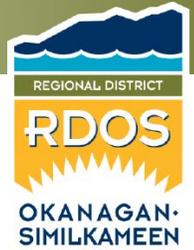
Nikita Kheterpal, Planner I

### **Endorsed by:**

*CG*

C. Garrish, Planning Manager

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 19, 2021  
**RE:** Development Variance Permit Application — Electoral Area “E”

---

## **Administrative Recommendation:**

**THAT Development Variance Permit No. E2021.028-DVP to subdivide 4575 Mill Road, Naramata into two lots be approved.**

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Folio: E-02285.000

Legal: Lot 25, Plan KAP3889, District Lot 211, SDYD, Except Plan 14494

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

Variance Request: to waive the requirement for the installation of a street light in front of the parcel.

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## **Proposed Development:**

This application is seeking a variance to the Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw requirement that applies to the subject property in order to undertake a two-lot subdivision.

Specifically, it is being proposed to waive the requirement for the installation of a street light in front of the parcel when creating a new parcel less than 0.25 ha in area.

In support of this request, the applicant has stated that “a street light is inappropriate for a country location, and which will seriously affect the enjoyment + clarity of the night sky. It would also affect the neighbour on the upside of the road.. the next closest street light is 640 metres away. RDOS Operations agree that having a single street light that distance from the rest of the network does not make practical sense.”

## **Site Context:**

The subject property is approximately 4,141 m<sup>2</sup> in area and is situated on the west side of Mill Road and abuts the shoreline of Okanagan Lake to its west. The property is currently developed to a single detached dwelling, a garage and a shed.

The surrounding pattern of development is characterised by similar residential parcels developed to contain single detached dwellings.

## **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 22, 1947, while available Regional District records indicate

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that building permits for a carport (1979) and for the demolition of a cabin (2018) have previously been issued for this property.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Low Density Residential (LR), and is the subject of a Watercourse Development Permit (WDP) Area designation.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which permits single detached dwellings and requires a minimum parcel size of 1,010 m<sup>2</sup>, subject to servicing requirements.

Under Schedule “B” (Levels of Works and Services) of the Regional District’s Subdivision Servicing Bylaw No. 2000, 2002, subdivision applications proposing the creation of new low density residential parcels less than 0.25 ha in area are required to provide street lighting in accordance with Schedule “A” (Design Criteria, Specifications and Standard Drawings) of the bylaw.

On February 10, 2021, the Ministry of Transportation and Infrastructure (MoTI) referred a proposed two lot subdivision of the subject property to the Regional District for comment. As this application is seeking to create parcels 0.136 ha and 0.153 ha in area, the Regional District advised, on March 11, 2021, that the provision of street lighting would be required.

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule ‘4’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on August 12, 2021. All comments received are included as a separate item on the Board’s Agenda.

**Analysis:**

The establishment of standards and design criteria in a subdivision servicing bylaw is seen to be important when the Regional District is the operator of the infrastructure and is responsible for future maintenance and operation. Moreover, street lighting standards are also generally used to ensure an adequate standard of lighting is achieved on roadways and pathways by establishing minimum illumination standards and pole locations.

Subdivision is a poor predictor of street lighting priorities within an Electoral Area street lighting service area. Street lighting in rural areas is generally focused on priority features such as hazardous intersections, schools, parks, transit stops or cluster mailbox locations. As highlighted by the current variance request, the subdivision of land does not always occur in such locations and, when assessing infrastructure needs for development, it is important to take the surrounding context into account.

In this instance, the subject property is located in a remote area in Naramata and is a considerable distance away from any other streetlight (i.e. 600+ metres away from the next nearest light) and a street light at this location would be uncharacteristic of the area.

Moreover, while street lighting can often enhance streetscape by illuminating blind corners at intersections or providing pedestrian safety, these types of services are not characteristic of rural areas and would not be considered a necessary requirement in order to allow for development. There are other ways that pedestrian and vehicle traffic can be notified of the turn in the road such as signage or bollards.

---

Conversely, it is recognised that the subject property is situated within the Naramata Street Lighting Service Area, that the Subdivision Servicing Bylaw is clear in its requirement that new parcels less than 0.25 ha in area provide appropriate street lighting and that this subject property is located at prominent curve in the Mill Road road alignment that *may* benefit from the installation of a street light.

**Alternatives:**

1. That the Board deny Development Variance Permit No. E2021.028-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "E" Advisory Planning Commission.

**Respectfully submitted**

*Nikita Kheterpal*

Nikita Kheterpal, Planner I

**Endorsed by:**

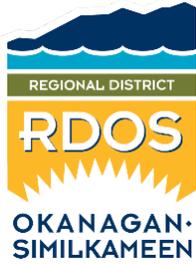


C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Photo (2017)

Attachment No. 1 – Aerial Photo (2017)





# Development Variance Permit

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FILE NO.: E2021.028-DVP

## 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' 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 25, Plan KAP3889, District Lot 211, SDYD, Except Plan 14494

Civic Address: 4575 Mill Road, Naramata

Parcel Identifier (PID): 001-974-297 Folio: E-02285.000

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw No. 2000, 2002:
  - a) Schedule "B" of the bylaw is varied by waiving the requirement for the installation of a street light in front of the parcel when creating a new parcel less than 0.25 ha in area.

**COVENANT REQUIREMENTS**

7. Not Applicable

**SECURITY REQUIREMENTS**

8. Not applicable

**EXPIRY OF PERMIT**

9. 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 \_\_\_\_\_, 2021.

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

# Regional District of Okanagan-Similkameen

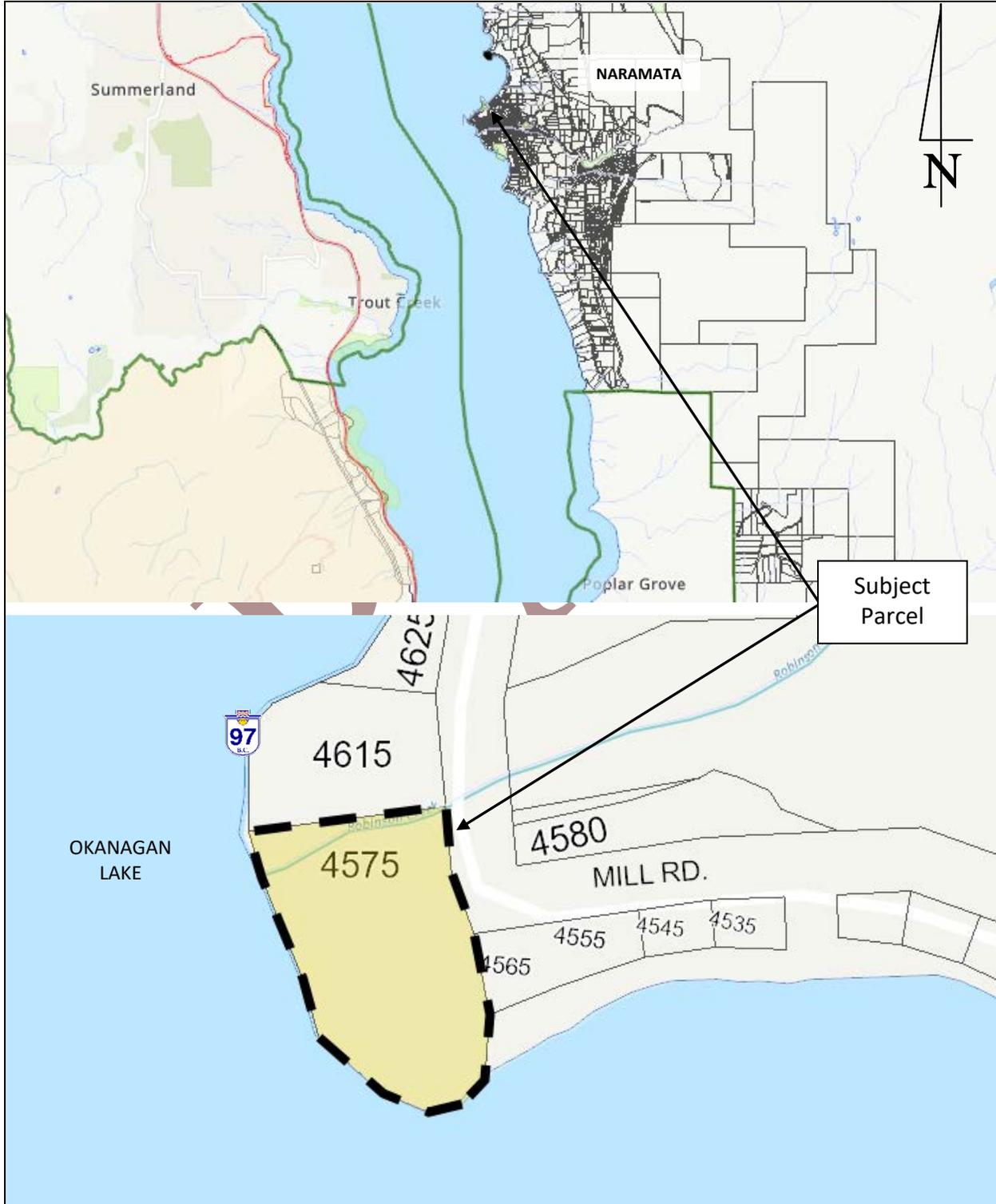
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



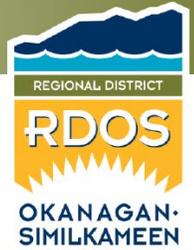
Development Variance Permit

File No. E2021.028-DVP

Schedule 'A'



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 19, 2021  
**RE:** Development Variance Permit Application – Electoral Area “D”

---

## **Administrative Recommendation:**

**THAT Development Variance Permit No. D2021.030-DVP to allow for the construction of a garage at 425 Matheson Road in Electoral Area D be approved.**

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Folio: D-06756.001

Civic: 425 Matheson Road

Legal: Plan KAS268, District Lot 2710, SDYD

OCP: Resource Area (RA)

Zone: Resource Area (RA)

Variance Request: to reduce the minimum front strata lot line setback from 4.5 metres to 0.0 metres.

---

## **Proposed Development:**

To vary the front lot line setback from 4.5 metres to 0.0 metres in order to undertake the construction of an accessory structure (garage) on the inside lot of a bare land strata.

## **Site Context:**

The subject property is approximately 2090 m<sup>2</sup> in area and is situated to the northeast of Matheson Road. The property currently holds a single detached dwelling and an accessory structure (art studio and electrical main room).

The surrounding pattern of development is characterised by similar bare land strata lots and crown land (Resource Area).

## **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on May 29, 1979, while available Regional District records indicate that a building permit for a single family dwelling (2008) was previously been issued for this property.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Resource Area (RA), and is zoned Resource Area (RA) under the Electoral Area “D” Zoning Bylaw No. 2455, 2008. The RA Zone permits accessory buildings and structures, subject to Section 7.21 of the bylaw which establishes setbacks for strata subdivisions.

BC Assessment has classified the property as “Residential” (Class 01).

---

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule '4' of the Regional District's Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on August 12, 2021. All comments received are included as a separate item on the Board's Agenda.

**Analysis:**

The subject property is located within a bare land strata with no lots adjacent to it. The closest neighbouring lot is approximately 65 metres to the southeast. The lot does not abut a highway and is accessed by a service road.

The Zoning Bylaw's use of setback regulations is generally to provide physical separation between neighbouring properties in order to protect privacy and prevent the appearance of overcrowding. When a parcel is also adjacent a roadway, setbacks are further employed to maintain adequate sightlines for vehicle traffic movements.

Minimum setbacks from parcel lines are used to maintain a minimum space between houses in a residential neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

In front setback areas, this can include impeding the sightlines of vehicles or creating blind corners at intersections that put pedestrians at risk or degrading the streetscape or impeding surveillance (i.e. crime prevention) by walling off a property and creating a "fortress" appearance.

In this instance, it is noted that there are no concerns of overshadowing and loss of privacy to neighbouring lots.

The requested variance is not expected to negatively impact neighbouring landowners or the travelling public.

**Alternatives:**

1. That the Board deny Development Variance Permit No. D2021.030-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "D" Advisory Planning Commission.

**Respectfully submitted:**

*Nikita Kheterpal*

Nikita Kheterpal, Planner I

**Endorsed by:**



C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Photo

Attachment No. 1 – Aerial Photo





# Development Variance Permit

---

FILE NO.: D2021.030-DVP

## GENERAL CONDITIONS

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

## APPLICABILITY

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

Legal Description: Plan KAS268, District Lot 2710, SDYD  
Civic Address: 425 Matheson Road  
Parcel Identifier (PID): 002-530-775 Folio: D-06756.001

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "D" Zoning Bylaw No. 2455, 2008, in the Regional District of Okanagan-Similkameen:
  - a) the minimum front strata lot line setback for a building located within a bare land strata subdivision, as prescribed in Section 7.21.3, is varied:
    - i) from: 4.5 metres
    - to: 0.0 metres to the outermost projection as shown on Schedule 'B'.

## COVENANT REQUIREMENTS

7. Not Applicable

## SECURITY REQUIREMENTS

8. Not applicable

## EXPIRY OF PERMIT

9. 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 \_\_\_\_\_, 2021.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

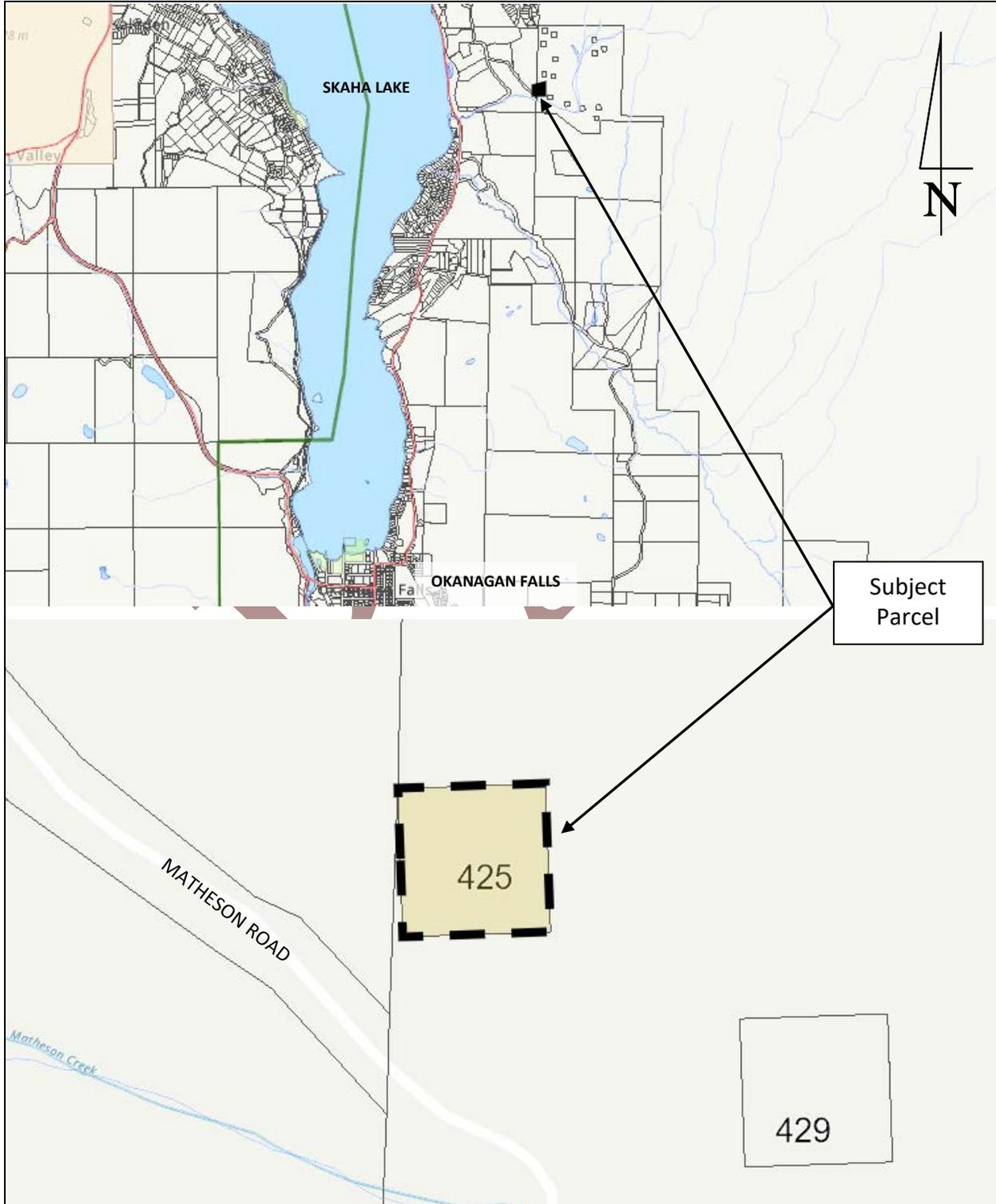
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. D2021.030-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

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

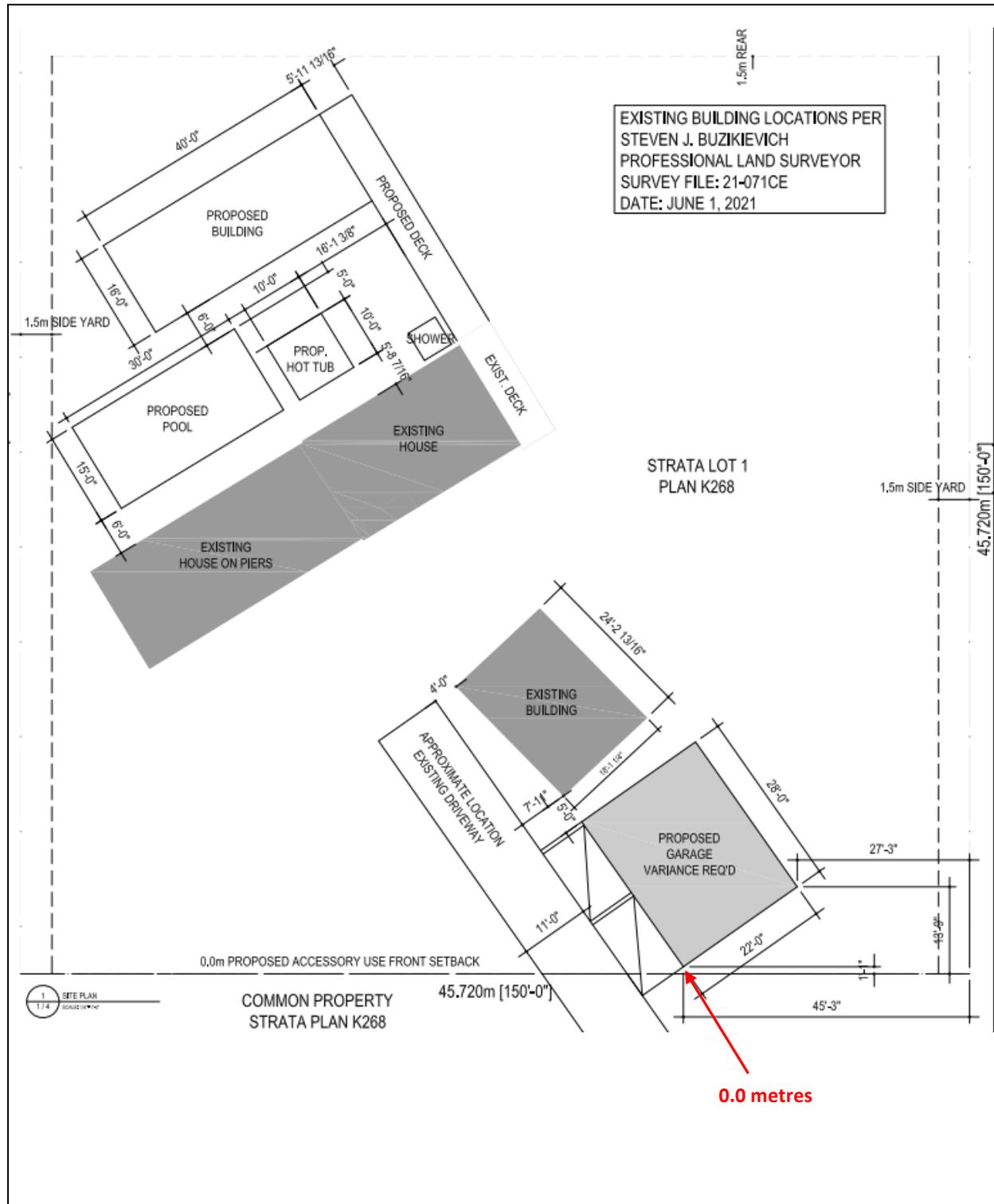
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. D2021.030-DVP

Schedule 'B'



# Regional District of Okanagan-Similkameen

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

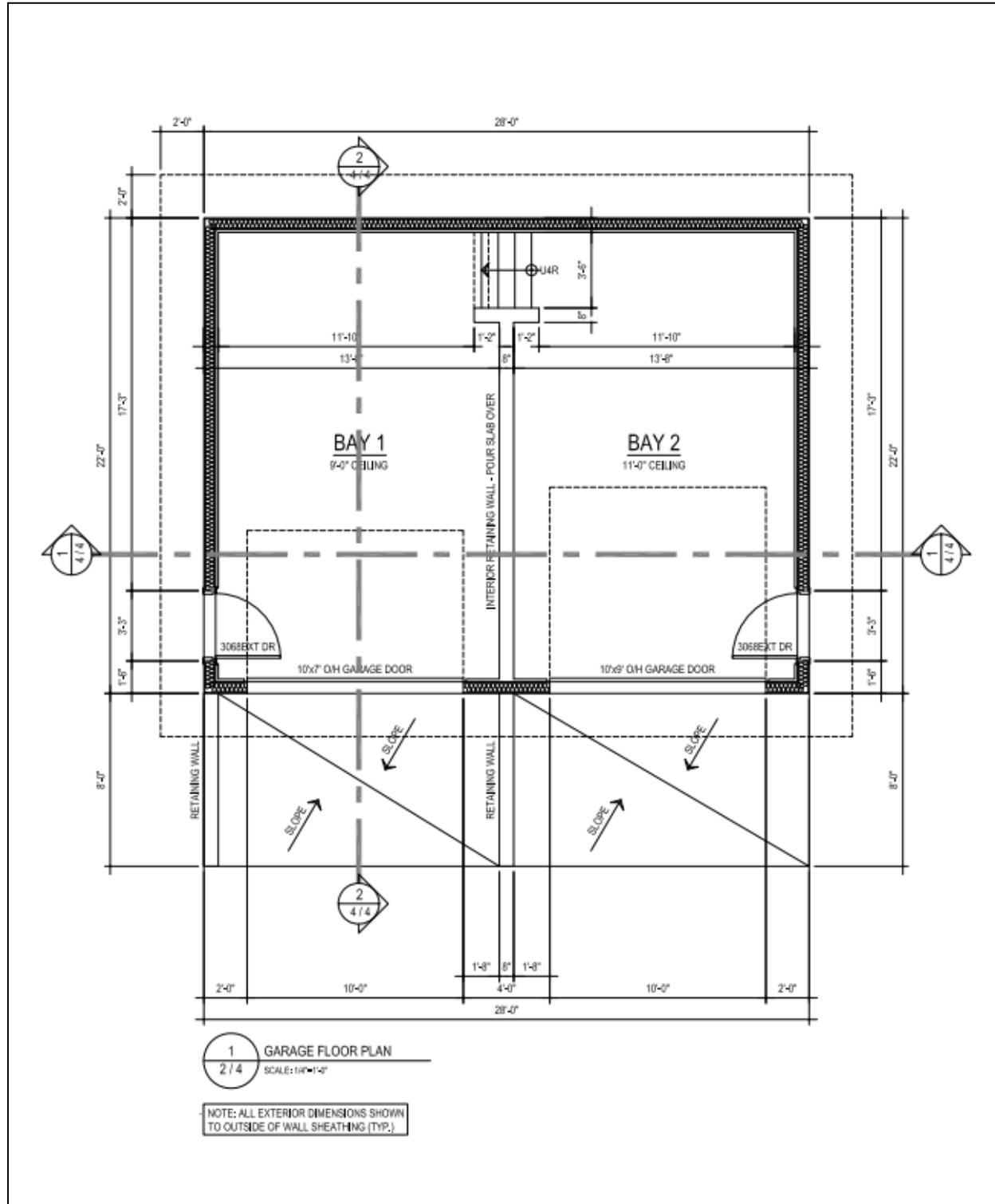
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. D2021.030-DVP

Schedule 'C'



# Regional District of Okanagan-Similkameen

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

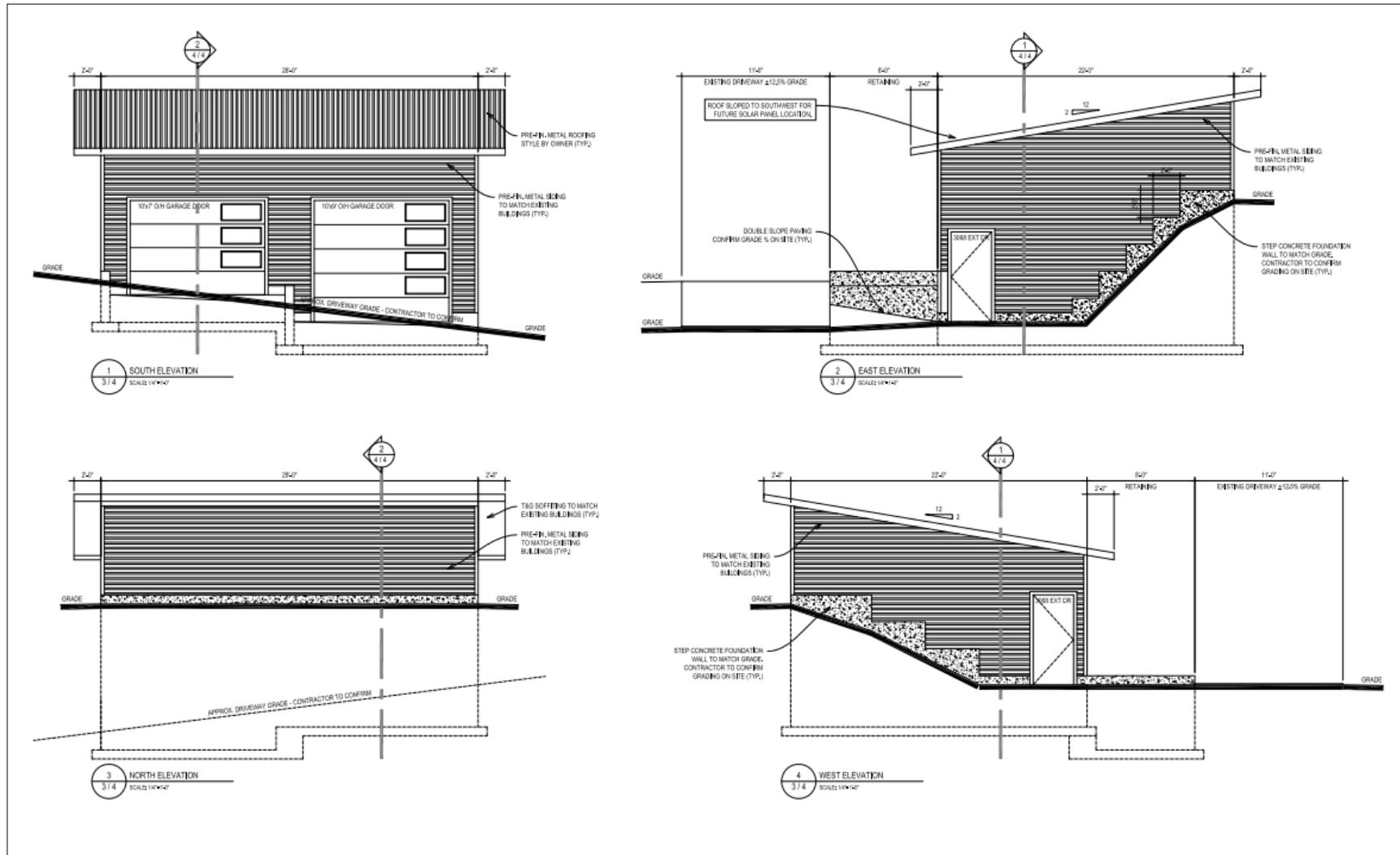
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



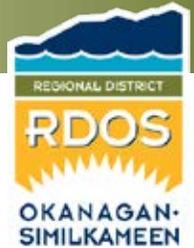
Development Variance Permit

File No. D2021.030-DVP

## Schedule 'D'



## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 19, 2021  
**RE:** Temporary Use Permit Application – Electoral Area “A”

---

### Administrative Recommendation:

**THAT Temporary Use Permit No. A2021.016-TUP to renew an existing TUP for an “outdoor commercial event venue at 130 Hallis Road in Area “A” be approved.**

---

Folio: A-06748.375

Civic: 130 Hallis Road                      Legal: Lot 4, Plan KAP38225, Sublot 2, District Lot 2709, SDYD

OCP: Large Holdings (LH)                      Zone: Large Holdings One (LH1)

---

### Proposed Development:

This application is seeking approval for the renewal of a Temporary Use Permit (TUP) No. A2018.135-TUP, which authorizes the operation of an “Outdoor Commercial Event Venue” on the subject property.

The applicant is proposing to continue the use of outdoor space with tents and gazebo, all located outside, that can be rented to hold an event of up to 100 people. The applicant states that music will be turned down by 11 pm (NOTE: there is no noise bylaw in Electoral Area “A”).

The applicant has stated that as the owner and host he will be present at all weddings to insure no problems occur and noise levels are adhered to.

### Site Context:

The subject property is approximately 5.28 ha in area and is situated on the west side of Hallis Road, just east of highway 3, approximately 2.7 km east of the Town of Osoyoos. It is understood that the parcel is comprised of a single family dwelling, accessory structure, gazebo and pool on the eastern edge of the property, with the rest of parcel being comprised of vacant land. .

The surrounding pattern of development is generally characterised by similar sized large rural properties.

### Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on June 18, 1987, while available Regional District records indicate that building permits for a single family Dwelling (2007), an accessory building (2007), a pool (2009) and a gazebo (2009) have previously been issued for this property.

---

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2905,2021, the subject property is currently designated Large Holdings (LH), and is the subject of Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is currently zoned Large Holdings One (LH1) which does not permit the operation of a commercial events venue.

Section 22.3.4 of Electoral Area "A" OCP Bylaw establishes the following criteria in evaluating a Temporary Use Permit application:

- The use must be clearly temporary or seasonal in nature;
- Compatibility of the proposal with adjacent uses;
- Impact of the proposed uses on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas;
- Intensity of the proposed use;
- Opportunity to conduct the proposed use on land elsewhere in the community; and
- The remedial measures to be carried out to mitigate any damage to the natural environment as result of the temporary use.

BC Assessment has classified the property as "Residential" (Class 01).

**Public Process:**

On August 15, 2021, a Public Information Meeting (PIM) was held electronically and was attended by no members of the public (as well as the property owner and Area Director).

At its meeting of August 12, 2021, the Electoral Area "A" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board's regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board's Agenda.

**Analysis:**

There have been no recorded complaints received in relation to the operation of the outdoor commercial events venue use since issuance of the TUP and the applicant has indicated that there have been no changes to the use since the permit was issued in 2018 and the ownership remains unchanged.

The 2018 permit was to be for a period of 3 years in order to determine the viability of the use, however COVID has greatly impacted that, and as a result the applicant is seeking a renewal.

- The proposed use is seasonal in nature and will be only operating from May 1<sup>st</sup> to October 31<sup>st</sup>.
- In terms of compatibility, there aren't any other commercial facilities in the area; however, the nearby properties are all fairly large (4 ha +) and the subject property is located near Highway 3. Compatibility may be considered more an element of managing noise and off street parking, which can be done through a Temporary Use Permit.

- 
- Parking spaces have been calculated to be adequate for the 20 spaces required for the maximum number of 100 people. The applicant has shown the areas where parking will be located on the property.
  - Impact on natural environment – no permanent structures are being proposed, the use is limited to areas already developed and outside of the ESDP area. As the subject property is not within a community sanitary service area, the on-site sewage disposal will need to be dealt with through the use of portable toilet facilities, except for one required universally accessible washroom that will be located within the single detached dwelling. In accordance with the Building Code, the number of water closets required depends on the number of people attending an event and will be outlined in the Permit.
  - In terms of buildings and structures, the proposed use will not be intensifying through new development; however, the intensity of use relates to the number of events and numbers of people arriving for each event. The applicant states that on average, an event would be for 50 – 80 people, and that they are proposing only one event a week as a maximum.
  - The proposed use is unique within the immediate neighbourhood, although there are numerous venues in and around Osoyoos to host an outdoor event.
  - As the site where the proposed use is to take place is currently already developed there would not be any additional damage to the natural environment. Fire risk is a potential concern, and the applicant has submitted a Fire Management Plan outlining the equipment available on site and methods of preventing and extinguishing any fires.

Temporary Use Permits may be renewed once only for a period not exceeding 3 years. Accordingly, the applicant is encouraged to seek a rezoning in the next 3 years, before the renewed permit expires if they wish to continue operating the outdoor commercial events venue beyond the terms of the temporary use permit.

**Alternatives:**

1. THAT the Board of Directors deny Temporary Use Permit No. A2021.016-TUP; or
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. A2021.016-TUP for the following reasons:
  - i) *TBD*

**Respectfully submitted:**

  
\_\_\_\_\_  
Fiona Titley, Planner I

**Endorsed By:**

  
\_\_\_\_\_  
C. Garrish, Planning Manager

Attachments:

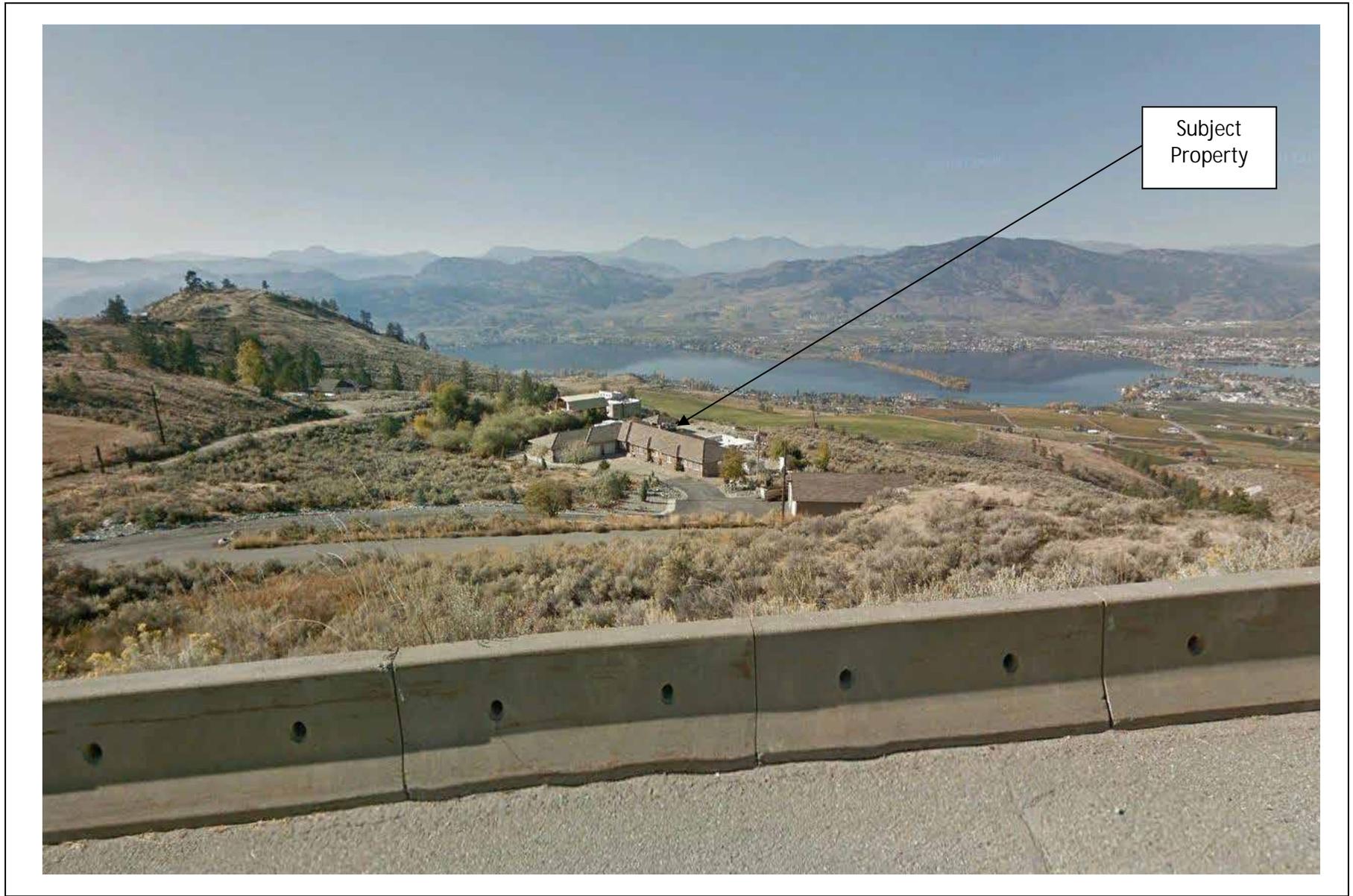
No. 1 – Agency Referral List  
No. 2 – Site Photo  
(Google Street View – 2018)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, prior to Board consideration of TUP No. A2020.016-TUP:

<input type="radio"/>	Agricultural Land Commission (ALC)	<b>p</b>	Fortis
<b>p</b>	Interior Health Authority (IHA)	<input type="radio"/>	City of Penticton
<input type="radio"/>	Ministry of Agriculture	<input type="radio"/>	District of Summerland
<input type="radio"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="radio"/>	Town of Oliver
<input type="radio"/>	Ministry of Municipal Affairs & Housing	<input type="radio"/>	Town of Osoyoos
<input type="radio"/>	Ministry of Environment & Climate Change Strategy	<input type="radio"/>	Town of Princeton
<input type="radio"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="radio"/>	Village of Keremeos
<input type="radio"/>	Ministry of Jobs, Trade & Technology	<input type="radio"/>	Okanagan Nation Alliance (ONA)
<input type="radio"/>	Ministry of Transportation and Infrastructure	<input type="radio"/>	Penticton Indian Band (PIB)
<input type="radio"/>	Integrated Land Management Bureau	<input type="radio"/>	Osoyoos Indian Band (OIB)
<input type="radio"/>	BC Parks	<input type="radio"/>	Upper Similkameen Indian Band (USIB)
<input type="radio"/>	School District #53 (Areas A, B, C, D & G)	<input type="radio"/>	Lower Similkameen Indian Band (LSIB)
<input type="radio"/>	School District #58 (Area H)	<input type="radio"/>	Environment Canada
<input type="radio"/>	School District #67 (Areas D, E, F, I)	<input type="radio"/>	Fisheries and Oceans Canada
<input type="radio"/>	Central Okanagan Regional District	<input type="radio"/>	Canadian Wildlife Services
<input type="radio"/>	Kootenay Boundary Regional District	<input type="radio"/>	OK Falls Irrigation District
<input type="radio"/>	Thompson Nicola Regional District	<input type="radio"/>	Kaleden Irrigation District
<input type="radio"/>	Fraser Valley Regional District	<input type="radio"/>	Irrigation District / improvement Districts / etc.
<b>p</b>	Anarchist Mountain Fire Department		

Attachment No. 2 – Site Photo (Google Street View - 2018)





# TEMPORARY USE PERMIT

---

FILE NO.: A2021.016-TUP

## GENERAL CONDITIONS

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

## APPLICABILITY

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

Legal Description: Lot 4, Plan KAP38225, Sublot 2, District Lot 2709, SDYD

Civic Address: 130 Hallis Road, Osoyoos

Parcel Identifier (PID): 007-733-461 Folio: A-06748.375

## TEMPORARY USE

6. In accordance with Section 22.0 of the Electoral Area "A" Official Community Plan Bylaw No. 2905, 2021, the land specified in Section 5 may be used for an "Outdoor Commercial Event Venue" which is defined as meaning "a use providing assembly of persons during the term of a defined event or activity, including but limited to a party, wedding, or corporate retreat, where an exchange of money or other consideration for the use of the property for the said event".

**CONDITIONS OF TEMPORARY USE**

- 7. The ‘outdoor commercial event’ use of the land is subject to the following conditions:
  - a) the use shall occur only between May 1<sup>st</sup> and October 31<sup>st</sup>;
  - b) The use must meet the following requirements:
    - i) No further permanent buildings shall be constructed, and the use is limited to the outside land area on the subject property;
    - ii) Noise will be diminished by 11:00 p.m.;
    - iii) The number of events throughout the season shall be limited to an average of one per week;
    - iv) One universally accessible washroom will be available at all events;
  - c) the maximum number of people that may be present at a special event is 100.
  - d) All parking must be accommodated within the subject property, in accordance with Schedule ‘B’;
  - e) An universally accessible washroom will be available at all events, plus the number of washrooms for events shall be as follows:

Number of People	Minimum number of water closets
1-25	2
26-50	3
51-75	5
76-100	6

- f) Activities will follow the Fire Management Plan, attached as Schedule ‘C’;
- g) Camping and the use of recreational vehicles, accessory buildings and accessory structures on the property for vacation rental occupancy are not permitted.

**COVENANT REQUIREMENTS**

- 8. Not applicable.

**SECURITY REQUIREMENTS**

- 9. Not applicable.

**EXPIRY OF PERMIT**

- 10. This Permit shall expire on August 19, 2024.

Authorising resolution passed by Regional Board on \_\_\_\_ day of \_\_\_\_\_, 2021.

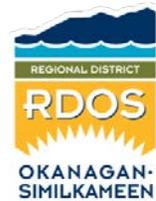
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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

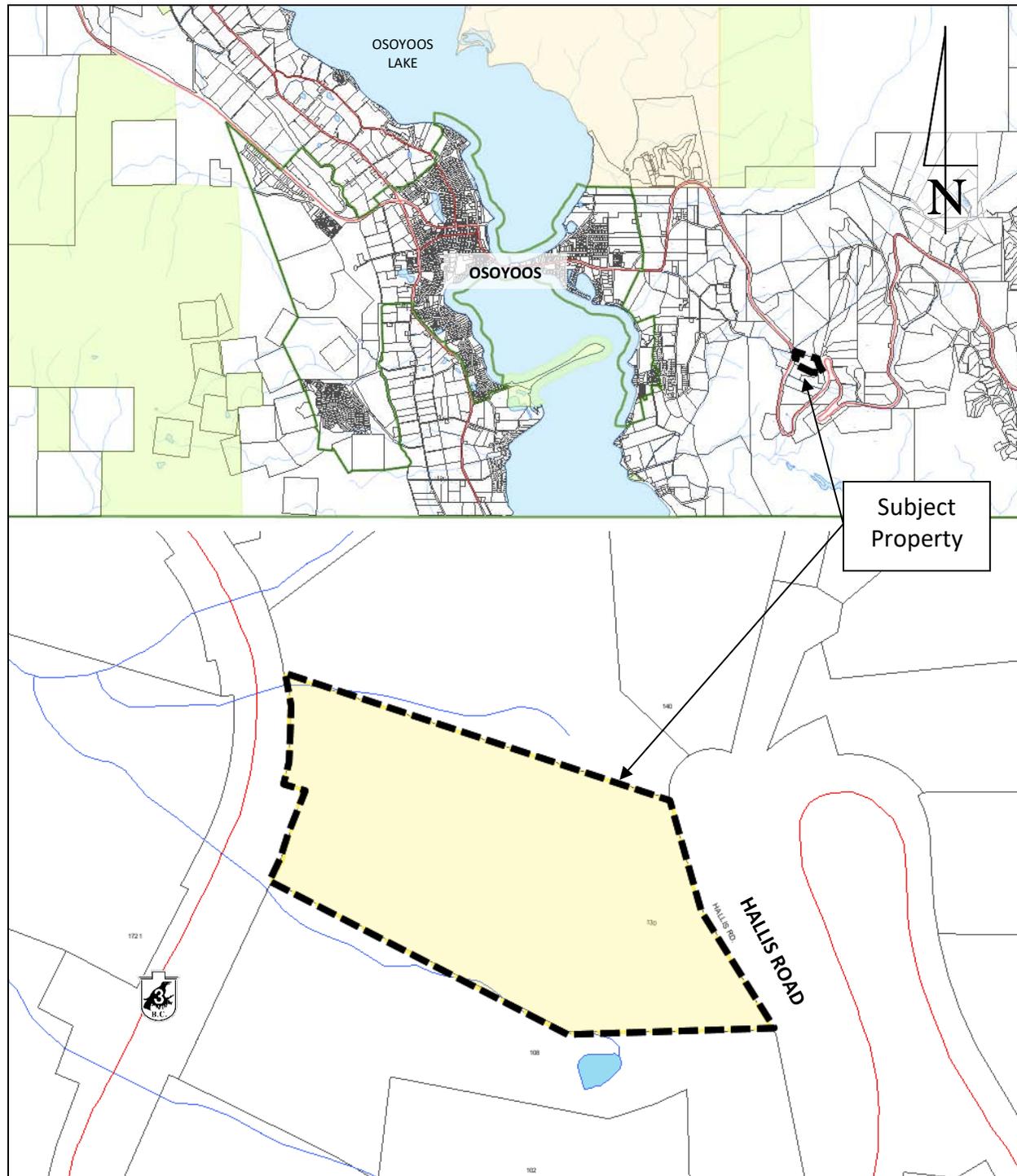
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. A2021.016-TUP

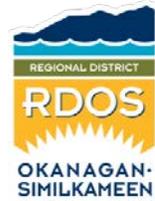
Schedule 'A'



# Regional District of Okanagan-Similkameen

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

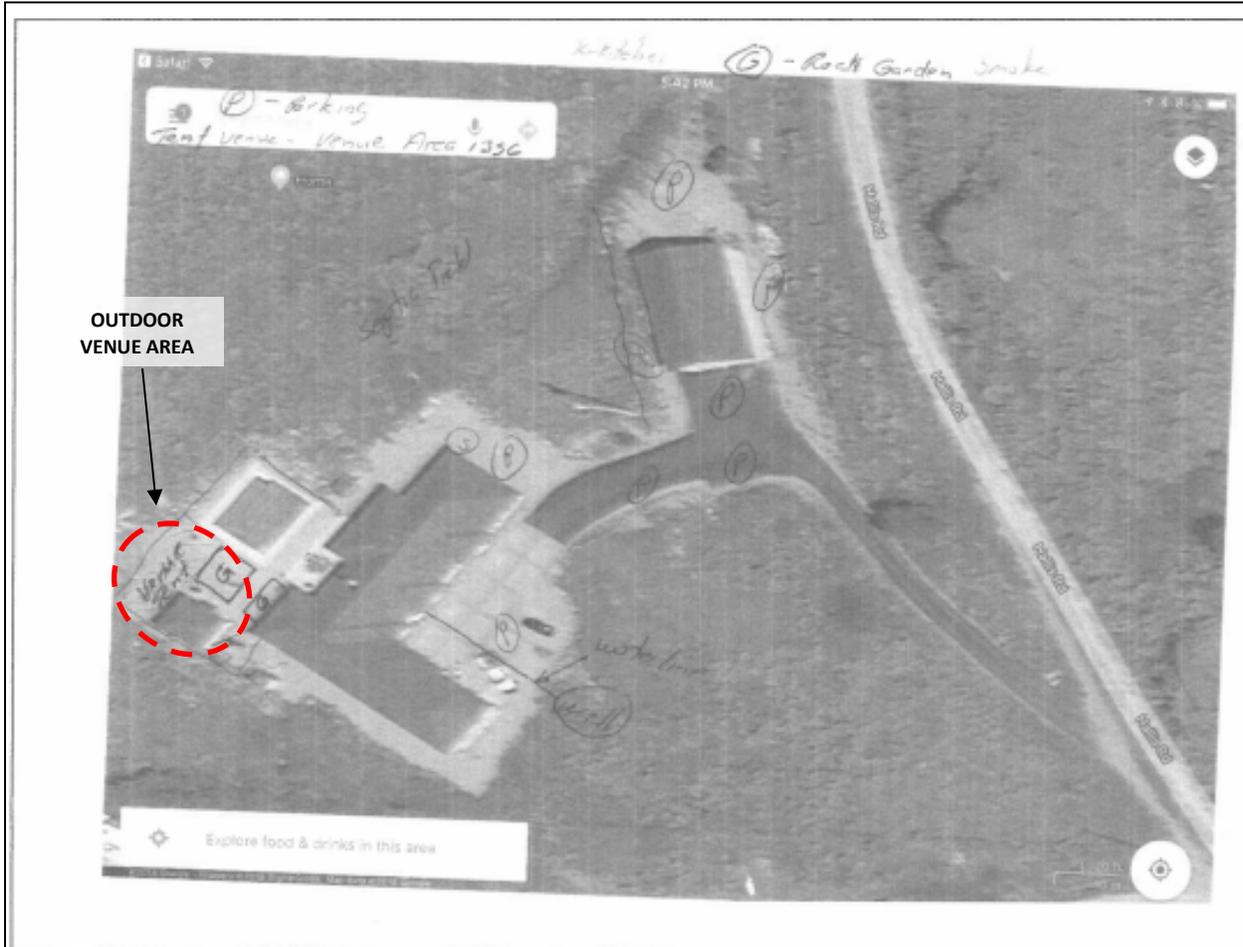
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. A2021.016-TUP

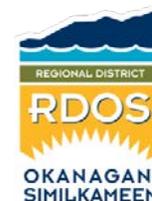
Schedule 'B'



# Regional District of Okanagan-Similkameen

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

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



Temporary Use Permit

File No. A2021.016-TUP

Schedule 'C' – Fire Management Plan

Prepared by Ron Burk (retired Fire Chief), dated September 26, 2018

Fire plan for The Look Out

The manager/ owner is Robert Burk 250-485-7082

- This is an out door venue.
- The property is fire smart designed, with rock around the entire perimeter, stucco siding, and concrete roof to prevent ground fire spread.
- The entire event area is concrete and paving stone.
- Occupant load 100 guests.
- Anarchist Mountain Volunteer Fire Dept protected Owner is a retired Fire Chief with 1041 NFPA fire instructor level 1 and 2, and has 29 years fire fighting experience .

## Venue fire fighting equipment

- 1 1/2" forestry hose connected to electric pump with 25000 gal water supply at the rear of house
- 100' of garden hose on the left side of the house near the BBQ , Pizza Oven, and Grill.
- 50' of garden hose on the right side of house beside the smoking area.
- 100' garden hose at the front of house.
- 4 gallons of Barricade fire fighting foam with nozzle to connect to garden hose.
- Several ABC dry chemical fire extinguishers located in the house, shop, and gazebo.
- The house has smoke detectors as per BC building code.

## Emergency Procedures In case of fire

- leave area immediately.
- sound the alarm , instruct staff to escort guests to safety.
- dial 911 to notify Anarchist Mountain Fire Dept -ensure all quests are out of danger.
- if fire is controllable, attack with fire fighting equipment until Fire Dept arrives.
- do not allow guests to put themselves in a dangerous situation.

## Related duties and hazards

- Do not permit combustible material to accumulate in quantities or locations that would constitute a fire hazard.
- Keep driveway clear to allow fire dept access -Maintain the fire protection equipment in good operating condition at all times.
- If medical emergency occurs, call 911 to notify B.C. ambulance and Fire Dept.
- Inform guests smoking is only allowed in smoking area , on the side of house.(which is concrete paving stone) Absolutely no smoking in other areas.
- No fire works permitted .

**Lauri Feindell**

---

**Subject:** FW: TUP No. A2021.016-TUP. (Robert Burk)

-----Original Message-----

From: Arlyn GREIG Sent: August 1, 2021 2:12 PM  
To: Info E-Box <info@rdos.bc.ca>  
Subject: Re: TUP No. A2021.016-TUP. (Robert Burk)

Dear Sir or Madam:

I would advise that several events I have attended at #130 Hallis Road have not caused a disturbance. Mr. and Mrs. Burk are very respectful of their neighbours right of peaceful enjoyment of their property. Music is lowered at a reasonable time. No disturbances have been brought to my attention by other neighbours, and I have not been privy to any.

I believe each function that is brought to our location and is of financial assistance to hotels, restaurants, fuel stations, grocery stores and the wine industry spin off businesses in Town.

I appreciate each and every attempt to bring visitors to our Town, and would support this permit being issued.

Arlyn Greig  
Osoyoos, BC

## Lauri Feindell

---

**From:** Fiona Titley  
**Sent:** July 7, 2021 8:44 AM  
**To:** Lauri Feindell  
**Subject:** FW: Project No: A2021.016-TUP

**Categories:** filing to edms

Here is one for the Burk file - 130 Hallis Road (A2021.016-TUP)

Fiona

---

**From:** Colin McCubbin  
**Sent:** Friday, July 2, 2021 1:13 PM  
**To:** Fiona Titley <ftitley@rdos.bc.ca>  
**Subject:** Project No: A2021.016-TUP

Hi Fiona,

My wife Frankie Rees, and I are the (only) adjacent next door neighbours to Robert and Kimberly Burk's property in Hallis Rd, Osoyoos. I understand that they have applied for renewal of existing permit for outdoor commercial events venue use at their property. Ref: A2021.016-TUP

We have no objection to this, they have been good neighbours in discussing past events beforehand with us, and I have no reason to suspect that we will not be able to resolve any problems that might arise during the currently proposed extended permit's time.

BTW I read the draft permit and noticed a repeating typo that needs amending in several places. '**quest**' is spelt '**quest**' throughout.

Thank you,

Colin McCubbin

Frankie McCubbin

Osoyoos

Cc; Robert Burk.

## Lauri Feindell

---

**From:** Alice Newton <[alice@newtonfamily.com](mailto:alice@newtonfamily.com)>  
**Sent:** July 13, 2021 2:52 PM  
**To:** Planning  
**Subject:** RDOS Meeting Number 146 548 7470

Re: Web-based Public Information Meeting - Temporary Use Permit  
(Outdoor Commercial Events Venue use) 130 Hallis (Lot 4, Plan KAP38225, District  
Lot 2709, SDYD

Attention: Regional District Staff

To Whom it may concern:

We will be unfortunately be unable to participate in the web-based public information meeting on July 15, and accordingly wish our written representation to be considered.

We are owners of Lot 3, Plan KAS1872, District Lot 2709, SDYD identified as your folio number 714 006748.451. Our civic address is 1270 Highway 3, Osoyoos, BC V0H 1V6.

We have been neighbours of the applicants for many years, and have found them to be reliable, community-minded individuals. Mr. Burk held the position of Fire Chief for the Anarchist Mountain Fire Department for several years, and provided outstanding service to our mountain community.

The applicants have gone to considerable effort to maintain a safe home environment in keeping with endeavours such as the Fire Smart Program. We have never known a time when their property has not been meticulously and responsibly maintained.

We wish to lend our full support to the application for this outdoor commercial events venue use application.

Sincerely,

John Newton and Alice Newton

ps: kindly acknowledge receipt of this message. Many thanks.

## RESPONSE SUMMARY

### TEMPORARY USE PERMIT NO. A2021.016-TUP

Approval Recommended for Reasons  
Outlined Below

Interests Unaffected

Approval Recommended Subject to  
Conditions Below

Approval Not Recommended  
Due to Reasons Outlined Below

Thank you for the opportunity to provide comment on this application. It is our understanding that the application is to renew a temporary use permit for continued operation of an outdoor commercial events venue on the subject property. From an Environmental Health Protection perspective, Interior Health is supportive subject to the applicant completing the following conditions:

\* Submits a Sewerage Filing Application for the waste water system servicing the additional flows generated by the event. If a Holding Tank is proposed, an application for a Holding Tank Permit must be submitted in accordance with the BC Sewerage System Regulation.

For more information please visit:

<https://www.interiorhealth.ca/YourEnvironment/HBE/Pages/Onsite-Sewerage-Systems.aspx>

\* Obtains an Operating Permit for the site water system. Bottled water is not an option for facilities servicing the public.

For more information please visit:

<https://www.interiorhealth.ca/YourEnvironment/DrinkingWater/Pages/Permits.aspx>.

\* Provides information on accommodation and washroom facilities for guests.

\* Provides a plan for noise control to prevent noise complaints from neighbours.

\* Provides details on amenities relating to temporary catering food storage  
i.e. refrigeration, dry food storage.

If you have any questions pertaining to the above, please contact Cynthia Watson at [Cynthia.Watson@interiorhealth.ca](mailto:Cynthia.Watson@interiorhealth.ca)

Signature:  \_\_\_\_\_

Signed By: Tanya Osborne

Agency: Interior Health

Title: Community Health Facilitator

Date: July 8, 2021

## Lauri Feindell

---

**From:** Moraes, Ryan <Ryan.Moraes@fortisbc.com>  
**Sent:** June 15, 2021 8:00 AM  
**To:** Planning  
**Subject:** RE: TUP Referral (Project No. A2021.016-TUP)

Hello,

We have no concerns with this TUP.

Regards,

---

**Ryan Moraes, P.L.Eng, ASCT | Planning & Design Technologist | FortisBC**  
1975 Springfield Rd | Kelowna, BC V1Y 7V7  
☎ 250-490-2621 📠 778-214-0509 | ✉ [ryan.moraes@fortisbc.com](mailto:ryan.moraes@fortisbc.com)

---

**From:** Referrals <Referrals@fortisbc.com>  
**Sent:** Friday, June 11, 2021 11:04 AM  
**To:** Moraes, Ryan <Ryan.Moraes@fortisbc.com>  
**Subject:** TUP Referral (Project No. A2021.016-TUP)

Property Referral: 2021-1071

Hi Ryan,

Please review the attached / below and provide your comments directly to [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca) by **July 11, 2021**.

If FortisBC Energy Inc. is affected, please copy [referrals@fortisbc.com](mailto:referrals@fortisbc.com) in on your response so that we may update our records.

Thank you,

Mai Farmer  
Property Services Assistant  
Property Services  
Phone 604-576-7010 x57010



---

**From:** Fiona Titley <[ftitley@rdos.bc.ca](mailto:ftitley@rdos.bc.ca)>  
**Sent:** Thursday, June 10, 2021 5:48 PM  
**To:** Referrals <[Referrals@fortisbc.com](mailto:Referrals@fortisbc.com)>; 'HBE@interiorhealth.ca' <[HBE@interiorhealth.ca](mailto:HBE@interiorhealth.ca)>; AMFD Firechief <[firechief@amfd.org](mailto:firechief@amfd.org)>  
**Subject:** [External Email] - TUP Referral (Project No. A2021.016-TUP)



---

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the property is currently zoned Small Holdings Four (SH4) which lists single family dwelling as a permitted principal use.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Similkameen River and the proposed cabin must comply with floodplain elevation regulations for habitable spaces.

BC Assessment has classified the property as “Residential” (Class 01).

**Public Process:**

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board’s regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board’s Agenda.

**Analysis:**

Minimum setbacks from parcel lines are used to maintain a minimum space between houses in a residential neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

The variance is intended to increase the buildable area outside of the Streamside Protection and Enhancement Area (SPEA) associated with the Similkameen River by reducing the front parcel line.

A Qualified Environmental Professional (QEP) has submitted a report identifying the SPEA that results in a very limited building envelope when parcel line setbacks and separation distance from the septic system is considered.

Further, the OCP speaks to encouraging DVP applications to relax parcel lines setbacks in order to “reduce impacts and preserve the SPEA.” A reduction to the rear yard setback would allow for a greater buildable area outside of the protection area.

The reduction of the rear yard setback allows for a building area that is primarily outside of the SPEA and is considered the best alternative to other building locations that would require further encroachment into the SPEA.

**Alternatives:**

1. That the Board deny Development Variance Permit No. H2021.003-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area “H” Advisory Planning Commission.

**Respectfully submitted:**



Fiona Titley, Planner I

**Endorsed by:**



C. Garrish, Planning Manager

Attachments: No. 1 – Applicant’s Site Photo

Attachment No. 1 – Applicant's Site Photo





# Development Variance Permit

---

FILE NO.: H2021.003-DVP

## GENERAL CONDITIONS

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

## APPLICABILITY

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

Legal Description: Lot 7, Plan 12149, District Lot 902, YDYD

Civic Address: 135 Towers Road, East Gate

Parcel Identifier (PID): 009-461-523 Folio: H-00804.000

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "H" Zoning Bylaw No. 2498, 2012, in the Regional District of Okanagan-Similkameen:
  - a) the minimum front parcel line setback for a single detached dwelling in the Small Holdings Four (SH4) Zone, as prescribed in Section 11.8.5(a)(i), is varied:
    - i) from: 7.5 metres
    - to: 6.0 metres to the outermost projection as shown on Schedule 'B'.

**COVENANT REQUIREMENTS**

7. Not Applicable

**SECURITY REQUIREMENTS**

8. Not applicable

**EXPIRY OF PERMIT**

9. 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 \_\_\_\_\_, 2021.

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

# Regional District of Okanagan-Similkameen

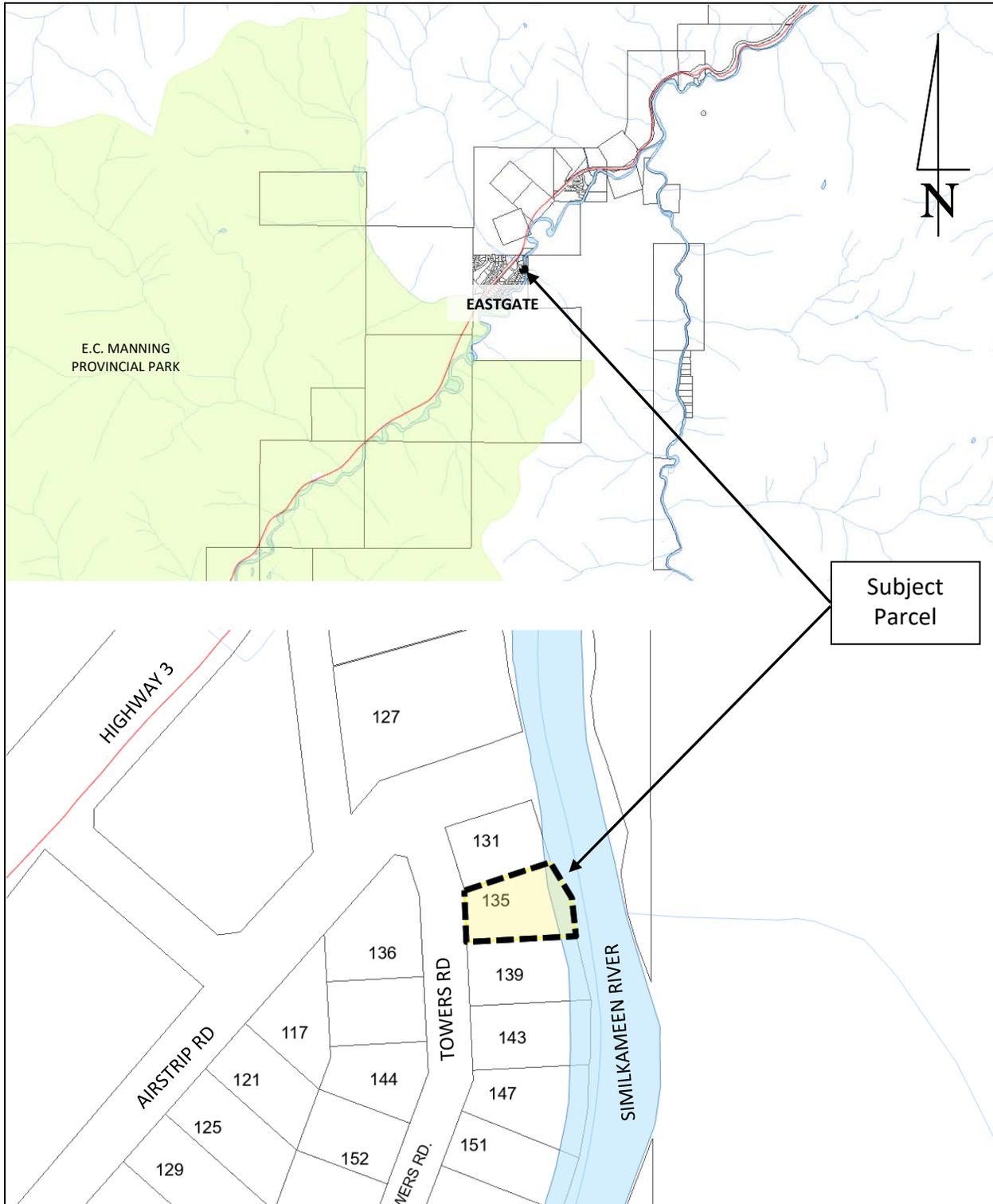
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. H2021.003-DVP

Schedule 'A'





# Regional District of Okanagan-Similkameen

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

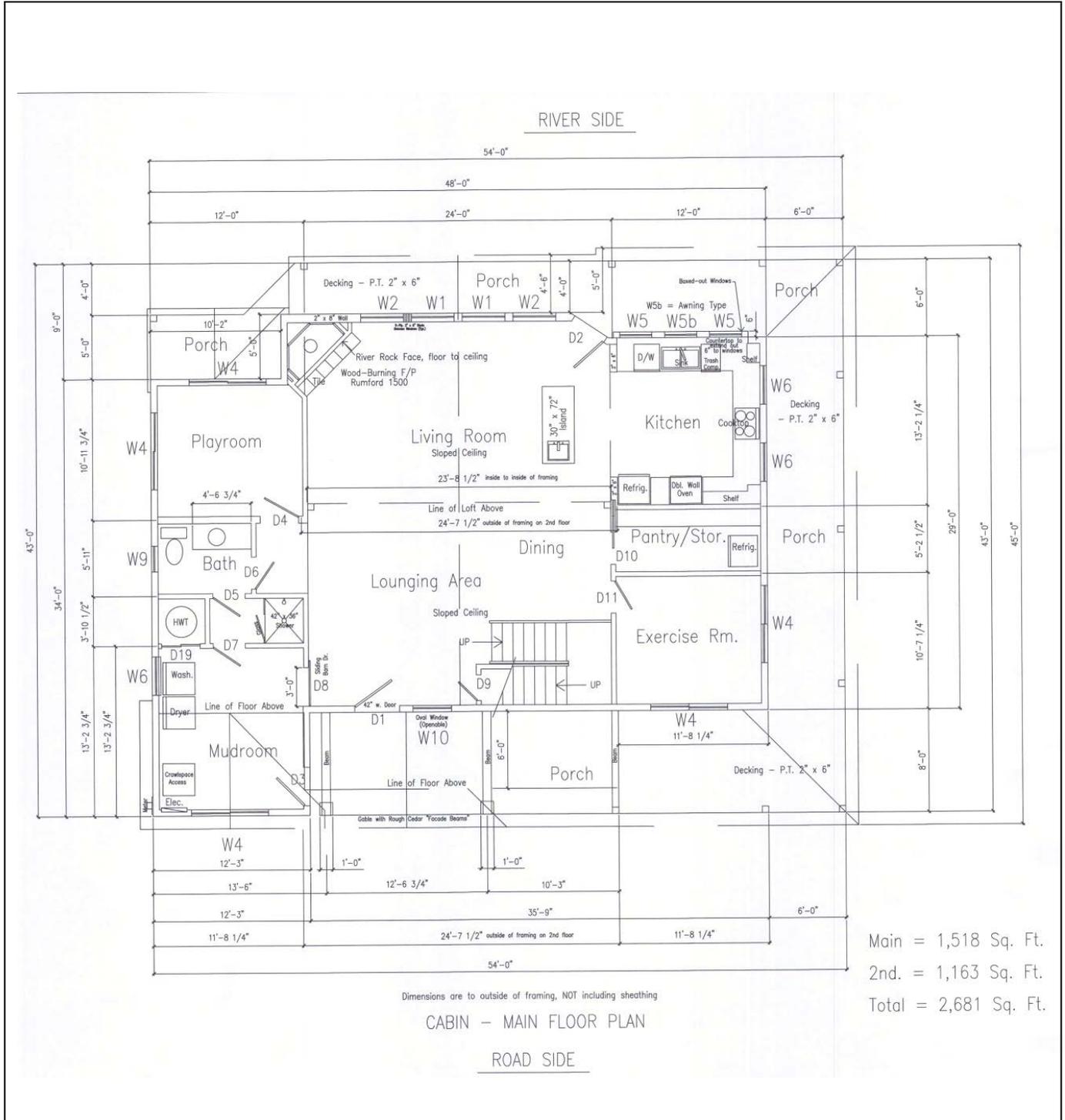
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. H2021.003-DVP

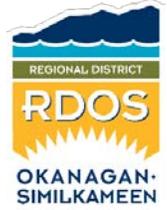
## Schedule 'C'



# Regional District of Okanagan-Similkameen

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

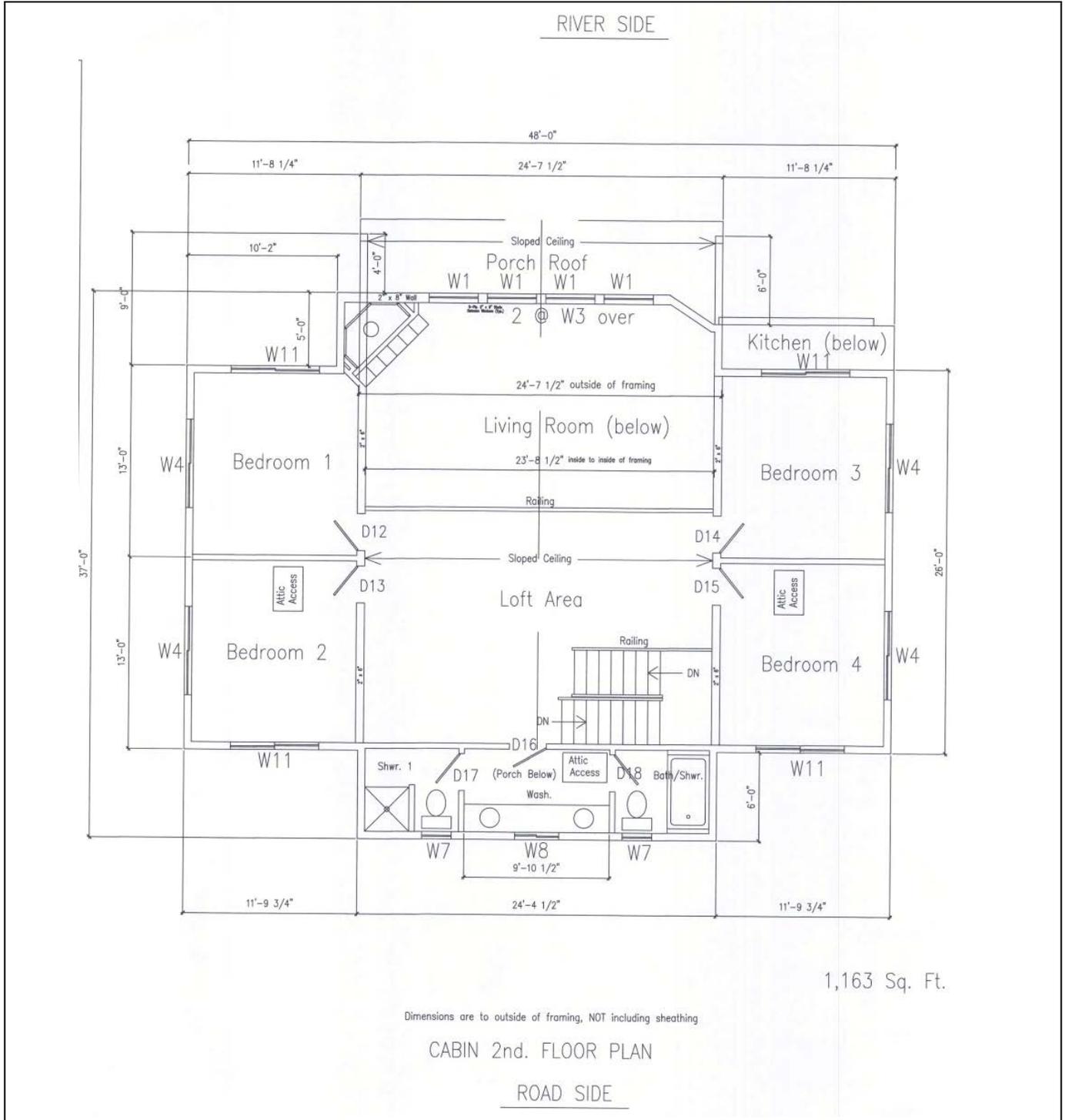
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



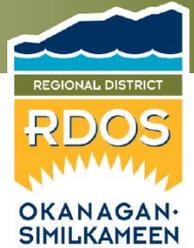
Development Variance Permit

File No. H2021.003-DVP

## Schedule 'D'



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 19, 2021  
**RE:** Temporary Use Permit Application – Electoral Area “E”

---

## Administrative Recommendation:

**THAT Temporary Use Permit No. E2021.018-TUP to allow for a vacation rental at 3180 Bartlett Road in Electoral Area “E”, be approved.**

---

Folio: E-02200.011

Civic: 3180 Bartlett Road

Legal: Lot 2, Plan KAP47279, District Lot, SDYD

OCP: Low Density Residential (LR)

Zone: Residential Single Family One (RS1)

---

## Proposed Development:

This application is seeking to authorize the operation of a short-term vacation rental use of single detached at 3180 Bartlett Road for one “full” season term to expire on December 31, 2022, through the issuance of a Temporary Use Permit (TUP). The dwelling is comprised of five (5) bedrooms with a maximum occupancy of ten (10) people, with accommodation for five (5) parking stalls.

The applicant intends to spend more time, and eventually retire in the Naramata area as they transition from their working careers over the next 5-7 years and have invested significantly in this property. They commit to maintain its’ beauty, tranquility and value by ensuring that all guests are responsible people who will treat both the property and the neighboring community and public recreation spaces with respect and consideration. They will use the property themselves for vacation, and then rent to friends and family first, but occasionally to private renters who maintain good references.”

## Site Context:

The subject property is approximately 1,054 m<sup>2</sup> in area and is situated on the east side of Bartlett Road. It is understood that the parcel is comprised of a single detached dwelling and an accessory structure (swimming pool).

The surrounding pattern of development is generally characterised by similar sized Small Holdings (SH) and Low density Residential (LR) parcels surrounding the north, south and west of the property, and larger agricultural parcels to the east.

---

**Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office on June 2, 1992. Available Regional District records indicate that a building permit for swimming pool (2015) has previously been issued for this property.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Low Density Residential (LR), which supports the residential use of properties.

The OCP Bylaw does, however, contain an objective of allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which, permits single detached dwellings as a principal use, with limited occupation for commercial uses in the form of "home occupations" and "bed and breakfast operations" as permitted secondary uses.

A Health and Safety Inspection was completed on June 4, 2021 and the Building Inspector identified no deficiencies.

A letter prepared by a Registered On-Site Wastewater Practitioner (ROWP) has been provided stating that "The inspection report shows the system is functioning normally. The system was built for extra capacity beyond the current 5 bedroom designation specifications. There is little chance of overloading the system and creating a health hazard based on occupancy referenced in the owner's declaration" which stated a 10 person limit.

The property has a geotechnical hazard rating of "limited or no hazard of slumps and slides. No development problems anticipated" and has been classified as "Residential" (Class 01) by BC Assessment.

**Public Process:**

On July 13, 2021, an electronic Public Information Meeting (PIM) was attended by zero members of the public (as well as the applicant and the area director) .

At its meeting of July 12, 2021, the Electoral Area "E" Advisory Planning Commission (APC) recommended to the RDOS Board that the subject development application be approved.

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board's regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board's Agenda.

**Analysis:**

The Electoral Area "E" OCP Bylaw includes supportive policy for vacation rental uses in residential areas and outlines a number of criteria against which the board will consider such a use.

In response to the criteria contained in Section 22.0 of the Electoral Area "E" OCP bylaw, the proposed use is seasonal in nature (May-October) and is not intensive in scale. The impact on the natural environment and neighbouring uses is minimized by being contained within an existing building and parking area on the parcel.

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The applicant has submitted a site plan which shows provision of adequate parking on-site. In addition the ROWP letter stated that the on site septic system is capable of accommodating a ten person vacation rental use.

Further, a health and safety inspection was completed and did not identify any deficiencies.

The Regional District's "Vacation Rental Temporary Use Permit Policy", and supportive OCP policies allows for a new vacation rental use to operate for one "season" in order to determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

For the reasons listed above, approval of the temporary use permit may be permitted under the following conditions:

- Period of use (May-October);
- Posting of information within vacation rental;
- Maximum number of bedrooms (5);
- Maximum occupancy (10);
- Minimum number of on-site parking stalls (5);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy;
- Providing TUP and contact information to neighbours;
- Vacation rental operator and guests adhere to provincial health order during the Provincial State of Emergency for COVID-19.

**Alternatives:**

1. THAT the Board of Directors deny Temporary Use Permit No. E2021.018-TUP; or
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. E2021.018-TUP for the following reasons:
  - i) *TBD*

**Respectfully submitted:**



Fiona Titley, Planner I

**Endorsed By:**



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Applicant's Site Photo

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Amendment Bylaw No. E2021.018-TUP:

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Environment & Climate Change Strategy	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Naramata Fire Department		

Attachment No. 2 – Applicant’s Site Photo (May 2021)



**NOTICE OF DEVELOPMENT**

SUBJECT: 3180 BARTLETT ROAD  
PROPERTY: LOT 2 DIST. LOT 210 PLAN KAP47279  
SIMILKAMEEN DIV. YALE DISTRICT NARAMATA

DEVELOPMENT: TEMPORARY USE PERMIT  
PROPOSAL: VACATION RENTAL

PROPOSAL: THE CURRIE AND SHAEFER/RENSTAD FAMILIES  
HAVE APPLIED FOR A TEMPORARY USE PERMIT  
TO RENT THEIR HOUSE. WE ARE FOLLOWING  
THE GOOD NEIGHBOUR POLICY. FOR MORE  
INFORMATION PLEASE EMAIL JUSTIN CURRIE AT:  
justin.currie@live.com

INFORMATION ABOUT THIS APPLICATION CAN BE VIEWED AT: [www.rdos.bc.ca](http://www.rdos.bc.ca)  
Regional District of Okanagan Similkameen staff can also be  
contacted at: 250-490-4107 / 1-877-610-3737 (toll free) / [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



# TEMPORARY USE PERMIT

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FILE NO.: E2021.018-TUP

## GENERAL CONDITIONS

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

## APPLICABILITY

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

Legal Description: Lot 2, Plan KAP47279, District Lot 210, SDYD

Civic Address: 3180 Bartlett Road, Naramata

Parcel Identifier (PID): 017-796-318 Folio: E-0220.011

## TEMPORARY USE

6. In accordance with Section 22.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for "vacation rental" use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the temporary accommodation of paying guests for a period of less than one month.

## CONDITIONS OF TEMPORARY USE

7. The vacation rental use of the land is subject to the following conditions:
  - a) the vacation rental use shall occur only between May 1<sup>st</sup> and October 31<sup>st</sup>;
  - b) the following information must be posted within the dwelling unit while the vacation rental use is occurring:
    - i) the location of property lines by way of a map;
    - ii) a copy of the Regional District's Electoral Area "E" Noise Regulation and Prohibition Bylaw;
    - iii) measures to address water conservation;
    - iv) instructions on the use of appliances that could cause fires, and for evacuation of the building in the event of fire;
    - v) instructions on the storage and management of garbage;
    - vi) instructions on septic system care; and
    - vii) instructions on the control of pets (if pets are permitted by the operator) in accordance with the Regional District's Animal Control Bylaw.
  - c) the maximum number of bedrooms that may be occupied by paying guests shall be five (5);
  - d) the number of paying guests that may be accommodated at any time shall not exceed ten (10);
  - e) a minimum of five (5) on-site vehicle parking spaces shall be provided for paying guests;
  - f) camping and the use of recreational vehicles, accessory buildings and accessory structures on the property for vacation rental occupancy are not permitted; and
  - g) current telephone contact information for a site manager or the property owner, updated from time to time as necessary, as well as a copy of this Temporary Use Permit shall be provided to the owner of each property situated within 100 metres of the land and to each occupant of such property if the occupier is not the owner.
  - h) Vacation rental operations must follow Ministry of Health's COVID-19 Guidance for the Hotel Sector during the Provincial State of Emergency, including environmental cleaning, staff health and communication, and any subsequent provincial health orders for hotel operators.
  - i) Information shall be posted within the dwelling unit during the Provincial State of Emergency for Covid-19 following provincial recommended communication, signage and posters for the Hotel Sector on the following topics:
    - i) Symptoms of COVID-19
    - ii) B.C's COVID 19 Self-Assessment Tool

- iii) Handwashing
  - iv) Respiratory/cough etiquette
  - v) Self-isolation and self-monitoring
- j) A sign must be posted on the front entrance telling staff not to enter the premises if they are feeling ill.
- k) All guests must follow Provincial guidelines during the Provincial State of Emergency for COVID-19, including avoiding non-essential travel as a measure to protect vulnerable people in communities from COVID-19.

**COVENANT REQUIREMENTS**

8. Not applicable.

**SECURITY REQUIREMENTS**

9. Not applicable.

**EXPIRY OF PERMIT**

10. This Permit shall expire on December 31, 2022.

Authorising resolution passed by Regional Board on \_\_\_\_ day of \_\_\_\_\_, 2021.

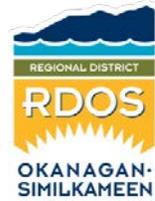
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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

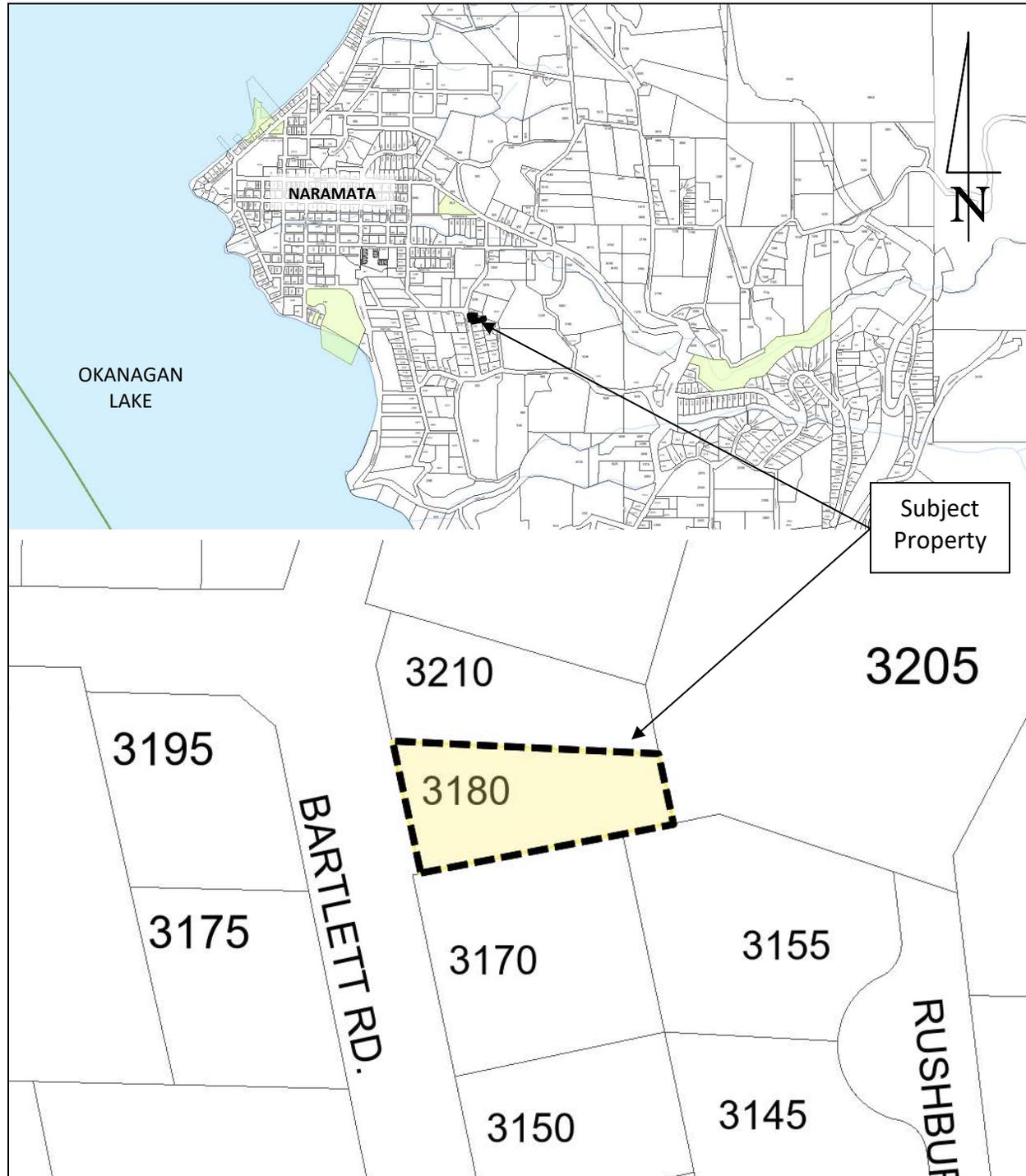
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2021.018-TUP

Schedule 'A'



# Regional District of Okanagan-Similkameen

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

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



Temporary Use Permit

File No. E2021.018-TUP

Schedule 'B'



# Regional District of Okanagan-Similkameen

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

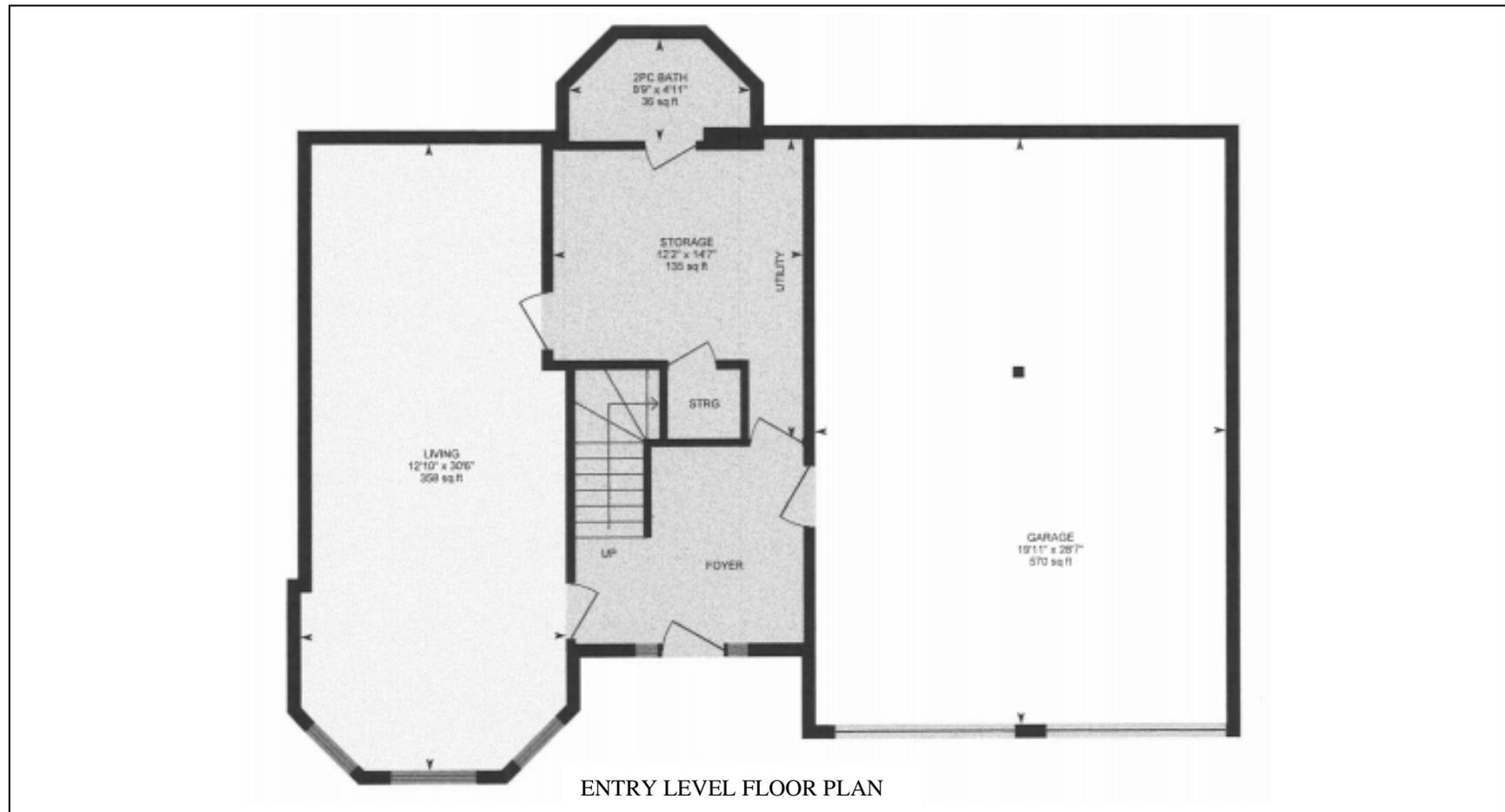
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2021.018-TUP

## Schedule 'C'



# Regional District of Okanagan-Similkameen

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

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



Temporary Use Permit

File No. E2021.018-TUP

## Schedule 'D'



# Regional District of Okanagan-Similkameen

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

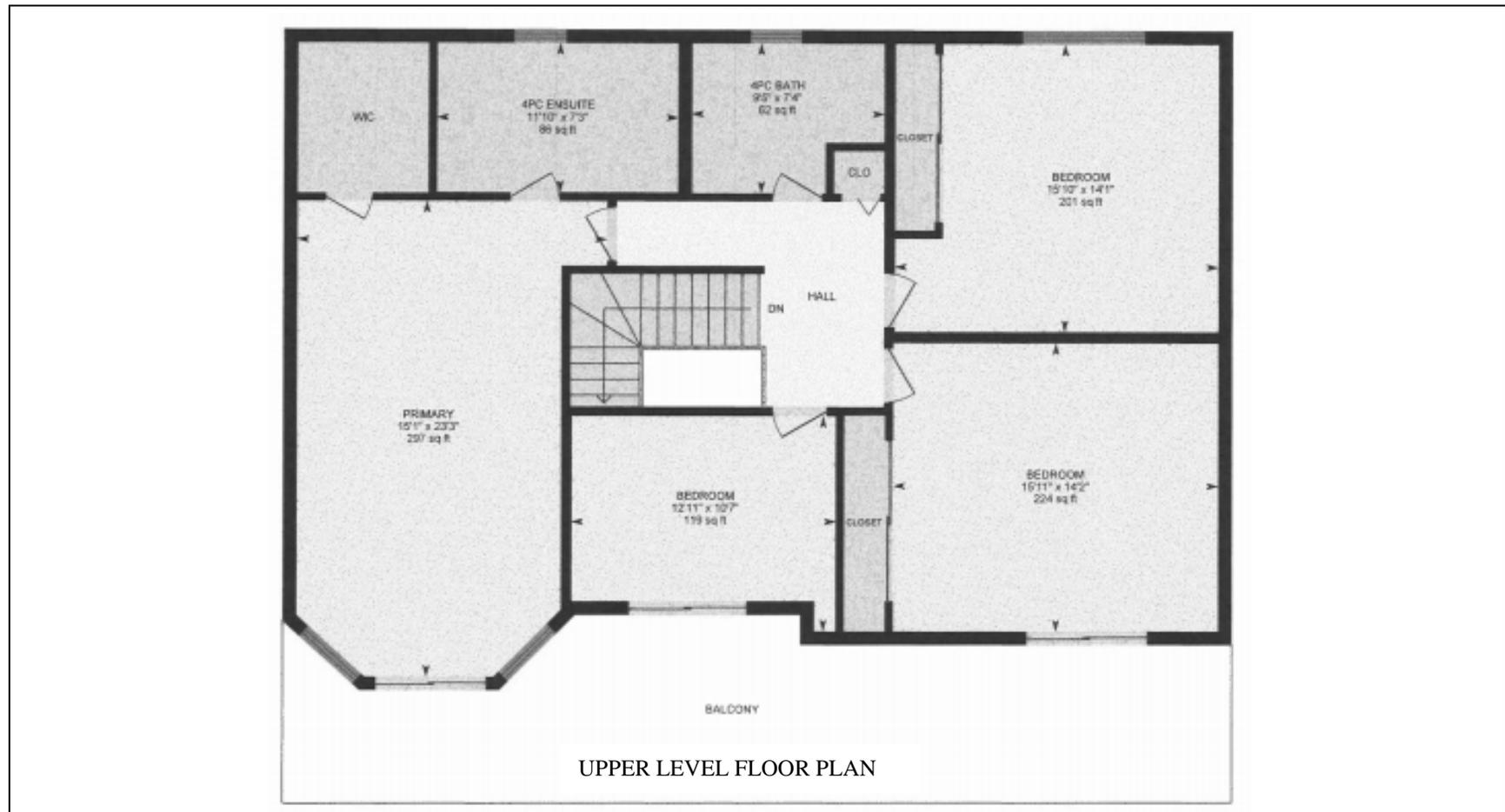
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2021.018-TUP

## Schedule 'E'



## Lauri Feindell

---

**From:** Moraes, Ryan <Ryan.Moraes@fortisbc.com>  
**Sent:** June 15, 2021 9:04 AM  
**To:** Planning  
**Subject:** RE: TUP Referral (Project No. E2021.018-TUP)

Hello,

Fortis has no concerns with this TUP.

Regards,

---

**Ryan Moraes, P.L.Eng, ASCT | Planning & Design Technologist | FortisBC**  
1975 Springfield Rd | Kelowna, BC V1Y 7V7  
☎250-490-2621 7 778-214-0509 | ✉[ryan.moraes@fortisbc.com](mailto:ryan.moraes@fortisbc.com)

---

**From:** Referrals <Referrals@fortisbc.com>  
**Sent:** Monday, June 14, 2021 2:38 PM  
**To:** Moraes, Ryan <Ryan.Moraes@fortisbc.com>  
**Subject:** TUP Referral (Project No. E2021.018-TUP)

Property Referral: 2021-1080

Hi Ryan,

Please review the attached / below and provide your comments directly to [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca) by **July 15, 2021**.

If FortisBC Energy Inc. is affected, please copy [referrals@fortisbc.com](mailto:referrals@fortisbc.com) in on your response so that we may update our records.

Thank you,

Mai Farmer  
Property Services Assistant  
Property Services  
Phone 604-576-7010 x57010



---

**From:** Fiona Titley <[ftitley@rdos.bc.ca](mailto:ftitley@rdos.bc.ca)>  
**Sent:** Monday, June 14, 2021 9:25 AM  
**To:** Referrals <[Referrals@fortisbc.com](mailto:Referrals@fortisbc.com)>; 'HBE@interiorhealth.ca' <[HBE@interiorhealth.ca](mailto:HBE@interiorhealth.ca)>; STN161 FC <[stn161fc@rdos.bc.ca](mailto:stn161fc@rdos.bc.ca)>  
**Subject:** [External Email] - TUP Referral (Project No. E2021.018-TUP)



## RESPONSE SUMMARY

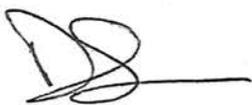
### TEMPORARY USE PERMIT NO. E2021.018-TUP

Approval Recommended for Reasons  
Outlined Below

Interests Unaffected

Approval Recommended Subject to  
Conditions Below

Approval Not Recommended Due  
to Reasons Outlined Below

Signature:  \_\_\_\_\_

Signed By: Dennis Smith

Agency: Naramata Fire Department

Title: Fire Chief

Date: June 14, 2021

**Lauri Feindell**

---

**Subject:** FW: 3180 Bartlett Road, Naramata

-----Original Message-----

From: Kate Baker

Sent: July 6, 2021 4:23 PM

To: Planning <planning@rdos.bc.ca>

Subject: Re: 3180 Bartlett Road, Naramata

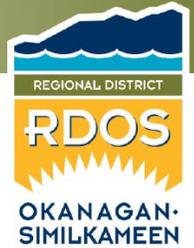
We reside at 3150 Bartlett Road & do have concerns regarding this application. Our main concern is the number of guests who will be able to rent out this property. We have heard 12 then 10 in saying that this will not be a single family but family groupings or worse still groups of young adults wanting a fun getaway amongst the wineries. Noise does carry in our area & noise will be the main cause of concern with this property especially as there won't be a host on site. Music playing & pool noise are our issues at this time along with the number of guests.

Thank you,

Kate & Grahame Baker

Sent from my iPad

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** City of Penticton Referral – Official Community Plan (OCP) Bylaw Amendment

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### **Administrative Recommendation:**

**THAT the City of Penticton be advised that the Regional District has no objection to the proposed Official Community Plan (OCP) Amendment involving part of the property at 955 Timmins Street to “Urban Residential”.**

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### **Purpose:**

The City of Penticton has referred an application for an amendment to their Official Community Plan from “Industrial” to “Urban Residential” in order, to allow for the development of “two, 5-storey apartment buildings and 81 townhouse units that would be constructed over two phases.” at 955 Timmins Street.

The City has further advised that “the plans submitted are conceptual at this time and may be subject to change throughout the development approvals process.”

### **Site Context:**

The subject property is situated within the City of Penticton.

### **Background:**

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, the City of Penticton has been designated as a Primary Growth Area.

A stated goal of the RGS is to “focus development to serviced areas in designated Primary Growth Areas and Rural Growth Areas.”

In support of this goal, a stated objective of the RGS is to “collaborate and coordinate among regional partners to direct most new development to Primary Growth Areas.” This is further supported by a number of policies, including:

- *Encourage appropriately located accessible commercial, institutional, light and heavy industrial development in Primary Growth Areas.*
- *Promote compact development in both Primary Growth Areas and Rural Growth Areas.*
- *Give priority to infill development in both Primary Growth Areas and Rural Growth Areas.*

At its meeting of May 23, 2019, the Regional District Board reviewed the City’s (then) draft OCP Bylaw No. 2019-08 and resolved to provide comments commending those parts of the bylaw comprising “goals and policies for sustainable long-term growth that are in alignment with the RDOS Regional Growth Strategy and reflect best planning practices.”

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**Analysis:**

The proposed redevelopment of the property at 955 Timmins Street is consistent with many of the goals of the RGS Bylaw. Specifically:

- the encouragement of higher density residential developments within designated Primary Growth Areas;
- the encouragement of infill development; and
- the re-development of a site that is close to amenities (community centre) and services (retail in the downtown core area).

**Alternatives:**

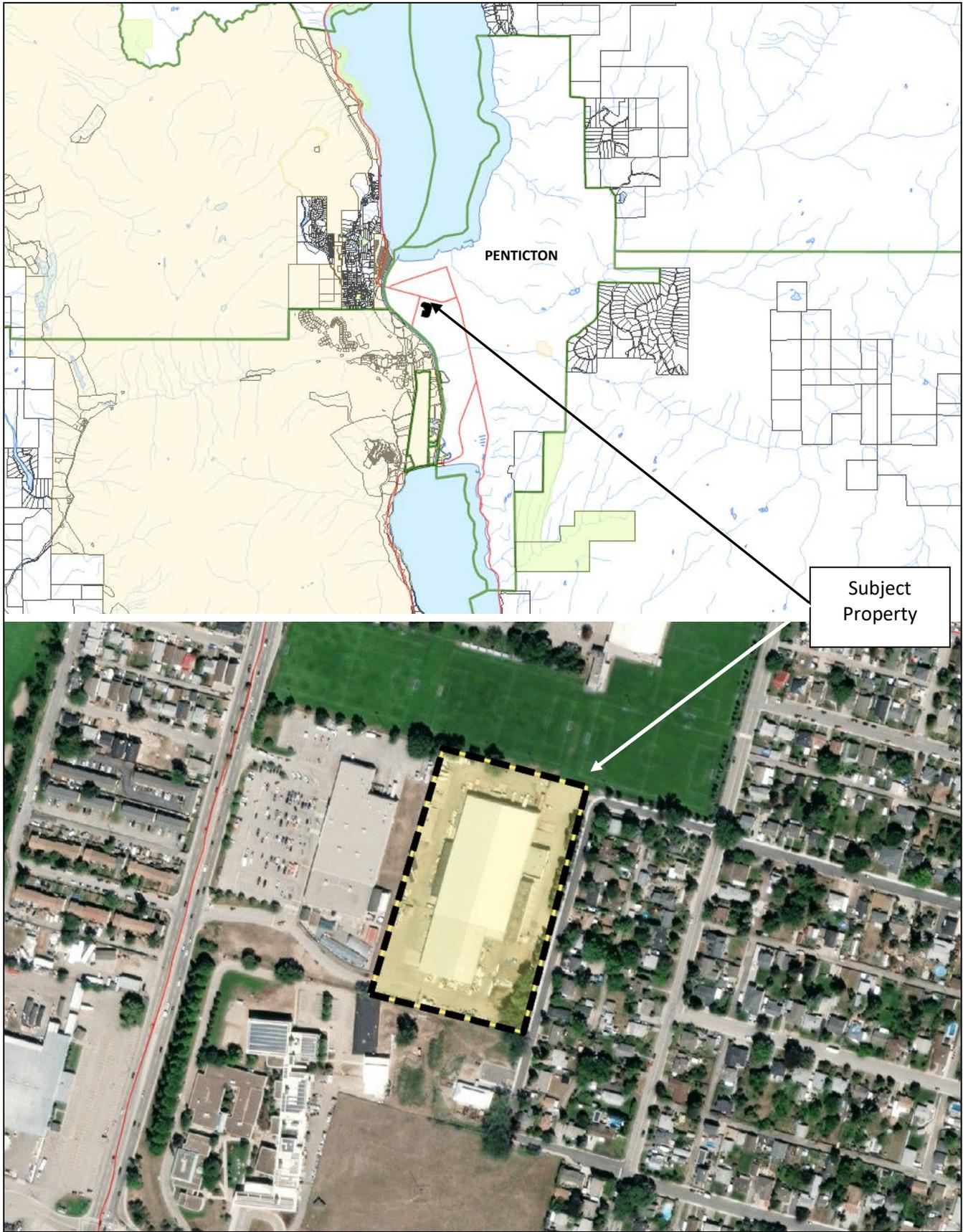
1. THAT the City of Penticton be advised that the Regional District Board supports the proposed Official Community Plan (OCP) Bylaw Amendment involving part of the property at 955 Timmins Street to “Urban Residential”, subject to the following:
  - i) *TBD*
2. THAT the Board of Directors resolves to not provide referral comments to the City Penticton regarding the proposed amendment to their OCP Bylaw involving the property at 955 Timmins Street.

**Respectfully submitted:**

C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps  
No. 2 – Concept Plans

Attachment No. 1 – Context Maps

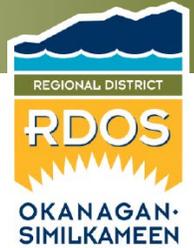


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Attachment No. 2 – Concept Plans



## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 19, 2021  
**RE:** City of Penticton Referral – Official Community Plan (OCP) Bylaw Amendment

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### **Administrative Recommendation:**

**THAT the City of Penticton be advised that the Regional District has no objection to the Official Community Plan (OCP) Bylaw Amendment involving the property at 877 Westminster Avenue West to “Urban Residential”.**

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### **Purpose:**

The Regional District has received a referral from the City of Penticton regarding a proposed amendment to their Official Community Plan the property at 877 Westminster Avenue West from “Tourist Commercial” to “Urban Residential” to allow for a mixed-use development concept for 304 residential units with opportunities for short-term vacation rentals; and commercial units along the Westminster Avenue West frontage.

This application is only for an amendment to the OCP and, if supported, more detailed plans would be provided.

### **Site Context:**

The subject property is situated within the City of Penticton.

### **Background:**

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, the City of Penticton has been designated as a Primary Growth Area.

A stated goal of the RGS is to “focus development to serviced areas in designated Primary Growth Areas and Rural Growth Areas.”

In support of this goal, a stated objective of the RGS is to “collaborate and coordinate among regional partners to direct most new development to Primary Growth Areas.” This is further supported by a number of policies, including:

- *Encourage appropriately located accessible commercial, institutional, light and heavy industrial development in Primary Growth Areas.*
- *Promote compact development in both Primary Growth Areas and Rural Growth Areas.*
- *Give priority to infill development in both Primary Growth Areas and Rural Growth Areas.*

At its meeting of May 23, 2019, the Regional District Board reviewed the City’s (then) draft OCP Bylaw No. 2019-08 and resolved to provide comments commending those parts of the bylaw comprising

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“goals and policies for sustainable long-term growth that are in alignment with the RDOS Regional Growth Strategy and reflect best planning practices.”

**Analysis:**

The proposed redevelopment of the property at 877 Westminster Avenue West is consistent with many of the goals of the RGS Bylaw. Specifically:

- the encouragement of higher density residential developments within designated Primary Growth Areas;
- the introduction of a mixed-use, infill development; and
- the re-development of a site that is on a major transportation corridor within the City and close to amenities (Okanaga Lake, community centre) and services (retail in the downtown core area).

**Alternatives:**

1. THAT the City of Penticton be advised that the Regional District Board supports the proposed Official Community Plan (OCP) Bylaw Amendment involving the property at 877 Westminster Avenue West to “Urban Residential”, subject to the following:
  - i) *TBD*
2. THAT the Board of Directors resolves to not provide referral comments to the City Penticton regarding the proposed amendment to their OCP Bylaw involving the property at 877 Westminster Avenue West.

**Respectfully submitted:**

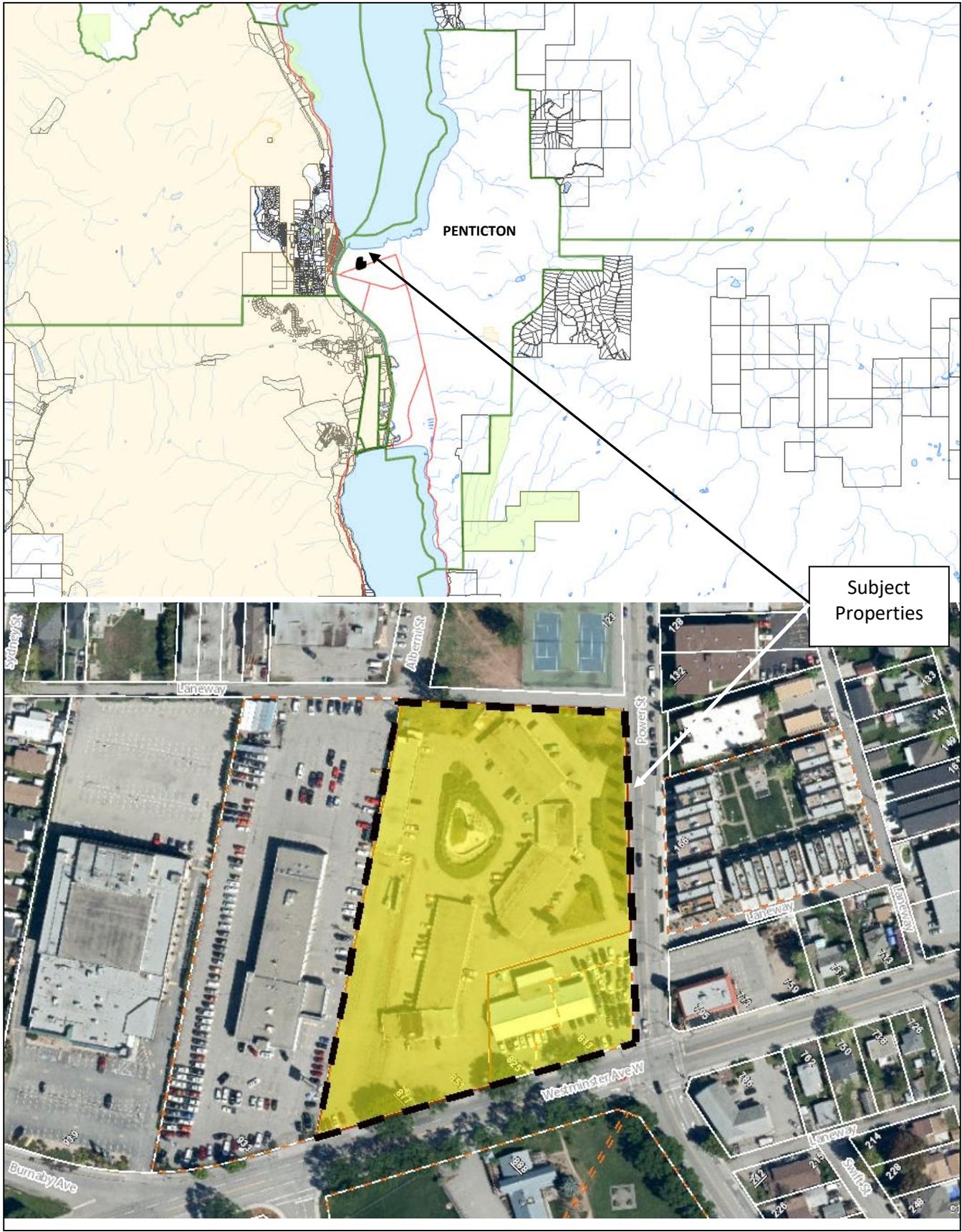


C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

No. 2 – Concept Plan

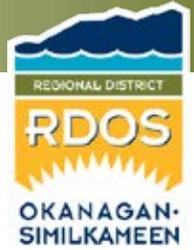
Attachment No. 1 – Context Maps



Attachment No. 2 – Concept Plan



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 19, 2021  
**RE:** Letters of Concurrence (Telus) – Electoral Area “E”

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## Administrative Recommendation:

**THAT the Regional District send a “Letter of Concurrence” to Innovation, Science, and Economic Development Canada for proposed telecommunication tower BCB576 to be located near Smethurst Road & Cottonwood Lane; with two conditions:**

- 1. That the tower not be lighted except for safety lights; and,**
  - 2. That the tower receive an exterior coating to blend into the surrounding natural setting.**
- 

Purpose: To allow for the placement of a 50.0 metre monopole / Wireless Communication facility.

Owners: 1100125 Alberta Inc. Agent: Tawny Verigin (Cypress Land Services for Telus)

Legal: Block A, Plan KAP3943B, Sublot 3, District Lot 2711, SDYD, Portion PL 1190, Except Plan KAP44464

Location: Pole No. BCB576 is near Smethurst Road and Cottonwood Lane Zoning: Resource Area (RA)  
(Coordinates: N 49.597564°, W 119.564226°)

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## Proposed Development:

Telus is requesting the concurrence of the Regional District for the proposed placement of a 50.0 metre self-support tower and ancillary equipment compound to provide cellular service to Naramata and the surrounding area. Pole BCB576 is located east of the BC Hydro transmission right of way off Naramata Creek Forest Service Road (See Attachment No.1).

Telus has undertaken a public consultation process following the RDOS Board Policy for Communication Towers / Antenna Systems Approval Process and, in support of the concurrence request, has stated that:

*TELUS is aware of unreliable wireless service in the Naramata area and regularly receives complaints from community members related to service levels. During the pandemic, more and more community members rely on wireless services to meet their business, professional and personal needs from their homes. For the past eight (8) years TELUS has been working with the community to improve services and place new infrastructure. The proposed structure has been received positively from throughout the most recent public consultation and will improve services for all wireless users in the area.*

The current proposal aims to address many of the concerns that were heard during the public consultation process for their previous application by recommending a new location and design.

## Statutory Requirements:

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Under Section 4.2 of Innovation, Science and Economic Development Canada (ISED) Antenna Tower Siting Policy, "proponents must follow Industry Canada's Default Public Consultation process where the local land use authority does not have an established and documented public consultation process applicable to antenna siting."

The Regional District Board's Communication Towers / Antenna Systems Approval Process Policy outlines items required for the public consultation process and design details expected by the RDOS.

**Site Context:**

The tower will be located on private property legally described as Block A, Plan KAP3943B, Sublot 3, District Lot 2711, SDYD, Portion PL 1190, Except Plan KAP44464. The proposed location of Pole No. BCB576 is approximately 130 metres northeast of the intersection of Smethurst Road and Cottonwood Lane off of Naramata Creek Forest Service Road. The tower will be located to the east of the BC Hydro Right of Way.

The tower is mostly surrounded by resource are on all sides with large holdings property to the west. There are no residences located within 350 metres of the tower.

**Background:**

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the proposed location is designated Resource Area (RA) and is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation.

A Natural Features Assessment report was completed on July 5, 2021 by Libor Michalak, R.P. Bio. Of Keystone Environmental Ltd. which states that "It is anticipated that the project poses a low risk of significant residual environmental effects with the assumption that applicable Best Management Practices (BMP)... are implemented."

Under the Electoral Area "E" Zoning Bylaw No. 2459 2008, the locations is zoned Resource Area (RA), and defines 'utility uses' as meaning "facilities for broadcast transmission and the distribution and collection of electrical, telephone, T.V., cable, natural gas, sewer, water and transportation services servicing the general public". Section 7.3 (Uses Permitted in Every Zone) of the bylaw permits 'utility uses' in every zone.

**Board Consideration:**

At its meeting of July 5, 2018, the Board considered a request from Telus for a Letter of Concurrence in relation to a proposed new tower and communications facility and subsequently resolved to "defer providing a letter of non-concurrence in order to allow Telus to seek an alternative location or design".

At its meeting of February 7, 2019, the Board was advised by Telus that there were no other suitable sites available and that it was again seeking a Letter of Concurrence for the same site. The Board subsequently resolved that "Letters of Non-Concurrence" be provided to Industry Canada in relation to:

- the proposed telecommunication tower facility BCB576 located near Naramata Road and Arawana Road, Naramata; and
- the proposed telecommunication tower facility BCB577 located near North Naramata Road and Smethurst Road, Naramata".

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### **Public Consultation:**

On June 1, 2020, Telus began the public consultation process with property owners and the RDOS. On July 19, 2021 Telus submitted a package that included a summary of the project and evidence of the public consultation engagement process, and was found in compliance with the Board's Policy for Communication Towers/ Antenna Systems Approvals:

- public notification to be sent to all properties within a 1000 m radius of the proposed facility;
- the holding of a public meeting and inclusion of the public meeting details in the written notice to properties;
- newspaper advertisements placed in separate editions;
- the proponent to keep RDOS informed of significant public concerns;
- notice of development sign posted at the location of the proposed tower

In addition to the comments received by TELUS, the RDOS received 13 emails, 11 of which were also included in the Telus submission. The comments received by the RDOS were a combination of support for the proposed Pole No.BCB576, questions about painting and lighting to camouflage the tower and concerns related to the general health and safety of communication electromagnetic radiation.

Any additional public comments received by the RDOS and not contained in the Telus submission have been included as a separate item on the agenda.

### **Analysis:**

In general, the proposed facilities are seen to meet the Board's policy guidelines.

The RDOS Policy also contains guidelines for the design and style of a proposed antenna system (i.e. negative visual impacts should be mitigated through use of appropriate landscaping, screening, stealth design techniques and similar approaches such as non-reflective surfaces and colours).

In terms of visibility, the applicant has relocated Pole BCB576 since their previous application based on community feedback. The current proposed location is further up the hillside away from homes, above the Kettle Valley Railway and will be shared with other providers (Roger and Freedom Mobile) so as to avoid the need for multiple towers.

The applicant has indicated that the height of the tower is 50 metres to accommodate having multiple providers on one tower. Administration notes that the height is also driven by the terrain, to avoid having services adjusted by undulations in the land

In terms of the public comments regarding health and safety, the applicant states that the proposed installation will need to meet Health Canada's Safety Code 6 (Radiofrequency Exposure) Guidelines. It is the responsibility of the federal government to ensure that standards are established to ensure public safety.

Telus is looking for the best option for the community and placement of any new facilities; however, if the Board were to issue a letter of non-concurrence, Telus has an option to apply for an 'Impasse' and the file will be reviewed and the decision could be overturned by Innovation, Science and Economic Development Canada.

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**Alternatives:**

- .1 THAT the Board of Directors provide a "Letter of Non-Concurrence" to Industry Canada in relation to proposed telecommunication tower facility BCB576 located near Smethurst Road and Cottonwood Lane, Naramata.
- .2 THAT the Board of Directors provide a "Letter of Non-Concurrence" to Industry Canada in relation to proposed telecommunication tower facility BCB577 located near Smethurst Road and Cottonwood Lane, Naramata.
- .3 THAT the Board of Directors defer providing a letter of non-concurrence in order to allow Telus to seek an alternative location or design.

**Respectfully submitted:**



Fiona Titley, Planner I

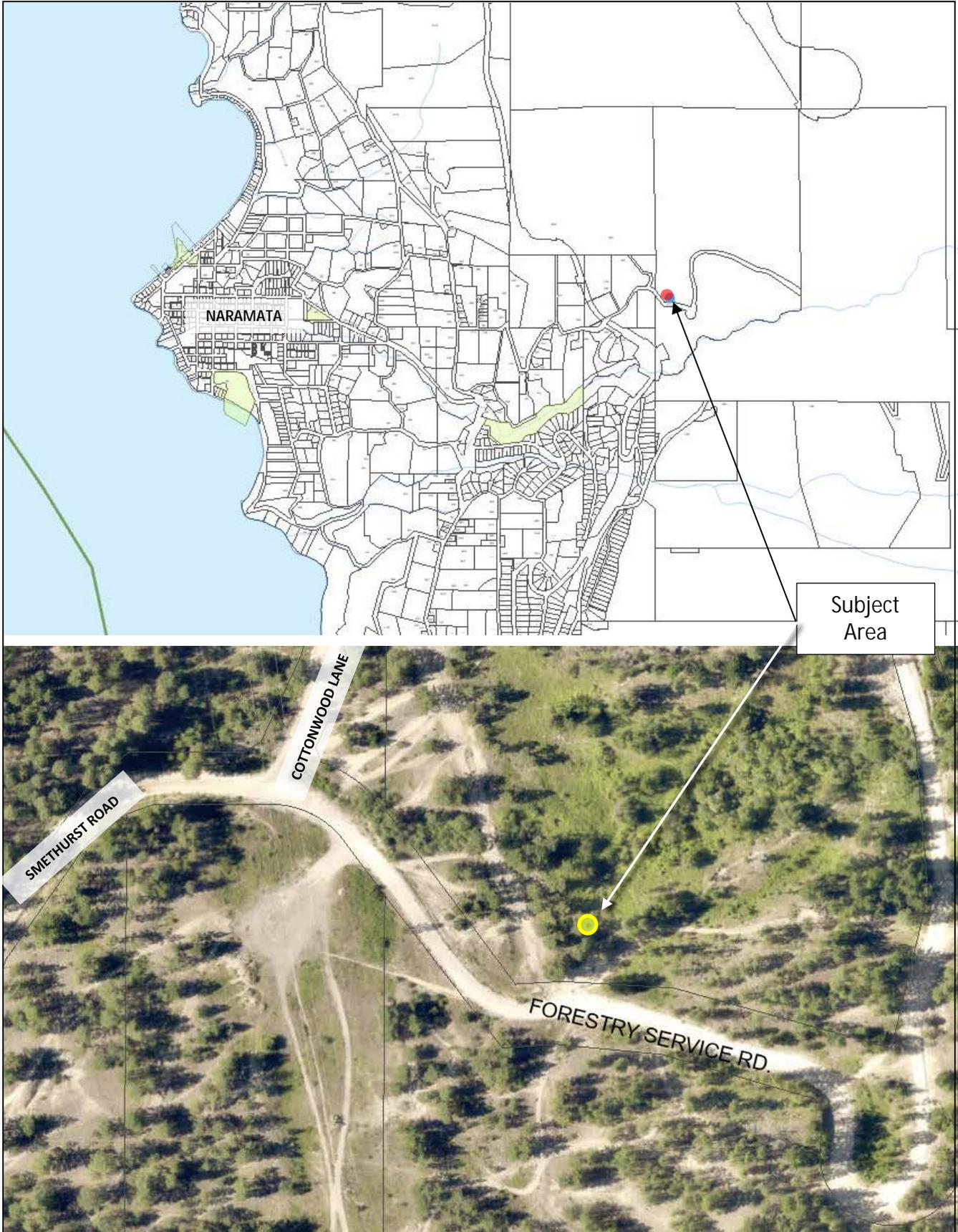
**Endorsed By:**



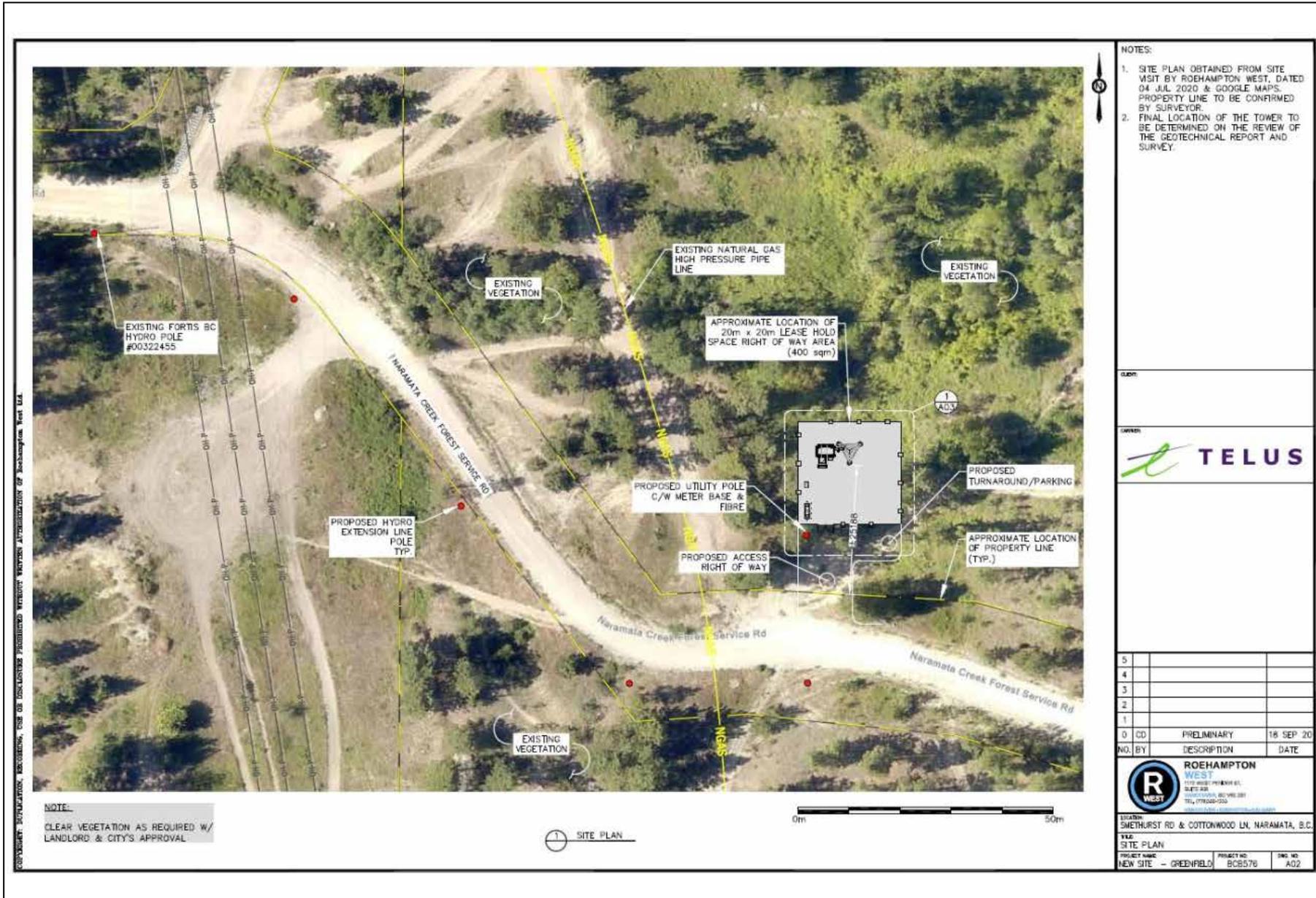
C. Garrish, Planning Manager

Attachments: No. 1 – Context Map  
No. 2 – Applicant's Site Plan  
No. 3 – Compound Layout  
No. 4 – Elevation Plans  
No. 5 – Photo Simulations

Attachment No. 1 – Context Maps (Pole No. BCB576)



Attachment No. 2 - Applicant's Site Plan



- NOTES:
1. SITE PLAN OBTAINED FROM SITE VISIT BY ROEHAMPTON WEST, DATED 04 JUL 2020 & GOOGLE MAPS. PROPERTY LINE TO BE CONFIRMED BY SURVEYOR.
  2. FINAL LOCATION OF THE TOWER TO BE DETERMINED ON THE REVIEW OF THE GEOTECHNICAL REPORT AND SURVEY.



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4		
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2		
1		

0	CD	PRELIMINARY	16 SEP 20
NO.	BY	DESCRIPTION	DATE

**ROEHAMPTON WEST**  
 1100 WEST PINEVIEW BL.  
 SUITE 200  
 GREENFIELD, BC V9B 2B1  
 TEL: 250-636-2222  
 WWW.ROEHAMPTONWEST.COM

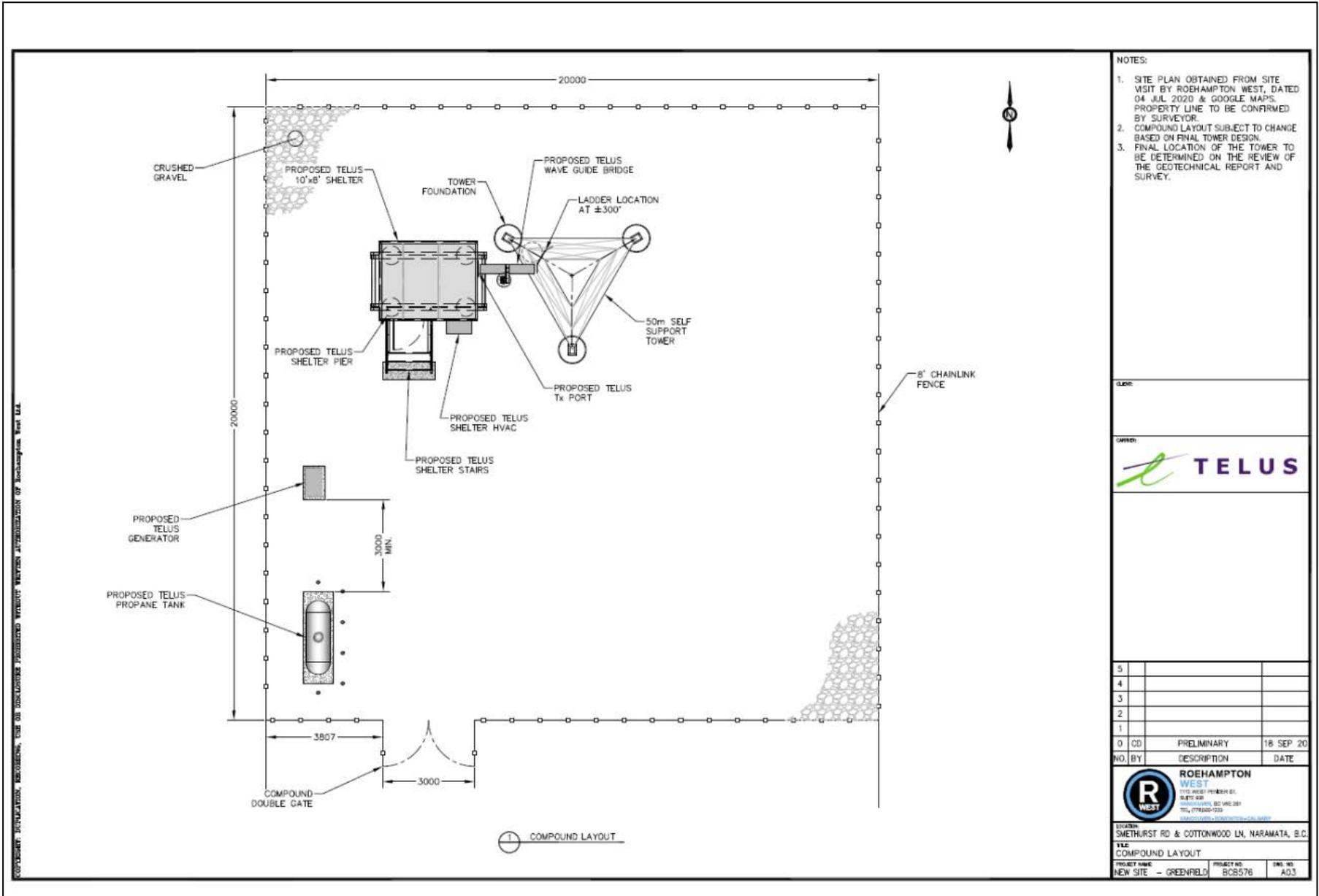
LOCATION: SMITHURST RD & COTTONWOOD LN, NARAMATA, B.C.		
TITLE: SITE PLAN		
PROJECT NAME:	PROJECT NO.:	DWG. NO.:
NEW SITE - GREENFIELD	BCB576	A02

NOTE:  
 CLEAR VEGETATION AS REQUIRED W/  
 LANDLORD & CITY'S APPROVAL

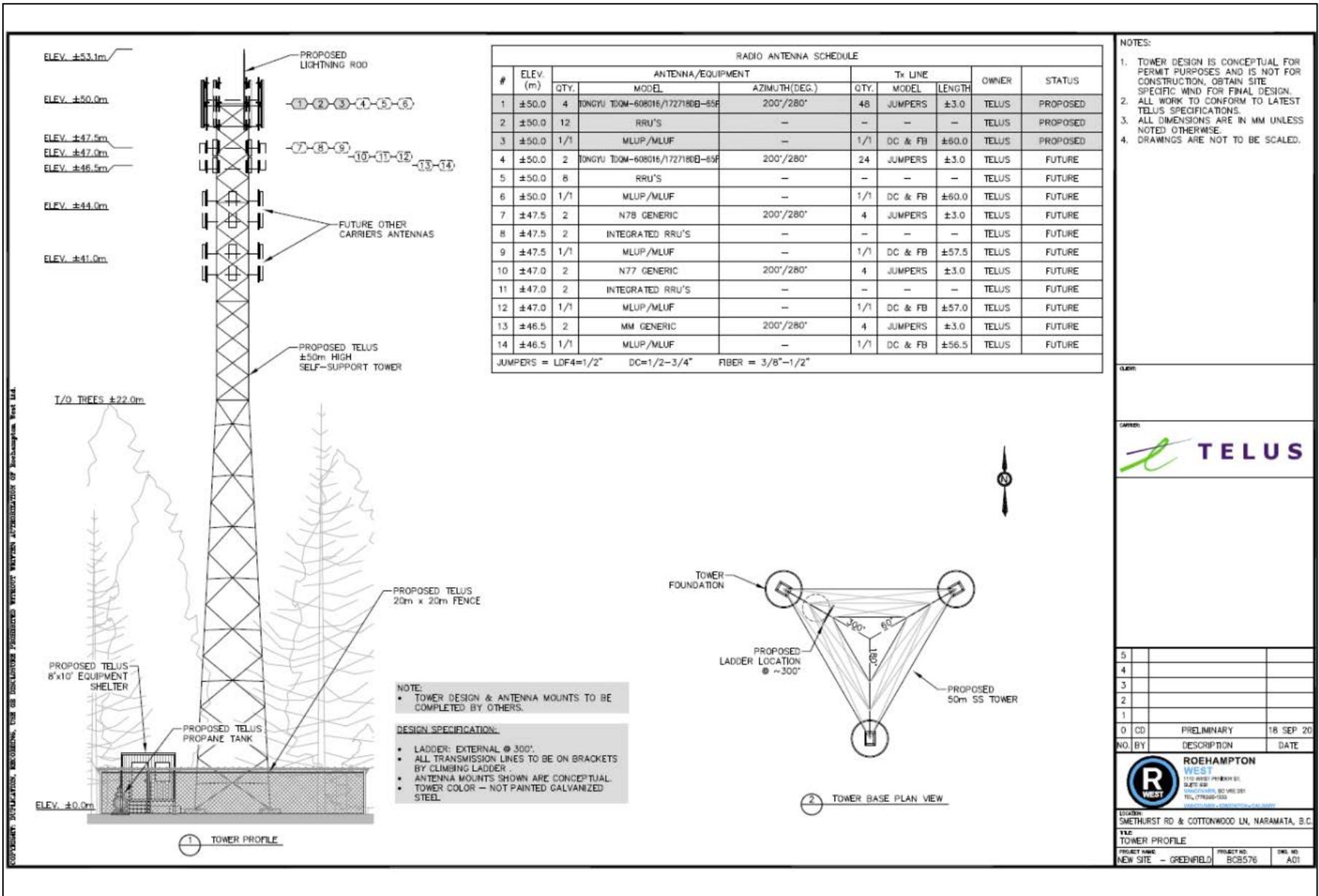
1 SITE PLAN

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# Attachment No. 3 – Compound Layout



# Attachment No. 4 – Elevation Plans



Attachment No. 5 – Photo Simulations



BCB576						
Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Joan Morrison	comment sheet		12-Jul 1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:	support		
Greg and Joanne Chairot	comment sheet		12-Jul 1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:	support		
Stephanie Beissette	comment sheet		12-Jul 1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:	support		
Lorene Brandys	comment sheet		12-Jul 1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:	support		
Scott Desilets	comment sheet		12-Jul 1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:	support		
Jon Milligan	comment sheet		12-Jul 1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:	support		
George Bawden	comment sheet		12-Jul 1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:	support		

Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Adam Dubroy	comment sheet	08-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Valerie Dubroy	comment sheet	08-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Steve Creamen	comment sheet	08-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Tammy Clark	comment sheet	08-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Brian Rodger	comment sheet	09-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Tina Baird	email	09-Jul	To whom it may concern:  I live and run a business in Naramata and have the following comments on the Telus proposed cell tower near Smethurst Road and Cottonwood Lane in Naramata:  1. I agree that the proposed location is an appropriate location for the proposed facility and tower.  2. In relation to the appearance / design of the proposed facility I have the following requests in order to minimize the proposed tower's negative visual impact for residents and tourists to the area: a. That the proposed tower be painted to minimize light reflection and enable it to visually blend with the surrounding environment. b. That no lighting be installed on the tower.  3. I have no additional comments.  My name is: Tina Baird My email address: [REDACTED] [REDACTED] [REDACTED] Tina Baird [REDACTED]	support	Tina – thanks for taking the time to comment. We will be painting the tower and there will be no lighting on it.  Regards, Chad 604-910-7310	19-Jul

Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Hugh McClelland	email	31-May	<p>Hello,</p> <p>Would you please confirm the start and end time for the June 23 online public meeting for the proposed Naramata cell tower location? In the news it says 5:30 – 6:00 pm and that seems a very short period of time so wondering if that is a typo?</p> <p>Thanks</p> <p>Hugh McClelland Naramata Bench Wineries Association</p>	support	<p>Hello Hugh,</p> <p>The meeting is scheduled from 5:30 – 6:00pm, as advertised, and as per the RDOS typical public information meeting scheduled of half an hour. The meeting can run long if there is high attendance/interest.</p> <p>Thank you.</p> <p>Tawny Verigin Manager of Government Affairs Agent to TELUS Communications Inc.</p> <p>Cypress Land Services Inc. Suite 1051 – 409 Granville Street, Vancouver, BC V6C 1T2 Cell: 604.657.8307   Office: 604.620.0877   Fax: 604.620.0876 E: tawny@cypresslandservices.com   W: www.cypresslandservices.com</p>	22-Jun
Hugh McClelland			<p>To Whom It May Concern:</p> <p>On behalf of the Winery businesses operating in the Naramata area whom are members of the Naramata Bench Wineries Association (NBWA), the NBWA has the following comments on the Telus proposed cell tower near Smethurst Road and Cottonwood Lane in Naramata:</p> <ol style="list-style-type: none"> <li>1. The NBWA agrees that the proposed location is an appropriate location for the proposed facility and tower.</li> <li>2. In relation to the appearance / design of the proposed facility the NBWA makes the following requests in order to minimize the proposed tower's negative visual impact for Winery customers, tourists to the area, and local residents:             <ol style="list-style-type: none"> <li>a. That the proposed tower be painted to minimize light reflection and enable it to visually blend with the surrounding environment.</li> <li>b. That no lighting be installed on the tower.</li> </ol> </li> <li>3. The NBWA has no additional comments.</li> </ol> <p>The NBWA mailing address is [REDACTED]</p> <p>The NBWA represents Wineries located between Vancouver Avenue in Pentiction and Naramata Village.</p> <p>Additional contact information below.</p> <p>Hugh McClelland</p>		<p>Hugh – thanks for your comments and taking the time to attend the open house. As discussed, we will be proposing to paint the tower and there will be no lighting.</p> <p>Regards, Chad</p>	19-Jul
Denys Bouton		31-May	<p>My wife and I own the property immediately northwest to the proposed tower location. We are at [REDACTED]</p> <p>Would you be able to send me more information about the proposed tower? I would particularly appreciate seeing a drawing showing a vertical view of the tower. With a 50 meter height, we'll likely see a good part of it from our place, but we have no objections to that.</p> <p>Thank you for your attention,</p> <p>Denys Bouton</p>	support	<p>Denys – Attached are the plans with the tower profile. I recall walking up the hill that the BC Hydro transmission tower is on between you and the tower site (see aerial below) and having a good look to see what your house may see. I think you may see the top of the tower but not much else. It's a bit difficult to confirm exactly what you'd see given the topography there. Let me know if you have other comments or questions after seeing the drawings.</p> <p>Chad 604-910-7310</p> <p>Sent from Mail for Windows 10</p>	31-May
Blake and Rita Terriff	email	02-Jun	<p>As a long time Naramata resident I strongly support the addition of a Telus tower in this location. We have horrible cell service in this community.</p> <p>Sincerely</p> <p>Blake and Rita Terriff</p>	support	<p>Good day Blake and Rita Terriff,</p> <p>Thank you for providing us your comments of support regarding the proposed TELUS wireless communications facility at Smethurst Rd &amp; Cottonwood Ln, Naramata, BC.</p> <p>We appreciate your feedback and will share your comments with RDOS for consideration. Should you have additional comments, please respond within the next 21 days.</p> <p>Sincerely,</p> <p>Tawny Verigin Manager of Government Affairs</p>	22-Jun

BC8576						
Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Marc Marc	email	02-Jun	<p>Tawny Marlatt, With regards to the property (the land described as PID: 011-781-190) in which you are trying to erect a 50ft high tower in order to emit microwave radiation in proximity to Naramata .</p> <p>1) What is the maximum amount / level of microwave radiation which could be produced by all wireless service providers combined who could utilize that tower ?</p> <p>2) Is that "Crown land" or is it owned privately ?</p> <p><a href="https://www.youtube.com/watch?v=tzDQsJM44g">https://www.youtube.com/watch?v=tzDQsJM44g</a></p>	non-support	<p>Hi Marc,</p> <p>Thanks for your email.</p> <p>I will let Tawny from Cypress Land Services field your question about microwave radiation, as she will be more familiar with the Health and Safety regulations under Health Canada's Safety Code.</p> <p>As for the parcel of land, this is privately owned, not crown land.</p> <p>Regards,</p> <p>JoAnn Peachey • Planner I Regional District of Okanagan-Similkameen</p> <p>*****</p> <p>****</p> <p>JoAnne – thanks for responding.</p> <p>Marc – we have requested a SC6 limits of exposure calculation be completed. This will take a bit of time as we have to get technical info from the other companies. That said, I can fully assure you that it will be well below allowable Health Canada requirements – in the magnitude of thousands of times below.</p>	02-Jun
Marc Marc		08-Jun	<p>With regards to that TELUS plan for a 'multi-use cell tower in Naramata ; the attached document is a Canadian report by Dr. MAGDA HAVAS, B.Sc., Ph.D., Professor Emerita - warning about 5G roll-out in municipalities and adverse consequences to humans, flora and fauna *</p> <p><a href="https://magdahavas.com/wp-content/uploads/2020/04/Havas-5G-health-humans-and-biota-April-15-2020.pdf">https://magdahavas.com/wp-content/uploads/2020/04/Havas-5G-health-humans-and-biota-April-15-2020.pdf</a></p> <p>=====</p> <p><a href="https://www.niehs.nih.gov/news/newsroom/releases/2018/november1/index.cfm">https://www.niehs.nih.gov/news/newsroom/releases/2018/november1/index.cfm</a></p> <p>High Exposure to Radio Frequency Radiation Associated With Cancer in Male Rats - National Toxicology Program releases final reports on rat and mouse studies of radio frequency radiation like that used in 2G and 3G cell phone technologies - National Institutes of Health</p> <p>The National Toxicology Program (NTP) concluded there is clear evidence that male rats exposed to high levels of radio frequency radiation (RFR) like that used in 2G and 3G cell phones developed cancerous heart tumors, according to final reports released today.</p> <p><a href="http://www.niehs.nih.gov">www.niehs.nih.gov</a></p> <p>Health Canada somehow omitted this 25-million-dollar study which indicates the dangers of radiofrequency radiation when HC claimed the following on HC's website with regards to their " code 6 " ;</p> <p><a href="https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/everyday-things-emit-radiation/cell-phones-towers.html#3">https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/everyday-things-emit-radiation/cell-phones-towers.html#3</a></p> <p>"Based on the available scientific evidence, there are no health risks from exposure to the low levels of radiofrequency EMF which people are exposed to from cell phones, cell phone towers, antennas and 5G devices." ?!</p>		<p>Marc – the land is privately owned and terms and conditions are confidential. Typically rent is about 1k per month and this is a typical site. The SC6 calculation confirming compliance with health and safety requirements should be a completed soon as well.</p> <p>Chad</p>	15-Jun
Marc Marc		16-Jun	<p>Thank-you for your reply.</p> <p>1) We received a figure of \$50,000 up front (refused) to erect one across the lake on private land. Is this sum also typical or is that 1k monthly rental typically an additional payment ?</p> <p>2) We are looking forwards to viewing those Code 6 calculations once they are completed and seriously will you (or anyone else) be willing to have one installed of that same magnitude under the head of your bed 24/7, since Health Canada will have somehow determined that this is safe to do ?</p>		<p>Marc – I am not sure who would have offered that but that is not what the rates are. As far as proximity of homes to cell sites, the majority of Canada's population live within 400-500m of a cell site. I personally live closer to a cell site (a few sites).</p> <p>Regards, Chad</p> <p>Marc – I am following up regarding the Safety Code 6 calculation (or radio frequency output) for the proposed tower. TELUS has finalised the calculation based on the equipment requirements of all companies (Freedom, Rogers and TELUS) and the maximum output of the tower to the nearest home in the area is .89% of the allowable limits permitted in Health Canada's Safety Code 6 or less than 1% of the allowable limit.</p> <p>Regards, Chad</p>	

BC0576						
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Peter Ayllett	comment sheet	09-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments: Perfect, thank you for upgrading</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Chris Blann	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Chris Blann	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Francois Sauve	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments: The lower part of the bench is in dire need of adequate coverage</p>	support		
Vicki Brissette	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments: Excellent compromise to current won't needed service without impacting residents properties</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Evelyn Dumaine-Marshall	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Ed Bingley	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		

BC6576						
Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Marc Marc		23-Jun	<p>1) Is that cell tower a precursor or in preparation to the roll out of 5g in Naramata ?</p> <p>Thank-you for your recent reply but you did not yet answer that simple question asked of you;</p> <p>2) Will you (or anyone else) consent to having a device which emits the maximum output permitted by IIC's CODE 6 installed under the head of your bed 24/7 until your passing ?</p> <p>We DO NOT consent to that man-made radiation trespassing into our bodies, into our homes or onto our private property.</p> <p>Doing so is a violation of our human rights , which you appear to be trying to ignore, possibly until charged and found guilty of that felony ?  <a href="https://ehtrust.org/eh-takes-historic-legal-action-against-the-fcc-regarding-cell-phone-radiation/">https://ehtrust.org/eh-takes-historic-legal-action-against-the-fcc-regarding-cell-phone-radiation/</a></p> <p>EHT Takes Historic Legal Action Against the FCC Regarding Cell Phone Radiation - Environmental Health Trust  The Environmental Health Trust and a coalition of other commentators have filed a court appeal challenging the FCC's order terminating its evaluation of the adequacy of FCC RF radiation limits. Despite reams of scientific evidence showing serious biological effects at levels far below the existing FCC RF limits and evidence given by numerous individuals injured [...] <a href="http://ehtrust.org">ehtrust.org</a></p> <p>TELUS c/o Cypress Land Services Inc. is inviting the public to an Online Public Meeting  Event: Notice of Proposed TELUS Telecommunications Facility &amp; Online Public Meeting  Date and Time: Wednesday, June 23, 2021, 5:30 – 6:00 pm PST  Join Meeting: <a href="https://telus.webex.com">https://telus.webex.com</a>  Meeting #: 145 717 0518  Meeting Password: BC6576</p> <p>Sorry for not virtually attending this 'virtual' meeting regarding that proposed cell tower yesterday. An actual meeting outdoors (Manitou Park?) with 6-foot distancing would have been considerably more appropriate. Instead, we shall hereby present the following concerns to you, every 'link' of which should be addressed individually before trying to proceed with that cell tower in the Naramata area ;</p> <p>Plus, our major concerns regarding Code 6 are that the Minister's response, and Health Canada:  1. Neglect to protect Canadians by:</p>		<p>Marc – I previously indicated that I do live close to a couple of cell sites as do most Canadians. This tower will have 5g but operating on the same frequencies as 3 and 4g networks. Should you have further concerns to health and safety and the specifics of Health Canada's requirements its likely best to contact them directly as they are the holder of these regulation</p> <p>Regards,  Chad</p>	23-Jun
Marc Marc	email	28-Jun	<p>1) What is your purpose or duty as a 'public consultant' or are you not acting at all as an actual public consultant but rather only as Cypresslandservices employee ? As you appear to be trying to ignore all of the information provided to you as a result of this 'public consultation' process.</p> <p>This public consultation indicates that we do not consent - along with many Canadians who are being uninformed &amp;/or given no reasonable choice to live close to 'cell sites', against their will.</p> <p>2) How many people (not politicians) from the population of Naramata who are not affiliated to that industry virtually attended the recent public consultation meeting on Wednesday, June 23, 2021, 5:30 – 6:00 pm PST ?</p> <p>3) Compared to how many people from Naramata attended that previous (pre-covid) actual (non-virtual) public meetings regarding similar proposals from the same (Telus, cypress/standardlandetc.) in which those proposals were all struck down ?  <a href="https://www.mynaramata.com/cgi-bin/show_articles.cgi?ID=7517&amp;TOPIC=0">https://www.mynaramata.com/cgi-bin/show_articles.cgi?ID=7517&amp;TOPIC=0</a></p> <p>Telus Tower Eyesore  In response to the Telus tower topic, many of us are more impacted with the proposed location for the pole at North Naramata Rd. and Smethurst than others located in the village. Those near the Aravana Rd. (more...) <a href="http://www.mynaramata.com">www.mynaramata.com</a></p> <p>4) Where can those results of that most recent June 23, 2021 'virtual public consultation' be viewed?</p> <p>5) It is not clear why you're stating that you and now most Canadians live 'near' cell sites. Are you trying to encourage our acceptance of such violations because it's now a more common occurrence ?</p> <p>6) Please answer the most important question with a simple YES or NO ;</p> <p>Will you (or anyone else) consent to having a device which emits the maximum output permitted by IIC's CODE 6 installed under the head of your bed 24/7 until your passing ?</p> <p>7) Why would that proposed tower have 5g but will operate on 3 &amp; 4g networks rather than 5g ?</p>		<p>1) What is your purpose or duty as a 'public consultant' or are you not acting at all as an actual public consultant but rather only as Cypresslandservices employee ? As you appear to be trying to ignore all of the information provided to you as a result of this 'public consultation' process. I am the applicant acting on behalf of TELUS. Part of the RDOS process requires conducting and completing a public consultation for the proposed communications tower. We are not "ignoring" anything. Any correspondence between us will be passed along to the RDOS in consideration of our application.</p> <p>This public consultation indicates that we do not consent - along with many Canadians who are being uninformed &amp;/or given no reasonable choice to live close to 'cell sites', against their will. Yes we have you as not supportive of the project.</p> <p>2) How many people (not politicians) from the population of Naramata who are not affiliated to that industry virtually attended the recent public consultation meeting on Wednesday, June 23, 2021, 5:30 – 6:00 pm PST ? There were about 3-4 folks attend the meeting.</p> <p>3) Compared to how many people from Naramata attended that previous (pre-covid) actual (non-virtual) public meetings regarding similar proposals from the same (TELUS, cypress/standardlandetc.) in which those proposals were all struck down ?  <a href="https://www.mynaramata.com/cgi-bin/show_articles.cgi?ID=7517&amp;TOPIC=0">https://www.mynaramata.com/cgi-bin/show_articles.cgi?ID=7517&amp;TOPIC=0</a></p> <p>Telus Tower Eyesore  In response to the Telus tower topic, many of us are more impacted with the proposed location for the pole at North Naramata Rd. and Smethurst than others located in the village. Those near the Aravana Rd. (more...) <a href="http://www.mynaramata.com">www.mynaramata.com</a></p> <p>4) Where can those results of that most recent June 23, 2021 'virtual public consultation' be viewed? They will be supplied to RDOS staff and made public at an upcoming RDOS Board meeting.</p> <p>5) It is not clear why you're stating that you and now most Canadians live 'near' cell sites. Are you trying to encourage our acceptance of such violations because it's now a more common occurrence ? I am unclear what "violations" you are referring to? The site is fully compliant with SC6 as per earlier emails.</p> <p>6) Please answer the most important question with a simple YES or NO ;</p>	28-Jun

BC8576						
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Marc Marc	email	28-Jun	<p>If recent events have shown us anything, it is that our health is what matters most, protection of the young, the old and the vulnerable and the marginalized are high in our minds as we process the effects of Covid-19 on every aspect of our lives and environment. It is clear that later responses to early warnings of potential harm are costly . . .</p> <p>We need the internet . . . We rely on our paid public servants as government to ensure our safety. To date, Health Canada and other Ministries have let us down. We ask that they be held accountable for their lack of diligence, inaccurate and absent sharing of information specifically related to the effect of long term exposure to radio-frequency radiation (RF), and in addition to this matter, we consider that identifying who is for and against is based on wholly insufficient and woefully inaccurate and misleading information, that this lack of informed consent infringes on their human rights. The telecommunications industry is rushing to deploy 5G across Canada, with no prior health and environmental impact assessment, without fully understanding the economic consequences, and without informed consent. • Full 5G roll-out will require the installation of hundreds of thousands of new antennas throughout the country on cell towers, hydro poles, lamp posts, buildings and other structures, often within a few metres of where we live and work. • Canadians are largely unaware of the risks of chronic exposure to radio-frequency (RF) radiation emitted by cell tower antennas, small cell antennas, cellphones, cordless phones, and Wi-Fi and Bluetooth devices such as tablets, laptops, baby monitors, wireless printers/keyboards/mice, gaming consoles, virtual reality headsets, wearables, "smart" appliances, and utility meters. • RF radiation is scientifically demonstrated to cause or contribute to numerous health effects, including cancers, sperm damage, reproductive harms, learning and memory deficits, and neuro-degenerative, cellular and genetic damage. • We urge you to "look before we leap," . . . to immediately suspend any further 5G roll-out, and to press for a safer, more cost-effective and secure alternative —namely fibre-optic and wired connections to every home and business.</p> <p>Public servants are expected to do the right thing – even when it's not easy. They uphold the highest professional and ethical standards because they understand the high expectations the public has for their work. • Each public servant takes an Oath of Employment. Each time they take the Oath, they're reminded of the duties, powers and trusts that are placed in public servants. • As part of the Oath, public servants swear not just to do their job but to: • Serve ethically and with integrity, loyalty, impartiality, and objectivity. • Put the interests of the public and the public service ahead of their own personal interests • Maintain and enhance the public's trust and confidence in the public service • These commitments make sure that our actions are impartial, objective and beyond reproach. •</p> <p>The person must have the capacity to consent. • The provider must disclose information about the matter, including the intended benefits and risks and the likelihood or probability that the benefits and risks will occur • The person must understand the relevant information • This consent must not occur under duress.</p> <p>The lack of information related to the effects of EMF has created a biased and unbalanced response • This is not a public consultation. This is railroading.</p>		<p>Will you (or anyone else) consent to having a device which emits the maximum output permitted by HC's CODE 6 installed under the head of your bed 24/7 until your passing?</p> <p>There are no homes within 350 metres of the proposed antenna installation so I don't think this would be considered "under the head of your bed". As I pointed out earlier – I live closer to a cell site than 350 already and "yes" I have no issue with it.</p> <p>7) Why would that proposed tower have 5g but will operate on 3 &amp; 4g networks rather than 5g? The 5g technology will operate in a similar frequency range as used for 4g as this is the only frequencies available to operate on.</p> <p>8) Please provide the email contact of the holder of Code 6 who can respond without saying their hands are tied by the power of the 'industry', not the health of Canadians. Tel.: hcinfo.infosc@canada.ca</p>	
Marc Marc		30-Jun	<p>Thank-you for your informative reply which clearly indicates that Chad Marlatt from cypresslandservices must immediately be extracted from this public consultation process. Please view the reasons why in the following reply's in GREEN, to Chad's reply's in red ;</p> <p>1) What is your purpose or duty as a 'public consultant' or are you not acting at all as an actual public consultant but rather only as Cypresslandservices employee? As you appear to be trying to ignore all of the information provided to you as a result of this 'public consultation' process. I am the applicant acting on behalf of TELUS. Part of the RDOS process requires conducting and completing a public consultation for the proposed communications tower. We are not "ignoring" anything. Any correspondence between us will be passed along to the RDOS in consideration of our application. Chad Marlatt from cypresslandservices, the applicant acting on behalf of TELUS has hereby told us that he has ignored the relevant information presented in the many scientific, medical and pertinent links (documents) sent to him during this public consultation.</p> <p>This public consultation indicates that we do not consent - along with many Canadians who are being uninformed &amp;/or given no reasonable choice to live close to "cell sites", against their will. Yes we have you as not supportive of the project. This is not just a question about who is 'supportive' or not of that project. This matter cannot be solely decided upon - based on uninformed public consent. Cypresslandservices has not informed the public regarding the dangers of this project as presented for example in the many links that have currently been made available. Which Chad Marlatt is himself obviously intentionally trying to ignore.</p> <p>2) How many people (not politicians) from the population of Naramata who are not affiliated to that industry virtually attended the recent public consultation meeting on Wednesday, June 23, 2021, 5:30 – 6:00 pm PST? There were about 3- 4 folks attend the meeting. Of the few thousand people presently in Naramata possibly 3 people attended this public consultation concerning the total population of Naramata. No information has been presented on how informed those 3 people are regarding the dangers of that project or if they are supportive of it. Additionally, how many 'industry' people (Chad, TELUS etc.) and how many politicians (RDOS etc.) attended that meeting?</p> <p>3) Compared to how many people from Naramata attended that previous (pre-covid) actual (non-virtual) public meetings regarding similar proposals from the same (TELUS, cypress/standardandetc.) in which those proposals were all struck down? <a href="https://www.mynaramata.com/cgi-bin/show_articles.cgi?ID=7517&amp;TOPIC=0">https://www.mynaramata.com/cgi-bin/show_articles.cgi?ID=7517&amp;TOPIC=0</a></p> <p>TELUS Tower Eyesore In response to the Telus tower topic, many of us are more impacted with the proposed location for the pole at North Naramata Rd. and Smethurst than others located in the village. Those near the Arawana Rd. (more...)</p>		N/A	N/A
Norbet Laci	comment sheet	05-Jun	<p>1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments: On hillside above homes etc. - very unobtrusive! Great ideal</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:</p> <p>3. Additional Comments: Area really needs improved TELUS service. Strongly support!</p>	Support	<p>Good day Norbert,</p> <p>Thank you for providing us your comments of support regarding the proposed TELUS wireless communications facility at Smethurst Rd &amp; Cottonwood Ln, Naramata, BC.</p> <p>We appreciate your feedback and will share your comments with RDOS for consideration. Should you have additional comments, please respond within the next 21 days.</p> <p>Sincerely,</p> <p>Tawny Verigin Manager of Government Affairs</p>	22-Jun

BC8576						
Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Craig Dusef	email	08-Jun	<p>Here is my comment sheet response.</p> <ol style="list-style-type: none"> <li>1. Yes this is an appropriate location.</li> <li>2. Yes I am satisfied with the design.</li> <li>3. No additional comments.</li> </ol> <p>Craig Dusef [Redacted]</p>	support	<p>Good day Mr. Dusef,</p> <p>Thank you for providing us your comments of support regarding the proposed TELUS wireless communications facility at Smethurst Rd &amp; Cottonwood Ln, Naramata, BC.</p> <p>We appreciate your feedback and will share your comments with RDOS for consideration. Should you have additional comments, please respond within the next 21 days.</p> <p>Sincerely,</p> <p>Tawny Verigin Manager of Government Affairs Agent to TELUS Communications Inc.</p> <p>Cypressland Services Inc. 409 Granville Street, Vancouver, BC V6C 1T2 Tel: 604.657.8307   Office: 604.620.0877   Fax: 604.620.0876 E: Tawny@cypresslandservices.com   W: www.cypresslandservices.com</p> <p>Disclaimer: The information transmitted is intended only for the addressee and may contain confidential, proprietary and/or privileged material. Any unauthorized review, distribution or other use of or the taking of any action in reliance upon this information is prohibited. If you received this in error, please contact the sender and delete or destroy this message and any copies.</p>	22-Jun
David B. Jorgensen MED Assistant Principal (retired) Black Gold Regional Schools	email	09-Jun	<p>Dear Ms. Verigin and Ms. Peachey:</p> <p>I live at [Redacted] on the Naramata bench, so the proposed cellphone tower is literally in my back yard. In fact, I hope that my point of view on the matter may have some bearing on the outcome.</p> <p>I believe this is an excellent location for the tower. The height and construction specifications of the proposed tower are acceptable to me and will not change my enjoyment of our property or the surrounding area, nor will the proposed tower affect my neighbours quality of life. I have been a Telus cellphone customer for 25 years, and this tower will only enhance my at-home cellphone service, as our present local signal strength is spotty at best.</p> <p>In sum, I heartily support this proposal. Please contact me should you require further information.</p> <p>David B. Jorgensen MED [Redacted]</p>	support	<p>Good day Mr. Jorgensen,</p> <p>Thank you for providing us your comments of support regarding the proposed TELUS wireless communications facility at Smethurst Rd &amp; Cottonwood Ln, Naramata, BC.</p> <p>We appreciate your feedback and will share your comments with RDOS for consideration. Should you have additional comments, please respond within the next 21 days.</p> <p>Sincerely,</p> <p>Tawny Verigin Manager of Government Affairs Agent to TELUS Communications Inc.</p>	22-Jun
Marc Savron	voicemail	09-Jun	<p>Called to inquire about the Naramata tower.</p>	non-support	<p>Hi Chad &amp; Tawny,</p> <p>I heard from Mark Sabourin who will be in touch with you about the proposed cell tower location in Naramata. He is not opposed to a tower being in that area, but is concerned if the drilling/digging down for the tower base may impact his new well and water flow. He lives at 3501 Cottonwood Lane, contact 250-495-5198 or mjsabourin11@outlook.com. He is suggesting it could go a little bit further up the hill. Just wanted to let you know he has some concerns and will be in touch.</p> <p>Thank you,</p> <p>Karla Kozakevich RDOS Chair / Director Area E Naramata</p> <p>*****</p> <p>Karla - I spoke with Mark and agree to walk his property in the future to help alleviate some of his well water concerns. That said, his well over 300m away and not really downslope of our tower. The foundation put in would be a similar footprint to a single family home and will be less disturbance than the tinning of the pipeline that will be taking place closer to his property and along the entire ridge. There is really no possible impact here. I will continue to deal with him though.</p> <p>Chad</p> <p>*****</p> <p>June 22/21</p> <p>Marc - thanks for writing in and the few phone calls we've had regarding the project and your well. I have had a chance to discuss the foundation design with TELUS and it's likely a typical slab foundation that would not be more than 3m deep. This is rather shallow and less intrusive than the new pipeline that is going in. That said, TELUS has been building towers for decades in an around wells and well water. There have not been any issues as their foundations typically amount to something akin to a typical residential home foundation.</p>	10-Jun 22-Jun

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Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
David Paisley	comment sheet	16-Jun	<p>1. Do you feel this is an appropriate location for the proposed facility?</p> <p>X Yes O No Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?</p> <p>X Yes O No Comments:</p> <p>3. Additional Comments:</p>	support	<p>Good day Mr. Paisley,</p> <p>Thank you for providing us your comments of support regarding the proposed TELUS wireless communications facility at Smethurst Rd &amp; Cottonwood Ln, Naramata, BC.</p> <p>We appreciate your feedback and will share your comments with ADOS for consideration. Should you have additional comments, please respond within the next 21 days.</p> <p>Sincerely,</p> <p>Tawny Verigin Manager of Government Affairs</p>	22-Jun
Marg K	email	17-Jun	<p>Hello -</p> <p>Attn: Ms. Tawny VERIGIN</p> <p>Re: tower proposal near Smethurst &amp; Cottonwood Lane, Naramata BC (#BCB576)</p> <p>We own property located at [REDACTED], which is west of the KVR rail trail</p> <p>I have read the 8-pages sent from « Cypress Land Services » via Canada Post to our permanent address [REDACTED]</p> <p>QUESTION 1. I cannot figure out in which EXACT areas this tower is supposed to IMPROVE Telus service for mobile cellular customers (and customers of those companies who rent service from Telus on same tower)</p> <p>1b. How much improvement will there be? (I don't know how one measures « service » in tech terms)</p> <p>QUESTION 2. - how do towers such as proposed help, hinder, or harm wildlife?</p> <p>QUESTION 3. - how do the tower owners contribute back to the community in which their towers are situated - either on public or private land? I think we agree that human infrastructure clutter is nothing nice to look at or be near - so if the tower is supposed to help service in Summerland - then maybe the neighbourhoods over in that community should have tower located there.</p> <p>QUESTION 4. Is there a reason Telus cannot rent space off an already existing tower? We had great service briefly one time (2003) when cell was switched to a tower over on west side of lake - but the story was that apparently Telus didn't want to use another company's tower long-term. (That was the story - I don't know if correct)</p> <p>Thank you for your assistance</p> <p>EMAIL — Please keep my email contact on file for updates</p>	support	<p>Marg - thanks for taking the time to comment on the project. TELUS has been trying to make improvements in wireless service to Naramata for the past several years. They have proposed a few different locations for towers and equipment and there has been a consistent message from the public that they would prefer any new infrastructure to be above the KVR trail. As such, we have proposed this location about 300m above the trail and on the east side of the BC hydro transmission right of way and Fortis gas right of way. The area of improved service will be from about 3km south of the village to about 3 km north of the village and all the developed area on within the western slope. Some areas will have better service than others. The service will improve so that access to making calls will be better, voice quality will be better, service in homes/buildings/cars will be better and data speeds will be faster.</p> <p>There is no impact to wildlife as the antennas emit very low energy and the footprint of the tower is smaller than a typical home. As far as benefit to the community, the tower will provide improved services to community members, businesses and visitors to the area. We receive a number of service complaints from the area each year. Both Rogers and Freedom Mobile (the other two service providers) will also be adding equipment to the tower so that another tower is not required and all users, regardless of service provider, will have improved service. The tower has been located to reduce visual impact by setting it far from homes in the area and locating it behind many mature trees. The backdrop of the mountain will further reduce visibility of the tower.</p> <p>Currently the area is serviced by towers in other communities that are very far away. With the on slot of many more users and increased usage of data by users, service to the areas continues to decline. This is why a new tower is required here.</p> <p>If you have other comments please let us know.</p> <p>Regards, Chad Marlatt Cypress Land Services - Agents for TELUS Suite 1051, 409 Granville Street, Vancouver, BC V6C 1T2</p>	22-Jun
	email	22-Jun	<p>Thank you for your detailed reply</p> <p>COVERAGE - I understand the north - south distances from the village (let us say the general store on Robinson Ave is the n-s dividing line, correct?)</p> <p>I am UNCLEAR on the east - west coverage</p> <p>Is there a PDF map you can email send ?</p> <p>We - for example - have spotty service from Telus mobility.</p> <p>3850 Vineyard Lane (Adjacent to KVR (west downhill slope) just north of Smethurst Rd)</p> <p>I am also interested in learning how Telus contributes back to the communities in which they place infrastructure like this (I realize this specific tower is proposed on private property) - I would certainly support any contribution to Fire / Paramedic-Rescue / SAR.</p> <p>Thank you</p> <p>Marg K [REDACTED]</p> <p>catshel@icloud.com Please keep my email on your list for this and future Naramata projects</p>		<p>Marg - I am just following up on this. The coverage east - west will be from the tower in the east to the shore of the lake and everything in-between. Attached is a map of the service area where red and yellow indicate good service (red been the best service level). Your house would fall in the red zone. That said, there are a lot of trees around the house that impact service levels but I would expect you will have much improved service.</p> <p>Regards, Chad</p>	19-Jul

Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Ray Marchard		23-Jun	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  3. Additional Comments: This is a great solution to a significant reception problem. This no only affects me but also people using me or contractors or	support	Rzy - thanks for your comments of support.  Chad	23-Jun
Clive Johnson	email	05-Jul	I have been trying to get on this meeting with not luck  Can someone help me  I am interested in this proposed tower location  There are a number on issues with this site  Call me and tell me how to get on this meeting call  [REDACTED]  Clive Johnson	neutral	Clive - I am following up on this email. Can you outline what your issues are with the proposed site?  Thanks, Chad	05-Jul
Janette Currie	comment sheet	05-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Rogers Wiebe	comment sheet	05-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Maureen Patricia Redman	comment sheet	08-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Denis Currie	comment sheet	08-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		

Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
G. Giddings	comment sheet	12-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Gail Balance	comment sheet	12-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Betty Feist	comment sheet	12-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Pat Marchand	comment sheet	12-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Jennifer Cockrall	comment sheet	12-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	neutral		
Robert Atkinson	comment sheet	12-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		
Kathryn Mancell	comment sheet	12-Jul	1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		

BCB576						
Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Kenate Jackes	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Chris Redman	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Carol Robinson	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Stephanie Forsyth	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Dave Riley	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Ralph Supermann	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		
Julie Quinlawn	comment sheet	12-Jul	<p>1. Do you feel this is an appropriate location for the proposed facility?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  Comments:</p>	support		

BC8576						
Name of Resident	Email, Letter, Comment Sheet or Voice Message	Date	Comment or Question	Support / non-support / neutral	Response to Comment or Question	Date Response Sent
Tom Oxland	comment sheet		12-Jul 1. Do you feel this is an appropriate location for the proposed facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:  2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments:	support		

non-support      2  
 support          47  
 neutral          2  


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 51

**Subject:** FW: Telus Naramata Proposed Tower Questions

**From:** Karla Kozakevich <kkozakevich@rdos.bc.ca>  
**Sent:** June 23, 2021 8:18 AM  
**To:** JoAnn Peachey <jpeachey@rdos.bc.ca>  
**Subject:** RE: Telus Naramata Proposed Tower Questions

Hi Hugh,

The Telus representative has stated that this tower does not require lighting and the positioning of it will allow it to blend with nearby trees. However, I don't have an answer back about the colour of the tower or if it will be designed to look like a tree to blend in better. I will be on the Telus information call this evening and hope that these questions will be clarified.

Thank you,  
Karla

**From:** >  
**Sent:** June 18, 2021 2:51 PM  
**To:** JoAnn Peachey <jpeachey@rdos.bc.ca>  
**Cc:** Karla Kozakevich <kkozakevich@rdos.bc.ca>  
**Subject:** RE: Telus Naramata Proposed Tower Questions  
**Importance:** High

Hi JoAnne and Karla,

Great thank you.  
Any information is helpful.

Your reply does tell me, however, that neither lighting or camouflage have been discussed to date with you or anyone at the RDOS as part of this process.

For reference my opinion on these as both a resident and business operator in Naramata is:

Lighting:

- Lighting on the tower at night will potentially intrude on local residents and tourism businesses enjoyment of the evening landscape.
- So lighting should only be included if required by law and then kept to a minimum.
- We recognize that at the proposed height of the tower that aviation safety lighting may be required.
- Our suggestion is that if lighting is required it be positioned or "blinker" in a way that planes etc can see it but houses and businesses on the ground cannot.

Camouflage:

- I am sure you are familiar with the practice throughout North America of "camouflaging" towers to look like a very large tree sticking out above the forest.

- Doing this makes a significant difference aesthetically to the presence of the tower and given that Naramata is a major economic tourism driver and destination for Area E and Penticton this is an important consideration.
- My knowledge of construction tells me that adding camouflage elements would amount to a small percentage of the over-all cost of the tower.
- In my opinion the RDOS should request this addition to maintain the aesthetics of the Naramata area and its tourism economic roots.
- The argument against this will probably be the additional cost – to which my response is this:
- Telus is putting in this tower solely to increase its business and profits in the Naramata area and possibly in the areas across the lake from Naramata which will also be serviced by this tower.
- Telus puts out the story constantly that it is doing this to “improve service” to the area – but this is not the full truth. Telus is doing this to improve their service coverage in this area.
- In fact the entire Naramata area has very good cell service from Telus’s competitors Rogers.
- I can attest to this as a Rogers customer for the past 15 years who uses my cell for working from home in Naramata, for calls and data when I am visiting clients throughout Naramata, and for calls and real-time Strava/Trailforks data when I am hiking and biking in the forests above Naramata. Excellent coverage from Rogers everywhere I go.
- So in reality Telus is putting this tower in to better compete with Rogers and increase Telus’ profits from the area.
- Because this is solely a move by Telus to generate more profit from local residents and visiting tourists, it is only reasonable that Telus spend a fraction of those profits to provide a more aesthetic presentation of the tower to those same residents and tourists that Telus is profiting from.

Thanks in advance for any info you can send my way, and for keeping the interests and quality of life experience of Naramata residents and the local tourism industry as a priority for RDOS Area E planning.

Yours,

Hugh McClelland  
Naramata Bench Wineries Association

**From:** JoAnn Peachey <[jpeachey@rdos.bc.ca](mailto:jpeachey@rdos.bc.ca)>  
**Sent:** Friday, June 18, 2021 8:51 AM  
**To:** **Subject:** RE: Telus Naramata Proposed Tower Questions

Hi Hugh,

I have forwarded your questions to the applicant and will be in touch once they reply.



**JoAnn Peachey** • Planner I  
Regional District of Okanagan-Similkameen  
101 Martin Street, Penticton, BC V2A 5J9  
p. 250.490.4384 • tf. 1.877.610.3737 • f. 250.492.0063  
[jpeachey@rdos.bc.ca](mailto:jpeachey@rdos.bc.ca) • [RDOS](#)  
[FACEBOOK](#) • [YOUTUBE](#) • Sign up for [REGIONAL CONNECTIONS](#)

**From:**  
**Sent:** June 17, 2021 3:02 PM  
**To:** Karla Kozakevich <[kkozakevich@rdos.bc.ca](mailto:kkozakevich@rdos.bc.ca)>; JoAnn Peachey <[jpeachey@rdos.bc.ca](mailto:jpeachey@rdos.bc.ca)>

**Subject:** Telus Naramata Proposed Tower Questions

**Importance:** High

Hi Karla and JoAnn,

About the proposed Telus cell tower in Naramata:

Two questions prior to the online info session.

1. Has there been any discussion with Telus or their representatives about “camouflaging” the tower as a tree, which has been done in other similar settings in North America?
2. Is there any clarity yet as to what lighting may be required to be on the tower and, if required, where on the tower, how bright, and will it be on 24 hours a day?

Thanks,

Hugh McClelland  
Naramata Bench Wineries Association

## Lauri Feindell

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**Subject:** FW: Comment - Naramata Cell Tower Proposal

**Importance:** High

**From:** Sent: July 9, 2021 12:49 PM  
**To:** Planning <planning@rdos.bc.ca>  
**Cc:** Karla Kozakevich <kkozakevich@rdos.bc.ca>  
**Subject:** FW: Comment - Naramata Cell Tower Proposal  
**Importance:** High

I am forwarding the message below to whom it may concern now that JoAnne Peachy is no longer an employee at RDOS.

Please advise who is the new person at RDOS responsible for this file.

Thanks

Hugh McClelland

**From:**  
**Sent:** Friday, July 9, 2021 12:28 PM  
**To:** [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)  
**Cc:** 'Karla Kozakevich' <[kkozakevich@rdos.bc.ca](mailto:kkozakevich@rdos.bc.ca)>; 'JoAnn Peachey' <[jpeachey@rdos.bc.ca](mailto:jpeachey@rdos.bc.ca)>  
**Subject:** Comment - Naramata Cell Tower Proposal  
**Importance:** High

To Whom It May Concern:

On behalf of the Winery businesses operating in the Naramata area whom are members of the Naramata Bench Wineries Association (NBWA), the NBWA has the following comments on the Telus proposed cell tower near Smethurst Road and Cottonwood Lane in Naramata:

1. The NBWA agrees that the proposed location is an appropriate location for the proposed facility and tower.
2. In relation to the appearance / design of the proposed facility the NBWA makes the following requests in order to minimize the proposed tower's negative visual impact for Winery customers, tourists to the area, and local residents:
  - a. That the proposed tower be painted to minimize light reflection and enable it to visually blend with the surrounding environment.
  - b. That no lighting be installed on the tower.
3. The NBWA has no additional comments.

The NBWA mailing address is: #374 – 113-437 Martin Street, Penticton, BC, V2A 5L1

The NBWA represents Wineries located between Vancouver Avenue in Penticton and Naramata Village.

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** Agricultural Land Commission Referral (Subdivision)– Electoral Area “A”

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### Administrative Recommendation:

**THAT the application to the Agricultural Land Commission to permit a 2-lot subdivision on a parcel located at 8310 2nd Avenue in Electoral Area “A” (Lot 640, Plan KAP1950, District Lot 2450S, SDYD, Except Plan B3527 3705 5125 B7120, Manufactured Home Reg.# 34560) not be “authorized” to proceed.**

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Purpose: To allow for a 2-lot subdivision      Folio: A-006350.000

Civic: 8310 2nd Avenue      Legal: Lot 640, Plan KAP1950, District Lot 2450S, SDYD

Zone: part Agriculture One (AG1) and part Campground Commercial (CT2)

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### Proposed Development:

An application has been lodged with the Agricultural Land Commission (ALC) under Section 21(2) of the Agricultural Land Commission Act (the Act) in order to permit a subdivision to occur within the Agricultural Land Reserve (ALR) in Area “A”.

Specifically, the applicant is seeking the Commission’s approval to “subdivide the portion of the property which cannot be farmed due to poor soils, and the slope and elevation of the property which is prone to flooding.”

The applicant has stated that “the intent of the subdivision is to create one additional lot allowing the owners to eventually sell the Lariana Cellars winery and vineyard property [and] retire on the newly created lot.” The property owners have proposed to “rehabilitate the land to expand the vineyard by approximately 1 ha. over land that is presently used for the RV Resort.”

### Statutory Requirements:

Under Section 34(1) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) applies wherein the Board has the ability to refuse to “authorise” an application.

Under Section 25(3) of the Act, formal “authorization” by the Regional District Board is only required for applications that apply to land that is zoned by bylaw to permit farm use, or requires an amendment to an official community plan or a zoning bylaw.

In this instance, Section 25(3) is seen to apply as the property “is zoned by bylaw to permit [an] agricultural or farm use”.

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**Site Context:**

The subject property is approximately 4.43 ha in area, situated to the east of 2<sup>nd</sup> Avenue, immediately north of the Canadian/American border and approximately 3km south of the Town of Osoyoos. It is understood that the west side of the parcel is comprised of a winery, vineyards and an accessory structure, and the east half contains a campground/RV park with amenities and a single family dwelling.

The surrounding pattern of development is generally characterised by agriculture, with residential properties along the lakeshore to the north; immediately south of the subject property lies the Canadian-American border.

**Background:**

It is unknown when the current boundaries of the subject property were created, while available Regional District records indicate that the following building permits have been issued: garage (1993), demolition of single family dwelling (2012), winery building (2012), and barrel storage (2013).

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2905, 2021, the subject property is designated part Agriculture (AG) and part Commercial Tourist (CT) and is the subject of a Watercourse Development Permit (WDP) Area designation along the eastern side of the property at Osoyoos Lake.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is currently split zoned Agriculture One Zone (AG1) and Campground Commercial Zone (CT2). The AG1 zone requires a minimum parcel size of 4.0 ha. The CT2 zone requires a minimum parcel size of 2.0 ha.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Osoyoos Lake.

The subject property is entirely within the Agricultural Land Reserve (ALR) and the applicant previously made an application to the ALC in 2019 to exclude the 2.3 ha campground portion of this property from the ALR for the purpose of creating a separate lot.

This proposal was refused by the Commission on the basis that "the vineyard and winery, and the campground and RV resort are a viable operation as one unit and a future landowner may benefit from the diversified use on Property as the Applicants and their family have before them."

BC Assessment has classified the property as part "Residential" (Class 01), part "Light Industry" (Class 05) and part "Business and Other" (Class 06).

At its meeting of July 22, 2021, the Regional District Board resolved to defer consideration of this Subdivision application and further directed that it be referred to the Electoral Area "A" Advisory Planning Commission (APC).

**Public Process:**

At its meeting of August 9, 2021, the Electoral Area "A" APC recommended to the Board that this Subdivision application be authorized to proceed to the Agricultural Land Commission.

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**Analysis:**

The Area “A” OCP Bylaw generally seeks to prevent the fragmentation of agricultural land and only supports the subdivision of such lands where it will “enhance agricultural viability.”

In this instance, the Agricultural Land Commission (ALC) has previously concluded that the existing vineyard and Campground/RV resort work well as one unit and suggest that future landowners may benefit from the diversified use on the property. In addition, the improvements being proposed to allow for the expansion of the vineyard are unrelated to subdivision, and subdivision will not result in enhanced agricultural viability.

It is feasible that subdivision will create a new, non-agricultural parcel in the ALR that does not meet minimum parcel size requirements for a campground use, will comprise a 160 metre frontage to Osoyoos Lake and is potentially serviceable by the sewer line connecting the Osoyoos Border Crossing. Should the campground be deemed no longer viable in future due to its reduced size and/or commercial assessment rates, this is likely to create pressure for conversion to other uses, such as residential. The subject property is not within a growth area under the RGS Bylaw.

Similarly, the proposed 3.2 ha remainder parcel will not meet minimum parcel size requirements for the creation of new agricultural parcels, while the current area under cultivation is only approximately 1.8 ha (NOTE: that part of the campground use to be retained in this remainder parcel would enjoy non-conforming use rights under the Local Government Act and the Regional District could not compel its conversion to vineyard).

This proposal would seem to create a de facto “homesite severance” parcel for a property owner that does not otherwise qualify for such a subdivision.

The proposed subdivision would allow for the campground business to develop separately from the agricultural use of the remainder parcel and allow the current property owners to retire on a section of the property that the applicant has suggested comprises sub-standard soils for agricultural use.

In summary, this proposal is seen to be inconsistent with the requirements in the Electoral Area “A” OCP and Zoning Bylaws.

**Alternatives:**

THAT the RDOS Board “authorize” the application to subdivide the parcel located at 8310 2<sup>nd</sup> Avenue to proceed to the Agricultural Land Commission.

**Respectfully submitted:**

Fiona Titley, Planner I

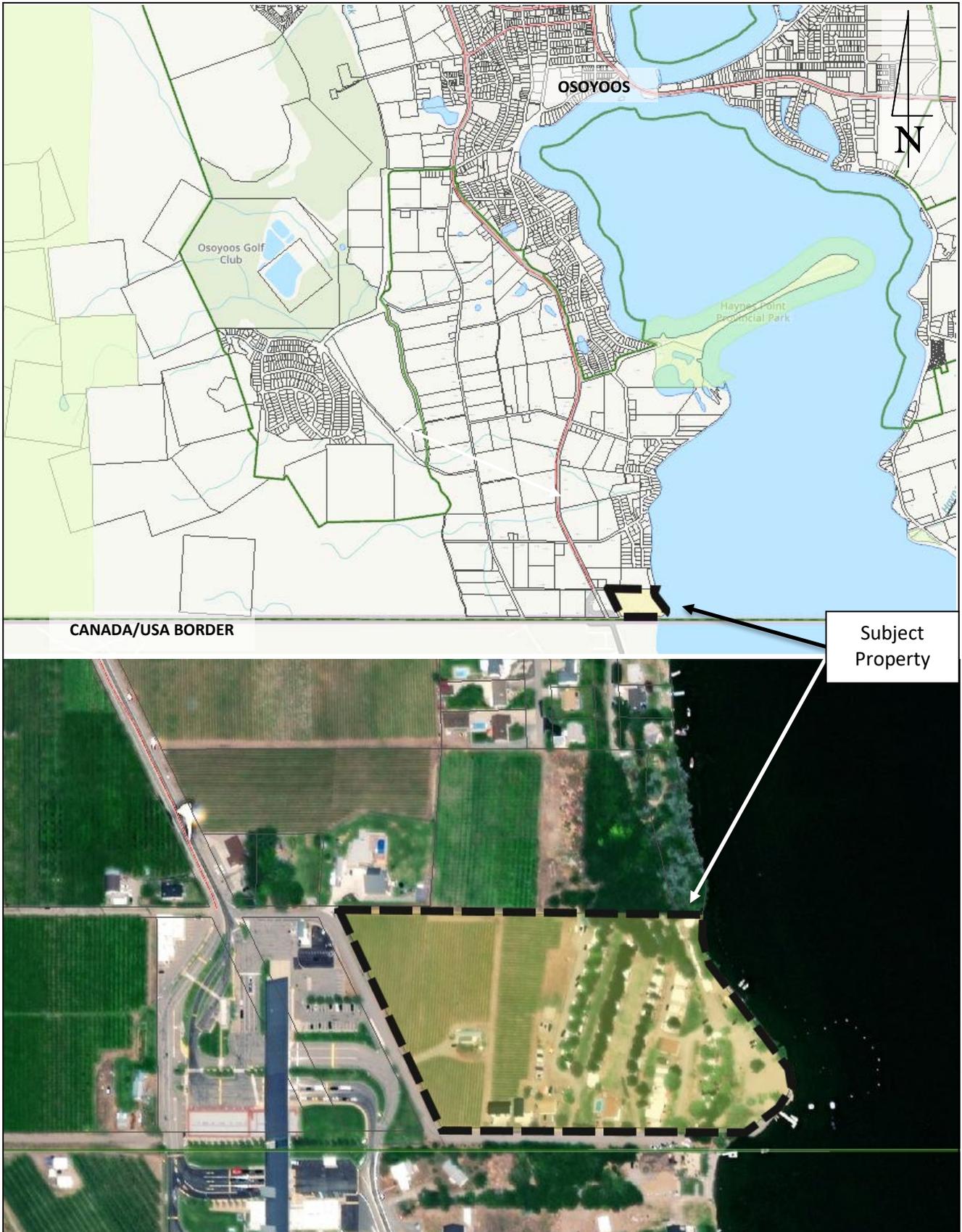
**Endorsed By:**

C. Garrish, Planning Manager

**Attachments:**

- No. 1 – Context Maps
- No. 2 – Applicant’s Site Plan
- No. 3 – Current Zoning
- No. 4 – Site Photo

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan



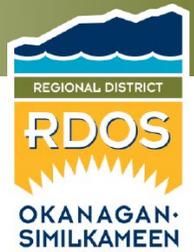
Attachment No. 3 – Current Zoning



Attachment No. 4 – Site Photos



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 19, 2021  
**RE:** Development Variance Permit Application — Electoral Area “F”

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## Administrative Recommendation:

**THAT Development Variance Permit No. F2021.026-DVP, being an application to construct an over height garage in the front parcel line setback at 1135 Jonathon Drive in West Bench”, be denied.**

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Legal: Lot C, Plan KAP43732, District Lot 5145, ODYD

Folio: F-07465.120 Zone: West Bench Small Holdings (SH6)

Variance To vary the front parcel line setback from 9.0 metres to 3.37 metres; and

Requests: to vary the maximum height for an accessory structure (garage) from 4.5 metres to 7.26 metres.

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## Proposed Development:

This application is seeking a number variances in order to facilitate the construction of a garage that can accommodate a lifted roof handicap vehicle.

Specifically, it is being proposed to vary the following zoning regulations for an accessory building or structure:

- reduce the minimum front parcel line setback from 9.0 metres to 3.37 metres; and
- increase the maximum height from 4.5 metres to 7.26 metres.

In support of this request, the applicant has stated that “ the requested variance will only minimally be outside of bylaw requirements as it is a garage addition that will match the look of the house.”

They have further advised that the proposed garage is to accommodate a lifted roof handicap vehicle so that it does not have to be stored outside in the winter for wheelchair access as the applicants have indicated that the vehicle would not fit in a standard height garage.

## Site Context:

The subject property is situated in a cul-de-sac at the end of Jonathon Drive and is approximately 2089 m<sup>2</sup>. The property currently contains a single family dwelling with an attached garage

Surrounding land uses are predominantly Penticton Indian Band land to the North and West and Administration and Open Space and West Bench Small Holdings properties to the East and South.

## Background:

The current boundaries of the subject property date to a plan of subdivision that was deposited with the Land Title Office in Kamloops on September 26, 1990. Available Regional District records indicate

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File No: F2017.026-DVP

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that building permits have previously been issued for a single family dwelling (1991), a house addition (n.d.) and a garage addition (2002).

Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790,2018, the property is Small Holdings (SH), and is subject to a Watercourse Development Permit (WDP) Area. A RAPR exemption letter signed and sealed by Karen Grainger, RPBio was provided which states that “there is no watercourse or riparian feature 'upstream' of West Bench Drive or within 30m of 1135 Jonathon Drive.”

Under the Electoral Area “F” Zoning Bylaw No. 2781, 2017, the property is zoned West Bench Small Holdings (SH6), which lists accessory buildings and structures as a permitted accessory use.

BC Assessment has classified the property as Residential (Class O1), and does not possess a geotechnical hazard rating as it is outside the study area of the Klohn Leonoff Report.

At its meeting on July 8, 2021, The Regional District Board resolved to defer the application to the Electoral Area “F” Advisory Planning Commission (APC).

**Public Process:**

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board’s regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board’s Agenda.

At its meeting of July 26, 2021, the Electoral Area “F” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject application be approved.

**Analysis:**

Setbacks

The purpose of minimum setbacks as set out in the Zoning Bylaw, is to provide a physical separation between the road and a building to manage traffic and pedestrian safety, maintain an attractive streetscape, mitigate overshadowing or loss of privacy of neighbouring properties, encourage open and landscaped areas along roadways, and contain development impacts on the property.

Further, minimum setbacks from parcel lines are used to maintain a minimum space between houses in a residential neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

Additionally, allowing for the development of accessory structures within a front setback is considered to represent poor streetscape design and is generally not representative of other development found on Jonathon Drive.

In this instance, Administration notes that there are no other accessory structures sited within the front setback on this cul-de-sac. Similarly, there are also no over-height as significantly as the one proposed.

The proposed garage will adversely impact the streetscape of this neighbourhood and, given its height (discussed below), may impact the views of adjacent properties.

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## Building Height

Regulating the height of accessory structures through the Zoning Bylaw is done to ensure that a building does not impact the shade and outdoor privacy of adjacent properties, or views to significant landmarks, water bodies or other natural features.

Building height is also an important component of the built form of a neighbourhood and, depending upon the location of an accessory structure (i.e. near a street frontage) an excessive height can have an impact upon established streetscape characteristics.

The intent of the lesser height allowance for accessory structures is to ensure they remain subordinate to the principle residential (dwelling) use and don't become used for other, un-related purposes not permitted by zoning (i.e. home industry).

The requested height variance represents a significant increase of more than 60% over what is currently permitted (i.e. 7.26 metres vs. 4.5 metres) and its close proximity to Jonathan Drive will make it a prominent feature on the property and the streetscape.

The outdoor storage of over-sized vehicles is a concern in the West Bench, the development of over-sized accessory structures is an equally important concern that was expressed during the public consultation undertaken in support of the new Official Community Plan Bylaw.

There is also a concern that large accessory buildings, like the one proposed, may be converted to an accessory dwelling or for living/sleeping facilities (bedroom) in the future or for a home industry use, both of which are not permitted in the SH6 Zone.

### **Alternative:**

1. That the Board approve Development Variance Permit No. F2021.026-DVP.

### **Respectfully submitted:**

*Fiona Titley*

\_\_\_\_\_  
Fiona Titley, Planner I

### **Endorsed by:**

*CG*

\_\_\_\_\_  
C. Garrish, Planning Manager

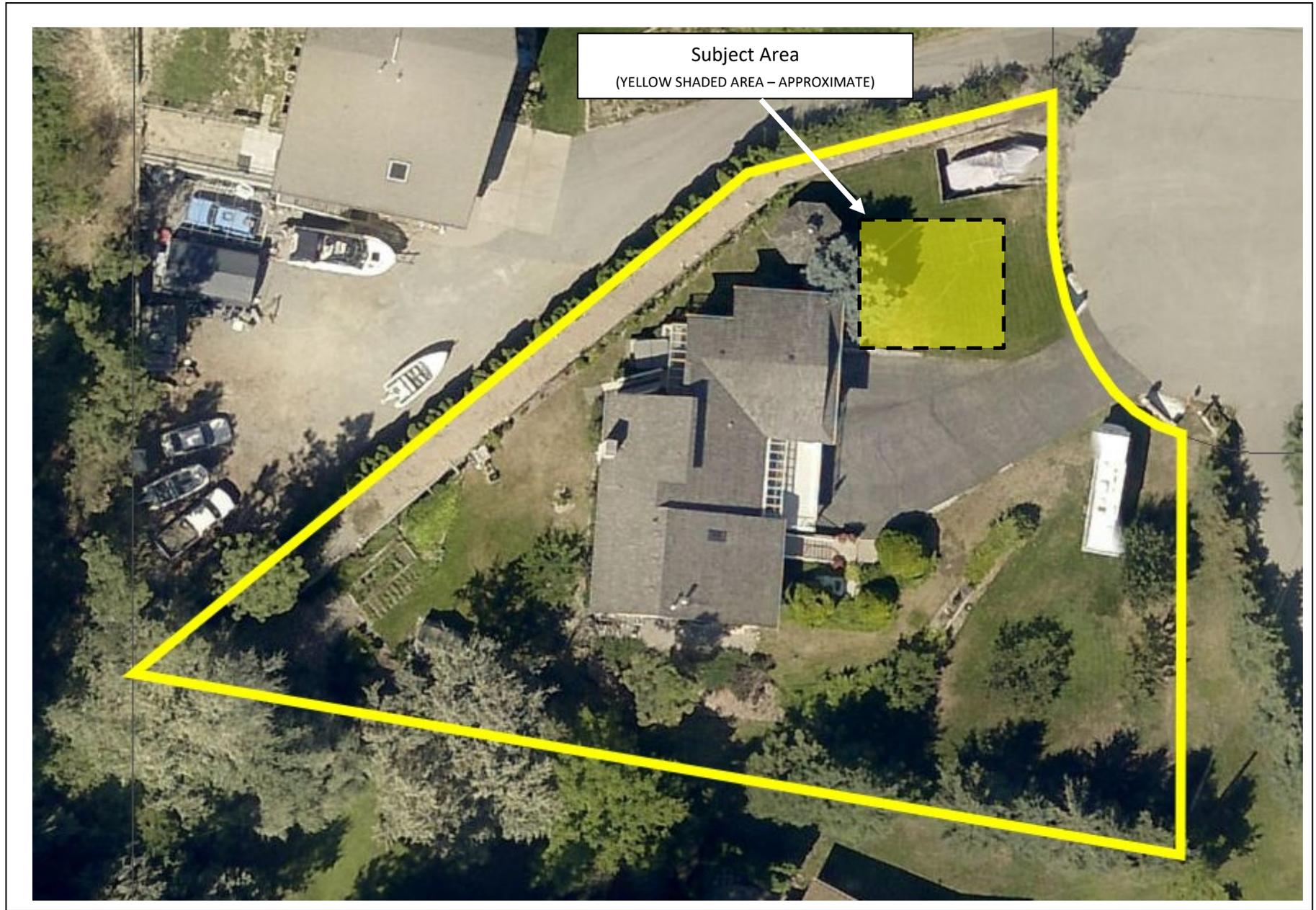
Attachments: No. 1 – Site Photo (Google Streetview)

No. 2 – Aerial Photo

Attachment No. 1 – Site Photo (Google Streetview)



Attachment No. 2 – Aerial Photo





# Development Variance Permit

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FILE NO.: F2021.026-DVP

## 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 '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 C, Plan KAP43732, District Lot 5145, ODYD

Civic Address: 1135 Jonathon Drive

Parcel Identifier (PID): 016-439-856 Folio: F-07465.120

## 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. 2781,2017, in the Regional District of Okanagan-Similkameen:
  - a) the minimum front parcel line setback for an accessory building in the West Bench Small Holdings (SH6) Zone, as prescribed in Section 10.9.6(b)(i), is varied:
    - i) from: 9.0 metres
    - to: 3.37 metres to the outermost projection as shown on Schedule 'B'.

- b) the maximum height for an accessory building in the West Bench Small Holdings (SH6) Zone, as prescribed in Section 10.9.7(b), is varied:
  - i) from: 4.5 metres
  - to: 7.26 metres, as shown on Schedule 'C'.

#### **COVENANT REQUIREMENTS**

- 7. Not Applicable

#### **SECURITY REQUIREMENTS**

- 8. Not applicable

#### **EXPIRY OF PERMIT**

- 9. 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 \_\_\_\_\_, 2021.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

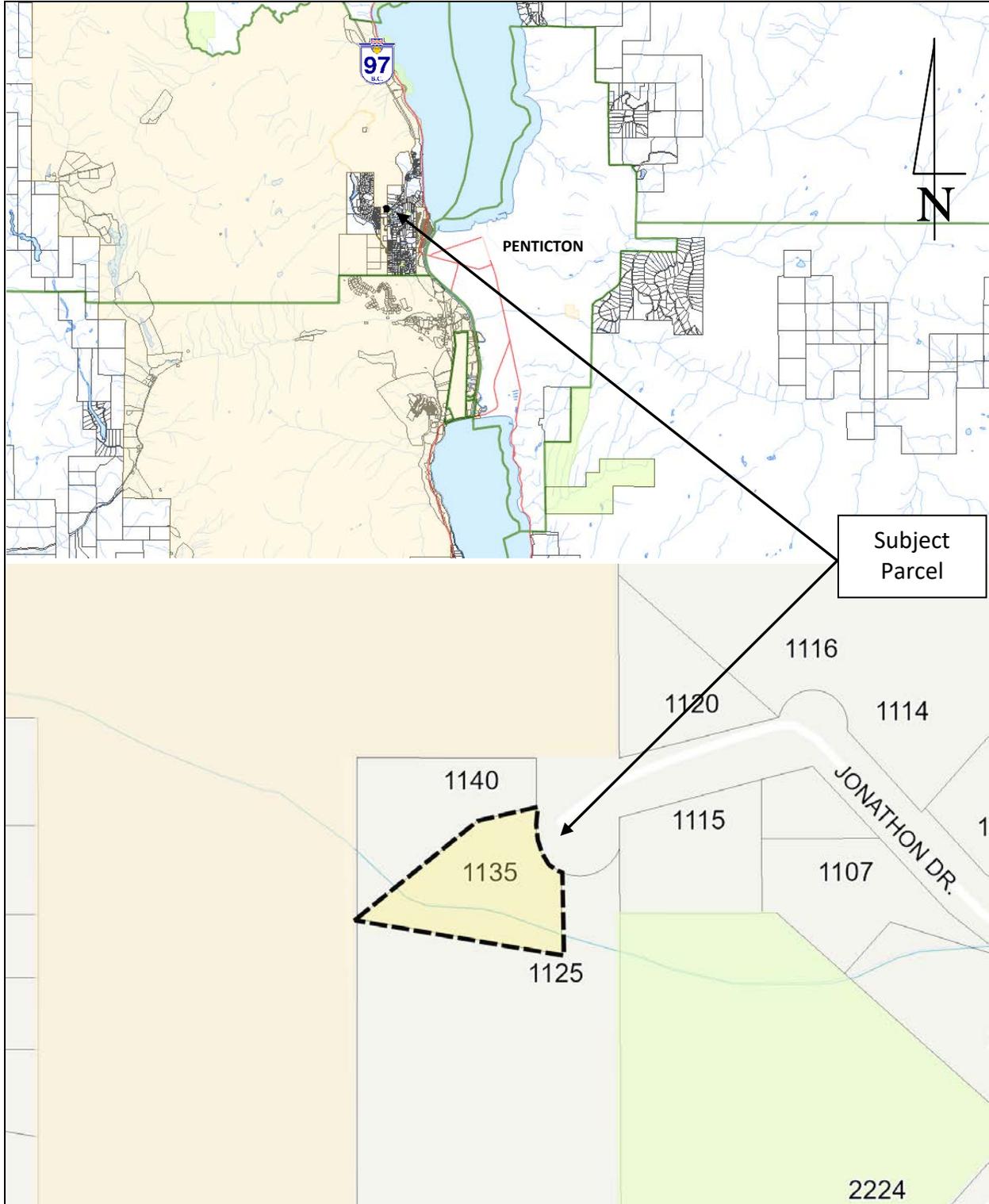
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

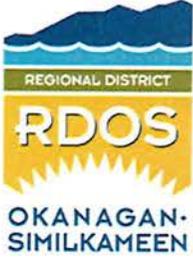
File No. F2021.026-DVP

Schedule 'A'









# Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: F2021.026-DVP

FROM: Name: Eva Durance \_\_\_\_\_  
(please print)

Street Address: Jonathan Dr. Penticton, BC V2A 8Z6

RE: Development Variance Permit (DVP) Application  
1135 Jonathon Drive, Electoral Area "F"

My comments / concerns are:

- I do support the proposed variances at **1135 Jonathon Drive**
- I do support the proposed variances at **1135 Jonathon Drive**, subject to the comments listed below.
- xx  I do not support the proposed variances at **1135 Jonathon Drive**.

All written submissions will be considered by the Regional District Board

- The proposed variances are both significant changes to the current standards of setback and height of accessory buildings. As well, the property is on a small cul-de-sac and the existing buildings, driveway, and boat parking already cover a large part of the land. The erection of the proposed garage would mean that almost the whole of the visible land is 'hardscaped', a serious detraction from the look of this semi-rural residential area.
- The house already has two garages, the main one of which is under the top storey and with direct connection to the house. The van for the wheelchair fits into the existing main garage. The plan for another, much larger, garage does not show any such direct house connection so the argument that it is needed so that a wheelchair and occupant can be put in and taken out of the van in the garage doesn't make sense.
- Since the current van for carrying the wheelchair and occupant (their daughter I believe) fits into the current garage, I cannot see a need for one 7.26 m high and the dimensions shown in the plans. The need is for one person, not a number of disabled people and sympathetic as I am for my neighbours, I cannot support such a drastic, and very likely unnecessary, change to the neighbourhood.
- Besides the permanent negative change to the view and whole look of the area for the other properties on the cul-de-sac, the disruption from the construction would be massive. The



**Lauri Feindell**

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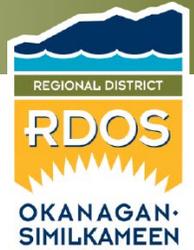
**Subject:** FW: Project No: F2021.026-DVP

**From:** James and Tammy Reid  
**Sent:** Wednesday, July 7, 2021 3:15 PM  
**To:** Fiona Titley <[ftitley@rdos.bc.ca](mailto:ftitley@rdos.bc.ca)>  
**Subject:** Project No: F2021.026-DVP

TO: Regional District of Okanagan Similkameen FILE NO.: F2021.026-DVP  
FROM: Name: James and Tammy Reid  
Street Address: 1140 jonathan drive  
RE: Development Variance Permit (DVP) Application 1135 Jonathon Drive, Electoral Area "F"  
My comments / concerns are: I do not support the proposed variances at 1135 Jonathon Drive

We feel that the addition of this garage to this property is far too big and close to the road, which could potentially cause safety concerns as there are children, horseback riders and bike riders etc. that use this cul de sac. We feel it does not fit in with the community appearance.  
james and tammy

# ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002 On-site Sewage Disposal System Requirements

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## **Administrative Recommendation:**

**THAT Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.13, 2021, being an amendment to revise onsite sewage disposal system requirements, be read a first, second and third time and be adopted.**

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## **Purpose:**

The purpose of Amendment Bylaw No. 2000.13, 2021, is to amend the Regional District's Subdivision Servicing Bylaw No. 2000, 2002, in order to establish requirements for on-site sewage disposal.

## **Background:**

Under Section 506(1) (Subdivision servicing requirements) of the *Local Government Act*, the Regional District may, by bylaw, require that a sewer disposal system be provided as part of the subdivision of a parcel of land and be located and constructed in accordance with the standards established in the bylaw.

At its meeting of September 19, 2002, the Board adopted the *Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw No. 2000, 2002*, which set out, amongst other things, the Regional District's requirements for the provision of onsite sewage disposal (i.e. septic systems).

### *Sewerage System Regulation:*

On May 31, 2005, the provincial government introduced a new *Sewerage System Regulation* under the *Public Health Act*, which ushered in a fundamental shift in how septic systems are designed and installed. The Regulation transferred this authority from Health Authorities to "Authorized Persons" (e.g. Registered Onsite Wastewater Practitioner) and is illustrative of an approach known as the "Professional Reliance" model.

Consequently, the design, installation, repair and maintenance of onsite wastewater systems *must* be performed by an "Authorized Person" and, as of 2005, Health Authorities no longer issue permits for sewerage system construction and simply administer the filing of septic system documentation prepared by a Registered Onsite Wastewater Practitioner (ROWP).

At its meeting of September 6, 2007, the Board adopted Amendment Bylaw No. 2000.03, 2007, in response to the enactment of the *Sewerage System Regulation* and removed all of the prescriptive

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requirements for on-site sewage systems (i.e. minimum rates and areas required for percolation tests) from Schedule “A” of the Subdivision Servicing Bylaw.

Schedule “B” (Required Levels of Works & Service) of the Subdivision Servicing Bylaw has, however, continued to require that on-site sewage disposal (i.e. “septic systems”) be provided on parcels greater than 1.0 ha in area.

Subdivision Report Criteria for Authorized Persons (IHA):

The Interior Health Authority (IHA) responds to referrals from the provincial Approving Officer on the suitability of onsite sewage disposal for proposed subdivisions and requires that reports demonstrate that there is suitable onsite sewerage dispersal areas for each proposed lot.

It is understood that this review is generally restricted to parcels (new and remainder) that are less than 2.0 ha in area. For parcels greater than 2.0 ha in area IHA does not require a report from a qualified professional.

Holding Tank Sewage Disposal Bylaw No. 927, 1986:

At its meeting of February 19, 1987, the Board adopted Bylaw No. 927, 1986, being “a bylaw to provide for holding tanks in Electoral Area ‘A’ only”. Specifically, the bylaw allows for the use of a holding tank when:

- a community sewer system is not available; and
- a sewage disposal permit cannot be obtained due a malfunctioning of an existing septic tank system.

It is understood that this was enacted to address the failure of septic tank systems on properties adjacent to Osoyoos Lake and has largely been rendered redundant following the completion of the Northwest Sewer Extension in 2009-10.

The Interior Health Authority (IHA) currently advises that “a holding tank is not considered a sustainable method for sewage management but can be considered as a temporary measure or in situations where other systems would result in a health hazard.”

By inference, the use of holding tanks is seen to be prohibited in all other Electoral Areas due to Bylaw No. 927 making no further accommodations beyond Electoral Area “A”.

Board Consideration:

At its meeting of May 6, 2021, the Planning and Development (P&D) Committee of the Regional District Board resolved that Amendment Bylaw No. 2000.13 be initiated.

**Analysis:**

The current requirements of the Subdivision Servicing Bylaw for on-site sewage disposal systems present a challenge to the successful administration of the bylaw.

At issue is Schedule “B”, which establishes that an on-site sewage disposal system is a requirement for any new parcel greater than 1.0 ha in area. Conversely, the remainder of the bylaw provides no guidance on how an applicant and/or property owner undertaking a subdivision that is to be provided with an on-site sewage disposal system can demonstrate compliance with this requirement.

As a result, the on-site sewage disposal system requirements of Schedule “B” have generally fallen into disuse since 2007.

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To address this, it is proposed that a basic set of requirements be introduced into the Subdivision Servicing Bylaw.

This includes confirming that, where a parcel is not required to be served by a community sewer system under Schedule “B” (Levels of Service) of the bylaw (i.e. on parcels greater than 1.0 ha), it shall be served by an individual on-site sewage disposal system and that such a system must be located on the parcel that it is to serve.

There would also appear to be merit in clarifying, through the Subdivision Servicing Bylaw, that use of holding tanks is prohibited, and that this be extended to Electoral Area “A” through the repeal of Bylaw No. 927, 1986.

The repeal of Bylaw No. 927, 1986, and the incorporation of a prohibition against holding tanks in the Subdivision Servicing Bylaw would require Board consideration of any future holding tank proposal through a development variance permit (DVP) process.

**Alternatives:**

.1 THAT prior to first reading of the Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.13, 2021, the bylaw be amended to incorporate the following:

i) *TBD.*

.2 THAT first reading of the Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.13, 2021, be denied;

AND THAT the Regional District of Okanagan-Similkameen Holding Tank Sewage Disposal Bylaw No. 927, 1986, not be repealed.

**Respectfully submitted:**



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C. Garrish, Planning Manager

Attachments: No. 1 - Schedule “B” (Levels of Service) of Subdivision Servicing Bylaw No. 2000, 2002  
No. 2 – RDOS Holding Tank Sewage Disposal Bylaw No. 927, 1986

**TABLE 1 – LEVELS OF SERVICE**

Service Level Area	Parcel Area	Minimum Required Works and Services					
		Proven Water System	Community Water Supply	On-Site Sewage Disposal System	Community Sewer System	Street Lighting	Underground Wiring
Low Density Residential	1.0 ha or greater	✓		✓			
	0.5 ha to 0.99 ha	✓			✓		
	0.25 ha to 0.499 ha		✓		✓		
	Less than 0.25 ha		✓		✓	✓	✓
Medium Density Residential	Greater than 0.25 ha		✓		✓	✓	✓
	Less than 0.25 ha		✓		✓	✓	✓
All other land uses	1.0 ha or greater	✓		✓			
	0.5 ha to 0.99 ha	✓			✓		
	0.25 ha to 0.499 ha		✓		✓		✓
	Less than 0.25 ha		✓		✓		✓

✓ = Required Servicing

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2000.13, 2020**

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**A Bylaw to amend the Regional District of Okanagan Similkameen  
Subdivision Servicing Bylaw No. 2000, 2002**

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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 "Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.13, 2021."
2. The "Regional District of Okanagan Similkameen Subdivision Servicing Bylaw No. 2000, 2002" is amended by:
  - i) replacing section 4.2.9 (On Site Sewage Disposal) under Section 4.0 (Sanitary Sewers) of Schedule "A" (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

**4.2.9 On-Site Sewage Disposal**

    - a) where a parcel is not required to be served by a community sewer system under Schedule "B" (Levels of Service), it shall be served by an individual on-site sewage disposal system.
    - b) an on-site sewage disposal system must be located on the parcel it will service.
    - c) holding tanks are not permitted as a method of on-site sewage disposal.
3. The "Regional District of Okanagan-Similkameen Holding Tank Sewage Disposal Bylaw No. 927, 1986", is repealed.

READ A FIRST, SECOND AND THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 927

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A bylaw to provide for holding tanks in Electoral Area 'A' only.

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WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen desires to regulate the issuance of holding tank permits within Electoral Area 'A' of the Regional District;

AND WHEREAS the approval of the Ministry of Health has been obtained;

NOW THEREFORE 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 "Regional District of Okanagan-Similkameen Holding Tank Sewage Disposal Bylaw No. 927, 1986".

2. INTERPRETATION

For the purposes of this bylaw, unless the context otherwise requires, the following words, terms and expressions shall have the meanings hereinafter assigned to them:

- "Board" means the Regional Board of the Regional District of Okanagan-Similkameen.
- "Community Sewer System" means a system of sewage disposal which serves two (2) or more lots and which is owned, operated, and maintained by an Improvement District under the Water Act or the Municipal Act, and amendments thereto; a Municipality, a Regional District, or an Agency of Her Majesty the Queen in Right of Canada or her Majesty the Queen in Right of the Province of British Columbia.
- "Holding tank" means a tank designed to store sewage on a parcel of land for a period of time before the sewage is transported to an approved disposal site or community sewer system located elsewhere.
- "Off-site" means off of the parcel on which sewage is generated.
- "On-site" means on the parcel on which sewage is generated.
- "Parcel" means any lot, block, or other area in which land is held or into which land is subdivided or any remaining portion of the land being subdivided.
- "Regional District" means the Regional District of Okanagan-Similkameen.
- "Sewage Disposal Regulations" means the Sewage Disposal Regulations, B.C. Reg. 411/85 made pursuant to the Health Act and amendments thereto.
- "Zoning Bylaw" means a bylaw governing the use of land adopted by the Regional District pursuant to the Municipal Act, and amendments thereto.

All other words shall have the meaning ascribed to them in the Sewage Disposal Regulations.

3. BASIC PROVISIONS

(a) Application:

- ( i) This bylaw shall apply to only those developed properties within Electoral Area 'A' of the Regional District where a community sewer system is not available and a sewage disposal permit cannot be obtained due to a malfunctioning of an existing septic tank system.
- ( ii) This bylaw does not apply where the estimated minimum daily sewage flows for the intended use exceed 22,730.5 litres per day (5,000 Imperial Gallons per day).

(b) Administration:

- ( i) The Chief Building Inspector or such other person appointed by the Regional Board shall administer this bylaw.
- ( ii) Persons appointed under Section 3.(b)(i) this bylaw may enter upon the properties being developed for sewage disposal purposes, at any reasonable time, for the purposes of administering or enforcing this bylaw.

(c) Prohibitions and Procedure:

- ( i) No person shall locate, establish or construct a holding tank sewage disposal system on any property in contravention of this bylaw.
- ( ii) No person shall commence the construction, installation, alteration or repair of a holding tank or part thereof until a permit in the prescribed form has been obtained from the Public Health Inspector.
- (iii) The application for a holding tank sewage disposal permit shall be made by the owner or his agent in the prescribed form and shall be accompanied by plans and specifications of the proposed holding tank. The plans and specifications shall be approved by the person appointed pursuant to Section 3.(b)(i) of this bylaw, who may require that they be prepared and certified by a professional engineer specializing in sewage disposal systems.
- ( iv) No person shall do any work that is at variance with the descriptions, plans, and specifications for the holding tank for which a permit has been issued, unless such change has been approved by the person appointed pursuant to Section 3.(b)(i) of this bylaw.
- ( v) No person shall interfere with or obstruct the entry of the person appointed pursuant to Section 3.(b)(i) of this bylaw acting in the conduct of administration and enforcement of this bylaw.

(d) Penalties:

Any person guilty of any infraction of this bylaw (and for the purposes hereof every infraction shall be deemed to be a continuing, new and separate offence for each day during which the same shall continue) shall, upon conviction of such infraction or infractions before the Courts having jurisdiction within the Regional District on the oath or affirmation of such authority, pay a fine not less than the sum of one hundred dollars (\$100.00) nor more than the sum of two thousand dollars (\$2,000.00) for each day or part thereof for which any such infraction shall be continued, together with the cost for each such offence. In default of payment it shall be lawful for such Courts to commit the offender to the common jail or any lock-up house for a period not exceeding two calendar months unless the said fine or penalty cost be paid. Nothing herein contained shall prevent the Regional District from taking such other lawful action as is necessary to prevent or remedy any violation.

(e) Remedial Powers:

- ( i) The Board may, in accordance with the provisions of the Municipal Act, authorize the demolition, the removal, or the bringing up to standard of any holding tank, in whole or in part, that is in contravention of this bylaw.
- ( ii) The Regional District by its workmen or others may also undertake the pumping of sewage from holding tanks constructed pursuant to this bylaw that are maintained in such a manner as to create an insanitary condition as determined by the Public Health Inspector. All necessary and incidental expenses connected with correcting the insanitary condition shall be charged to the owner of the real property, and if unpaid on the 31st day of December in any year, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

(f) Severability:

If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

4. REGULATIONS

(a) On-Site:

- ( i) Subject to the provisions of Section 3. of this bylaw, one (1) on-site holding tank shall be permitted per parcel.
- ( ii) The estimated minimum daily sewage flows of Appendix 1 of the Sewage Disposal Regulations shall apply.
- (iii) The on-site holding tank shall be designed with a reserve capacity equal to three (3) times the estimated minimum daily sewage flows.
- ( iv) An approved electronic warning device shall be installed to provide the owner with an advanced warning of the need to pump out the holding tank.

- ( v) On-site holding tanks shall be sited in accordance with the Sewage Disposal Regulations.
- ( vi) All on-site holding tanks shall be designed, constructed, and approved in accordance with the terms and conditions of the permit.

(b) Off-Site:

- ( i) An approved off-site disposal system shall be provided for each holding tank. To ensure perpetual use of the approved site a registered easement may be required.
- ( ii) Notwithstanding the requirements of Section 4.(b)(i) of this bylaw, holding tank sewage may be discharged to a community sewer system subject to the approval of the authority having jurisdiction to accept the discharge in perpetuity.
- (iii) The off-site disposal system shall be accessible year round.
- ( iv) Off-site disposal systems shall be designed, constructed and approved in accordance with applicable provincial regulations.
- ( v) All off-site disposal systems shall be designed, constructed, and approved in accordance with the requirements of this bylaw.

5. This bylaw may be cited as "Regional District of Okanagan-Similkameen Holding Tank Sewage Disposal Bylaw No. 927, 1986".

READ A FIRST TIME this 20 day of November , 1986.  
 READ A SECOND TIME this 20 day of November , 1986.  
 READ A THIRD TIME this 20 day of November , 1986.

Certified a true copy of Bylaw No.927 at third reading.

Dated at Penticton, B.C.  
this 27 day of November , 1986.

June D. Smith  
Secretary

RECEIVED THE APPROVAL of the Minister of Health this 4 day of  
February , ~~1986~~/ 1987.

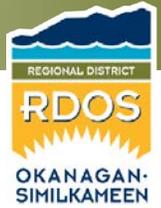
RECONSIDERED, PASSED AND FINALLY ADOPTED this 19 day of February ,  
~~1986~~/ 1987.

H.R. Douglas  
Chairman

June D. Smith  
Secretary

\_\_\_\_\_  
H.M. Richards  
Provincial Health Officer

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002  
Documentation requirements for confirming a water service

---

### **Administrative Recommendation:**

**THAT Bylaw No. 2000.14, 2021, being an amendment of the Subdivision Servicing Bylaw to clarify the requirements for confirming a source of water has been provided for new parcels, be read a first, second and third time and be adopted.**

---

### **Purpose:**

The purpose of Amendment Bylaw No. 2000.15, 2021, is to amend the Regional District's Subdivision Servicing Bylaw No. 2000, 2002, in order to establish documentation requirements for confirming that a proposed subdivision is in compliance with water service levels.

### **Background:**

Under Section 506(1) (Subdivision servicing requirements) of the *Local Government Act*, the Regional District may, by bylaw, require that a water distribution system be provided as part of the subdivision of a parcel of land and be located and constructed in accordance with the standards established in the bylaw.

At its meeting of September 19, 2002, the Board adopted the *Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw No. 2000, 2002*, which sets out, amongst other things, the Regional District's requirements for the provision of a proven water system (i.e. well) or connection to a community water supply.

These requirements include all parcels to be created by subdivision either being connected to a community water system, or being provided with a proof of water (i.e. groundwater well) from a source capable of generating at least 2,300 litres per day of potable water (i.e. drinking water) having a flow capacity of at least 20 litres per minute for one hour.

At its meeting of June 19, 2003, the Board adopted Amendment Bylaw No. 2189, 2003, which deleted a requirement that a property owner subdividing their parcel of land submit confirmation from a qualified professional that a proposed water source met the Regional District's requirements for water quality (i.e. potability).

At its meeting of May 6, 2021, the Planning and Development (P&D) Committee of the Regional District Board resolved that Amendment Bylaw No. 2000.14 be initiated.

### **Analysis:**

As a result of the 2003 amendments to the Subdivision Servicing Bylaw, the requirement that a potable source of water be proven at the time of subdivision has effectively been relegated as a

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consideration by the Regional District at subdivision. This is due to the inability of the Regional District to confirm this requirement in the absence of a report submitted by a qualified professional.

The Bylaw is also silent on what documentation the Regional District requires in order to confirm that the water source to be provided to a new parcel meets the applicable requirements. This leads to confusion and a potential lack of consistency by the Regional District when dealing with property owners seeking sign-off on their subdivision.

The re-establishment of the requirement for written confirmation to be provided in relation to the water source provided to new parcels (quality and quantity) would save both the applicant and the Regional District time in processing our response to the Subdivision Approving Officer.

A report from a qualified professional confirming the potability of water for parcels to be served by a well, or written confirmation from the operator of a community water system that capacity exists to connect the proposed parcels and all applicable fees have been paid.

The Regional District has a had a long-standing requirement for water potability to be proven at subdivision. The proposed amendment would clarify what documentation a property owner is to provide in order to achieve compliance with the bylaw and would generally align with the approach applied by other regional districts.

The proposed documentation requirements would be the most effective way to ensure compliance with the bylaw and that the Board's objectives for water quantity and quality are being met.

**Alternatives:**

- .1 THAT prior to first reading of the Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.14, 2021, the bylaw be amended to incorporate the following:
  - i) *TBD*.
- .2 THAT first reading of the Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.14, 2021, be denied.

**Respectfully submitted:**



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C. Garrish, Planning Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2000.14, 2021**

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**A Bylaw to amend the Regional District of Okanagan Similkameen  
Subdivision Servicing Bylaw No. 2000, 2002**

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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 “Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.14, 2021.”
2. The “Regional District of Okanagan Similkameen Subdivision Servicing Bylaw No. 2000, 2002” is amended by:
  - i) replacing the definition of “Professional Engineer” under Section 1.2 (Definitions) of Schedule “A” (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

**“PROFESSIONAL ENGINEER”** means a person who is registered or duly licensed in British Columbia under the provisions of the *Professional Governance Act*.
  - ii) replacing sub-section 3.1 (Introduction) under Section 3.0 (Water Supply) of Schedule “A” (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

**3.1 GENERAL REQUIREMENTS**

- .1 All new parcels to be created by subdivision must be provided with sufficient quantities of potable water by:
  - a) proving availability of sufficient quantities of potable water from a private water source; or
  - b) connecting to a *community water system*.
- .2 where it is proposed to provide a private water source, the following shall be submitted to the Regional District:

- a) a report certified by a *Professional Engineer* which includes:
  - i) a site plan indicating the location and GPS coordinates of each proposed well;
  - ii) a well log or pump test completed within the previous 12 months; and
  - iii) analysis and assessment of the pumping test data including professional assurance as to whether the subject well meets the requirements of this bylaw.
- .3 where it is proposed to connect to an existing *community water system*, the following shall be submitted to the Regional District:
  - a) a letter from the owner of the *community water system* confirming that all of the proposed parcels can be connected to the *community water system* and that all fees have been paid for connection(s) to the *community water system*; and
  - b) a current Certificate of Public Convenience and Necessity (CPCN) where the *community water system* is operated by a private utility.
- iii) replacing sub-section 3.2.10 (Private Water Source) under Section 3.0 (Water Supply) of Schedule “A” (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

**3.2.10 Private Water Source**

Compliance with the following regulations at the time of subdivision approval does not warrant or guarantee the continuing quality or quantity of water on a parcel over time:

- .1 All wells to be used as a private water source must be designed, located, constructed, tested and disinfected in accordance with the provincial *Ground Water Protection Regulation* under the *Water Act*.
- .2 All wells must be capable of delivering potable water from a source capable of:
  - i) providing at least 2,300 litres per day; and
  - ii) a flow capacity of at least 20.0 litres per minute for one hour.
- .3 All wells must be drilled to a depth of not less than 15 meters, be constructed in a way to prevent surface water from entering the well and meet the minimum construction standards contained in the provincial *Groundwater Protection Regulation 299/2004*.
- .4 A well must be constructed on each parcel of a proposed subdivision that is dependent upon groundwater as a source of water.

- .5 A well is restricted to supplying water to the parcel on which it is to be located.

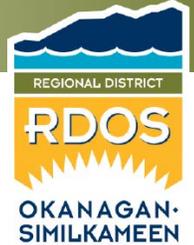
READ A FIRST, SECOND AND THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

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

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002 for Documentation requirements for confirming a sewage disposal system

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### **Administrative Recommendation:**

**THAT Bylaw No. 2000.15, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to clarify the requirements for confirming a connection to sewage disposal for new parcels, be read a first, second and third time and be adopted.**

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### **Background:**

Under Section 506(1) (Subdivision servicing requirements) of the *Local Government Act*, the Regional District may, by bylaw, require that a sewer system be provided as part of the subdivision of a parcel of land and be located and constructed in accordance with the standards established in the bylaw.

At its meeting of September 19, 2002, the Board adopted the *Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw No. 2000, 2002*, which sets out, amongst other things, the Regional District's requirements for the provision of a sewage disposal system.

Despite containing detailed design standards for community sewer systems, the Subdivision Servicing Bylaw does not currently provide direction to property owners regarding the documentation required by the Regional District to confirm compliance with these bylaw standards.

At its meeting of May 6, 2021, the Planning and Development (P&D) Committee of the Regional District Board resolved that Amendment Bylaw No. 2000.15 be initiated.

### **Analysis:**

Lack of documentation standards can create confusion for property owners seeking to obtain confirmation from the Regional District on compliance of their subdivision with the requirements of the Subdivision Servicing Bylaw, and for Regional District staff advising on what level of documentation is required to satisfy the bylaw.

To address this, it would be beneficial to introduce a standard set of documentation requirements into the Subdivision Servicing Bylaw. This would include written confirmation from the operator of a sewer system being provided to the Regional District that capacity exists within the system to accommodate the subdivision and that all applicable fees to connect to the system have been received.

When it is proposed to construct a new community sewer system, the proposed operator of the system would provide written confirmation to the Regional District that it has been constructed to provincial standards. If the Regional District is to assume ownership of the system upon completion,

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that it consent to the design, and that the Regional District may request that excess capacity be designed into the system in order to allow for its expansion to additional lands in future.

With regard to on-site sewage disposal systems, it is being proposed that written confirmation from the local authority having jurisdiction stating that their requirements with regard to onsite sewage disposal have been satisfied on all parcels less than 2.0 ha in area. For parcels greater than 2.0 ha in area, no confirmation would be required.

**Alternatives:**

- .1 THAT prior to first reading of the Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.15, 2021, the bylaw be amended to incorporate the following:
  - i) *TBD*.
- .2 THAT first reading of the Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.15, 2021, be denied.

**Respectfully submitted:**



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C. Garrish, Planning Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2000.15, 2021**

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**A Bylaw to amend the Regional District of Okanagan Similkameen  
Subdivision Servicing Bylaw No. 2000, 2002**

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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 “Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.15, 2021.”
2. The “Regional District of Okanagan Similkameen Subdivision Servicing Bylaw No. 2000, 2002” is amended by:
  - i) replacing sub-section 4.1 (Introduction) under Section 4.0 (Sanitary Sewers) of Schedule “A” (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

**4.1 GENERAL REQUIREMENTS**

- .1 All new parcels to be created by subdivision must be provided with sufficient disposal of on-site sewage by:
  - a) an individual on-site sewage disposal system; or
  - b) connecting to a *community sewer system*.
- .2 where a parcel is less than 2.0 ha in area and is to be served by an individual on-site sewage disposal system, the following shall be submitted to the Regional District:
  - a) written confirmation from the authority having jurisdiction stating that their requirements with regard to onsite sewage disposal have been satisfied.
- .3 where it is proposed to connect to an existing *community sewer system*, the following shall be submitted to the Regional District:

- a) a letter from the owner of the *community sewer system* confirming that:
    - i) all of the proposed parcels can be connected to the *community sewer system*; and
    - ii) all fees have been paid for connection(s) to the *community sewer system*.
- .4 where it is proposed to construct a new *community sewer system*, conditions for approval shall include:
- a) Each *community sewer system* shall be designed and constructed to the standards prescribed by the *Environmental Management Act* and the *Public Health Act* and regulations pursuant to those Acts; or where standards are not provided, in accordance with standards generally accepted as good engineering practice;
  - b) Where a *community sewer system* is to be acquired by the Regional District, the design of such shall be submitted to the Regional District for approval prior to the commencement of construction as required by this Bylaw;
  - c) Where a *community sewer system* is to be installed, and before confirmation of compliance with the requirements of this section is provided by the Regional District to the provincial Approving Officer, the *community sewer system* shall be:
    - i) installed by the property owner or by the authority having jurisdiction at the property owner's expense and be approved by the authority having jurisdiction; or
    - ii) the subject of a Works and Servicing Agreement entered into by the property owner and the Regional District in which the required works and services will be installed by the property owner at their expense.
  - d) The Regional District may request of the provincial Approving Officer that part of a sewage collection system have greater capacity than is needed to serve the proposed subdivision. The cost of providing excess capacity shall be paid for pursuant to Section 508 (Latecomer charges and cost recovery for excess or extended services) of the *Local Government Act*.

READ A FIRST, SECOND AND THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

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

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** August 19, 2021

**RE:** **2021 Schedule of Special Meetings**

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### Administrative Recommendation:

**THAT the Fall Schedule of Special Meetings be approved as presented.**

- **Thursday November 4, 2021 – Legislative Workshop / Inaugural Meeting (full day)**
- **Friday November 12, 2021 –Budget Committee Meeting #1 (full day)**
- **Friday November 19, 2021 –Budget Committee Meeting #2 (full day)**
- **Wednesday November 24, 2021 – Strategic Planning (evening only) with Gordon McIntosh**
- **Thursday November 25, 2021 – Strategic Planning (full day) with Gordon McIntosh**

### Purpose:

To establish a schedule of special meetings for 2021 in accordance with relevant legislation and the RDOS Procedure Bylaw.

### Reference:

*Local Government Act*  
RDOS Procedure Bylaw

### Analysis:

Generally, the Board follows a schedule of convening meetings on the first and third Thursday of each month; although, there are additional meetings that take place towards the end of each year with a focus on preparing for the upcoming year. These meetings include a business meeting, strategic planning and budget planning.

Administration has been in contact with the Corporate office of each municipality to share the proposed additional meeting dates noted above, to ensure there are no conflicts in scheduling

Strategic Planning for a local government's final year can look a lot different than the first three years of the term, and administration has procured the services of Local Government consultant, Dr. Gordon McIntosh to lead the strategic planning process. Dr. McIntosh will focus on walking the Board through determining what issues or matters the Board would like to be working on, completing or starting, as it moves through the final year of the term.

Dr. McIntosh has 40 years of local government management, educator, and consultancy experience. He provides governance, strategic and leadership services and has conducted 1,300 workshops involving 140,000 people on local government related topics.

The special meeting schedule listed above allows for two full budget workshop days. Any additional budget discussions required will be incorporated into regular Board meeting days.

**Respectfully submitted:**

*“Christy Malden”*

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\_C. Malden, Manager of Legislative Services