



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, September 23, 2021
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

| | | | |
|----------|---|----------|---|
| 9:00 am | - | 9:15 am | Public Hearing |
| 9:15 am | - | 10:15 am | Planning and Development Services Committee |
| 10:15 am | - | 10:35 am | Corporate Services Committee |
| 10:35 am | - | 10:45 am | Break |
| 10:45 am | - | 11:15 am | Environment and Infrastructure Committee |
| 11:15 am | - | 1:15 pm | RDOS Board of Directors |

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

| 2021 Notice of Meetings | | | |
|-------------------------|-------------------------|--------------------------|--------------------|
| October 7 | RDOS Board | | Committee Meetings |
| October 21 | RDOS Board | OSRHD Board | Committee Meetings |
| November 4 | RDOS Board Inaugural | OSRHD Board Inaugural | |
| November 18 | RDOS Board | OSRHD Board | Committee Meetings |
| December 2 | RDOS Board | | Committee Meetings |
| December 16 | RDOS Board | OSRHD Board | Committee Meetings |



NOTICE OF PUBLIC HEARING

Electoral Area “F” Zoning Bylaw Amendment

5683 Princeton-Summerland Road

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area “F” Zoning Amendment Bylaw 2461.16, 2021**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a public hearing to be held on:

Date: Thursday, September 23, 2021

Time: 9:00 a.m.

Location: <https://rdos.webex.com>

Event Number: 187 235 5098

Password: RD@S

INSTRUCTIONS ON HOW TO PARTICIPATE

To participate in the electronic public hearing, please enter the text provided under “Location” (above) into the address bar of an internet browser (e.g. Chrome, Firefox, Safari, Edge). The Regional District is utilizing Cisco’s Webex videoconferencing services and individuals interested in participating in the public hearing are encouraged to test this service on their computer or mobile device prior to the date of the hearing.

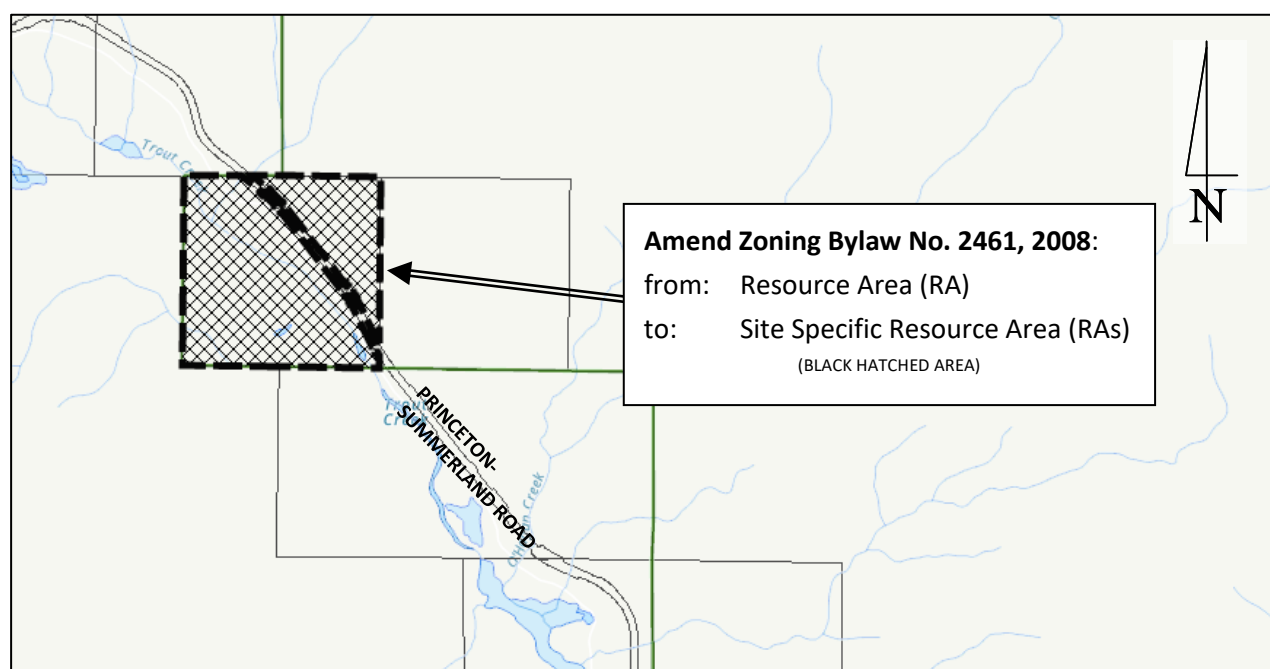
Interested individuals may also participate in the public hearing by calling 1-833-311-4101. Additional instructions on how to participate in an electronic public hearing are available on the Regional District’s website: www.rdos.bc.ca.

Anyone who considers themselves affected by the amendment bylaw can present written information to the Regional District prior to or during the public hearing and may also speak at the public hearing. No letter, report or representation from the public will be received after the conclusion of the public hearing

PURPOSE OF THE BYLAW

The purpose of the proposed amendment is to restore “campground” as a permitted use on the subject property at 5863 Princeton-Summerland Road (legally described as District Lot 4478, ODYD). More specifically **Amendment Bylaw No. 2421.16, 2021** proposes to:

- amend Schedule ‘1’ (Zoning Text) of the Electoral Area “F” Zoning Bylaw No. 2461, 2008 by adding Site Specific Resource Area Provisions at the subject property to restore “campground” as a permitted use.
- amend Schedule ‘2’ (Official Zoning Map) of the Electoral Area “F” Zoning Bylaw No. 2461, 2008, by changing the zoning of the subject property from Resource Area (RA) to Site Specific Resource Area (RAs).



For further information about the content of **Amendment Bylaw No. 2461.16, 2021**, and the land affected by it, persons are encouraged to inspect a copy of the proposed Bylaws at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

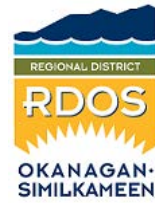
Basic information related to this proposal is also available at: www.rdos.bc.ca (Property & Development → Planning, Zoning & Subdivision → Current Applications → Electoral Area “F” → F2021.004-ZONE).

Anyone who considers themselves affected by **Amendment Bylaw No. 2461.16, 2021**, can present written information to the Regional District prior to or at the public hearing and may also speak at the public hearing. No letter, report or representation from the public will be received after the conclusion of the public hearing.

NOTE: Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) (“FIPPA”). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA.

Postal: 101 Martin St, Penticton, BC, V2A-5J9 | **Tel:** 250-490-4101 | **Email:** planning@rdos.bc.ca

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Committee
REGULAR AGENDA



Thursday, September 23, 2021
9:15 am

Pages

A. APPROVAL OF AGENDA

RECOMMENDATION

THAT the Agenda for the Planning and Development Committee Meeting of September 23, 2021 be adopted.

B. REVIEW OF AMENDMENT BYLAW (REZONING) APPLICATION FEES

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RECOMMENDATION

THAT the fees for applications seeking an amendment to an Official Community Plan (OCP) Bylaw and/or Zoning Bylaw be increased to \$2,500.00.

C. REVIEW OF TEMPORARY USE PERMIT (TUP) APPLICATION FEES

8

RECOMMENDATION

THAT the fees to apply for a Temporary Use Permit (TUP) and a TUP renewal be amended to \$1,250.00.

D. REVIEW OF SUBDIVISION REFERRAL FEES

12

RECOMMENDATION

THAT the fees for subdivision referrals received from the Ministry of Transportation and Infrastructure (MoTI) be revised as follows:

- Base Fee: \$1,000.00;
- Service Area Fee: \$500.00/RDOS Service;
- Boundary Adjustment: \$1,000.00.

- E. LANDSCAPING SECURITY REVIEW** 19
- RECOMMENDATION
- THAT Bylaw No. 2500.23, being a bylaw to amend the Development Procedures Bylaw to introduce a minimum threshold of \$25,000.00 before requiring a landscaping security as a condition of a land use permit, be initiated; and,
- THAT all landscaping securities currently held by the Regional District as a condition of a development permit with a value of less than \$25,000.00 be refunded.
- F. SOUTH OKANAGAN ZONING BYLAW PROJECT - REVIEW OF LANDSCAPING REGULATIONS** 23
- RECOMMENDATION
- THAT zoning regulations for screening and landscaping not be included in “General Regulations” of the Draft South Okanagan Electoral Areas Zoning Bylaw No. 2800.
- G. REMOVAL OF ADVISORY PLANNING COMMISSION (APC) MEMBER** 27
- RECOMMENDATION
- If any member of a Commission is continuously absent from three consecutive meetings, unless due to illness or some other unavoidable reason that is temporary in nature, their appointment may be rescinded by the Board of Directors.
- H. MOBILE HOMES IN THE ELECTORAL AREA ZONING BYLAWS** 30
- This item was postponed from the August 19, 2021 Planning and Development Committee meeting.
- 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 not be considered by the Board as a strategic project.
- I. CANNABIS RETAIL STORE APPLICATION MORATORIUM, ELECTORAL AREA "D"** 33
- RECOMMENDATION
- THAT the *Electoral Area “D” Update of Retail Cannabis Zoning Regulations Policy* be approved.
- J. ADJOURNMENT**
- RECOMMENDATION
- THAT the meeting adjourn.

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Review of Amendment Bylaw (Rezoning) Application Fees

Administrative Recommendation:

THAT the fees for applications seeking an amendment to an Official Community Plan (OCP) Bylaw and/or Zoning Bylaw be increased to \$2,500.00.

Statutory Authority:

Under Section 462 of the *Local Government Act*, the Regional District may impose fees for an application to initiate changes to the provisions of an official community plan bylaw or a land use regulation (i.e. zoning) bylaw.

A fee imposed under Section 462 “must not exceed the estimated average costs of processing, inspection, advertising and administration that are usually related to the type of application or other matter to which the fee relates.”

Background:

At its meeting of July 24, 1986, the Board adopted the “Regional District of Okanagan-Similkameen Procedures Bylaw No. 906, 1986”, which established an application fee for an amendment to an OCP or Zoning Bylaw. These application fees as well as subsequent amendments are as follows:

| OCP Bylaw Amendment Fee | Zoning Bylaw Amendment Fee | Joint OCP & Zoning Fee | Amending Bylaw No. | Adoption Date |
|----------------------------|-------------------------------|---------------------------|-----------------------|------------------|
| \$50.00 | \$300.00 | n/a | 906 | 1986-07-24 |
| \$100.00 | \$375.00 | n/a | 1010 | 1988-01-28 |
| \$125.00 | \$400.00 | n/a | 1176 | 1990-12-13 |
| \$840.00 | \$840.00 | \$1,050.00 | 1308 | 1992-04-16 |
| \$850.00 | \$850.00 | \$1,200.00 | 1491 | 1994-05-19 |
| \$1000.00 | \$1000.00 | \$1,500.00 | 2194 | 2003-02-06 |

“Lean Kaizen” – Rezoning:

In 2016, the Regional District undertook a “Kaizen” of the bylaw amendment application process that refocused and increased the Regional District’s efforts on engaging with citizens much earlier in the process.

This included, amongst other things, the introduction of mandatory public information meetings (PIM) for all bylaw amendment applications (NOTE: these are generally facilitated by Regional District staff) and posting all application information online.

Labour:

While the average or “typical” amount of staff time spent on an amendment bylaw application can vary due to the unique complexities of each proposal and experience of the applicant, it is estimated that staff spend approximately 48.5 hours per application, as follows:

- | | | | |
|-----------------------------|------------|---------------------|-----------|
| • Planner I (File Manager): | 25.0 hours | • Planning Manager: | 4.0 hours |
| • Administrative Clerk: | 10.0 hours | • Other Staff: | 3.0 hours |
| • Administrative Assistant: | 6.5 hours | | |

Newspaper Advertising Costs:

The average cost associated with meeting the statutory notification requirements for a public hearing under the *Local Government Act* — being published in at least 2 consecutive issues of a newspaper — is approximately \$840.00, or 84% of the current fee for a zoning bylaw amendment. (NOTE: the Regional District does not notify public hearings on digital news media sites).

The average cost of the notices used by the Regional District to notify residents of a new application in their area have ranged between \$200.00 to \$500.00 (price is influenced by number of other RDOS notices included in the “bi-weekly ad”).

Other Costs:

In addition to the advertising costs referenced above, the Regional District incurs other costs associated with the processing of amendment bylaw applications, including:

- venue rentals (PIM, Advisory Planning Commission and delegated Public Hearings);
- postal charges (mailing notices for PIMs and Public Hearings; approx. \$1.00/envelope);
- travel (fuel and staff overtime spent travelling to and attending night meetings); and
- legal services (occasional interpretation and drafting assistance).

2020 Budget:

In 2020, the advertising allocation in the Electoral Area Planning budget experienced a \$20,000 deficit. While this shortfall was partially attributable to the volume of notifications being undertaken by the department, it was also attributable to higher advertising rates charged by local newspapers.

Analysis:

When inflation is accounted for, the price of an Bylaw Amendment fee has declined 28% since the fees were last adjusted in 2003. Put another way, when adjusted for inflation, the price of a Bylaw Amendment application in 2021 is less than the price charged by the Regional District in 1992.

Yet, the staff time required to process an bylaw amendment application has increased significantly since 1992 and 2003 (i.e. mandatory PIMs, agency referrals prior to 1st reading, web-page maintenance, etc.), as have some of the hard costs incurred by the Regional District, particularly newspaper advertising and postal rates.

When these costs are calculated, the “typical” cost to the Regional District of processing an bylaw amendment application is approximately \$4,000.00. Administration is, therefore, concerned that the current application fees of \$1,000.00 for an amendment to an OCP or Zoning Bylaw and \$1,500.00 for a joint application are insufficient to cover the costs being incurred.

Option No. 1 – Cost Recovery:

While cost recovery of all monies expended on every amendment bylaw application processed by the Regional District is not possible, an application fee of \$4,000.00 would accurately capture the amount of labour and hard costs associated with a “typical” application.

The Board has been supportive of initiating amendments to ensure its land use bylaws remain current with changing development trends or provincial regulations. These amendments, funded through taxes, presumably reduce the circumstances in which a property owner would need to seek an ad hoc bylaw amendment.

Ad hoc bylaw amendment applications occasionally seek approval for forms of development that are inconsistent with existing Board land use objectives, policies and directions. In these circumstances, applying a fee which more closely approximates actual costs may be appropriate.

The bylaw amendment process offers an avenue for property owners who feel a land use regulation unduly burdens their use of a property to appeal to the Board for relief from such a regulation. An application fee that more closely approximates “typical” costs may be seen as creating a possible hardship in these situations.

Option No. 2 – Revised Cost Subsidization:

The fees applied to bylaw amendment applications have historically not been based on a cost recovery model and have been subsidized by requisitions. In light of this, and considering the fees being charged by other Okanagan local governments (see Attachment No. 1), a revised application fee of \$2,500.00 may be appropriate. This level of fee will cover all hard costs as well as some of the labour costs associated with processing an application.

The subsidization of application fees results in all additional costs incurred in processing an application being covered by taxes through the Electoral Area Planning budget.

Option No. 3 – Status Quo:

The current bylaw amendment fees applied by the Regional District are comparable with those charged by other local governments and maintaining the status quo is available to the Board.

This option will not account for the costs being incurred by the Regional District and the resultant deficits in the Electoral Area Planning budget. This option will require an increase to the advertising allocation in the 2022 Electoral Area Planning budget.

Alternatives:

1. THAT the fees for applications seeking an amendment to an Official Community Plan (OCP) Bylaw and/or Zoning Bylaw be increased to \$4,000.00.
2. Status Quo

Respectfully submitted:



C. Garrish, Planning Manager

Attachment No. 1 – Summary of SILGA Member Bylaw Amendment Fees (Sept. 2021)

| | Local Government | Zoning | OCP | OCP & Zoning | Comments |
|-----|------------------|--------------------|-------------------|--------------------------|---|
| 1. | SLRD* | \$230,000 - \$400 | \$1,300 | Not available | Zoning Fees vary by proposed use/density \$230,000 fee is based on 1,000+ unit proposals |
| 2. | Kelowna | \$10,130 - \$1,000 | \$3,630 - \$1,975 | [not specified in bylaw] | Zoning Fees vary by proposed use/density OCP Fees vary by “major”/”minor” classification |
| 3. | West Kelowna | \$7,500 - \$1,425 | \$1,400 | Zoning Fee + \$900 | Zoning Fees vary by proposed use/density |
| 4. | Penticton | \$5,500 - \$1,925 | \$5,500 - \$2,200 | \$7,425 - \$3,355 | Fees vary based on level of public consultation |
| 5. | CORD | \$3,262 - \$575 | \$3,262 - \$1,075 | \$3,262 | Zoning Fees vary by proposed use/density |
| 6. | Revelstoke* | \$2,530 | \$3,000 | \$3,040 | |
| 7. | NORD | \$2,000 | \$2,200 | \$2,600 | |
| 8. | Lake Country | \$1,580 | \$1,930 | \$2,500 | |
| 9. | CSRD | \$1,500 | \$1,500 | \$2,500 | |
| 10. | Kamloops | \$1,500 | \$1,500 | \$2,300 | |
| 11. | TNRD | \$1,500 | \$1,500 | \$1,750 | |
| 12. | Clearwater | \$1,500 | \$1,500 | \$1,750 | |
| 13. | Spallumcheen | \$1,500 | \$1,500 | \$1,700 | |
| 14. | Armstrong | \$1,500 | \$1,500 | \$1,800 | |
| 15. | Sun Peaks | \$1,500 | \$1,500 | \$1,750 | |
| 16. | Coldstream | \$1,500 | \$1,500 | [not specified] | No joint fee for OCP & Zoning Amendments |
| 17. | Lillooet | \$1,500 | \$1,200 | \$1,500 | |
| 18. | Lumby | \$1,450 | \$1,450 | \$2,100 | |
| 19. | Vernon | \$1,400 | \$1,700 | [not specified] | No joint fee for OCP & Zoning Amendments |
| 20. | Oliver | \$1,250 | \$1,250 | \$1,750 | |
| 21. | Salmon Arm | \$1,200 - \$800 | \$1,500 | \$2,000 | Rezoning fee of \$800 is applied to Low Density Res. |
| 22. | Barriere* | \$1,200 | \$1,200 | \$1,500 | |
| 23. | Osoyoos | \$1,000 | \$1,000 | \$2,000 - \$1,500 | Joint Amendments involving CD Zone charged extra |
| 24. | RDOS* | \$1,000 | \$1,000 | \$1,500 | |
| 25. | Keremeos | \$1,000 | \$1,000 | \$1,500 | |
| 26. | Summerland | \$1,000 | \$1,000 | \$1,500 | |

| | Local Government | Zoning | OCP | OCP & Zoning | Comments |
|-----|------------------|-----------------|-----------------|-----------------|--|
| 27. | Enderby | \$1,000 | \$1,000 | \$1,200 | |
| 28. | Peachland | \$1,000 | \$1,000 | \$1,000 | |
| 29. | Merritt | \$800 | \$800 | \$1,200 | |
| 30. | Chase | \$800 | \$800 | \$1,200 | |
| 31. | Ashcroft | \$800 | \$800 | \$1,000 | |
| 32. | Princeton | \$750 | \$750 | \$1,000 | |
| 33. | Sicamous | \$700 | \$700 | [not specified] | No joint fee for OCP & Zoning Amendments |
| 34. | Logan Lake | \$350 | \$350 | [not specified] | No joint fee for OCP & Zoning Amendments |
| 35. | Clinton | [not specified] | \$500 | [not specified] | |
| 36. | Cache Creek | [not specified] | [not specified] | [not specified] | Application fees are not posted on website |
| 37. | Lytton | [not specified] | [not specified] | [not specified] | Application fees are not posted on website |

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Review of Temporary Use Permit (TUP) Application Fees

Administrative Recommendation:

THAT the fees to apply for a Temporary Use Permit (TUP) and a TUP renewal be amended to \$1,250.00.

Statutory Authority:

Under Section 462 of the *Local Government Act*, the Regional District may impose fees for an application for the issuance of a land use permit.

A fee imposed under Section 462 “must not exceed the estimated average costs of processing, inspection, advertising and administration that are usually related to the type of application or other matter to which the fee relates.”

Background:

At its meeting of July 24, 1986, the Board adopted the “Regional District of Okanagan-Similkameen Procedures Bylaw No. 906, 1986”, which established an application fee for a TUP. This fee as well as subsequent amendments are as follows:

| TUP Fee | Renewal Fee | Amending Bylaw No. | Adoption Date |
|----------|-------------|--------------------|---------------|
| \$200.00 | \$200.00 | 906 | 1986-07-24 |
| \$300.00 | \$300.00 | 1565 | 1995-01-19 |
| \$700.00 | \$700.00 | 2194 | 2003-02-06 |
| \$700.00 | \$350.00 | 2619 | 2013-03-21 |

Labour Costs:

While the average or “typical” amount of staff time spent on a TUP application can vary due to the unique complexities of each proposal and experience of the applicant, it is estimated that staff spend approximately 32 hours per application, as follows:

- | | | | |
|-----------------------------|------------|---------------------|-----------|
| • File Manager (Planner I): | 15.0 hours | • Planning Manager: | 2.0 hours |
| • Administrative Clerk: | 10.0 hours | • Other Staff: | 2.0 hours |
| • Administrative Assistant: | 3.0 hours | | |

Newspaper Advertising Costs:

The average cost associated with meeting the statutory notification requirements for a TUP under the *Local Government Act* — being published in at least 1 issue of a newspaper — is approximately \$320.00, or 45.7% of the current fee and 91.4% of the renewal fee.

The average cost to notify residents of a new application in their area has ranged between \$200.00 to \$500.00 (price is influenced by number of other RDOS notices included in the “bi-weekly ad”).

Other Costs:

In addition to the advertising costs referenced above, the Regional District incurs other costs associated with the processing of TUP applications, including:

- venue rentals for Public Information Meetings (PIM) and Advisory Planning Commission meetings;
- postal charges (mailing notices for PIMs and Board consideration; approx. \$1.00/envelope); and
- travel (fuel and staff overtime spent travelling to and attending night meetings).

A “Typical” TUP:

Since 2015, the “typical” TUP application has been for a “vacation rental” use. Amendments to the Development Procedures Bylaw adopted on July 22, 2021 no longer mandate the scheduling of an APC meeting or PIM for “vacation rental” TUP renewals prior to Board consideration.

It is assumed that this *may* have implications for the costs incurred by the Regional District in processing these types of TUPs, but there has only been limited experience with this new procedure to date and it is unknown how many renewal applications the Board may, or may not subsequently direct be considered at an APC/PIM.

2020 Budget:

In 2020, the advertising allocation in the Electoral Area Planning budget experienced a \$20,000 deficit. While this shortfall was partially attributable to the volume of notifications being undertaken by the department, it was also attributable to higher advertising rates charged by local newspapers.

Analysis:

When hard costs and labour are accounted for, the average or “typical” cost to the Regional District of processing a TUP application is currently \$2,500.00. The current application fees of \$700.00 for an initial TUP application and \$350.00 for a renewal are insufficient to cover the costs being incurred.

Three options for consideration:

Option No. 1 – Cost Recovery:

While cost recovery for every TUP application processed is not possible, an application fee of \$2,500.00 would accurately capture the amount of labour and hard costs associated with a “typical” application and renewal.

The TUP process does offer an avenue for property owners who feel a land use regulation unduly burdens their use of a property to appeal to the Board for relief from such a regulation. An application fee that more closely approximates “typical” costs may be seen as creating a possible hardship in these situations.

Option No. 2 – Revised Cost Subsidization:

The fees applied to TUP applications have historically not been based on a cost recovery model and have been subsidized by requisitions.

The Board previously reduced the fees for a “vacation rental” TUP application between 2015 and 2017 from \$700 to \$350. These fees did not reflect the costs incurred for processing an application but were seen to be important in encouraging operators to formalize an existing “vacation rental” use by obtaining a permit.

In light of this, and considering the fees being charged by other Okanagan local governments (see Attachment No. 1), a revised application fee of \$1,250.00 may seem more appropriate. This level of fee will cover all hard costs as well as some of the labour costs associated with processing an application.

Should the re-introduction of a two-tier fee structure to separate “vacation rental” and “vacation rental renewal” applications be preferred, and in recognition of the recently revised processing procedures for renewals; consideration of TUP fees could be deferred so additional options may be presented.

The subsidization of application fees will result in all additional costs incurred in processing an application being covered by tax requisitions through the Electoral Area Planning budget.

Option No. 3 – Status Quo:

The current fees applied by the Regional District is at the low end of those charged by other local governments (Attachment No. 1) and maintaining the status quo is always an option. Advertising costs will increase in the 2022 Budget by approximately \$10,000.00, to be recovered by taxes.

Alternatives:

1. THAT the fees to apply for a TUP be amended to \$2,500 and \$1,250.00 for a TUP renewal.
2. Status Quo

Respectfully submitted:



C. Garrish, Planning Manager

Attachments: No. 1 – Summary of SILGA Member TUP Fees (Sept. 2021)

Attachment No. 1 – Summary of SILGA Member TUP Fees (Sept. 2021)

| | | TUP | TUP Renewal* |
|-----|--------------|----------------------------|----------------------------|
| 1. | Revelstoke | \$2,530.00 | \$2,530.00 |
| 2. | Kelowna | \$1,915.00 | \$1,915.00 |
| 3. | Clearwater | \$1,500.00 | \$1,500.00 |
| 4. | Sun Peaks | \$1,500.00 | \$1,500 - \$50.00 |
| 5. | Coldstream | \$1,500.00 | \$200.00 |
| 6. | TNRD | \$1,500.00 - \$500.00 | \$750.00 - \$250.00 |
| 7. | Vernon | \$1,400.00 | \$1,400.00 |
| 8. | NORD | \$1,300.00 | \$200.00 |
| 9. | CORD | \$1,200.00 | \$1,200.00 |
| 10. | Salmon Arm | \$1,200.00 | \$900.00 |
| 11. | Barriere | \$1,200.00 | \$1,200.00 |
| 12. | Lake Country | \$1,100.00 | \$730.00 |
| 13. | SLRD | \$1,000.00 | \$800.00 |
| 14. | CSRD | \$1,000.00 | \$650.00 |
| 15. | Summerland | \$1,000.00 | \$500.00 |
| 16. | Penticton | \$880.00 | \$440.00 |
| 17. | Kamloops | \$750.00 | \$750.00 |
| 18. | Lillooet | \$750.00 | \$750.00 |
| 19. | Oliver | \$700.00 | \$350.00 |
| 20. | Keremeos | \$700.00 | \$350.00 |
| 21. | RDOS | \$700.00 | \$350.00 |
| 22. | West Kelowna | \$650.00 | \$650.00 |
| 23. | Enderby | \$650.00 | \$650.00 |
| 24. | Sicamous | \$500.00 | \$500.00 |
| 25. | Logan Lake | \$450.00 | \$450.00 |
| 26. | Merritt | \$400.00 | \$400.00 |
| 27. | Chase | \$400.00 | \$400.00 |
| 28. | Ashcroft | \$250.00 | \$250.00 |
| 29. | Clinton | \$250.00 | \$250.00 |
| 30. | Lumby | [TUPs not issued] | [TUPs not issued] |
| 31. | Spallumcheen | [TUPs not issued] | [TUPs not issued] |
| 32. | Armstrong | [TUPs not issued] | [TUPs not issued] |
| 33. | Osoyoos | [TUPs not issued] | [TUPs not issued] |
| 34. | Peachland | [TUPs not issued] | [TUPs not issued] |
| 35. | Cache Creek | [not specified on website] | [not specified on website] |
| 36. | Princeton | [not specified on website] | [not specified on website] |
| 37. | Lytton | [not specified on website] | [not specified on website] |

* if not specified in a bylaw, it is assumed renewal fee is same as initial application fee

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Review of Subdivision Referral Fees

Administrative Recommendation:

THAT the fees for subdivision referrals received from the Ministry of Transportation and Infrastructure (MoTI) be revised as follows:

- **Base Fee: \$1,000.00;**
 - **Service Area Fee: \$500.00/RDOS Service;**
 - **Boundary Adjustment: \$1,000.00.**
-

Statutory Authority:

Under Section 462 of the *Local Government Act*, the Regional District may impose “subdivision application fees, which may vary with the number, size and type of parcels involved in a proposed subdivision.”

A fee imposed under Section 462 “must not exceed the estimated average costs of processing, inspection, advertising and administration that are usually related to the type of application or other matter to which the fee relates.”

Background:

At its meeting of March 19, 1987, the Board adopted an amendment to the (then) Subdivision Servicing Bylaw No. 300, 1976, that introduced fees related to the review of subdivision referrals from the province. These application fees as well as subsequent amendments are as follows:

| Subdivision Referral Fee | Additional Parcel Fee | Amending Bylaw No. | Adoption Date |
|--------------------------|-----------------------|--------------------|---------------|
| \$25.00 | \$10.00 | 929 | 1987-03-19 |
| \$50.00 | \$20.00 | 1567 | 1996-01-18 |
| \$300.00 | \$100.00 | 906.01 | 2006-02-09 |
| \$400.00 | \$500.00 | 2523 | 2010-05-06 |

The 2006 fee increase was part of a “fee for service” review that sought to ensure that subdivision fees accurately reflected staff time and reduced the cost of the service to general rate payers. Between 2006 and 2008, the Regional District experienced significant growth in development activity, including subdivision referrals that resulted in revenue from referral fees increasing by 75%.

In response, the tax requisition was lowered just as the 2009 economic adjustment occurred and subdivision activity was curtailed. The slowdown in development activity resulted in a reduction in subdivision referrals and fee revenue that created a budget deficit.

At a budget review meeting of February 11, 2010, the Board resolved to increase the subdivision fees to help address this revenue shortfall and, at its subsequent meeting of March 18, 2010, resolved to implement the current fee structure.

“Lean Kaizen” – Subdivision:

In the 2017 Corporate Business Plan, the Board provided direction to: “Facilitate two Kaizens under the Lean Management Program”. One of the processes identified was the Subdivision Referral process.

As a result of this program review, as well as a broader organizational review, responsibility for responding to subdivision referrals from the Ministry was transferred from the Public Works Department to the Development Services Department. Subdivision referrals have since been incorporated into existing procedures employed by the Planning Department to process land-use applications.

Analysis:

The fees currently being charged for subdivision referrals received from MoTI are not reflective of the average labour time being spent on these files, particularly when a proposal involves the creation of more than 2 parcels.

Between August 2018 and August 2021, the average or “typical” subdivision referral processed by the Regional District has been either a boundary adjustment or 1-2 lot subdivision that does not involve land within a Regional District service area (i.e. water, sewer or street lighting).

The average or “typical” amount of labour spent on these referrals is as follows:

- | | |
|--|-------------------|
| • initial processing of the file: | 0.5 hours |
| • assigning and internal referral | 0.5 hours |
| • departmental reviews | 1-2 hour |
| • completion of assessment | 3-4 hours |
| • final review | 0.5 hours |
| • provision of response to MoTI and applicant | 0.5 hours |
| • monitoring of conditions and preparation of Letter of Compliance | <u>3-5 hours</u> |
| | 9-13 hours |

When labour load is accounted for, the average or “typical” cost of processing a subdivision referral is \$700 to \$1,000.

The time spent assessing a subdivision proposal is not generally impacted by the number of new parcels being proposed, but can be affected by the number of Services that apply to a property.

By way of example, a recent 8-lot subdivision that was not in any Services generated a fee of \$3,900.00, which is not reflective of the staff time spent assessing the proposal

Similarly, a recent 17-lot subdivision did require additional evaluation due to being in an RDOS sewer service area, but not at a level that corresponded with the \$8,900.00 fee charged to the proposal based upon the proposed number of parcels.

The fee structure for subdivision referrals listed below are reflective of true costs:

| | Current | Proposed |
|----------------------|-----------------|------------------|
| Base Fee: | \$400.00 | \$1,000.00 |
| Parcel fee: | \$500.00/parcel | N/A |
| Service Area fee: | N/A | \$500.00/service |
| Boundary Adjustment: | \$600.00 | \$1,000.00 |

Under these proposed changes the minimum fee to be applied to a subdivision or boundary adjustment would be \$1,000.00 while the maximum fee would not exceed \$2,000.00. This latter fee would only be triggered if a parcel were in a water *and* sewer service area established by the Regional District.

It is also proposed that the fee for a boundary adjustment be increased to better reflect the labour being applied to processing these types of referrals.

Other Regional District's apply similar if not higher fees (in certain circumstances) and the status quo option of maintaining the current fee structure is available.

Alternatives:

1. Status Quo

Respectfully submitted:



C. Garrish, Planning Manager

Attachments:

- No. 1 – Comparison of Regional District Subdivision Referral Fees
- No. 2 – Subdivision Revenues (2011 to 2020)
- No. 3 – Subdivision Referrals by Type & Electoral Area (2018-2021)
- No. 4 – Summary of Subdivisions by Service Area (2018-2021)

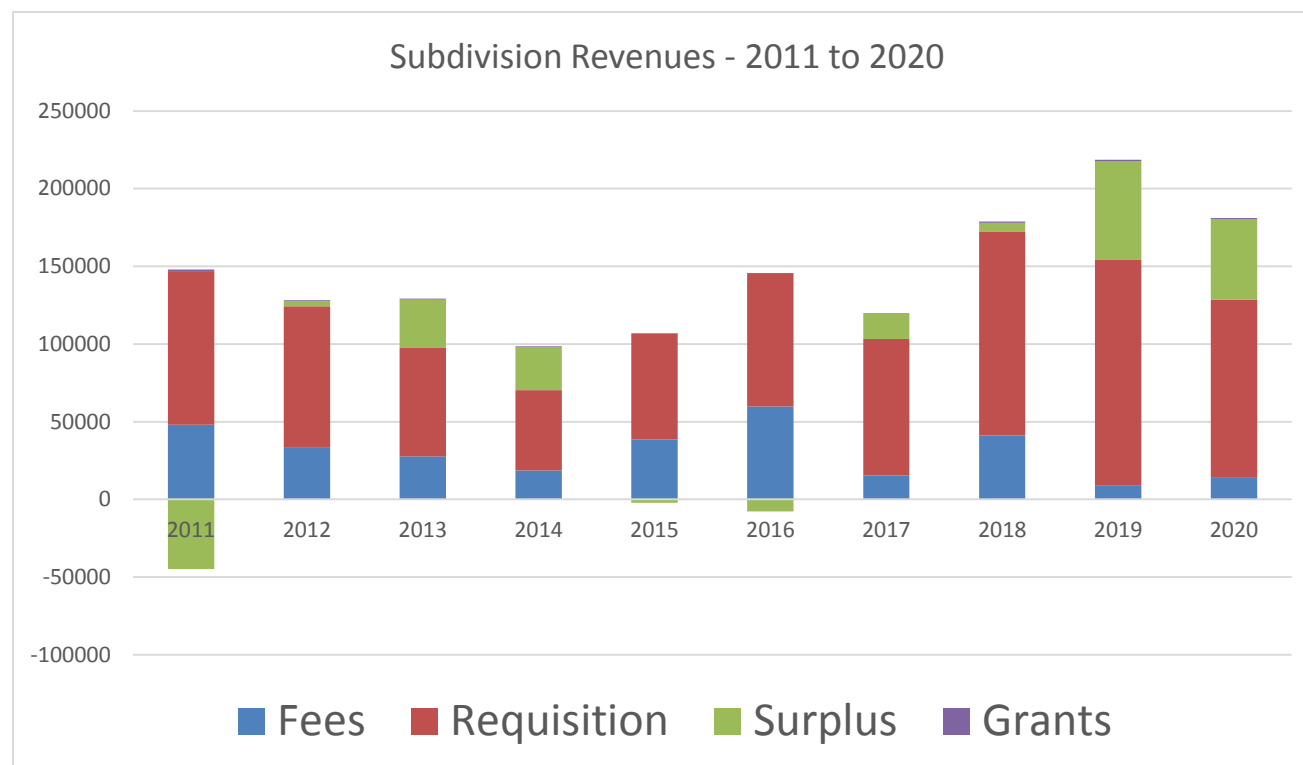
Attachment No. 1 – Comparison of Regional District Subdivision Referral Fees

| Regional District | Base Fee | Fee per Additional Parcel | Boundary Adjustment* |
|--------------------------|-----------------------------------|---|-----------------------------|
| Cowichan Valley | \$500.00 | \$500.00 | \$500.00 |
| RDOS | \$400.00 | \$500.00 | \$600.00 |
| Nanaimo | \$300.00 | \$300.00 | \$300.00 |
| Fraser Valley | \$500.00 | \$250.00 | \$1,000.00 |
| North Okanagan | \$1,000.00 | \$100.00 | \$800.00 |
| Comox | \$1,000.00 | \$100.00 | \$1,000.00 |
| Capital | \$750.00 | \$400.00 | \$750.00 |
| Strathcona | \$1,000.00 | \$500 (3-10 parcels) + \$100 (per parcel over 10) | \$1,000.00 |
| Alberni Clayoquot | \$300.00 | \$100.00 (per parcel, 4-10) \$50.00 (per parcel, 11+) | \$400.00 |
| Thompson Nicola | \$500.00 | \$50.00 | \$500.00 |
| Central Kootenay | \$550.00 | \$90.00 (per lot over 5 parcels) | \$550.00 |
| Columbia Shuswap | \$300.00 | \$50.00 | \$300.00 |
| Mount Waddington | \$400.00 | + \$200.00 (3-10 parcels) + \$350 (11+ parcels) | \$400.00 |
| Squamish Lillooet | \$100.00 | \$50.00 | \$100.00 |
| East Kootenay | \$200.00 | \$50.00 (per parcel, first 4) \$20.00 (per parcel, 5+) | \$200.00 |
| Central Okanagan | \$300 (2 lots) \$500 (3+ lots) | n/a | \$300.00 |
| Peace River | [no charge] | [no charge] | [no charge] |

| 3-lot subdivision fee (example) | 6-lot subdivision fee (example) | 11-lot subdivision fee (example) |
|--|--|---|
| \$1,500.00 | \$3,000.00 | \$5,500.00 |
| \$1,400.00 | \$2,900.00 | \$5,400.00 |
| \$900.00 | \$1,800.00 | \$3,300.00 |
| \$1,000.00 | \$1,750.00 | \$3,000.00 |
| \$1,200.00 | \$1,500.00 | \$2,000.00 |
| \$1,200.00 | \$1,500.00 | \$2,000.00 |
| \$1,550.00 | \$1,950.00 | \$1,950.00 |
| \$1,500.00 | \$1,500.00 | \$1,500.00 |
| \$300.00 | \$500.00 | \$1,000.00 |
| \$600.00 | \$750.00 | \$1,000.00 |
| \$550.00 | \$550.00 | \$1,000.00 |
| \$400.00 | \$550.00 | \$800.00 |
| \$600.00 | \$600.00 | \$600.00 |
| \$200.00 | \$350.00 | \$600.00 |
| \$300.00 | \$420.00 | \$520.00 |
| \$500.00 | \$500.00 | \$500.00 |
| [no charge] | [no charge] | [no charge] |

* determined based on "Base Charge" listed in applicable bylaw.

Attachment No. 2 – Subdivision Revenues (2011 to 2020)

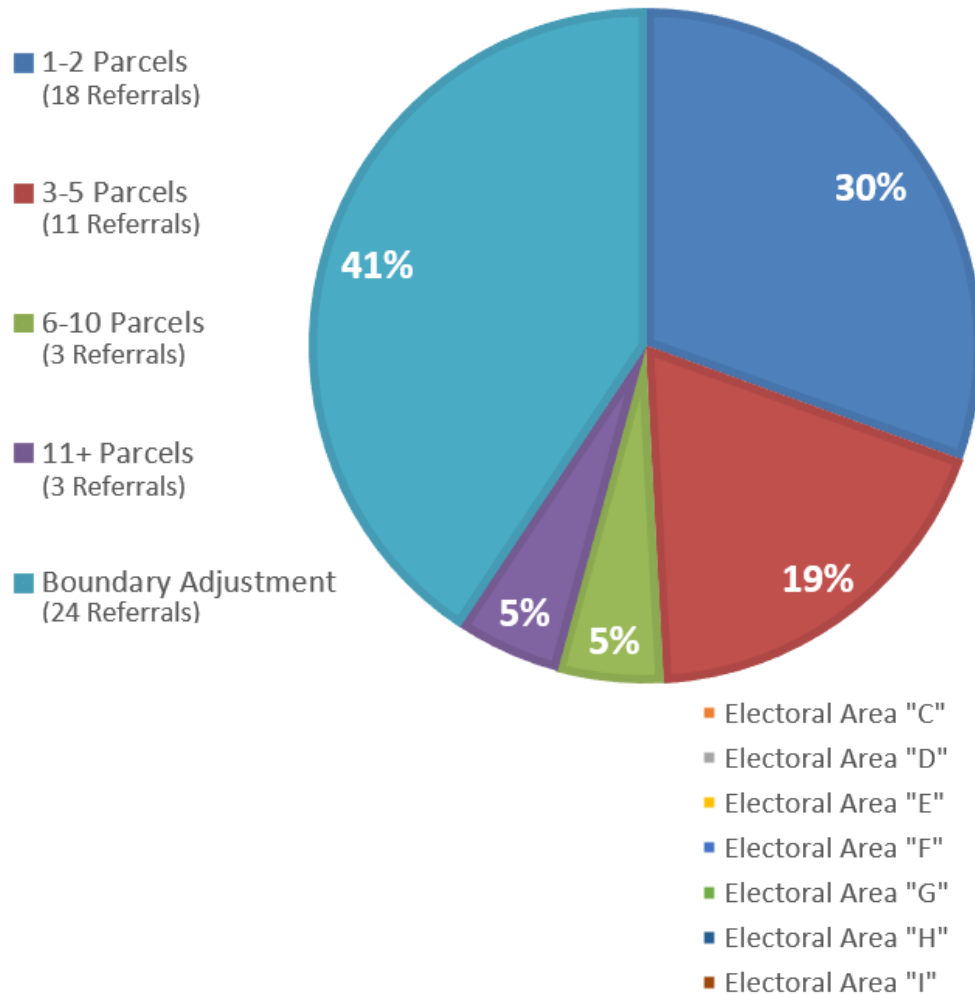


| Fees as a % of Total Revenues: | Fees Totals: |
|---|---------------------|
| 2011: 46.5% | 2011: \$47,950 |
| 2012: 26.2% | 2012: \$33,600 |
| 2013: 21.4% | 2013: \$27,587 |
| 2014: 18.9% | 2014: \$18,650 |
| 2015: 36.9% | 2015: \$38,640 |
| 2016: 43.3% | 2016: \$59,700 |
| 2017: 12.7% | 2017: \$15,250 |
| 2018: 22.9% | 2018: \$40,957 |
| 2019: 4.1% | 2019: \$9,050 |
| 2020: 7.7% | 2020: \$13,954 |

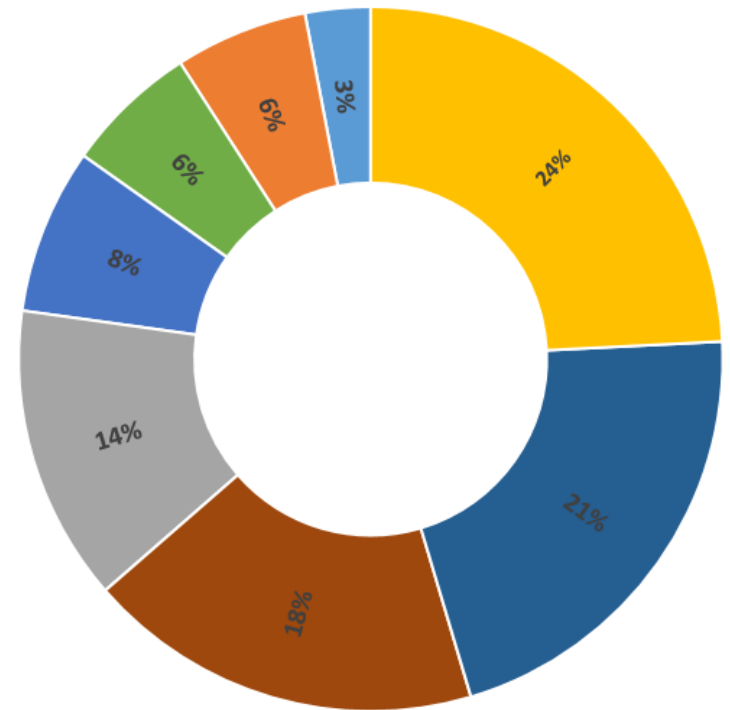
NOTE: Subdivision Referral Fees also include the cost of reviewing boundary adjustments, revised plans, road closures and extensions.

The Regional District also charges an Infrastructure Review and Inspection Fee of 3.5%, to a minimum of \$500.00, of the total cost of “on-site” and “off-site” works that the Regional District will assume operations and ownership over once a subdivision or development is completed, and *may* be accounted for in the fee totals shown above.

Attachment No. 3 – Subdivision Referrals by Type & Electoral Area (2018-2021)



Subdivision Applications by Electoral Area



Attachment No. 4 – Summary of Subdivisions by Service Area (2018-2021)

| | Percentage of applications affected | Summary Comments |
|--|-------------------------------------|---|
| WATER | | |
| Located in an area with a Water System: | 53% | New parcels 0.5 ha or greater in area can be provided water by a ground water well or surface source. Under the Regional District’s <i>Water Use Regulation Bylaw No. 2824, 2019</i> , any new parcel within an RDOS water service area must connect to that water service, regardless of parcel size. |
| RDOS (i.e. Naramata, Faulder, etc.) | 24% | |
| Other (i.e. Irrigation District, former SOLID, Apex) | 29% | |
| Water System Connection required by bylaw: | 19% | |
| SEWER | | |
| Located in an area with a Sewer System: | 13% | Prior to May 20, 2021, <i>all</i> new parcels 1.0 ha or greater in area can dispose of waste water through a septic system/field, and this is reflected in the statistics at left. After May 20, 2021, all new parcels within the Okanagan Falls Sewer Service Area, regardless of parcel area, are required to connect to the Regional District’s sewer system. |
| RDOS (i.e. OK Falls) | 5% | |
| Other (i.e. corporate, strata, Apex) | 8% | |
| Sewer System Connection required by bylaw: | 21% | |
| STREET LIGHTING | | |
| Located in an area with Street Lighting: | 27% | The Regional District currently administers 4 street lighting service areas which are located in Naramata (“E”), West Bench (“F”), Heritage Hills (“D”) and Schneider Road (“G”). Street Lighting requirements in the Subdivision Servicing Bylaw are currently being reviewed. |
| RDOS (i.e. Naramata) | 21% | |
| Other (i.e. Irrigation District) | 6% | |
| Street Lights required by bylaw: | 5% | |
| DEVELOPMENT COST CHARGES | | |
| DCCs (water, sewer): | 17% | DCCs are currently collected in relation to the OK Falls Sewer Service Area, Naramata Water Service Area, Faulder Water Service Area and the Olalla Water Service Area. |

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Landscaping Security Review

Administrative Recommendation:

THAT Bylaw No. 2500.23, being a bylaw to amend the Development Procedures Bylaw to introduce a minimum threshold of \$25,000.00 before requiring a landscaping security as a condition of a land use permit, be initiated; and,

THAT all landscaping securities currently held by the Regional District as a condition of a development permit with a value of less than \$25,000.00 be refunded.

Statutory Authority:

Under Section 502 of the *Local Government Act*, the Regional District may, as a condition of the issue of a land use permit, require of an applicant that they provide a security in an amount stated in the permit as either an irrevocable letter of credit or the deposit of an acceptable security.

The Regional District can ask for these types of securities in relation to a landscaping condition, environmental protection or an unsafe (hazardous) condition.

The Regional District may use a security to either contract a third-party or undertake itself “the works, construction or other activities required to satisfy the landscaping condition, correct the unsafe condition or correct the damage to the environment.”

Background:

Under Section 3.7 (Performance Security) of Development Procedures Bylaw No. 2500, 2011, when a security is required in relation to a landscaping condition, an applicant is to provide an amount that is 115% of the cost of the landscaping works estimated by a qualified professional.

In the case of a security related to an unsafe condition or damage to the natural environment, the amount of the security shall be determined by the Chief Administrative Officer (CAO) using prescribed guidelines.

The Development Services Department is currently administering 57 performance securities, representing a total value of \$354,737.88. While the average value of these securities is approximately \$6,223.47, the median average is \$3,079.00.

The oldest landscaping security currently being administered by the Regional District dates to April of 2005 and represents a value of \$1,595.00. The smallest security currently being held is \$264.27 since 2015.

These securities have been collected primarily as conditions of either a Watercourse Development Permit (WDP) or an Environmentally Sensitive Development Permit (ESDP).

Analysis:

An implied aspect of requiring a landscaping security from a property owner is that the Regional District will step-in and use the security to complete any outstanding works on private property that are a condition of an approval, yet remain incomplete after a reasonable period of time.

Historically, the Regional District has generally required securities for all manner of landscaping recommended by a qualified professional as part of the issuance of a land use permit.

As a result, the Regional District is now administering a large number of low dollar value landscaping securities that appear to have been abandoned by property owners as simply the “cost of doing business” in relation to a project or “written off” as just another fee required in order to obtain a development permit from the Regional District.

In other instances, the low dollar value of the security has created a financial disincentive to completing the works as the expense to a property owner of having a qualified professional (i.e. Biologist) conduct a site visit and prepare an assessment confirming that prescribed landscaping has been completed can sometimes equal or exceed the value of the security being retained by the Regional District.

The Regional District has not historically used securities to complete required landscaping on behalf of a property owner when that owner has failed to comply with a permit condition.

In addition, there is no authority under the *Local Government Act* for the Regional District to ticket a contravention of a development permit condition, and that the only recourse in these instances is injunctive action through the BC Supreme Court.

As a result, the Regional District is currently administering a number of low dollar value landscaping securities with no clear path to return the monies to property owners. A minimum threshold of \$25,000.00 before requiring a landscaping security as part of a development permit to capture only larger projects with extensive landscaping proposals/requirements may be more appropriate. The value of these landscaping works will create a sufficient incentive for property owners to seek the return of their security.

Further, and to relieve current administrative burdens, all landscaping securities less than \$25,000.00 currently being held by the Regional District should be refunded. Returning these securities will, however, mean that the Regional District will no longer be seeking to ensure required landscaping is completed.

Alternative Options:

Requiring landscaping securities to ensure that certain works are completed by a property owner, regardless of value, is a long established practice by local governments. The option to retain the current practice of applying landscaping securities to all types of development, regardless of value, is available to the Board.

To improve the incentives for land owners to seek the return of a security, the Board could direct that the security be in the amount of 125% (or higher) of the estimated works.

Alternatively, if the Regional District is not prepared to use a security to complete any outstanding landscaping works itself, the option of not requiring a landscaping security in any instance is also available to the Board.

Alternatives:

1. THAT an amendment to Development Procedures Bylaw No. 2500, 2011 to increase the required landscaping security to a value representing 125% of the estimated works, be initiated.
2. Status Quo

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'C. Garrish', is written over a horizontal line.

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.23, 2021

A Bylaw to amend the Development Procedures Bylaw

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 Development Procedures Amendment Bylaw No. 2500.23, 2021.”
2. The Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011, is amended by replacing 3.7.3(a) under Section 3.7 (Performance Security) in its entirety with the following:
 - (a) in the case of a condition in a permit respecting landscaping, the amount shall be 115% of the cost of the landscaping works, payable before the permit will be issued, except that if the cost of the landscaping works is less than \$25,000.00 no security under this section shall be required.

READ A FIRST SECOND AND THIRD TIME this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: South Okanagan Zoning Bylaw Project - Review of Landscaping Regulations

Administrative Recommendation:

THAT zoning regulations for screening and landscaping not be included in “General Regulations” of the Draft South Okanagan Electoral Areas Zoning Bylaw No. 2800.

Statutory Authority:

Under Section 527 of the *Local Government Act*, the Regional District may, by bylaw, require set standards for and regulate the provision of screening or landscaping.

This may only be implemented in order to either mask or separate uses; to preserve, protect, restore and enhance the natural environment or to prevent hazardous conditions.

Such a bylaw “may set different requirements, standards and regulations for ... different zones; different uses within a zone; [or] different locations within a zone.”

Background:

Under the Electoral Area zoning bylaws, the Regional District has implemented “Screening and Landscaping” regulations and requires that this be provided and maintained by an owner of a parcel at the owner’s sole cost to the standards set out in the bylaw (see Attachment No. 1 for a representative example).

The bylaws currently define “landscaped strip”, which is a central component of the zoning regulations, to mean:

a continuous strip at least 1.5 metres wide for all uses, except campgrounds for which the continuous strip shall be at least 7.5 metres wide, containing grass or other decorative surface treatment, within which at least three shrubs or trees capable of attaining a height of four metres or more, are planted at least every five metres, broken only for walkways or driveways;

These regulations are long-standing and date to the first zoning bylaws enacted by the Regional District in the late 1960s and early 1970s. For instance, the Electoral Area “D” Zoning Bylaw No. 100, 1971, contained screening provisions for mobile homes, travel trailers, auto wrecking operations and campgrounds.

The current regulations are seen to date from 1994, and have not been substantially reviewed in the intervening 27 years.

Analysis:

The use of a zoning bylaw to require the installation of landscaping or screening on a property is generally related to the creation of privacy, improved separation of uses, better definition of property lines or improved security between residential and commercial/industrial uses that results from a screen.

While the Regional District has employed screening and landscaping requirements in the Electoral Area zoning bylaws for decades, these are rarely used and have generally fallen into disuse.

There are a number of reasons why this is seen to have occurred. First is the issue of legal non-conformity and a recognition that many of the existing commercial and industrial zones in the Electoral Areas predate the introduction of the landscaping and screening regulations. Examples include the Okanagan Falls and Naramata town sites, Apex Mountain Resort, Okanagan Falls industrial area and various highway commercial sites (e.g. south of Oliver, adjacent the former Okanagan Game Farm, etc.).

The zoning regulations also do not specify a trigger for the submission of a landscape or screening plan and, due to the non-conforming status of many sites, it is not clear to what extent new development can be used to require compliance — partial or full — with the bylaw.

In instances where a property may not be exempt from the regulations, the absence of a landscape or screening plan on file makes it difficult for the Regional District to determine compliance and requires that resources be expended visiting a site and completing an assessment.

Finally, the absence of a landscape or screen on a property that is required to have one under the zoning regulations has rarely been the basis of a formal complaint to the Regional District.

The Regional District has subsequently expanded its use of “form & character” development permits (DPs) to regulate development in commercial, industrial and multi-family zones and that many of these DP Area designations include landscaping requirements.

While the Regional District does not have the same authority to issue tickets for DP infractions as it does for zoning regulation infractions, DPs have other benefits, including clearly stated triggers and an ability to require of applicants that they provide a landscaping plan.

Alternative Option:

Conversely, vegetative buffering and screening requirements have merit where commercial or industrial properties abut residential uses, certain institutional uses (e.g. schools, healthcare institutions, etc.) and where agricultural properties abut non-agricultural properties.

If the Board considers there to be merit in retaining screening and landscaping regulations in the zoning bylaw, there is merit to simplifying and modernizing these regulations. For reference purposes, Attachment No. 1 presents a comparison of the current regulations against an updated version of the regulations.

Alternatives:

1. THAT zoning regulations for screening and landscaping be updated under the “General Regulations” section of the Draft South Okanagan Electoral Areas Zoning Bylaw No. 2800;
2. Status Quo

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'C. Garrish', is written over a horizontal line.

C. Garrish, Planning Manager

Attachments: No. 1 – Comparison of Existing vs. Proposed Landscaping Regulations

Attachment No. 1 – Comparison of Existing vs. Proposed Landscaping Regulations

| Current Landscaping Regulations | | | Proposed Landscaping Regulations | |
|--|--|---|--|--|
| Screening and Landscaping Screening and landscaping must be provided and maintained by an owner of a parcel at the owner's sole cost in accordance with the regulations specified in Table 7.9, and the headings in the Table as part of this Bylaw: | | | Screening and Landscaping <ol style="list-style-type: none"> Screening or landscape buffers are required for all Commercial and Industrial zoned parcels adjacent to a Residential zone. Screening and landscaping buffers shall be provided and maintained by an owner of a parcel at the owner's sole cost in accordance with the following regulations: <ol style="list-style-type: none"> Where it is proposed to install screening, this shall be to a height of not less than 1.8 metres. Where it is proposed to install landscape buffers, these shall: <ol style="list-style-type: none"> be a minimum of 1.5 metres in width; include a screen a minimum of 2.0 metres in height comprised of at least: <ol style="list-style-type: none"> three shrubs or trees capable of attaining a height of 4.0 metres or more; planted at least every 5.0 metres, and broken only for walkways or driveways. be continuous along the affected property boundaries, interrupted only by walkways and driveways providing access to the property; and on a corner parcel contiguous to a highway intersection, no hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the parcel at the intersection of the highway. | |
| USE | LOCATION OF USE | SCREENING REQUIREMENTS | | |
| Outdoor storage or off-street parking area for five (5) or more vehicles in an RM2 Zone | Along a highway (except a lane) | Landscaped strip | | |
| | Abuts, or is across a lane from any other residential use. | Screen 1.2 metre minimum height | | |
| Any use in a C1, C2, CT1, C6 or AI zone. | Along a highway (except a lane) | Landscaped strip | | |
| | Abuts or is across a lane from any other residential use. | Screen 1.4 metre minimum height | | |
| Any outdoor storage use in the C1 Zone or Industrial zone. | Across a highway from any zone except RA, LH or Industrial | Screen 1.4 metre minimum height | | |
| | Abuts any zone except RA, LH or Industrial. | Screen 1.8 metre minimum height | | |
| Salvage or wrecking yard | | Solid screen 2.4 m minimum height all around the storage area | | |
| Any home industry use involving an automobile or machinery repair business | Abuts any zone except Resource Area or I1 and I3 zone. | Landscaped strip and solid screen 2.4 metre minimum | | |
| (Table shown is from the Electoral Area "C" Zoning Bylaw) | | | | |

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Director's Motion – Removal of Commission Members

Administrative Recommendation:

If any member of a Commission is continuously absent from three consecutive meetings, unless due to illness or some other unavoidable reason that is temporary in nature, their appointment may be rescinded by the Board of Directors.

Background:

At its meeting of August 19, 2021, a Notice of Motion was made “that staff bring forward amendment recommendations to the APC bylaw to address non-attendance by APC members”, and was subsequently carried at the Board's meeting of September 2, 2019.

Statutory Authority:

Under Section 461 of the *Local Government Act*, a board may, by bylaw, establish an APC to advise the board, or a regional district director representing the electoral area, on all matters referred to the commission, the preparation and adoption of an official community plan or a proposed bylaw or permit.

The bylaw establishing an APC must, amongst other things, provide for the composition and appointing members to the commission, the procedures governing the conduct of the commission, and the referral of matters to the commission.

Advisory Planning Commission (APC) Bylaw:

At its meeting of July 6, 2006, the APC Bylaw, which established the role of a commission, membership, meetings and expenditures was adopted.

Under Section 4.0 (Membership) of the bylaw are requirements for how members shall be appointed to an APC, however, the bylaw is otherwise silent on how a member may be removed from a Commission, other than through resignation or death.

Section 6.9 of the Bylaw states that, for matters not covered by the bylaw, reference is to be made to the Board's Procedure Bylaw No. 2789, 2021.

Board Procedure Bylaw:

The Board's Procedure Bylaw is silent on the removal of members as this is otherwise addressed under Section 204 (Director disqualification for failure to attend meetings) of the *Local Government Act*. Specifically:

... a board member is disqualified from holding office in accordance with subsection (3) if the member is absent from board meetings for whichever of the following is the longer time period:

-
- (a) 60 consecutive days;
 - (b) 4 consecutive regularly scheduled board meetings.

Analysis:

Establishing procedures governing the operation of an Advisory Planning Commission (APC) is within the Board's authority and there are not seen to be any legislative or legal issues with introducing provisions for the removal of members.

The absence of specific provisions within the APC Bylaw regarding the removal of members can be undertaken by the Board at any time, should it so choose. Introducing provisions to provide clarity for the Board and APC Members regarding expectations about attendance at Commission meetings would seem to add value.

Provision could also be made that if a member has a good reason to be absent from 3 consecutive meetings of an APC, the proposed amendments to the Bylaw would not result in the automatic removal of that member. Rather, it is anticipated that the applicable Electoral Area Director would determine next steps, including formal consideration by the Board of removal.

The rationale for 3 consecutive meetings as opposed to the 4 consecutive meetings referenced in the *Local Government Act* is in recognition that APCs meet irregularly in comparison to the Board (i.e. it is not uncommon for multiple APC meetings to be cancelled due to an absence of items).

Conversely, the status quo remains an option to the Board, in which case no amendment to the APC Bylaw would be made.

Further, this would seem to be common to all Board appointed commissions and could be worded to be inclusive of Recreation Commission and Water System Commissions.

Alternatives:

1. THAT Regional District of Okanagan-Similkameen Advisory Planning Commission Amendment Bylaw No. 2339.04 be deferred; OR
2. THAT Regional District of Okanagan-Similkameen Advisory Planning Commission Amendment Bylaw No. 2339.04 not be initiated.

Respectfully submitted:



C. Garrish, Planning Manager

Attachments: No. 1 – Draft APC Amendment Bylaw No. 2339.04 (version 2021-09-23)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2339.04, 2021

**A Bylaw to amend the Regional District of Okanagan Similkameen
Advisory Planning Commission Bylaw No. 2339, 2006**

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 Advisory Planning Commission Amendment Bylaw No. 2339.04, 2021.”
2. The “Regional District of Okanagan Similkameen Advisory Planning Commission Bylaw No. 2339, 2006” is amended by:
 - i) adding a new sub-section 4.8 under Section 4.0 (Membership of the Commission) to read as follows:

4.8 If any member of a Commission is continuously absent from three (3) consecutive meetings of an APC, unless due to illness or some other unavoidable reason that is temporary in nature, their appointment may be rescinded by the Board.
 - ii) adding a new sub-section 4.9 under Section 4.0 (Membership of the Commission) to read as follows:

4.9 The Board may, by resolution, remove a member of a Commission at any time for cause.

READ A FIRST, SECOND AND THIRD TIME this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: BoV Resolution – Mobile Homes in the Electoral Area Zoning Bylaws

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 not be considered by the Board as a strategic project.

Purpose:

The purpose of this report is provide the Board 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.

Board of Variance:

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."

Agricultural Land Commission:

On July 12, 2021, the provincial government announced changes to the *Agricultural Land Reserve Use Regulation* designed to "increase housing flexibility in the ALR."

The legislative changes, which will take effect on December 31, 2021, propose to delete the requirement that all additional dwelling units on a parcel in the ALR obtain Commission approval and

to replace this with a new allowance for one additional dwelling, subject to certain criteria being met (see Attachment No. 1).

It is Administration's understanding that the current exemption under the Regulation that allows for the placement of manufactured home that is less than 9.0 metres in width and is used by specified relatives of the property owner will still be repealed on December 31, 2021.

However, the ability to place a manufactured home on an ALR property without ALC approval will be preserved through the legislative changes outlined at Attachment No. 1, and subject to the manufactured home complying with the listed criteria.

Board Consideration:

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.

In recognition that the Board recently (2016) completed a 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

Attachments: No. 1 – *Agricultural Land Reserve Use Regulation* Amendments

Division 2- Additional Residences

Section 34.3 (Additional residences constructed after December 30, 2021)

- (1) The use of agricultural land for an additional residence for which construction begins after December 30, 2021 is permitted on a parcel if all of the following conditions are met:*
 - (a) at the time that construction begins, the parcel has located on it only one residence, whether or not a secondary suite is located in the residence as permitted under section 31;*
 - (b) neither residence will be attached to, nor be part of, the other residence;*
 - (c) one of the following applies to the residences, as constructed:*
 - (i) if the parcel is 40 ha or less, there will be*
 - (A) one residence, the total floor area of which is 500 m² or less, and*
 - (B) one residence, the total floor area of which is 90 m² or less;*
 - (ii) if the parcel is more than 40 ha, there will be*
 - (A) one residence, the total floor area of which is any size permitted under the Act, and*
 - (B) one residence, the total floor area of which is 186 m² or less.*
- (2) The size of a residence permitted under this section must not be altered unless one of the following applies:*
 - (a) the alteration is permitted under section 25 or 45 of the Act;*
 - (b) the alteration does not increase the size of the residence beyond the size permitted under subsection (1) (c).*
- (3) Nothing in this section prevents the granting of permission, under section 25 or 45 of the Act, for additional residences to be constructed after the additional residence permitted under this section.*

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Director's Motion – Cannabis Retail Store Application Moratorium (Electoral Area "D")

Administrative Recommendation:

THAT the Electoral Area "D" Update of Retail Cannabis Zoning Regulations Policy be approved

Purpose:

To provide the Board with an overview of its legislative and legal authority regarding a 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."

Background:

August 19, 2021 - a 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" was carried.

September 2, 2021 - the Planning and Development Committee considered an administrative response to the August 19th resolution and resolved that "this item be deferred to allow staff to reconsider and present options that include the moratorium to be affective as intended and to include options that include policy regarding process."

Statutory Authority:

Under Section 21 of the *Cannabis Control and Licencing Act*, the "General Manager", being a person appointed by the Minister under the *Public Services Act*, is vested with the power to issue, renew, transfer or amend licences for the sale of cannabis products.

Under Section 22 of the Act, an application to sell cannabis products must be submitted to the General Manager, through the Liquor Control and Regulations Branch (LCRB), in an acceptable form.

Under Section 33(2) of the Act, the "General Manager" must notify the applicable local government of an application for a cannabis retail store licence in their area.

Under Section 33(1) of the Act, the "General Manager" is prevented from issuing a license for a Cannabis Retail Store (CRS) unless the local government "for the area in which the establishment is proposed to be located or is located gives the [LCRB] a recommendation that the licence be issued or amended." If a local government chooses not to make a recommendation, this would end a licence application.

Under Schedule 9 of the Regional District's *Development Procedures Bylaw No. 2500, 2011*, upon receipt of a referral from the LCRB for a cannabis retail store, Administration will schedule the proposal for consideration by the Board.

Delegation to Staff:

Under Section 34(3) of the *Cannabis Control and Licencing Act*, the Board "may delegate its powers and duties under section 33 of this Act."

If a board makes a delegation under Section 34(3), "an applicant whose application is the subject of comments and recommendations made by a delegate has the right to have those comments and recommendations reconsidered by the board."

Analysis:

Further to the direction provided by the P&D Committee at its meeting of September 2, 2021, a Draft Board Policy regarding the processing of referrals from the Liquor Control and Regulations Branch (LCRB) for retail cannabis store licence applications in Electoral Area "D" has been prepared and is included at Attachment No. 1.

The policy is proposing that, upon receipt of a referral from the LCRB the Regional District will advise the Branch that it is not going to be providing a recommendation on the proposal.

It is further proposed that this policy only be in effect for a period of 15 months in order to allow for the review of zoning regulations in Electoral Area "D" to be completed.

Alternative Option:

Under the *Cannabis Control and Licencing Act*, the Board already has full authority to resolve to not provide comment on a cannabis retail store (CRS) proposal, thereby ending an application. A "moratorium" is, therefore, seen to be unnecessary and may represent an unlawful delegation of authority to staff.

Under the requirements of the *Cannabis Control and Licencing Act*, it appears that the Board, or its delegate, must consider and make a decision on every application that is referred to it by the LCRB. This would then preclude the Board from making a decision in advance — through a "moratorium" — about what it will do with every application.

Section 38(2) of the *Liquor Control and Licencing Act* specifically provides for a local government to indicate, "in writing to the general manager that it does not wish to receive notice under subsection (1) of applications or a class of applications."

That the Legislature opted not to provide a similar option in the *Cannabis Control and Licencing Act*, would *appear* to indicate that the province is expecting local governments to provide a response on every CRS application referred to it.

While this may seem unnecessary as well as an inefficient use of available resources if the result will always be a denial by the Board, it would be prudent that the Board "consider" each application and deny it, rather than refuse to consider, or decide in advance to deny every application through a "moratorium" and potentially have such a decision open to challenge.

Alternative:

- .1 THAT the Board of Director's not pursue a "moratorium" on cannabis retail applications in Electoral Area "D".

Respectfully submitted:



C. Garrish, Planning Manager

Attachments: No. 1 – Draft Board Policy (Update of Retail Cannabis Zoning Regulations)

Attachment No. 1 – Draft Board Policy
(Electoral Area “D” Update of Retail Cannabis Zoning Regulations)

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY**

POLICY: Electoral Area “D” Update of Retail Cannabis Zoning Regulations Policy

AUTHORITY: Board Resolution dated _____.

AMENDED: Board Resolution dated _____.

POLICY STATEMENT

The Regional District of Okanagan-Similkameen will not provide comment or a recommendation to the general manager, appointed under Section 4 of the *Cannabis Control and Licencing Act*, in response to referrals on any prescribed class of licence authorizing the sale, promotion or supply of cannabis for retail purposes in Electoral Area “D” of the Regional District of Okanagan-Similkameen, for a period of 15 months commencing on September 23, 2021.

PURPOSE

At its meeting of August 19, 2021, a Director’s Motion that “there be a moratorium on cannabis retail applications in Electoral Area “D” ...” was carried.

The purpose of this policy is, therefore, to ensure that no new cannabis retail stores are licenced under the *Cannabis Control and Licencing Act* prior to the implementation of new zoning regulations (estimated to occur prior to December 23, 2022) in the applicable Electoral Area “D” Zoning Bylaw.

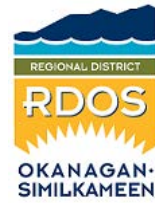
RESPONSIBILITIES

Planning Department.

PROCEDURES

Upon receipt of a referral from the Liquor Control and Regulations Branch (LCRB) that comprises an application seeking the granting of a licence for a cannabis retail store in Electoral Area “D”, the Regional District will advise the LCRB that it will not be providing comments or a recommendation on the application.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee
REGULAR AGENDA



Thursday, September 23, 2021
10:15 am

Pages

- | | | |
|-----------|--|---|
| A. | APPROVAL OF AGENDA <u>RECOMMENDATION</u> THAT the Agenda for the Corporate Services Committee Meeting of September 23, 2021 be adopted. | |
| B. | COMMUNITY CHAMPIONS UPDATE - For Information Only | 2 |
| C. | 2021 RISK REGISTER – For Information Only | 4 |
| D. | ADJOURNMENT <u>RECOMMENDATION</u> THAT the meeting adjourn. | |

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: **Community Champions Update**

Purpose:

To assist with disseminating important notices and alerts from the Regional District of Okanagan-Similkameen (RDOS) in a timely, consistent manner using the specific community's preferred communication channels.

Business Plan Objective:

Improve the Customer Service Experience

Background:

RDOS communities are diverse in their communication needs. While one Electoral Area may rely heavily on digital news sources, other communities may have limited internet or cellular connectivity. Recognizing that a one size fits all communication channel is not a practical way to reach and engage RDOS residents and property owners.

The Community Champion program was developed with the intent to identify individuals within small communities that can help spread the word regarding RDOS news, events, public engagement opportunities and emergency preparedness.

Challenges

Recruitment is the biggest challenge of the program. Identifying all the small, rural communities within the RDOS and then finding an individual who is connected and knows where residents in the area would most effectively seek communication is something administration is focused on.

Next Steps

A region-wide map of the RDOS will be created identifying all hamlets and small, rural communities. Staff will use this map to track where Community Champions have been established and any outstanding areas.

The RDOS has opportunities to visit small and rural communities and engage potential parties through its regular outreach programming.

FireSmart is an example of RDOS staff travelling through communities and meeting with residents who want to be involved with protecting their homes and communities from the threat of wildfire. The program involves identifying local individuals who will share information with their neighbours and plan related events. These individuals may also have an interest in volunteering as a Community Champion.

The Terms of Reference for the Community Champions program has also been amended to provide the volunteers with an opportunity to participate in an annual Review Panel to discuss their Electoral Area's communication methods, identifying channels that work best and ones to eliminate if they are proven ineffective.

Respectfully submitted:

"Andrea Rendall"

_ A. Rendall, Administrative Assistant, Legislative Services _____

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: 2021 Risk Register – For Information Only

Purpose:

To advise Committee of mitigation factors anticipated for the 4 “red-risks” identified on the 2021 Risk Register and post-mitigation scoring.

Reference:

- 2021 Risk Register V.05

Background:

The draft 2021 Risk Register was presented to Committee at their meeting of 22 July 2021, including a presentation on the cycle, the process and methodology for risk management at the Regional District. The draft 2021 Risk Register was tabled and Committee was advised that mitigation activities for the high (Corporate) and moderate (Departmental) risks was underway and a revised rating would be brought back to committee following further consideration.

| Table 1. 2021 Register of Major Threats | | | | | | |
|--|--------------------|--------------------------------|---------------------|----------------------------|----------------------------------|--------------------|
| THREAT | PROB. ^a | IMPACT | | | | Jun-21 |
| | | Health/ Safety ^b | Finan. ^c | Pub. Image ^d | Product./ Morale ^e | TOTAL ^f |
| | 01-05 | 0-5 | 0-4 | 0-4 | 0-4 | |
| Finance | | | | | | |
| Theft or loss of cash at remote facilities | 3 | 0 | 1 | 2 | 2 | 6 |
| Default on accounts receivable | 3 | | 2 | | | 6 |
| Loss of property and time. (i.e. equipment) | 4 | 1 | 1 | 1 | 1 | 4 |
| Lack of funds for deteriorating infrastructure | 4 | 0 | 2 | 1 | 2 | 8 |
| Environmental standards increase (CMLF leachate/drainage, buffer, organics, gas capture) | 3 | 0 | 3 | 2 | 2 | 9 |
| | | | | | | |
| Legal Issues | | | | | | |
| Loss of Statutory Documents | 1 | 0 | 0 | 2 | 4 | 4 |
| Policies not followed | 3 | 2 | 2 | 2 | 2 | 6 |
| Flawed or outdated bylaws | 3 | 0 | 2 | 2 | 2 | 6 |
| Tort and Common law duties of care – negligence, labour, employment practices, slip and fall | 3 | 2 | 2 | 2 | 2 | 6 |
| Criminal actions – Directors, staff, contractors | 2 | 0 | 2 | 3 | 3 | 6 |
| Flawed contract/agreement review process | 3 | 0 | 2 | 2 | 2 | 6 |
| | | | | | | |
| FOI and PP | | | | | | |
| Non-compliance, including commissions, fire departments & related volunteer organizations | 3 | 0 | 1 | 2 | 1 | 6 |
| Inability to find documents (Responding FOI, multiple versions) | 3 | 0 | 2 | 2 | 2 | 6 |
| Accidental release of private information | 2 | 0 | 1 | 2 | 2 | 4 |
| | | | | | | |
| Governance | | | | | | |
| Develop regional partnerships (First Nations/Province) | 4 | 0 | 2 | 2 | 3 | 12 |
| Increasing Parochialism Trend | 4 | 0 | 2 | 2 | 4 | 16 |
| Provincial Downloading (Child Care, Housing, ALR) | 3 | | 2 | | 2 | 6 |
| Impact of Deteriorating Provincial Responsiveness (time/horizontal mgt) | 5 | | | 2 | 3 | 15 |
| Limitations of Local Government Act | 3 | 1 | 2 | 2 | 2 | 6 |
| Demographic and Economic Trends | | | | | | |
| Impact on services from aging demographic | 3 | 0 | 2 | 2 | 0 | 6 |
| Meeting demand of public transit in rural areas | 4 | 1 | | 2 | | 8 |
| | | | | | | |
| Personnel | | | | | | |
| Grievance of Significance | 3 | 0 | 1 | 1 | 2 | 6 |

| | | | | | | |
|---|---|---|---|---|---|----|
| Retention and Successorship of Key Positions | 4 | 0 | 2 | 1 | 3 | 12 |
| Major staff injury > 1 week | 4 | 2 | 1 | 1 | 2 | 8 |
| Business continuity (corporate facility) | 1 | 0 | 3 | 3 | 4 | 4 |
| Continuing functionality of organization during extended emergency events | 3 | 0 | 1 | 0 | 4 | 12 |
| Exposure to narcotics | 4 | 2 | | | | 8 |
| Elected Official/Volunteer/ staff conflict | 4 | 3 | | | 3 | 12 |
| Employee security | 4 | 3 | 1 | 3 | 3 | 12 |
| Lack of resources to meet expectations | 4 | 3 | 2 | 2 | 3 | 12 |
| Sub-standard office space | 3 | | | | 4 | 12 |
| Lack of facility for operational staff & equipment | 2 | | | | 3 | 6 |
| Housing Affordability | 4 | | | | 3 | 12 |
| | | | | | | |
| IT | | | | | | |
| Loss of Utility Service | | | | | | |
| (A) Phone landline (> 1 day) | 2 | 1 | 0 | 1 | 2 | 4 |
| (B) Phone mobile | 2 | 2 | 0 | 1 | 2 | 4 |
| (C) Internet (> 5 days) | 1 | 1 | 1 | 1 | 4 | 4 |
| (D) Electricity (> 5 days) | 2 | 1 | 2 | 1 | 3 | 6 |
| (E) RF Communications | 3 | | | | 3 | 9 |
| Loss of storage data (disaster recovery) | 3 | 1 | 2 | 1 | 4 | 12 |
| Hacking/Intrusion/Social Engineering | 4 | 1 | 2 | 2 | 4 | 16 |
| Security of Mobile Devices | 4 | 0 | 2 | 2 | 2 | 8 |
| Dated or Undersized Servers malfunction | 4 | 1 | 2 | 1 | 3 | 12 |
| not following IT security policy | 4 | 1 | 2 | 2 | 2 | 8 |
| Impact of new software on staff and public | 3 | | | | 3 | 9 |
| Communication: | | | | | | |
| (A) Expectations for notification and information. | 4 | | | 2 | | 8 |
| (B) Social media (misuse, lack of timely and accurate information) | 3 | | | 2 | | 6 |
| | | | | | | |
| Community Services | | | | | | |
| Force Majeure | | | | | | |
| Disaster/Emergency Response | 4 | 4 | 2 | 3 | 4 | 16 |
| Parks and Trails and Rec Facilities: Lack of maintenance causing slip and falls | 3 | 2 | 2 | 2 | 2 | 6 |
| Loss of Fire Dispatch | 2 | 4 | 2 | 3 | 1 | 8 |
| Malfunction of emergency telecommunications network/ infrastructure | 3 | 1 | 2 | 2 | | 6 |
| Motorized/non-motorized trail use (interface injury) | 4 | 2 | 0 | 2 | 1 | 8 |
| Loss of primary 911 Dispatching | 1 | 5 | 2 | 3 | 1 | 5 |

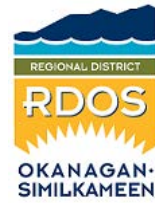
| | | | | | | |
|--|---|---|---|---|---|----|
| Poor water quality at public beaches | 3 | 2 | 0 | 2 | 1 | 6 |
| | | | | | | |
| Public Works | | | | | | |
| Sewer | | | | | | |
| (A) Effluent not to testing standard | 3 | 2 | 2 | 2 | 2 | 6 |
| (B) Power Failure > 4 hrs. (including lift stations) | 3 | 2 | 1 | 1 | 2 | 6 |
| (C) Odour (include lift stations) | 4 | 0 | 0 | 2 | 2 | 8 |
| (D) Spill into water bodies. | 3 | 2 | 2 | 2 | 3 | 9 |
| Water | | | | | | |
| (A) Substandard water quality | 4 | 3 | 3 | 2 | 2 | 12 |
| (B) Power Failure | 3 | 0 | 1 | 1 | 2 | 6 |
| (C) Sabotage | 1 | 5 | 3 | 2 | 2 | 5 |
| (D) Water system acquisition | 2 | 1 | 2 | 1 | 3 | 6 |
| (E) Source water quantity | 2 | | | 2 | 3 | 6 |
| (E) Source water quality | 2 | 3 | 2 | 2 | 2 | 6 |
| (E) Zebra and Quagga Mussel infestation of water system | 2 | 2 | 3 | 3 | 3 | 6 |
| SCADA infrastructure failure | 3 | 2 | | | | 6 |
| Dam failure (RDOS) | 1 | 5 | 4 | 3 | 3 | 5 |
| Landfills | | | | | | |
| (A) Contaminated leachate to surrounding area | 4 | 2 | 3 | 2 | 3 | 12 |
| (B) Injuries from public unloading | 4 | 2 | 1 | 2 | 2 | 8 |
| (C) Landfill Gas Regulation Compliance | 4 | 1 | 3 | 2 | 2 | 12 |
| (D) Not Implementing Organics Site | 3 | 0 | 4 | 2 | 1 | 12 |
| (E) Residential encroachment at CMLF | 3 | | 3 | | | 9 |
| (F) Fire at landfill | 4 | 2 | 2 | 3 | 2 | 12 |
| | | | | | | |
| All Assets | | | | | | |
| (A) Fire (structural) | 2 | 3 | 3 | 2 | 3 | 6 |
| (B) Theft and vandalism | 4 | 1 | 2 | 2 | 2 | 8 |
| (C) Graffiti | 5 | 0 | 1 | 1 | 1 | 5 |
| (D) Deteriorating infrastructure (asset management) | 4 | 0 | 2 | 1 | 2 | 8 |
| (E) Water damage to facilities | 3 | 0 | 1 | 0 | 2 | 6 |
| (F) Lack of space/ long-term plan | 4 | 0 | 0 | 0 | 3 | 12 |
| (G) Lack of SOP's for utilities/IT infrastructure | 4 | 2 | 2 | 3 | 3 | 12 |
| | | | | | | |
| Development Services | | | | | | |
| Building Inspection | | | | | | |
| (A) Issue Building Permit without proper approvals (geotech, etc.) | 3 | 2 | 2 | 1 | 1 | 6 |
| (B) Building failure (collapse, etc.) after approved Building Permit | 1 | 2 | 3 | 2 | 1 | 3 |
| (D) Give incorrect information to public | 4 | | 1 | 1 | 1 | 4 |

| Table 1. 2019 Register of Major Threats | | | | | | | | | |
|---|--------------------|--------------------------------|---------------------|----------------------------|---------------------------------|--------------------|--|---------------|-----------|
| THREAT | PROB. ^a | IMPACT | | | | Jul-21 | | | |
| | | Health/ Safety ^b | Finan. ^c | Pub. Image ^d | Product/ Morale ^e | TOTAL ^f | Mitigation Activity | Who | Re-Rating |
| Extended natural/person-caused Emergencies/Disasters | 5 | 4 | 2 | 3 | 4 | 20 | - Regional Training; Exercising - Enhanced involvement of the CAO Group in the regional program | CAO | 20 |
| Mitigate Increasing ParochialismTrend | 4-3 | 0 | 2 | 2 | 4-3 | 16 | - Review at 2021 Legislative Workshop - Role Clarity - Enhance Administrative Reports | Board/ CAO | 9 |
| Hacking/Intrusion/Social Engineering | 4 2 | 1 | 2 | 2 | 4 | 16 | -Apply 2021 IT Assessment and Forensic Audit Recommendations | MIS | 8 |
| Deteriorating Provincial Responsiveness | 5-4 | 0 | 2 | 2 | 3 2 | 15 | - Continue to advocate for horizontal management | Board/ CAO | 8 |
| Develop regional partnerships (Local Govt./First Nations/Province) | 4 | 0 | 2 | 2 | 3 | 12 | - See 2021 Business Plan | MLS | |
| Retention and Successorship of Key Positions | 4 | 0 | 2 | 1 | 3 | 12 | - Include in 2022 Business Plan - Present for discussion at Legislative Workshop | MHR | |
| Organizational functionality during extended emergency events | 3 | 0 | 1 | 0 | 4 | 12 | - Broader use of Regional resources | SMT | |
| Improve Elected Official/Volunteer/staff relationships | 4 | 3 | 0 | 0 | 3 | 12 | - Include for discussion at 2021 Legislative Wkshp. - Address expectation gap - Review Board/Staff Communication process | MLS/ MHR | |
| Insufficient resources to meet expectations | 4 | 3 | 2 | 2 | 3 | 12 | - Refer to 2021 Budget committee for discussion | Board/ CAO | |
| Improve Sub-Standard Office Space | 3 | 1 | 2 | 2 | 4 | 12 | - Lease 184 Main Street - Undertake space study - Reconfigure Board Room | MCS | |
| Producing sub-standard water quality | 4 | 3 | 3 | 2 | 2 | 12 | - Fund necessary capital upgrades for water systems | Board | |
| CMLF Contaminated Sites contravention | 4 | 2 | 3 | 2 | 2 | 12 | - Complete leachate mitigation program | MES | |
| CMLF Gas Regulation Contravention | 4 | 1 | 3 | 2 | 2 | 12 | - BioCover alternative approval | MES | |
| Organics Facility Site Approval | 3 | 0 | 4 | 2 | 1 | 12 | - ALC Approval for 1313 Greyback Mtn. Rd. - Obtain grant funding | SMT | |
| Lack of SOP's for utilities/IT infrastructure | 4 | 2 | 2 | 3 | 3 | 12 | - Add to 2022 Dept. Business Plans | MO | |
| Enhance Employee Security Measures | 3 | 3 | 1 | 3 | 3 | 9 | - Introduce Violence-in-the Workplace Training & hazard assessments | MHR | |
| Cost of increasing environmental standards | 3 | 0 | 3 | 2 | 3 | 9 | - Stay attuned to professional dialogue - Ensure we plan appropriately - Establish appropriate Reserves | SMT | |
| Lose radio frequency communications | 3 | 0 | 2 | 2 | 3 | 9 | - Ensure essential services have built-in redundancy | MIS | |
| Impact of new software on staff and public | 3 | 0 | 0 | 0 | 3 | 9 | - Include training, communication and rollout as part of any project plan | MIS | |
| Sewage spill into water bodies | 3 | 2 | 2 | 2 | 3 | 9 | - Replace aging infrastructure | MO | |
| Residential encroachment at CMLF | 3 | 1 | 3 | 3 | 2 | 9 | - Continue to work with the City and Developer to set an appropriate development cone around the landfill. | MO | |

| | | | | | | | | | |
|--|---|---|---|---|---|---|--|-----|--|
| Source water quantity depleting | 3 | 1 | 3 | 2 | 3 | 9 | - Review water quantity policy in the Subdivision Bylaw and OCP's | MDS | |
| Lack of funds for deteriorating infrastructure | 4 | 0 | 2 | 1 | 2 | 8 | - Complete Asset Mgt. Plan - Focus on building Reserve Funds | MFS | |
| Meeting demand for public transit in rural areas | 4 | 1 | 2 | 1 | 2 | 8 | - 2022 Budget Discussion | MCS | |
| Staff Injury, including drug apparatus protocol (> 1 week) | 4 | 2 | 1 | 1 | 2 | 8 | - Update "Sharps" procedure and introduce enhanced supervisor training | MHR | |
| | | | | | | | | | |
| Uncontrolled growth management (primary and secondary growth areas) | 3 | 1 | 0 | 2 | 0 | 6 | | | |
| Motorized/non-motorized trail use (interface injury) | 3 | 2 | 0 | 2 | 1 | 6 | | | |
| Theft or loss of cash at remote facilities | 3 | 0 | 1 | 2 | 2 | 6 | | | |
| Default on accounts receivable | 3 | | 2 | | | 6 | | | |
| Breach of Policy (Policy/Procedure Dichotomy) | 3 | 2 | 2 | 2 | 2 | 6 | | | |
| Flawed or outdated bylaws | 3 | 0 | 2 | 2 | 2 | 6 | | | |
| Tort and Common law duties of care – negligence, labour, employment practices, slip and fall | 3 | 2 | 2 | 2 | 2 | 6 | | | |
| Flawed contract/agreement review process | 3 | 0 | 2 | 2 | 2 | 6 | | | |
| Non-compliance with Privacy legislation, including commissions, fire departments & related volunteer organizations | 3 | 0 | 1 | 2 | 1 | 6 | | | |
| Inability to find documents (Responding FOI, multiple versions) | 3 | 0 | 2 | 2 | 2 | 6 | | | |
| Provincial Downloading (Child Care, Housing, ALR) | 3 | | 2 | | 2 | 6 | | | |
| Limitations of Local Government Act | 3 | 1 | 2 | 2 | 2 | 6 | | | |
| Impact on services from aging demographic | 3 | 0 | 2 | 2 | 0 | 6 | | | |
| Grievance of Significance | 3 | 0 | 1 | 1 | 2 | 6 | | | |
| Lack of facility for operational staff & equipment | 2 | 0 | 0 | 0 | 3 | 6 | | | |
| Loss of electricity in utility facilities (> 5 days) | 2 | 1 | 2 | 1 | 3 | 6 | | | |
| Misuse of social media | 3 | 0 | 0 | 2 | 2 | 6 | | | |
| Parks and Trails and Rec Facilities: Lack of maintenance causing slip and falls | 3 | 2 | 2 | 2 | 2 | 6 | | | |
| Malfunction of emergency telecommunications network/ infrastructure | 3 | 1 | 2 | 2 | 2 | 6 | | | |
| Poor water quality at public beaches | 3 | 2 | 0 | 2 | 1 | 6 | | | |
| Effluent not to testing standard | 3 | 2 | 2 | 2 | 2 | 6 | | | |
| Power Failure at sewage facilities > 4 hrs. | 3 | 2 | 1 | 1 | 2 | 6 | | | |
| Power Failure in a water system | 3 | 0 | 1 | 1 | 2 | 6 | | | |
| Water system acquisition | 2 | 1 | 2 | 1 | 3 | 6 | | | |
| Source water quality | 2 | 3 | 2 | 2 | 2 | 6 | | | |
| Zebra and Quagga Mussel infestation of water system | 2 | 2 | 3 | 3 | 3 | 6 | | | |
| Planning for climate change adaptation, development in flood plains | 3 | 2 | 2 | 2 | 2 | 6 | | | |
| SCADA infrastructure failure | 3 | 2 | 2 | 0 | 2 | 6 | | | |
| Water damage to facilities | 3 | 0 | 1 | 0 | 2 | 6 | | | |
| Issue Building Permit without proper approvals (geotech, etc.) | 3 | 2 | 2 | 1 | 1 | 6 | | | |

| | | | | | | | | |
|---|---|---|---|---|---|---|--|--|
| Outdated Works and Servicing Bylaw | 3 | | 2 | 2 | | 6 | | |
| Unregulated development creating personal injury. | 2 | 3 | 2 | 1 | 2 | 6 | | |
| Lack of planning for climate change adaptation, development in flood plains | 3 | 2 | | 2 | | 6 | | |
| Loss of water facilities to power failure | 3 | 0 | 1 | 1 | 2 | 6 | | |
| Water source quality is compromised | 2 | 3 | 2 | 2 | 2 | 6 | | |
| Fire at landfill | 2 | 2 | 3 | 3 | 3 | 6 | | |
| Structure fire | 2 | 3 | 3 | 2 | 3 | 6 | | |
| Issuing a Building Permit without proper approvals (geotech, etc.) | 3 | 2 | 2 | 1 | 1 | 6 | | |
| Loss of primary 911 Dispatching | 1 | 5 | 2 | 3 | 1 | 5 | | |
| Dam failure (RDOS) | 1 | 5 | 4 | 3 | 3 | 5 | | |
| Graffiti | 5 | 0 | 1 | 1 | 1 | 5 | | |
| Disease (pandemic few employees working) | 1 | 5 | 2 | 3 | 4 | 5 | | |
| Corporate office security | 1 | 5 | 1 | 4 | 4 | 5 | | |
| Loss of primary 911 Dispatching | 1 | 5 | 2 | 3 | 1 | 5 | | |
| Sabotage of a water facility | 1 | 5 | 3 | 2 | 2 | 5 | | |
| Dam failure (RDOS) | 1 | 5 | 4 | 3 | 3 | 5 | | |
| Odour from sewage facilities | 4 | 0 | 0 | 1 | 1 | 4 | | |
| Theft and vandalism | 4 | 1 | 1 | 1 | 1 | 4 | | |
| Public injury from unloading at landfills | 4 | 1 | 1 | 1 | 1 | 4 | | |
| Loss of Statutory Documents | 1 | 0 | 0 | 2 | 4 | 4 | | |
| Accidental release of private information | 2 | 0 | 1 | 2 | 2 | 4 | | |
| Business continuity (corporate facility) | 1 | 0 | 3 | 3 | 4 | 4 | | |
| Loss of internet service (> 5 days) | 1 | 1 | 1 | 1 | 4 | 4 | | |
| Loss of property and time. (i.e. equipment) | 4 | 1 | 1 | 1 | 1 | 4 | | |
| Loss of Statutory Documents | 1 | 0 | 0 | 2 | 4 | 4 | | |
| Accidental release of private information | 2 | 0 | 1 | 2 | 2 | 4 | | |
| Business continuity (loss of 101 Martin St) | 1 | 0 | 3 | 3 | 4 | 4 | | |
| Loss of Phone landline (> 1 day) | 2 | 1 | 0 | 1 | 2 | 4 | | |
| Loss of Phone mobile | 2 | 2 | 0 | 1 | 2 | 4 | | |
| Give incorrect information to public regarding building inspection, zoning, etc. | 4 | 0 | 1 | 1 | 1 | 4 | | |
| Qualified audit statement | 1 | 0 | 2 | 2 | 3 | 3 | | |
| Building failure (collapse, etc.) after approved Building Permit | 1 | 2 | 3 | 2 | 1 | 3 | | |
| Loss of Service: (A) Phone landline (> 1 day) | 2 | 1 | 0 | 1 | 2 | 4 | | |
| Loss of service: (B) Phone mobile | 2 | 2 | 0 | 1 | 2 | 4 | | |
| Building Inspection: (D) Give incorrect information to public regarding zoning, etc. | 4 | 0 | 1 | 1 | 1 | 4 | | |
| Audit: Qualified statement | 1 | 0 | 2 | 2 | 3 | 3 | | |
| Building Inspection: (B) Building failure (collapse, etc.) after approved Building Permit | 1 | 2 | 3 | 2 | 1 | 3 | | |

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Environment and Infrastructure Committee
REGULAR AGENDA



Thursday, September 23, 2021

10:45 am

Pages

A. APPROVAL OF AGENDA

RECOMMENDATION

THAT the Agenda for the Environment and Infrastructure Committee Meeting of September 23, 2021 be adopted.

B. DELEGATION - GREENSTEP INC.

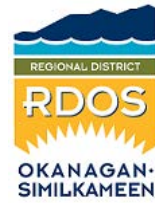
Melanie Mewhort, Eco Program Coordinator, GreenStep Solutions Inc.

C. ADJOURNMENT

RECOMMENDATION

THAT the meeting adjourn.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD of DIRECTORS MEETING
REGULAR AGENDA



Thursday, September 23, 2021
11:15 am

Pages

A. APPROVAL OF AGENDA

RECOMMENDATION

That the Agenda for the RDOS Board Meeting of September, 23, 2021 be adopted.

A.1. Consent Agenda – Corporate Issues

(Unweighted Corporate Vote - Simple Majority)

RECOMMENDATION

THAT the Consent Agenda Corporate Services be adopted.

A.1.1. Advisory Planning Commissions

A.1.1.1. South Okanagan Conservation Fund – Technical Advisory Committee Appointment 11 - 28

THAT the appointment of Tara White, R.P. Bio as a volunteer member of the South Okanagan Conservation Fund Technical Advisory Committee be approved for a three year term ending September 30, 2024.

A.1.1.2. Advisory Planning Commission, Electoral Area "F" 29 - 31

THAT the minutes of the August 23, 2021 Advisory Planning Commission, Electoral Area "F" be received.

A.1.1.3. Advisory Planning Commission, Electoral Area "H" 32 - 33

THAT the minutes of the August 17, 2021 Advisory Planning Commission, Electoral Area "H" be received.

A.1.2. Parks and Recreation Committees

A.1.2.1. Kaleden Parks & Recreation Commission 34 - 42

THAT the minutes of the August 17, 2021 Kaleden Parks & Recreation Commission be received.

A.1.3. Board and Committees

| | | |
|-----------------|--|---------|
| A.1.3.1. | Service and Boundary Configuration Study, Electoral Area "D" <i>THAT the minutes of the August 18, 2021 Service and Boundary Configuration Study, Electoral Area "D" be received.</i> | 43 - 44 |
| A.1.3.2. | Corporate Services Committee <i>THAT the minutes of the September 2, 2021 Corporate Services Committee meeting be received.</i> | 45 - 46 |
| A.1.3.3. | Planning and Development Committee <i>THAT the minutes of the September 2, 2021 Planning and Development Committee meeting be received.</i> <i>THAT the Cannabis Retail Store Moratorium (Electoral Area "D") be referred back to staff for further options.</i> <i>THAT the item be referred back to staff for further work based on a 90 day period.</i> | 47 - 48 |
| A.1.3.4. | RDOS Regular Board Meeting <i>THAT the minutes of the September 2, 2021 RDOS Regular Board meeting be adopted.</i> | 49 - 56 |
| A.2. | Consent Agenda – Development Services (Unweighted Rural Vote - Simple Majority) <u>RECOMMENDATION</u> THAT the Consent Agenda – Development Services be adopted. | |
| A.2.1. | Development Variance Permit Application — Electoral Area "A" 4003 37th Street <i>THAT Development Variance Permit No. A2021.036-DVP to allow for a dwelling addition at 4003 37th Street be approved.</i> | 57 - 67 |
| A.2.2. | Development Variance Permit Application — Electoral Area "C" 7335 Tucelnuit Drive <u>RECOMMENDATION</u> <i>THAT Development Variance Permit No. C2021.033-DVP to allow for an accessory structure in an interior side parcel line setback at 7335 Tucelnuit Drive, be approved.</i> | 68 - 75 |
| A.2.3. | Development Variance Permit Application — Electoral Area "D" 420 Panorama Crescent <i>THAT Development Variance Permit No. D2021.032-DVP, to permit the development of an addition to an existing accessory structure at 420 Panorama Crescent, be approved.</i> | 76 - 87 |

| | | |
|---------------|---|------------------|
| A.2.4. | Development Variance Permit Application — Electoral Area “D” 136 Chadwell Place | 88 - 100 |
| | <i>THAT Development Variance Permit No. D2021.034-DVP to permit the development of a single detached dwelling at 136 Chadwell Place, be approved.</i> | |
| A.2.5. | Development Variance Permit Application — Electoral Area “E” | 101 - 121 |
| | <i>THAT Temporary Use Permit No. E2021.008-TUP to authorize a “vacation rental” use at 2205 Naramata Road be approved.</i> | |
| A.2.6. | Development Variance Permit Application — Electoral Area “E” | 122 - 129 |
| | <u>RECOMMENDATION</u> | |
| | <i>THAT Development Variance Permit No. E2021.038-DVP to reduce the number of streetlights for a 41 lot subdivision at 3480 Arawana Forestry Road under the Subdivision Servicing Bylaw, be approved.</i> | |
| A.2.7. | Temporary Use Permit Application – Electoral Area “I” 174 Range Road | 130 - 149 |
| | <i>THAT Temporary Use Permit No. I2021.020-TUP to allow a “vacation rental” use at 174 Range Road, Twin Lakes be approved.</i> | |

B. DEVELOPMENT SERVICES – Rural Land Use Matters

| | | |
|-------------|--|------------------|
| B.1. | Zoning Amendment Bylaw No. 2461.15, 2021 – Scheduling of Public Hearing (Unweighted Corporate Vote - Simple Majority) | 150 - 151 |
| | <u>RECOMMENDATION</u> | |
| | THAT the holding of a second public hearing for Amendment Bylaw No. 2461.15, 2021, be delegated to Director Gettens; and, | |
| | THAT the date, time, and place of the public hearing be scheduled in consultation with Director Gettens; and, | |
| | THAT notice of the public hearing be given in accordance with the requirements of the <i>Local Government Act</i> . | |
| B.2. | Agricultural Land Commission Referral (Non-Farm Use) – Electoral Area “C” (Unweighted Corporate Vote - Simple Majority) | 152 - 157 |
| | <u>RECOMMENDATION</u> | |
| | THAT the application to operate a commercial tool and farm equipment business as a non-farm use on the parcel located at 5680 Hwy 97 (Lot 1, District Lot 2450S, SDYD, Plan 39302) be authorized to proceed to the Agricultural Land Commission. | |

- B.3. Agricultural Land Commission Referral (Non-Adhering Res. Use) – Electoral Area “C” 5454 Sumac Street** 158 - 164
(Unweighted Corporate Vote - Simple Majority)
- RECOMMENDATION
THAT the application for a “non-adhering residential use – Principal Residence more than 500 m²” at 5454 Sumac Street (Lot 233, Plan KAP1789, District Lot 2450S, SDYD, Except Plan 17436) “not be authorized” to proceed to the Agricultural Land Commission.
- B.4. Agricultural Land Commission Referral (ALC) – Electoral Area “D”** 165 - 171
(Unweighted Corporate Vote - Simple Majority)
- RECOMMENDATION
THAT the application to convert the use of an existing building for utility service and event concession purposes as a non-farm use on the parcel located at 2434 Oliver Ranch Road (Lot 1, District Lot 2710, SDYD, Plan 32089) “not be authorized” to proceed to the Agricultural Land Commission.
- B.5. Petition to Enter Faulder Water Service Area – Electoral Area “F”** 172 - 178
(Unweighted Corporate Vote - Simple Majority)
- RECOMMENDATION
THAT Bylaw No. 1177.05, 2021, a bylaw to extend the area of the Faulder Community Water System, be denied.
- B.6. Petition to Enter the Naramata Water System Local Service Area – Electoral Area “E”** 179 - 182
(Unweighted Corporate Vote - Simple Majority)
- RECOMMENDATION
THAT Bylaw No. 2939, 2021, a bylaw to amend the Naramata Water System Local Service Establishment Bylaw 1620/1995, be denied.
- B.7. Zoning Bylaw Amendment – Electoral Area “A”** 183 - 191
(Weighted Rural Vote - Simple Majority)

RECOMMENDATION

THAT Bylaw No. 2451.32, 2021, a bylaw to amend the Electoral Area “A” Zoning Bylaw to allow for a minimum parcel size of 3.7 ha at 2257 82nd Ave in Area “A” be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 21, 2021;

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

B.8. Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “F” 192 - 232
(Unweighted Rural Vote - Simple Majority)

RECOMMENDATION

THAT Bylaw No. 2790.02, 2021, a bylaw to amend the Electoral Area “F” Official Community Plan to allow for the development of 106 dwelling units at 625 Hwy. 97 be read a first and second time and proceed to public hearing; and,

THAT Bylaw No. 2461.18, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2790.02, 2021, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board of Directors meeting of October 21, 2021; and,

THAT notice of the public hearing be given in accordance with the requirements of the *Local Government Act*.

B.9. Official Community Plan (OCP) & Zoning Bylaw Amendments – Residential and Small Holdings Review 233 - 602
(Unweighted Rural Vote - Simple Majority)

RECOMMENDATION

THAT Bylaw No. 2892, 2021, a bylaw to amend the Electoral Area “A”, “C”, “D”, “E”, “F” and “I” Official Community Plan (OCP) and Zoning Bylaws in order to update the Residential and Small Holdings zones be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2892, 2021, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 21, 2021; and,

THAT notice of the public hearing be given in accordance with the requirements of the *Local Government Act*.

- B.10. Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “A”** 603 - 635
(Unweighted Rural Vote - Simple Majority)

RECOMMENDATION

THAT Bylaw No. 2905.02, 2021, a bylaw to amend the Electoral Area “A” Official Community Plan to facilitate a 70-lot subdivision and creation of conservation and dedicated park areas at Willow Beach, be read a third time; and,

THAT Bylaw No. 2451.31, 2021, a bylaw to amend the Electoral Area “A” Zoning Bylaw be read a third time; and,

THAT prior to adoption of Amendment Bylaw Nos. 2905.02, 2021, and 2451.31, 2021, that a statutory covenant be registered on the title of Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229 43613 H9726, to provide the Regional District with access to the lands and the ability to undertake mosquito control measures.

- B.11. Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “H”** 636 - 647
(Unweighted Rural Vote - Simple Majority)

RECOMMENDATION

THAT Bylaw No. 2497.12, 2021, a bylaw to amend the Electoral Area “H” Official Community Plan Bylaw to permit a 2-lot subdivision at 2321 Old Hedley Road, be read a first and second time and proceed to public hearing; and

THAT Bylaw No. 2498.23, 2021, a bylaw to amend the Electoral Area “H” Zoning Bylaw be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the Local Government Act; and,

THAT, in accordance with Section 477 of the Local Government Act, the Board of Directors has considered Amendment Bylaw No. 2497.12, 2021, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 21, 2021; and,

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

- | | | |
|--------------|---|-----------|
| B.12. | Zoning Bylaw Amendment – Electoral Area “F” 5863 Princeton Summerland Road (Unweighted Rural Vote - 2/3 Majority) | 648 - 655 |
|--------------|---|-----------|

RECOMMENDATION

THAT Bylaw No. 2461.16, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw to allow for a “campground” as a permitted use at 5863 Princeton-Summerland Road be read a third time, as amended; and adopted.

C. COMMUNITY SERVICES

- | | | |
|-------------|--|-----------|
| C.1. | Award of Contract - North Naramata Firehall Detailed Design (Weighted Corporate Vote - Majority) | 656 - 657 |
|-------------|--|-----------|

RECOMMENDATION

THAT a contract for detailed design of the North Naramata Firehall be awarded to Landform Architecture Ltd. for \$65,000.00.

- | | | |
|-------------|---|-----------|
| C.2. | Provincial Licence of Occupation – Apex Fire Hall (Unweighted Corporate Vote - Simple Majority) | 658 - 661 |
|-------------|---|-----------|

RECOMMENDATION

THAT the Regional District submit an application to the Province of British Columbia for a License of Occupation on a portion of District Lot 395s, Similkameen Division of Yale Land District for the development of the Apex community fire hall.

D. FINANCE

- D.1. Grant Approval from the Vermillion Forks Reserve Fund**
(Weighted Corporate Vote - 2/3 Majority)

662 - 664

RECOMMENDATION

THAT the Regional District of Okanagan Similkameen approve a \$15,000 grant to the Eastgate Fire protection Society (EFPS); and,

THAT the grant be funded from the Vermillion Forks Community Forest Reserve fund; and,

THAT reserve expenditure Bylaw No.2946, 2021, being a bylaw to authorize an expenditure of \$15,000 from the Vermillion Forks Community Forest Reserve Fund to help fund the EFPS be given first, second, & third readings and be adopted.

- D.2. Permissive Tax Exemptions for Properties Within the City of Penticton**
(Unweighted Corporate Vote - Simple Majority)

665 - 666

RECOMMENDATION

THAT the Regional District of Okanagan Similkameen apply for a permissive tax exemption for properties leased at 184 Main Street and 105 Martin Street.

- D.3. Reserve Expenditure Bylaw and Budget Amendment - Oliver Landfill Organics Facility**
(Weighted Corporate Vote - 2/3 Majority)

667 - 670

RECOMMENDATION

THAT Bylaw No.2945, 2021, being a bylaw to authorize the funding for the expenditure of an additional \$600,000 from the Oliver Landfill Capital Reserve be read a first, second, & third time and be adopted; and,

THAT Bylaw No. 2922.01, 2021, being a bylaw to amend the 2021-2025 Five Year Financial Plan to increase the Oliver Landfill Capital budget by \$600,000, be read a first, second, & third time and be adopted.

E. LEGISLATIVE SERVICES

E.1. Electoral Area “G” Cemetery Operations Contribution Service
(Unweighted Corporate Vote - Simple Majority)

671 - 678

RECOMMENDATION

THAT Bylaw No. 2943, 2021, Electoral Area “G” Cemetery Operations Contribution Service Establishment Bylaw, be read a first, second and third time and forwarded to the Inspector of Municipalities for approval; and,

THAT upon approval by the Inspector of Municipalities, participating area approval for the adoption of Electoral Area “G” Cemetery Operations Contribution Service Establishment Bylaw No. 2943, 2021, be obtained from the electorate within Electoral Area “G” through an alternative approval process in accordance with the *Local Government Act*; and,

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2943 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday December 6, 2021; and,

THAT the elector response form attached to the report dated September 23, 2021 be the approved form for the Bylaw No. 2943 alternative approval process; and,

THAT the total number of eligible electors to which the alternative approval process applies is 1973; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 197.

F. CAO REPORTS

F.1. Verbal Update

F.2. MRDT Request – City of Penticton
(Unweighted Corporate Vote - Simple Majority)

679 - 708

RECOMMENDATION

THAT the Regional District provide a letter of support to the City of Penticton for their application to the Province of British Columbia to increase the 2% Municipal and Regional District Tax (MRDT) to 3%.

G. OTHER BUSINESS

G.1. Chair’s Report

G.2. Board Representation

1. Developing Sustainable Rural Practice Communities - *McKortoff*
2. Municipal Finance Authority – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
3. Municipal Insurance Association – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
4. Okanagan Basin Water Board - *McKortoff, Holmes, Knodel, Pendergraft (Alternate to McKortoff), Obirek (Alternate to Holmes), Monteith (Alternate to Knodel)*
5. Okanagan Film Commission – *Gettens, Obirek (Alternate)*
6. Okanagan Regional Library – *Monteith, Obirek (Alternate)*
7. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Kozakevich (Alternate)*
8. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
9. Starling Control – *Bush, Knodel (Alternate)*
10. Fire Chief Liaison Committee – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
11. Intergovernmental Indigenous Joint Council – *Kozakevich, Coyne, Roberts*
12. Okanagan-Similkameen Regional Hospital District – *Sentes, McKortoff (Alternate)*

G.3. Directors Motions

G.4. Board Members Verbal Update

H. ADJOURNMENT

RECOMMENDATION

THAT the meeting adjourn.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: **South Okanagan Conservation Fund – Technical Advisory Committee Appointment**

Administrative Recommendation:

THAT the appointment of Tara White, R.P. Bio as a volunteer member of the South Okanagan Conservation Fund Technical Advisory Committee be approved for a three year term ending September 30, 2024.

Purpose:

To appoint volunteer members to the South Okanagan Conservation Fund Technical Advisory Committee (TAC) to provide expertise in the review and recommendation to the Board of Directors regarding the selection of projects or recipients of the South Okanagan Conservation Funds.

Reference:

South Okanagan Conservation Fund Terms of Reference – (August 2021).

Business Plan Objective:

Goal 3.3 To develop an environmentally sustainable region

Background:

In December 2016, the Regional District of Okanagan Similkameen, with public assent, adopted Bylaw No. 2690 to establish an Environmental Conservation Service for the Electoral Areas “A”, “C”, “D”, “E”, “F”, the City of Penticton, District of Summerland, and the Town of Oliver.

The funds requisitioned 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.

At the August 19, 2021 Board meeting, the Board of Directors approved the revised Terms of Reference, which is attached to this report for reference.

The purpose of the TAC is to:

- (a) Ensure that all proposals to the Fund receive an expert technical review based on a fair assessment of merit and project effectiveness;
- (b) Provide a high level of accountability in the review process; and
- (c) Provide recommendation on technically appropriate proposals to the board of Directors

TAC members may serve a term of up to three years (renewable upon reappointment), with some members serving one or two year terms initially to ensure membership continuity.

Analysis:

The TAC is to be comprised of five to seven volunteer members with 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.

In response to advertisements in local newspapers and social media, 2 candidates submitted a resume. The candidate for membership was evaluated by Christy Malden, Manager of Legislative Services and Jim Zaffino, Manager of Finance, using a set of specific criteria. The applicant recommended has expertise and extensive qualifications in management, restoration or enhancement of fish and wildlife habitat, sensitive ecosystems, species at risk, natural resource management and experience in Environmental Studies, Science, Ecology, or other applicable qualification.

The applications submitted to the SOCF are extremely complex in nature and this committee member has a level of in-depth environmental knowledge and experience.

If appointed, this candidate would join the current five member Committee.

- Ms. Ellen Simmons, MSc. (Ph.D. candidate UBCOK) and Professor, Nicola Valley Institute of Technology.
- Ms. Laura Machial, retired Senior Planning and Reports Adviser, First Nations Technical Services and Advisory Group
- Mr. Timothy Grey, M.E.T., R.P. Bio, P.Biol, Biologist / Environmental Toxicologist, McElhanney
- Mr. Orville Dyer, retired Senior Provincial Okanagan Species and Ecosystems at Risk Biologist.
- Mr. Darcy Henderson, Ph.D., Sr. Species at Risk Biologist, Environment and Climate Change Canada.

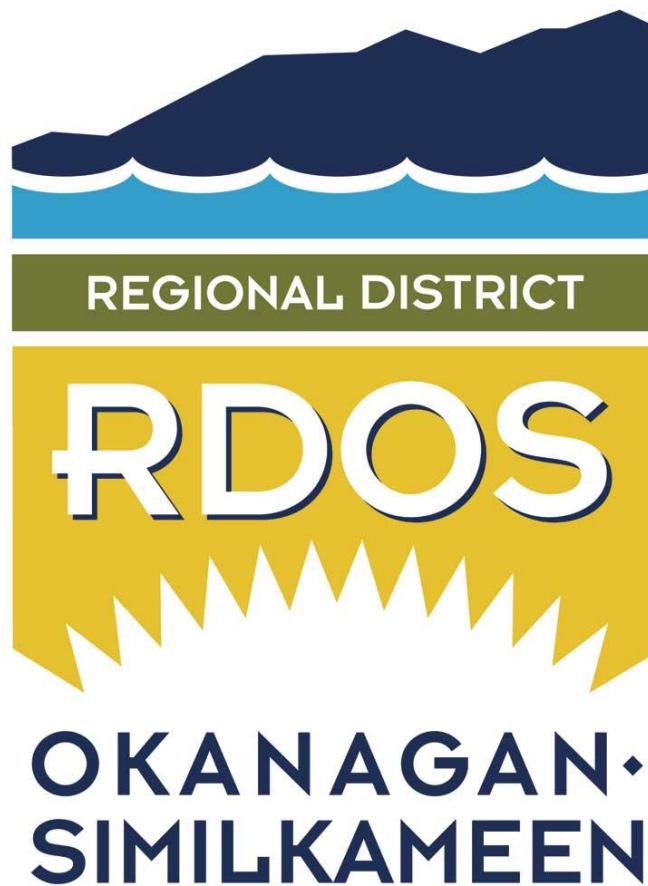
Alternatives:

1. THAT the appointment be deferred.
2. THAT the application be declined.

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 August 19, 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

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.

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.

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 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 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) Fishing and hunting tour or curriculum guides;
- (p) Information projects on regulations or stocking;
- (q) Production or sponsorship of commercial programs;
- (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.

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.
- (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 continue to meet the criteria?

SOUTH OKANAGAN CONSERVATION FUND

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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.
- (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 _____

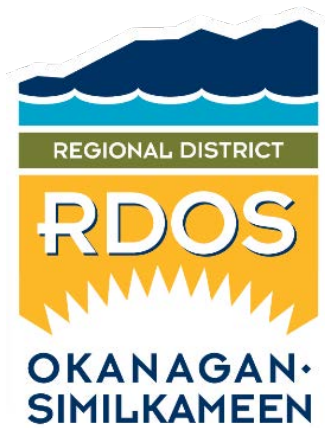
SOUTH OKANAGAN CONSERVATION FUND

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*.



Minutes

Electoral Area "F" Advisory Planning Commission

Meeting of Monday, August 23, 2021 at 7:00 p.m.

RDOS WebEx, Penticton, BC

Present:

Members: Brad Hillis (Chair, Electoral Area "F" APC), Rick Hatch, Gerry Lalonde, Galina Pentecost, Mike Stokker

Absent: Don Barron, Richard Johnson, Margaret Holm

Staff: Fiona Titley (RDOS Planner I), Nikita Kheterpal (RDOS Planner I), Laura Miller (RDOS Building & Enforcement Services Manager), Christopher Garrish (RDOS Planning Manager) arrived to meeting at 8:05 p.m.

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

Recording Secretary: Heather Lemieux

Delegates: Dejan Teodorovic left meeting at 7:30 p.m., Amber Maddalozzo left meeting at 7:18 p.m., Darrel Maddalozzo left meeting at 7:18 p.m., Randy Mathers left meeting at 7:30 p.m., Frits Boekel left meeting at 7:59 p.m.

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 August 23, 2021 be adopted as presented.

CARRIED

2. APPROVAL OF MINUTES

2.1 MOTION

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

CARRIED

3. DELEGATIONS

3.1 Sutherland/Maddalozzo - Proposed Bylaw Amendment - F2021.007-ZONE

3.2 Teodorovic - Proposed Bylaw Amendment - F2021.004-ZONE

3.3 Sentenie Holdings Corp - Proposed Bylaw Amendment - F2021-008-ZONE

4. DEVELOPMENT APPLICATIONS

4.1 Proposed Bylaw Amendment Application - F2021.007-ZONE 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 subject development application be approved.

CARRIED

4.2 Proposed Bylaw Amendment Application - F2021.004-ZONE Administrative Report submitted by Nikita Kheterpal, 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 rezoning application be approved.

CARRIED

4.3 Proposed Bylaw Amendment Application - F2021.008-ZONE Administrative Report submitted by Nikita Kheterpal, 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 OCP designation amendment and rezoning of the properties be supported.

CARRIED

5. OTHER

- 5.1 Consolidated Noise Bylaw - Construction Hours
Administrative Report submitted by Laura Miller, Building & Enforcement Services Manager

MOTION

It was Moved and Seconded THAT the APC recommends to the RDOS Board of Directors that the proposed construction hours be approved.

CARRIED

- 5.2 Proposed New Signage Regulations
Administrative Report submitted by Christopher Garrish, Planning Manager

MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the proposed signage regulations be supported.

CARRIED

6. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 8:23 p.m.

CARRIED

Next Meeting — September 27, 2021 at 7:00 p.m.

Location TBD

Brad Hillis, Area "F" Advisory Planning Commission Chair



Heather Lemieux, Advisory Planning Commission Recording Secretary / minute taker



Minutes

Electoral Area “H” Advisory Planning Commission

Meeting of Tuesday, Aug 17, 2021

Video conference

Present:

Members: Ole Juul (Chair), Tom Rushworth, Gail Smart, Rob Miller

Absent: Marg Reichert, Lynne Smyth

Staff: Bob Coyne (Director),
Nikita Kheterpal (Planner),
Laura Miller (Building & Enforcement Services Manager)

Recording Secretary: Tom Rushworth

Delegates: Chris Back

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 (UNANIMOUSLY)

MOTION

It was Moved and Seconded that the minutes of the 2021 April 04 Electoral Area “H” Advisory Planning Commission (APC) meeting be adopted.

CARRIED (UNANIMOUSLY)

2. DEVELOPMENT APPLICATION

2.1 Development Application H2021.024-DVP:

Delegate Chris Back present

Presentation by Chris Back, then discussion.

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject Development Application be not approved

CARRIED

3. AMENDMENT BYLAWS

3.1 Consolidated Noise Bylaw – Construction Hours

Delegate Laura Miller [*NAME*] present / not present.

Discussion.

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject amendment bylaw be amended to clarify the commercial clause so that it is easier to enforce:

CARRIED

4. ADJOURNMENT

4.1 MOTION

It was Moved and Seconded that the meeting be adjourned at 8:20 pm.

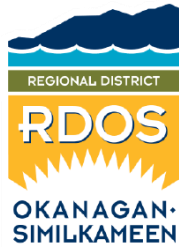
CARRIED

Ole Juul

Advisory Planning Commission Chair

Tom Rushworth

Advisory Planning Commission Recording Secretary / minute taker



**REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN
KALEDEN PARKS AND RECREATION COMMISSION**



MINUTES

August 17, 2021

Meeting at 6:30 p.m.

Via Webex

Present: Ms. S. Monteith, Director, Electoral Area "I"

Members: Dave Gill (Chair), Debbie Shillito (Vice Chair), Randy Cranston, Jaynie Malloy, Rick Johnson, Marie-Eve Lamarche, Margaret O'Brien

Absent: N/A

Staff: Justin Shuttleworth

Recording Secretary: Margaret O'Brien

Delegates / Guests: N/A

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 August 17, 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 July 20, 2021 be approved.

CARRIED

3. CORRESPONDENCE/DELEGATIONS

3.1 *None*

4. RDOS STAFF REPORTS

4.1 Q2 Activity Report – Commission members thanked staff for continuing to provide the Quarterly Reports as it keeps the Commission updated and informed on what is going on in our community.

4.2 Pioneer Beach Update –

- Contracts have been issued for design and plans have been submitted to the province for approval for Pioneer Park “Beach Pull Back” restoration work. Realistic start timeline spring/summer 2022.
- Tentative start date for the painting of the cement wall in the Park is August 18, 2021.
- Tree planting plan in process.
- Fall clean up planned for September/October.
- Picnic table replacement in process
- Nail pickup timeline: currently being done by hand. Due to budget constraints may have to be included with beach restorations next year.

5. COMMISSION MEMBER REPORTS

5.1 *None*

6. RDOS DIRECTOR’S REPORT

6.1 *None*

7. BUSINESS ARISING

7.1 Discussion around public access points to lake.

As requested by the Commission at the July 2021 meeting, RDOS staff looked into the following queries:

- 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?

Answer: Staff stated that these concerns are not new, they have been ongoing for many years.

- The community of Kaleden has three different examples of Public Road to Lake Access. There is 6th Street which ends at the Public Boat Launch, the Riparian area at the curve at Alder Ave, as well as, two additional Public Access areas further down Alder Ave between private residences.
- At present there is not a preconceived definition of what a “Public Access Area” entails. It can function as a road access for recreational, emergency or utility vehicles and/or can be used to launch recreational crafts or as a sanctuary for bird or wildlife.
- The Ministry of Transportation and Infrastructure for the Province of British Columbia (MoTI) has jurisdiction over the land portion from the road to the high water line of the Lake. They ensure no physical obstructions are built on Crown Land and anything left/abandoned on that land is removed. They have no control on what happens in/on the water such as licence and occupation.
- RDOS also is responsible for land only. By-law would handle any overnight parking/camping, noise violations, or animal complaints.
- As this is not a Kaleden area problem only it may want to be discussed by the Regional Directors under a Strategic issue.

RECOMMENDATION

It was Moved and Seconded that the RDOS consider looking into additional by-laws for all Public Access areas in the regional district to help regulate and enforce some of the above concerns.

CARRIED

7.2 Commission Wish List for Kaleden, Twin Lakes

- For 2022 staff would like to suggest an asset management focus component be added, i.e. updating/repair to septic field at Pioneer Park, funding for restoration/maintenance of Hotel, retaining wall repair/replacement at Park.
- The establishment of an Educational Allowance (suggested amount \$1000.00) that could be used to reimburse volunteers for any training/workshops, etc. that they may need in order to run a volunteer program/sport team in the community, i.e. First Aid Course, Coaching training, etc.
- Purchase and installation of Shade Sails in Pioneer Park to offset the current and upcoming loss of our shade trees.
- Ongoing tree replacement “buddy/sister trees” close to the cottonwoods so when they need to come down the other trees have had at least a few years growth and can provide at least minimal shade.

- Additional irrigation.
- BBQ platforms on/at picnic tables to protect the top of the tables from heat/fire.
- Picnic table replacements be in the new style and must be accessible.
- Paint a white rectangle on the wall in the park to be used as a projection screen for outdoor movies in the spring/summer/fall.
- Permanent lights on the Hotel.
- Bulletin Board at the Park for community events, information, etc. Preferably by the path/KVR.
- Art in the Park i.e. platforms for sculptures (maybe rotating pieces something like on Penticton Board Walk) or permanent features from local artists, wall mural(s).
- A slide off the swimming platforms.
- Something for older kids to do. BMX track, Skateboard Park. Volunteer run fund raising possibilities. It has been noted that the new basketball nets and tennis courts are being well utilized this year.

Depending on costs for the next six items KCA has \$\$ in a 'reserve fund' to support possible projects garding the hall.

- The interior gym area of the Community Hall (walls and ceiling) needs to be painted. *Select Painting and Decorating* provided an estimate in February 2020 of \$15,734.00 plus GST (amount could be reduced by \$2100.00 if volunteers painted lower walls below the sound baffling). Estimate to paint Hall front entrance was \$1288.00 plus GST.
- Replace Hall back exit stairs by the accessible washroom. Stairs and railings are currently wood. A repair was done as an intermediary measure but they need to be replaced.
- Cement stairs leading down from the library need to be resurfaced.
- The front parking lot at the Hall needs to be levelled and paved. The bank and rocks need to be removed and landscaping/planting of shrubs along the pavement would be nice.
- The Hall gym floor needs to be stripped and relined for: pickle ball, volleyball, and badminton and floor hockey.
- In this year's Kal-Rec/RDOS budget there are \$\$ to support an engineering study on the possibility of building a second story above the kitchen/stage that could be used for small meetings rooms, museum, small activity room (yoga), etc.
- Installation of a cement berm in the Park between the multi-purpose court and the lawn area so sand bags do not have to be placed and removed every year to provide the skating rink. The Kaleden Seniors Committee has recently received funding from the New Horizons for Seniors Grant that could be used to support this installation of a 'rink footing/wall'/cement Berm. An estimate in September 2020 provided as part of the grant application was \$5622.75. Due to the length of time since the cost was provided a new estimate has been requested.

Depending on the outcome of the estimate there may be additional funds KSC could access to help towards or pay the total cost, however, if any additional costs needed maybe they could be funded from the Kal-Rec budget.

The Commission would like to request Augusto Romero and Mark Wood attend the September Kal-Rec meeting to discuss the quality and quantity of the Recreation Services.

8. ADJOURNMENT

RECOMMENDATION

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

CARRIED

NEXT REGULAR MEETING: September 21, 2021

Chair, Kaleden Parks and Recreation Commission

Recording Secretary

ADMINISTRATIVE REPORT

TO: Kaleden Parks and Recreation Commission

FROM: Community Services Department

DATE: July 2021

RE: 2021 Q2 Activity Report

Update on Q2 Activities

Parks, Trails & Facilities

- Continued with planning and design for the beach pullback project for Pioneer Park.
- Installed new basketball backboards and nets at Pioneer Park.
- Completed the landscaping (pathway, planting, irrigation) for Pioneer Park parking lot island.
- Installed baffle gates and signage at KVR entries to Pioneer Park.
- Graffiti removal along park walls, wall prep for painting.
- Completed park and amenity spring start-up:
 - Shrub beds, pruning and mulching
 - Startup and testing of irrigation systems and seasonal washrooms
 - Sweeping of the pedestrian corridors
 - Turf aeration
- Initiated summer maintenance regime:
 - 7 days a week staffing in parks
 - Hiring and training of summer students
 - Began regular mowing schedule for all parks
 - Increased washrooms cleaning and garbage disposal
 - Regular beach grooming



Recreation and Events

- Coordinate volunteer “Pitch-In” events in Okanagan Falls, West Bench, Kaleden and Naramata.
- Adjusted recreation programs with Provincial Re-start plan Publish Summer Recreation [Regional Guide](#) electronically on RDOS site.
- South Okanagan-Similkameen Child Care Study survey completed.
- Completed a review of the Joint Use Agreement with the Kaleden Community Association (KCA).
- Regional Volunteer Week “Pitch-in” event. 115 local volunteers participate (included the Kaleden Elementary School children).

- Implemented new volunteer documentation process for better safety and tracking capabilities.

Administration and Grants

- Initiated quarterly reporting process for all commissions.
- Submitted applications to the CVRIS grant stream.
 - Trail improvement works for all nine electoral areas.
 - Area I Application – KVR paving and trail furnishings from Kaleden Hotel to Pioneer Park.
- Updated donation program documents and procedures.
- Renewed seasonal park maintenance contracts for beach grooming, swim markers and park security.
- Reviewed new horizons grant related to 2021 project list.
 - Submitted application for Pioneer Park pathway and accessibility project.
- Continued discussions regarding a joint management agreement for the Kaleden Community Hall.

Regionally Significant Activities

- Commenced with the Regional Parks, Trails and Recreation Master Plan Project.
 - Community engagement (Online survey & interactive maps)
 - Commission and Stakeholder engagement
 - Asset inventory and assessment
- Public consultation, scope development and tender for construction of a new regional trail section in Cawston.
- Continued to execute the deliverables of \$450,000 contract from the Province of B.C. Forest Employment Program to complete various KVR trail upgrades, including the KVR resurfacing from Glenfir to Little Tunnel.
- Awarded 101 Martin Street Office renovations for HVAC, Board Room and staff workspace for COVID-19 compliance - Awarded \$460,000.
- Completed the Keremeos pool renovation project including; liner, infrastructure and diving platform, new family seating area, storage sheds, upgrades to exterior of all buildings.

COVID-19 Response

- Continued to update signage for parks, facilities and amenity use during COVID-19.
- Revised operational plans and work procedures for park and facility maintenance.
- Reviewed and reconfigured staff workspaces to meet WCB COVID-19 requirements.
- Worked with BC Transit to communicate COVID-19 initiatives to the public, installed signage at transit stop locations throughout region.
- Adjusted recreation programs with each new Public Health Order.

Planned Q3 Activities

Parks, Trails & Facilities

- Begin planning for annual park tree planting for fall.
- Addition of weekly nail removal from pioneer beach.
- Summer park maintenance regime, transitioning to fall schedule.
- Install bike rack and bench donated from KCA.

Recreation and Events

- Coordinate “Pitch In” events for Okanagan Falls, West Bench, Kaleden and Naramata.
- Recreation staff continues to support the communities with a variety of local and regional health and wellness initiatives while respecting current COVID-19 measures.
- Publish Summer Recreation [Regional Guide](#) electronically on RDOS site.
- Continued updates to program and facility safety plans in all areas.



Administration and Grants

- Initiate 2022 capital and project planning with Parks and Recreation Commissions.
- Complete community survey for parks and recreation services to inform budget process.
- Continue to update the RDOS Recreation website with updates for COVID-19 resources.

Regionally Significant Activities

- Initiate a Regional Child Care Action Committee (RDOS Recreation as lead).
- Continue with the Regional Parks, Trails and Recreation Master Plan Project.
 - Data Analysis
 - Review draft plan
- Installation of KVR trail-head signs.
- Small Canada Day activities throughout the region.
- Recreation summer programs.
- Working on adjustments to upcoming special events due to Province Re-start plan.
- Complete the construction of the Similkameen Rail Trail from Daly Rd to Coulthard Rd.
- Initiate grant funded Main office renovations.
- Update the Regional Road Cycling signage to include the Ironman Canada name and route.





Regional Recreation (Kaleden) 2021 Q2 REPORT (APRIL - JUNE)

"we loved the art kits"

"this yoga program is one of the best things I do all week"

"These opportunities are so important"

Regional Q2 Stats (Kaleden):

| How much did we do? (Quantity) | | | How well did we do it? (Quality) | | |
|---|----------|--------------------------|---|----------|----------|
| Measures | Local | Regional | Measures | Local | Regional |
| - # of hours of recreation | 36hrs. | 255.5 hrs. | - % of programs with volunteer involvement | - | 26% |
| - # of facility hours available | - | 195+hrs. | - % of new users | - | 11 (3%\$ |
| - # Total registered users | 16 | 355 | - Total grant \$ | - | \$400 |
| - # of programs offered to the Community | 2 | 34 | - # of partnerships | 1 | 13 |
| - # of volunteers | 82 | 22 (+ 340 Pitch-in) | | | |
| - # of volunteer hours | 100+ | 361.5 (350 hrs Pitch-in) | | | |
| - # of special events | 1 | 10 | | | |
| (#) Is anyone better off? (%) | | | | | |
| Measures | Regional | | Measures | Regional | |
| - # of intro beginner programs | 5+ | | - % increase of skill development experienced | 96% | |
| - # of people who started or maintained healthy habits | 18 (67%) | | - % increase confidence to continue on with some form of recreation | 92% | |
| - # of people who stated that they feel healthier | 21 (81%) | | - % increase in feeling you are part of a group/ community | 89% | |
| - # of people who feel they are part of a group/ community | 24 (89%) | | - % people that believe that the program helped achieve social/physical targets | 77% | |
| Additional Comments: Overall Average Program Ratings = 4.6/5 | | | | | |
| - Volunteer Pitch-in Event: 5 areas, 3 Schools, Approximate 350hrs and 340 volunteers | | | | | |
| - Kaleden Community initiated and is the example of a well run Pitch-in event, driven by volunteers | | | | | |
| - Completion of South Okanagan Child Care Action Plan report | | | | | |
| - Tennis program starts 1 st week of July – Full rosters | | | | | |

Healthy Individuals and Communities!

To increase a citizen's quality of life and a community's well-being through recreation opportunities, while achieving social, economical and environmental benefits.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN



Electoral Area “D” Service and Boundary Configuration Committee

MINUTES

Wednesday, August 18, 2021

COMMITTEE MEMBERS PRESENT:

David Forst

Matt Taylor

Myleen Mallach

Phyllis Radchenko

Vi Creasey

Bob Daly

Eleanor Walker

COMMITTEE MEMBERS ABSENT:

Kay Medland, Kurt Hiebert, Kerrie McLean

EX-OFFICIO COMMITTEE MEMBERS PRESENT:

Electoral Area “D” Director, R. Obirek

Alternate Director, J. D’Andrea

GUESTS PRESENT:

Consultant, Allan Neilson, Neilson Strategies Inc

Consultant, Sherry Hurst, Leftside Partners Inc.

STAFF PRESENT:

C. Malden, Manager of Legislative Services

C. Ozaraci, Administrative Assistant

J. Zaffino, Manager of Finance

A. CALL TO ORDER

The Meeting was called to order at 6:12 pm.

B. HOUSEKEEPING

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

C. APPROVAL OF AGENDA

The Agenda was approved. CARRIED

D. RECEIPT OF THE JULY 28, 2021 MEETING MINUTES

The minutes were received. CARRIED

E. CONSULTANT – Allan Neilson & Sherry Hurst

The Consultants provided a presentation on the stages of the study and provided clarification.

Action: Allan Neilson to prepare talking points

F. QUESTION PERIOD

There were no members of the public in attendance.

G. FUTURE SCHEDULING OF MEETING

The Electoral Area "D" Service and Boundary Configuration Committee will commence meeting monthly on the second Wednesday of every month.

The next meeting will be held Wednesday, September 8, 2021 at 6:00 pm

H. ADJOURNMENT

The meeting adjourned at 7:34 pm



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, September 2, 2021, 9:47 a.m.

RDOS Boardroom

101 Martin Street, Penticton, BC V2A 5J9

| | | |
|----------------|---|---|
| MEMBERS | Chair K. Kozakevich, Electoral Area "E" | Director J. Sentes, City of Penticton |
| PRESENT: | Director M. Pendergraft, Electoral Area "A" | Director J. Vassilaki, City of Penticton |
| | Director G. Bush, Electoral Area "B" | Director C. Watt, City of Penticton |
| | Director R. Knodel, Electoral Area "C" | Director D. Holmes, District of Summerland |
| | Director R. Obirek, Electoral Area "D" | Director E. Trainer, District of Summerland |
| | Director R. Gettens, Electoral Area "F" | Director M. Johansen, Town of Oliver |
| | Director T. Roberts, Electoral Area "G" | Director S. McKortoff, Town of Osoyoos |
| | Director B. Coyne, Electoral Area "H" | Director S. Coyne, Town of Princeton |
| | Director S. Monteith, Electoral Area "I" | Director M. Bauer, Village of Keremeos |
| | Director K. Robinson, City of Penticton | |
| STAFF PRESENT: | B. Newell, Chief Administrative Officer | C. Malden, Manager of Legislative Services |

A. APPROVAL OF AGENDA

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

THAT the Agenda for the Corporate Services Committee Meeting of September 2, 2021 be adopted. - **CARRIED**

B. NATIONAL DAY OF TRUTH AND RECONCILIATION – For Information Only

The Committee discussed the RDOS office closure for observation of National Day of Truth and Reconciliation on September 30.

C. RISK MANAGEMENT REGISTRY - For Information Only

The Committee discussed the Risk Management Registry and Mitigation Strategy.

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

D. UBCM RESOLUTIONS UPDATE - For Information Only

The Committee was advised of the UBCM Resolutions submitted for consideration and their placement on the UBCM agenda.

E. ADJOURNMENT

It was MOVED and SECONDED

THAT the meeting adjourn. – CARRIED

The meeting adjourned at 10:21

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich, RDOS Board Chair

B. Newell, Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Committee

Thursday, September 2, 2021, 9:01 a.m.
RDOS Boardroom
101 Martin Street, Penticton, BC V2A 5J9

| | | |
|----------------|---|---|
| MEMBERS | Chair R. Knodel, Electoral Area "C" | Director J. Sentes, City of Penticton |
| PRESENT: | Director M. Pendergraft, Electoral Area "A" | Director J. Vassilaki, City of Penticton |
| | Director G. Bush, Electoral Area "B" | Director C. Watt, City of Penticton |
| | Director R. Obirek, Electoral Area "D" | Director D. Holmes, District of Summerland |
| | Director K. Kozakevich, Electoral Area "E" | Director E. Trainer, District of Summerland |
| | Director R. Gettens, Electoral Area "F" | Director M. Johansen, Town of Oliver |
| | Director T. Roberts, Electoral Area "G" | Director S. McKortoff, Town of Osoyoos |
| | Director B. Coyne, Electoral Area "H" | Director M. Bauer, Village of Keremeos |
| | Director S. Monteith, Electoral Area "I" | Director S. Coyne, Town of Princeton |
| | Director K. Robinson, City of Penticton | |
| STAFF PRESENT: | B. Newell, Chief Administrative Officer | C. Malden, Manager of Legislative Services |
| | C. Garrish, Manager of Planning | |

A. APPROVAL OF AGENDA

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of September 2, 2021 be adopted. - **CARRIED**

B. Directors Motion - Cannabis Retail Store Application Moratorium (Electoral Area "D")

RECOMMENDATION (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Cannabis Retail Store Moratorium (Electoral Area "D") be referred back to staff for further options. – **CARRIED**

Opposed: Director Robinson

C. Okanagan Zoning Bylaw Review – Occupation of Recreational Vehicles

RECOMMENDATION (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the item be referred back to staff for further work based on a 90 day period.

- **CARRIED**

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

2

D. ADJOURNMENT

It was MOVED and SECONDED
THAT the meeting adjourn. – CARRIED
The meeting adjourned at 9:47 am.

APPROVED:

CERTIFIED CORRECT:

R. Knodel, Chair

B. Newell Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD of DIRECTORS MEETING

Thursday, September 2, 2021, 10:28 a.m.
RDOS Boardroom
101 Martin Street, Penticton, BC V2A 5J9

| | | |
|----------------|---|---|
| MEMBERS | Chair K. Kozakevich, Electoral Area "E" | Director J. Sentes, City of Penticton |
| PRESENT: | Director M. Pendergraft, Electoral Area "A" | Director J. Vassilaki, City of Penticton |
| | Director G. Bush, Electoral Area "B" | Director C. Watt, City of Penticton |
| | Director R. Knodel, Electoral Area "C" | Director D. Holmes, District of Summerland |
| | Director R. Obirek, Electoral Area "D" | Director E. Trainer, District of Summerland |
| | Director R. Gettens, Electoral Area "F" | Director M. Johansen, Town of Oliver |
| | Director T. Roberts, Electoral Area "G" | Director S. McKortoff, Town of Osoyoos |
| | Director B. Coyne, Electoral Area "H" | Vice-Chair S. Coyne, Town of Princeton |
| | Director S. Monteith, Electoral Area "I" | Director M. Bauer, Village of Keremeos |
| | Director K. Robinson, City of Penticton | |
| STAFF PRESENT: | B.Newell, Chief Administration Officer | C.Malden, Manager of Legislative Services |

A. APPROVAL OF AGENDA

RECOMMENDATION (Unweighted Corporate Vote - Simple Majority)

It was MOVED and SECONDED

THAT the Agenda for the RDOS Board Meeting of September 2, 2021 be adopted as amended by:

- Removing item C.3
- Correcting typo in A.2.2
- Moving A.2.3 from Consent agenda to item C.5

- CARRIED

A.1 Consent Agenda – Corporate Issues

RECOMMENDATION (Unweighted Corporate Vote - Simple Majority)

It was MOVED and SECONDED

THAT the Consent Agenda Corporate Services be adopted – **CARRIED**

1. Advisory Planning Commissions

- 1. Advisory Planning Commission, Electoral Area "A"**
THAT the minutes of the August 8, 2021 Advisory Planning Commission, Electoral Area "A" be received.
- 2. Advisory Planning Commission, Electoral Area "E"**
THAT the minutes of the August 9, 2021 Advisory Planning Commission, Electoral Area "E" be received.
- 3. Advisory Planning Commission, Electoral Area "I" Appointment**
THAT the Board of Directors appoint Whitney Wynn as a member of the Electoral Area "I" Advisory Planning Commission until October 31, 2022; and,

THAT a letter be forwarded to John Davis thanking him for his contribution to the Electoral Area "I" Advisory Planning Commission.

2. Parks and Recreation Committees

- 1. Naramata Parks & Recreation Commission Minutes**
THAT the minutes of the July 26, 2021 Naramata Parks & Recreation Commission be received.
- 2. Similkameen Recreation Commission Minutes**
THAT the minutes of the August 17, 2021 Similkameen Recreation Commission be received.
- 3. Okanagan Falls Parks and Recreation Commission Minutes**
THAT the minutes of the August 12, 2021 Okanagan Falls Parks and Recreation Commission be received.
- 4. Similkameen Recreation Commission - Annual General Meeting Minutes**
THAT the minutes of the August 17, 2021 Similkameen Recreation Commission Annual General Meeting be received.

3. Select Committees

- 1. Electoral Area "D" Service and Boundary Meeting**
THAT the minutes of the July 28, 2021 Electoral Area "D" Service and Boundary meeting be received.
- 2. Corporate Services Committee**
THAT the minutes of the August 19, 2021 Corporate Services Committee meeting be received.

3. **Environment and Infrastructure Committee**
THAT the minutes of the August 19, 2021 Community Services Committee meeting be received.
4. **Planning and Development Committee**
THAT the minutes of the August 19, 2021 Planning and Development Committee meeting be received.

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.

THAT the Regional District commence consultation on moving street lighting into the Official Community Plans and removing them from the Subdivision Servicing Bylaw.
5. **Protective Services Committee**
THAT the minutes of the August 19, 2021 Protective Services Committee meeting be received.
6. **RDOS Regular Board Meeting**
THAT the minutes of the August 19, 2021 RDOS Regular Board meeting be adopted.

A.2 Consent Agenda – Development Services

RECOMMENDATION (Unweighted Rural Vote - Simple Majority)

It was MOVED and SECONDED

THAT the Consent Agenda – Development Services be adopted as amended to remove A.2.3. - **CARRIED**

1. **Temporary Use Permit Application, 376 Road 6, Electoral Area “C”**
THAT Temporary Use Permit No. C2021.014-TUP, an application to permit farm labour housing at 376 Road 6, be approved on the following conditions:
 - *the maximum gross floor area of all farm worker housing shall be 166.5 m²; and*
 - *the maximum number of sleeping units for all farm worker housing shall not exceed 12.*
2. **Temporary Use Permit Application, 2589 Naramata Road, Electoral Area “C”**
THAT Temporary Use Permit No. C2021.019-TUP to allow for a vacation rental at 2589 Naramata Road, be approved.

**3. Development Variance Permit Application, 2631 Nicola Avenue,
Electoral Area “H”**

(Item was moved from Consent to item C.5)

B. DEVELOPMENT SERVICES – Bylaw Enforcement

B.1 Non-conforming uses 980 Pumphouse Road, Okanagan Falls

RECOMMENDATION (Unweighted Corporate Vote - Simple Majority)

It was MOVED and SECONDED

THAT the RDOS abandon enforcement of the Electoral Area “D” Zoning Bylaw No. 2455, 2008 against Lot 2, District Lots 2883s and 3147s, SDYD, Plan 9597 except Plan 13984;

It was MOVED and SECONDED

THAT the motion be postponed to the November 18, 2021 meeting. - **CARRIED**

C. DEVELOPMENT SERVICES – Rural Land Use Matters

C.1 Zoning Bylaw Amendment – Electoral Area “F”

RECOMMENDATION (Unweighted Rural Vote - Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2461.16, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw to allow for a campground at 5863 Princeton-Summerland Road be read a first and second time and proceed to public hearing; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of September 23, 2021; and,

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

C.2 Zoning Bylaw Amendment – Electoral Area “F”

RECOMMENDATION (Unweighted Rural Vote - Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2461.17, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw to allow a thrift store to operate at 2002 West Bench Drive be read a first and second time and proceed to public hearing; and, - **CARRIED**

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated September 2, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; - **CARRIED**

RECOMMENDATION (Unweighted Corporate Vote - Simple Majority)

It was MOVED and SECONDED

THAT the holding of the public hearing be delegated to Director Gettens; and,

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

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

C.3 Development Variance Permit Application – Electoral Area “H”

(Duplicate of C.4. Item removed.)

C.4 Development Variance Permit Application, 1100 Summer Creek Road, Electoral Area “H”

RECOMMENDATION (Unweighted Rural Vote - Simple Majority)

It was MOVED and SECONDED

THAT Development Variance Permit No. H2021.029-DVP to vary the proof of water requirements for a new parcel to be created at 1100 Summer Creek Road, be approved. – **CARRIED**

C.5 Item Removed from Consent Agenda – Development Services

Development Variance Permit Application, 2631 Nicola Avenue, Electoral Area “H”

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

RECOMMENDATION (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Development Variance Permit No. H2021.024-DVP be denied. – **CARRIED**

Opposed: Director Bush

D. PUBLIC WORKS

D.1 Oliver Organics Facility - Capital Reserve Expenditure Request

RECOMMENDATION (Weighted Corporate Vote - Majority)

It was MOVED and SECONDED

THAT the Board of Directors approve an increase from \$200,000 approved in the 2021 Financial Plan to up to \$800,000 from the Oliver Landfill Capital Reserve for the Organics Facility Infrastructure. - **CARRIED**

D.2 Reallocation of New Building Canada Funds

RECOMMENDATION (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors request staff to give further consideration of options for repurposing, this includes a consultation process with Board and community. – **DEFEATED**

Opposed: Director Watt, Holmes, Trainer, Bush, Vassilaki, Sentes, Robinson, Bauer, Pendergraft, Johansen, Knodel, Spencer Coyne, McKortoff, Roberts, and Kozakevich.

RECOMMENDATION (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District apply to the Minister of Municipal Affairs to repurpose the New Building Canada II Grant received on the Kaleden Sewer Project to wastewater treatment in Naramata. – **CARRIED**

Opposed: Director Holmes, Obirek, Gettens, and Monteith.

E. LEGISLATIVE SERVICES

E.1 Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019

RECOMMENDATION (Weighted Corporate Vote - Majority)

It was MOVED and SECONDED

THAT third reading of Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019 be rescinded; and,

THAT Bylaw 2844, 2019 be amended to adjust the amount to be borrowed from \$900,000 to \$400,000; and,

THAT Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019 be read a third time as amended and forwarded to the Inspector of Municipalities for approval; and,

THAT upon approval by the Inspector of Municipalities, participating area approval for the adoption of Oliver and District Arena Loan Authorization Bylaw No. 2844 be obtained from the electorate within the Oliver and District Arena service area through an alternative approval process in accordance with the *Local Government Act*; and,

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2844 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday December 6, 2021; and,

THAT the elector response form attached to the report dated September 2, 2021 be the approved form for Bylaw No. 2844 alternative approval process; and,

THAT the total number of eligible electors to which the alternative approval process applies is 7541; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 7541. - **CARRIED**

F. CAO REPORTS

F.1 Verbal Update

The Chief Administrative Officer advised that a return to in-person meetings is not expected in the immediate future.

F.2 Declaration of State of Local Emergency Approval

RECOMMENDATION (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Declaration of a State of Local Emergency for Electoral Area “H” that expired August 25th be extended for a further seven days to September 1st; and,

THAT the declaration be submitted to the Minister of State for Emergency Preparedness for approval. - **CARRIED**

G. OTHER BUSINESS

G.1 Chair’s Report

G.2 Directors Motions

1. Motion - Director Gettens

RECOMMENDATION (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Directors Motion *“THAT staff bring forward amendment recommendations to the APC bylaws to address non-attendance by APC members”* be referred to Administration for analysis of the feasibility, legislative compliance and budget impacts. - **CARRIED**

G.3 Board Members Verbal Update

Request to Staff from Director Knodel that staff look into letter of appreciation or RDOS promotional material for firefighters from out of area.

H. ADJOURNMENT

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

8

RECOMMENDATION (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

The meeting adjourn. – **CARRIED**

The meeting adjourned at 12:12pm.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich RDOS Board Chair

B. Newell Corporate Officer

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Development Variance Permit Application — Electoral Area “A” 4003 37th Street

Administrative Recommendation:

THAT Development Variance Permit No. A2021.036-DVP to allow for a dwelling addition at 4003 37th Street be approved.

Legal: Lot 10, Plan KAP9792, District Lot 42, SDYD

Folio: A-01228.000

OCP: Low Density Residential (LR)

Zone: Residential Single Family One (RS1)

Variance Request: to reduce the minimum rear parcel line setback from 7.5 metres to 2.5 metres

Proposed Development:

This application is seeking a variance to the rear parcel line setback from 7.5 metres to 2.5 metres to undertake the construction of a bathroom addition on the south east corner of the existing dwelling.

In support of this request, the applicant has stated that “there is currently an addition on the existing dwelling. The proposed [new] addition will be on the side and will not encroach the setback any further... The addition will not extend past the main portion of the house ...”

Site Context:

The subject property is 1313 m² in area and is situated on the east side of 37th street approximately 110 metres east from the municipal boundary with the town of Osoyoos and 400 metres east of Osoyoos Lake. The property is currently developed to contain a single detached dwelling, deck and garage.

The surrounding pattern of development is characterised by similar sized residential parcel with larger agriculture parcels to the north east.

Background:

The property was created on July 10, 1959, while available Regional District records indicate that a building permits for a deck and double garage (1999) have previously been issued for this property.

Under the Electoral Area “A” Official Community Plan the property is designated Low Density Residential and zoned Residential Single Family One (RS1) which allows for single detached dwellings as a principle use. 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 September 16, 2021. All comments received are included as a separate item on the Board's Agenda.

Analysis:

Setback regulations provide physical separation between neighbouring properties in order to protect privacy and prevent the appearance of overcrowding. When a parcel is also adjacent to 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.

There is already a previous addition on the rear of this house which extends into the rear setback leaving a setback of 2.5 metres from the rear parcel line. It is unclear when this previous addition was built. The proposed new addition will match the existing addition and square off the south east corner of the house.

Given the above, it is not anticipated to adversely impact the established streetscape characteristics or neighbouring uses, and the proposal is seen to be reasonable. Further, the street to the rear of the property is a dead end, ending at the north parcel line of the subject property and so the encroachment into the rear setback is not seen to present any concerns for sightlines for vehicle traffic movement.

The north half of the property is vacant and the applicant could make an addition on the north side of the house without needing to vary setback regulations.

Alternatives:

1. That the Board deny Development Variance Permit No. A2021.036-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "A" Advisory Planning Commission.

Respectfully submitted

Fiona Titley, Planner I

Endorsed by:

C. Garrish, Planning Manager

Attachments:

No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)



35th Street frontage



Development Variance Permit

FILE NO.: A2021.036-DVP

Owner:

Agent:

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 10, Plan KAP9792, District Lot 42, SDYD

Civic Address: 4003 37th Street

Parcel Identifier (PID): 009-635-041 Folio: A-01228.000

CONDITIONS OF DEVELOPMENT

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

to: 2.5 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

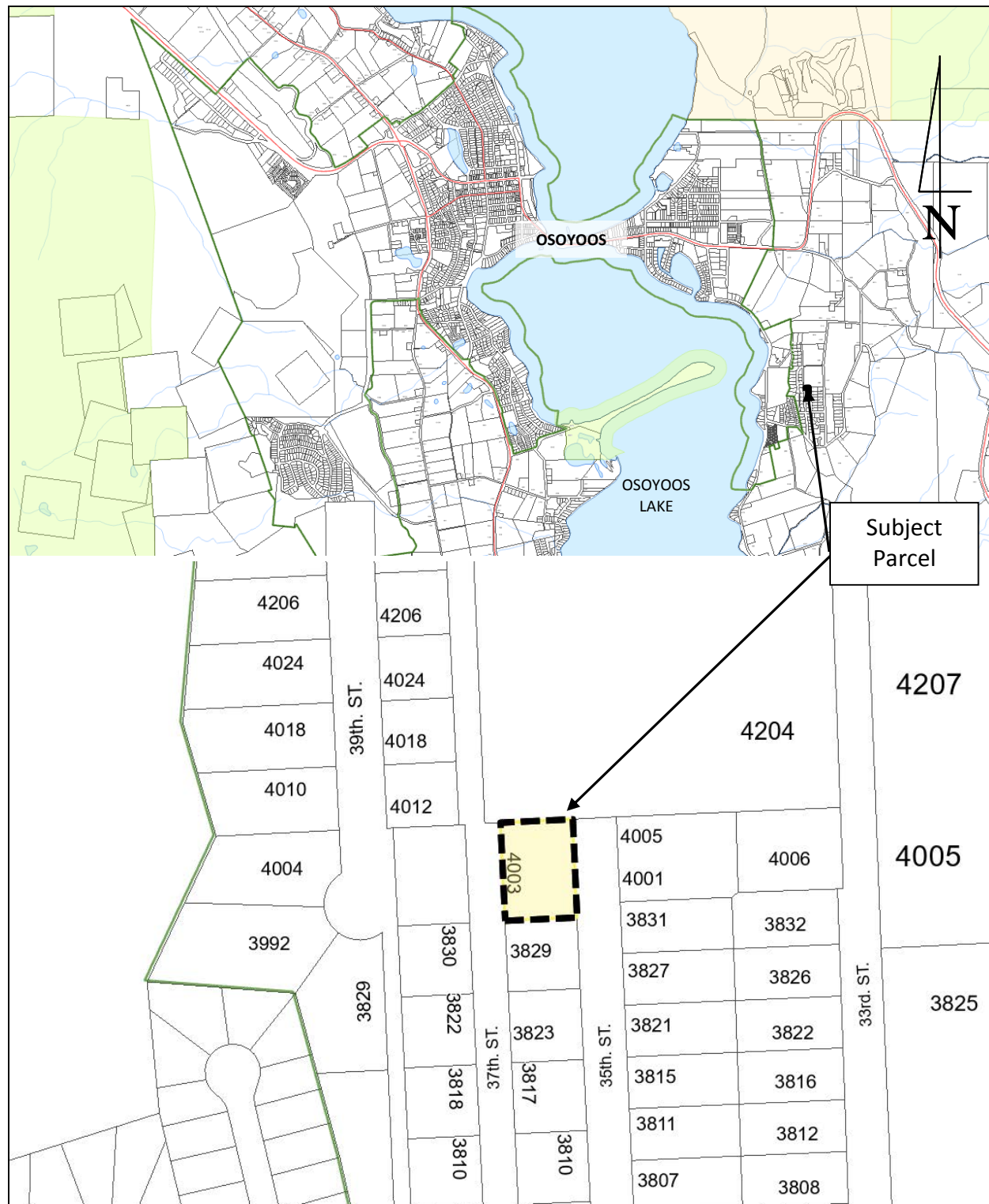
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. A2021.036-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

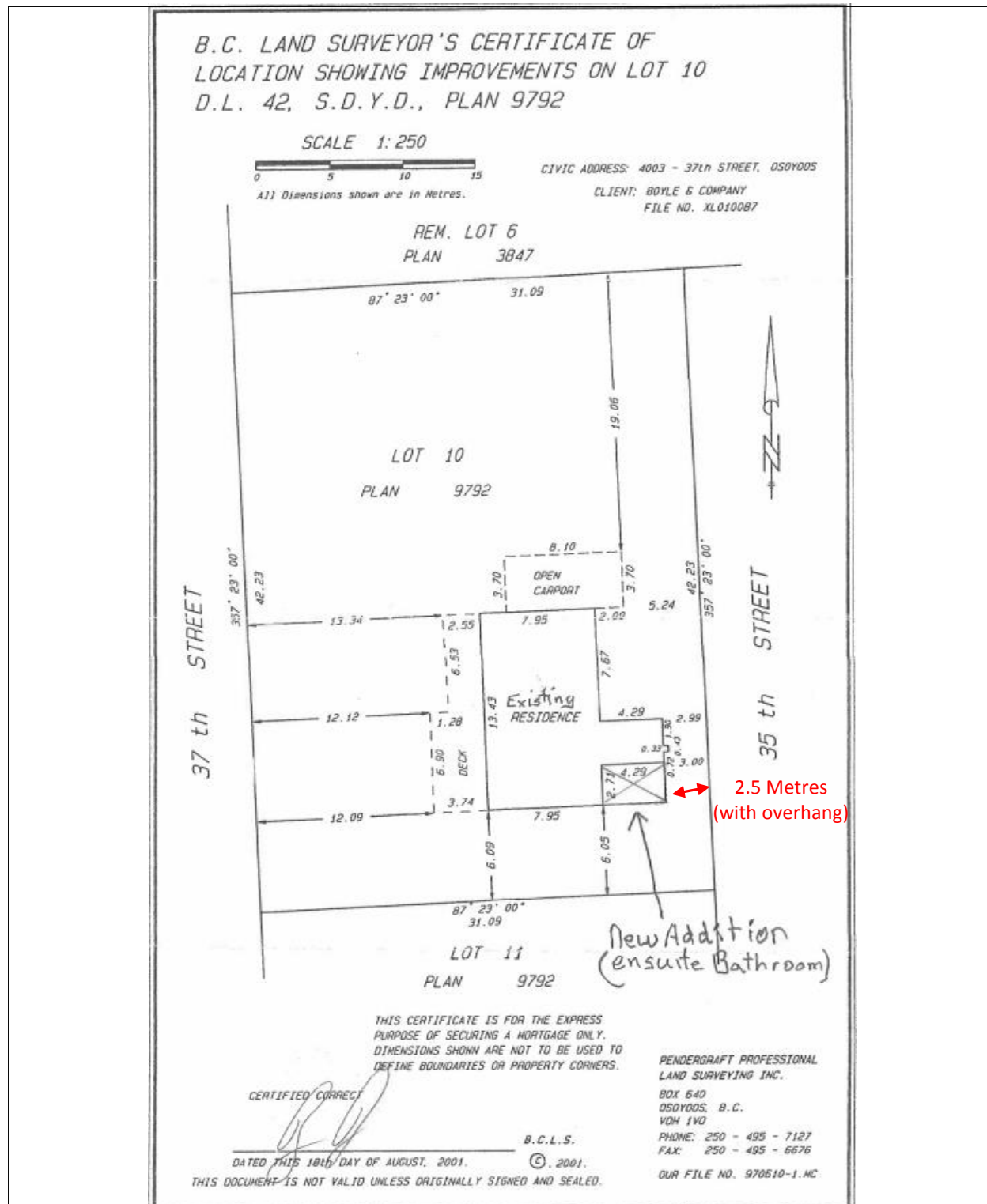
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. A2021.036-DVP

Schedule 'B'



Development Variance Permit No. A2021.036-DVP

Page 4 of 7

Regional District of Okanagan-Similkameen

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

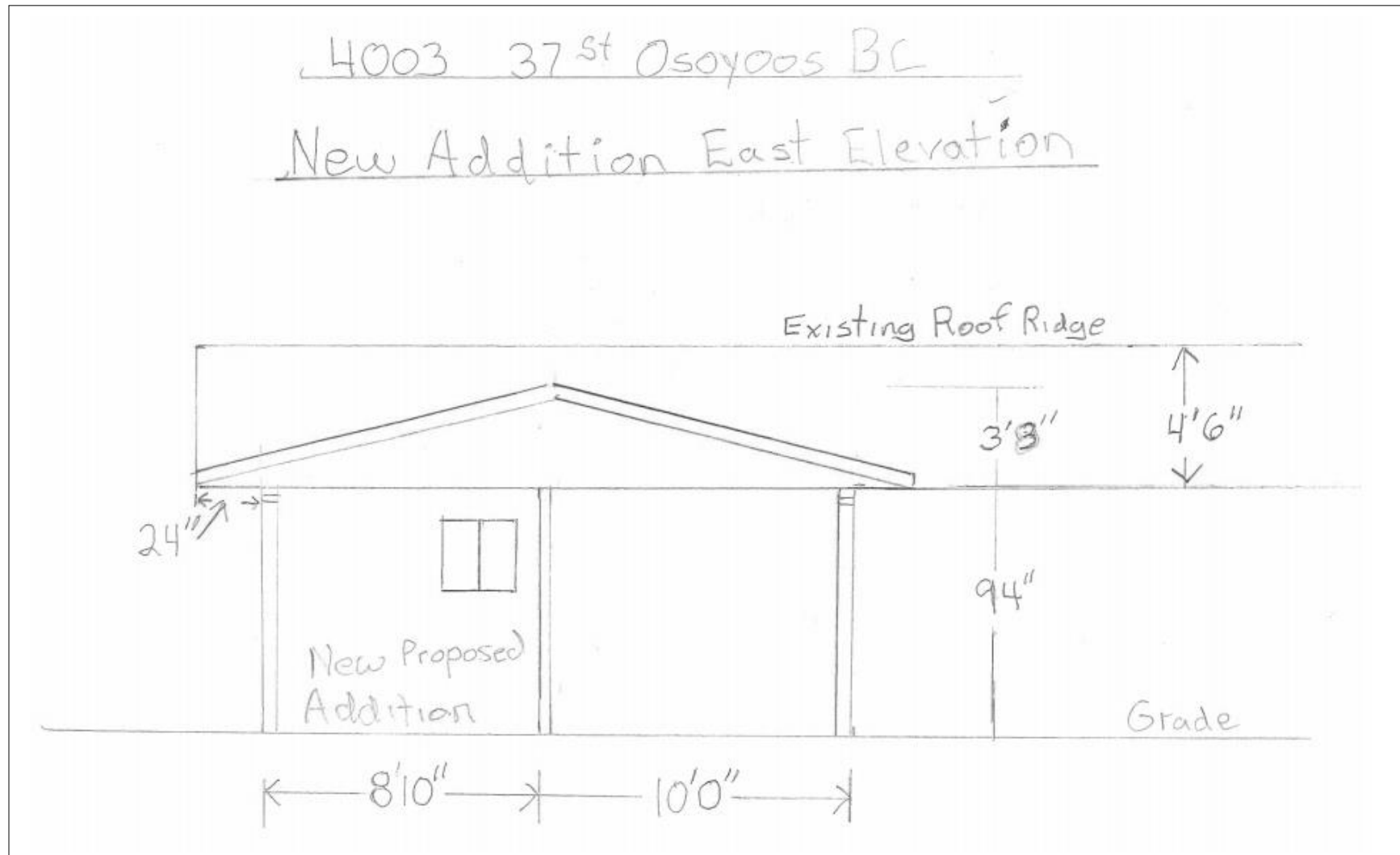
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. A2021.036-DVP

Schedule 'C'



Development Variance Permit No. A2021.036-DVP

Page 5 of 7

Regional District of Okanagan-Similkameen

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

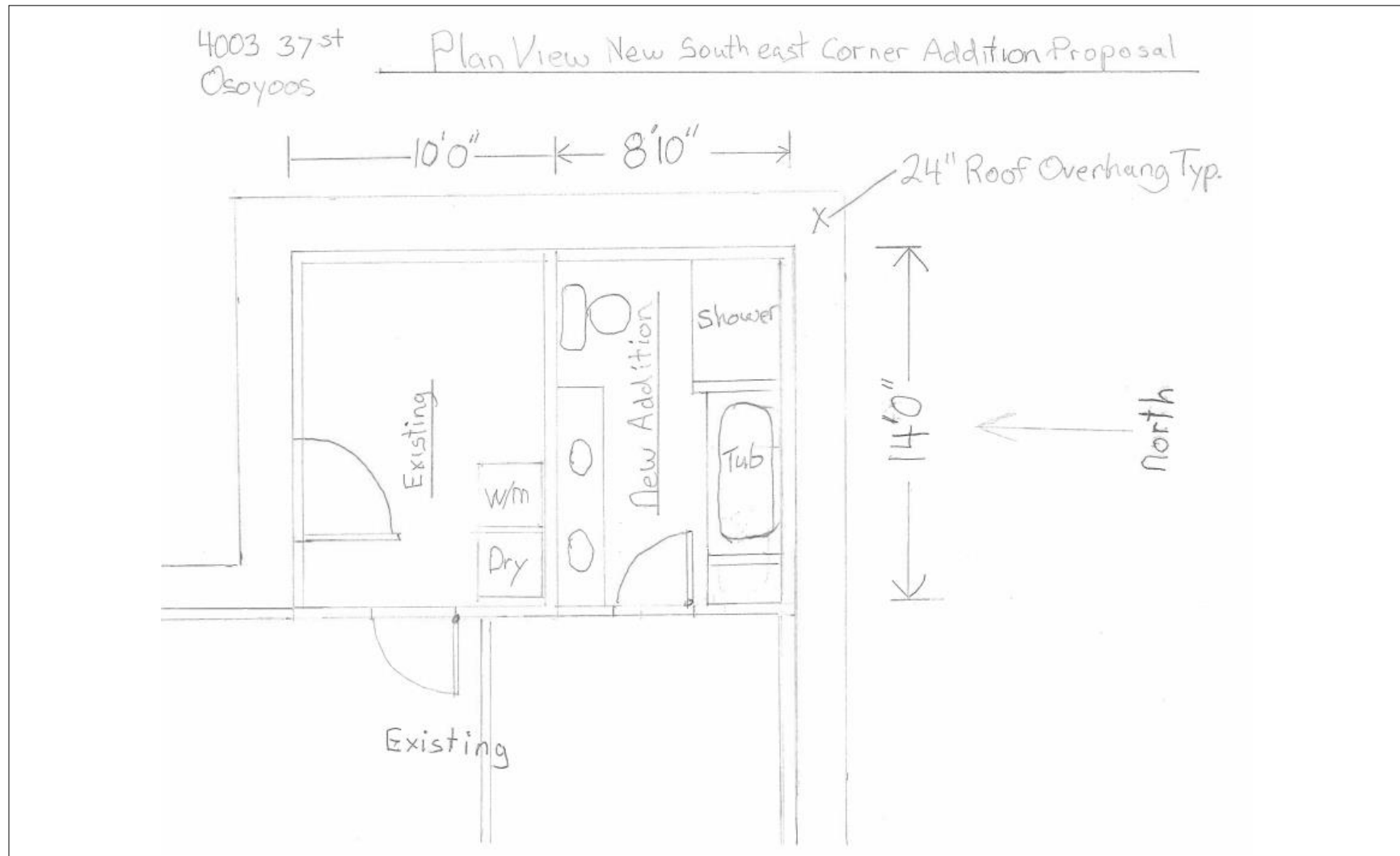
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. A2021.036-DVP

Schedule 'D'



Development Variance Permit No. A2021.036-DVP

Page 6 of 7

Regional District of Okanagan-Similkameen

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

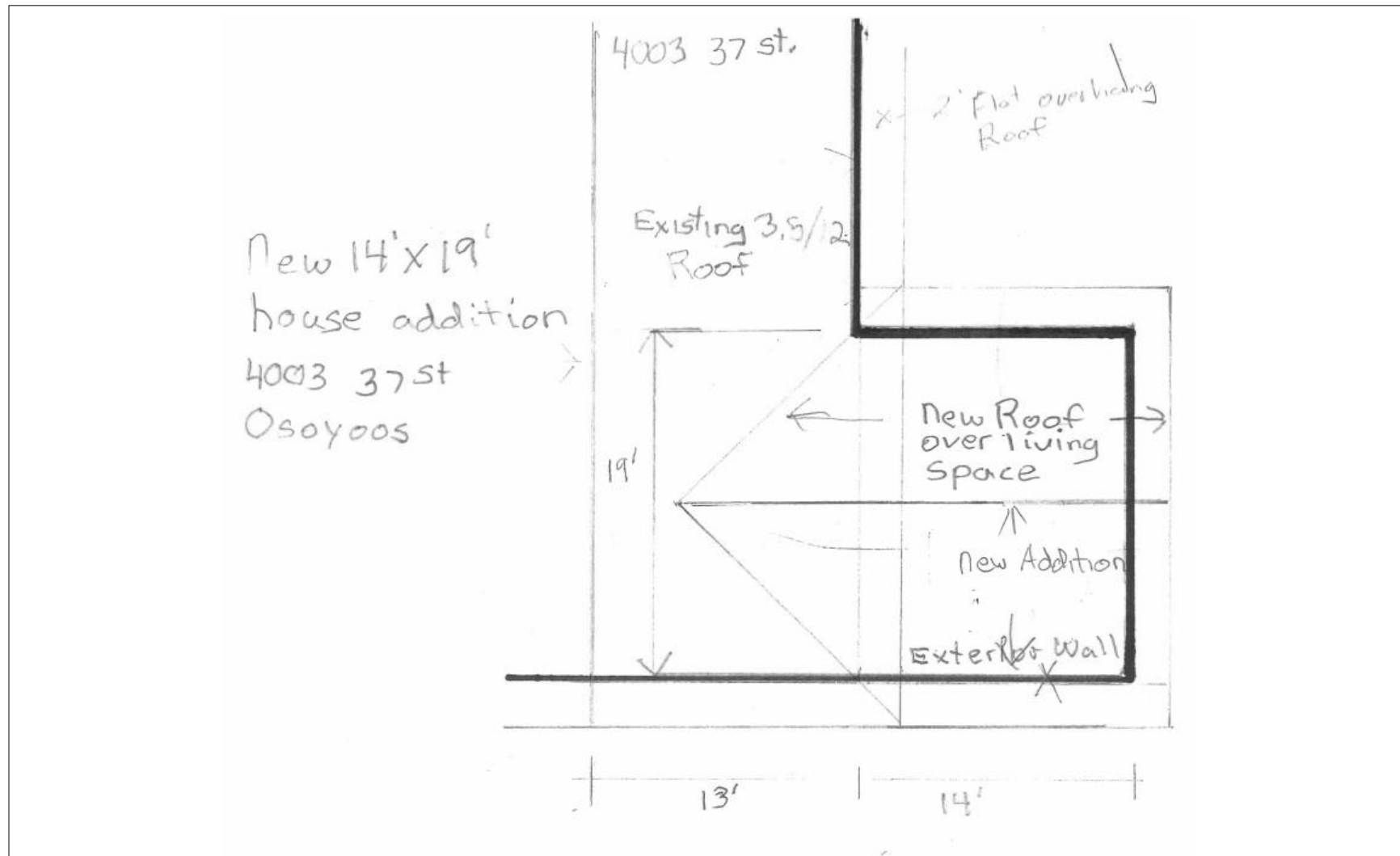
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. A2021.036-DVP

Schedule 'E'



Development Variance Permit No. A2021.036-DVP

Page 7 of 7

Subject: FW: Referral Comments Requested - 4003 37th Street - Reduce read setback

From: Osoyoos Fire Department [mailto:Fire@osoyoos.ca]
Sent: August 30, 2021 1:23 PM
To: Fiona Titley <ftitley@rdos.bc.ca>
Cc: Tyler Hilland <THilland@osoyoos.ca>; Ryan McCaskill <RMcCaskill@osoyoos.ca>
Subject: RE: Referral Comments Requested - 4003 37th Street - Reduce read setback

- Interests unaffected

Kind regards,

Corey

Corey Kortmeyer | Fire Chief



Tel 250.495.4613 | Fax 250.495.2400 | Toll Free 1.888.495.6515
Email ckortmeyer@osoyoos.ca | Website www.osoyoos.ca
Town of Osoyoos | 8707 Main Street, Box 3010, Osoyoos BC, V0H 1V0

This e-mail is confidential and is intended for the above-named recipient(s) only. Any unauthorized use or disclosure of this e-mail is prohibited.

*If you are not the intended recipient, please notify the sender immediately and securely destroy the communication.
The Town of Osoyoos is subject to the Freedom of Information and Protection of Privacy Act.*

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Development Variance Permit Application — Electoral Area “C” 7335 Tucelnuit Drive

Administrative Recommendation:

THAT Development Variance Permit No. C2021.033-DVP to allow for an accessory structure in an interior side parcel line setback at 7335 Tucelnuit Drive, be approved.

Legal: Lot 1, Plan KAP32084, District Lot 2450S, SDYD

Folio: C-06575.010

OCP: Agriculture (AG)

Zone: Agriculture One Zone (AG1)

Variance Request: to reduce the minimum interior side parcel line setback from 4.5 metres to 0.5 metres.

Proposed Development:

To vary to the interior side setback from 4.5 metres to 0.5 metres to construct an open structure for grape bins and other farm implements.

The proposed structure lines up with existing buildings, is a farm structure on farm land and will not block views.

Site Context:

The subject property is 1.96 ha in area and is situated on the east side of Tucelnuit Drive, abutting Osoyoos Indian Band Lands. The property contains a modular home with attached deck, a pool, two sea cans and accessory farm building and structures.

The surrounding pattern of development is generally characterised as agricultural lands and industrial and agricultural uses within the Osoyoos Indian Band Lands.

Background:

The current boundaries of the subject property were created on June 26, 1981, while available Regional District records indicate that building permits have been issued for the demolition of a modular home (2020), a new mobile home (2020), various accessory structures (2021), and a deck (2021).

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw the property is designated Agriculture (AG) and has been zoned Agriculture One (AG1), under the Electoral Area “C” Zoning Bylaw, which permits accessory structures as a secondary use.

The property is within the Agricultural Land Reserve (ALR) and has been classified as part “Residential” (Class 01), and part “Farm” (Class 09) by BC Assessment.

A Build Without Permit Notice was sent to the applicant June 29, 2021 notifying the applicant of the minimum side yard setback requirements and indicating the need to obtain a development variance permit and building permit for the open farm storage structure.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until 4:30 p.m. on September 16, 2021. All comments received are included as a separate item on the Board's Agenda.

Analysis:

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.

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.

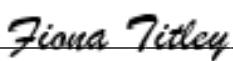
In the agricultural zones, setbacks are further used to mitigate the potential for conflict between land uses with the Ministry of Agriculture recommending that setbacks be used to "avoid farming right up to the back wall of [a] residence."

In this instance, the applicant is seeking to site the structure on an already disturbed part of the property. Accordingly, there will be no alienation of productive farmland. Additionally the open structure will not block neighbouring views or sunlight.

There are no physical site constraints or other limiting features (i.e. irregular parcel lines) that appear to warrant a variance in this instance and other options are available to the applicant, to construct the structure in a manner that meets the side setback requirement.

However, due to the proposed farm storage structure having already been constructed, this would require it be demolished.

Respectfully submitted:


Fiona Titley, Planner I

Endorsed by:


C. Garrish, Planning Manager

Attachments:

No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)





Development Variance Permit

FILE NO.: C2021.033-DVP

Owner:

Agent:

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 1, Plan KAP32084, District Lot 2450S, SDYD

Civic Address: 7335 Tucelnuit Drive

Parcel Identifier (PID): 003-539-610 Folio: A-06575.010

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "C" Zoning Bylaw No. 2453, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the minimum interior side parcel line setback for an accessory building in the Agriculture One (AG1) Zone, as prescribed in Section 10.2.6(a)(iii), is varied:
 - i) from: 4.5 metres

to: 0.5 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

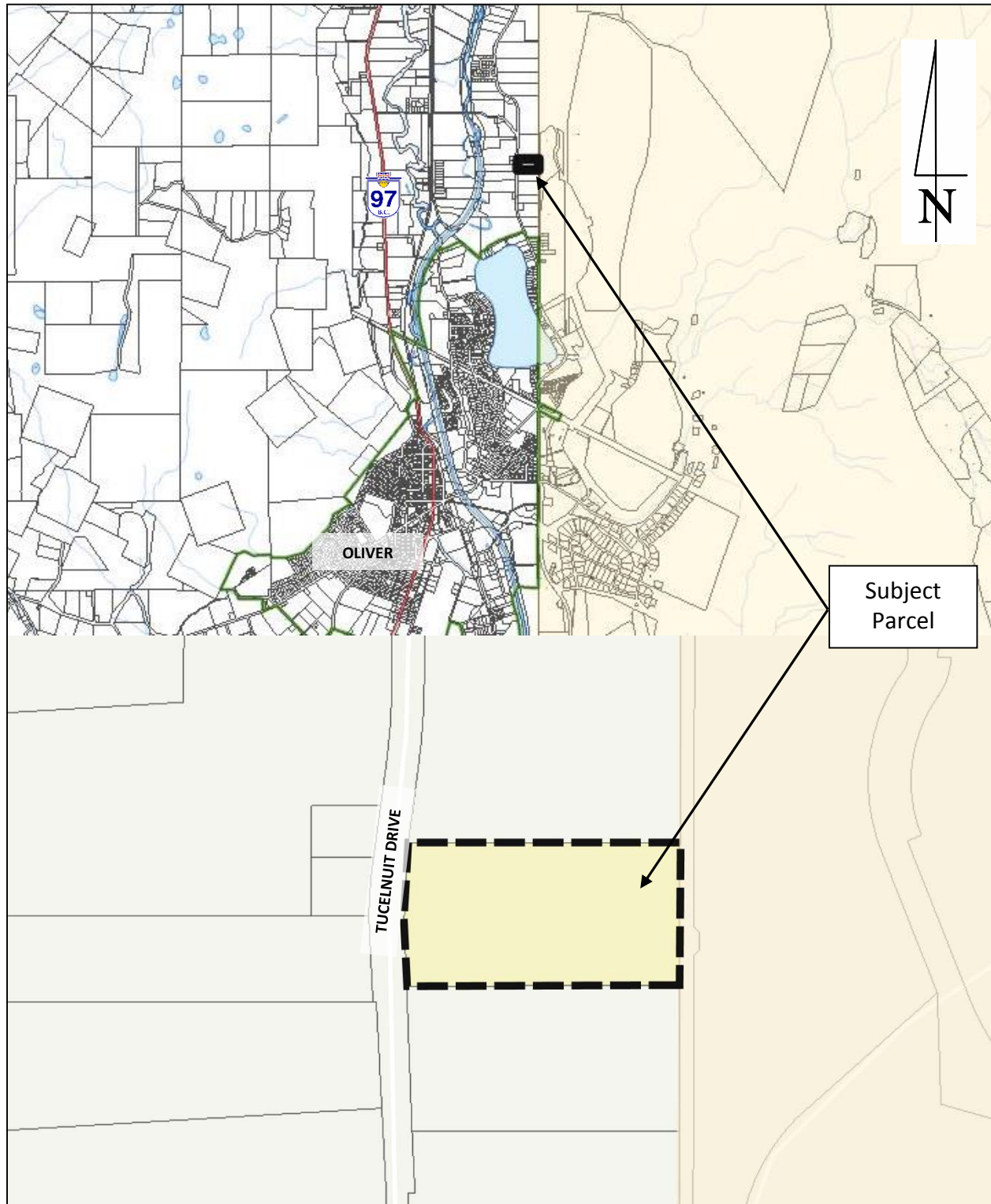
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. C2021.033-DVP

Schedule 'A'



Development Variance Permit No. C2021.033-DVP

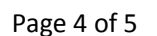
Page 3 of 5

Tel: 250-492-0237 Email: planning@rdos.bc.ca



File No. C2021.033-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

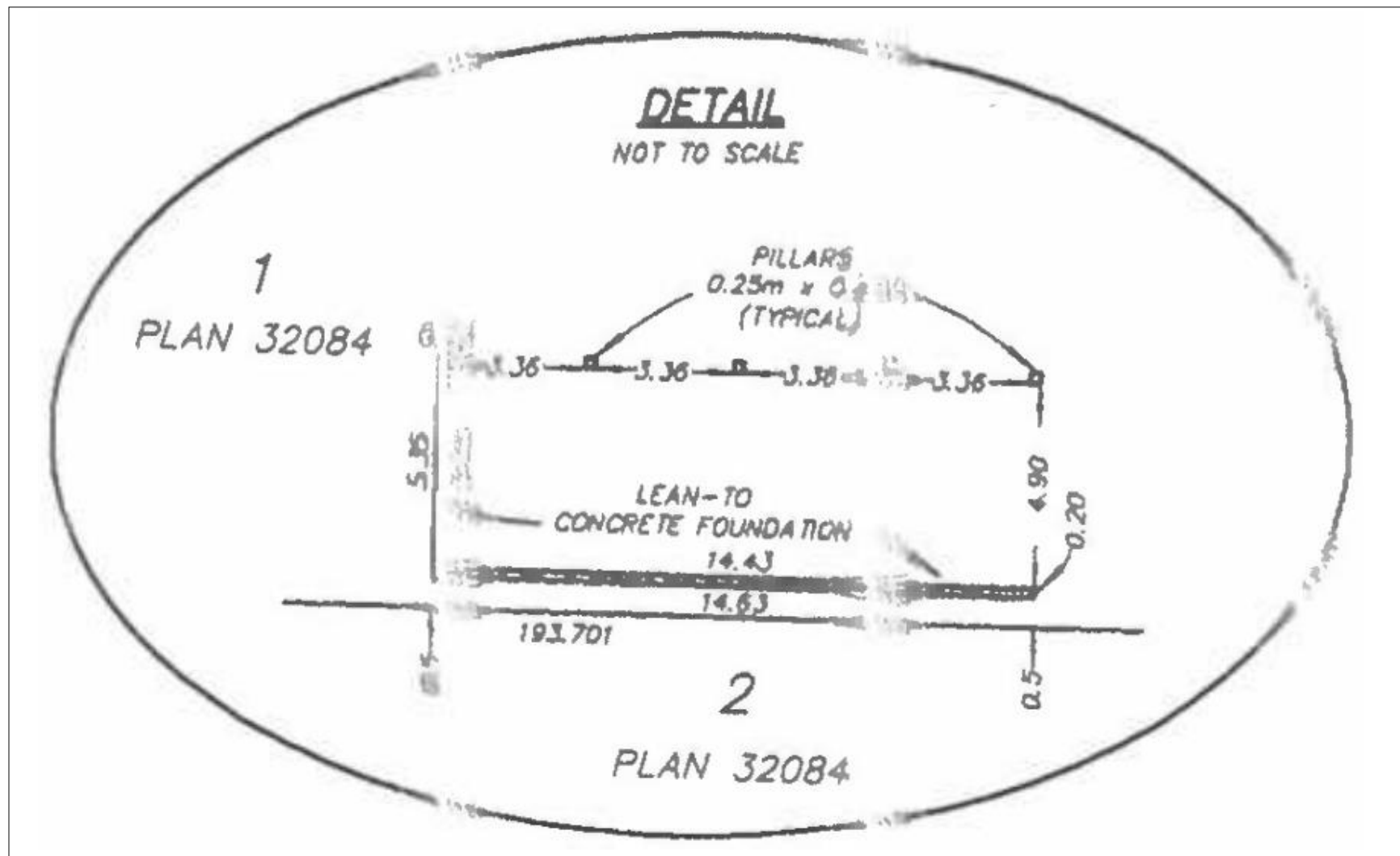
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. C2021.033-DVP

Schedule 'C'



Development Variance Permit No. C2021.033-DVP

Page 5 of 5

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Development Variance Permit Application — Electoral Area “D” 420 Panorama Crescent

Administrative Recommendation:

THAT Development Variance Permit No. D2021.032-DVP, to permit the development of an addition to an existing accessory structure at 420 Panorama Crescent, be approved.

Legal: Lot 9, Plan KAP16380, District Lot 461, SDYD Folio: D-02894.040

OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

Variance to reduce the minimum front parcel line setback from 7.5 metres to 0.0 metres.

Proposed Development:

This application is seeking a variance to the front parcel line setback from 7.5 metres to 0.0 metres to undertake the development of an addition to the existing garage.

The applicant has stated that “due to the steep slope on the Northeastern portion of the lot, site retaining walls or cut and fill slope would be required ... this would significantly increase costs and further disturb the natural vegetation.”

Site Context:

The subject property is 1,319 m² in area and is situated on the north side of Panorama Crescent. The property is currently developed to contain a single detached dwelling and attached garage. The surrounding pattern of development is characterised by similar residential development with single detached dwellings.

Background:

The property was created on June 15, 1966, while available Regional District records indicate that a building permit has been issued for a garage (1977).

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the property is currently designated Low Density Residential (LR) and zoning is Low Density Residential Two (RS2), which allows for a single detached dwelling and accessory buildings as permitted uses and establishes setbacks from property lines.

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

On August 20, 2021, the Ministry of Transportation and Infrastructure (MoTI) approved a reduced setback from Panorama Crescent for the proposed structure.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, and had until 4:30 p.m. on September 16, 2021 to provide comment. All comments received are included as a separate item on the Board's Agenda.

Analysis:

Setback regulations 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.

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.

In this instance, the subject parcel has an irregular front parcel line, creating a varied setback requirement for structures on the property. The edge of Panorama Crescent is 12.5 metres from the recessed property line, which mitigates the perception of a reduced setback and the appearance of overcrowding. Also, the proposed variance has no impact to vehicular movement from the parcel.

There are several instances along Panorama Crescent of dwellings and accessory structures situated within the required front setback, thus contributing to a non-uniform streetscape. There are no immediate neighbouring properties that are anticipated to have concerns of overshadowing or loss of privacy if the proposed variance is approved.

There is room on the rear portion of the subject parcel to construct additional accessory structures that would meet the setback requirements. Thus, the variance is not considered a necessity for the enjoyment of the property. However, development on the northeast side *may* prove challenging for the landowner due to the presence of steep slopes. The request to encroach into the front setback appears reasonable as it is limited to only the "recessed" portion of the front parcel line of the property.

Alternatives:

1. That Development Variance Permit No. D2021.032-DVP be denied.
2. That consideration of the application 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 – Site Photo (Google Streetview 2012)
No. 2 – Aerial Photo

Attachment No. 1 – Site Photo (Google Streetview 2012)



Attachment No. 2 – Aerial Photo





Development Variance Permit

FILE NO.: D2021.032-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', '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 9, Plan KAP16380, District Lot 461, SDYD

Civic Address: 420 Panorama Crescent

Parcel Identifier (PID): 007-322-020 Folio: D-02894.040

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 parcel line setback for a principal building in the Low Density Residential Two (RS2) Zone, as prescribed in Section 11.2.6(a)(i), is varied:
 - i) from: 7.5 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.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

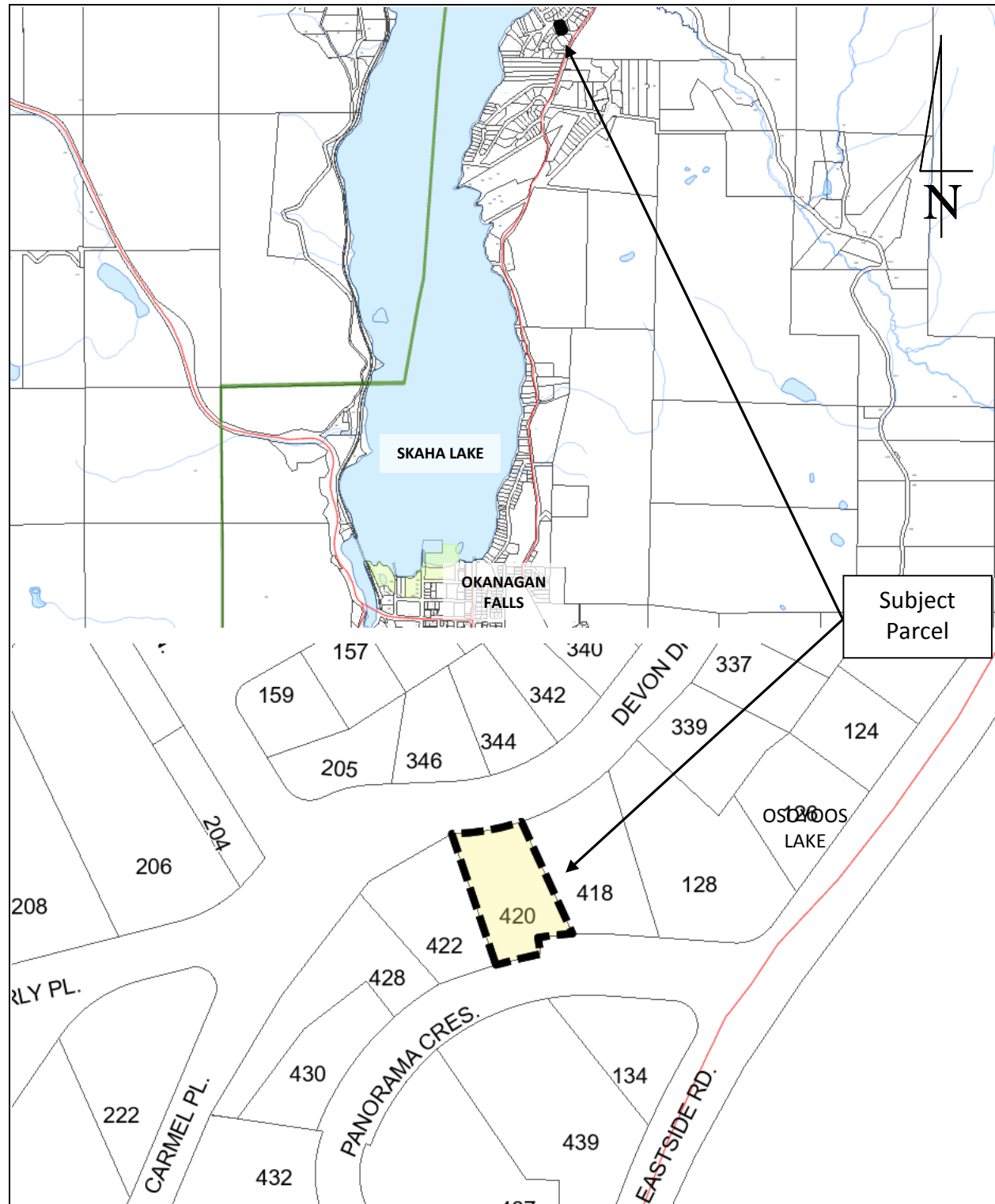
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. D2021.032-DVP

Schedule 'A'



Development Variance Permit No. D2021.032-DVP

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Regional District of Okanagan-Similkameen

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

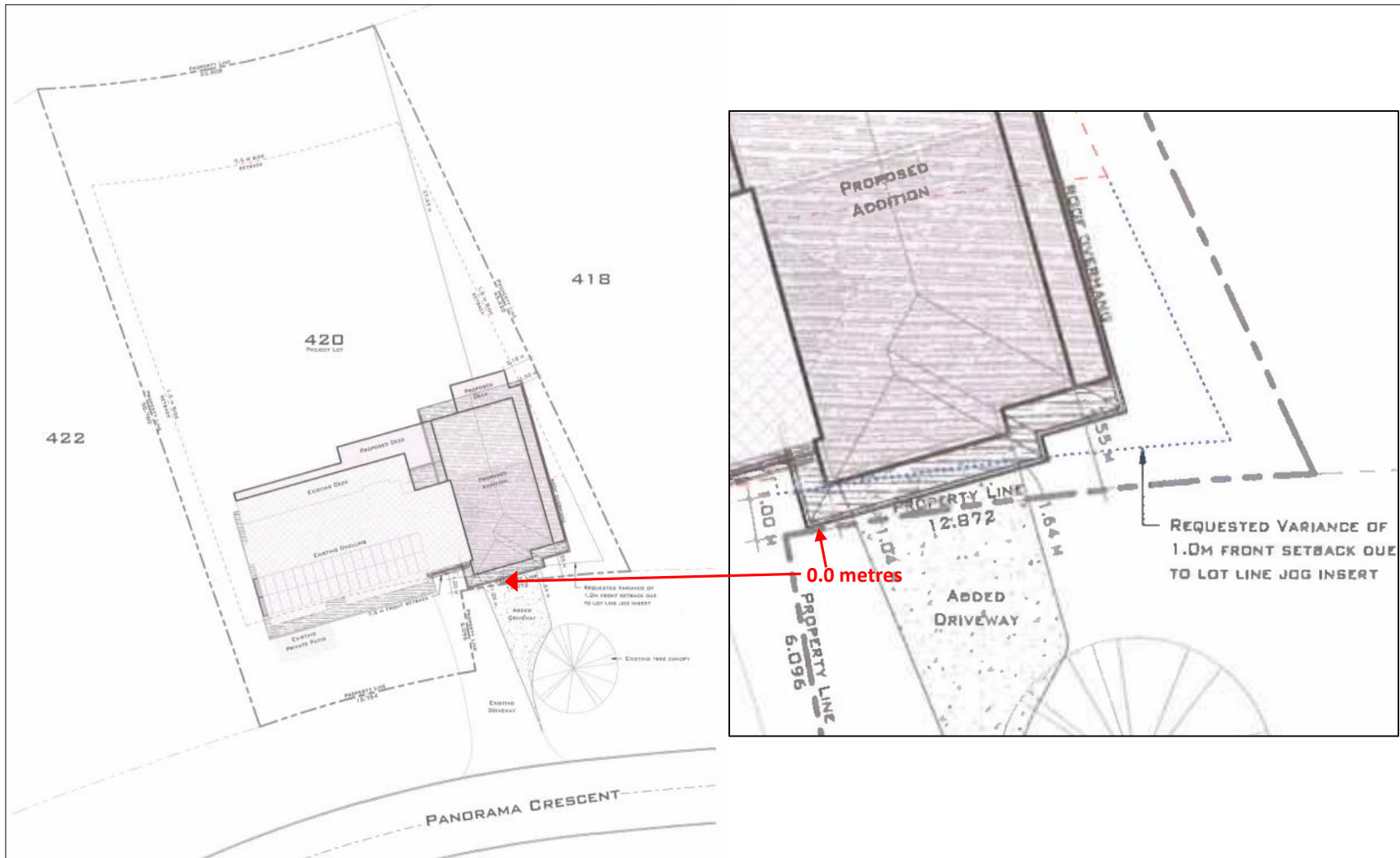
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2021.032-DVP

Schedule 'B'



Development Variance Permit No. D2021.032-DVP

Page 4 of 6

Regional District of Okanagan-Similkameen

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

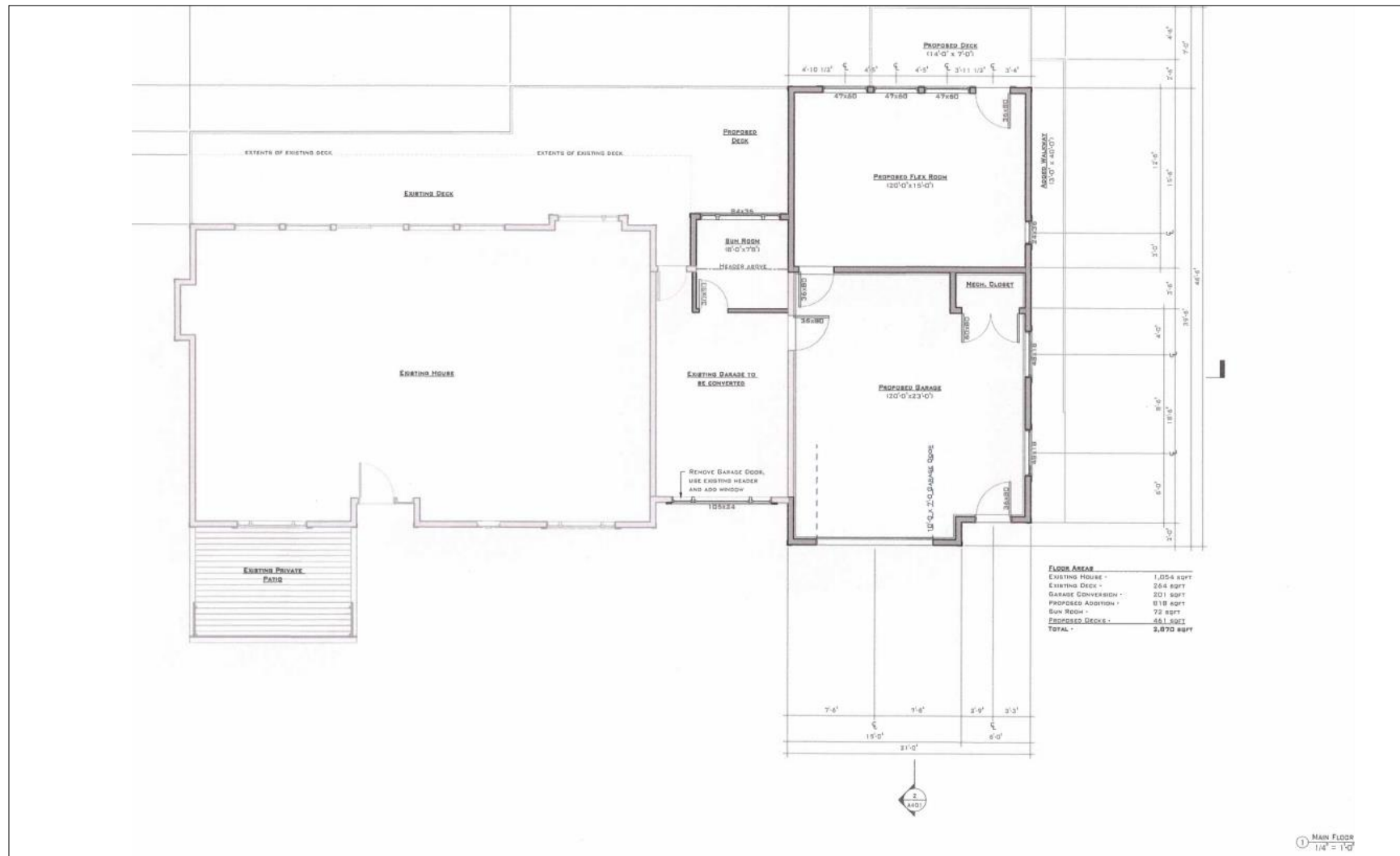
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2021.032-DVP

Schedule 'C'



Development Variance Permit No. D2021.032-DVP

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Regional District of Okanagan-Similkameen

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

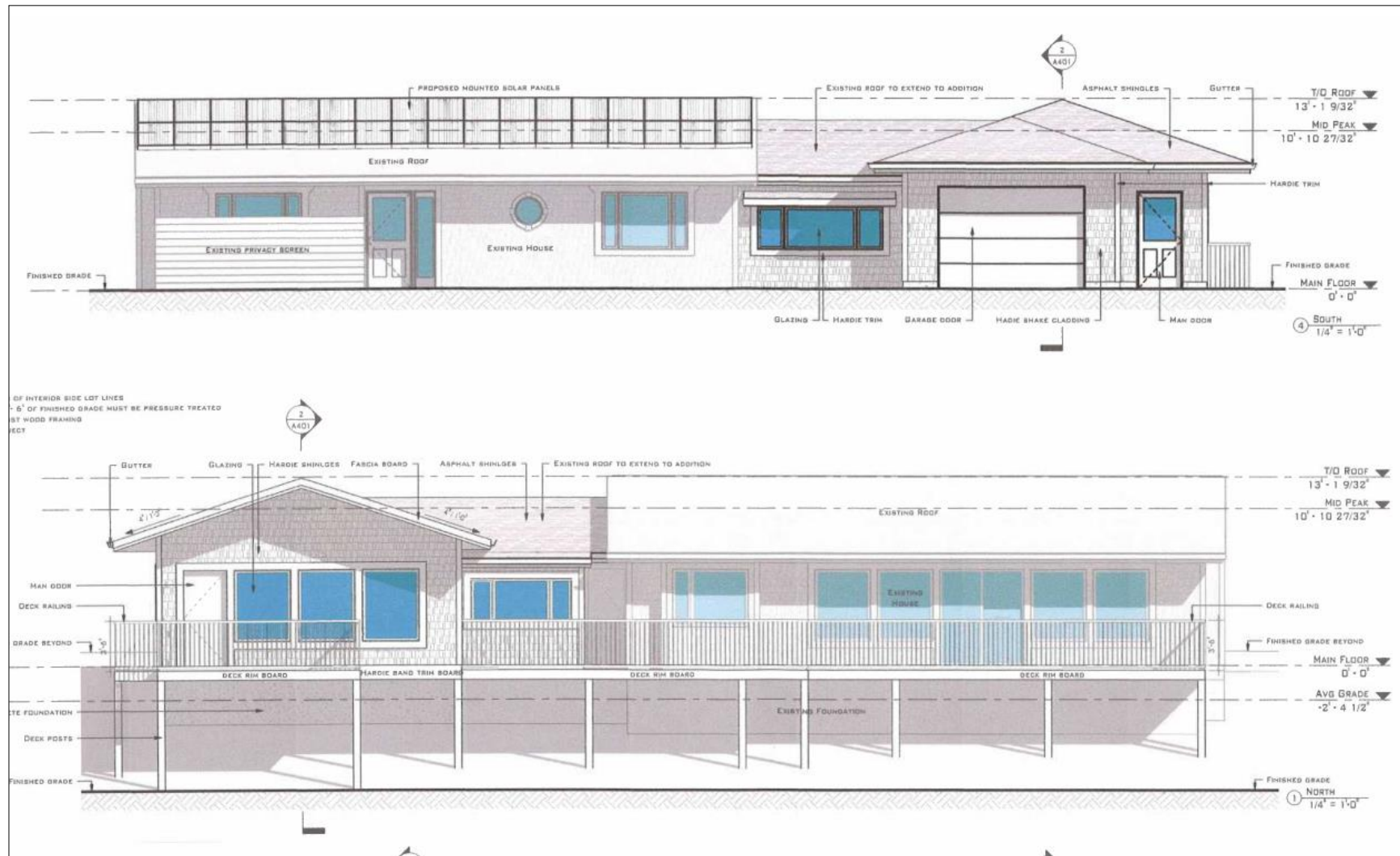
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

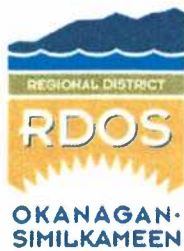
File No. D2021.032-DVP

Schedule 'D'



Development Variance Permit No. D2021.032-DVP

Page 6 of 6



Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2021.032-DVP

FROM: Name: Catherine and Paul Glen
(please print)

Street Address: Panorama Cres., Okanagan Falls

RE: Development Variance Permit (DVP) Application
420 Panorama Crescent, Electoral Area "D"

My comments / concerns are:

- ☒ I do support the proposed variances at **420 Panorama Crescent**
- ☐ I do support the proposed variances at **420 Panorama Crescent**, subject to the comments listed below.
- ☐ I do not support the proposed variances at **420 Panorama Crescent**.

All written submissions will be considered by the Regional District Board

We are the immediate neighbours to the east of the proposed garage addition. Our house will be the closest to the new structure. We are well aware of the project details and we have no objection to the proposed variance as shown on Schedule B of the DRAFT Development Variance Permit.

Feedback Forms must be submitted to the RDOS office prior to the Board meeting upon which this DVP application is considered.

All representations will be made public when they are included in the Board Agenda.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Development Variance Permit Application — Electoral Area “D” 136 Chadwell Place

Administrative Recommendation:

THAT Development Variance Permit No. D2021.034-DVP to permit the development of a single detached dwelling at 136 Chadwell Place, be approved.

Legal: Lot 18, Plan EPP61041, District Lot 2710, SDYD Folio: D-06799.888

OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

Variance Request: to reduce the minimum front parcel line setback from 7.5 metres to 3.9 metres.

Proposed Development:

This application is seeking a variance to the front parcel line setback from 7.5 metres to 3.9 metres to undertake the development of a single detached dwelling and attached garage. The applicant has a no build covenant line at the rear of the lot.

Site Context:

The subject property is 1,404 m² in area and is situated on the west side of Chadwell Place. The property is currently vacant while the surrounding pattern of development is characterised by similar vacant residential lots.

Background:

The property was created on May 16, 2016, while available Regional District records indicate that building permits have not previously been issued for this property.

The Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013 designates the property as Low Density Residential (LR) and the Zoning is Low Density Residential Two (RS2), which allows for single detached dwellings, accessory structures, and establishes setbacks from property lines. 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 until 4:30 p.m. on September 16, 2021. All comments received are included as a separate item on the Board’s Agenda.

Analysis:

Setback regulations 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.

This parcel is subject to steep slopes in the rear portion, as well as restrictive covenants that limit the area that is available for construction. Even with the reduced setback, the property is able to accommodate parking spaces in the front of the lot. Hence, the variance is not expected to impact vehicle movement from the property or the traffic on Chadwell Place.

The property is bound by physical constraints that limit the area suitable for construction.

Alternatives:

1. That Development Variance Permit No. D2021.034-DVP be denied.
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 – Site Photo (September 2021)

No. 2 – Aerial Photo

Attachment No. 1 – Site Photo (September 2021)







Development Variance Permit

FILE NO.: D2021.034-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', 'D' and 'E', 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 18, Plan EPP61041, District Lot 2710, SDYD
Civic Address: 136 Chadwell Place
Parcel Identifier (PID): 029-841-518 Folio: D-06799.888

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 parcel line setback for a principal building in the Low Density Residential Two (RS2) Zone, as prescribed in Section 11.2.6(a)(i), is varied:
 - i) from: 7.5 metres
to: 3.9 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

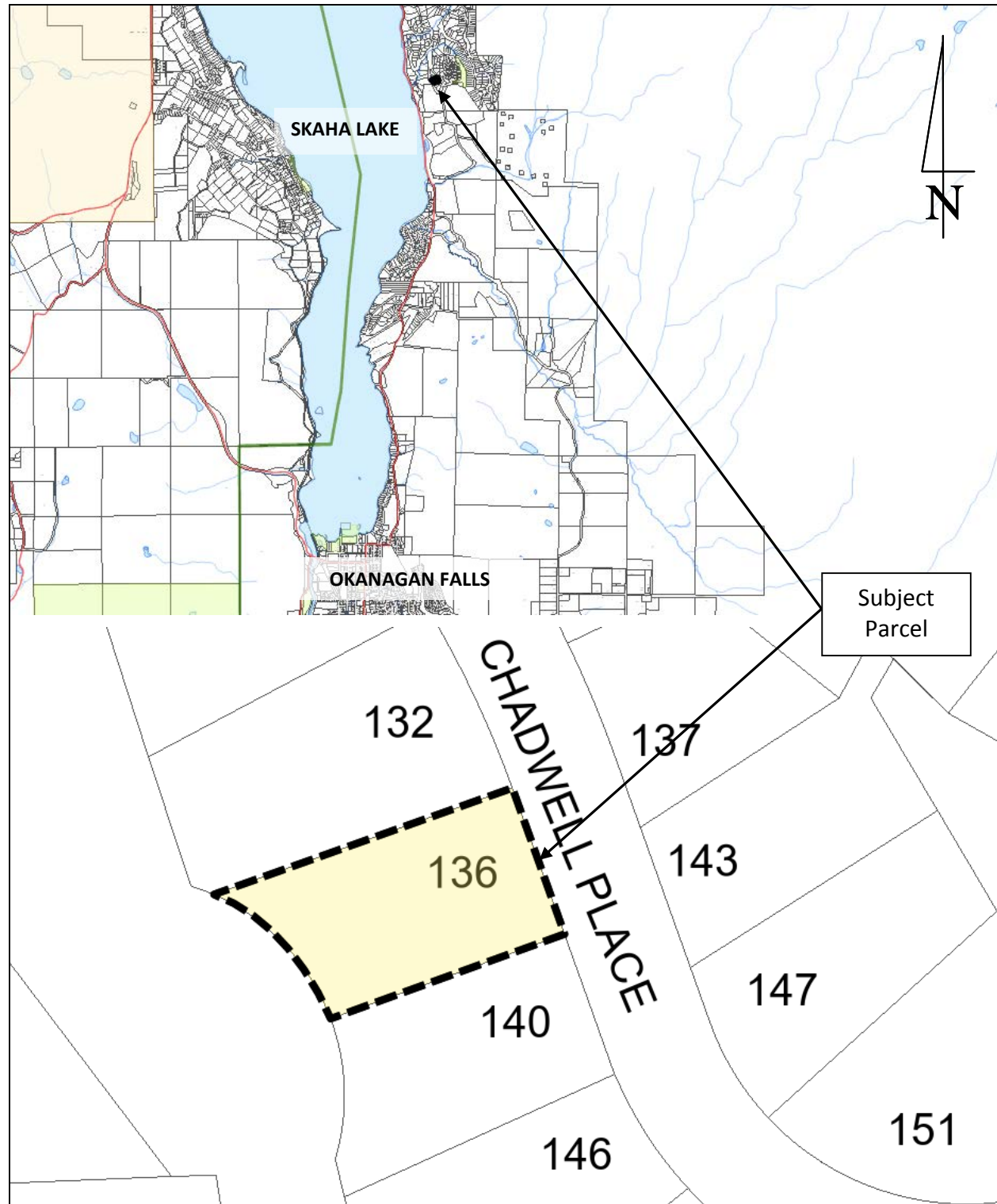
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. D2021.034-DVP

Schedule 'A'



Development Variance Permit No. D2021.034-DVP

Page 3 of 7

Regional District of Okanagan-Similkameen

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

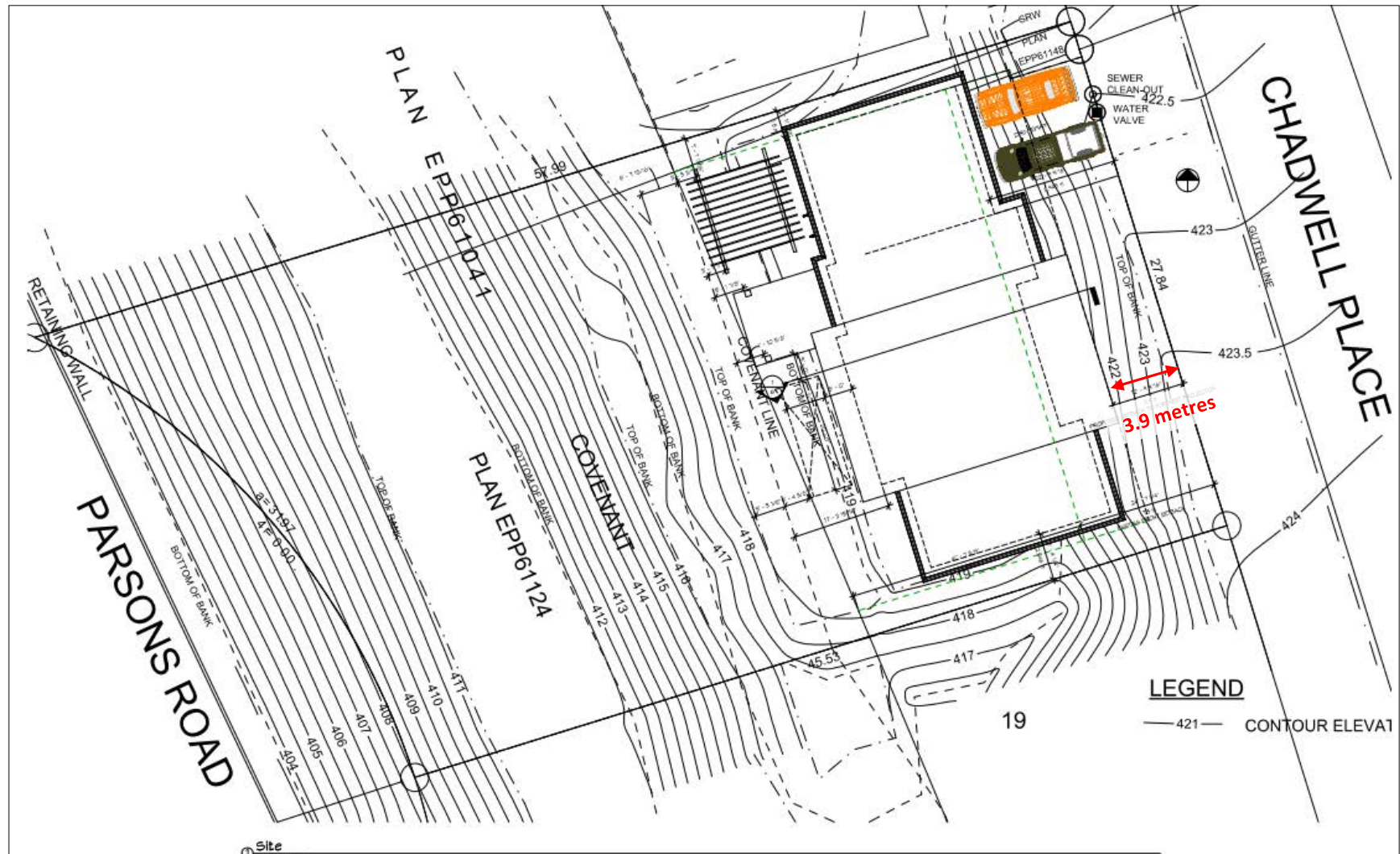
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2021.034-DVP

Schedule 'B'



Development Variance Permit No. D2021.034-DVP

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Regional District of Okanagan-Similkameen

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

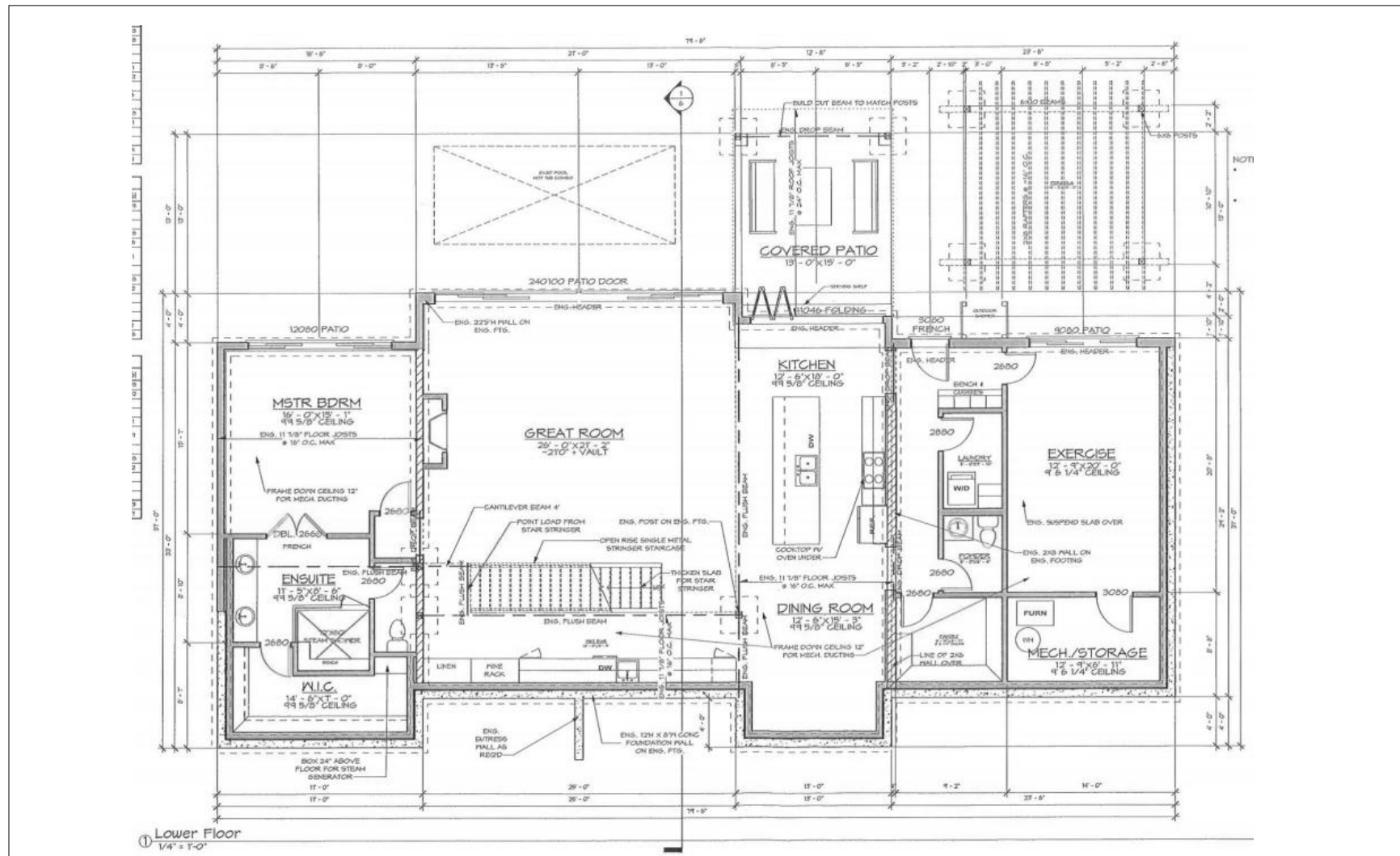
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2021.034-DVP

Schedule 'C'



Development Variance Permit No. D2021.034-DVP

Page 5 of 7

Regional District of Okanagan-Similkameen

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

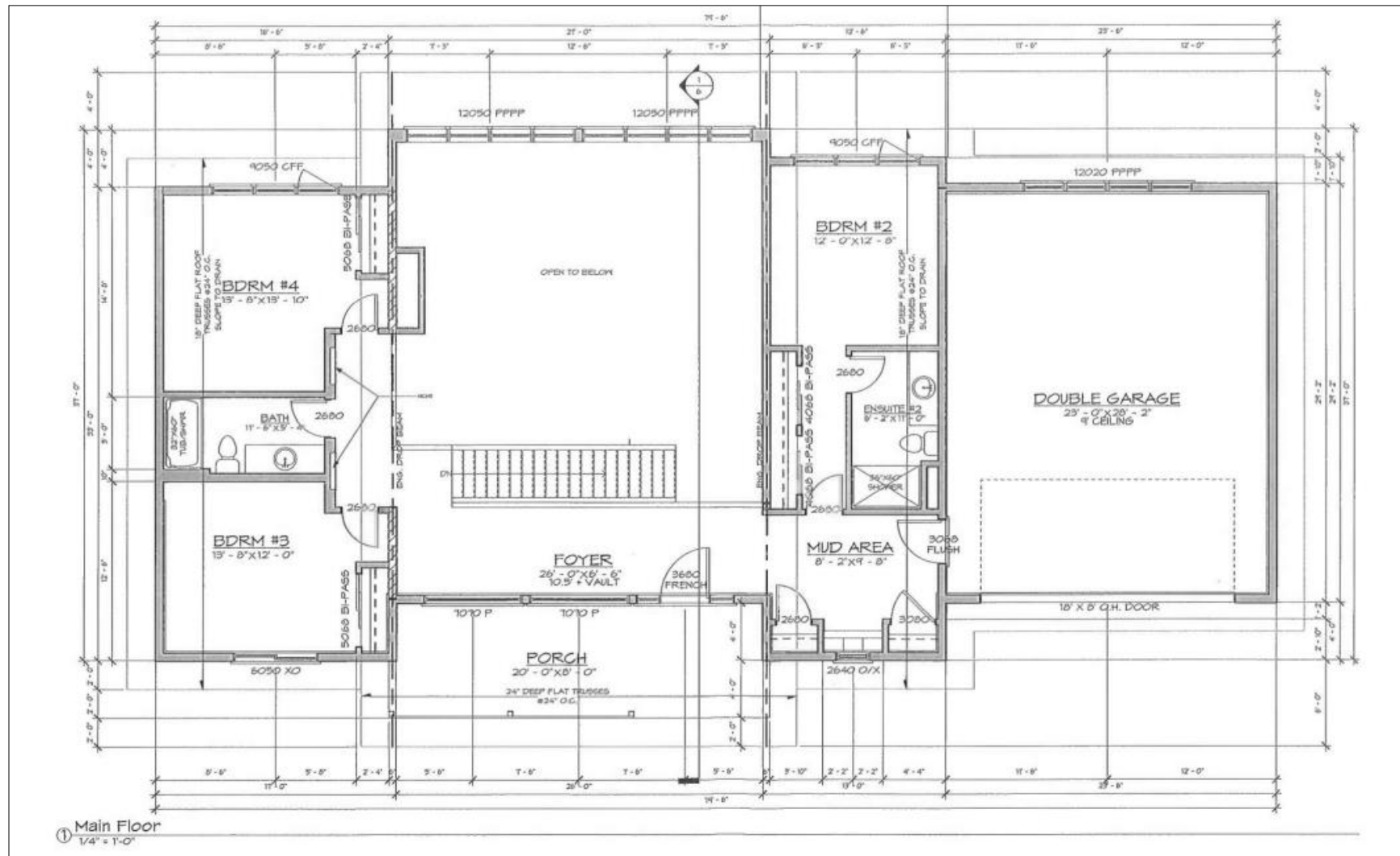
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2021.034-DVP

Schedule 'D'



Development Variance Permit No. D2021.034-DVP

Page 6 of 7

Regional District of Okanagan-Similkameen

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

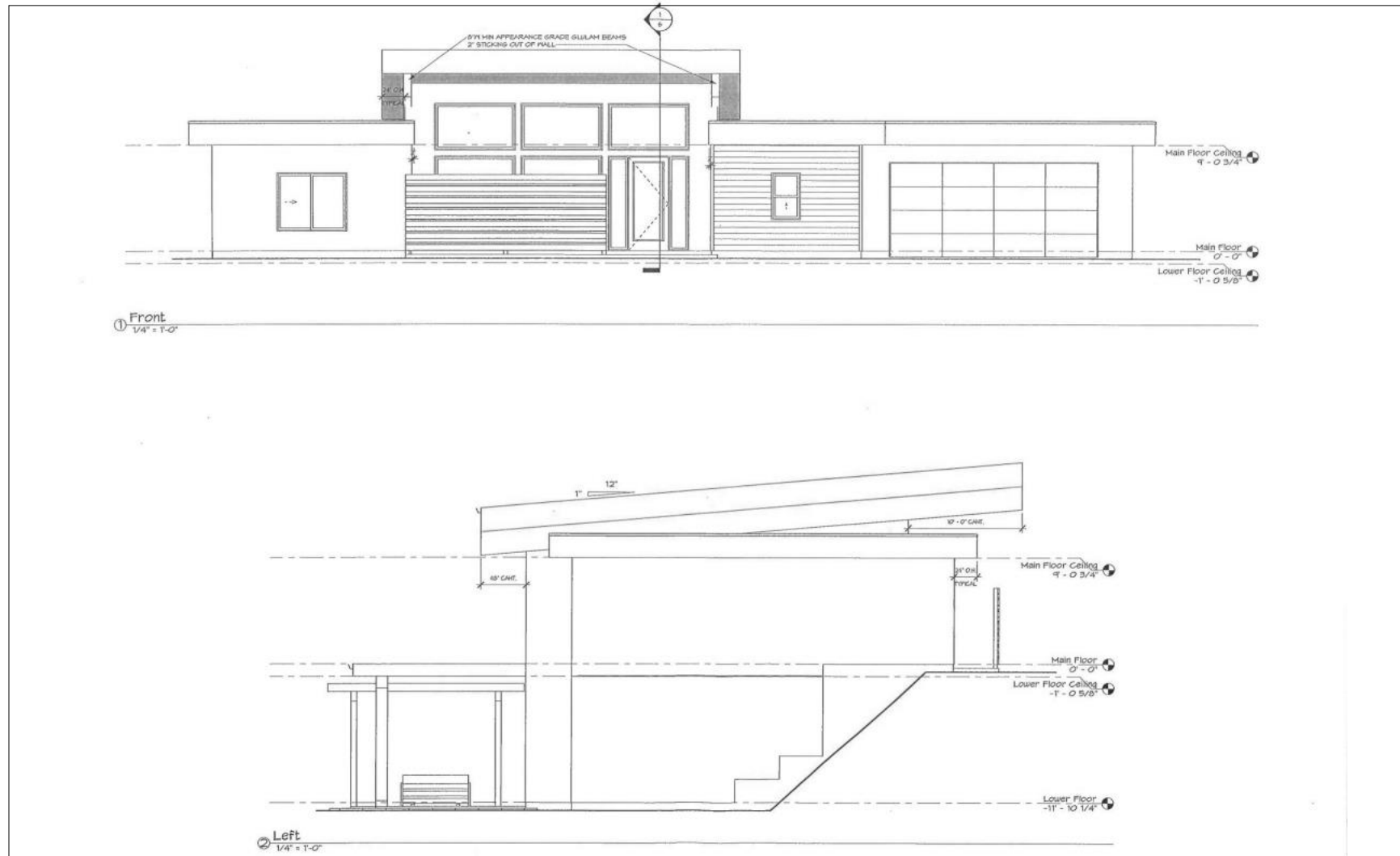
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

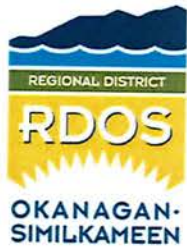
File No. D2021.034-DVP

Schedule 'E'



Development Variance Permit No. D2021.034-DVP

Page 7 of 7



Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen

FILE NO.: D2021.034-DVP

FROM: Name: Gerard & Maria Egan

(please print)

Street Address: _____

RE: **Development Variance Permit (DVP) Application**
136 Chadwell Place, Electoral Area "D"

My comments / concerns are:



I do support the proposed variances at **136 Chadwell Place**



I do support the proposed variances at **136 Chadwell Place**, subject to the comments listed below.



I do not support the proposed variances at **136 Chadwell Place**.

All written submissions will be considered by the Regional District Board

In order to provide a proper and safe area to build this variance is required. We would expect all lots on this side of the street to have a similar variance in order to provide an area to build. The grade of the slope limits the area where you can build on these lots.

Feedback Forms must be submitted to the RDOS office prior to the Board meeting upon which this DVP application is considered.

All representations will be made public when they are included in the Board Agenda.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

Lauri Feindell

From: Kirsten Nairn
Sent: September 4, 2021 9:12 PM
To: Nikita Kheterpal
Subject: Development Variance Permit

Hello Nikita,

I am emailing you regarding the DVP application number D2021.034-DVP.

We are the owners of [REDACTED] We do have some concerns regarding the proposal of shortening the minimum setback from 7.5m to 3.9m; however, we also understand the owners desire to build their home. Our main concern is the precedence this will set for the remainder of the neighborhood as most properties are difficult to build on and it has a potential impact on our view from our property. This is primarily important when considering lot 5 in the subdivision. This lot beside us, has a very large covenant. Based on our plans for building our home, if lot 5 were to be approved for a shorter minimum setback as well, their house would block a substantial part of our view.

Additionally, we currently live in a subdivision that does not have adequate driveway space for each home. This has resulted in high volumes of vehicles parking on the road creating a ton of congestion. With shortened frontage comes decreased driveway space ultimately impacting our curb appeal and home value in the future.

Based on the lot measurements we have available to us - with an average set back of 7.5m and a property depth of 25.648m it appears that there is adequate space to build a single family home of an average size on that piece of land without any changes to the setback. We understand the desire to build a dream home, as we too have that desire; however, the owner should have considered the covenant on the property and the impact that would have on their build prior to purchasing the land. In addition to this, is the DVP being submitted due to the building scheme home size requirement. We feel that if the piece of land is not suitable to follow the building scheme requirements (page 7, section 8 sub section 3 of the schedule of building restrictions and conditions), then the building scheme itself should be modified and the parcel line setback should not be reduced to accomodate a larger home.

Based on our concerns listed above, we do have a few questions. What size home is planning on being built? What is the owners plan for parking vehicles?

We are very hesitant to support this proposal and feel strongly that should this be approved we feel it would only be appropriate for the remainder of the neighborhood to have the same opportunity.

Thank you,
Kirsten & Taylor Nairn

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Development Variance Permit Application — Electoral Area “E”

Administrative Recommendation:

THAT Temporary Use Permit No. E2021.008-TUP to authorize a “vacation rental” use at 2205 Naramata Road be approved.

| | | |
|---------------|--|------------------------------------|
| <u>Legal:</u> | Lot 1, Plan KAP14888, District Lot 206, SDYD | <u>Folio:</u> E-02065.000 |
| <u>OCP:</u> | Agriculture (AG) | <u>Zone:</u> Agriculture One (AG1) |

Proposed Development:

To authorize the operation of a short-term vacation rental use of a four-bedroom dwelling at 2205 Naramata Road to expire on December 31, 2022, through the issuance of a Temporary Use Permit (TUP). The applicant has committed to limit the use to families and responsible groups.

Site Context:

The subject property is 1,294.9 m² in area and is situated on the west side of Naramata Road. The parcel is comprised of a single detached dwelling and various accessory structures (swimming pool). The surrounding pattern of development is characterised by a mix of larger agricultural parcels and similar sized residential parcels.

Background:

The property was created on February 22, 1965, while available Regional District records indicate that a building permit for deck repair (2020) has previously been issued for this property. Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Agriculture One (AG1) which, among other uses, allows for single detached dwellings and agriculture as a principal use, with “agri-tourism accommodation” and “bed and breakfast operations” as secondary uses.

The property is within the Agricultural Land Reserve (ALR) and has been classified as “Residential” (Class 01) by BC Assessment. While the subject property is located within the ALR, Section 23(1) (Exceptions) of the *Agricultural Land Commission Act*, states that restrictions on the use of agricultural land do not apply to land that, on December 31, 1972, was, by separate certificate of title issued under the *Land Registry Act* (1960), less than 2.0 acres (0.81 ha) in area.

A Health and Safety Inspection was completed on August 25, 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 septic system is capable of accommodating the 8 person, 4 bedroom vacation rental use.

Public Process:

On June 7, 2021, an electronic Public Information Meeting (PIM) was held virtually and was attended by one member of the public.

At its meeting of June 14, 2021, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the TUP 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:

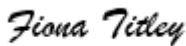
The proposed vacation rental is on a parcel of land historically used for residential purposes and does not remove any land from agricultural production. The proposed use is seasonal in nature (May-October) and is not intensive in scale. The impact on the natural environment and neighbouring uses is minimized by being contained within an existing building and parking area on the parcel.

Changing the duration of stay within an existing dwelling unit is not anticipated to introduce any land use conflicts that would not be present if the dwelling were used for residential purposes.

Alternatives:

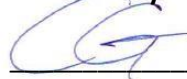
1. THAT Temporary Use Permit No. E2021.008-TUP be denied; or

Respectfully submitted:



Fiona Titley, Planner I

Endorsed By:



C. Garrish, Planning Manager

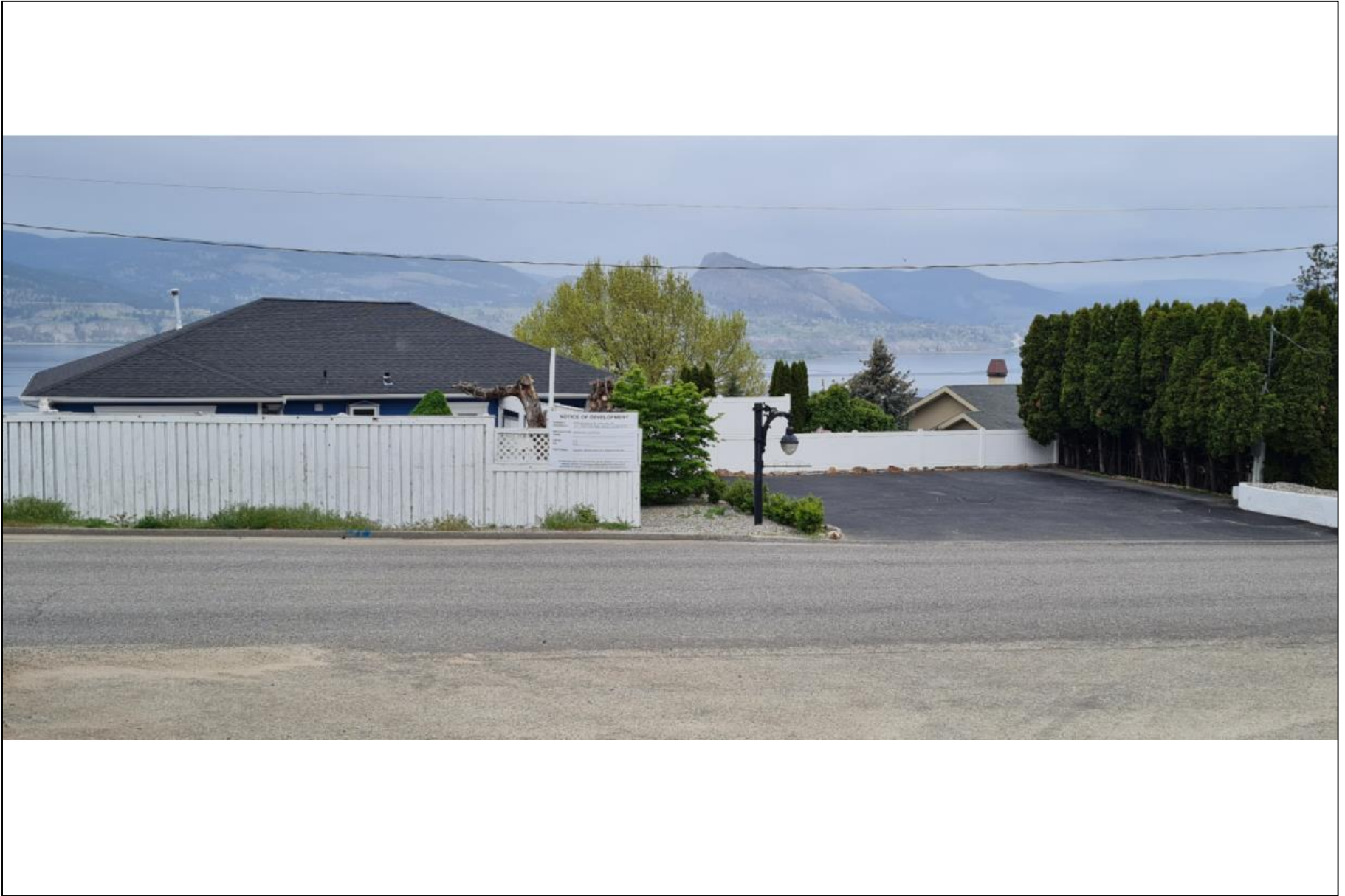
Attachments: No. 1 – Agency Referral List
No. 2 – Site Photo (April 2021)

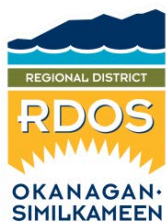
Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☒, regarding Amendment Bylaw No. E2021.008-TUP:

| | | | |
|-------------------------------------|---|-------------------------------------|--|
| <input checked="" 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 checked="" 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 – Site Photo (April 2021)





TEMPORARY USE PERMIT

FILE NO.: E2021.008-TUP

Owner:

Agent:

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 1, Plan KAP14888, District Lot 206, SDYD

Civic Address: 2205 Naramata Road, Naramata

Parcel Identifier (PID): 008-920-311 Folio: E-02065.000

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 a "vacation rental" use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the temporary commercial 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 1st and October 31st;
 - 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 four (4);
 - d) the number of paying guests that may be accommodated at any time shall not exceed eight (8);
 - e) a minimum of four (4) 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 operation must follow the 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.

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



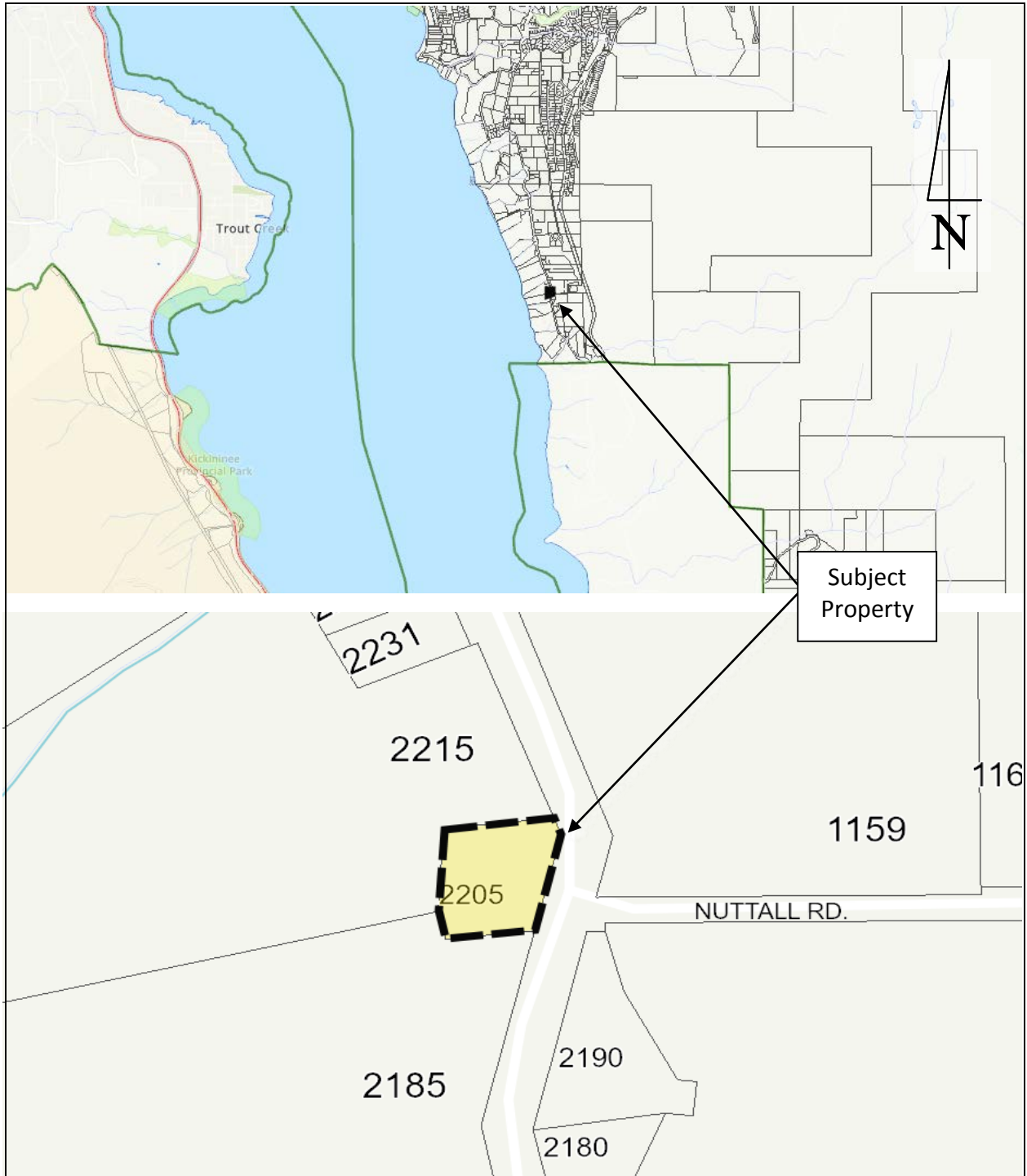
Temporary Use Permit

File No. E2021.008-TUP

Schedule 'A'

NARAMATA

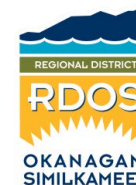
OKANAGAN
LAKE



Regional District of Okanagan-Similkameen

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

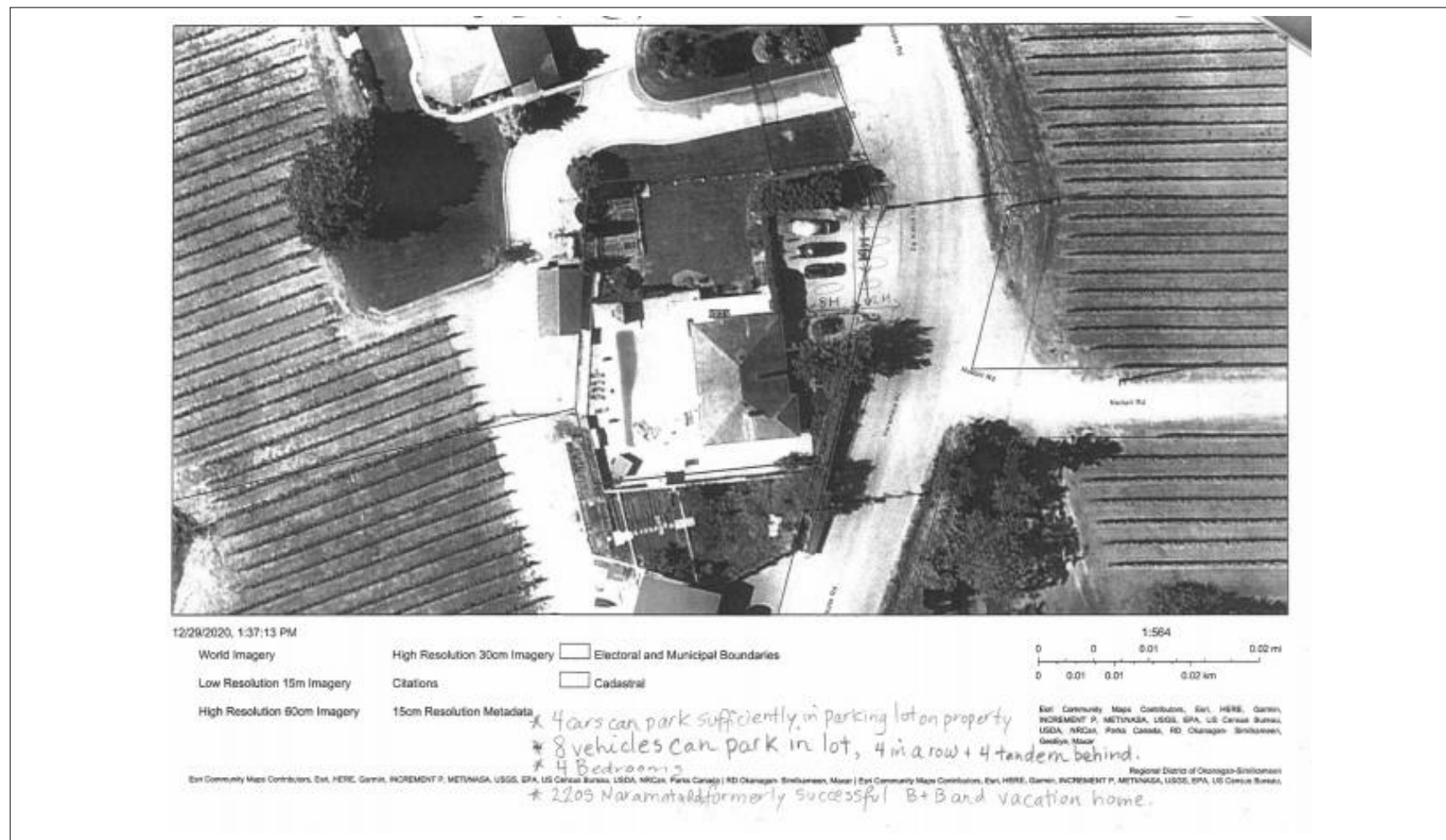
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Temporary Use Permit

File No. E2021.006-TUP

Schedule 'B'



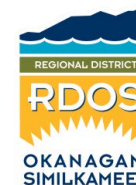
Temporary Use Permit No. E2021.006-TUP

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Regional District of Okanagan-Similkameen

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

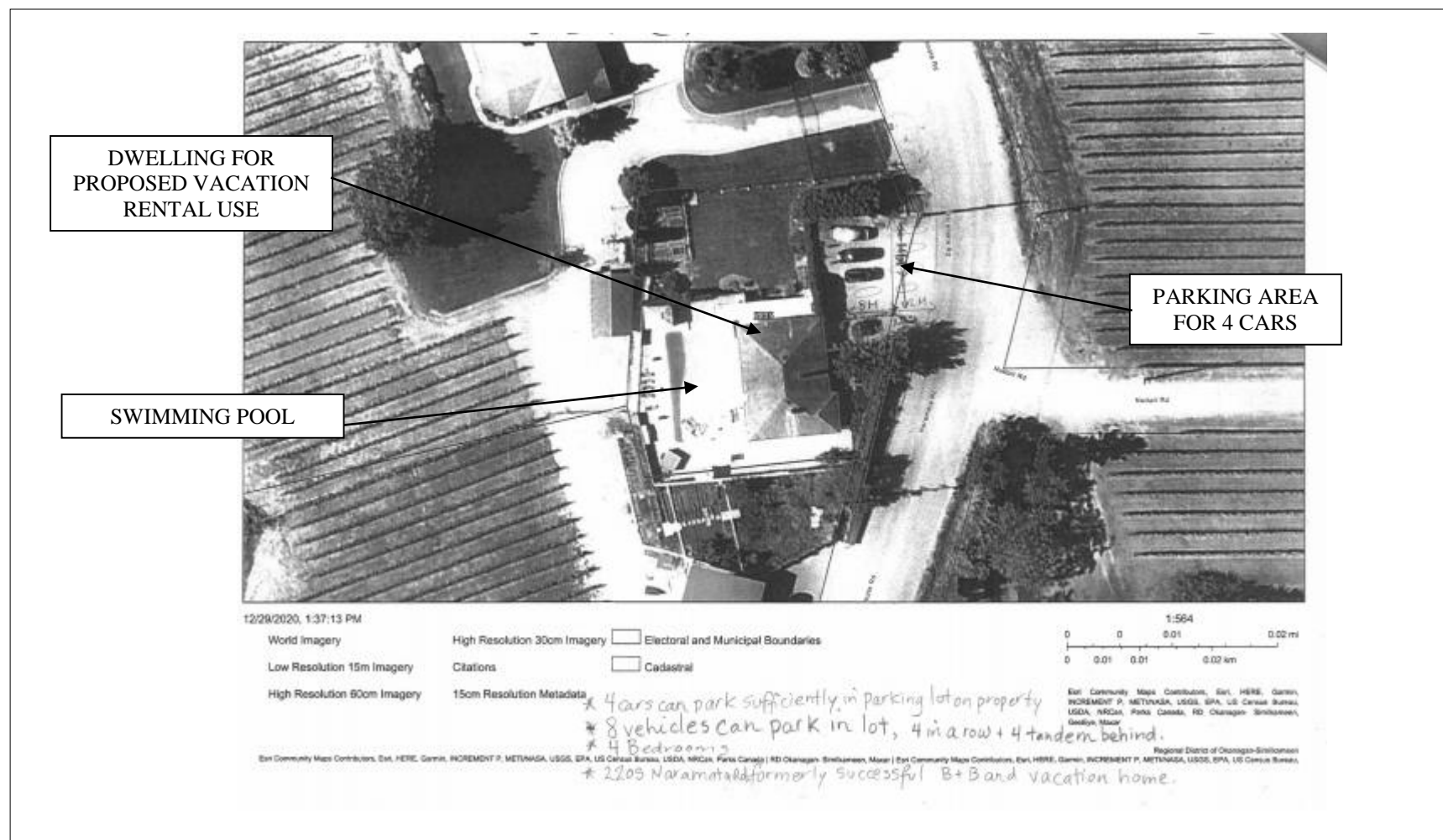
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Temporary Use Permit

File No. E2021.006-TUP

Schedule 'C'



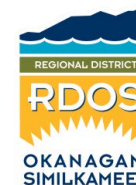
Temporary Use Permit No. E2021.006-TUP

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Regional District of Okanagan-Similkameen

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

Telephone: 250-492-0237 Email: info@rdos.bc.ca



Temporary Use Permit

File No. E2021.006-TUP

Schedule 'D'



Temporary Use Permit No. E2021.006-TUP

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Regional District of Okanagan-Similkameen

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

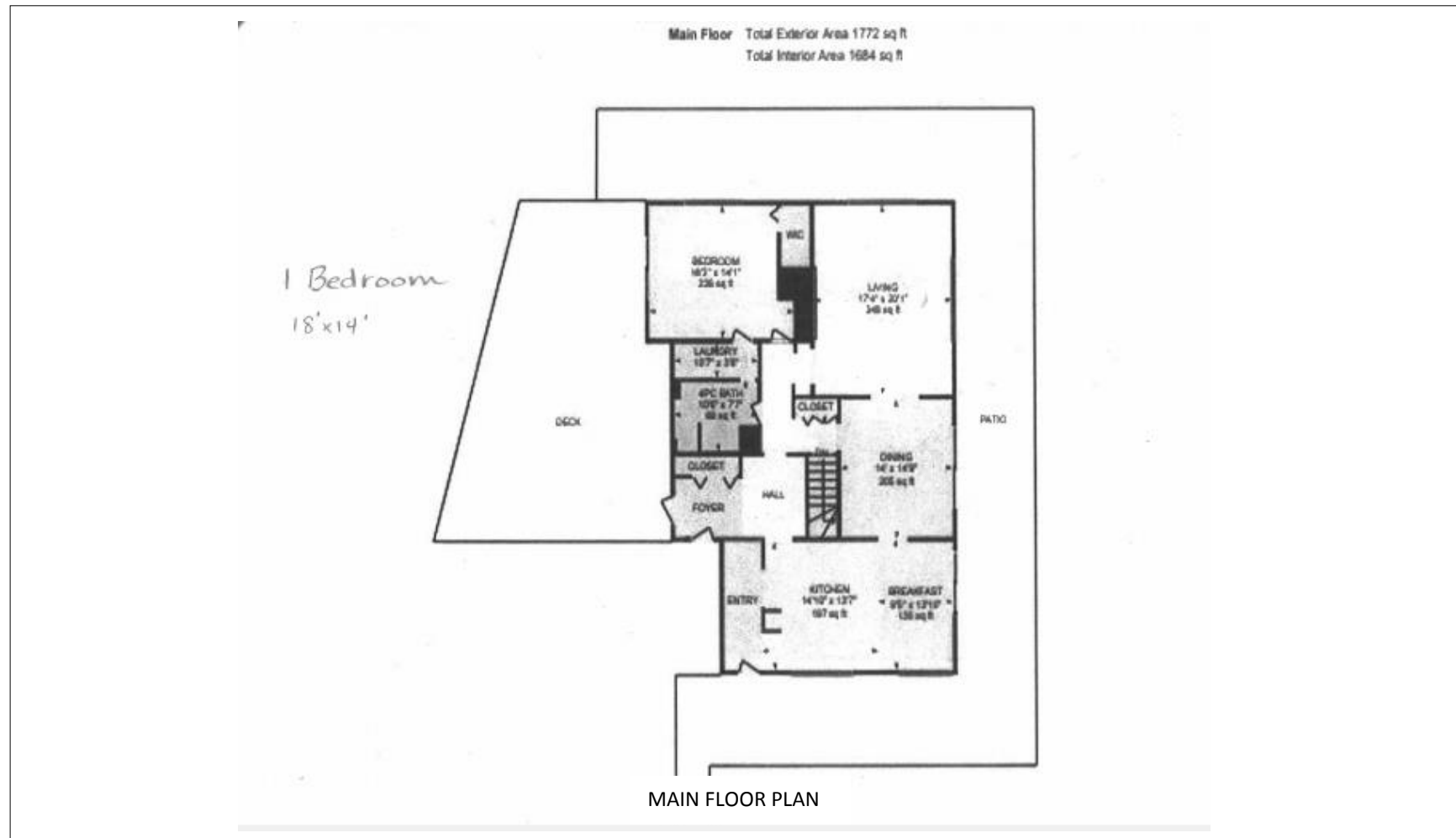
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Temporary Use Permit

File No. E2021.006-TUP

Schedule 'E'



Temporary Use Permit No. E2021.006-TUP

Page 9 of 9



June 4, 2021

File: 0280-30

Local Government File: E2021.008-TUP

JoAnn Peachy

Regional District of Okanagan-Similkameen

Via Email: planning@rdos.bc.ca

Dear JoAnn Peachey:

**Re: E2021.008-TUP – Temporary Use Permit at 2205 Naramata Road (PID: 008-920-311)
– The Subject Property**

Thank you for providing the opportunity for the Ministry of Agriculture, Food and Fisheries (Ministry) to comment on File E2021.008-TUP that proposes to issue a Temporary Use Permit to allow for the operation of a short-term vacation rental use at the Subject Property. From an agricultural perspective, the Ministry offers the following comments:

- The Subject Property is 0.12 ha, is not under agricultural production and is adjacent to both active agricultural operations and residential properties.
- The applicant proposes to use the existing four-bedroom principal residence on the Subject Property as a short-term vacation.
- The Ministry recognizes that the subdivision plan (Plan KAP14888) that created the Subject Property was registered on February 22, 1965 and that on this date the Subject Property was approximately 0.13 ha. As such, it is likely that the Subject Property is exempt from *Agricultural Land Commission (ALC) Act* and its associated regulations under s. 23(1) of the *ALC Act*.
- Guests renting the principal residence on the Subject Property may not be aware that they will be staying within an active agriculture area that is associated with farmers using "normal farm practices". As such, RDOS may wish to add a condition under section 7(b) of the TUP stating that guests should expect to experience "normal farm practices" during their stay on the Subject Property. Suggested wording is:

"Please be advised that you are staying within an active agricultural area that is commonly associated with noise from farm operations at various times of the day, farm odours, chemical spray and dust"

Ministry of Agriculture, Food
and Fisheries

Extension and Support Services
Branch

Mailing Address:
Ste. 200 – 1690 Powick Road
Kelowna BC V1X 7G5

Telephone: 250 861-7211
Toll Free: 1 888 332-3352
Web Address: <http://gov.bc.ca/agri/>

- Ultimately, if the conditions of the TUP are adhered to, the Ministry does not believe that this application will have a negative impact on nearby agricultural operations.

Please contact Ministry staff if you have any questions regarding the above comments.

Thank you for the opportunity to provide comments from an agricultural perspective with respect to this file.

Sincerely,



Reed Bailey
Land Use Planner
778-698-3455
Reed.Bailey@gov.bc.ca



Philip Gyug, P.Ag.
Regional Agrologist
250-378-0573
Philip.Gyug@gov.bc.ca

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission –
Sara.Huber@gov.bc.ca

JoAnn Peachey

From: D. Ray Halladay
Sent: June 11, 2021 6:07 PM
To: Planning
Cc: Karla Kozakevich
Subject: Temporary Use Permit - 2205 Naramata Road

I do not object to the proposed rezoning to permit the temporary use permit for accommodation at 2205 Naramata Road, Naramata, B.C. (Lot 1, Plan KAP14888, District Lot 206 SDYD.) I do object to the very real impact of such businesses if this and other rental accommodations are operated without there being a permanent resident required in each dwelling. I believe that without requiring a permanent resident in each rented home or dwelling, several negative impacts can and will result.

NEGATIVE IMPACTS

1. An increasing proportion of the homes in Naramata will become owned by absentee owners. (I believe there is a noticeable trend toward that end in Naramata at the present time);
2. Absentee owners who rent, but do not live in their homes, are very likely to have no or limited involvement in the many aspects of local community life with the result that the community is impoverished economically by their being less demand for local goods and services, and socially by there being a diminished number of residents, particularly those raising families, to share in community education, planning, facility development and community events (e.g. charities; celebrations; school concerts, etc.).
3. Other B.C. Communities and communities elsewhere have identified those, and other impacts, and they have put in place or are planning to put in place suitable regulations. (Check out information reported by a number of BC Municipal bodies online in "Policy Implications for Short-term Vacation Rentals UBCM 2016").

RECOMMENDATIONS

1. I submit that the RDOS should develop legislation requiring a permanent resident to occupy any home or other dwelling which is rented for accommodation whether for short or extended periods.
2. Where persons wish to rent a home or dwelling without there being a permanent resident present, the RDOS should limit their number in Naramata and require each to obtain a commercial business license, and to pay taxes at a level comparable to businesses providing similar accommodation such as motels and hotels.

OTHER CONSIDERATIONS

The RDOS should consider relevant legislation enacted or being considered by other communities such as Tofino, Nelson, Victoria, Oak Bay and Banff, Alberta. That information will help the RDOS to gain a perspective on approaches to control and minimize impacts cited above or how to address additional impacts.

D. Ray Halladay



Virus-free. www.avq.com

RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. E2021.008-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 comments on this application. It is our understanding that the applicant is requesting a temporary use permit (TUP) to operate a short-term vacation rental from the primary dwelling on the parcel. This referral has been reviewed from a Healthy Communities Development perspective. The following is for your consideration:

Housing is a key determinant of health. It has a significant influence on our physical and mental health, social well-being, and indirectly influences many other determinants of health such as income, early childhood development, educational opportunities, and access to health services. Healthy housing is affordable, high quality, and in a location and community that meets our needs and supports health and well-being.

Living in affordable, safe, and stable housing is associated with positive physical and mental health outcomes. Access to affordable housing can reduce stress as well as allow residents to have adequate financial and personal resources available to live a healthy life.

Though there is no evidence yet for the long term implication of short term rentals on the health of our communities, the PHSA Healthy Built Environment Linkages Toolkit does identify that:

- Housing instability disproportionately affects low income people and vulnerable groups and can cause financial and psychological stress.
- Lack of affordable housing can lead to overcrowding.
- Higher housing costs can lead a decrease in disposable income making it more difficult to afford medication, healthy food, etc.
- Differences in housing (i.e. quality, accessibility, and affordability) all have impacts on health over in both the short term and long term.

Interior Health recommends that the Board considers the local need for long term rentals in the community while balancing the creation of short term vacation rentals.

Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health. Please do not hesitate to reach out to if you require clarification or have questions.

Signature: 

Signed By: Tanya Osborne

Agency: Interior Health

Title: Community Health Facilitator

Date: June 2, 2021

RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. E2021.008-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: May 19, 2021



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

June 1, 2021

Reply to the attention of Sara Huber
ALC Issue: 52247
Local Government File: E2021-008

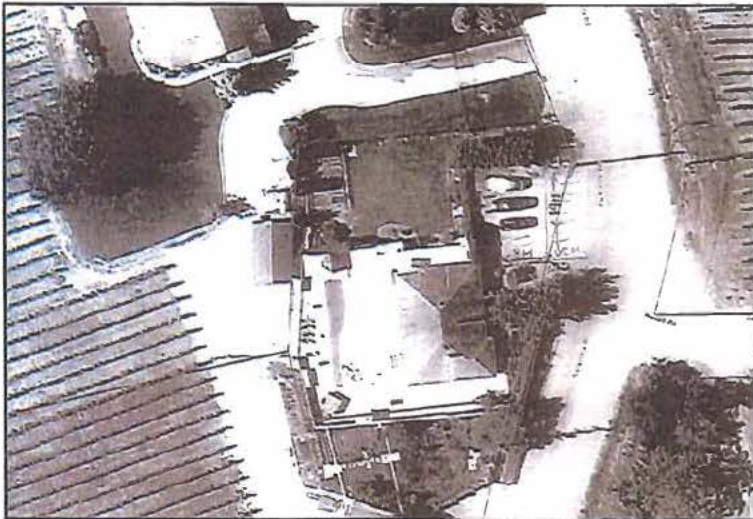
JoAnn Peachey
Planner 1, RDOS
JPeachey@rdos.bc.ca

Re: Regional District of Okanagan Similkameen Temporary Use Permit E2021-008

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Temporary Use Permit E2021-008 (the "TUP") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP is consistent with the purposes of the ALC Act, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The TUP proposes to operate a short-term vacation rental use in the principal residence, including four bedrooms to accommodate up to eight people, on the property identified as 2205 Naramata Road; PID: 008-920-311 (the "Property").

Site Plan:



The ALC does not regulate the tenure of a principal residence which has received all necessary permits.

In the past, the ALC is aware that the RDOS has required the posting of information within the vacation rental. ALC staff suggest that such information be posted and include a disclaimer that the Property is within the ALR where agriculture is the priority use and include a copy of the RDOS's Electoral Area E Noise Regulation and Prohibition Bylaw.

ALC staff also reiterate some other considerations of the ALC, including:

- The single-family residence must be rented to a single party.
- No additional alterations may be made to the Property in conjunction with the rental.
- No other non-farm related activities (e.g. commercial weddings, specific events, businesses) may be conducted on the Property.

Other than that, ALC staff have no objection to the TUP.

ALC staff also recognize that the subdivision plan (Plan KAP14888) which created the Property was deposited at the Kamloops Land Registry Office on February 22, 1965. On this date, the Property was surveyed as being 0.32 acres, equivalent to 0.13 ha. For this reason, it is possible that the Property may be excepted from the restrictions of the ALC Act and its regulations under s. 23(1) of the ALC Act. To confirm the Property's status, a copy of the Certificate of Title which existed on December 31, 1972 is required. Once received, ALC staff can confirm whether the Property is excepted or not.

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

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of RDOS TUP E2021-008

CC: Ministry of Agriculture – Attention: Alison Fox (Alison.Fox@gov.bc.ca)

52247m1



Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** E2021.008-TUP

FROM: Name: Earl Roulston / Brenda Lende

(please print)

RE: **Temporary Use Permit (TUP) – “Vacation Rental” Use**
2205 Naramata Road, Naramata

My comments / concerns are:

- ☐ I do support the proposed use at 2205 Naramata Road.
- ☒ I do support the proposed use at 2205 Naramata Road, subject to the comments listed below.
- ☐ I do not support the proposed use at 2205 Naramata Road.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this TUP application.

This property is in the inside curve of an S bend in the road. The House numbers are not easily visible in the day and difficult to see at night. A reflective house number sign like the ones preferred by the fire dept., 1st responders and police, placed prominently would be best for overall traffic safety.

We like that this property is in low density residential area and has space between its neighbours. They also have ample on site parking.

Feedback Forms must be completed and returned to the Regional District prior to the Board meeting where the TUP will be considered.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Development Variance Permit Application — Electoral Area “E”

Administrative Recommendation:

THAT Development Variance Permit No. E2021.038-DVP to reduce the number of streetlights for a 41 lot subdivision at 3480 Arawana Forestry Road under the Subdivision Servicing Bylaw, be approved.

Civic: 3480 Arawana Forestry Road Legal: Lot 3, Plan EPP60812, District Lot 3474, SDYD

Folio: E-07171.400 Zone: Site Specific Small Holdings 5 (SH5s)

Variance Request: to reduce the number of streetlights required to be installed to six (6) when creating a new parcel less than 0.25 ha in area.

Proposed Development:

This application is seeking a variance to the Subdivision Servicing Bylaw to reduce the requirements for the number of streetlights required when creating a new parcel less than 0.25 ha in area to a total of six (6) for the forty-one (41) lot subdivision.

The applicant has stated that “If the subdivision is constructed using the street lighting standards provided in the Subdivision Servicing Bylaw, the level of lighting will negatively effect natural site characteristics and environmental qualities of the property.”

Site Context:

The subject property is 14.4 ha in area and is situated on the east side of Arawana Forestry Road. The property is currently developed with a number of accessory buildings and structures.

The surrounding pattern of development is characterised by single family homes across Arawana Forestry Road, conservation areas and resource area zones to the north, east and west of the parcel.

Background:

The boundaries of the subject property were created on July 28, 2016, while available Regional District records indicate that a building permit was issued for the demolition of a mobile home June 2021.

Under the Electoral Area “E” Official Community Plan (OCP), the subject property is designated Small Holdings (SH), and is the subject of an Environmentally Sensitive Development Permit (ESDP) designation.

Under the Electoral Area “E” Zoning Bylaw, the property is zoned Site Specific Small Holdings Five (SH5s) which allows for agriculture, single detached dwellings and accessory structures as permitted uses and requires a minimum parcel size of 2020m², subject to servicing requirements.

Under Schedule “B” (Levels of Works and Services) of the Subdivision Servicing Bylaw, subdivision applications proposing to create 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.

The property is not within the Agricultural Land Reserve (ALR).

On February 12, 2019, the Ministry of Transportation and Infrastructure (MoTI) referred a proposed 41 lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws.

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 September 16, 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.

To the extent that street lighting is provided in rural areas, it is generally focused on priority areas such as hazardous intersections, schools, parks, transit stops or cluster mailbox locations. This property is situated in a remote area in Naramata and multiple streetlights at this location would be uncharacteristic. Moreover, it is noted that the applicant is proposing to provide six (6) street lights that *appear* to be located at deliberate intervals along the proposed “Benchlands Drive” and will provide a certain degree of illumination in the proposed subdivision.

Further, while street lighting can often enhance streetscape by illuminating blind corners at intersections or providing pedestrian safety, this level of service is not characteristic of rural areas and will result in the loss of dark skies to light pollution. There are other ways that pedestrian and vehicle traffic can be notified of turns on the road such as with signages or bollards.

The subject property is situated within the Naramata Street Lighting Service Area and the Subdivision Servicing Bylaw clearly states that new parcels less than 0.25 ha in area must provide appropriate street lighting.

Respectfully submitted

Nikita Kheterpal

Nikita Kheterpal, Planner I

Endorsed by:

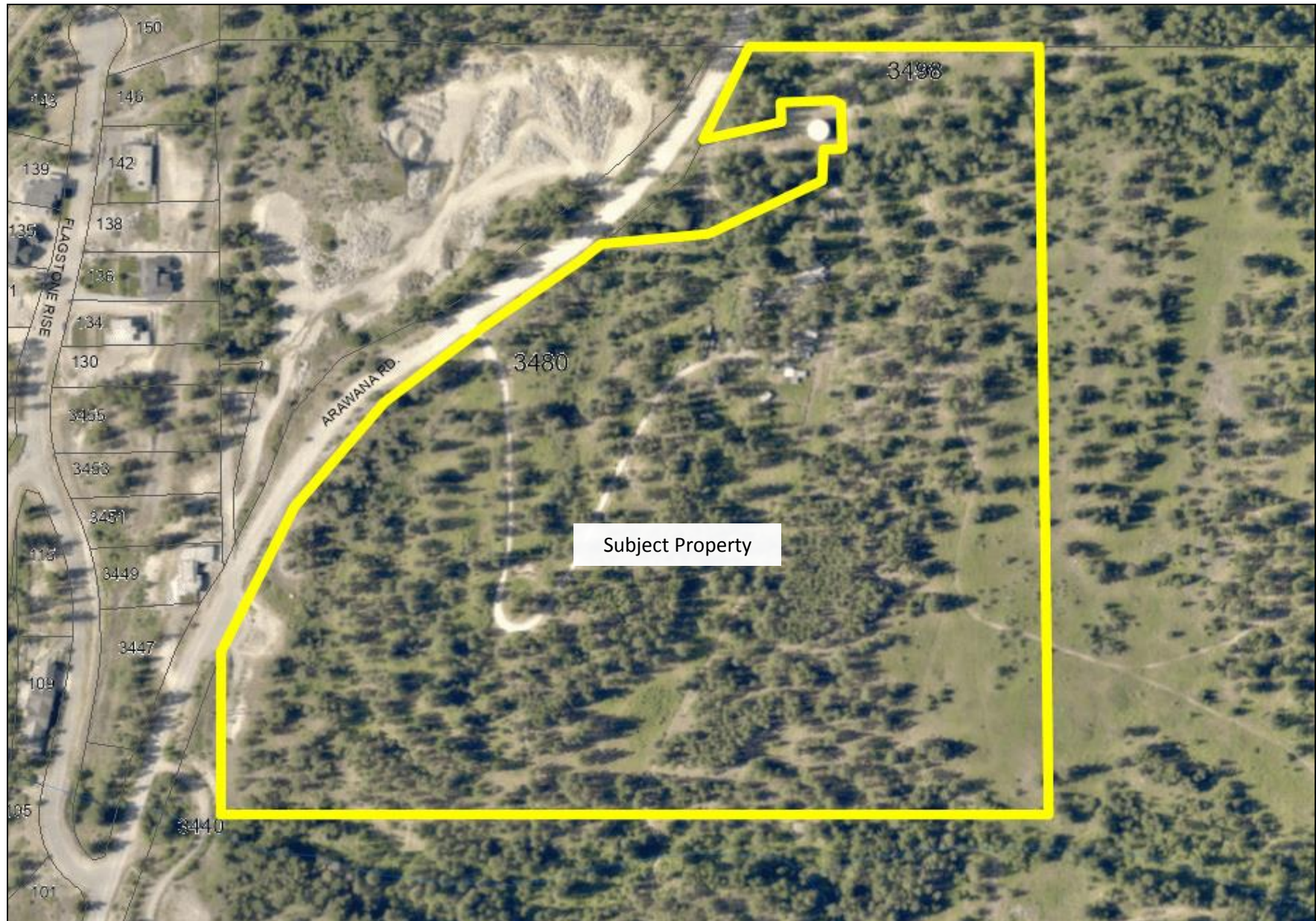


C. Garrish, Planning Manager

Attachment No. 1 – Site Photo (Google Earth Imagery)



Attachment No. 2 – Aerial Photo





Development Variance Permit

FILE NO.: E2021.038-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 'B', and applies to and only to those lands within the Regional District described below, and any and all buildings, structures and other development thereon:

Legal Description: Lot 3, Plan EPP60812, District Lot 3474, SDYD
Civic Address: 3480 Arawana Forestry Road
Parcel Identifier (PID): 029-929-857 Folio: E-07171.400

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) the number of streetlights required to be installed, when creating a new parcel less than 0.25 ha in area, shall not exceed six (6), as shown in Schedule 'B' of this permit.

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

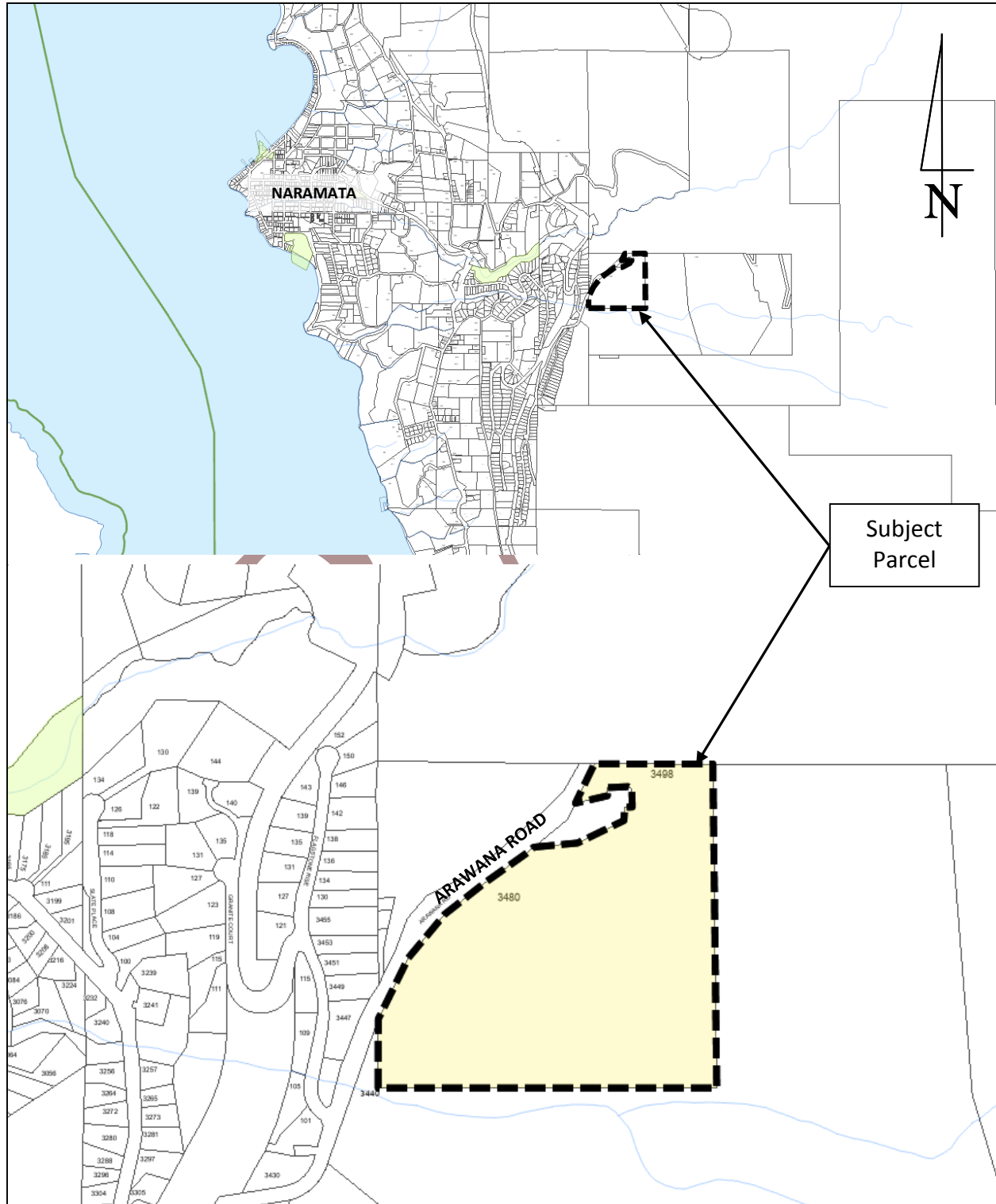
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. E2021.038-DVP

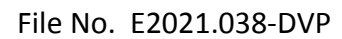
Schedule 'A'



Development Variance Permit No. E2021.038-DVP

Page 3 of 4

Tel: 250-492-0237 Email: planning@rdos.bc.ca



This image shows a completely blank white page. It is surrounded by a thick black border, which appears to be the edge of a scanner or a frame. There are no markings, text, or illustrations on the page itself.

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Temporary Use Permit Application – Electoral Area “I” 174 Range Road

Administrative Recommendation:

THAT Temporary Use Permit No. I2021.020-TUP to allow a “vacation rental” use at 174 Range Road, Twin Lakes be approved.

Legal: Lot 4, Plan KAP43313, District Lot 2282S 2169, SDYD

Folio: I-02342.040

OCP: Small Holdings (SH)

Zone: Residential Single Family Two (RS2)

Proposed Development:

To authorize the operation of a short-term vacation rental use of a three bedroom dwelling at 174 Range Road for one “full” season term to expire on December 31, 2022, through the issuance of a Temporary Use Permit (TUP).

Site Context:

The subject property is 1673 m² in area and is situated on the north side of Range Road and south of the Twin Lakes Golf Course. The parcel is comprised of a single detached dwelling. The surrounding pattern of development is characterised by similar residential uses, and Twin Lakes Golf course is located directly to the north of the parcel.

Background:

The property was created on July 18, 1990, while available Regional District records indicate that a building permit for a single family dwelling (1992) has previously been issued for this property.

Under the Electoral Area “I” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Small Holdings (SH), and is designated an “Important Ecosystem Area”.

Zoning is Residential Single Family Two (RS2), 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.

While the property is within the Agricultural Land Reserve (ALR), it has been classified as “Residential” (Class 01) by BC Assessment.

A Health and Safety Inspection was completed on July 27, 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 residence has 3 bedrooms and approximately 1800 ft² of living space. It doesn't appear that any additional bedrooms or living space has been added to the structure, since it was built, that could potentially affect the daily flow rate. At this time, the system appears to be functioning as designed."

Public Process:

On August 25, 2021, an Electronic Public Information Meeting (PIM) was held and was attended by 3 members of the public, as well as the applicant, staff and the Electoral Area Director.

At its meeting of August 18, 2021, the Advisory Planning Commission (APC) recommended to the RDOS Board that the development application be approved.

Adjacent property owners will have received notification of this application with written comments being accepted up until one 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:

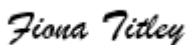
The Area "I" OCP Bylaw includes supportive policy for vacation rental uses in residential areas and outlines a number of criteria against which the board will consider such a use.

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 on the parcel. The applicant has submitted a site plan which shows provision of adequate parking on-site and the ROWP letter stated that the on site septic system is capable of accommodating the vacation rental use. A health and safety inspection was completed and did not identify any deficiencies.

Alternatives:

1. THAT Temporary Use Permit No. I2021.020-TUP be denied;

Respectfully submitted:



Fiona Titley, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Google Streetview 2012)
No. 2 – Aerial Photo

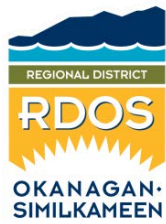
Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☒, prior to Board consideration of TUP No. I2021.020-TUP:

| | | | |
|-------------------------------------|---|-------------------------------------|--------------------------------------|
| <input checked="" 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 checked="" 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 | | |

Attachment No. 2 – Site Photo (Google Earth 2021)





TEMPORARY USE PERMIT

FILE NO.: I2021.020-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' and 'C' and described below:

Legal Description: Lot 4, Plan KAP43313, District Lot 228S & 2169, SDYD

Civic Address: 174 Range Road

Parcel Identifier (PID): 016-206-614 Folio: I-02342.040

TEMPORARY USE

6. In accordance with Section 11.7 of the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, the land specified in Section 5 may be used for a "vacation rental" use as defined in the Electoral Area "I" Zoning Bylaw, being the use of a residential dwelling unit for the temporary commercial accommodation of paying guests for a period of less than one month. This use does not include bed and breakfast.

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 1st and October 31st;
 - 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 "I" 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 three (3);
 - d) the number of paying guests that may be accommodated at any time shall not exceed six (6);
 - e) a minimum of three (3) 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 operation must follow the 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.

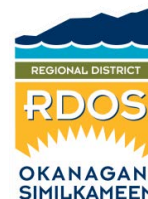
Authorising resolution passed by Regional Board on _____ day of _____, 2021.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

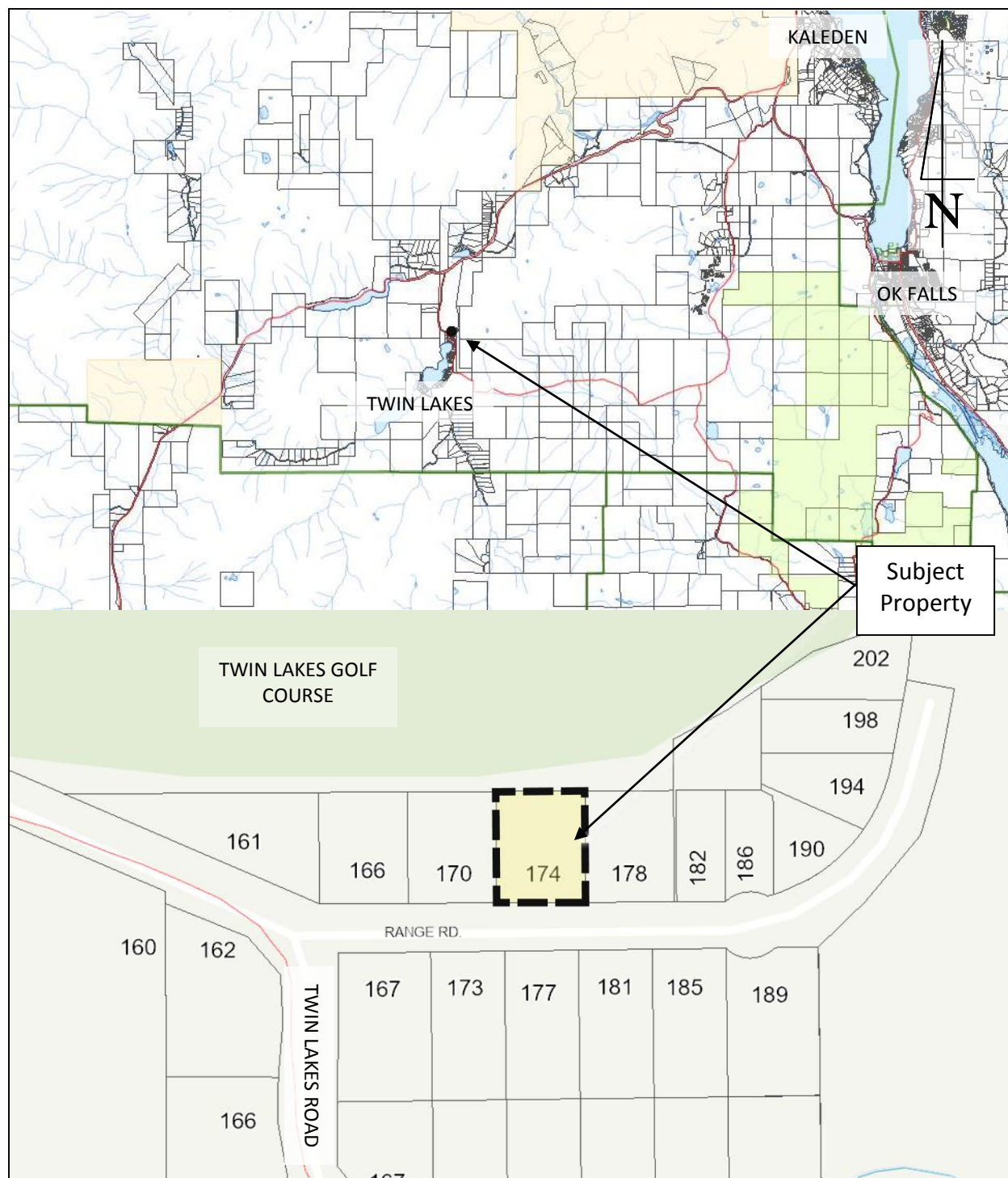
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. I2021.020-TUP

Schedule 'A'



Temporary Use Permit No. I2021.020-TUP

Page 4 of 6

Regional District of Okanagan-Similkameen

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

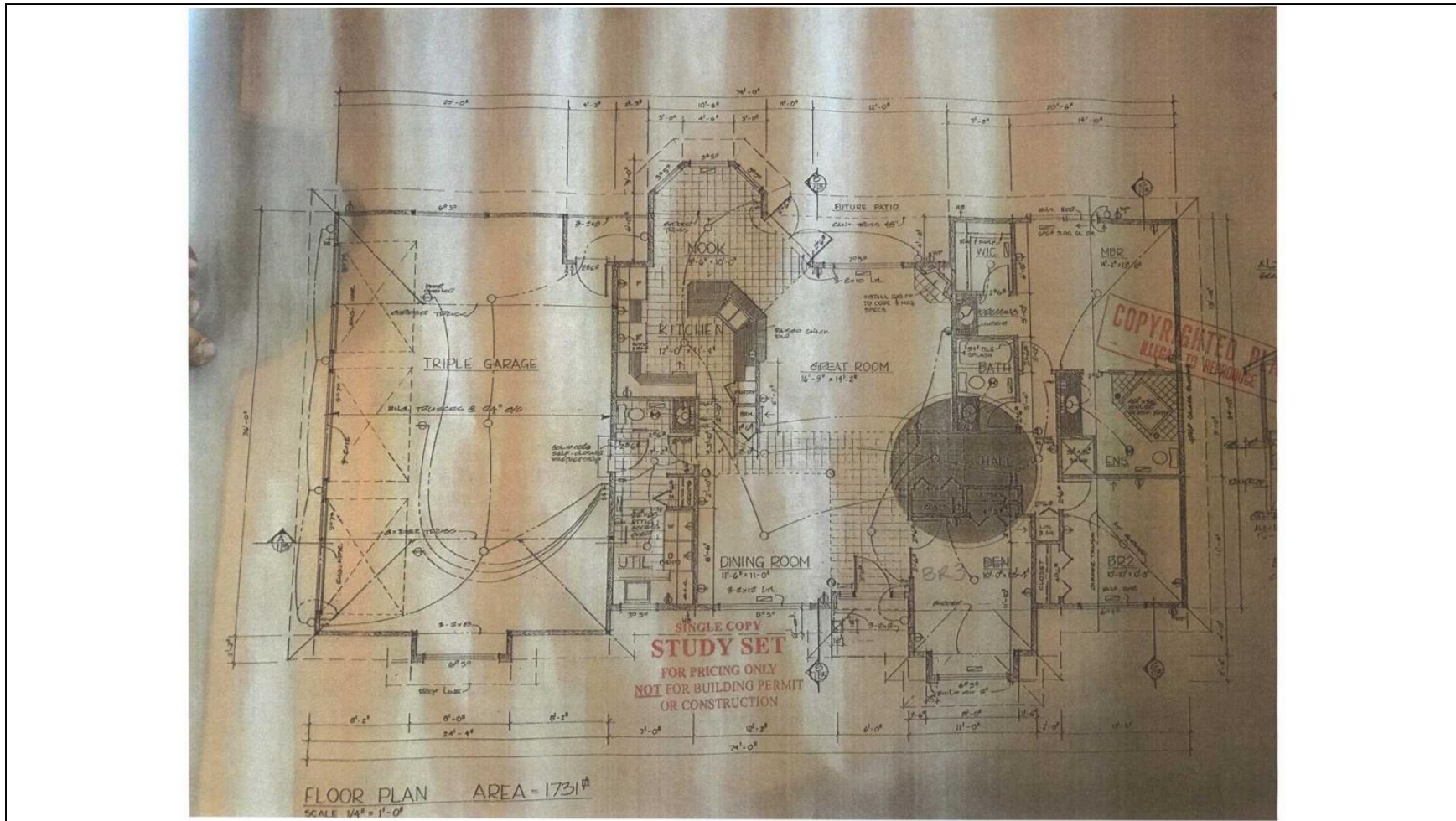
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. I2021.020-TUP

Schedule 'B'



Temporary Use Permit No. I2021.020-TUP

Page 5 of 6

Regional District of Okanagan-Similkameen

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

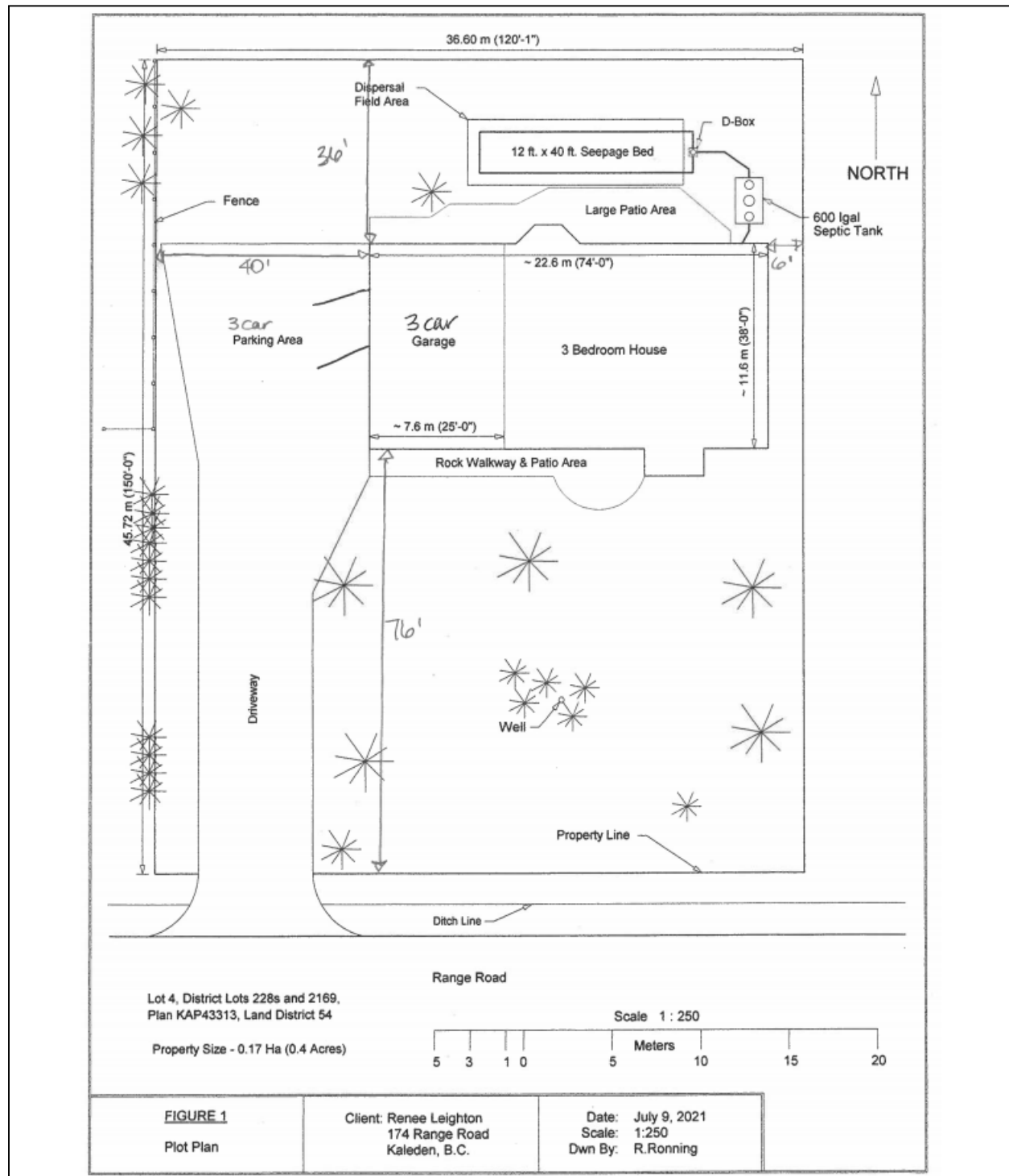
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. I2021.020-TUP

Schedule 'C'



Temporary Use Permit No. I2021.020-TUP

Page 6 of 6



September 15, 2021

File: 0280-30

Local Government File: I2021.020-TUP

Fiona Titley, Planner I
Regional District of Okanagan-Similkameen
Via Email: planning@rdos.bc.ca

Dear Fiona:

Re: I2021.020-TUP – Temporary Use Permit for a Short-Term Vacation Rental on 174 Range Rd, Kaleden (PID: 016-206-614) – The Subject Property

Thank you for providing the opportunity for the Ministry of Agriculture, Food and Fisheries (Ministry) staff to comment on this Temporary Use Permit application to allow a short term vacation rental for the single detached dwelling on the Subject Property. From an agricultural perspective, the Ministry offers the following comments:

- The applicant proposes to use the existing five-bedroom principal residence on the 0.17 ha Subject Property as a short-term vacation rental from July to October.
- The Subject Property is within the ALR and is bordered by ALR land to the north, east and west edges.
- Twin Lakes Golf Course is the main use on ALR land bordering the Subject Property. Ministry staff do not believe that this application will have a negative impact on agricultural operations in the ALR, nor will rental tenants encounter nuisances from regular farm practices such as noise, odor, and dust at this location.

Please contact Ministry staff if you have any questions regarding the above comments.

Sincerely,

Philip Gyug

Philip Gyug, P.Ag
Regional Agrologist
Ministry of Agriculture, Food
and Fisheries
Email: Philip.Gyug@gov.bc.ca
Phone: 250-378-0573

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission
Sara.Huber@gov.bc.ca

Lauri Feindell

Subject:

FW: Temporary Use Permit Referral - Vacation Rental 174 Range Road (I2021.020-TUP)

From: Moraes, Ryan [mailto:Ryan.Moraes@fortisbc.com]

Sent: August 18, 2021 10:19 AM

To: Planning <planning@rdos.bc.ca>

Subject: RE: Temporary Use Permit Referral - Vacation Rental 174 Range Road (I2021.020-TUP)

Hello,

We have no issues 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

you are not the intended recipient, please contact the sender immediately and delete all copies of the message including removal from your hard drive. Thank you.



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033

August 27, 2021

Reply to the attention of Sara Huber
ALC Inquiry: 52376
Local Government File: I2021.020-TUP

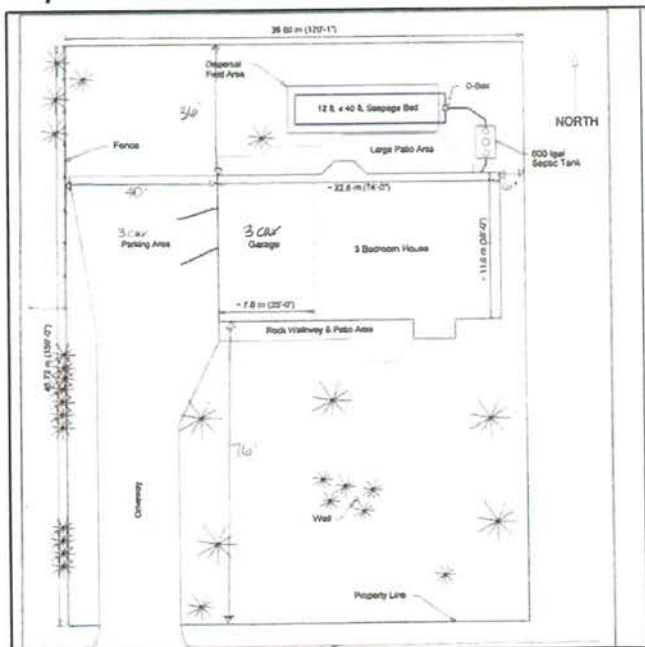
Fiona Titley,
Planner 1, RDOS
planning@rdos.bc.ca

Re: Regional District of Okanagan Similkameen Temporary Use Permit I2021.020-ZONE

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Temporary Use Permit I2021.020-TUP (the "TUP") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP is consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The TUP proposes to allow for the operation of a short-term vacation rental use on the property identified as 174 Range Road, Kaleden; PID: 016-206-614 (the "Property") in the 167.2 m² principal residence including three bedrooms for up to six people from May to October.

Proposal Sketch:



The referral documents submit that the applicants live on the property next door (170 Range Road; PID: 016-206-606) and would like to use the Property for income purposes.

The RDOS has proposed the following conditions on the issuance of the TUP:

- Period of use from May to October
- Posting of information within the vacation rental
- Maximum 3 bedrooms
- Maximum 6 occupancy
- Minimum 3 on-site parking stalls
- 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

The ALC does not regulate the tenure of the principal residence. That being said, including conditions on the TUP, such as requiring the posting of information about agriculture and the ALR within the short-term rental, can assist in ensuring there is no negative impact to agriculture. Aside from this, ALC staff have no objection to the issuance of the TUP.

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

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of RDOS I2021.020-TUP

CC: Ministry of Agriculture – Attention: Philip Gyug (Philip.Gyug@gov.bc.ca)

52376m1

RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. I2021.020-TUP

☐ Approval Recommended for Reasons
Outlined Below

☐ Interests Unaffected

☒ Approval Recommended Subject to
Conditions Below

☐ Approval Not Recommended
Due to Reasons Outlined Below

Please see attached letter.

Signature: _____



Signed By: Tanya Osborne

Agency: Interior Health

Title: Community Health Facilitator

Date: September 9, 2021



Interior Health
Every person matters

September 9, 2021

Finoa Titley
Planning Department
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A-5J9

RE: File No. I2021.020-ZONE: 174 Range Road: Lot 4, Plan KAP43313, District Lot 228S 2169, SDYD

Dear Fiona Titley,

Thank you for the opportunity to provide comments on this application. It is our understanding that the applicant is requesting a Temporary Use Permit (TUP) to operate a short-term vacation rental at the subject property whereby the entire property would be rented and not available to house the owner or long-term renters. This referral has been reviewed from a Healthy Communities Development perspective. The following is for your consideration:

Housing is a key determinant of health. It has a significant influence on our physical and mental health, social well-being, and indirectly influences many other determinants of health such as income, early childhood development, educational opportunities, and access to health services. Healthy housing is affordable, stable, high quality, and in a location and community that meets our needs and supports health and well-being.

While this vacation rental can contribute to the property owner's income and support tourism through accommodation for the travelling public, it also reduces the availability of long-term housing units available in the community. It is important to balance long-term housing needs with support for visitors and economic opportunity. As noted in the RDOS 2020 Housing Needs Assessment, there is an acute shortage of long-term rental availability.

A sewerage system file review has also been conducted (see attached sewerage record), with the existing system being almost 30 years old. All onsite sewerage systems have a limited lifespan. Therefore, we recommend that an [Authorized Person](#), under the BC [Sewerage System Regulation](#) [B.C. Reg. 326/2004] complete a performance inspection of the existing system to ensure the system is in good working order.

Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health. We hope that this referral response will give the Board some things to consider before proceeding with this application.

Bus: (250) 469-7070 ext 12287
Email: Tanya.Osborne@interiorhealth.ca
Web: www.interiorhealth.ca

POPULATION HEALTH
505 Doyle Avenue
Kelowna, BC V1Y 0C5

Sincerely,



Tanya Osborne, BAHS
Community Health Facilitator
Healthy Communities
Tanya.Osborne@interiorhealth.ca

Bus: (250) 469-7070 ext 12287
Email: Tanya.Osborne@interiorhealth.ca
Web: www.interiorhealth.ca

POPULATION HEALTH
505 Doyle Avenue
Kelowna, BC V1Y 0C5

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Zoning Amendment Bylaw No. 2461.15, 2021 – Scheduling of Public Hearing

Administrative Recommendation:

THAT the holding of a second public hearing for Amendment Bylaw No. 2461.15, 2021, be delegated to Director Gettens; and,

THAT the date, time, and place of the public hearing be scheduled in consultation with Director Gettens; and,

THAT notice of the public hearing be given in accordance with the requirements of the *Local Government Act*.

Purpose:

To seek direction from the Board regarding the convening of a second public hearing in relation to the Amendment Bylaw No. 2461.15, 2021, being a rezoning of the property at 8475 Princeton-Summerland Road to allow for a 3-lot subdivision.

Further direction is also being sought from the Board in relation to a request from the agent that the requirement for a second public information meeting (PIM) and a public hearing, as resolved by the Board on May 6, 2021, be waived.

Background:

At its meeting of April 1, 2021, the Regional District Board resolved to approve first and second reading of Amendment Bylaw No. 2461.15, 2021, and directed that a public hearing occur at the Board meeting of May 6, 2021.

At the Public Hearing on May 6, 2021, only the agent spoke to the proposal, while four (4) representations from residents were received, and included concerns about water resource availability in the area.

At its subsequent meeting on that same day, the Board resolved to defer the third reading of Amendment Bylaw No. 2461.15, 2021, and directed that a second public information meeting and public hearing be scheduled.

On September 2, 2021, the agent advised the Regional District of the following:

We don't ... want to have an additional public information meeting as it seems to be more about the future of the Faulder water system than our application. All the required studies have been done and submitted. We do not want to trigger another public hearing. We believe the one that was held was adequate and no one spoke to the issue. The neighbouring property has the same zoning.

We would respectfully request that this application be brought before the board for consideration noting its compliance with the current OCP. This rezoning will not increase the density in Faulder and will not impact the water system at all. The only way that can happen is through subdivision. And a subdivision cannot be approved unless the domestic water situation is resolved.

Analysis:

Due to the original resolution directing the scheduling of a public hearing for Amendment Bylaw No. 2461.15, 2021, prior to a Board meeting, Administration considers the deferral of third reading in order to allow for a second public hearing to occur requires that this public hearing similarly occur prior to a Board meeting.

However, as a stated purpose of the second PIM and public hearing is to allow for further community engagement on the matter, delegating the public hearing to Director Gettens will allow for the public hearing to be scheduled in the evening when affected residents may be better able to attend.

With regard to the request from the applicant to have the second PIM and public hearing waived, this is seen to run counter to the direction provided by the Board to seek further input from the community.

The rezoning application process can be lengthy and onerous on the applicants at times; however, community engagement processes such as PIMs provide an opportunity for local residents to be made aware of development applications within their community and also address any potential concerns.

Alternatives:

1. THAT the scheduling of a second public hearing for Amendment Bylaw No. 2461.15, 2021, is not delegated, and that it be scheduled for the Board meeting of November 18, 2021; OR
2. THAT the requirement to convene a second public information meeting and second public hearing for Amendment Bylaw No. 2461.15, 2021, prior to consideration of third reading is waived.

Respectfully submitted



Shannon Duong, Planner I

Endorsed by:



C. Garrish, Planning Manager

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Agricultural Land Commission Referral (Non-Farm Use) – Electoral Area “C”

Administrative Recommendation:

THAT the application to operate a commercial tool and farm equipment business as a non-farm use on the parcel located at 5680 Hwy 97 (Lot 1, District Lot 2450S, SDYD, Plan 39302) be authorized to proceed to the Agricultural Land Commission.

Purpose: To allow for the operation of a commercial tool and farm equipment business.

Civic: 5680 Highway 97 Legal: Lot 1, District Lot 2450S, SDYD, Plan 39302

Folio: C-05421.120 Zone: General Commercial (C1)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20 of the *Agricultural Land Commission Act* (the Act) has been lodged with the Regional District in order to allow for a commercial business as a non-farm use within the Agricultural Land Reserve (ALR).

Specifically, the applicants are seeking the Commission’s approval to operate a commercial business which would sell battery-powered tools and small battery-powered farm equipment to agricultural producers. The application states that the applicants plan to lease out the property and that the lessee would operate the business.

In support of this proposal, the applicant has stated that the proposal “could be carried out on land outside of the ALR but [the property] has been zoned commercial for decades and has been used for commercial businesses in the past. It is not reasonable to think somebody would use this small lot for growing crop in this location. If it is not used for a commercial business it will likely remain vacant”. The applicants also noted that the proposal “definitely supports the agricultural industry as [the business] will be providing tools and small farm equipment to the farmers”.

Statutory Requirements:

Under Section 34.1(2) 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 an amendment to a zoning bylaw would be required in order for the proposed land use to proceed.

Site Context:

The subject property is approximately 0.27 ha in area and is situated on the west side of Highway 97. It is understood that the parcel is comprised of an existing 624 ft² building.

The subject property is surrounded by other ALR parcels with the exception of the parcel located directly to the southwest, which is split-zoned C1 and General Industrial (I1). The parcel located to the northeast is zoned Administrative and Institutional (AI) and contains a church. The parcel located to the northwest is owned by the applicants, zoned Small Holdings Four (SH4), and used for residential purposes.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on March 2, 1988, while the parent parcel of the subject property was created by subdivision in 1986. Available Regional District records indicate that building permits have not previously been issued for this property.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Commercial (C), objectives for which include maintaining the current level of commercial sites and to limit “highway commercial development along Highway 97 to parcels already zoned ...” commercial.

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is currently zoned General Commercial Zone (C1) which permits “retail store, general” as a principal use which means “premises where goods, merchandise, and other materials, and personal services, including those listed for convenience retail stores, are offered for sale at retail to the general public ...”

The property is within the Agricultural Land Reserve (ALR) and while exemptions exist for parcels less than 2.0 acres in area created by a separate certificate of title issued under the *Land Registry Act* (1960), prior to December 21, 1972, the ALC has not confirmed that this property is exempt from its regulations.

BC Assessment has classified the property as “Business and Other” (Class 06).

Analysis:

In considering this proposal, Administration notes that the subject property has been zoned and designated for commercial purposes for a number of years. According to the agent, the property has been used for commercial purposes in the past. In this regard, the proposal does not seek a change in use, but rather, the formalization of a historical use of the property.

According to the agent, the prospective lessees would be selling “battery powered pruners, tyers, some battery lawn and garden equipment as well as orchard work platforms, lifts, sprayers, etc.” and would require “some outdoor storage for the small equipment”.

As the proposed commercial use would require some outdoor storage space, the proposed use would not be in keeping with the definition of “retail store, general”. Depending on the lessee’s final plans for tool and equipment storage on the property, and if the ALC approves the application, a zoning amendment may be required in order for the proposal to proceed.

Despite the possible requirement for a zoning amendment, the proposal is in line with the property’s current Commercial OCP designation which seeks to limit commercial development to existing commercial sites along Highway 97.

Alternative Option:

Conversely, Administration recognises that the subject property is within the ALR and that the Agricultural Land Commission (ALC) considers “agriculture” to be the priority use of these lands and is not bound by the zoning adopted by a local government.

Administration notes that it is a Broad Goal of the OCP to “support and encourage agriculture in the community through preservation of the land base and restrictions on uses which are not compatible with current or future agricultural activities”. In this regard, Administration does have concerns about the compatibility of the proposal with surrounding land uses, particularly any existing or future agricultural activities.

It is noted that the parcel to the northwest is within the ALR and zoned SH4, which permits agriculture as a principal use. While it is understood that this adjacent property is currently owned by the applicants, Administration recognizes the importance of considering the potential long-term impacts of the proposal on surrounding properties, particularly if the northwesterly adjacent property were to be sold and used for agricultural purposes in the future.

Summary:

In summary, Administration finds that, while the proposed use may require a zoning amendment for outdoor storage, the proposal is consistent with the OCP designation of the subject property.

While the option to defer consideration of this proposal and refer it to the Electoral Area “C” Advisory Planning Commission (APC) is available, the Board is asked to be aware that this will likely add 6-8 weeks to the processing time of this application.

Alternatives:

1. THAT the RDOS Board not “authorize” the application to operate a commercial tool and farm equipment business as a non-farm use on the parcel located at 5680 Hwy 97 (Lot 1, District Lot 2450S, SDYD, Plan 39302) to proceed to the Agricultural Land Commission; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “C” Advisory Planning Commission (APC).

Respectfully submitted:


Shannon Duong, Planner I

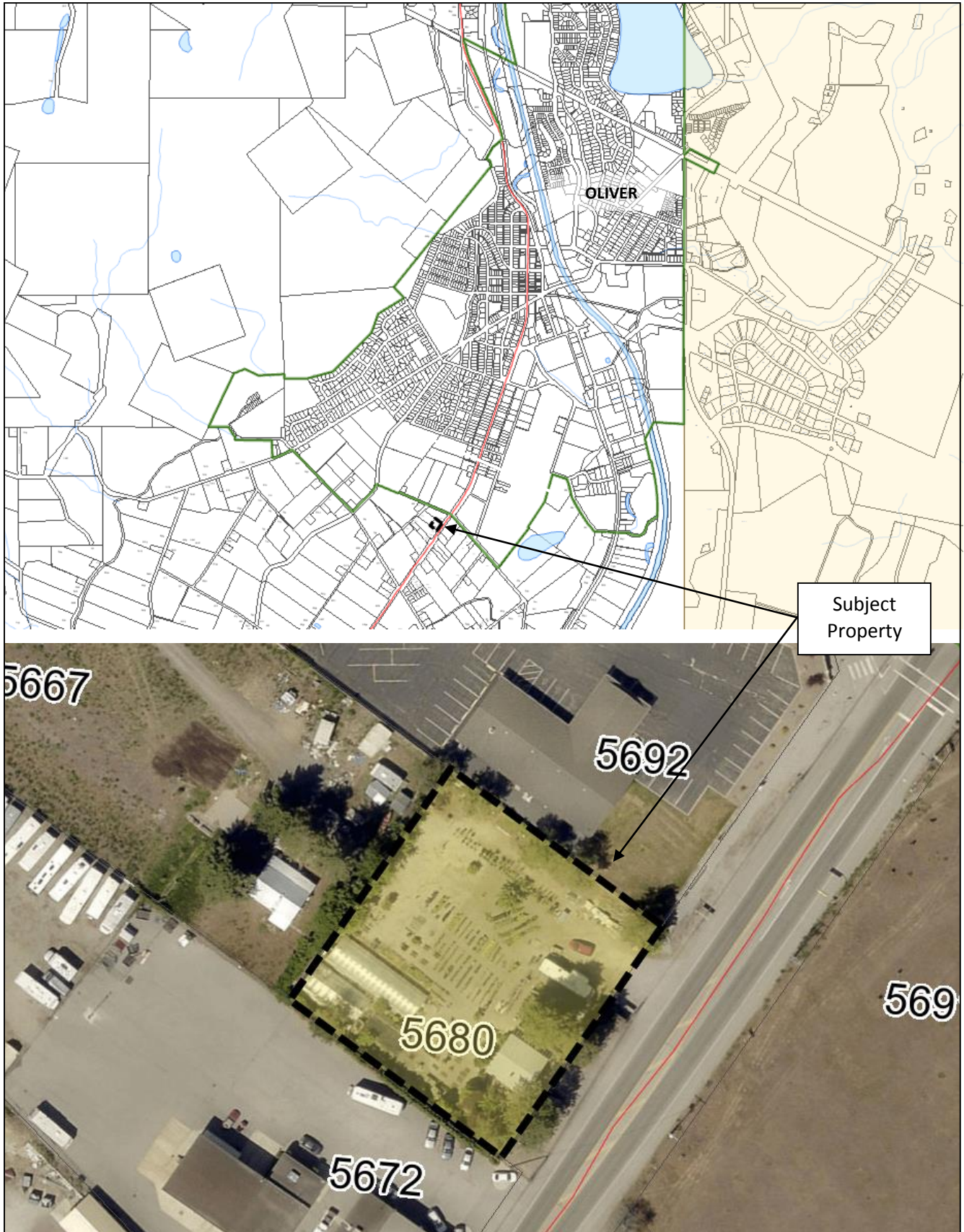
Endorsed By:


C. Garrish, Planning Manager

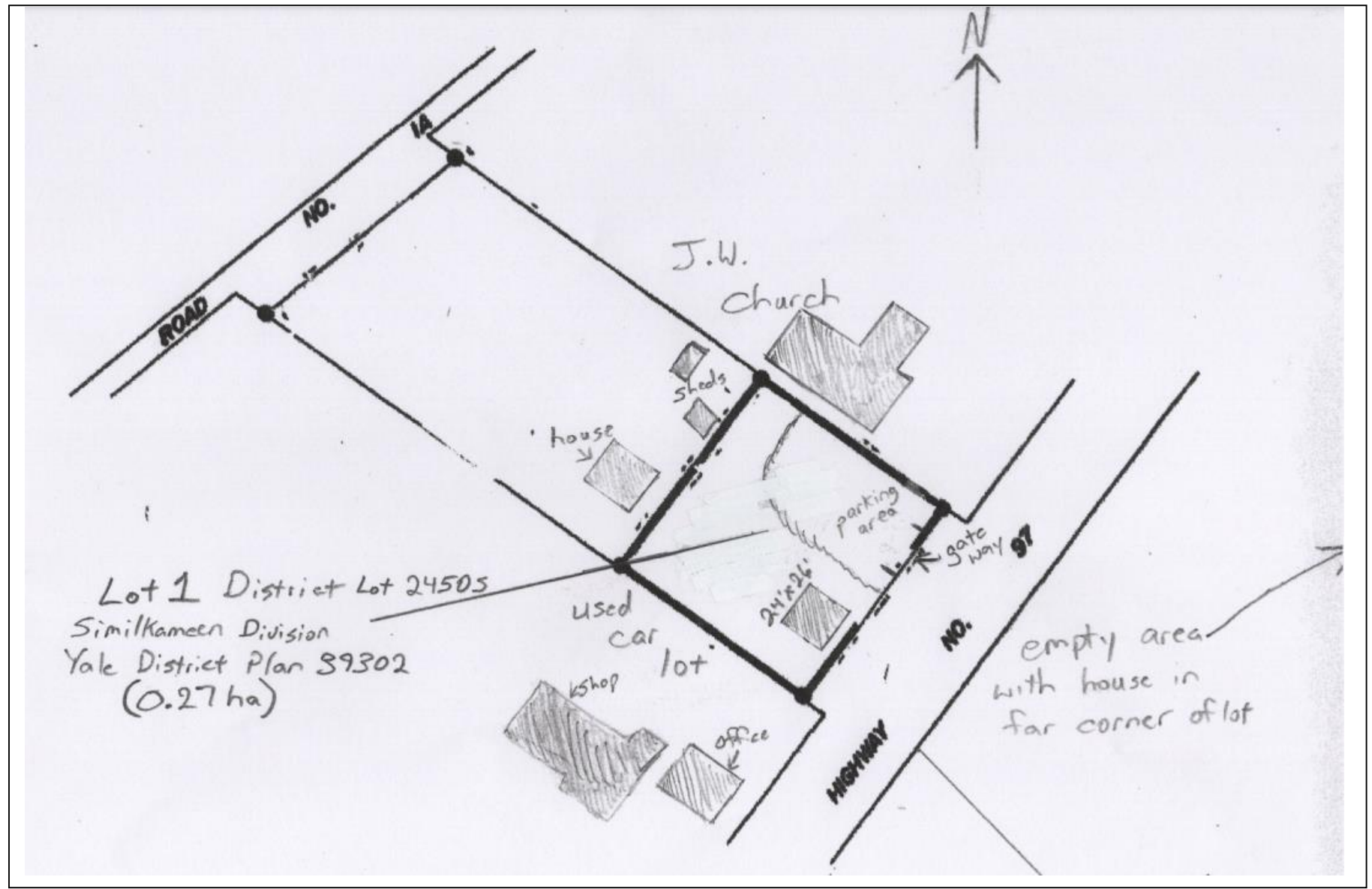
Attachments:

- No. 1 – Context Maps
- No. 2 – Applicant’s Site Plan
- No. 3 – Site Photos

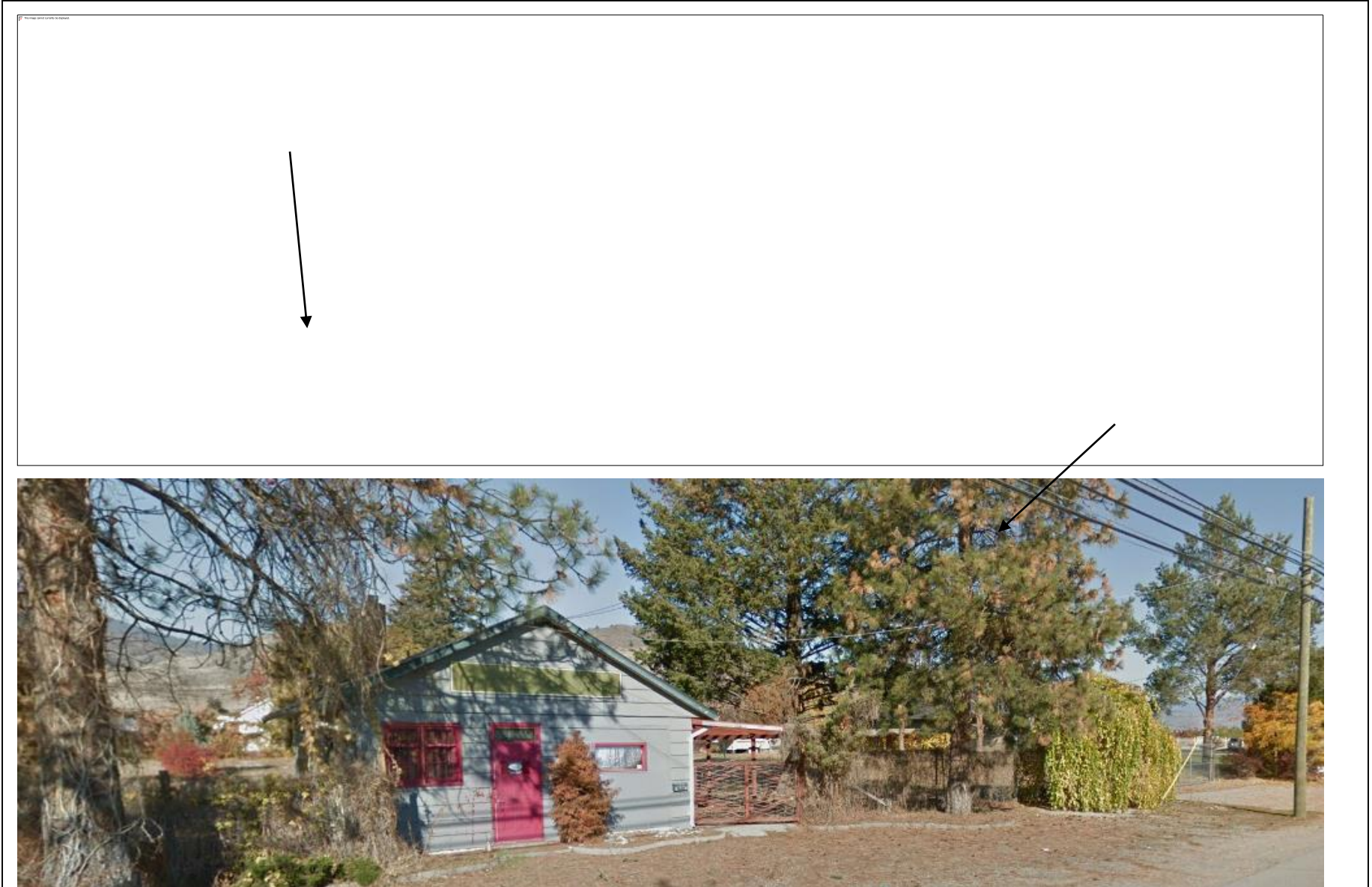
Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Site Photos



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Agricultural Land Commission Referral (Non-Adhering Res. Use) – Electoral Area “C”
5454 Sumac Street

Administrative Recommendation:

THAT the application for a “non-adhering residential use – Principal Residence more than 500 m²” at 5454 Sumac Street (Lot 233, Plan KAP1789, District Lot 2450S, SDYD, Except Plan 17436) “not be authorized” to proceed to the Agricultural Land Commission.

Purpose: To allow a principal residence with a floor area of 700 m². Folio: C-05643.000

Civic: 5454 Sumac Street Legal: Lot 233, Plan KAP1789, District Lot 2450S, SDYD

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

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20.1(2) of the *Agricultural Land Commission Act* (the Act) has been referred to the Regional District, to allow a principal residence of more than 500 m² on a parcel of land within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission’s approval to build a 700m² home for an extended family of 8 people. In support of this proposal, the applicant has stated that:

We have requested a 200m extension (total 700m) for an extended family of 8 people and possibly future generations. This entire area will be for personal use only (no renting out). The foundation of this house would be in the ground.

The main residence we are currently residing in would make a perfectly sustainable living space for our 5 temporary workers. We would like to keep our main house and take down the 2nd house. Both the residences are constructed in 2003 and the one constructed in 1985 are considered residences on the property. The 1985 house (listed as a Cabin) is similar in size to the 2003 house. It makes no sense to tear down both houses. The secondary house is 3 stories. The one we are living in is 2 stories. It would greatly benefit us and our efficiency of farming if we can keep our main house for worker use. However, we understand we might have to demolish both houses as per regulations and are willing to do so if that is the case.

Statutory Requirements:

Under Section 34(4) 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.

In this instance, Section 25(3) is seen to apply as the property “is zoned by bylaw to permit [an] agricultural or farm use”.

Section 30(4) of the Act grants the Board the authority to not “authorise” an application to proceed to the ALC if the land is zoned by bylaw to permit an agricultural or farm use, or an amendment to an Official Community Plan (OCP) Bylaw or Zoning Bylaw would be required for the proposal to proceed.

Site Context:

The subject property is 4.15 ha in area and is situated on the west side of Sumac Street and approximately 2km south west of the Town of Oliver. It is understood that the parcel is comprised of one single detached dwelling (223 m²), a cabin (185 m²), a one person picker cabin and the property is currently used to farm cherries, peaches, apples and apricots. The site has been leveled, new irrigation and fencing around the property have been installed and 9 acres of orchard have been replanted to improve the land for agricultural use.

The surrounding pattern of development is generally characterised by similar agricultural lands, with a golf course to the west.

Background:

The property was created November 30, 1921, while available Regional District records indicate that building permits for a house (2004) and a second storey deck (2020) have previously been issued for this property.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Agriculture (AG) and the property is zoned Agriculture One Zone (AG1), which allows maximum parcel coverage of 600 m² for residential uses for parcels greater than 0.8 ha in area.

The property has been the subject of a Stop Work Notice for constructing a second storey deck without a building permit.

The property is within the Agricultural Land Reserve (ALR) and is surrounded by ALR lands and has been classified as “Residential” (Class 01), and “Farm” (Class 09) by BC Assessment.

Analysis:

In considering this proposal, Administration notes that restricting the size of dwellings in agricultural areas is generally undertaken in order to minimize the impact of residential development on agricultural land.

The Board previously endorsed this approach to planning for agricultural areas when it adopted amendments to the Electoral Area “C” Zoning Bylaw in 2011 that limited the size of dwellings and related structures in the AG1 Zone to a footprint not exceeding 600 m².

This was based upon a recommendation in the Electoral Area “C” Agricultural Area Plan (AAP) that sought to “reduce the on-farm footprint, limit site coverage by non-farm structures while not limiting

productive farm structures; allow more flexibility in the use of buildings, encourage clustering of development on farms, [and] encourage 'stacking' of farm use buildings."

In 2019, and for similar reasons, the ALC implemented a maximum footprint requirement for principal dwellings of 500 m². As stated at the time, the provincial government was concerned about the impact of "mega-homes" on agricultural lands as such homes lead to speculation in the ALR, driving up land costs and making it prohibitive for young people to enter the agricultural industry when they are forced to compete with people looking for "lifestyle estates".

In this instance, Administration is concerned that the size of dwelling being proposed is unrelated to the agricultural use of the subject property and runs counter to the land use concerns that previously prompted the Board (as well as the ALC) to limit the size of such structures on farmland.

The applicants noted that "It would greatly benefit us and our efficiency of farming if we can keep our main house for worker use. However, we understand we might have to demolish both houses as per regulations and are willing to do so if that is the case."

Administration further considers that there are options available to the property owners in which they could comply with existing regulations if they were to demolish all existing houses, redesign the proposed dwelling to not exceed a floor area of 500 m² and construct one accessory dwelling (with a floor area not exceeding 90.0 m²) to accommodate additional family on the property.

Alternative Option:

Conversely, Administration recognizes that the area proposed for construction of the new dwelling currently holds a cabin and it is not anticipated that any land will be taken away from agricultural use.

Administration also notes that the applicant is indicating that all of the family members that will be residing in the proposed new dwelling support farm use of the property and plan to "farm it until the end of time".

Summary:

In summary, the current zoning restriction limiting the residential use of agricultural land is seen to be an important mechanism to preserve the agricultural land base from non-farm use and to forestall the use of ALR lands for "lifestyle estates". For these reasons, Administration is recommending that this application not be authorised to proceed to the ALC.

Should the Board authorize the application to proceed to ALC and it be approved by the ALC, a Development Variance Permit to vary Section 10.2.8(b)(i)(1) of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, will be required to allow (one) principal residence of size exceeding 600 m².

Additionally, the existing main house will need to be altered or demolished in order to bring the property into compliance. Alternately, an amendment to the zoning bylaw could be sought to formalize this house as a second principal dwelling unit on the property.

Alternatives:

1. THAT the APC recommends to the RDOS Board of Directors that the subject application be "authorized" to proceed to the Agricultural Land Commission; OR
2. THAT the APC recommends to the RDOS Board of Directors that the subject application be "authorized" to proceed to the Agricultural Land Commission, subject to the following conditions:

a. *TBD*

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

Respectfully submitted:

Fiona Titley

Fiona Titley, Planner I

Endorsed By:

CG

C. Garrish, Planning Manager

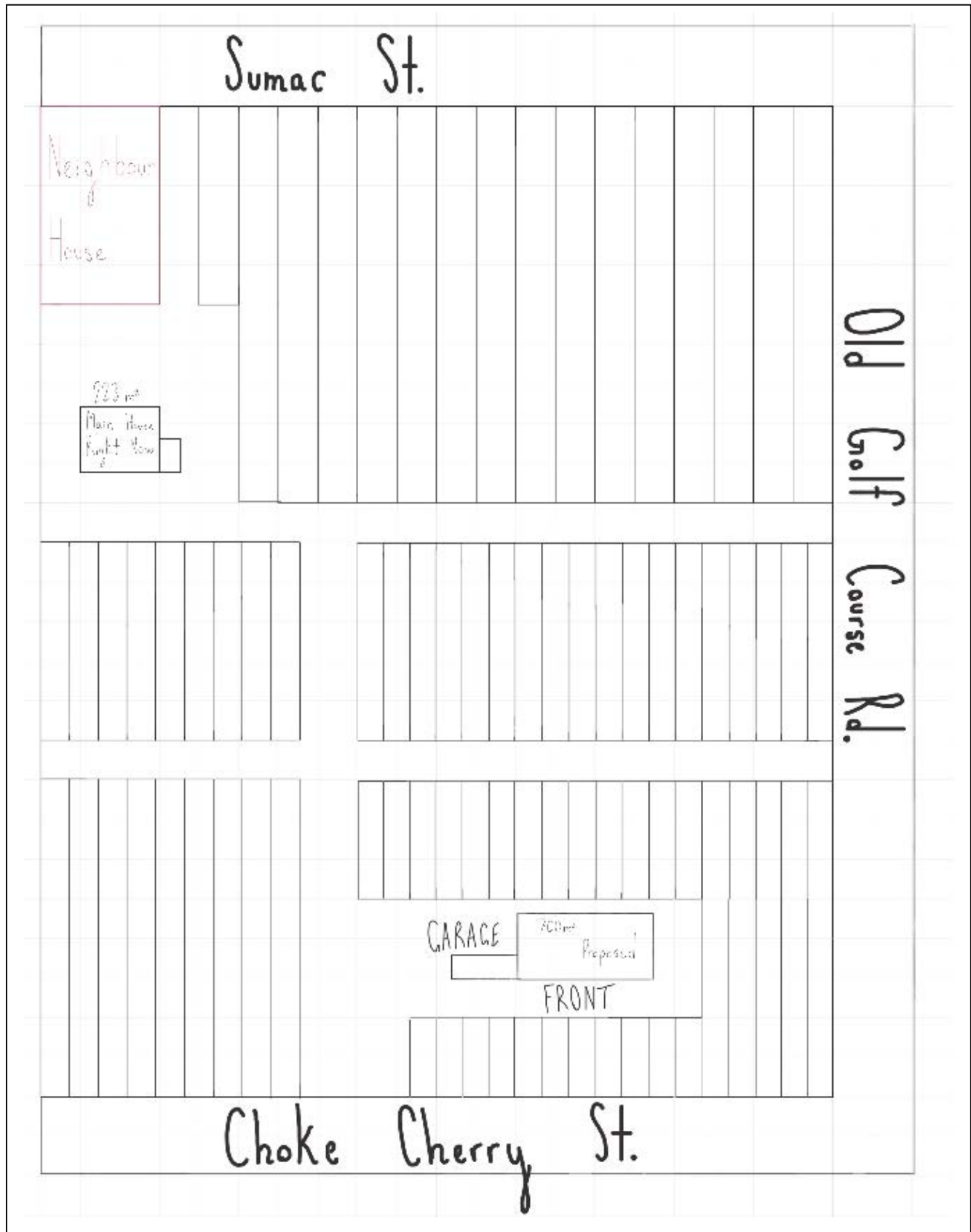
Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

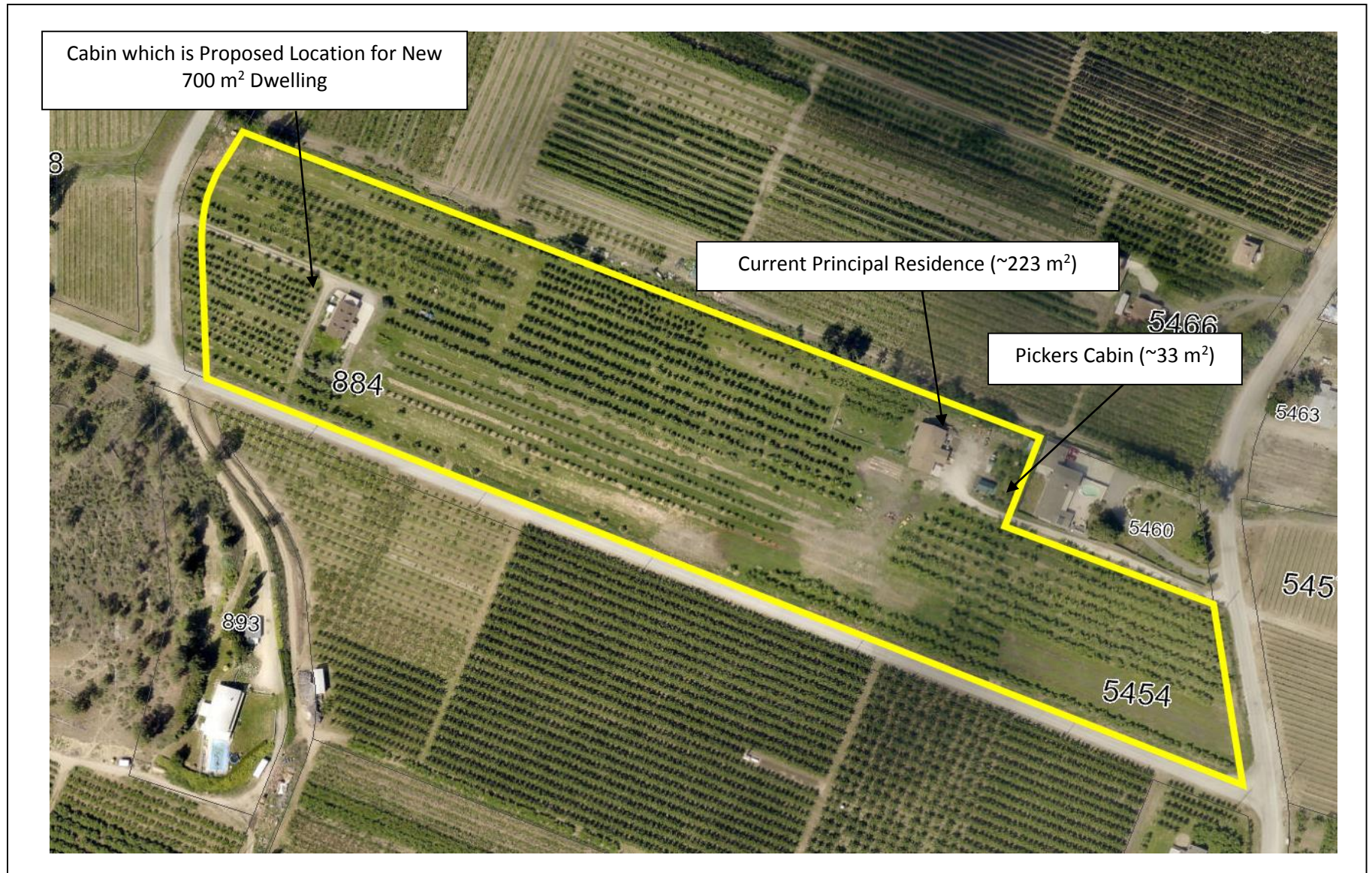
No. 3 – Site Photo

This aerial photograph shows the subject property, a large rectangular field outlined in black. The field is surrounded by various agricultural fields, some of which are green and others brown. There are several buildings and structures scattered around the property, including a large white building to the right. A white arrow points from the 'Subject Property' label to the outlined field.

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Site Photo



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Agricultural Land Commission Referral (ALC) – Electoral Area “D”

Administrative Recommendation:

THAT the application to convert the use of an existing building for utility service and event concession purposes as a non-farm use on the parcel located at 2434 Oliver Ranch Road (Lot 1, District Lot 2710, SDYD, Plan 32089) “not be authorized” to proceed to the Agricultural Land Commission.

Purpose: To convert the use of a 65.54 m² existing building to utility and event concession purposes.

Folio: D06760.010

Zone: Agriculture One (AG1)

Proposed Development:

An application to the ALC under Section 20 of the *Agricultural Land Commission Act* (the Act) has been lodged with the Regional District in order to permit a non-farm use within the Agricultural Land Reserve (ALR).

The applicant is seeking ALC approval to convert the use of a 65.54 m² existing building for utility service and event concession purposes.

The associated events would include “live music and entertainment” which would occur a couple of times a year under a Special Event Endorsement from the Liquor and Cannabis Regulation Branch (LCRB). The subject property contains an existing sloped grass area which is “shaped like an amphitheatre for small music and play venues”.

In support of this proposal, the applicant has stated that the “event concession building [is] only to be used when approved Special Events are to be held” and that the “proposal cannot be accommodated on lands outside of the ALR, since the services are integral to the Winery operation on this property”.

Statutory Requirements:

Under Section 34.1(2) 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 [a] farm use” and an amendment to the Electoral Area “D” Zoning Bylaw will be required in order for the development to proceed.

Agricultural Land Commission Act, Regulations & Policies:

Under Section 17 of the *Agricultural Land Reserve Use Regulation*, the use of ALR land for the purpose of gathering for an event is permitted and may not be prohibited by a local government bylaw if specific criteria are met.

A maximum of 10 events are permitted per calendar year on land assessed as “farm” under the *Assessment Act*. Events are limited to 150 attendees and must be less than 24 hours in duration.

Further, permanent facilities must not be constructed or erected for events. Event parking must be provided on the event property and any parking areas must not be permanent or interfere with the agricultural productivity on the property.

Liquor and Cannabis Regulation Branch

In order to sell, service, and allow for the consumption of liquor during a special event, the applicant will need to apply to the LCRB for Special Event Area Endorsement and obtain their approval.

Site Context:

The subject property is approximately 4.04 ha in area and is situated on the west side of Oliver Ranch Road. It is understood that the parcel is comprised of a single family dwelling and a winery processing building. The subject property also contains the 65.54 m² existing building which is the subject of this application. The 65.54 m² building was originally intended for use as a winery retail building.

The surrounding pattern of development is generally characterised by AG1 parcels within the ALR with the exception of the southerly adjacent ALR parcel which is zoned Conservation Area (CA).

Background:

The current boundaries of the subject property were created on June 29, 1981, while available Regional District records indicate that building permits for a single family dwelling and garage (1982), an addition and renovations to the single family dwelling (2012, one year extension granted in 2015), and a winery retail building (2012, one year extension granted in 2015).

As of July 7, 2021, the RDOS has received two building permit applications for a new wine retail building and tasting room, and the conversion of the existing wine retail building to a utility and event concession building.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Agriculture (AG), policies for which include preserving farm land, preventing encroachment of non-farm uses onto agricultural land and encouraging secondary ‘value added’ uses.

Under the Electoral Area “D” Zoning Bylaw No. 2455, 2008, the property is currently zoned Agriculture One (AG1) which permits “agriculture, subject to Section 7.23” and a “brewery, cidery, distillery, meadery or winery, subject to Section 7.24”. The zoning bylaw does not permit special events within the AG1 zone.

BC Assessment has classified the property as part “Residential” (Class 01), part “Light Industry” (Class 05), and part “Business and Other” (Class 06).

Analysis:

Land Use Planning is based on a principle that ancillary uses should not predominate over principal agricultural uses of land zoned and designated for agricultural use. Consideration must also be made with respect to the cumulative impacts of the introduction of non-agricultural uses (e.g., parking and permanent non-farm structures) on the agricultural land base and potential land use conflicts between farming and non-farming interests.

This application has the intention of expanding a special events use in the ALR to include permanent structures, which will result in the alienation of agricultural land for non-agricultural purposes.

The agent has indicated that 40 regular parking stalls would be provided in a designated 1,036 m² area on the property and that washroom facilities would primarily be provided by rentable toilets. Providing parking spaces on an annual basis requires that land remain cleared, which would limit agricultural production.

Hosting special events may result in conflicts between adjacent agricultural and non-agricultural property owners. Noise disturbances from music events, increased traffic and risk of trespass onto neighbouring agricultural properties may result.

The applicant is seen to have other options, such as undertaking the special events in accordance with the ALC’s requirements (i.e. no permanent event facilities).

Alternative Option:

The intent behind allowing ancillary uses, such as special event venues, to operate within the ALR is to assist agricultural operations in the marketing of the farm products that are produced on-site. In some regards, these ancillary uses may be supportive of agriculture in that they encourage visitation, sales, and ultimately agricultural production through the supplementary income produced.


Summary:

The proposal is not consistent with the Electoral Area “D” OCP bylaw policies. Should this proposal be supported by the Board and, subsequently, the ALC, an amendment bylaw or temporary use permit (TUP) will be required to allow for “special events” to occur on the property.

Alternatives:

1. THAT the RDOS Board “authorize” the application to convert the use of an existing building for utility service and event concession purposes as a non-farm use on the parcel located at 2434 Oliver Ranch Road to proceed to the Agricultural Land Commission; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “D” Advisory Planning Commission (APC).

Respectfully submitted:


Shannon Duong, Planner I

Endorsed By:

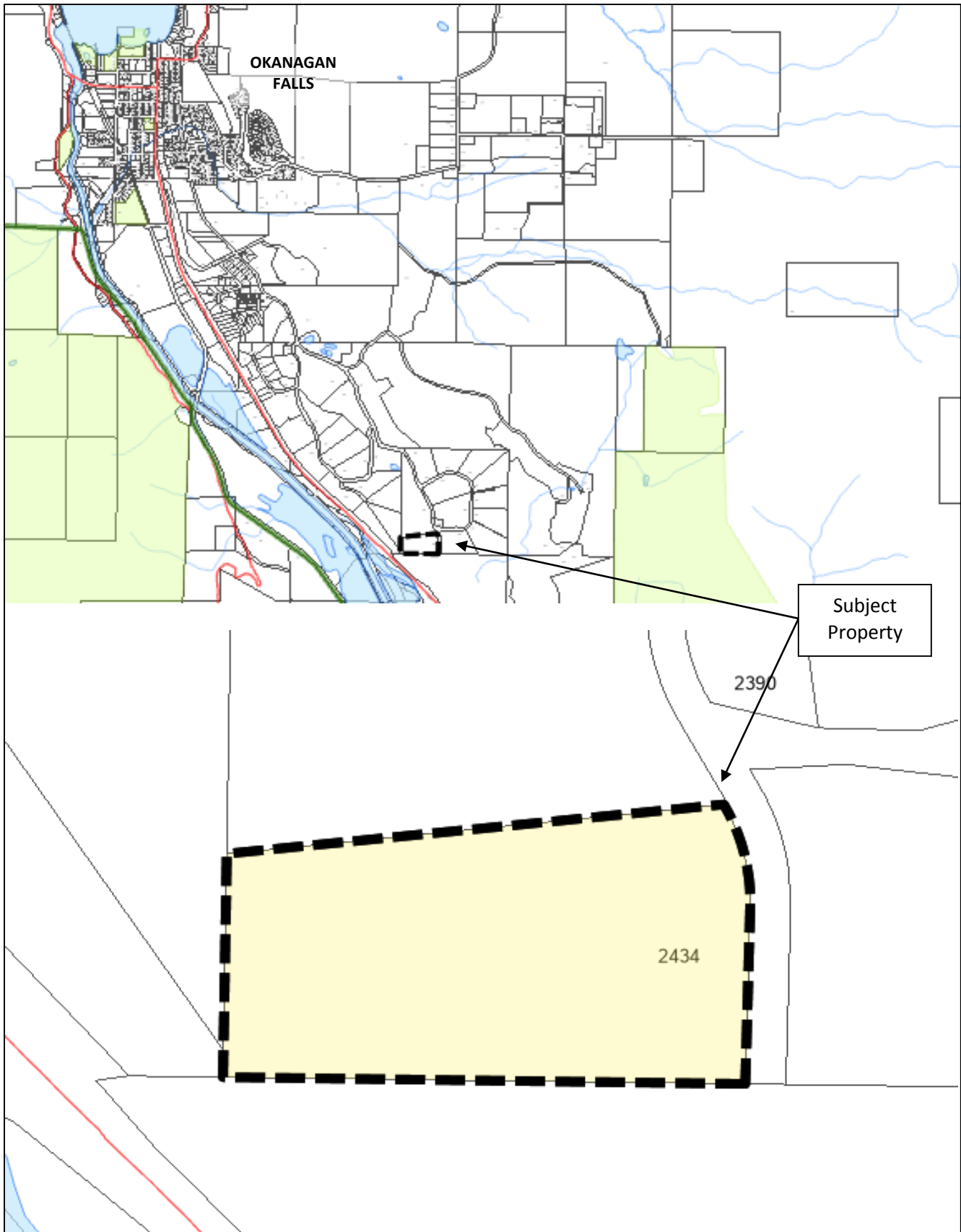

C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

No. 3 – Applicant's Floor Plan

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan

OKANAGAN DEVELOPMENT CONSULTANTS INC.

LAND & BUILDING DEVELOPMENT CONSULTANTS:
13222 KELLY AVENUE, SUMMERLAND, B.C. V0H 1Z3
PH: (250) 494-0747

PROJECT:
PROPOSED TASTING ROOM AND EVENT CONCESSION/ UTILITY SERVICE BUILDING FOR BC WINE STUDIO

PROJECT ADDRESS:
2434 OLIVER RANCH RD, OK FALLS, BC

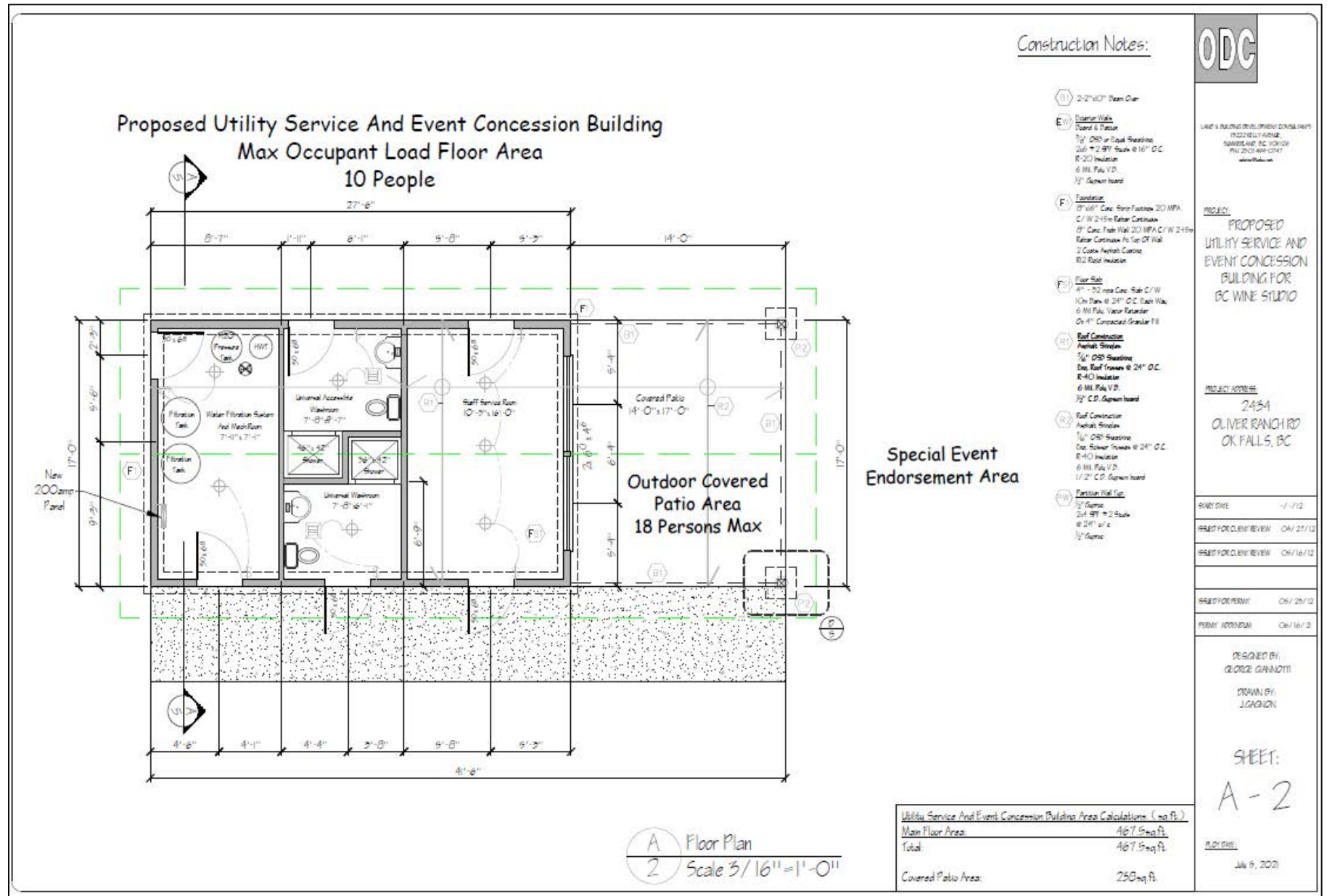
LEGAL DESCRIPTION:
LOT 1, PL 32089, D.L. 2710, SDYD

CURRENT ZONING:
AG1

DRAWING DATE:
JUNE 2, 2021

N

A SITE PLAN OVERVIEW
1:800



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Petition to Faulder Water Enter Service Area – Electoral Area “F”

Administrative Recommendation:

THAT Bylaw No. 1177.05, 2021, a bylaw to extend the area of the Faulder Community Water System, be denied.

Purpose: To extend the Faulder Water System Service Area. Folio: F-06941.000

Legal: District Lot 2893, ODYD, Except (1) That Part Thereof Lying South and West of Right of Way Plan A67 & (2) Plans A67 and 2733227332

OCP: Resource Area (RA) Zone: Resource Area (RA)

Purpose:

The applicant has submitted a petition request to the Regional District that seeks to include the property legally described as District Lot 2893, ODYD, Portion EX PT S & W PL A67, Except Plan A67 & 27332 within the Faulder Water System Service Area. An amendment to Schedule ‘A’ of the Faulder Community Water System Local Service Establishment Bylaw No. 1177, 1990, to include the subject property would be required.

In support of this petition request, the applicant has stated that “it is our intention at this time to move forward with the construction of a single family residence on the subject parcel. As such, it is incumbent upon us to provide proof of water in order to fulfill requirements at development services and the building department of the RDOS. As the subject property is almost directly adjacent to the local cistern, with adequate supply lines located nearby, servicing the lot appears logistically simple”.

Site Context:

The subject property is approximately 11.21 ha in area and is situated on the south side of Princeton-Summerland Road. The Kettle Valley Rail Trail is located directly to the south of the property. It is understood that the parcel is vacant.

The surrounding pattern of development is generally characterised by smaller rural properties, some with single family dwellings, and others vacant. The westerly adjacent parcel is Crown land and zoned Resource Area (RA).

Background:

It is unknown when the subject property was created by subdivision while available Regional District records indicate that building permits have not previously been issued for the property.

The subject property is currently designated Resource Area (RA), and is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation.

The zoning permits a wide range of uses, including residential (i.e. single detached dwelling), agriculture, forestry, natural resource extraction, tourism (guest ranch and guide camp) and landfills.

Faulder Water System Service Area

The Faulder community relies on groundwater from the Meadow Valley Aquifer for their drinking water supply. In 2015, a new well was drilled into the Meadow Valley Aquifer to replace the existing well that supplied domestic water to an estimated 215 residents.

This aquifer has experienced fluctuating levels and future capacity and unlimited growth is a concern. This situation is reflected in the Electoral Area "F" Official Community Plan (OCP) which recognizes that water supply and quality issues are of concern in the Faulder area and includes a policy discouraging "subdivision of properties in order to maintain the rural character of the area."

A 1996 review of the Faulder water system completed by Stantec (then known as Stanley Associates) 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 was challenged due to drought conditions and in 2015, a new deeper well was drilled into the aquifer in order to avoid the water shortages that occurred in 2008. Concerns about the aquifer capacity remain unresolved.

Analysis:

The request to add the subject property to the Faulder Community Water System Local Service Area would not seem appropriate at this time due to the limitations associated with the current infrastructure.

Significant upgrades to the water system are required in order to accommodate the inclusion of any new parcel(s), such as upgrading the treatment plant and pumping system. The scope of such works exceeds the ability of the service area to finance the upgrades.

The water system is also seen to have already exceeded its capacity and is having difficulty accommodating current demand within the system. Further, the Resource Area (RA) designation are, by their nature "rural", and should remain un-serviced and not be included within service areas established by the Regional District.

The Electoral Area "F" OCP Bylaw generally supports this by seeking to maintain Resource Area designated lands for only "limited rural residential uses" as these land "reinforce the rural character of the Plan Area ..."

Other options are available to the applicant, such as developing a private water source (i.e. well) on the property in order to provide water to the proposed new dwelling. A private well would be drawing from the same aquifer as the Faulder community water system and by including the property in the water system it would allow the Regional District to potentially monitor and/or regulate water usage (i.e. through the installation of a water meter).

Finally, the Board has recently initiated amendments to the Electoral Area "F" OCP & Zoning Bylaws that, amongst other things, speak to not supporting the extension of the water service to any new

parcels in the Faulder community. Including the subject property in the water service area would seem at cross-purposes with this proposed new policy direction.

Should the Board support including the subject property within the water service area, it will simultaneously become subject to the Faulder Community Water System Development Cost Charges (DCC) Bylaw No. 1894, 1998, as this bylaw's boundaries are the same as those established by Bylaw No. 1177. DCC's are currently only applied at subdivision for a new "single family residential" parcel at a rate of \$4,200/new lot.

Alternatives:

1. THAT Bylaw No. 1177.05, 2021, Faulder Community Water System Local Service Establishment Amendment Bylaw be read a first, second and third time; OR
2. That consideration of Bylaw No. 1177.05, 2021, Faulder Community Water System Local Service Establishment Amendment Bylaw Amendment Bylaw be deferred pending:
 - a) *TBD*

Respectfully submitted:


Shannon Duong, Planner I

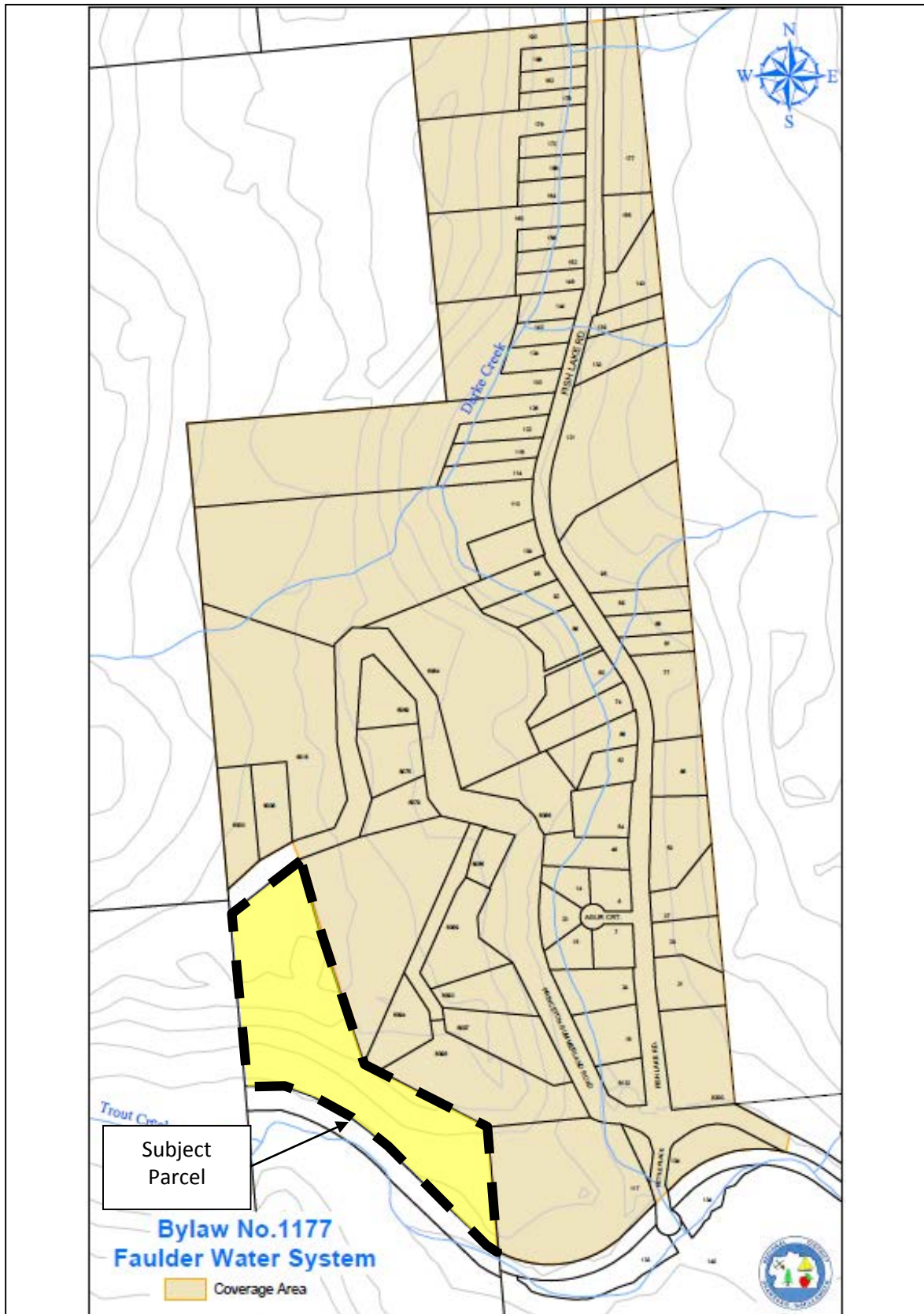
Endorsed By:


C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

No. 2 – Existing Service Area Boundaries

Attachment No. 2 – Existing Service Area Boundaries



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1177.05, 2021

**A Bylaw to amend the Faulder Community
Water System Service Establishment Bylaw No. 1177, 1990**

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 “Faulder Community Water System Service Establishment Amendment Bylaw No. 1177.05, 2021.”
2. The Faulder Community Water System Service Area, being Schedule A of the Faulder Community Water System Local Service Establishment Bylaw No. 1177, 1990, is amended by incorporating the land described as District Lot 2893, ODYD, Portion EX PT S & W PL A67, Except Plan A67 & 27332, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this ____ day of _____, 2021.

CONSENTED TO in writing on behalf of the electors of Electoral “F” by the electoral area director this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

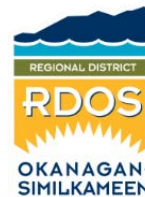
Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, 2021.

Regional District of Okanagan-Similkameen

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

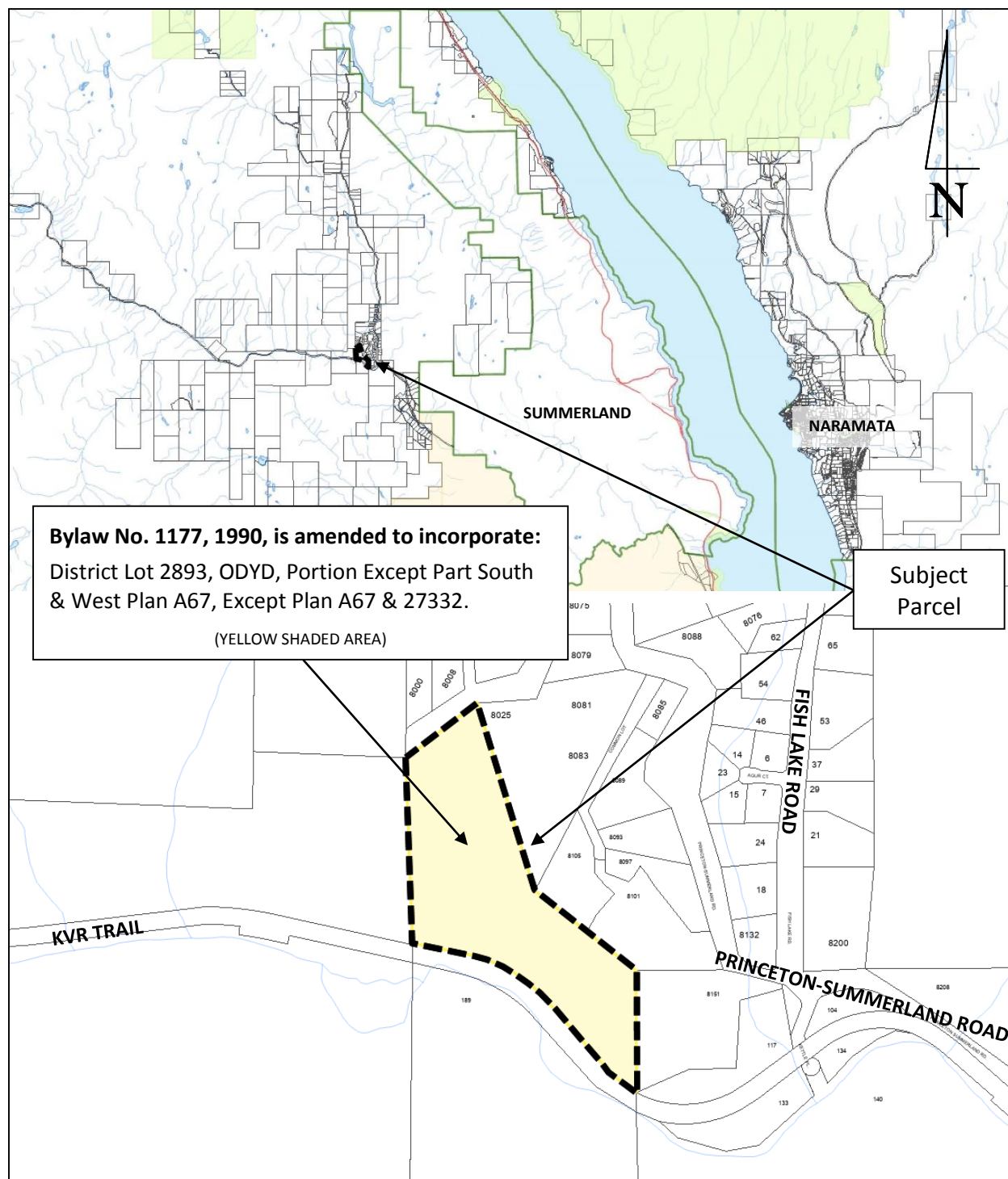
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 1177.05, 2021

File No. F2021.004-SAP

Schedule 'A'



Amendment Bylaw No. 1177.05, 2021
(F2020.004-SAP)

Page 2 of 2

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Petition to enter the Naramata Water System Local Service Area – Electoral Area “E”

Administrative Recommendation:

THAT Bylaw No. 2939, 2021, a bylaw to amend the Naramata Water System Local Service Establishment Bylaw 1620/1995, be denied.

| | | |
|-----------------|--|---|
| <u>Purpose:</u> | To extend the Naramata Water System Service Area | <u>Folio:</u> E-07146.002/.004 |
| <u>Legal:</u> | Lots 1 & 2, Plan EPP65786, DL 211, SDYD, & DL 3314 | <u>Civic:</u> 4800 & 4700 North Naramata Road |
| <u>OCP:</u> | Resource Area (RA) | <u>Zone:</u> Resource Area (RA) |

Purpose:

The applicant has submitted a petition to the Regional District requesting inclusion of the properties at 4800 & 4700 North Naramata Road (being Lots 1 & 2, Plan EPP65786, District Lot 211, SDYD, & DL 3314) into the Naramata Water System for both domestic and irrigation services. The irrigation requirement is for 5 to 8 acres of vines.”

Site Context:

The subject property at 4800 North Naramata Road is approximately 20.6 ha in area and the property at 4700 North Naramata Road is approximately 20.4 ha in area. They are situated on the east side of North Naramata Road and bisecting the Kettle Valley Rail Trail. Both properties are in the Naramata Street Lighting Service Area and the Naramata Fire Protection Service Area. It is understood that each parcel is comprised of a single detached dwelling and an accessory building on 4700 North Naramata Road.

The surrounding pattern of development is generally characterised by vacant Resource Area (RA) lands and a Parks and Recreation (PR) corridor to the north and east, a few Small Holdings (SH3 and SH5) and Large Holdings (LH1) properties used for residential to the south, Agricultural (AG1) to the west, and two small Residential (RS1) lots to the north-west.

Background:

The current boundaries of the subject property were created on June 28, 2017, while available Regional District records indicate that a building permit was issued for a single detached dwelling (2020) on 4800 North Naramata Road.

Regional Growth Strategy (RGS)

The properties are not within a designated growth area. The RGS Bylaw speaks to supporting “efficient, effective and affordable infrastructure services ...” and, as an objective, to “direct development to areas with publically operated services and infrastructure.”

Electoral Area “E” Official Community Plan (OCP)

The properties are designated as Resource Area (RA), an objective of which is “to maintain the rural character” of such lands, and this is supported by a policy “that these areas will remain rural with limited community services and infrastructure.”

The property is further designated as being within an Environmentally Sensitive Development Permit (ESDP) Area due to the presence of “Very High” and “High” environmental values. The property at 4800 North Naramata Road has also been designated as comprising a Watercourse Development Permit (WDP) Area due to a creek running through the property.

Electoral Area “E” Zoning Bylaw

The properties are zoned Resource Area (RA), which establishes a minimum parcel size for subdivision of 20.0 ha, and limits residential density to one (1) principal dwelling unit per parcel and up to four (4) accessory dwellings.

The property has been classified as “Residential” (Class 01) by BC Assessment.

Analysis:

The request to add the subject properties to the Naramata Community Water System Local Service Area is premature in the context of the on-going reviews of the South Okanagan RGS Bylaw and Electoral Area “E” OCP Bylaw and the pending establishment of a growth boundary for Naramata.

Any extension of service areas should not precede the review of these other land use bylaws and the determination on growth boundaries for Naramata.

While the applicant has indicated that the water service is required for agricultural purposes, the properties appear to have no history of farming that requires irrigation, are not in the Agricultural Land Reserve (ALR) and are the subject of an OCP land use designation that speaks to such “rural” lands remaining un-serviced.

The existing water infrastructure is not sufficient for the proposed domestic and irrigation needs. The elevation of the property is beyond the operational capabilities of the Naramata Water System, meaning that water from the connection point at North Naramata Road will not be able to reach the far extents of the property. However, the water main along North Naramata Road is currently being upgraded to 300 mm fronting both properties, which is sufficient and could include a connection.

To meet the needs described by the petitioner, major infrastructure upgrades would be required at the cost of the petitioner including, but not limited to:

- conducting Water Model Exercises to determine needed upgrades,
- installing a meter vault and a meter,
- installing a new, higher elevation reservoir that is publicly accessible, and

-
- designing, installing, and maintaining private pumping works for higher elevations that do not have negative impacts on the Naramata Water System.

An objective of the RGS Bylaw is to establish growth areas and generally “direct development to areas with publically operated services and infrastructure” and not to encourage the continuous extension of infrastructure and services into rural areas.

Should the intent be to sell the property, any new property owner in this area would presume that inclusion in the service area allows full access to the water system without realizing the impediments, both financial and physical, that would be required for service.

If approved for inclusion, the subject property would need to be included in the Development Cost Charge Area.

Summary:

In summary, the Naramata Water System cannot support the domestic and irrigation purposes requested on the subject property without major infrastructure upgrades.

The Regional District is not obliged to provide a service in all or part of an electoral area upon receipt of a petition from an owner of land.

Alternatives:

1. THAT Bylaw No. 2939, 2021, Naramata Water System Local Service Establishment Amendment Bylaw be read a first, second and third time;

AND THAT Bylaw No. 1804.09, 2021 Naramata Water System Development Cost Charge Amendment Bylaw be read a first, second and third time;

Respectfully submitted:

D. DeVries

Danielle DeVries, Planner 1

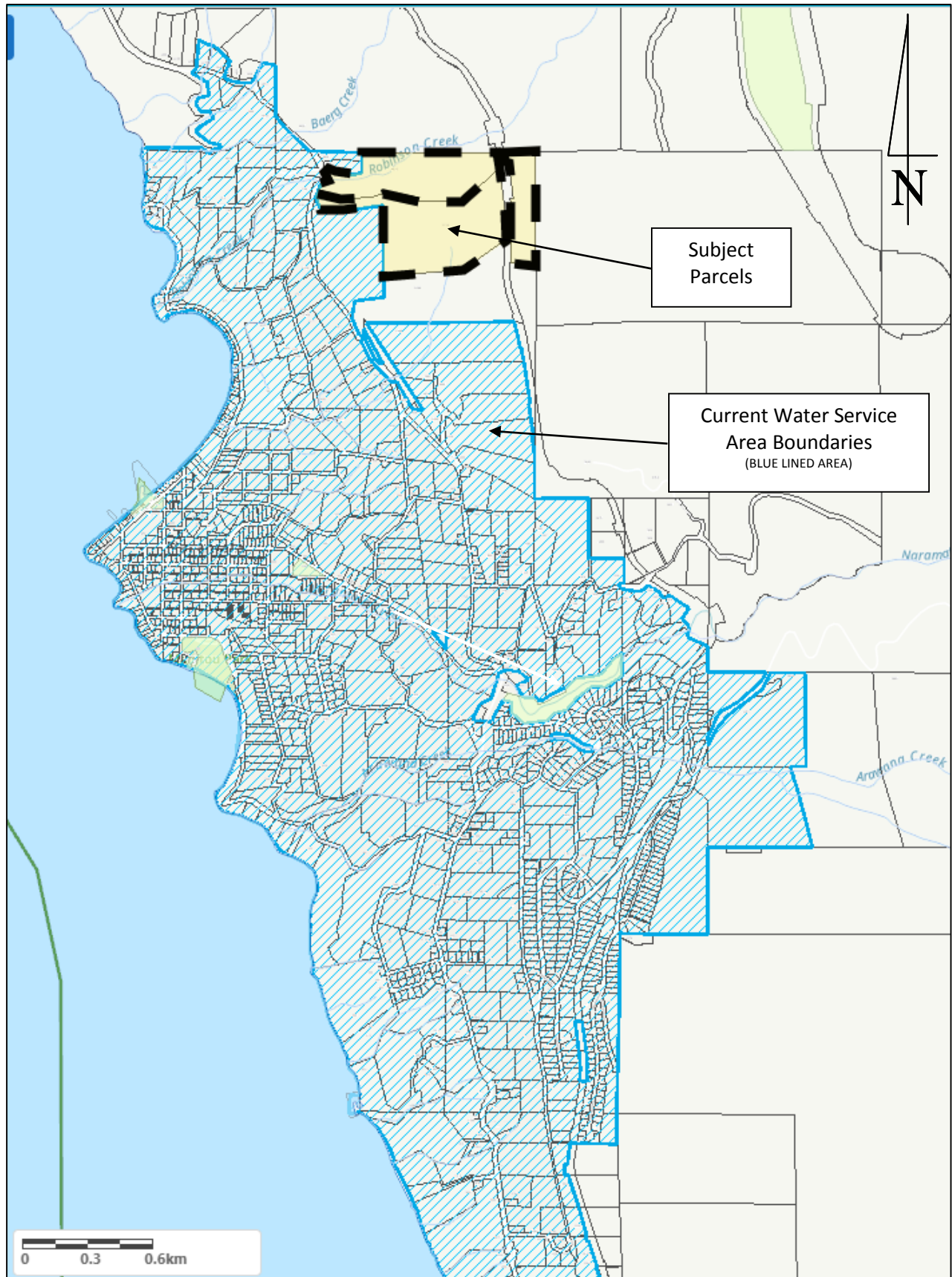
Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Applicant’s Water Service Area Petition Request

Attachment No. 1 – Applicant's Water Service Area Petition Request



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Zoning Bylaw Amendment – Electoral Area “A”

Administrative Recommendation:

THAT Bylaw No. 2451.32, 2021, a bylaw to amend the Electoral Area “A” Zoning Bylaw to allow for a minimum parcel size of 3.7 ha at 2257 82nd Ave in Area “A” be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 21, 2021;

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

Purpose: To allow for a minimum parcel size of 3.7 ha. Folio: A-02336.030

Civic: 2257 82nd Avenue Legal: Lot A, Plan KAP92472, DL 223, SDYD, Except Plan EPP9754

Zone: Agriculture One (AG1) Proposed Zone: Agriculture One Site Specific (AG1s)

Proposed Development:

This application is seeking to amend the zoning of the subject property from Agriculture One (AG1) to Site Specific Agriculture One (AG1s), in order to allow a minimum parcel size of 3.7 ha and allow for an eventual boundary adjustment.

In order to accomplish this, the applicant is proposing to amend the zoning of the property under the Electoral Area “A” Zoning Bylaw No. 2451, 2008, from Agriculture One (AG1) to Site Specific Agriculture One (AG1s) with the site specific regulation stipulating that despite section 10.2.3(a), the minimum parcel size shall be 3.7 ha.

In support of the rezoning, the applicant has stated that “the requested zoning amendment to reduce the minimum lot size will not result in the creation of any new lots or any physical changes to the land ... Lot 2 is primarily being used for agricultural and the requested zoning amendment will simply allow for a lot line adjustment to contain all of the active and capable agricultural land on one lot.”

Site Context:

The subject property is approximately 4.01 ha in area and is situated on the south side of 82nd avenue, west of Highway 3, and approximately 2.2 km east of the Town of Osoyoos boundary. The property currently contains a single family dwelling and farm outbuildings.

The surrounding pattern of development is generally characterised by agricultural use.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited dated October 3, 2020, while available Regional District records indicate that no building permits have not 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 Agriculture (AG), and part of the property is the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) designation.

Under the Electoral Area “A” Zoning Bylaw No. 2451, 2008, the property is currently zoned Agriculture One (AG1) which requires a minimum parcel size of 4.0 ha.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the subject property is situated within 800 metres of a controlled area (i.e. Highway 97).

The property is within the Agricultural Land Reserve (ALR).

Application History:

At its meeting on July 20, 2017, the Regional District Board “authorised” an application to subdivide the property, which was then 16.7 ha in area, to proceed to the Agricultural Land Commission (ALC).

Administration understands that the applicant subsequently attempted to revise the subdivision to allow a 0.31 ha part of the property at its northern boundary to be consolidated with the adjacent property to the west.

On February 16, 2018, the ALC passed a resolution approving a two-lot subdivision, creating the 4.01 ha parcel which is the subject of this application.

However, in its decision, the ALC advised that “the alternative proposal refers to land which is not currently under application, is a significant change from the original Proposal, and was not considered by the Regional District of Okanagan-Similkameen” and therefore would not be considered.

The subject parcel is zoned Agriculture One (AG1) which has a minimum parcel size of 4.0 ha. The applicant still wishes to convey 0.31 ha of the northern tip of the parcel to the adjacent parcel to the west. To do so, the zoning on the subject property must be amended to allow for a minimum parcel size of 3.7 ha.

Administration further understands that the Provincial Approving Officer has indicated that they are open to considering this subdivision under Section 10(c)(ii) of the *ALC Act*, which states that a boundary adjustment can be approved by an Approving Officer without ALC approval if, in the opinion of the Approving Officer, it will allow for the enhancement of the owners overall farm, or for the better utilization of farm buildings for farm purposes.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 3).

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaw.

Public Process:

On August 30, 2021, an electronic Public Information Meeting (PIM) was held via Webex and was attended by approximately 0 members of the public.

At its meeting of August 9, 2021, the Electoral Area “A” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

In considering this proposal, Administration notes that the requested change to the minimum parcel size requirement of the AG1 Zone from 4.0 ha to 3.7 ha is minor in nature and is unlikely to adversely impact on the agricultural viability of the property given the area being removed is comprised of a rocky bench and outcroppings.

Further, the zoning amendment will not change the permitted uses allowed on the property and the applicant is not proposing any new development on the property or a change in use.

It is noted that the portion of the land most suitable for agriculture is currently being used by the neighbouring property owner, and the rezoning will allow the owner and their neighbour to formalize this arrangement by consolidating all viable agricultural land into one parcel through a boundary adjustment.

Conversely, Administration recognises that it is not generally considered good planning practice to allow “spot zoning”. In such instances, spot zonings grant privileges to a single parcel which are not granted or extended to other parcels in the vicinity.

In summary, given the minor nature of the requested variance to the parcel, Administration is generally supportive of this application.

Alternatives:

1. THAT Bylaw No. 2451.32, 2021, Electoral Area “A” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;
AND THAT the holding of the public hearing be delegated to Director Pendergraft;
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Pendergraft;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT Bylaw No. 2451.31, 2021, Electoral Area “A” Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2451.31, 2021, Electoral Area “A” Zoning Amendment Bylaw be, be denied.

Respectfully submitted:

Fiona Titley

Fiona Titley, Planner I

Endorsed By:

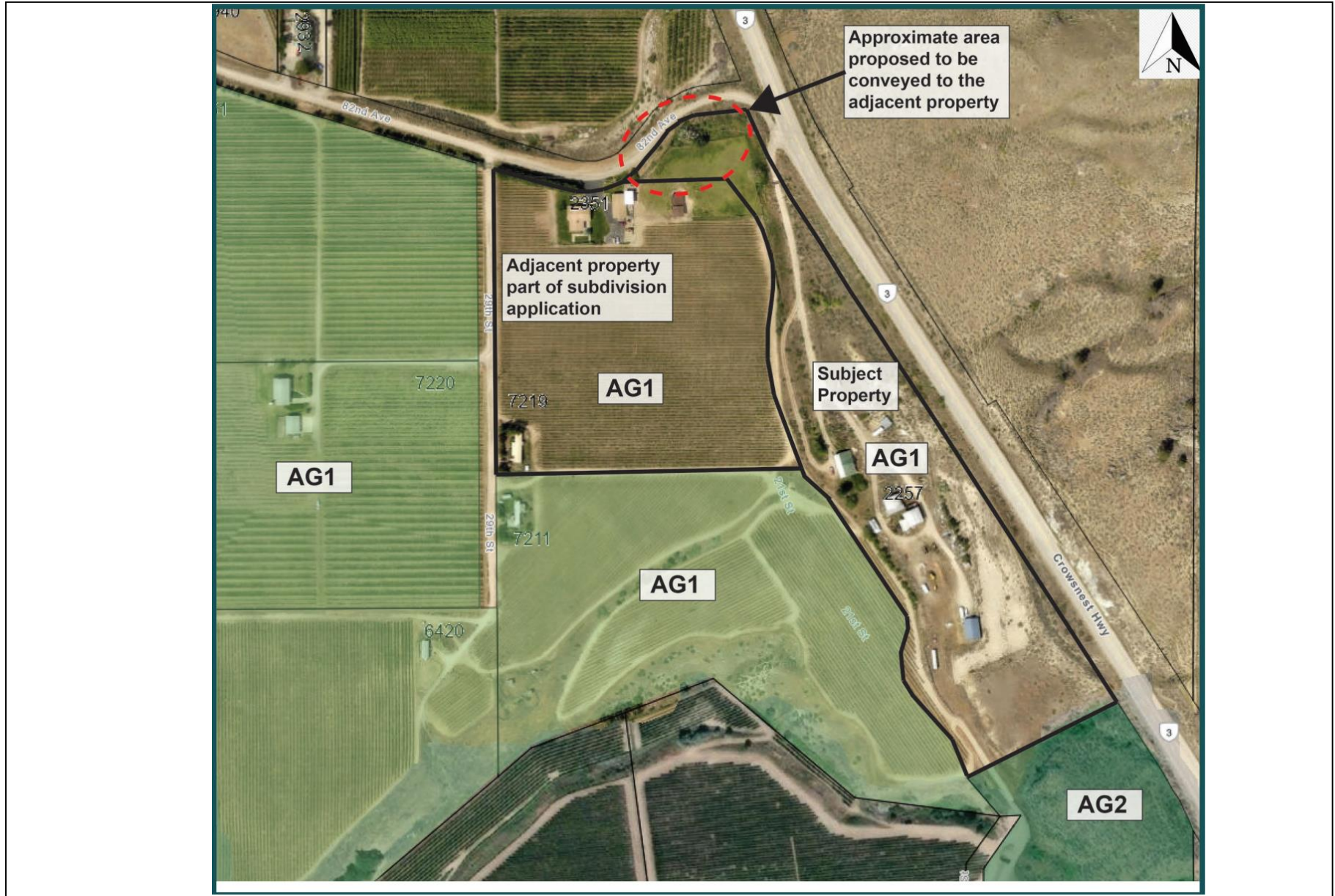
CG

C. Garrish, Planning Manager

Attachments: No. 1 – Applicant's Site Plan

No. 2 – Site Photo (Google Streetview)

Attachment No. 1 – Applicant's Site Plan



Attachment No. 2 – Site Photo (Google Streetview)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2451.32, 2021

A Bylaw to amend the Electoral Area “A” Zoning Bylaw No. 2451, 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 “A” Zoning Amendment Bylaw No. 2451.32, 2021.”
2. The “Electoral Area “A” Zoning Bylaw No. 2451,2008” is amended by:
 - i) adding a new sub-section .11 under Section 17.2 (Site Specific Agriculture One) to read as follows:
 - .11 in the case of land described as Lot A, Plan KAP92472, District Lot 223, SDYD (2257 82nd Avenue), and shaded yellow on Figure 17.2.11:
 - i) despite section 10.2.3(a), the minimum parcel size shall be 3.7 ha.
3. The Official Zoning Map, being Schedule ‘2’ of the Electoral Area “A” Zoning Bylaw No. 2451, 20008, is amended by changing the land use designation on the land described as Lot A, Plan KAP92472, District Lot 223, SDYD (2257 82nd Avenue), and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Agriculture One Zone (AG1) to Agriculture One Site Specific (AG1s).

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.

I hereby certify the foregoing to be a true and correct copy of the “Electoral Area “A” Zoning Amendment Bylaw No. 2451.32, 2021” as read a Third time by the Regional Board on this ____ day of _____, 2021.

Dated at Penticton, BC this ____ day of _____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

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



File No. A2021.006-ZONE

Amend Zoning Bylaw No. 2451, 2008:
 from: Agriculture One Zone (AG1)
 to: Agriculture One Site Specific (AG1s)
 (YELLOW SHADED AREA)

Subject Parcel

OSOYOOS

East Osoyoos

82nd Ave

BC

Amendment Bylaw No. 2451.32, 2028
(A2021.006-ZONE)
Page 3 of 3

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “F”

Administrative Recommendation:

THAT Bylaw No. 2790.02, 2021, a bylaw to amend the Electoral Area “F” Official Community Plan to allow for the development of 106 dwelling units at 625 Hwy. 97 be read a first and second time and proceed to public hearing; and,

THAT Bylaw No. 2461.18, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2790.02, 2021, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board of Directors meeting of October 21, 2021; and,

THAT notice of the public hearing be given in accordance with the requirements of the *Local Government Act*.

| | | |
|-----------------|---|--|
| <u>Purpose:</u> | to allow for the development of 106 dwelling units. | <u>Folio:</u> F-06642.200 |
| <u>Legal:</u> | Lot 11, Plan KAP621, DL 2536, ODYD, Except Plan H578 36630 KAP75352 | <u>Civic:</u> 625 Highway 97 |
| <u>OCP:</u> | Tourist Commercial (CT) | <u>Proposed OCP:</u> Medium Density Residential (MR) |
| <u>Zone:</u> | Campground Commercial Site Specific (CT2s) | <u>Proposed Zoning:</u> Medium Density Residential (RM1) |

Proposed Development:

This application is seeking to amend the zoning of five properties to facilitate a medium density residential development with a total of 106 dwelling units within eight terraced apartment structures.

The following land use bylaw amendments are being proposed by the applicant:

- amend the land use designation under Schedule ‘B’ (OCP Map) of the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, from Tourist Commercial (CT) to Medium Density Residential (MR); and
-

-
- amend the zoning under Schedule '2' (Zoning Map) of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, from Campground Commercial Site Specific (CT2s) to Medium Density Residential One (RM1).

Site Context:

Of the five parcels subject to the application, four are "hooked" across Highway 97. The portion of the five properties subject to the application is situated on the east side of Highway 97 and is 6.8 ha in area.

The properties are located 1.5 km north of the boundary of the District of Summerland and abut Okanagan Lake to the east. It is understood that the parcels are comprised of a single detached dwelling and various accessory structures. The surrounding pattern of development is generally characterised by a provincial park to the south, undeveloped crown land to the west and a mix of residential and agricultural parcels to the north.

Background:

The current boundaries of the subject property were created on April 10, 2007 and August 16, 2009, while available Regional District records indicate that building permits have not previously been issued for this property.

Under the South Okanagan Regional Growth Strategy, the site has been designated as part of the "Rural Growth Area" (i.e. Greata Ranch).

The Electoral Area "F" Official Community Plan designates the property Tourist Commercial (CT) and the eastern edge of the properties, abutting the Okanagan Lake, are the subject of a Watercourse Development Permit (WDP) designation.

The Electoral Area "F" Zoning Bylaw designates the property as Campground Commercial Site Specific (CT2s) which permits campgrounds and motels as principal uses and eating and drinking establishments as an accessory use, however, it does not allow for residential development.

The property is also subject to a Liquid Waste Management Plan (LWMP), which was amended in 2009 to require that waste water from development in the Greata Ranch area be pumped to the District of Summerland's Wastewater Treatment Plant.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Okanagan Lake. BC Assessment has classified the property as "Farm" (Class 09).

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway.

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 67 have been made aware of the proposed amendment bylaw.

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

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural land. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaws.

Public Process:

On August 11, 2021, a Public Information Meeting (PIM) was held electronically and was attended by two members of the public.

At its meeting of August 23, 2021, the Electoral Area "F" Advisory Planning Commission (APC) recommended to the RDOS Board that the subject development application be approved.

The written notification of affected property owners, the public meetings as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, the consultation process undertaken is seen to be sufficiently early and does not need to further ongoing.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The proposal is consistent with the designation of Greata Ranch as a Rural Growth Area under the RGS Bylaw. Further, the proposed form of residential development and the level of density is generally what is encouraged to occur within a designated growth area and is also consistent with previous proposals that were submitted for other parcels within this Growth Area.

It is noted, however, that the OCP does speak to development within the Greata Ranch Rural Growth Area being properly serviced (i.e. on-site provision of water and sanitary sewage treatment) and being able to address geotechnical constraints, which are discussed below.

Infrastructure Requirements

The applicant is proposing the development of a combined water and wastewater treatment facility for the development. The OCP discourages the creation of new private utilities within a designated Growth Area and the current RDOS policy is that essential services should be owned and operated by a local government. Further, the current water licence for the property is in the form of an irrigation license and that type of licence cannot be used for domestic purposes. A private sewer system is inconsistent with the Liquid Waste Management Plan (LWMP) and cannot be constructed.

The LWMP requires that development at this site be connected to the District of Summerland's Wastewater Treatment Plant. However, the District of Summerland has indicated that "further investigation is required with regards to the costs and benefits to the District of Summerland to extending a sanitary sewer connection to the Greata Ranch area" and has certain requirements if a connection to the District of Summerland's Wastewater System is pursued.

The applicant will either need to seek an amendment to the LWMP or build in accordance with the LWMP. Otherwise, the OCP speaks to new development adhering to the best practices recommendations, such as the Provincial Sewerage System Regulation administered by Interior Health Authority for on-site sewage disposal.

Hazard Lands:

The applicant has submitted a peer-review of the Geotechnical Assessment Report completed in 2007 for the properties, which generally concludes that the development can proceed subject to certain provisions and recommendations to conduct further site investigations.

Additional geo-technical hazard assessments will be required prior to the issuance of any building permits for development on the property. Such studies *may* result in the density of the site being less than what is currently proposed due to site limitations.

Summary:

In summary, this proposal is generally seen to be consistent with the RGS and OCP Bylaws.

Alternatives:

THAT Bylaw No. 2790.02, 2021, a bylaw to amend the Electoral Area “F” Official Community Plan to allow for the development of 106 dwelling units at 625 Hwy. 97 be read a first and second time and proceed to public hearing; and,

THAT Bylaw No. 2461.18, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the Local Government Act; and,

THAT, in accordance with Section 477 of the Local Government Act, the Board of Directors has considered Amendment Bylaw No. 2790.02, 2021, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of the public hearing be delegated to Director Gettens, or their delegate; and,

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

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

Respectfully submitted:

Nikita Kheterpal

Nikita Kheterpal, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachments:

No. 1 – Agency Referral List

No. 2 – Applicant’s Site Plan

No. 3 – Applicant’s Building Elevations

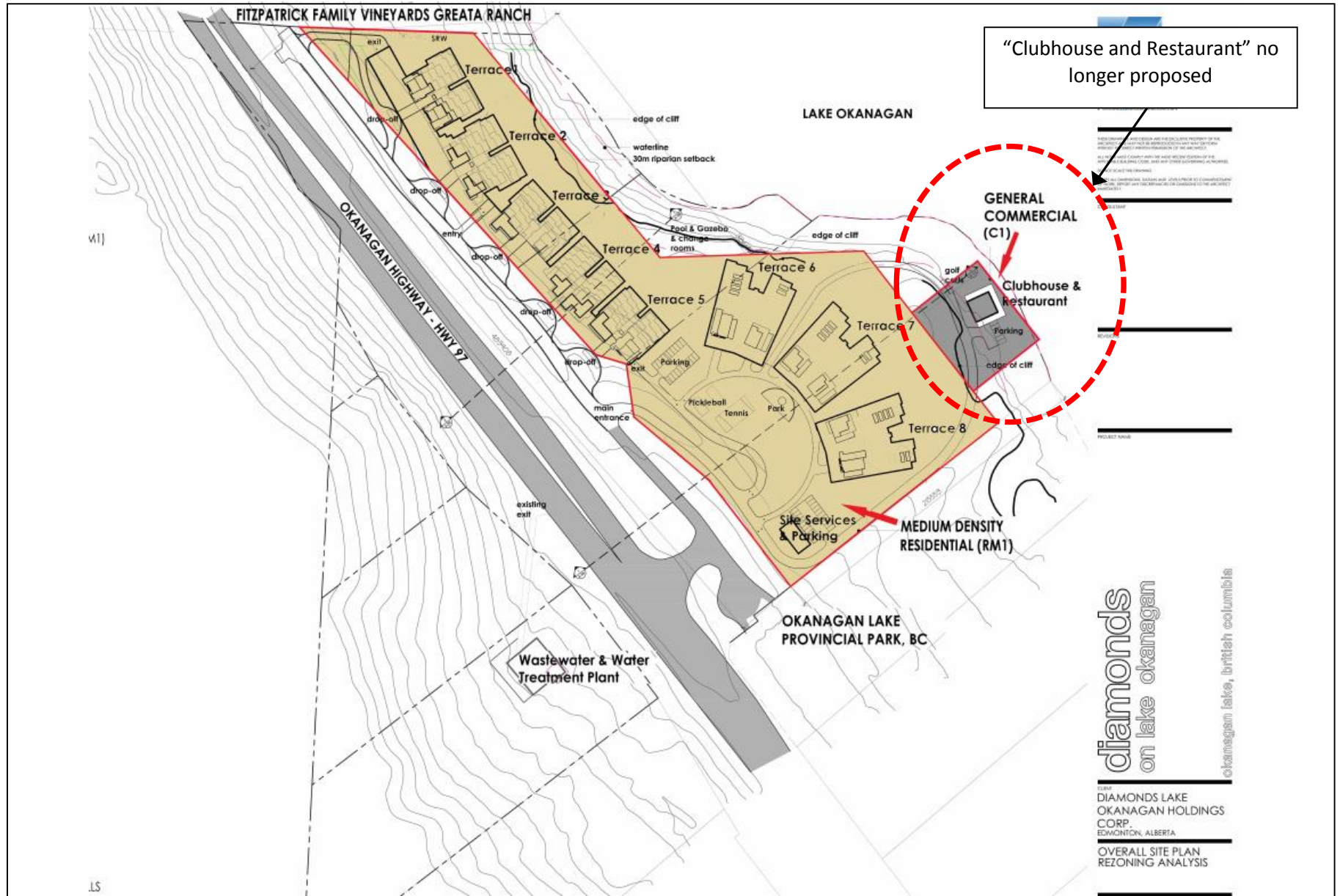
No. 4 – Aerial Photo

Attachment No. 1 – Agency Referral List

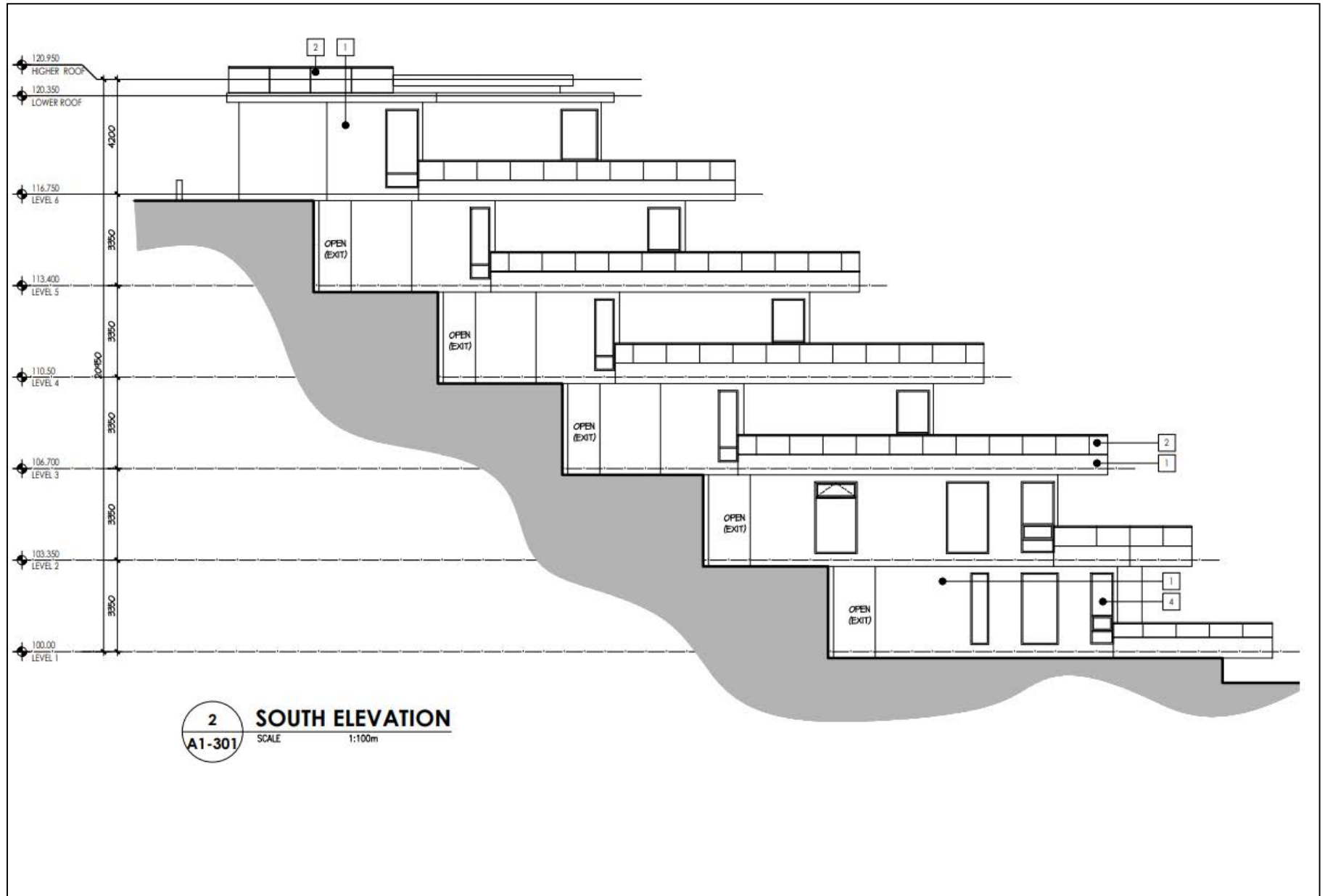
Referrals have been sent to the following agencies as highlighted with a ☒, regarding Amendment Bylaw Nos. 2790.02, 2021 and 2461.18, 2021:

| | | | |
|-------------------------------------|---|-------------------------------------|--|
| <input checked="" 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 checked="" type="checkbox"/> | Ministry of Agriculture | <input checked="" 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 checked="" type="checkbox"/> | Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Ecosystem Section) | <input type="checkbox"/> | Town of Princeton |
| <input checked="" 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 checked="" type="checkbox"/> | Okanagan Nation Alliance (ONA) |
| <input checked="" type="checkbox"/> | Ministry of Transportation and Infrastructure | <input checked="" type="checkbox"/> | Penticton Indian Band (PIB) |
| <input type="checkbox"/> | Integrated Land Management Bureau | <input type="checkbox"/> | Osoyoos Indian Band (OIB) |
| <input checked="" 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 checked="" type="checkbox"/> | School District #67 (Areas D, E, F, I) | <input checked="" type="checkbox"/> | Fisheries and Oceans Canada |
| <input checked="" 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"/> | X Irrigation District / improvement Districts / etc. |

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Applicant's Building Elevation (Terrace 1)



Attachment No. 4 – Aerial Photo



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2461.18, 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. 2461.18, 2021.”
2. The Official Zoning Map, being Schedule ‘2’ of the Electoral Area “F” Zoning Bylaw No. 2461, 2008, is amended by:
 - i) changing the land use designation of the land described as District Lot 5127, ODYD, Except Plan 36630 KAP75352, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Campground Commercial Site Specific (CT2s) to Medium Density Residential One (RM1).
 - ii) changing the land use designation of an approximately 1.77 ha part of the land described as Lot A, Plan KAP83581, District Lot 2536, ODYD, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Campground Commercial Site Specific (CT2s) to Medium Density Residential One (RM1).
 - iii) changing the land use designation of an approximately 1.22 ha part of the land described as Lot 1, Plan KAP83579, District Lot 2536, ODYD, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Campground Commercial Site Specific (CT2s) to Medium Density Residential One (RM1).
 - iv) changing the land use designation of an approximately 1.96 ha part of the land described as Lot 11, Plan KAP621, District Lot 2536, ODYD, Except Plan H578 36630 KAP75352, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Campground Commercial Site Specific (CT2s) to Medium Density Residential One (RM1).

- v) changing the land use designation of an approximately 1.86 ha part of the land described as Lot 10, Plan KAP621, District Lot 2536, ODYD, Except Plan H578, AMD LOT & EXC PL 36630, KAP75352, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Campground Commercial Site Specific (CT2s) to Medium Density Residential One (RM1).

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.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "F" Zoning Amendment Bylaw No. 2461.18, 2021" as read a Third time by the Regional Board on this ____ day of ____, 2021.

Dated at Penticton, BC this ____ day of ____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of ____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of ____, 2021.

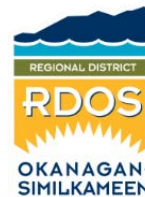
Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

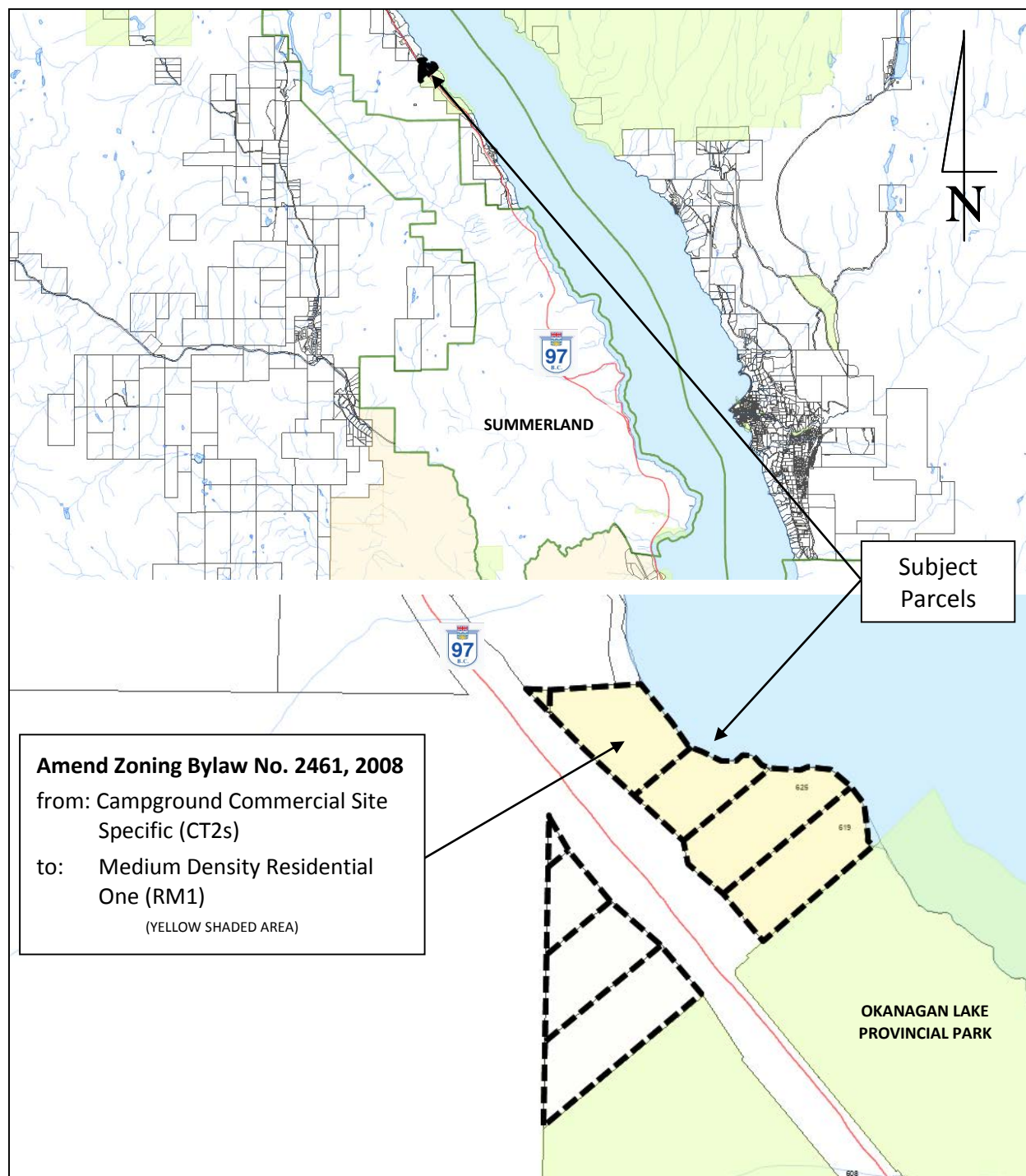
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2461.18, 2021

File No. F2021.008-ZONE

Schedule 'A'



Amendment Bylaw No. 2461.18, 2021
(F2021.008-ZONE)

Page 3 of 3

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2790.02, 2021

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

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 No. 2790.02, 2021.”
2. The Official Community Plan Bylaw Map, being Schedule ‘B’ of the Electoral Area “F” Official Community Plan Bylaw No. 2790, 2018, is amended by:
 - i) changing the land use designation of the land described as District Lot 5127, ODYD, Except Plan 36630 KAP75352, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Tourist Commercial (CT) to Medium Density Residential (MR).
 - ii) changing the land use designation of an approximately 1.77 ha part of the land described as Lot A, Plan KAP83581, District Lot 2536, ODYD, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Tourist Commercial (CT) to Medium Density Residential (MR).
 - iii) changing the land use designation of an approximately 1.22 ha part of the land described as Lot 1, Plan KAP83579, District Lot 2536, ODYD, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Tourist Commercial (CT) to Medium Density Residential (MR).
 - iv) changing the land use designation of an approximately 1.96 ha part of the land described as Lot 11, Plan KAP621, District Lot 2536, ODYD, Except Plan H578 36630 KAP75352, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Tourist Commercial (CT) to Medium Density Residential (MR).
 - v) changing the land use designation of an approximately 1.86 ha part of the land described as Lot 10, Plan KAP621, District Lot 2536, ODYD, Except Plan H578, AMD LOT

& EXC PL 36630, KAP75352, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Tourist Commercial (CT) to Medium Density Residential (MR).

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.

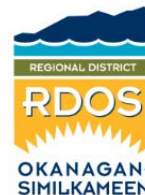
Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

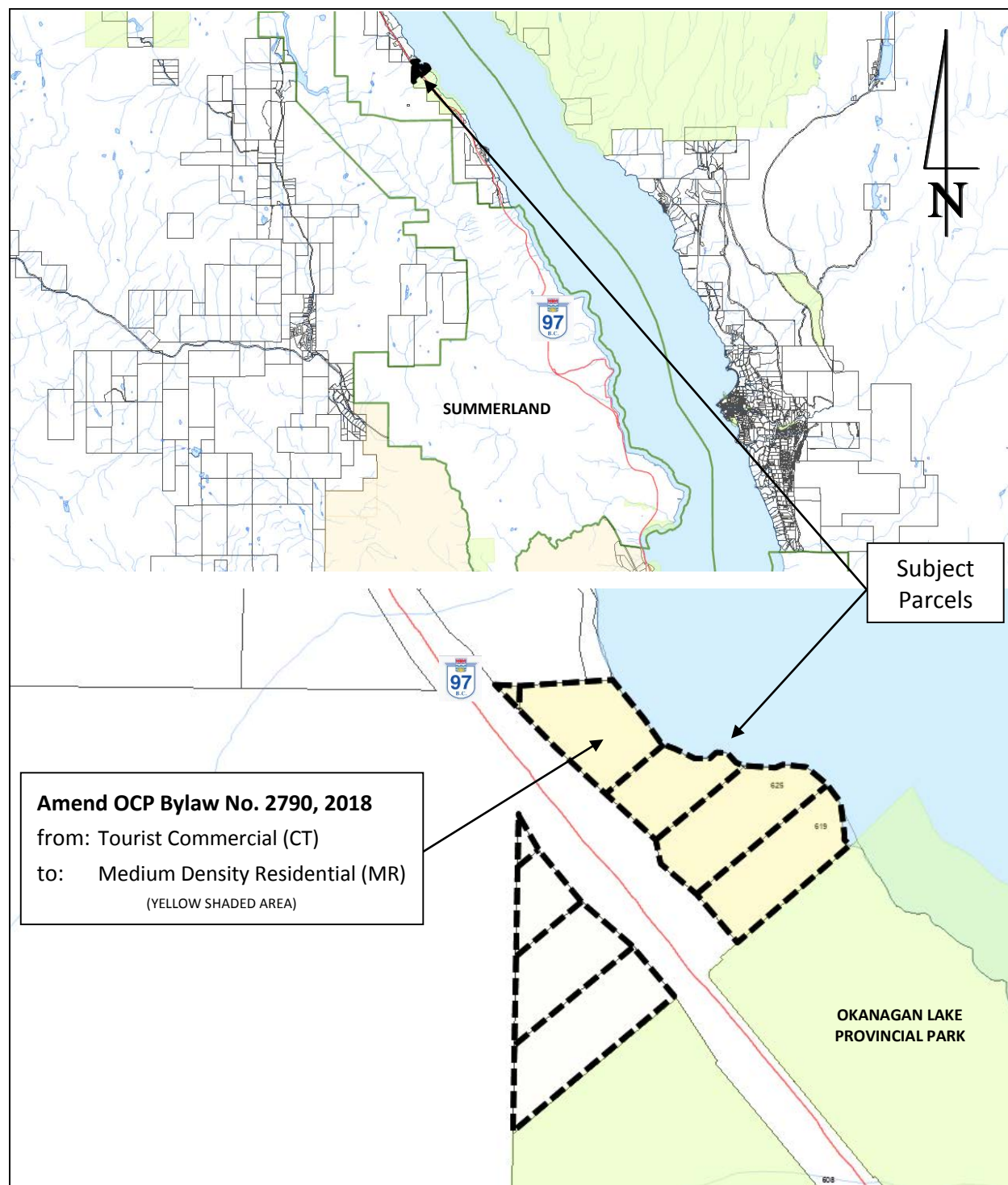
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2790.02, 2021

File No. F2021.008-ZONE

Schedule 'A'



Amendment Bylaw No. 2790.02, 2021
(F2021.008-ZONE)

Page 3 of 3

June 25, 2021

File #: F2021.008

Christopher Garrish
Planning Manager
Regional District of Okanagan Similkameen (RDOS)
101 Martin Street,
Penticton, BC, V2A 5J9
planning@rdos.bc.ca

Dear Mr. Garrish,

RE: Proposed Bylaw Amendments 2461.18 and 2790.02 (Bylaws to amend the Electoral Area "F" Official Community Plan Bylaw No. 2790 and Zoning Bylaw No. 2461) 619 and 625 Highway 97 and adjacent properties

The District of Summerland is in receipt of a referral (F2021.008) for these proposed amendment bylaw(s) on May 28, 2021. The subject property is located 5 km north of the District of Summerland's north boundary as it intersects Highway 97, and 2.6 km east of the District of Summerland's east boundary in proximity to Garnett Lake, within Electoral Area "F" of the Regional District of Okanagan-Similkameen (RDOS).

The applicant is proposing the consideration of these amendments to accommodate a 106 unit medium residential development across a total of 8 'terraced' 6 storey high residential buildings that are proposed to be terraced down the slope toward Okanagan Lake. In addition, the proposed development contemplates a clubhouse & restaurant, a pickleball and tennis court, and a community park. The applicant is proposing to construct a wastewater and water treatment plant on the west side of Highway 97 to allow for the development.

The District of Summerland notes the following in response to this referral:

1. The 'Greata Ranch' area is identified as a Rural Growth Area in the South Okanagan Regional Growth Strategy Bylaw 2770, 2017.
2. That the Electoral Area "F" Official Community Plan identifies the subject property to be located in the Rural Growth Area Containment Boundary (Figure 14, pg. 35) of the Greata Ranch Rural Growth Area.
3. Section 6.5.11 of Electoral Area "F" Official Community Plan states the following:

"Will review the suitability of Greata Ranch as a Rural Growth Area when the Regional Growth Strategy is reviewed or updated."

4. Currently, the RDOS, along with participating South Okanagan member municipalities, is undertaking a review of the South Okanagan Regional Growth Strategy. The planning review project was initiated in August of 2020 and is expected to be completed in November of 2021.
5. The RDOS has adopted a Liquid Waste Management Plan for Electoral Area 'F', and a Stage II amendment report by AECOM Canada Ltd. was prepared in March 24, 2009. This amendment report considered various options for managing liquid waste that was to be expected from the Greata Ranch rural growth area, including an on-site wastewater treatment plant, pumping to the District of Peachland, or pumping to the District of Summerland. The preferred solution to liquid waste management determined by the consultant was **Option #2: Pump Wastewater to Summerland WWTP**. This option was preferred due to its potential to provide the greatest benefit to the area north of Summerland along the Okanagan lakeshore, and greatest likelihood of implementation.

The following are comments from District of Summerland internal departments:

Planning & Development

- Given that the RDOS is currently undergoing a review of the South Okanagan Regional Growth Strategy, and that there is a policy recommendation (S. 6.5.11) in the recently adopted Electoral Area "F" Official Community Plan to "review the suitability of the Greata Ranch area as a Rural Growth Area", planning staff feel that this proposal is premature and the drafted amendment bylaws **should not** be considered by the Regional District Board for adoption until the completion of the review of the Regional Growth Strategy (expected November, 2021). Staff are aware of preliminary discussions of whether Greata Ranch should be considered as a future growth area and allowing this rezoning application to be approved at this time circumvents these growth management discussions from taking place holistically and at a regional level.
- The RDOS Electoral Area "F" Liquid Waste Management Plan identifies the preferred liquid waste management solution for the Greata Ranch Rural Growth Area to be pumping to the District of Summerland's Wastewater Treatment Plant (WWTP). Further investigation is required with regards to the costs and benefits to the District of Summerland to extending a sanitary sewer connection to the Greata Ranch area, including potential existing residential development and planned future development that could benefit from this connection.

Engineering/Public Works

- If a connection to the District of Summerland's Wastewater System will take place, the following will be required:
 - Sanitary modelling will be required to determine tie in location and additional upgrades required. The full cost of modelling will be placed on the developer as this area is outside the current municipal boundary.
 - Engineered drawings for approval with current and potential future flow to WWTP.
 - Sanitary sewer DCCs will be applicable to the developer.
 - The District will not own or maintain any infrastructure outside its boundary. Therefore, a servicing agreement or other mechanism stating

ownership, responsibility, and payment scheme will be required.

- The tie-in location in the RDOS's Liquid Waste Management Plan shows connection to the District's existing system in Crescent Beach. This proposed connection would require major downstream upgrades in the District's system and an alternative tie-in location to the District's system should be considered.

Electrical Utility

- BC Hydro currently services this area north of the District of Summerland for electrical service.
- The District of Summerland Electrical distribution system ends approximately 5.5 km south of this location.

Fire Department

- The subject property is located outside of the District of Summerland's fire response area. It is therefore classified as an unprotected area for the Fire Underwriters Survey.
- If structural fire protection was to be provided to this property, with the current make-up of the Summerland Fire Department, provision of timely and effective fire protection would be a challenge.
- Emergency responses to this area would negatively impact the Fire Department's ability to provide timely and effective fire protection to areas within our boundary.
- These factors may impact the overall fire protection grade rating for the District of Summerland, as assigned by Fire Underwriters Survey, and negatively impact fire insurance costs for the entire District.
- If this proposed development were to be provided fire protection, the fire department strongly recommends that the staffing provisions of the Summerland Fire Department be increased to provide daytime coverage of 4 career firefighters, 7 days per week. This would necessitate the hiring of an additional 6 career firefighters and would have significant budget ramifications.
- Water modeling and engineered design of a water system that can provide adequate water for firefighting will be required.

RCMP

- No concerns

For any additional information on these referral comments, please contact Brad Dollevoet, Director of Development Services at 250-404-4057 or bdollevoet@summerland.ca

Sincerely,



Brad Dollevoet,
Director, Development Services

cc: Graham Statt, CAO
District of Summerland Council



Your File #: F2021.008-
ZONE (Bylaw
2461.18) (Butler
Property)

eDAS File #: 2021-02879

Date: June 2, 2021

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

Attention: Lauri Feindell, Planning Secretary

Re: Proposed Zoning Amendment Bylaw 2461.18 for:
DL5127, ODYD, Except Plan 36630 and Plan KAP75352
Amended Lot 10 (see 225248F) DL2536 ODYD Plan 621 Except Plans H578,
36630 and KAP75352
Lot 1, District Lot 2536, ODYD Plan KAP83579
Lot A, District Lot 2536, ODYD, Plan KAP83581
Lot 11, DL2536, ODYD, Plan 621 Except Plans H578, 366340 and KAP75352

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions, please feel free to call Rob Bitte at (250) 490-2280.

Yours truly,

Rob Bitte
Development Officer

| Local District Address |
|---|
| Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231 |

Lauri Feindell

From: FPP.PAC.Enquiries / Renseignements.PPP.PAC (DFO/MPO) <XPAC.EnquiriesPacific@dfo-mpo.gc.ca>
Sent: May 26, 2021 9:17 AM
To: Lauri Feindell
Subject: RE: Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

Hi Lauri,

At this time, the Fish and Fish Habitat Protection Program (FFHPP) will not be participating in the Bylaw Referral F2021.008-ZONE (F2021.008-ZONE). The role of the DFO's FFHPP Program is to protect and conserve fish and fish habitat in support of Canada's coastal and inland fisheries resources, and to make regulatory decisions under the fisheries protection provisions of the *Fisheries Act*. The FFHPP is specifically responsible for reviewing projects for which a s.35(2) *Fisheries Act* Authorization is required.

If you feel that the project proposes works, undertakings or activities that may result in harm to fish or fish habitat, DFO's Projects Near Water website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) includes information for proponents on how to comply with the *Fisheries Act*, request a DFO review of a project, and request a *Fisheries Act* authorization.

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fish and Fish Habitat Protection Program toll free: 1-866-845-6776 or email: ReferralsPacific.XPAC@dfo-mpo.gc.ca.

Thanks,

Stephen Tessovitch (he/him)

Referrals and Client Services Coordinator

Regional Coordination

Fish & Fish Habitat Protection Program

Ecosystems Management Branch

Fisheries and Oceans Canada....><(((°°

985 McGill Place

Kamloops, BC V2C 6X6

E-mail: stephen.tessovitch@dfo-mpo.gc.ca

Telephone: (250)571-5435 **Fax:** (250)851-4951

From: Lauri Feindell <lfeindell@rdos.bc.ca>

Sent: Friday, May 21, 2021 3:44 PM

To: sara.huber@gov.bc.ca; HBE@interiorhealth.ca; 'fbclands@fortisbc.com' <fbclands@fortisbc.com>; christina.forbes@gov.bc.ca; info@summerland.ca; archdatarequest@gov.bc.ca; ReferralAppsReg8@gov.bc.ca; referrals@pib.ca; PAC FPP / PPP PAC (DFO/MPO) <DFO.PACFPP-PPPPAC.MPO@dfo-mpo.gc.ca>; onareception@syilx.org; rs@summer.com; planning@cord.bc.ca

Cc: Cory Labrecque <clabrecque@rdos.bc.ca>

Subject: Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

Good Afternoon,

Re: Bylaw 2461.18 and 2790.02

619 and 625 Highway 97 and adjacent properties



June 18, 2021

File: 0280-30

Local Government File: F2021.008-ZONE

Regional District of Okanagan-Similkameen

101 Martin St

Penticton BC V2A 5J9

Via Email: planning@rdos.bc.ca

Dear Cory Labrecque,

Re: Amendment to Zoning and OCP Designations of Subject Properties 619 and 625 Highway 97 (PIDS: 012-175-625; 012-175-641; 027-028-089; 027-028-119; and 011-787-422)

Thank you for providing the Ministry of Agriculture, Food and Fisheries (Ministry) staff the opportunity to comment on amendments to the zoning and OCP designations of the Subject Property to facilitate medium density residential development of 106 dwelling units. From an agricultural perspective, the Ministry offers the following comments:

- The Subject Property is situated on an old fluvial bench deposit above Okanagan Lake. The soils here are generally well drained and can be suited for agricultural crops, especially climatically adapted crops such as tree fruits and grapes but are limited by stoniness and adverse topography of the bench.
- The neighbouring property to the northwest is currently an operating vineyard on ALR land and so the ministry's [Guide to Edge Planning](#) recommends that any residential development adjacent to ALR land include a 30 metre building setback from any lot lines along the boundary of the ALR and a 15 metre vegetative buffer consistent with a Level 1 buffer as described in the Guide.
- Vineyards and wineries can be noisy operations and farm practice complaints may be made in response to the noise. Therefore, we recommend that a notice be placed on title of all homes within 300 metres of the ALR boundary that will notify property owners that they are located in a farming area and may be subject to disturbances such as noise, odour and dust.

Please contact ministry staff if you have any questions regarding the above comments.

Sincerely,



Alison Fox, P.Ag.
Land Use Agrologist
BC Ministry of Agriculture, Food
and Fisheries
Email: Alison.Fox@gov.bc.ca
Phone: (778) 666-0566



Philip Gyug, P.Ag.
Regional Agrologist
BC Ministry of Agriculture, Food
and Fisheries
Email: Philip.Gyug@gov.bc.ca
Phone: 250-378-0573

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission –
Sara.Huber@gov.bc.ca

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: June 11, 2021 3:11 PM
To: Cory Labrecque
Cc: Lauri Feindell
Subject: RE: Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

Hello Cory,

Thank you for your referral regarding proposed development of 619 and 625 Highway 97 and adjacent properties, legally described as:
AMENDED LOT 10 (SEE 225248F) DISTRICT LOT 2536 OSOYOOS DIVISION YALE DISTRICT PLAN 621 EXCEPT PLANS H578, 36630 AND KAP75352, PID 012175625;
LOT 11 DISTRICT LOT 2536 OSOYOOS DIVISION YALE DISTRICT PLAN 621 EXCEPT PLANS H578, 36630 AND KAP75352, PID 012175641;
LOT 1 DISTRICT LOT 2536 OSOYOOS DIVISION YALE DISTRICT PLAN KAP83579, PID 027028089;
LOT A DISTRICT LOT 2536 OSOYOOS DIVISION YALE DISTRICT PLAN KAP83581, PID 027028119 and
DISTRICT LOT 5127 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLAN 36630 AND PLAN KAP75352, PID 011787422.

Please review the screenshot of the properties below (outlined in yellow) and notify me immediately if it does not represent the properties that are listed in your referral.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded on any of the properties.

However, archaeological potential modelling for the area indicates that all the subject properties on the East side of Highway 97, and parts of the properties on the West side of Highway 97 have high potential to contain unknown/unrecorded archaeological deposits, as indicated by the brown areas shown in the screenshot below.

Archaeological potential modelling is compiled using existing knowledge about archaeological sites, past indigenous land use, and environmental variables. Models are a tool to help predict the presence of archaeological sites but their results may be refined through further assessment.

Archaeology Branch Advice

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned for the subject properties, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

Rationale and Supplemental Information

- There is high potential for previously unidentified archaeological deposits to exist on the subject properties.
- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.
- If a permit is required, be advised that the permit application and issuance process takes approximately 8-12 weeks; the permit application process includes referral to First Nations and subsequent engagement.
- The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.
- The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person's expense, in certain circumstances, as set out in the *Heritage Conservation Act*.
- Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit.

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories.

Questions?

For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Please let me know if you have any questions regarding this information.

Kind regards,





Please note that subject lot boundaries (yellow) and areas of archaeological potential (brown) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change.



Diana Cooper

Archaeologist/Archaeological Information Administrator

Archaeology Branch | [Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#)

Phone: (250) 953-3343 | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology

From: Lauri Feindell <lfeindell@rdos.bc.ca>

Sent: May 21, 2021 3:44 PM

To: Huber, Sara ALC:EX <Sara.Huber@gov.bc.ca>; HBE@interiorhealth.ca; 'fbclands@fortisbc.com' <fbclands@fortisbc.com>; Forbes, Christina D AFF:EX <Christina.Forbes@gov.bc.ca>; XT:Summerland, District ENV:IN <info@summerland.ca>; Arch Data Request FLNR:EX <ArchDataRequest@gov.bc.ca>; Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>; referrals@pib.ca; ReferralsPacific@dfo-mpo.gc.ca; onareception@syilx.org; XT:Shongrunden, Ron FIN:IN <rs@summer.com>; planning@cord.bc.ca

Cc: Cory Labrecque <clabrecque@rdos.bc.ca>

Subject: Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good Afternoon,

Re: Bylaw 2461.18 and 2790.02
619 and 625 Highway 97 and adjacent properties

Please find attached a Bylaw Referral for the above noted properties as well a link to the application documentation below. Please review and if you have any questions, please contact the file manager Cory Labrecque at clabrecque@rdos.bc.ca.

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-f/f2021-008-zone/>

Once reviewed, please forward any comments or concerns to planning@rdos.bc.ca by **June 21, 2021**.

Kind Regards



RDOS

OKANAGAN-
SIMILKAMEEN

Lauri Feindell, Administrative Assistant,
Planning Services

Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • lfeindell@rdos.bc.ca

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Nikita Kheterpal

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: June 16, 2021 4:43 PM
To: Planning
Subject: Highway 97, 619 & 625, RDOS (F2021.008-ZONE)

With respect to the above noted file,

There are no FortisBC Inc (Electric) ("FBC(E)") facilities affected by this application. As such FBC(E) has no concerns with this circulation.

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

Regards,

Steve Danielson, AACI, SR/WA

Contract Land Agent | Property Services | FortisBC Inc.

2850 Benvoulin Rd

Kelowna, BC V1W 2E3

Mobile: 250.681.3365

Fax: 1.866.636.6171

FBClands@fortisbc.com



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JoAnn Peachey

From: RDCO Planning Services <planning@rdco.com>
Sent: June 16, 2021 11:11 AM
To: Planning
Subject: FW: Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)
Attachments: Referral F2021.008-ZONE (Diamonds).pdf

Good morning,

Thanks for the opportunity to provide comments on the subject referral. Planning Services has reviewed the proposal and provide the following comments from an environmental planning perspective for staff at RDOS to consider:

- The subject properties are not located within a fire protection area or in an area with community water or community wastewater. Additional density in these areas should not be supported.
- The subject properties are located adjacent to Okanagan Lake. The protection of Okanagan Lake and ecological attributes is of critical importance, as further described below.
- It appears that the proposed 'Clubhouse' and 'Restaurant' are located past the edge of the cliff and within the 30m riparian setback area. This leave strip is for the protection and restoration of the riparian ecosystem and should remain undisturbed near watercourses and other aquatic features. The intention is that the leave strip will be untouched by development and left in its natural condition; or, if damaged by previous use or construction, the ecosystem restored or enhanced. Human settlement or other development within or adjacent to riparian areas is strongly discouraged.
- Foreshore and riparian areas are important to fish and wildlife species, including species at risk. Consideration should be given to ensuring that any works do not impose direct or long term cumulative impacts to fish and wildlife species and their habitats. Most of the foreshore areas adjacent to the subject property are recognized as being very important for the long-term maintenance of Kokanee productivity in Okanagan Lake. Should development proceed, a no-build/no disturb area along the foreshore should be secured as determined by a Qualified Environmental Professional.
- Maintain natural or pre-development hydrologic regimes. Changes to surface and ground water flow can negatively impact aquatic, riparian, and wetland ecosystems. Trails and road construction and development should be designed to maintain the hydrology of these ecosystems.
- The section of Highway 97 is known for slope instability and has seen landslides and slope failure events in the past. Development should be set back a minimum of 10 metres from the top of ridgelines, cliffs or ravines. Existing vegetation should be maintained to control erosion and protect slopes. Any recommendations from the Ministry of Transportation and Infrastructure should also be considered.
- The pattern of development should be responsive to the varied topography and natural landscape. Cluster developments on steep slopes in a manner which responds to the site's natural contours and preserves more unbuilt open space for conservation or recreation/amenity space. Changes to existing terrain should be kept to a minimum.
- A plan of site remediation including but not limited to; sensitive grading, revegetation (reflecting the Okanagan landscape), erosion control, and soil amelioration, prepared by appropriate qualified professional (registered landscape architect, professional forester) should be provided in advance of any site grading or removal of vegetation.

Should you have questions, please contact Planning Services at 250-469-6227.

Sincerely,

Planning Services
Regional District of Central Okanagan
250-469-6227 | planning@rdco.com
Connect with us | rdco.com



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

June 2, 2021

Reply to the attention of Sara Huber
ALC Issue: 52252
Local Government File: F2021-008-ZONE

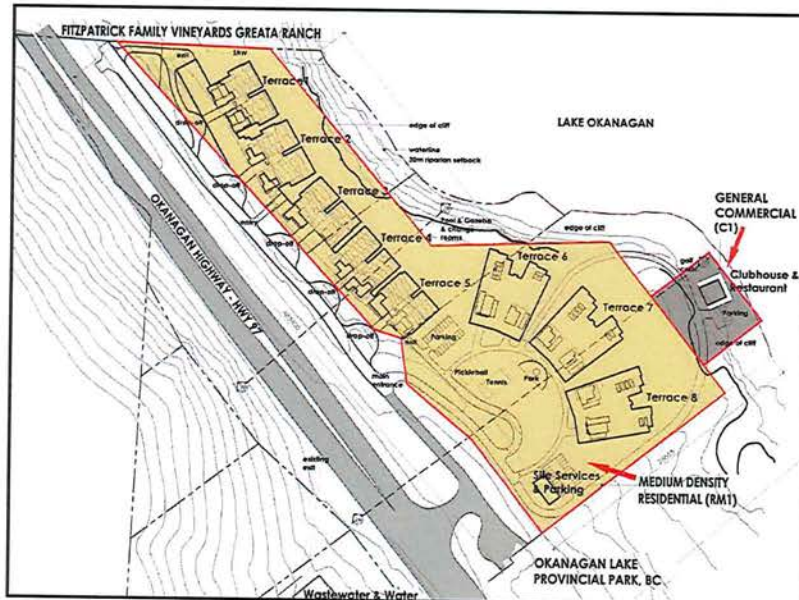
Cory Labrecque
Planner 2, RDOS
planning@rdos.bc.ca

**Re: Regional District of Okanagan Similkameen Electoral Area F Official
Community Plan and Zoning Amendment Bylaw Nos. 2461.18 and 2790.02**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area F Official Community Plan (OCP) and Zoning Amendment Bylaw Nos. 2461.18 and 2790.02 (the "Amendment Bylaws") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Amendment Bylaws are consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

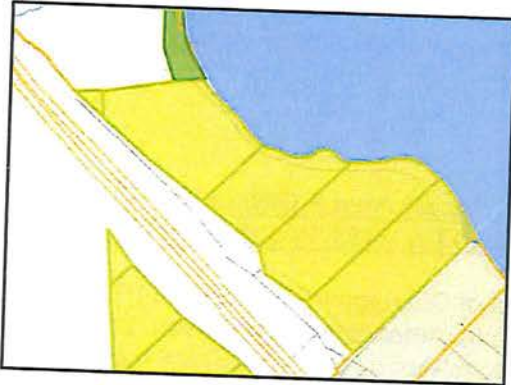
The Amendment Bylaws propose to amend the zoning and OCP designations of the portions of five properties below Highway 97 (i.e. PID: 012-175-625; PID: 012-175-641, PID: 027-028-089, PID: 027-028-119, and PID: 011-787-422, collectively referred to as the "Properties") in order to facilitate a medium density residential development with a total of 106 dwelling units, within eight terraced apartment structures, as well as a clubhouse and restaurant. The Amendment Bylaws would amend the OCP designation from Commercial Tourist (CT) to part Medium Density Residential (MR) and part Commercial (C) and the zoning would be amended from Campground Commercial Zone (CT2s) to part Medium Density Residential (RM1) and part General Commercial (CT1).

Proposal Sketch:



The ALC recognizes that the Properties are not within the ALR; however, a small portion of the western boundary of the proposed development is directly adjacent to ALR lands (approximately 40 m in length).

ALR Context Map:



While ALC staff would typically recommend considering the setback and buffer requirements outlined in the [Guide to Edge Planning](#); given the small area of the development adjacent to the ALR, it may not be necessary.

For this reason, ALC staff have no objection to the Amendment Bylaws.

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

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'Sara Huber'.

Sara Huber, Regional Planner

Enclosure: Referral of RDOS F2021-008-ZONE

CC: Ministry of Agriculture – Attention: Alison Fox (Alison.Fox@gov.bc.ca)

52252m1



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

FN Consultation ID:

L-210521-F2021-008-ZONE

Consulting Org Contact:

Cory Labrecque

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Friday, May 21, 2021

Company Project ID (province/proponent ID):

F2021.008-ZONE

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Attention: Cory Labrecque,

We are in receipt of the above referral. The proposed activity is located within Syilx (Okanagan) Nation Territory and the Penticton Indian Band (PIB) Area of Interest. All lands and resources within the vicinity of the proposed project are subject to our unextinguished Aboriginal Title and Rights. The Penticton Indian Band has now had the opportunity to review the proposed project. Our preliminary office review has indicated the proposed project is located within an area of cultural significance and has the potential to impact PIB tmx'ulax' (lands), siw'k' (water, the lifeblood of the land) and syilx cultural heritage. Our tmx'ulax' and siw'k' is sacred to the syilx nation and it is PIB's responsibility to take care of all lands, waters and living things within the PIB Area of Interest.

As the proposed activity has the potential to impact irreplaceable syilx cultural heritage, the PIB is requiring a Cultural Heritage Resource Assessment be undertaken by qualified PIB Cultural Heritage Technicians to determine the nature and extent of any potential impacts. The PIB CHRA process involves in-field pedestrian surveys using either systematic or judgmental site sampling techniques undertaken by qualified PIB Technicians to assess the archaeological, cultural, and environmental resource potential of the study area, and to identify the need for project modifications and/or appropriate scope of further field studies if required.

The Penticton Indian Band makes information-based decisions and without a CHRA, we do not have enough information on potential impacts to syilx cultural heritage. Therefore, if our requirements are not fulfilled, we will have no other option but to reject the proposed project.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

Please contact me at your earlier convenience to discuss.



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

FN Consultation ID:

L-210521-F2021-008-ZONE

Consulting Org Contact:

Cory Labrecque

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Friday, May 21, 2021

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

June 2, 2021

Attention: Cory Labrecque

File number: F2021.008-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was received on 2021-05-21T00:00:00.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economically from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

limlɛmt,

Heather McDougall

Referrals Clerk

Natural Resources Department

Penticton Indian Band

P: 250-492-0411

Referrals.clerk@pib.ca



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

FN Consultation ID:

L-210521-F2021-008-ZONE

Consulting Org Contact:

Cory Labrecque

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Friday, May 21, 2021

Company Project ID (province/proponent ID):

F2021.008-ZONE

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Attention: Cory Labrecque

We are in receipt of the above referral. This proposed activity is within the PIB Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

1. Invoice Number: L-210521-F2021-008-ZONE

Referrals Processing Fee

Sub Total \$ 500.00

Tax \$ 0.00

Total \$ \$500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque or cash payable to Penticton Indian Band. re: P.C.132 and send to 841 Westhills Drive, Penticton, British Columbia, Canada V2A 0E8

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

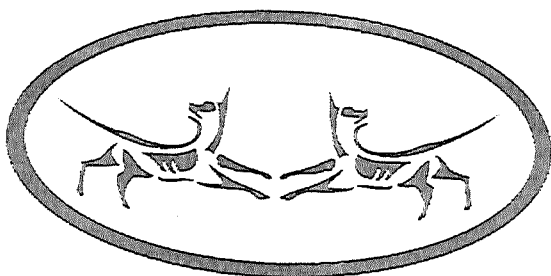
If the proposed activity requires a more in-depth review, PIB will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

limlāmt,

Heather McDougall
Referrals Clerk
Natural Resources Department
Penticton Indian Band
W: 250-492-0411
Referrals.clerk@pib.ca



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

FN Consultation ID:

L-210521-F2021-008-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan Similkameen

Date Received:

Friday, May 21, 2021

File number:

F2021.008-ZONE

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Attention: Planning RDOS,

Re: Bylaw Referral F2021.008-ZONE (F2021.008-ZONE) Invoice # -L-210521-F2021-008-ZONE

We write regarding your failure to pay invoice -L-210521-F2021-008-ZONE- to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated May 21, 2021.

Invoice Number: L-210521-F2021-008-ZONE

Subtotal Tax Total

Referral Processing \$ 500.00 \$ 0.00 \$ 500.00

Total \$ 500.00 \$ 0.00 \$ 500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Furthermore, the Regional District of South Okanagan has not responded to the three letters sent out by the PIB including a request for a Cultural Heritage Resource Assessment. The consultation process conducted around this referral has been exceedingly questionable. This is not in-line with the 'process of reconciliation' promised by both the provincial and federal governments. This is not in line with the Constitution Act, of 1982. The province and the Regional District of Okanagan Similkameen are not abiding by the Tsilhqot'in decision. In fact, the province and the Regional District of Okanagan Similkameen are allowing developers to continue its history of colonial attack upon our people by excluding us from our lands and our sacred spaces. The Penticton Indian Band does not consent to the current process employed by the provincial government to approve activities on our unceded lands and waters.

The syilx/Okanagan Nation holds unextinguished aboriginal title to the land and resources within our traditional territory. The above-noted activity / development is within PIB's Area of Responsibility within syilx/Okanagan territory and as such, is

subject to syilx/Okanagan title, jurisdiction, rights and interests, and PIB decision making and responsibility.

Over the last two decades, the Supreme Court of Canada has clarified the law respecting the rights of aboriginal people in British Columbia, which includes the Penticton Indian Band, syilx/Okanagan Nation. The Court has clarified that Aboriginal title continues to exist in British Columbia, and is protected by s. 35 of the Constitution Act, 1982.

In June 2014, the Supreme Court of Canada in the *Tsilhqot'in* case set out the following characteristics and implications of Aboriginal title:

- Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.
- The Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in Aboriginal title lands and resources; the beneficial interest is held by the Aboriginal title holding group. Allocations of Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.
- Aboriginal title includes the right to proactively use and manage the resources.
- Once Aboriginal title is "established", the constitution prohibits incursions without the consent of the Aboriginal title holders unless the Crown can justify the infringement, which in turn requires a compelling and substantial public purpose as well as consistency with the Crown's fiduciary duty to the Aboriginal title holders, requiring the involvement of the Aboriginal title holding group in decisions.
- Before Aboriginal title is "established", the only way to ensure certainty is to obtain consent; in the absence of consent, the Crown must consult and accommodate. If consultation or accommodation is inadequate, the Crown decision can be suspended or quashed. Moreover, fulfilling the duty to consult and accommodate does not provide the certainty that consent provides; once Aboriginal title is established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

Most recently, in November 2019, the province of British Columbia implemented the United Nations Declaration on the Rights of Indigenous Peoples which aims to emphasize the Indigenous peoples' rights to live in dignity, to maintain and strengthen Indigenous institutions, cultures and traditions and to pursue self-determined development, in keeping with Indigenous needs and aspirations. The United Nations Declaration on the Rights of Indigenous Peoples ("the Declaration") recognizes and affirms:

- Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
- Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
- Article 8(2): States shall provide effective mechanisms for prevention of, and redress for: (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
- Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
- Article 26(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- Article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources particularly in connection with the development, utilization or exploitation of minerals, water or other resources.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co-existence or accommodation of our jurisdiction and title. The Province continues to act as though we have no beneficial interest or authority, and it takes for itself the revenues derived from our lands and resources. The payment of the referral fee is necessary in order for us to assess your proposal, assess potential impacts and determine whether it should be approved and if so, on what conditions. Because we are unable to undertake such an assessment, we must at this time advise you that we are opposed to your proposed development/activity.

limlamt,

Heather McDougall
Referrals Clerk
Natural Resources Department
Penticton Indian Band
P: 250-492-0411
Referrals.clerk@pib.ca



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Bylaw Referral F2021.008-ZONE (F2021.008-ZONE)

FN Consultation ID:

L-210521-F2021-008-ZONE

Consulting Org Contact:

Cory Labrecque

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Friday, May 21, 2021

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

June 2, 2021

Attention: Cory Labrecque

File number: F2021.008-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was received on 2021-05-21T00:00:00.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economically from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

limlāmt,

Heather McDougall
Referrals Clerk
Natural Resources Department
Penticton Indian Band
P: 250-492-0411
Referrals.clerk@pib.ca

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2461.18 & 2790.02

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw

☒ Approval Recommended Subject to Conditions Below

☐ Approval Not Recommended Due to Reasons Outlined Below

See attached letter.

Signature: 

Signed By: Tanya Osborne

Agency: Interior Health

Title: Community Health Facilitator

Date: June 16, 2021

June 16, 2021

JoAnn Peachey
Planning Department
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A-5J9

RE: F2021.008-ZONE: 619 & 625 Highway 97 and adjacent properties: District Lot 5127, ODYD, Except Plan 36630 KAP75352; Lot A, Plan KAP83581, District Lot 2536, ODYD; Lot 1, Plan KAP83579, District Lot 2536, ODYD; Lot 11, Plan KAP621, District Lot 2536, ODYD, Except Plan H578 36630 KAP75352; and Lot 10, Plan KAP621, District Lot 2536, ODYD, Except Plan H578, AMD LOT & EXC PL 36630, KAP75352

Dear JoAnn Peachey,

Thank you for the opportunity to comment on the above named proposal. It is my understanding that the applicant is seeking to amend the zoning and OCP designations for the subject properties in order to facilitate a medium density residential development. The Electoral Area 'F' OCP amendment would be from Commercial Tourist (CT) to part Medium Density Residential (MR) and part Commercial (C). The Zoning Bylaw amendment would be from Campground Commercial Zone (CT2) to part Medium Density Residential (RM1) and part General Commercial (CT1). This application has been reviewed using a Healthy Community Development and Environmental Public Health lens. The following comments are for your consideration:

Healthy Community Development

We are pleased to see the proposed creation of additional housing options for the community, as housing is a key determinant of health and can affect many aspects of our wellbeing. It is important to ensure, however, that the right type of housing is being built that meets the needs of the community. According to the [RDOS 2020 Housing Needs Assessment](#) there is a great need for housing for families (2+ bedroom), especially affordable housing for families, that which is accessible for those with special needs and purpose-built seniors housing. Very few of these needs are addressed within this development proposal.

The [Healthy Built Environment Linkages Toolkit](#) is an evidence based resource that articulates planning principles with health outcomes. The Toolkit supports complete, compact and connected community planning. While this property has been identified as a Rural Growth Area, it is a fair distance from any key amenities, which will likely compel residents to use private vehicles which are often single occupancy. This not only eliminates opportunities for physical activity, but adds to community emissions, further impacting climate change. In addition, it is only connected via highway infrastructure, which does not support safe recreational active transportation modes.

This development proposal is adjacent to Fitzpatrick Family Vineyards. Conflict can result when residential, agricultural and/or industrial uses are mixed. Typically, the complaints Interior Health – Environmental Public Health receive from residents living in proximity to industry and agriculture relate to odor, dust, noise, application of soil amendments and/or chemicals. Agriculture can also negatively affect air quality through contributions to particulate matter and volatile compounds. Although these types of activities are causing stress to the complainants, it is difficult to address them using the BC Public Health Act because it is difficult to have evidence to support they are health hazards directly affecting the public, as defined in the Act. Buffers can benefit neighboring residents by reducing

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Tanya.Osborne@interiorhealth.ca
www.interiorhealth.ca

POPULATION HEALTH
505 Doyle Avenue
Kelowna BC V1Y 0C5

noise, dust, and odors. However, in our experience, it is best if potential conflict situations can be addressed by community planning.

Environmental Public Health

It is our understanding that the subject parcel is proposed to be serviced by a well for drinking water and an onsite sewerage system is proposed. From an Environmental Public Health perspective, the following legislation will apply to this proposal:

- [Sewerage System Regulation](#): Prescribes any buildings in which domestic sewage is produced must be connected to the sanitary sewer system or a sewerage system. See [IH Onsite Sewerage webpage](#) for more information. If the daily flows are greater than 22,700 litres per day, the Municipal Wastewater Regulation will apply. The Ministry of Environment and Climate Change Strategy is responsible for permitting those systems.
- [Food Premises Regulation](#): Prior to the construction of a food service establishment, the applicant requires health approval from the local Environmental Health Officer (Penticton office for Environmental Public Health: 250-770-5540). See [IH Health Approval and Permits](#) for more information.
- [Pool Regulations](#): Prior to the construction of a commercial pool, the applicant will require a Construction Permit from Interior Health. See [IH Recreational Water Resources](#) for more information on how to apply for a Construction Permit as well as a Permit to Operate. For more information or to speak with the local Public Health Engineer, please call: 1-855-743-3550
- The developer (water system owner) will be required obtain a water / well license from FLNRO. After that license had been issued the developer (water system developer) must apply for a water system operating permit, water source evaluation and construction permits. See [IH Permits, Approvals and Plans](#) for the permitting process.
- All new water systems are required to meet [BC Drinking Water Treatment Objectives](#).
- Additional requirements may apply as more information about the water system are provided by the applicant.

Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health. Please do not hesitate to reach out to Tanya Osborne, Community Health Facilitator at Tanya.Osborne@interiorhealth.ca or 250-469-7070 x12287 if you require clarification or have questions.

Sincerely,



Tanya Osborne, BAHS
Community Health Facilitator

Bus: 250-469-7070 x12287
Tanya.Osborne@interiorhealth.ca
www.interiorhealth.ca

POPULATION HEALTH
505 Doyle Avenue
Kelowna BC V1Y 0C5

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: OCP & Zoning Bylaw Amendments – Residential and Small Holdings Review

Administrative Recommendation:

THAT Bylaw No. 2892, 2021, a bylaw to amend the Electoral Area “A”, “C”, “D”, “E”, “F” and “I” Official Community Plan (OCP) and Zoning Bylaws in order to update the Residential and Small Holdings zones be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2892, 2021, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 21, 2021; and,

THAT notice of the public hearing be given in accordance with the requirements of the *Local Government Act*.

Proposal:

It is being proposed that the Regional District Board initiate an amendment to the Electoral Area “A”, “C”, “D”, “E”, “F” and “I” Official Community Plan (OCP) and Zoning Bylaws in order to update the Residential and Small Holdings zones as part of the final phase of the on-going work related to the preparation of a single zoning bylaw for the Okanagan Electoral Areas.

Specifically, it is being proposed that the South Okanagan Electoral Areas contain consistent zoning regulations with three Residential zones (RS1, RS2, and RS3) and four Small Holdings zones (SH1, SH2, SH3 and SH4) plus one other specific SH5 zone for the West Bench area of Electoral Area “F”.

Background:

Phase 4 of the Residential Zone Update represents one of the last steps in the preparation of a single zoning bylaw for the Okanagan Electoral Areas.

At its meeting of May 6, 2021, the Planning and Development (P&D) Committee of the Regional District Board received information on the community engagement strategy for the Residential and Small Holdings project.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed zoning amendments involve lands within 800 metres of controlled access highways.

Public Process:

In lieu of holding an in person Public Information Meeting (PIM) consultation for this project consisted of a multi-pronged approach, including an online GIS StoryBoard program, a summary document explaining what the project was about and how it was being done, letters to property owners if the proposed zoning change also requires an OCP amendment, and information releases to the press, social media, and civic ready.

In summary, the following consultation was completed:

- A total of 684 letters were sent to owners:
 - Electoral Area “A” - 3; ➤ Electoral Area “D” - 15; ➤ Electoral Area “F” - 16; and
 - Electoral Area “C” - 224; ➤ Electoral Area “E” - 23; ➤ Electoral Area “I” - 403.
- A total of 670 views were recorded for the GIS StoryBoard on the project web page, from May 1st to June 15th , 2021.
- 15 phone call enquiries were received and answered.
- 18 emails were received and answered.
- One feedback form was received.
- An electronic information meeting was held for the Twin Lakes residents on June 1, 2021 with a total of eight participants. Three in-person meetings were held.

All comments received, in writing, to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The main objective of a single consolidated Zoning Bylaw for the Okanagan valley is to provide convenient and consistent information across the six Okanagan Electoral Areas to the public, developers, land owners and staff.

In support of this objective, work on the consolidated Zoning Bylaw has been completed in stages incorporating amendments for different sections of the existing Bylaws over the past few years. The Residential and Small Holdings sections are the most complex and several criteria were used to determine the best new zone for each property affected.

The replacement zoning being proposed for each property was done in consideration of the property size, the current use, if it is within the Agriculture Land Reserve (ALR), if there is community water and community sewer services, if it is a growth area, the terrain and the general ability to develop the land.

Consolidating and modernizing the six Electoral Area Zoning Bylaws included re-evaluating what the zoning intentions are for a ‘Residential’ parcel and for a ‘Small Holdings’ parcel. The three new proposed Residential zones (RS1, RS2, and RS3) are intended for smaller parcels (~ 350 m² to 1000 m²) either urban or suburban in nature. Usually with community water and sewer services. Most of these

are located in the OK Falls area; however, they also occur on other properties that are relatively small in nature such as in Kaleden or Naramata.

The four main Small Holdings zones (SH1, SH2, SH3, and SH4) plus the West Bench SH5 zone, are intended for rural residential type of properties. These are quite typically found within much of the Regional District and are approximately ~2000 m² to 2.0 ha in area. These parcels typically do not have community water or sewer services, although some areas may be served with a community water system. Specific neighbourhoods include West Bench, parts of Kaleden, most of the Twin Lakes area, Vintage Views, and some pocket areas in the Osoyoos area.

Historically many smaller sized properties were zoned as Residential, presumably through a new subdivision, regardless of location or servicing options. As a result, numerous parcels scattered throughout the Regional District have a Residential designation but are in fact currently considered as a Small Holdings type of property. This Amendment Bylaw proposes to resolve these discrepancies.

In summary, Administration believes that the proposed changes support the direction of creating a single Okanagan Zoning Bylaw.

Alternatives:

1. THAT Amendment Bylaw 2892, 2021 be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2892, 2021, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of the public hearing be delegated to Chair Kozakevich, or their delegate;

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

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

Respectfully submitted:



C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2892, 2021

**A Bylaw to amend the Electoral Areas “A”, “C”, “D”, “E”, “F” and “I”
Regional District of Okanagan-Similkameen Official Community Plan Bylaws & Zoning Bylaws**

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 Residential and Small Holdings Zoning Update Amendment Bylaw No. 2892, 2021.”

Electoral Area “A”

2. The Official Community Plan Map, being Schedule ‘B’ of the Electoral Area “A” Official Community Plan Bylaw No. 2905, 2021, is amended by changing the land use designation of:
 - i) the land shown shaded yellow on Schedule ‘A-101’, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - ii) an approximately 0.5 ha area of the land described as Lot 2, Plan EPP47704, District Lot 2450S 3460S, SDYD, and shown shaded purple on Schedule ‘A-101’, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - iii) an approximately 250 m² area of land described as Lot 1, Plan KAP58930, District Lot 2450, SDYD, and shown shaded yellow on Schedule ‘A-102’, which forms part of this Bylaw, from Low Density Residential (LR) to Agriculture (AG).
 - iv) the land described as District Lot 4100S, SDYD, and an approximately 1.07 ha area of land described as Lot 639A, Plan KAP1950, District Lot 2450S, SDYD, and shown shaded yellow on Schedule ‘A-103’, which forms part of this Bylaw, from Agriculture (AG) to Low Density Residential (LR).

- v) the land shown shaded green on Schedule 'A-104', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - vi) the land shown shaded green on Schedule 'A-105', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - vii) the land shown shaded green on Schedule 'A-106', which forms part of this Bylaw, from Small Holdings (SH) to Large Holdings (LH).
3. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
- i) replacing the sub-section titled "Rural Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

| | |
|-------------------------|-----|
| Rural Zones | |
| Resource Area Zone | RA |
| Agriculture One Zone | AG1 |
| Agriculture Two Zone | AG2 |
| Large Holdings One Zone | LH1 |
 - ii) adding a new sub-section titled "Small Holdings Zones" under Section 5.1 (Zoning Districts) to read as follows:

| | |
|-----------------------------|-----|
| Small Holdings Zones | |
| Small Holdings One Zone | SH1 |
| Small Holdings Two Zone | SH2 |
| Small Holdings Three Zone | SH3 |
| Small Holdings Four Zone | SH4 |
 - iii) replacing the sub-section titled "Low Density Residential Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

| | |
|--------------------------------------|-----|
| Low Density Residential Zones | |
| Low Density Residential Two Zone | RS2 |
| Low Density Residential Three Zone | RS3 |
| Low Density Residential Duplex Zone | RD1 |
 - iv) replacing the first column in the sixth row of Table 7.9 (Screening and Landscaping Requirements under Section 7.9 (Screening and Landscaping) in its entirety with the following:

Any use in SH1, SH2, SH3, RS2, RS3, RD1, RM1, C1, CT1, I1, A1, PR and CA zones.

- v) replacing Section 10.5 (Small Holdings Two Zone) in its entirety with the following:

10.5 *deleted*

- vi) replacing Section 10.6 (Small Holdings Three Zone) in its entirety with the following:

10.6 *deleted*

- vii) replacing Section 10.7 (Small Holdings Four Zone) in its entirety with the following:

10.7 *deleted*

- viii) adding a new Section 11.0 (Small Holdings) to read as follows and renumbering all subsequent sections:

11.0 SMALL HOLDINGS

11.1 SMALL HOLDINGS ONE ZONE (SH1)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
c) bed and breakfast operation, subject to Section 7.19;
d) home occupation, subject to Section 7.17;
e) secondary suite, subject to Section 7.12; and
f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Small Holdings One (SH1s) Provisions:

- a) see Section 17.5

11.1.3 Minimum Parcel Size for Subdivision:

- a) 0.25 ha, when connected to a community sewer and water system;
b) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 4.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

11.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

11.2 SMALL HOLDINGS TWO ZONE (SH2)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;

- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Small Holdings Two (SH2s) Provisions:

- a) see Section 17.6

11.2.3 Minimum Parcel Size for Subdivision:

- a) 0.5 ha, when connected to a community sewer system and serviced by well; or
- b) 1.0 ha, when serviced by a well and approved septic system

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) 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
- 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 11.2.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.2.6(a) and (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

11.2.7 Maximum Height:

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

11.2.8 Maximum Parcel Coverage:

- a) 25%

11.2.9 Minimum Building Width:

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

11.3 SMALL HOLDINGS THREE ZONE (SH3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Small Holdings Three (SH3s) Provisions:

- a) see Section 17.7

11.3.3 Minimum Parcel Size for Subdivision:

- a) 1.0 ha

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.3.6 Minimum Setbacks:

- a) 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
- 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 11.3.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.3.6(a) and (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

11.3.7 Maximum Height:

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

11.3.8 Maximum Parcel Coverage:

- a) 20%

11.3.9 Minimum Building Width:

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

11.4 SMALL HOLDINGS FOUR ZONE (SH4)

11.4.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home industry, subject to Section 7.18;
- f) home occupation, subject to Section 7.17;
- g) secondary suite, subject to Section 7.12; and
- h) accessory building and structure, subject to Section 7.13.

11.4.2 Site Specific Small Holdings Three (SH4s) Provisions:

- a) see Section 17.8

11.4.3 Minimum Parcel Size for Subdivision:

- a) 2.0 ha

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.4.6 Minimum Setbacks:

- a) 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
- 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 11.4.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.4.6(a) and (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

11.4.7 Maximum Height:

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

11.4.8 Maximum Parcel Coverage:

- a) 15%

11.4.9 Minimum Building Width:

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

- ix) replacing Section 11.0 (Low Density Residential) in its entirety with the following:

11.0 LOW DENSITY RESIDENTIAL

11.1 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 17.10

11.1.3 Minimum Parcel Size for Subdivision:

- a) 500.0 m², when connected to a community sewer and water system;
or
- b) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres

- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.1.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

11.2 LOW DENSITY RESIDENTIAL THREE ZONE (RS3)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Three (RS3s) Provisions:

- a) see Section 17.11

11.2.3 Minimum Parcel Size for Subdivision:

- a) 1,000.0 m², when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.2.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.2.8 Maximum Parcel Coverage:

- a) 35%

11.2.9 Minimum Building Width:

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

11.3 LOW DENSITY RESIDENTIAL DUPLEX ZONE (RD1)

11.3.1 Permitted Uses:

Principal Uses:

- a) duplex dwelling;

- b) single detached dwelling;

Secondary Uses:

- c) home occupation, subject to Section 7.17;
- d) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- a) see Section 17.9

11.3.3 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
or
- c) 1.0 ha, when serviced by well and approved septic system.

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) dwelling units, provided that both dwellings are located in one (1) residential building.

11.3.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.3.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.3.8 Maximum Parcel Coverage:

- a) 45%

11.3.9 Minimum Building Width:

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

- x) replacing Section 17.5 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.5 Site Specific Small Holdings One (SH1s) Provisions:

- .1 Not applicable.

- xi) replacing Section 17.6 (Site Specific Small Holdings Three (SH3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.6 Site Specific Small Holdings Two (SH2s) Provisions:

- .1 Not applicable.

- xii) replacing Section 17.7 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.7 Site Specific Small Holdings Three (SH3s) Provisions:

- .1 Not applicable.

- xiii) adding a new Section 17.8 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows and renumbering all subsequent sections:

17.8 Site Specific Small Holdings Four (SH4s) Provisions:

- .1 Not applicable.

- xiv) replacing Section 17.8 (Site Specific Low Density Residential One (RS1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

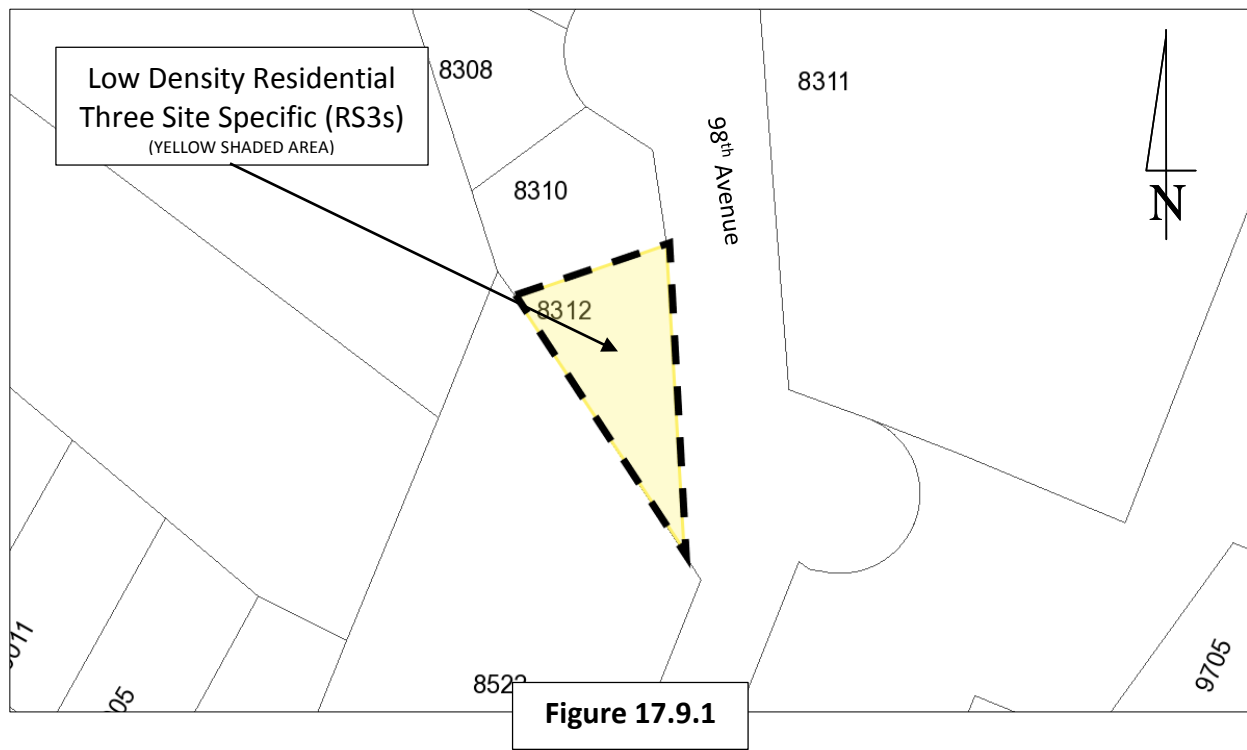
17.8 Site Specific Low Density Residential Two (RS2s) Provisions:

- .1 Not applicable.

- xv) adding a new Section 17.9 (Site Specific Low Density Residential Three (RS3s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows and renumbering all subsequent sections:

17.9 Site Specific Low Density Residential Three (RS3s) Provisions:

- .1 in the case of land described as Lot 6, Plan KAP32220, District Lot 2450S, SDYD (8312 98th Avenue), and shown shaded yellow on Figure 17.9.1:
- a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 11.3.1:
- i) mobile home.



- .2 in the case of the land described as Lot 3, Plan EPP87173, District Lot 2450S, SDYD (10210 81st Street), and shown shaded yellow on Figure 17.9.2:
- a) despite Section 11.3.6, the minimum setbacks for buildings and structures shall be as follows:
- | | |
|---|------------|
| i) Rear parcel line (southern parcel line) | 2.0 metres |
| ii) Interior side parcel line, except eastern parcel line | 1.5 metres |
| iii) All other parcel lines | 7.5 metres |

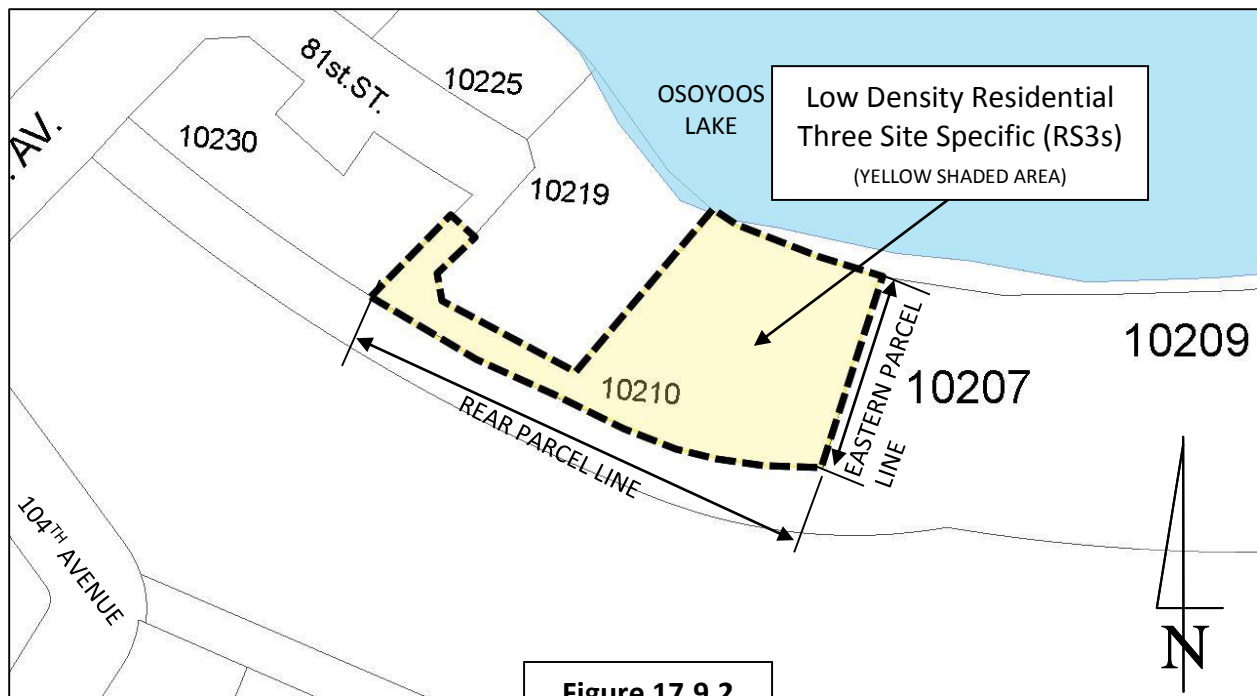


Figure 17.9.2

4. The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by changing the land use designation of:
 - i) the land shown shaded yellow on Schedule 'A-201', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
 - ii) the land shown shaded yellow on Schedule 'A-202', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
 - iii) the land shown shaded yellow on Schedule 'A-203', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
 - iv) an approximately 400 m² area of land shown shaded green on Schedule 'A-203', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).
 - v) the land shown shaded yellow on Schedule 'A-204', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
 - vi) the land shown shaded yellow on Schedule 'A-205', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).

- vii) the land shown shaded yellow on Schedule 'A-206', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- viii) an approximately 185 m² area of land shown shaded green on Schedule 'A-206', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).
- ix) the land shown shaded yellow on Schedule 'A-207', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- x) an approximately 0.5 ha area of the land described as Lot 2, Plan EPP47704, District Lot 2450S 3460S, SDYD, and shown shaded purple on Schedule 'A-207', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xi) the land shown shaded yellow on Schedule 'A-208', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- xii) an approximately 350 m² area of land shown shaded green on Schedule 'A-208', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).
- xiii) an approximately 250 m² area of land shown shaded orange on Schedule 'A-208', which forms part of this Bylaw, from Residential Single Family One (RS1) to Agriculture One (AG1).
- xiv) the land shown shaded purple on Schedule 'A-209', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- xv) an approximately 330 m² area of land shown shaded green on Schedule 'A-209', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).
- xvi) the land shown shaded yellow on Schedule 'A-210', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xvii) an approximately 335 m² area of land shown shaded green on Schedule 'A-210', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).

- xviii) an approximately 975 m² area of land shown shaded red on Schedule 'A-210', which forms part of this Bylaw, from Parks and Recreation (PR) to Residential Single Family Three (RS3).
- xix) the land shown shaded yellow on Schedule 'A-211', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xx) the land shown shaded purple on Schedule 'A-211', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Three Site Specific (RS3s).
- xxi) an approximately 775 m² area of land shown shaded green on Schedule 'A-211', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).
- xxii) changing the land use designation of the land shown shaded yellow on Schedule 'A-212', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxiii) the land shown shaded yellow on Schedule 'A-213', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xxiv) the land shown shaded yellow on Schedule 'A-214', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxv) the land shown shaded purple on Schedule 'A-214', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Three Site Specific (RS3s).
- xxvi) the land shown shaded yellow on Schedule 'A-215', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxvii) the land shown shaded yellow on Schedule 'A-216', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- xxviii) the land shown shaded yellow on Schedule 'A-217', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).

- xxix) the land shown shaded yellow on Schedule 'A-218', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxx) the land shown shaded green on Schedule 'A-218', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).
- xxxi) the land shown shaded yellow on Schedule 'A-219', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Three (RS3).
- xxxii) the land shown shaded yellow on Schedule 'A-220', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxxiii) the land shown shaded green on Schedule 'A-220', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).
- xxxiv) the land shown shaded yellow on Schedule 'A-221', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxxv) the land shown shaded yellow on Schedule 'A-222', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxxvi) the land shown shaded yellow on Schedule 'A-223', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings Two (SH2).
- xxxvii) the land shown shaded yellow on Schedule 'A-224', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxxviii) the land shown shaded yellow on Schedule 'A-225', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxxix) the land shown shaded blue on Schedule 'A-225', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xl) the land shown shaded yellow on Schedule 'A-226', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).

- xli) the land shown shaded purple on Schedule 'A-226', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xlii) the land shown shaded yellow on Schedule 'A-227', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xliii) the land shown shaded yellow on Schedule 'A-228', which forms part of this Bylaw, from Small Holdings Two (SH2) to Large Holdings One (LH1).
- xliv) the land shown shaded yellow on Schedule 'A-229', which forms part of this Bylaw, from Small Holdings Three Site Specific (SH3s) to Small Holdings Three (SH3).
- xlvi) the land shown shaded yellow on Schedule 'A-230', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).

Electoral Area "C"

5. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by changing the land use designation of:
 - i) the land shown shaded yellow on Schedule 'C-101', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - ii) the land shown shaded green on Schedule 'C-102', which forms part of this Bylaw, from Low Density Residential (LR) to Parks and Recreation (PR).
 - iii) the land shown shaded yellow on Schedule 'C-103', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - iv) the land shown shaded yellow on Schedule 'C-104', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - v) the land shown shaded yellow on Schedule 'C-105', which forms part of this Bylaw, from Small Holdings (SH) to Agriculture (AG).
 - vi) the land shown shaded yellow on Schedule 'C-106', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - vii) the land shown shaded yellow on Schedule 'C-107', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).

- viii) the land shown shaded yellow on Schedule 'C-108', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- ix) the land shown shaded yellow on Schedule 'C-109, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- x) the land shown shaded yellow on Schedule 'C-110', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- xi) the land shown shaded yellow on Schedule 'C-111', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- xii) the land shown shaded yellow on Schedule 'C-112', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- xiii) the land shown shaded yellow on Schedule 'C-113', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).

6. The Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:

- i) replacing the sub-section titled "Rural Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Rural Zones

| | |
|-------------------------|-----|
| Resource Area Zone | RA |
| Agriculture One Zone | AG1 |
| Agriculture Two Zone | AG2 |
| Large Holdings One Zone | LH1 |

- ii) adding a new sub-section titled "Small Holdings Zones" under Section 5.1 (Zoning Districts) to read as follows:

Small Holdings Zones

| | |
|---------------------------|-----|
| Small Holdings One Zone | SH1 |
| Small Holdings Two Zone | SH2 |
| Small Holdings Three Zone | SH3 |
| Small Holdings Four Zone | SH4 |

- iii) replacing the sub-section titled "Low Density Residential Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Low Density Residential Zones

| | |
|----------------------------------|-----|
| Low Density Residential One Zone | RS1 |
|----------------------------------|-----|

| | |
|---|------|
| Low Density Residential Two Zone | RS2 |
| Low Density Residential Three Zone | RS3 |
| Low Density Residential Duplex Zone | RD1 |
| Low Density Residential Manufactured Home Park Zone | RSM1 |

iv) replacing Section 10.5 (Small Holdings Two Zone) in its entirety with the following:

10.5 *deleted*

v) replacing Section 10.6 (Small Holdings Three Zone) in its entirety with the following:

10.6 *deleted*

vi) replacing Section 10.7 (Small Holdings Four Zone) in its entirety with the following:

10.7 *deleted*

vii) replacing Section 10.8 (Small Holdings Five Zone) in its entirety with the following:

10.8 *deleted*

viii) adding a new Section 11.0 (Small Holdings) to read as follows and renumbering all subsequent sections:

11.0 SMALL HOLDINGS

11.1 SMALL HOLDINGS ONE ZONE (SH1)

11.1.1 Permitted Uses:

Principal Uses:

a) single detached dwelling;

Secondary Uses:

b) accessory dwelling, subject to Section 7.11;

c) bed and breakfast operation, subject to Section 7.19;

d) home occupation, subject to Section 7.17;

e) secondary suite, subject to Section 7.12; and

f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Small Holdings One (SH1s) Provisions:

a) see Section 17.5

11.1.3 Minimum Parcel Size for Subdivision:

- a) 0.25 ha, when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 4.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

11.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

11.2 SMALL HOLDINGS TWO ZONE (SH2)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Small Holdings Two (SH2s) Provisions:

- a) see Section 17.6

11.2.3 Minimum Parcel Size for Subdivision:

- a) 0.5 ha, when connected to a community sewer system and serviced by well; or
- b) 1.0 ha, when serviced by a well and approved septic system

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) 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
- 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 11.2.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.2.6(a) and (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

11.2.7 Maximum Height:

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

11.2.8 Maximum Parcel Coverage:

- a) 25%

11.2.9 Minimum Building Width:

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

11.3 SMALL HOLDINGS THREE ZONE (SH3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;

- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Small Holdings Three (SH3s) Provisions:

- a) see Section 17.7

11.3.3 Minimum Parcel Size for Subdivision:

- a) 1.0 ha

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.3.6 Minimum Setbacks:

- a) 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
- 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 11.3.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.3.6(a) and (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

11.3.7 Maximum Height:

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

11.3.8 Maximum Parcel Coverage:

- a) 20%

11.3.9 Minimum Building Width:

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

11.4 SMALL HOLDINGS FOUR ZONE (SH4)

11.4.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home industry, subject to Section 7.18;
- f) home occupation, subject to Section 7.17;
- g) secondary suite, subject to Section 7.12; and
- h) accessory building and structure, subject to Section 7.13.

11.4.2 Site Specific Small Holdings Three (SH4s) Provisions:

- a) see Section 17.8

11.4.3 Minimum Parcel Size for Subdivision:

- a) 2.0 ha

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.4.6 Minimum Setbacks:

- a) 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
- 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 11.4.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.4.6(a) and (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

11.4.7 Maximum Height:

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

11.4.8 Maximum Parcel Coverage:

- a) 15%

11.4.9 Minimum Building Width:

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

ix) replacing Section 11.0 (Low Density Residential) in its entirety with the following:

11.0 LOW DENSITY RESIDENTIAL

11.1 LOW DENSITY RESIDENTIAL ONE ZONE (RS1)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

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

11.1.2 Site Specific Low Density Residential One (RS1s) Provisions:

- a) see Section 17.9

11.1.3 Minimum Parcel Size for Subdivision:

- a) 350.0 m², when connected to a community sewer and water system;
or
- b) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling

11.1.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 6.0 metres
 - ii) Rear parcel line 6.0 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.1.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.1.8 Maximum Parcel Coverage:

- a) 50%

11.1.9 Minimum Building Width:

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

11.2 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 17.10

11.2.3 Minimum Parcel Size for Subdivision:

- a) 500.0 m², when connected to a community sewer and water system;
or
- b) 1.0 ha, when serviced by well and approved septic system.

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.2.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.2.8 Maximum Parcel Coverage:

- a) 35%

11.2.9 Minimum Building Width:

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

11.3 LOW DENSITY RESIDENTIAL THREE ZONE (RS3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Low Density Residential Three (RS3s) Provisions:

- a) see Section 17.11

11.3.3 Minimum Parcel Size for Subdivision:

- a) 1,000.0 m², when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.3.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres

- iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.3.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.3.8 Maximum Parcel Coverage:

- a) 35%

11.3.9 Minimum Building Width:

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

11.4 LOW DENSITY RESIDENTIAL DUPLEX ZONE (RD1)

11.4.1 Permitted Uses:

Principal Uses:

- a) duplex dwelling;
- b) single detached dwelling;

Secondary Uses:

- c) home occupation, subject to Section 7.17;
- d) accessory building and structure, subject to Section 7.13.

11.4.2 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- a) see Section 17.12

11.4.3 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
or

- c) 1.0 ha, when serviced by well and approved septic system.

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) dwelling units, provided that both dwellings are located in one (1) residential building.

11.4.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.4.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.4.8 Maximum Parcel Coverage:

- a) 45%

11.4.9 Minimum Building Width:

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

11.5 LOW DENSITY RESIDENTIAL MANUFACTURED HOME PARK ZONE (RSM1)

11.5.1 Permitted Uses:

Principal Uses:

- a) manufactured home;
- b) manufactured home park;

Secondary Uses:

- c) single detached dwelling;
- d) home occupation, subject to Section 7.17;
- e) one (1) retail store, convenience, provided that it does not occupy more than 3 percent of the gross area of the manufactured home park, or does not exceed 250.0 m² gross floor area, whichever is less;
- f) accessory building and structure, subject to Sections 7.13 and 7.15.

11.5.2 Site Specific Residential Manufactured Home Park (RSM1s) Provisions:

- a) see Section 17.13

11.5.3 Minimum Parcel Size:

- a) 1.0 ha for manufactured home park; and
- b) 350.0 m² for each manufactured home space.

11.5.4 Minimum Parcel Width:

- a) 35.0 metres for manufactured home park; within which:
 - i) a minimum of 12.0 metres shall be provided for each manufactured home space abutting an internal road; and
 - ii) a minimum of 6.0 metres shall be provided for each manufactured home space abutting a cul-de-sac.

11.5.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) 30 dwellings per hectare

11.5.6 Maximum Number of Dwellings Permitted Per Manufactured Home Space:

- a) one (1) manufactured home per manufactured home space; and

- b) one (1) accessory single detached dwelling permitted per manufactured home park.

11.5.7 Minimum Setbacks:

- a) 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
- b) Setbacks within each manufactured home space boundary for buildings and structures (subject to Section 11.5.7(a)):
 - i) Front boundary line 3.0 metres
 - ii) Rear boundary line 1.5 metres
 - iii) Interior boundary line 1.5 metres
 - iv) Exterior boundary line 3.0 metres
- c) Setbacks within each manufactured home space boundary for accessory buildings and structures (subject to Section 11.5.7(a)):
 - i) Front boundary line 4.5 metres
 - ii) Rear boundary line 1.0 metres
 - iii) Interior boundary line 1.0 metres
 - iv) Exterior boundary line 3.0 metres

11.5.8 Amenity Area:

- a) The following amenity and open space area(s) shall be provided for each dwelling unit:
 - i) a contiguous area of not less than 40m²;
 - ii) to be located immediately adjacent to and be accessible from a habitable room (common space) of the dwelling unit;
 - iii) shall not include any required storage area, driveway, off-street parking area or building setback area except the rear setback area; and
 - iv) must be marked on the site plan submitted with the Building Permit application for the development of a dwelling unit on the parcel.

11.5.9 Maximum Height:

- a) No building or structure shall exceed a height of 7.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.5.10 Maximum Manufactured Home Space Coverage:

- a) 45%

11.5.11 General Provisions:

- a) All provisions in the Manufactured Home Park Regulations Bylaw No. 2597, 2012, as amended from time to time that have not been specified in this particular bylaw shall be met.
- x) replacing Section 17.5 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

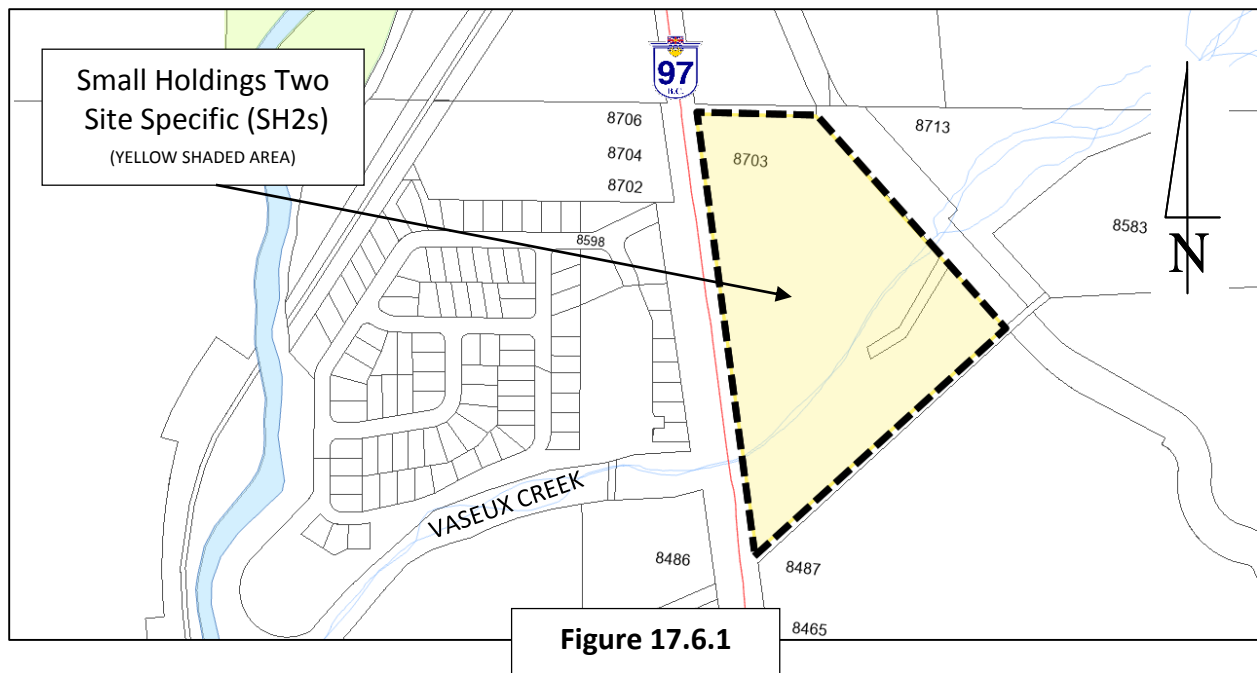
17.5 Site Specific Small Holdings One (SH1s) Provisions:

- .1 Not applicable.

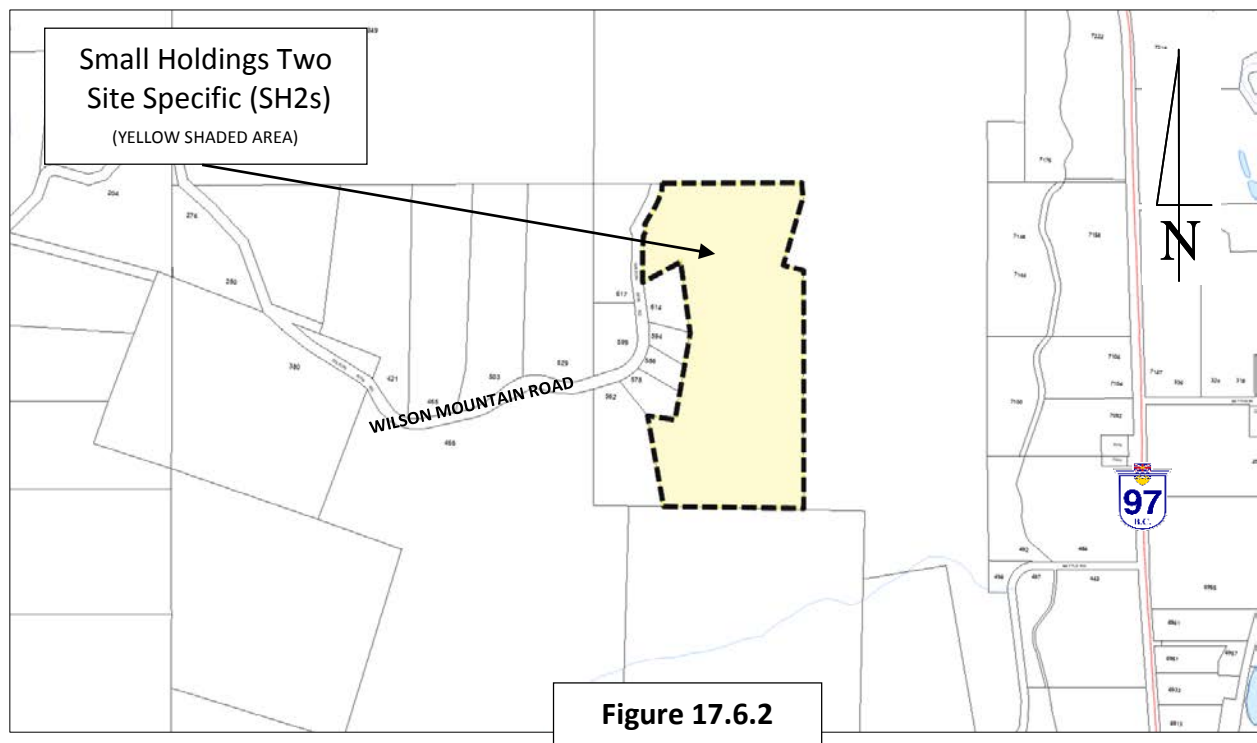
- xi) replacing Section 17.6 (Site Specific Small Holdings Three (SH3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.6 Site Specific Small Holdings Two (SH2s) Provisions:

- .1 in the case of land described as Lot 4, Plan 11959, District Lot 28s, SDYD, and shown shaded yellow on figure 17.6.1:
 - a) the following accessory use shall be permitted on that part of the land located north of Vaseux Creek, and in addition to the permitted uses listed in Section 10.6.1;
 - i) retail store, not to exceed 200.0 m² in gross floor area.



- .2 in the case of land described as Lot 1, Plan KAP79573, District Lot 918s, SDYD, and shown shaded yellow on figure 17.6.2:
 1. Despite Section 11.2.3, the minimum parcel size shall be 0.4 ha when connected to a community sewer system and serviced by well.



- i) replacing Section 17.7 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.7 Site Specific Small Holdings Three (SH3s) Provisions:

- .1 Not applicable.

- ii) replacing Section 17.8 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

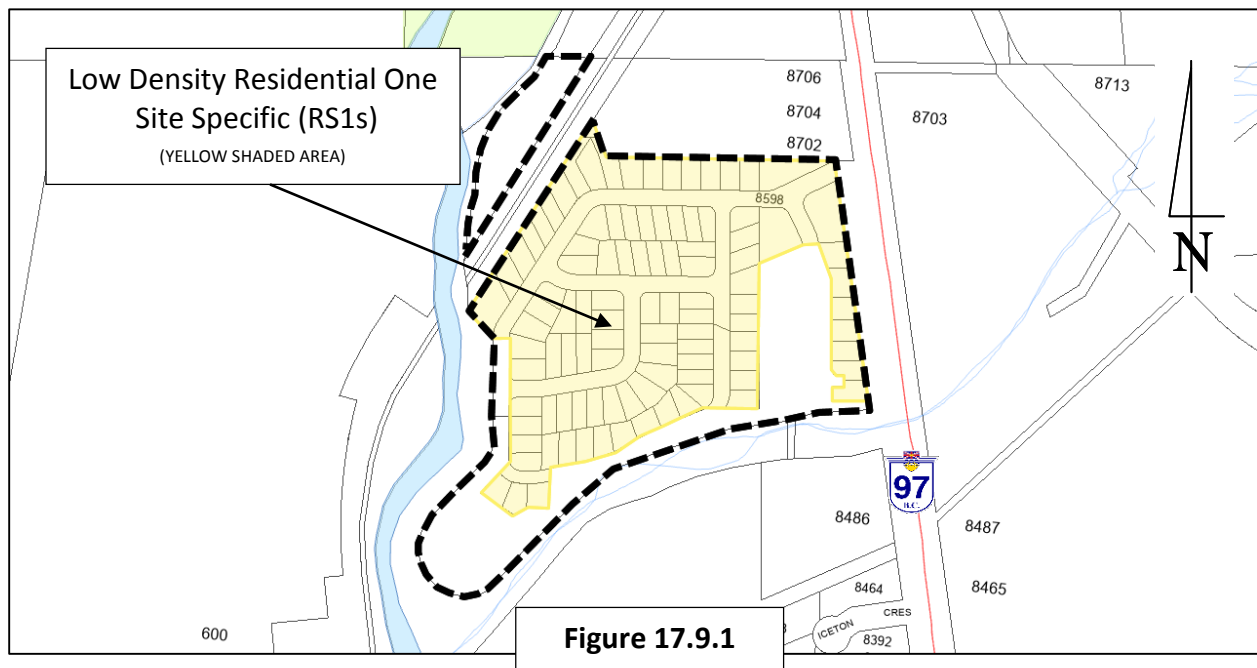
17.8 Site Specific Small Holdings Four (SH4s) Provisions:

- .1 Not applicable.

- iii) replacing Section 17.9 (Site Specific Residential Single Family Two (RS2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.9 Site Specific Low Density Residential One (RS1s) Provisions:

- .1 in the case of land shown shaded yellow on Figure 17.9.1:
 - i) the following principal use shall be permitted in addition to the permitted uses listed in Section 11.1.1:
 - a) manufactured home.
 - ii) despite Section 11.1.9, there shall be no minimum building width.



- iv) replacing Section 17.10 (Site Specific Residential Two Family (Duplex) (RS3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.10 Site Specific Low Density Residential Two (RS2s) Provisions:

- .1 Not applicable.

- v) replacing Section 17.11 (Site Specific Residential Manufactured Home Park (RSM1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.11 Site Specific Low Density Residential Three (RS3s) Provisions:

- .1 Not applicable.

- vi) replacing Section 17.12 (Site Specific Residential Manufactured Home Subdivision (RSM2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.12 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- .1 Not applicable.

- vii) adding a new Section 17.13 (Site Specific Residential Manufactured Home Park (RSM1s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows:

17.13 Site Specific Low Density Residential Manufactured Home Park (RSM1s) Provisions:

- .1 Not applicable.

- viii) replacing Section 17.27 (Site Specific Small Holdings Five (SH5s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.27 *deleted.*

- 7. The Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation of:
 - i) the land shown shaded yellow on Schedule 'C-201', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
 - ii) the land shown shaded yellow on Schedule 'C-202', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
 - iii) the land shown shaded yellow on Schedule 'C-203', which forms part of this Bylaw, from Small Holdings Three (SH3) to Small Holdings Two (SH2).

- iv) the land shown shaded yellow on Schedule 'C-204', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Three (SH3).
- v) the land shown shaded yellow on Schedule 'C-205', which forms part of this Bylaw, from Small Holdings Four Site Specific (SH4s) to Small Holdings Two Site Specific (SH2s).
- vi) the land shown shaded yellow on Schedule 'C-206', which forms part of this Bylaw, from Residential Manufactured Home Subdivision Site Specific (RSM2s) to Low Density Residential One Site Specific (RS1s).
- vii) the land shown shaded purple on Schedule 'C-206', which forms part of this Bylaw, from Residential Manufactured Home Subdivision Site Specific (RSM2s) to Low Density Residential One (RS1).
- viii) the land shown shaded blue on Schedule 'C-206', which forms part of this Bylaw, from Residential Manufactured Home Subdivision (RSM2) to Low Density Residential One Site Specific (RS1s).
- ix) the land shown shaded green on Schedule 'C-206', which forms part of this Bylaw, from Residential Manufactured Home Subdivision (RSM2) to Parks and Recreation (PR).
- x) the land shown shaded yellow on Schedule 'C-207', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xi) the land shown shaded yellow on Schedule 'C-208', which forms part of this Bylaw, from Residential Single Family One (RS2) to Low Density Residential Two (RS2).
- xii) of an approximately 1.4 ha area of land and as shown shaded yellow on Schedule 'C-209', which forms part of this Bylaw, from Resource Area (RA) to Small Holdings Three (SH3).
- xiii) the land shown shaded yellow on Schedule 'C-210', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- xiv) the land shown shaded yellow on Schedule 'C-211', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xv) the land shown shaded yellow on Schedule 'C-212', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xvi) the land shown shaded yellow on Schedule 'C-213', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).

- xvii) the land shown shaded yellow on Schedule 'C-214', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xviii) of an approximately 0.51 ha part of the land shown shaded yellow on Schedule 'C-215', which forms part of this Bylaw, from Small Holdings Four (SH4) to Agriculture One (AG1).
- xix) of an approximately 2.67 ha part of the land shown shaded purple on Schedule 'C-215', which forms part of this Bylaw, from Small Holdings Three (SH3) to Agriculture One (AG1).
- xx) of an approximately 3.33 ha part of the land shown shaded orange on Schedule 'C-215', which forms part of this Bylaw, from Small Holdings Two (SH2) to Agriculture One (AG1).
- xxi) the land shown shaded yellow on Schedule 'C-216', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxii) the land shown shaded yellow on Schedule 'C-217', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxiii) the land shown shaded purple on Schedule 'C-218', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xxiv) the land shown shaded yellow on Schedule 'C-218', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two Site Specific (SH2s).
- xxv) the land shown shaded yellow on Schedule 'C-219', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxvi) the land shown shaded purple on Schedule 'C-219', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xxvii) the land shown shaded yellow on Schedule 'C-220', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxviii) the land shown shaded yellow on Schedule 'C-221', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxix) the land shown shaded yellow on Schedule 'C-222', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).

- xxx) the land shown shaded yellow on Schedule 'C-222', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxxi) the land shown shaded purple on Schedule 'C-223', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- xxxii) the land shown shaded yellow on Schedule 'C-224', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings One (SH1).
- xxxiii) the land shown shaded yellow on Schedule 'C-225', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxxiv) the land shown shaded yellow on Schedule 'C-226', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxxv) the land shown shaded yellow on Schedule 'C-227', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxxvi) the land shown shaded yellow on Schedule 'C-228', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxxvii) the land shown shaded yellow on Schedule 'C-229', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).

Electoral Area "D"

8. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by changing the land use designation of:
 - i) the land described as Lot 8, Plan KAP28957, Sublot 17, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'D-101', which forms part of this Bylaw, from Small Holdings (SH) to Large Holdings (LH).
 - ii) the land shown shaded yellow on Schedule 'D-102', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - iii) of an approximately 1,000 m² area of the land shown shaded yellow on Schedule 'D-103', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
 - iv) the land shown shaded yellow on Schedule 'D-104', which forms part of this Bylaw, from Small Holdings (SH) to Parks, Recreation and Trails (PR).

- v) The land shown shaded yellow on Schedule 'D-105', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- vi) The land shown shaded yellow on Schedule 'D-106', which forms part of this Bylaw, from Small Holdings (SH) to Low Density Residential (LR).

9. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:

- i) replacing the sub-section titled "Rural Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Rural Zones

| | |
|-------------------------|-----|
| Resource Area Zone | RA |
| Agriculture One Zone | AG1 |
| Agriculture Three Zone | AG3 |
| Large Holdings One Zone | LH1 |
| Large Holdings Two Zone | LH2 |

- ii) adding a new sub-section titled "Small Holdings Zones" under Section 5.1 (Zoning Districts) to read as follows:

Small Holdings Zones

| | |
|---------------------------|-----|
| Small Holdings One Zone | SH1 |
| Small Holdings Two Zone | SH2 |
| Small Holdings Three Zone | SH3 |
| Small Holdings Four Zone | SH4 |

- iii) replacing the sub-section titled "Low Density Residential Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Low Density Residential Zones

| | |
|---|------|
| Low Density Residential One Zone | RS1 |
| Low Density Residential Two Zone | RS2 |
| Low Density Residential Three Zone | RS3 |
| Low Density Residential Duplex Zone | RD1 |
| Low Density Residential Manufactured Home Park Zone | RSM1 |

- iv) replacing Section 10.7 (Small Holdings Two Zone) in its entirety with the following:

10.7 *deleted*

- v) replacing Section 10.8 (Small Holdings Three Zone) in its entirety with the following:

10.8 *deleted*

- vi) replacing Section 10.9 (Small Holdings Four Zone) in its entirety with the following:

10.9 *deleted*

- vii) replacing Section 10.10 (Small Holdings Five Zone) in its entirety with the following:

10.10 *deleted*

- viii) adding a new Section 11.0 (Small Holdings) to read as follows and renumbering all subsequent sections:

11.0 SMALL HOLDINGS

11.1 SMALL HOLDINGS ONE ZONE (SH1)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
c) bed and breakfast operation, subject to Section 7.19;
d) home occupation, subject to Section 7.17;
e) secondary suite, subject to Section 7.12; and
f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Small Holdings One (SH1s) Provisions:

- a) see Section 19.6

11.1.3 Minimum Parcel Size for Subdivision:

- a) 0.25 ha, when connected to a community sewer and water system; or
b) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 4.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

11.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

11.2 SMALL HOLDINGS TWO ZONE (SH2)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;

- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Small Holdings Two (SH2s) Provisions:

- a) see Section 19.7

11.2.3 Minimum Parcel Size for Subdivision:

- a) 0.5 ha, when connected to a community sewer system and serviced by well; or
- b) 1.0 ha, when serviced by a well and approved septic system

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) 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
- 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 11.2.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.2.6(a) and (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

11.2.7 Maximum Height:

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

11.2.8 Maximum Parcel Coverage:

- a) 25%

11.2.9 Minimum Building Width:

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

11.3 SMALL HOLDINGS THREE ZONE (SH3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Small Holdings Three (SH3s) Provisions:

- a) see Section 19.8

11.3.3 Minimum Parcel Size for Subdivision:

- a) 1.0 ha

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.3.6 Minimum Setbacks:

- a) 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
- 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 11.3.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.3.6(a) and (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

11.3.7 Maximum Height:

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

11.3.8 Maximum Parcel Coverage:

- a) 20%

11.3.9 Minimum Building Width:

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

11.4 SMALL HOLDINGS FOUR ZONE (SH4)

11.4.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home industry, subject to Section 7.18;
- f) home occupation, subject to Section 7.17;
- g) secondary suite, subject to Section 7.12; and
- h) accessory building and structure, subject to Section 7.13.

11.4.2 Site Specific Small Holdings Three (SH4s) Provisions:

- a) see Section 19.9

11.4.3 Minimum Parcel Size for Subdivision:

- a) 2.0 ha

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.4.6 Minimum Setbacks:

- a) 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
- 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 11.4.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.4.6(a) and (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

11.4.7 Maximum Height:

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

11.4.8 Maximum Parcel Coverage:

- a) 15%

11.4.9 Minimum Building Width:

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

- ix) replacing Section 11.0 (Low Density Residential) in its entirety with the following:

11.0 LOW DENSITY RESIDENTIAL

11.1 LOW DENSITY RESIDENTIAL ONE ZONE (RS1)

11.1.10 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

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

11.1.11 Site Specific Low Density Residential One (RS1s) Provisions:

- a) see Section 19.10

11.1.12 Minimum Parcel Size for Subdivision:

- a) 350.0 m², when connected to a community sewer and water system;
or
- b) 1.0 ha, when serviced by well and approved septic system.

11.1.13 Minimum Parcel Width for Subdivision:

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

11.1.14 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling

11.1.15 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 6.0 metres
 - ii) Rear parcel line 6.0 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.1.16 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.1.17 Maximum Parcel Coverage:

- a) 50%

11.1.18 Minimum Building Width:

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

11.2 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 19.11

11.2.3 Minimum Parcel Size for Subdivision:

- a) 500.0 m², when connected to a community sewer and water system;
or
- b) 1.0 ha, when serviced by well and approved septic system.

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and

- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.2.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.2.8 Maximum Parcel Coverage:

- a) 35%

11.2.9 Minimum Building Width:

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

11.3 LOW DENSITY RESIDENTIAL THREE ZONE (RS3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;

- f) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Low Density Residential Three (RS3s) Provisions:

- a) see Section 19.12

11.3.3 Minimum Parcel Size for Subdivision:

- a) 1,000.0 m², when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.3.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.3.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.3.8 Maximum Parcel Coverage:

- a) 35%

11.3.9 Minimum Building Width:

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

11.4 LOW DENSITY RESIDENTIAL DUPLEX ZONE (RD1)

11.4.1 Permitted Uses:

Principal Uses:

- a) duplex dwelling;
- b) single detached dwelling;

Secondary Uses:

- c) home occupation, subject to Section 7.17;
- d) accessory buildings and structures, subject to Section 7.13.

11.4.2 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- a) see Section 19.13

11.4.3 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
or
- c) 1.0 ha, when serviced by well and approved septic system.

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) dwelling units, provided that both dwellings are located in one (1) residential building.

11.4.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres

- iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.4.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.4.8 Maximum Parcel Coverage:

- a) 45%

11.4.9 Minimum Building Width:

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

11.5 LOW DENSITY RESIDENTIAL MANUFACTURED HOME PARK ZONE (RSM1)

11.5.1 Permitted Uses:

Principal Uses:

- a) manufactured home;
- b) manufactured home park;

Secondary Uses:

- c) single detached dwelling;
- d) home occupation, subject to Section 7.17;
- e) one (1) retail store, convenience, provided that it does not occupy more than 3 percent of the gross area of the manufactured home park, or does not exceed 250.0 m² gross floor area, whichever is less;
- f) accessory building and structure, subject to Sections 7.13 and 7.15.

11.5.2 Site Specific Residential Manufactured Home Park (RSM1s) Provisions:

- a) see Section 19.14

11.5.3 Minimum Parcel Size:

- a) 1.0 ha for manufactured home park; and
- b) 350.0 m² for each manufactured home space.

11.5.4 Minimum Parcel Width:

- a) 35.0 metres for manufactured home park; within which:
 - i) a minimum of 12.0 metres shall be provided for each manufactured home space abutting an internal road; and
 - ii) a minimum of 6.0 metres shall be provided for each manufactured home space abutting a cul-de-sac.

11.5.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) 30 dwellings per hectare

11.5.6 Maximum Number of Dwellings Permitted Per Manufactured Home Space:

- a) one (1) manufactured home per manufactured home space; and
- b) one (1) accessory single detached dwelling permitted per manufactured home park.

11.5.7 Minimum Setbacks:

- a) 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
- b) Setbacks within each manufactured home space boundary for buildings and structures (subject to Section 11.5.7(a)):
 - i) Front boundary line 3.0 metres
 - ii) Rear boundary line 1.5 metres
 - iii) Interior boundary line 1.5 metres
 - iv) Exterior boundary line 3.0 metres
- c) Setbacks within each manufactured home space boundary for accessory buildings and structures (subject to Section 11.5.7(a)):
 - i) Front boundary line 4.5 metres

- | | |
|-----------------------------|------------|
| ii) Rear boundary line | 1.0 metres |
| iii) Interior boundary line | 1.0 metres |
| iv) Exterior boundary line | 3.0 metres |

11.5.8 Amenity Area:

- a) The following amenity and open space area(s) shall be provided for each dwelling unit:
 - i) a contiguous area of not less than 40.0 m²;
 - ii) to be located immediately adjacent to and be accessible from a habitable room (common space) of the dwelling unit;
 - iii) shall not include any required storage area, driveway, off-street parking area or building setback area except the rear setback area; and
 - iv) must be marked on the site plan submitted with the Building Permit application for the development of a dwelling unit on the parcel.

11.5.9 Maximum Height:

- a) No building or structure shall exceed a height of 7.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.5.10 Maximum Manufactured Home Space Coverage:

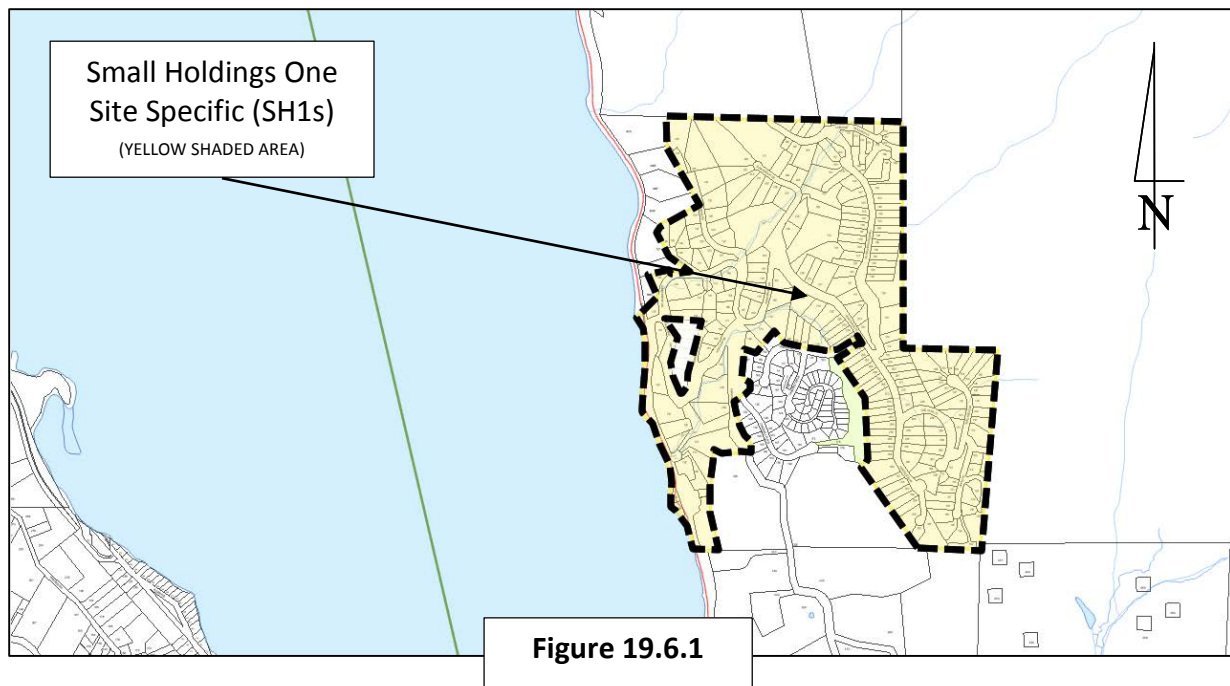
- a) 45%

11.5.11 General Provisions:

- a) All provisions in the Manufactured Home Park Regulations Bylaw No. 2597, 2012, as amended from time to time that have not been specified in this particular bylaw shall be met.
- x) replacing Section 19.6 (Site Specific Small Holdings Three (SH3s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.6 Site Specific Small Holdings One (SH1s) Regulations:

- .1 in the case of the land shown shaded yellow on figure 19.6.1:
 - i) despite Section 7.23, the keeping of livestock, small livestock and honeybees is prohibited.



- xi) replacing Section 19.7 (Site Specific Small Holdings Five (SH5s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.7 Site Specific Small Holdings Two (SH2s) Regulations:

- .1 Not applicable.

- xii) replacing Section 19.8 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.8 Site Specific Small Holdings Three (SH3s) Regulations:

- .1 in the case of the land described as Lot 3, Plan KAP3404, District Lot 195S, SDYD, Except Plan PCL21 and Except Plan A1266 (1419 Green Lake Road), and shown shaded yellow on figure 19.8.1:
- a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 11.3.1:
 - i) home industry, subject to Section 7.18.
 - b) despite Section 11.3.5, the maximum number of dwellings permitted per parcel shall be:
 - i) one (1) principal dwelling; and
 - ii) one (1) accessory dwelling or mobile home.

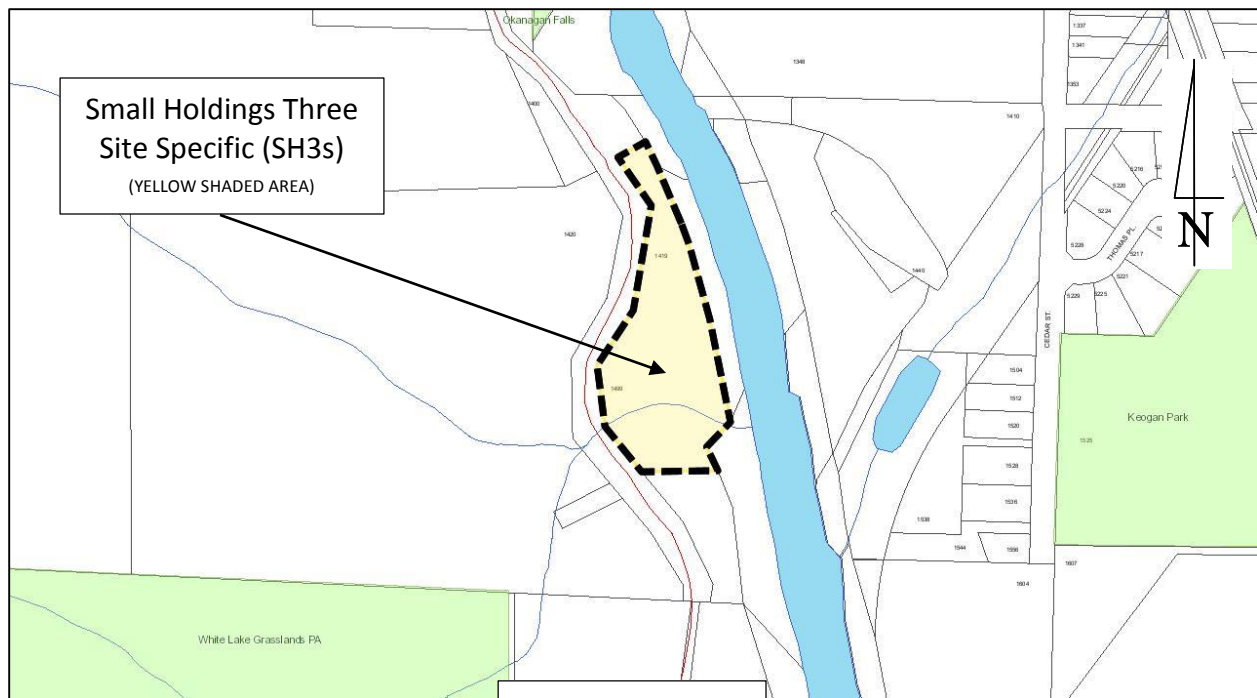
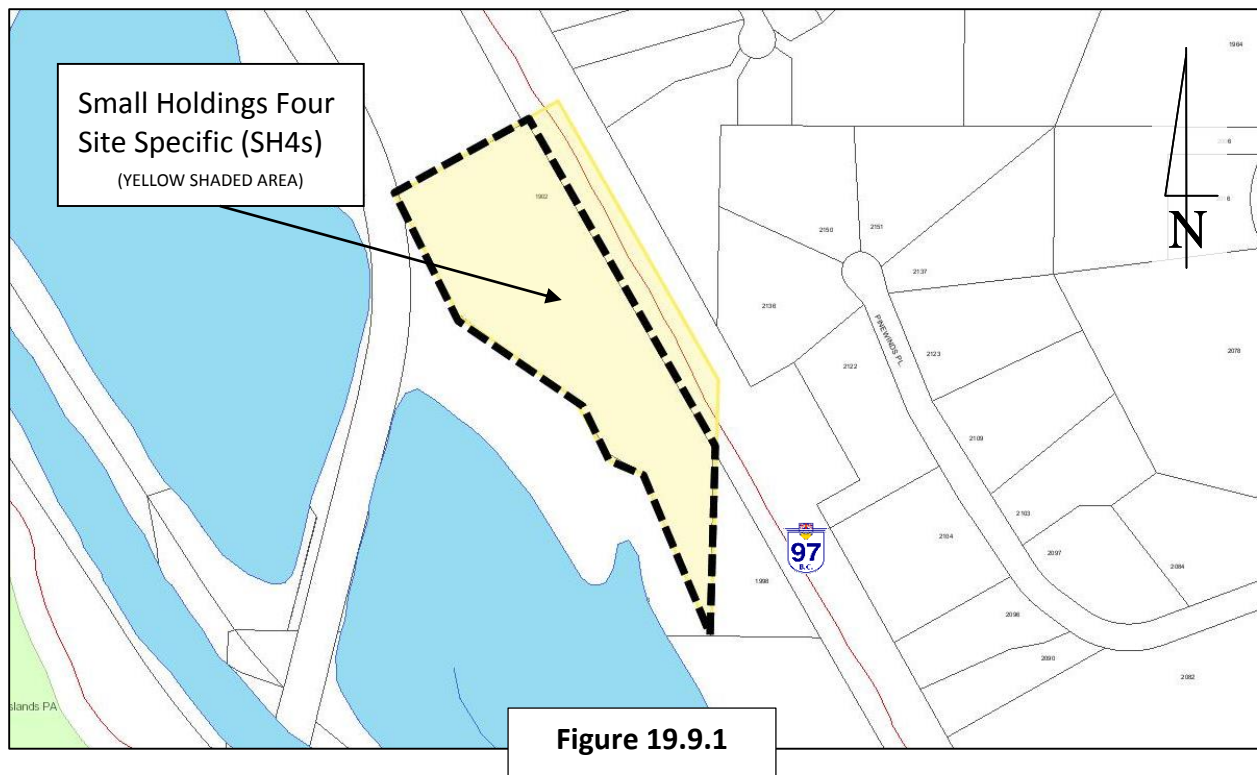


Figure 19.8.1

xiii) replacing Section 19.9 (Site Specific Residential Single Family Two (RS2s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.9 Site Specific Small Holdings Four (SH4s) Regulations:

- .1 in the case of land described as Lot 1, Plan KAP7681, District Lot 10, SDYD, Except Plan H950 (1902 Highway 97), and shown shaded yellow on Figure 19.9.1:
 - a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 11.4.1:
 - i) retail stores, not to exceed 250 m² in gross floor area.



xiv) replacing Section 19.10 (Site Specific Residential Low Density Duplex (RD1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

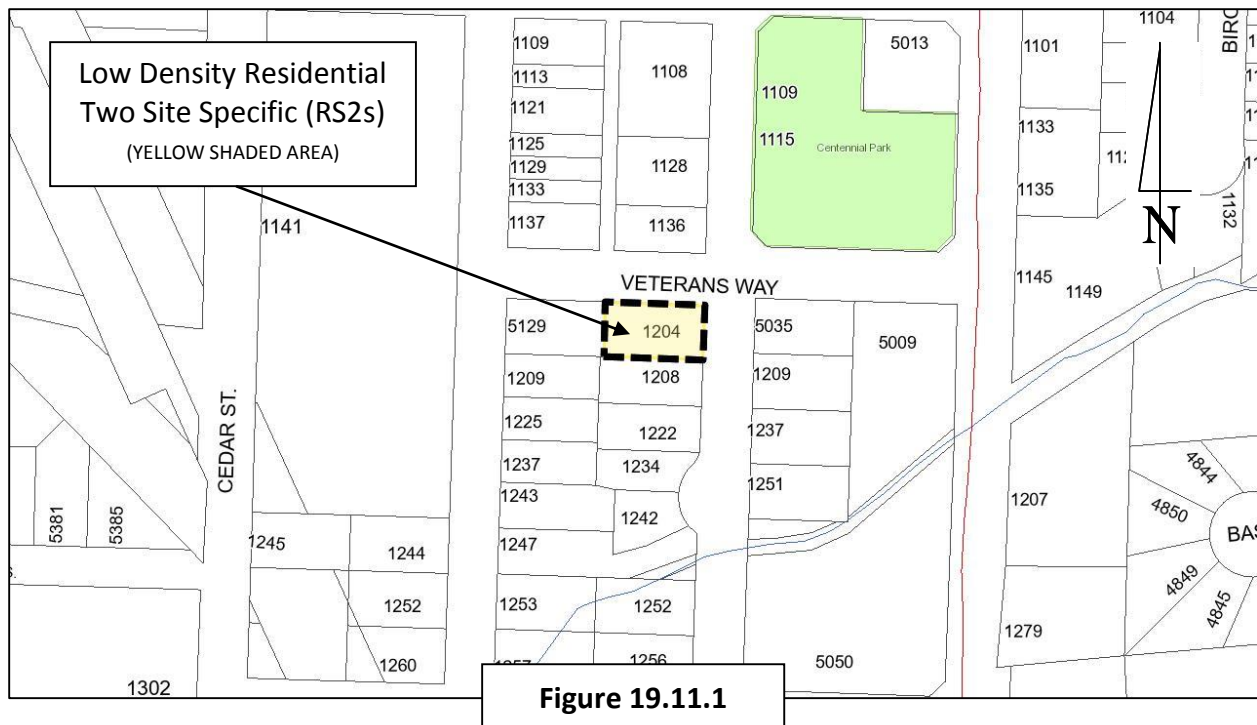
19.10 Site Specific Low Density Residential One (RS1s) Regulations:

.1 Not applicable.

xv) replacing Section 19.11 (Site Specific Residential Low Density Duplex (RD1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.11 Site Specific Low Density Residential Two (RS2s) Regulations:

- .1 in the case of the land described as Lot 14, Plan 1280, Block 5, District Lot 374, SDYD (1204 Willow Street), and shown shaded yellow on Figure 19.11.1:
 - i) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 12.2.1:
 - a) “veterinary establishment”.



xvi) adding a new Section 19.12 (Site Specific Low Density Residential Three (RS3s) Provisions) under Section 19.0 (Site Specific Designations) to read as follows and renumbering all subsequent sections:

19.12 Site Specific Low Density Residential Three (RS3s) Regulations:

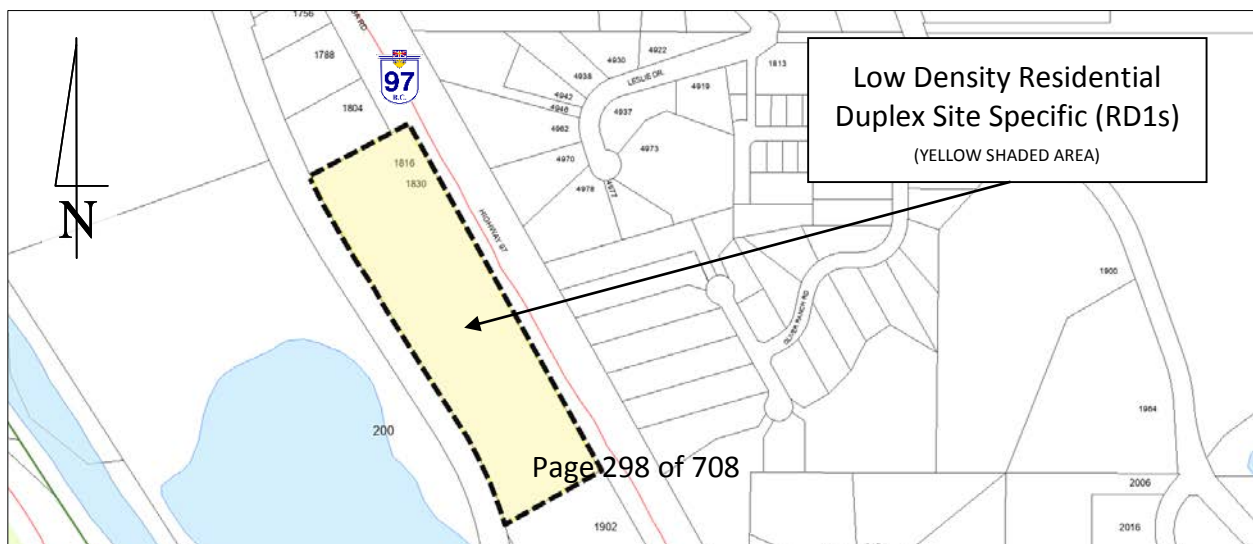
.1 Not applicable.

xvii) adding a new Section 19.13 (Site Specific Low Density Residential Duplex (RD1s) Provisions) under Section 19.0 (Site Specific Designations) to read as follows and renumbering all subsequent sections:

19.13 Site Specific Low Density Residential Duplex (RD1s) Regulations:

.1 in the case of lands described as Lot 1, Plan KAP87398, District Lot 10, SDYD, and shown shaded yellow on Figure 19.13.1:

i) despite Section 11.4, the development of single detached dwellings and duplex dwellings in the area shown hatched in red on Figure 19.13.1 is prohibited.



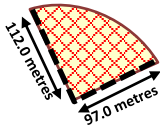


Figure 19.13.1

- xviii) adding a new Section 19.14 (Site Specific Low Density Residential Duplex (RD1s) Provisions) under Section 19.0 (Site Specific Designations) to read as follows and renumbering all subsequent sections:

19.14 Site Specific Low Density Residential Manufactured Home Park (RSM1s) Regulations:

- .1 Not applicable.

- xix) replacing Section 19.32 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.32 *deleted*

- xx) replacing Section 19.33 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.33 *deleted*

10. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation of:
 - i) the land shown shaded yellow on Schedule 'D-201', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Small Holdings Four (SH4).
 - ii) land shown shaded yellow on Schedule 'D-202', which forms part of this Bylaw, from Low Density Residential Two (RS2) to Small Holdings Three (SH3).
 - iii) the land shown shaded purple on Schedule 'D-202', which forms part of this Bylaw, from Low Density Residential Two (RS2) to Small Holdings One (SH1).
 - iv) the land shown shaded yellow on Schedule 'D-203', which forms part of this Bylaw, from Low Density Residential Two (RS2) to Small Holdings One (SH1).

- v) the land shown shaded yellow on Schedule 'D-204', which forms part of this Bylaw, from Small Holdings Five Site Specific (SH5s) to Small Holdings One Site Specific (SH1s).
- vi) the land shown shaded yellow on Schedule 'D-205', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings Two (SH2).
- vii) the land shown shaded yellow on Schedule 'D-206', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings Three (SH3).
- viii) the land shown shaded green on Schedule 'D-206', which forms part of this Bylaw, from Small Holdings Five (SH5) to Parks and Recreation (PR).
- ix) the land shown shaded yellow on Schedule 'D-207', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings Two (SH2).
- x) the land shown shaded yellow on Schedule 'D-208', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xi) the land shown shaded purple on Schedule 'D-208', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings One (SH1).
- xii) the land shown shaded yellow on Schedule 'D-209', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings Three (SH3).
- xiii) the land shown shaded yellow on Schedule 'D-210', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings Three (SH3).
- xiv) the land shown shaded purple on Schedule 'D-210', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xv) the land shown shaded yellow on Schedule 'D-211', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings One (SH1).
- xvi) the land shown shaded yellow on Schedule 'D-212', which forms part of this Bylaw, from Recreational Vehicle Park (C7) to Low Density Residential Duplex Site Specific (RD1s).
- xvii) the land shown shaded yellow on Schedule 'D-213', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Small Holdings Four Site Specific (SH4s).
- xviii) land shown shaded yellow on Schedule 'D-214', which forms part of this Bylaw, from Low Density Residential Two (RS2) to Low Density Residential Three (RS3).

- xix) land shown shaded yellow on Schedule 'D-215', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings Two (SH2).
- xx) land shown shaded yellow on Schedule 'D-216', which forms part of this Bylaw, from Residential Manufactured Home Park Site Specific (RSM1s) to Residential Manufactured Home Park (RSM1).
- xxi) the land shown shaded yellow on Schedule 'D-217', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xxii) the land shown shaded purple on Schedule 'D-217', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- xxiii) land shown shaded yellow on Schedule 'D-218', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings Three (SH3).
- xxiv) the land shown shaded yellow on Schedule 'D-219', which forms part of this Bylaw, from Low Density Residential Two (RS2) to Low Density Residential Three (RS3).
- xxv) the land shown shaded yellow on Schedule 'D-220', which forms part of this Bylaw, from Low Density Residential Two (RS2) to Small Holdings One (SH1).
- xxvi) of an approximately 1,000 m² area of the land shown shaded yellow on Schedule 'D-221', which forms part of this Bylaw, from Community Waste Management (I3) to Low Density Residential Duplex (RD1).

Electoral Area "E"

11. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by changing the land use designation of:
 - i) the land shown shaded yellow on Schedule 'E-101', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - ii) the land shown shaded yellow on Schedule 'E-102', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - iii) the land shown shaded yellow on Schedule 'E-103', which forms part of this Bylaw, from Small Holdings (SH) to Low Density Residential (LR).
 - iv) the land shown shaded yellow on Schedule 'E-104', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).

- v) on an approximately 2,900 m² area part of the land described as Lot A, Plan KAP53974, District Lot 206, SDYD, and shown shaded yellow on Schedule 'E-105, which forms part of this Bylaw, from Low Density Residential (LR) to Agriculture (AG).
- vi) an approximately 3,700 m² area part of the land described as Lot 1, Plan KAP70201, District Lot 206 370, and shown shaded yellow on Schedule 'E-106, which forms part of this Bylaw, from Large Holdings (LH) to Small Holding (SH).
- vii) the land shown shaded yellow on Schedule 'E-107', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH).
- viii) land shown shaded yellow on Schedule 'E-108', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- ix) changing the land use designation of the land shown shaded yellow on Schedule 'E-109', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- x) changing the land use designation of the land shown shaded yellow on Schedule 'E-110', which forms part of this Bylaw, from Small Holdings (SH) to Administrative, Institutional and Cultural (AI).
- xi) changing the land use designation of the land shown shaded yellow on Schedule 'E-111', which forms part of this Bylaw, from Low Density Residential (LR) to Resource Area (RA).
- xii) changing the land use designation of the land shown shaded yellow on Schedule 'E-112', which forms part of this Bylaw, from Low Density Residential (LR) to Resource Area (RA).

12. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:

- i) replacing the sub-section titled "Rural Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Rural Zones

| | |
|-------------------------|-----|
| Resource Area Zone | RA |
| Agriculture One Zone | AG1 |
| Large Holdings One Zone | LH1 |

- ii) adding a new sub-section titled "Small Holdings Zones" under Section 5.1 (Zoning Districts) to read as follows:

Small Holdings Zones

| | |
|---------------------------|-----|
| Small Holdings One Zone | SH1 |
| Small Holdings Two Zone | SH2 |
| Small Holdings Three Zone | SH3 |
| Small Holdings Four Zone | SH4 |

- iii) replacing the sub-section titled “Low Density Residential Zones” under Section 5.1 (Zoning Districts) in its entirety with the following:

Low Density Residential Zones

| | |
|-------------------------------------|-----|
| Low Density Residential One Zone | RS1 |
| Low Density Residential Two Zone | RS2 |
| Low Density Residential Three Zone | RS3 |
| Low Density Residential Duplex Zone | RD1 |

- iv) replacing the first column in the sixth row of Table 7.9 (Screening and Landscaping Requirements under Section 7.9 (Screening and Landscaping) in its entirety with the following:

Any use in SH1, SH2, SH3, RS1, RS2, RS3, RD1, RM1, C1, CT1, PR and CA zones.

- v) replacing Section 10.5 (Small Holdings Two Zone) in its entirety with the following:

10.5 *deleted*

- vi) replacing Section 10.6 (Small Holdings Three Zone) in its entirety with the following:

10.6 *deleted*

- vii) replacing Section 10.7 (Small Holdings Four Zone) in its entirety with the following:

10.7 *deleted*

- viii) replacing Section 10.8 (Small Holdings Five Zone) in its entirety with the following:

10.8 *deleted*

- ix) adding a new Section 11.0 (Small Holdings) to read as follows and renumbering all subsequent sections:

11.0 SMALL HOLDINGS

11.1 SMALL HOLDINGS ONE ZONE (SH1)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12; and
- f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Small Holdings One (SH1s) Provisions:

- a) see Section 17.4

11.1.3 Minimum Parcel Size for Subdivision:

- a) 0.25 ha, when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 4.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres

- ii) Rear parcel line: 1.5 metres
- iii) Interior side parcel line: 1.5 metres
- iv) Exterior side parcel line: 4.5 metres

11.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

11.2 SMALL HOLDINGS TWO ZONE (SH2)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Small Holdings Two (SH2s) Provisions:

- a) see Section 17.5

11.2.3 Minimum Parcel Size for Subdivision:

- a) 0.5 ha, when connected to a community sewer system and serviced by well; or
- b) 1.0 ha, when serviced by a well and approved septic system

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) 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
- 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 11.2.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.2.6(a) and (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

11.2.7 Maximum Height:

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

11.2.8 Maximum Parcel Coverage:

- a) 25%

11.2.9 Minimum Building Width:

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

11.3 SMALL HOLDINGS THREE ZONE (SH3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Small Holdings Three (SH3s) Provisions:

- a) see Section 17.6

11.3.3 Minimum Parcel Size for Subdivision:

- a) 1.0 ha

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.3.6 Minimum Setbacks:

- a) 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
 - 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 11.3.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.3.6(a) and (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

11.3.7 Maximum Height:

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

11.3.8 Maximum Parcel Coverage:

- a) 20%

11.3.9 Minimum Building Width:

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

11.4 SMALL HOLDINGS FOUR ZONE (SH4)

11.4.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home industry, subject to Section 7.18;
- f) home occupation, subject to Section 7.17;
- g) secondary suite, subject to Section 7.12; and
- h) accessory building and structure, subject to Section 7.13.

11.4.2 Site Specific Small Holdings Three (SH4s) Provisions:

- a) see Section 17.7

11.4.3 Minimum Parcel Size for Subdivision:

- a) 2.0 ha

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.4.6 Minimum Setbacks:

- a) 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
- 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 11.4.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.4.6(a) and (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

11.4.7 Maximum Height:

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

11.4.8 Maximum Parcel Coverage:

- a) 15%

11.4.9 Minimum Building Width:

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

- x) replacing Section 11.0 (Low Density Residential) in its entirety with the following:

11.0 LOW DENSITY RESIDENTIAL

11.1 LOW DENSITY RESIDENTIAL ONE ZONE (RS1)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

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

11.1.2 Site Specific Low Density Residential One (RS1s) Provisions:

- a) see Section 17.8

11.1.3 Minimum Parcel Size for Subdivision:

- a) 350.0 m², when connected to a community sewer and water system;
or
- c) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling

11.1.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 6.0 metres
 - ii) Rear parcel line 6.0 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.1.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.1.8 Maximum Parcel Coverage:

- a) 50%

11.1.9 Minimum Building Width:

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

11.2 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.2.1 Permitted Uses:

Principal Uses:

- e) single detached dwelling;

Secondary Uses:

- f) accessory dwelling, subject to Section 7.11;
- g) bed and breakfast operation, subject to Section 7.19;
- h) home occupation, subject to Section 7.17;
- i) secondary suite, subject to Section 7.12;
- j) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 17.9

11.2.3 Minimum Parcel Size for Subdivision:

- a) 500.0 m², when connected to a community sewer and water system;
or
- b) 1.0 ha, when serviced by well and approved septic system.

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.2.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.2.8 Maximum Parcel Coverage:

- a) 35%

11.2.9 Minimum Building Width:

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

11.3 LOW DENSITY RESIDENTIAL THREE ZONE (RS3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.1.19 Site Specific Low Density Residential Three (RS3s) Provisions:

- a) see Section 17.10

11.1.20 Minimum Parcel Size for Subdivision:

- a) 1,000.0 m², when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.1.21 Minimum Parcel Width for Subdivision:

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

11.1.22 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.23 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.1.24 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.1.25 Maximum Parcel Coverage:

- a) 35%

11.1.26 Minimum Building Width:

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

11.4 LOW DENSITY RESIDENTIAL DUPLEX ZONE (RD1)

11.4.1 Permitted Uses:

Principal Uses:

- a) duplex dwelling;
- b) single detached dwelling;

Secondary Uses:

- c) home occupation, subject to Section 7.17;
- d) accessory building and structure, subject to Section 7.13.

11.4.2 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- a) see Section 17.11

11.4.3 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system; or
- c) 1.0 ha, when serviced by well and approved septic system.

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) dwelling units, provided that both dwellings are located in one (1) residential building.

11.4.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres

- iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.4.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.4.8 Maximum Parcel Coverage:

- a) 45%

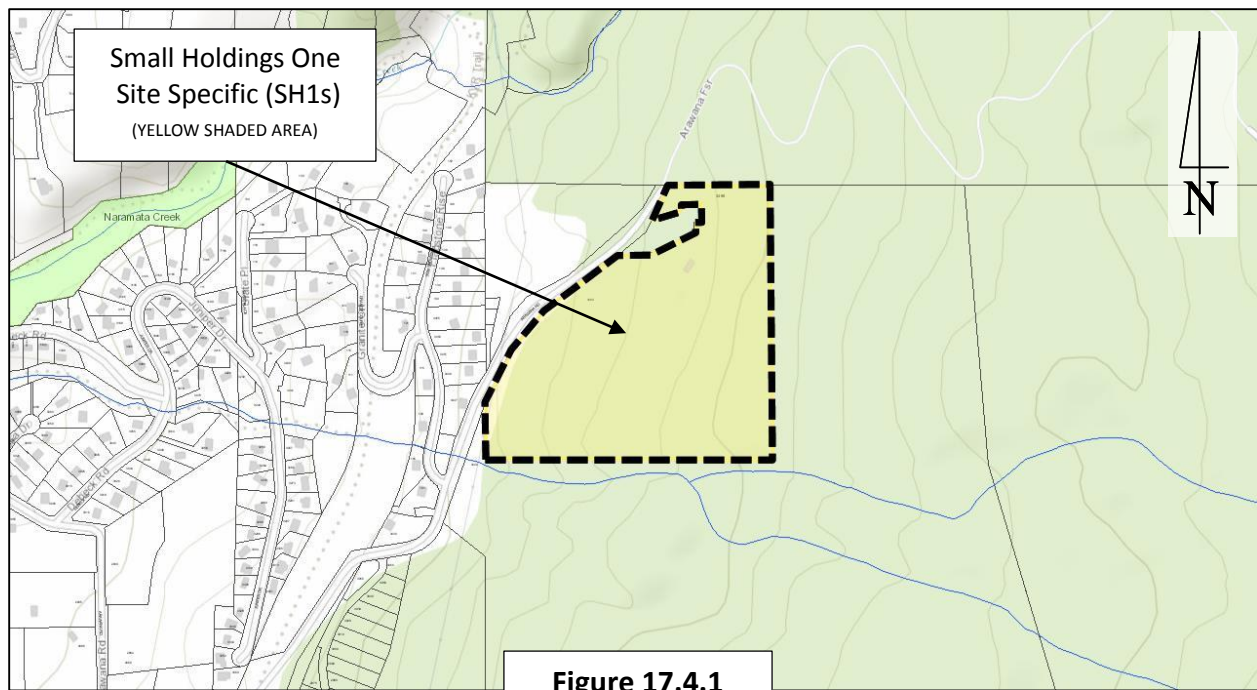
11.4.9 Minimum Building Width:

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

- xi) replacing Section 17.4 under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.4 Site Specific Small Holdings One (SH1s) Provisions:

- .1 in the case of the land shown hatched on Figure 17.4.1, the following provisions shall apply:
 - i) The total number of parcels shall not exceed forty-one (41); and
 - ii) despite Section 11.1.3, the minimum parcel size for subdivision shall be 2,020 m², except not more than eight (8) parcels may have a minimum parcel size between 1,500 m² and 2,020 m².



- xii) replacing Section 17.5 (Small Holdings Two Site Specific (SH2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.5 Site Specific Small Holdings Two (SH2s) Provisions:

- .1 Not applicable.

- xiii) replacing Section 17.6 (Small Holdings Three Site Specific (SH3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.6 Site Specific Small Holdings Three (SH3s) Provisions:

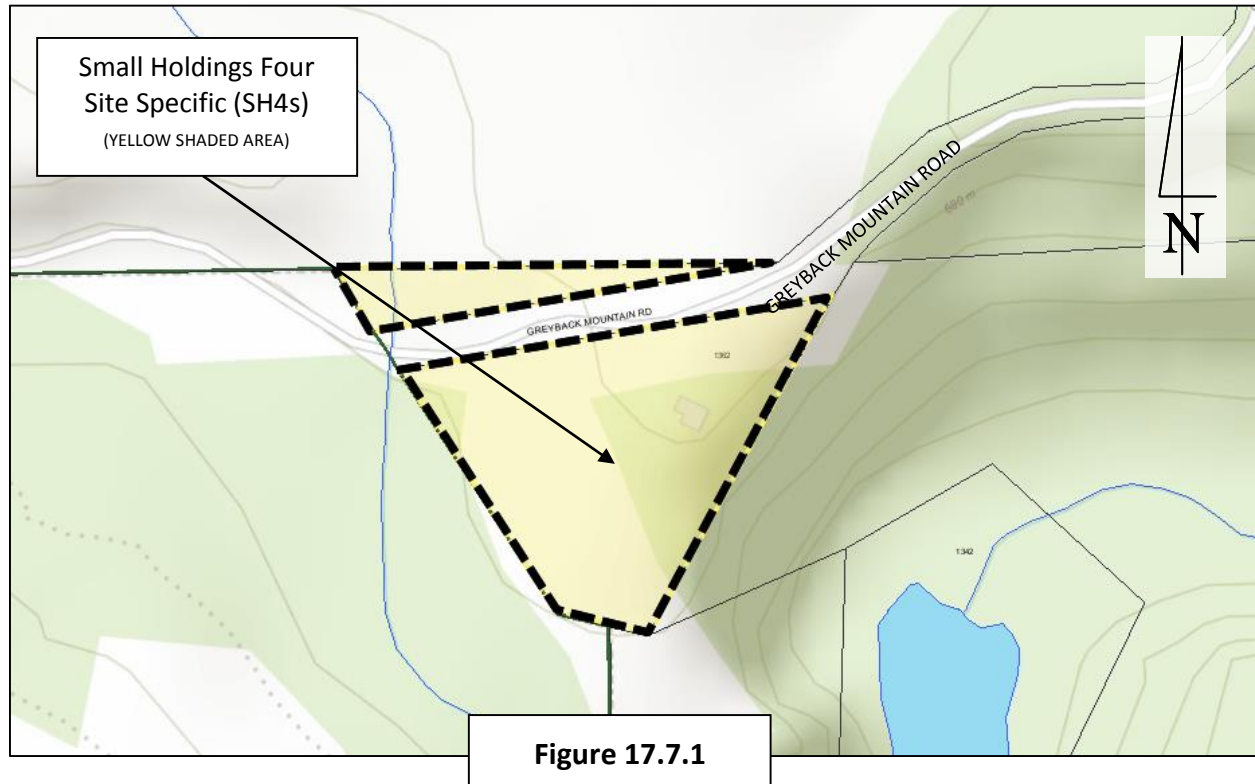
- .1 Not applicable.

- xiv) replacing Section 17.7 (Small Holdings Four Site Specific (SH4s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.7 Site Specific Small Holdings Four (SH4s) Provisions:

- .1 in the case of land described as Lot 1, Plan 12443, District Lots 103s and 2711, SDYD (1362 Greyback Mountain Road), and shown shaded yellow on Figure 17.7.1:
- a) a “home industry” use may include a “distillery”, which is defined as meaning the distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume that is licensed under the *Liquor Control and Licensing Act* to produce spirits, and may include tasting, retail sales and outdoor patio areas; and

- b) despite Section 7.18.4, the gross floor area of “home industry”, including tasting, retail sales and outdoor patio areas shall not exceed 270.0 m².



- xv) replacing Section 17.8 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.8 Site Specific Low Density Residential One (RS1s) Provisions:

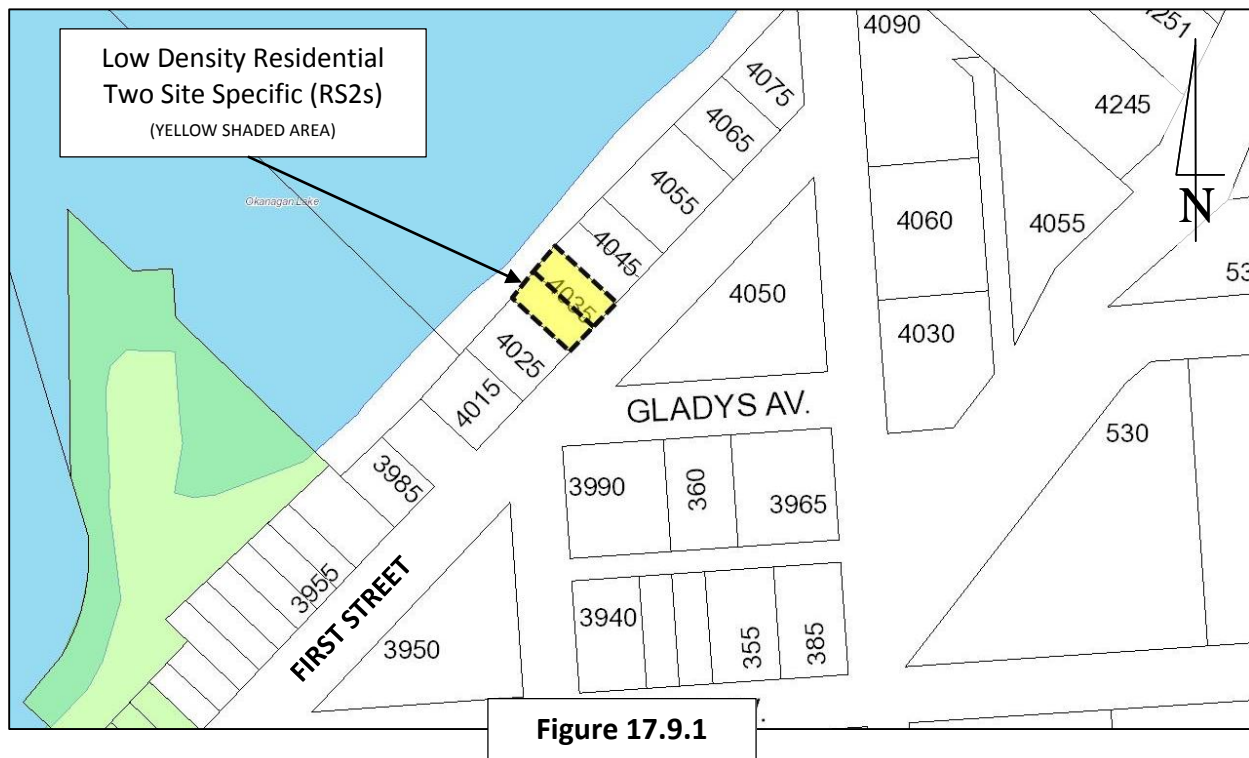
- .1 Not applicable.

- xvi) adding a new Section 17.9 (Site Specific Residential Single Family Two (RS2s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows and renumbering all subsequent sections:

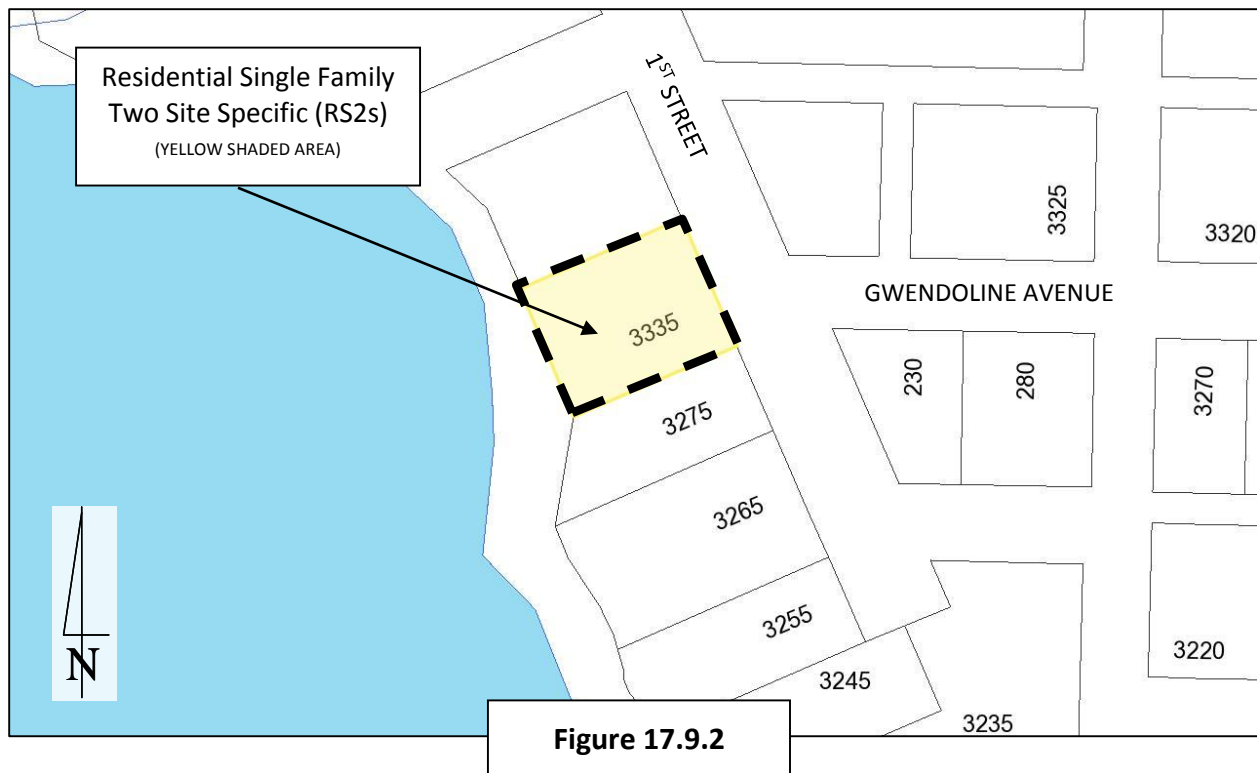
17.9 Site Specific Low Density Residential Two (RS2s) Provisions:

- .1 in the case of land described as Lots 30 & 31, Plan KAP3352, District Lot 210, SDYD (4035 First Street), and shown shaded yellow on Figure 17.9.1:
- i) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 12.2.1:
 - a) “storage building”, which is defined as meaning a structure used or intended to be used for sheltering items such as beach toys, life preserves, kayaks, chairs, benches, lounges and tables.

- ii) the gross floor area of a “storage building” occurring on the land shall not exceed 20 m².
- iii) despite Section 12.2.7, the maximum building height of a “storage building” occurring on the land shall not exceed 3.5 metres.



- .2 in the case of land described as Lots 4-6, Plan KAP1145, District Lot 210, SDYD, (3335 1st Street, Naramata) and shown shaded yellow on Figure 17.9.2:
 - a) despite Section 12.2.6(a)(i), the minimum front parcel line setback for a building or structure shall be 4.0 metres;
 - b) despite Section 12.2.6(a)(iv), the minimum interior side parcel line setback for a building or structure shall be 1.5 metres; and
 - c) despite Section 12.2.8(a), the maximum parcel coverage shall be 37%.



- xvii) adding a new Section 17.10 (Site Specific Residential Single Family Three (RS3s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows and renumbering all subsequent sections:

17.10 Site Specific Low Density Residential Three (RS3s) Provisions:

- .1 in the case of land shown shaded yellow on Figure 17.10.1:
 - a) despite Section 11.1.6(a)(i), the minimum front parcel line setback for a principal building shall be 4.5 metres.
 - b) despite Section 11.1.6(a)(ii), the minimum rear parcel line setback for a principal building shall be 10.5 metres.
 - c) despite Section 11.1.6(b)(i), the minimum front parcel line setback for an accessory building or structure shall be 4.5 metres.
 - d) despite Section 11.1.6(b)(ii), the minimum rear parcel line setback for an accessory building or structure shall be 10.5 metres.

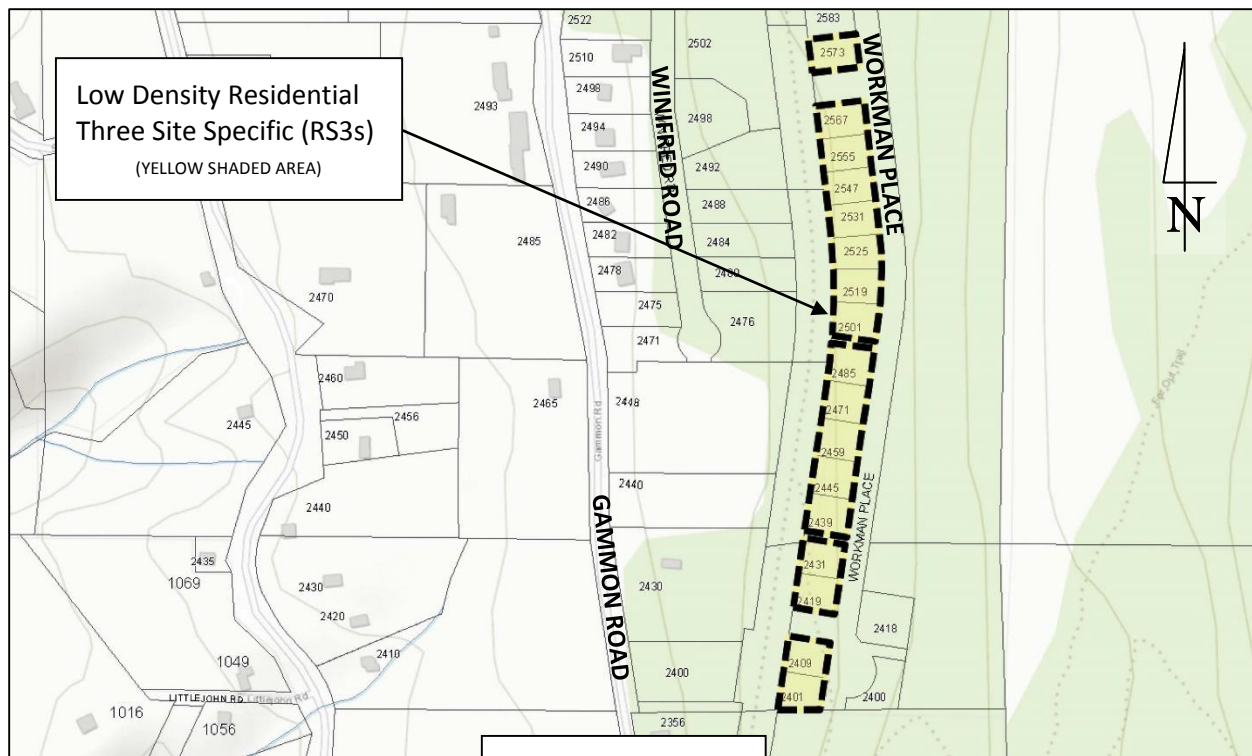


Figure 17.10.1

- xviii) replacing Section 17.9 (Site Specific Residential Two Family (Duplex) (RS3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.9 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- .1 Not applicable.

- xix) replacing Section 17.17 (Small Holdings Five Site Specific (SH5s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.17 *deleted.*

13. The Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation of:
- i) the land shown shaded yellow on Schedule 'E-201', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
 - ii) the land shown shaded yellow on Schedule 'E-202', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Three (SH3).
 - iii) the land shown shaded yellow on Schedule 'E-203', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings Three (SH3).

- iv) the land shown shaded yellow on Schedule 'E-204', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings Three (SH3).
- v) the land shown shaded purple on Schedule 'E-205', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- vi) the land shown shaded green on Schedule 'E-205', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential One (RS1).
- vii) the land shown shaded red on Schedule 'E-205', which forms part of this Bylaw, from Residential Single Family One (RS1) Small Holdings One (SH1).
- viii) the land shown shaded yellow on Schedule 'E-205', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- ix) the land shown shaded yellow on Schedule 'E-206', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- x) the land shown shaded purple on Schedule 'E-206', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xi) the land shown shaded yellow on Schedule 'E-207', which forms part of this Bylaw, from Small Holdings Four (SH4) to Low Density Residential Two (RS2).
- xii) the land shown shaded yellow on Schedule 'E-208', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xiii) the land shown shaded purple on Schedule 'E-208', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Three (RS3).
- xiv) the land shown shaded yellow on Schedule 'E-209', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings Three (SH3).
- xv) the land shown shaded yellow on Schedule 'E-210', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xvi) the land shown shaded yellow on Schedule 'E-211', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Three (RS3).
- xvii) the land shown shaded yellow on Schedule 'E-212', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).

- xviii) the land shown shaded yellow on Schedule 'E-213', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Three Site Specific (RS3s).
- xix) the land shown shaded yellow on Schedule 'E-214', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xx) the land shown shaded yellow on Schedule 'E-215, which forms part of this Bylaw, from Small Holdings Five Site Specific (SH5s) to Small Holdings One Site Specific (SH1s).
- xxi) the land shown shaded purple on Schedule 'E-215, which forms part of this Bylaw, from Small Holdings Five Site Specific (SH5s) to Small Holdings One (SH1).
- xxii) the land shown shaded blue on Schedule 'E-215, which forms part of this Bylaw, from Small Holdings Five Site Specific (SH5s) to Administrative and Institutional (AI).
- xxiii) the land shown shaded yellow on Schedule 'E-216', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxiv) the land shown shaded yellow on Schedule 'E-217', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings One (SH1).
- xxv) the land shown shaded yellow on Schedule 'E-218', which forms part of this Bylaw, from Small Holdings Three (SH3) to Small Holdings Two (SH2).
- xxvi) the land shown shaded red on Schedule 'E-218', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xxvii) the land shown shaded purple on Schedule 'E-218', which forms part of this Bylaw, from Large Holdings One (LH1) to Small Holdings Two (SH2).
- xxviii) an approximately 2,900 m² area part of the land described as Lot A, Plan KAP53974, District Lot 206, SDYD, and shown shaded yellow on Schedule 'E-219', which forms part of this Bylaw, from Residential Single Family One (RS1) to Agriculture One (AG1).
- xxix) the land shown shaded yellow on Schedule 'E-220', which forms part of this Bylaw, from Large Holdings One (LH1) to Small Holdings Three (SH3).
- xxx) the land shown shaded yellow on Schedule 'E-221', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Small Holdings Four Site Specific (SH4s).

- xxxi) the land shown shaded yellow on Schedule 'E-222', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- xxxii) the land shown shaded purple on Schedule 'E-222', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxxiii) the land shown shaded yellow on Schedule 'E-223', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xxxiv) the land shown shaded yellow on Schedule 'E-224', which forms part of this Bylaw, from Residential Single Family One (RS1) to Resource Area (RA).
- xxxv) the land shown shaded yellow on Schedule 'E-225', which forms part of this Bylaw, from Residential Single Family One (RS1) to Resource Area (RA).
- xxxvi) the land shown shaded yellow on Schedule 'E-226', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings One (SH1).
- xxxvii) the land shown shaded blue on Schedule 'E-226', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings Two (SH2).
- xxxviii) the land shown shaded yellow on Schedule 'E-227', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- xxxix) the land shown shaded purple on Schedule 'E-227', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two Site Specific (RS2s).
- xl) the land shown shaded yellow on Schedule 'E-228', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- xli) the land shown shaded yellow on Schedule 'E-229', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two Site Specific (RS2s).
- xl ii) the land shown shaded yellow on Schedule 'E-230', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings One (SH1).
- xl iii) the land shown shaded yellow on Schedule 'E-231', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).

- xliv) the land shown shaded yellow on Schedule 'E-232', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- xlv) the land shown shaded yellow on Schedule 'E-233', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Small Holdings Four (SH4).

Electoral Area "F"

14. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended by changing the land use designation of:

- i) the land shown shaded yellow on Schedule 'F-101', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- ii) the land shown shaded yellow on Schedule 'F-102', which forms part of this Bylaw, from Resource Area (RA) to Small Holdings (SH).

15. The Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:

- i) adding a reference to "Schedule '3' — North Beach Estates Comprehensive Development Zone Map" at Section 1.2 under Section 1.0 (Title and Application).
- ii) replacing the sub-section titled "Rural Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Rural Zones

| | |
|-------------------------|-----|
| Resource Area Zone | RA |
| Agriculture Two Zone | AG2 |
| Agriculture Three Zone | AG3 |
| Large Holdings One Zone | LH1 |

- iii) adding a new sub-section titled "Small Holdings Zones" under Section 5.1 (Zoning Districts) to read as follows:

Small Holdings Zones

| | |
|--------------------------------|-----|
| Small Holdings One Zone | SH1 |
| Small Holdings Two Zone | SH2 |
| Small Holdings Three Zone | SH3 |
| Small Holdings Four Zone | SH4 |
| West Bench Small Holdings Zone | SH5 |

- iv) replacing the sub-section titled “Low Density Residential Zones” under Section 5.1 (Zoning Districts) in its entirety with the following:

Low Density Residential Zones

| | |
|---|-----|
| Low Density Residential One Zone | RS1 |
| Low Density Residential Two Zone | RS2 |
| Low Density Residential Three Zone | RS3 |
| West Bench Low Density Residential Zone | RS5 |

- v) replacing the first column in the sixth row of Table 7.9 (Screening and Landscaping Requirements under Section 7.9 (Screening and Landscaping) in its entirety with the following:

Any use in SH1, SH2, SH3, RS1, RS2, RS3, RD1, RM1, C1, CT1, PR and CA zones.

- vi) replacing Section 10.5 (Small Holdings Two (SH2) Zone) in its entirety with the following:

10.5 *deleted*

- vii) replacing Section 10.6 (Small Holdings Three (SH3) Zone) in its entirety with the following:

10.6 *deleted*

- viii) replacing Section 10.7 (Small Holdings Four (SH4) Zone) in its entirety with the following:

10.7 *deleted*

- ix) replacing Section 10.8 (Small Holdings Five (SH5) Zone) in its entirety with the following:

10.8 *deleted*

- x) replacing Section 10.9 (West Bench Small Holdings (SH6) Zone) in its entirety with the following:

10.9 *deleted*

- xi) adding a new Section 11.0 (Small Holdings) to read as follows and renumbering all subsequent sections:

11.0 SMALL HOLDINGS

11.1 SMALL HOLDINGS ONE ZONE (SH1)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12; and
- f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Small Holdings One (SH1s) Provisions:

- a) see Section 17.5

11.1.3 Minimum Parcel Size for Subdivision:

- a) 0.25 ha, when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 4.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres

- ii) Rear parcel line: 1.5 metres
- iii) Interior side parcel line: 1.5 metres
- iv) Exterior side parcel line: 4.5 metres

11.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

11.2 SMALL HOLDINGS TWO ZONE (SH2)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Small Holdings Two (SH2s) Provisions:

- a) see Section 17.6

11.2.3 Minimum Parcel Size for Subdivision:

- a) 0.5 ha, when connected to a community sewer system and serviced by well; or
- b) 1.0 ha, when serviced by a well and approved septic system

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) 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
- 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 11.2.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.2.6(a) and (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

11.2.7 Maximum Height:

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

11.2.8 Maximum Parcel Coverage:

- a) 25%

11.2.9 Minimum Building Width:

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

11.3 SMALL HOLDINGS THREE ZONE (SH3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Small Holdings Three (SH3s) Provisions:

- a) see Section 17.7

11.3.3 Minimum Parcel Size for Subdivision:

- a) 1.0 ha

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.3.6 Minimum Setbacks:

- a) 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
- 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 11.3.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.3.6(a) and (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

11.3.7 Maximum Height:

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

11.3.8 Maximum Parcel Coverage:

- a) 20%

11.3.9 Minimum Building Width:

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

11.4 SMALL HOLDINGS FOUR ZONE (SH4)

11.4.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home industry, subject to Section 7.18;
- f) home occupation, subject to Section 7.17;
- g) secondary suite, subject to Section 7.12; and
- h) accessory building and structure, subject to Section 7.13.

11.4.2 Site Specific Small Holdings Three (SH4s) Provisions:

- a) see Section 17.8

11.4.3 Minimum Parcel Size for Subdivision:

- a) 2.0 ha

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.4.6 Minimum Setbacks:

- a) 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
- 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 11.4.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.4.6(a) and (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

11.4.7 Maximum Height:

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

11.4.8 Maximum Parcel Coverage:

- a) 15%

11.4.9 Minimum Building Width:

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

11.5 WEST BENCH SMALL HOLDINGS ZONE (SH5)

11.5.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) agriculture, subject to Sections 7.24;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17; and
- e) accessory building and structure, subject to Section 7.13.

11.5.2 Site Specific West Bench Small Holdings (SH5s) Provisions:

- a) see Section 17.9

11.5.3 Minimum Parcel Size for Subdivision:

- a) 0.25 ha, when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.5.4 Minimum Parcel Width for Subdivision:

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

11.5.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling

11.5.6 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: 4.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 9.0 metres
 - ii) Rear parcel line: 3.0 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- c) Despite Section 11.5.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.5.6(a) and (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

11.5.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.5.8 Maximum Parcel Coverage:

- a) 30%

11.5.9 Minimum Building Width:

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

xii) replacing Section 11.0 (Low Density Residential) in its entirety with the following:

11.0 LOW DENSITY RESIDENTIAL

11.1 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 17.11

11.1.3 Minimum Parcel Size for Subdivision:

- a) 500.0 m², when connected to a community sewer and water system;
or
- b) 1.0 ha, when serviced by well and approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.1.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

11.2 LOW DENSITY RESIDENTIAL THREE ZONE (RS3)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;

- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Three (RS3s) Provisions:

- a) see Section 17.12

11.2.3 Minimum Parcel Size for Subdivision:

- a) 1,000.0 m², when connected to a community sewer and water system; or
- b) 1.0 ha, when serviced by well and approved septic system.

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.2.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;

- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.2.8 Maximum Parcel Coverage:

- a) 35%

11.2.9 Minimum Building Width:

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

11.3 WEST BENCH LOW DENSITY RESIDENTIAL ZONE (RS5)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

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

11.3.2 Site Specific West Bench Low Density Residential (RS5s) Provisions:

- a) see Section 17.24

11.3.3 Minimum Parcel Size for Subdivision:

- a) 500.0 m², when connected to a community sewer and water system;
or
- b) 1.0 ha, when serviced by well and approved septic system.

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling.

11.3.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres

- iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres

11.3.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.3.8 Maximum Parcel Coverage:

- a) 30%

11.3.9 Minimum Building Width:

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

xiii) replacing Section 17.5 (Small Holdings Two Site Specific (SH2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

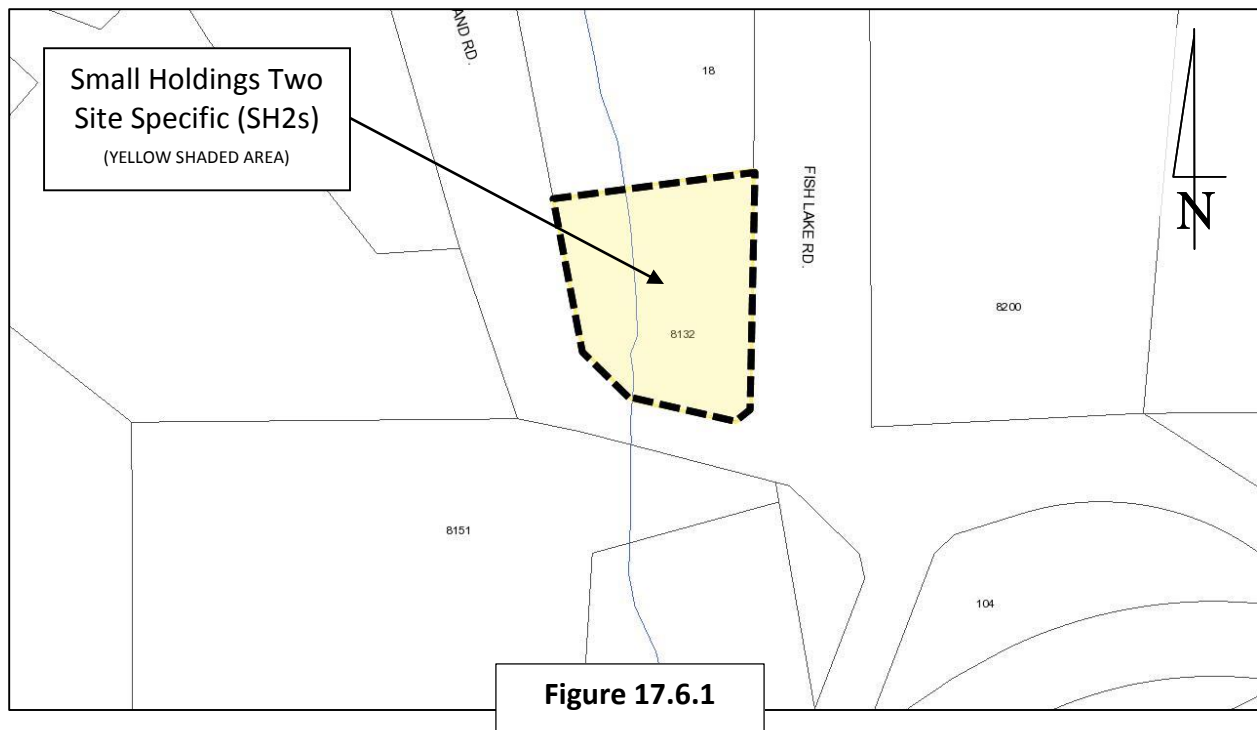
17.5 Site Specific Small Holdings One (SH1s) Provisions:

- .1 Not applicable.

xiv) replacing Section 17.6 (Small Holdings Three Site Specific (SH3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.6 Site Specific Small Holdings Two (SH2s) Provisions:

- .1 in the case of land described as Lot 3, Plan KAP51211, District Lot 2893, ODYD (8132 Princeton-Summerland Road), and shown shaded yellow on Figure 17.6.1:
 - a) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 11.2.1:
 - i) eating and drinking establishment; and
 - ii) retail store, convenience.



xv) replacing Section 17.7 (Small Holdings Four Site Specific (SH4s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.7 Site Specific Small Holdings Three (SH3s) Provisions:

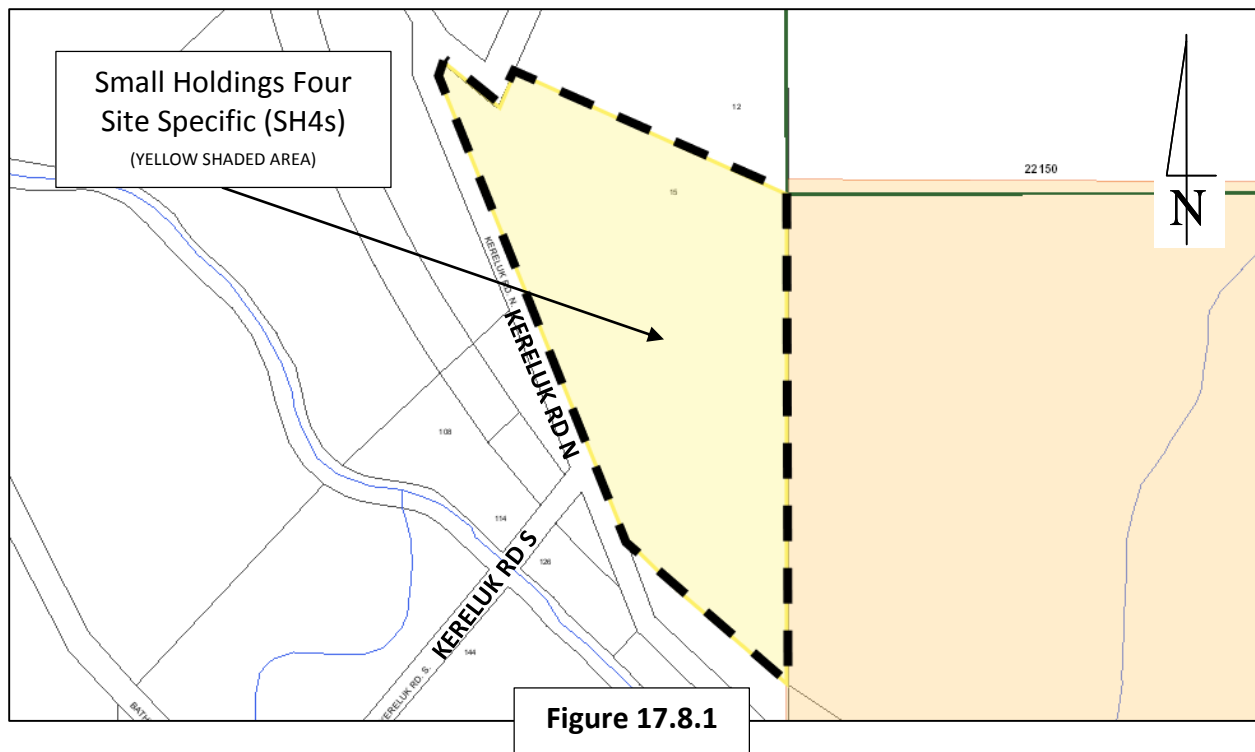
.1 Not applicable.

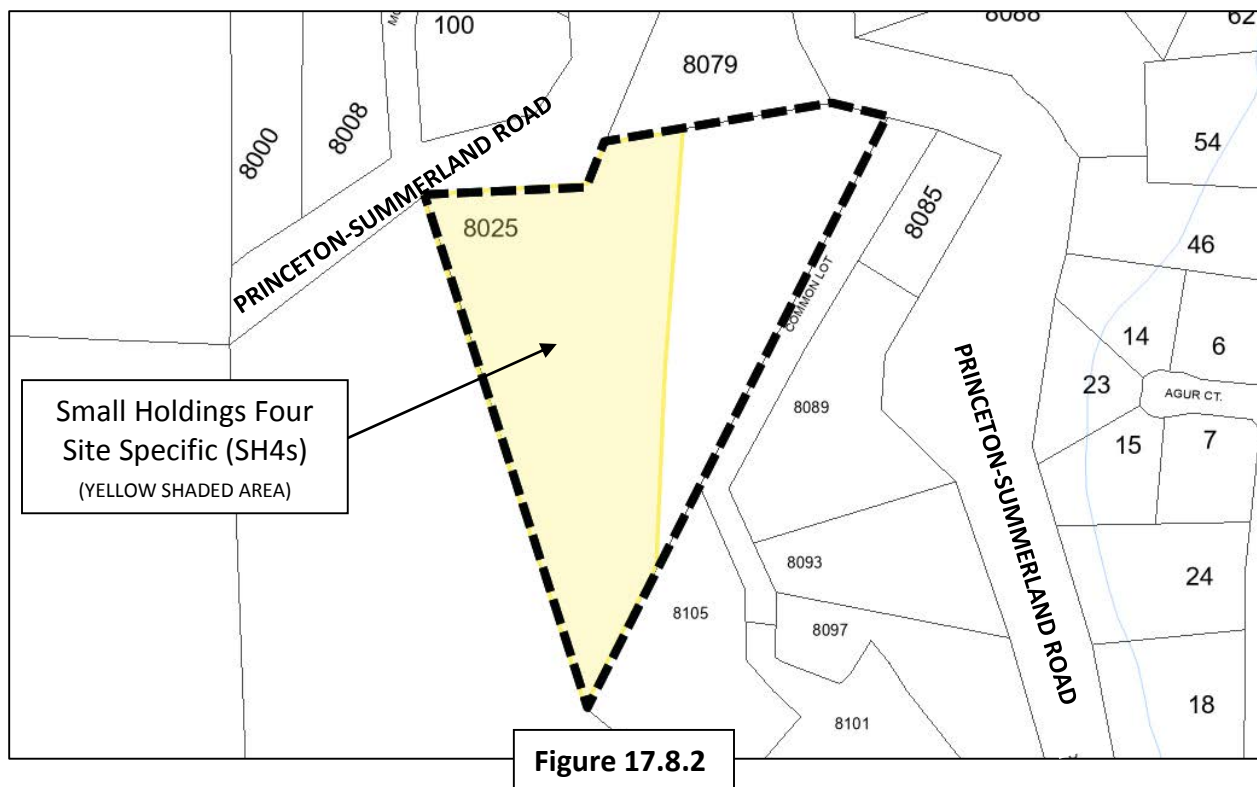
xvi) replacing Section 17.8 (Small Holdings Five Site Specific (SH5s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.8 Site Specific Small Holdings Four (SH4s) Provisions:

.1 in the case of land described as Lot 8, Plan KAP647, District Lot 2888, ODYD, Except Plan A67 (15 Deans Road), and shown shaded yellow on Figure 17.8.1:

a) despite Section 11.4.3, the minimum parcel size for subdivision shall be 1.47 ha.





xvii) replacing Section 17.9 (Residential Single Family One Site Specific (RS1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.9 Site Specific Small Holdings West Bench (SH5s) Provisions:

- .1 in the case of land shown described as Lot 146, Plan KAP8166, District Lot 5076, ODYD, Except Plan 21461 KAP64111, except part north of Lot 1 & E of road all on Plan 21461 (1400 Spartan Drive) and shown in yellow on Figure 17.9.1, the following provisions shall apply:
 - a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 10.9.1: 1. “winery”.
 - b) the maximum floor area of a “winery” shall not exceed 55.0 m².

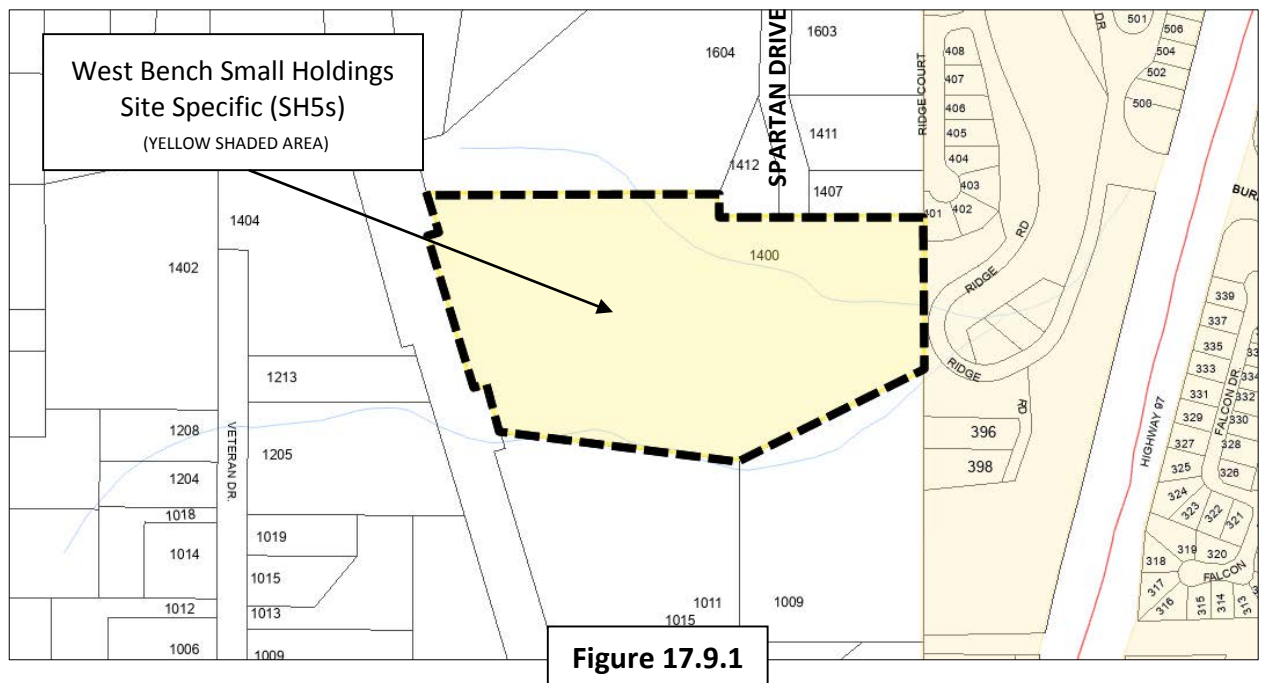


Figure 17.9.1

xviii) replacing Section 17.10 (Residential Single Family Two Site Specific (RS2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.10 Site Specific Low Density Residential Two (RS2s) Provisions:

.1 Not applicable.

xix) replacing Section 17.11 (Residential Multiple Family Site Specific (RM1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.11 Site Specific Low Density Residential Three (RS3s) Provisions:

.1 Not applicable.

xx) replacing Section 17.12 under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.12 Site Specific Medium Density Residential One (RM1s) Provisions:

.1 Not applicable.

xxi) replacing Section 17.24 (West Bench Low Density Residential Site Specific (RS6s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.24 Site Specific West Bench Low Density Residential (RS5s) Provisions:

.1 Not applicable.

xxii) replacing Section 18.1) (Comprehensive Development One (North Beach Estates) Zone) under Section 18.0 (Comprehensive Development) in its entirety with the following:

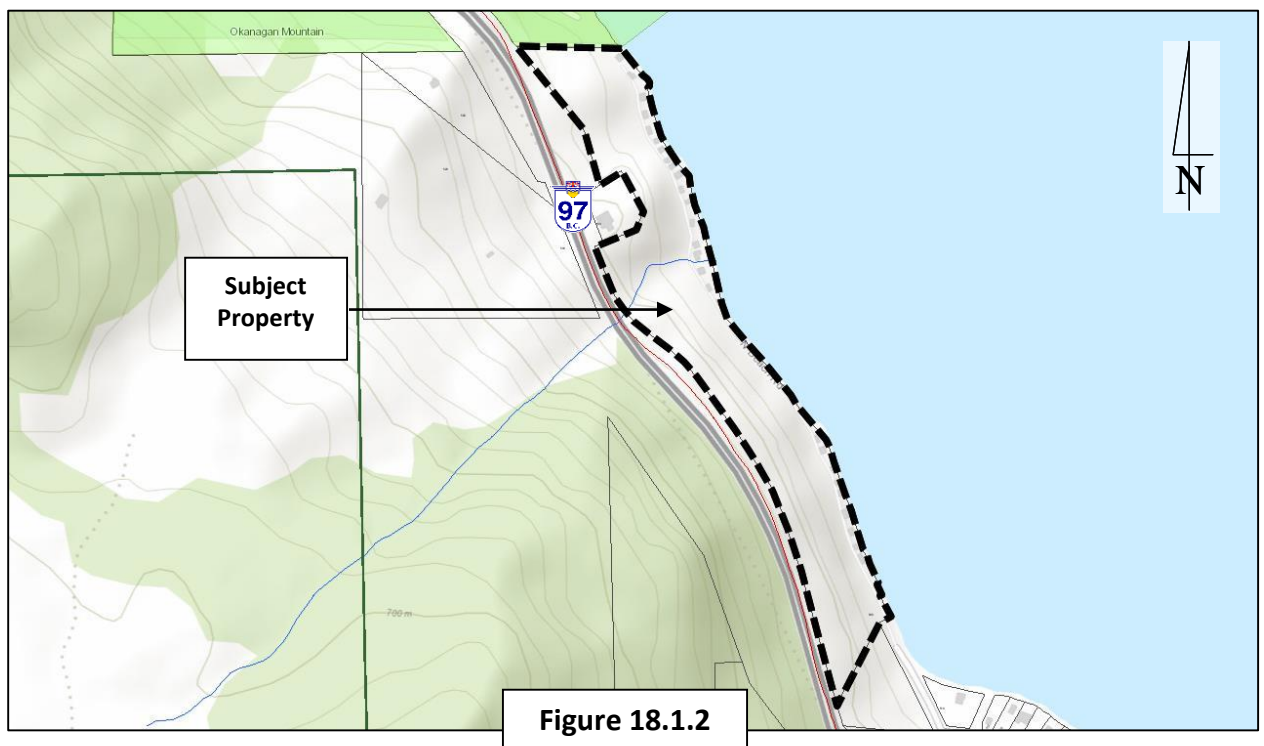
18.1 North Beach Estates Comprehensive Development Zone (CD1)

18.1.1 Purpose:

The purpose of the North Beach Estates Comprehensive Development Zone (CD1) is to create comprehensive, site-specific land use regulations for the parcel — hereinafter referred to as “North Beach Estates” — located at 506 North Beach Road (legally described as District Lot 2694, Osoyoos Division, Yale District, except: Plans 11635 and 13218 and 14500; That Part Which Lies to the West of the Most Westerly Boundary of the Highway as shown on Plan H578; and Plans H578, B3611 and KAP75221) in order to reconcile the historical lawful non-conforming land use pattern on the lands with the regulations of the Zoning Bylaw and the policies of the Official Community Plan Bylaw.

18.1.2 Location:

The property is situated between the east side of Highway 97 and the west side of Okanagan Lake, adjacent to the Okanagan Lake Provincial Park.



18.1.3 North Beach Estates Share Lots:

A plan that identifies the North Beach Estates Share lots, and which is based upon a Plan entitled "Sketch of Parcel and Share Lot Plan on Remainder of D.L. 2694, O.D.Y.D." prepared by AM Surveying and Services Ltd. and dated February 10, 2009, is included at Schedule '3' to this Bylaw, and forms part of this Bylaw.

18.1.4 Background:

In 1964, North Beach Estates Limited (Incorporation # BC0060201) acquired the North Beach Estates Lands and facilitated the residential development of the lands. By virtue of ownership in the corporation, each shareholder was granted exclusive use of a defined portion of the lands and was permitted under the Articles of Association one single family dwelling and one guest cabin.

Situated on a narrow strip of land between the shore of Okanagan Lake to the east and the toe of a steep bluff to the west, these dwellings share a number of unique locational challenges, including, but not limited to, geotechnical, roadway, riparian, and servicing.

In 1972, Regional District Zoning Bylaw No. 68, 1969 became applicable to the lands, rendering the dwellings on the property lawful non-conforming and severely restricting their long-term sustainability. This CD Zone recognizes the historical lawful non-conforming use of the lands and restricts further development of the site beyond the lawful non-conforming density.

18.1.5 Definitions:

In this CD zone:

"accessory building or structure" means a detached building or structure located on the same share lot as the principal building, the use of which building or structure is subordinate, customarily incidental, and exclusively devoted to that of the principal building;

"corporation" means the owner of the parcel;

"common property" means that portion of the parcel identified as "COMMON PROPERTY" on Schedule '3' of this bylaw;

"exterior side share lot line" means the boundary between a share lot and common property other than front, rear and interior side share lot lines;

“front share lot line” means the westernmost boundary of the share lots identified on Schedule ‘3’ of this bylaw;

“grade, finished” means the finished ground level at the perimeter of a building or structure, excluding any localized mounds or depressions such as those for vehicle or pedestrian entrances. Artificial embankments shall not be considered finished grade.

“height” means the vertical distance from the average finished grade to the highest point of the roof of the building or structure;

“Official Community Plan” means Electoral Area “F” Official Community Plan Bylaw;

“parcel” means the land shown outlined in black in Figure 17.1.2 of this Bylaw;

“professional engineer or geoscientist” means a practicing member in good standing of the Association of Professional Engineers and Geoscientists of the Province of British Columbia;

“rear share lot line” means the easternmost boundary of the share lots as identified in Schedule ‘3’ of this bylaw;

“share lots” means the 23 surveyed portions of the parcel reserved for the exclusive use and enjoyment of a shareholder in the corporation, and shown on Schedule ‘3’ of this bylaw;

“share lot coverage” means the combined area covered by all buildings and structures on a share lot, expressed as a percentage of the total share lot area;

“interior side share lot line” means the boundary between two or more share lots other than a front, rear or exterior share lot line;

“zoning bylaw” means Electoral Area “F” Zoning Bylaw, or subsequent enactments;

“Zone” means the North Beach Estates Comprehensive Development Zone (CD1).

18.1.6 Reference to Zoning Bylaw:

Except where explicitly listed in this CD1 zone, all regulations, standards and definitions shall be those stated in the Zoning Bylaw.

18.1.7 Permitted Uses for Share Lots:

Principal Uses:

- a) single detached dwelling or manufactured home;

Accessory Uses:

- b) accessory buildings or structures, subject to Section 7.13, except there is no limit to the number permitted on each share lot;
- c) home occupation, subject to Section 7.17, and where no customers visit the site.

18.1.8 Permitted Uses for Common Property:

Principal Uses:

- a) service facilities and uses in connection with one or more share lots.

18.1.9 Minimum Parcel Sizes:

- a) 12.0 ha

18.1.10 Maximum Parcel Density and Share Lot Density:

- a) 23 share lots per parcel, as shown on Schedule '3' of this bylaw;
- b) one (1) single detached dwelling or manufactured home per share lot.

18.1.11 Minimum Setbacks:

- a) for All Buildings and Structures on a Share Lot:
 - i) Front share lot line: 6.0 metres
 - ii) Rear share lot line: 0.0 metres
 - iii) Interior side share lot line: 1.2 metres
 - iv) Exterior side share lot line: 1.2 metres
- b) for All Buildings and Structures on Common Property:
 - i) Front share lot line: 10.0 metres
 - ii) Rear share lot line: 10.0 metres
 - iii) Interior side share lot line: 10.0 metres
 - iv) Exterior side share lot line: 10.0 metres

18.1.12 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 5.0 metres.

18.1.13 Maximum Share Lot Coverage:

- a) 50%

16. The Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by changing the land use designation of:

- i) the land described as Lot 1, Plan KAP85707, District Lot 2537, ODYD, and shown shaded yellow on Schedule 'F-201', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Low Density Residential Two (RS2).
- ii) the land described as Lot 2, Plan KAP21666, District Lot 2537, ODYD, Except Plan KAP49475 (660 Highway 97), and shown shaded yellow on Schedule 'F-202', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Three (SH3).
- iii) the land described as Lot 1, Plan KAP83875, District Lot 2537, ODYD, and shown shaded yellow on Schedule 'F-203', which forms part of this Bylaw, from Residential Single Family Two Site Specific (RS2s) to Low Density Residential Two (RS2).
- iv) an approximately 4.5 ha area of land shown shaded yellow on Schedule 'F-204', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- v) the land described as Lot 1, Plan KAP36216, District Lot 2694, ODYD, Except Plan KAP75052, and shown shaded yellow on Schedule 'F-205', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- vi) the land shown shaded yellow on Schedule 'F-206', which forms part of this Bylaw, from Small Holdings Four (SH2) to Small Holdings Two (SH2).
- vii) the land shown shaded purple on Schedule 'F-206', which forms part of this Bylaw, from Small Holdings Four (SH4) to Resource Area (RA).
- viii) the land shown shaded yellow on Schedule 'F-207', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).

- ix) the land shown shaded yellow on Schedule 'F-208', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
 - x) the land shown shaded yellow on Schedule 'F-209', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
 - xi) the land shown shaded purple on Schedule 'F-209', which forms part of this Bylaw, from Small Holdings Four Site Specific (SH4s) to Small Holdings Two Site Specific (SH2s).
 - xii) the land shown shaded orange on Schedule 'F-209', which forms part of this Bylaw, from Resource Area (RA) to Small Holdings Three (SH3).
 - xiii) the land shown shaded yellow on Schedule 'F-210', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
 - xiv) the land shown shaded purple on Schedule 'F-210', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Small Holdings Four Site Specific (SH4s).
 - xv) the land shown shaded yellow on Schedule 'F-211', which forms part of this Bylaw, from West Bench Small Holdings Site Specific (SH6s) to West Bench Small Holdings Site Specific (SH5s).
 - xvi) the land shown shaded yellow on Schedule 'F-212', which forms part of this Bylaw, from West Bench Low Density Residential Site Specific (RS6s) to West Bench Low Density Residential (RS5).
 - xvii) the land shown shaded yellow on Schedule shaded purple on Schedule 'F-213', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
 - xviii) the land shown shaded yellow on Schedule shaded purple on Schedule 'F-214', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Small Holdings Four Site Specific (SH4s).
 - xix) changing the land use designation of all parcels zoned West Bench Low Density Residential (RS6) to West Bench Low Density Residential (RS5).
 - xx) changing the land use designation of all parcels zoned West Bench Small Holdings (SH6) to West Bench Small Holdings (SH5).
17. adding a new Schedule '3' (North Beach Estates Comprehensive Development Zone Map) as shown on the attached Schedule 'F-3', which forms part of this bylaw.

Electoral Area “I”

18. The Official Community Plan Map, being Schedule ‘B’ of the Electoral Area “I” Official Community Plan Bylaw No. 2683, 2016, is amended by changing the land use designation of:

- i) the land shown shaded yellow on Schedule ‘I-101’, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- ii) the land shown shaded yellow on Schedule ‘I-102’, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- iii) the land described as Lot A, Plan KAP55255, District Lot 103S, and shown shaded yellow on Schedule ‘I-103’, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- iv) the land shown shaded yellow on Schedule ‘I-104’, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- v) the land shown shaded yellow on Schedule ‘I-105’, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- vi) the land shown shaded yellow on Schedule ‘I-106’, which forms part of this Bylaw, from Low Density Residential (LR) to Conservation Area (CA).
- vii) the land shown shaded yellow on Schedule ‘I-107’, which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- viii) an approximately 1.1 ha part of the land described as District Lot 4098S, SDYD, Portion EX BLK A, Except Plan KAP53180, and shown shaded yellow on Schedule ‘I-108’, which forms part of this Bylaw, from Small Holdings (SH) to Resource Area (RA).
- ix) the land shown shaded yellow on Schedule ‘I-109’, which forms part of this Bylaw, from Low Density Residential (LR) to Administrative, Cultural and Institutional (AI).
- x) the land shown shaded yellow on Schedule ‘I-110’, which forms part of this Bylaw, from Small Holdings (SH) to Parks, Recreation and Trails (PR).
- xi) the land shown shaded yellow on Schedule ‘I-111’, which forms part of this Bylaw, from Small Holdings (SH) to Parks, Recreation and Trails (PR).
- xii) the land shown shaded yellow on Schedule ‘I-112’, which forms part of this Bylaw, from Small Holdings (SH) to Parks, Recreation and Trails (PR).

- xiii) the land shown shaded yellow on Schedule 'I-113', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
- xiv) an approximately 20 ha area of the land described as Lot 1, Plan KAP49966, District Lot 2454S, Section 10, Township 88, SDYD, Except Plan KAP58896, and shown shaded yellow on Schedule 'I-114', which forms part of this Bylaw, from Small Holdings (SH) to Agriculture (AG).
- xv) an approximately 20 ha area of the land described as Lot 1, Plan KAP49966, District Lot 2454S, Section 10, Township 88, SDYD, Except Plan KAP58896, and shown shaded purple on Schedule 'I-114', which forms part of this Bylaw, from Agriculture (AG) to Resource Area (RA).

19. The Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended by:

- i) replacing the sub-section titled "Rural Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Rural Zones

| | |
|-------------------------|-----|
| Resource Area Zone | RA |
| Agriculture One Zone | AG1 |
| Agriculture Three Zone | AG3 |
| Large Holdings One Zone | LH1 |
| Large Holdings Two Zone | LH2 |

- ii) adding a new sub-section titled "Small Holdings Zones" under Section 5.1 (Zoning Districts) to read as follows:

Small Holdings Zones

| | |
|---------------------------|-----|
| Small Holdings One Zone | SH1 |
| Small Holdings Three Zone | SH3 |
| Small Holdings Four Zone | SH4 |

- iii) replacing the sub-section titled "Low Density Residential Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Low Density Residential Zones

| | |
|---|-----|
| Low Density Residential Two Zone | RS2 |
| Low Density Residential Three Zone | RS3 |
| Low Density Residential Apex Alpine Zone | RS4 |
| Low Density Residential Apex Alpine Duplex Zone | RD2 |

- iv) replacing Section 10.6 (Small Holdings Two Zone) in its entirety with the following:
10.6 *deleted*
- v) replacing Section 10.7 (Small Holdings Three Zone) in its entirety with the following:
10.7 *deleted*
- vi) replacing Section 10.8 (Small Holdings Four Zone) in its entirety with the following:
10.8 *deleted*
- vii) replacing Section 10.9 (Small Holdings Five Zone) in its entirety with the following:
10.9 *deleted*
- viii) adding a new Section 11.0 (Small Holdings) to read as follows and renumbering all subsequent sections:

11.0 SMALL HOLDINGS

11.1 SMALL HOLDINGS ONE ZONE (SH1)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwellings;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12; and
- f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Small Holdings One (SH1s) Regulations:

- a) see Section 19.5

11.1.3 Minimum Parcel Size for Subdivision:

- a) 0.25 ha, when connected to a community sewer and water system; or
- c) 1.0 ha, when serviced by a well and an approved septic system.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 4.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

11.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

11.3 SMALL HOLDINGS THREE ZONE (SH3)

11.3.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11
- c) agriculture, subject to Section 7.24;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory building and structure, subject to Section 7.13.

11.3.2 Site Specific Small Holdings Three (SH3s) Regulations:

- a) see Section 19.7

11.3.3 Minimum Parcel Size for Subdivision:

- a) 1.0 ha

11.3.4 Minimum Parcel Width for Subdivision:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.3.6 Minimum Setbacks:

- a) 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
- 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 11.3.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.3.6(a) and (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

11.3.7 Maximum Height:

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

11.3.8 Maximum Parcel Coverage:

- a) 20%

11.3.9 Minimum Building Width:

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

11.4 SMALL HOLDINGS FOUR ZONE (SH4)

11.4.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) agriculture, subject to Section 7.24;
- c) accessory dwelling, subject to Section 7.11;
- d) bed and breakfast operation, subject to Section 7.19;
- e) home industry, subject to Section 7.18;
- f) home occupation, subject to Section 7.17;
- g) secondary suite, subject to Section 7.12; and
- h) accessory building and structure, subject to Section 7.13.

11.4.2 Site Specific Small Holdings Four (SH4s) Regulations:

- a) see Section 19.8

11.4.3 Minimum Parcel Size for Subdivision:

- a) 2.0 ha

11.4.4 Minimum Parcel Width for Subdivision:

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

11.4.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.4.6 Minimum Setbacks:

- a) 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
- 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 11.4.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, greenhouses and cannabis 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 11.4.6(a) and (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

11.4.7 Maximum Height:

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

11.4.8 Maximum Parcel Coverage:

- a) 15%

11.4.9 Minimum Building Width:

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

- ix) replacing Section 11.1 (Residential Single Family One (RS1)) under 11.0 (Low Density Residential) in its entirety with the following:

11.1 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.1.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.1.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 19.9

11.1.3 Minimum Parcel Size for Subdivision:

- a) 500.0 m², when connected to a community sewer and water system;
- b) 1.0 ha, when serviced by a well and an approved septic system; or
- c) 60.0 ha, when a parcel is situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.

11.1.4 Minimum Parcel Width for Subdivision:

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

11.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.1.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.1.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.1.8 Maximum Parcel Coverage:

- a) 35%

11.1.9 Minimum Building Width:

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

- x) replacing Section 11.2 (Residential Single Family One (RS2) Zone) under Section 11.0 (Low Density Residential) in its entirety with the following;

11.2 LOW DENSITY RESIDENTIAL THREE ZONE (RS3)

11.2.1 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- f) accessory building and structure, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Three (RS3s) Provisions:

- a) see Section 19.10

11.2.3 Minimum Parcel Size for Subdivision:

- a) 1,000.0 m², when connected to a community sewer and water system;
- b) 1.0 ha, when serviced by a well and an approved septic system; or
- c) 60.0 ha, when a parcel is situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw.

11.2.4 Minimum Parcel Width for Subdivision:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling; and
- b) one (1) secondary suite or one (1) accessory dwelling.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 1.5 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres

11.2.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.2.8 Maximum Parcel Coverage:

- a) 35%

11.2.9 Minimum Building Width:

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

- xi) replacing Section 19.5 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.5 Site Specific Small Holdings One (SH1s) Regulations:

- .1 Not applicable.

- xii) replacing Section 19.6 (Site Specific Small Holdings Three (SH3s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.6 Site Specific Small Holdings Two (SH2s) Provisions:

- .1 Not applicable.

- xiii) replacing Section 19.7 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.7 Site Specific Small Holdings Three (SH3s) Provisions:

- .1 Not applicable.

- xiv) replacing Section 19.8 (Site Specific Residential Single Family Two (RS2s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.8 Site Specific Small Holdings Four (SH4s) Provisions:

- .1 Not applicable.

- xv) replacing Section 19.9 (Site Specific Residential Apex Alpine (RS4s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

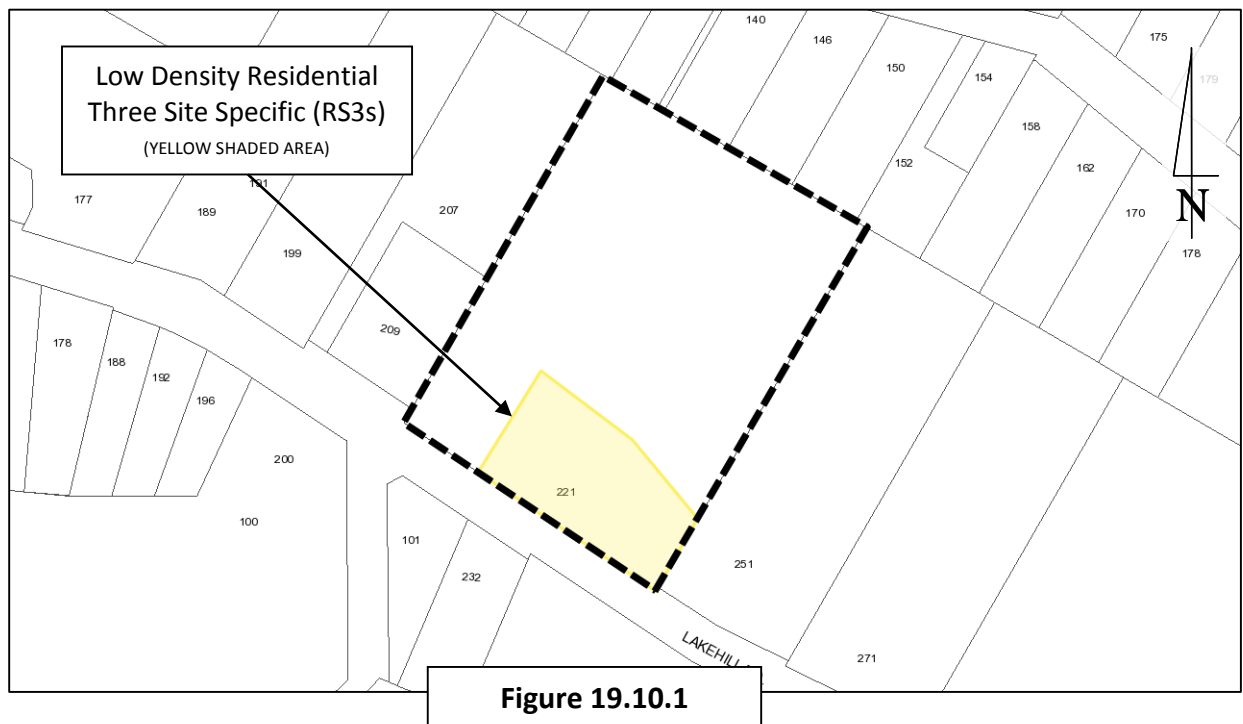
19.9 Site Specific Low Density Residential Two (RS2s) Provisions:

- .1 Not applicable.

- xvi) replacing Section 19.10 (Site Specific Residential Manufactured Home Park (RSM1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.10 Site Specific Low Density Residential Three (RS3s) Provisions:

- .1 in the case of land described as Lot 96, Plan KAP719, District Lot 104S, SDYD (221 Lakehill Road), and shown shaded yellow on Figure 19.10.1;
 - i) the following accessory uses accessory use(s) shall be permitted on the land in addition to the permitted uses listed in Section 11.2.1:
 - a) home industry, subject to Section 7.18.
 - ii) despite Section 7.18.1, a home industry shall be permitted on a parcel less than 2.0 ha in size.



- xvii) replacing Section 19.11 (Site Specific Residential Cottage (RCs) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.11 Site Specific Low Density Residential Apex Alpine (RS4s) Provisions:

- .1 Not applicable.
- xviii) replacing Section 19.12 (Site Specific Medium Density Residential One (RM1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.12 Site Specific Low Density Residential Manufactured Home Park (RSM1s) Provisions:

.1 Not applicable.

- xix) replacing Section 19.13 (Site Specific Apex Mountain Village (AMVs) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.13 Site Specific Medium Density Residential One (RM1s) Provisions:

.1 Not applicable.

- xx) adding a new Section 19.15 (Site Specific Apex Mountain Village (AMVs) Provisions) under Section 19.0 (Site Specific Designations) to read as follows and renumbering all subsequent sections:

19.15 Site Specific Apex Mountain Village (AMVs) Provisions:

.1 Not applicable.

- xxi) replacing Section 19.15 (Site Specific General Commercial (C1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.15 Site Specific General Commercial (C1s) Provisions:

.1 Not applicable.

- xxii) replacing Section 19.27 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.27 *deleted.*

- xxiii) replacing Section 19.28 (Site Specific Small Holdings Five (SH5s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.28 *deleted.*

20. The Zoning Map, being Schedule '2' of the Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended by changing the land use designation of:

- i) the land described as District Lot 3569S, SDYD, and shown shaded yellow on Schedule 'I-201', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Large Holdings One (LH1).
- ii) an approximately 4,320 m² area of the land described as Lot 1, Plan KAP81026, District Lot 3757, SDYD (550 Highway 97) and shown shaded yellow on Schedule 'I-202', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Agriculture One (AG1).

- iii) the land shown shaded yellow on Schedule 'I-203', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).
- iv) an approximately 3.85 ha area of the land shown shaded yellow on Schedule 'I-204', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Agriculture One (AG1).
- v) the land shown shaded yellow on Schedule 'I-205', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).
- vi) the land shown shaded yellow on Schedule 'I-206', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- vii) the land shown shaded yellow on Schedule 'I-207', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- viii) the land described as Lot A, Plan KAP55255, District Lot 103S, SDYD, and shown shaded yellow on Schedule 'I-208', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- ix) the land shown shaded yellow on Schedule 'I-209', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Three (RS3).
- x) the land shown shaded yellow on Schedule 'I-210', which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings One (SH1).
- xi) the land shown shaded yellow on Schedule 'I-211', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- xii) the land shown shaded yellow on Schedule 'I-212', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- xiii) the land shown shaded yellow on Schedule 'I-213', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Low Density Residential Three (RS3).
- xiv) the land shown shaded yellow on Schedule 'I-214', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Agriculture One (AG1).
- xv) an approximately 0.75 ha area of the land described as Lot 1, Plan KAP65107, District Lot 104S & 105S, SDYD, and shown shaded yellow on Schedule 'I-215', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Conservation Area (CA).

- xvi) an approximately 0.26 ha area of the land described as Lot 1, Plan KAP65107, District Lot 104S & 105S, SDYD, and shown shaded purple on Schedule 'I-215', which forms part of this Bylaw, from Agriculture One (AG1) to Conservation Area (CA).
- xvii) the land shown shaded yellow on Schedule 'I-216', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).
- xviii) an approximately 1,200 m² area of the land described as Lot A, Plan KAP2198, District Lot 104S, SDYD, and shown shaded purple on Schedule 'I-216', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Agriculture One (AG1).
- xix) the land shown shaded yellow on Schedule 'I-217', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Low Density Residential (RS3).
- xx) the land described as Lot A, Plan EPP75314, District Lot 104S, SDYD, and shown shaded purple on Schedule 'I-217', which forms part of this Bylaw, from Residential Single Family Two Site Specific (RS2s) to Low Density Residential Site Specific (RS3s).
- xxi) the land shown shaded yellow on Schedule 'I-218', which forms part of this Bylaw, from Residential Single Family One (RS1) to Low Density Residential Two (RS2).
- xxii) an approximately 1.1 ha part of the land described as District Lot 4098S, SDYD, Portion EX BLK A, Except Plan KAP53180, and shown shaded yellow on Schedule 'I-219', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Resource Area (RA).
- xxiii) the land shown shaded yellow on Schedule 'I-220', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Low Density Residential Three (RS3).
- xxiv) the land shown shaded purple on Schedule 'I-220', which forms part of this bylaw, from Residential Single Family Two (RS2) to Administrative and Institutional (AI).
- xxv) the land shown shaded yellow on Schedule 'I-221', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings One (SH1).
- xxvi) the land shown shaded purple on Schedule 'I-221', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).

- xxvii) the land shown shaded yellow on Schedule 'I-222', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).
- xxviii) the land shown shaded green on Schedule 'I-222', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Parks and Recreation (PR).
- xxix) the land shown shaded yellow on Schedule 'I-223', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).
- xxx) the land shown shaded green on Schedule 'I-223', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Parks and Recreation (PR).
- xxxi) the land shown shaded yellow on Schedule 'I-224', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).
- xxxii) the land shown shaded green on Schedule 'I-224', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Parks and Recreation (PR).
- xxxiii) the land shown shaded yellow on Schedule 'I-225', which forms part of this Bylaw, from Small Holdings Four (SH4) to Small Holdings One (SH1).
- xxxiv) the land shown shaded purple on Schedule 'I-225', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).
- xxxv) the land shown shaded yellow on Schedule 'I-226', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- xxxvi) the land shown shaded yellow on Schedule 'I-227', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- xxxvii) the land shown shaded yellow on Schedule 'I-228', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings One (SH1).
- xxxviii) an approximately 4.8 ha area of the land described as Lot 1, Plan KAP49966, District Lot 2454S, Section 10, Township 88, SDYD, Except Plan KAP58896, and shown shaded purple on Schedule 'I-229', which forms part of this Bylaw, from Resource Area (RA) to Agriculture Three (AG3).
- xxxix) an approximately 20.5 ha area of the land described as Lot 1, Plan KAP49966, District Lot 2454S, Section 10, Township 88, SDYD, Except Plan KAP58896, and shown shaded yellow on Schedule 'I-229', which forms part of this Bylaw, from Small Holdings Three (SH3) to Resource Area (RA).

- xl) an approximately 18.4 ha area of the land described as Lot 1, Plan KAP49966, District Lot 2454S, Section 10, Township 88, SDYD, Except Plan KAP58896, and shown shaded green on Schedule 'I-229', which forms part of this Bylaw, from Resource Area (RA) to Agriculture Three (AG3).
- xli) the land shaded yellow on Schedule 'I-230', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Four (SH4).
- xlii) the land shown shaded yellow on Schedule 'I-231', which forms part of this Bylaw, from Small Holdings Three (SH3) to Parks and Recreation (PR).
- xliii) the land shown shaded yellow on Schedule 'I-232', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two (RS2).
- xliv) the land shown shaded yellow on Schedule 'I-233', which forms part of this Bylaw, from Small Holdings Five (SH5) to Small Holdings One (SH1).
- xlv) the land shown shaded yellow on Schedule 'I-234', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Low Density Residential Three (RS3).

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.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area Zoning Amendment Bylaw No. 2892, 2021" as read a Third time by the Regional Board on this ____ day of _____, 2021.

Dated at Penticton, BC this ____ day of _____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

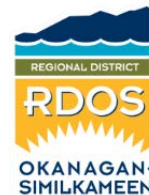
ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

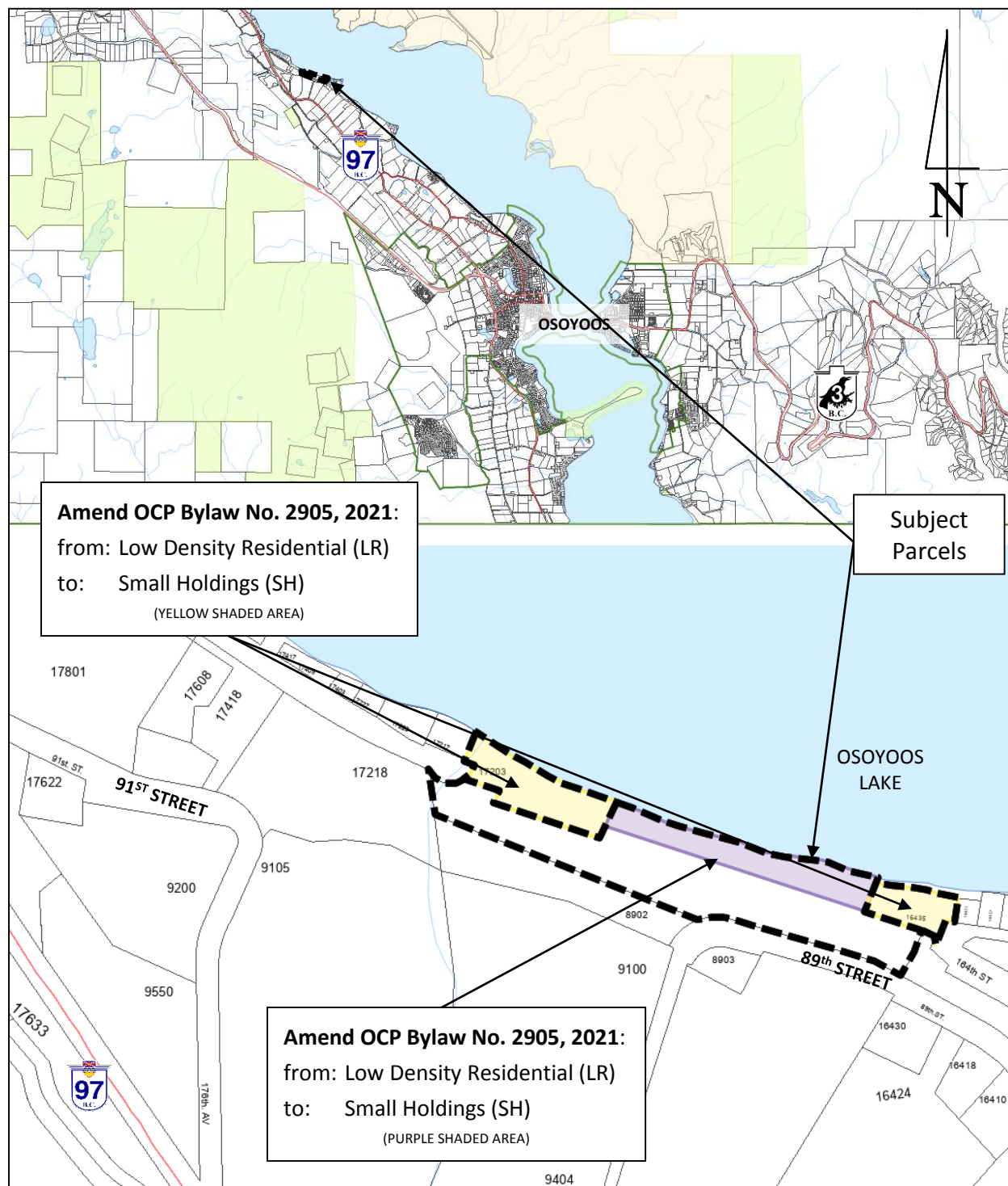
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File No. X2020.005-ZONE

Schedule 'A-101'



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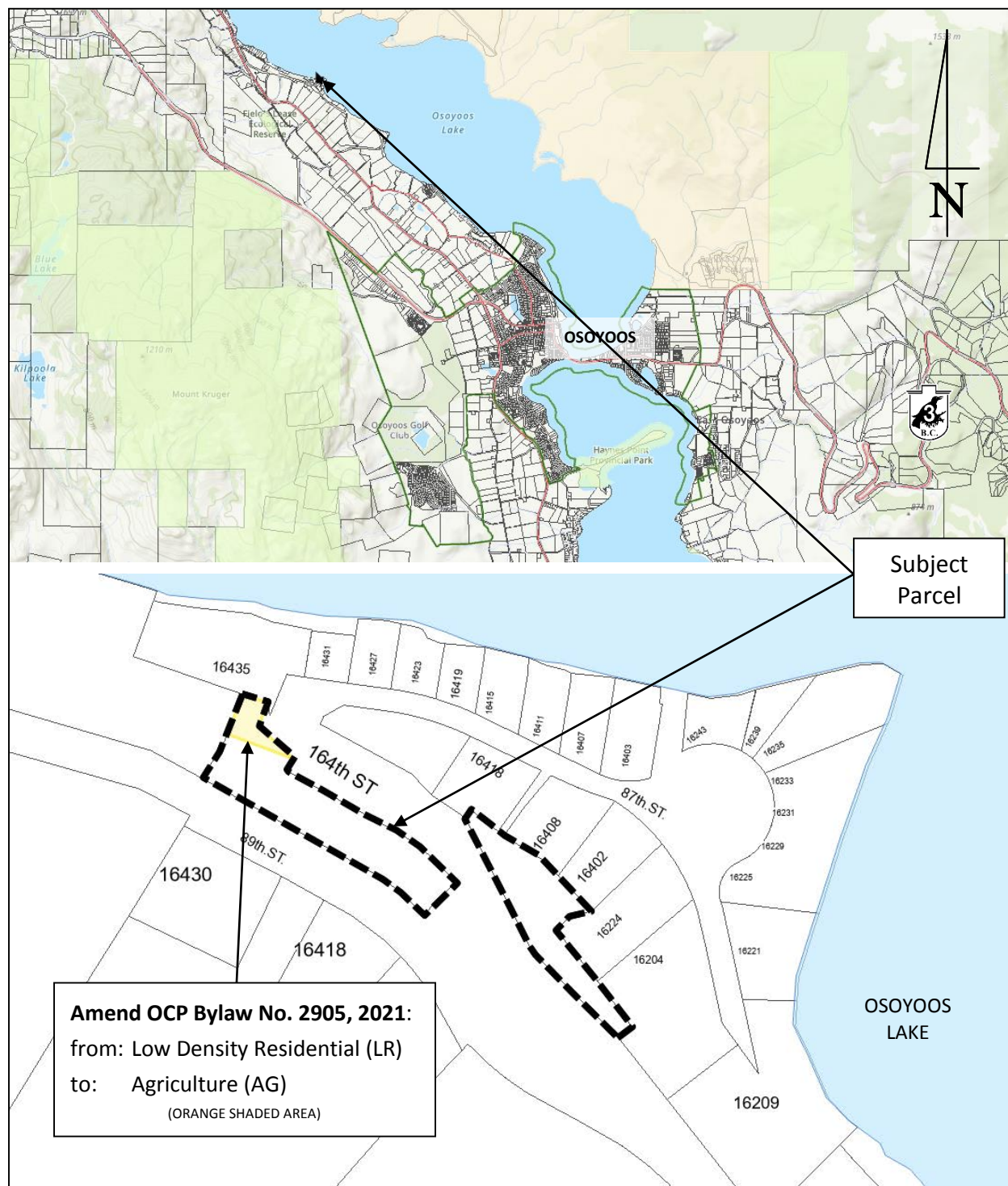
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Schedule 'A-102'



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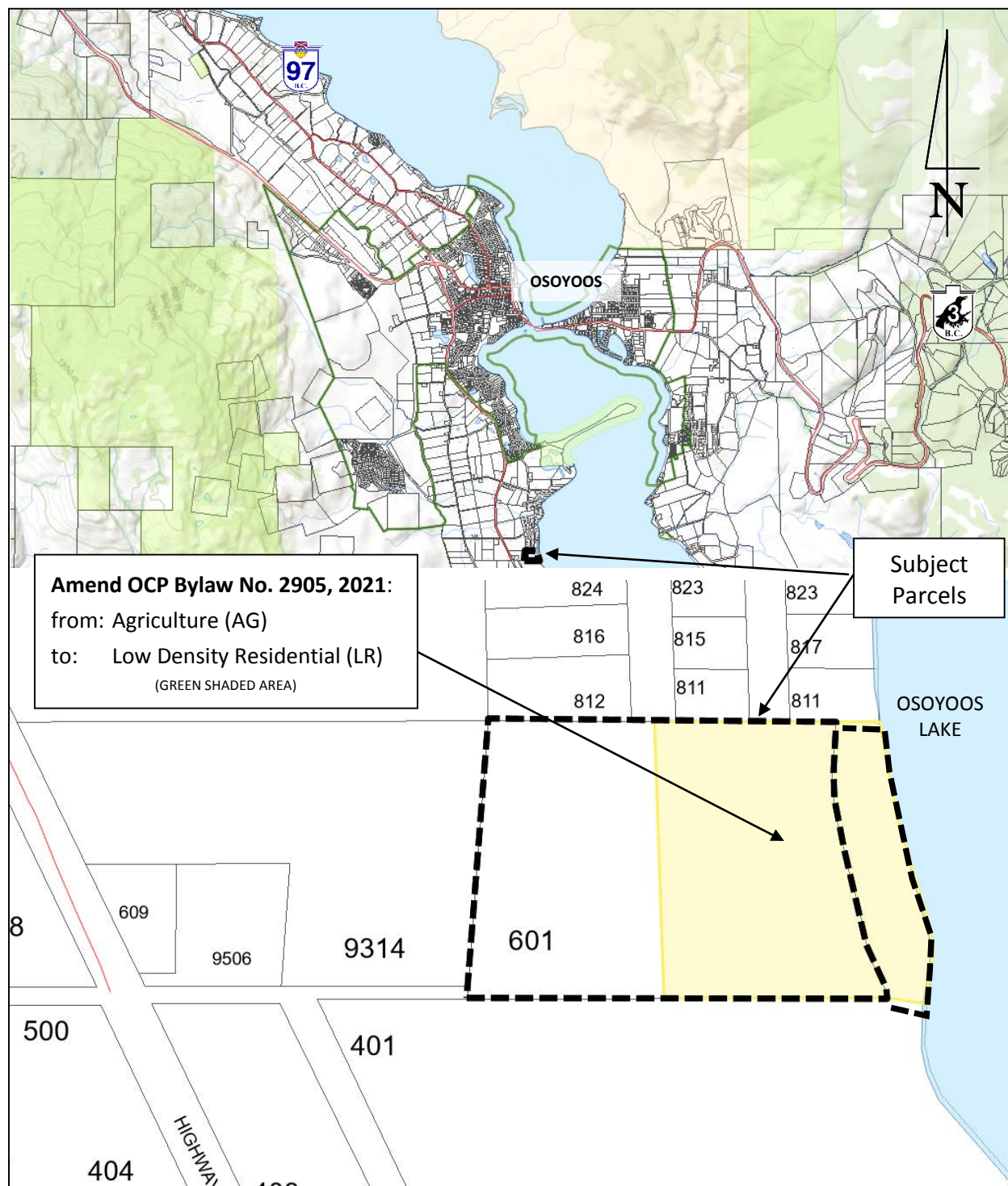
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-103'



Amend OCP Bylaw No. 2905, 2021:
from: Agriculture (AG)
to: Low Density Residential (LR)
(GREEN SHADED AREA)

Subject
Parcels

Regional District of Okanagan-Similkameen

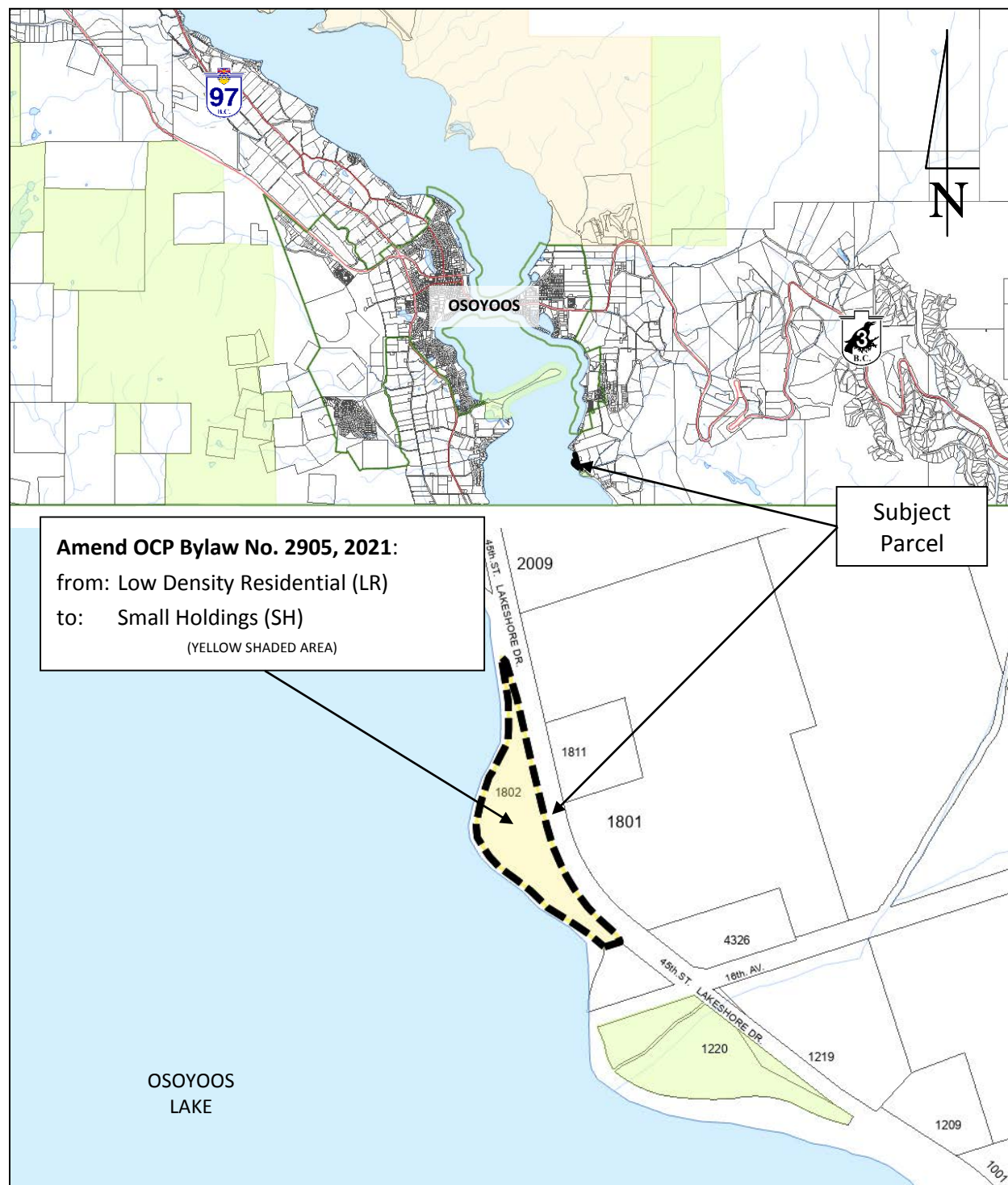
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File No. X2020.005-ZONE

Schedule 'A-104'

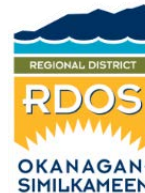


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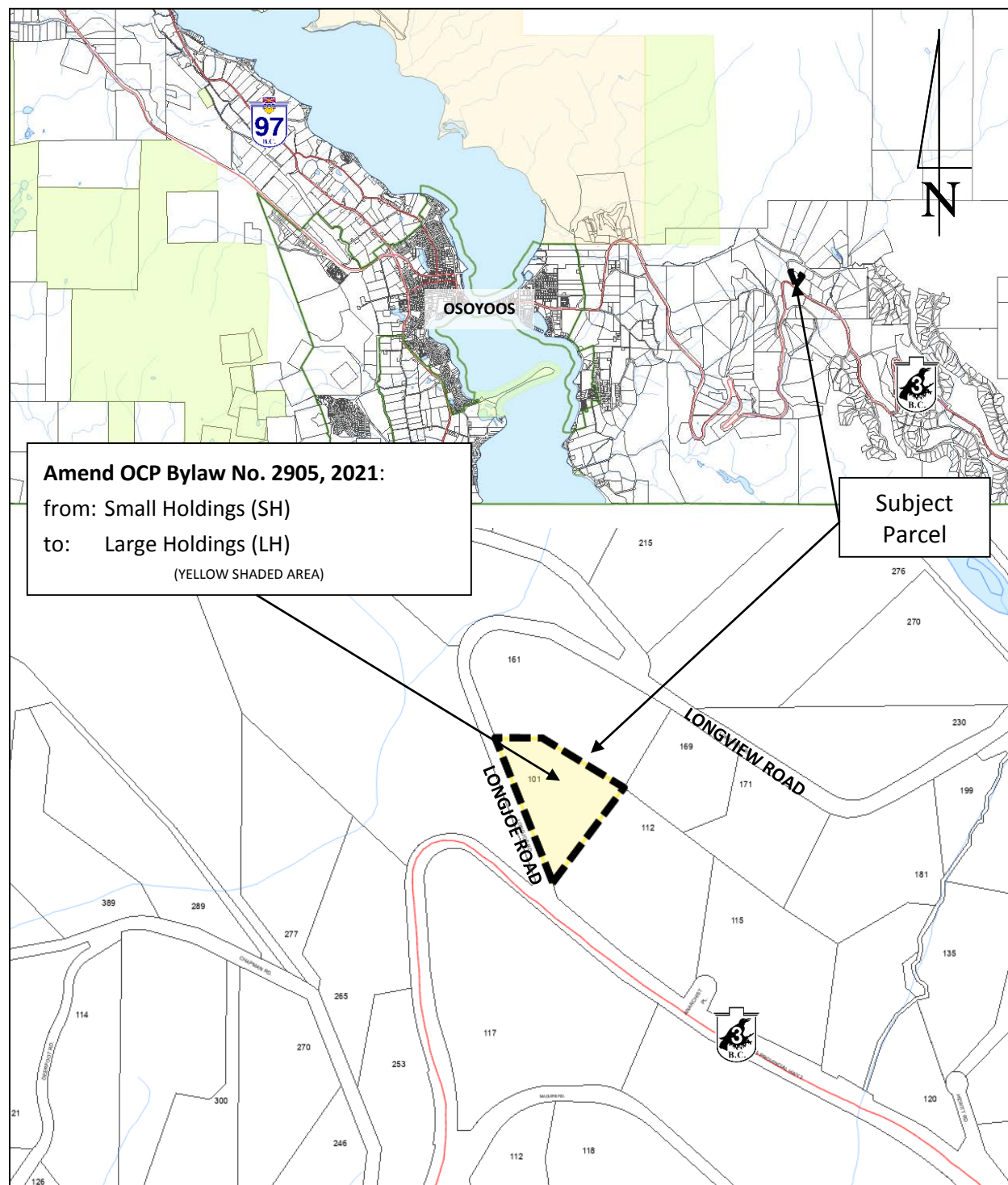
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Schedule 'A-106'

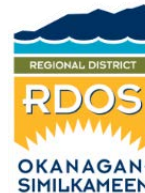


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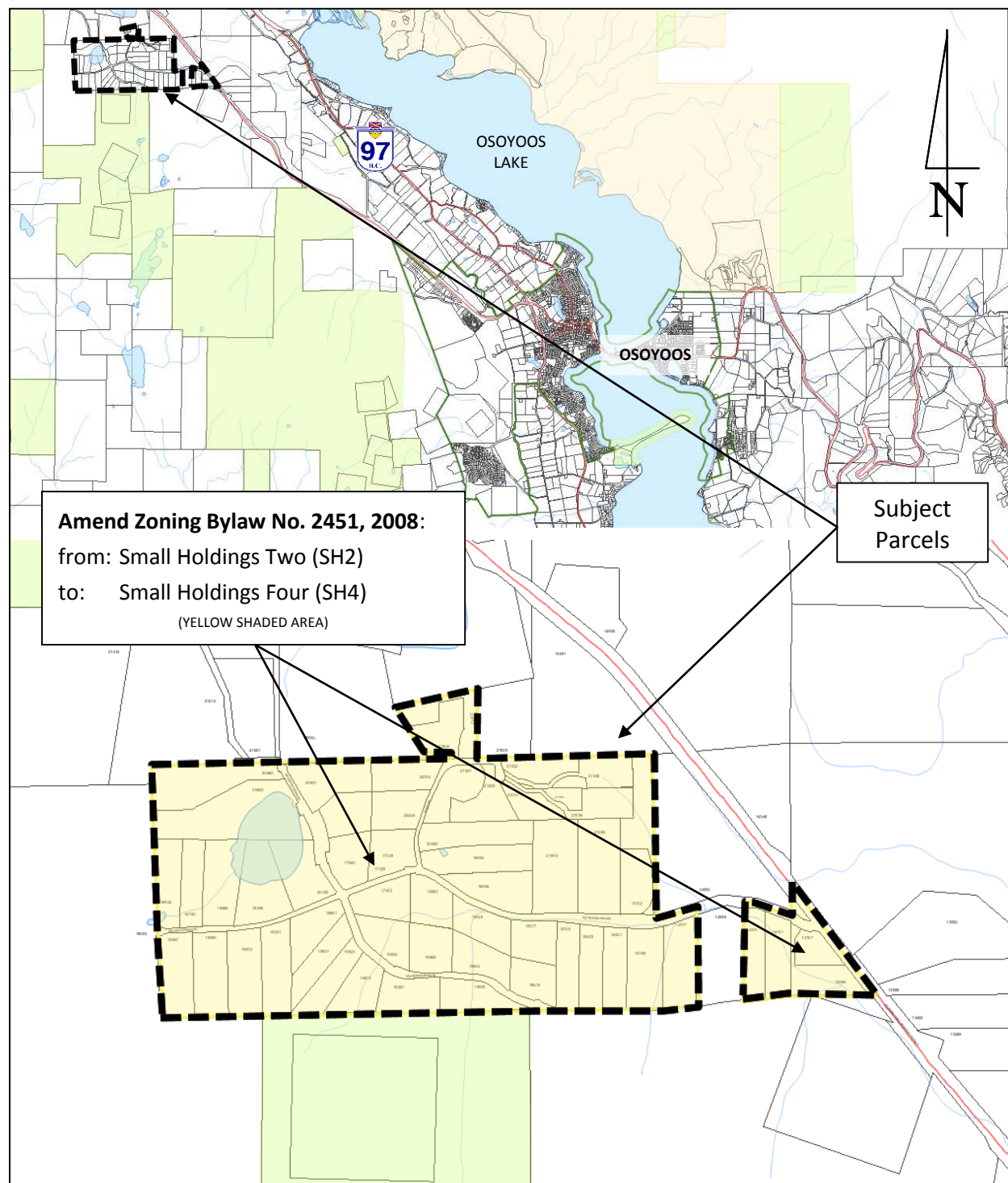
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Schedule 'A-201'



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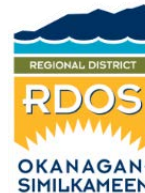
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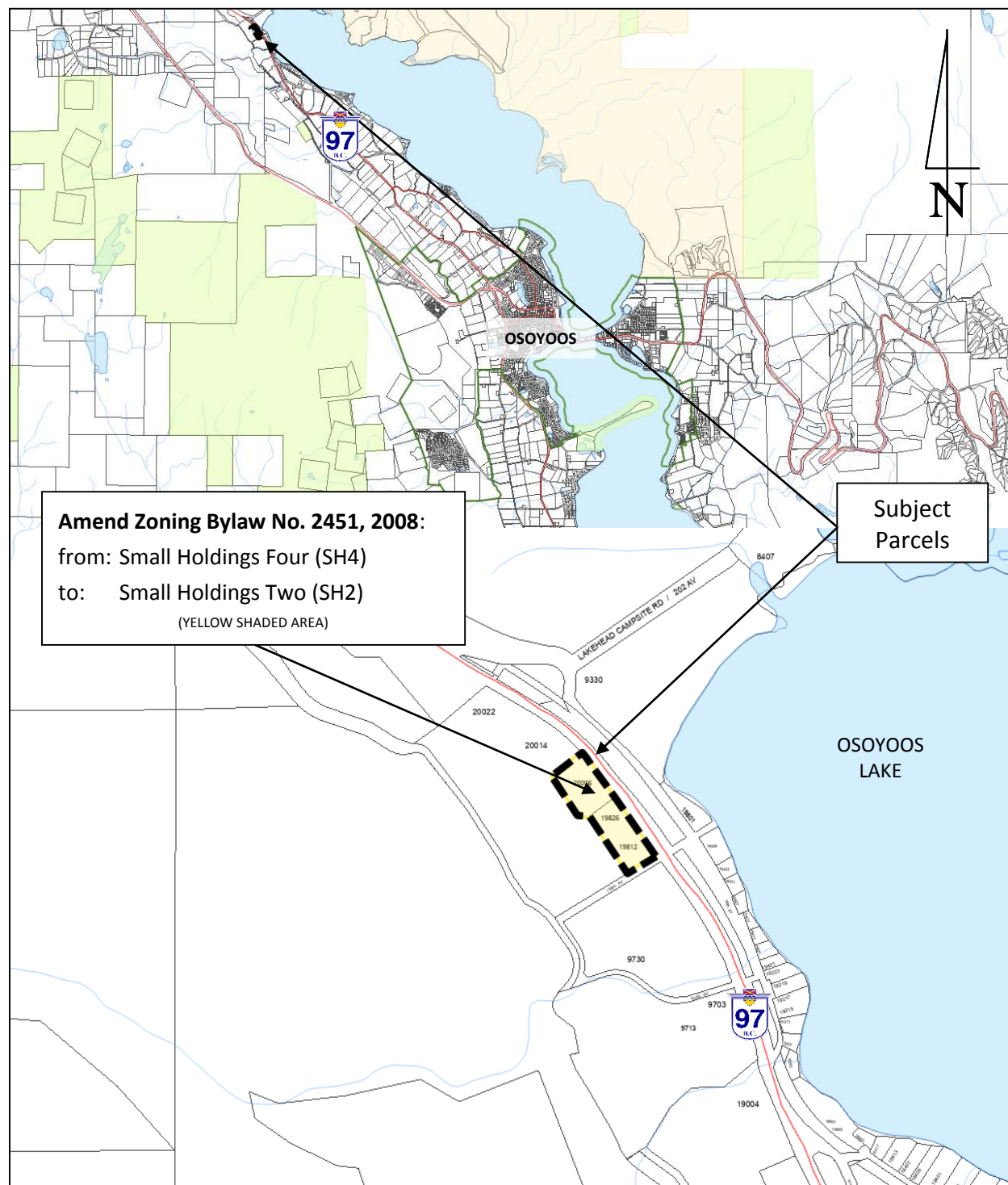
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Schedule 'A-202'



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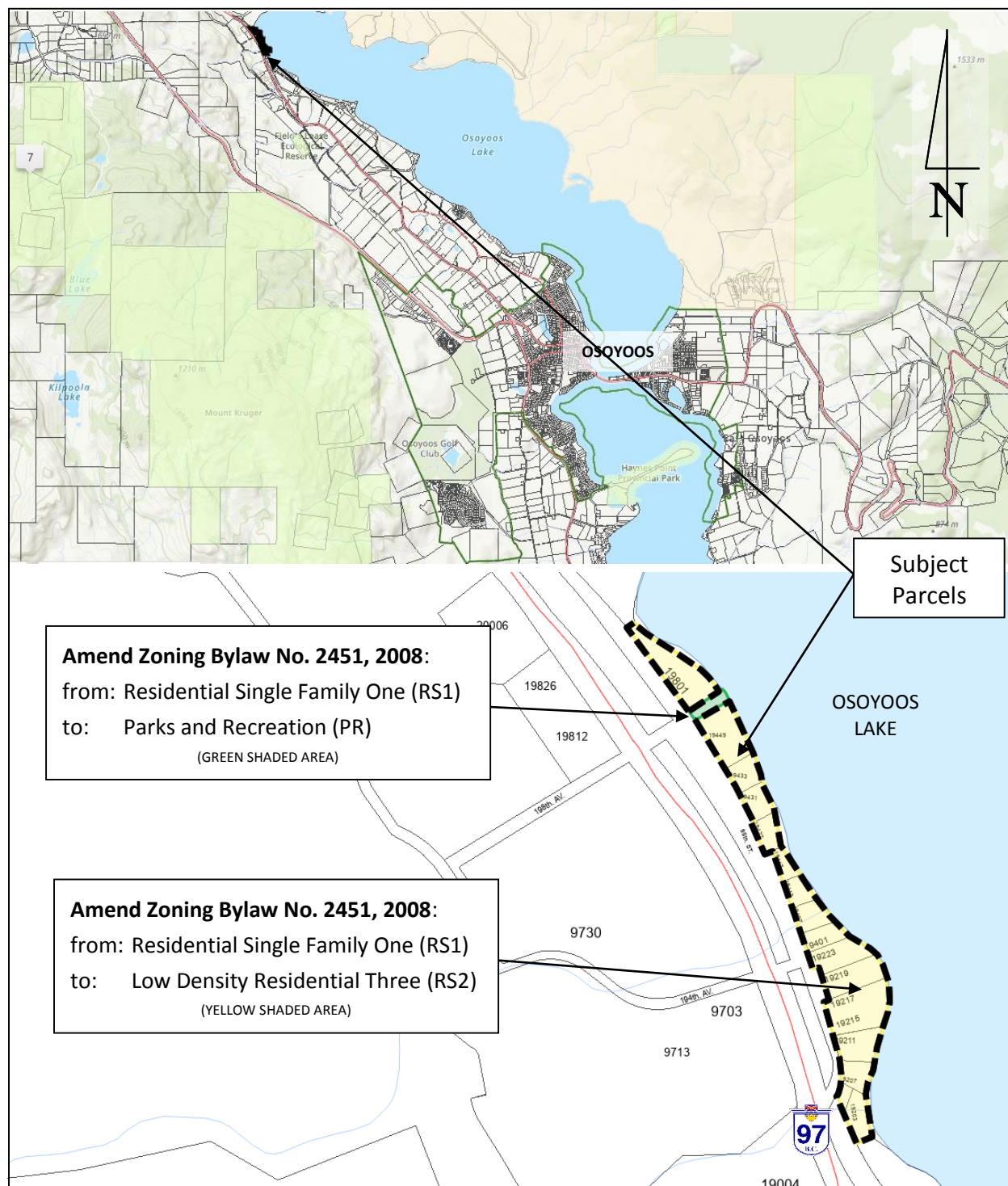
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Schedule 'A-203'



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

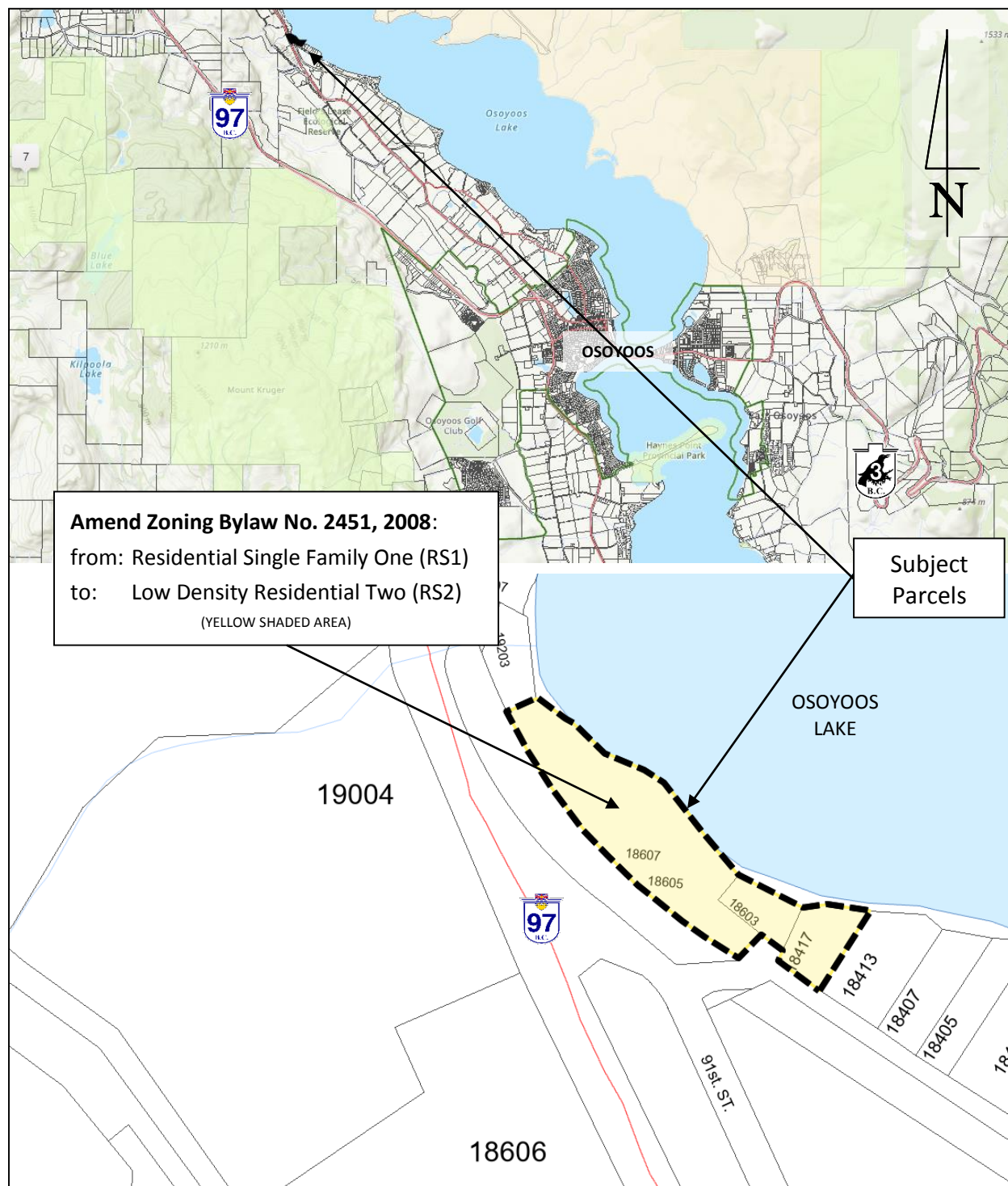
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Schedule 'A-204'



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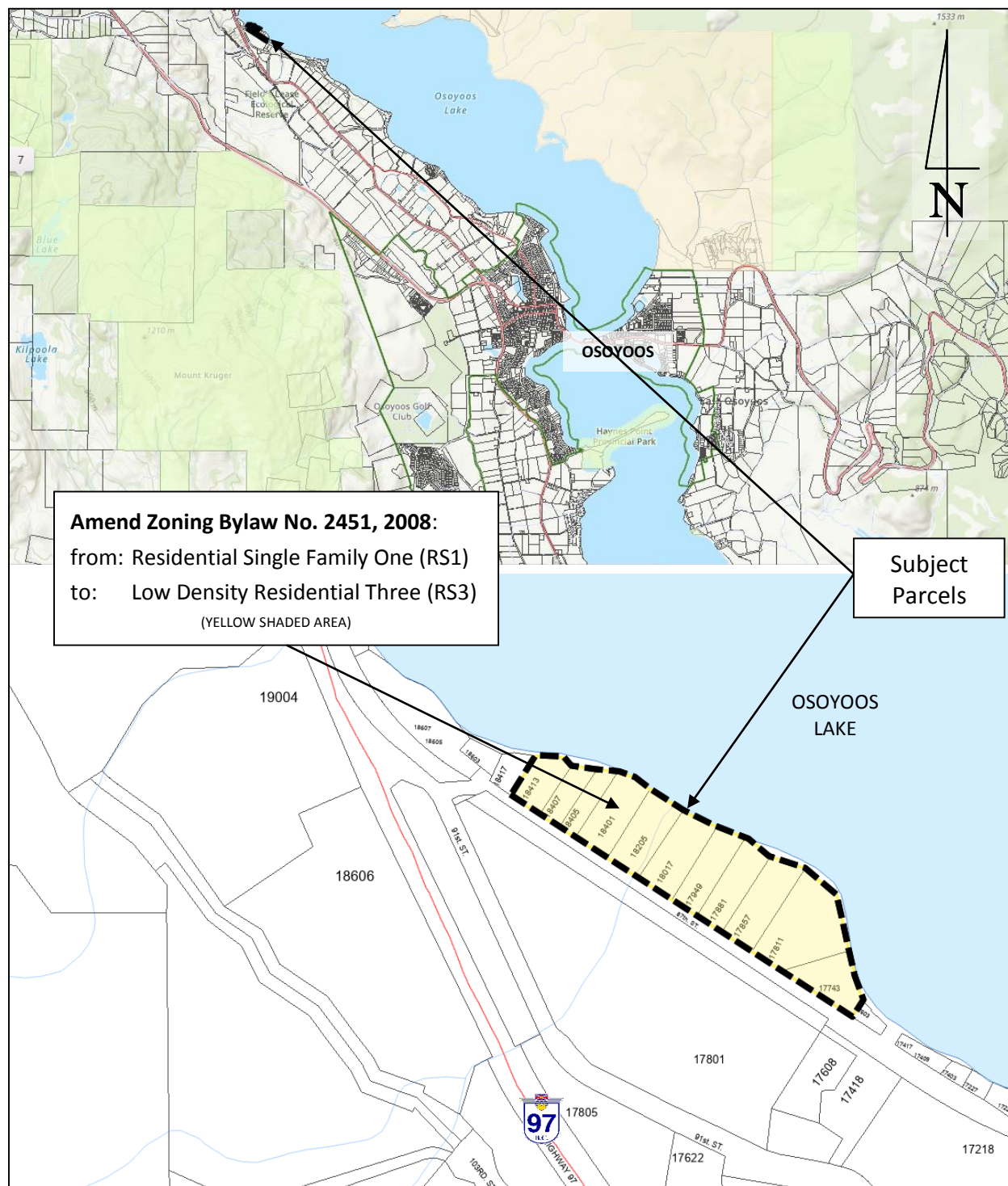
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Schedule 'A-205'



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

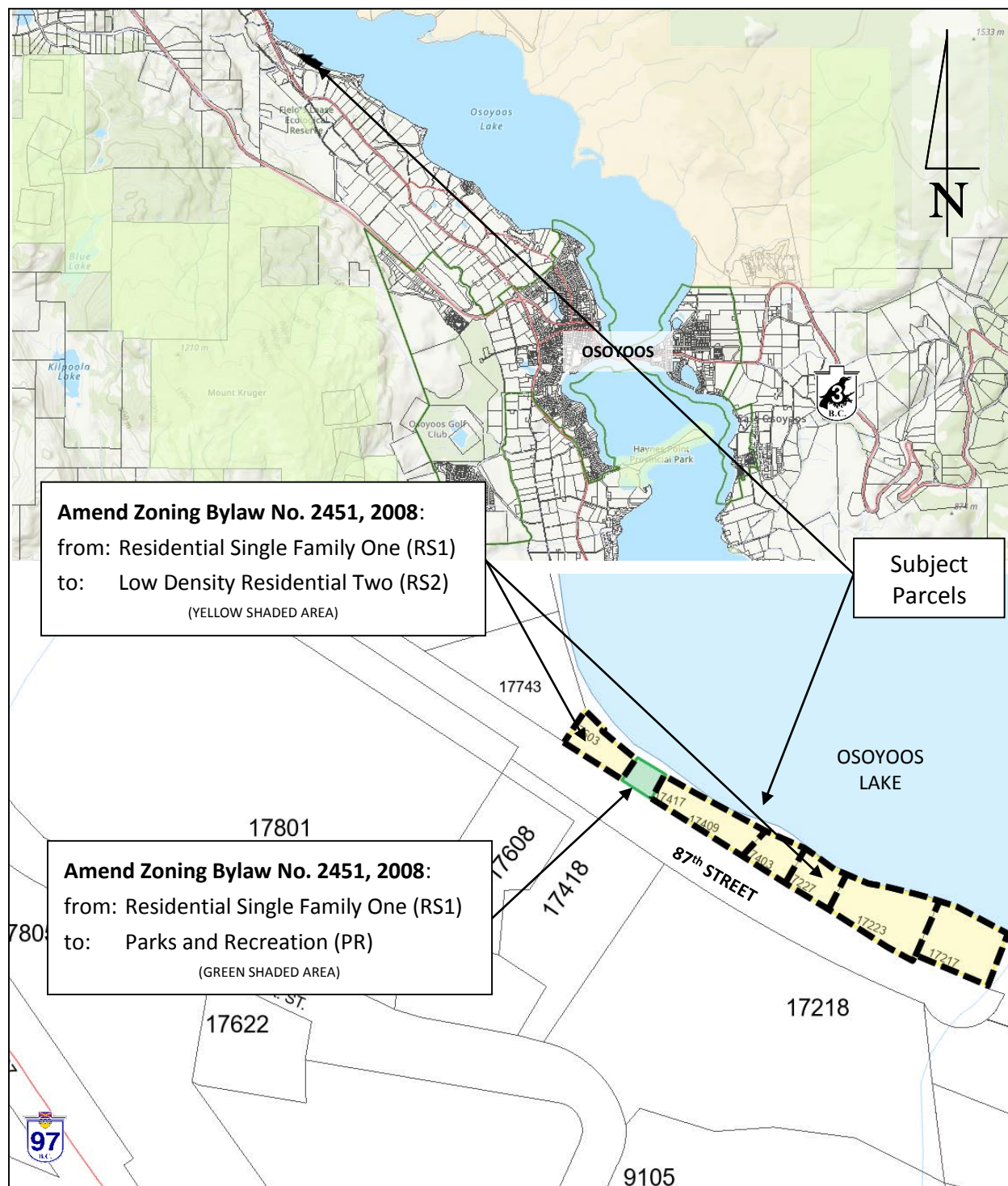
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Schedule 'A-206'



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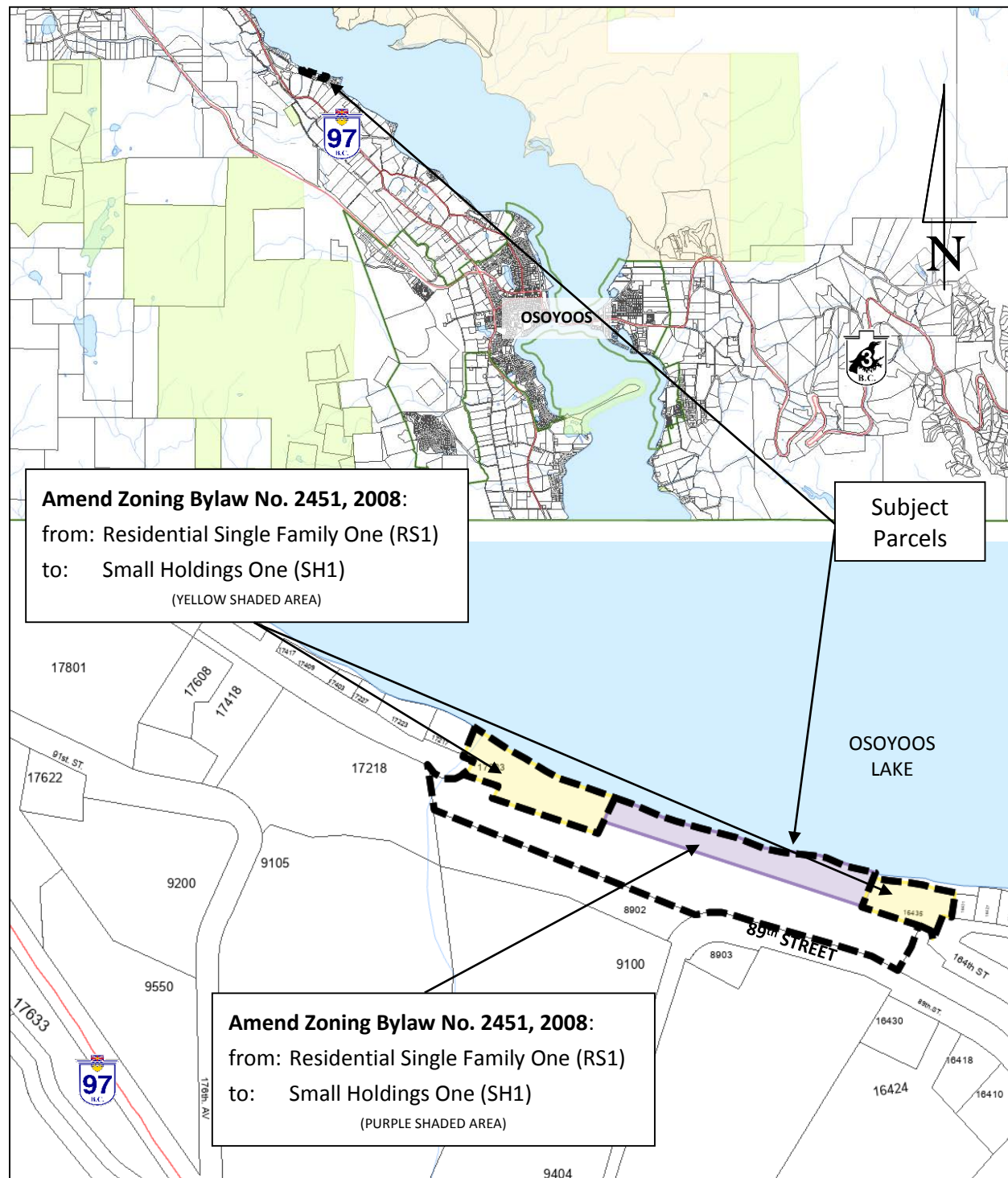
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File No. X2020.005-ZONE

Schedule 'A-207'



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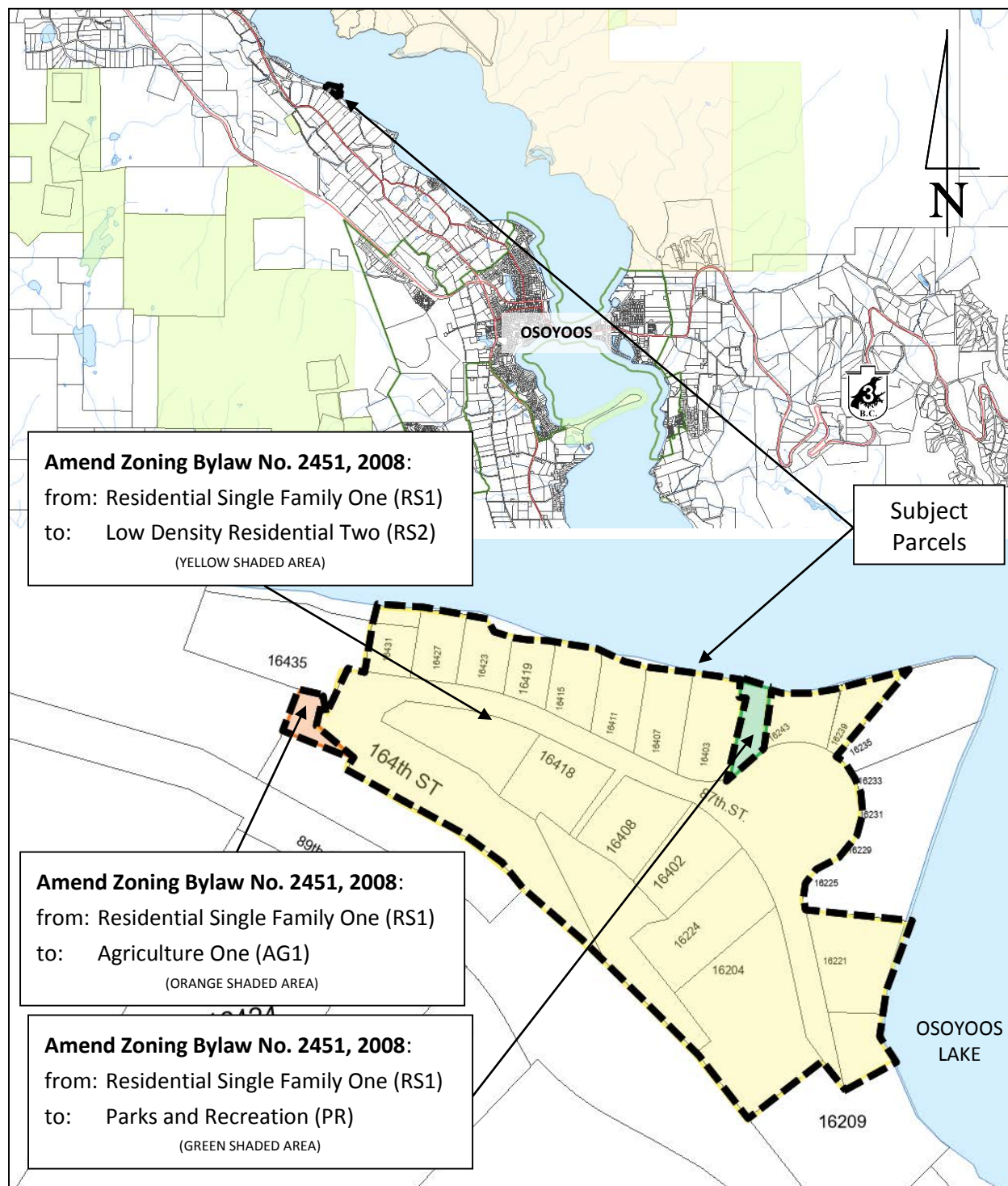
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Schedule 'A-208'



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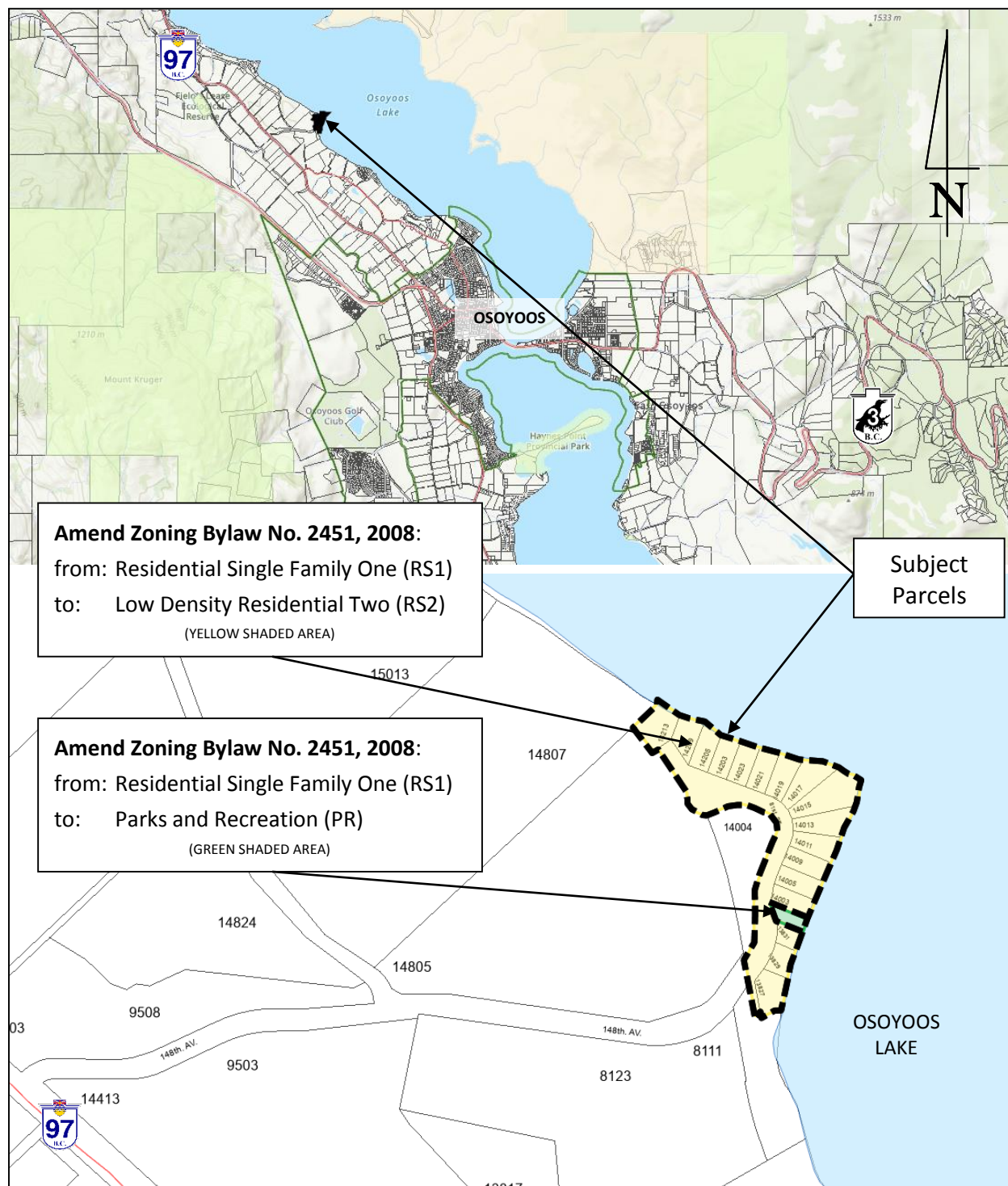
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-209'



Amend Zoning Bylaw No. 2451, 2008:

from: Residential Single Family One (RS1)
to: Low Density Residential Two (RS2)
(YELLOW SHADED AREA)

Subject
Parcels

Amend Zoning Bylaw No. 2451, 2008:

from: Residential Single Family One (RS1)
to: Parks and Recreation (PR)
(GREEN SHADED AREA)

Regional District of Okanagan-Similkameen

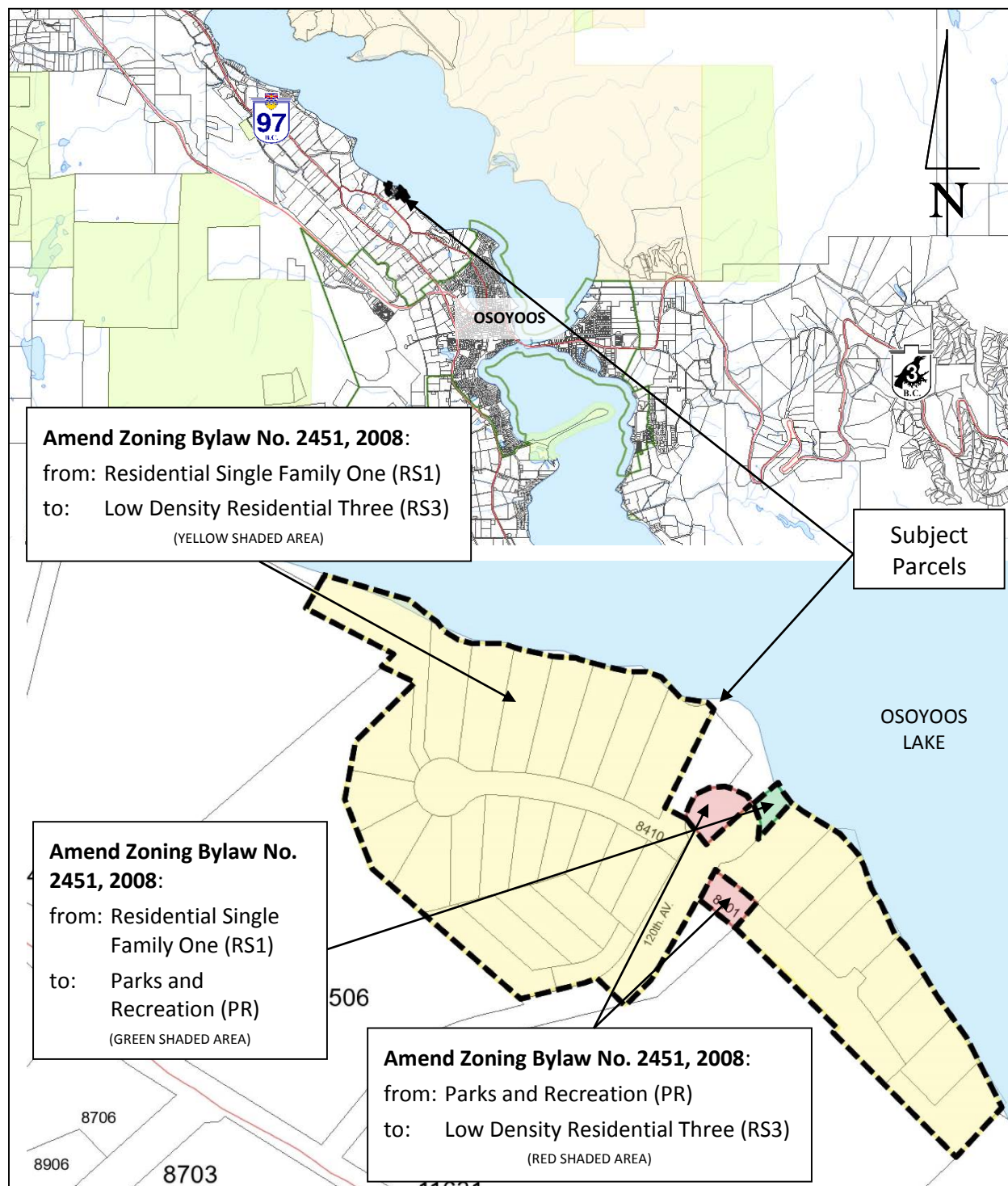
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-210'



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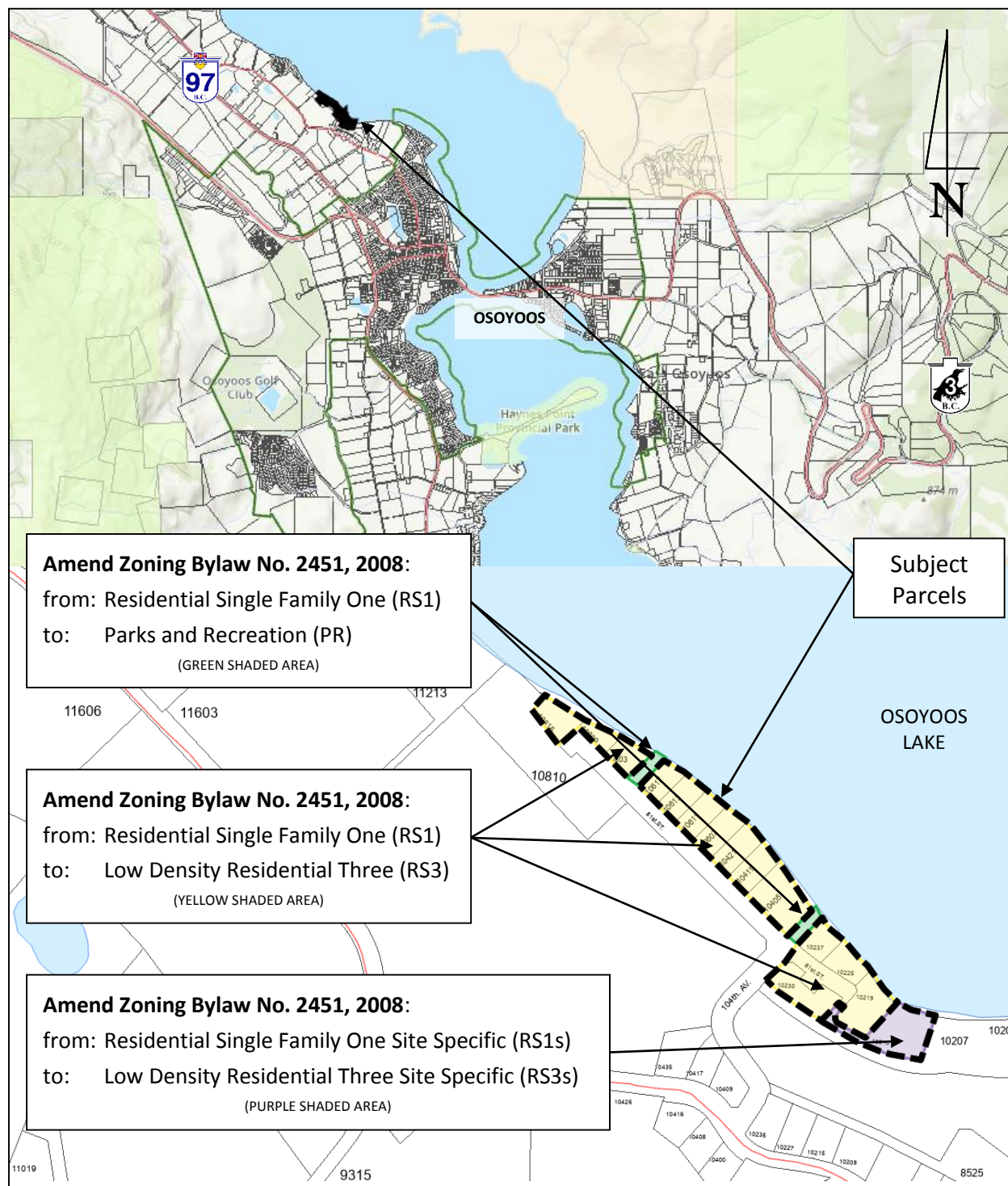
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File No. X2020.005-ZONE

Schedule 'A-211'



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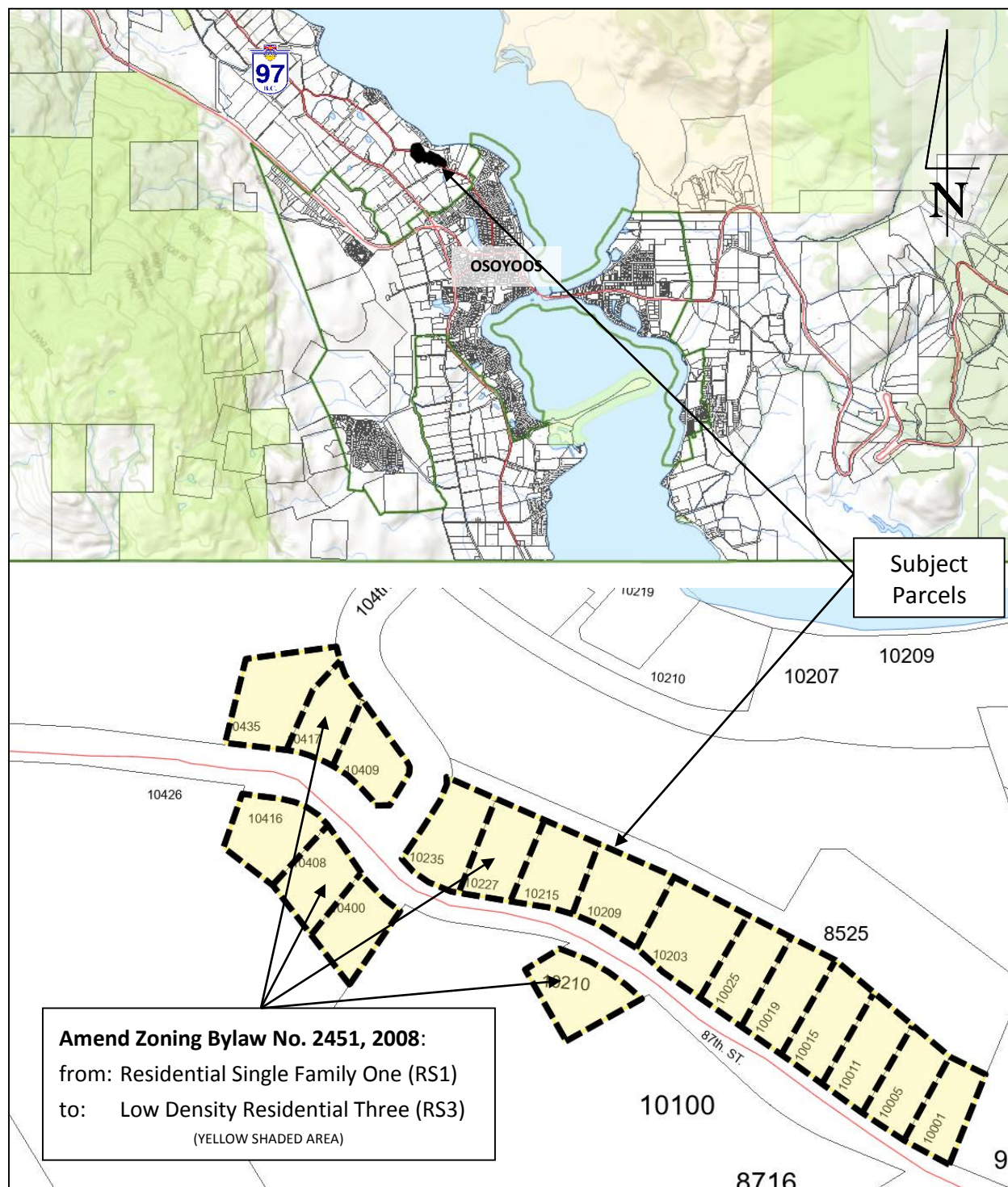
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File No. X2020.005-ZONE

Schedule 'A-212'



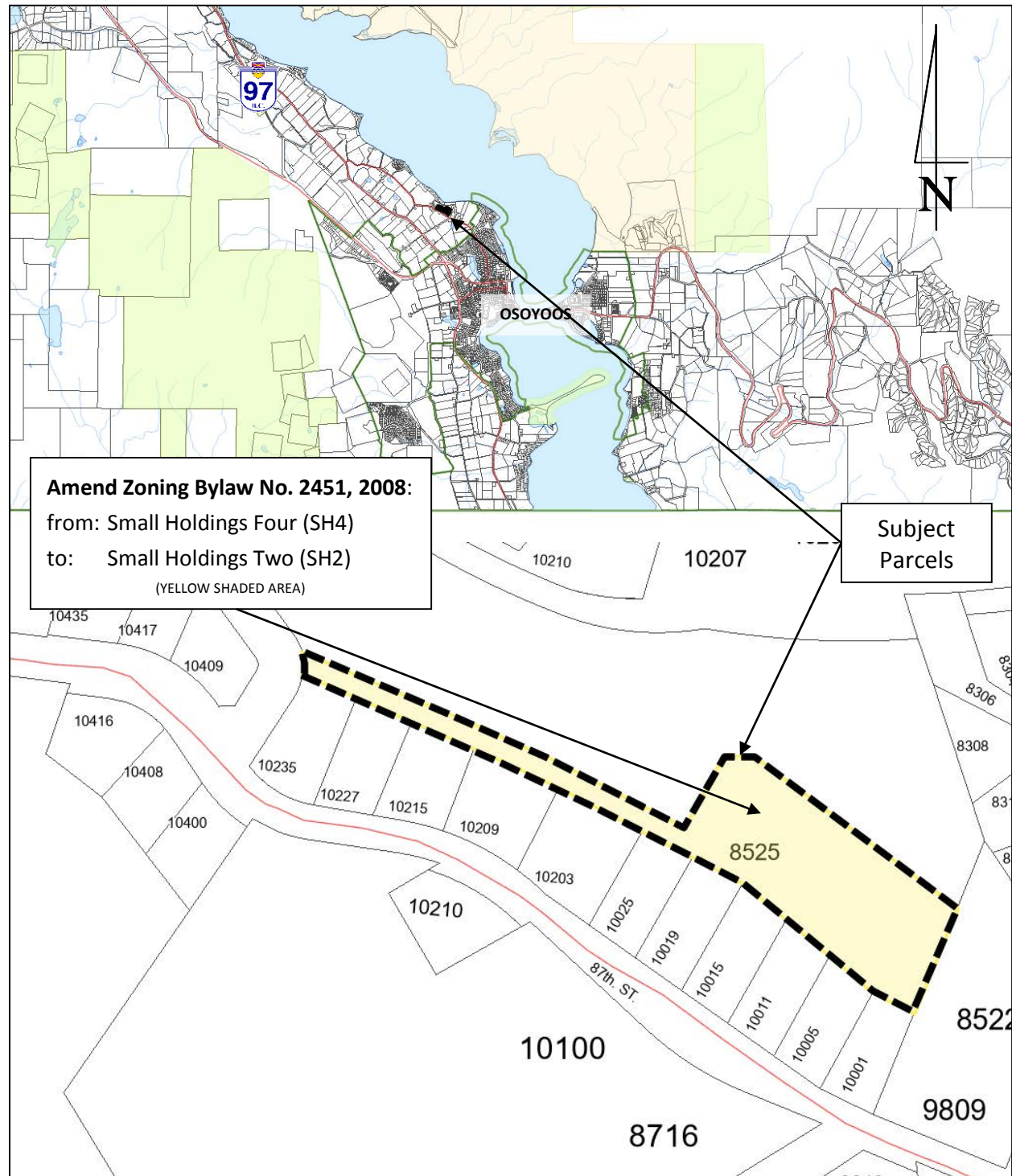
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Schedule 'A-213'



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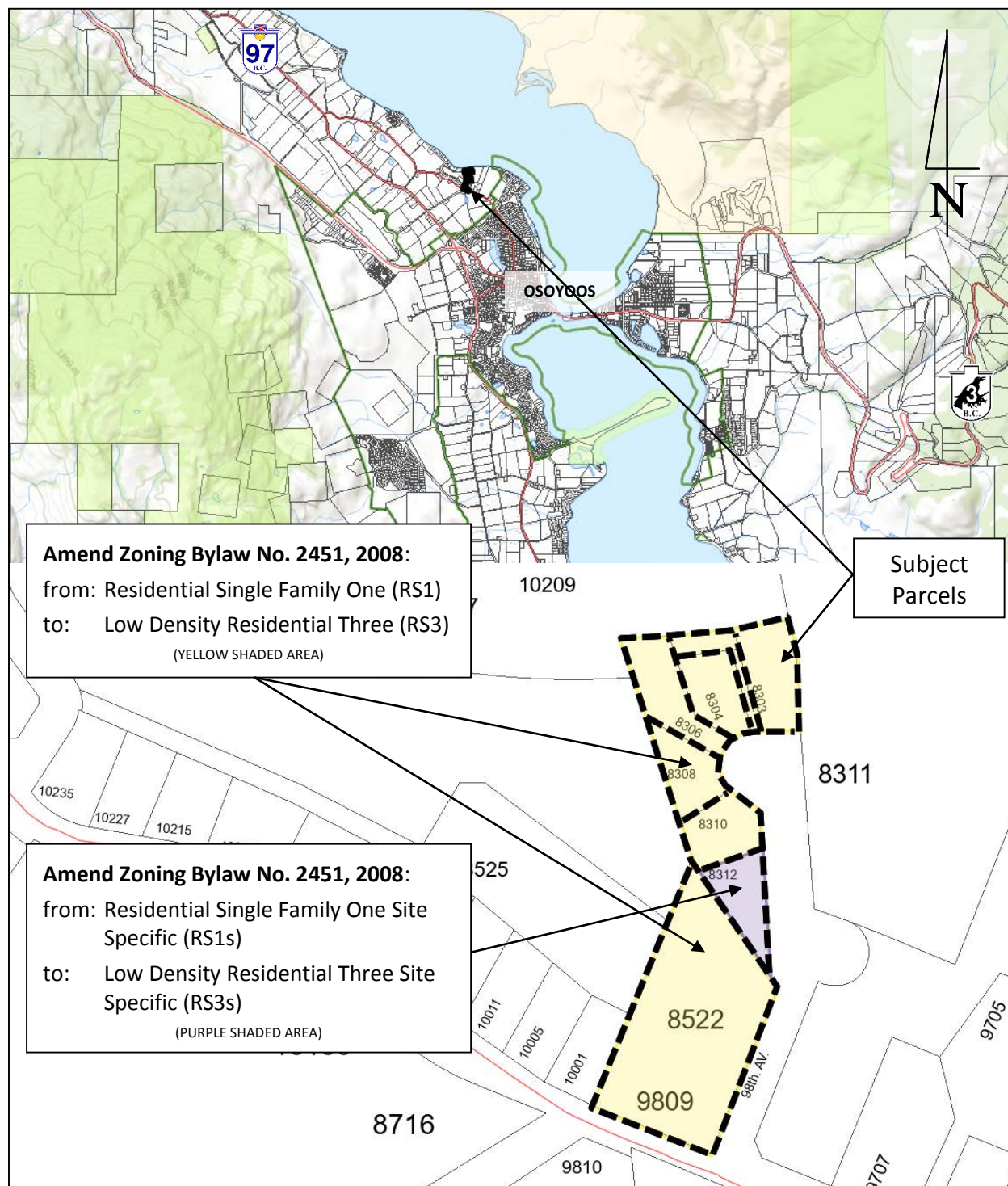
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-214'



Amend Zoning Bylaw No. 2451, 2008:
from: Residential Single Family One (RS1)
to: Low Density Residential Three (RS3)
(YELLOW SHADED AREA)

Subject
Parcels

Amend Zoning Bylaw No. 2451, 2008:
from: Residential Single Family One Site
Specific (RS1s)
to: Low Density Residential Three Site
Specific (RS3s)
(PURPLE SHADED AREA)

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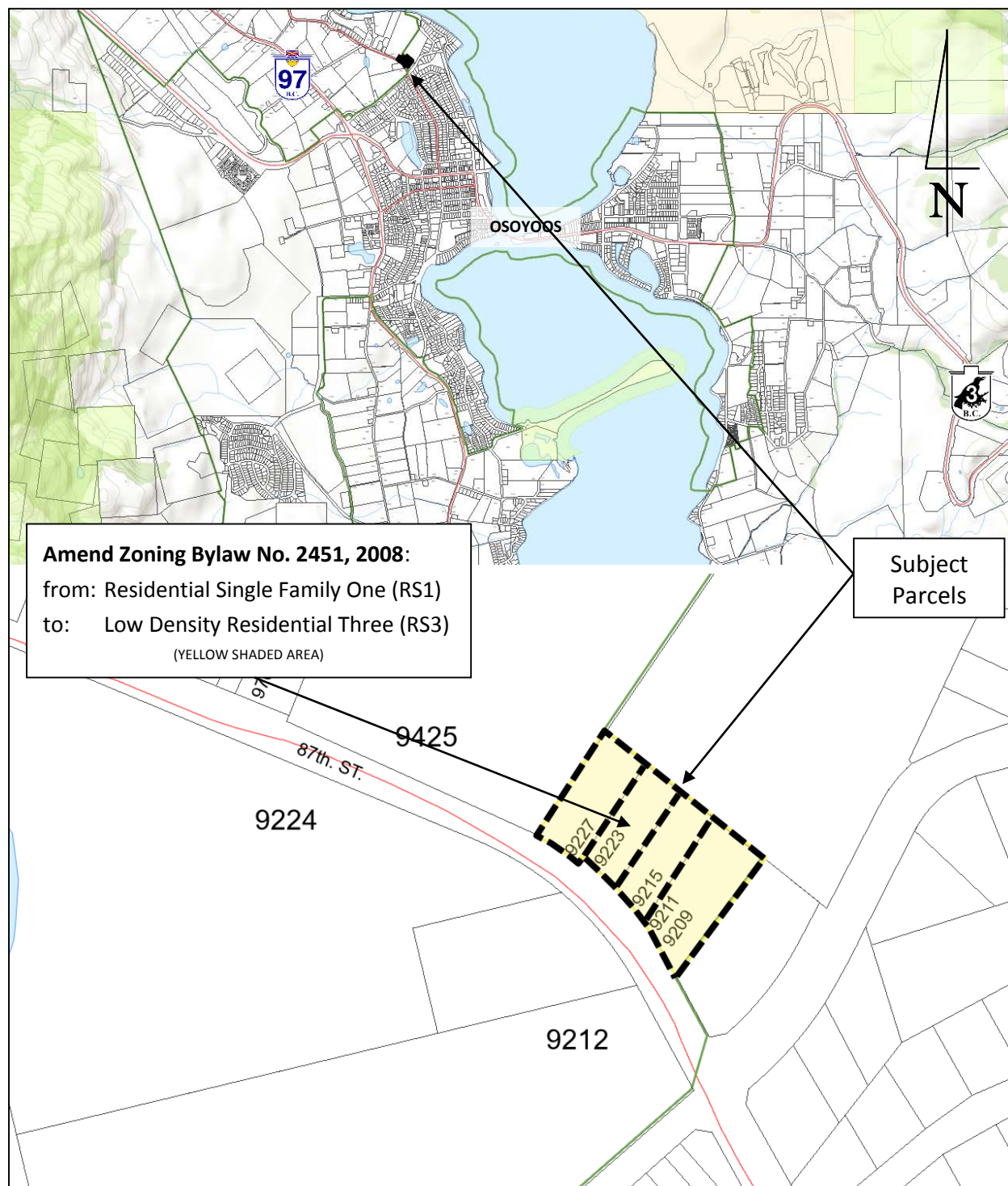
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Schedule 'A-215'



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Regional District of Okanagan-Similkameen

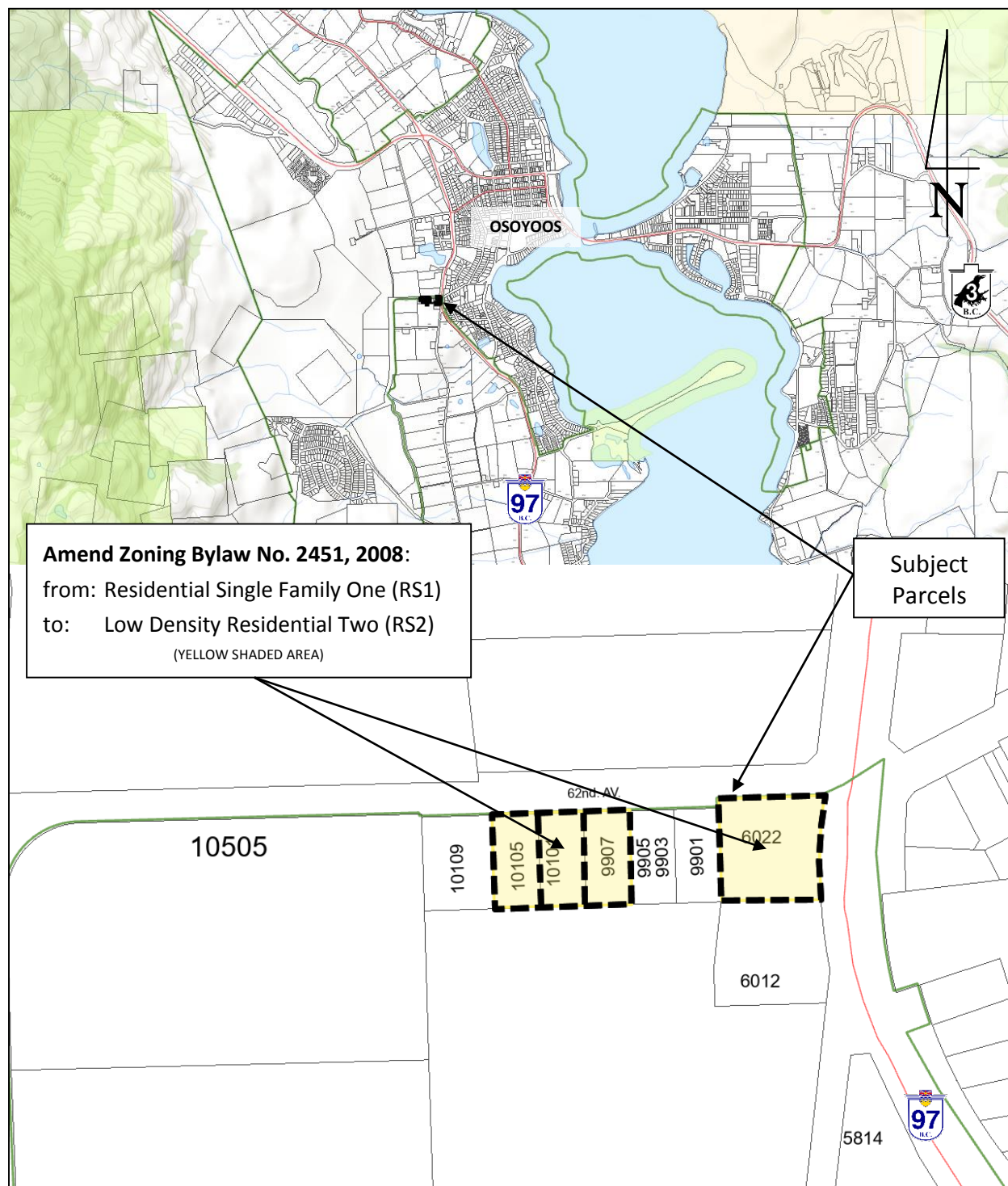
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-216'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

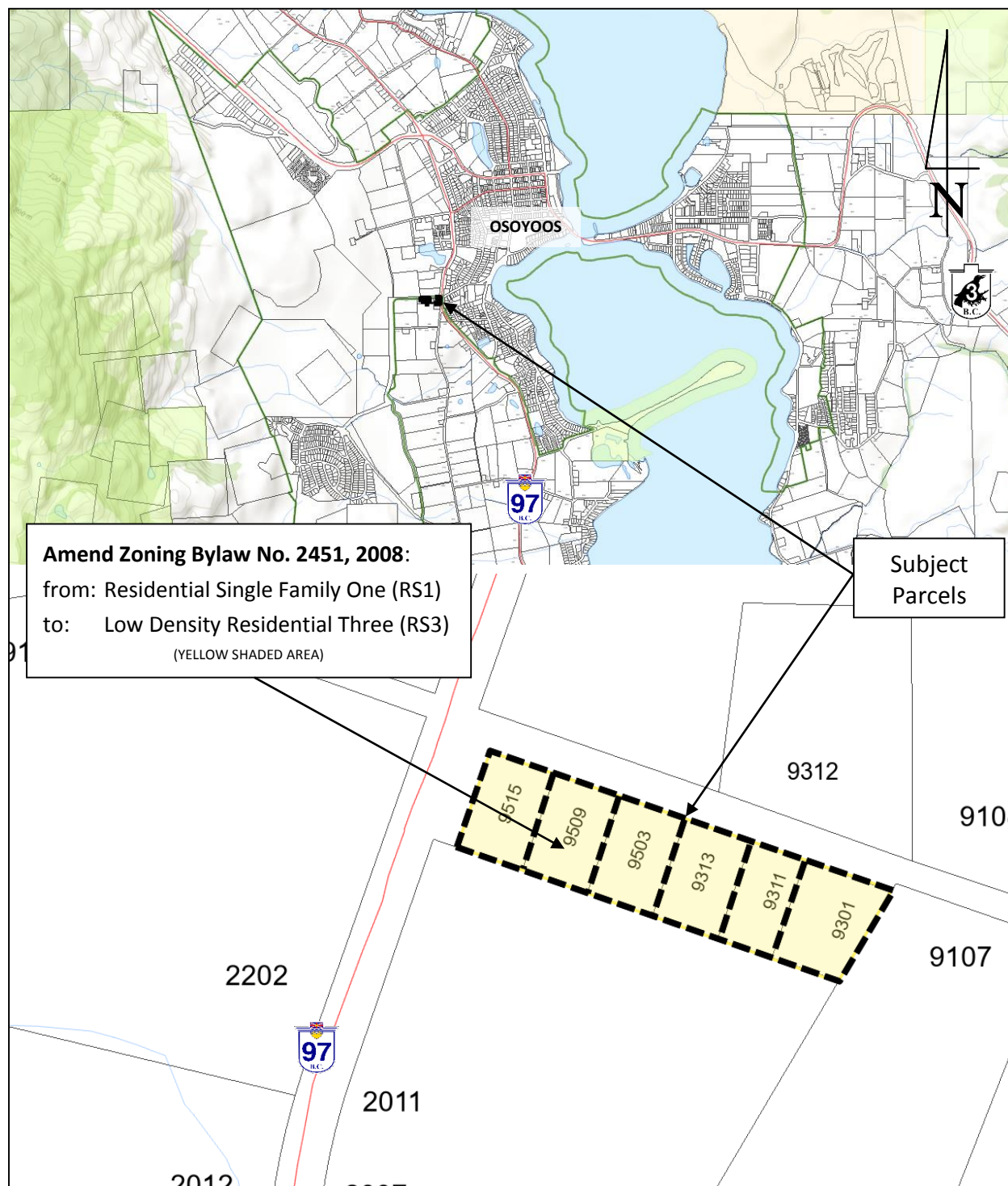
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-217'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

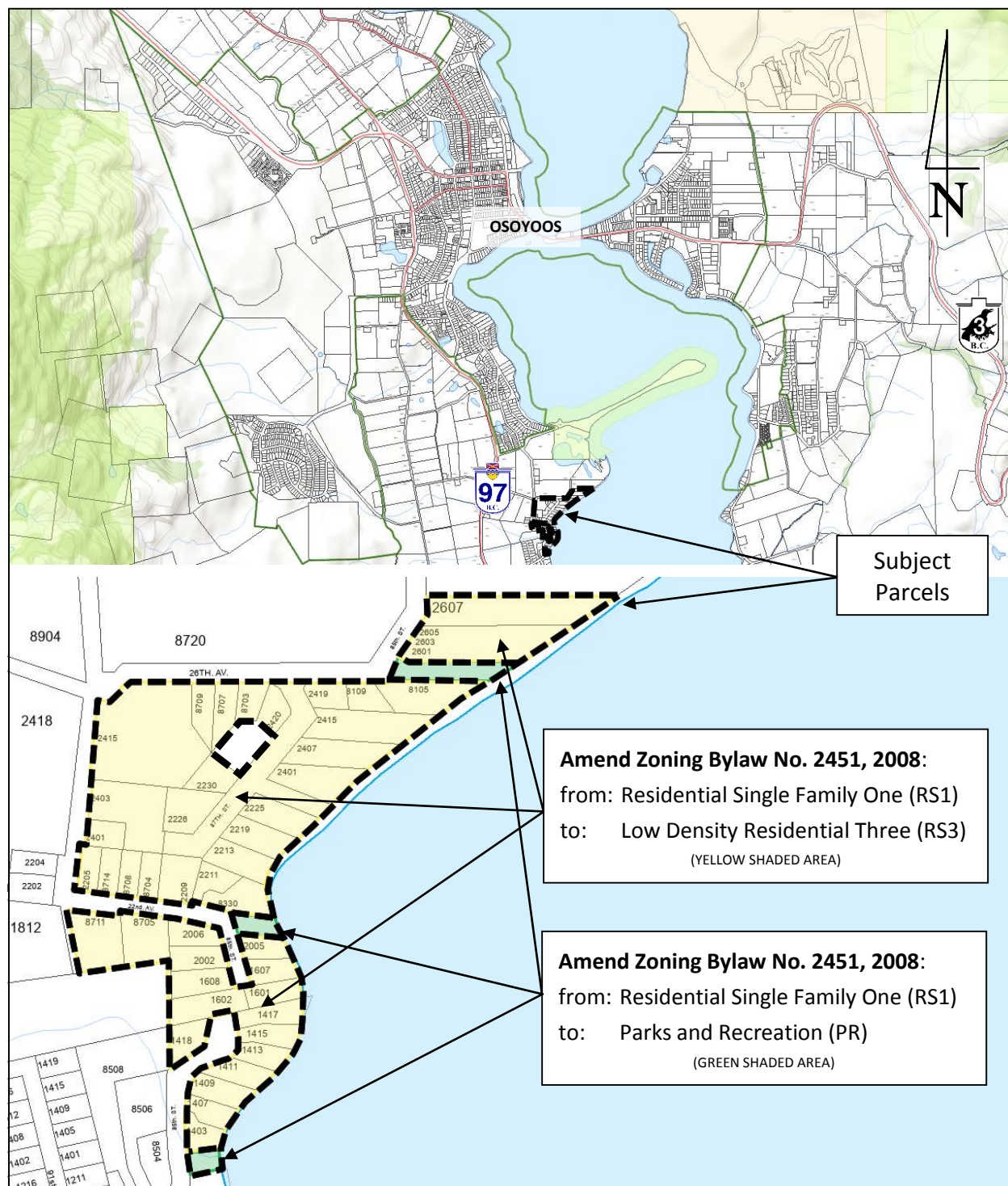
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-218'



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(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

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

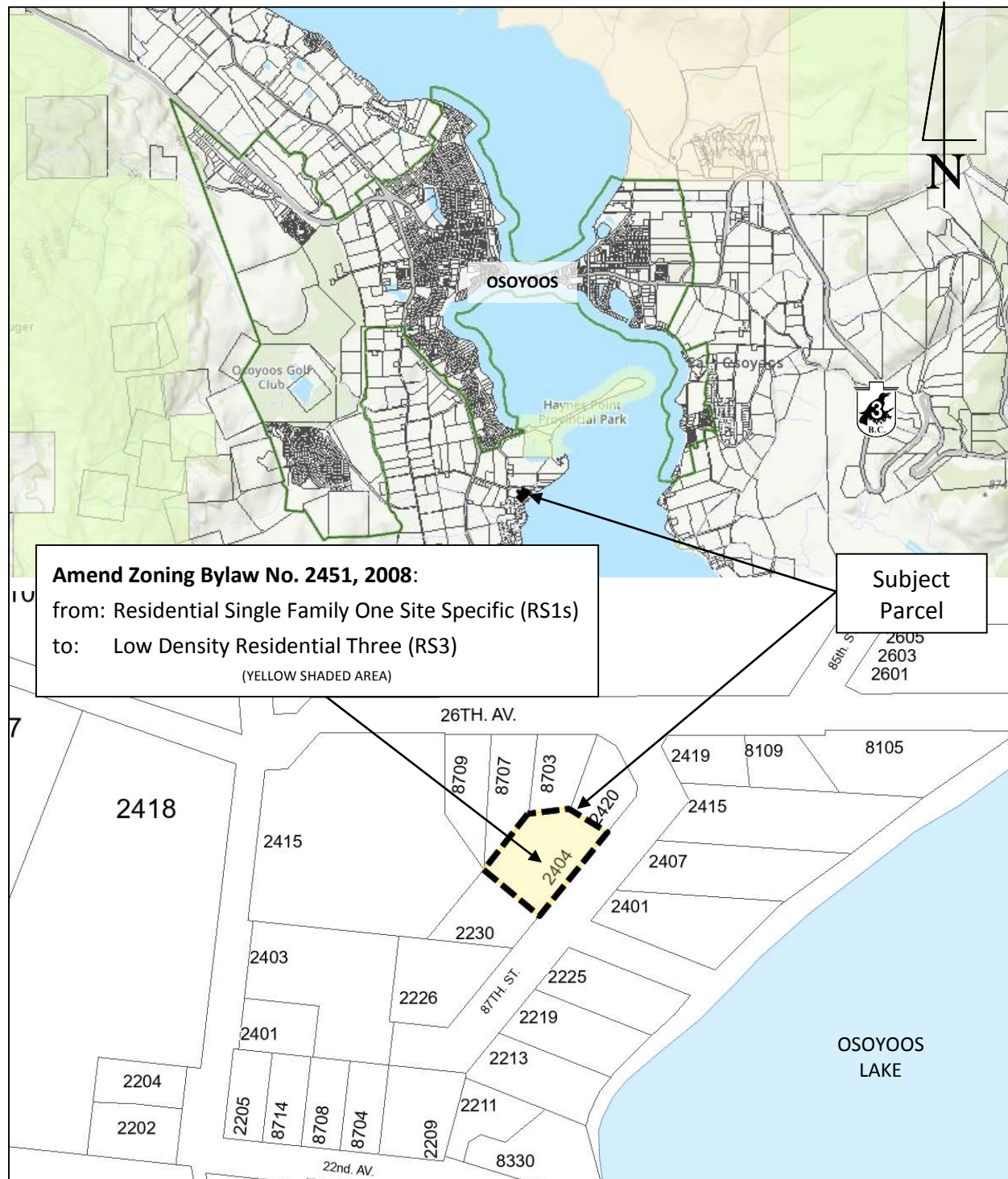
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-219'



Amendment Bylaw No. 2892, 2021

(X2020.005-ZONE)

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



File No. X2020.005-ZONE

Amend Zoning Bylaw No. 2451, 2008:
 from: Residential Single Family One (RS1)
 to: Low Density Residential Three (RS3)
 (YELLOW SHADED AREA)

Amend Zoning Bylaw No. 2451, 2008:
 from: Residential Single Family One (RS1)
 to: Parks and Recreation (PR)
 (GREEN SHADED AREA)

Subject Parcels

OSOYOOS

OSOYOOS LAKE

97

12th AV.

10314

10250

10303

10311

10105

9915

9885

9503

9116

9121

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(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

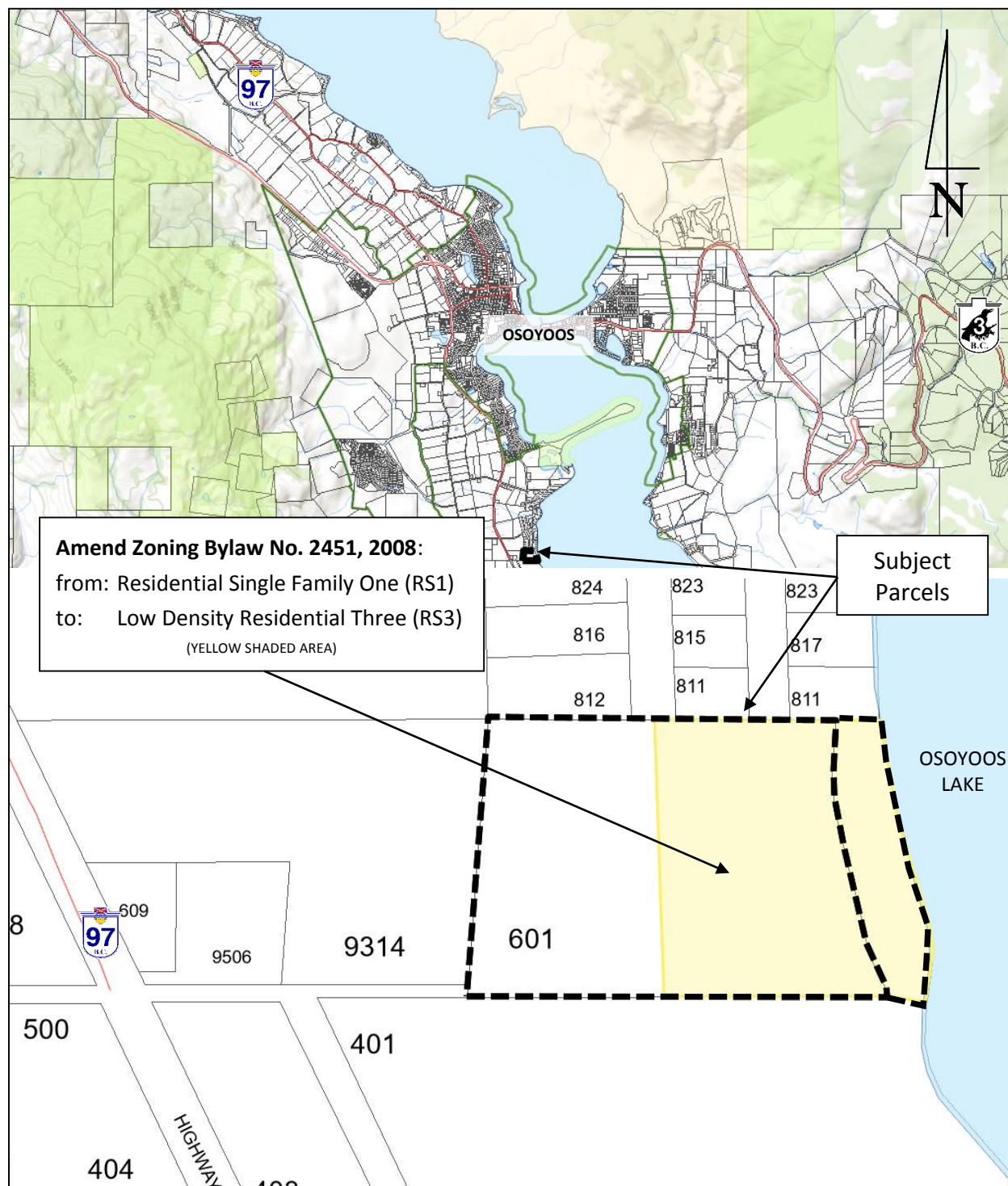
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-221'

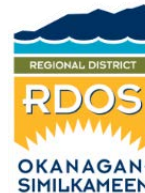


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Regional District of Okanagan-Similkameen

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

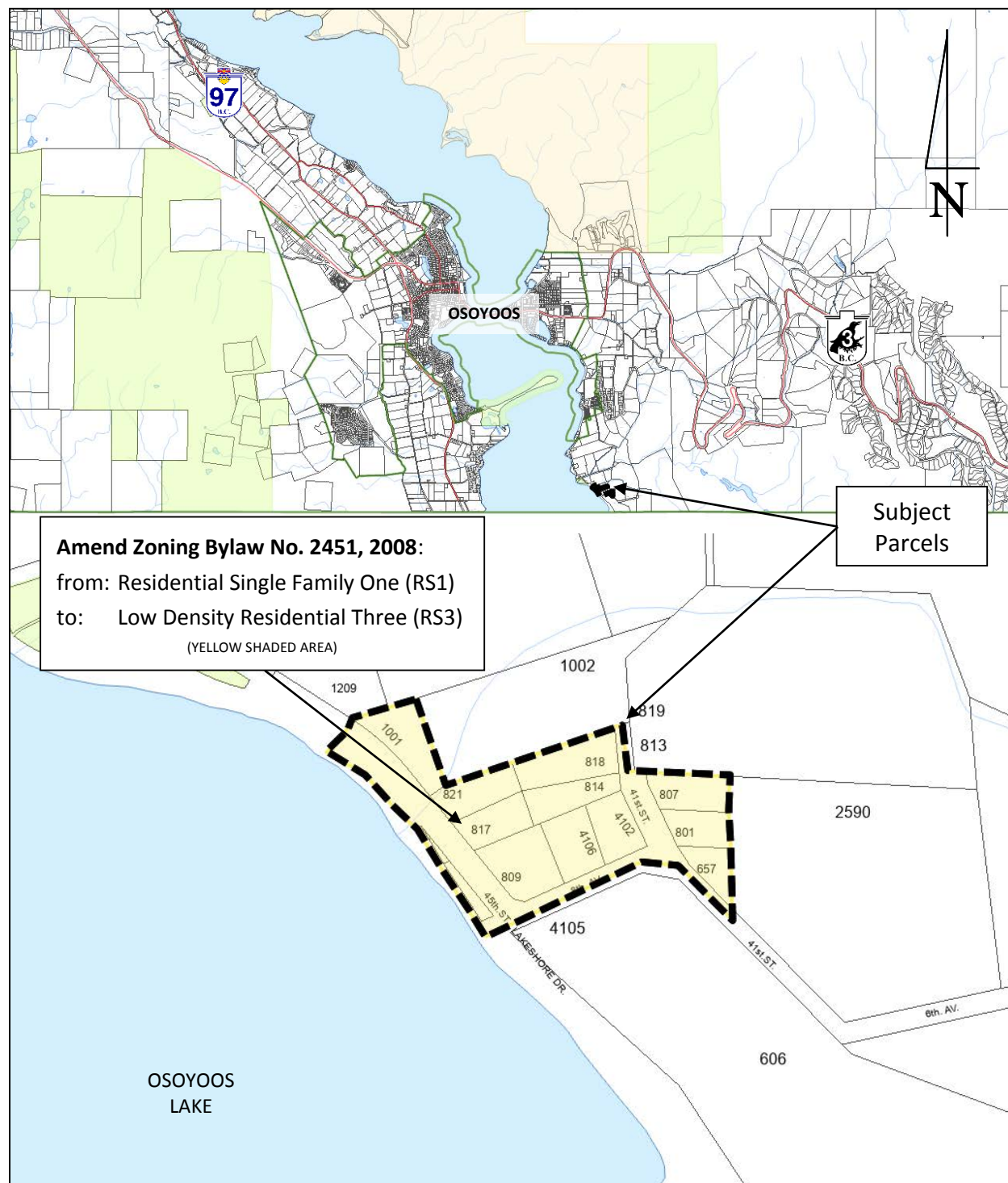
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-222'



Amend Zoning Bylaw No. 2451, 2008:

from: Residential Single Family One (RS1)

to: Low Density Residential Three (RS3)

(YELLOW SHADED AREA)

Subject
Parcels

OSOYOOS
LAKE

Amendment Bylaw No. 2892, 2021

(X2020.005-ZONE)

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Regional District of Okanagan-Similkameen

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

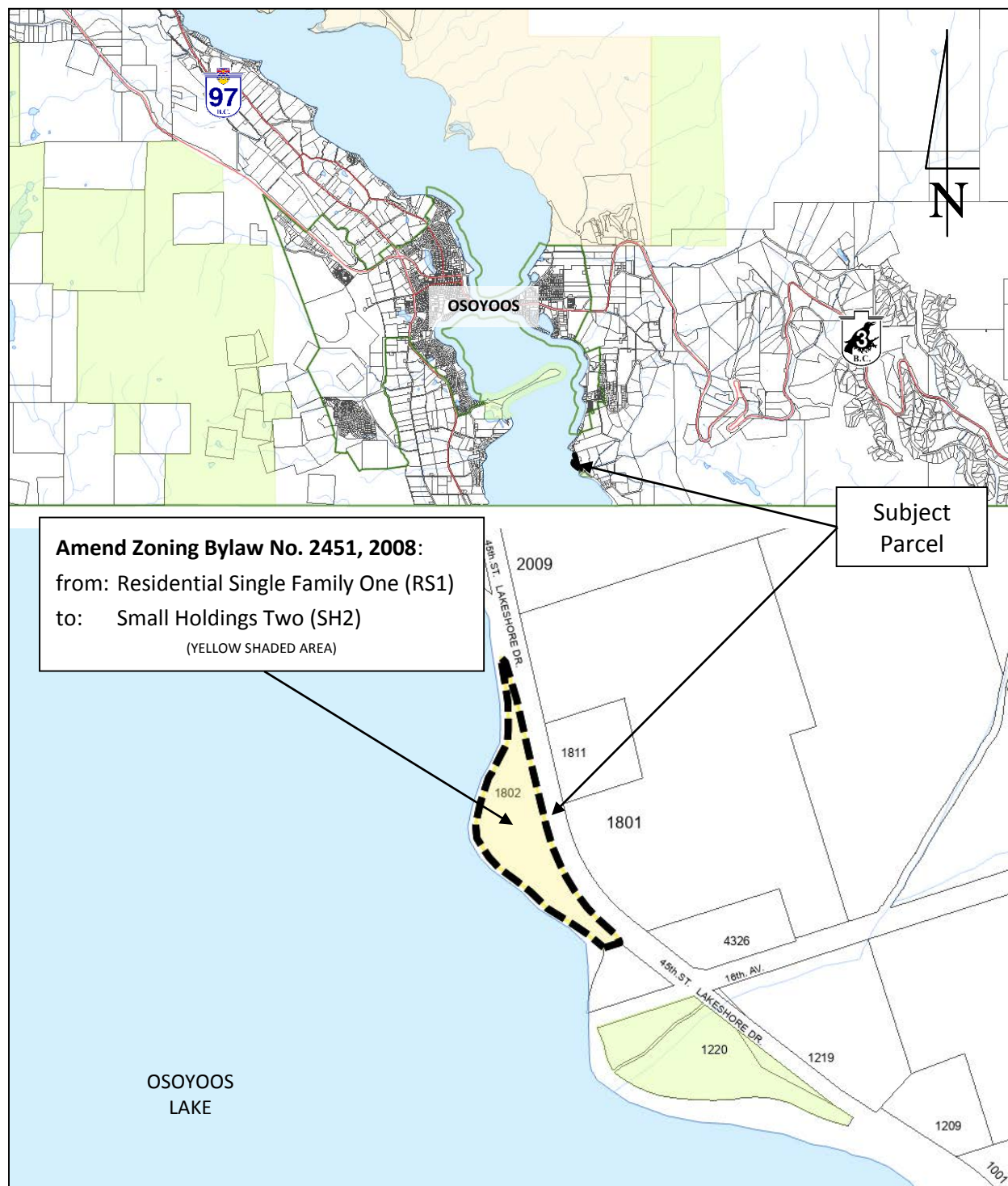
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-223'



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Regional District of Okanagan-Similkameen

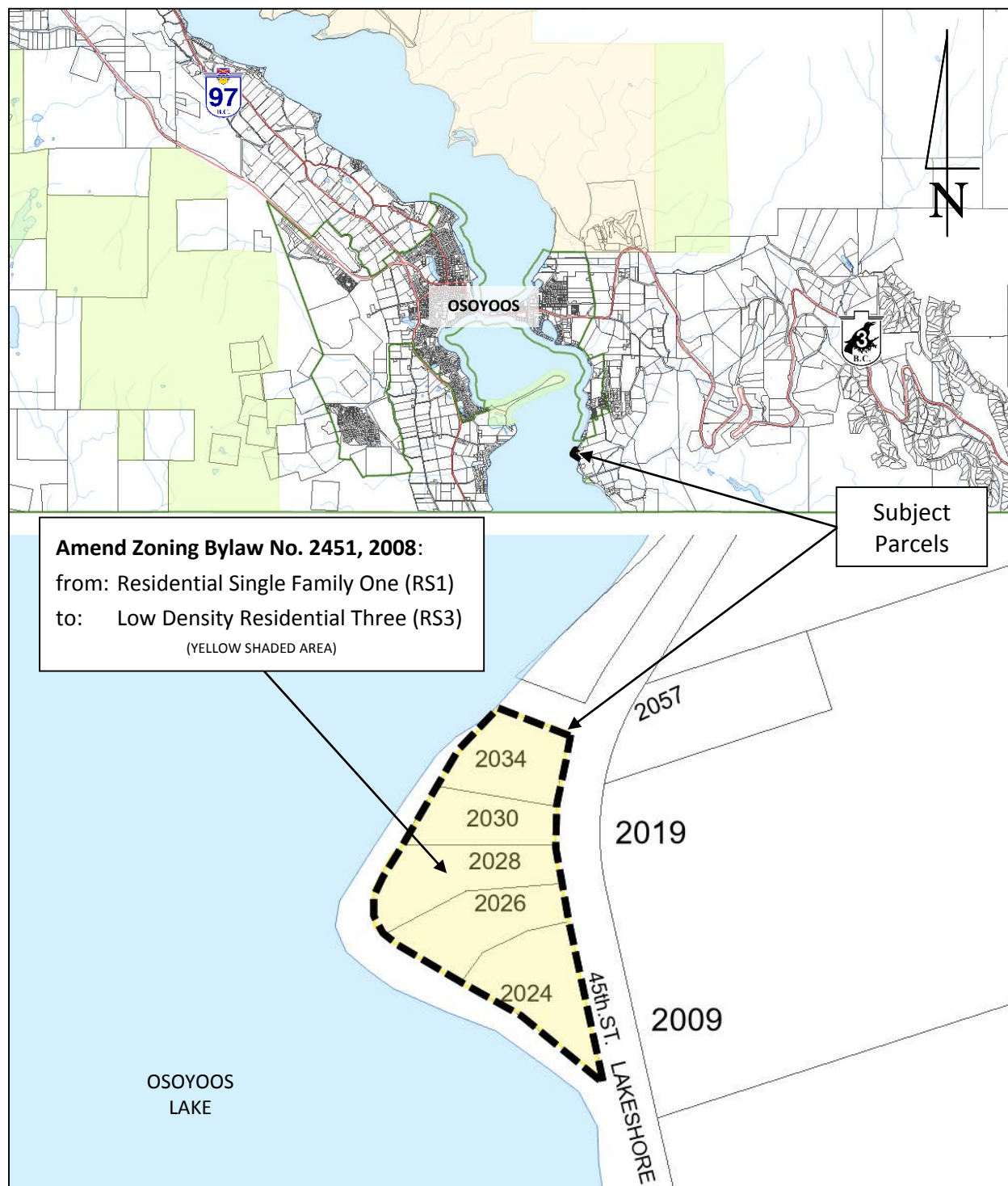
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-224'



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Regional District of Okanagan-Similkameen

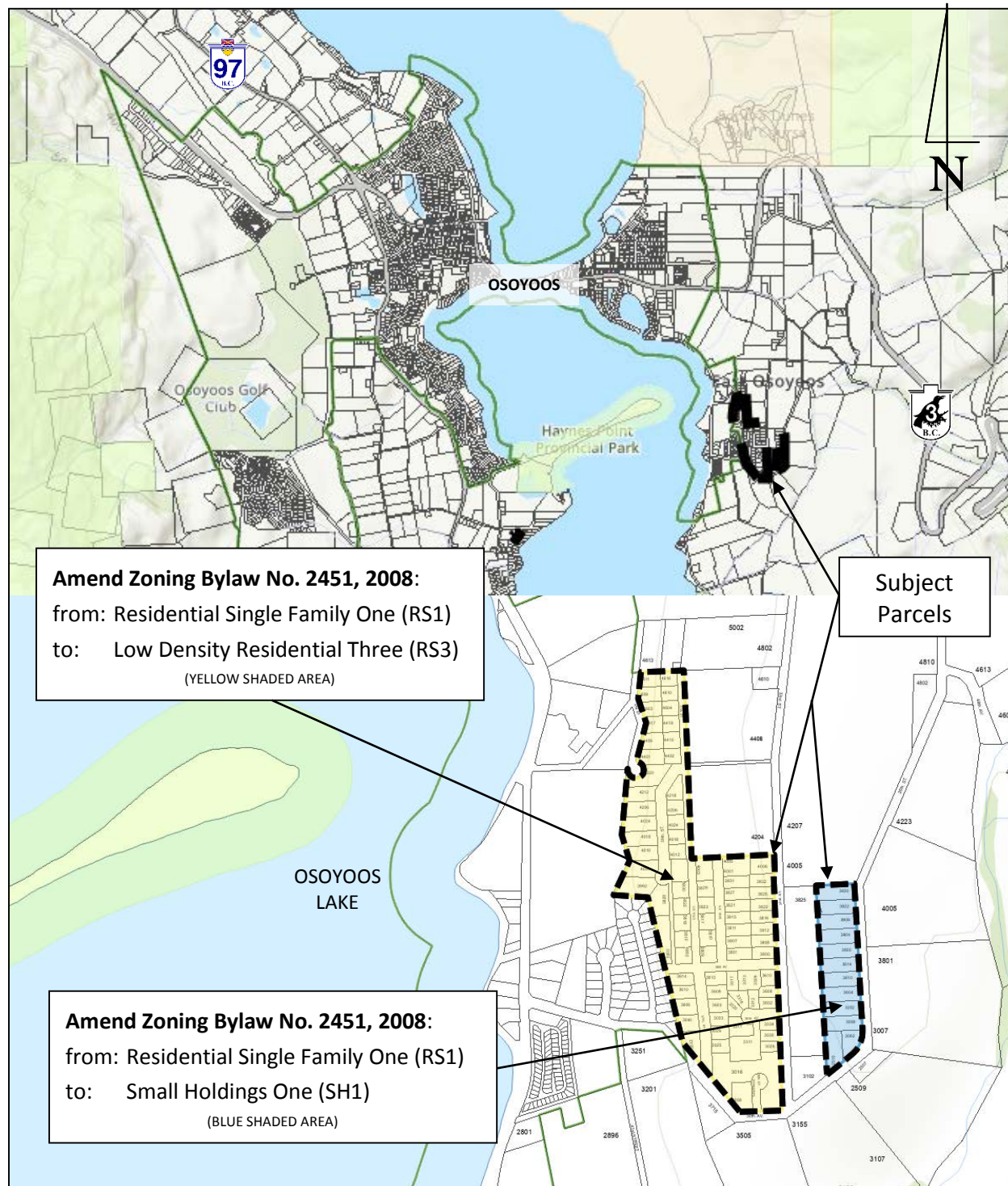
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-225'



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Regional District of Okanagan-Similkameen

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

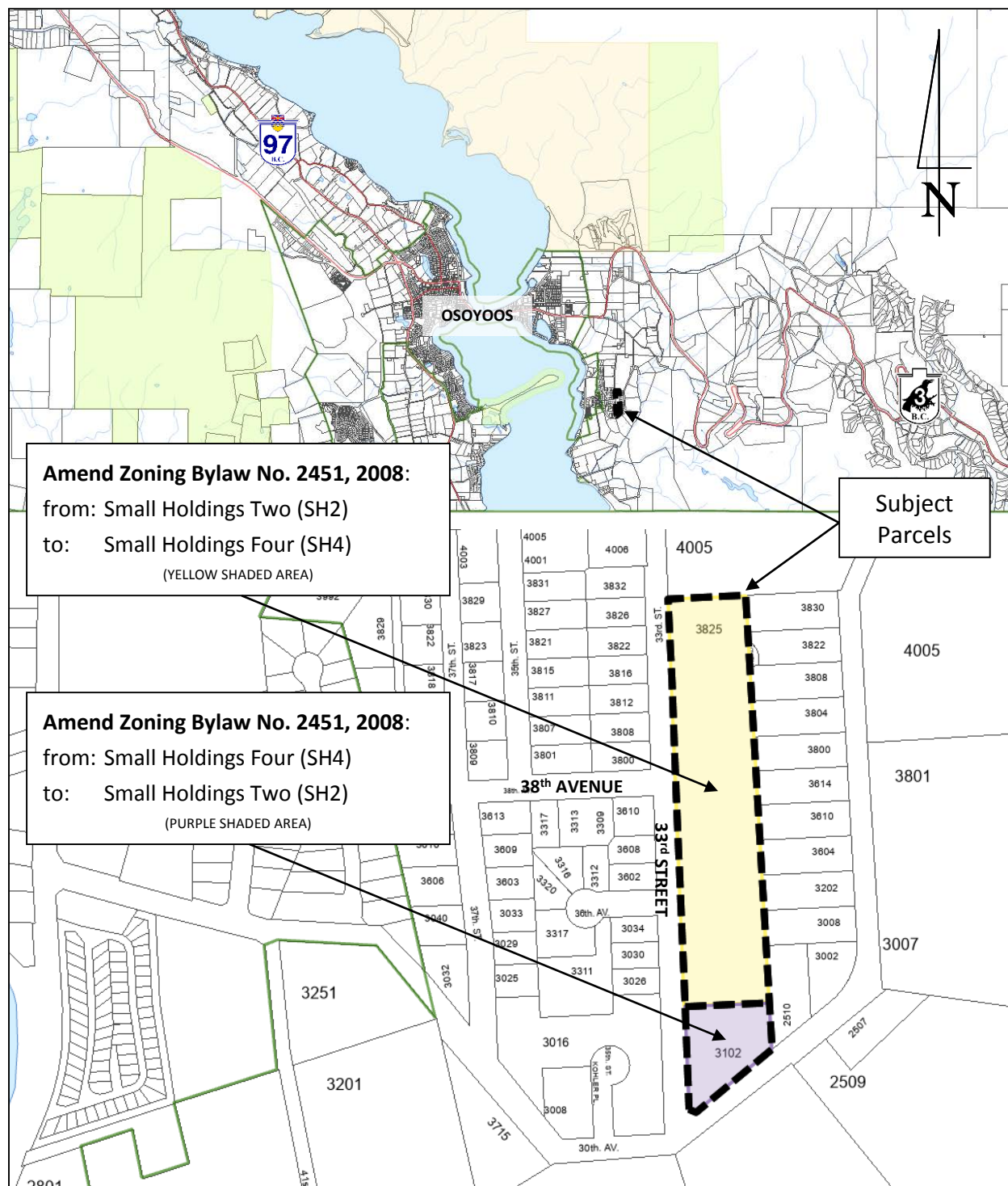
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-226'



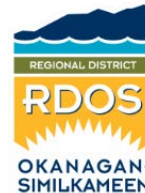
Amendment Bylaw No. 2892, 2021

(X2020.005-ZONE)

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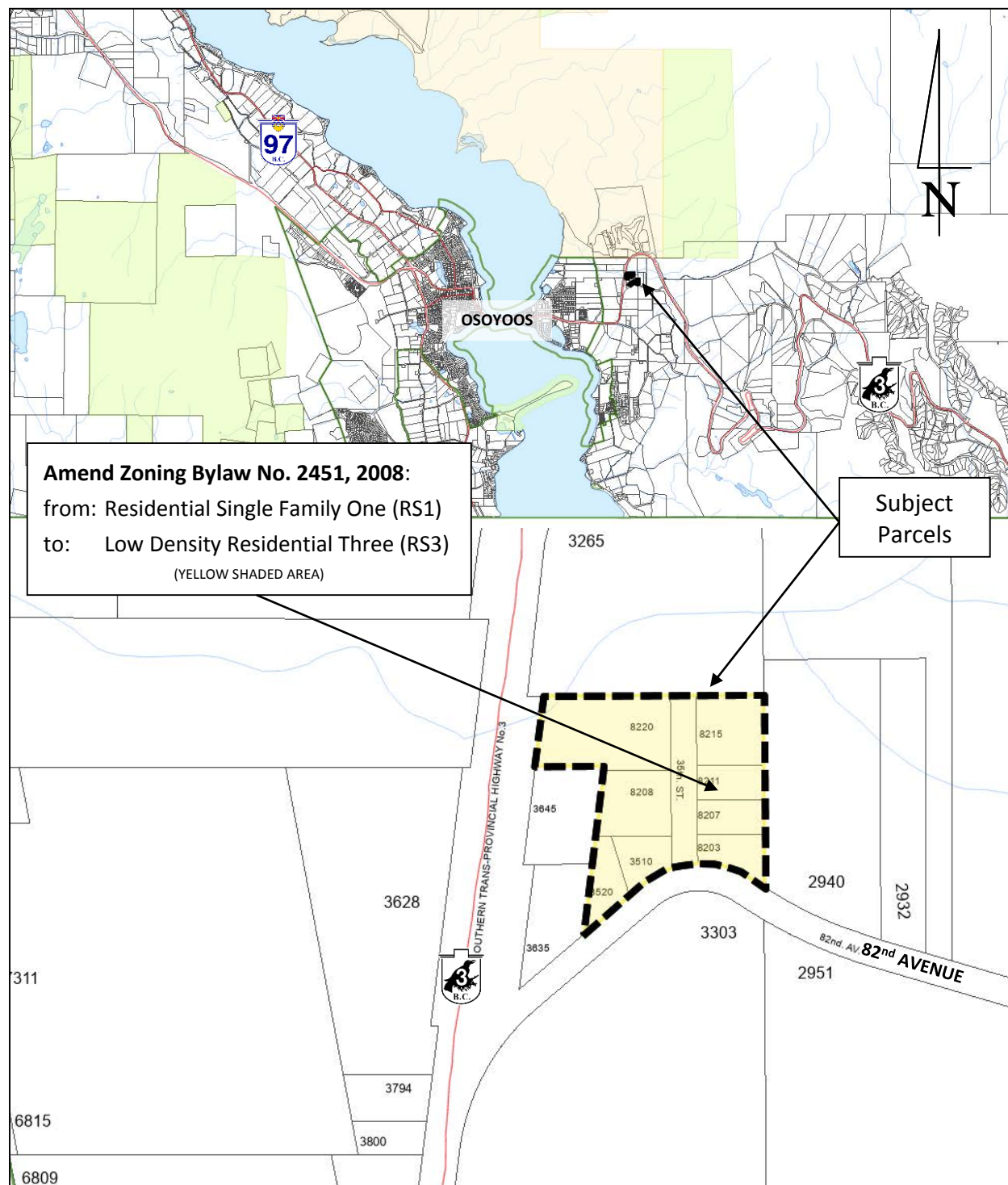
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-227'

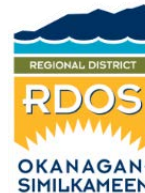


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(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

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

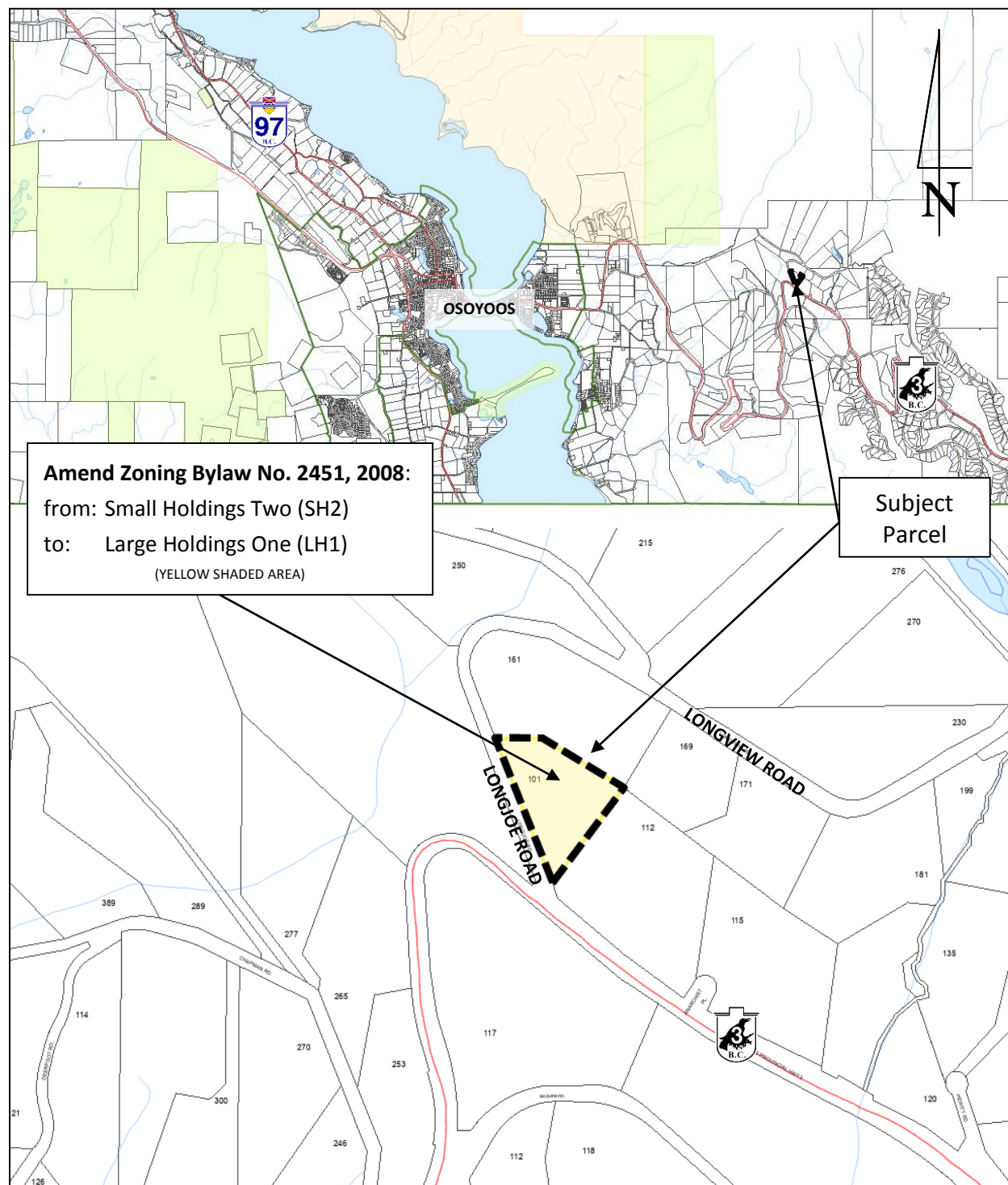
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'A-228'



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Regional District of Okanagan-Similkameen

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

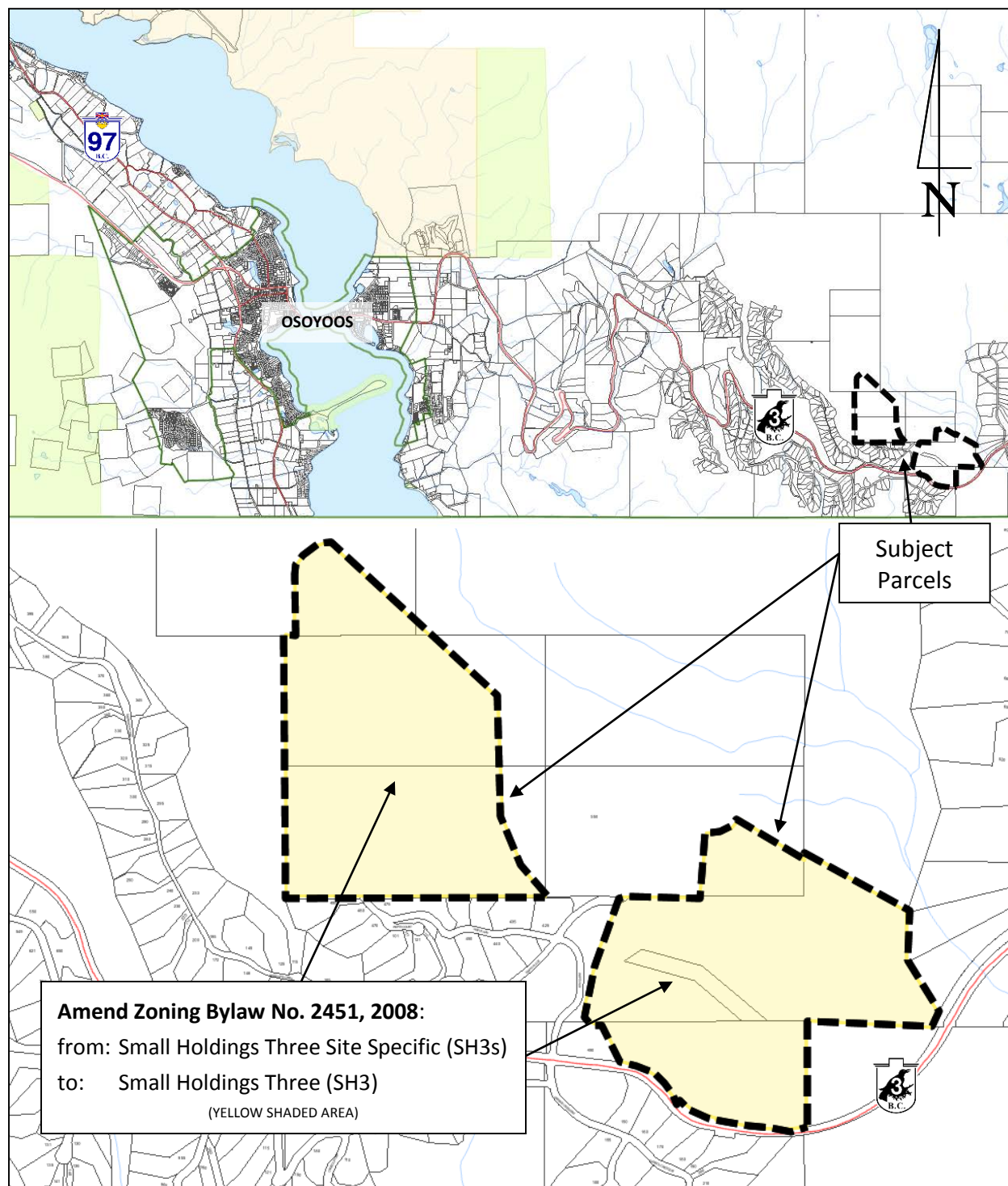
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File No. X2020.005-ZONE

Schedule 'A-229'



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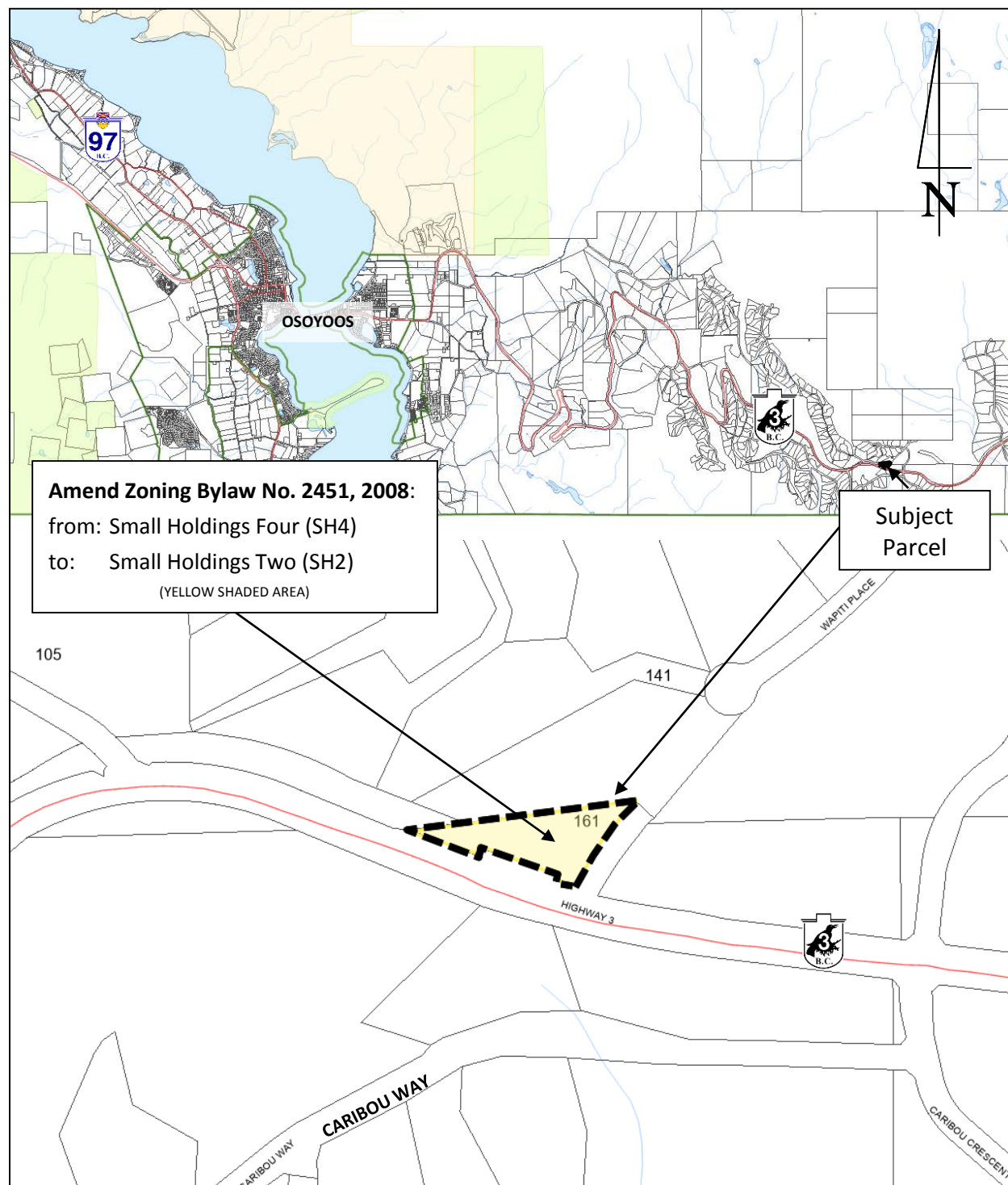
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'A-230'



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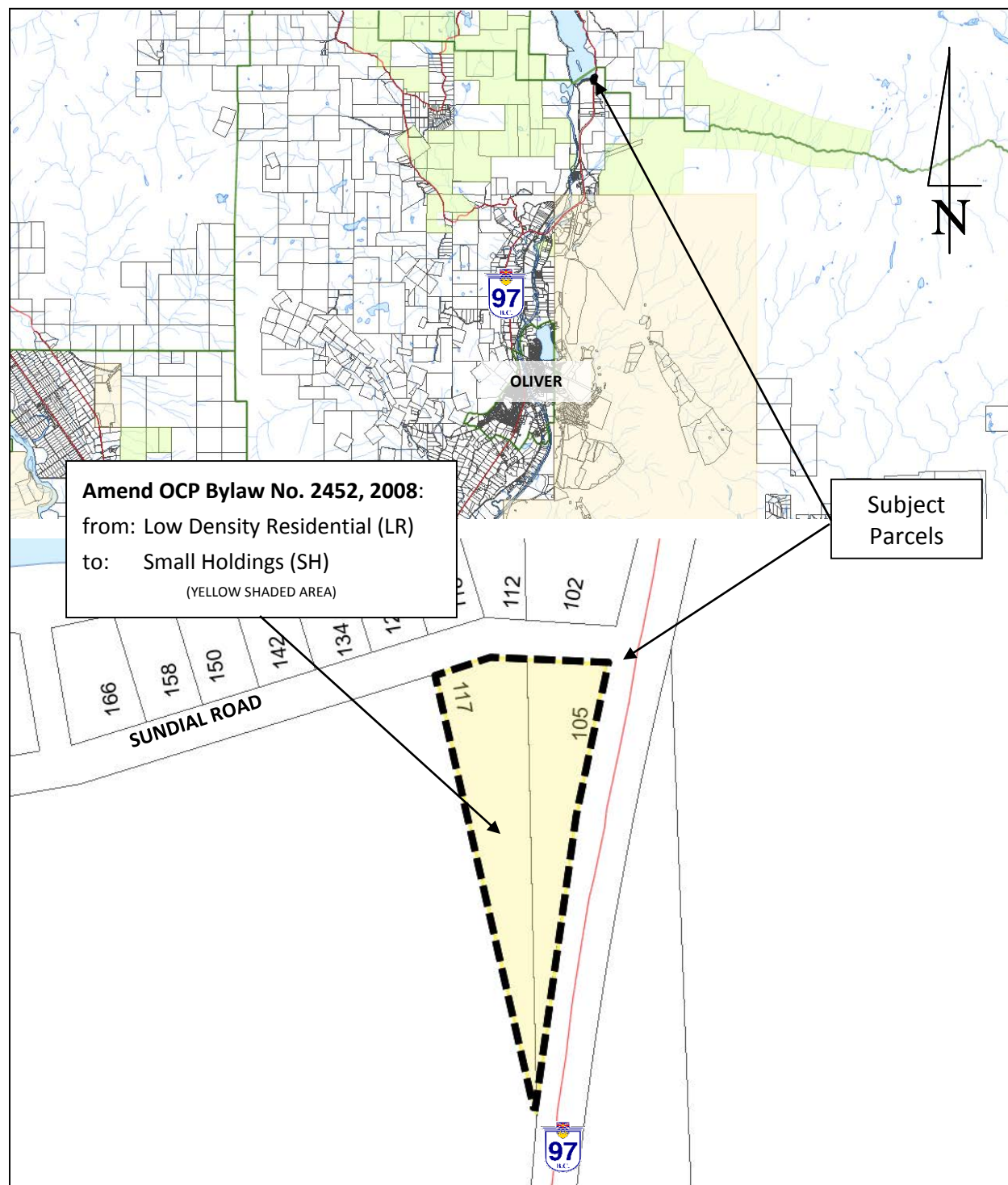
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-101'



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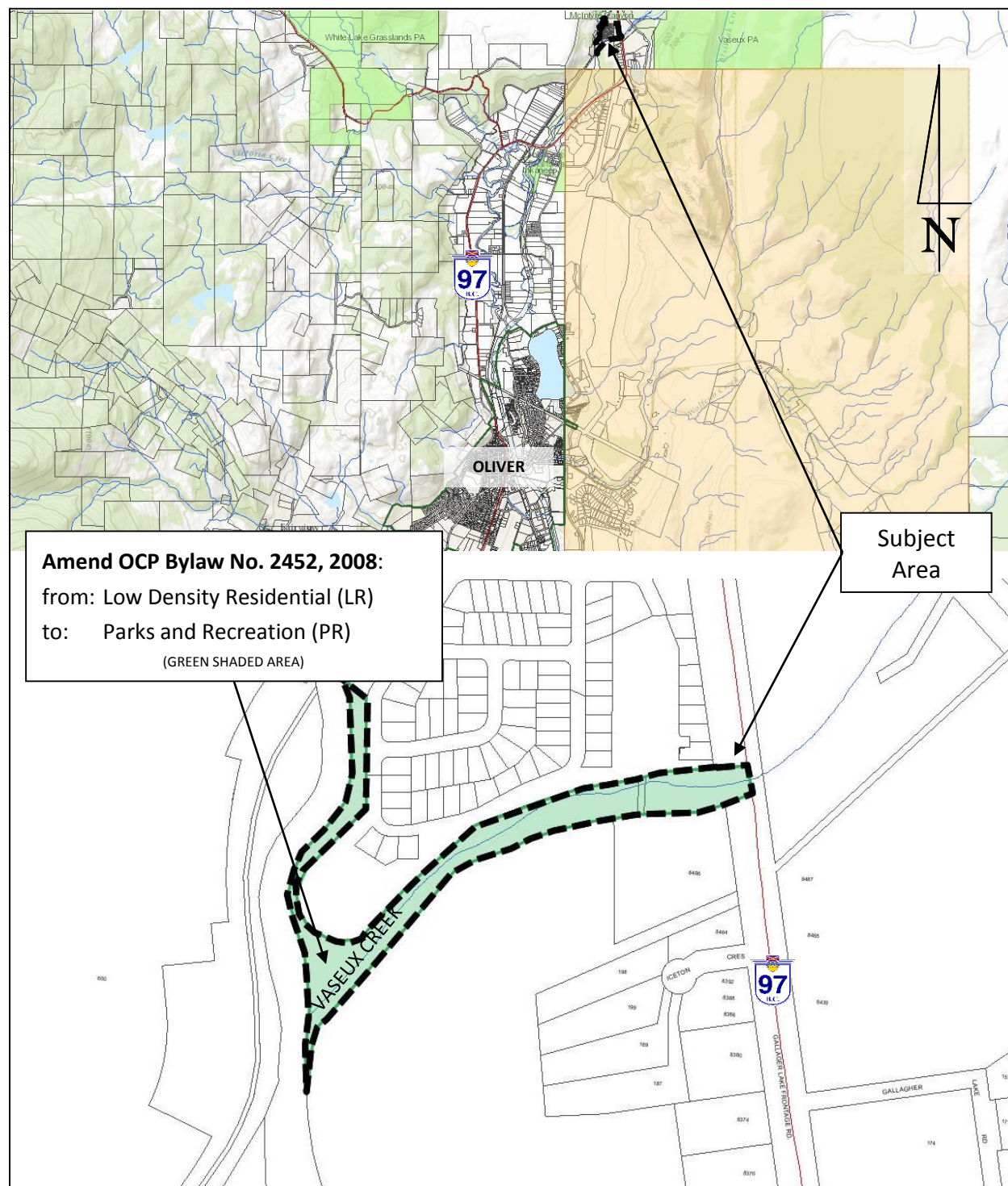
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-102'



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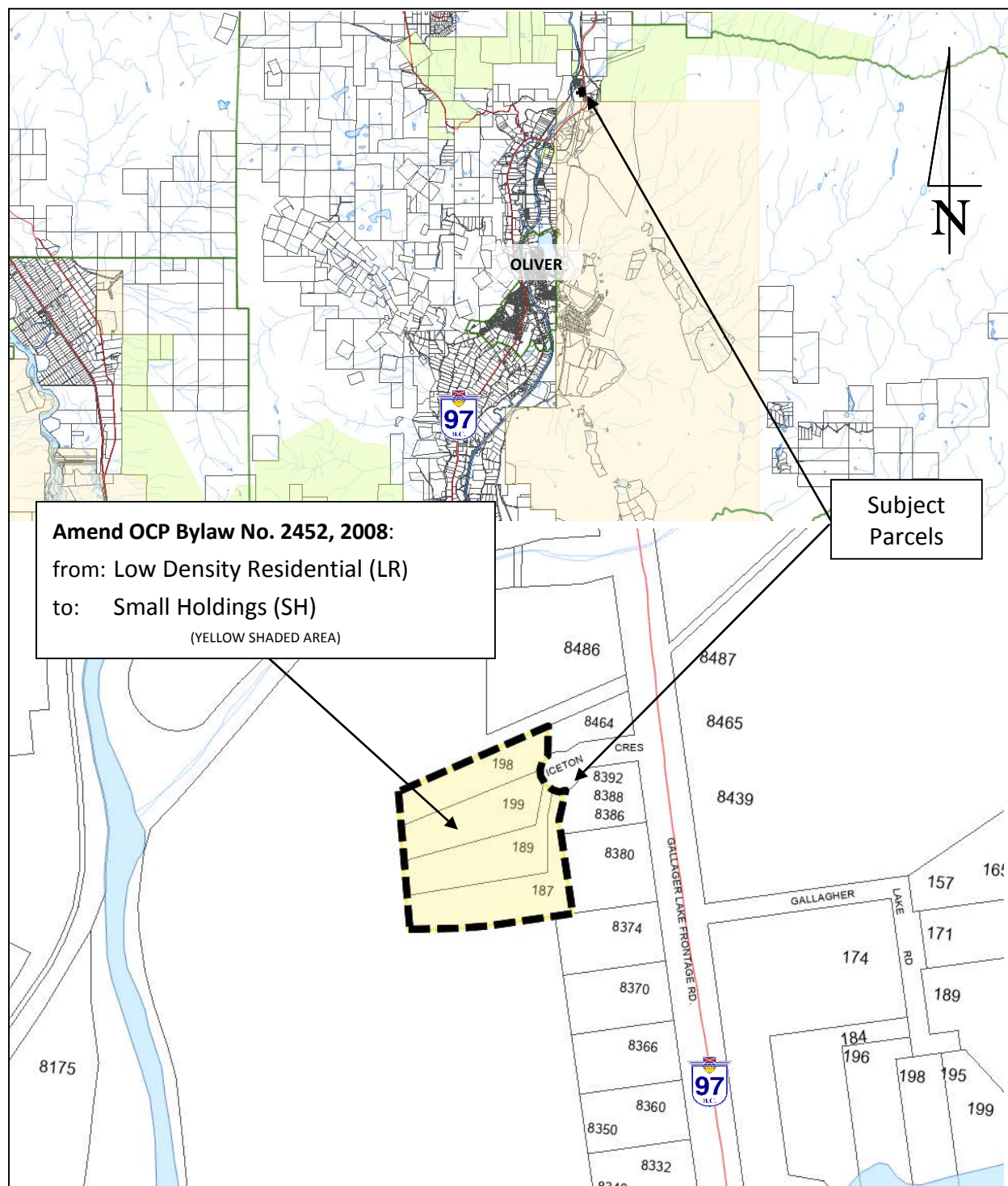
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-103'



Amendment Bylaw No. 2892, 2021
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Regional District of Okanagan-Similkameen

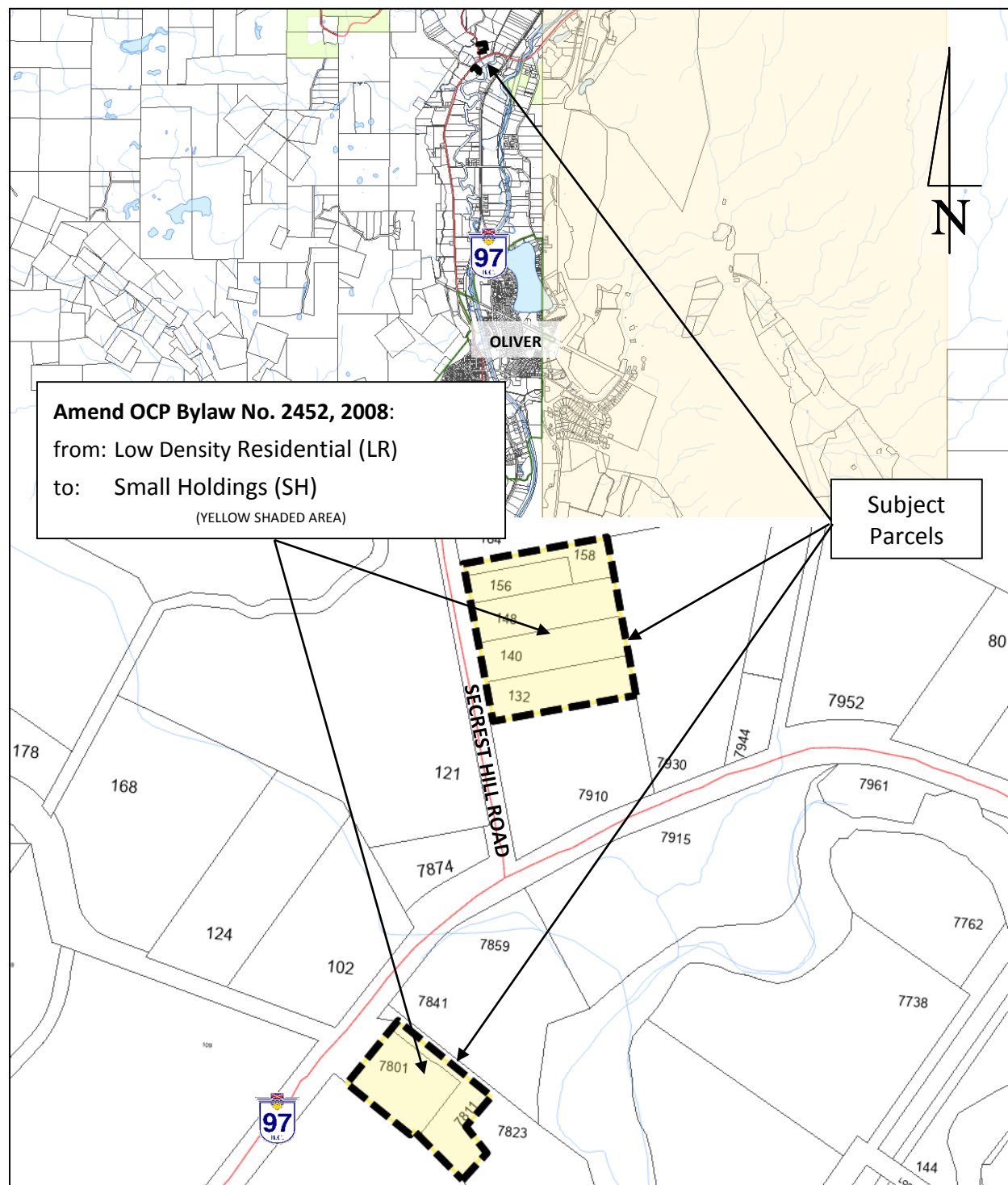
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-104'

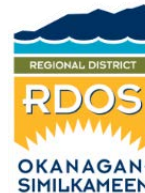


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(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

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

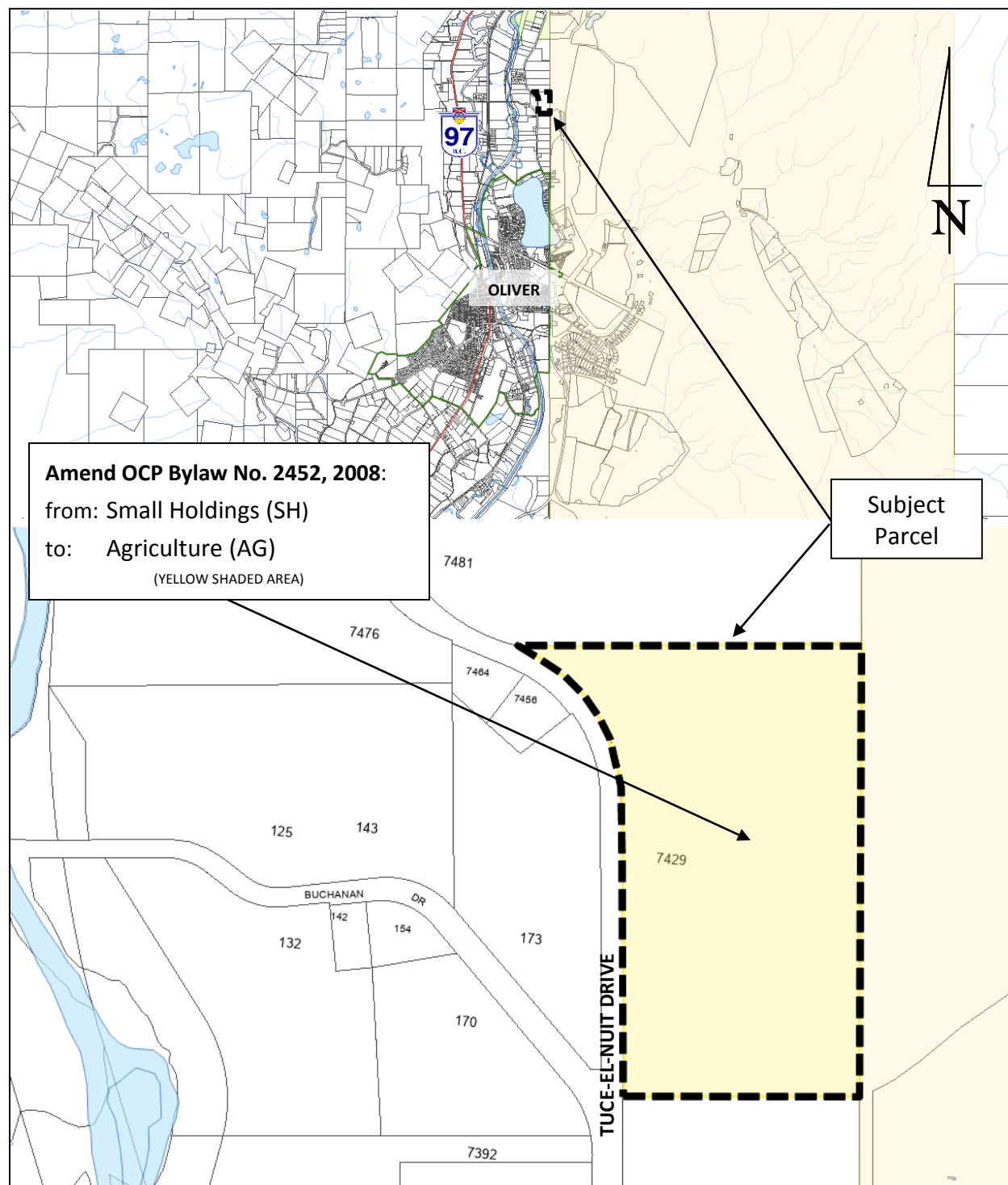
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-105'



Amendment Bylaw No. 2892, 2021

(X2020.005-ZONE)

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Regional District of Okanagan-Similkameen

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

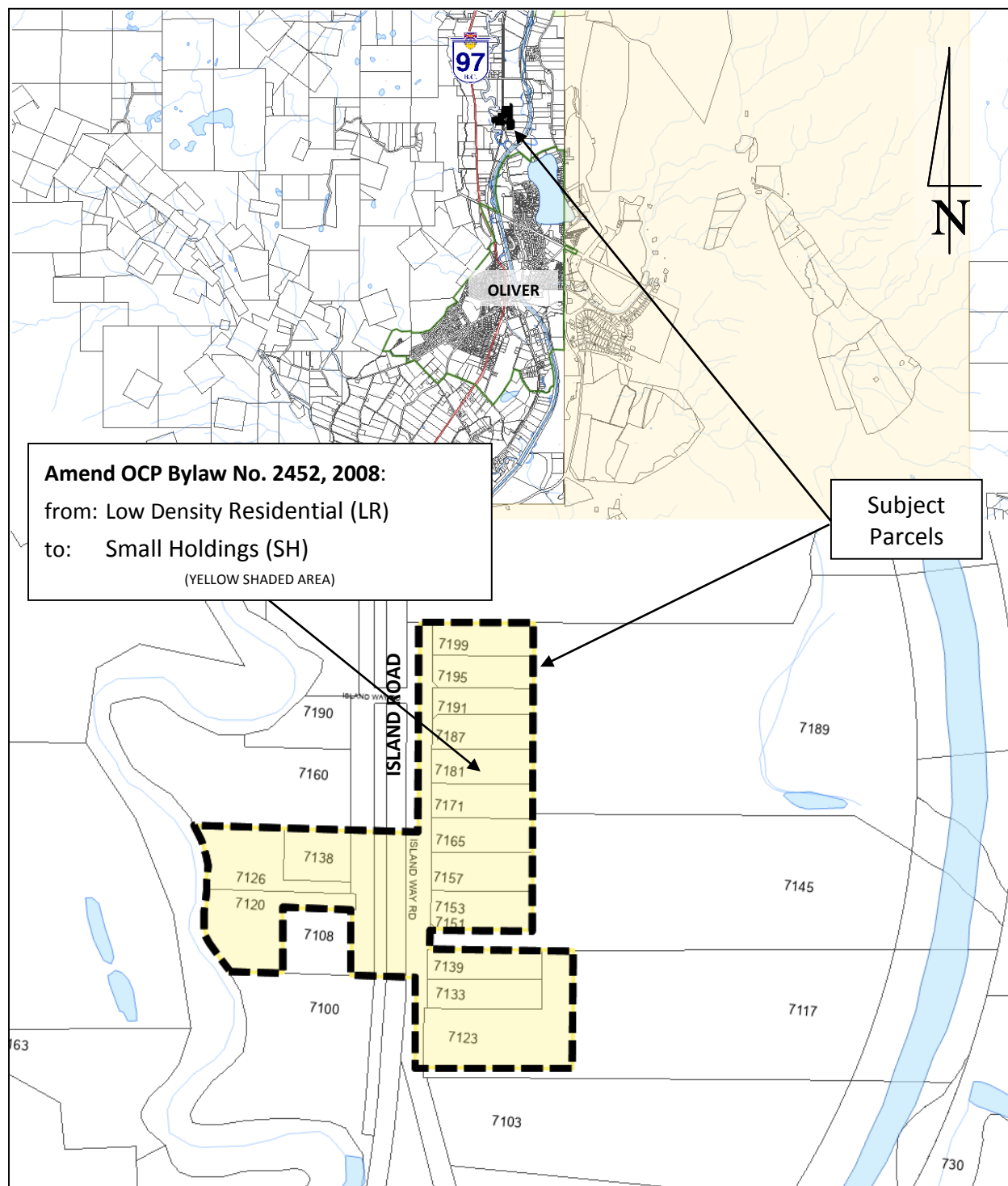
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-106'



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(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

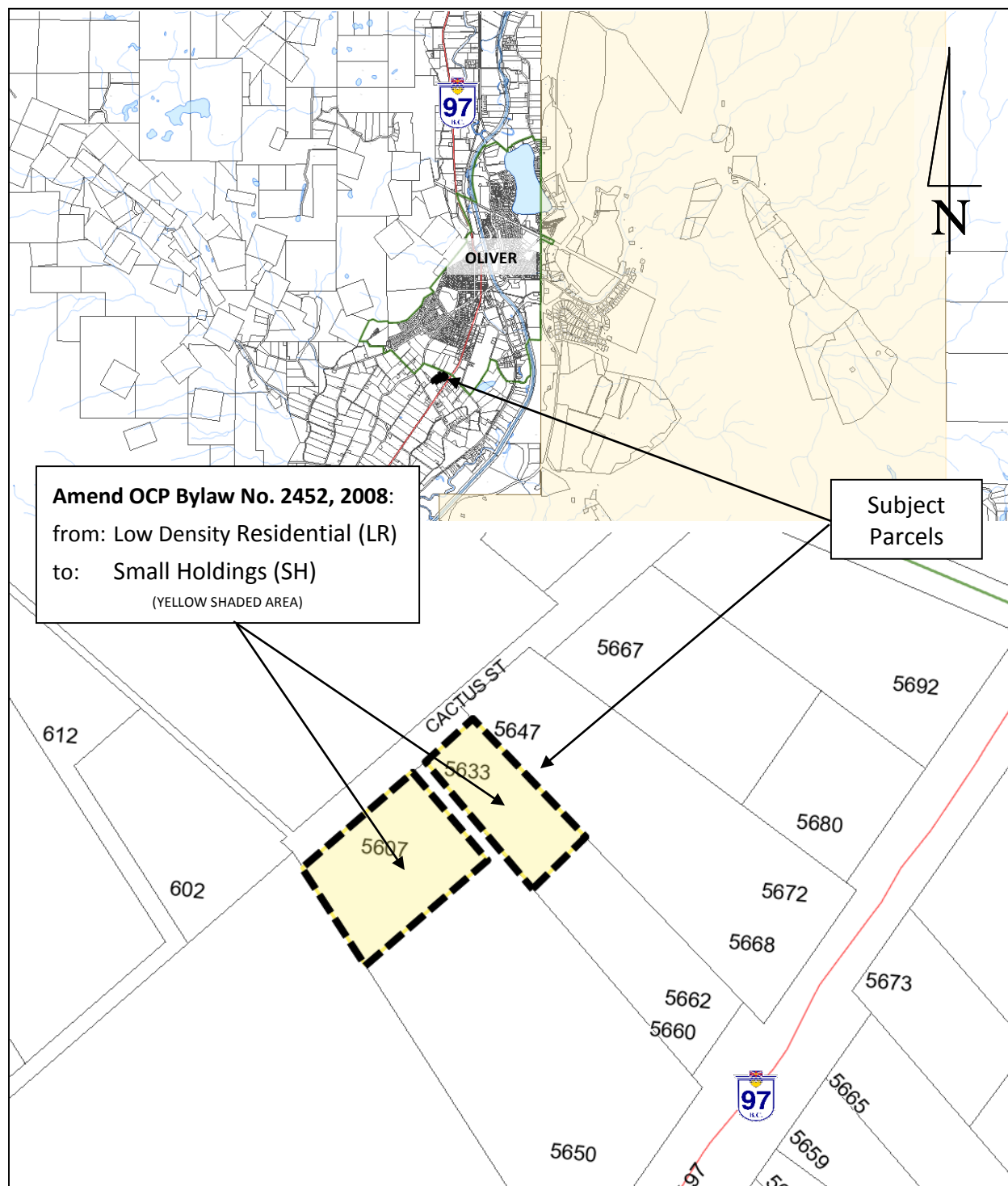
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-107'



Amend OCP Bylaw No. 2452, 2008:
from: Low Density Residential (LR)
to: Small Holdings (SH)
(YELLOW SHADED AREA)

Subject
Parcels

Regional District of Okanagan-Similkameen

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

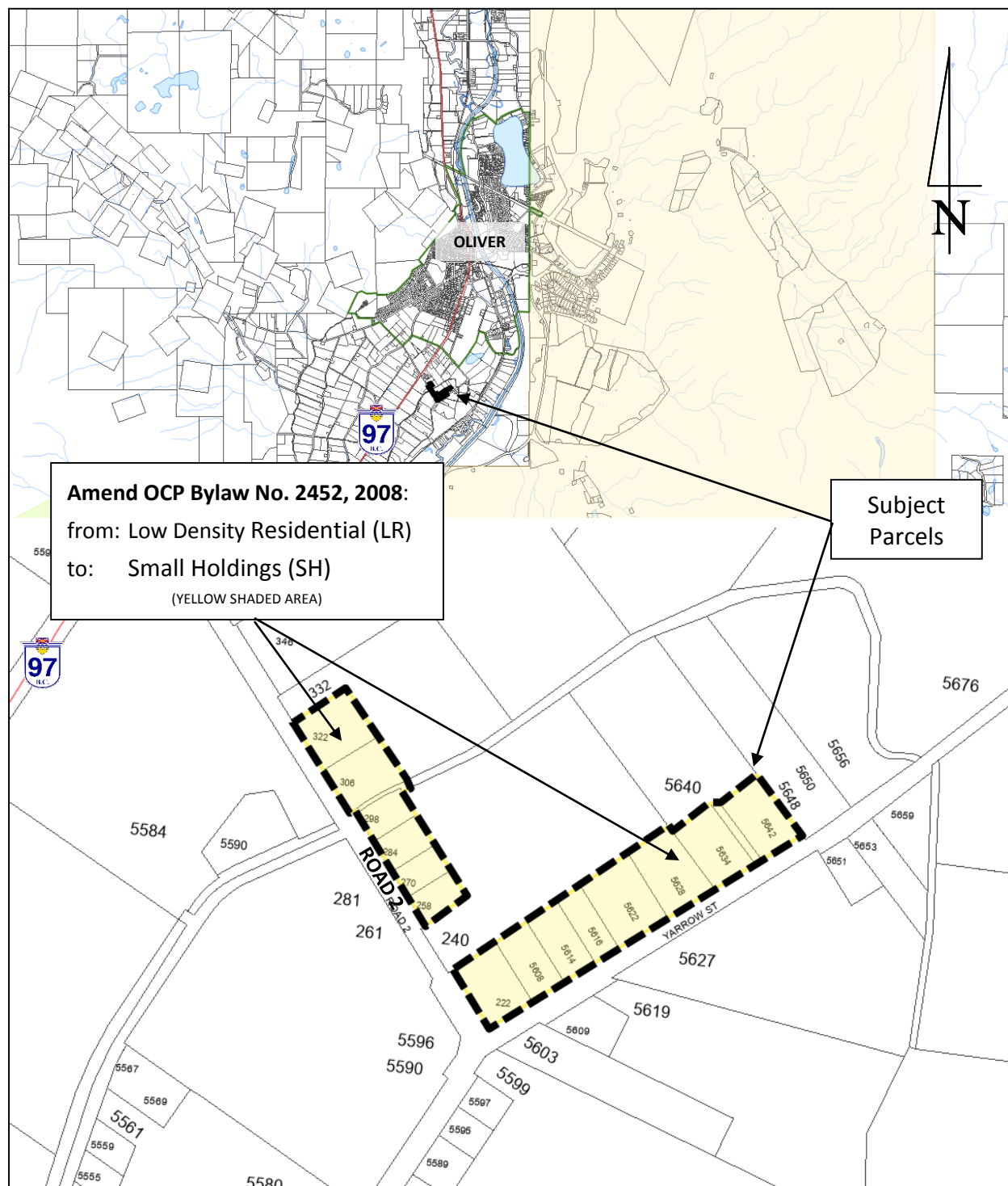
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-108'



File No. X2020.005-ZONE

Amend OCP Bylaw No. 2452, 2008:
 from: Low Density Residential (LR)
 to: Small Holdings (SH)
 (YELLOW SHADED AREA)

Subject Parcels

Map showing the location of the subject parcels (yellow shaded area) in the town of Oliver, BC. The map includes a north arrow and a scale bar. The subject parcels are located in the southeast corner of the town, near the river. The map shows the town of Oliver, BC, with the town center and surrounding areas. The subject parcels are located in the southeast corner of the town, near the river. The map includes a legend with the following text: 'Amend OCP Bylaw No. 2452, 2008: from: Low Density Residential (LR) to: Small Holdings (SH) (YELLOW SHADED AREA)'. The map also shows the location of the town of Oliver, BC, and the town center. The map includes a north arrow and a scale bar.

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Regional District of Okanagan-Similkameen

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

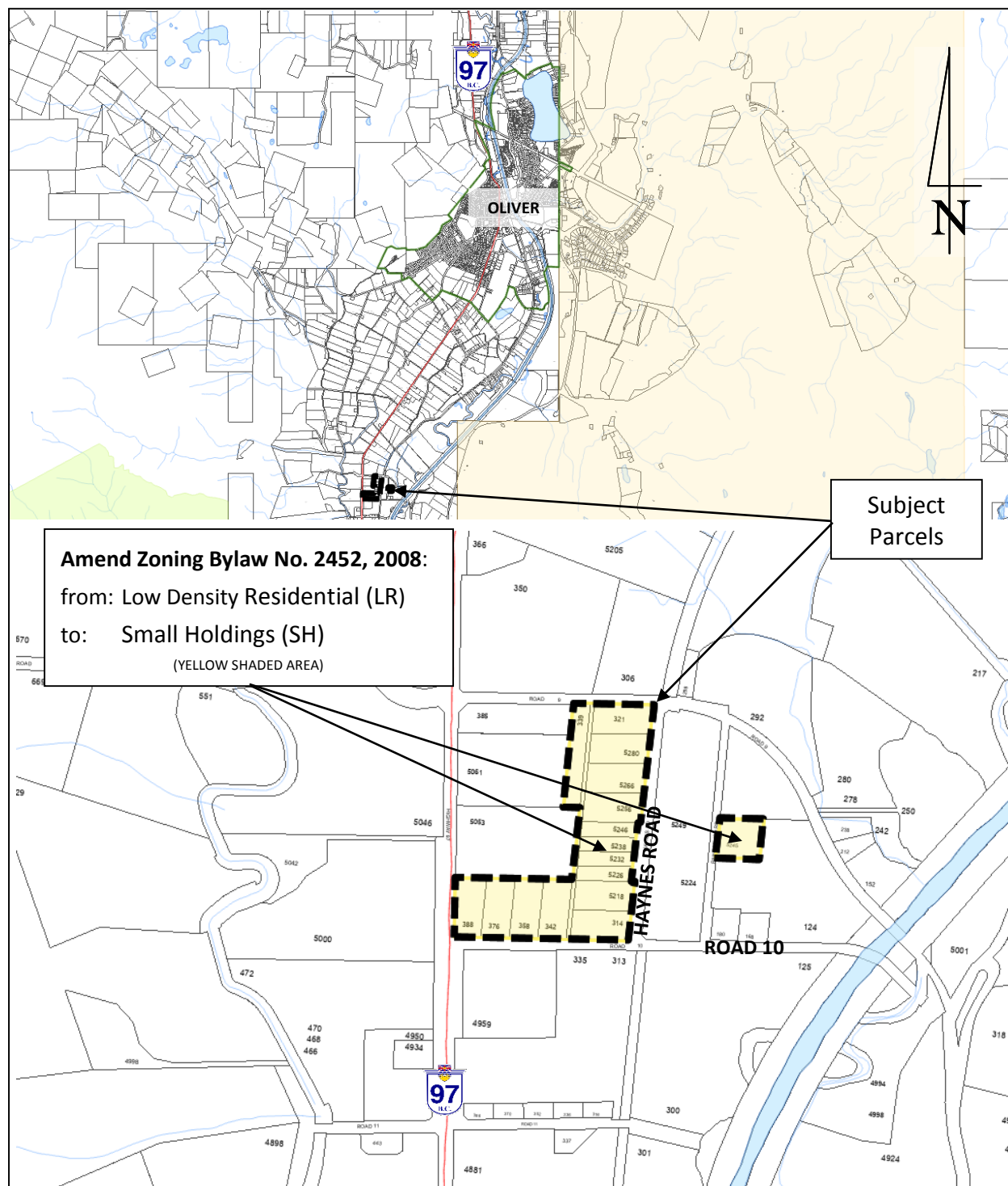
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-110'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

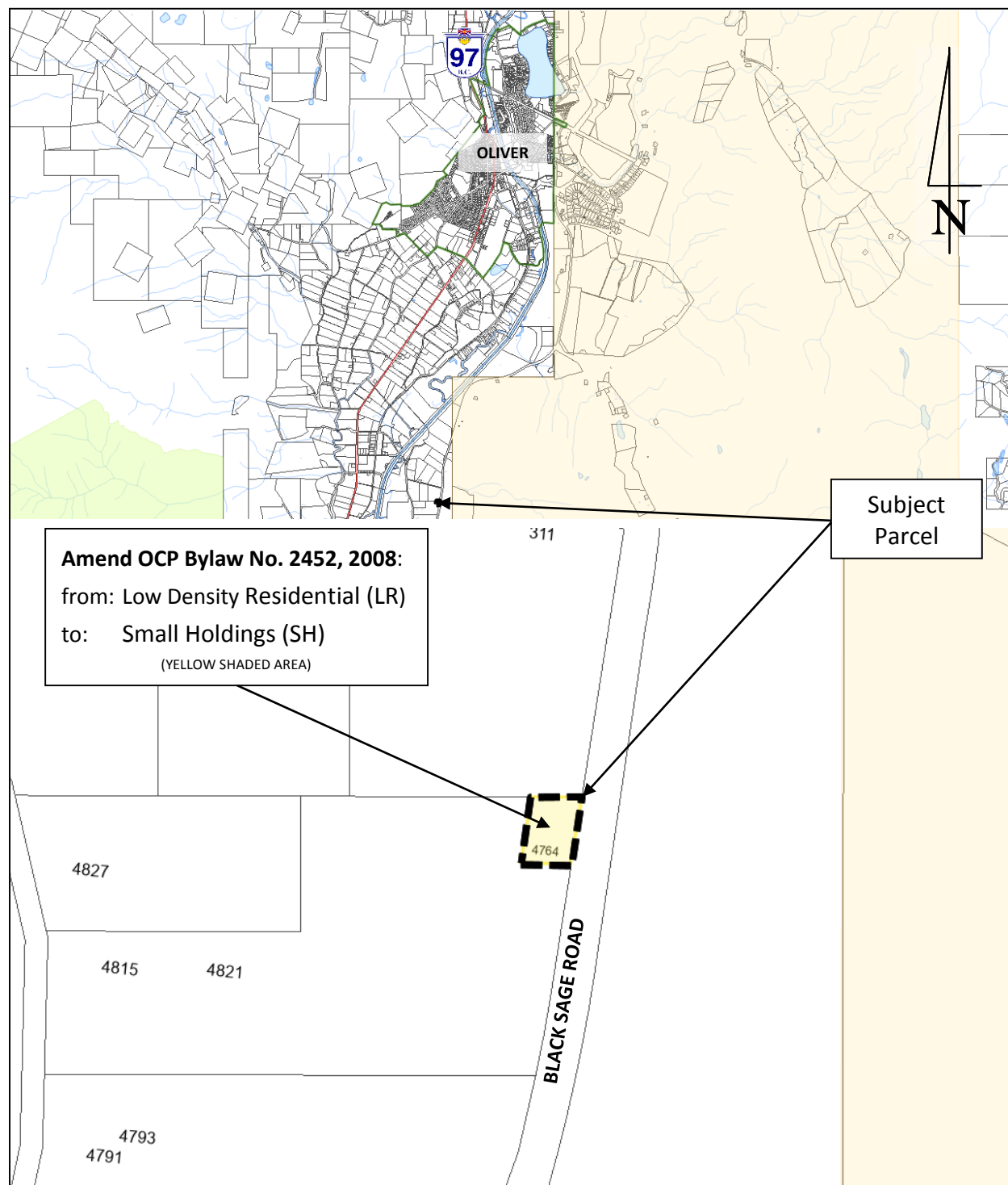
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-111'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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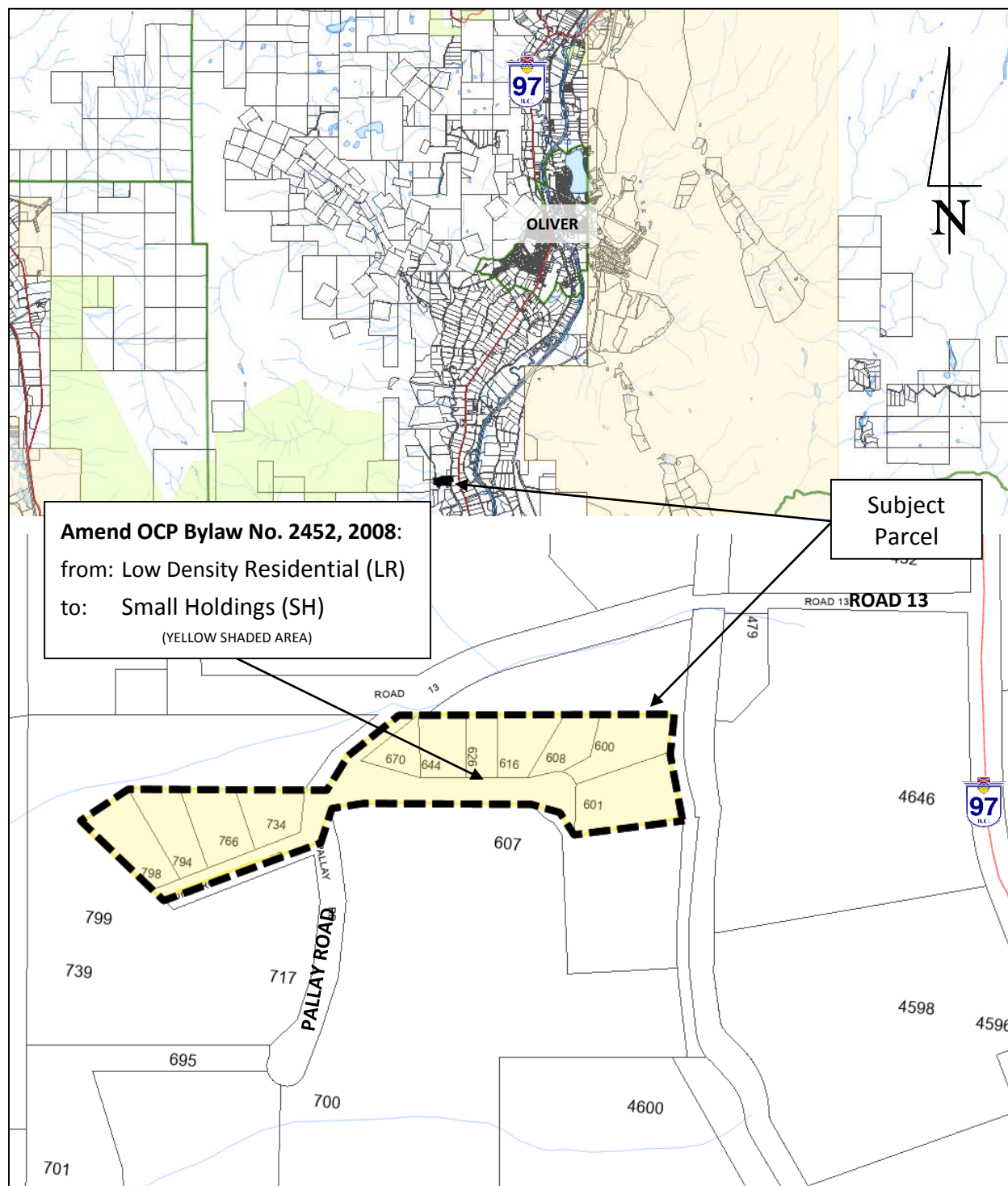
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-112'

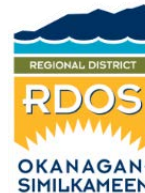


Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

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

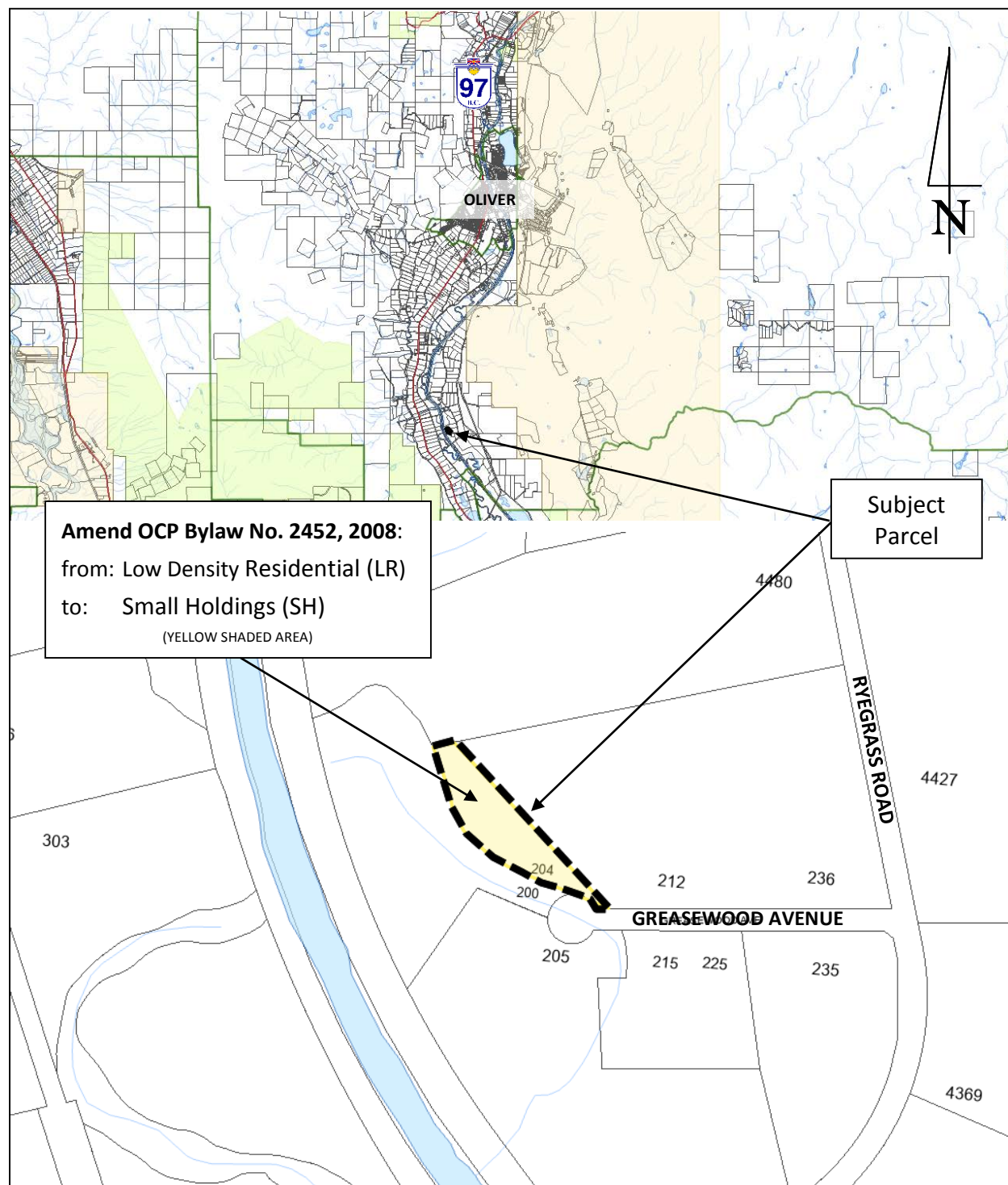
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-113'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

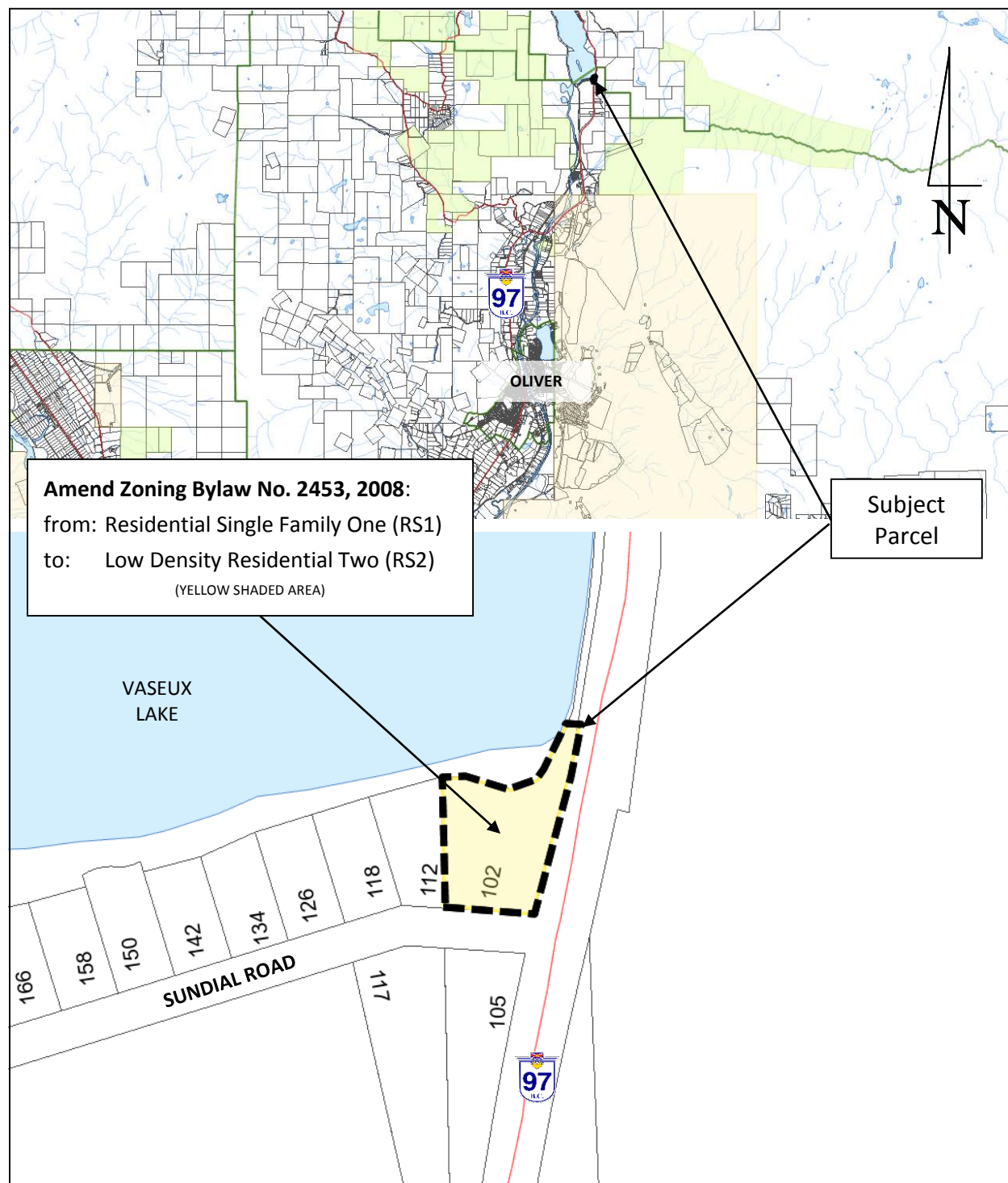
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-201'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

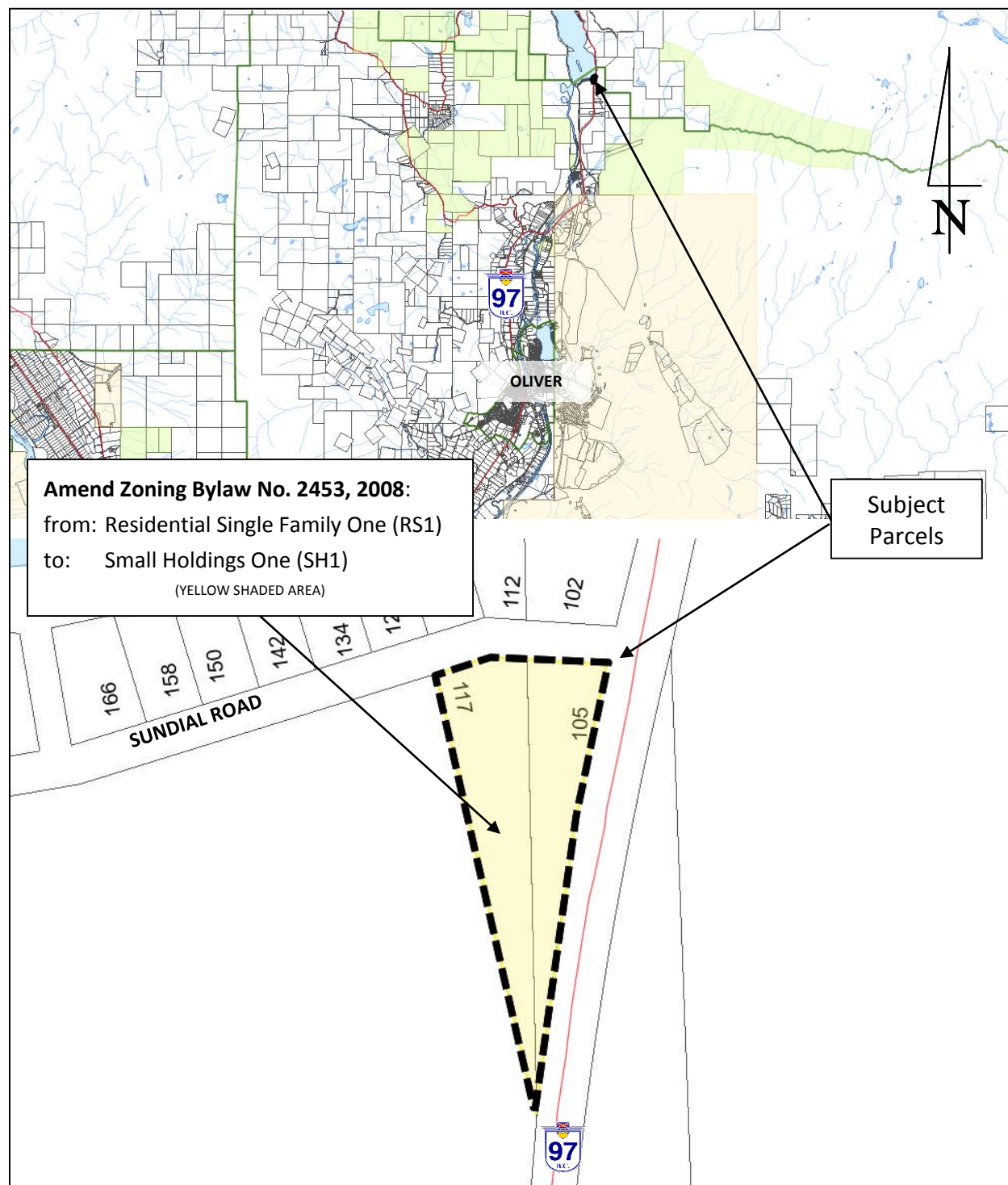
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-202'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

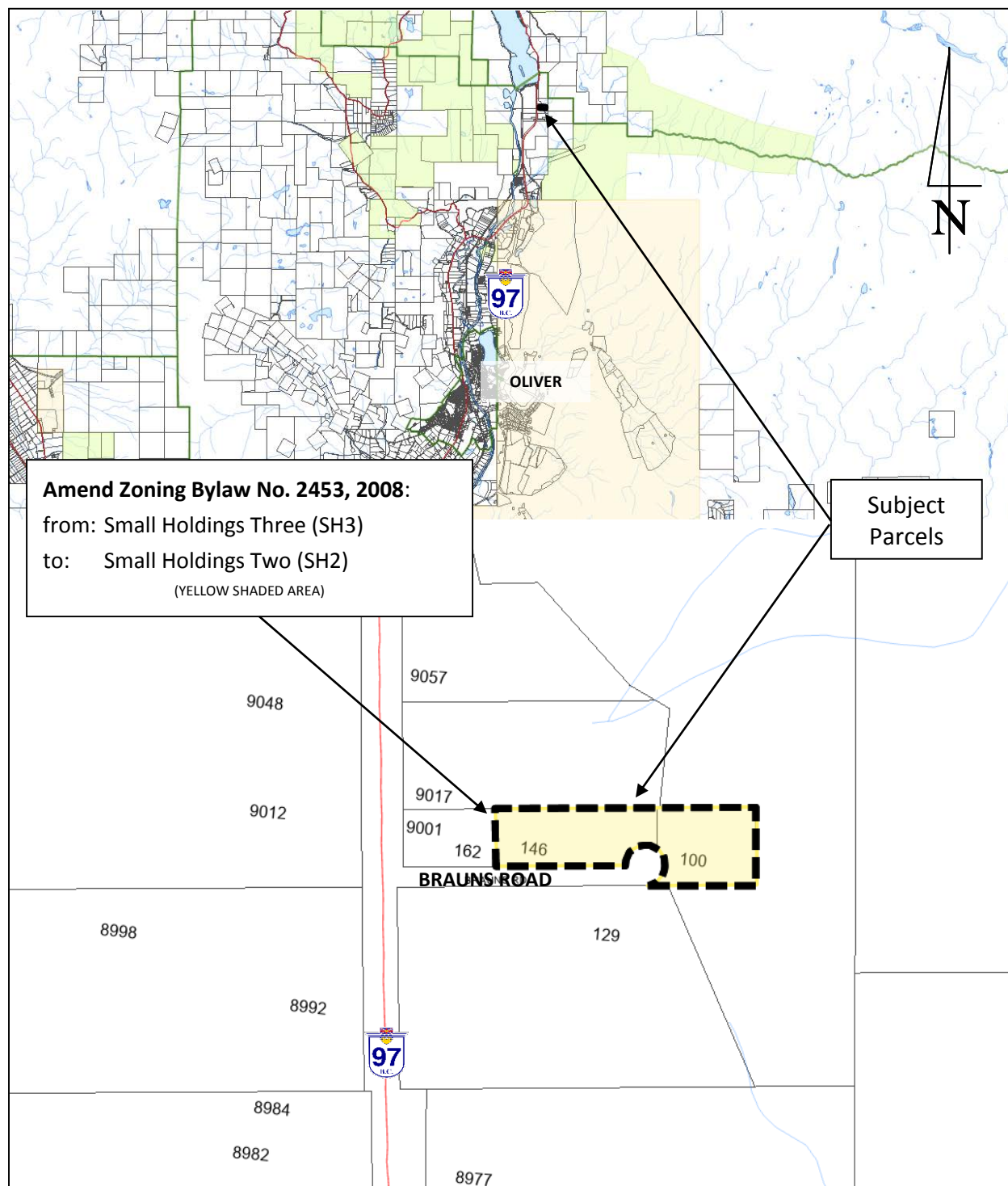
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-203'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
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Regional District of Okanagan-Similkameen

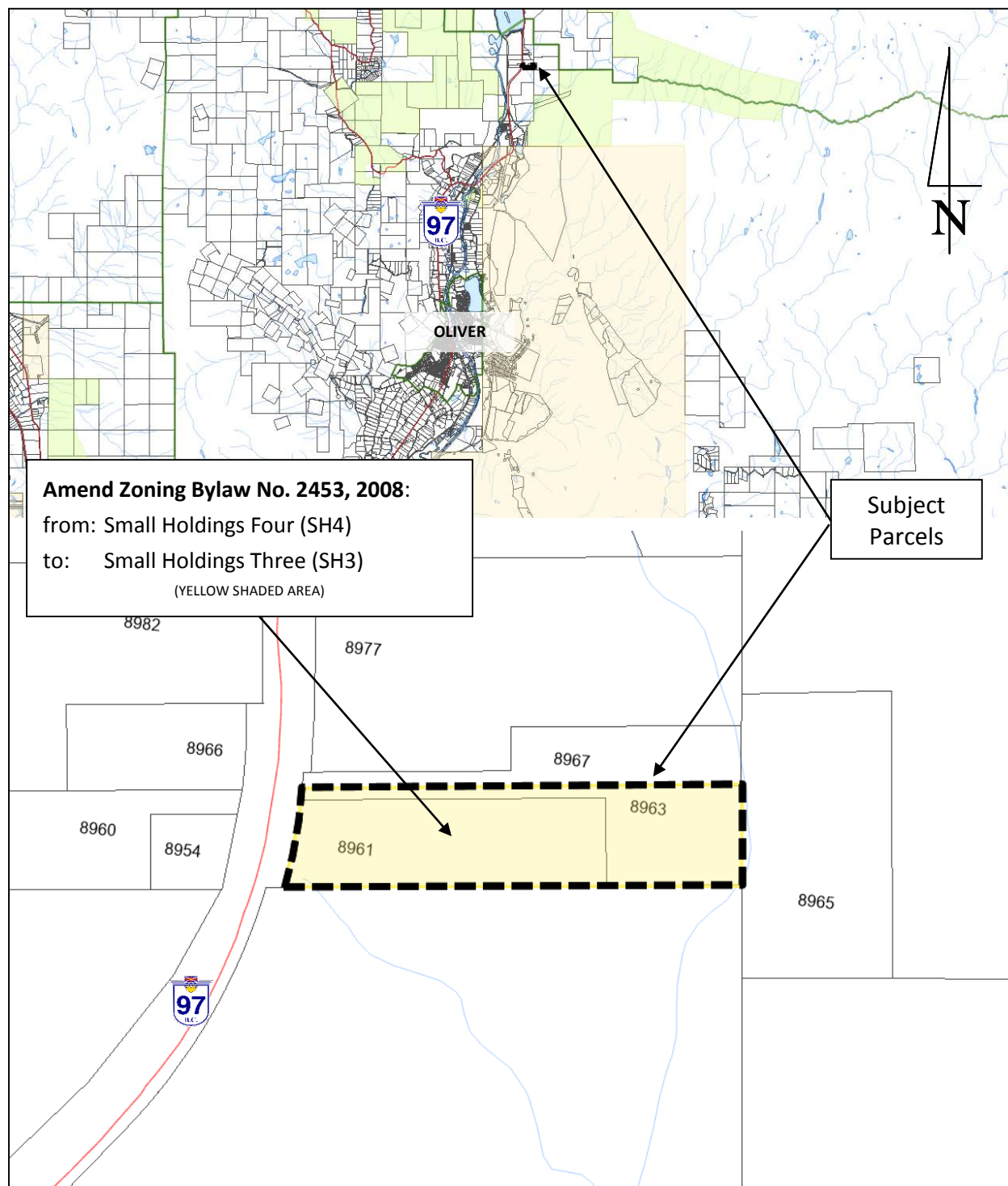
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

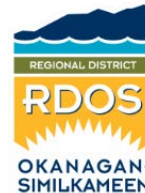
Schedule 'C-204'



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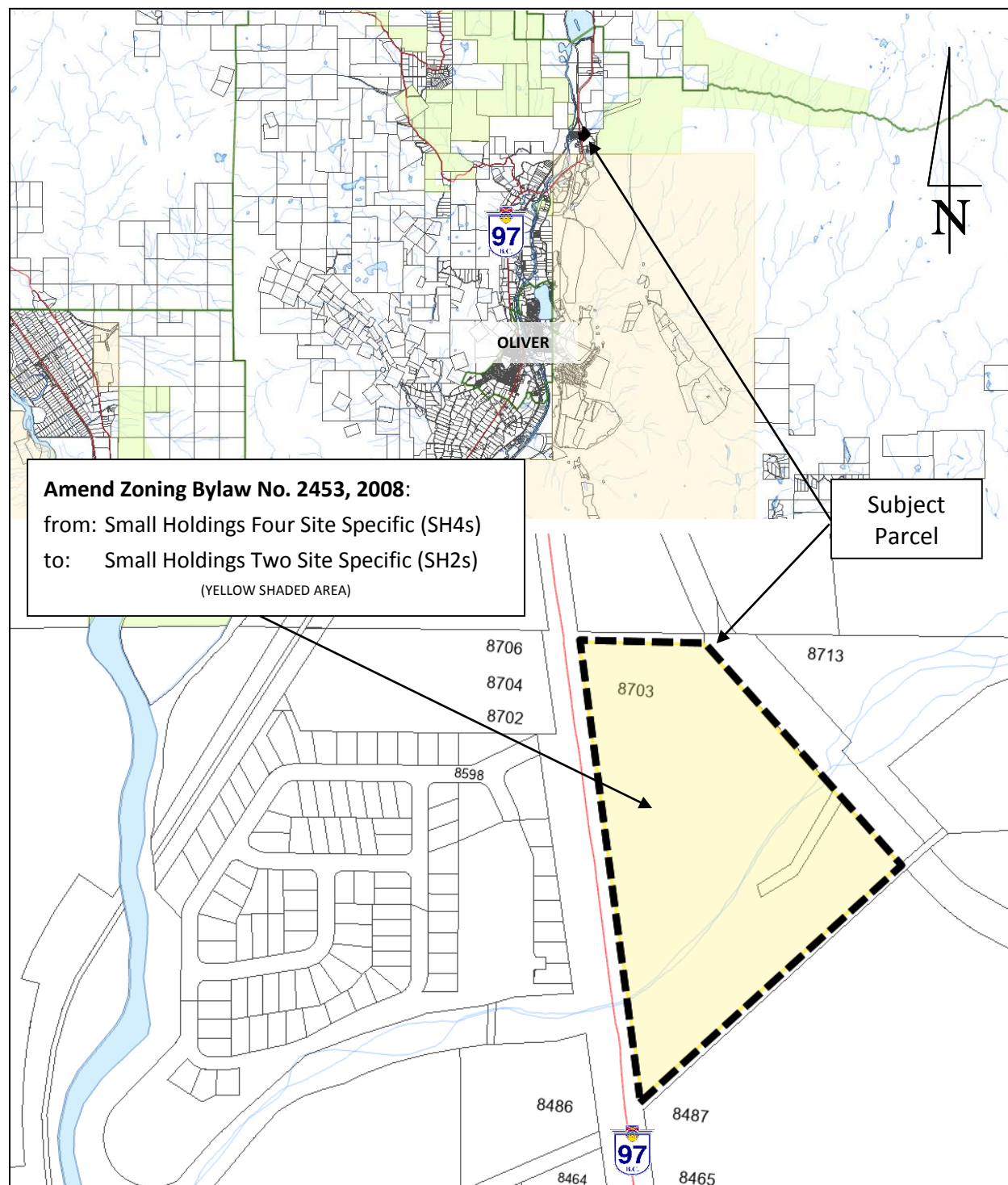
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-205'



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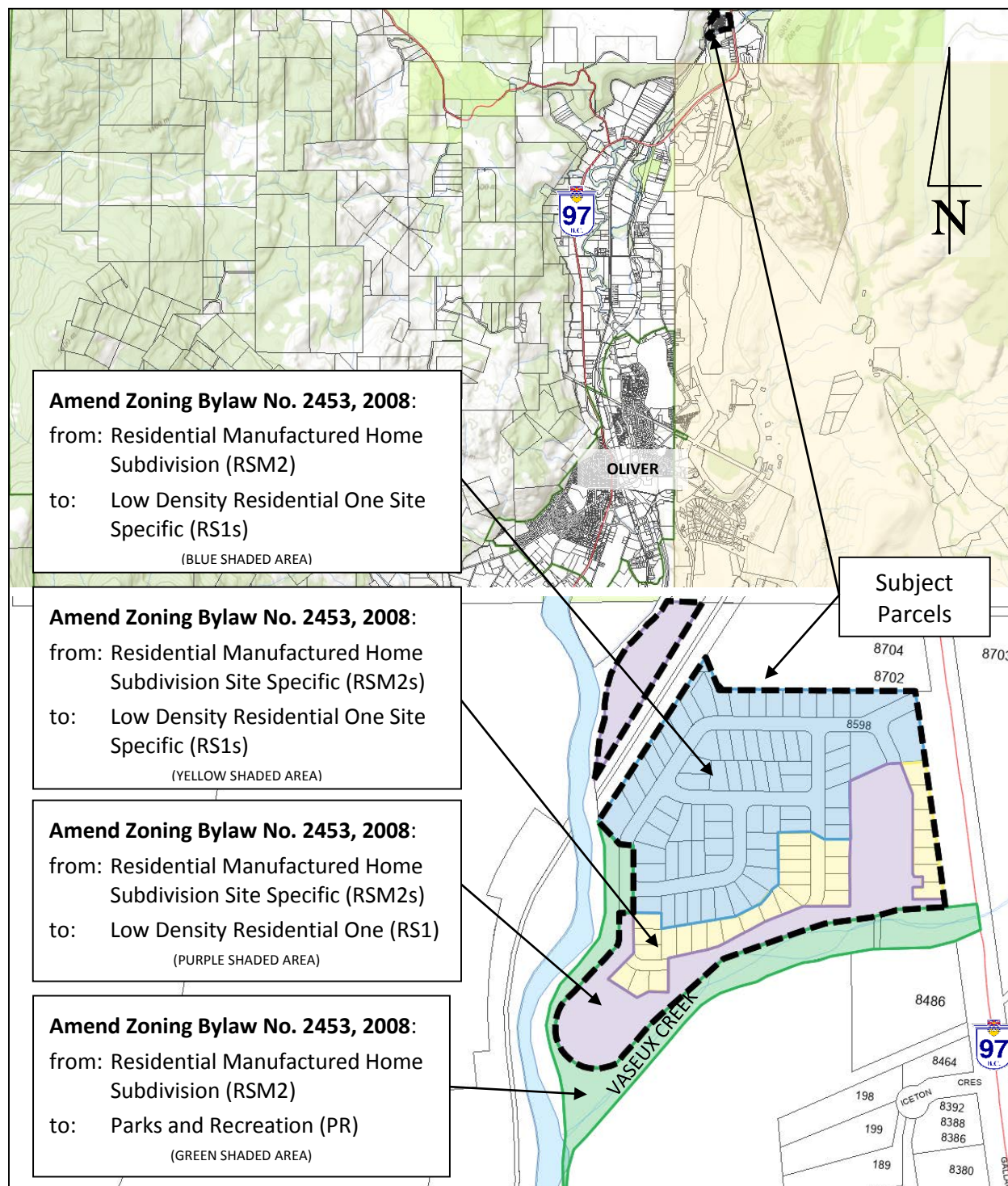
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-206'



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

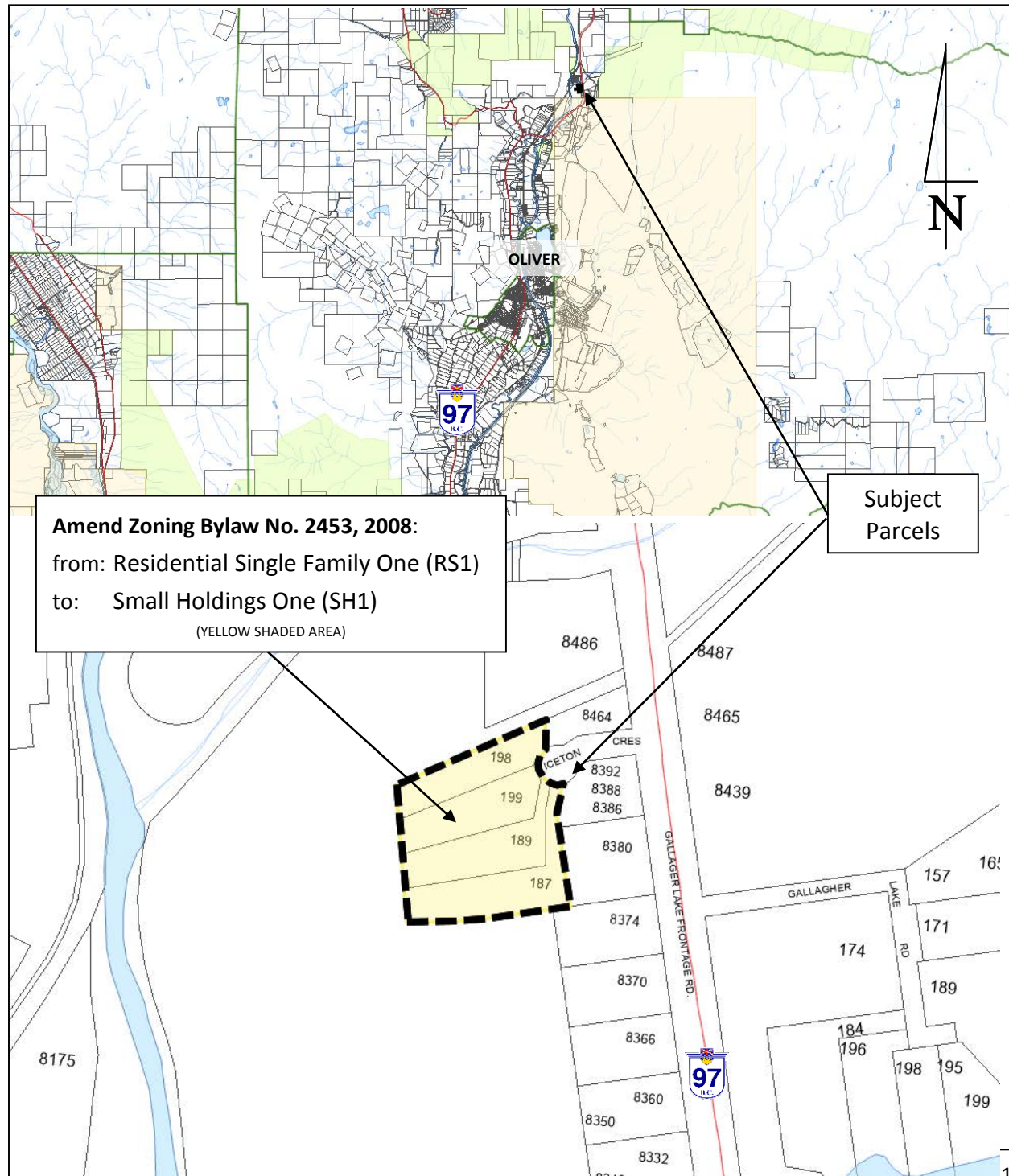
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-207'



Amend Zoning Bylaw No. 2453, 2008:
from: Residential Single Family One (RS1)
to: Small Holdings One (SH1)
(YELLOW SHADED AREA)

Subject
Parcels

(X2020.005-ZONE)

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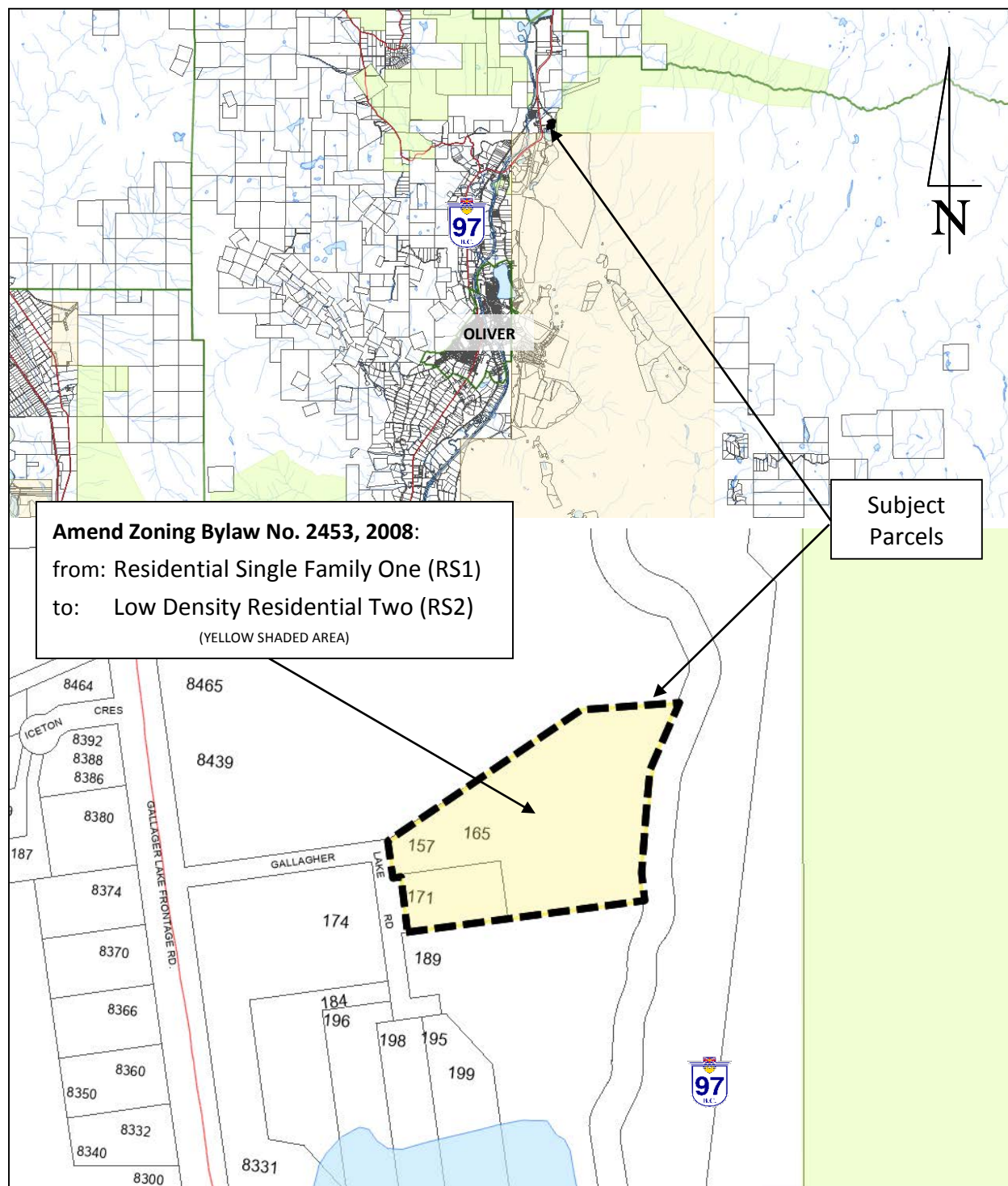
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-208'

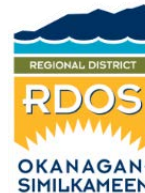


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101 Martin St, Penticton, BC, V2A-5J9

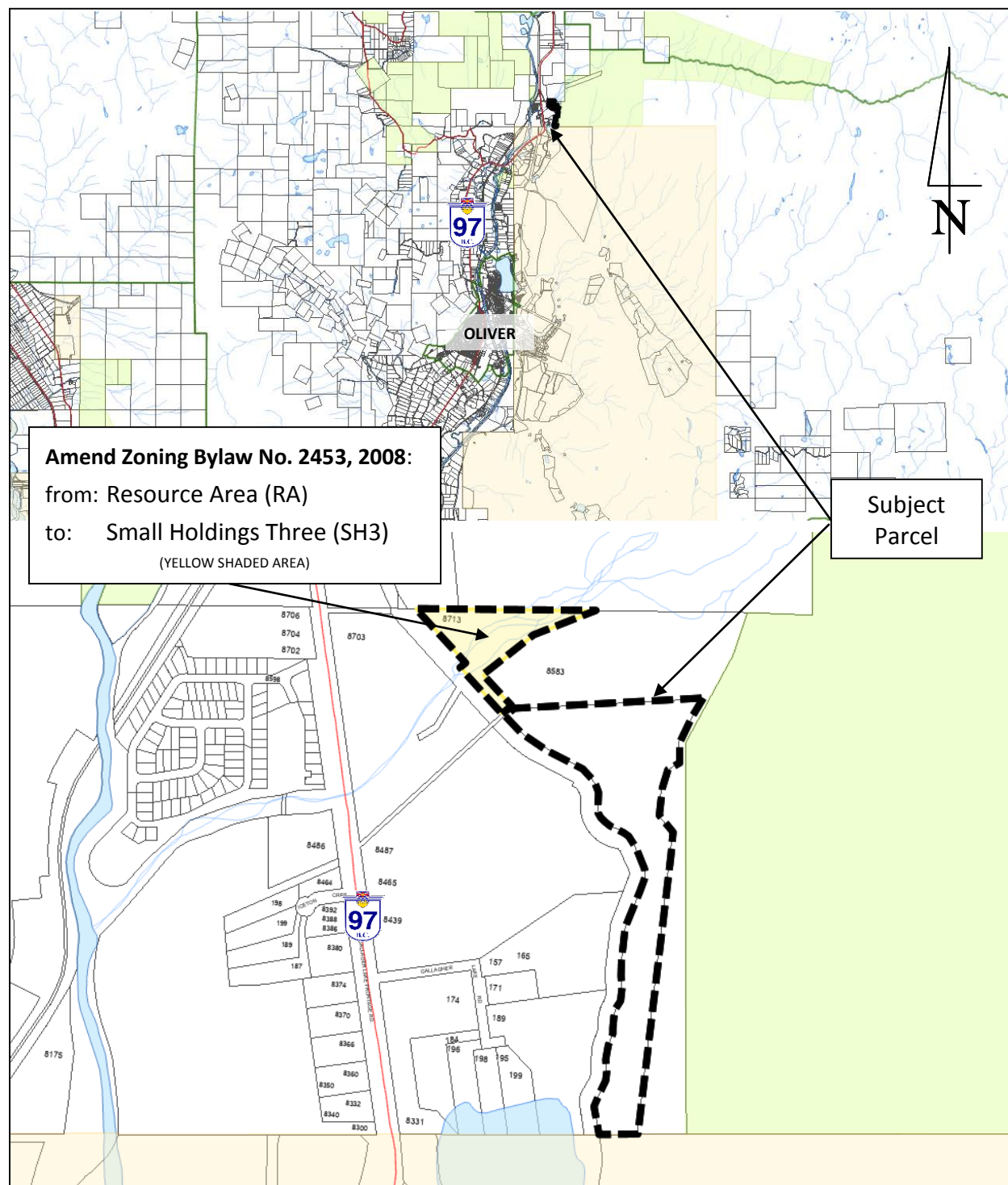
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-209'



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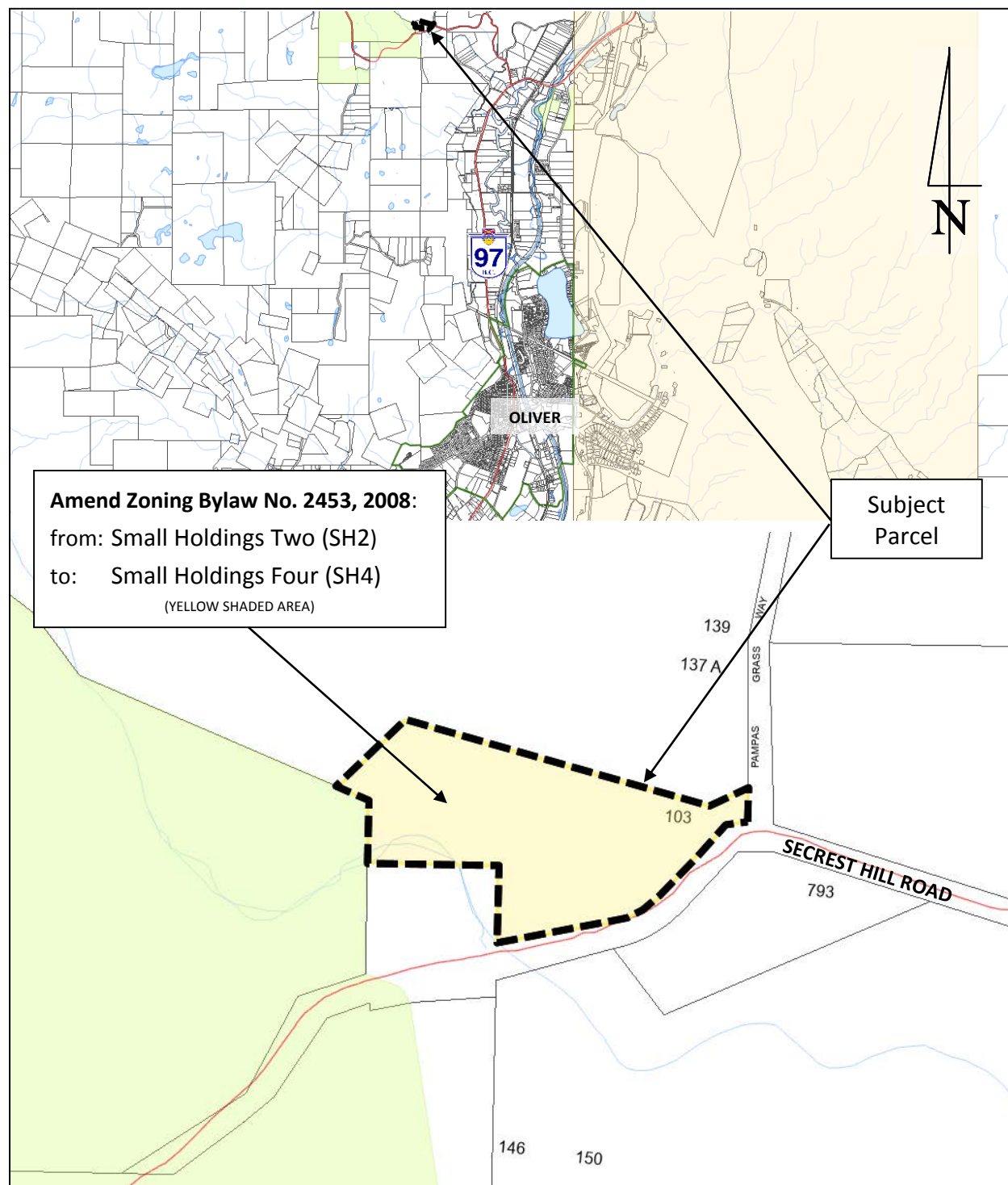
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-210'



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

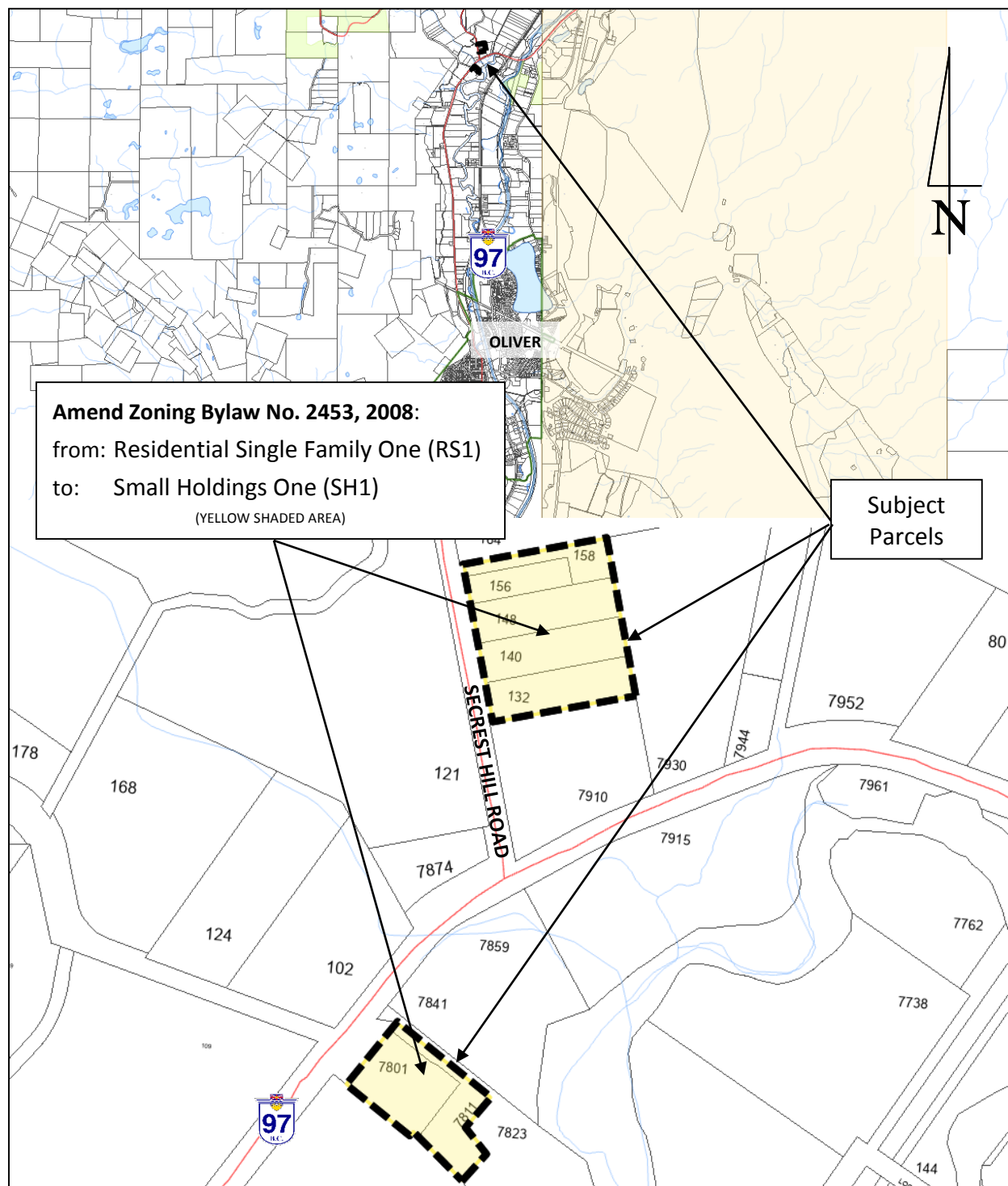
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-211'



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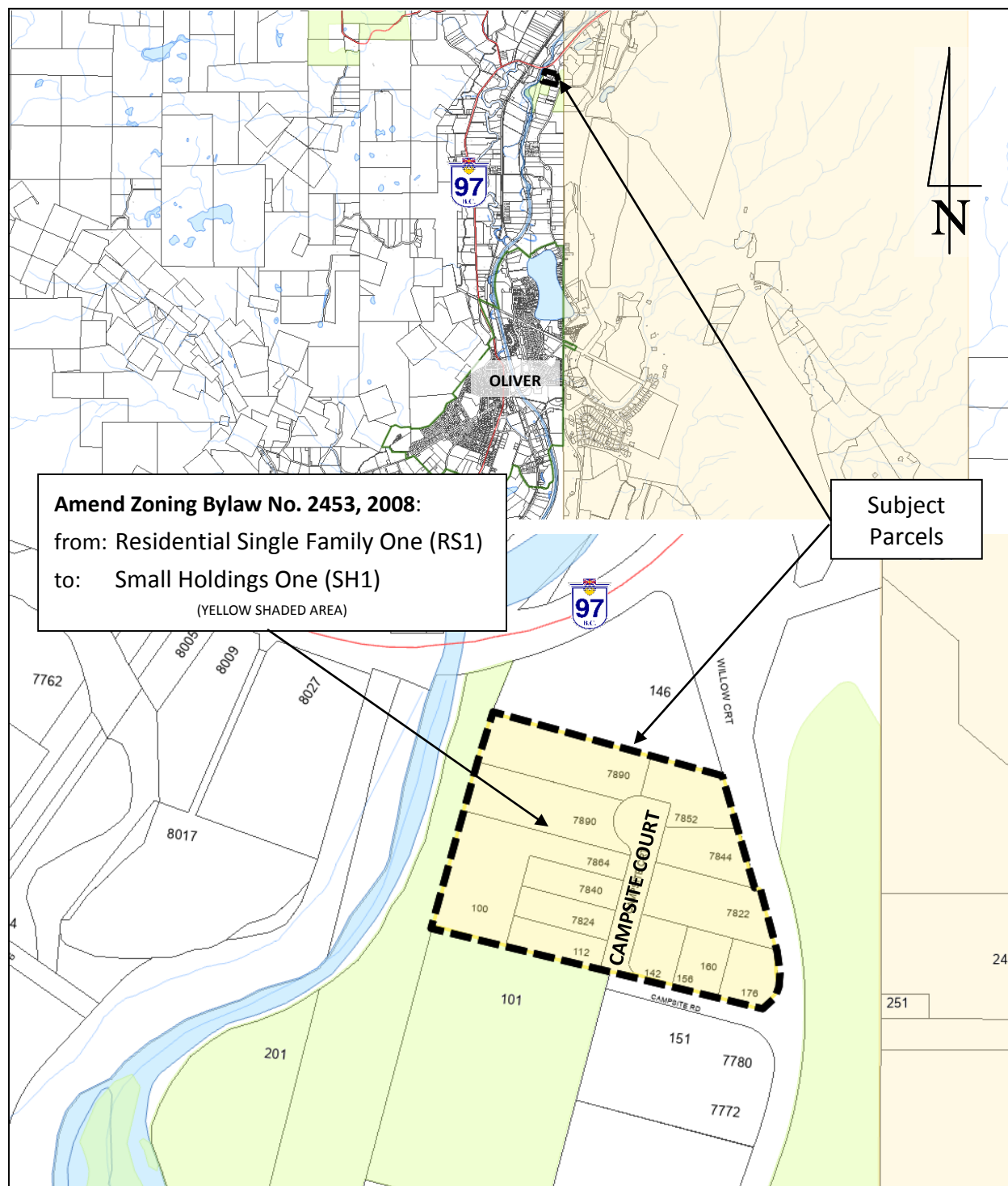
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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-212'



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

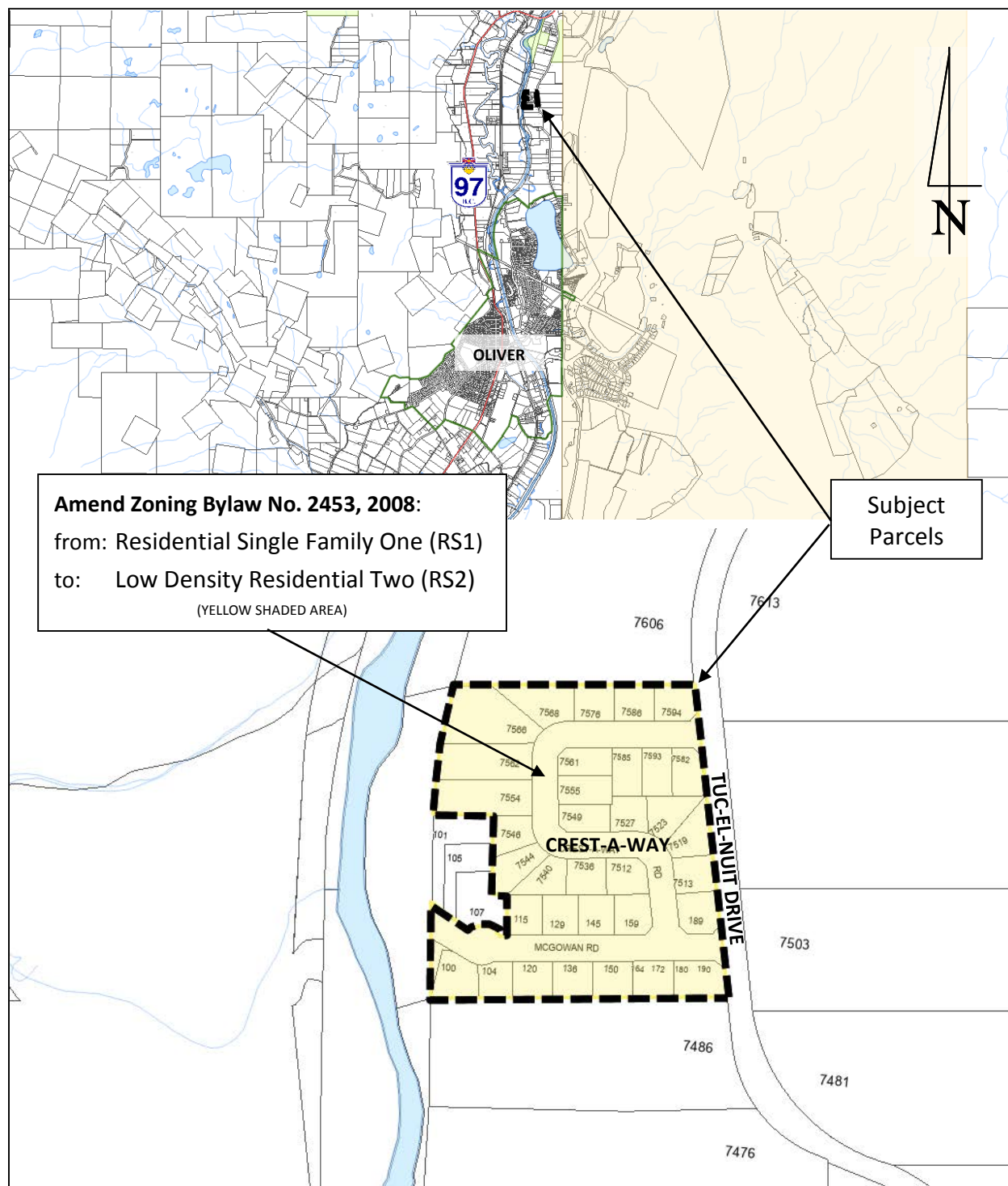
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File No. X2020.005-ZONE

Schedule 'C-213'



Regional District of Okanagan-Similkameen

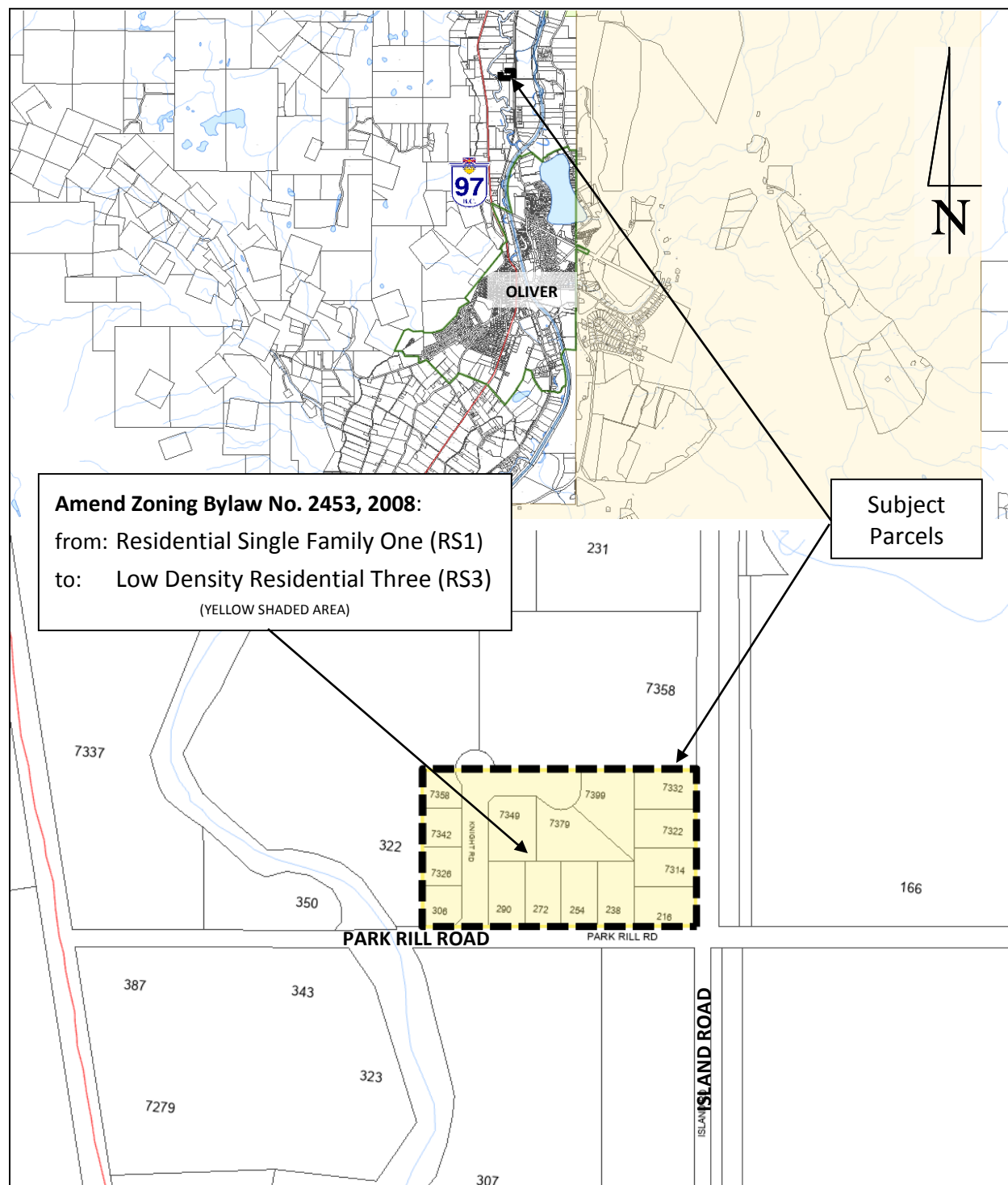
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-214'



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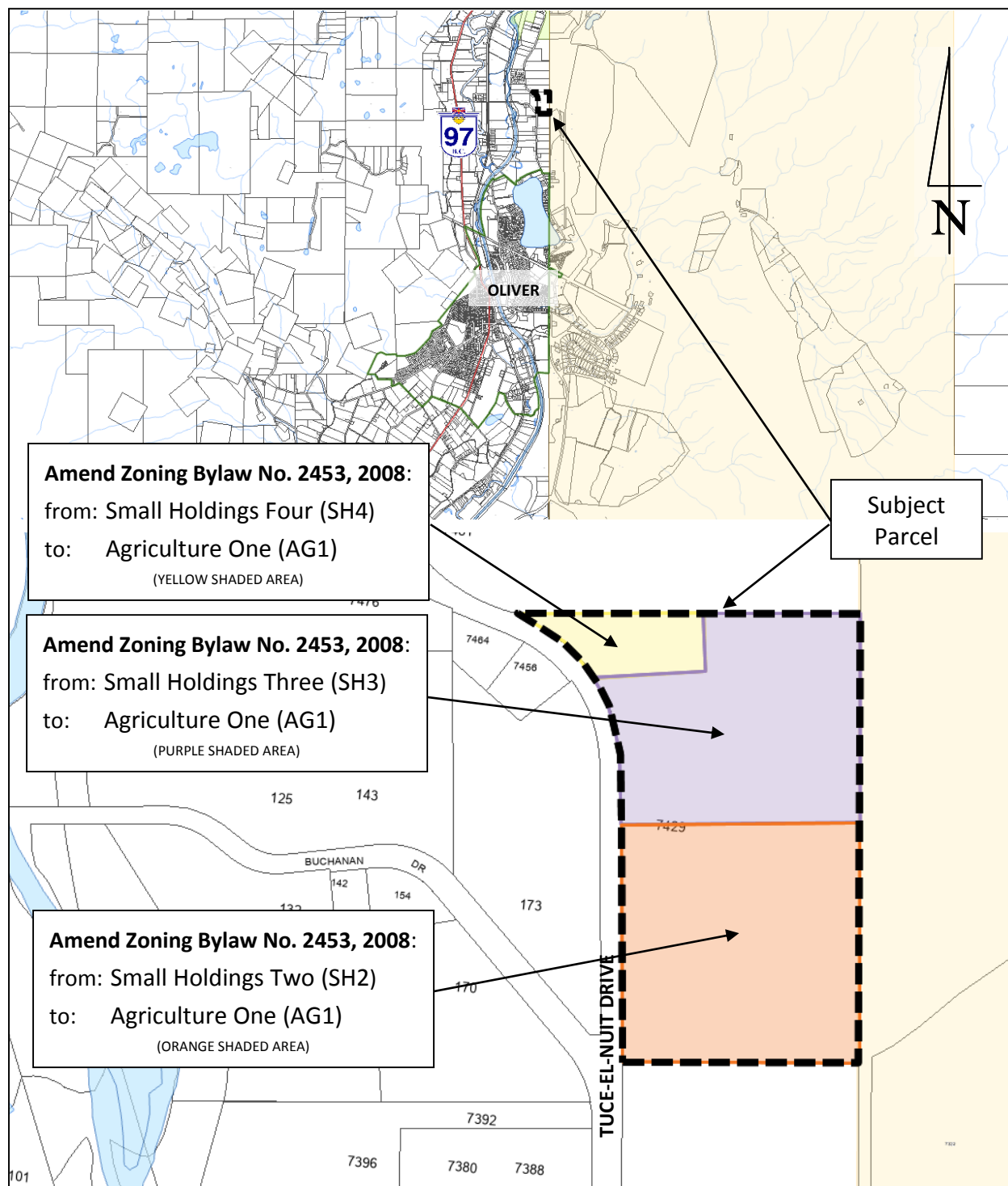
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-215'



Amend Zoning Bylaw No. 2453, 2008:

from: Small Holdings Four (SH4)
to: Agriculture One (AG1)
(YELLOW SHADED AREA)

Amend Zoning Bylaw No. 2453, 2008:

from: Small Holdings Three (SH3)
to: Agriculture One (AG1)
(PURPLE SHADED AREA)

Amend Zoning Bylaw No. 2453, 2008:

from: Small Holdings Two (SH2)
to: Agriculture One (AG1)
(ORANGE SHADED AREA)

Subject
Parcel

Regional District of Okanagan-Similkameen

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

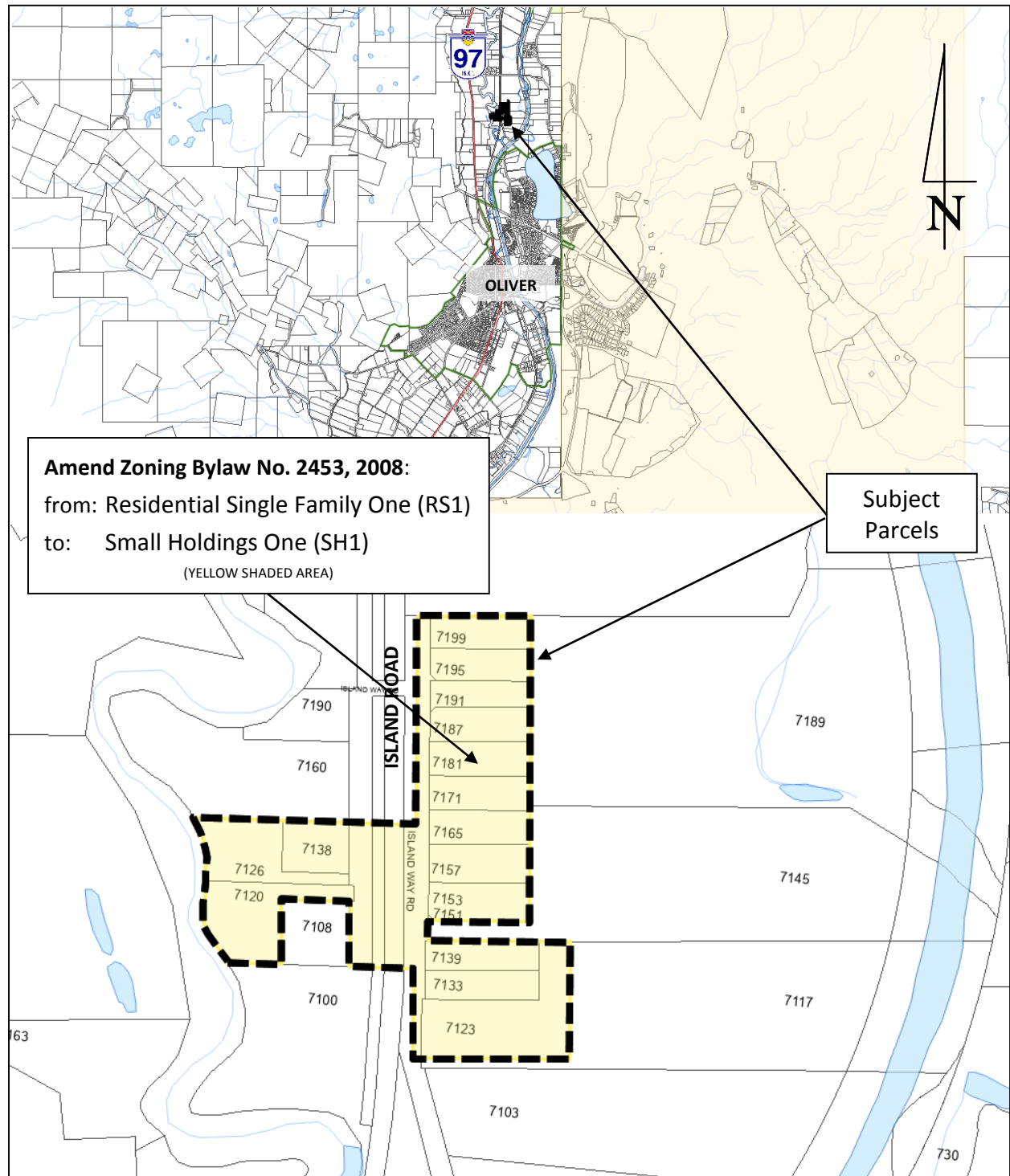
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-216'



Amendment Bylaw No. 2892, 2021

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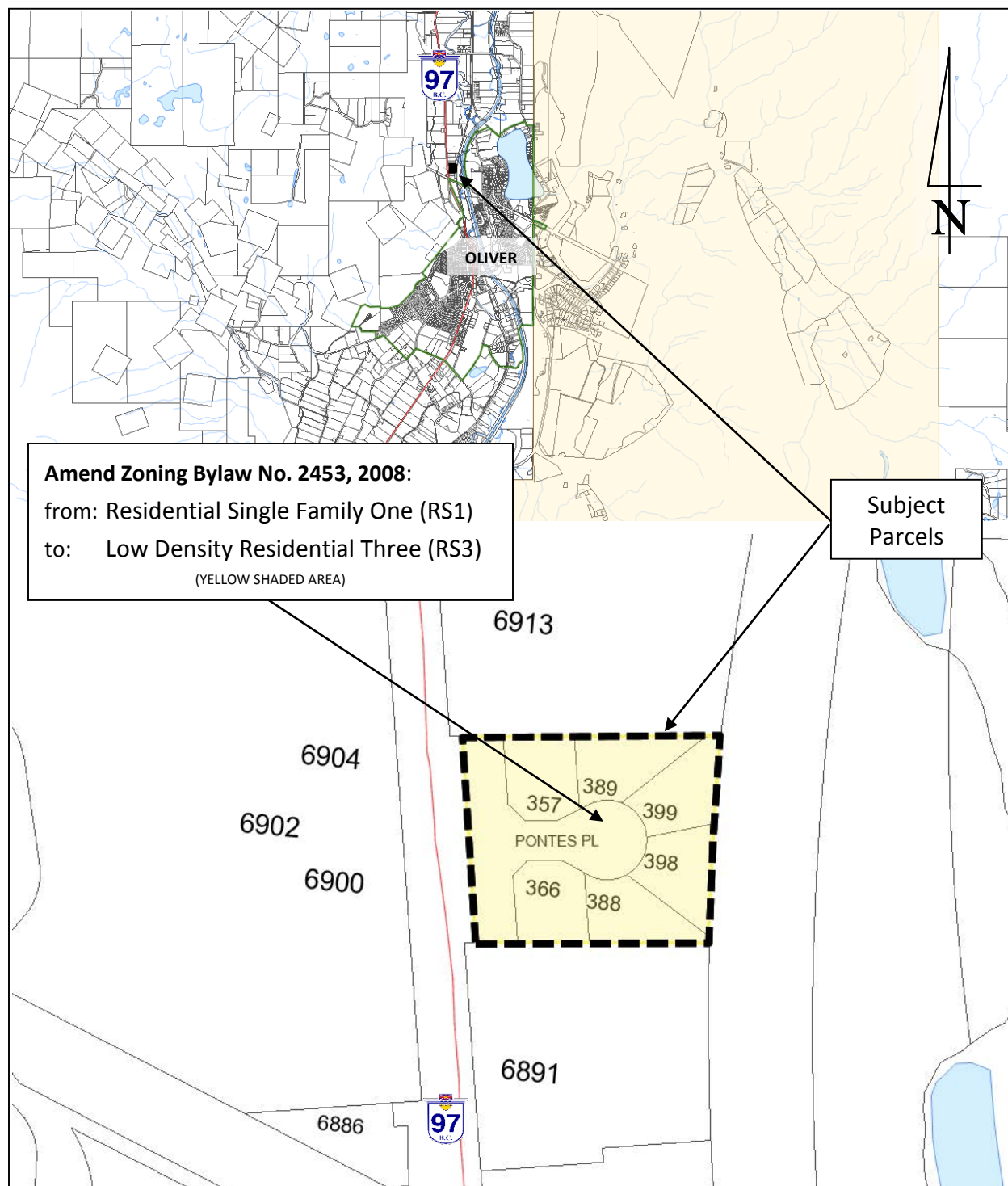
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-217'



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

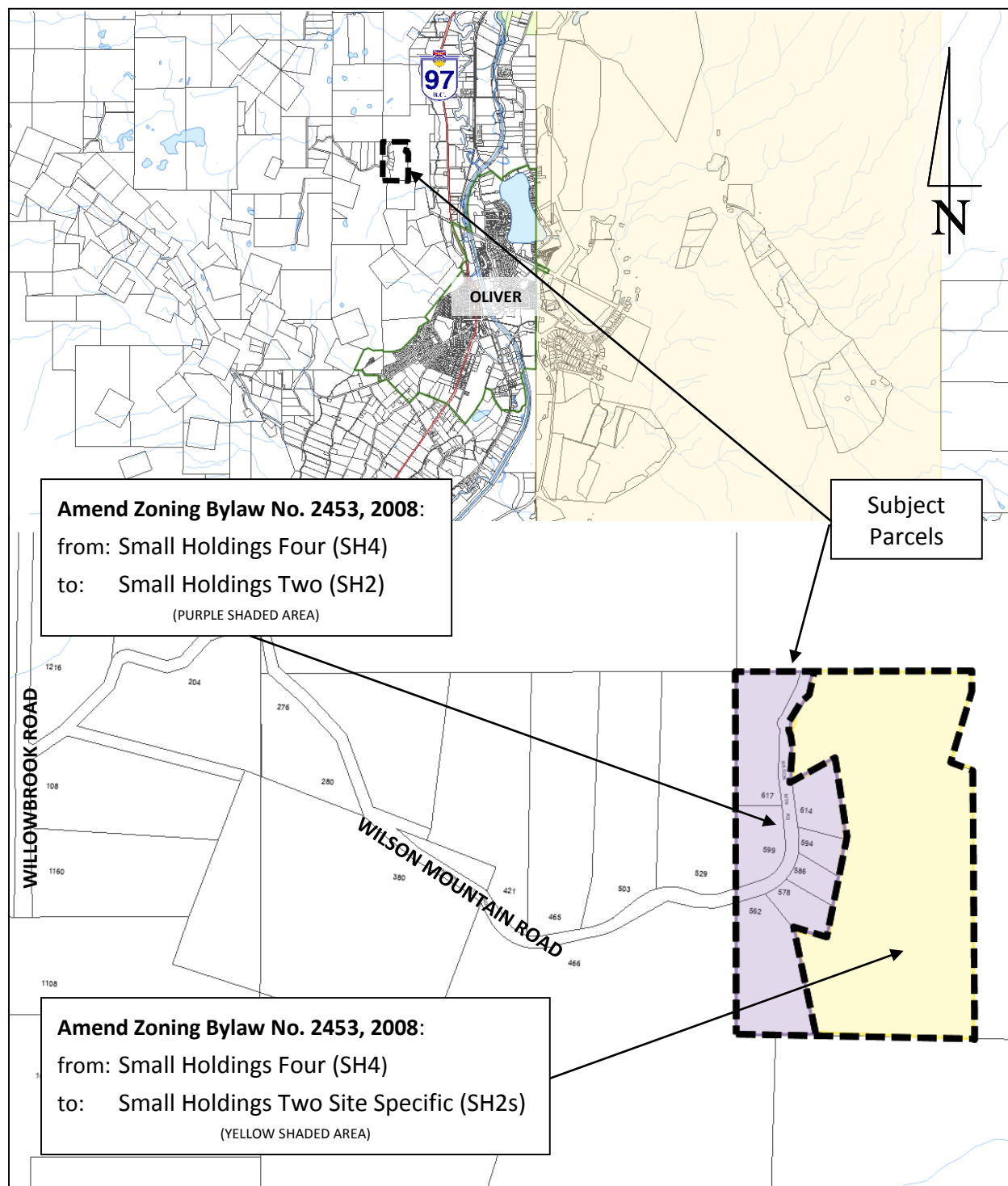
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-218'



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

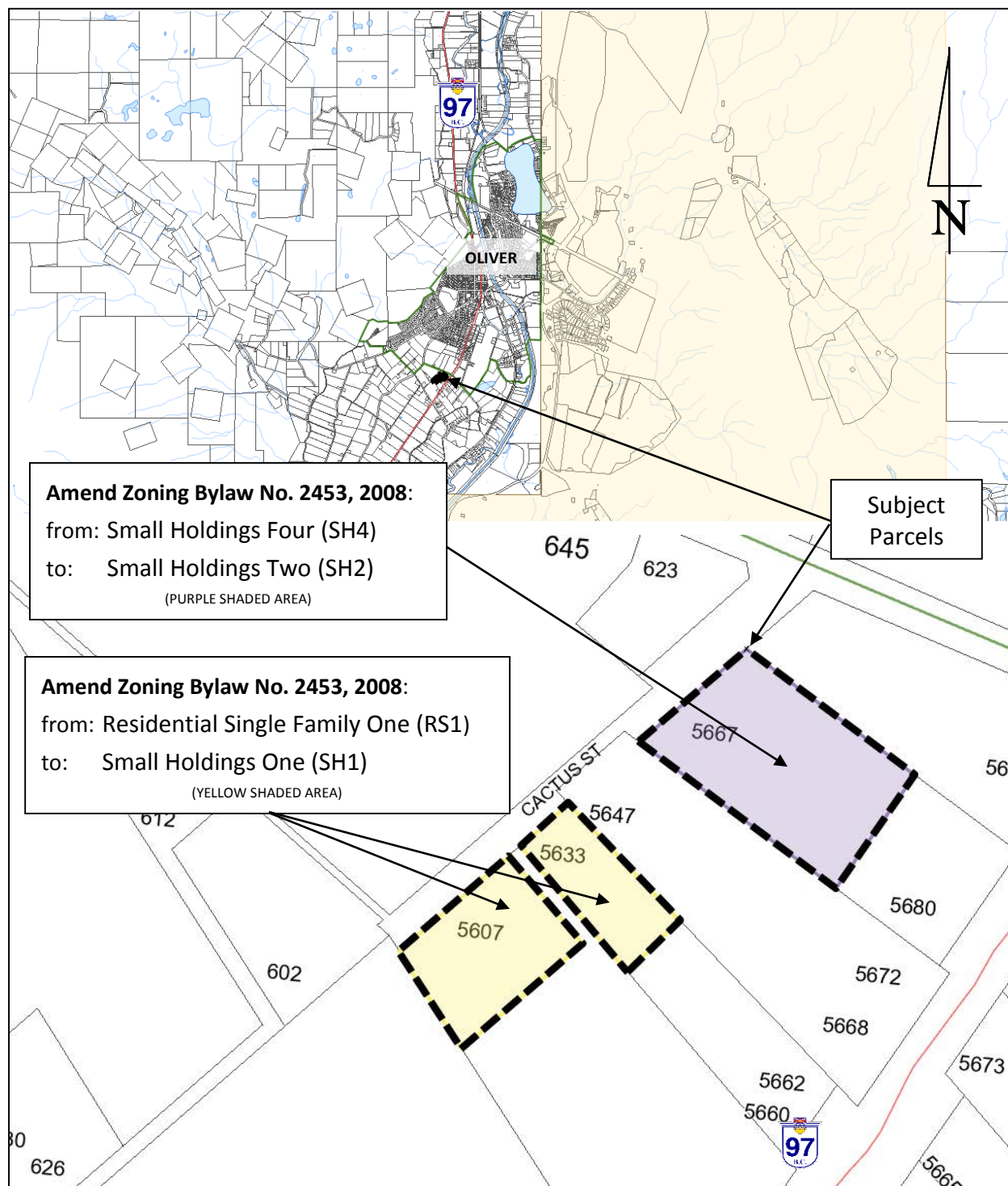
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'C-219'



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

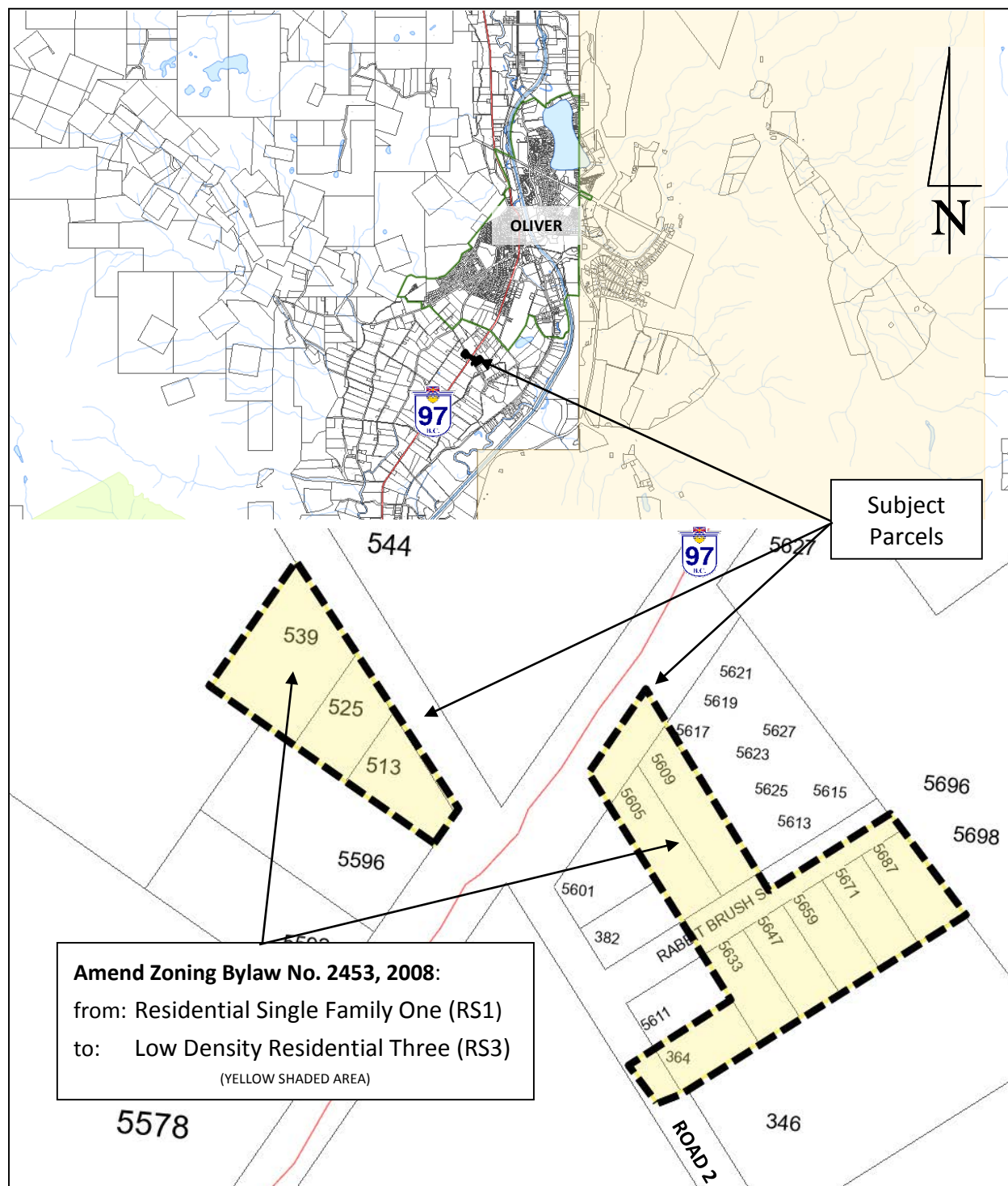
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-220'



Amend Zoning Bylaw No. 2453, 2008:

from: Residential Single Family One (RS1)

to: Low Density Residential Three (RS3)

(YELLOW SHADED AREA)

Amendment Bylaw No. 2892, 2021

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

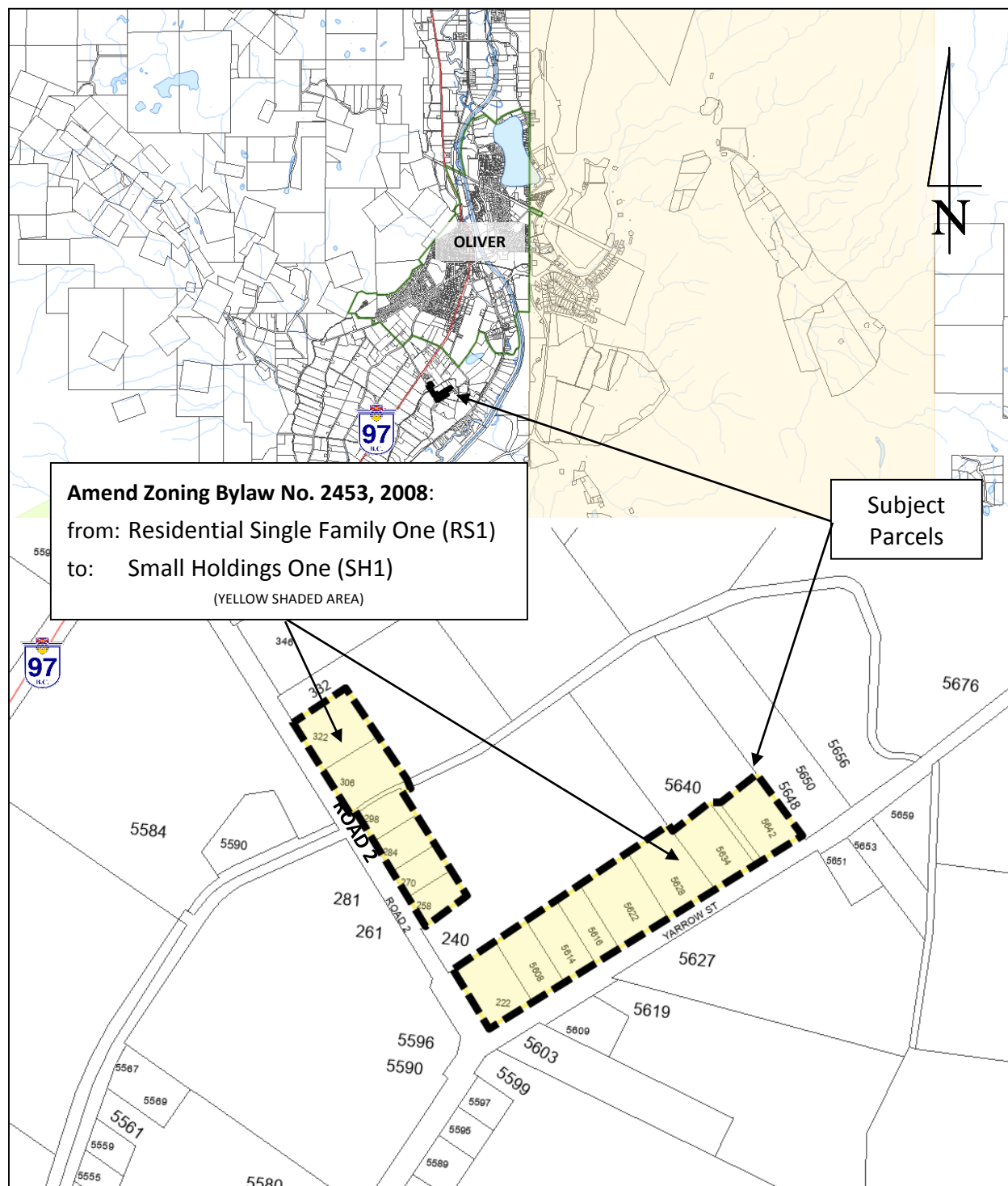
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'C-221'



Regional District of Okanagan-Similkameen

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

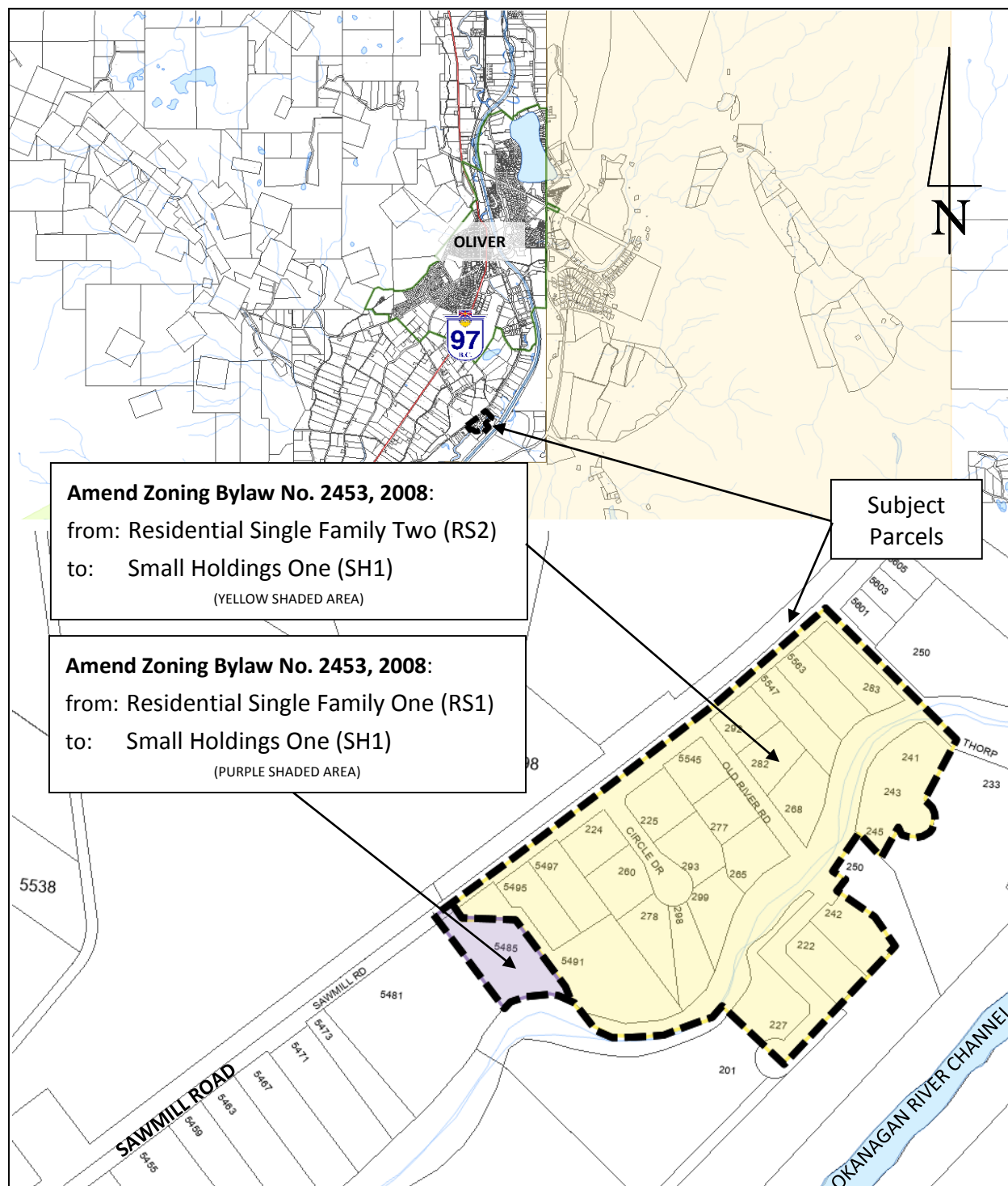
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'C-222'



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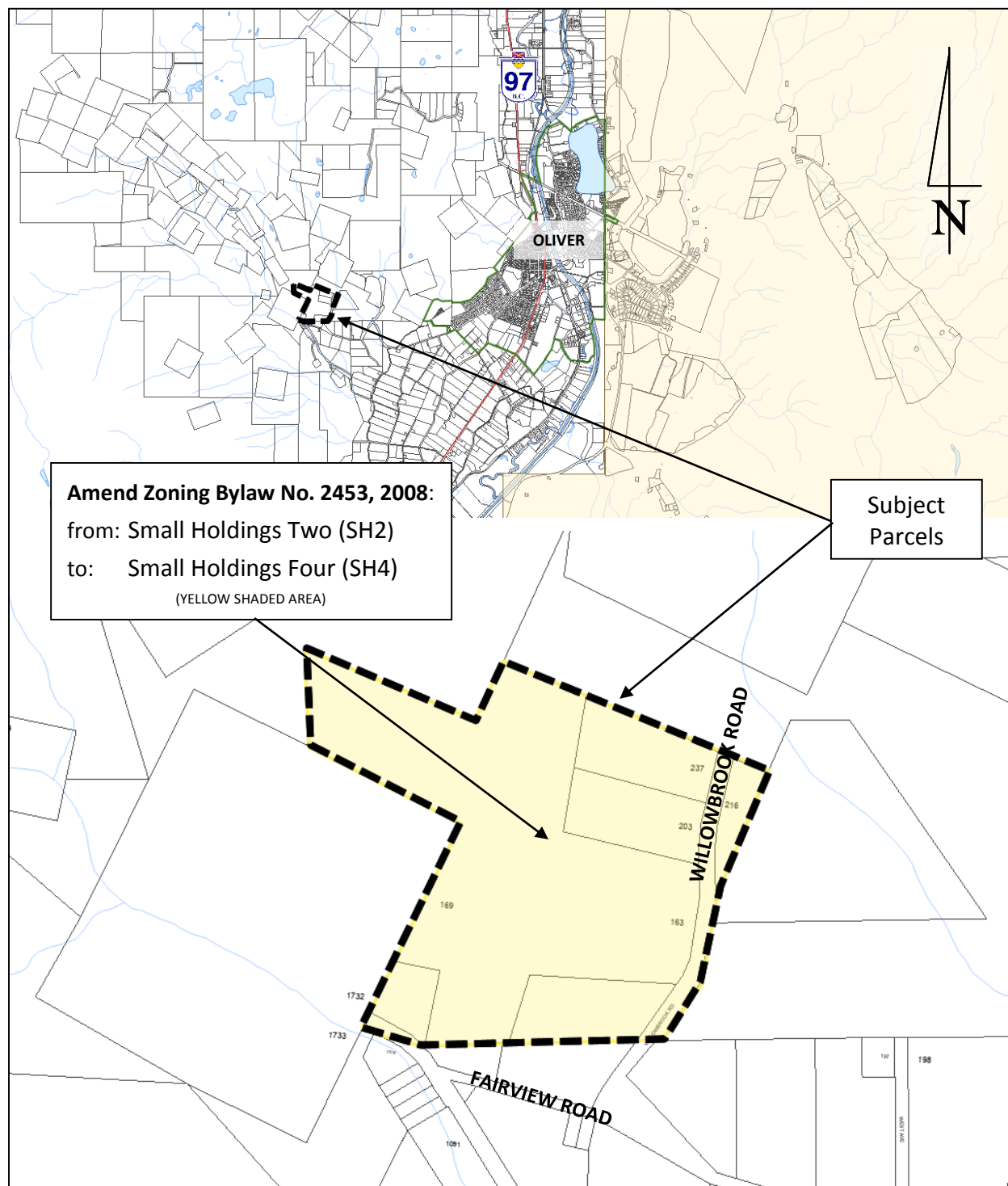
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'C-223'



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

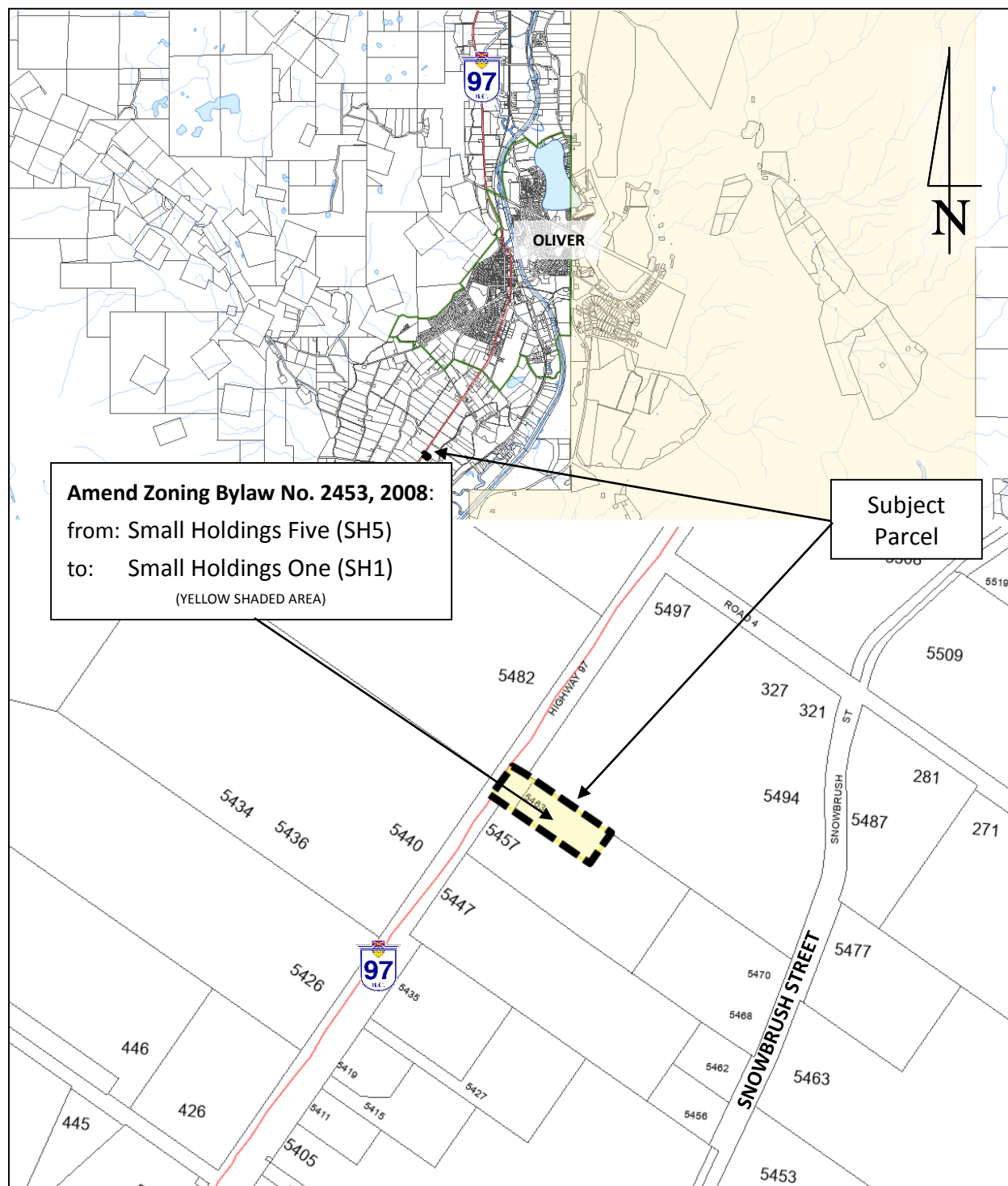
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101 Martin St, Penticton, BC, V2A-5J9

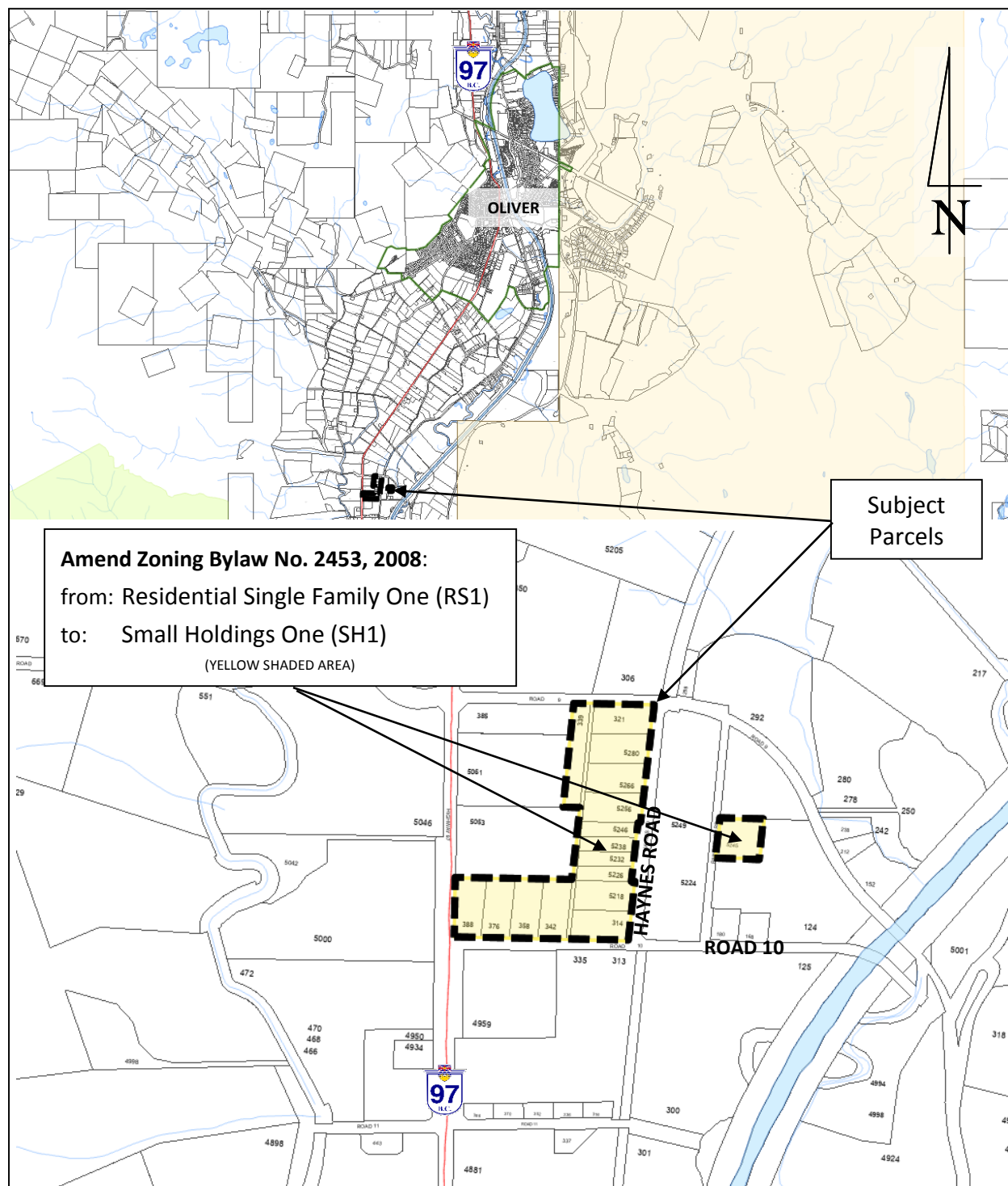
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File No. X2020.005-ZONE

Schedule 'C-225'



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

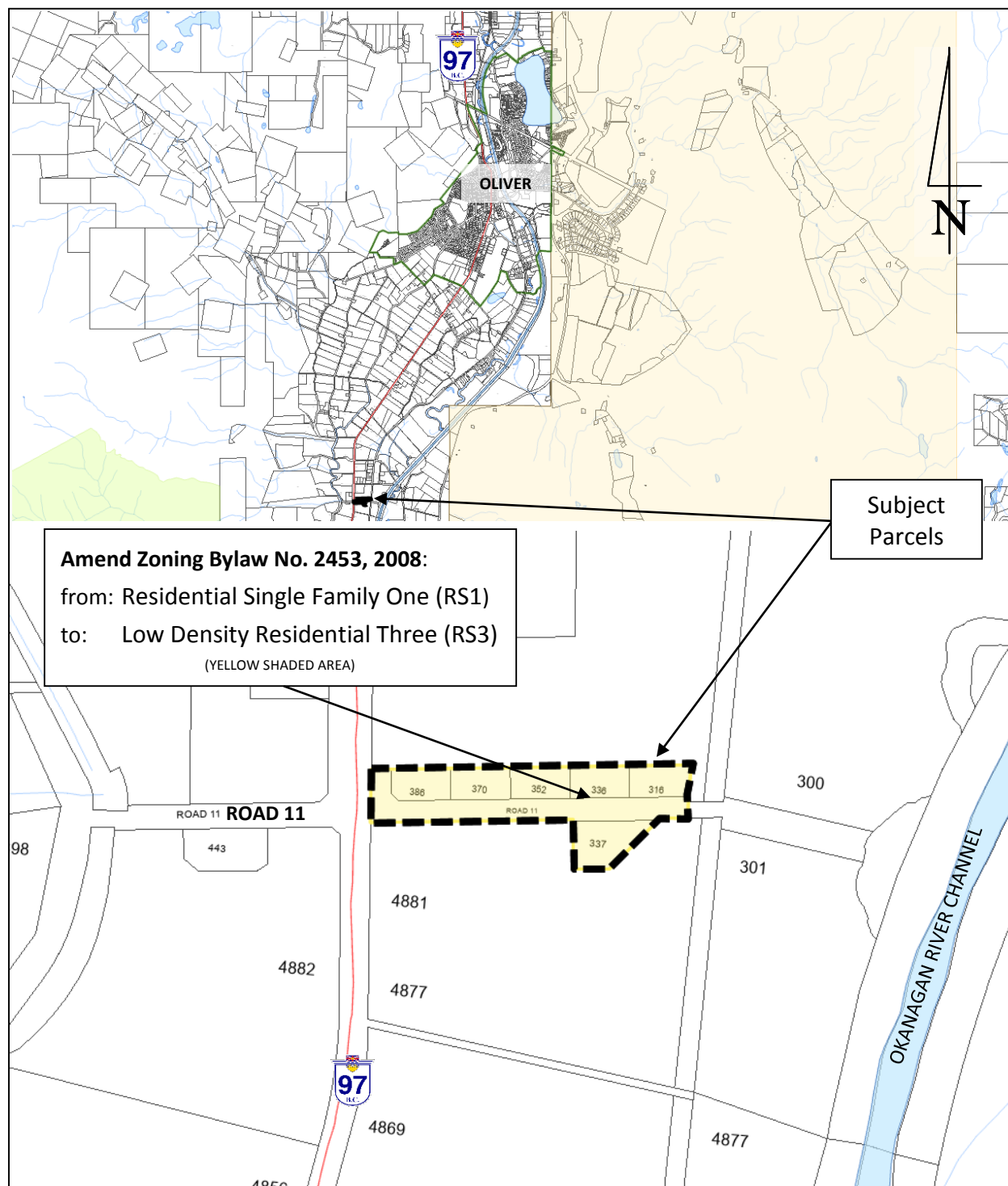
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File No. X2020.005-ZONE

Schedule 'C-226'



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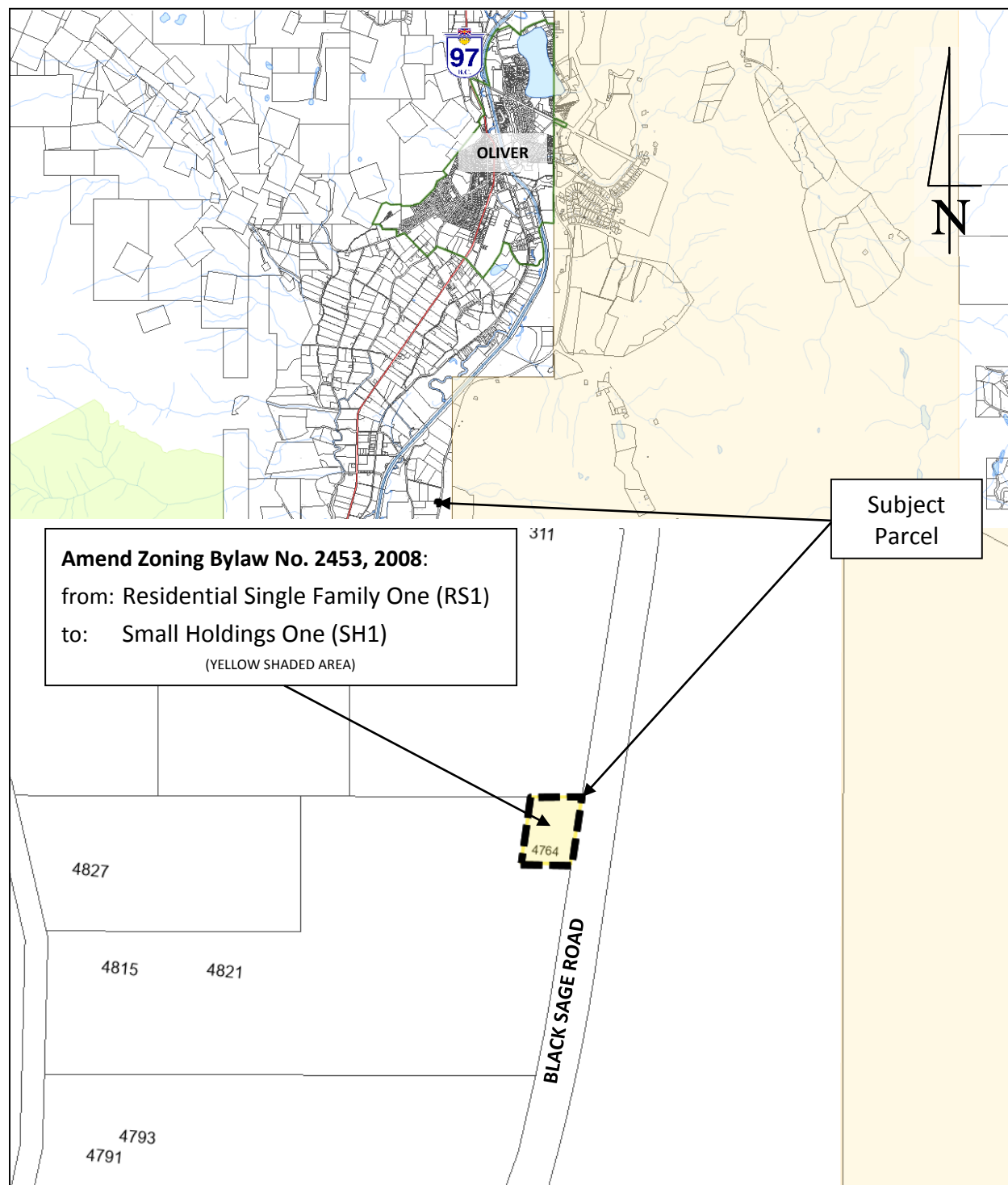
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-227'



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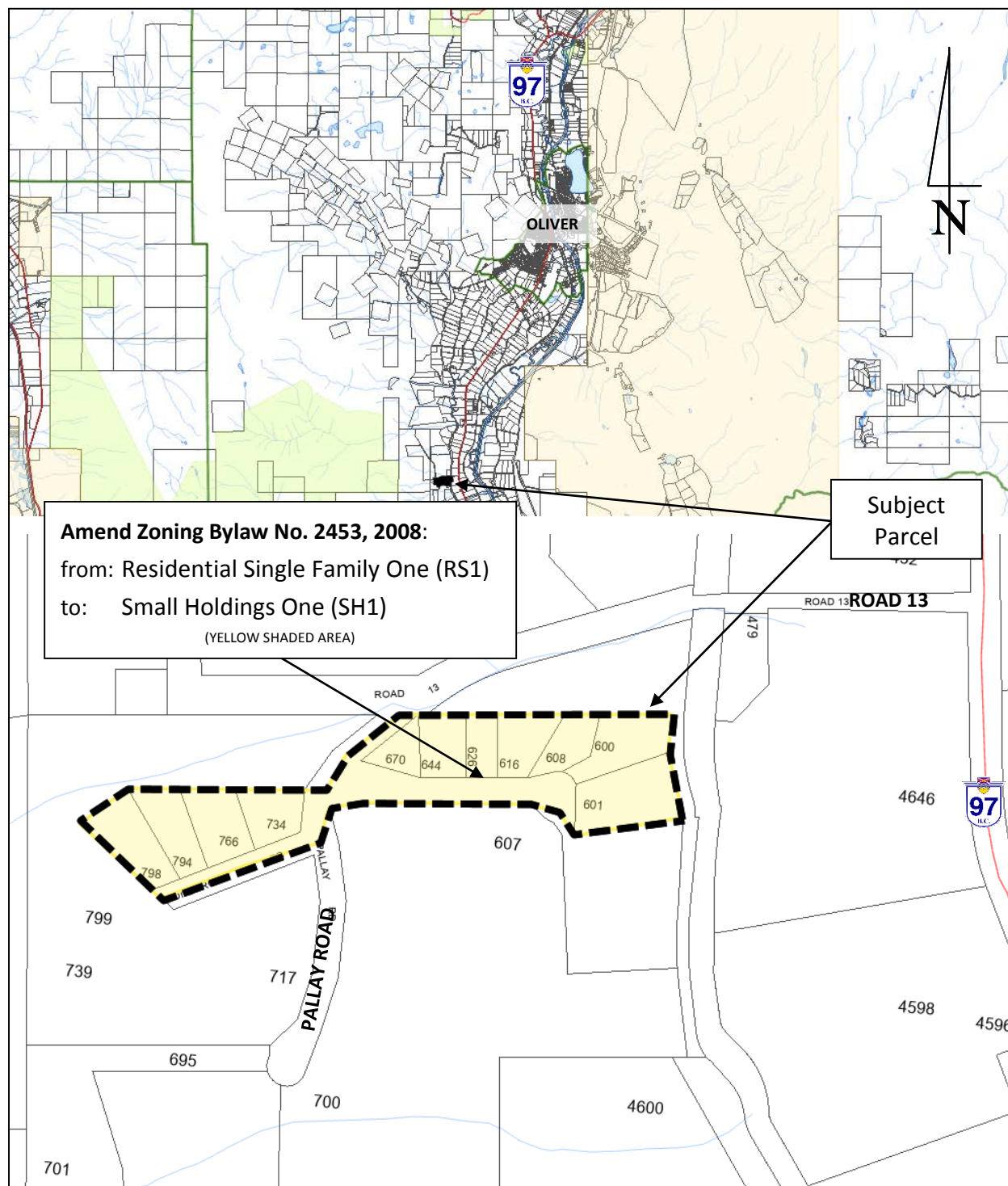
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'C-228'



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

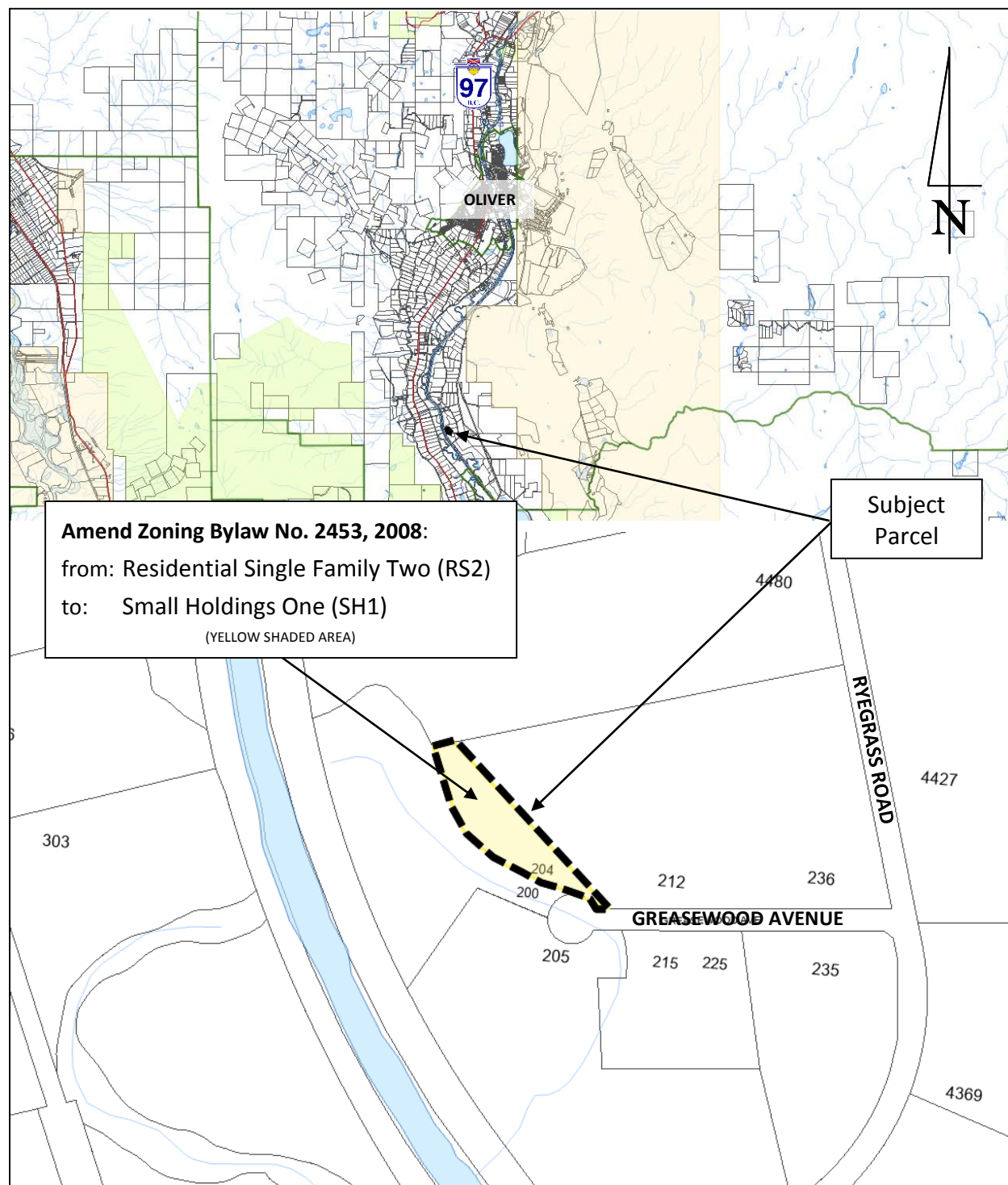
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File No. X2020.005-ZONE

Schedule 'C-229'



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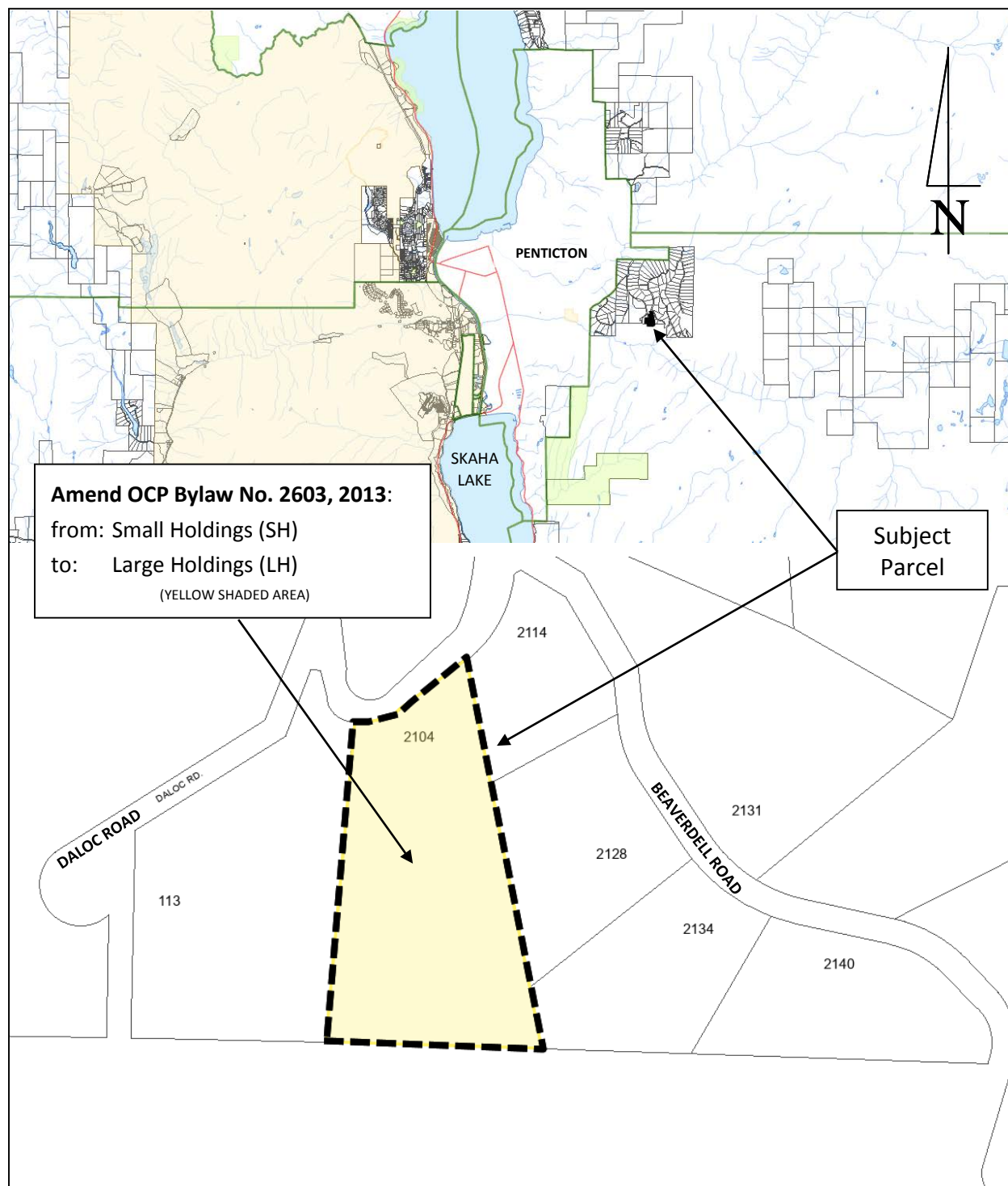
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'D-101'



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

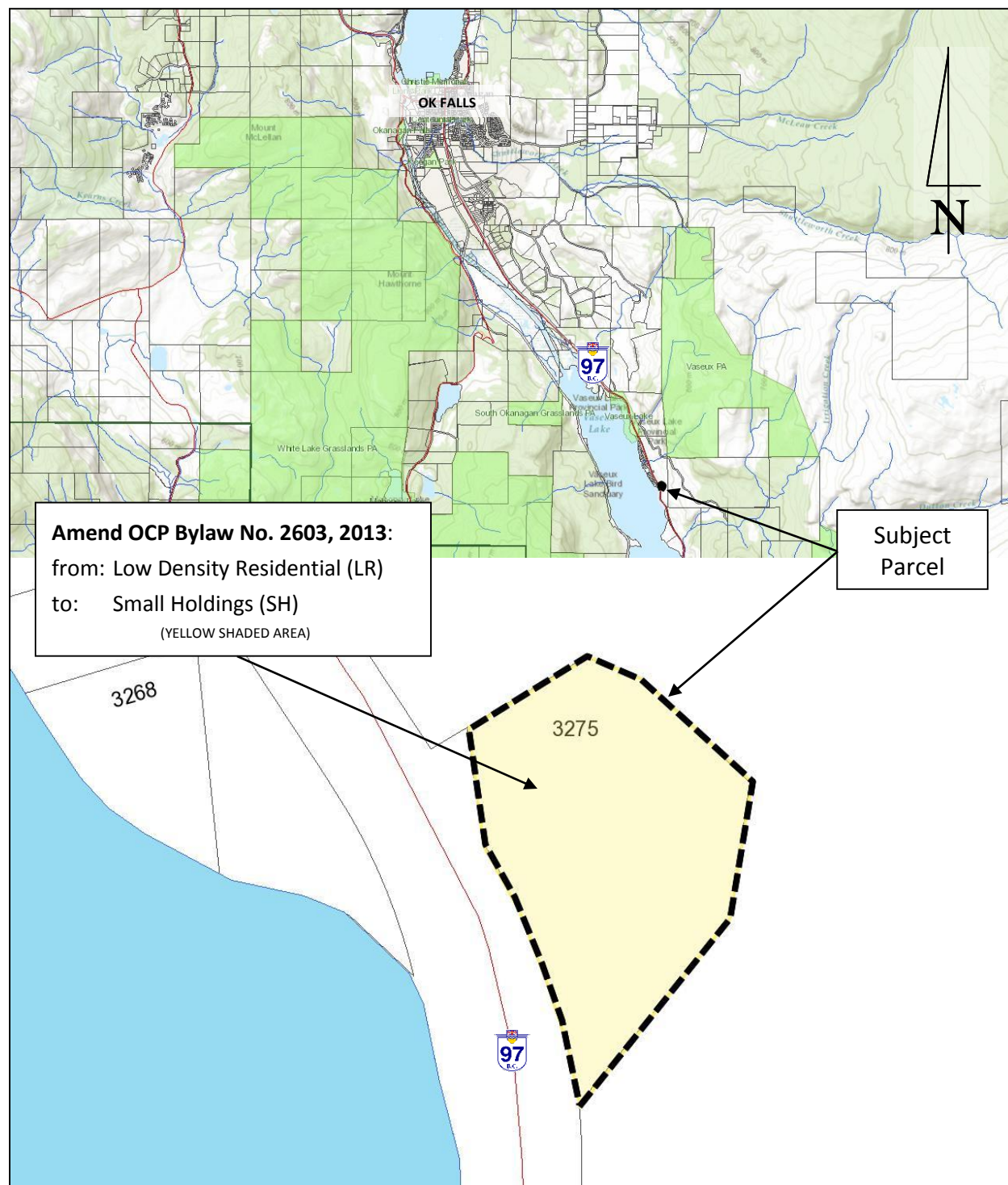
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File No. X2020.005-ZONE

Schedule 'D-102'



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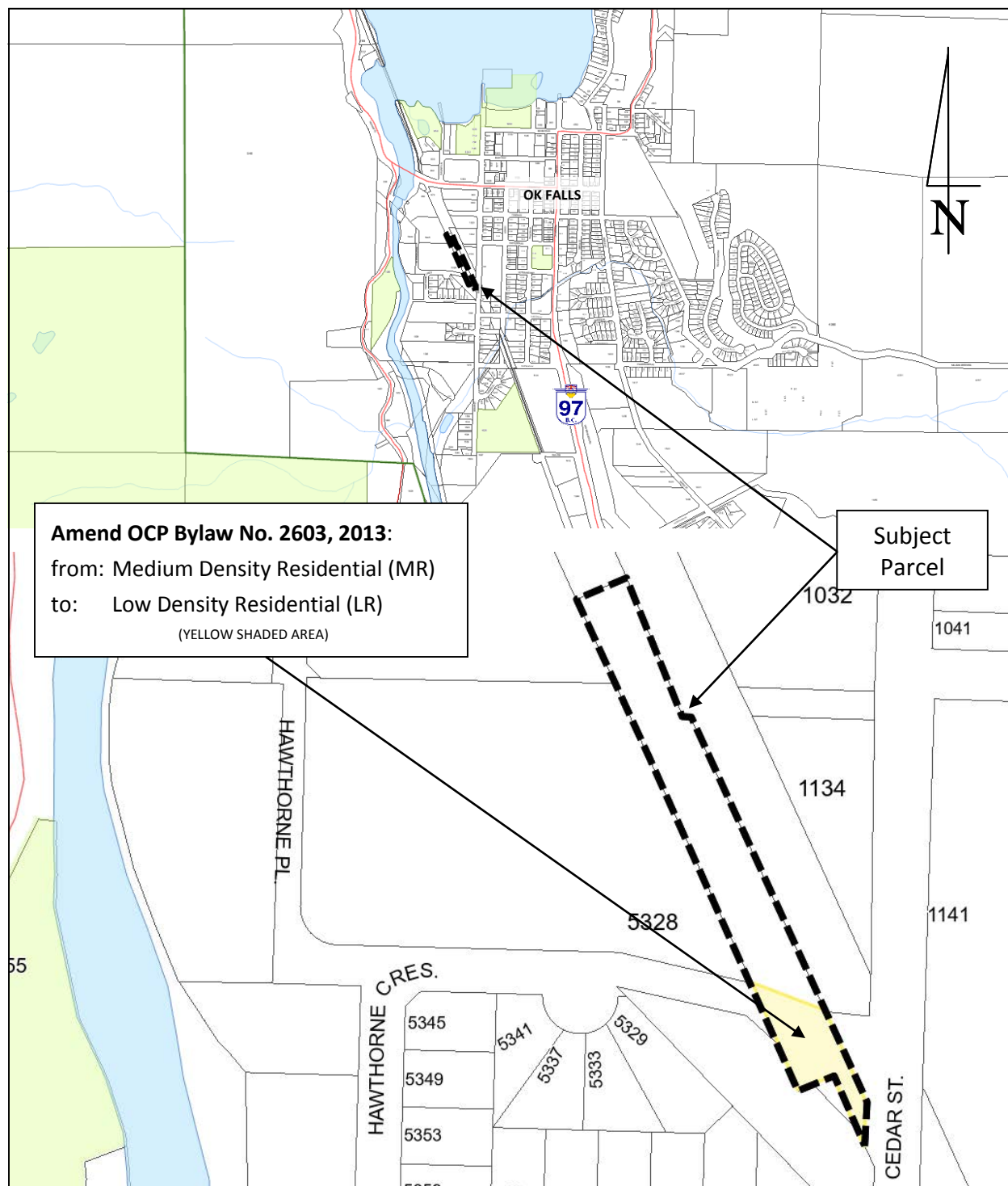
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'D-103'



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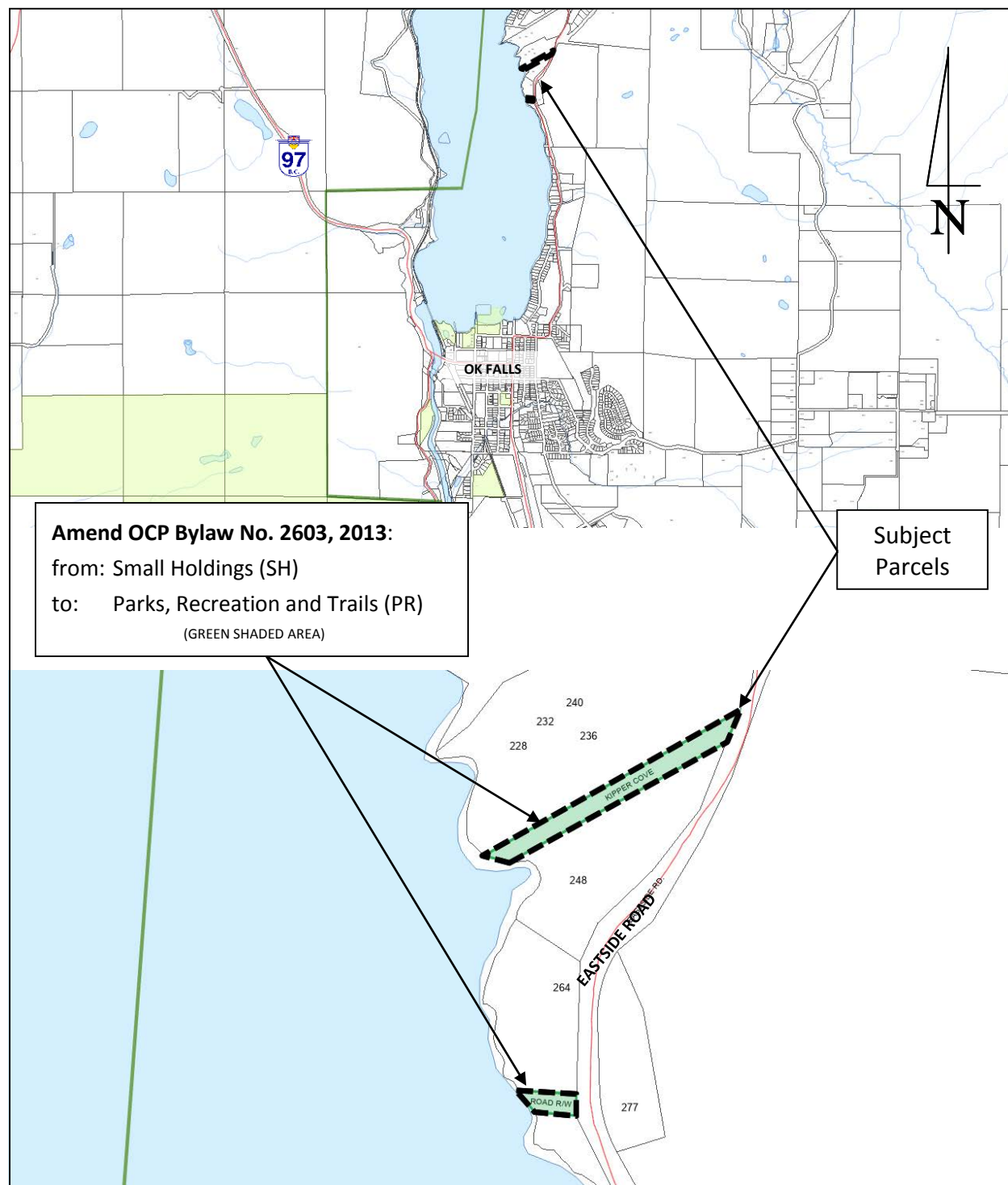
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'D-104'



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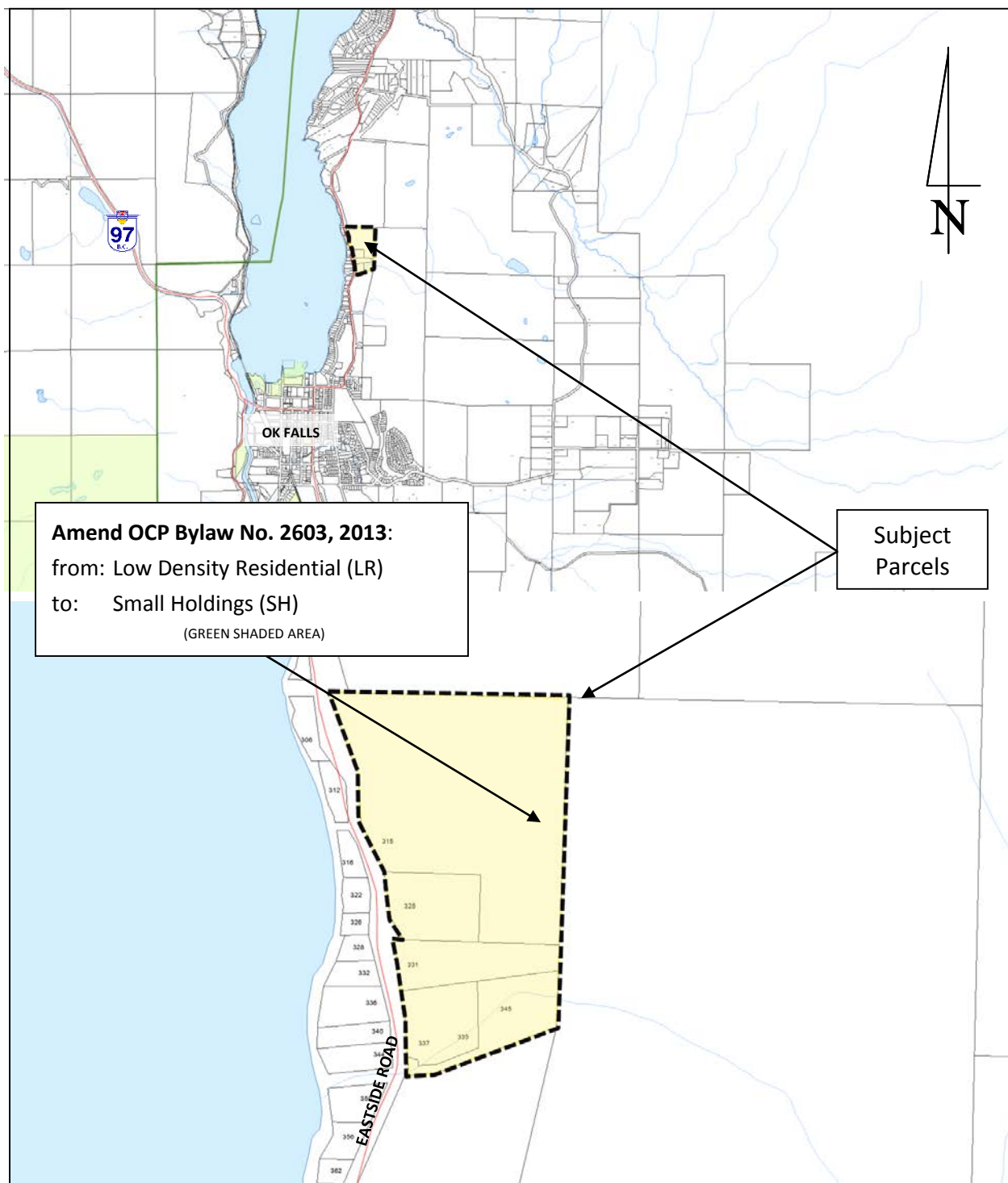
101 Martin St, Penticton, BC, V2A-5J9
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File No. X2020.005-ZONE

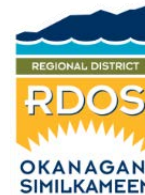
Schedule 'D-105'



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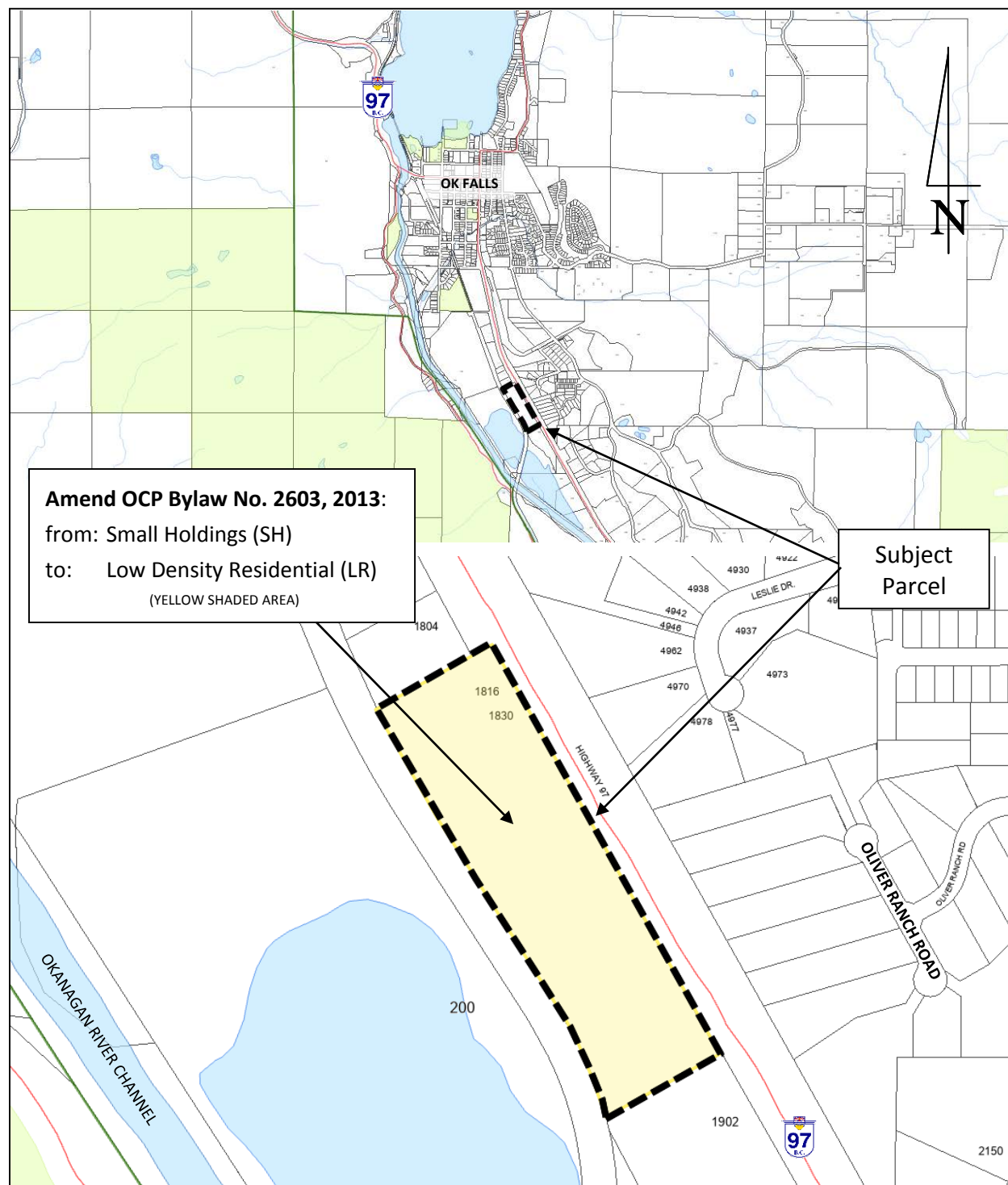
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'D-106



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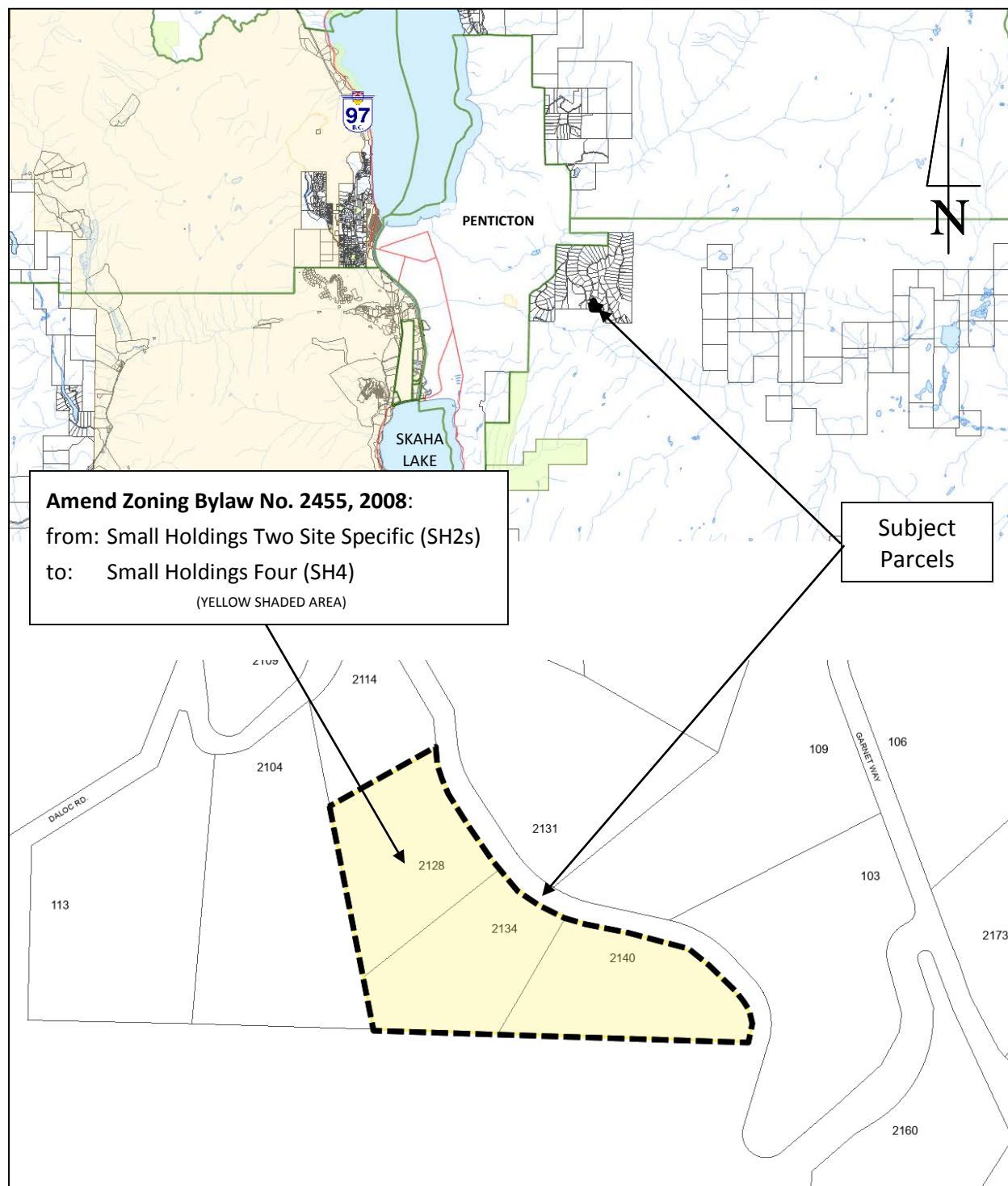
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'D-201'



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

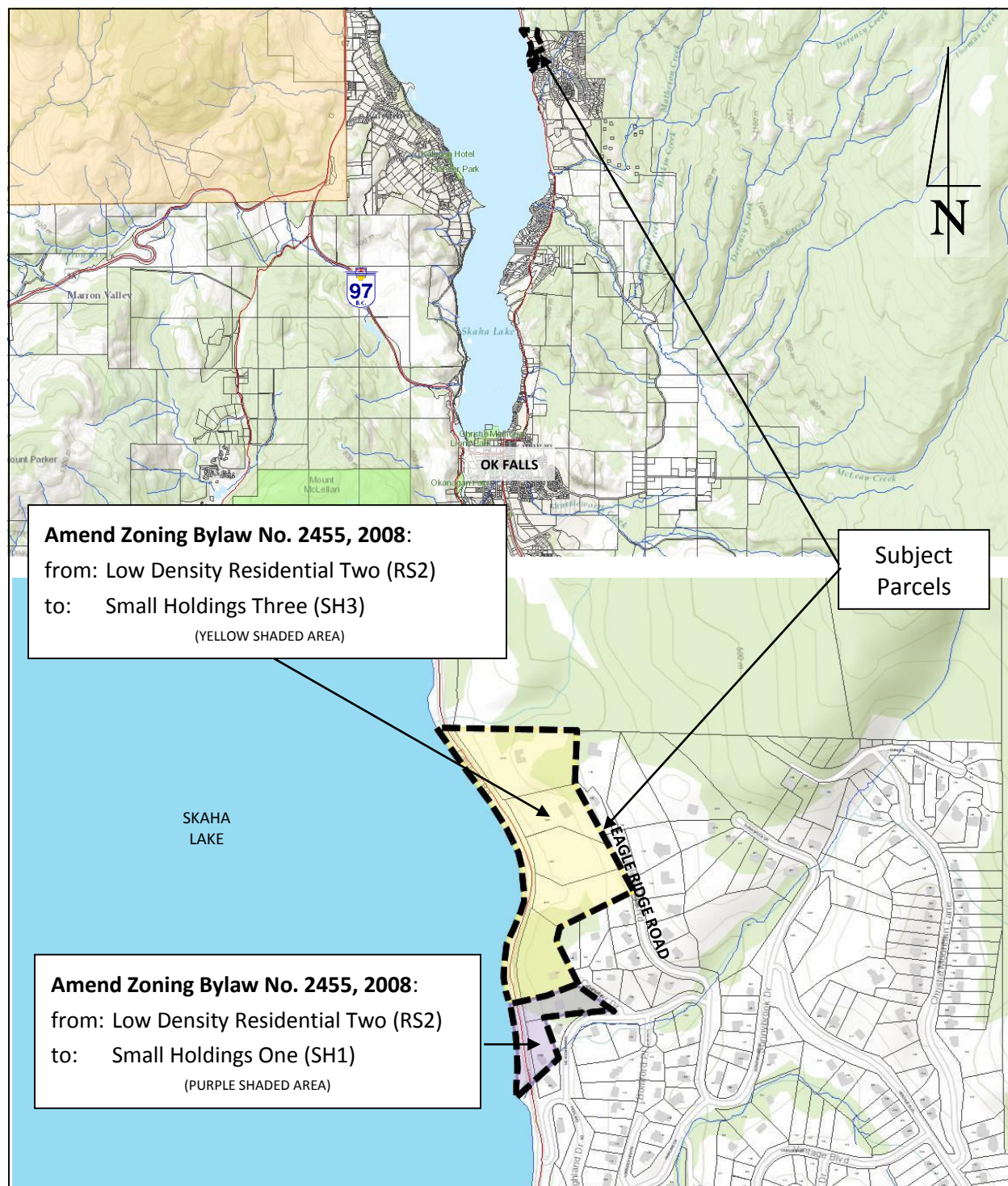
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File No. X2020.005-ZONE

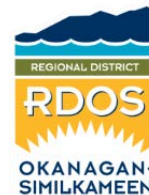
Schedule 'D-202'



Regional District of Okanagan-Similkameen

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

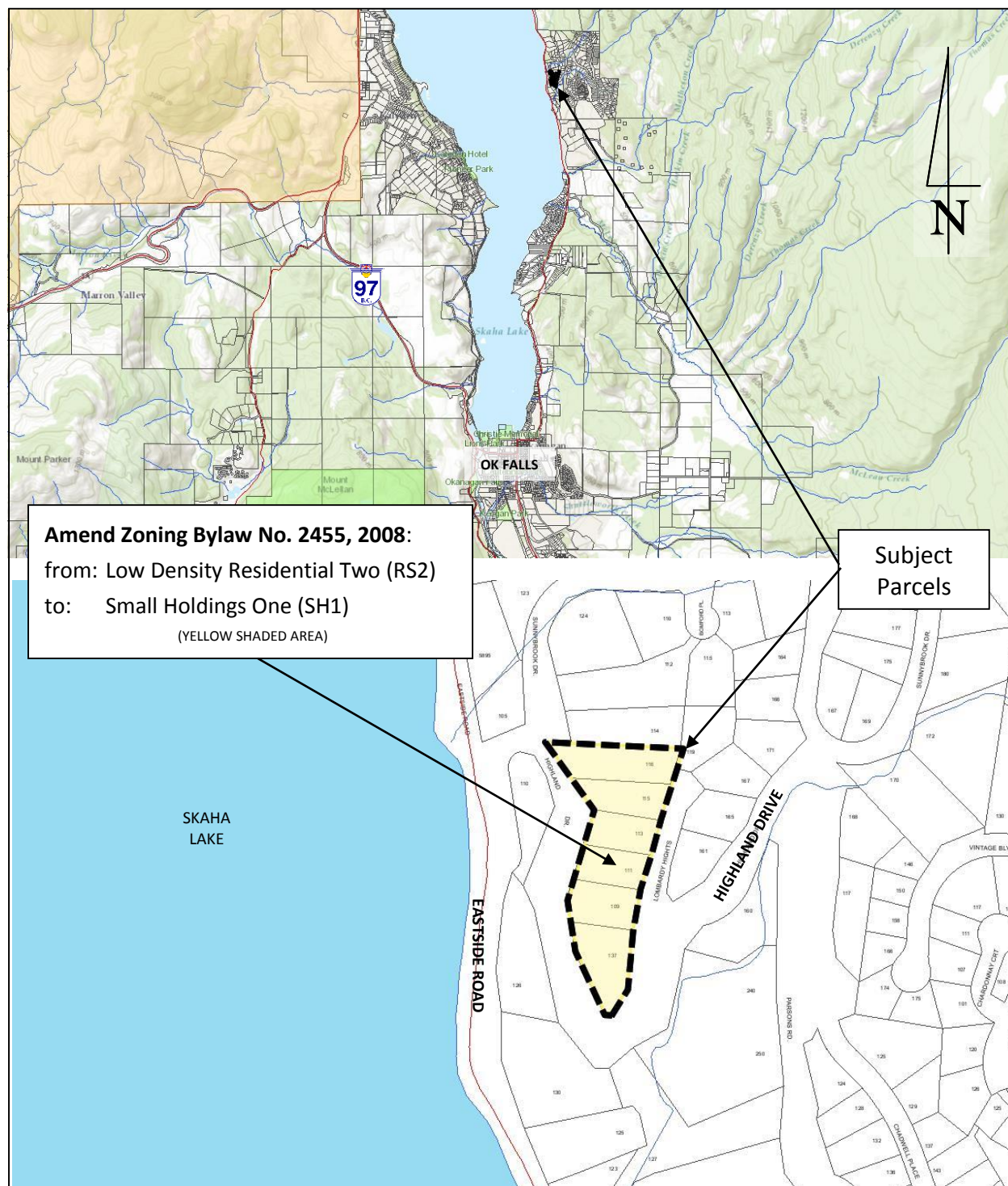
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'D-203'



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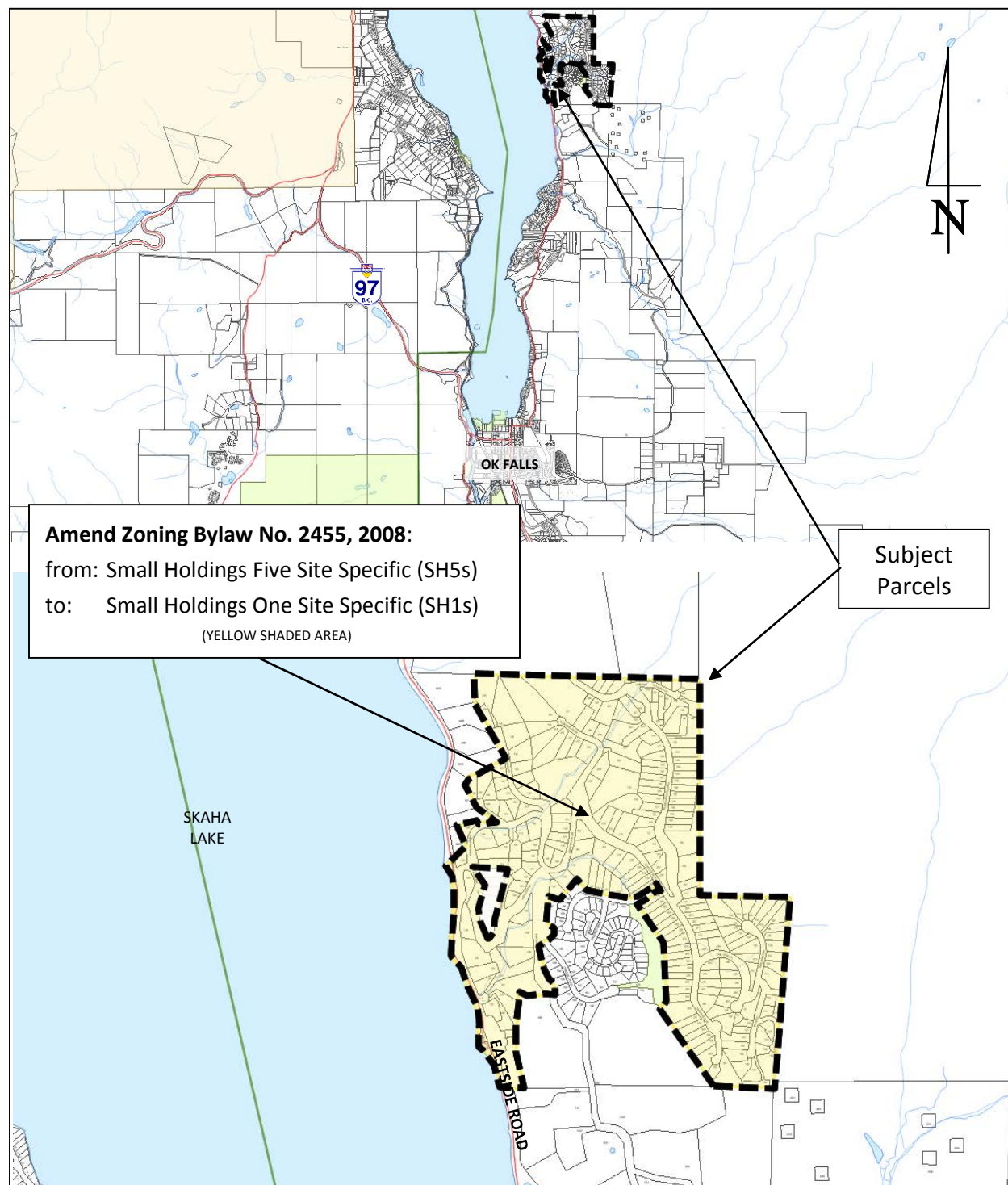
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File No. X2020.005-ZONE

Schedule 'D-204'

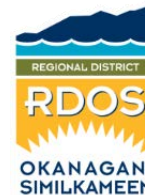


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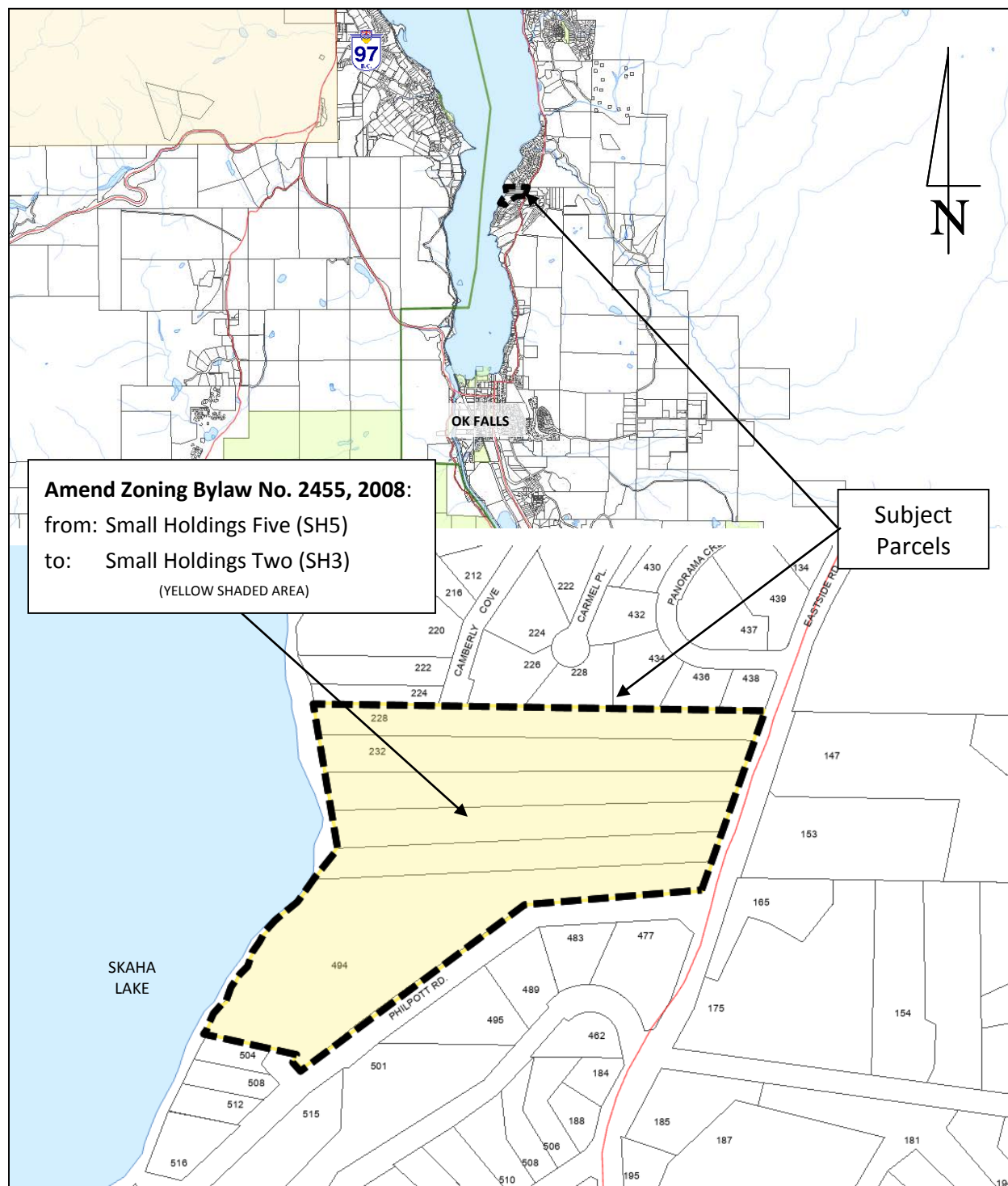
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Amendment Bylaw No. 2892, 2021

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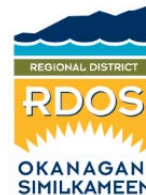
Schedule 'D-205'



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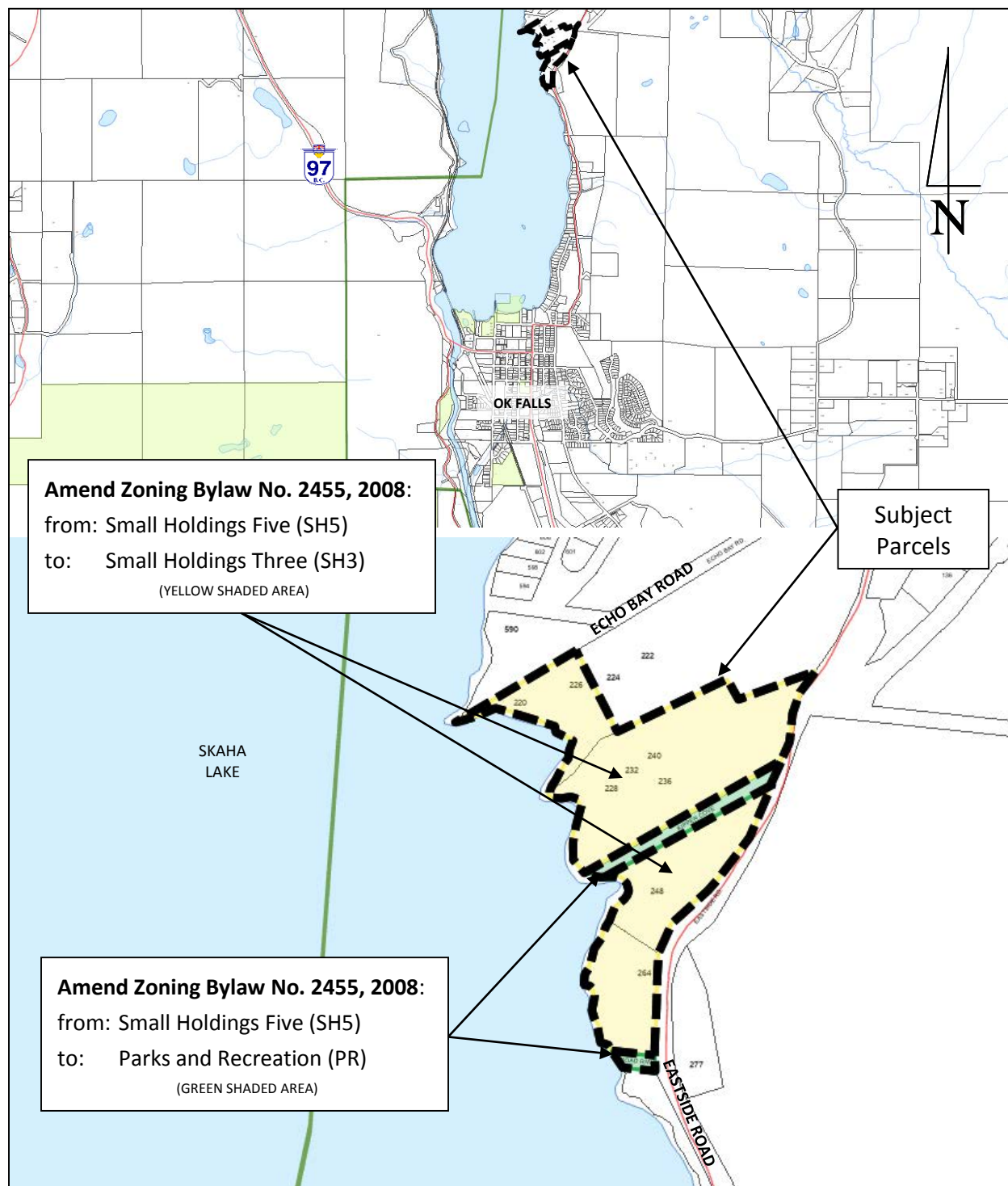
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

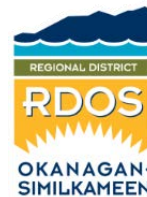
Schedule 'D-206'



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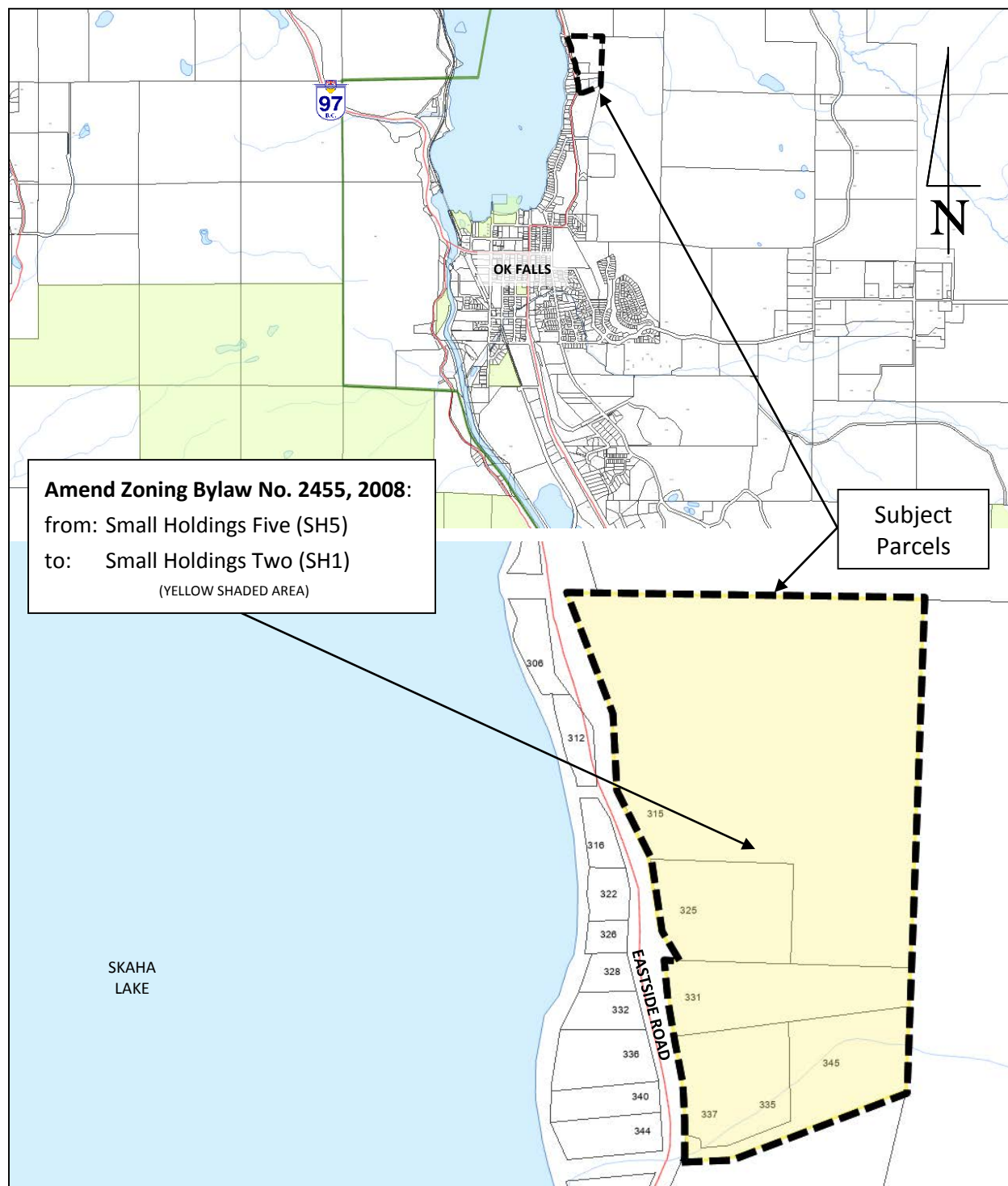
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'D-207'



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

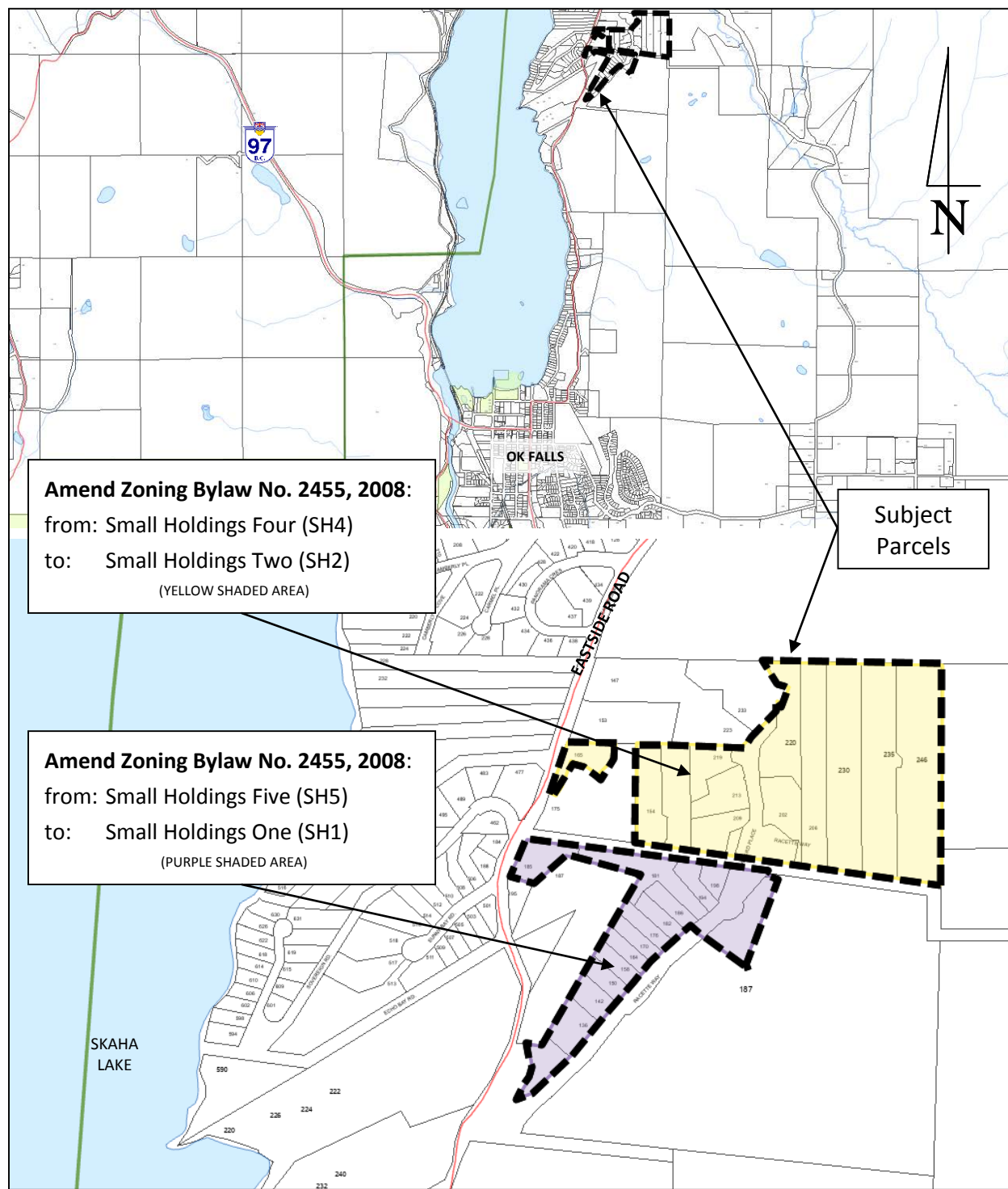
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

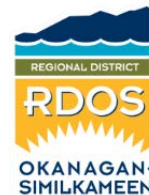
Schedule 'D-208'



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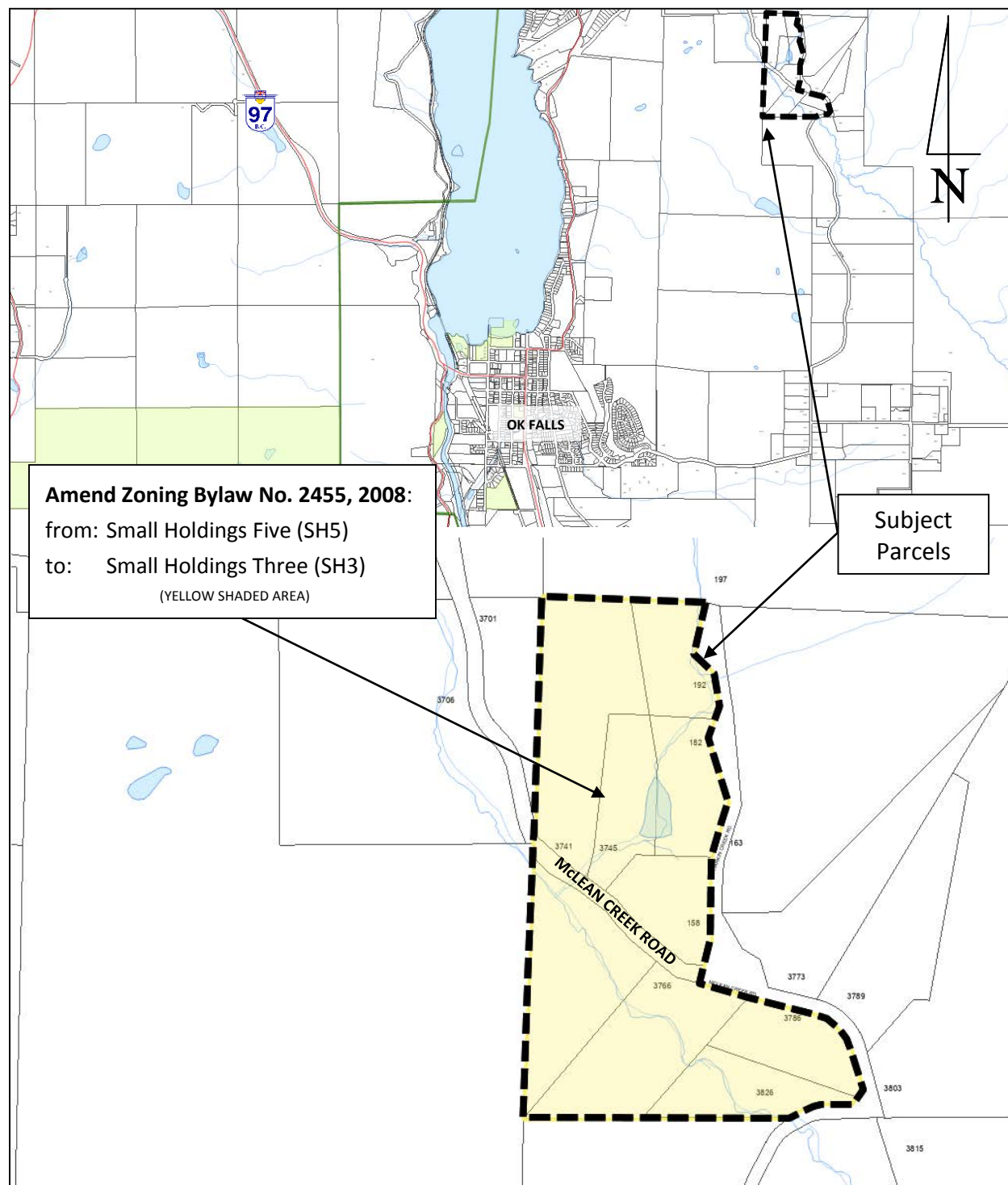
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

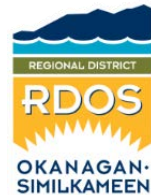
Schedule 'D-209'



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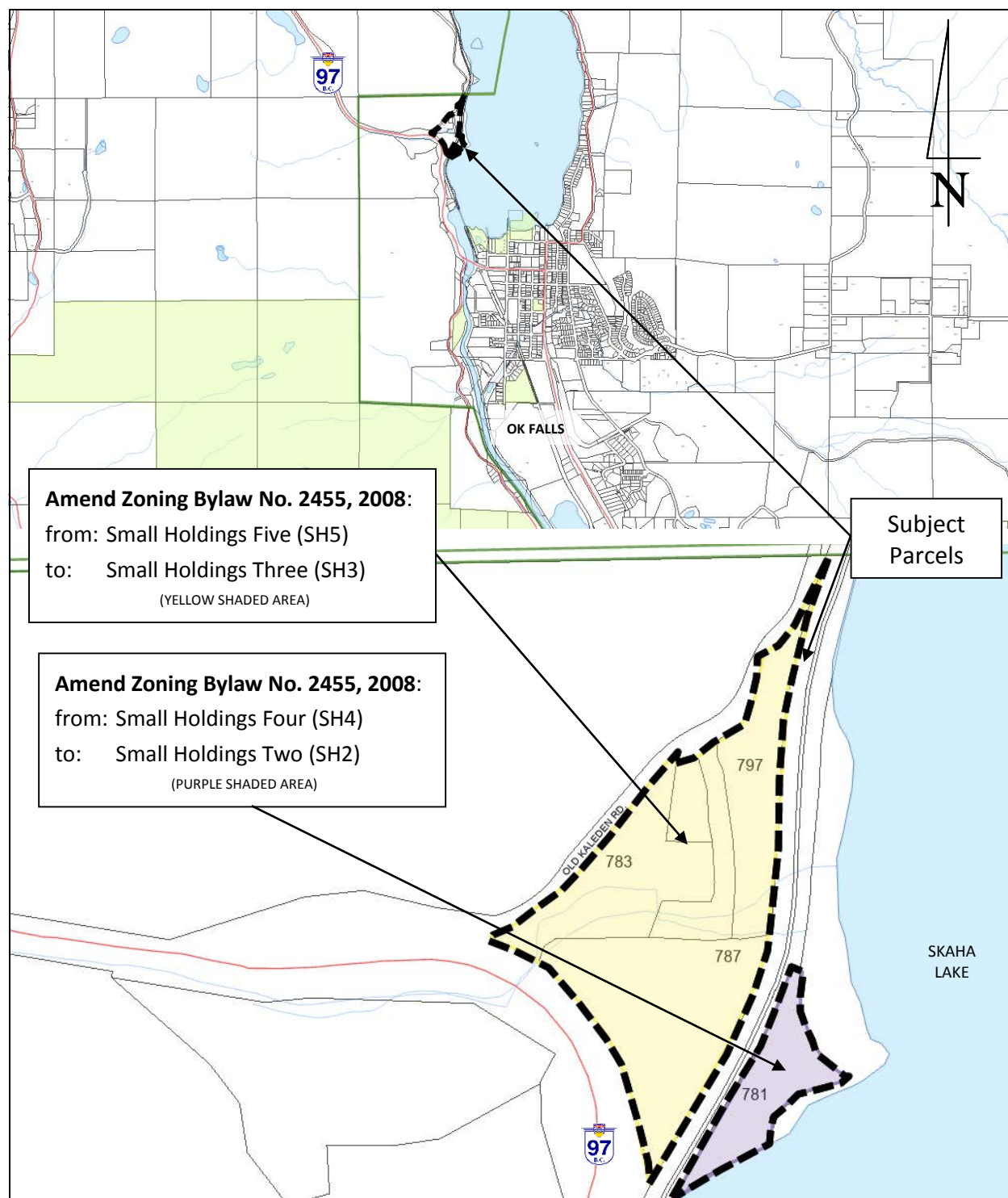
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

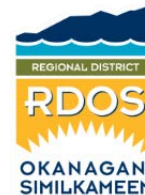
Schedule 'D-210'



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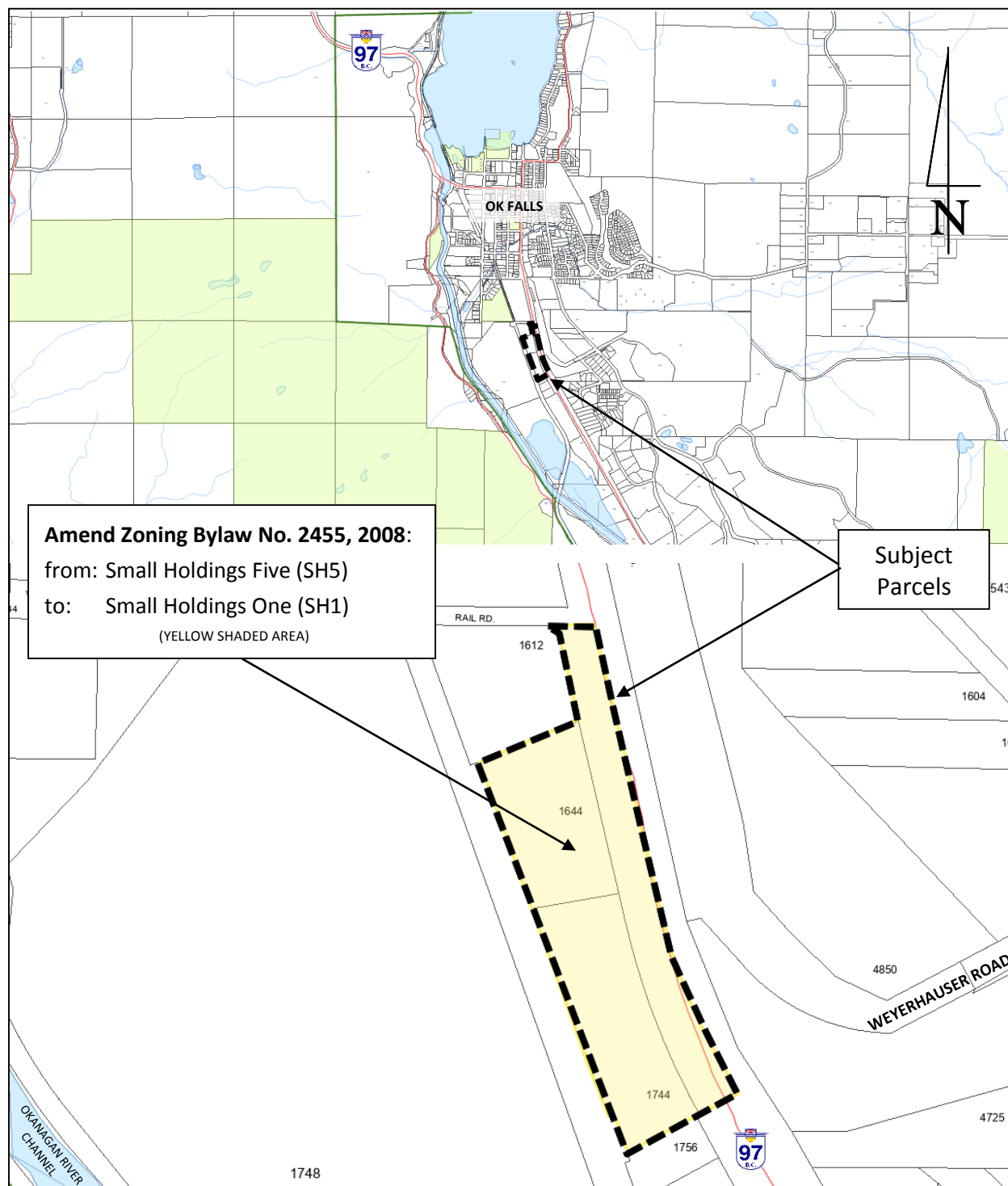
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

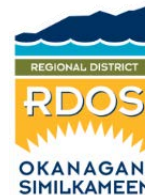
Schedule 'D-211'



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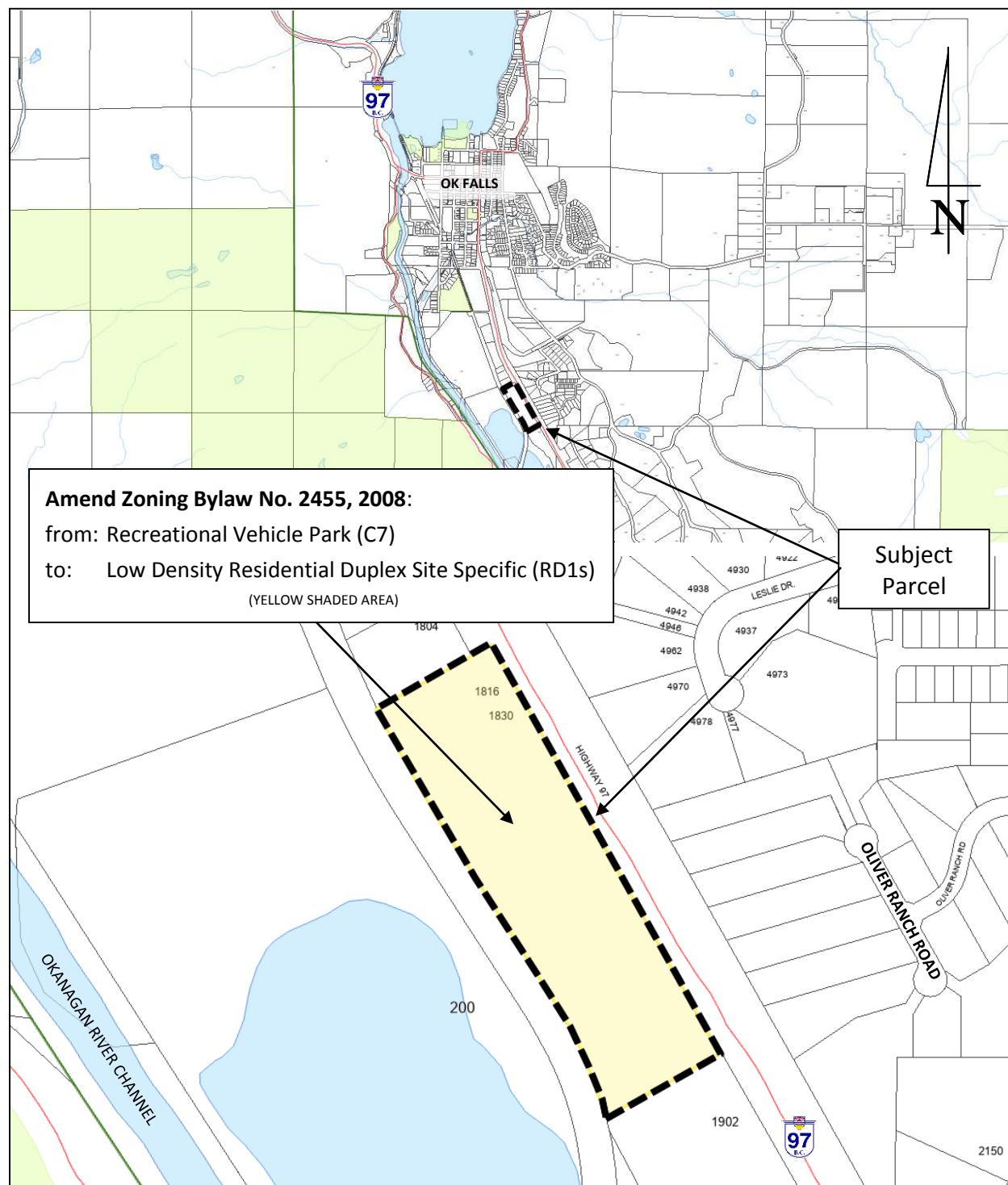
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

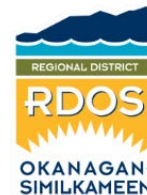
Schedule 'D-212'



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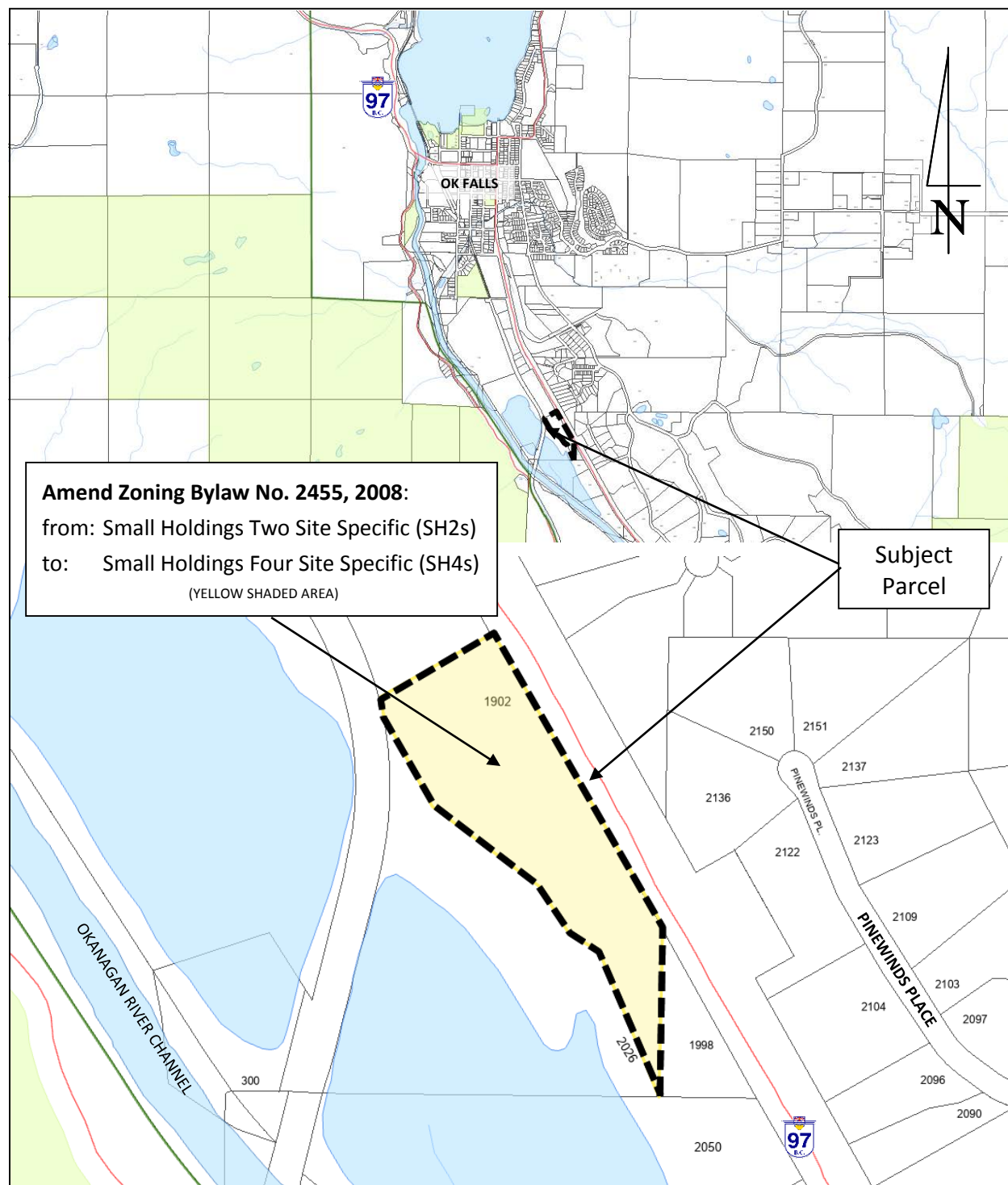
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'D-213'



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

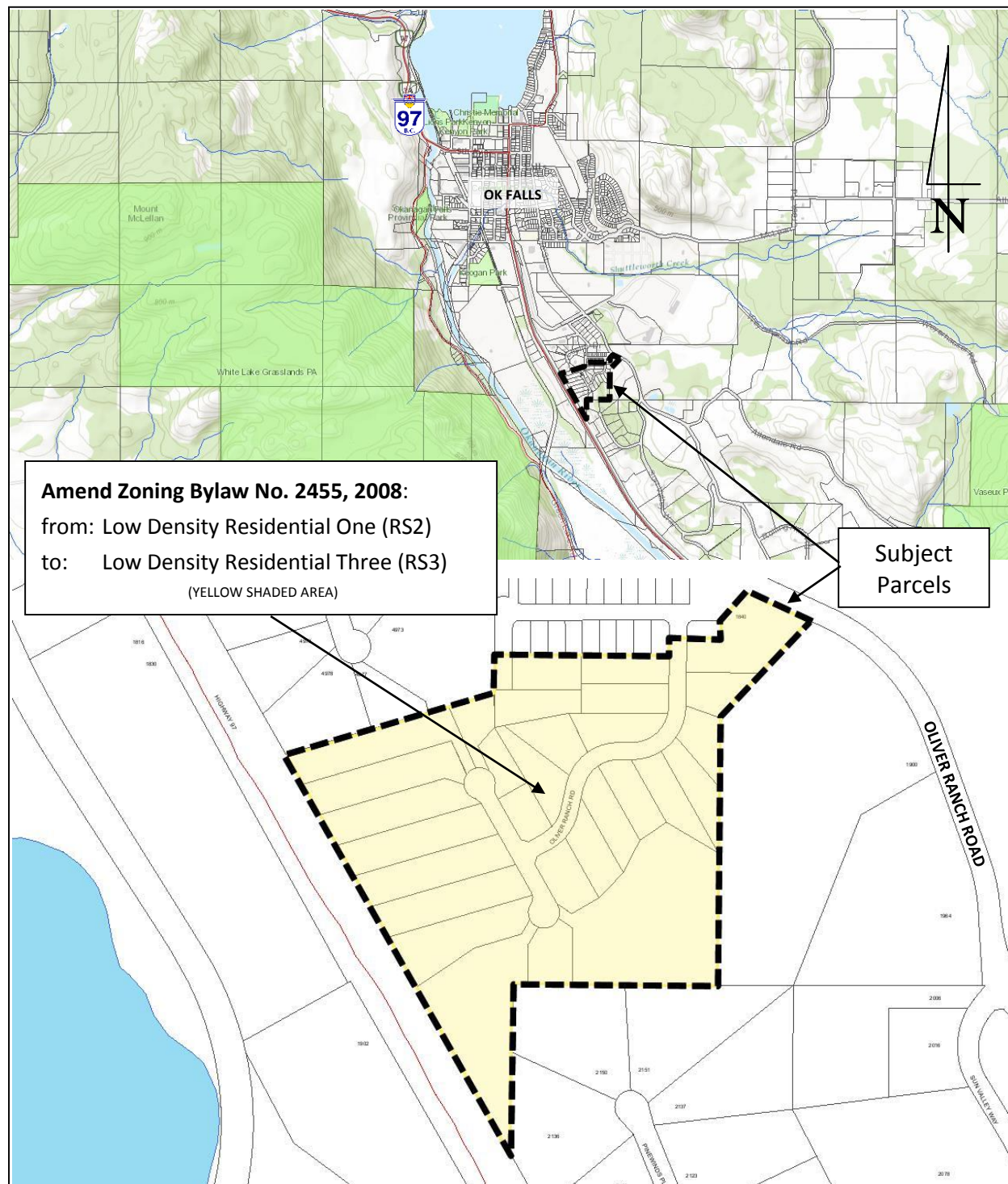
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'D-214'



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

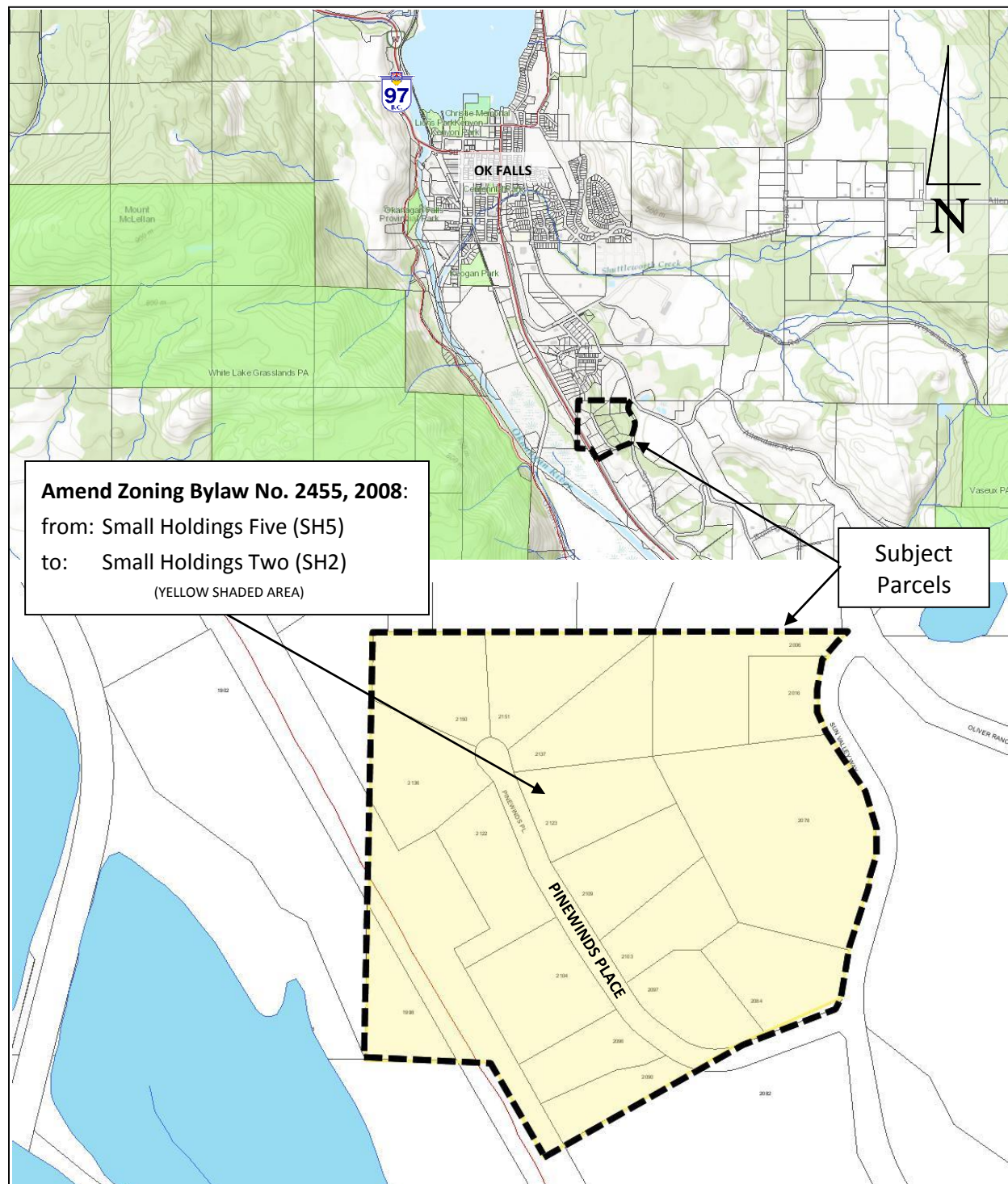
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Schedule 'D-215'



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

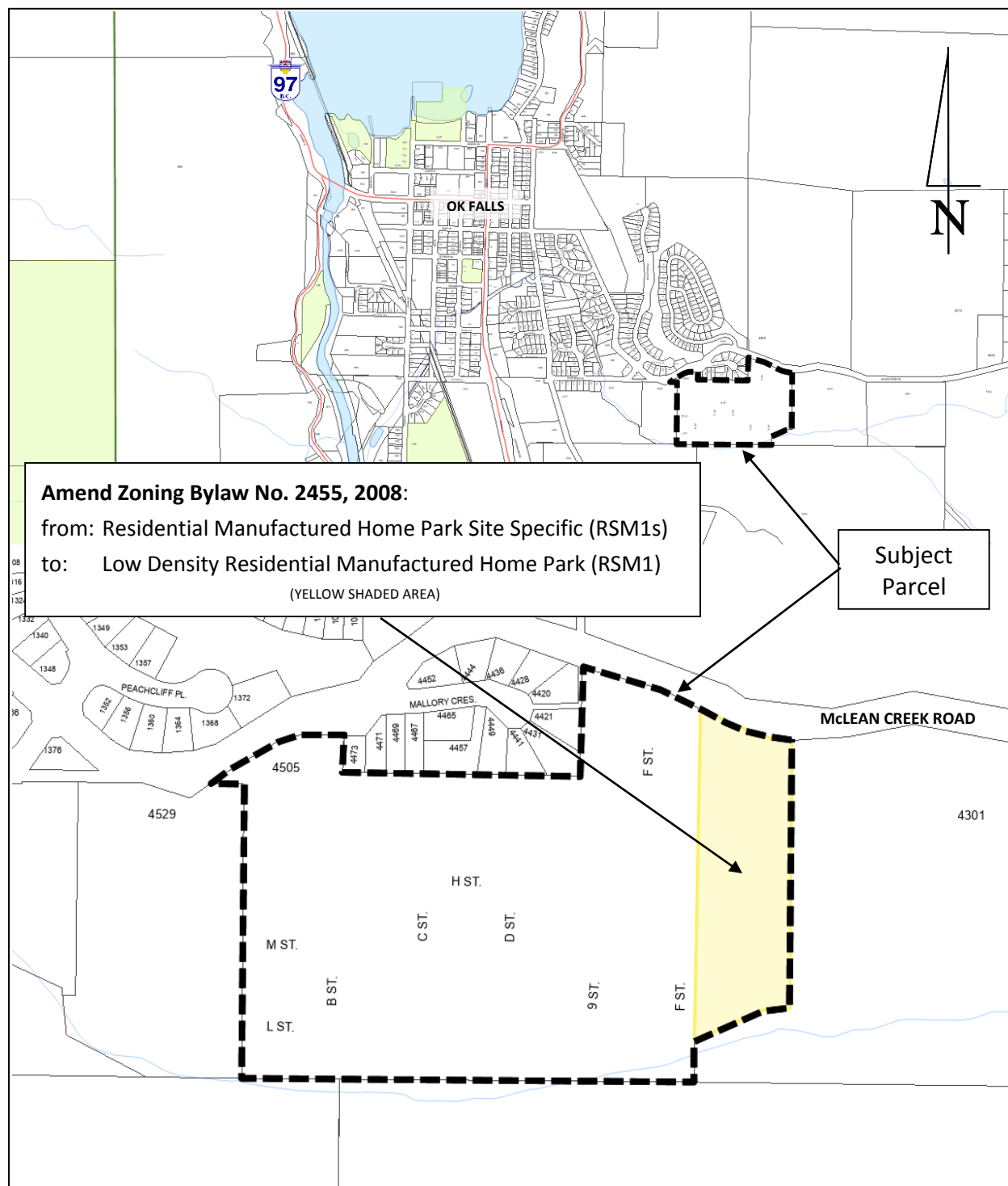
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Schedule 'D-216'



Amendment Bylaw No. 2892, 2021

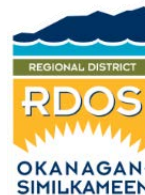
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101 Martin St, Penticton, BC, V2A-5J9

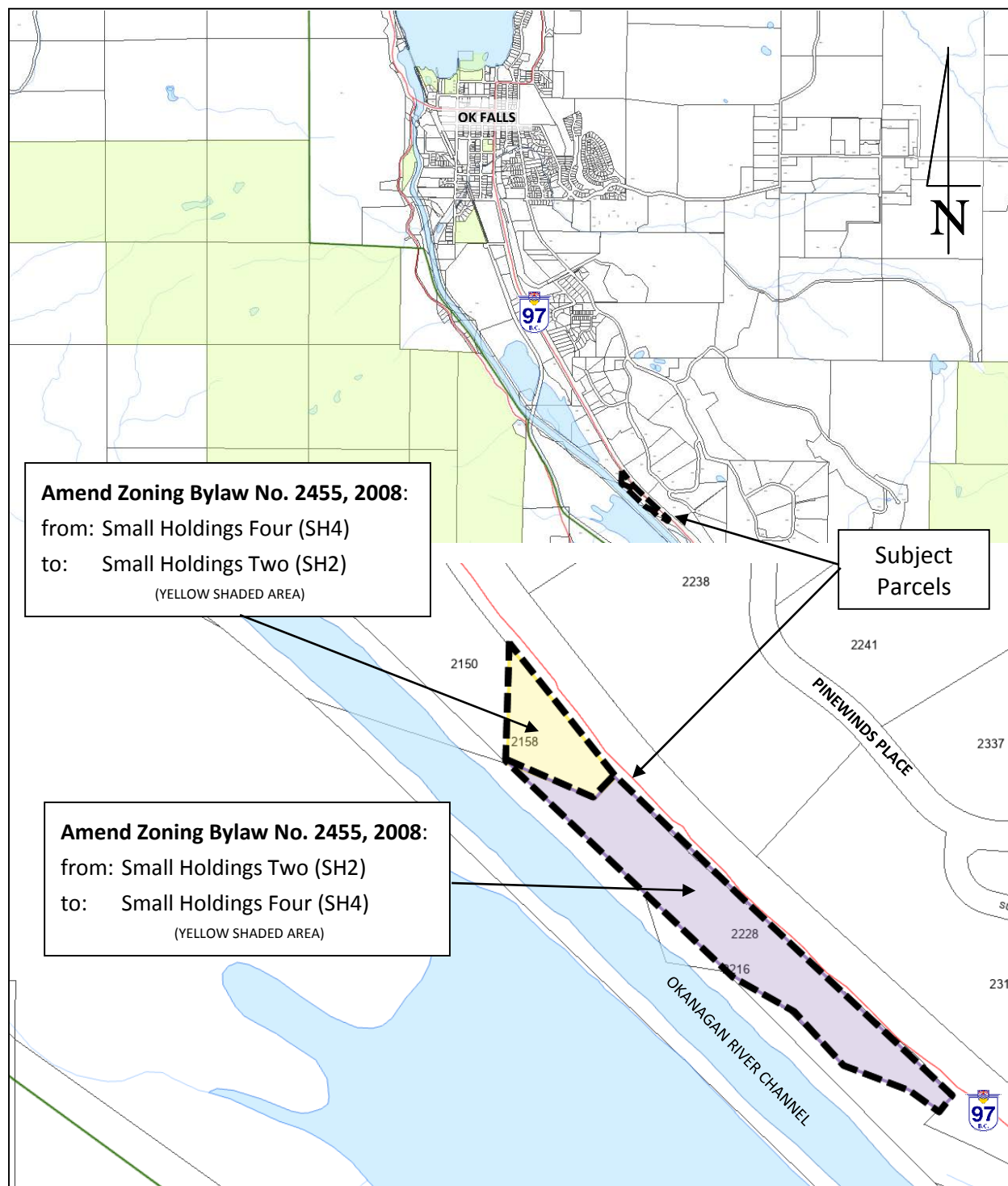
Tel: 250-492-0237 Email: info@rdos.bc.ca



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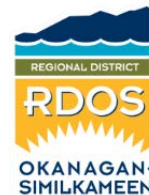
File No. X2020.005-ZONE

Schedule 'D-217'



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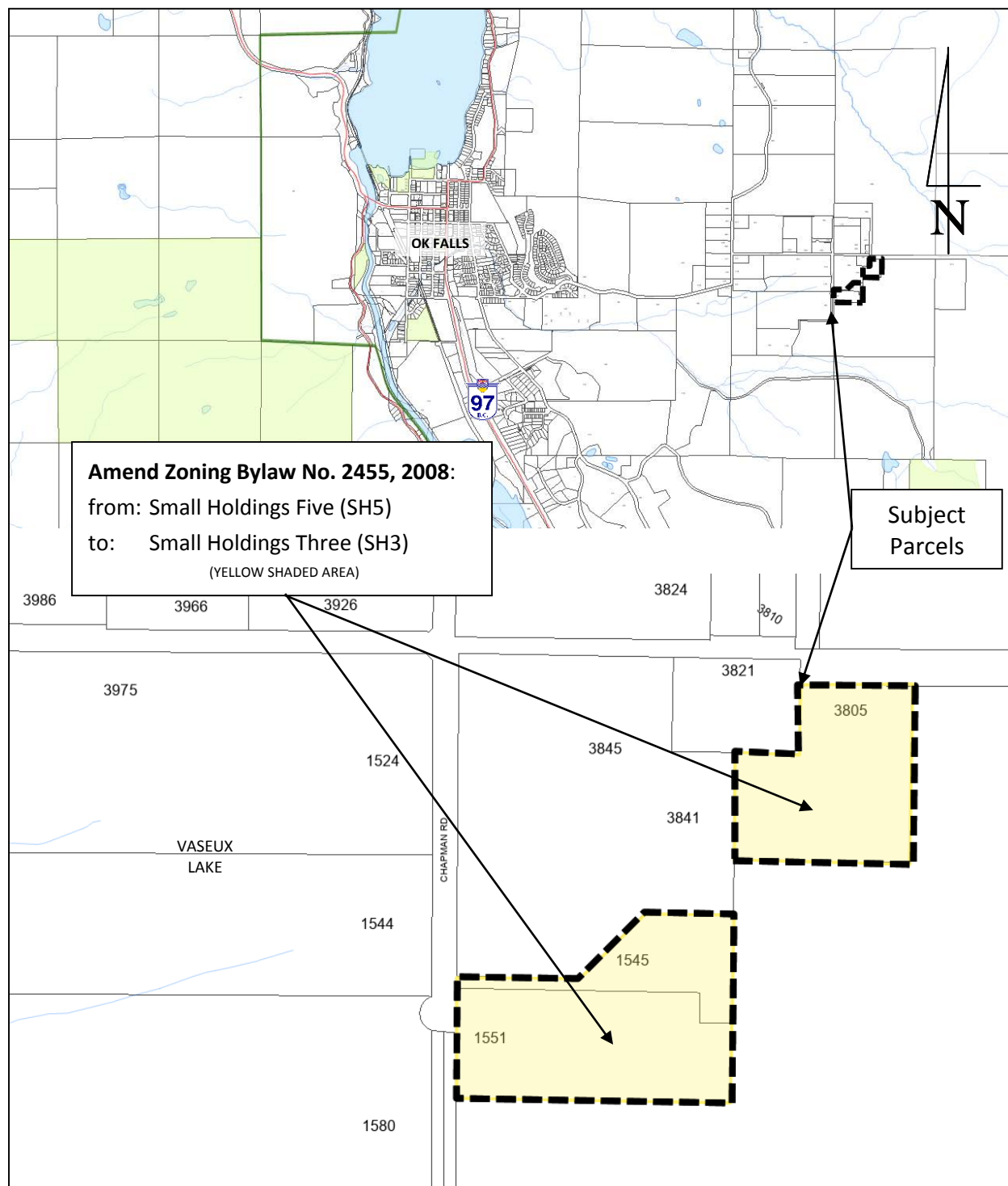
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'D-218'

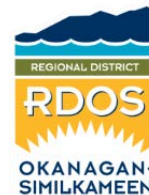


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101 Martin St, Penticton, BC, V2A-5J9

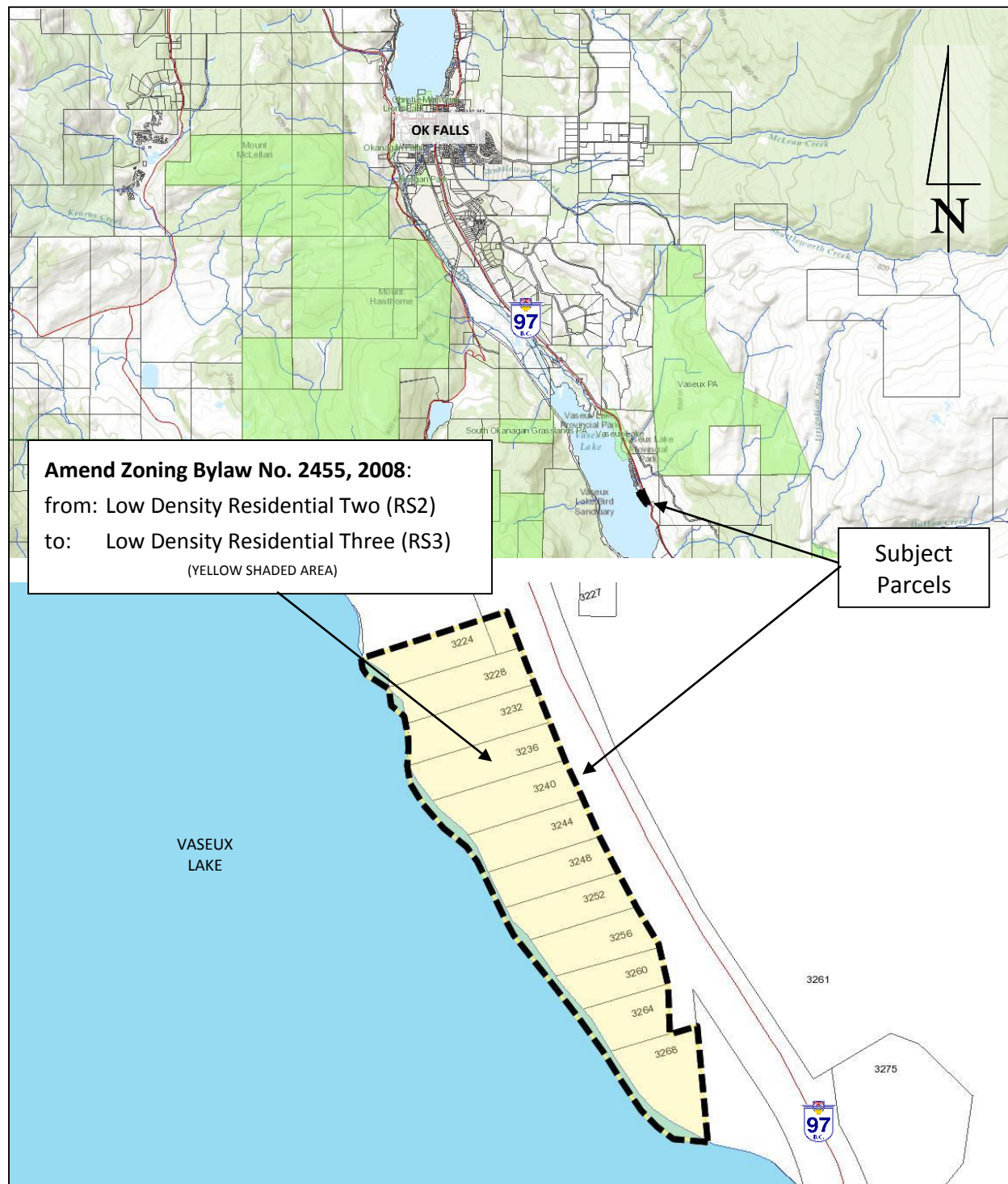
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File No. X2020.005-ZONE

Schedule 'D-219'

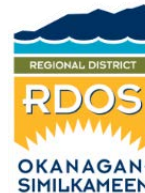


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101 Martin St, Penticton, BC, V2A-5J9

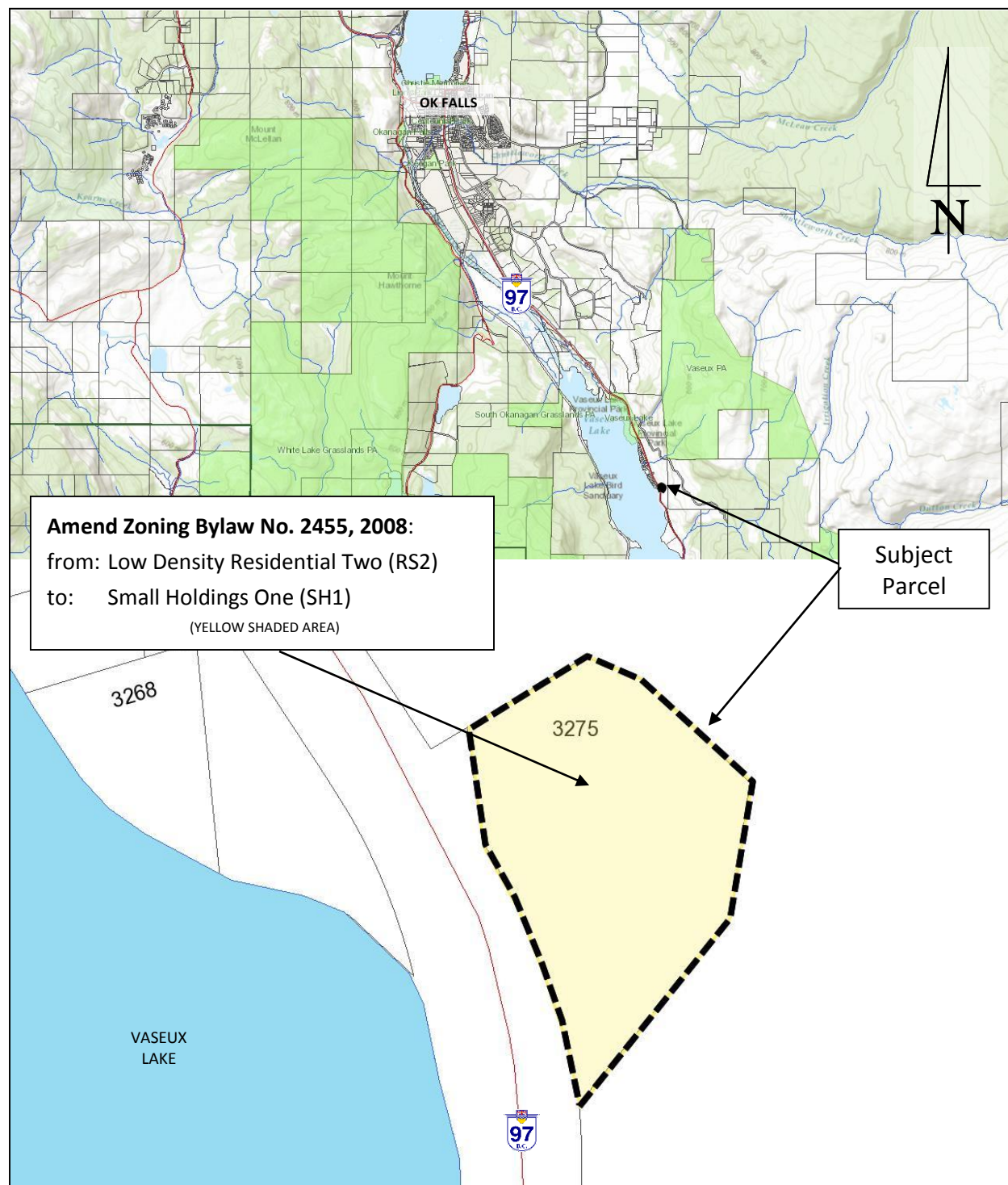
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File No. X2020.005-ZONE

Schedule 'D-220'



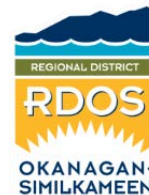
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101 Martin St, Penticton, BC, V2A-5J9

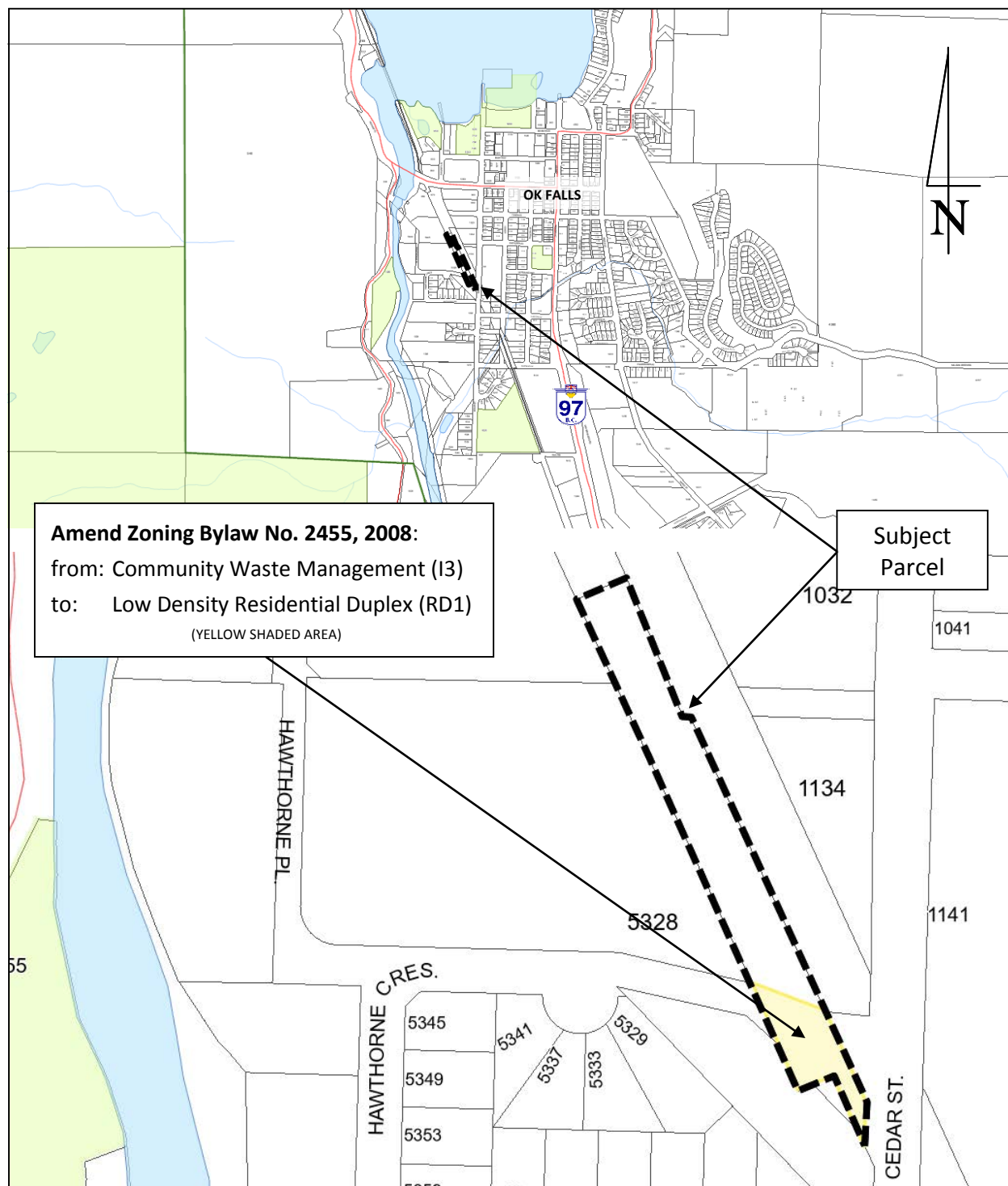
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File No. X2020.005-ZONE

Schedule 'D-221'



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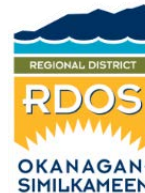
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101 Martin St, Penticton, BC, V2A-5J9

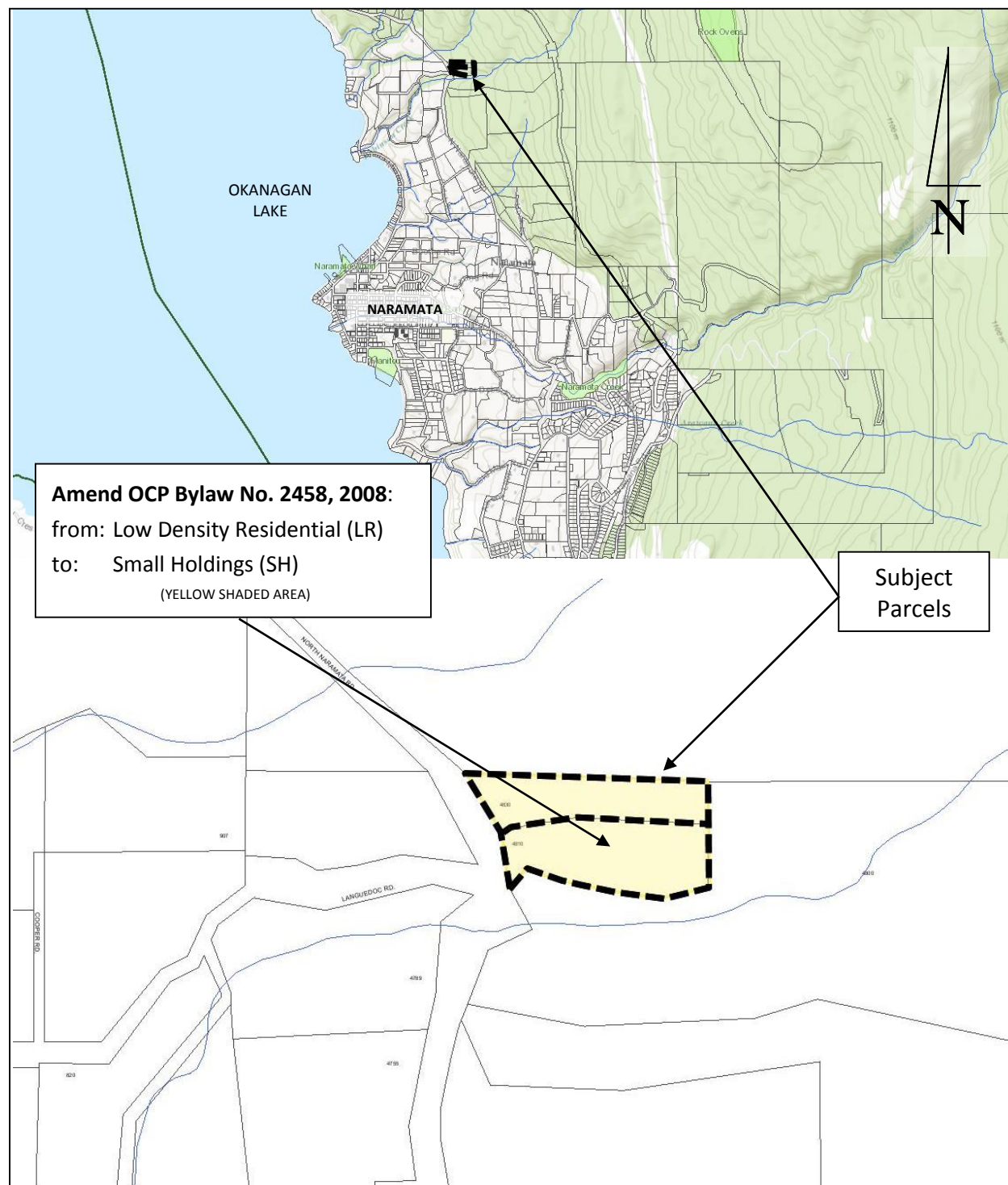
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File No. X2020.005-ZONE

Schedule 'E-101'



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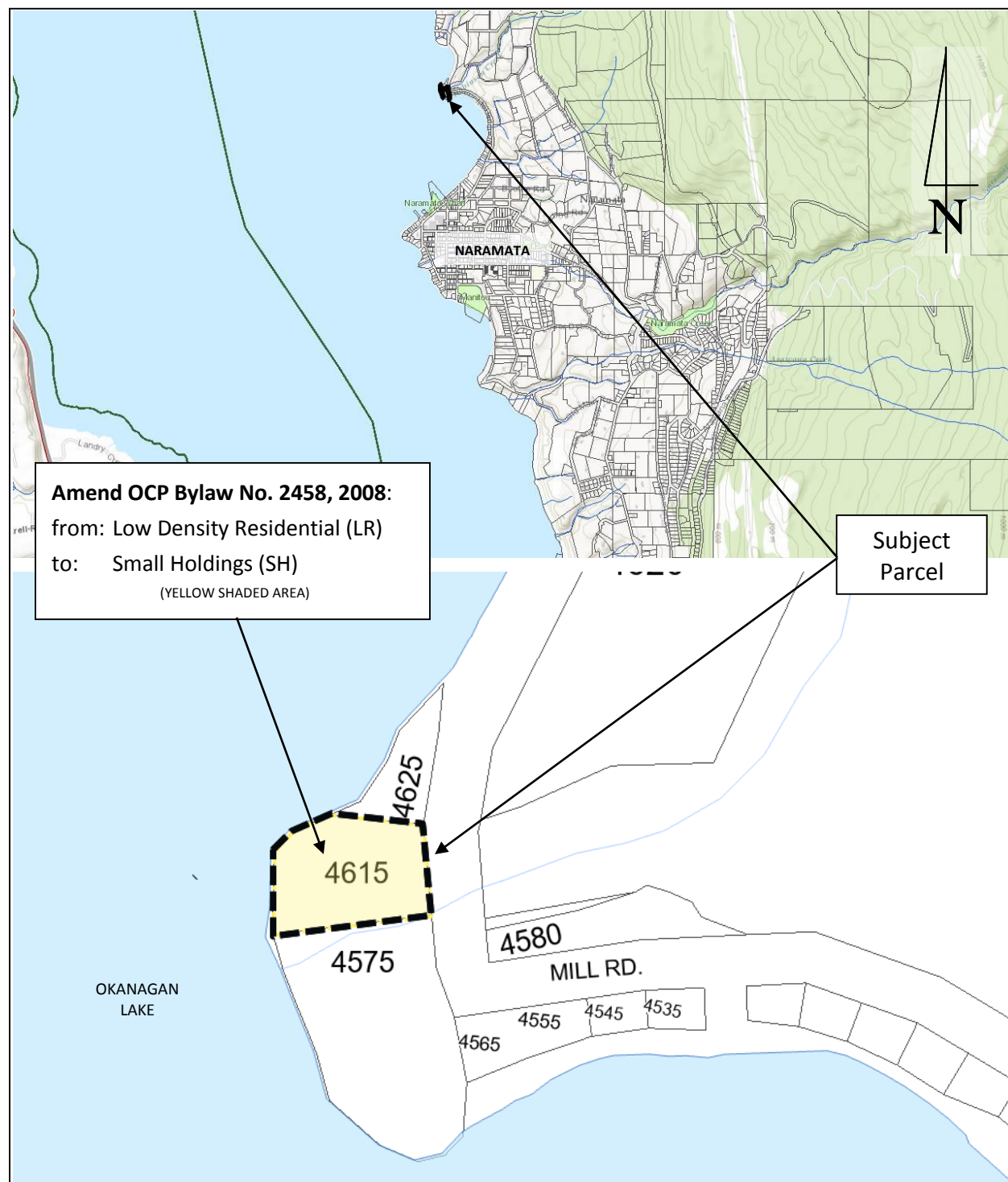
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

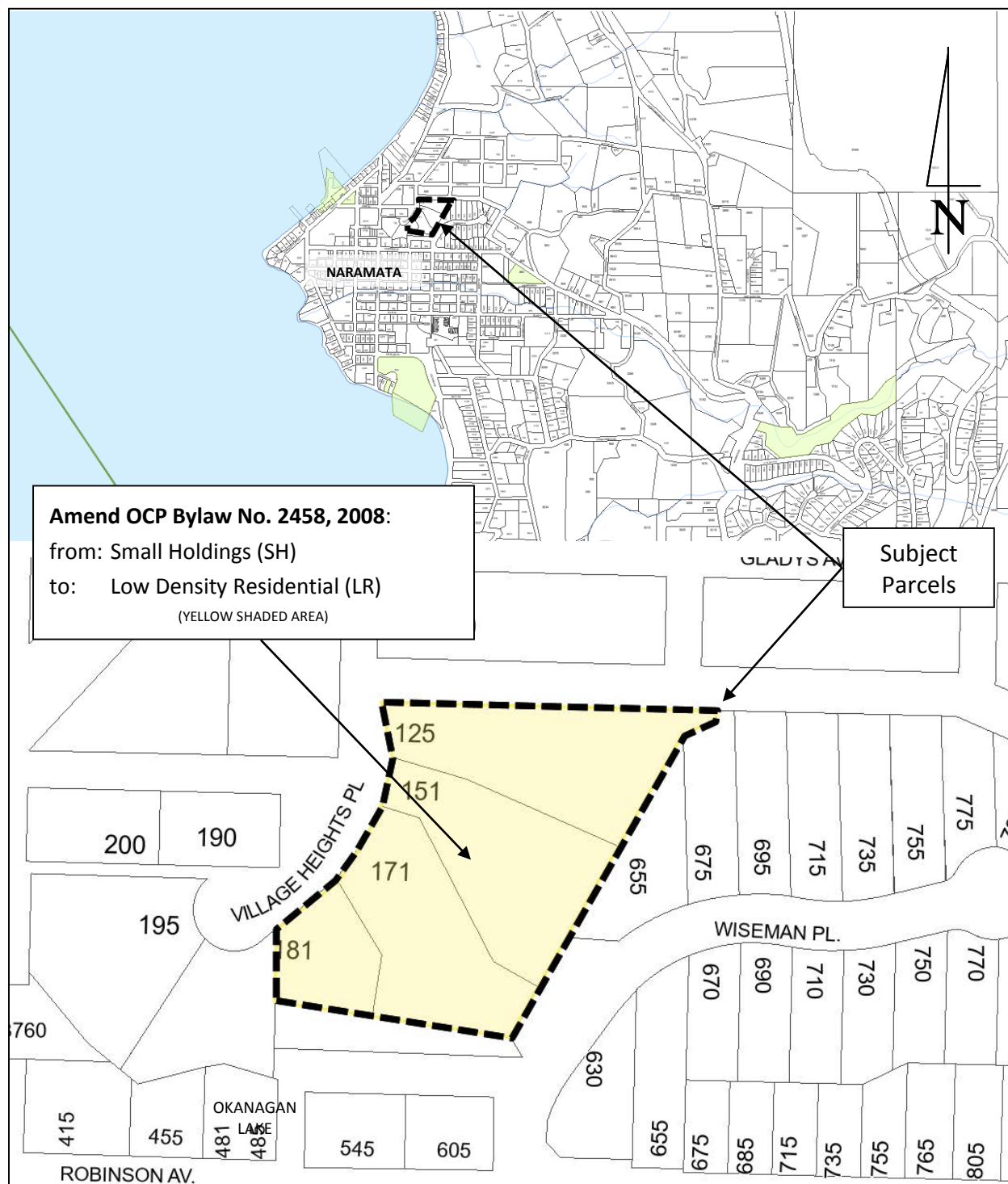
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File No. X2020.005-ZONE

Schedule 'E-103'



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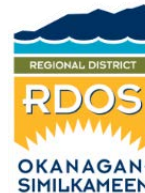
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101 Martin St, Penticton, BC, V2A-5J9

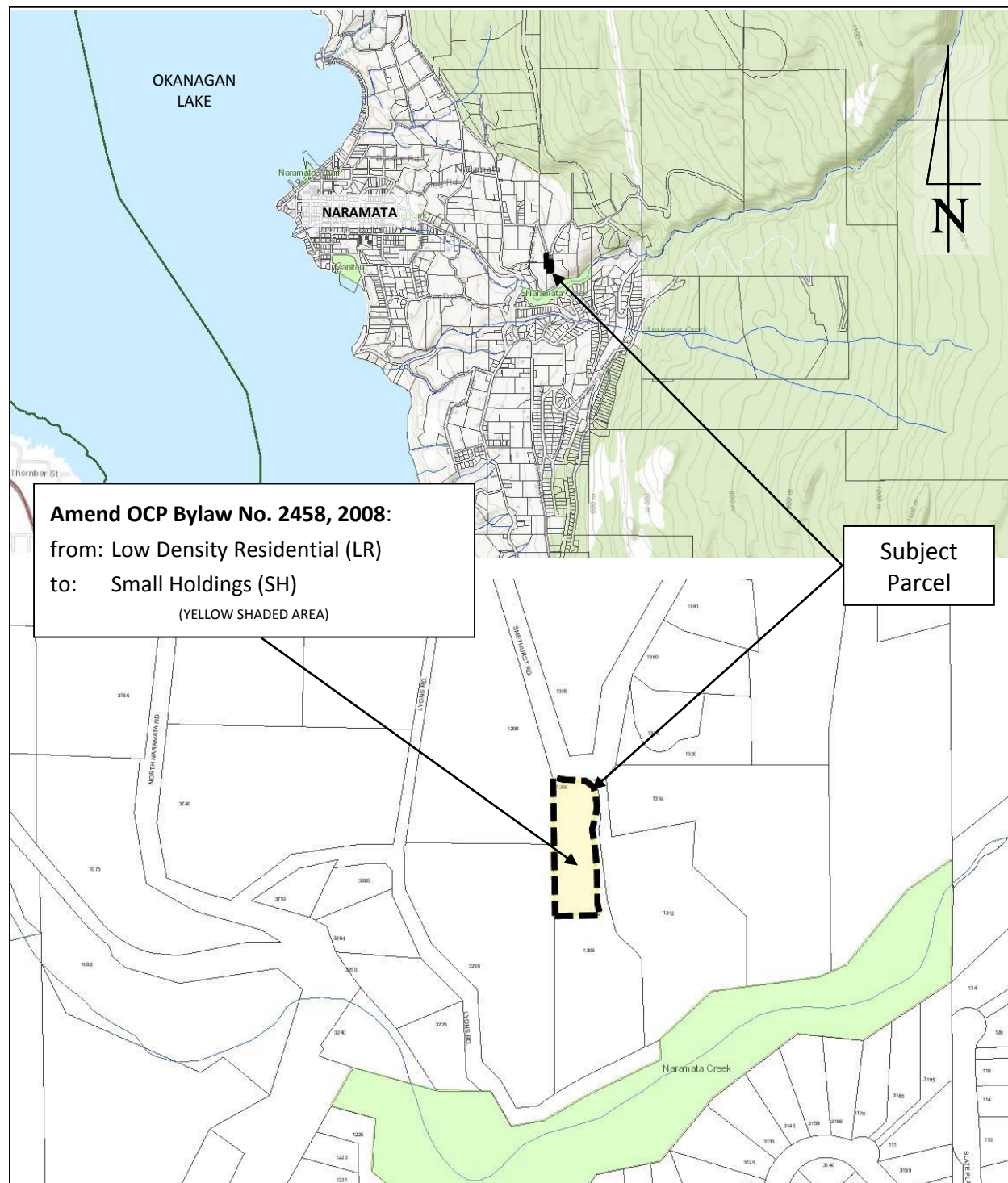
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101 Martin St, Penticton, BC, V2A-5J9

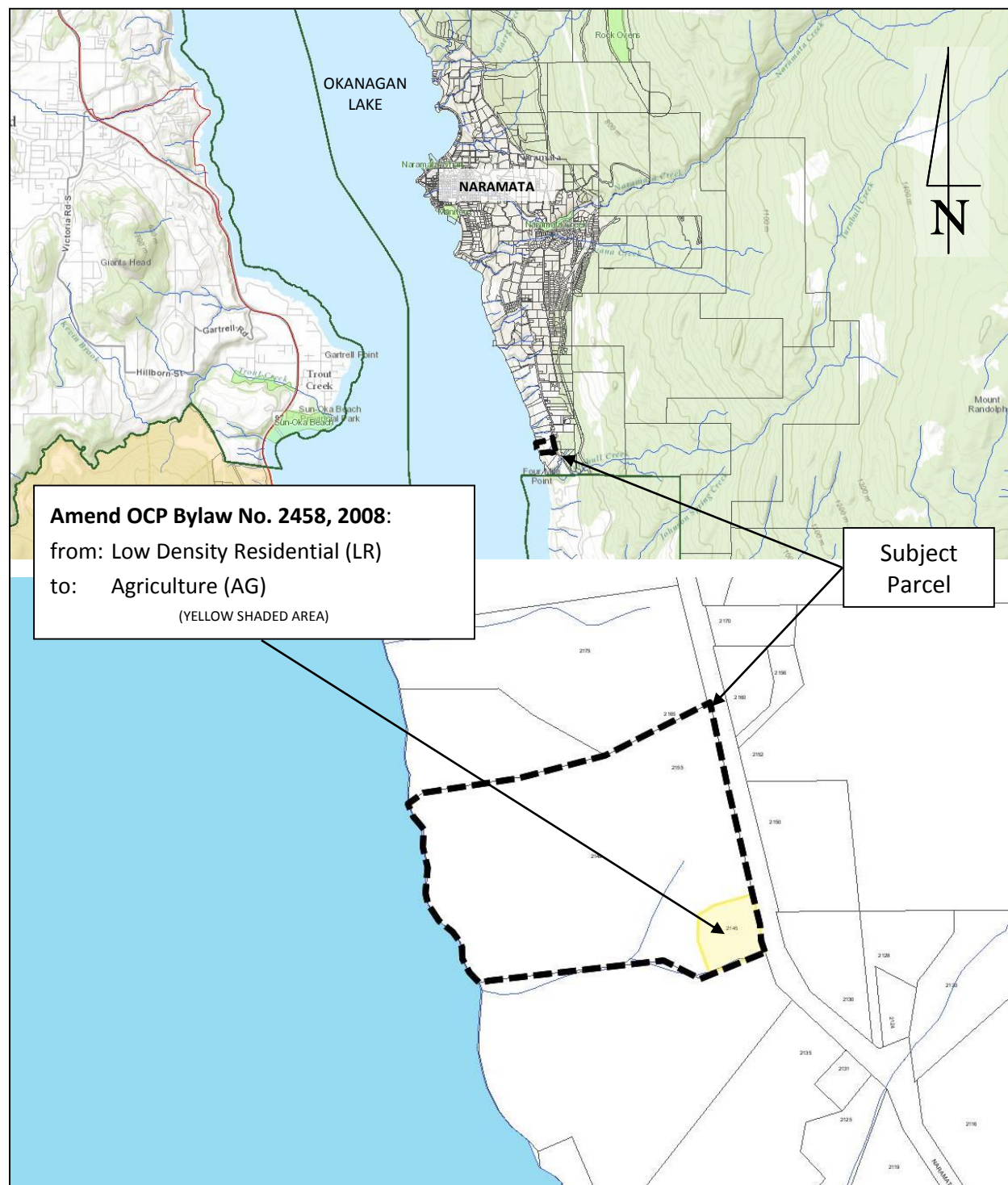
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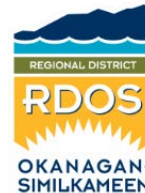
File No. X2020.005-ZONE

Schedule 'E-105'



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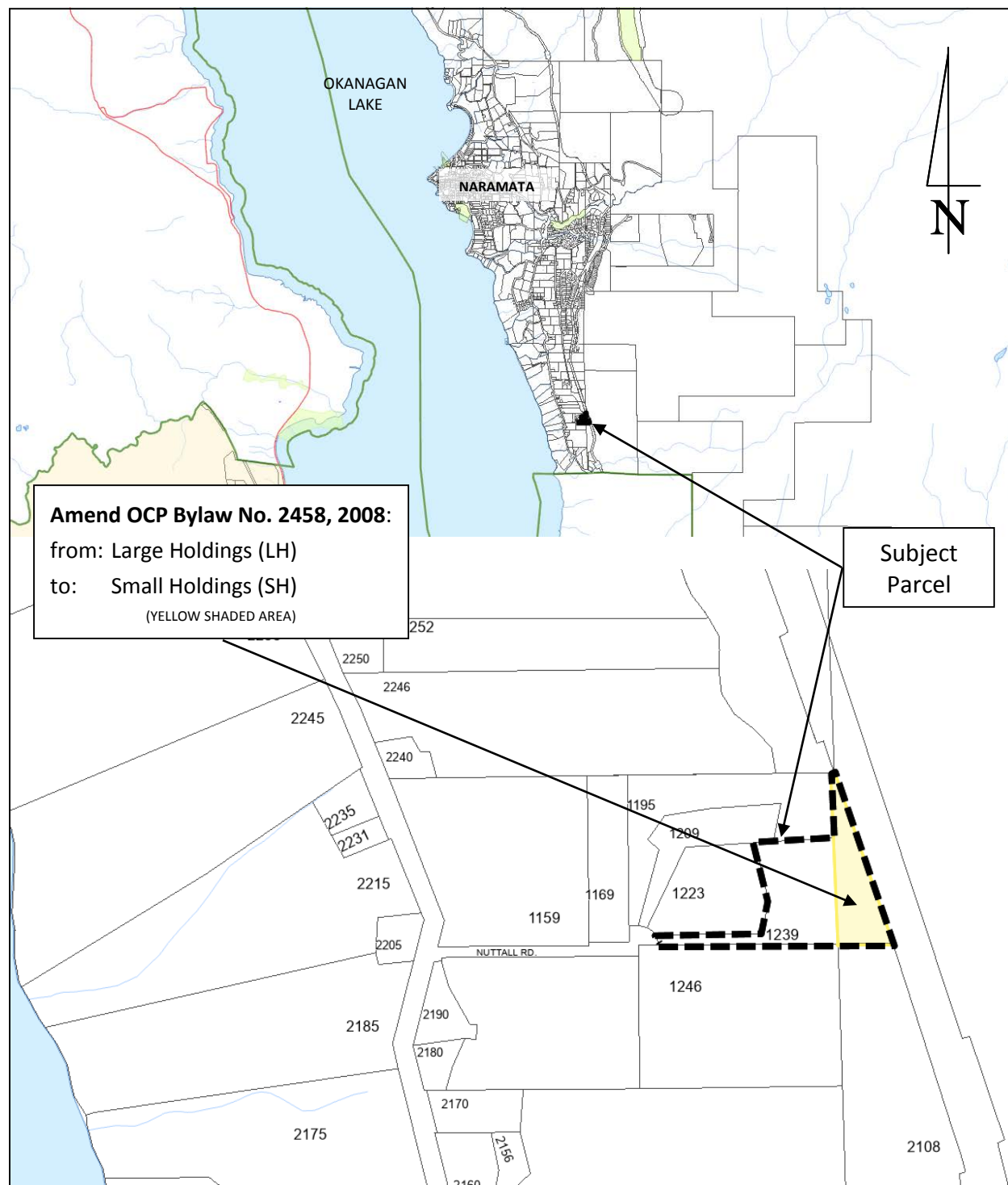
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'E-106'



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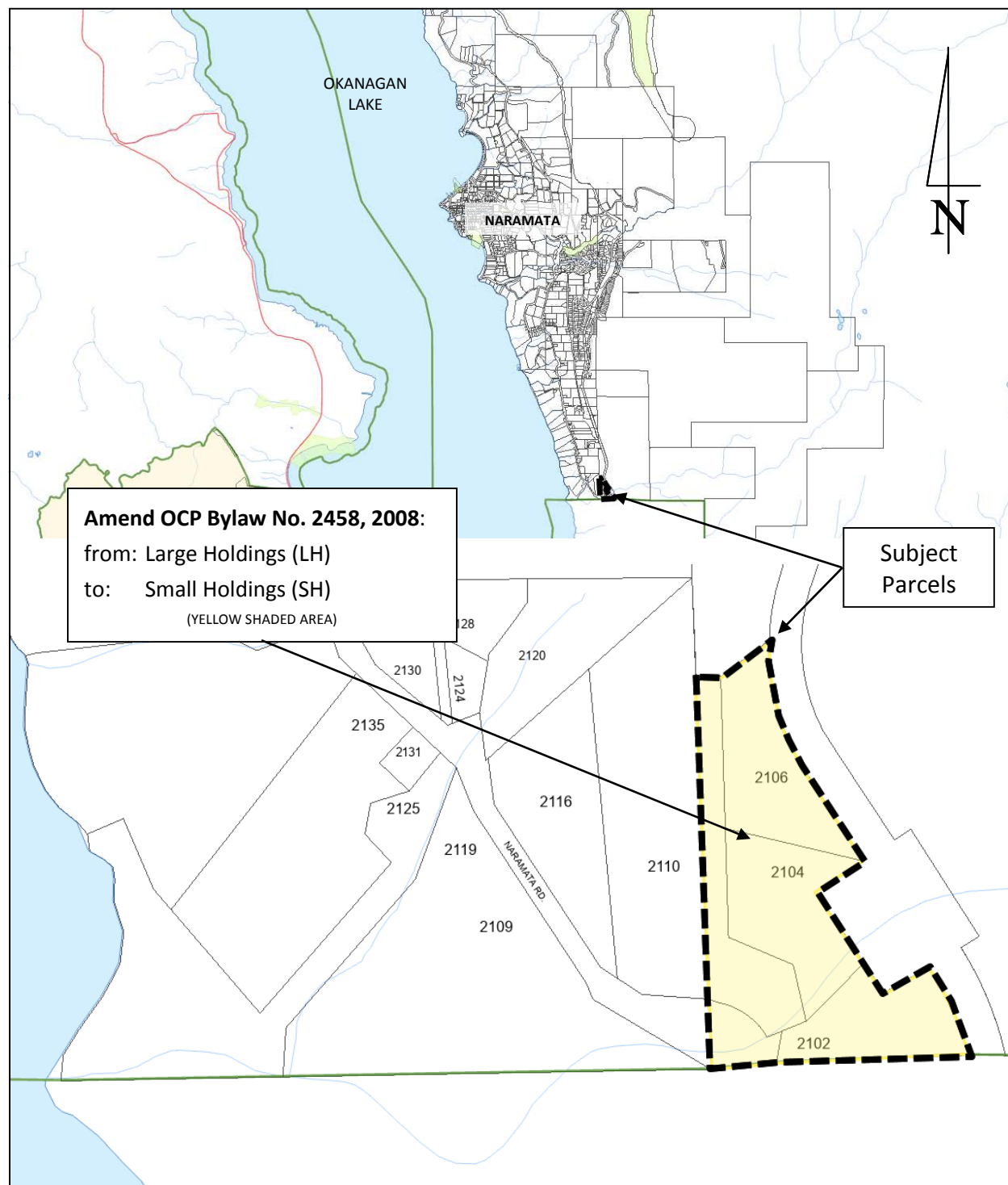
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'E-107'



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

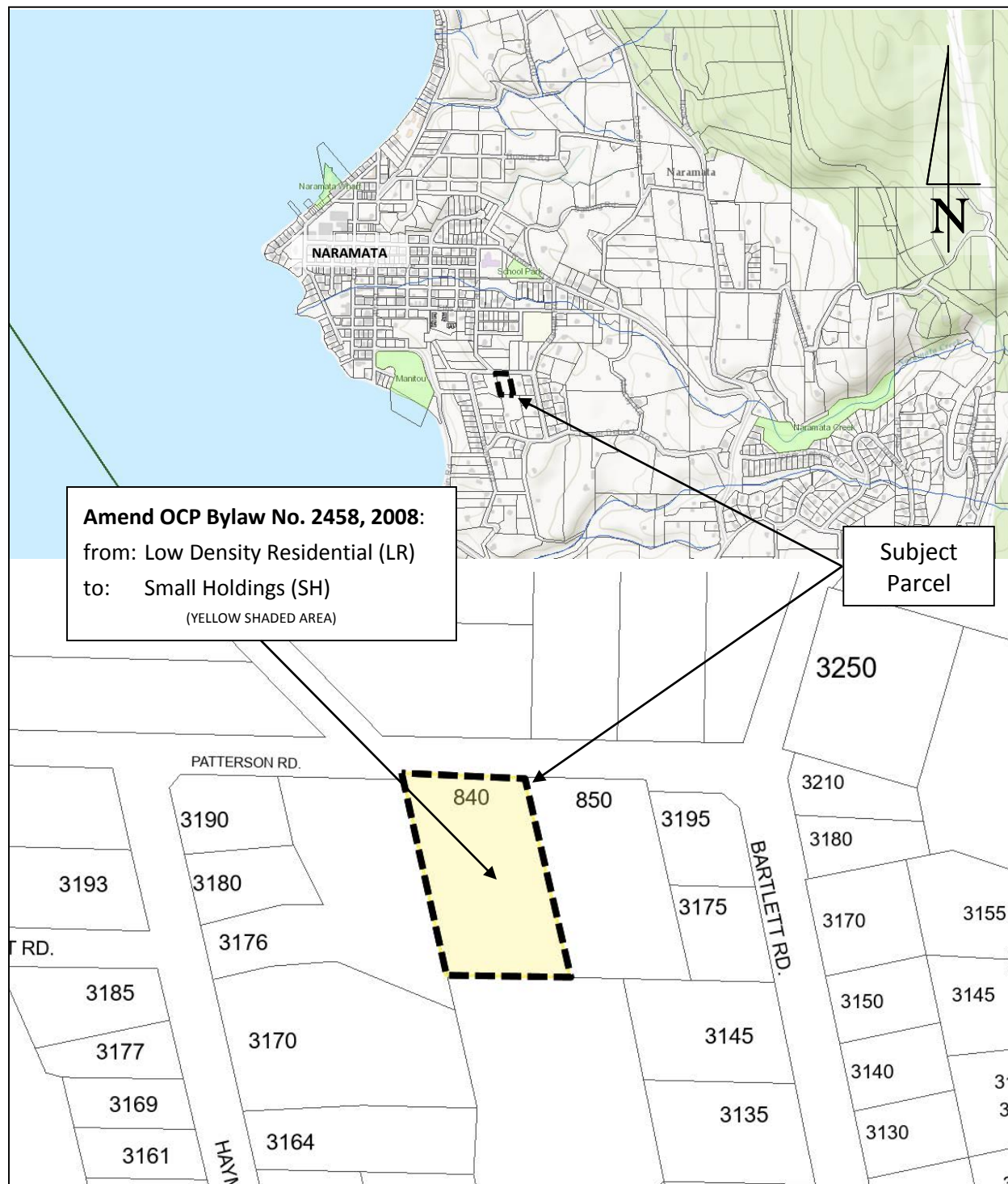
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File No. X2020.005-ZONE

Schedule 'E-108'



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

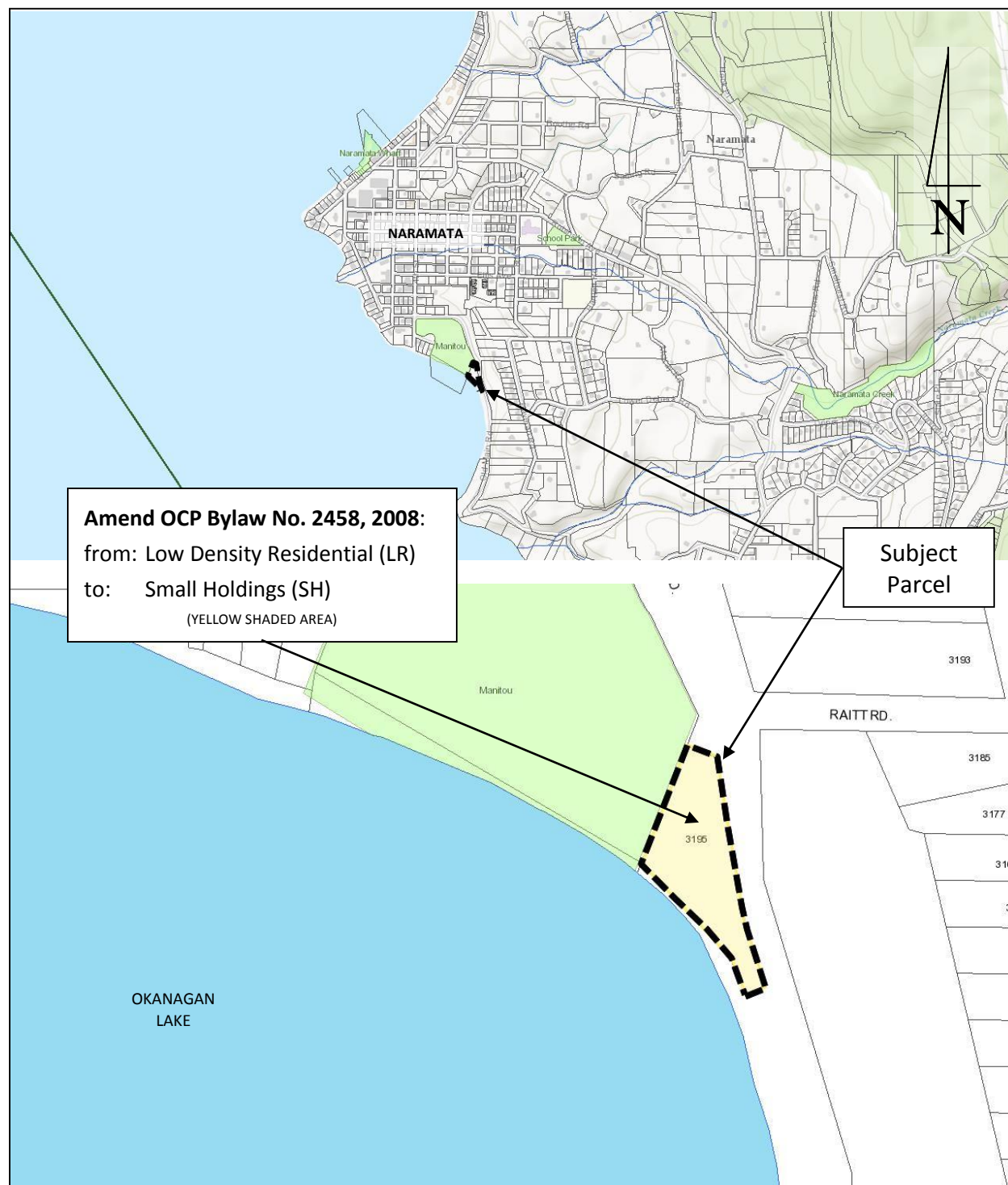
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Schedule 'E-109'



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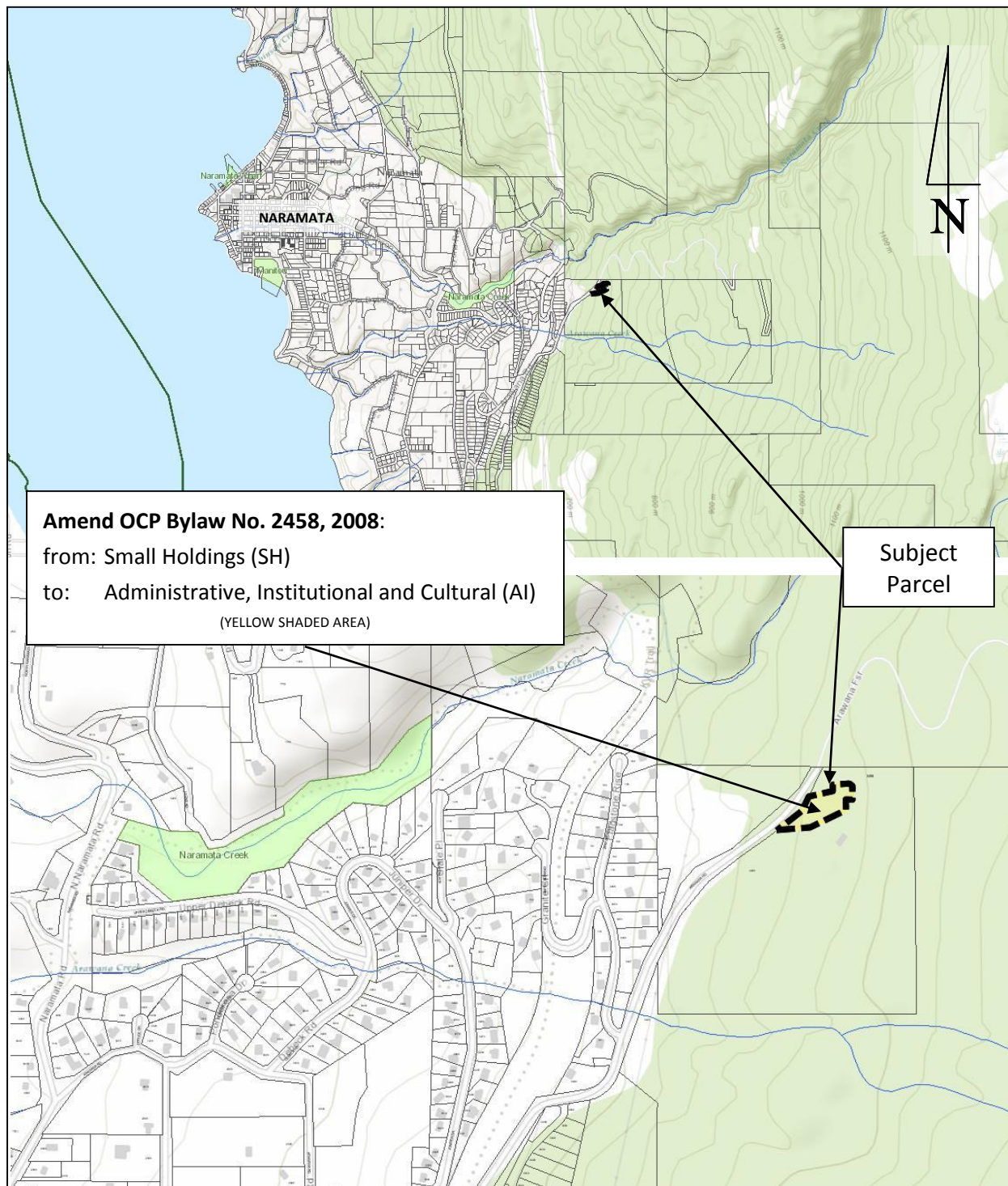
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'E-110'



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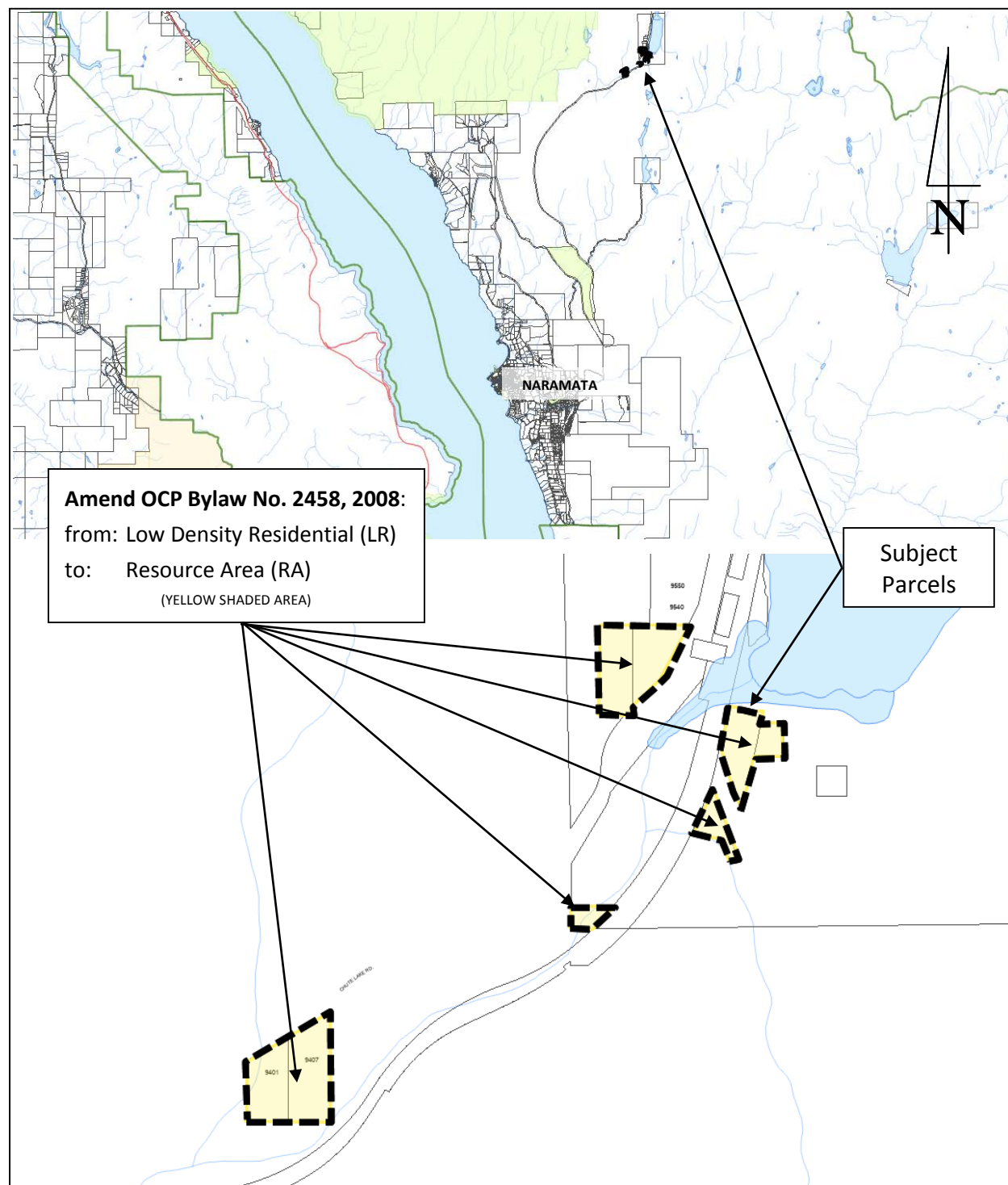
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'E-111'



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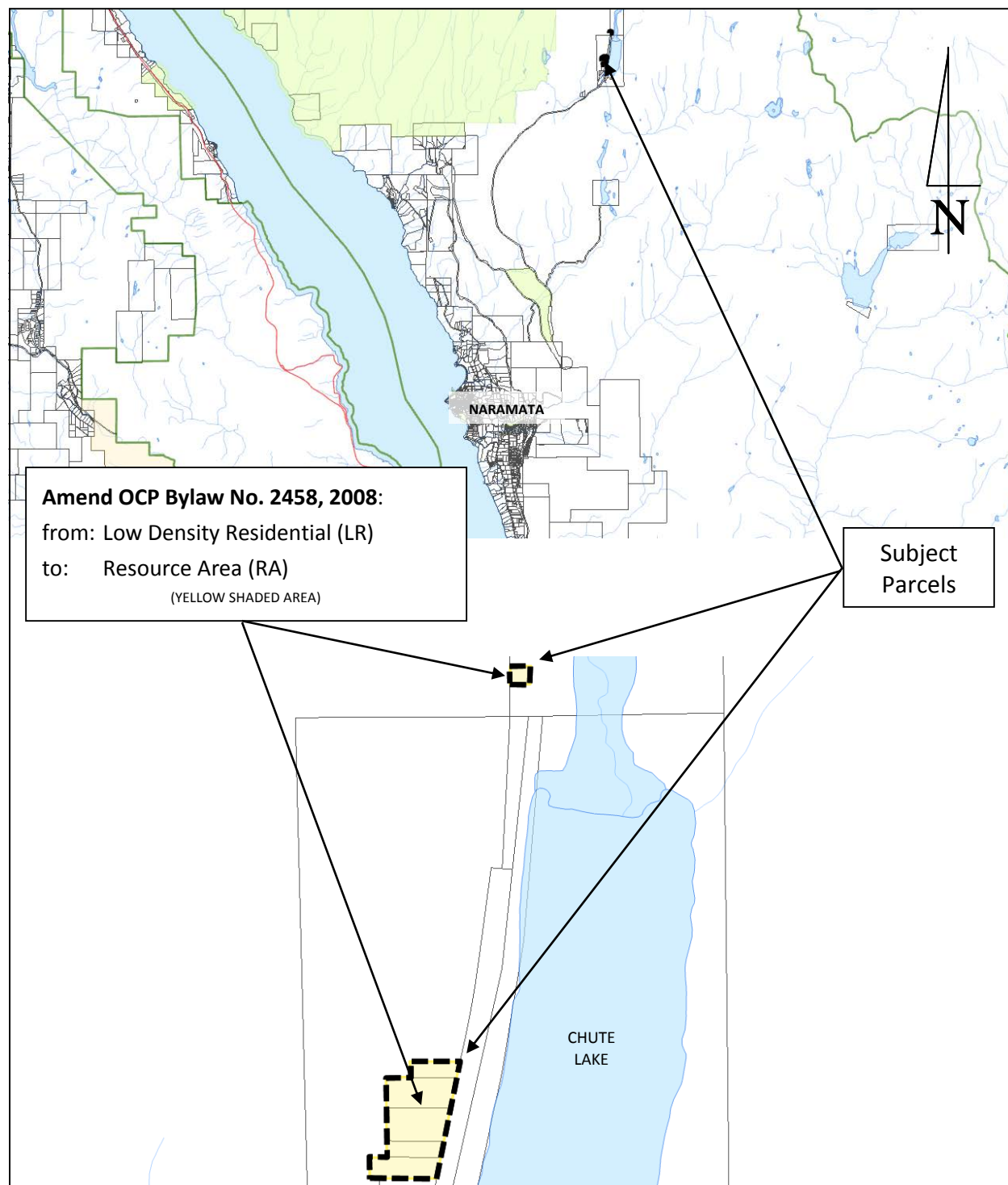
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'E-112'



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

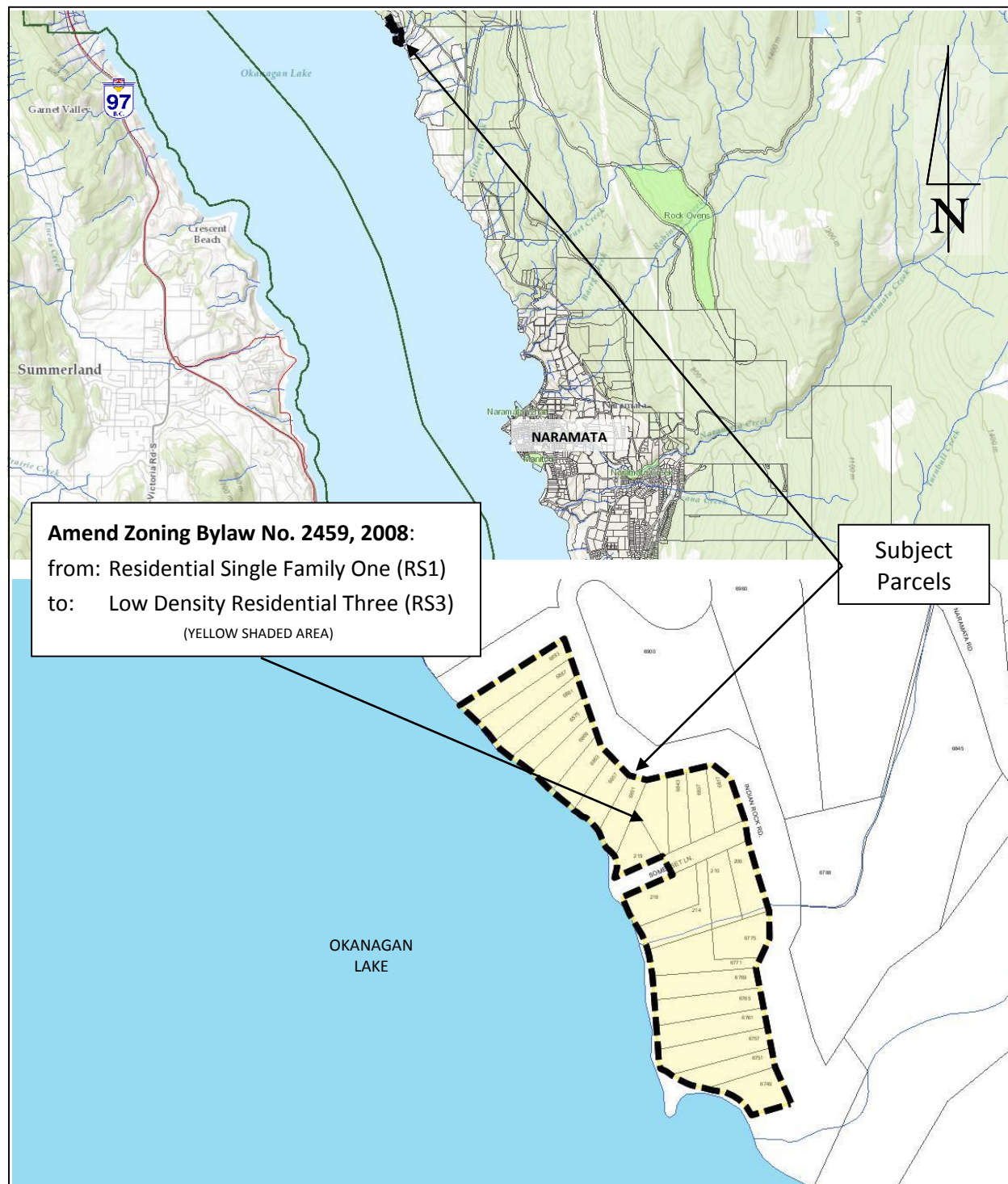
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'E-201'



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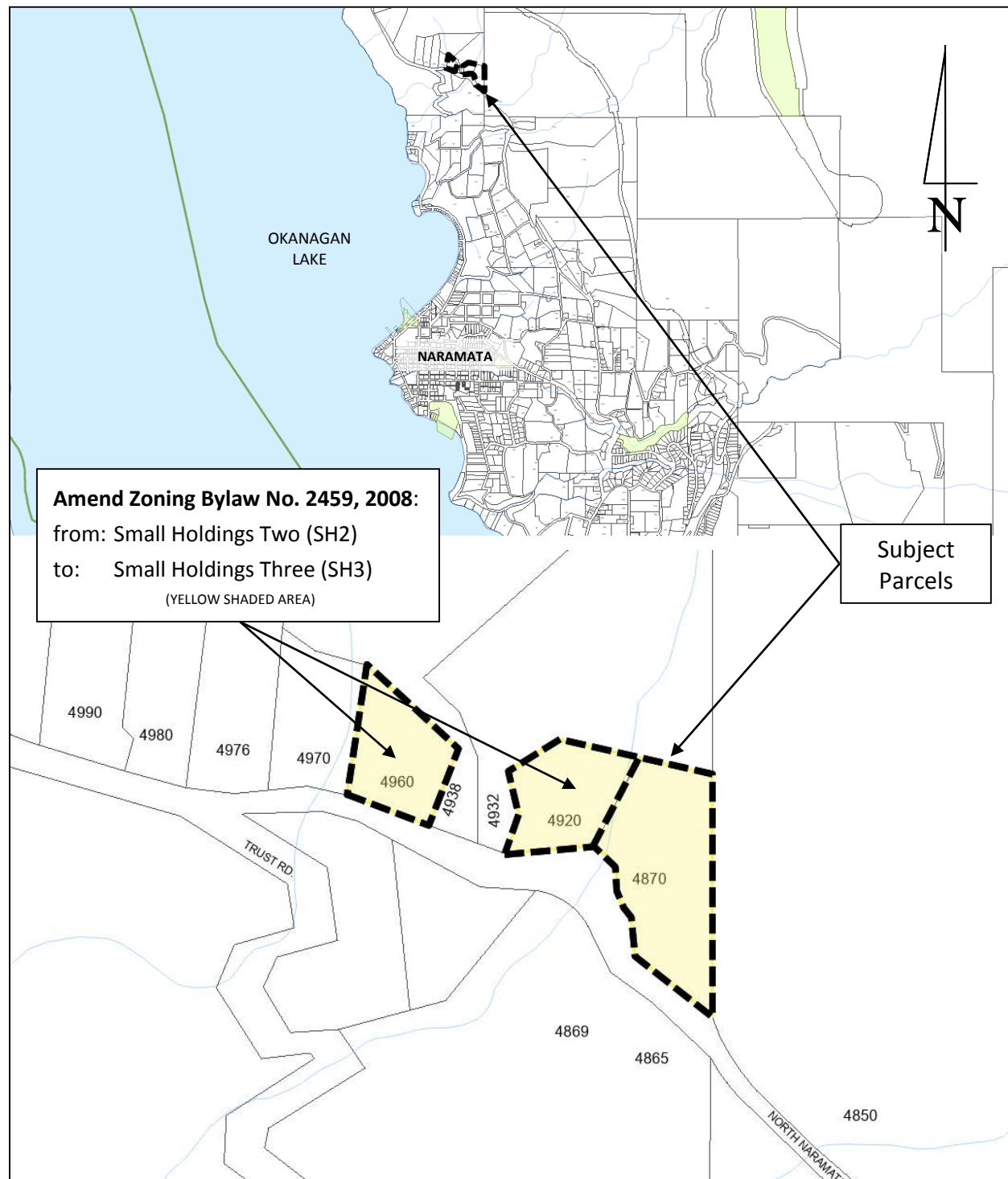
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

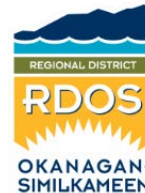
Schedule 'E-202'



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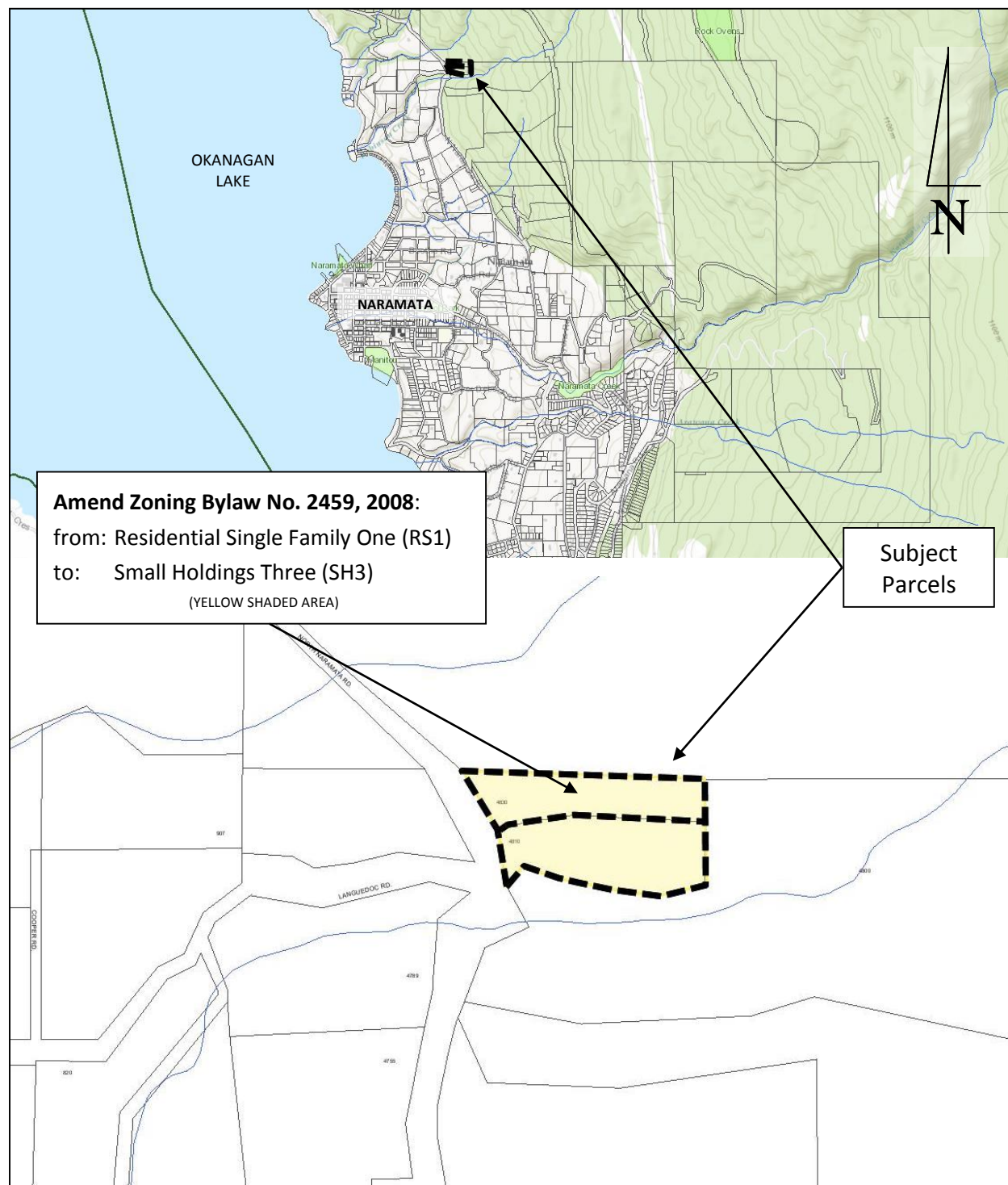
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'E-203'



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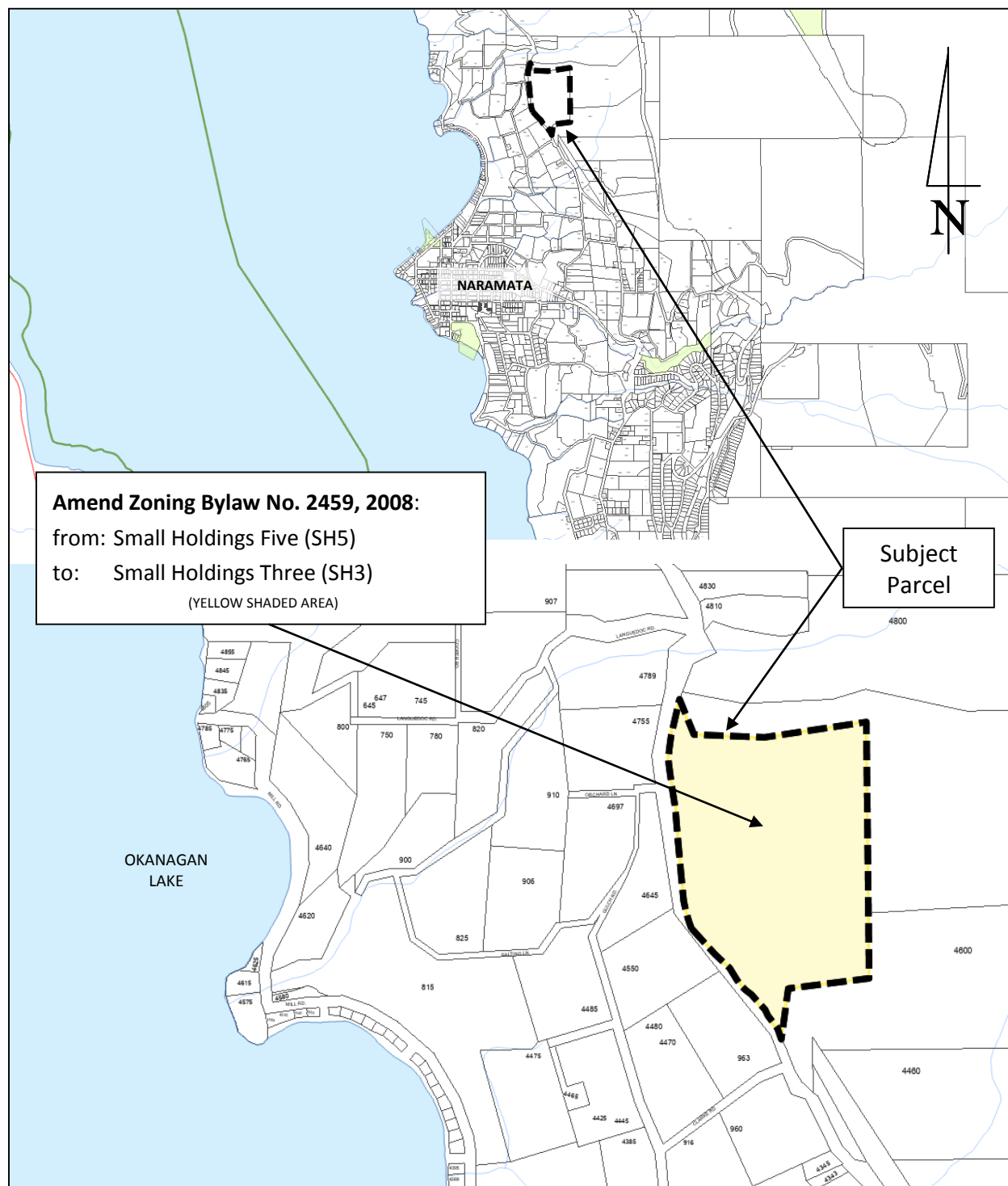
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'E-204'



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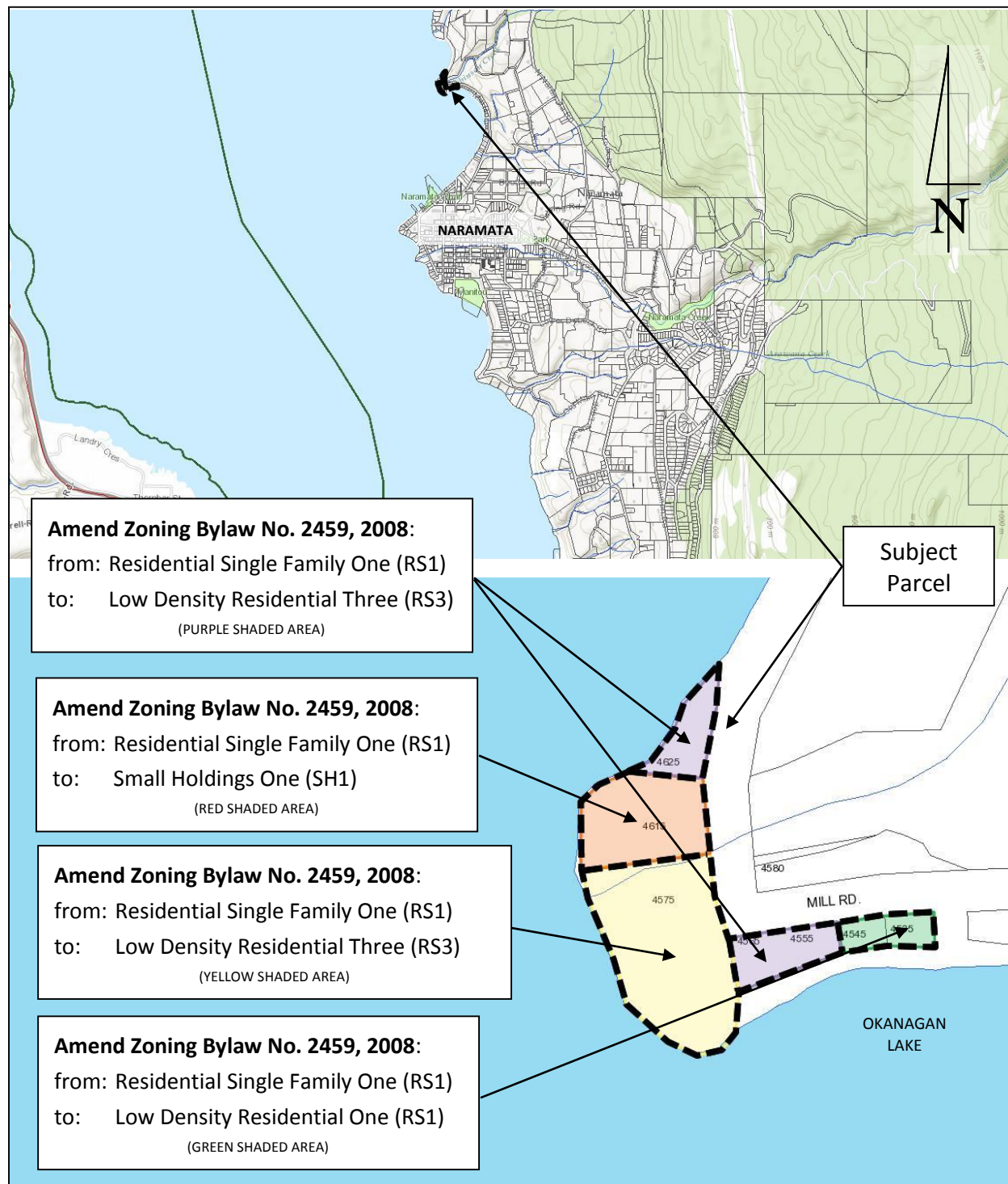
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'E-205'



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

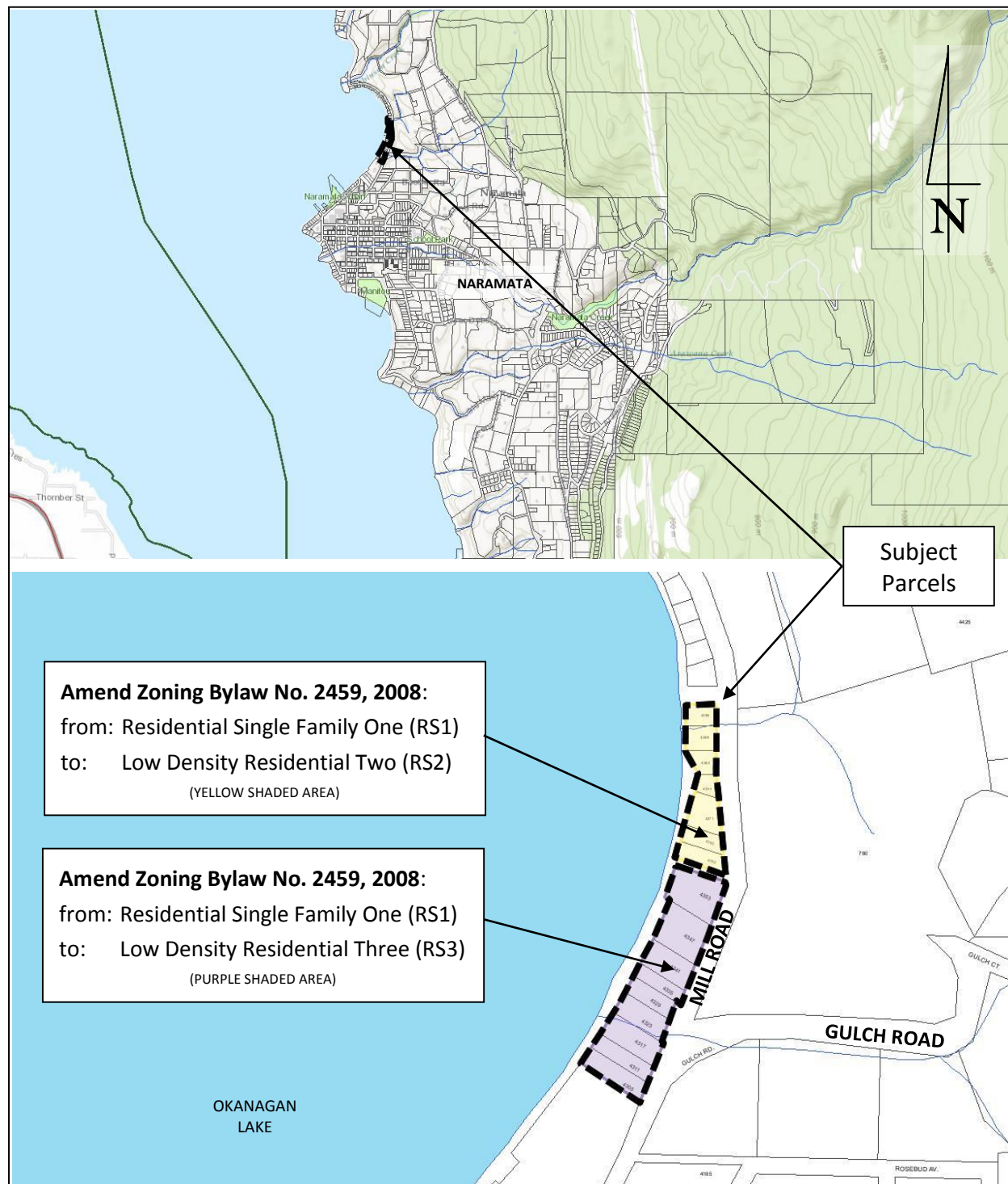
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File No. X2020.005-ZONE

Schedule 'E-206'



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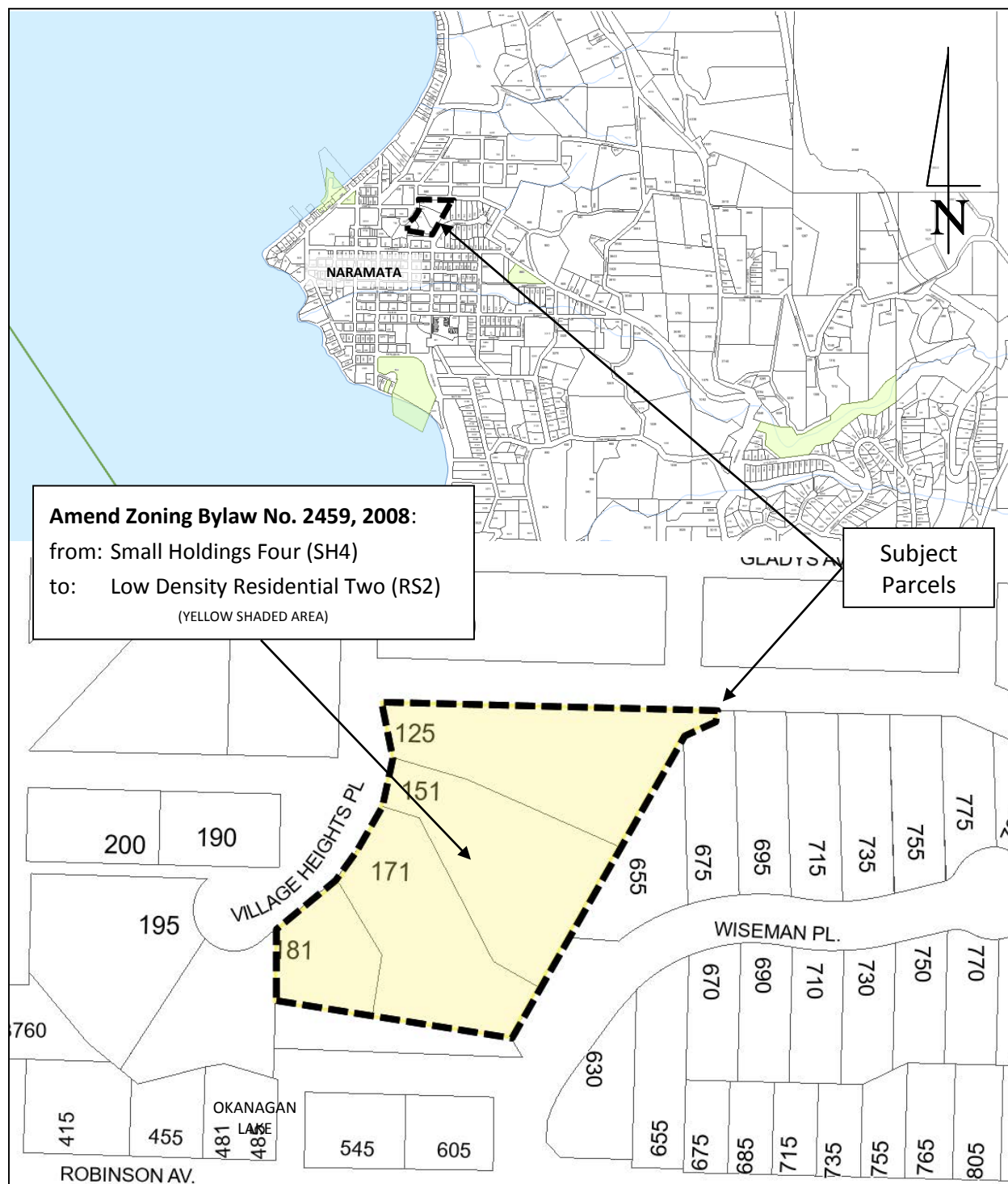
Tel: 250-492-0237 Email: info@rdos.bc.ca



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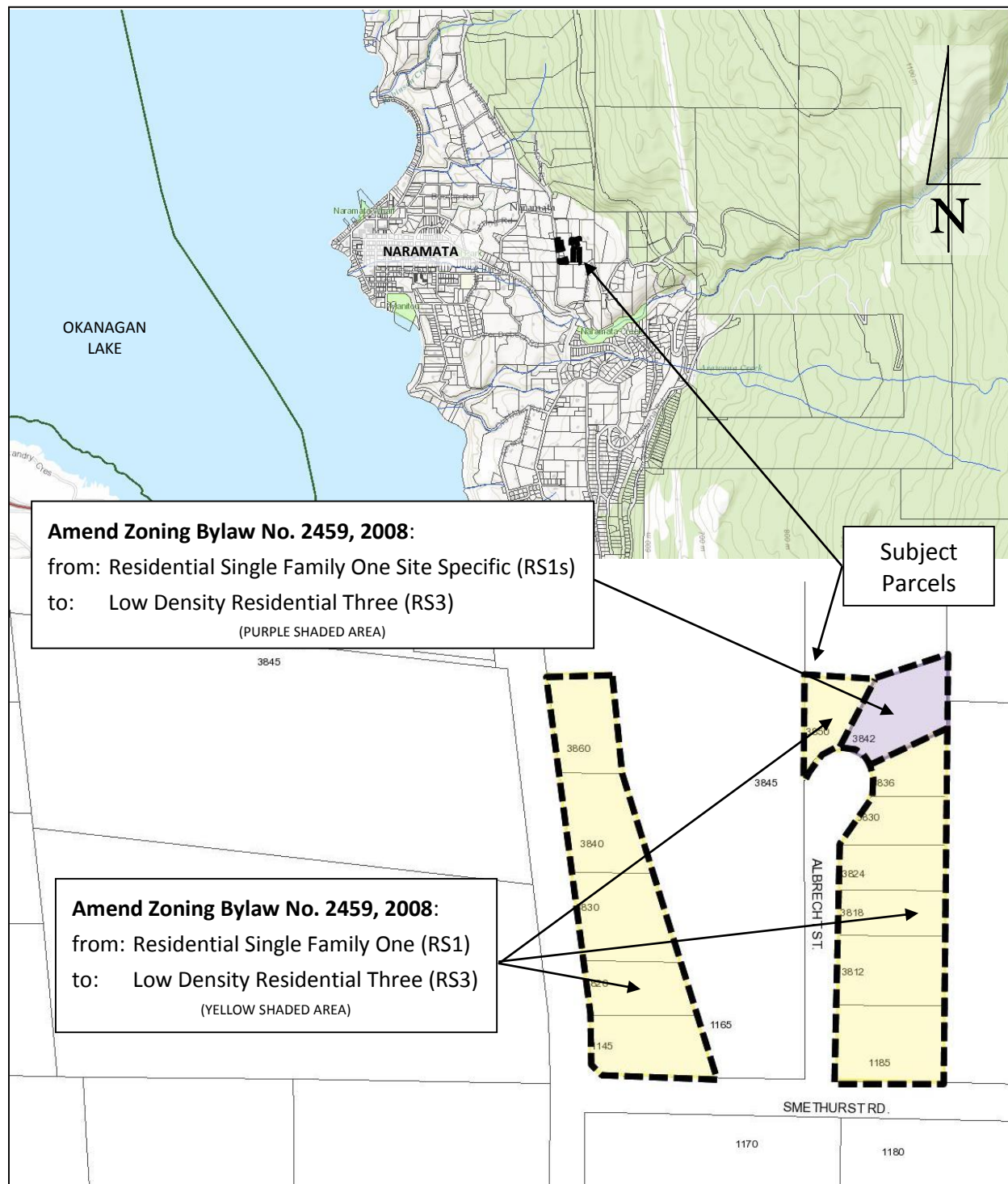
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File No. X2020.005-ZONE

Schedule 'E-208'

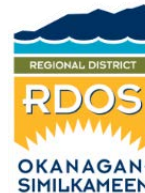


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101 Martin St, Penticton, BC, V2A-5J9

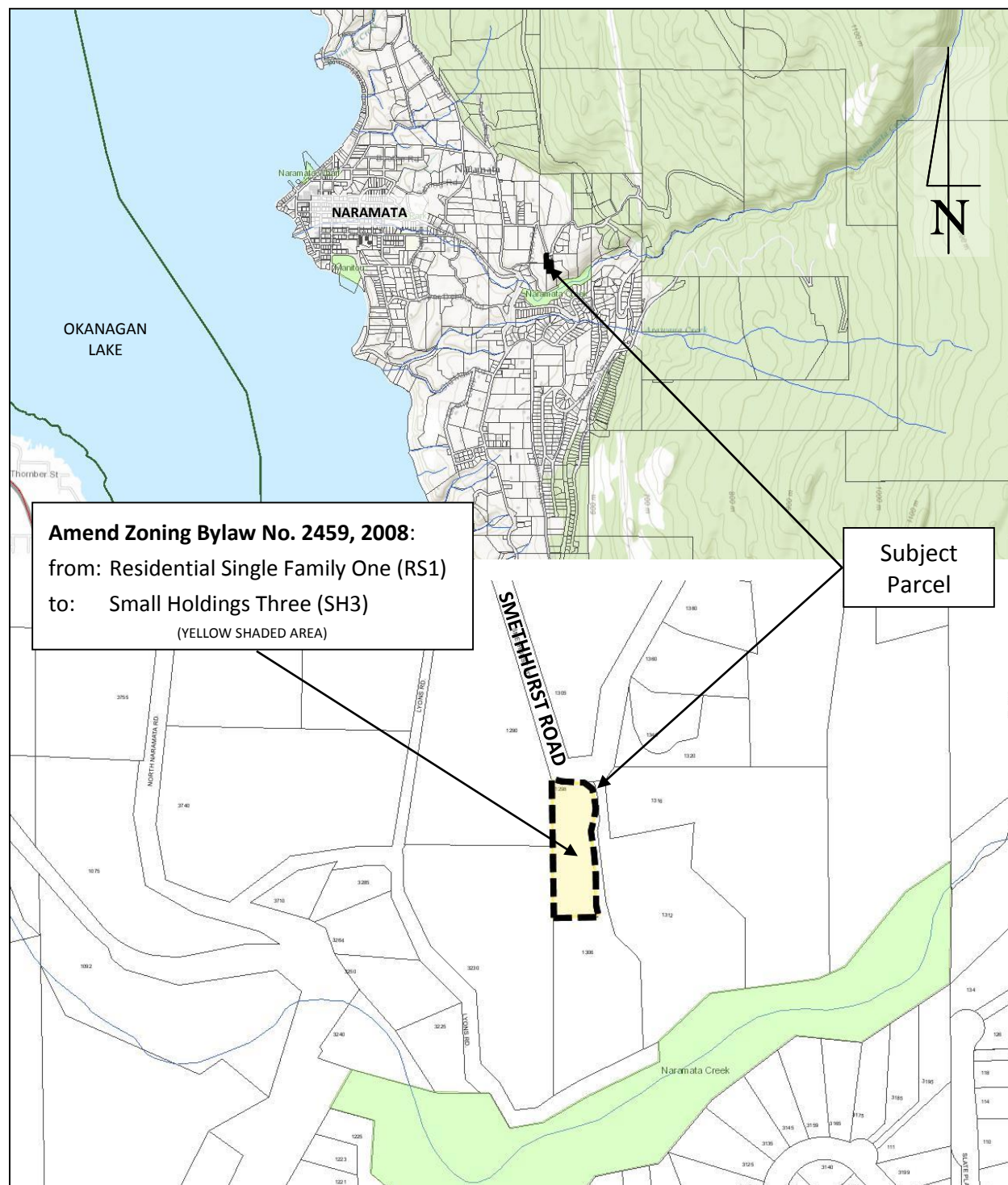
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

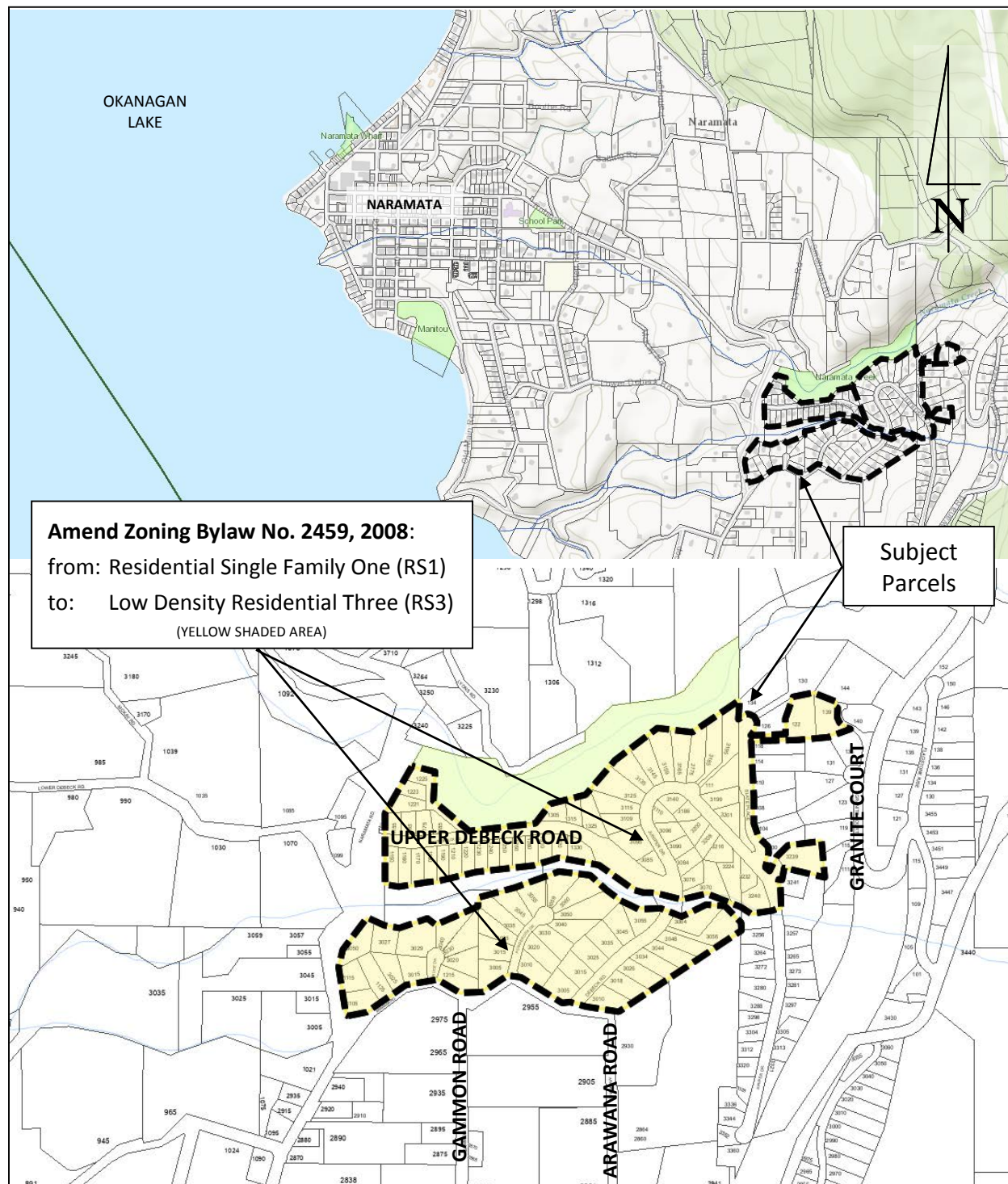
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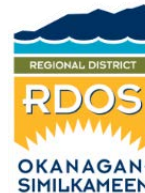
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101 Martin St, Penticton, BC, V2A-5J9

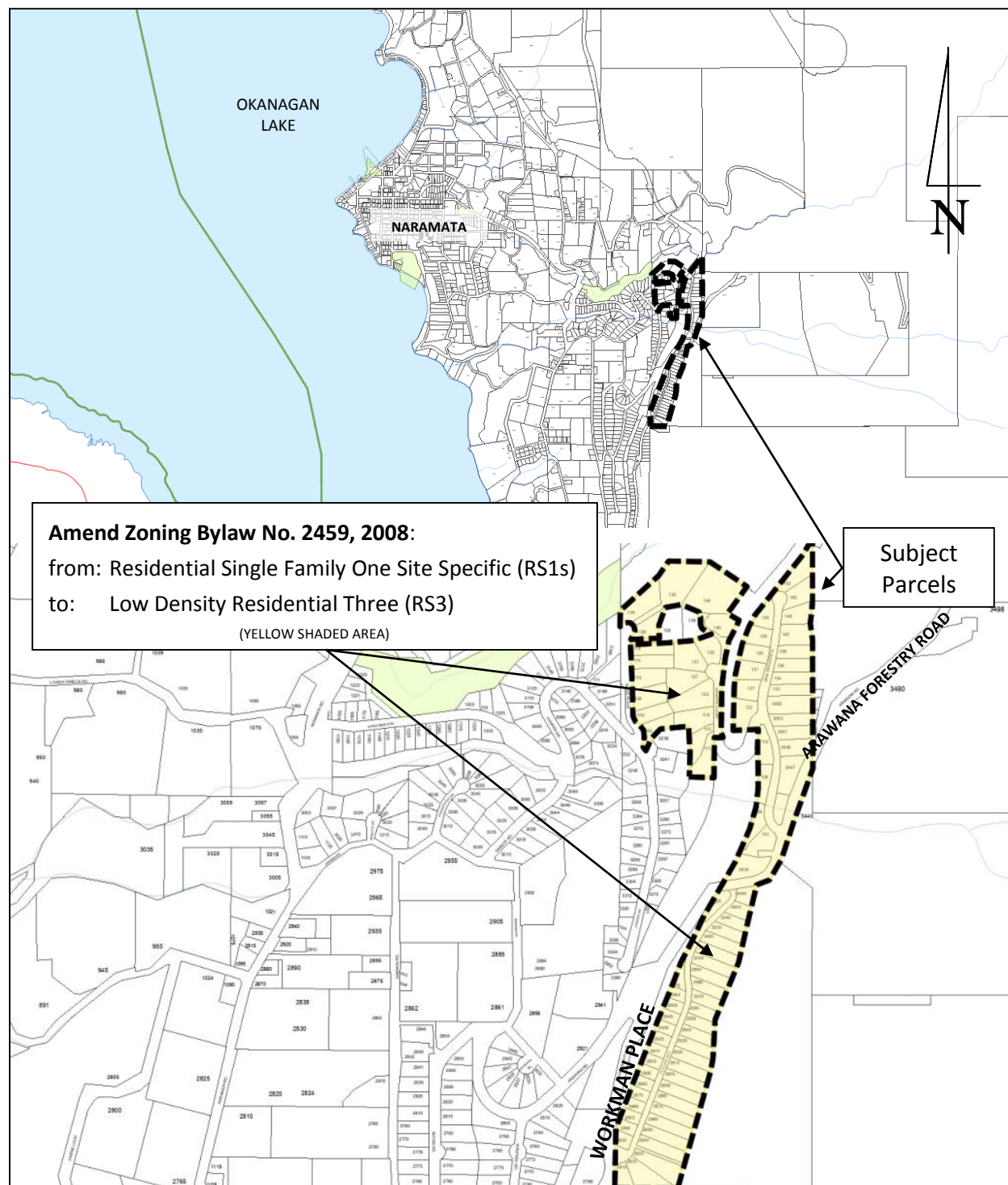
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File No. X2020.005-ZONE

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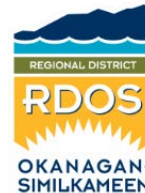


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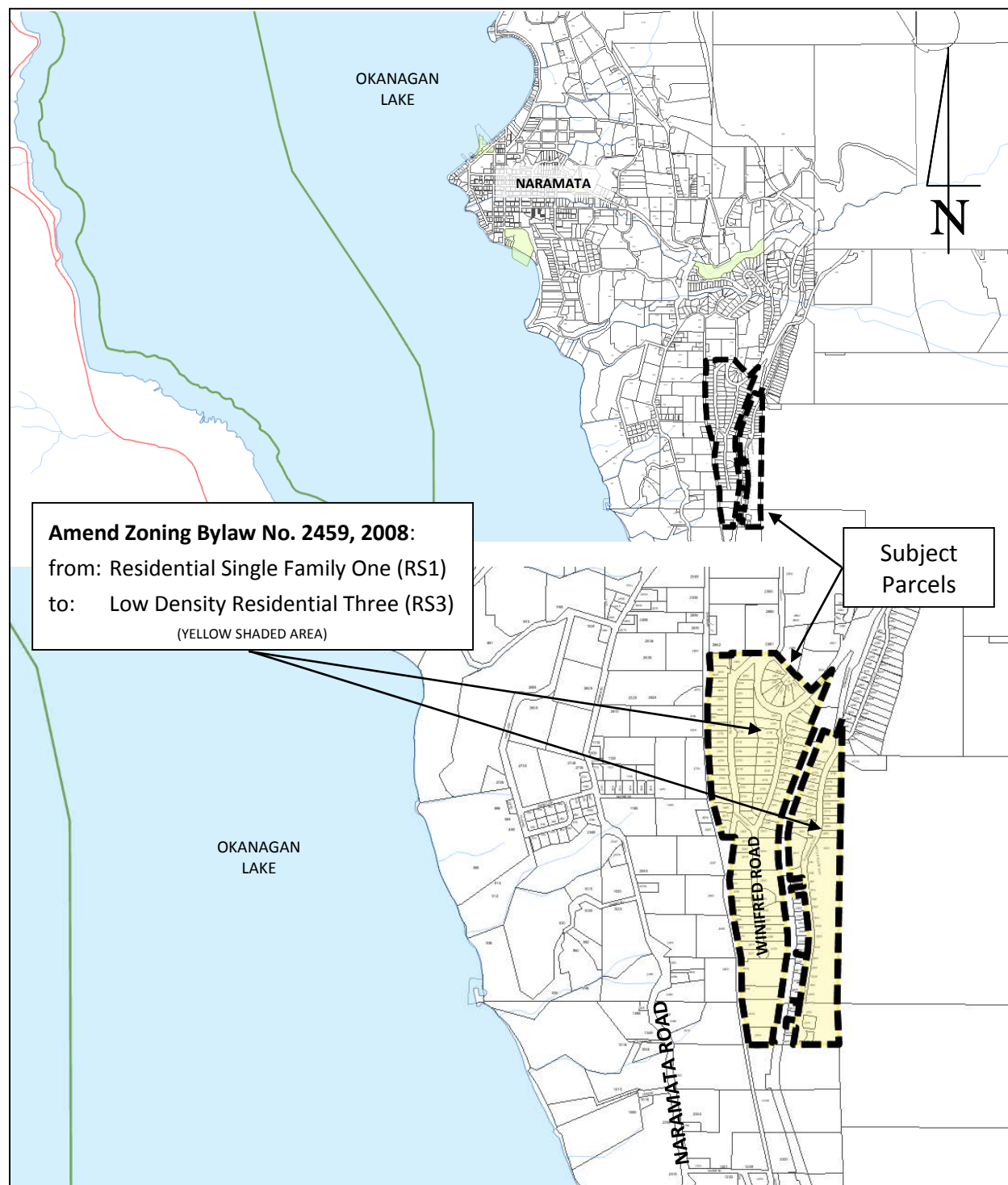
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

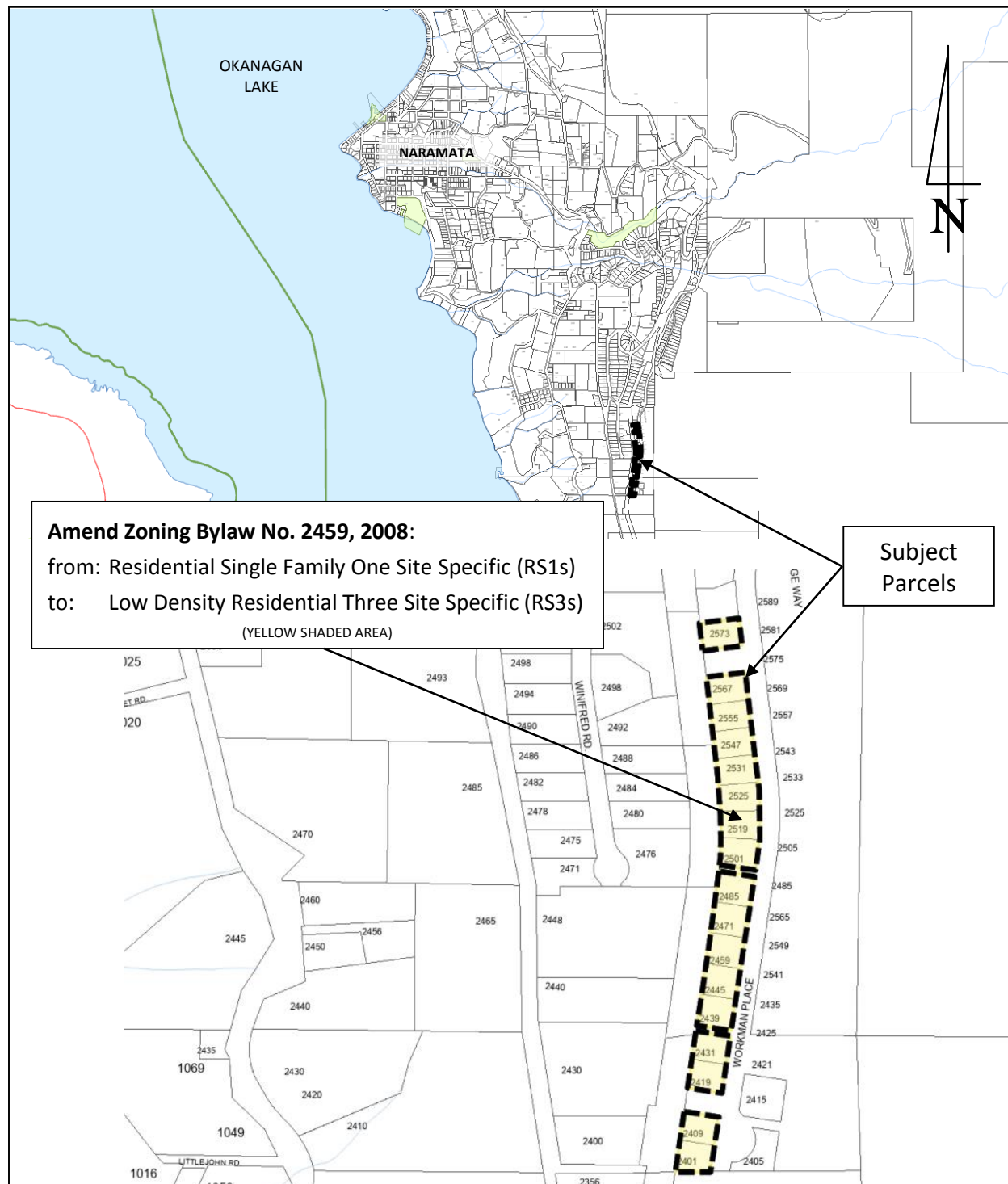
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

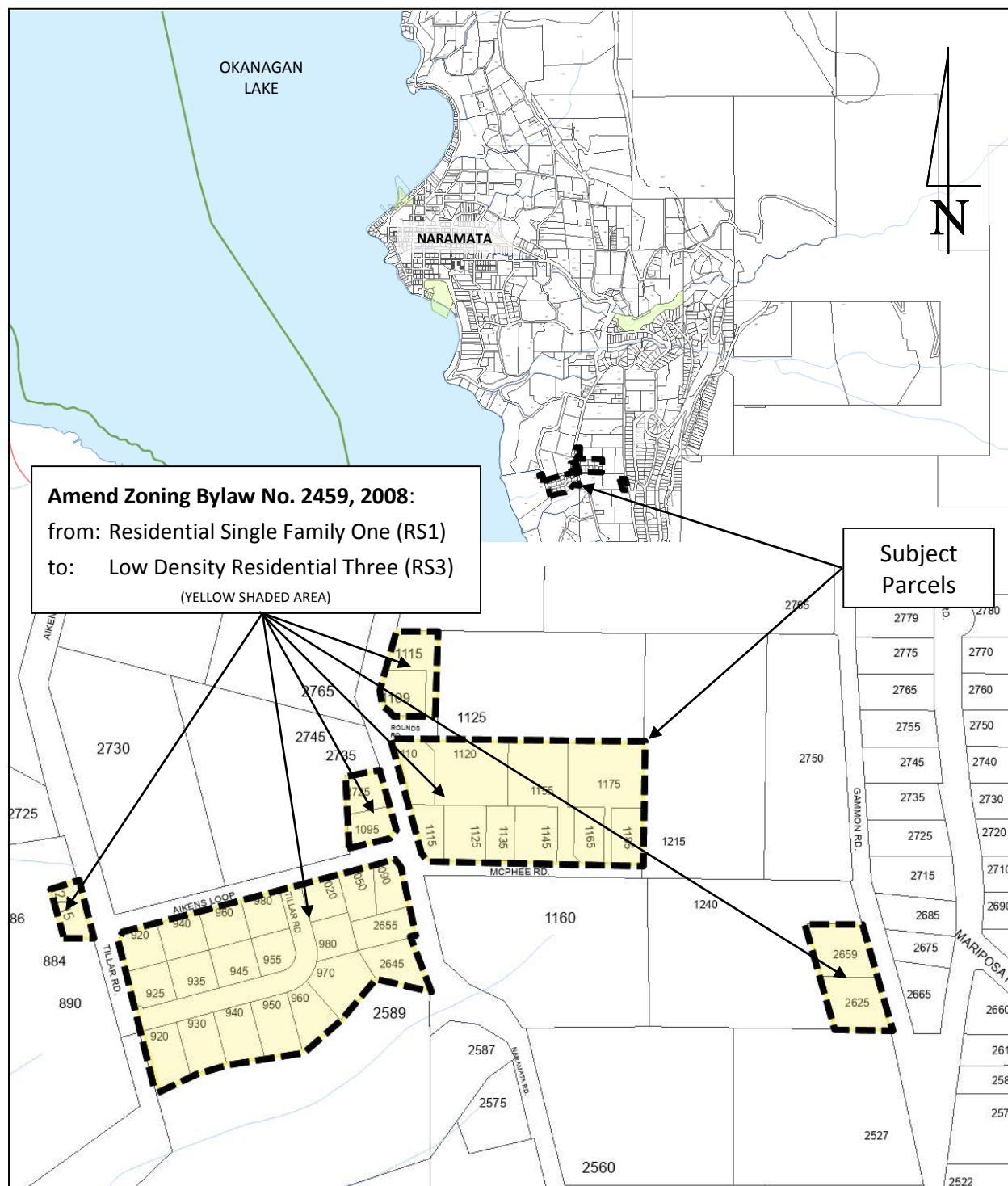
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

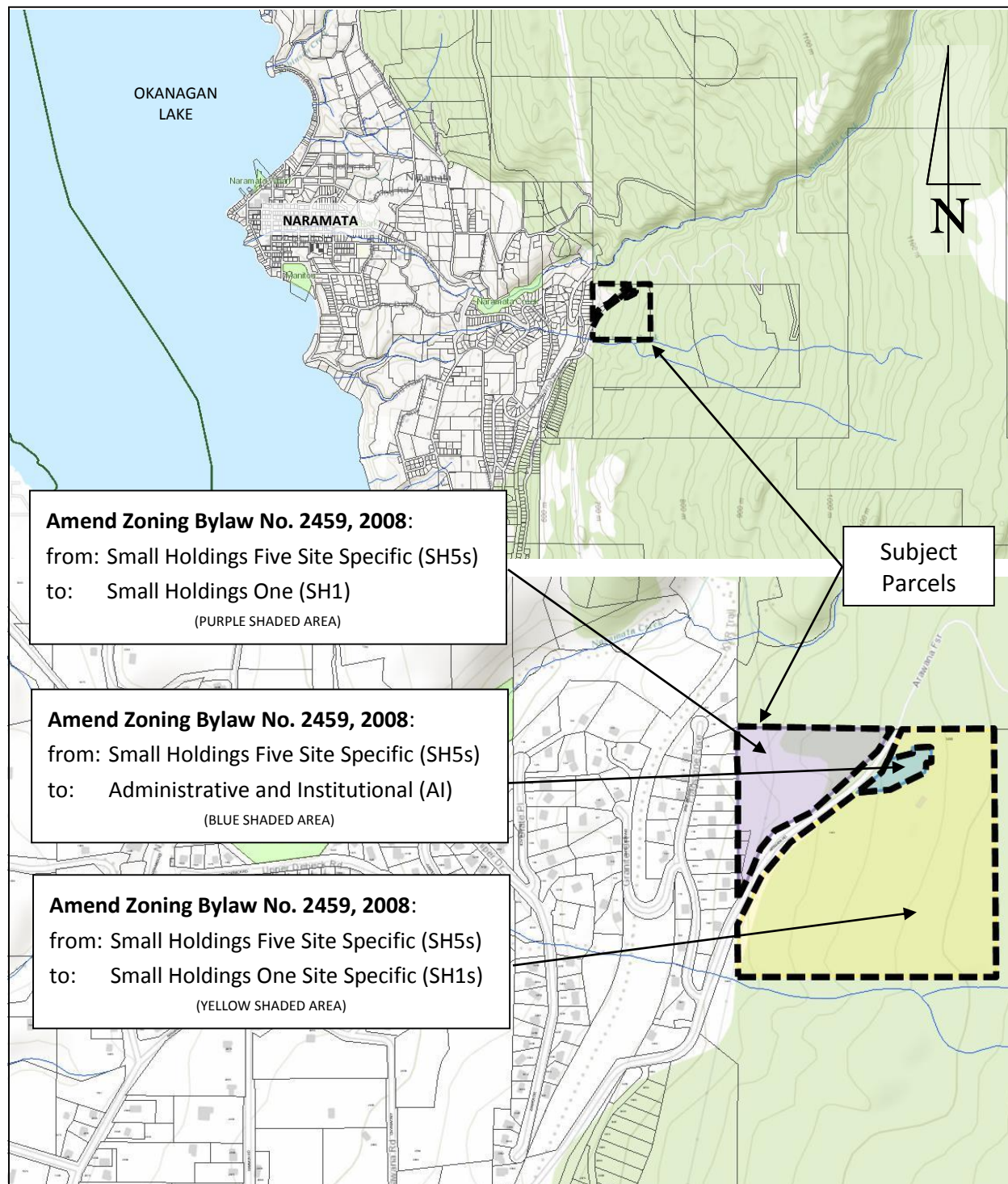
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Regional District of Okanagan-Similkameen

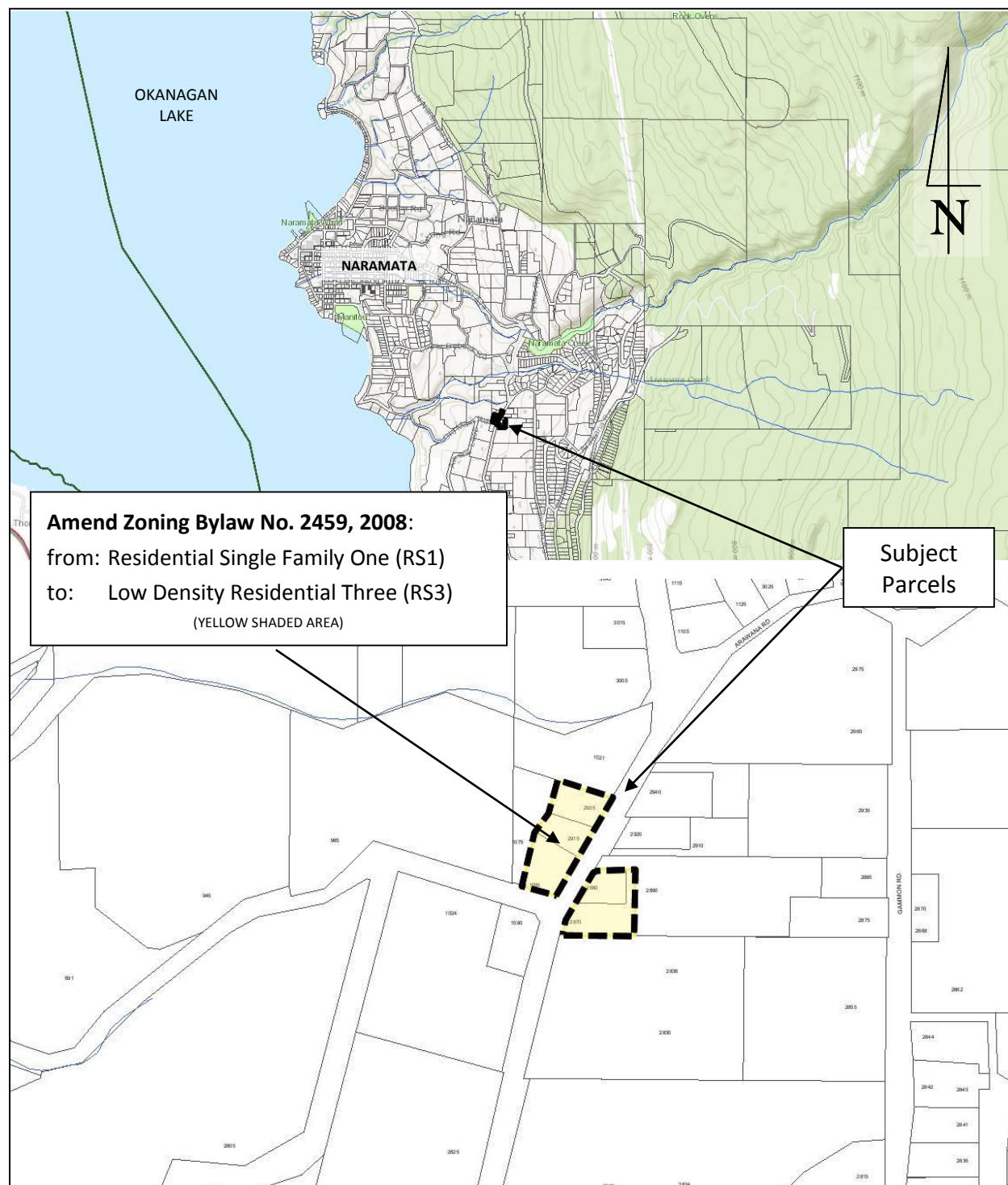
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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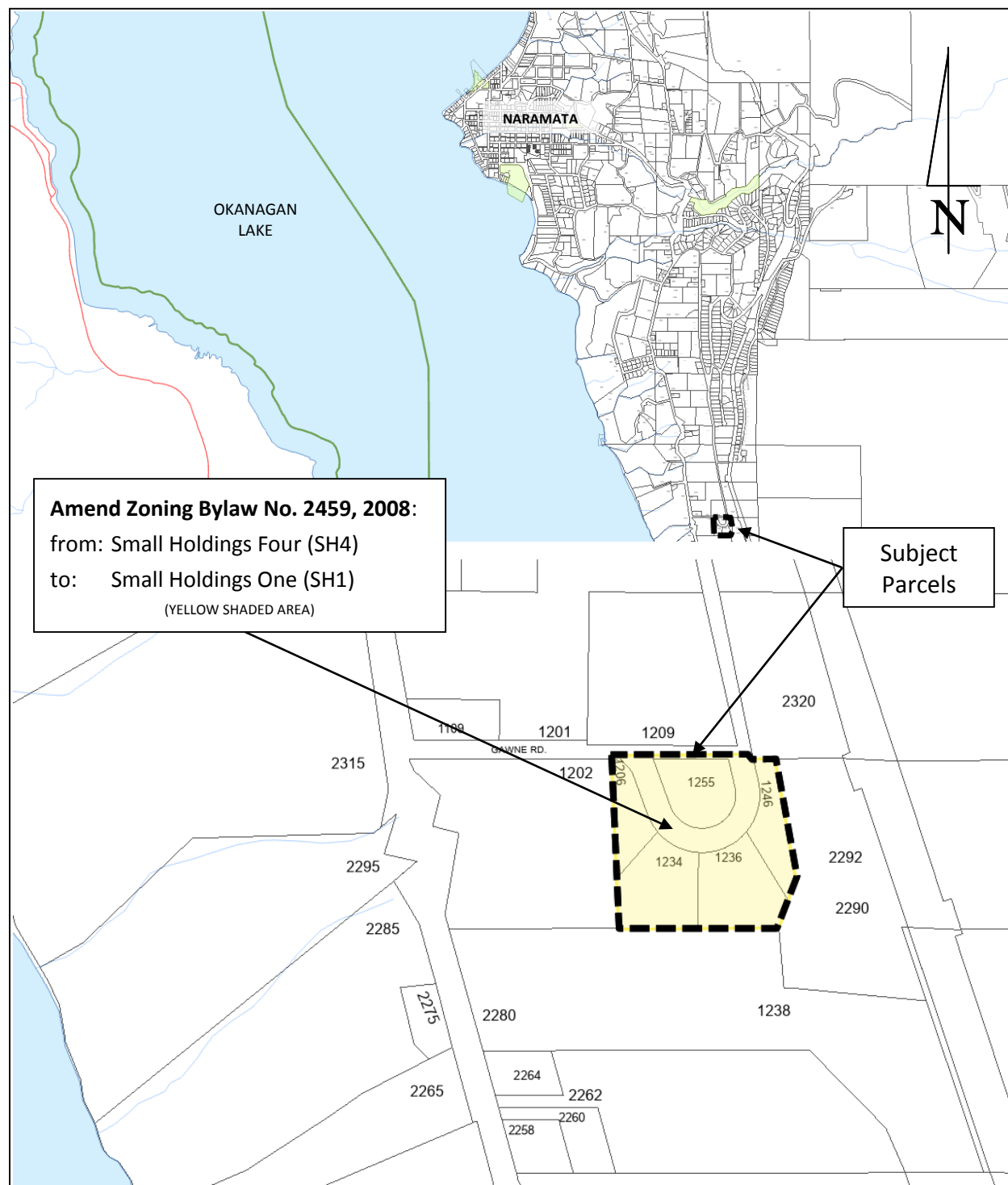
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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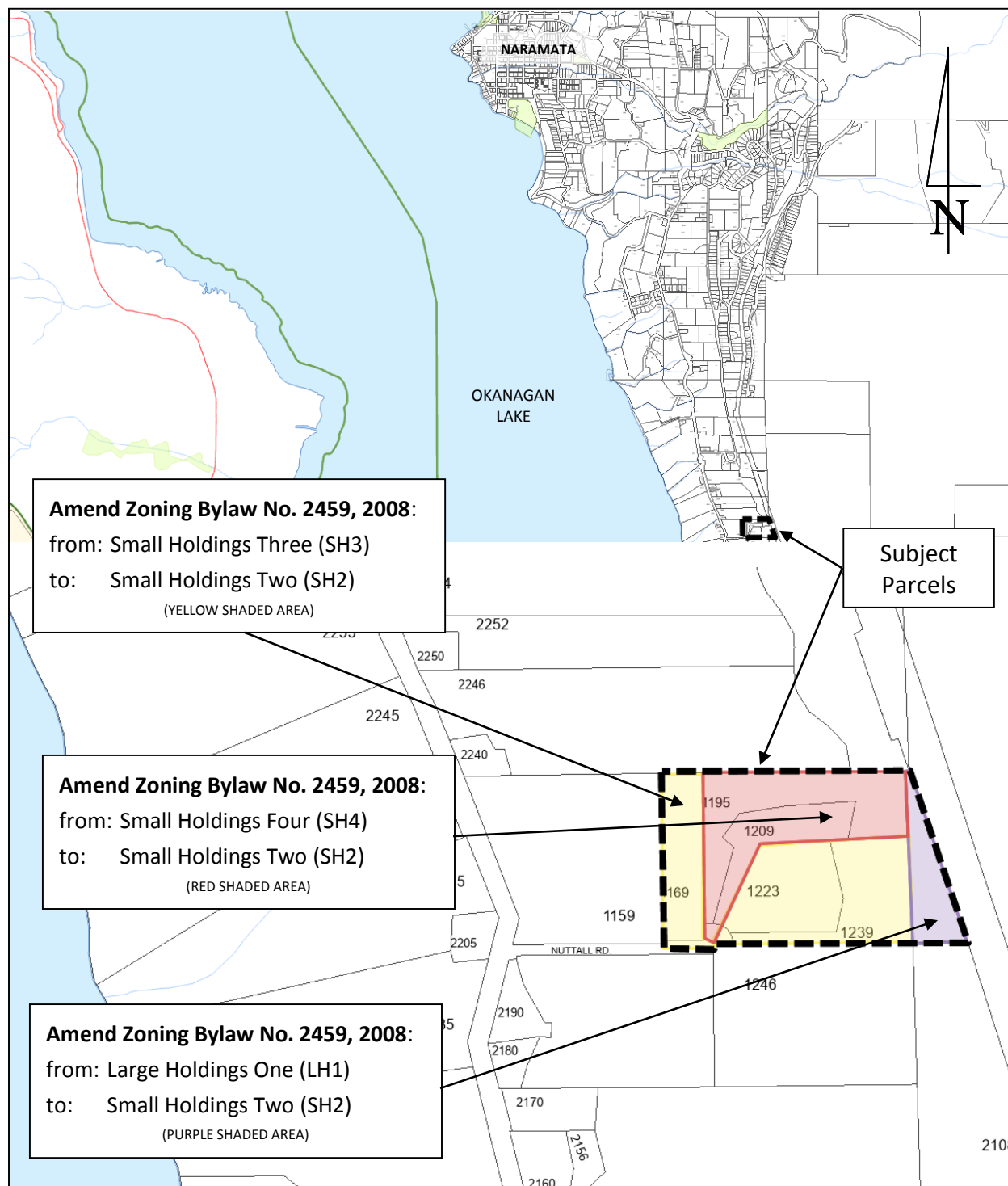
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

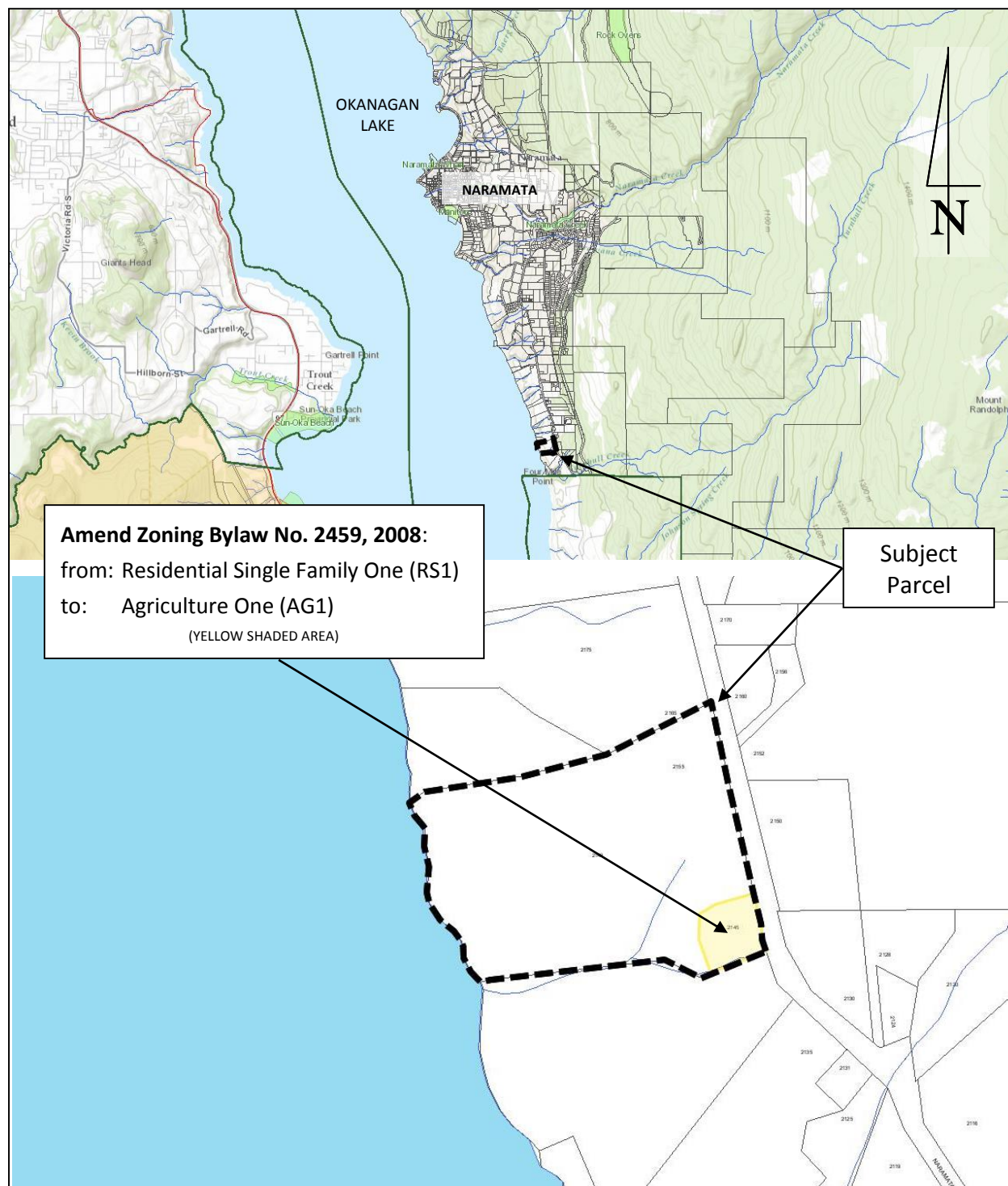
Tel: 250-492-0237 Email: info@rdos.bc.ca



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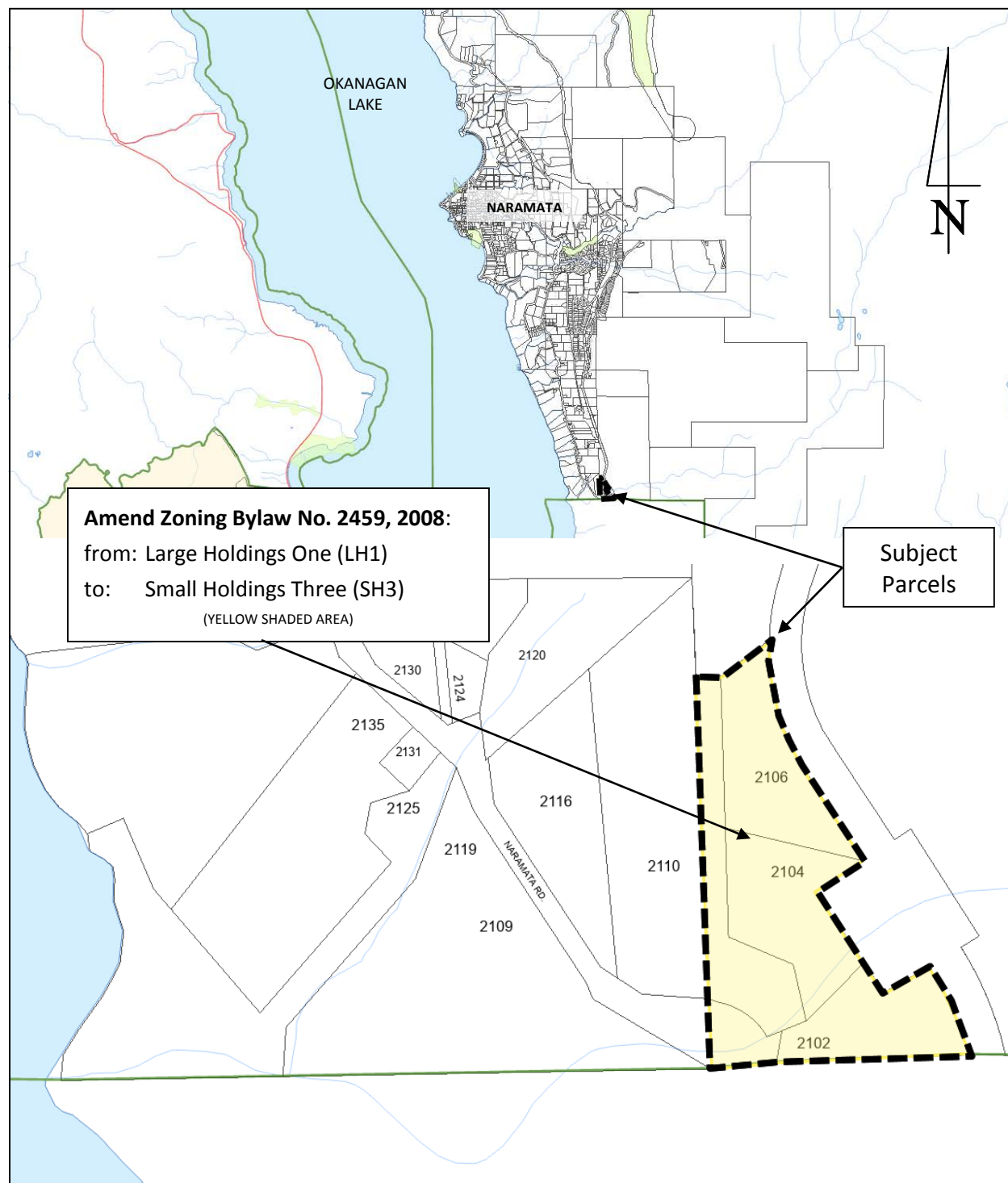
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

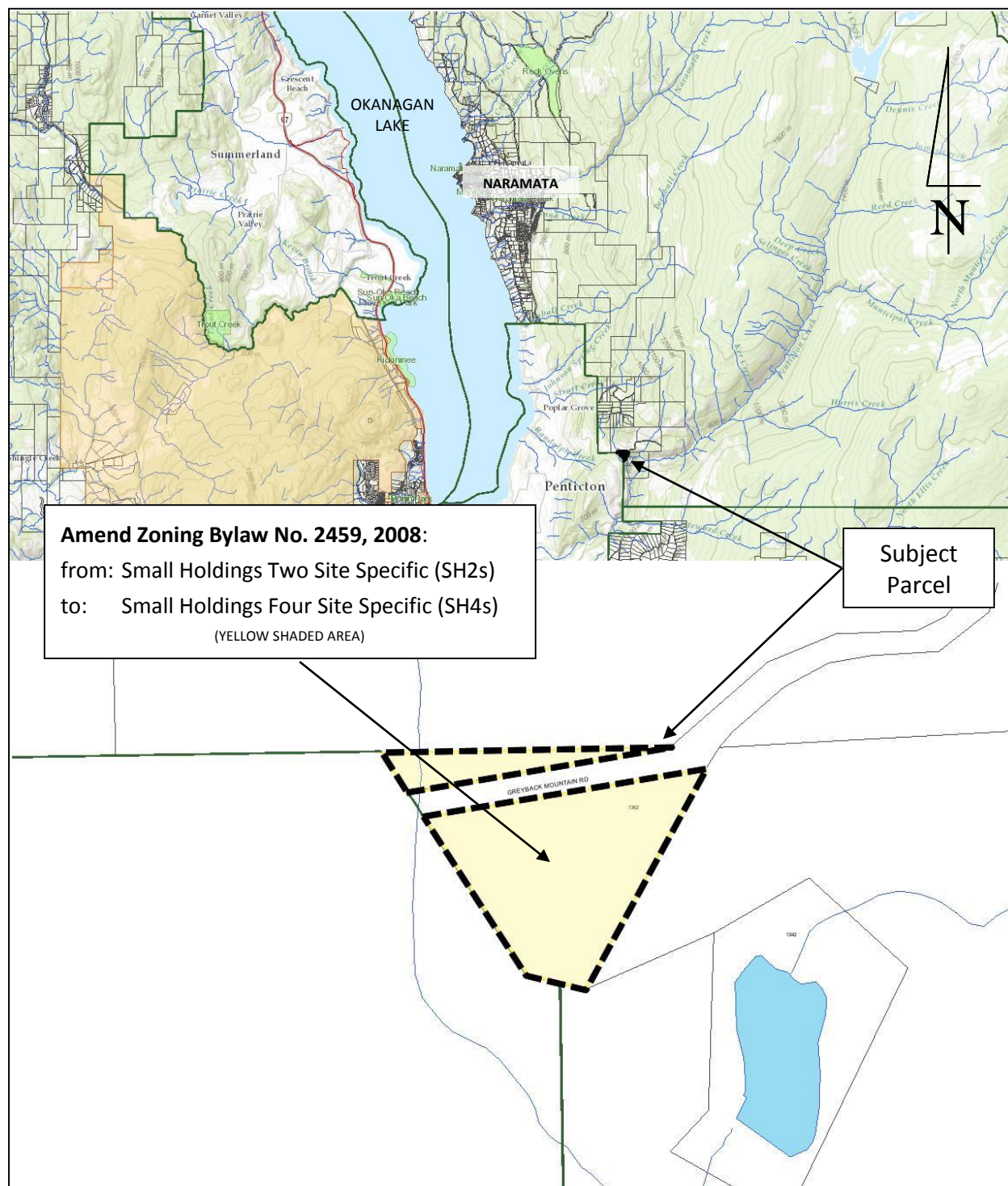
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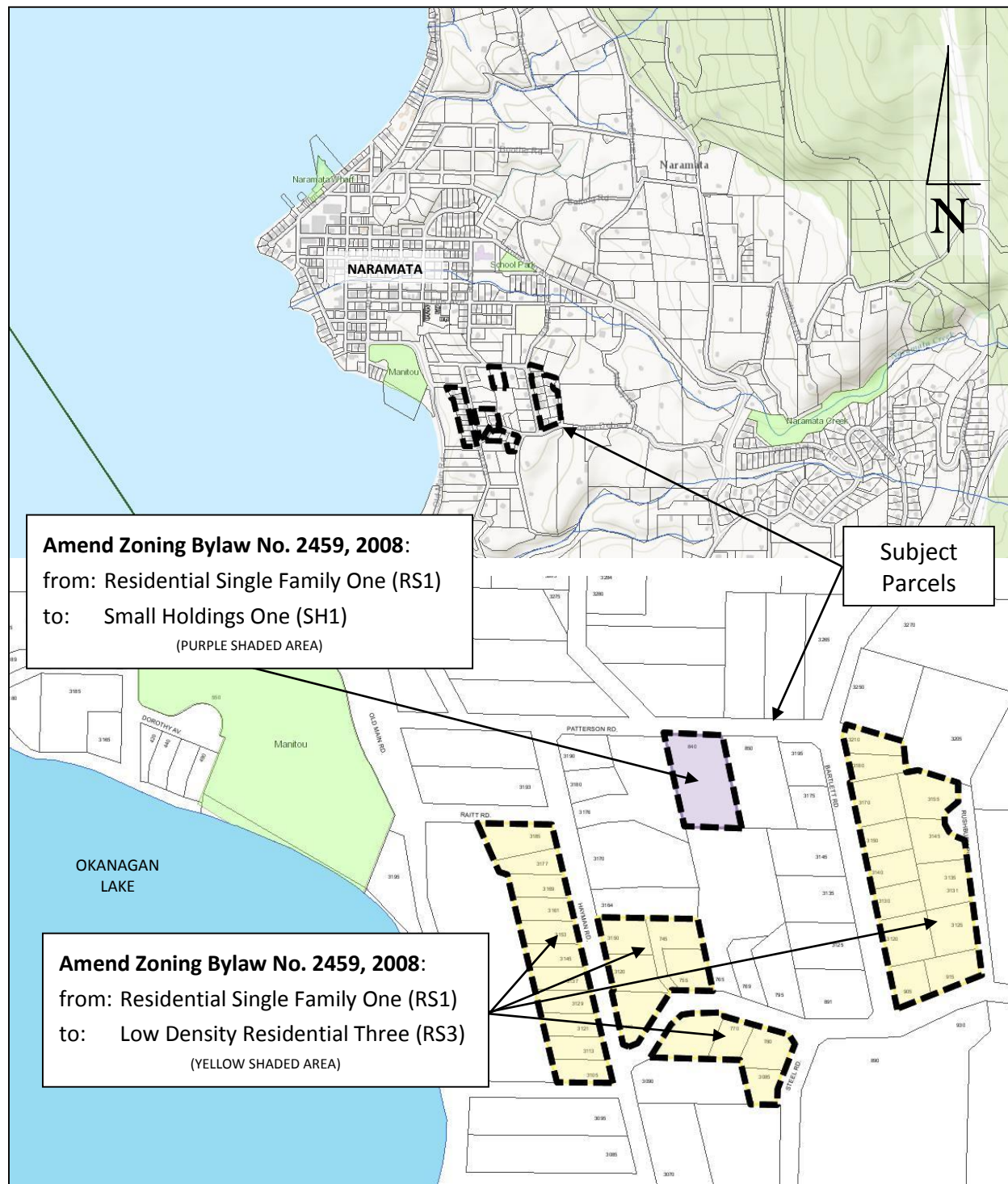
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

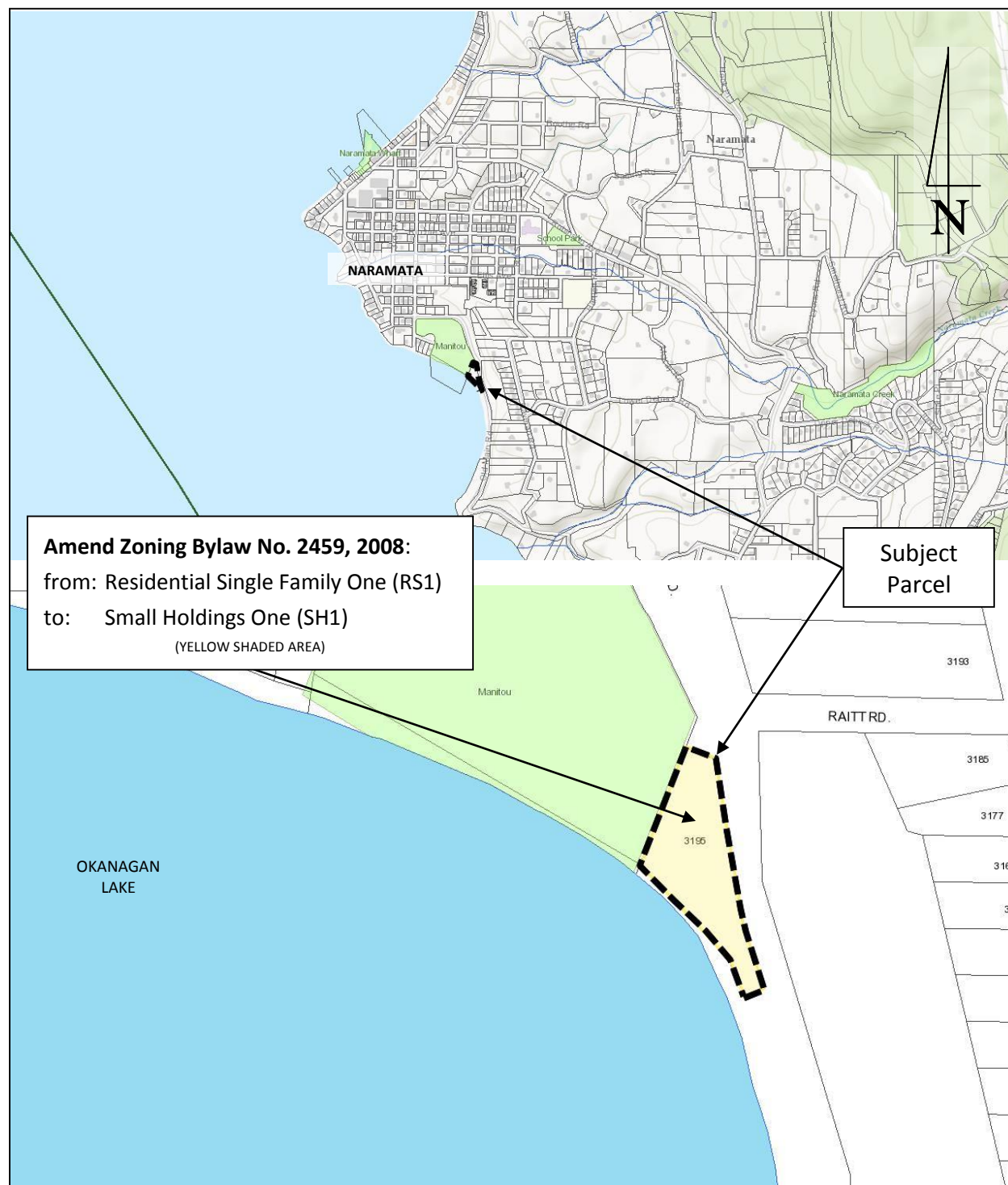
Tel: 250-492-0237 Email: info@rdos.bc.ca



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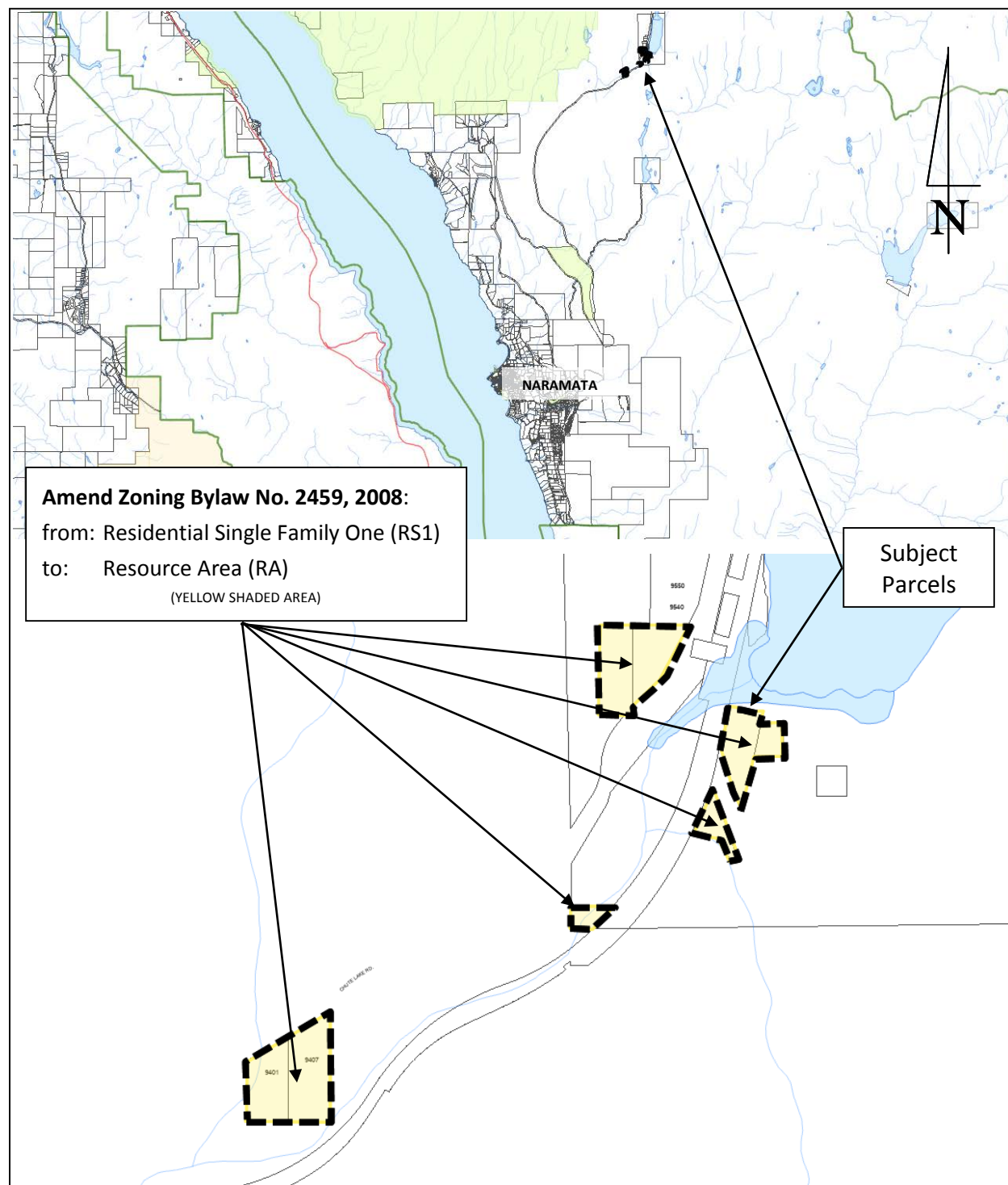
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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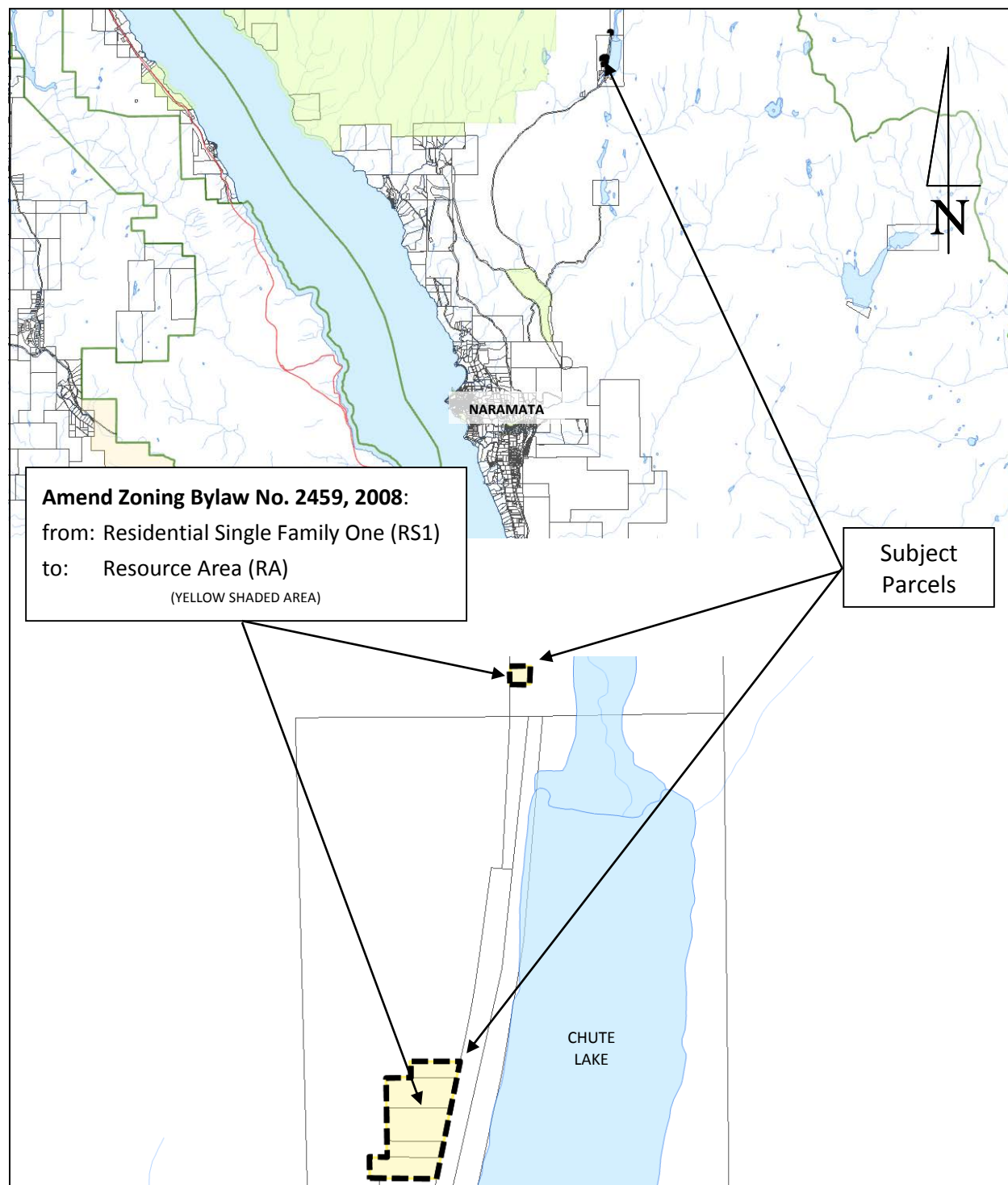
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

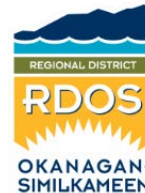
Schedule 'E-225'



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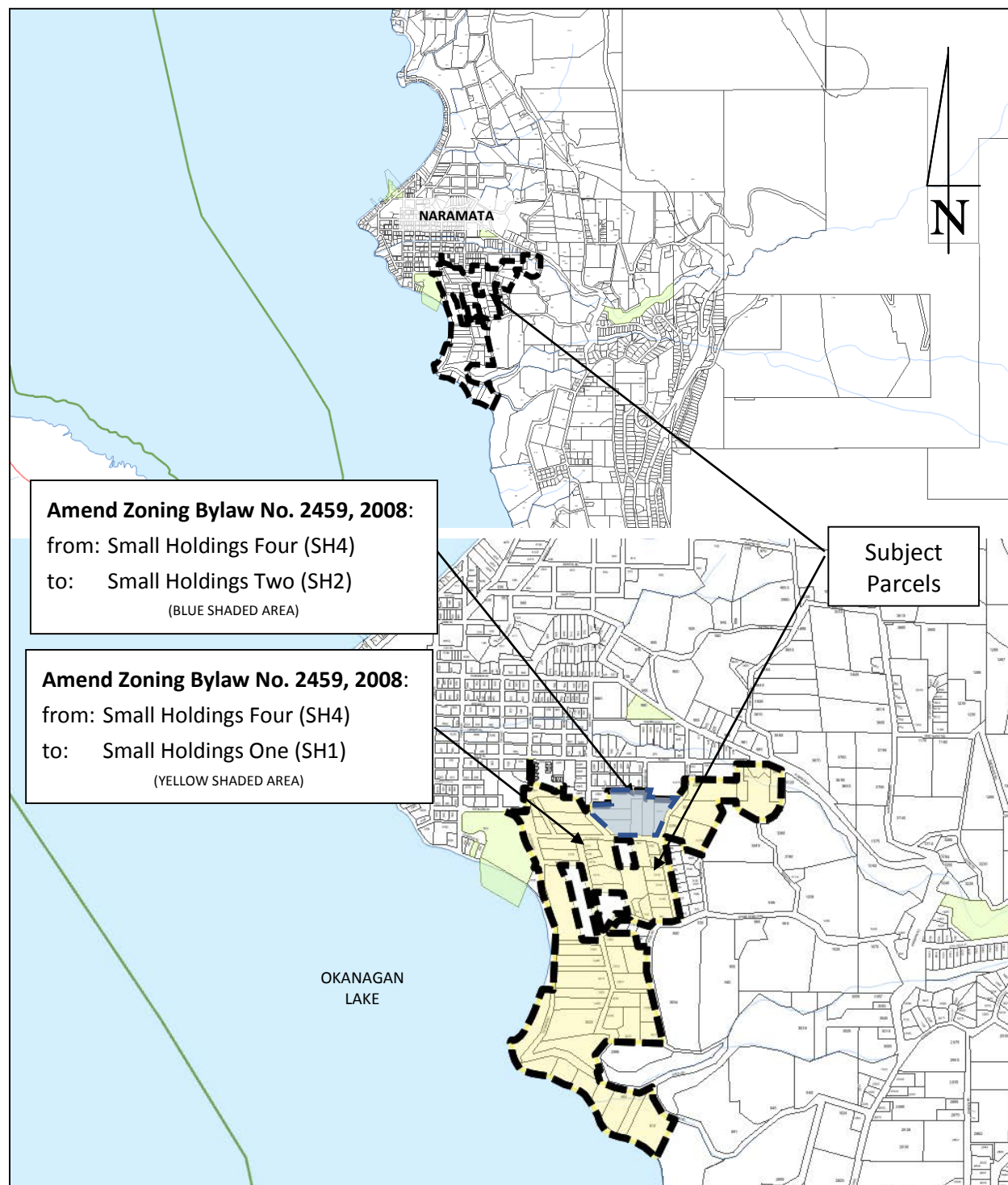
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'E-226'



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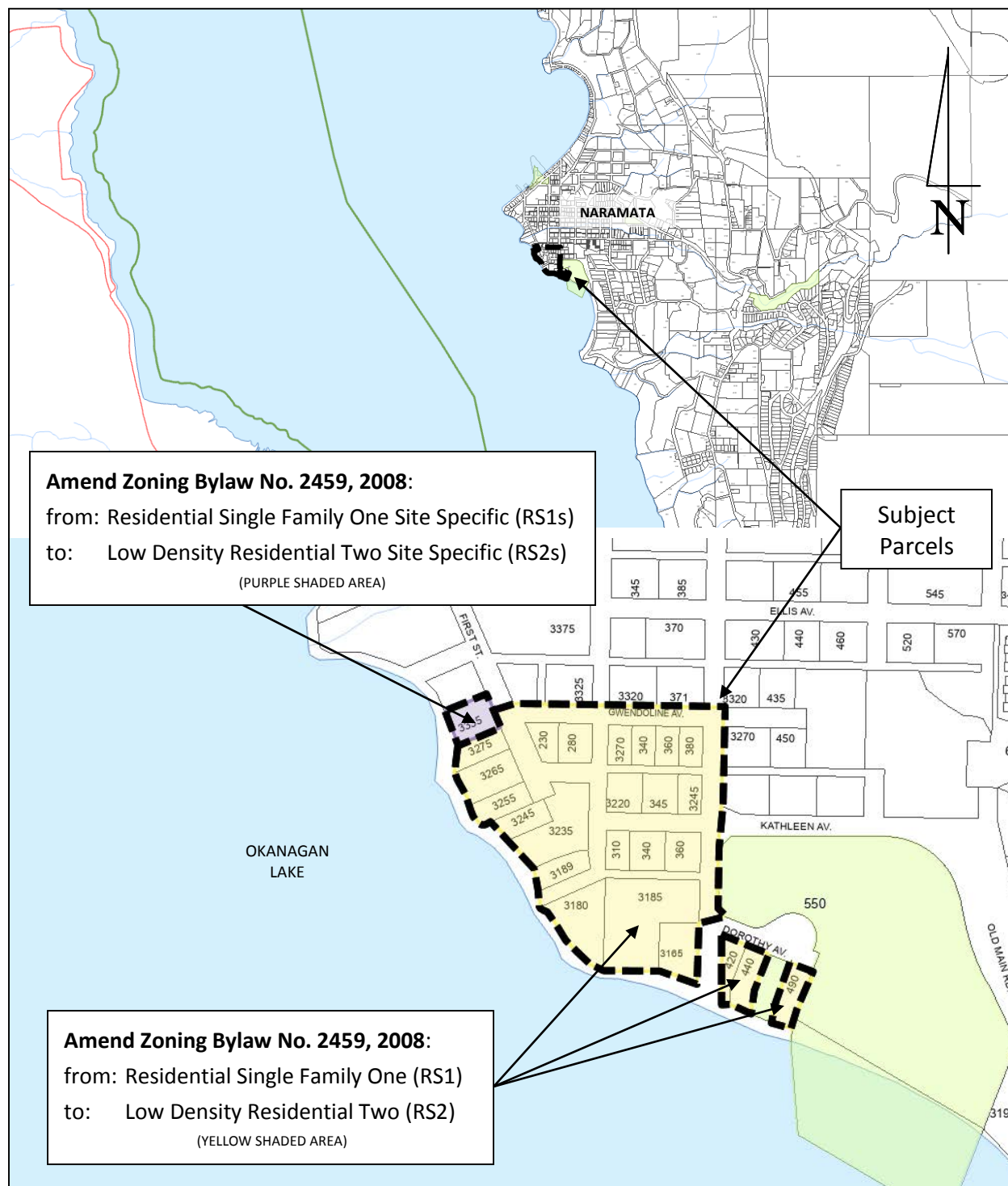
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

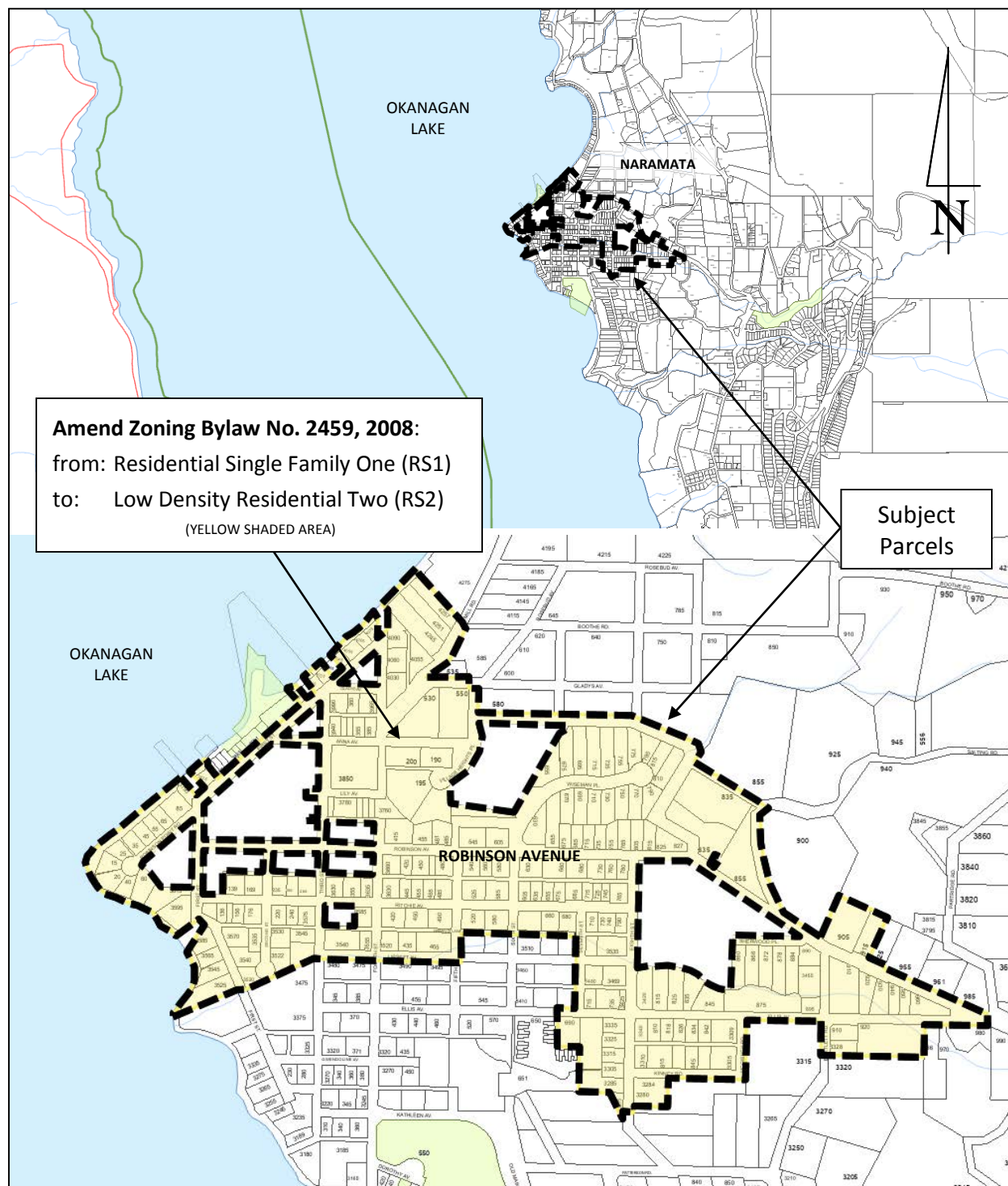
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File No. X2020.005-ZONE

Schedule 'E-228'



Regional District of Okanagan-Similkameen

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

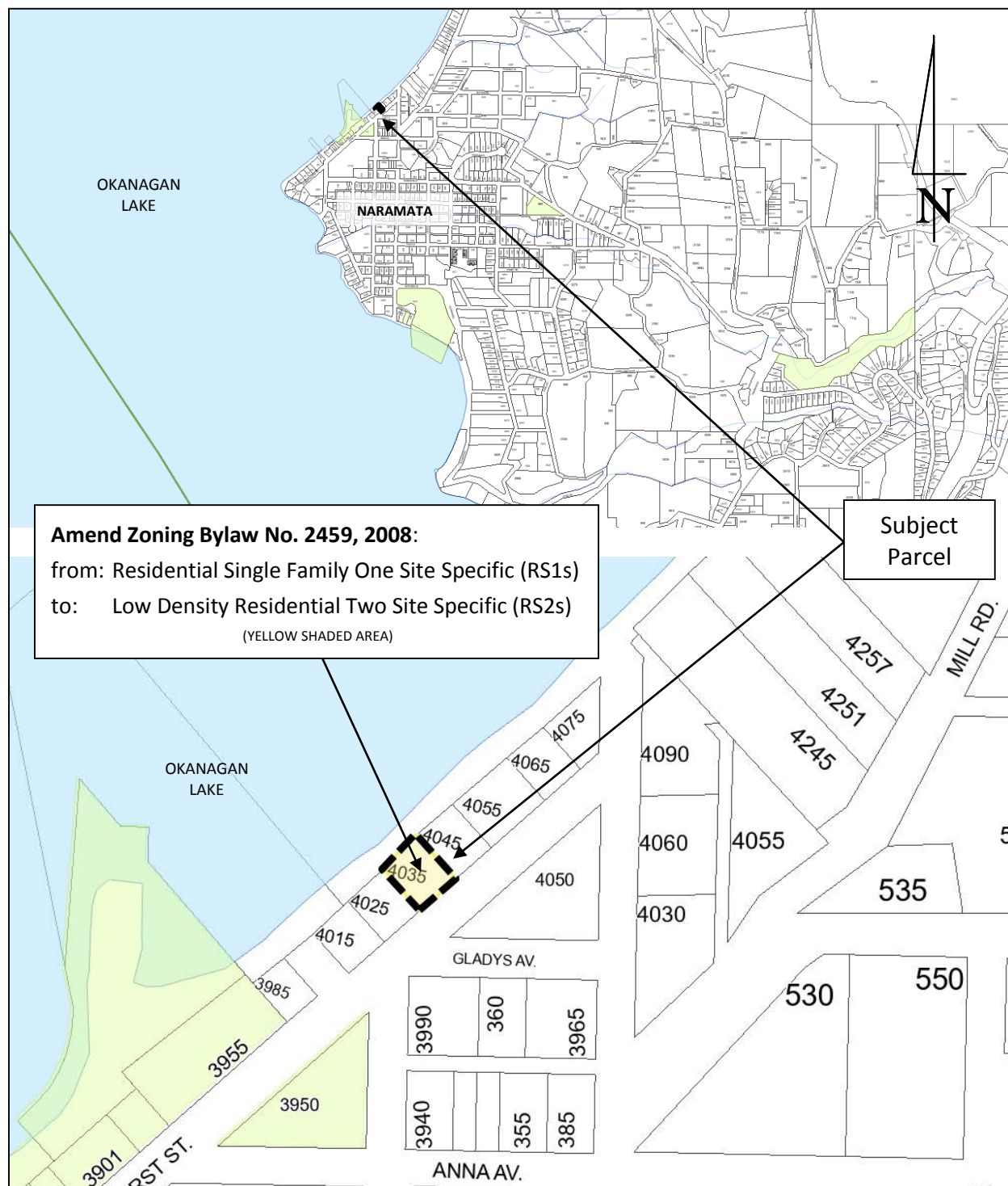
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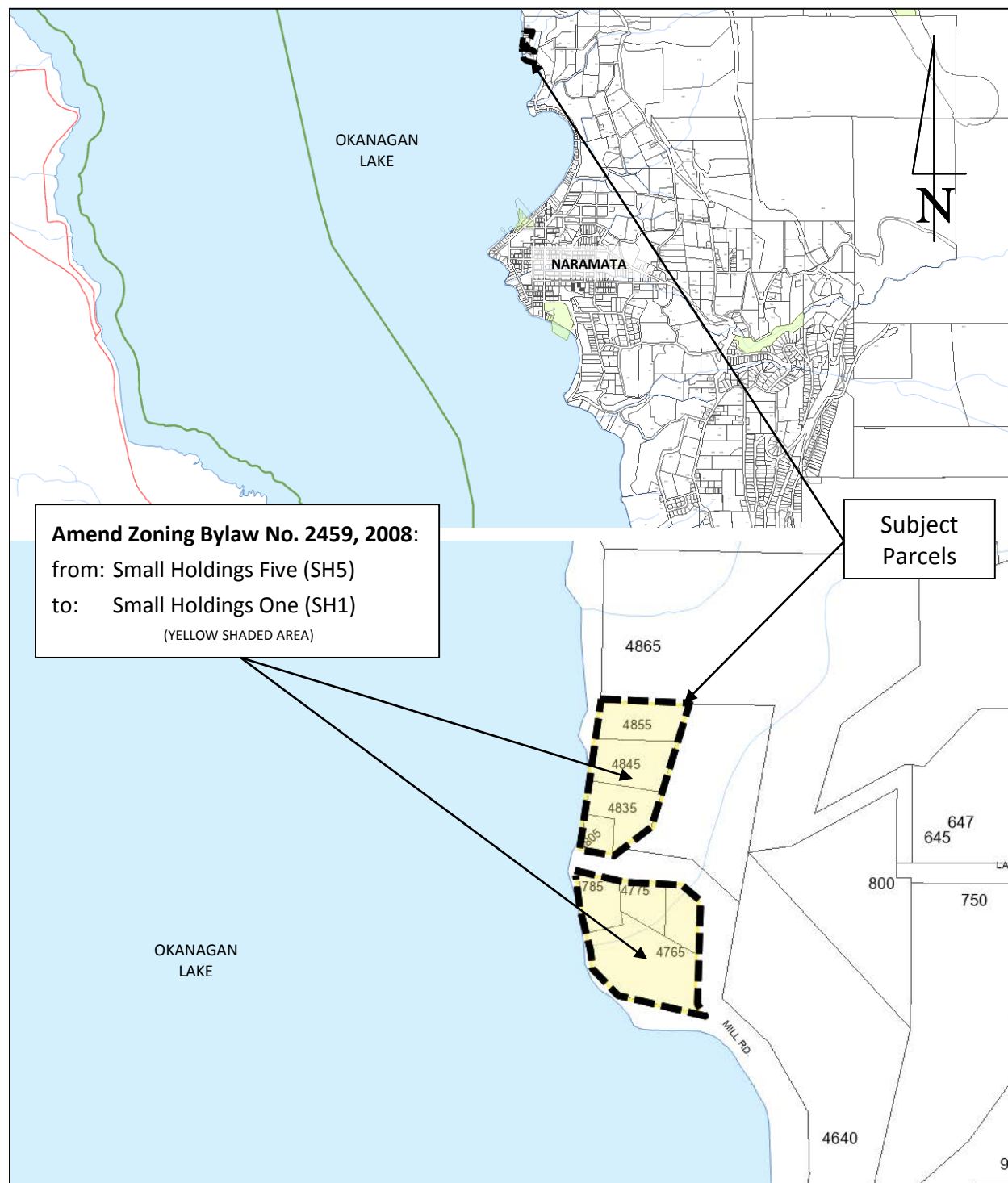
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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

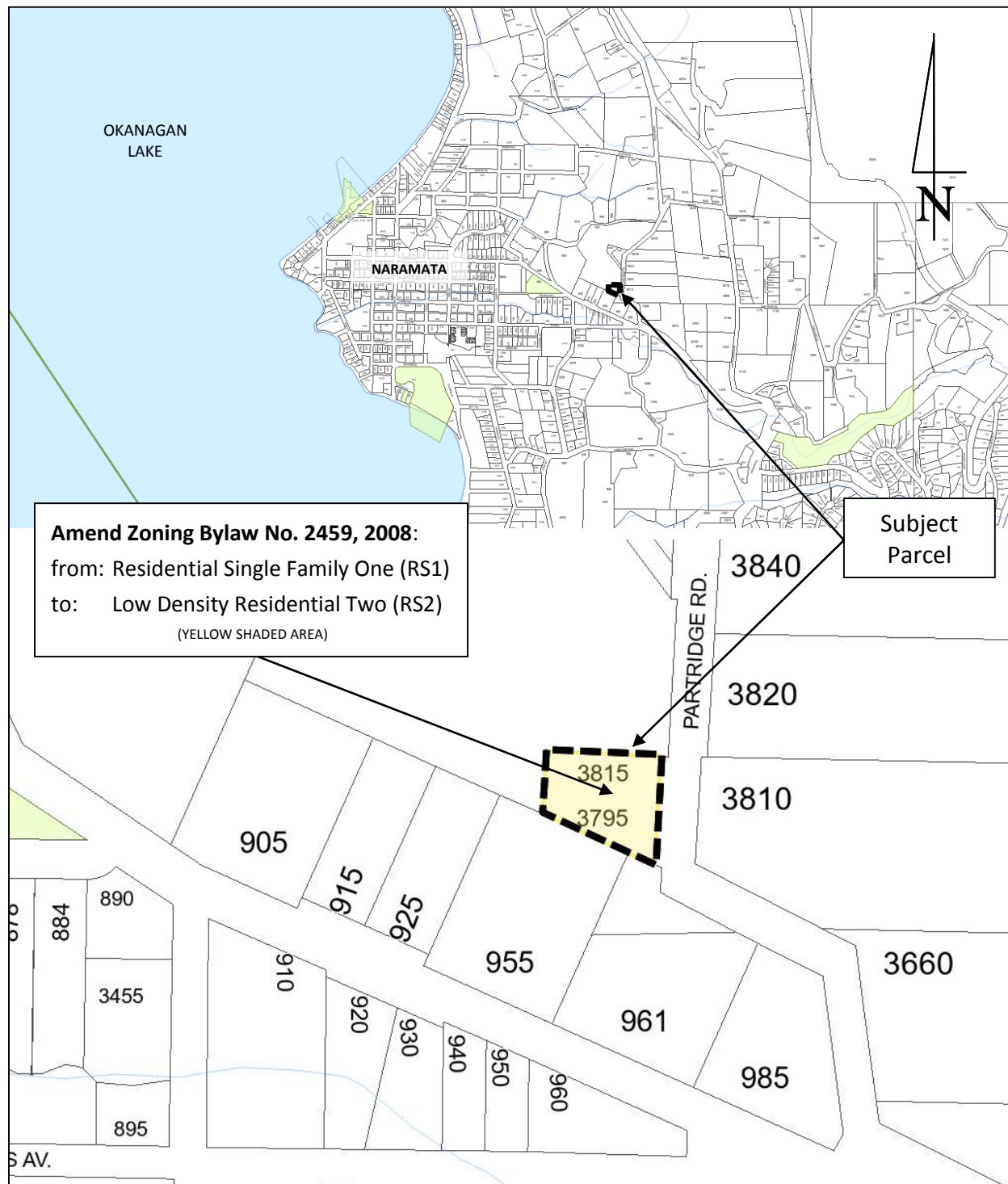
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File No. X2020.005-ZONE

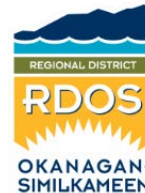
Schedule 'E-231'



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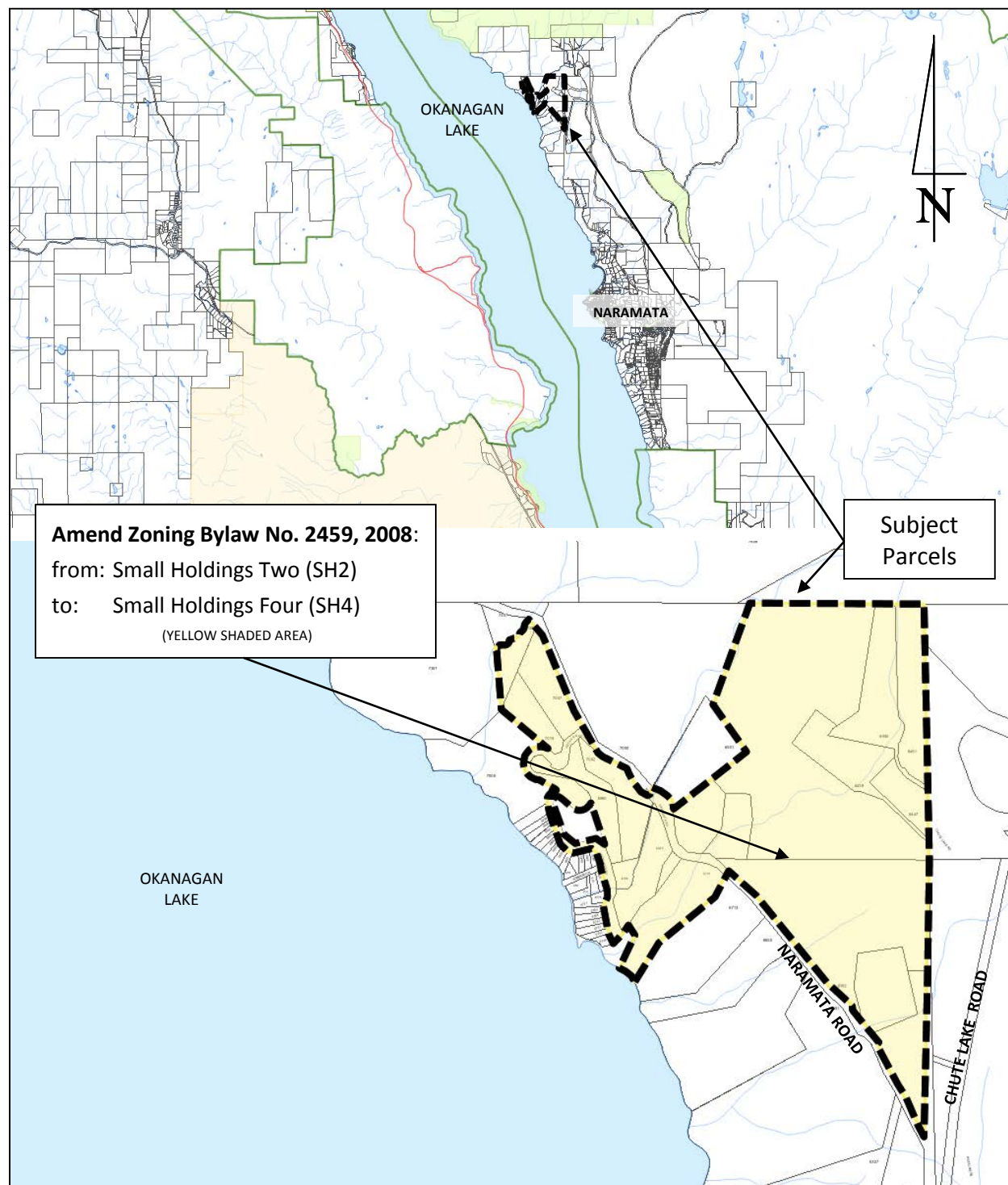
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'E-232'



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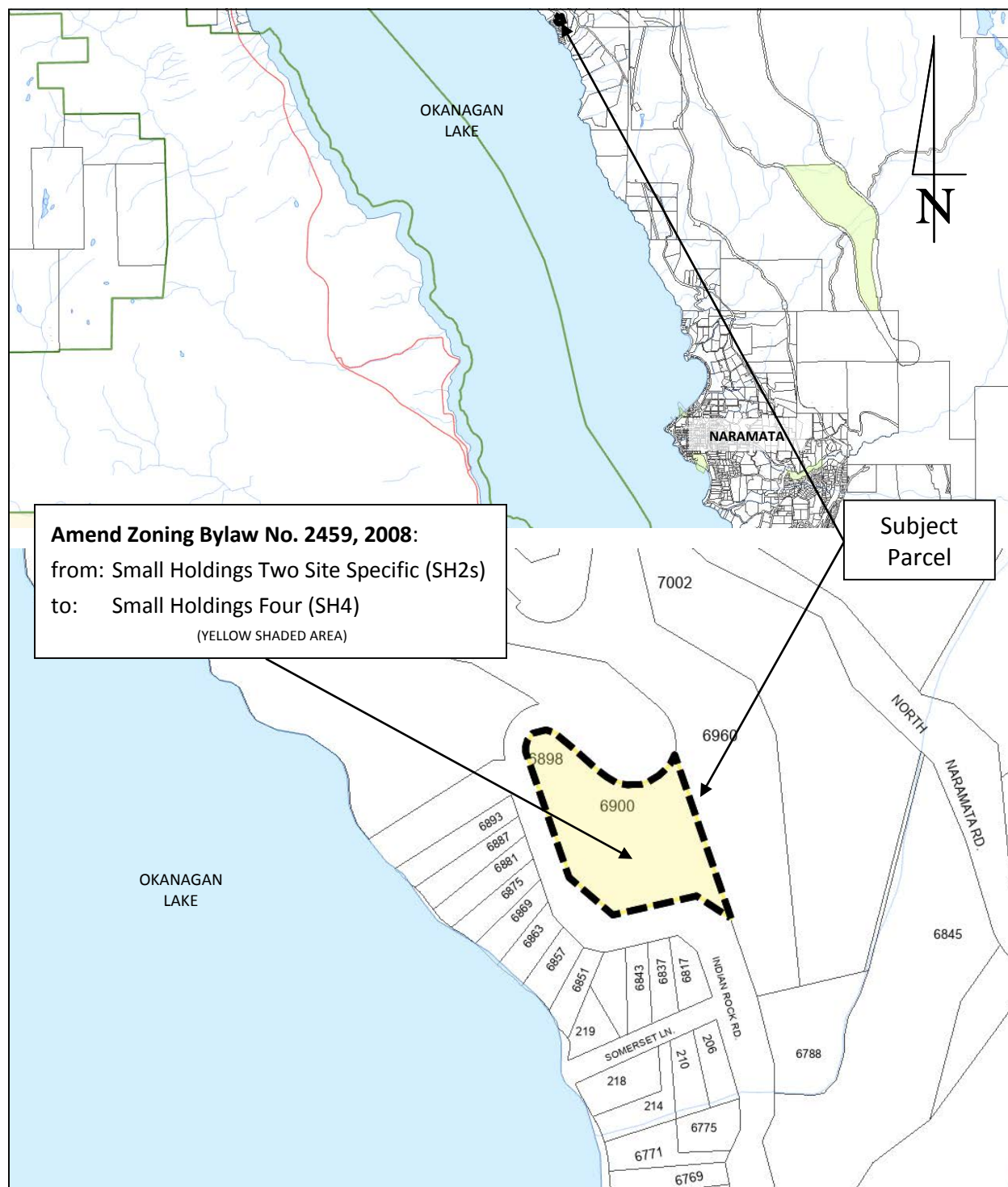
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'E-233'



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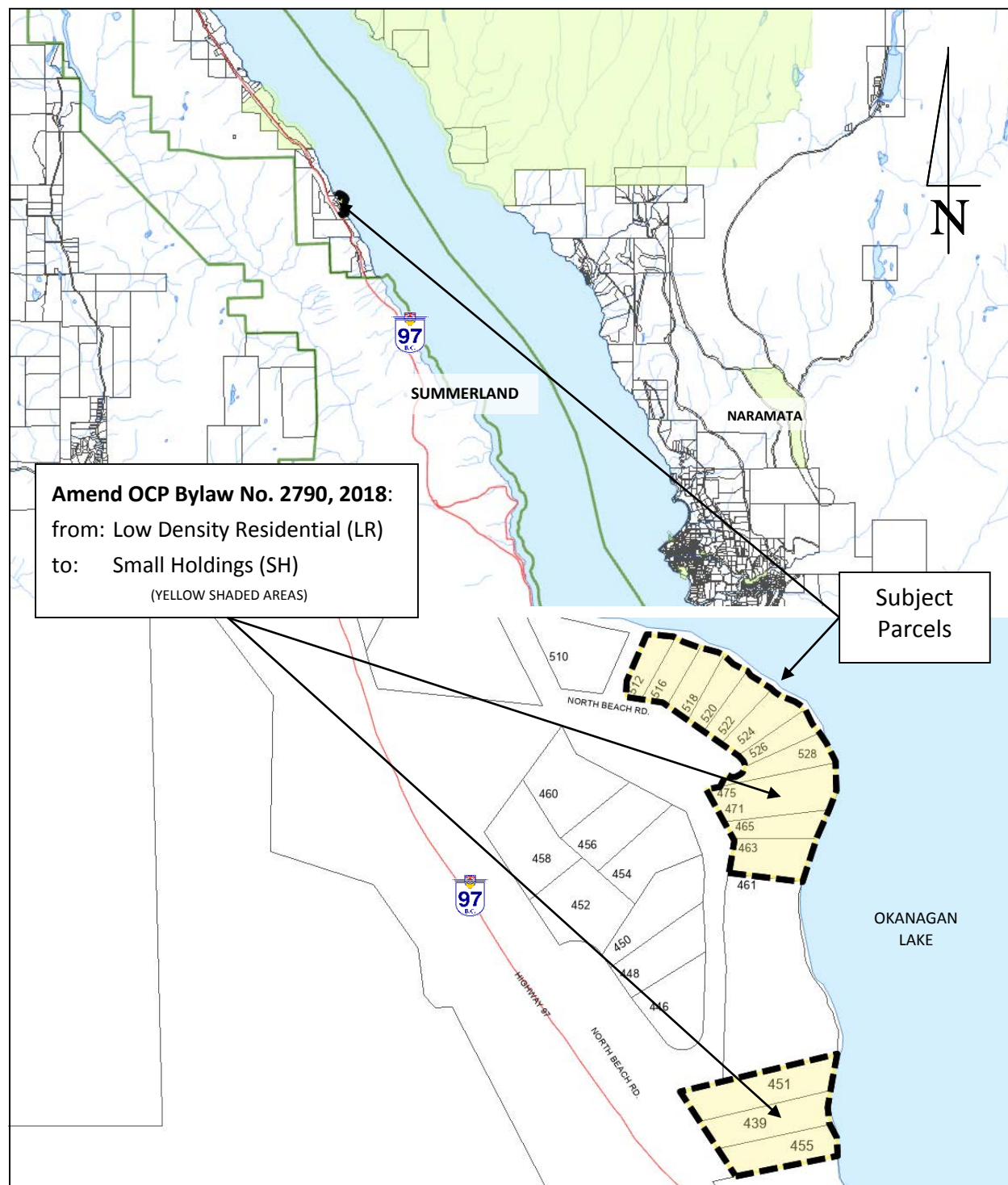
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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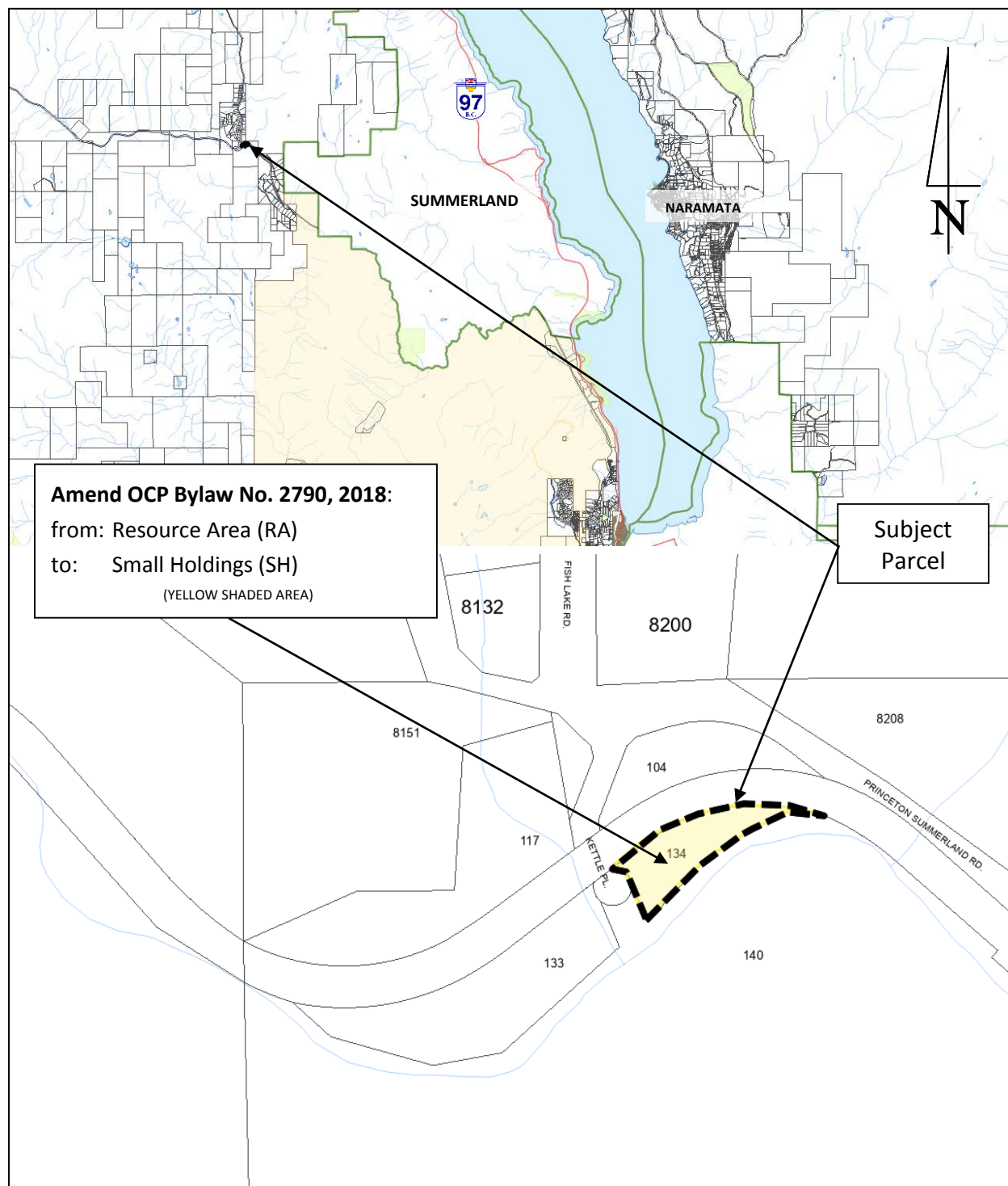
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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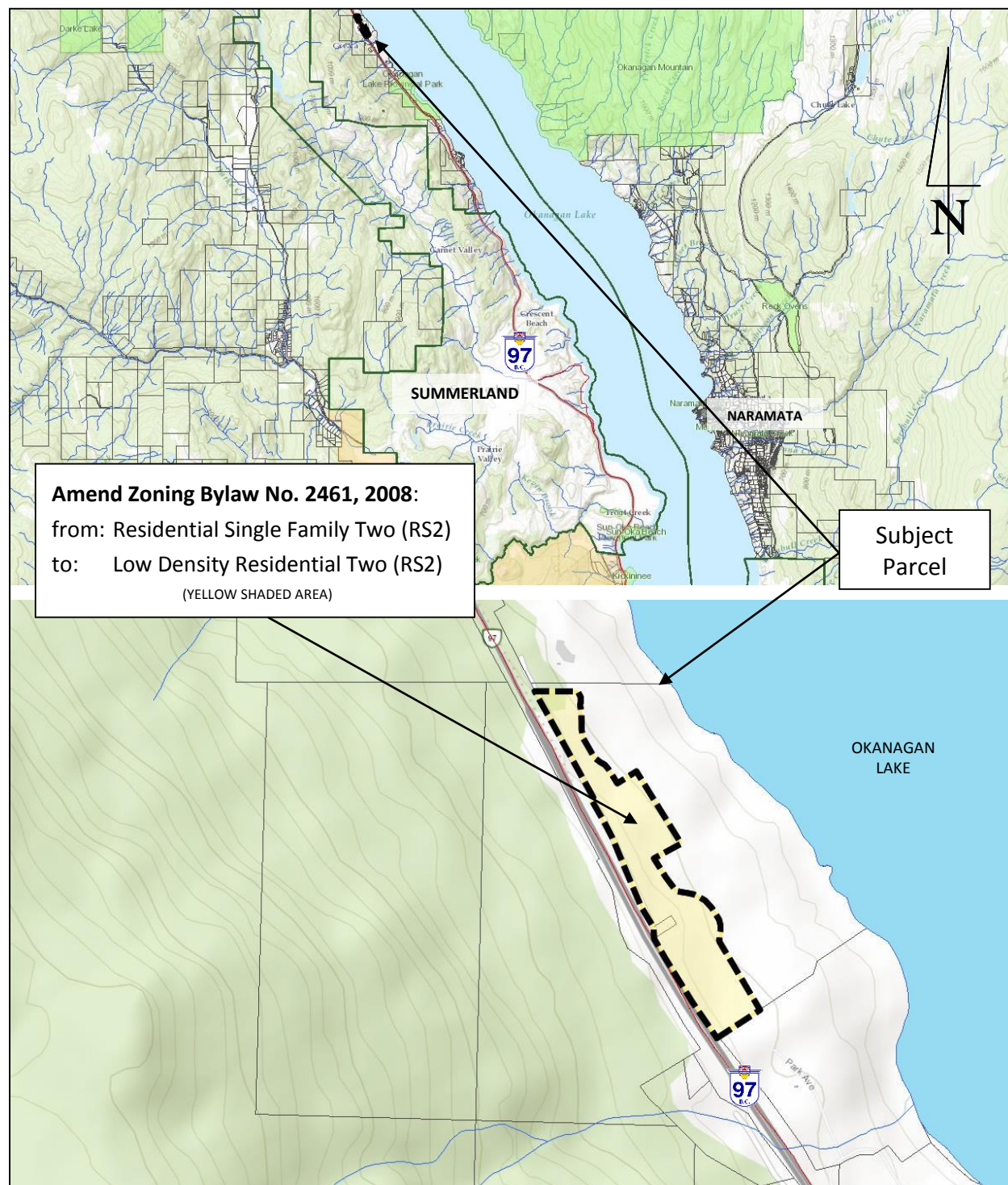
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'F-201'



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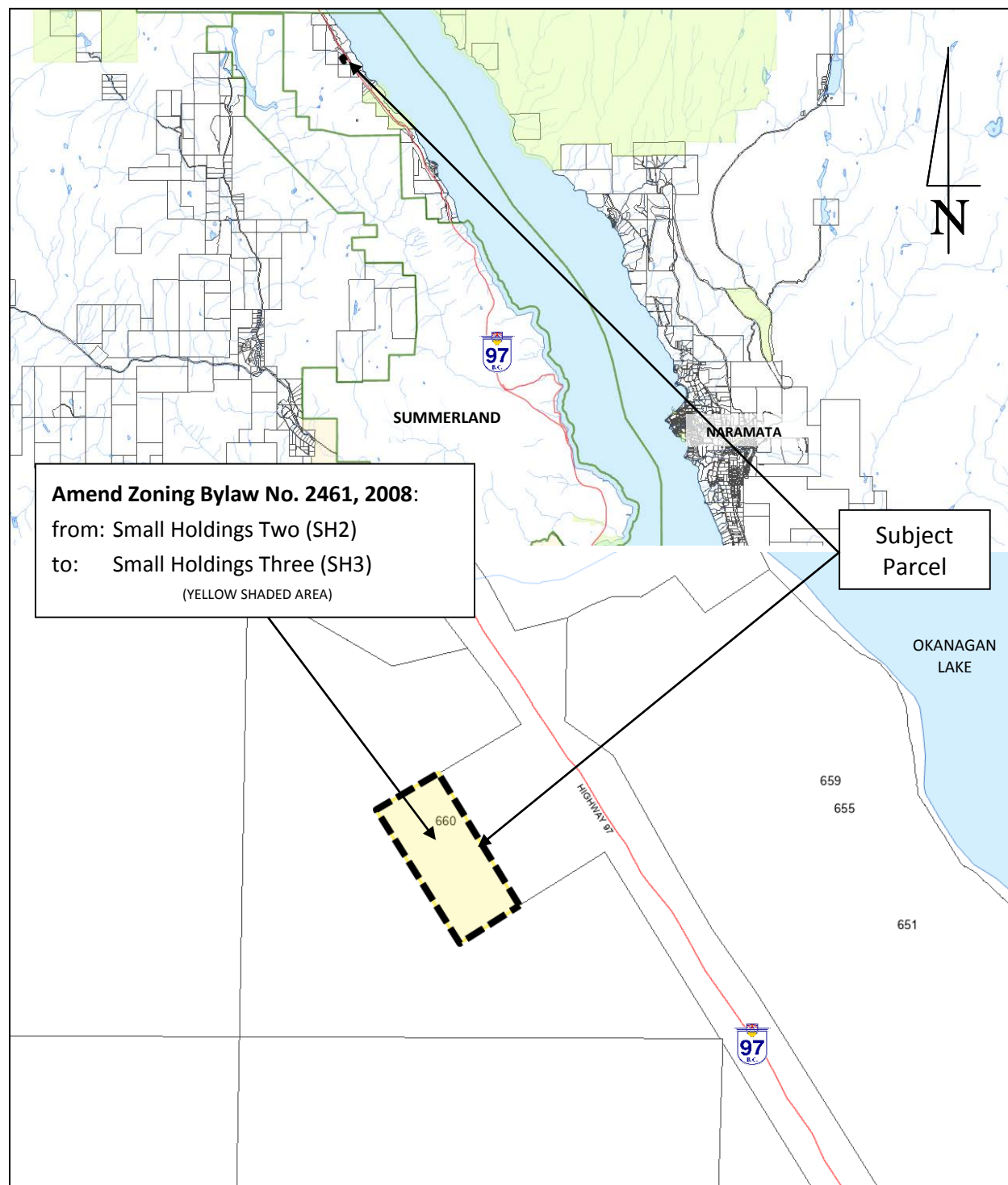
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'F-202'



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

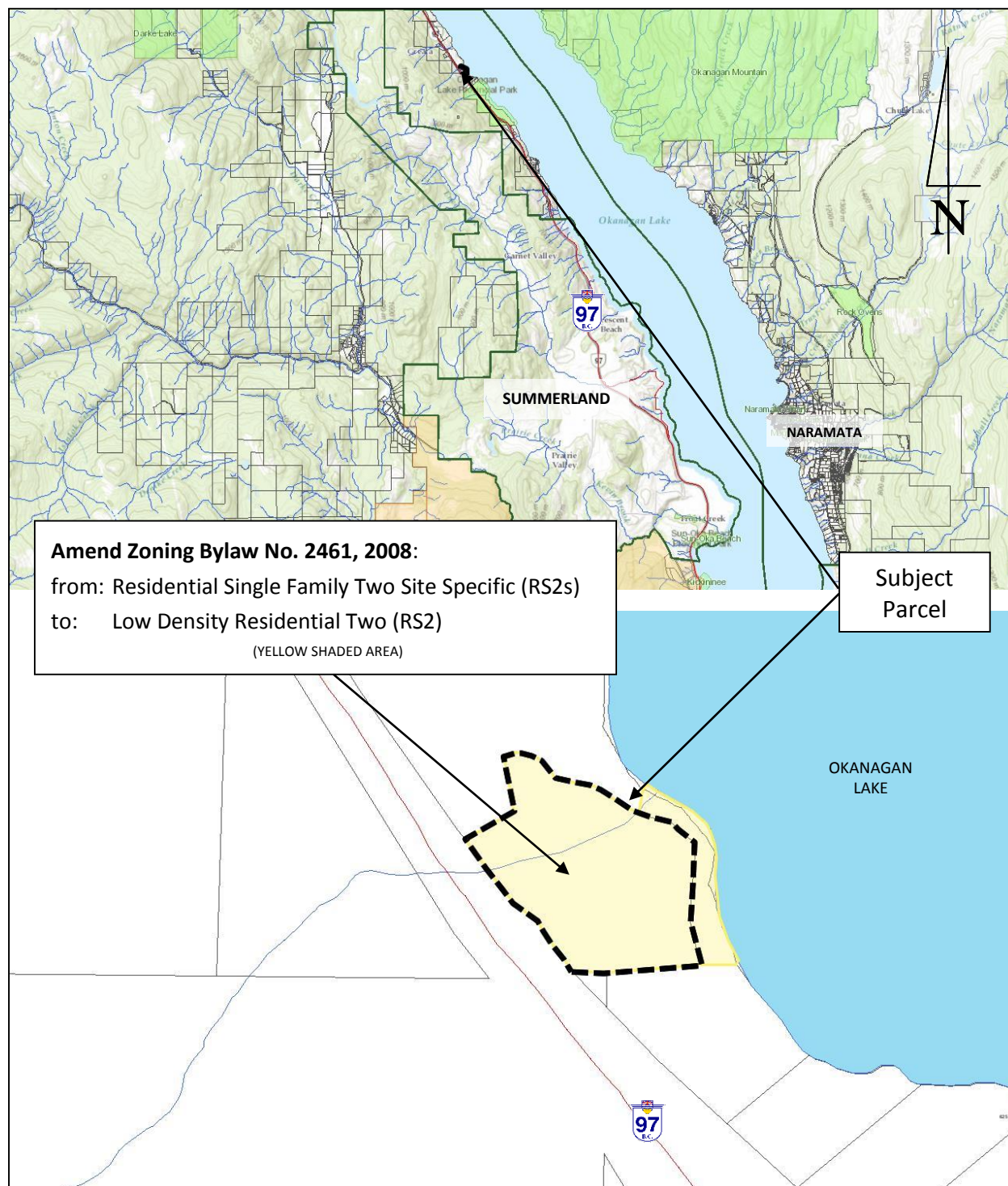
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Schedule 'F-203'

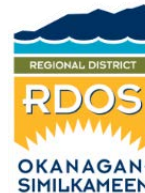


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101 Martin St, Penticton, BC, V2A-5J9

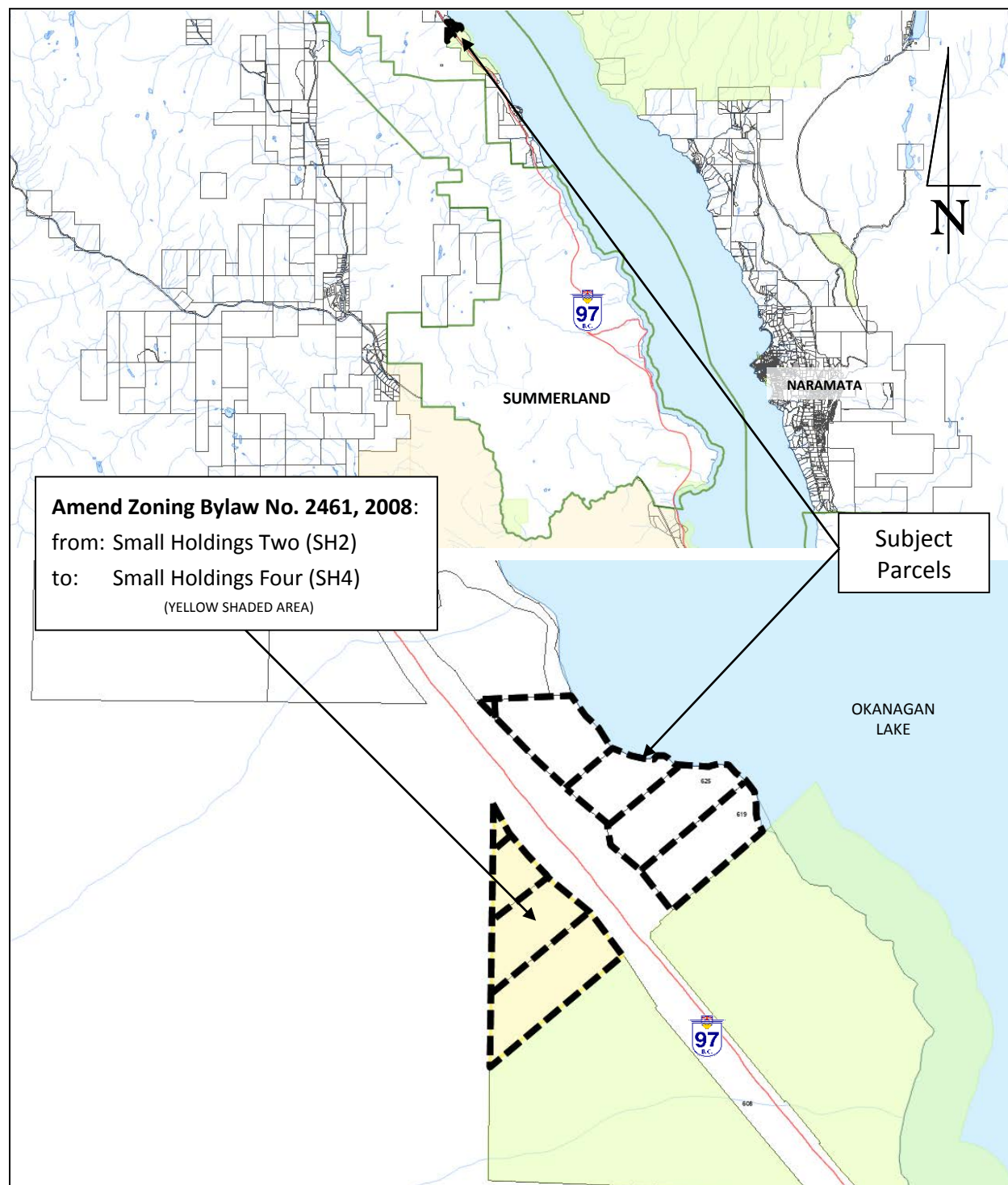
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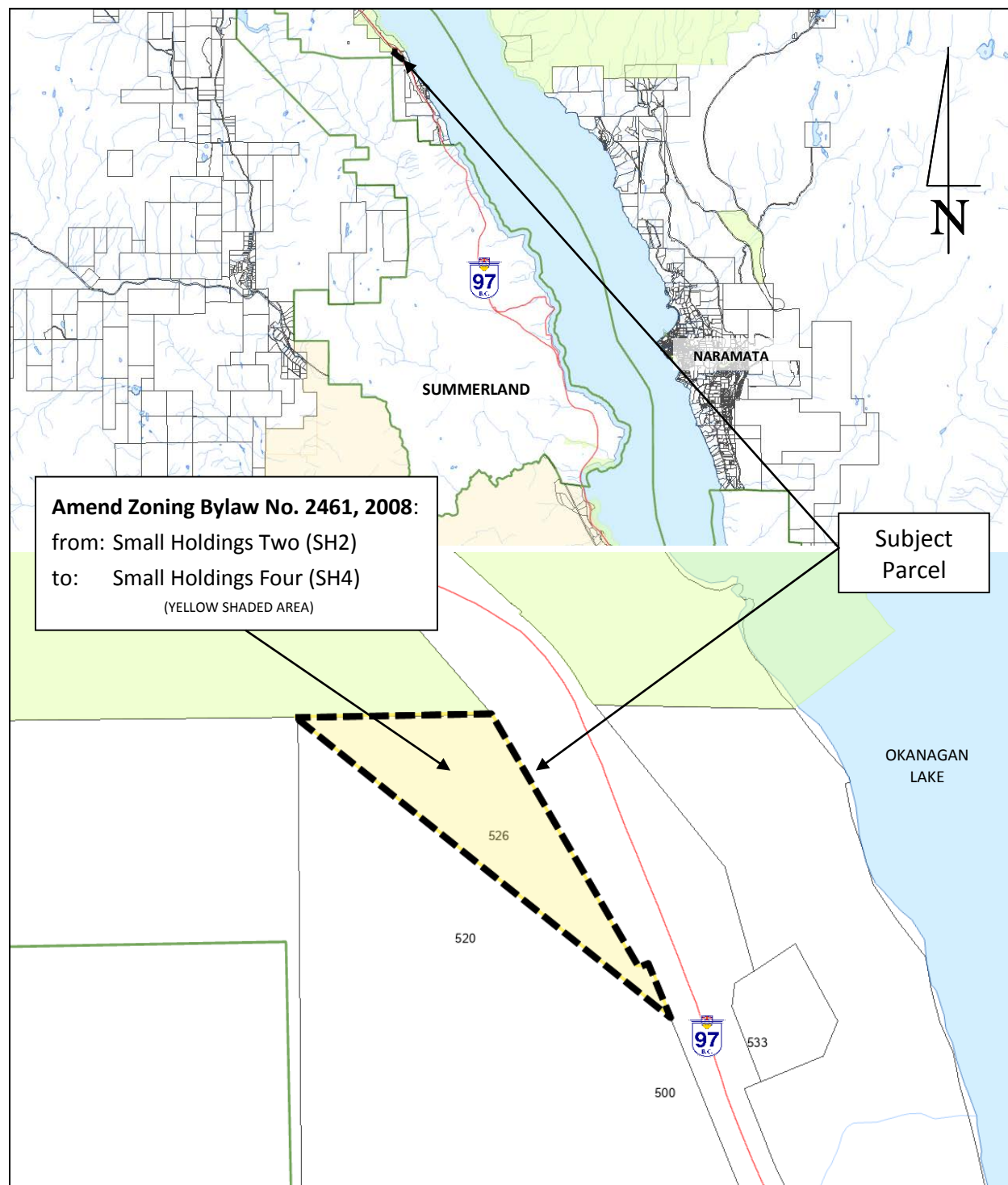
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'F-205'



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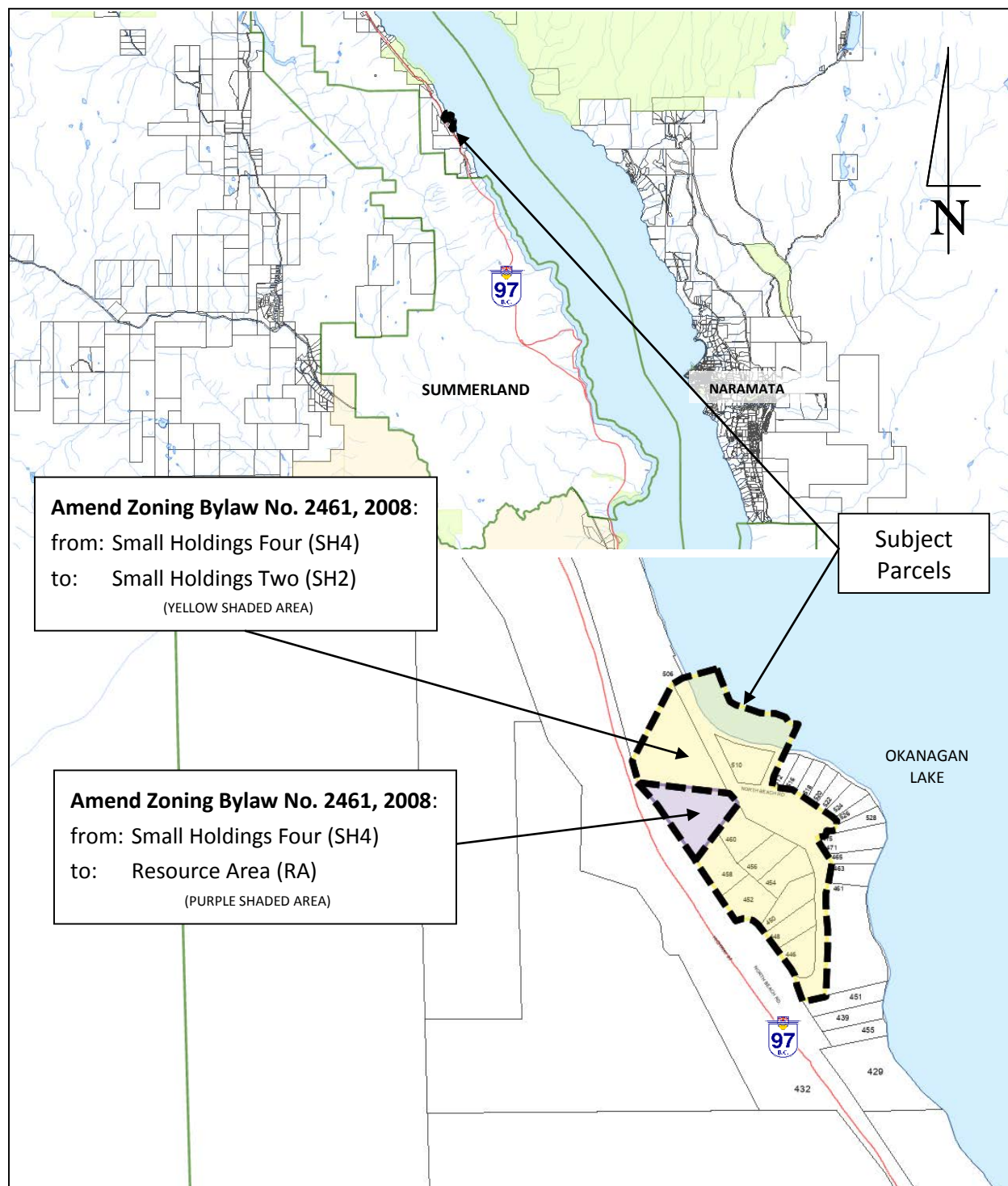
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'F-206'



Amend Zoning Bylaw No. 2461, 2008:

from: Small Holdings Four (SH4)

to: Small Holdings Two (SH2)

(YELLOW SHADED AREA)

Amend Zoning Bylaw No. 2461, 2008:

from: Small Holdings Four (SH4)

to: Resource Area (RA)

(PURPLE SHADED AREA)

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

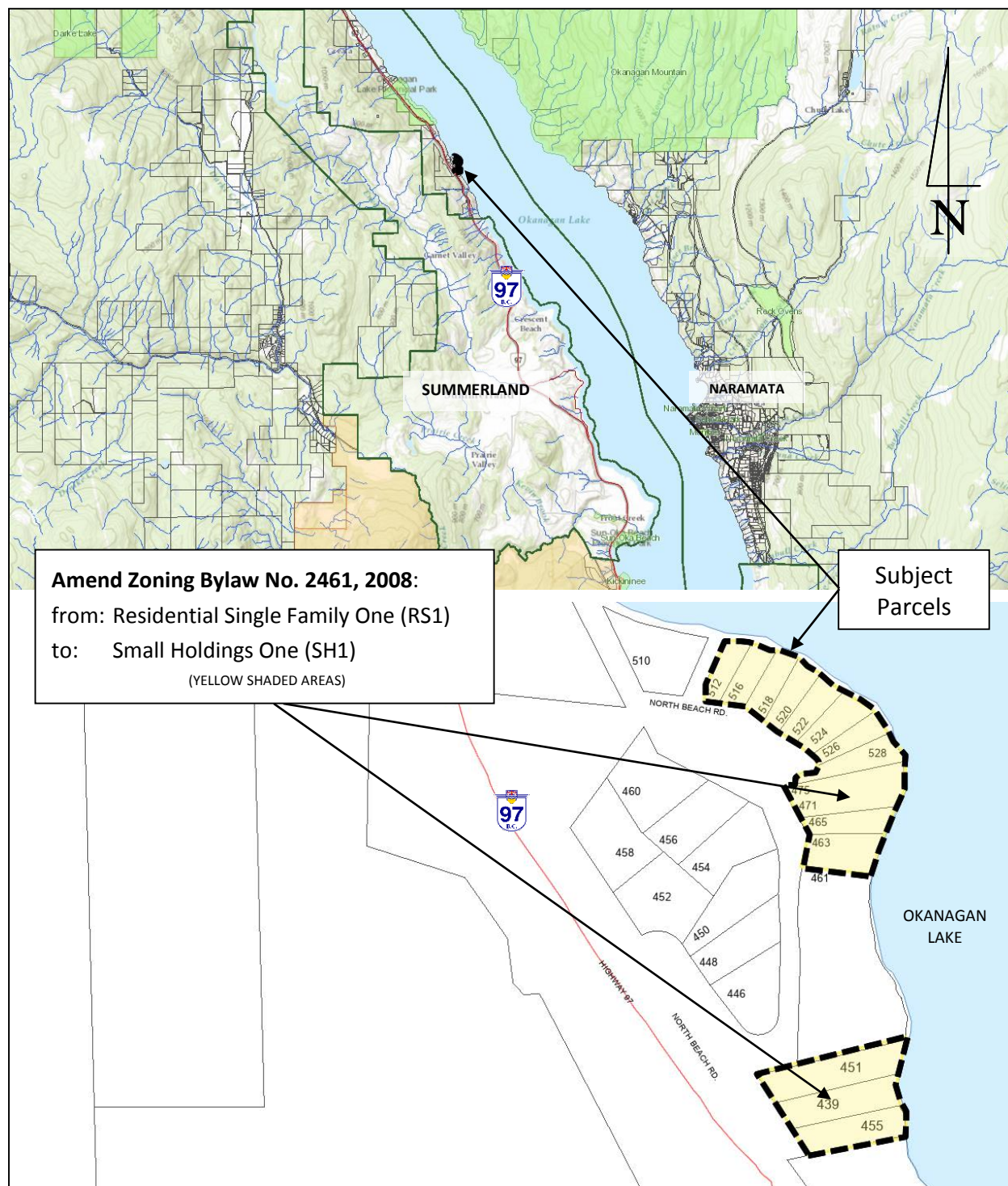
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

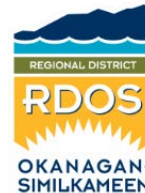
Schedule 'F-207'



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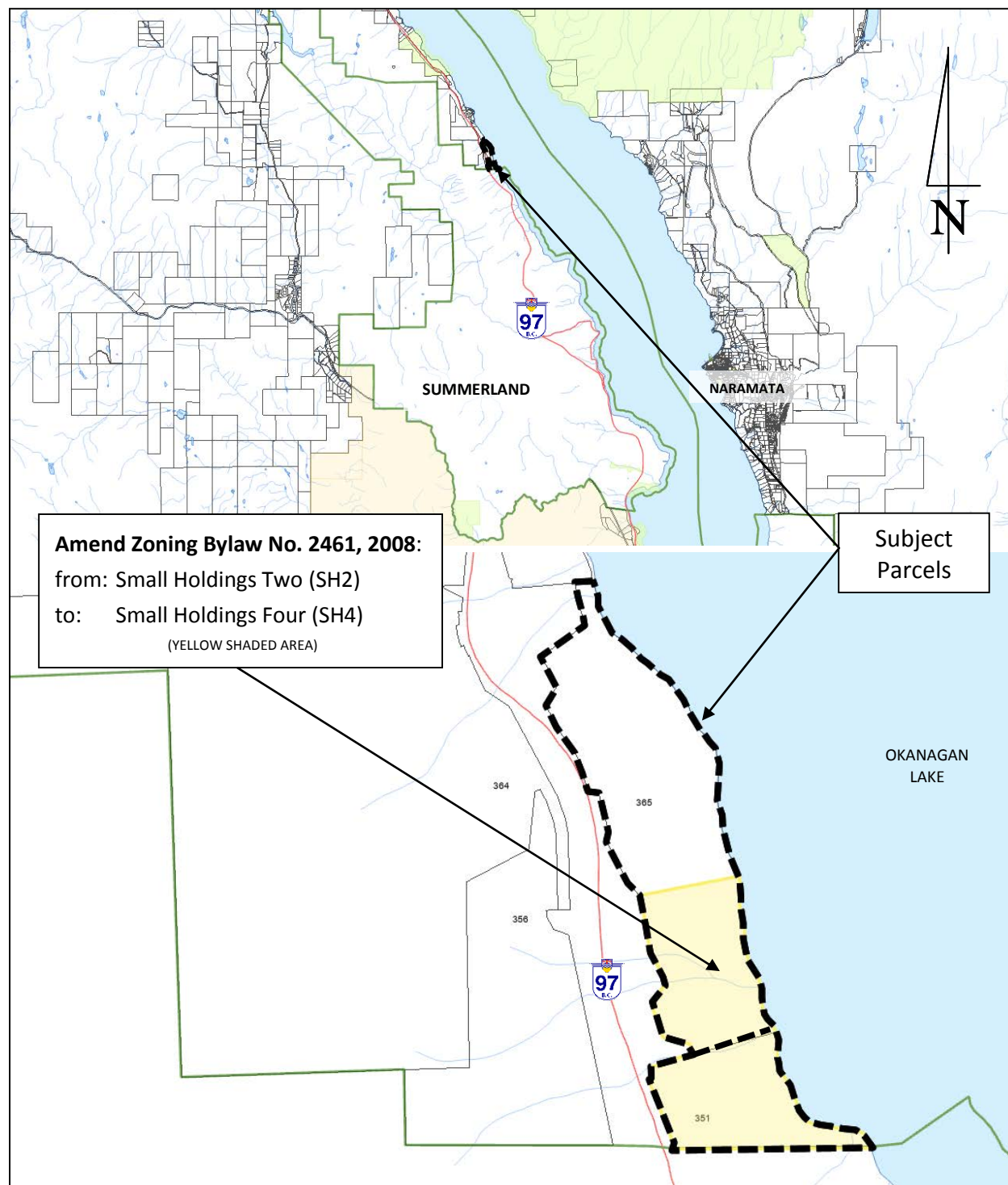
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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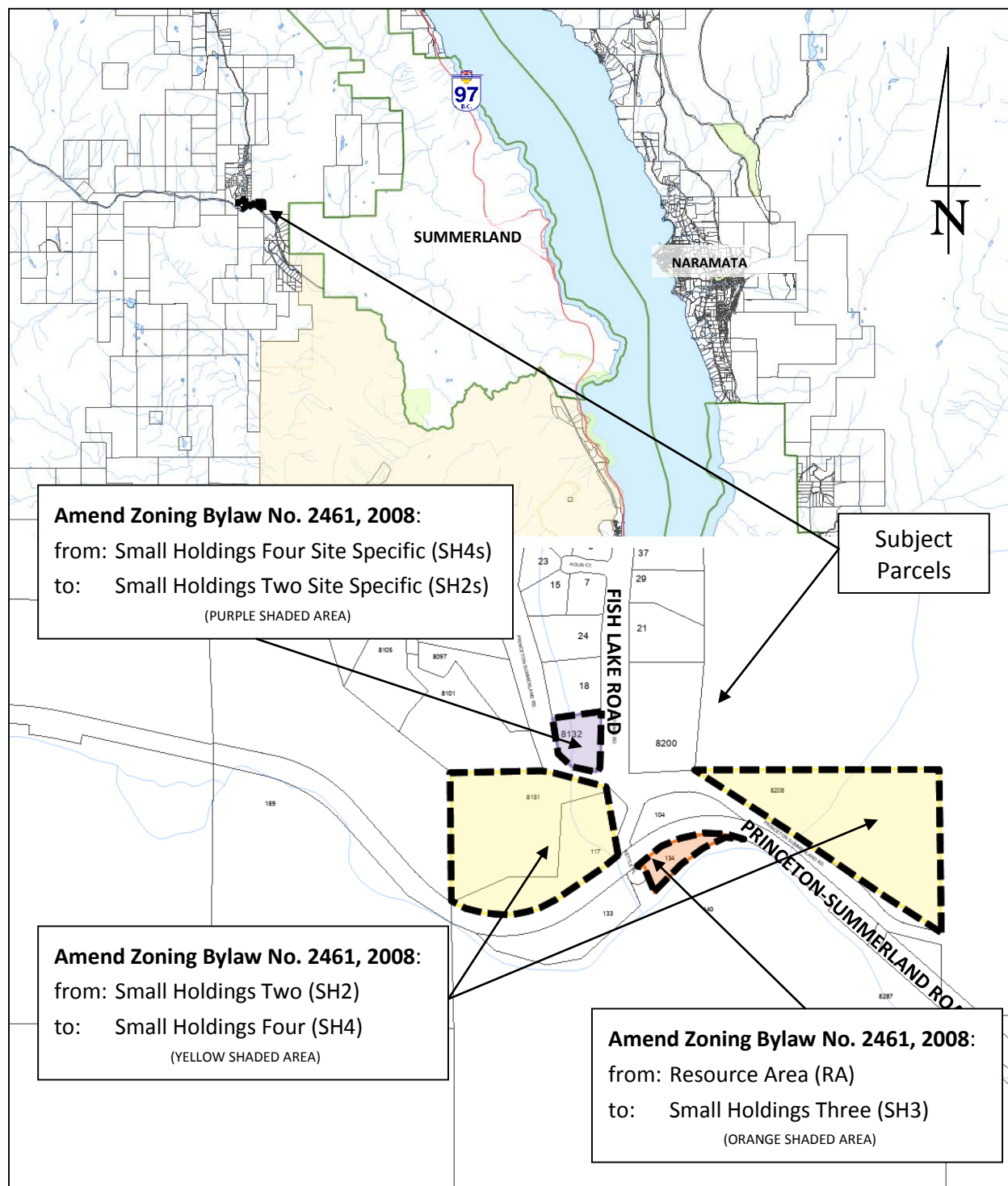
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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

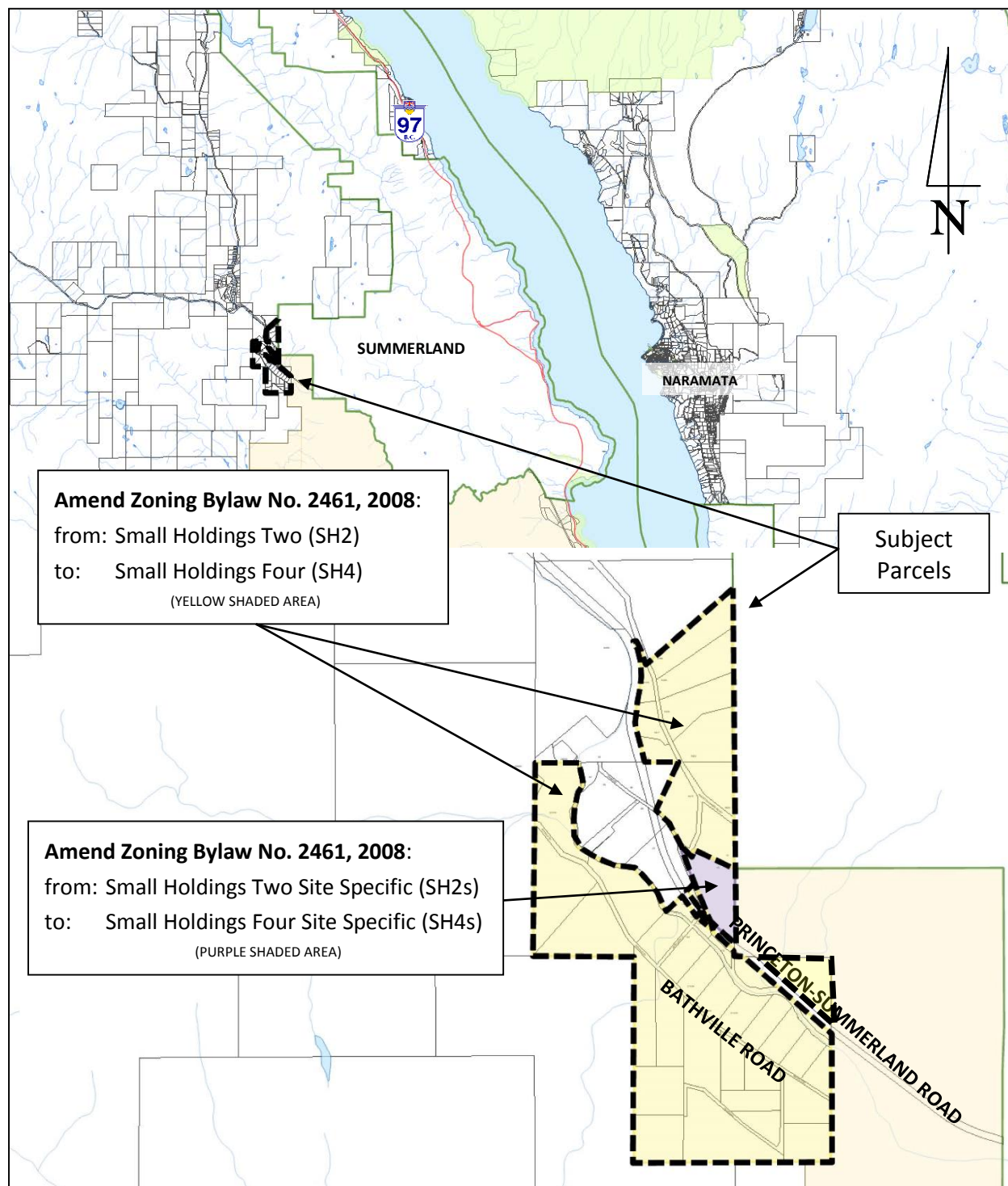
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File No. X2020.005-ZONE

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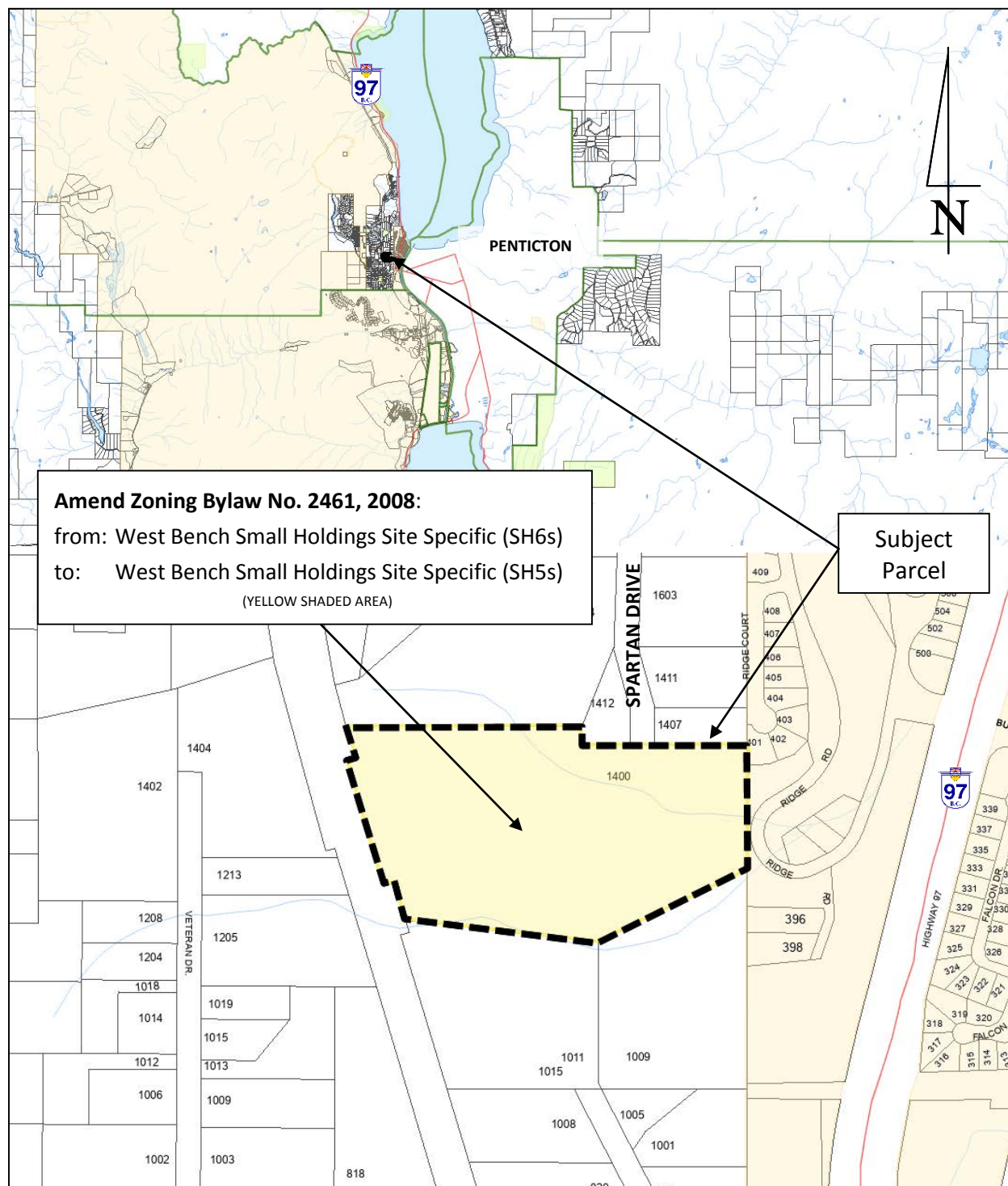
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

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Regional District of Okanagan-Similkameen

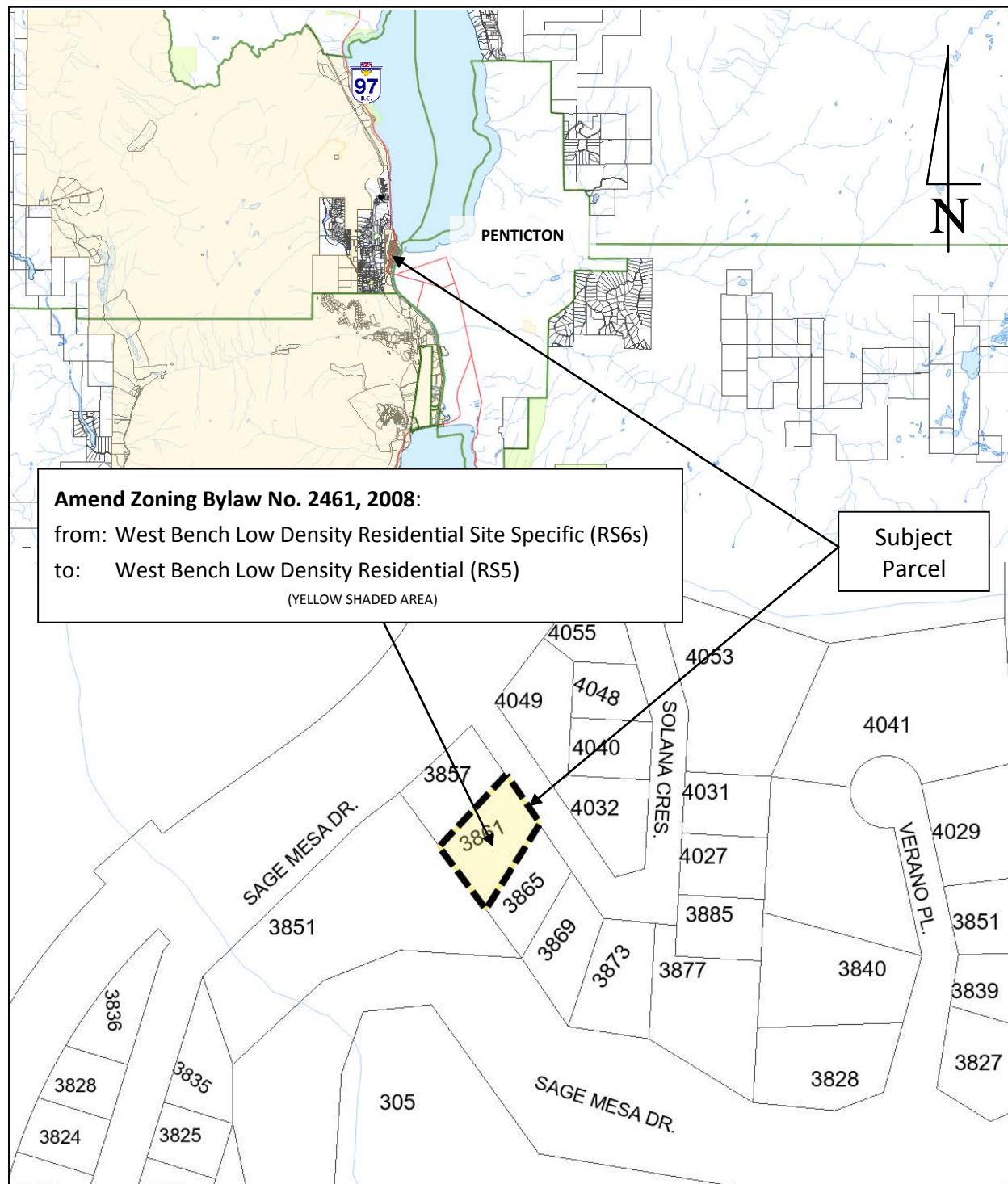
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'F-212'



Regional District of Okanagan-Similkameen

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

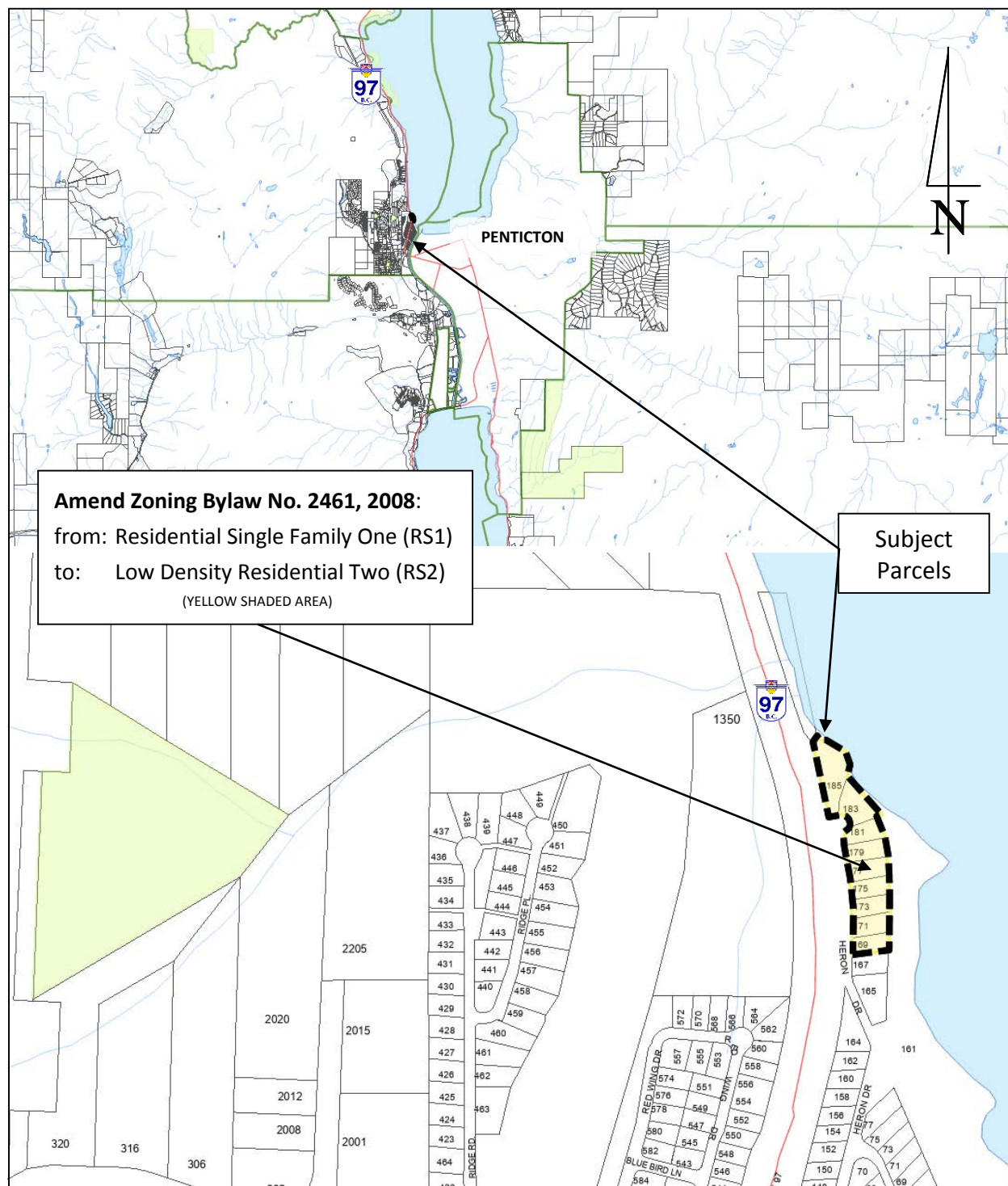
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File No. X2020.005-ZONE

Schedule 'F-213'



Amendment Bylaw No. 2892, 2021
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Regional District of Okanagan-Similkameen

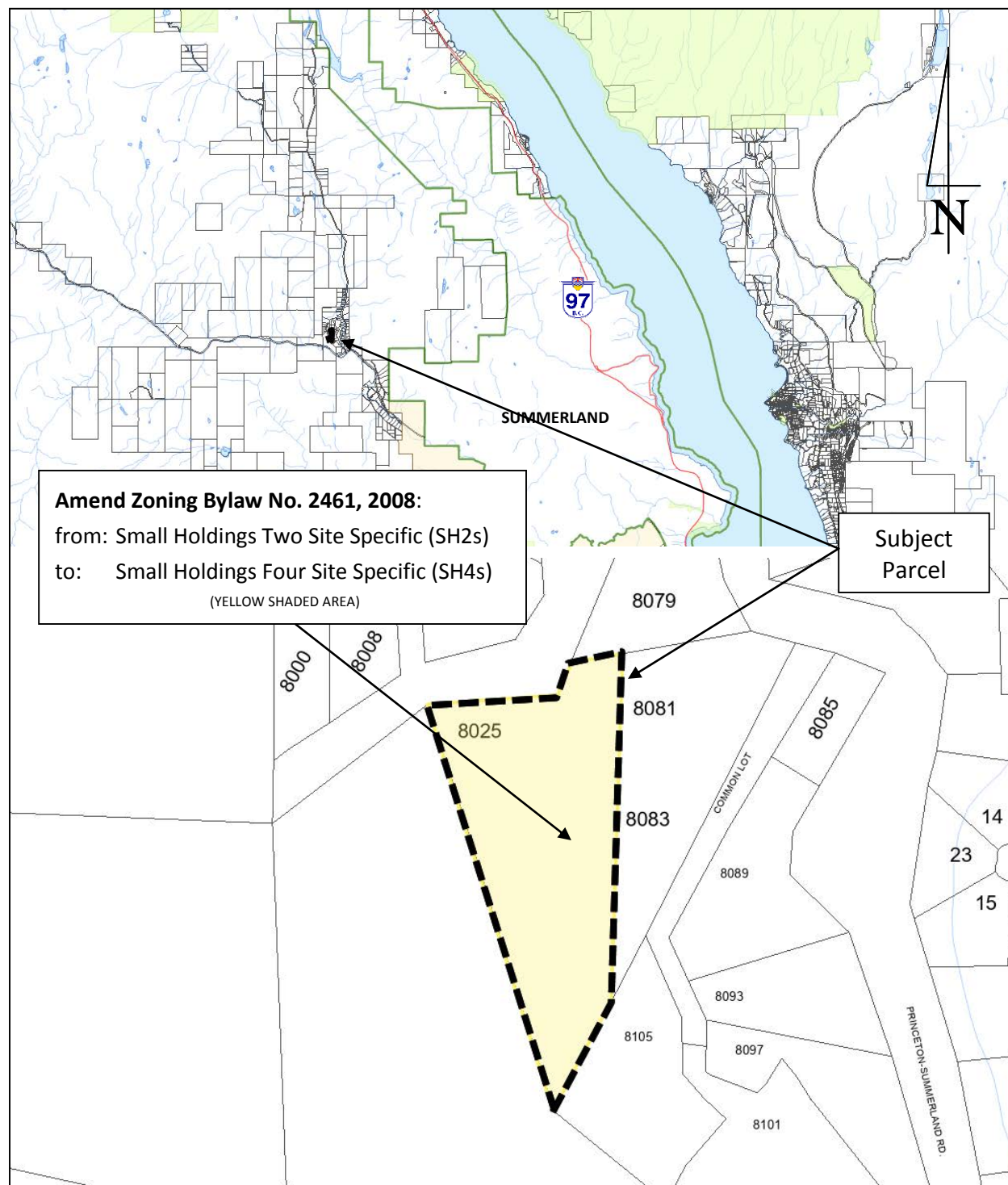
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'F-214'



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101 Martin St, Penticton, BC, V2A-5J9
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Schedule 'F-3'

Electoral Area "F" Zoning Bylaw No. 2461, 2008

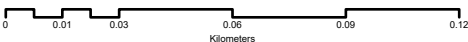
Schedule '3'

(North Beach Estates Comprehensive Development Zone Map)

[SEE NEXT PAGE]

North Beach Comprehensive Development Zone Map

Schedule '3' – Electoral Area "F"
Zoning Bylaw No. 2461, 2008



This is Schedule '3' (North Beach Estates Comprehensive Development Zone Map) as referenced in the Regional District of Okanagan-Similkameen's Electoral Area "F" Bylaw No. 2461, 2008.

Chair

Chief Administrative Officer

OKANAGAN LAKE

NORTH BEACH ESTATES PROPERTIES
PLOTTED FROM SURVEY PREPARED BY
R. CHAPMAN BCLS DATED FEBRUARY 19, 1964
ORIGINAL HWM AND TOE OF SLOPE PLOTTED
FROM THE ABOVE PLAN



Regional District of Okanagan-Similkameen

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

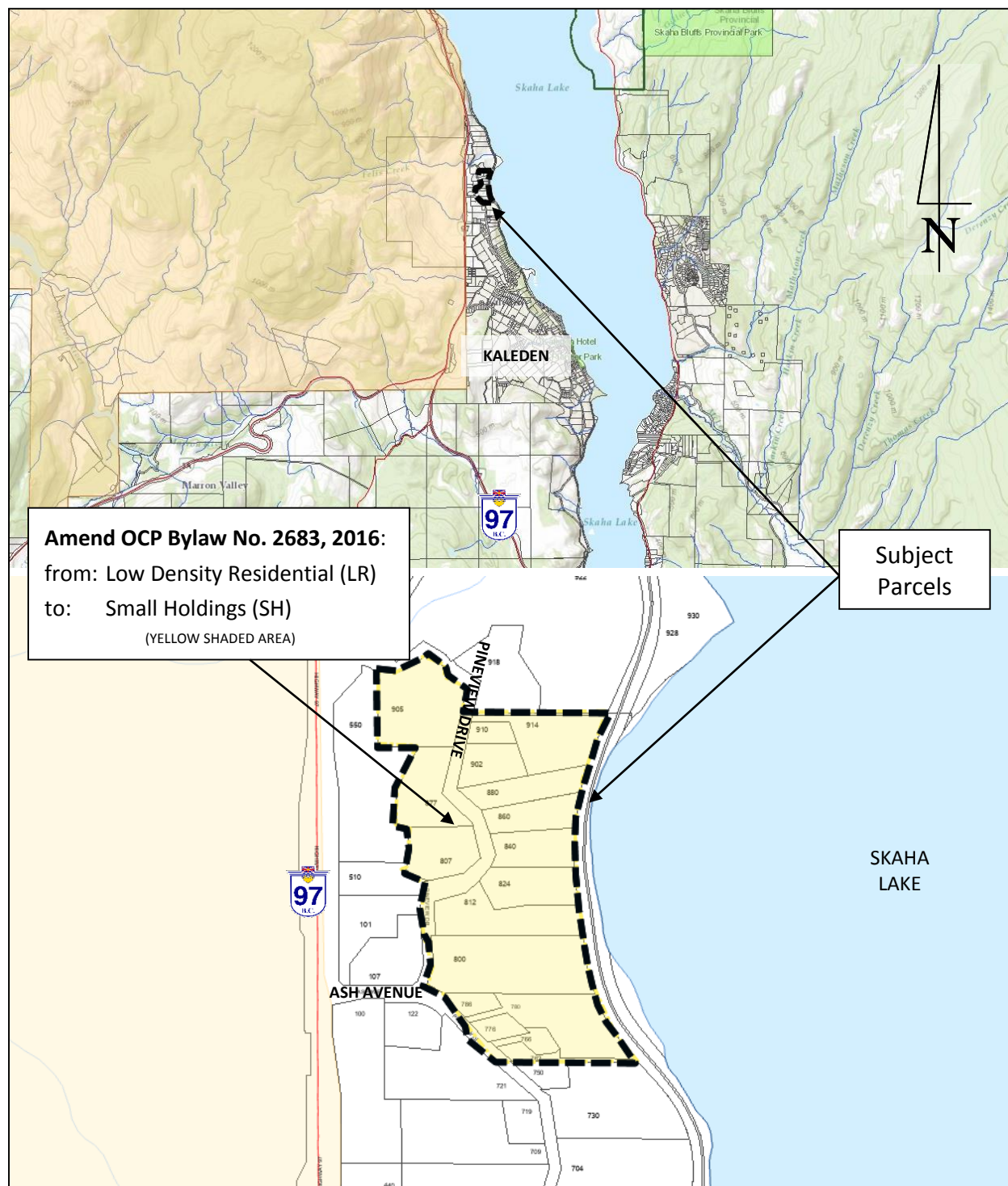
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File No. X2020.005-ZONE

Schedule 'I-101'



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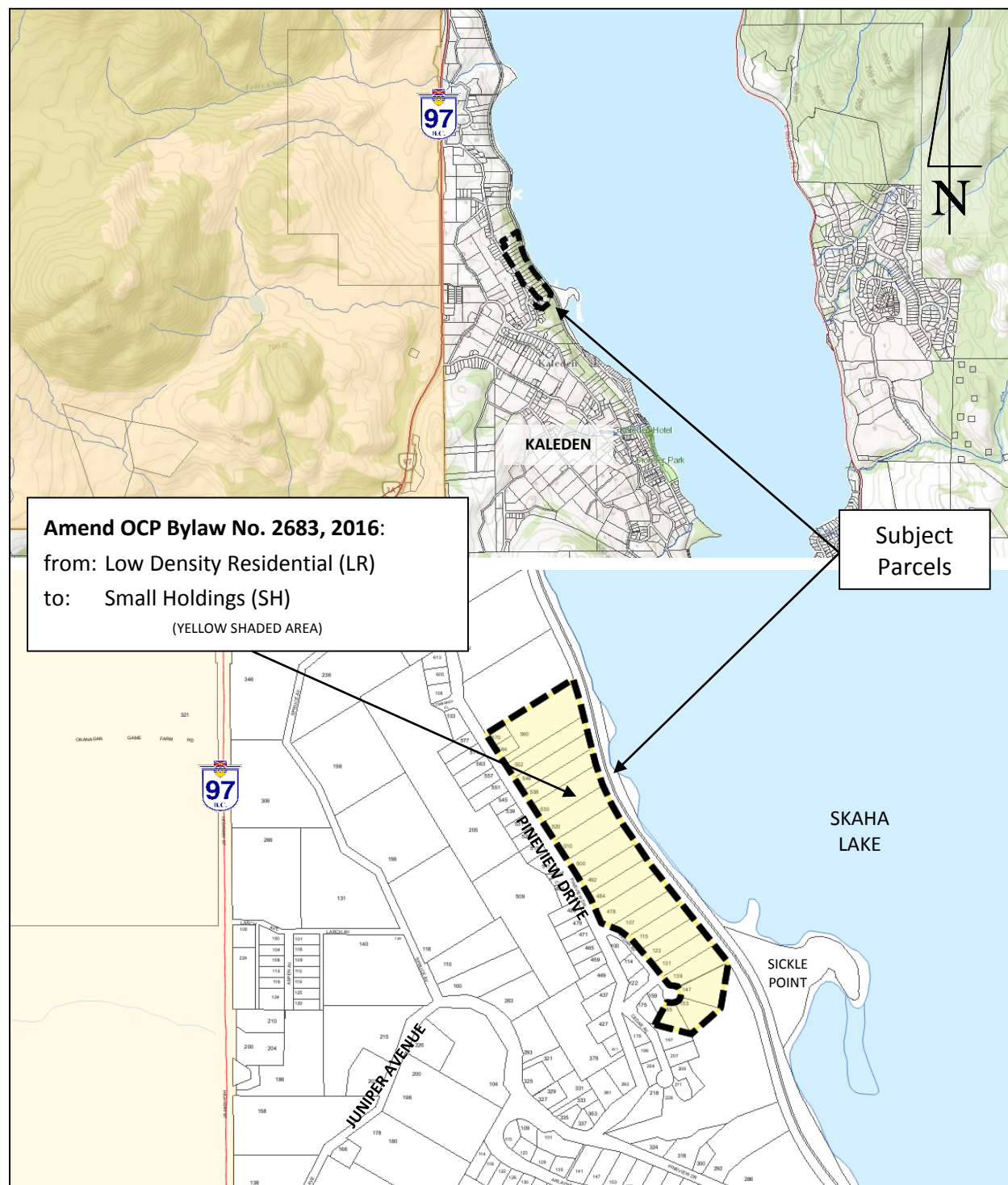
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-102'



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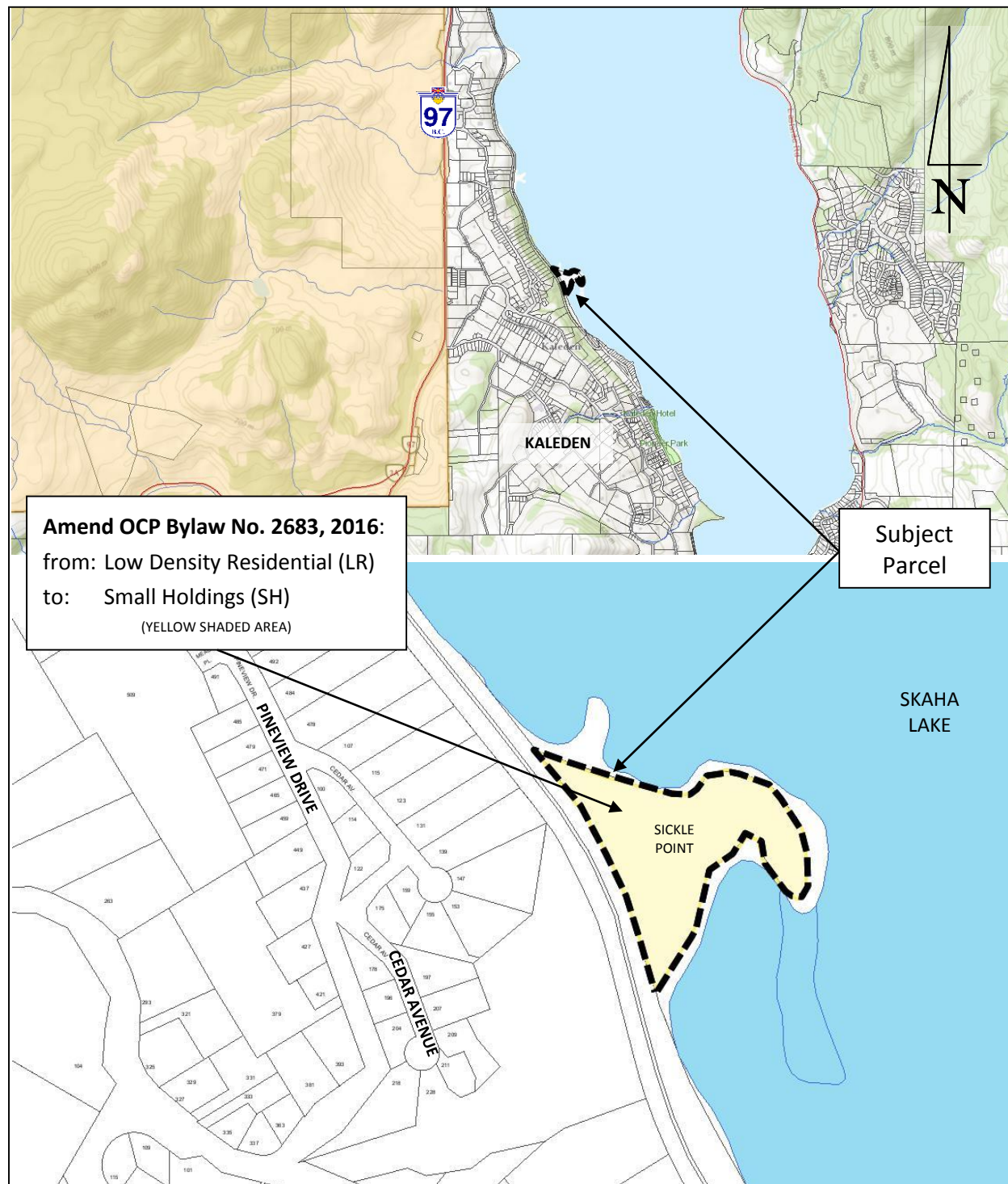
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-103'



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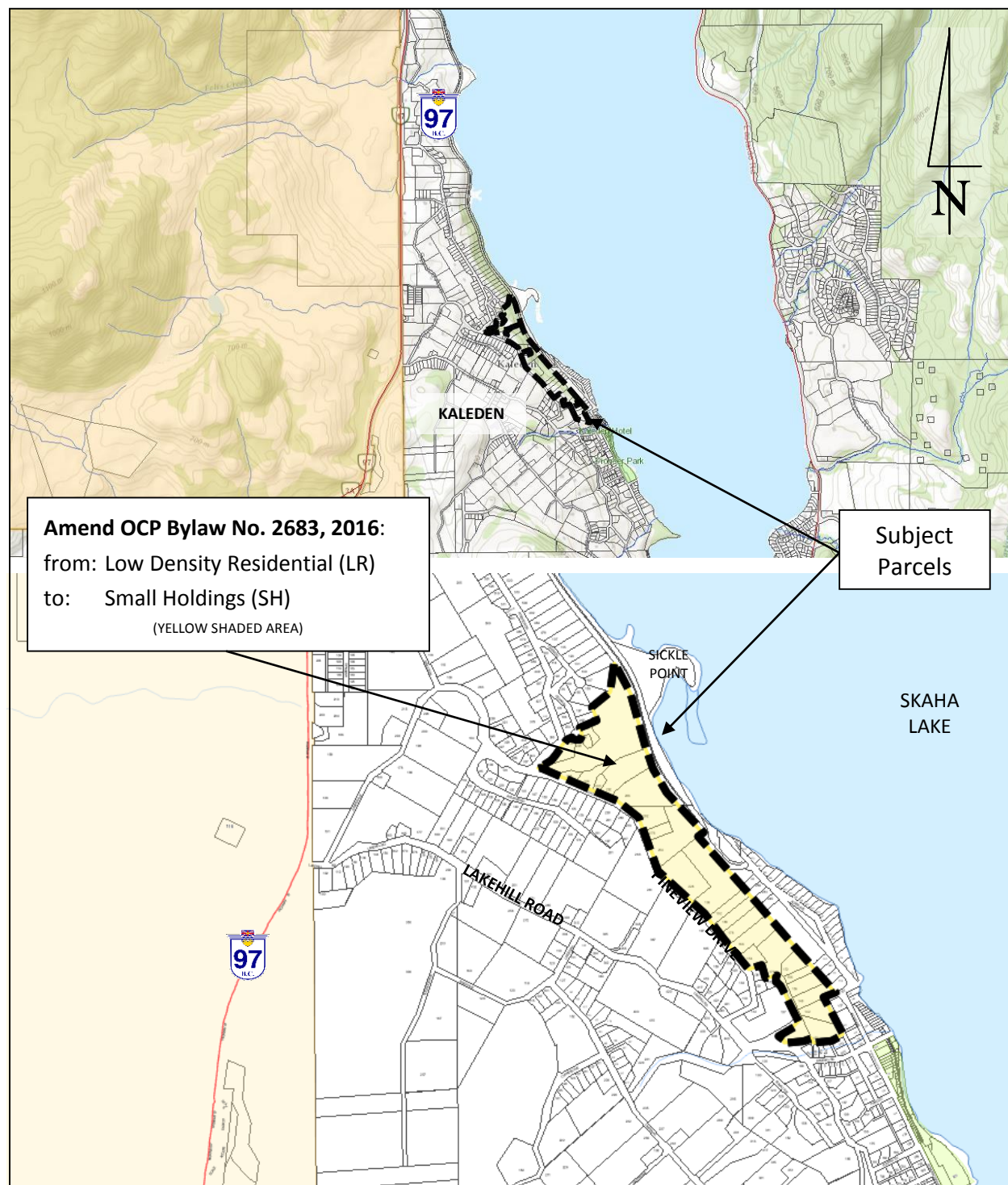
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-104'



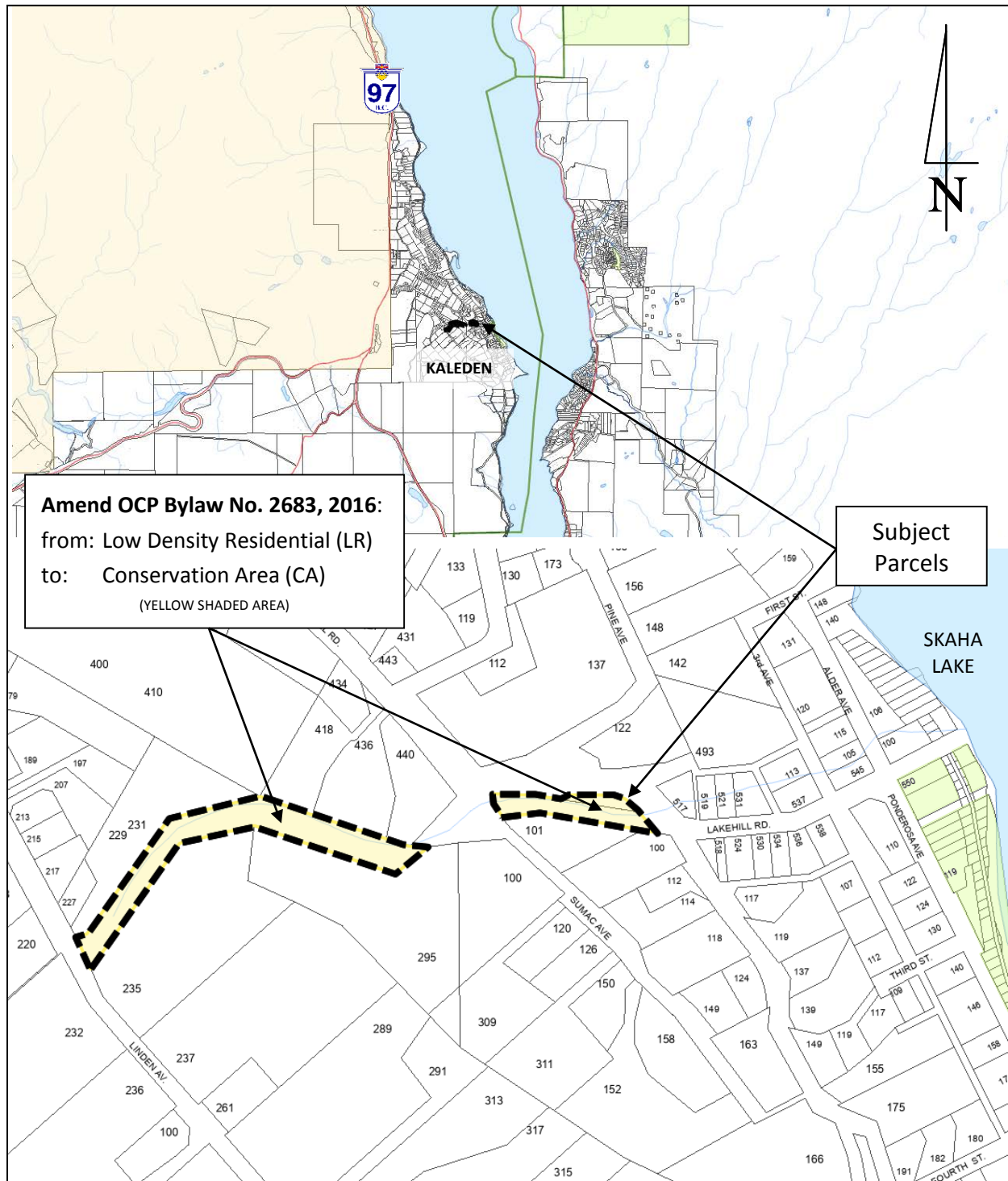
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101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'I-106'



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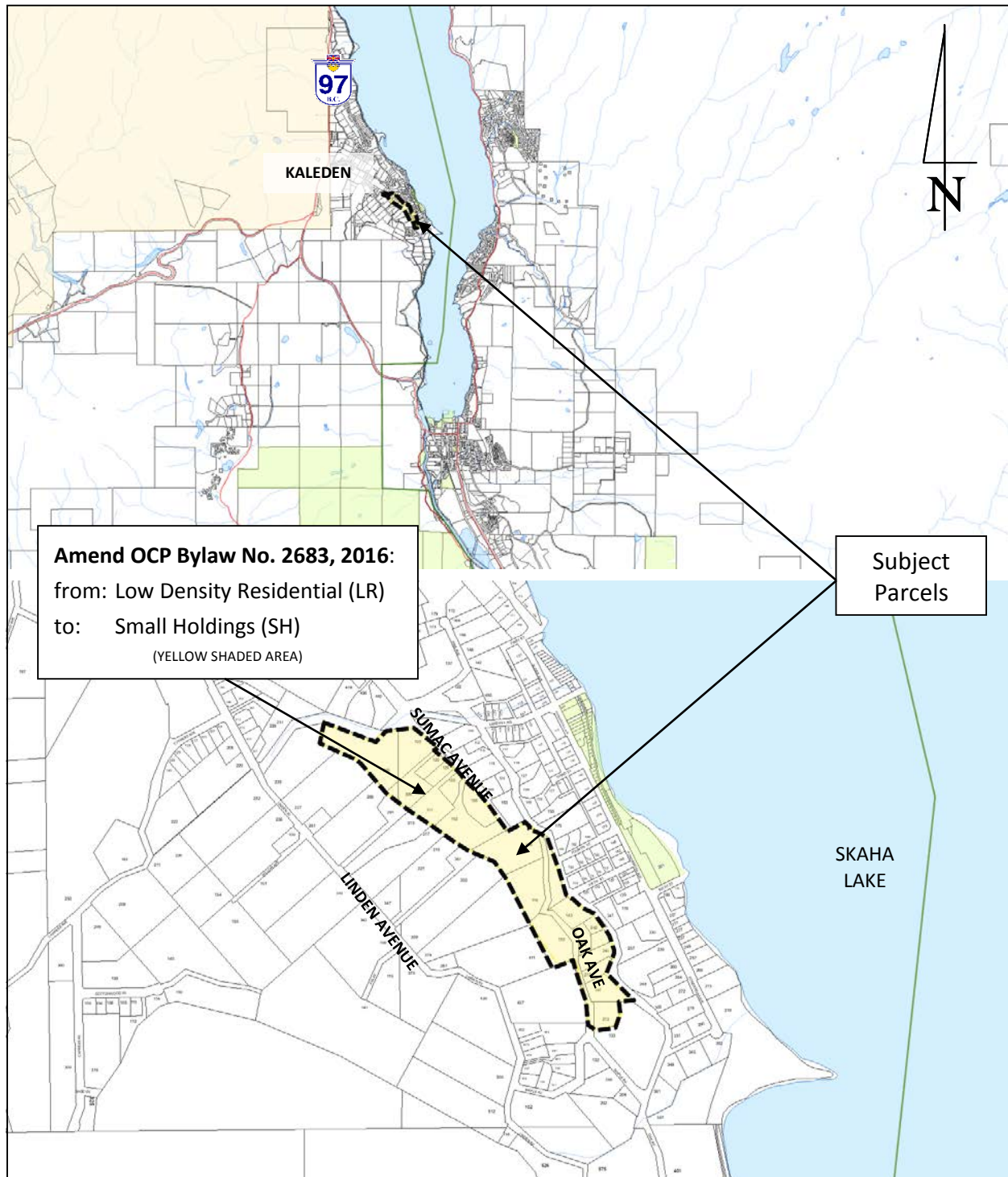
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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-107'



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Regional District of Okanagan-Similkameen

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

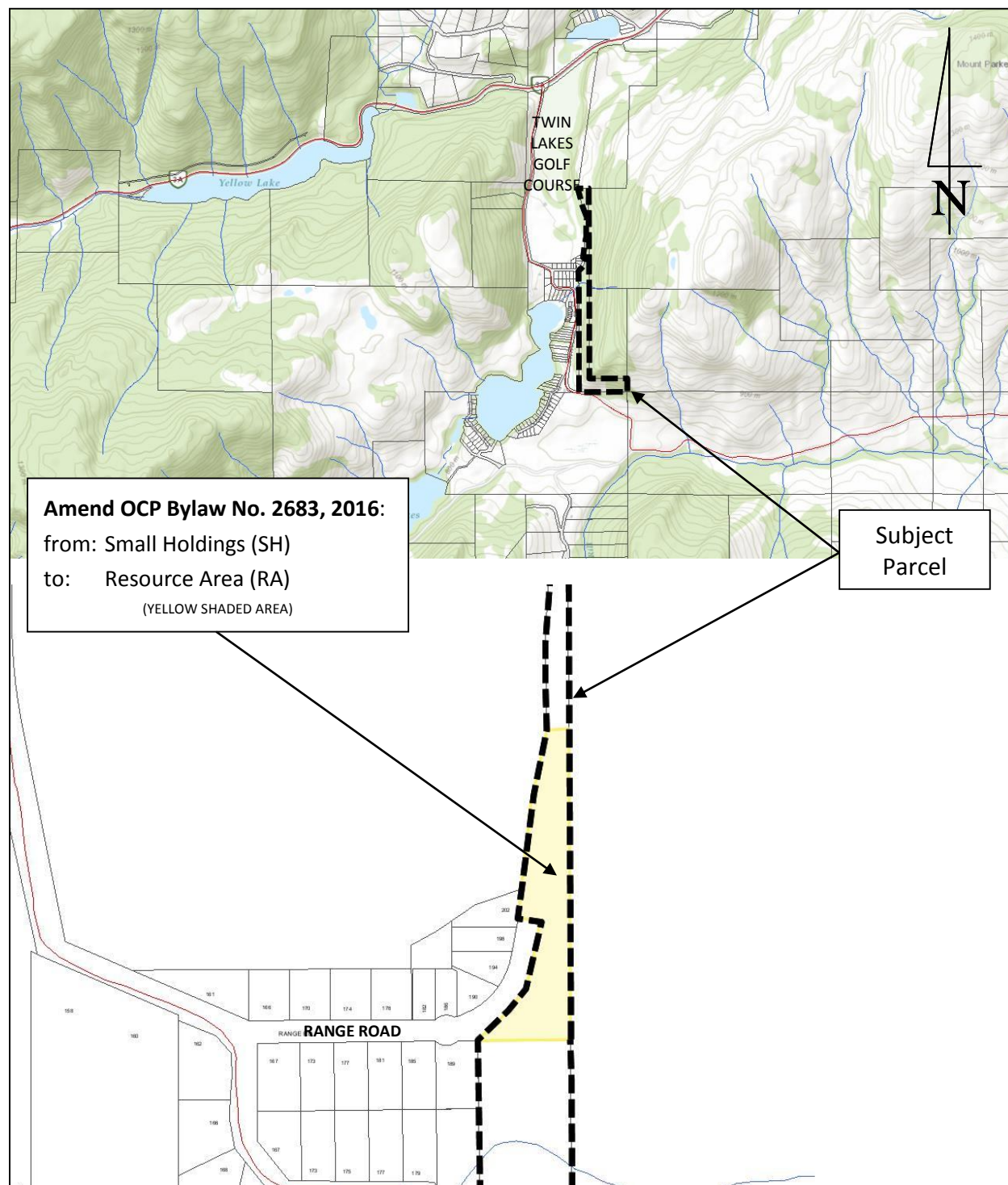
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File No. X2020.005-ZONE

Schedule 'I-108'



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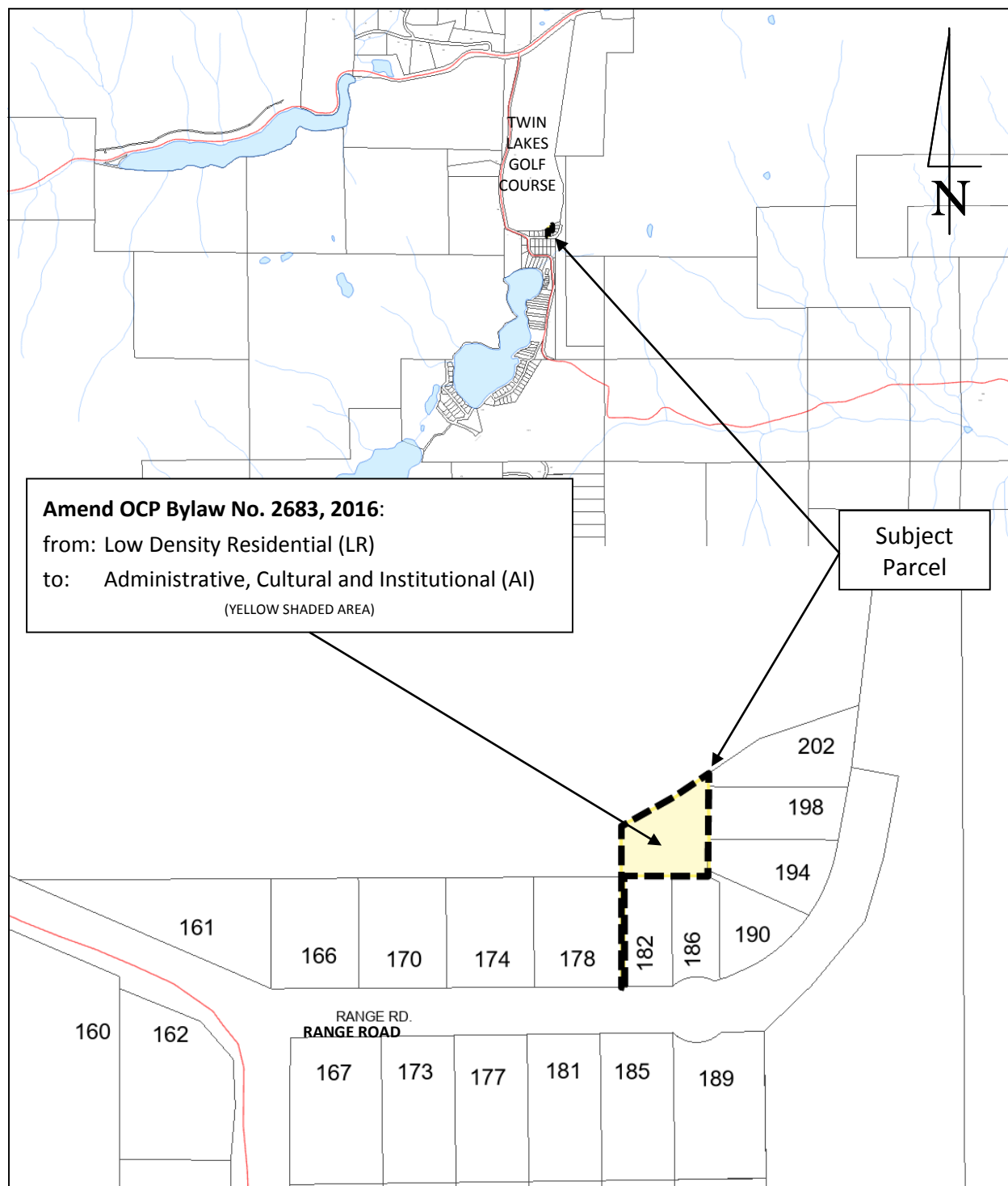
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-109'



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

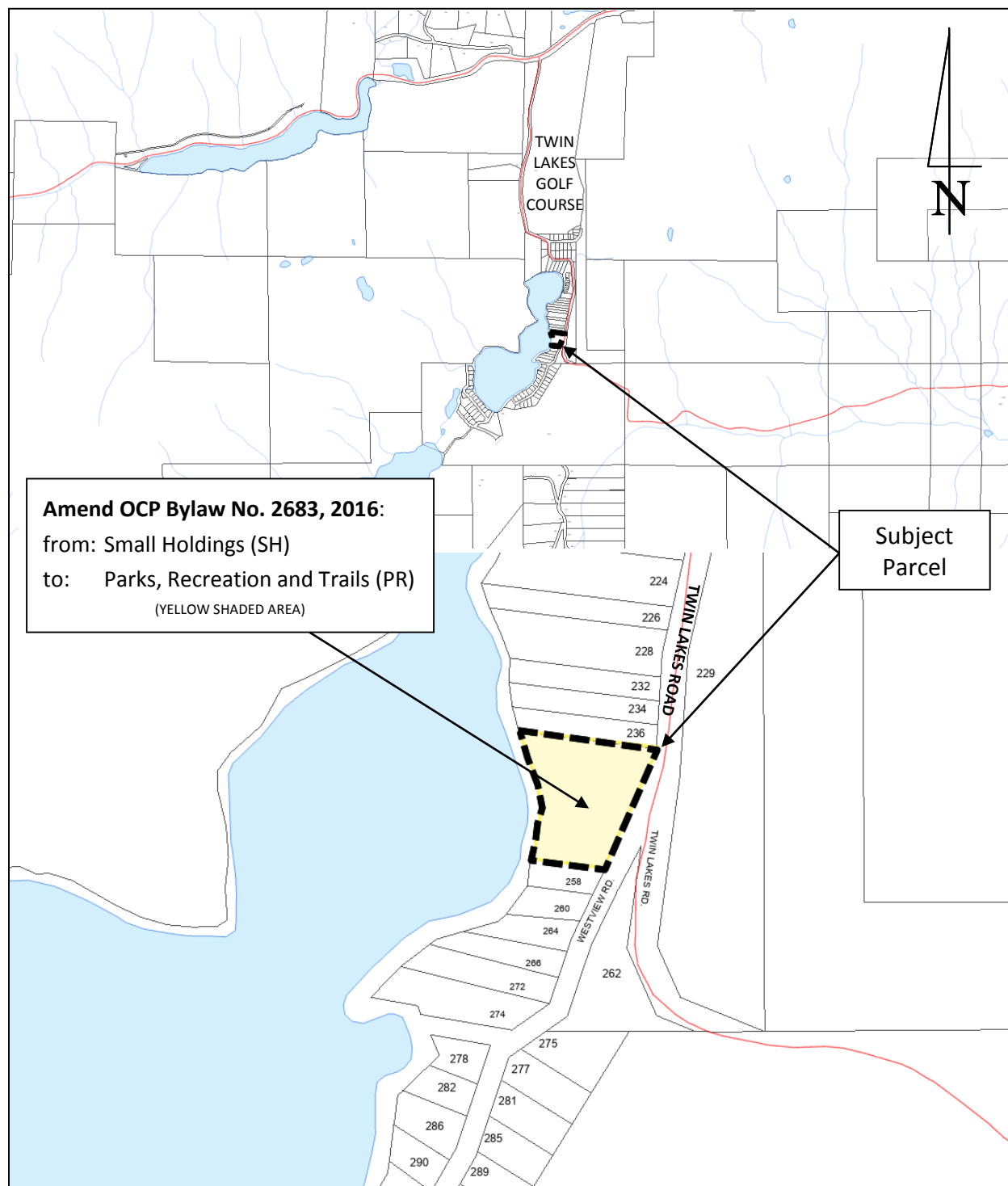
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File No. X2020.005-ZONE

Schedule 'I-110'



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Regional District of Okanagan-Similkameen

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

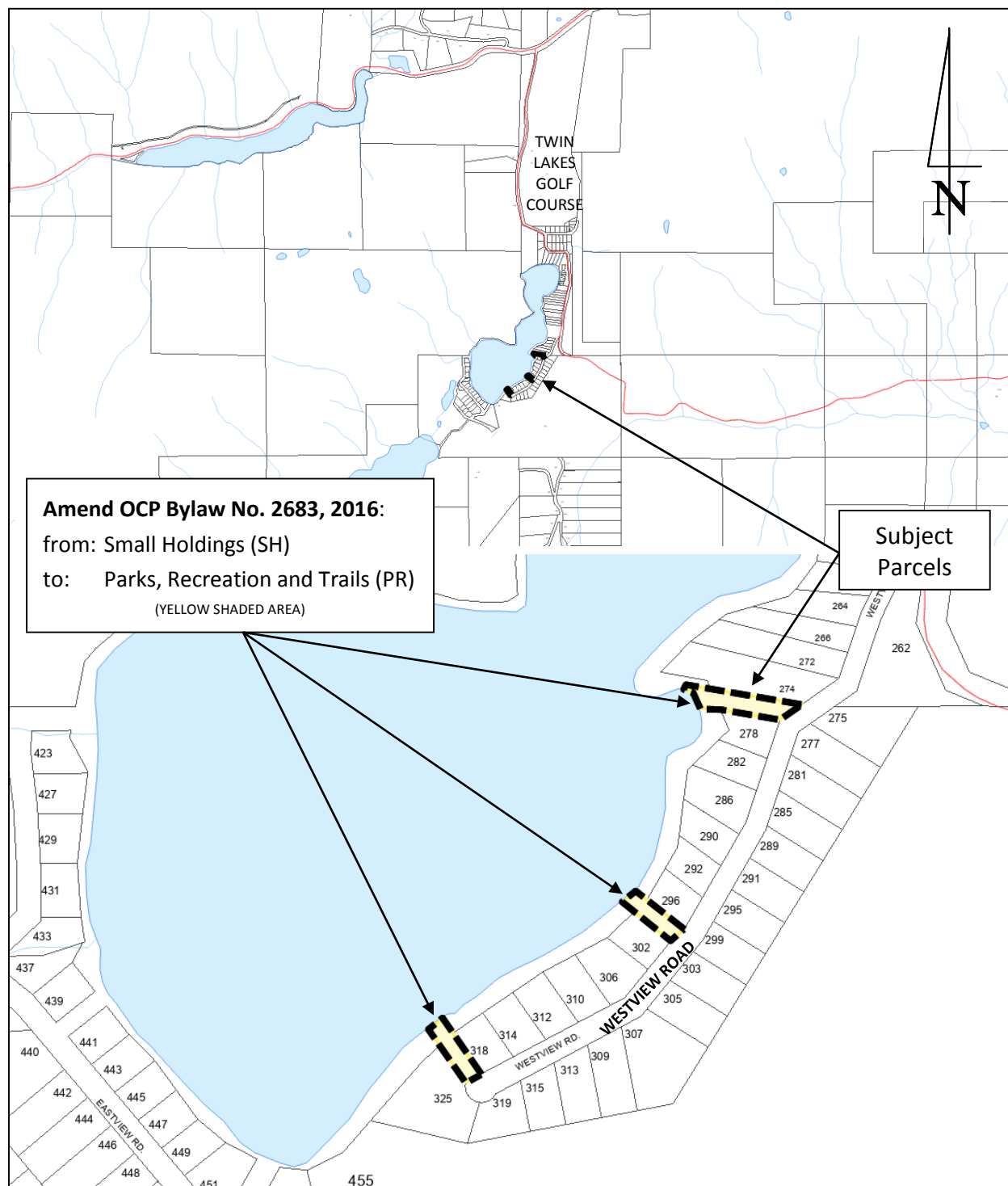
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File No. X2020.005-ZONE

Schedule 'I-111'



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

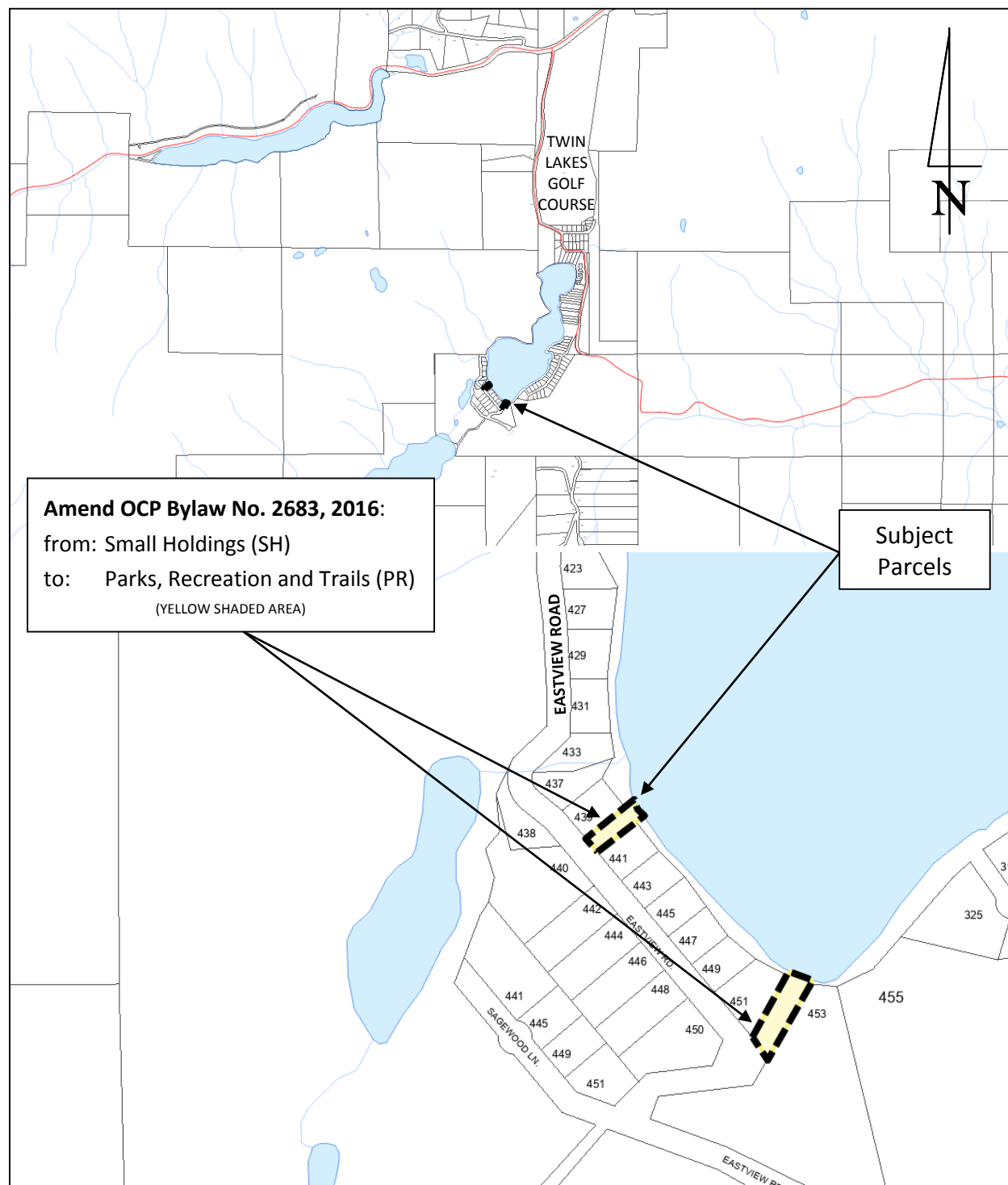
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Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-112'

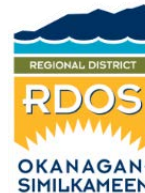


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Regional District of Okanagan-Similkameen

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

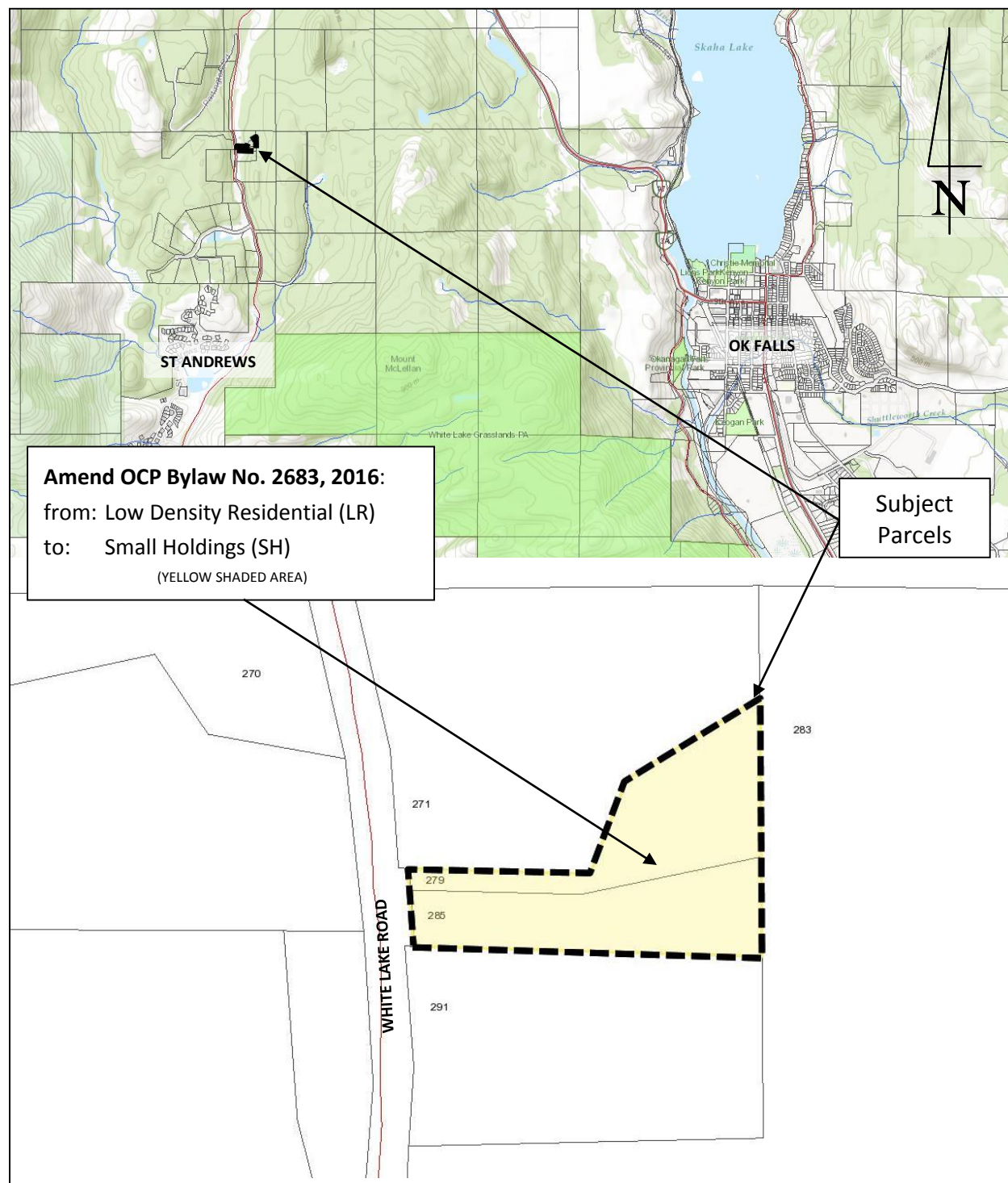
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File No. X2020.005-ZONE

Schedule 'I-113'



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Regional District of Okanagan-Similkameen

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

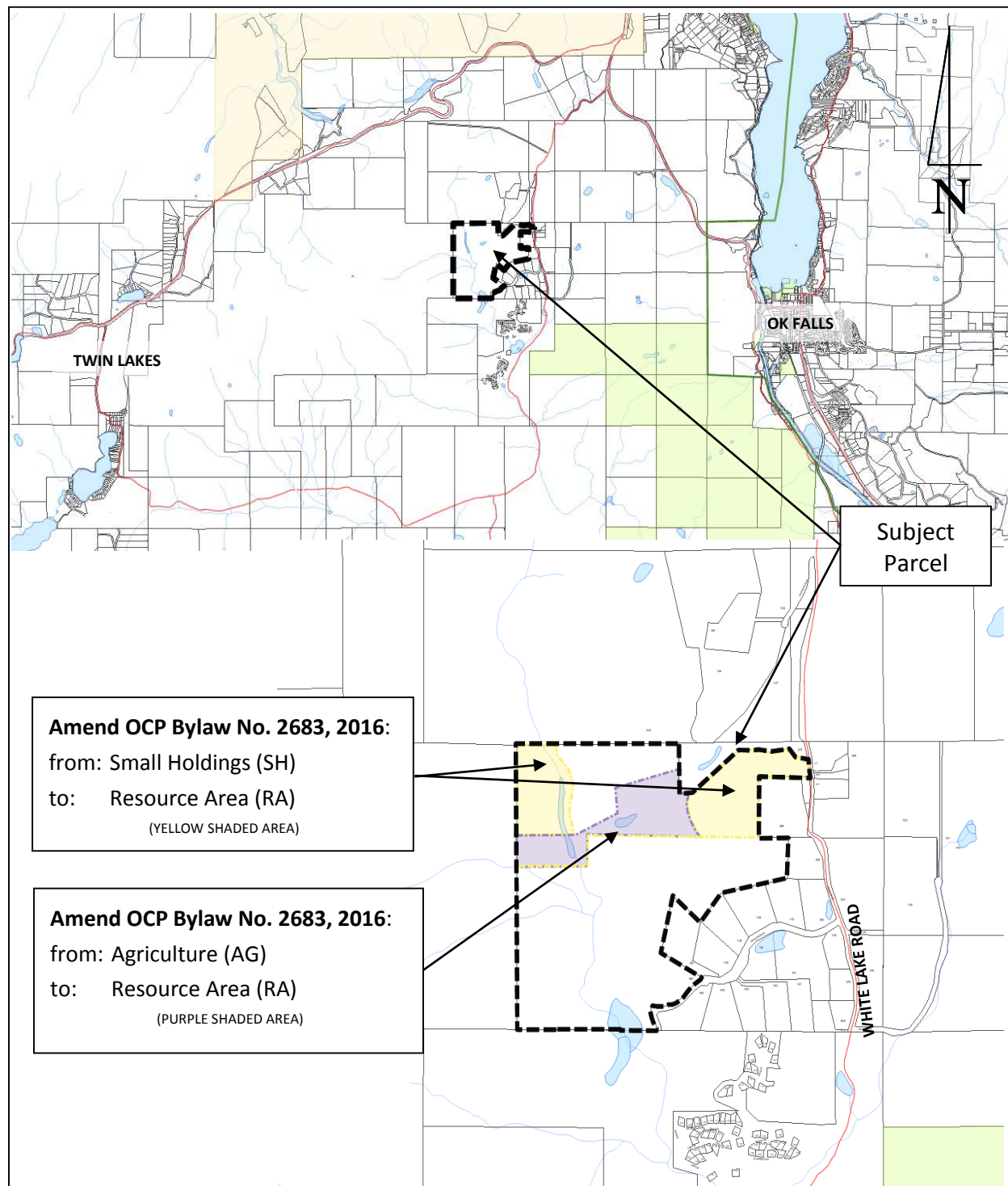
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File No. X2020.005-ZONE

Schedule 'I-114'



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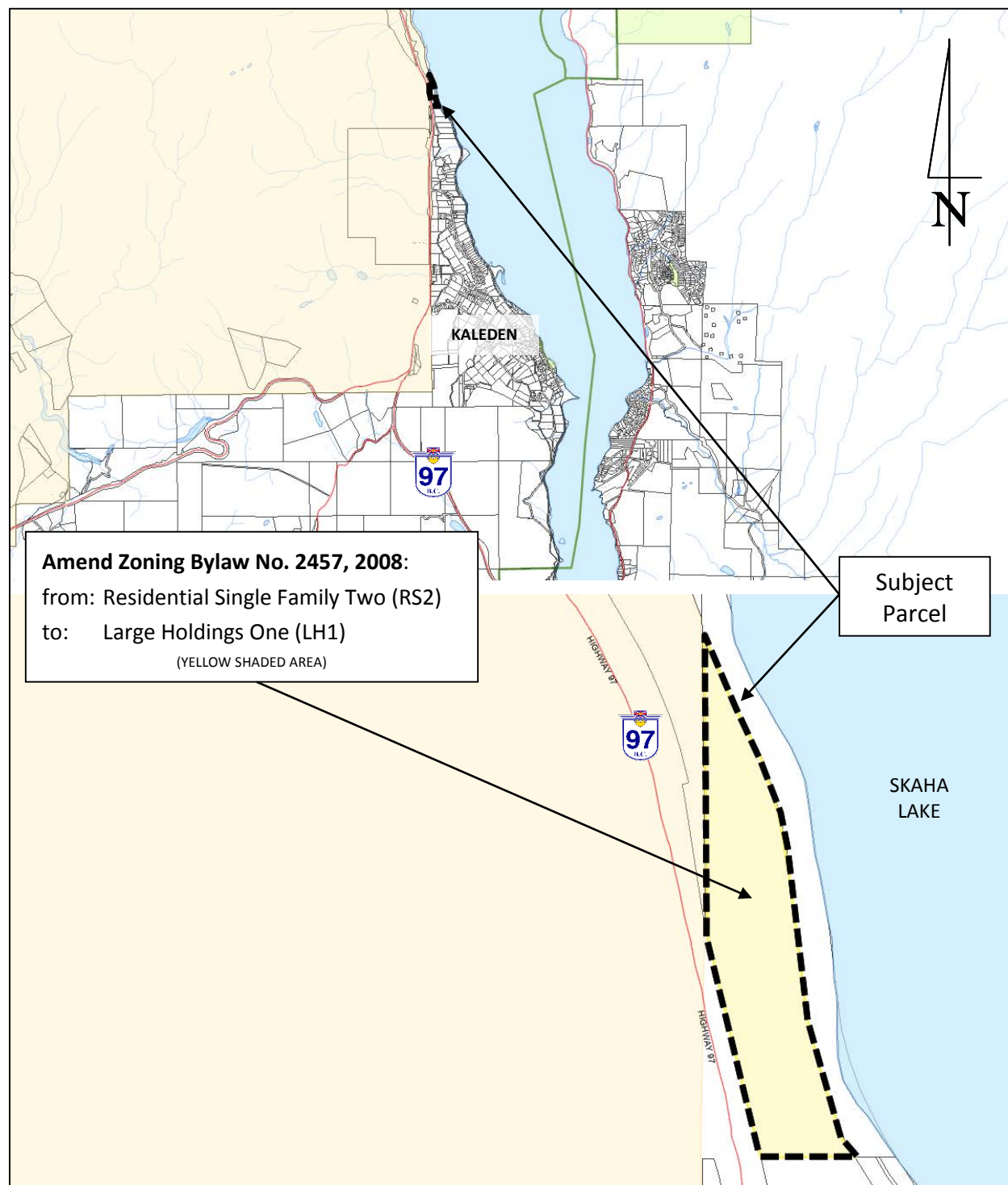
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-201'



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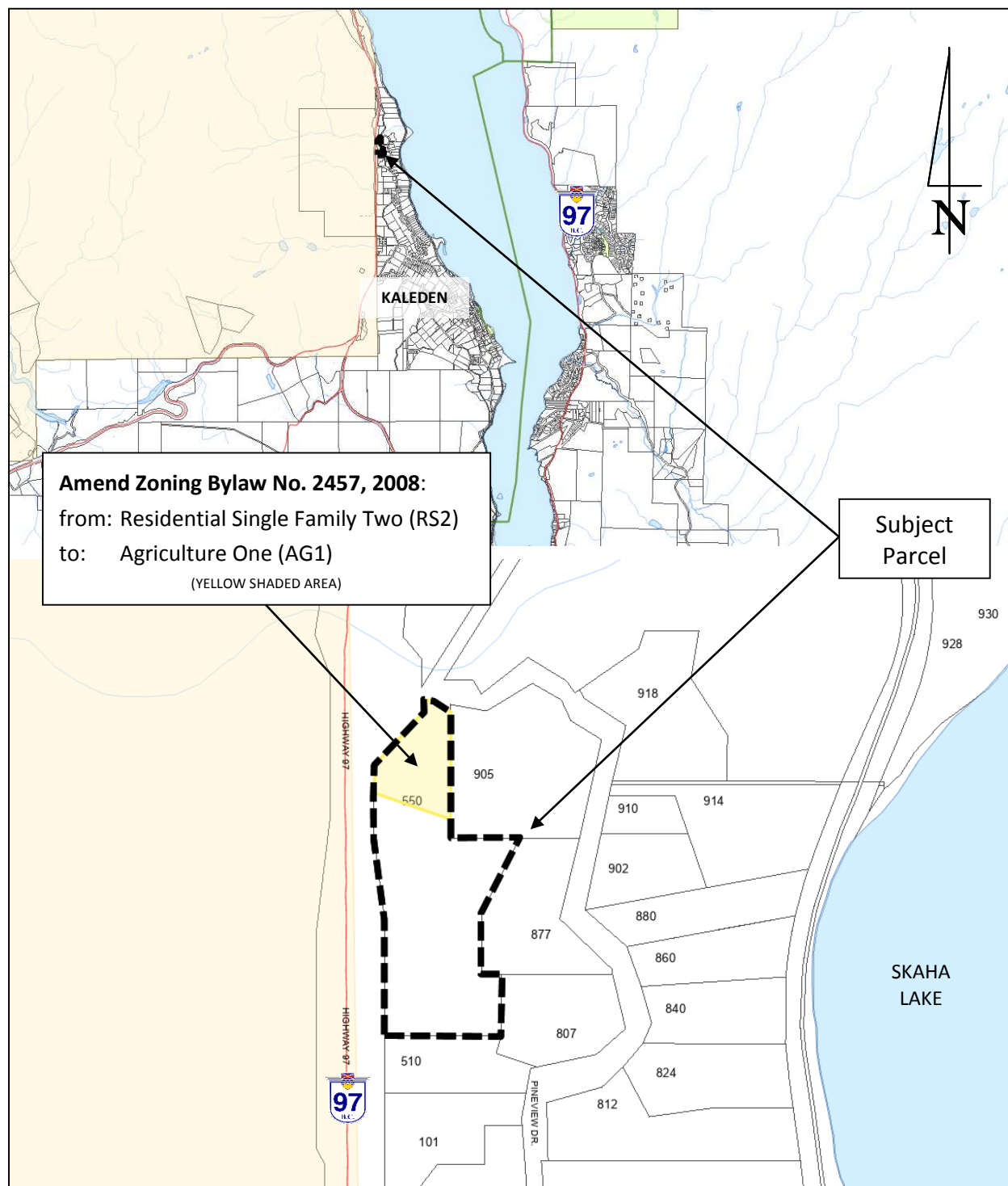
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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-202'



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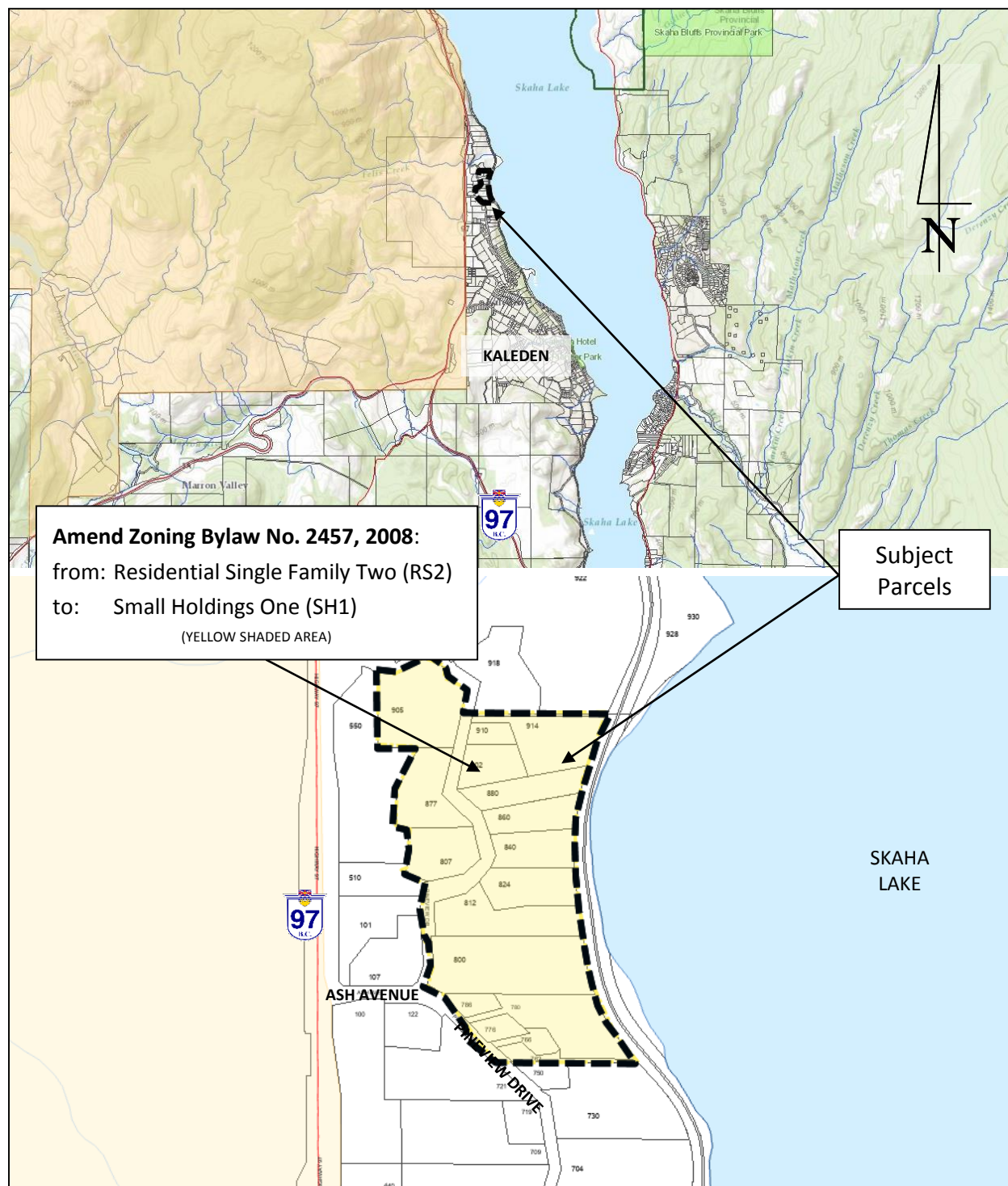
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-203'



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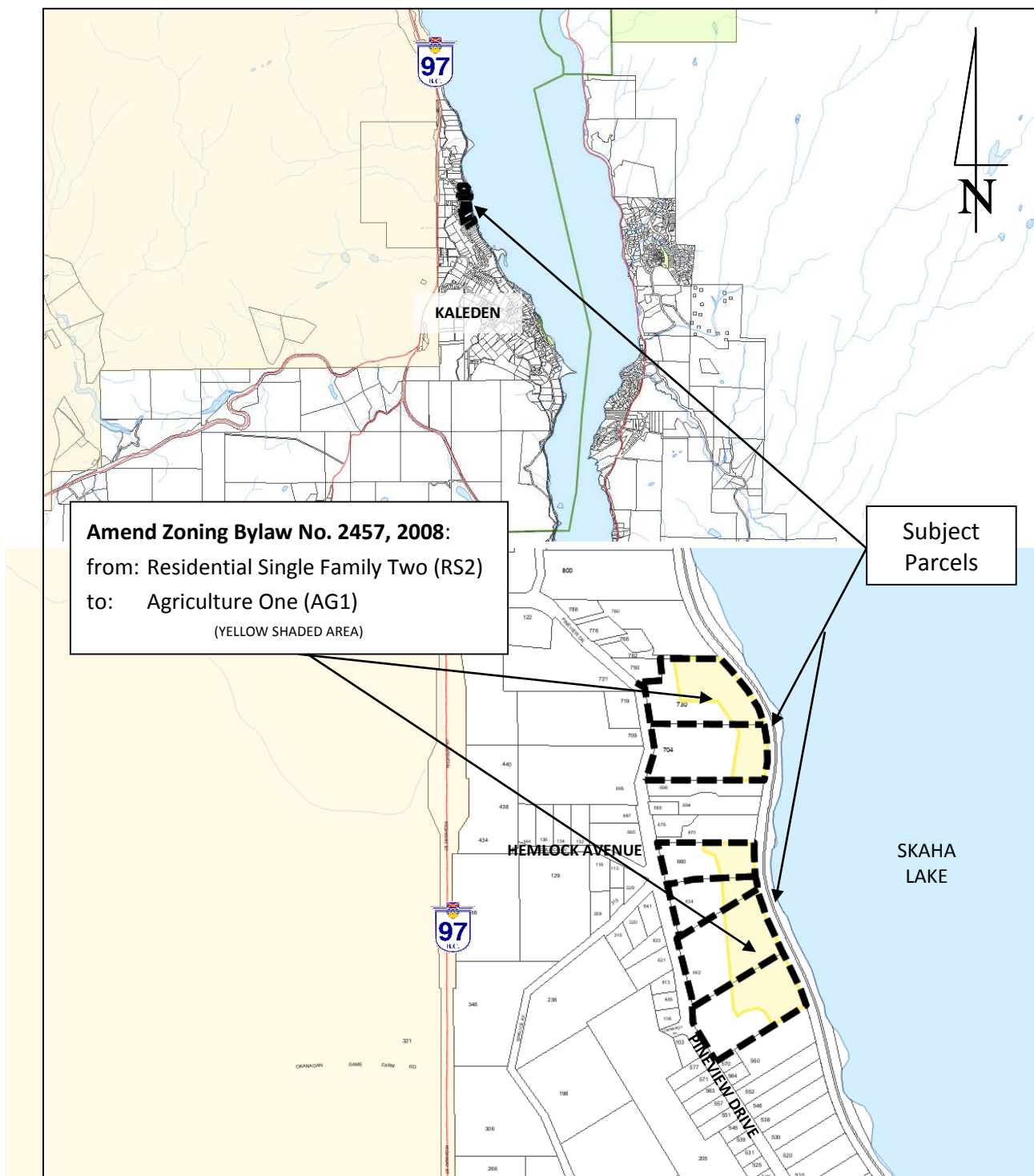
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'I-204'



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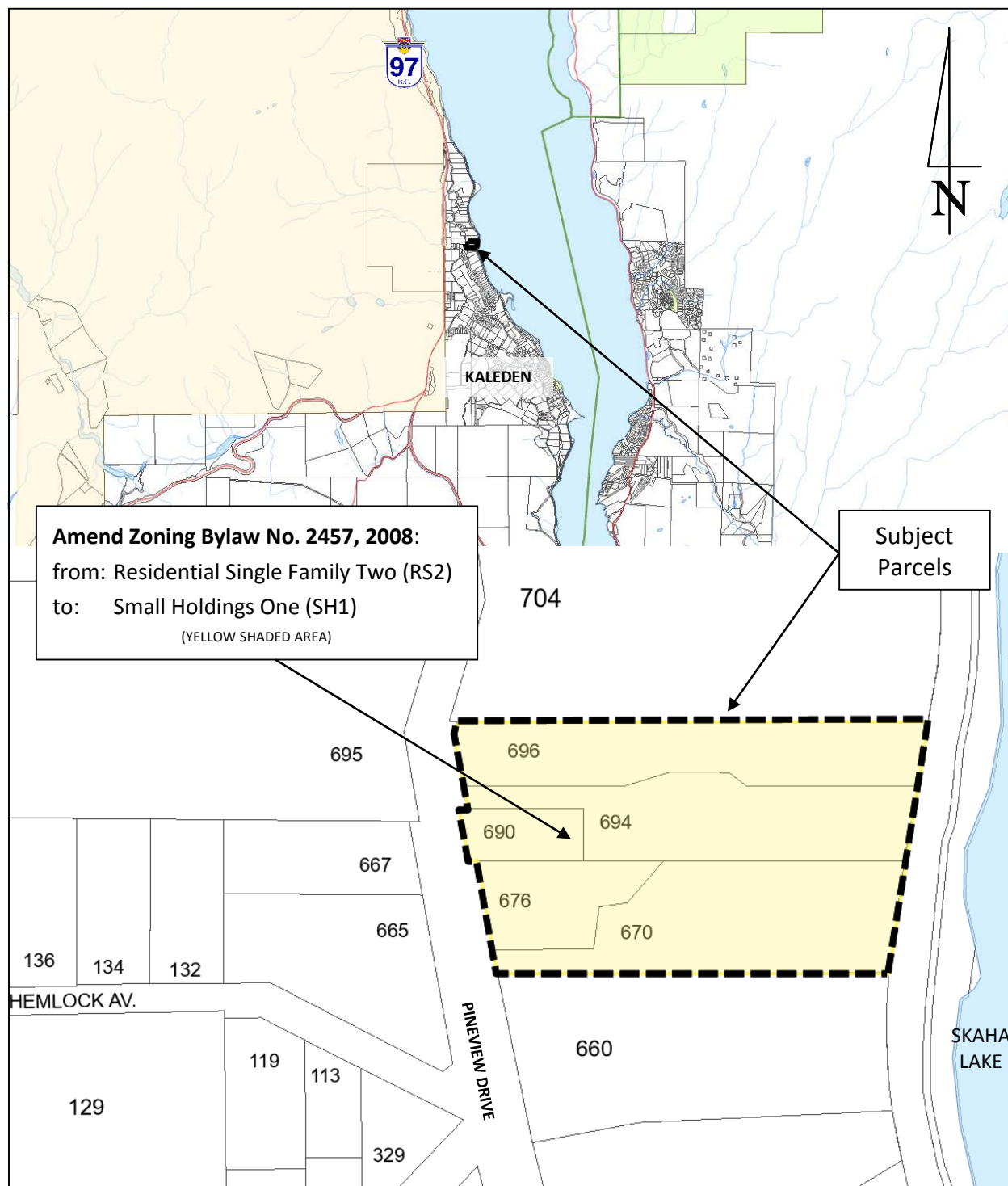
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-205'



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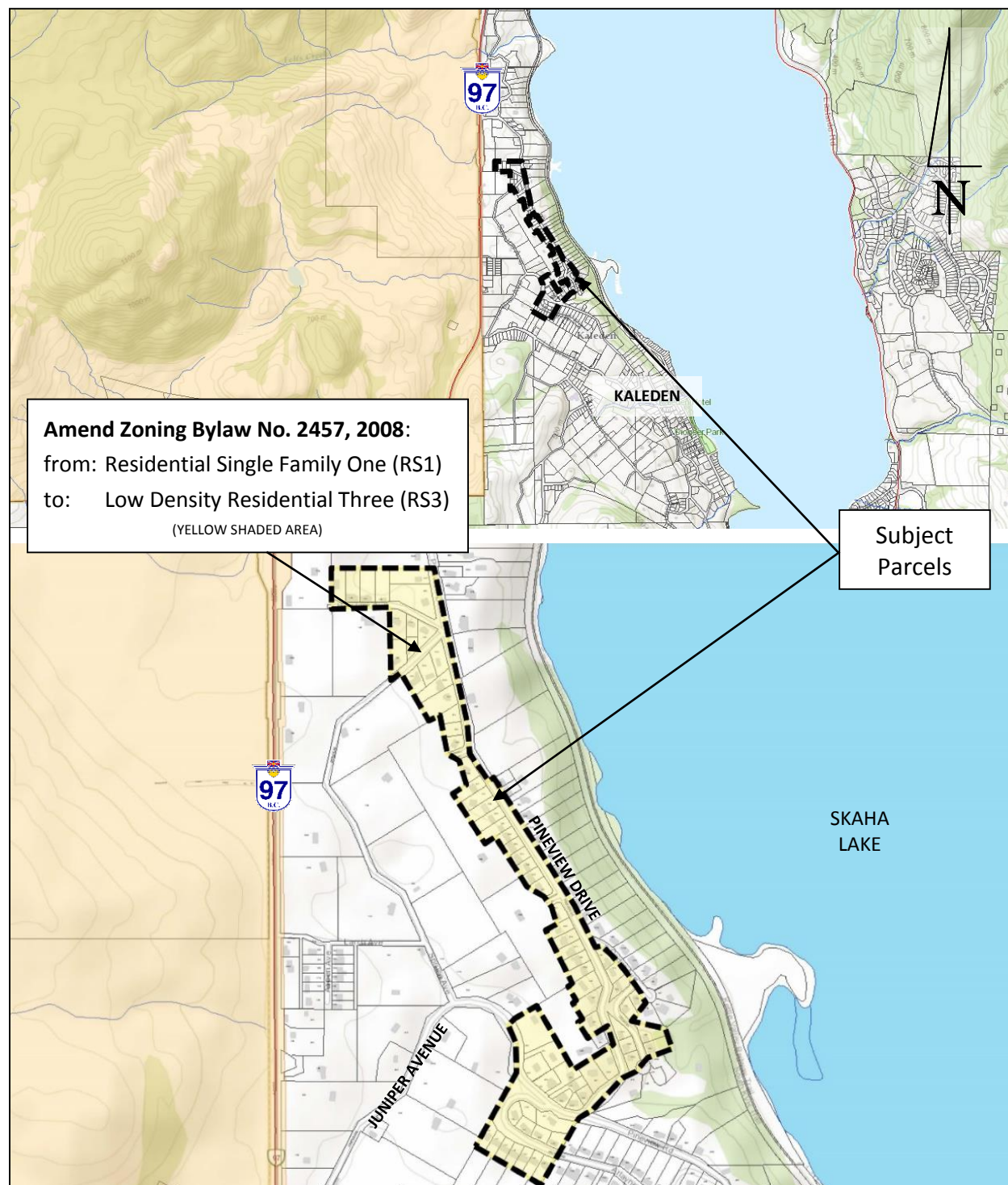
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-206'



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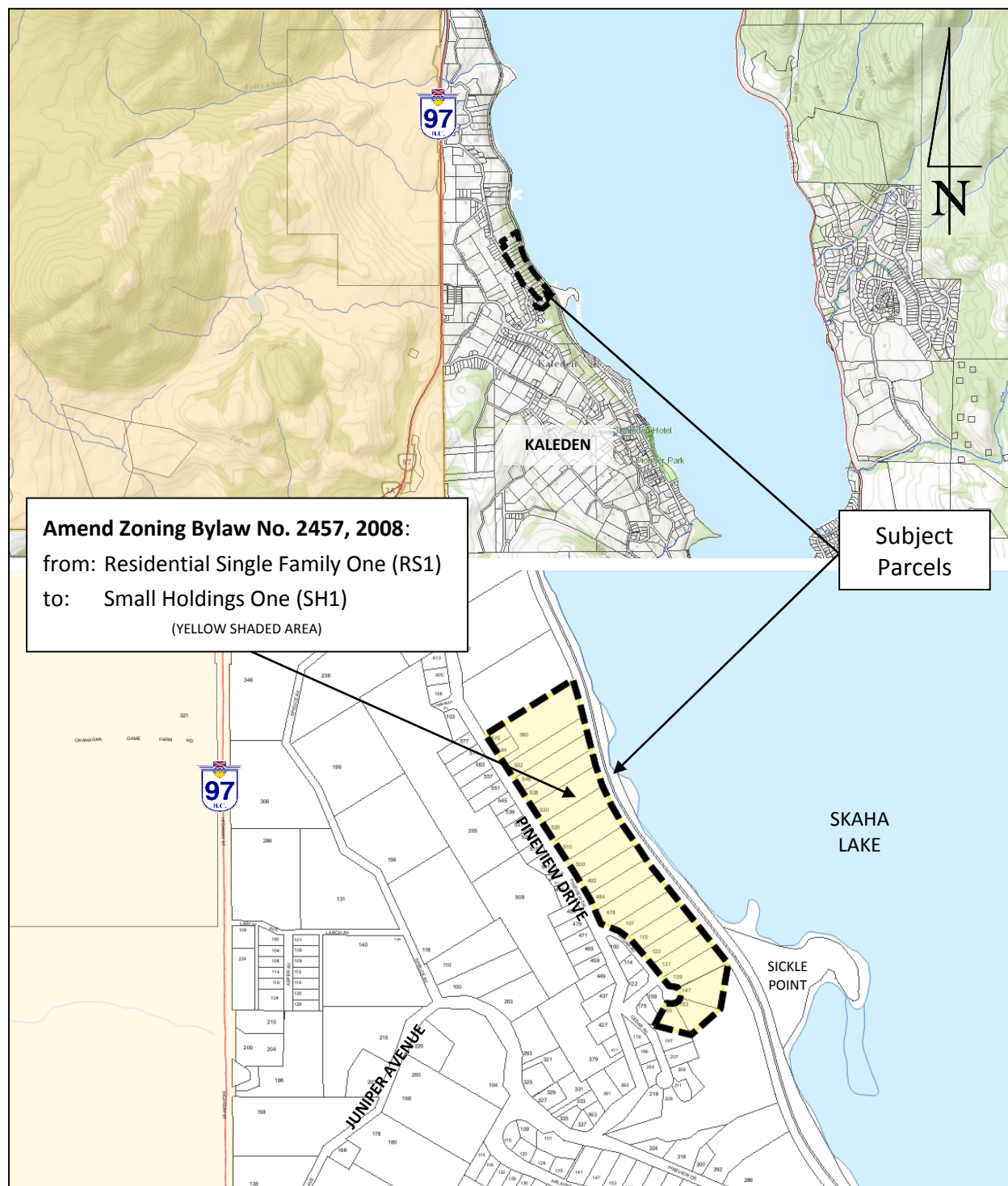
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File No. X2020.005-ZONE

Schedule 'I-207'



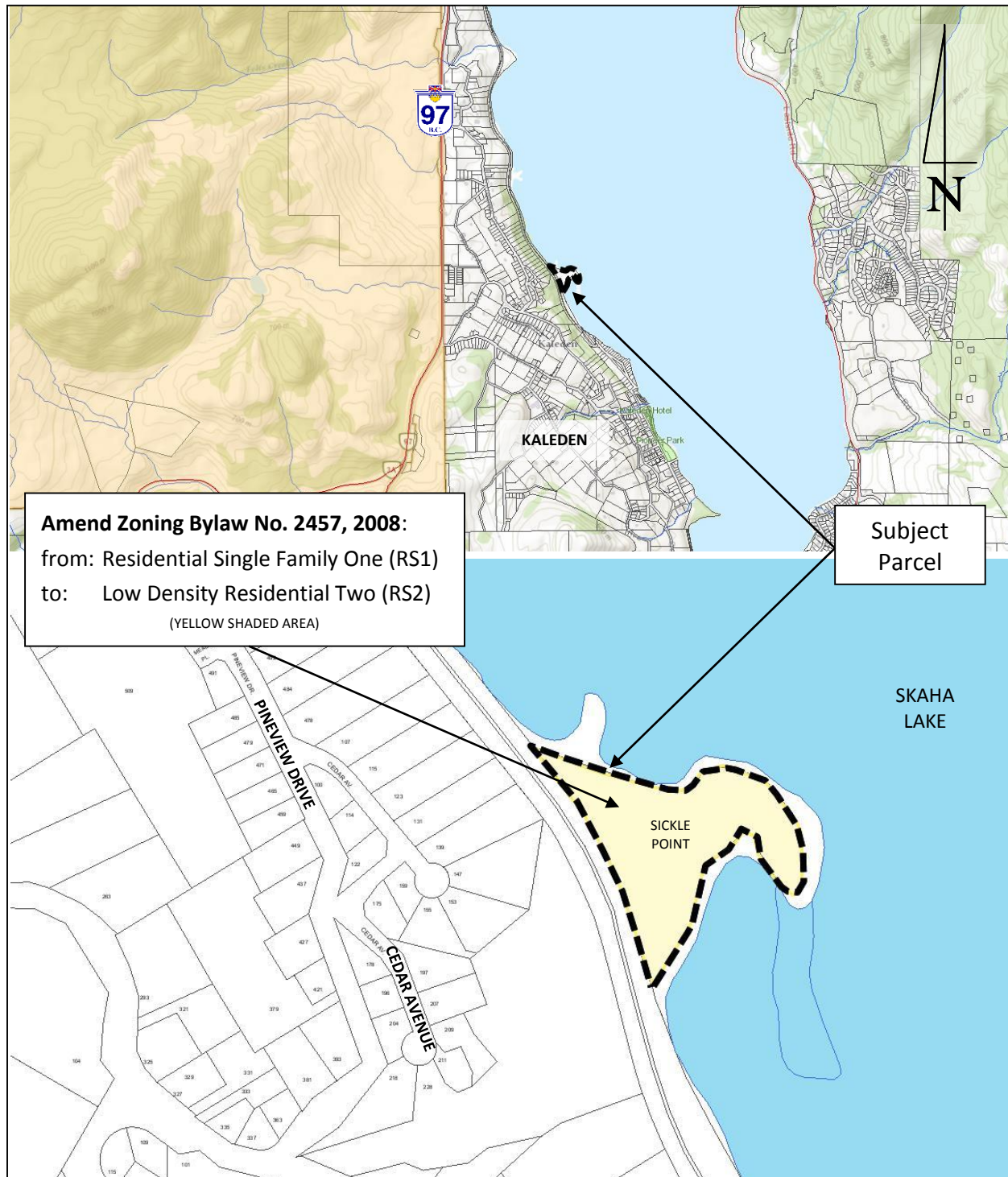
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101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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Schedule 'I-208'



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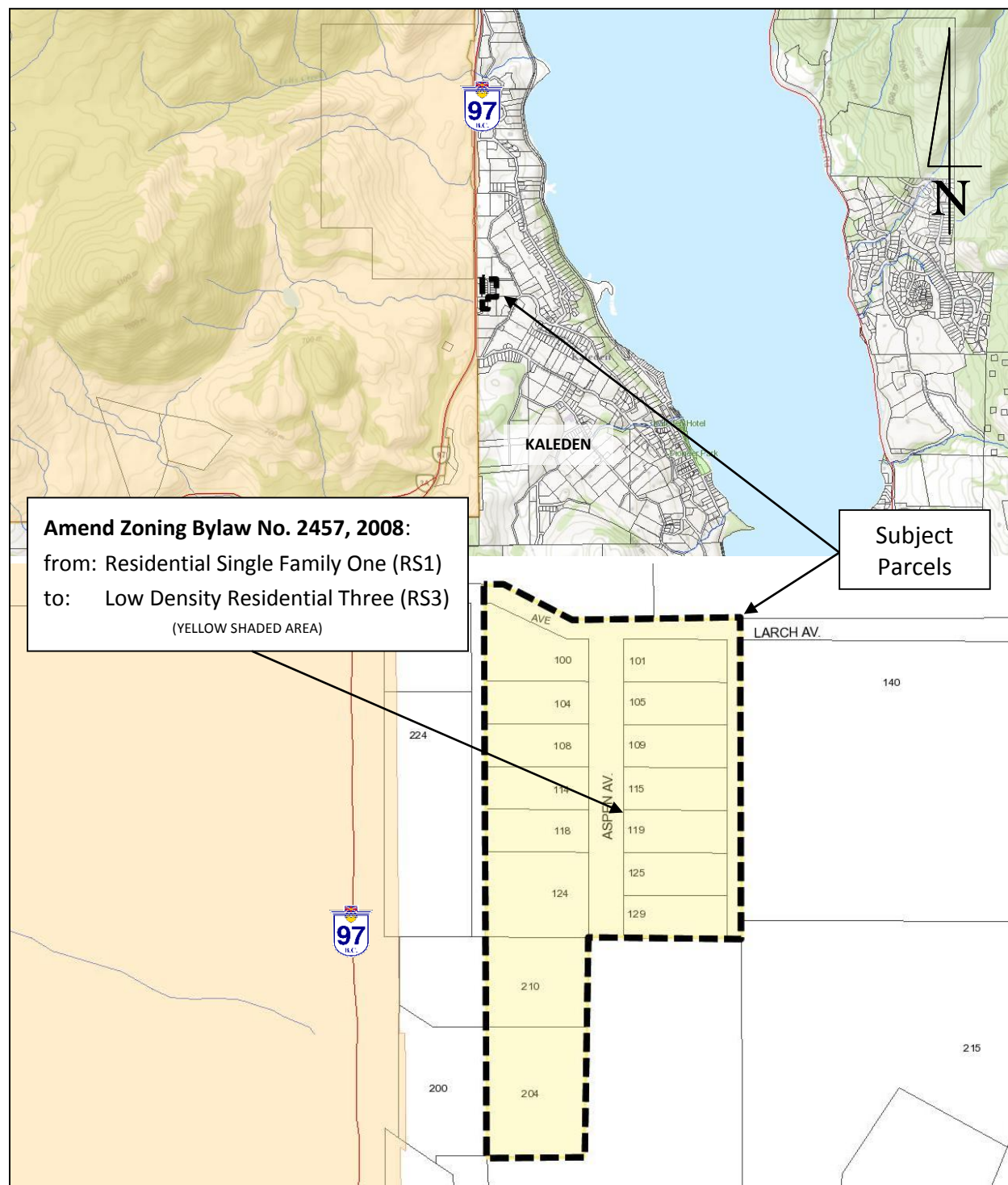
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Schedule 'I-209'



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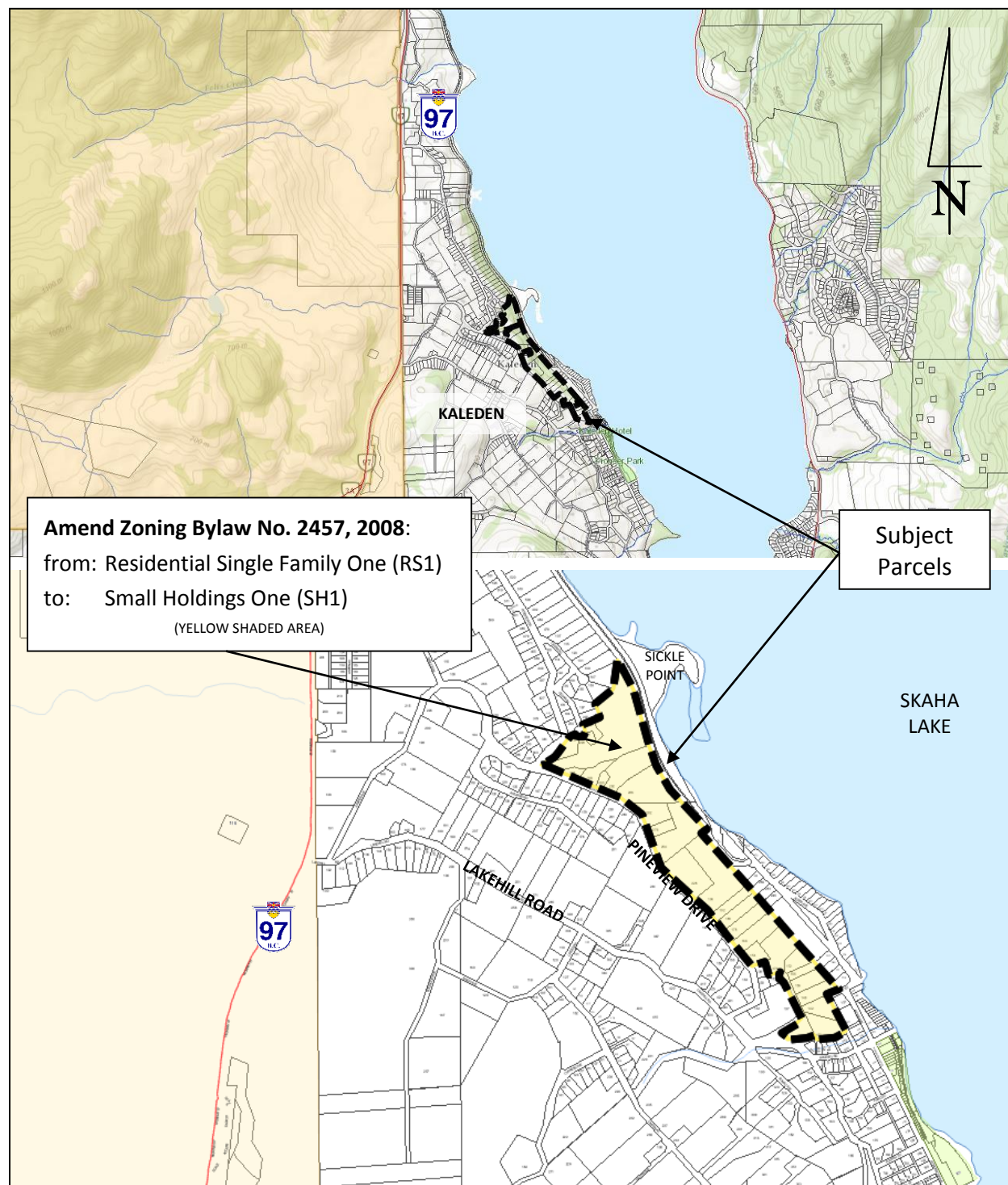
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File No. X2020.005-ZONE

Schedule 'I-210'

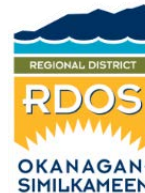


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Regional District of Okanagan-Similkameen

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

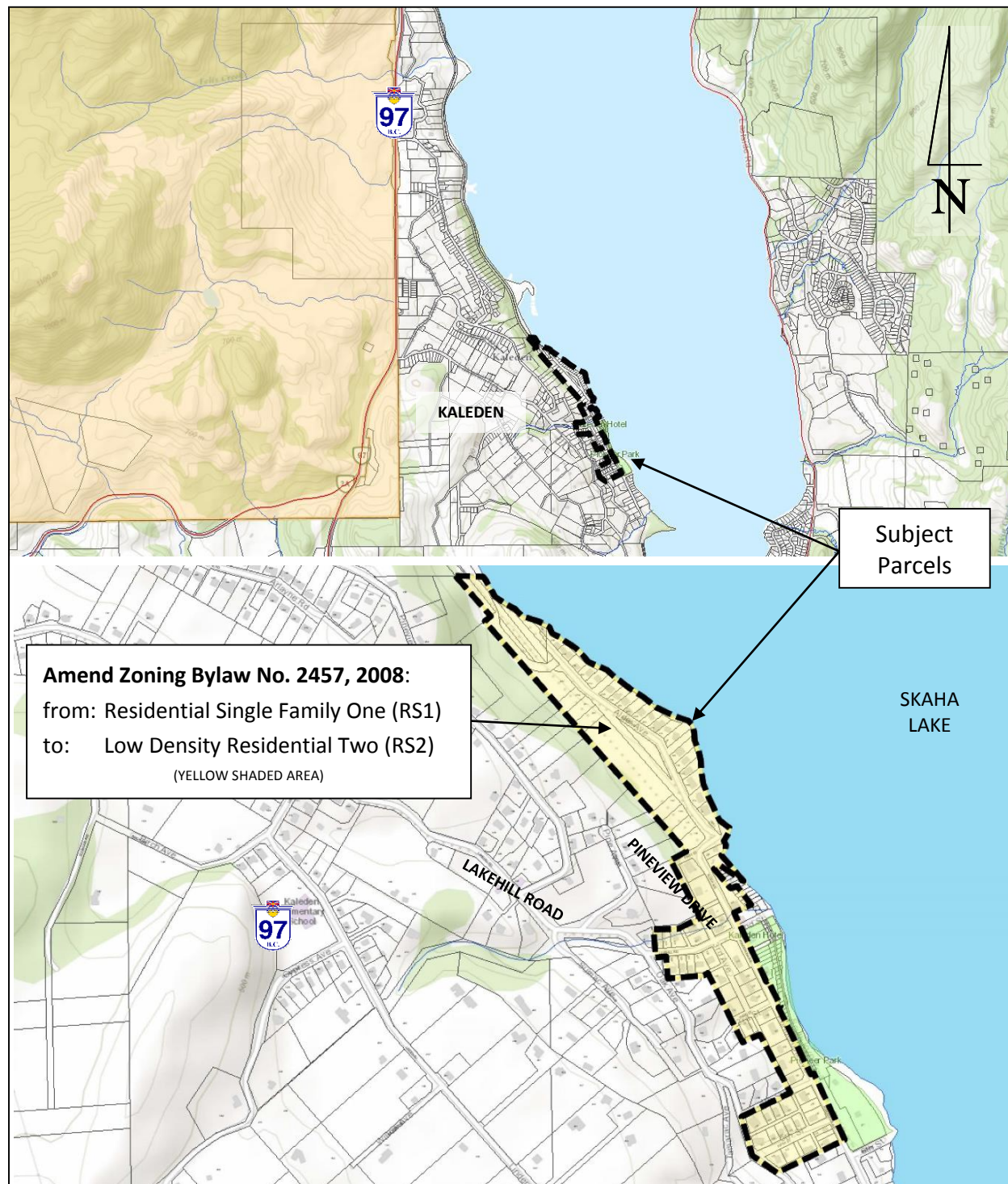
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File No. X2020.005-ZONE

Schedule 'I-211'



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

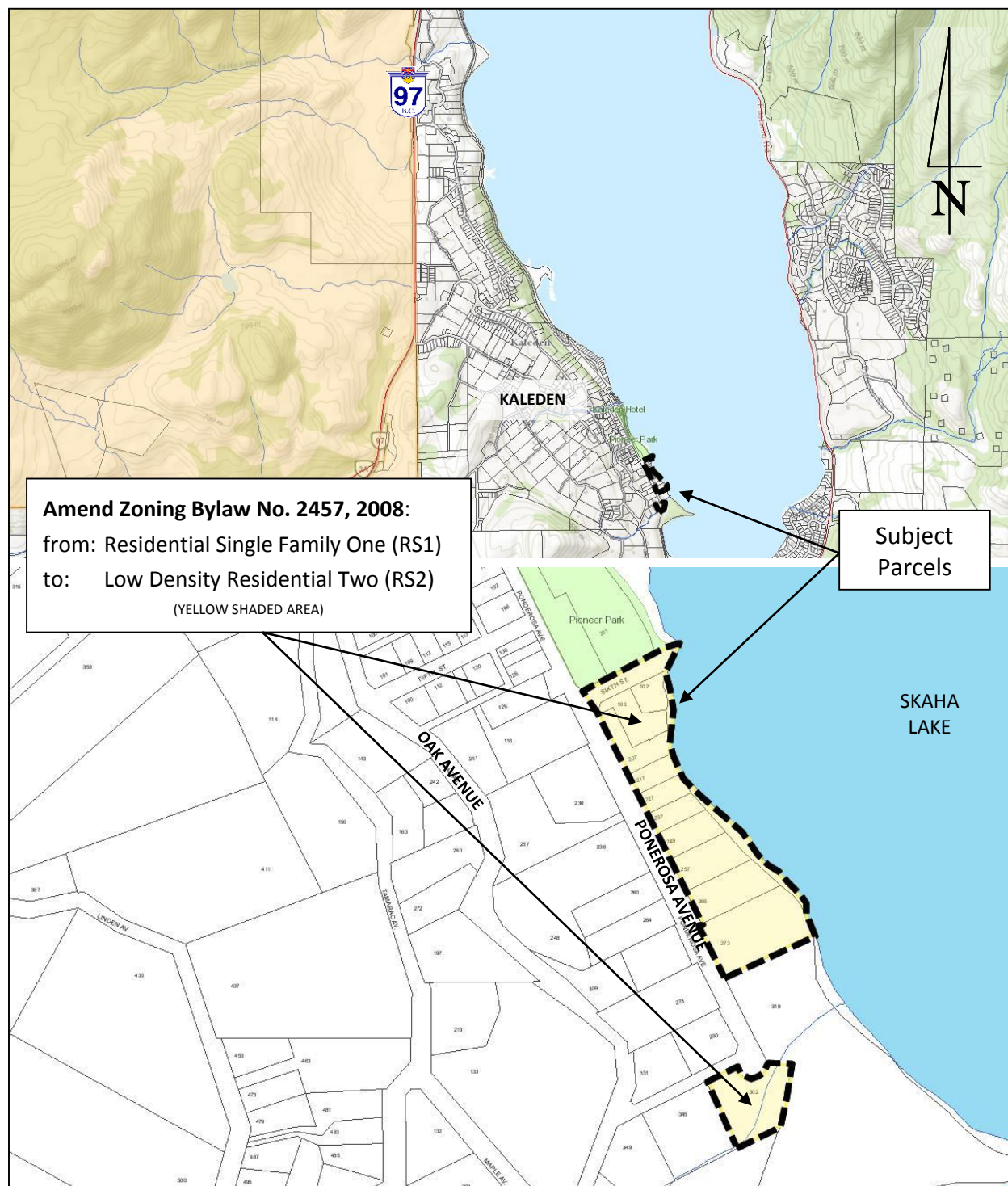
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Schedule 'I-212'



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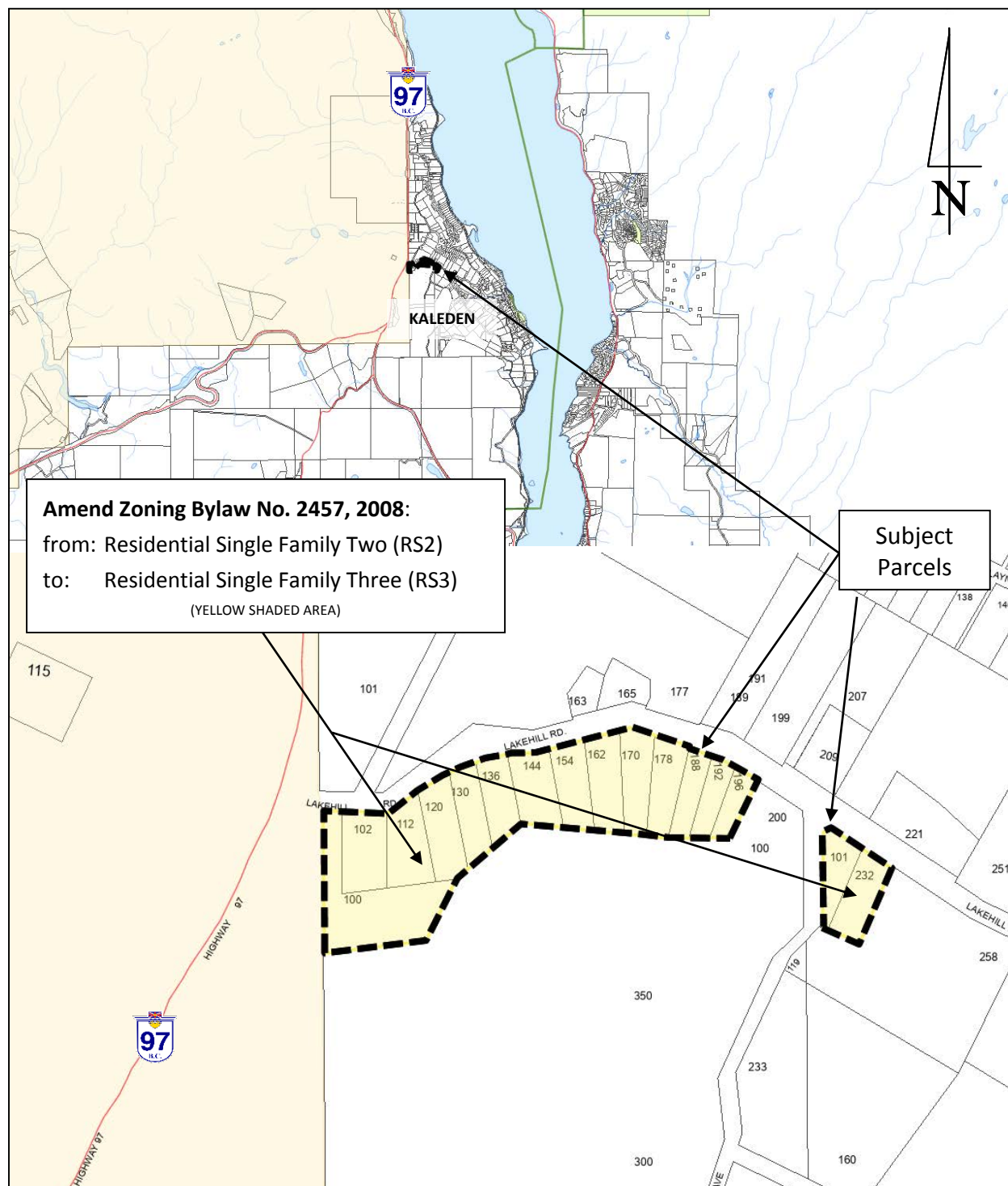
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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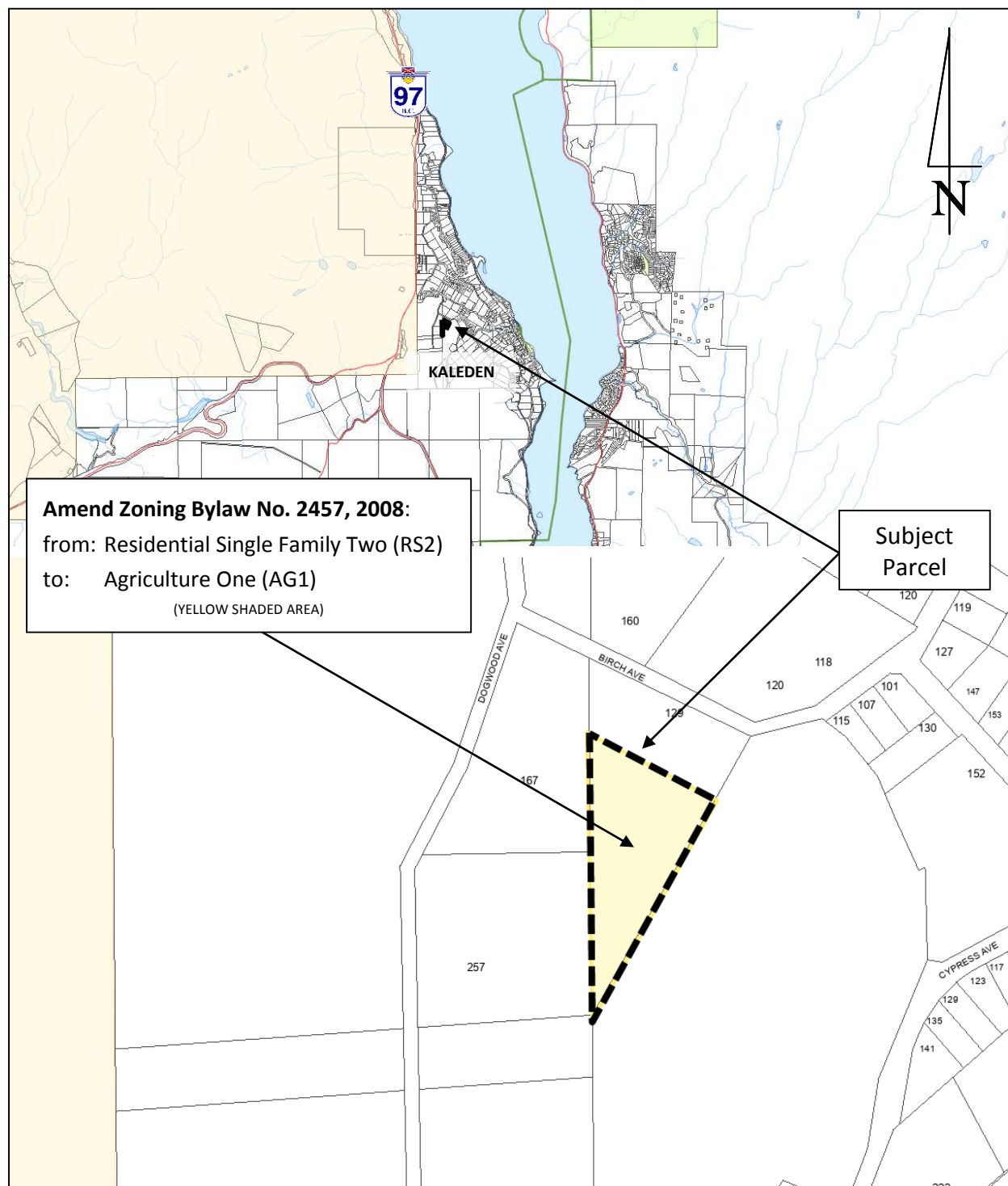
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101 Martin St, Penticton, BC, V2A-5J9

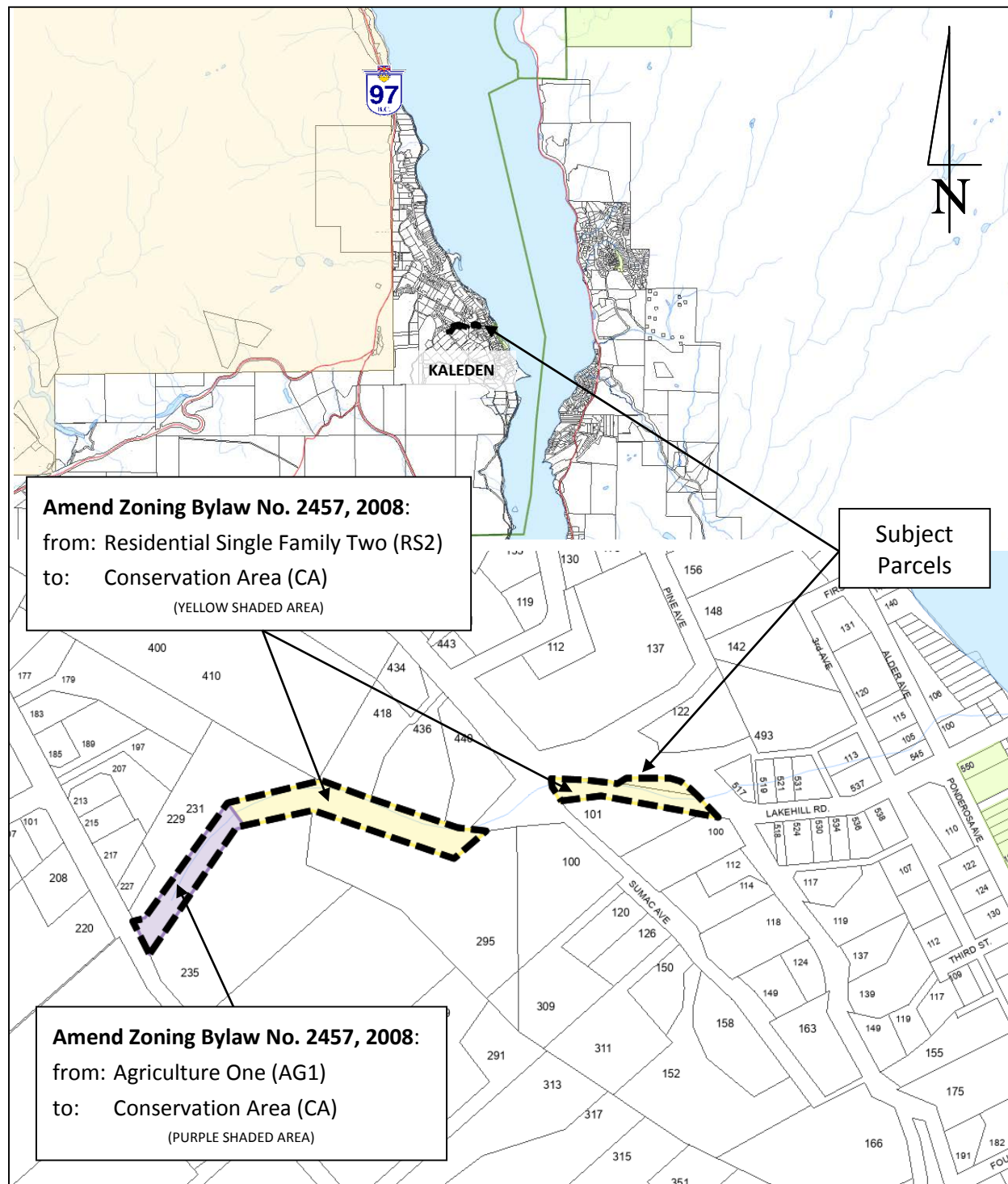
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File No. X2020.005-ZONE

Schedule 'I-215'

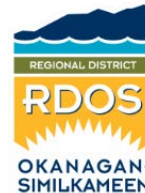


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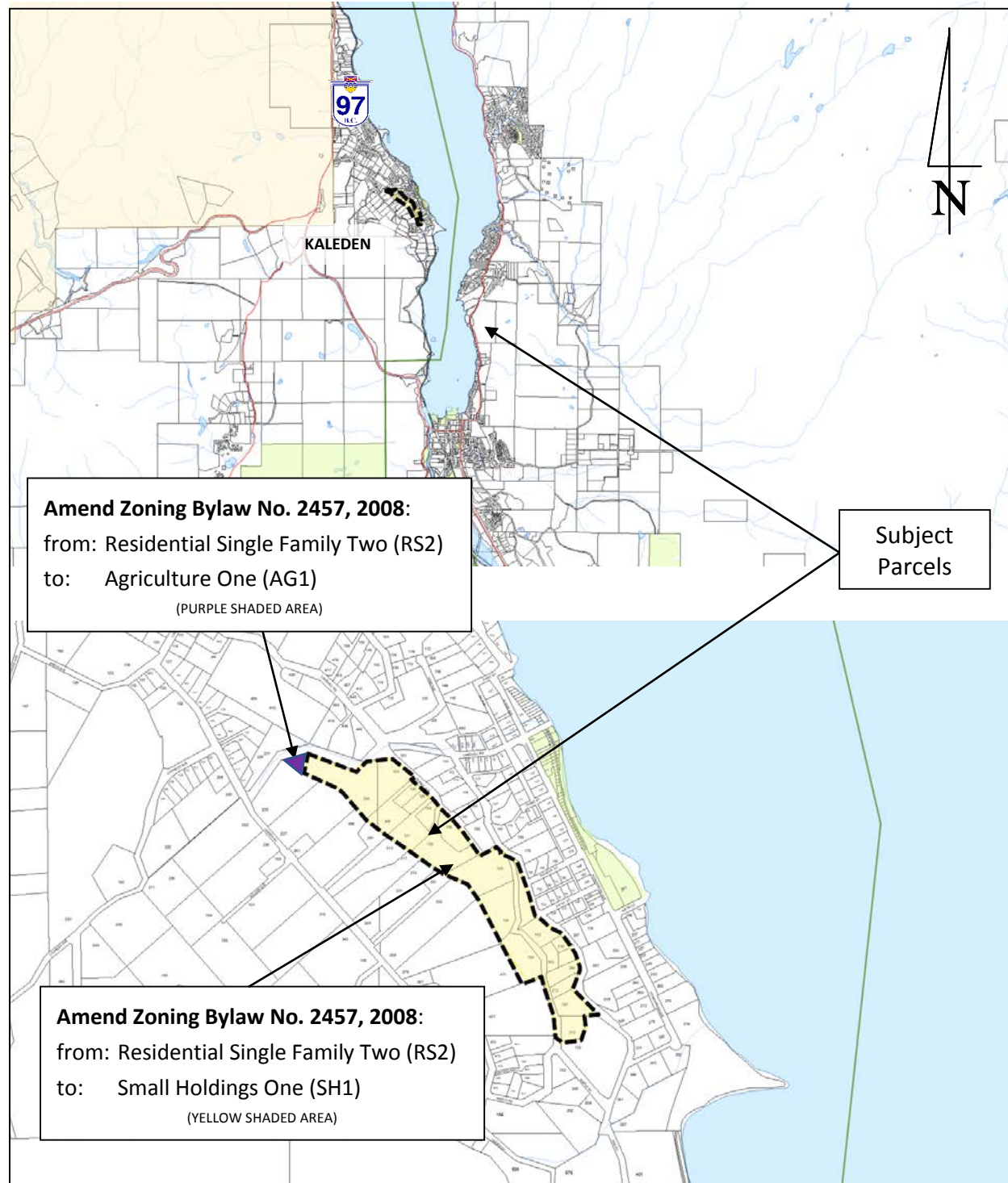
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-216'



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

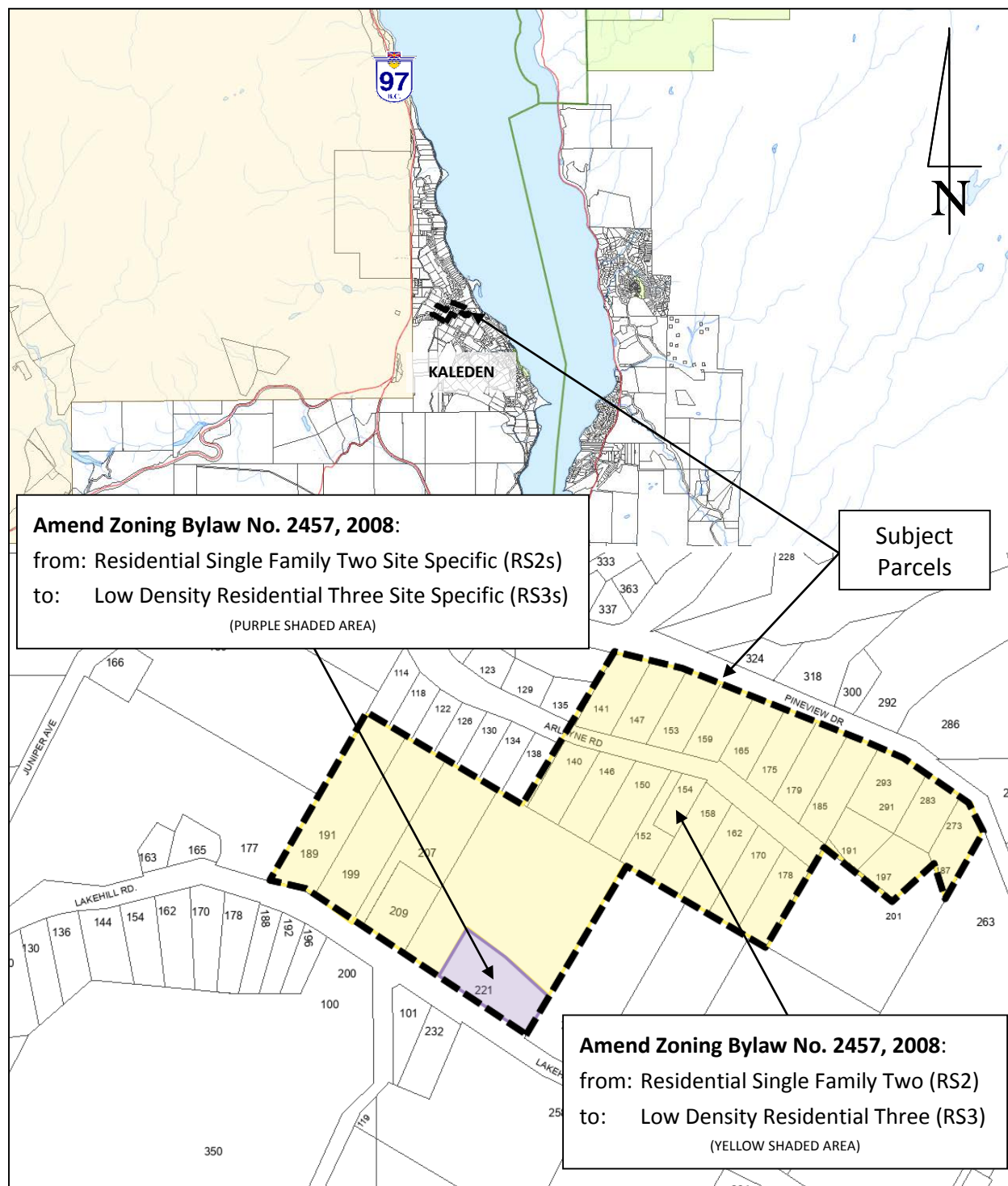
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File No. X2020.005-ZONE

Schedule 'I-217'

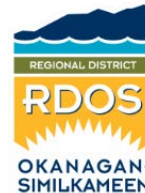


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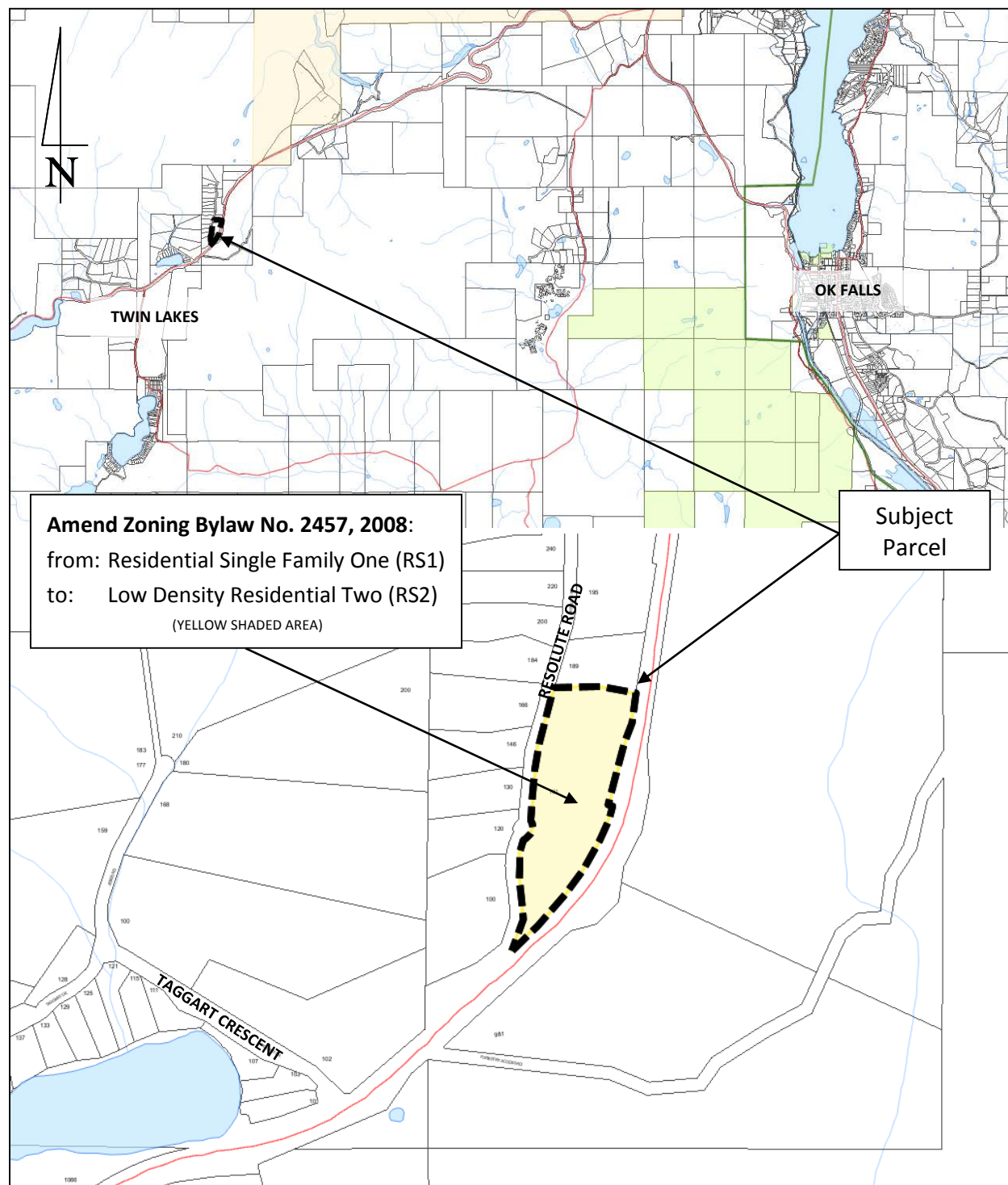
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File No. X2020.005-ZONE

Schedule 'I-218'

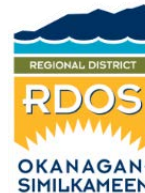


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101 Martin St, Penticton, BC, V2A-5J9

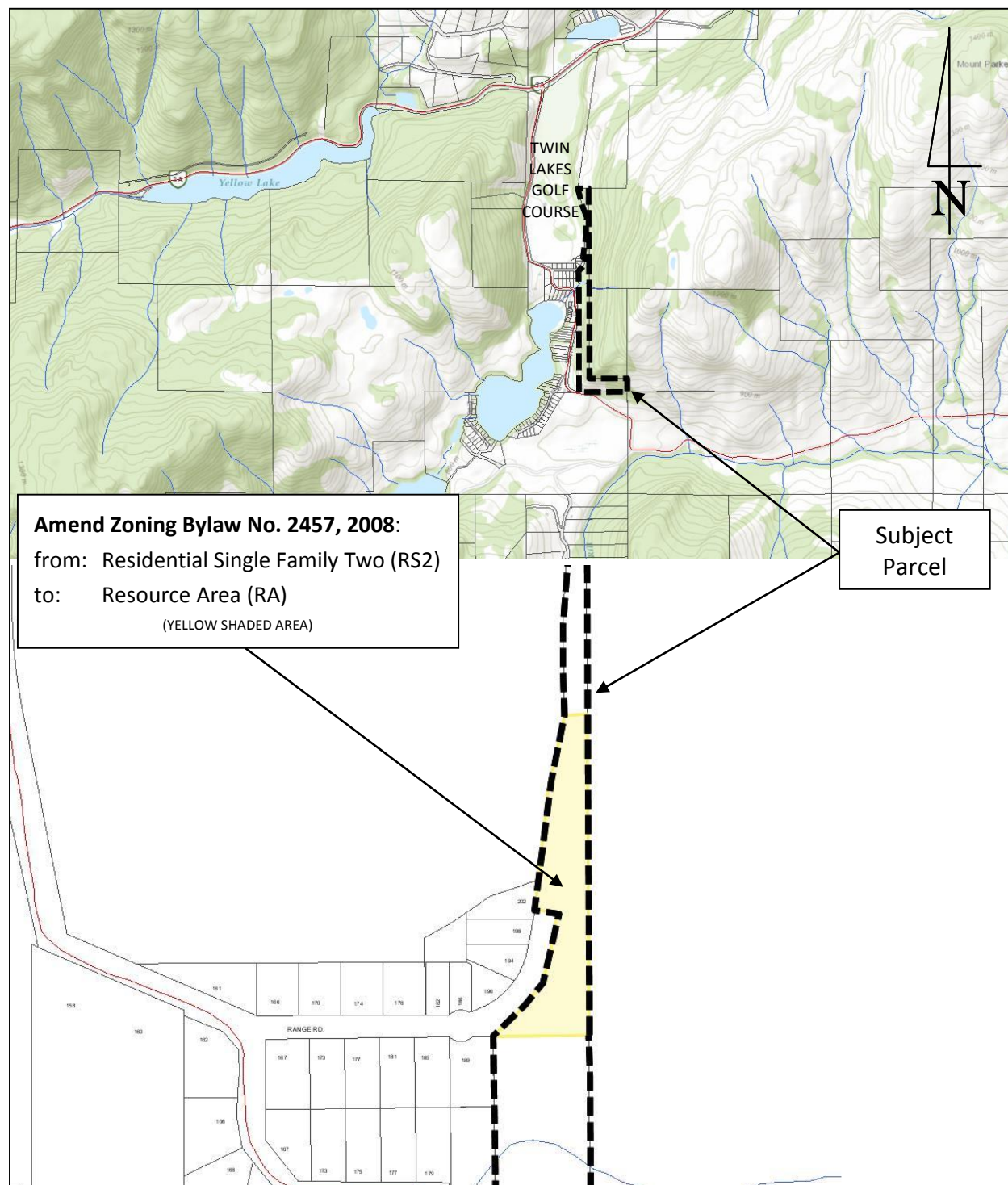
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File No. X2020.005-ZONE

Schedule 'I-219'



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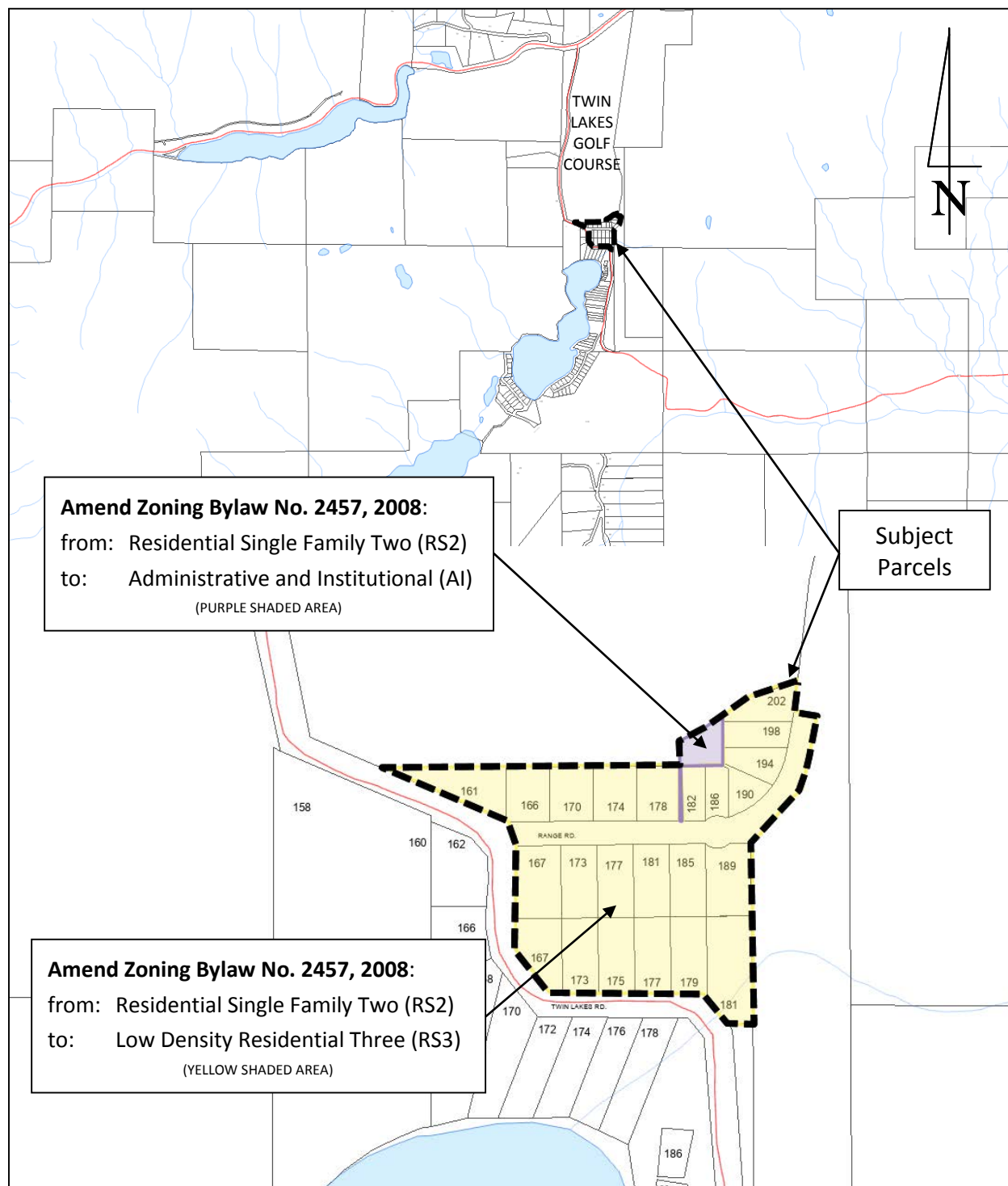
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-220'



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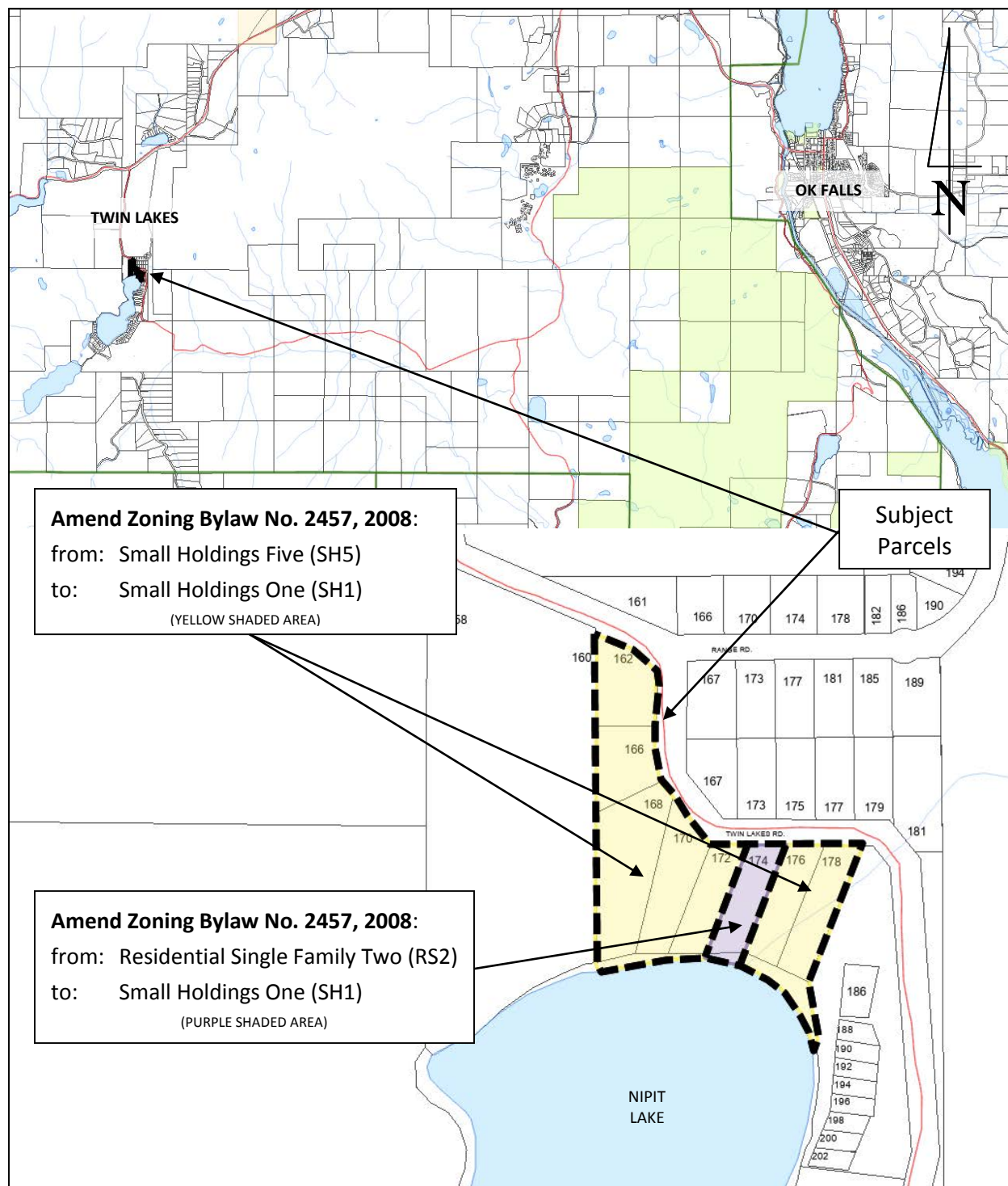
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Tel: 250-492-0237 Email: info@rdos.bc.ca



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File No. X2020.005-ZONE

Schedule 'I-221'



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Regional District of Okanagan-Similkameen

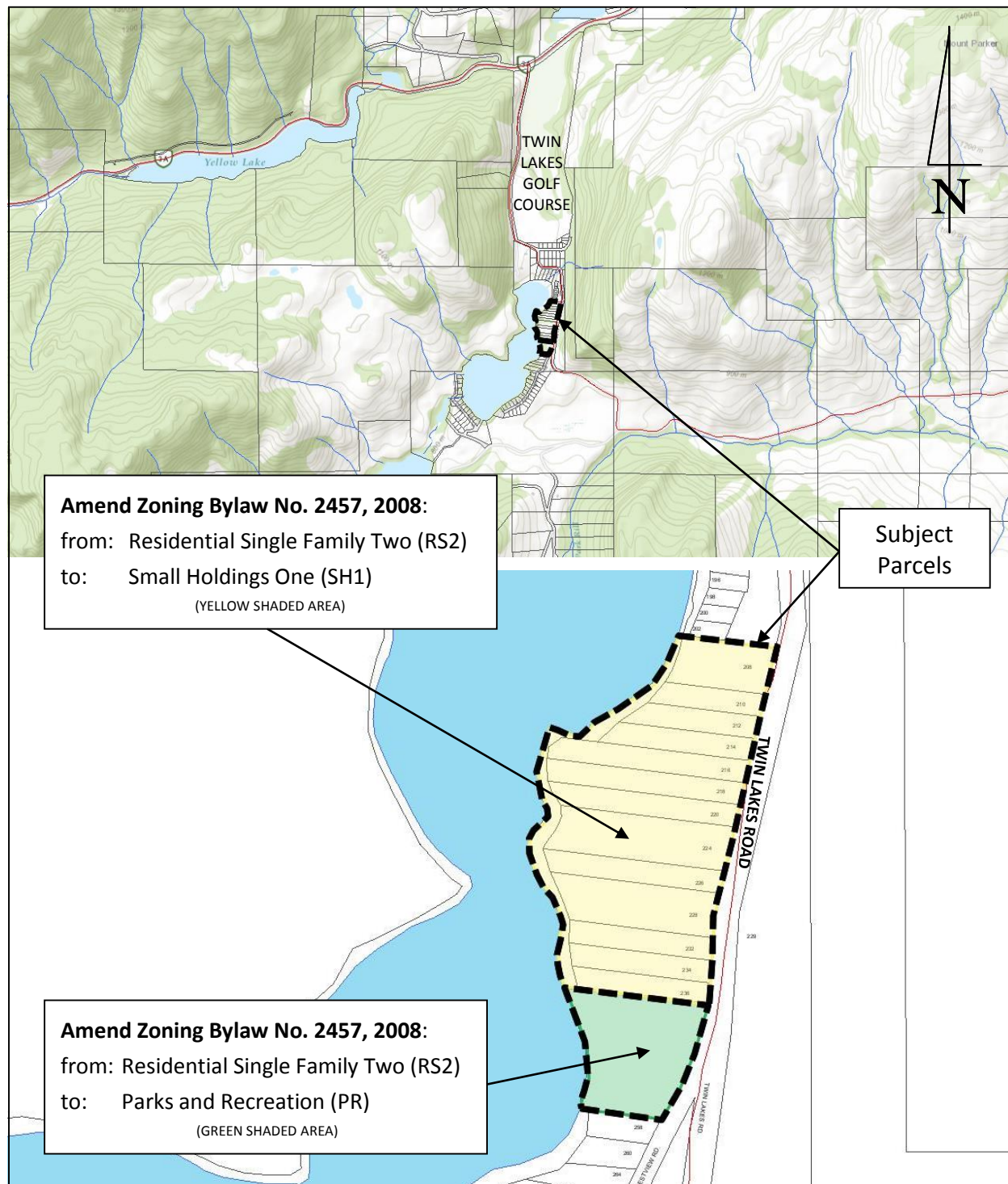
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-222'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 334 of 346

Regional District of Okanagan-Similkameen

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

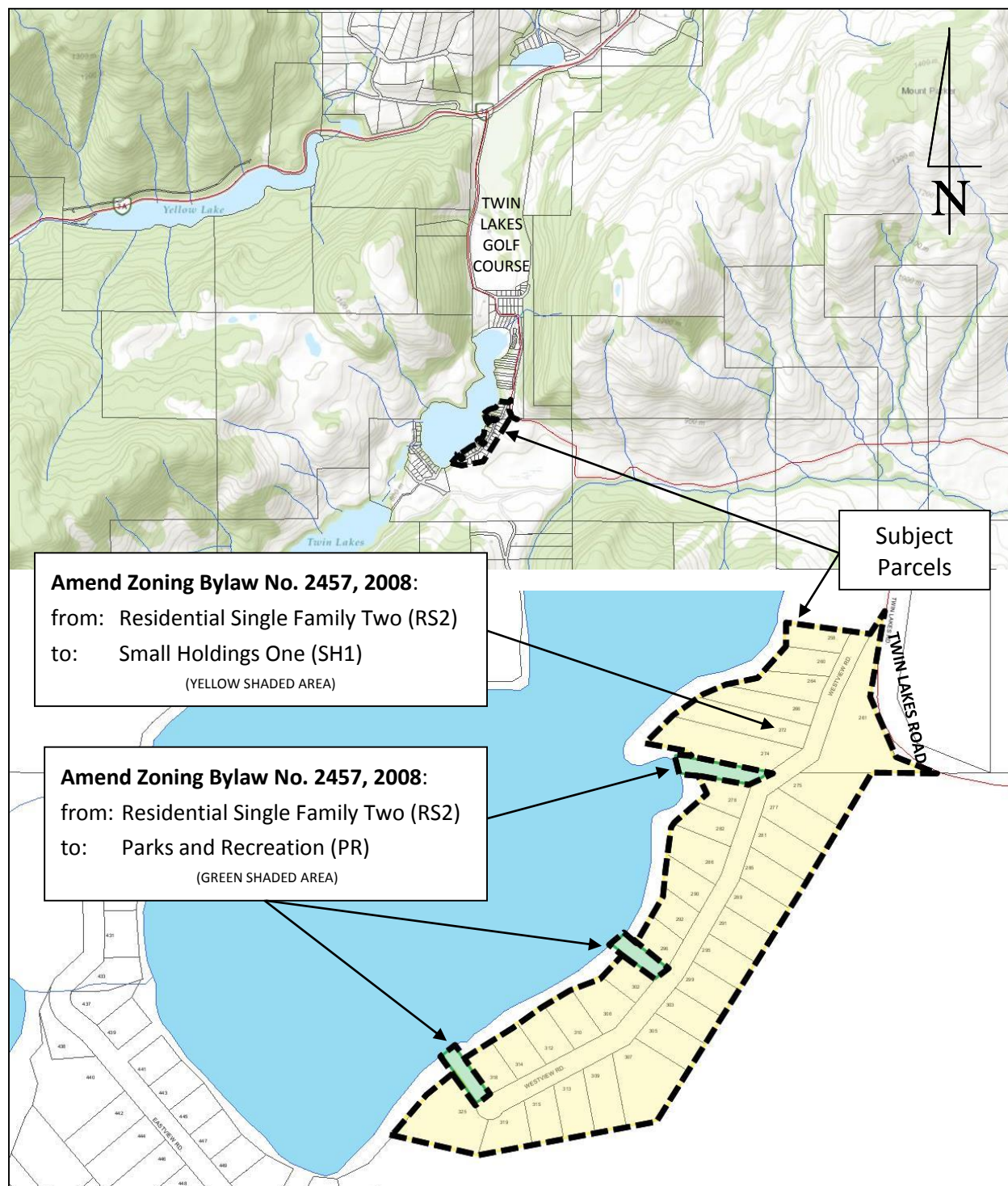
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-223'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 335 of 346

Regional District of Okanagan-Similkameen

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

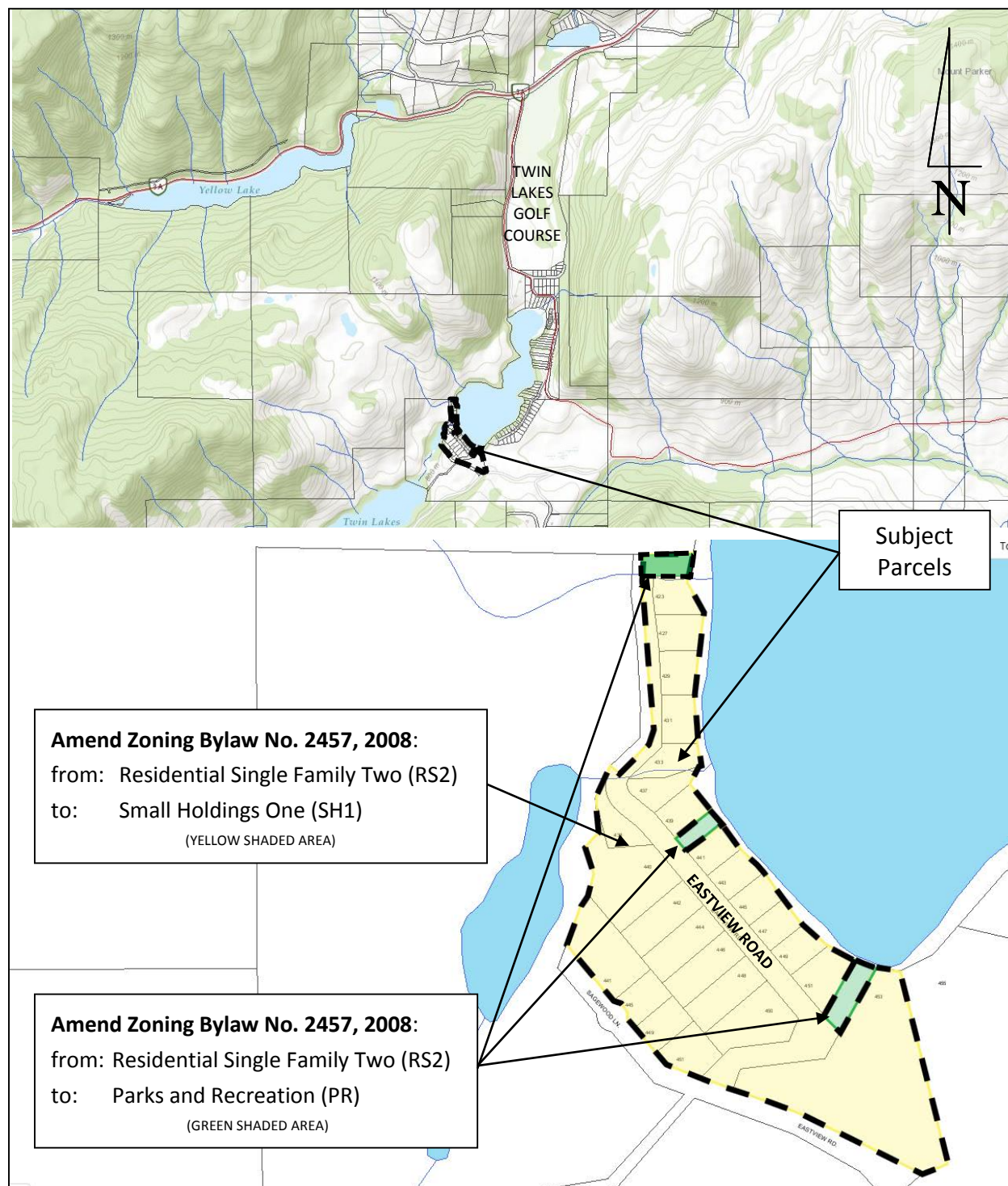
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-224'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 336 of 346

Regional District of Okanagan-Similkameen

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

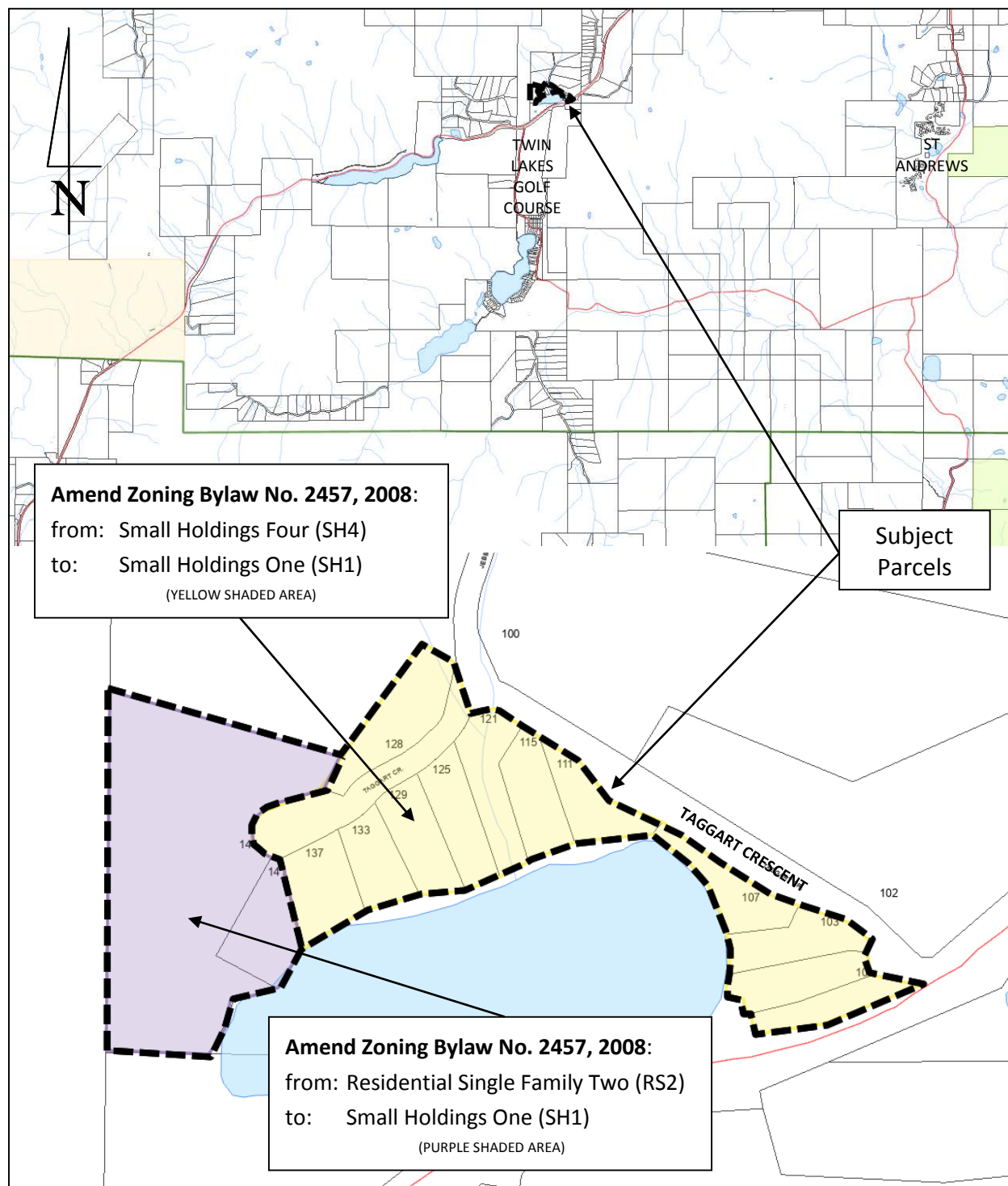
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-225'



Amend Zoning Bylaw No. 2457, 2008:

from: Small Holdings Four (SH4)

to: Small Holdings One (SH1)

(YELLOW SHADED AREA)

Amend Zoning Bylaw No. 2457, 2008:

from: Residential Single Family Two (RS2)

to: Small Holdings One (SH1)

(PURPLE SHADED AREA)

Amendment Bylaw No. 2892, 2021

(X2020.005-ZONE)

Page 337 of 346

Regional District of Okanagan-Similkameen

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

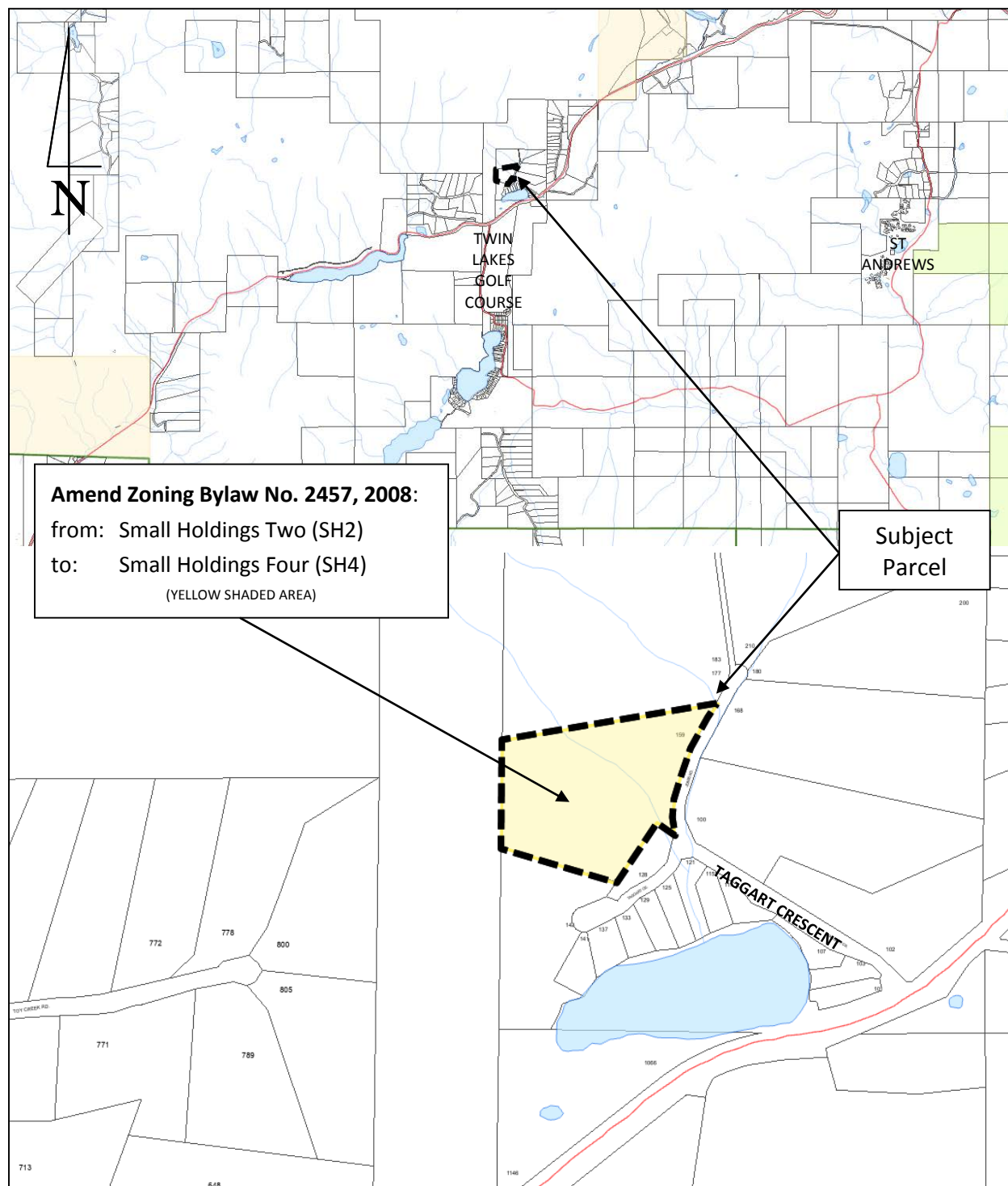
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-226'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 338 of 346

Regional District of Okanagan-Similkameen

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

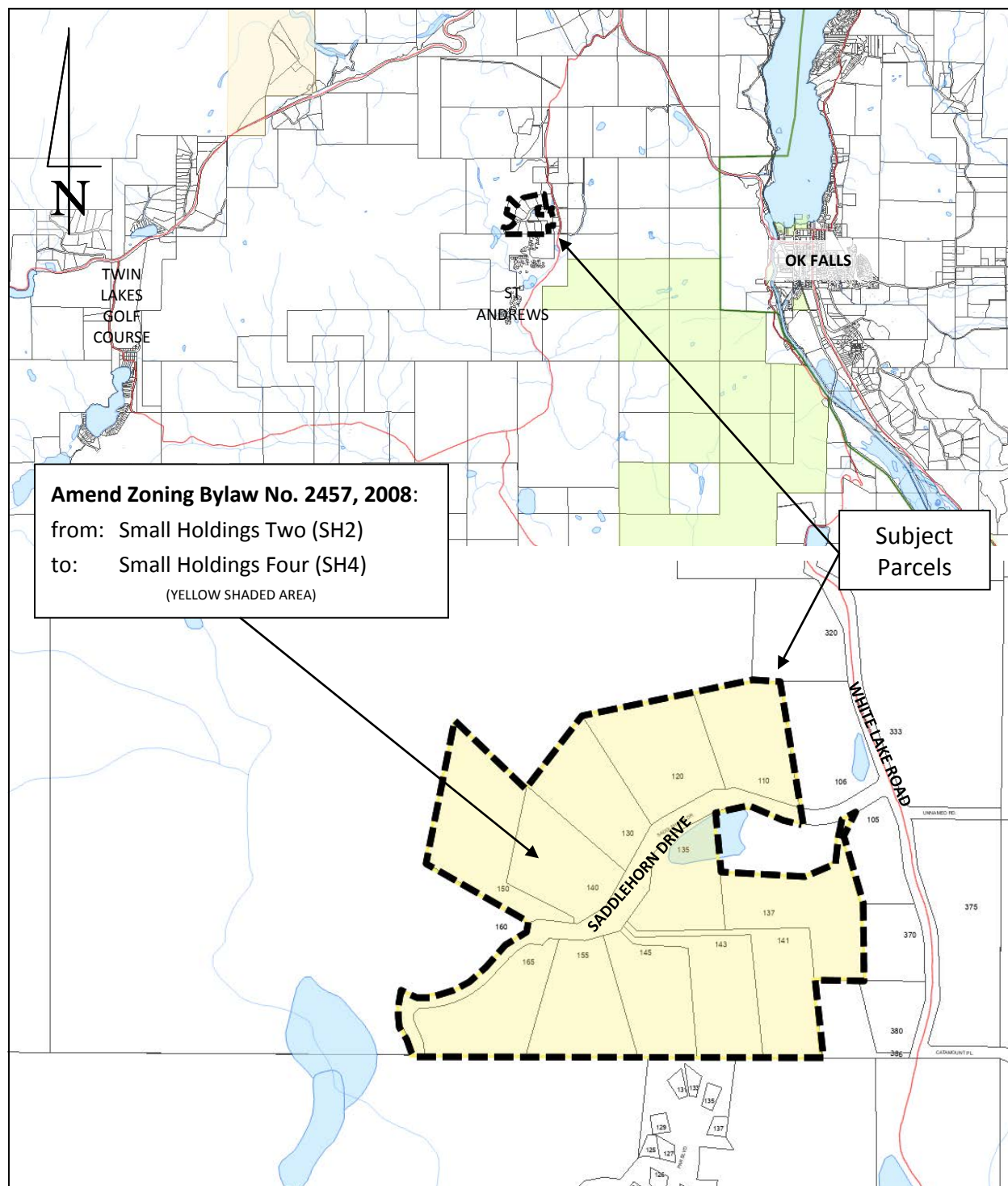
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-227'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 339 of 346

Regional District of Okanagan-Similkameen

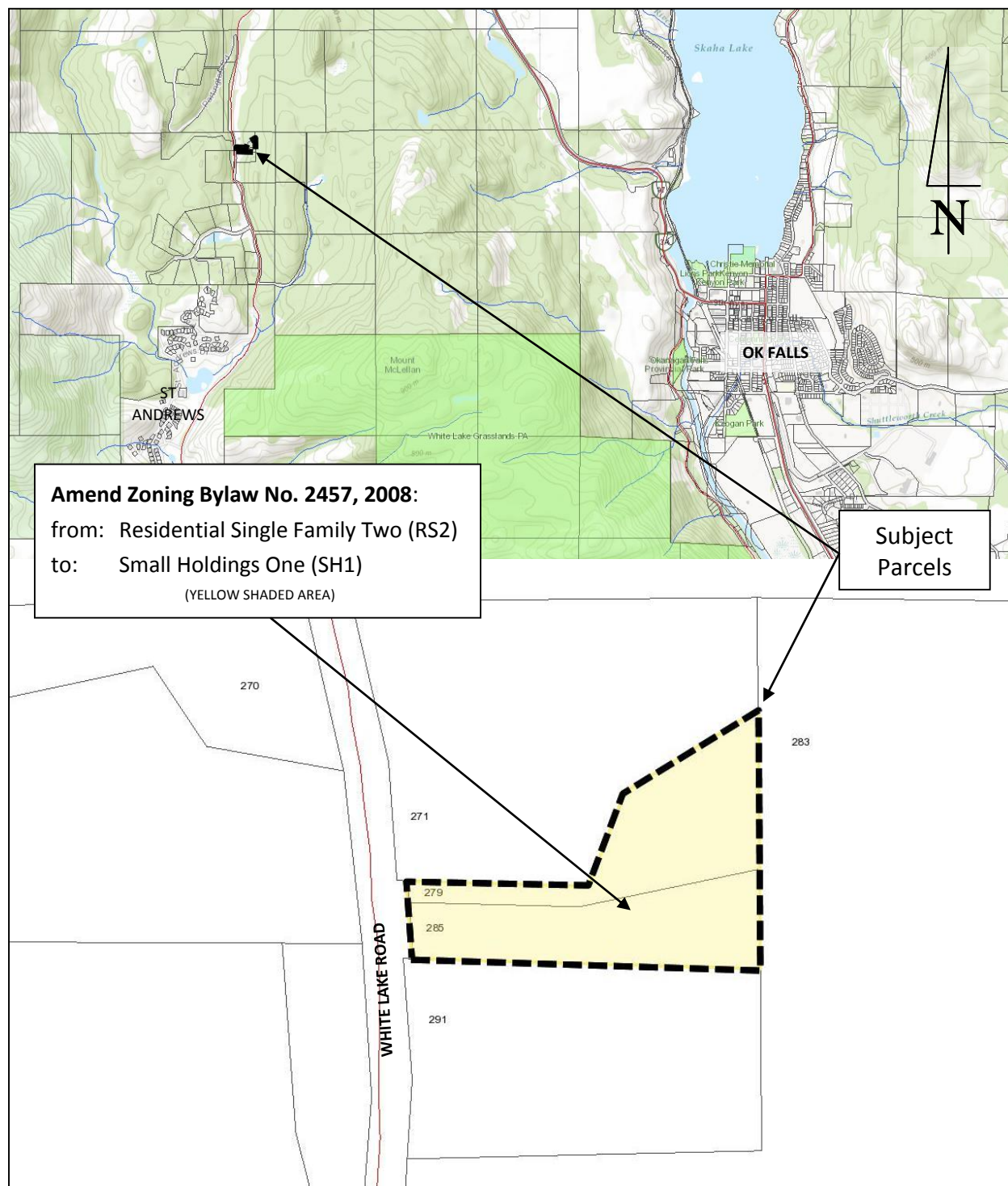
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-228'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 340 of 346

Regional District of Okanagan-Similkameen

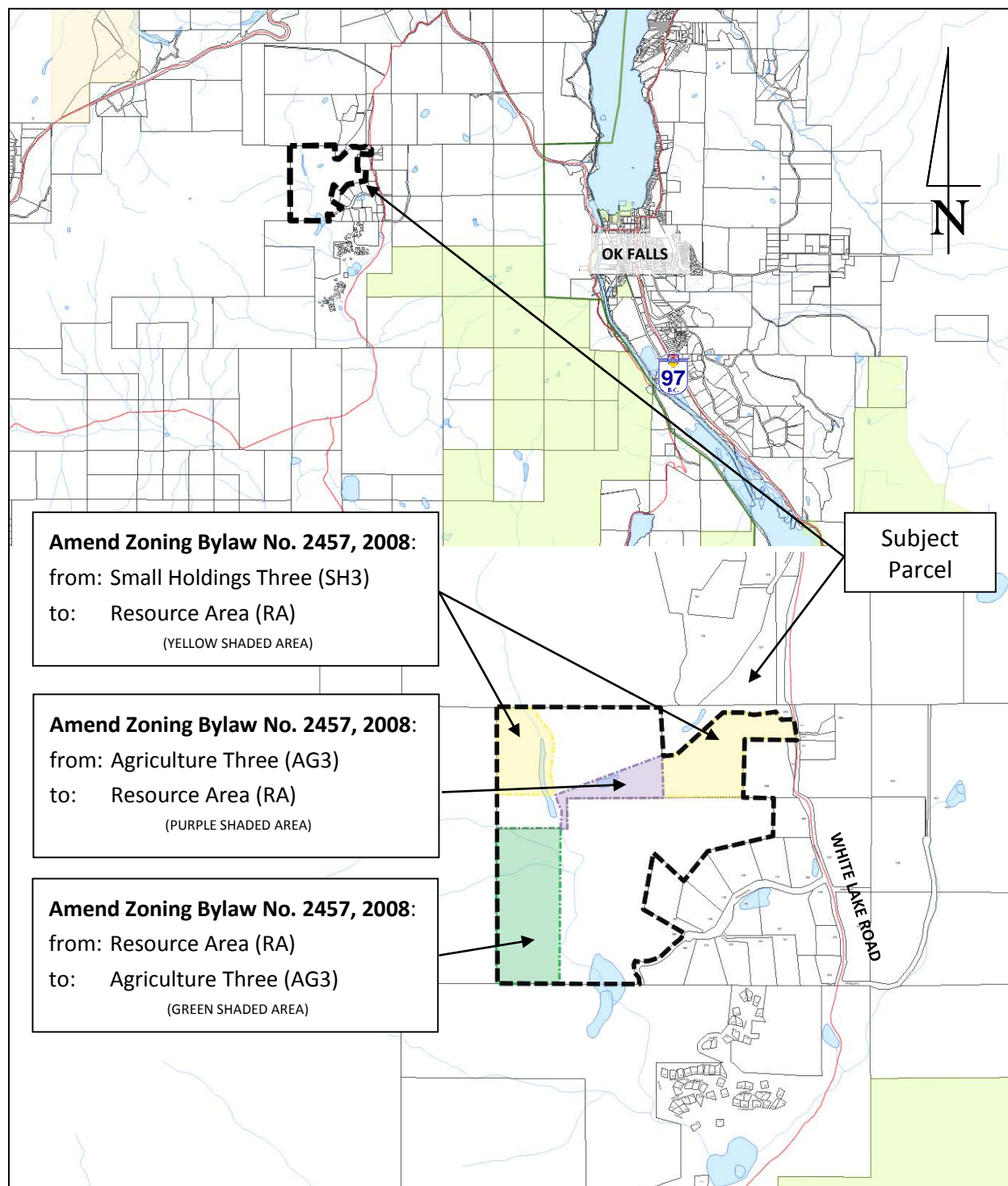
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-229'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 341 of 346

Regional District of Okanagan-Similkameen

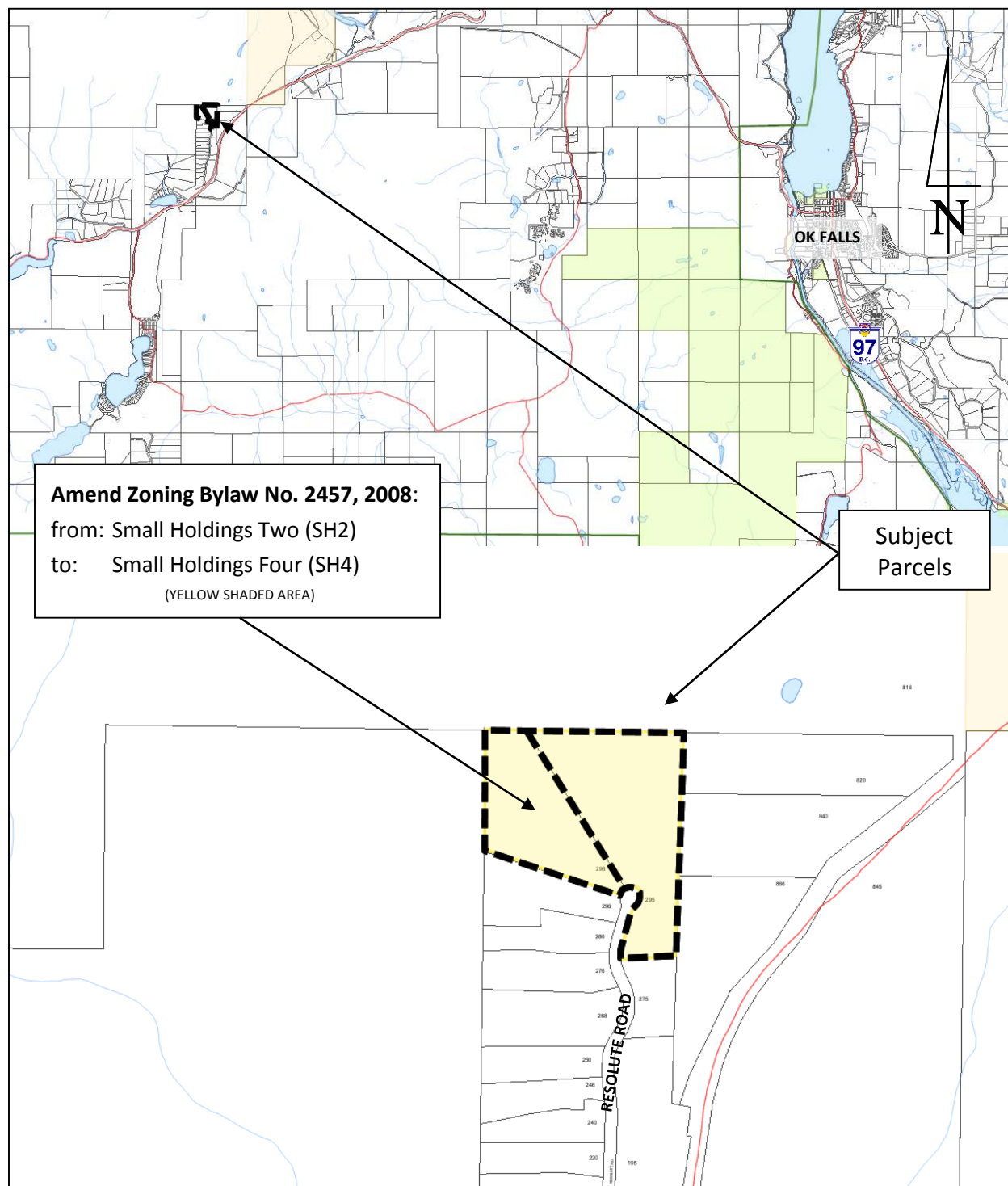
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-230'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 342 of 346

Regional District of Okanagan-Similkameen

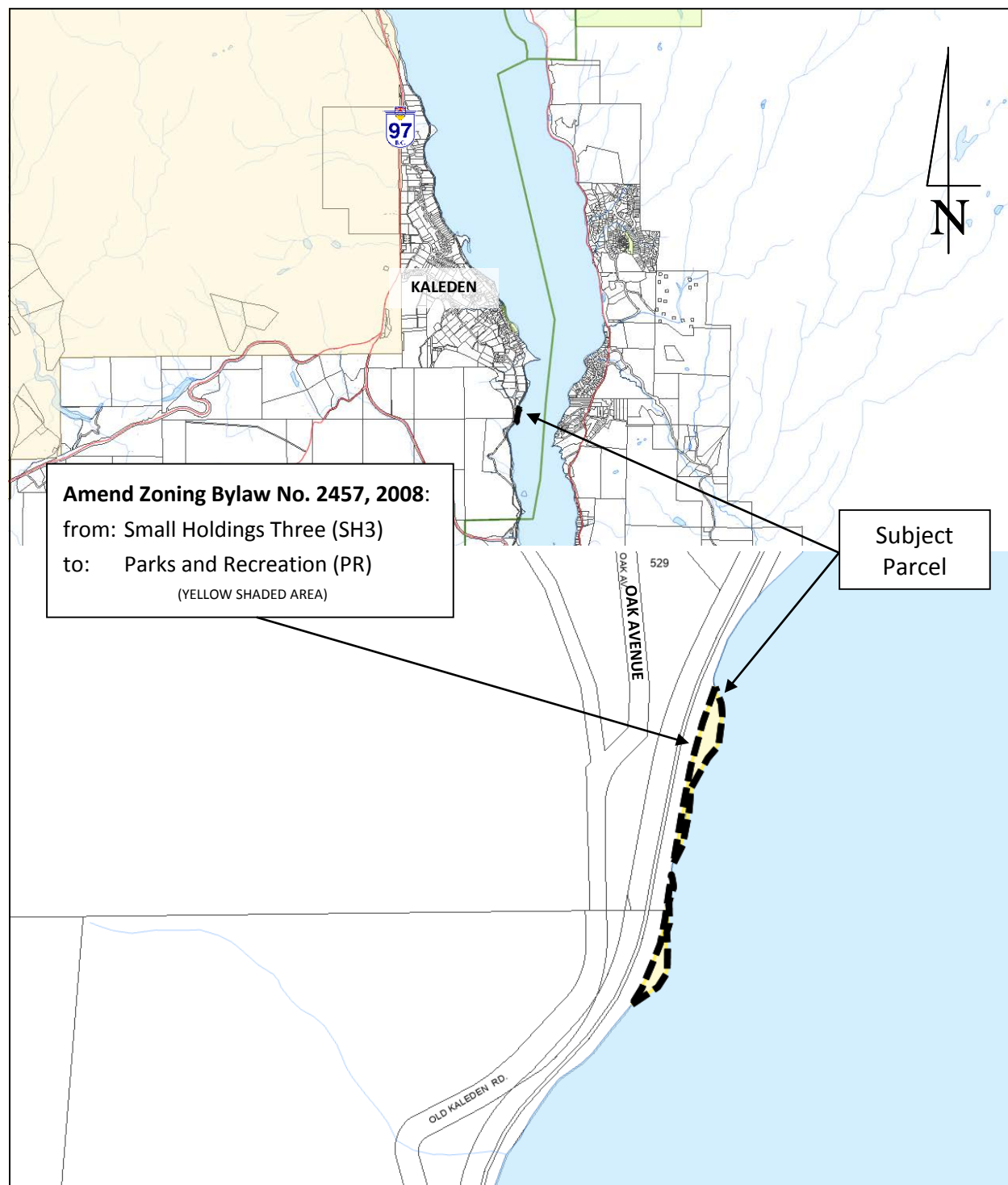
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-231'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 343 of 346

Regional District of Okanagan-Similkameen

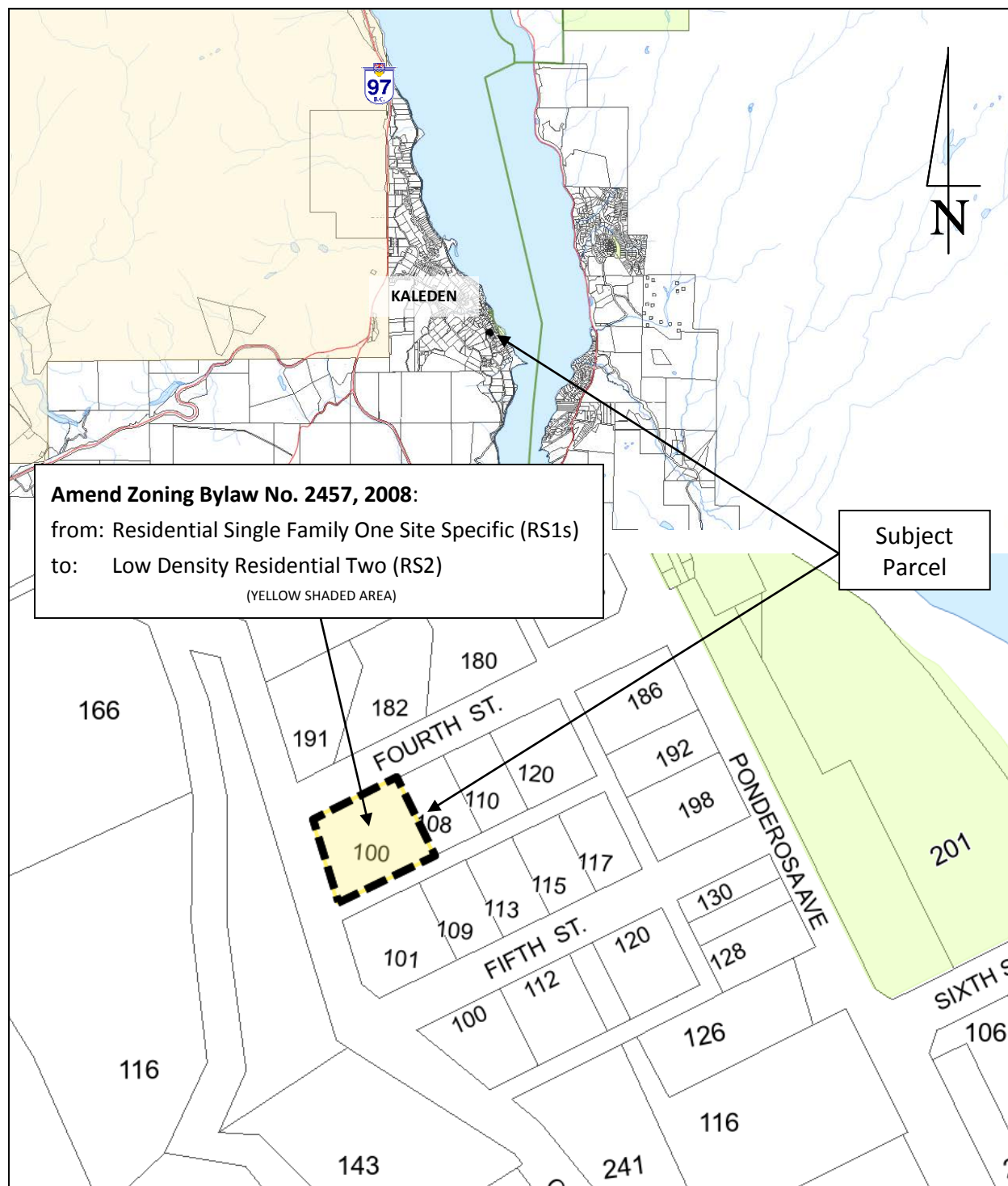
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-232'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 344 of 346

Regional District of Okanagan-Similkameen

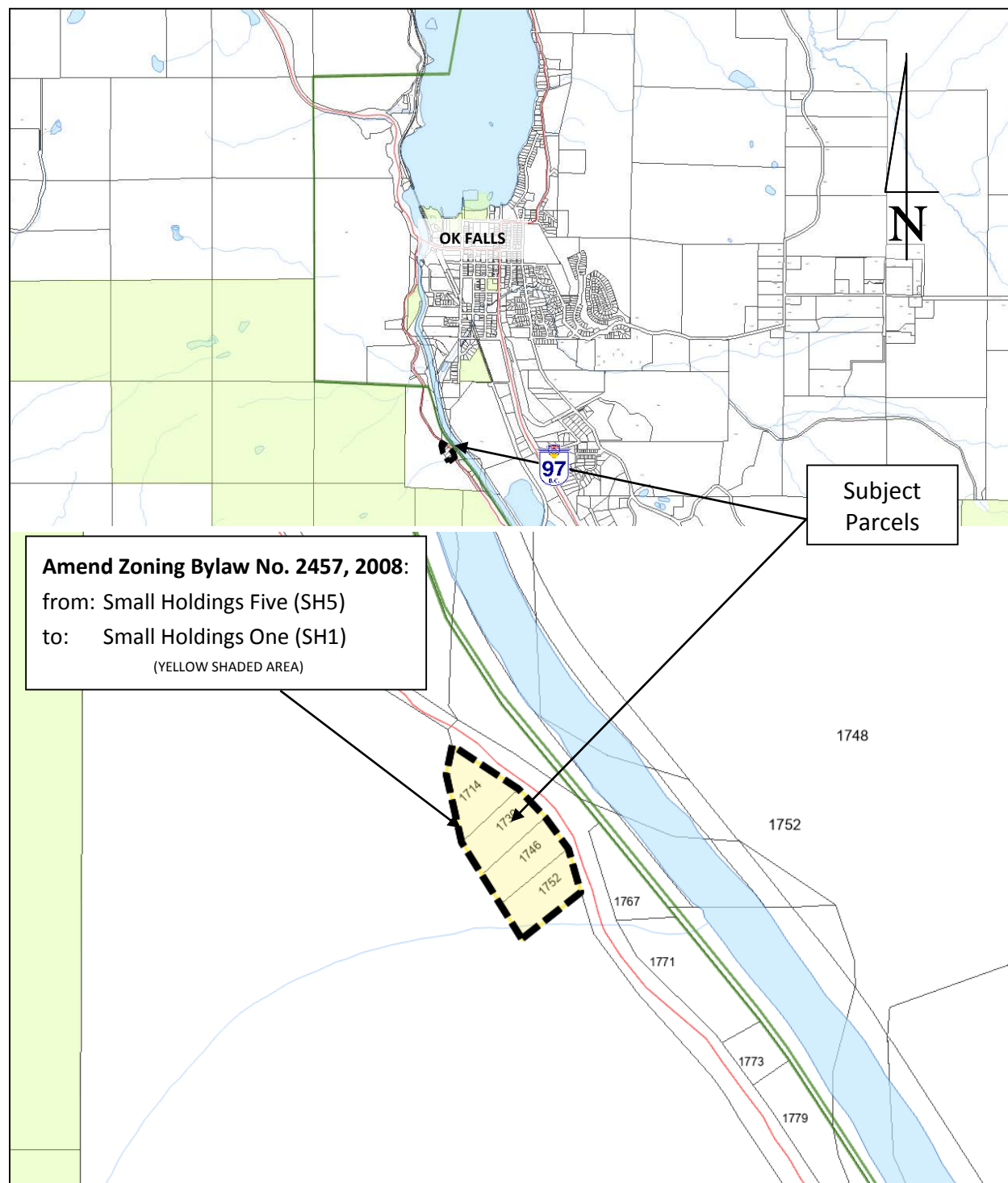
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-233'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 345 of 346

Regional District of Okanagan-Similkameen

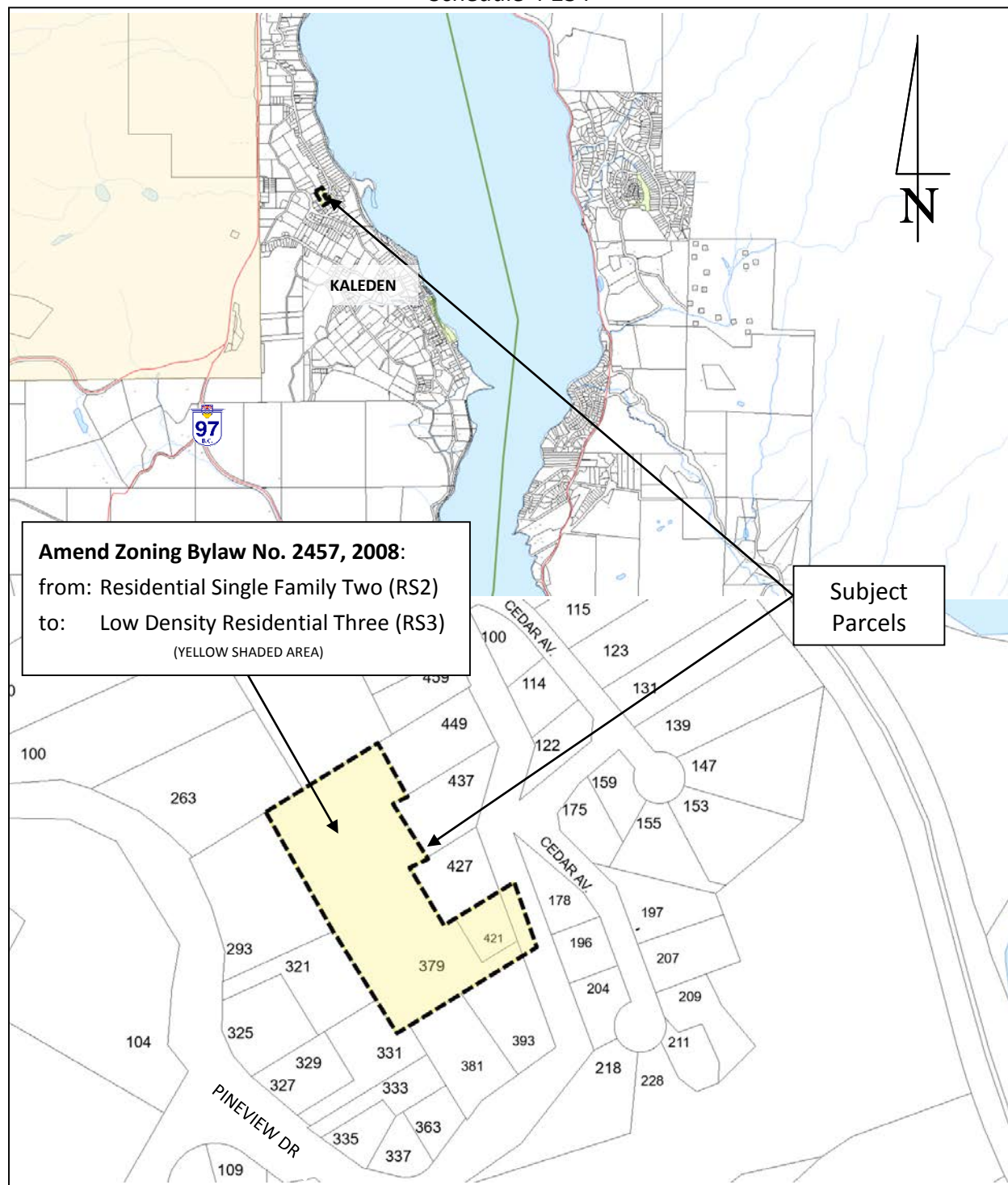
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2892, 2021

File No. X2020.005-ZONE

Schedule 'I-234'



Amendment Bylaw No. 2892, 2021
(X2020.005-ZONE)
Page 346 of 346

Lauri Feindell

From: Scott Linttel
Sent: July 21, 2021 1:25 PM
To: Lauri Feindell; Evelyn Riechert; Christopher Garrish
Cc: "
Subject: Re: Residential Zone Update
Attachments: 100.pdf

Importance: High

Thank you Lauri for your quick follow up to our concerns.

We currently own a 39 acre property east of Wilson Mountain Road zoned SH4...Lot 1, Plan KAP79573, DL918s,SDYD.

Our apologies for the tardy response to your May 11, 2021 letter regarding Zoning Amendment bylaw 2892,2021...

We are very opposed to your proposed zone consolidation of SH4 and SH2.

Enlarging the minimum lot size by 25% from one acre to 1.25 acre or 0.5 ha is very detrimental to existing development plans for this property. Additionally, losing the agriculture component for this site is also very disappointing as it has tremendous winery potential.

In early 2018 we had met with RDOS, Town of Oliver and MOT to review engineered drawings for a 31 lot subdivision of one acre + home sites. We had designed a community sewer system and water provided from Town of Oliver from existing reservoir 500m NE of our property, and had very positive preliminary review with MOT. Many of the home sites were just one acre, in a gated bare land strata development offering exceptional home sites within the property's current SH4 zoning.

Your proposed amalgamation of SH2 and SH4, and choosing a 0.5 ha minimum lot size will negatively impact our proposed development and reduce our lot capacity by at least 25% to a maximum of 22. This will render the project unviable and cause significant monetary damage in lost development and/or potential resale.

Attached is the existing subdivision plan brought forth in 2018.

We would ask you please give our concerns valid consideration prior to making any changes to existing zoning, keep us up to date via email regarding any public meetings and/or request a meeting in person to discuss at your earliest convenience.

Thank you,

Scott Linttell
president
Linttell Projects Ltd
T262 Enterprises Ltd

From: [Lauri Feindell](#)
Sent: Tuesday, July 20, 2021 9:38 AM
To: [Evelyn Riechert](#) ; [Christopher Garrish](#)
Subject: Residential Zone Update

Would like to discuss the letter sent out in May (has moved and just received letter), regarding the residential zone update, has a large property (40 acres) in Oliver and is concerned about the amendment,

Scott: If you would like to send a return email (to Chris and Evelyn) your concerns/inquiries, property location, that would be beneficial that they would have the particulars to review prior to calling.

Thank you,

Lauri

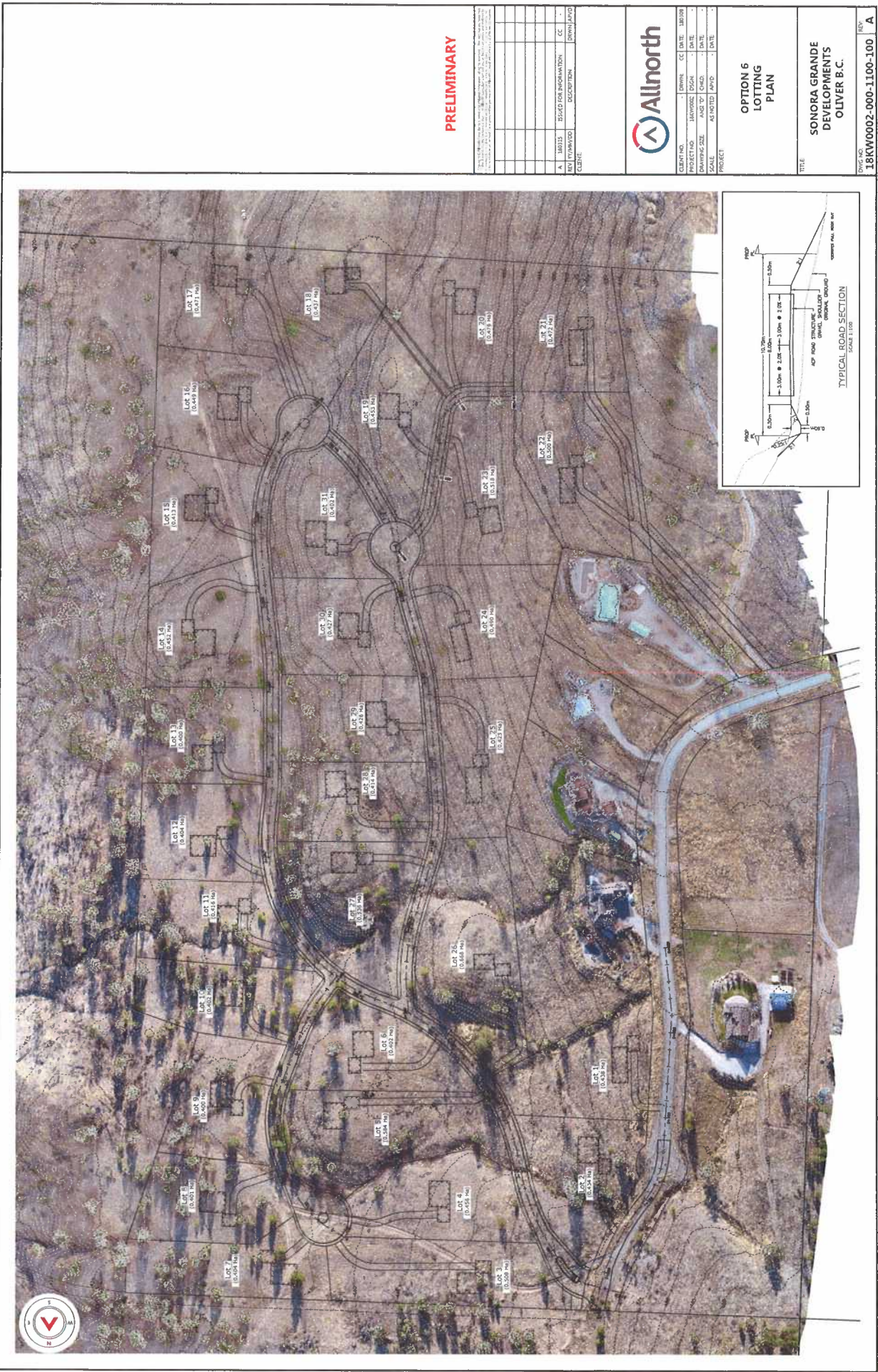


**Lauri Feindell, Administrative Assistant,
Planning Services**

Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • lfeindell@rdos.bc.ca

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August 18, 2021

To: Christopher Garrish, Planning Manager,

Re: Strategic Planning Project: Residential Zone Update – Phase 4 (Bylaw No 2892)

I am contacting you in regards to a schedule I saw on the draft version of the “Electoral Area Residential and Small Holdings Zoning Update Amendment Bylaw No. 2892, 2021.” dated 2021-07-02. My name is Cathy Harmer and my husband, Peter and I are the owners of a house at 16403 87th Street, Osoyoos, B.C.

In Schedule A-208 there was an illustration of our neighbourhood with a depiction of the change of zoning being planned from RS1 to RS2 as a result of the planned zoning updates. However, on that map there was also a notation showing the rezoning of the road next to our property from being RS1 to PR, which I believe is in error. I’ve included links to the documents I discovered this information in below and have included pictures for reference.

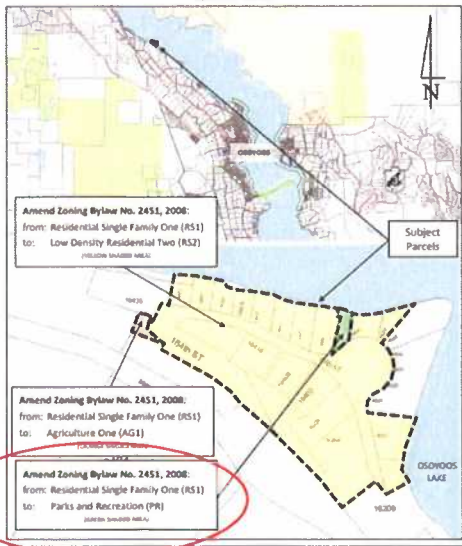
1. Area A Map Schedule:

<https://www.rdos.bc.ca/assets/PLANNING/AreaX/2020/005-ZONE/MapScheduleAv20210702.pdf>




2. Draft Bylaw:

<https://www.rdos.bc.ca/assets/PLANNING/AreaX/2020/005-ZONE/2892v20210702.pdf>

This is the information included in those 2 documents: On page 14 of the Area A map schedule the road next to our house is shown as being rezoned from RS1 to PR and the detailed wording is included on pages 17 of the bylaw.

| From Area A Map Schedule – p 14 | From Draft Bylaw 2892 |
|---|---|
| <p>Amendment Bylaw No. 2892, 2021 Schedule 'A-208' File No. X2020.005-ZONE</p>  <p>Amend Zoning Bylaw No. 2451, 2008: from: Residential Single Family One (RS1) to: Low Density Residential Two (RS2) (100,000 sqm (250,000 sqft))</p> <p>Subject Parcels</p> <p>Amend Zoning Bylaw No. 2451, 2008: from: Residential Single Family One (RS1) to: Agriculture One (AG1) (100,000 sqm (250,000 sqft))</p> <p>Amend Zoning Bylaw No. 2451, 2008: from: Residential Single Family One (RS1) to: Parks and Recreation (PR) (100,000 sqm (250,000 sqft))</p> <p>DRAFT VERSION -- 2021-07-02 Amendment Bylaw No. 2892, 2021 (X2020.005-ZONE) Page 145 of 344</p> | <p>The following wording is included on pages 16 and 17 Point 4 xii)</p> <p>4.The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by changing the land use designation of.....</p> <p>i) the land shown</p> <p>xii) an approximately 350 m2 area of land shown shaded green on Schedule 'A208', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).</p> |

However, as you can see from Schedule 2 of the Area A Zoning bylaw 2451, the RDOS parcel viewer, and from the picture from the BC Assessment Authority for our property, the area is not in fact a residential lot but a road.

| | |
|--|--|
| From Schedule 2, bylaw 2451 and below, from the RDOS parcel viewer for our area. | Property Assessment 16403 Inkaneep Rd (also known as 87 th street) |
|  |  |
|  | |

I understand how complicated all the revisions for this type of project are and wanted to provide you the information needed to make any corrections that may be necessary to the documents. I am assuming this is an error, but if it is fact being designated as a park, I would like to discuss this further, as it raises other questions.

I can be reached via email

Regards,

Cathy Harmer.



August 10, 2021

File: 0280-30

Local Government File: X2021.005-ZONE (RS & SH)

Evelyn Riechert, Planner I
Regional District of Okanagan-Similkameen
Via Email: planning@rdos.bc.ca

Dear Evelyn Riechert,

Re: Textual and Mapping Amendments to Bylaw No. 2892 to Standardize the Residential and Small Holding Zones.

Thank you for providing the Ministry of Agriculture, Food and Fisheries (Ministry) staff the opportunity to comment on a textual amendment to the Electoral Area "A", "C", "D", "E", "F", "G" & "I" Zoning Bylaws in order to standardize the Residential (RS) and Small Holdings (SH) zones. From an agricultural perspective, the Ministry offers the following comments:

- While difficult to determine from the mapping, we have inferred from the background information that one of the objectives is to apply an agricultural zone to all lands in the Agricultural Land Reserve (ALR), rather than an SH zone. If this is the case, ministry staff support the change as it will lead to consistency of regulation throughout the ALR within RDOS, particularly if the agricultural zone is consistent with the *Agricultural Land Commission Act* (ALCA) and Regulations. If this is not the case, please note that the zones covering the ALR must permit agriculture and the regulations should be consistent with the ALCA and Regulations.
- We recommend that where RS and SH zones are adjacent to the ALR setbacks and vegetative buffers be required that are consistent with the ministry's [Guide to Edge Planning](#). This will assist with mitigating farm practice complaints.

Please contact Ministry staff if you have any questions regarding the above comments.

Sincerely,



Alison Fox, P.Ag.
Land Use Agrologist
BC Ministry of Agriculture, Food
and Fisheries
Alison.Fox@gov.bc.ca
(778) 666-0566



Philip Gyug, P.Ag.
Regional Agrologist
BC Ministry of Agriculture, Food
and Fisheries
Philip.Gyug@gov.bc.ca
(250) 378-0573

Email copy: Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca



Your File #: BL2892
X2020.005-
ZONE
eDAS File #: 2021-03875
Date: July 13, 2021

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw 2892 for:
Electoral Areas "A", "C", "D", "E", "F" and "I"**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions, please feel free to call Rob Bitte at (778) 622-7020.

Yours truly,

Rob Bitte
Development Officer

Local District Address

Penticton Area Office

102 Industrial Place
Penticton, BC V2A 7C8
Canada

Phone: (250) 712-3660 Fax: (250) 490-2231



119 Ponderosa Ave., Kaleden, BC V0H 1K0
P 250-497-5407 F 250-497-5407 Email: k.i.d@shaw.ca

June 30, 2021

Regional District of Okanagan Similkameen
Attention: Evelyn Reichert, RDOS Planner
101 Martin St.
Penticton, BC
V2A 5J9

Re: PID: 024-582-336, Lot 1, DL 104s, 105s, SDYD, Plan 65107

Dear Evelyn;

Thank you for meeting with our District on June 9, 2021 regarding rezoning of the above noted lot, and for the "comfort letter" received on June 14, 2021. The Board discussed the letter and wish to request that under Clause 1. *Environmentally Sensitive Development Permit Area* the following wording could be removed or amended " but excluding communication towers and antenna systems". We note that telecommunication works are permitted in both sections, however, the District currently relies on radio communication equipment and antenna systems; if the District were to upgrade or install new communication towers or antennas, under the current wording, Clause 1 would require permitting, which is what we were trying to avoid.

We appreciate your assistance in this regard. Thank you.

Sincerely,
KALEDEN IRRIGATION DISTRICT

Mike B. Gane
Board Chair
MBG/ceh

c.e. Chris Garrish

Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: July 21, 2021 12:27 PM
To: Planning
Cc: Lauri Feindell
Subject: RE: Referral Comments Requested - Draft Amendment Bylaw No. 2892 - RS & SH Zone Update (X2020.005-ZONE)

Hello Lauri and the Planning superstars at RDOS!

Thank you for referral regarding the Draft Amendment Bylaw No. 2892 - RS & SH Zone Update (X2020.005-ZONE).

The Archaeology Branch does not have any concerns with the proposed bylaw updates or amendments to the OCP.

Kind regards,



Diana Cooper

Archaeologist/Archaeological Information Administrator

Archaeology Branch | [Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#)

Phone: (250) 953-3343 | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: July 8, 2021 2:24 PM
To: Arch Data Request FLNR:EX <ArchDataRequest@gov.bc.ca>
Subject: FW: Referral Comments Requested - Draft Amendment Bylaw No. 2892 - RS & SH Zone Update (X2020.005-ZONE)

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

From: Christopher Garrish
Sent: July 2, 2021 4:10 PM
To: Huber, Sara ALC:EX <Sara.Huber@gov.bc.ca>; 'Christina.Forbes@gov.bc.ca' <Christina.Forbes@gov.bc.ca>; 'Kaledon Irrigation District' <k.i.d@shaw.ca>; 'ofid@telus.net' <ofid@telus.net>; 'tosoyoos@osoyoos.ca' <tosoyoos@osoyoos.ca>; 'jcvitko@sd53.bc.ca' <jcvitko@sd53.bc.ca>; 'rs@summer.com' <rs@summer.com>; 'archdatarequest@gov.bc.ca' <archdatarequest@gov.bc.ca>; 'HBE@interiorhealth.ca' <HBE@interiorhealth.ca>; 'ReferralAppsREG8@gov.bc.ca' <ReferralAppsREG8@gov.bc.ca>
Cc: Evelyn Riechert <eriechert@rdos.bc.ca>; Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: Referral Comments Requested - Draft Amendment Bylaw No. 2892 - RS & SH Zone Update (X2020.005-ZONE)

Friends,

Attached to this email is a Bylaw Referral sheet for Draft Amendment Bylaw No. 2892, which is proposing a series of textual and mapping amendments to the South Okanagan Electoral Area Official Community Plan (OCP) and Zoning Bylaws – being Electoral Areas “A”, “C”, “D”, “E”, “F” & “I” – as part of an update of the Residential (RS) and Small Holdings (SH) zones.

These amendments are related to on-going work being done by the RDOS in support of the preparation of a new, single zoning bylaw for the six South Okanagan Electoral Areas referenced above.

Additional information regarding this project, including a copy of Draft Amendment Bylaw No. 2892 and its related map schedules can be accessed at the following link: <https://www.rdos.bc.ca/development-services/planning/strategic-projects/residential-zone-update>

Once reviewed, please forward any comments/concerns you may have to planning@rdos.bc.ca by **Friday July 30, 2021**. If you require more time to provide comment, please let us know.

Sincerely,

Chris.



Christopher Garrish MA, MSS, MCIP, RPP • Planning Manager

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

p. 250.490.4101 | tf. 1.877.610.3737 | f. 250.492.0063

www.rdos.bc.ca | cgarrish@rdos.bc.ca | [FACEBOOK](#) | [YOUTUBE](#) | Sign up for [REGIONAL CONNECTIONS](#)

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RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2892, 2021

☐ Approval Recommended for Reasons
Outlined Below

☐ Interests Unaffected by Bylaw

☒ Approval Recommended Subject to
Conditions Below

☐ Approval Not Recommended Due
to Reasons Outlined Below

Thank you for the opportunity to provide comment on the above referenced referral. It is our understanding that the RDOS is proposing a series of textual and mapping amendments to Electoral "A", "C", "D", "E", "F", and "I" Official Community Plan (OCP) and Zoning Bylaws in order to standardize and make consistent the Residential (RS) and Small Holdings (SH) zone. The following is for your consideration.

Interior Health would suggest the use of more explicit language when it comes to identifying the minimum parcel size and type of connection required. In particular the Small Holding Zones (SH3, SH4) only mention lot size; there is no language about what type of water or sewer system is required.

We also noted that the Low Density Residential Duplex Zone (RD1) minimum parcel size for subdivision at 1ha, is identified as appropriate when serviced by a well and approved septic system. Interior Health strongly discourages the creation of micro water systems (one well servicing two single family residences) as they are not financially sustainable in our current regulatory framework -see attached documents for reference. We therefore suggest that all parcel size options for duplexes be connected to community water systems.

Thank you for the opportunity to comment on this rezoning application. If you have any questions or concerns, please feel free to contact me at 250-469-7070 x12287.

Signature: 

Signed By: Tanya Osborne

Agency: Interior Health

Title: Community Health Facilitator

Date: July 21, 2021

WATER SYSTEMS SERVING TWO RESIDENCES ON A SINGLE LOT

1.0 PURPOSE

To further clarify the level of service Interior Health, Health Protection staff provide for the regulation of water supply systems serving more than a single-family residence.

2.0 DEFINITIONS

“Single-family residence”: any residence where not more than a single family resides. Examples of structures that are not single-family residences include bed and breakfasts, seasonal accommodations for labourers, and residences with guest houses or rental suites.

3.0 POLICY

3.1 Interior Health, Health Protection (IH-HP) staff do not typically provide routine inspection or permitting services under the *Drinking Water Protection Act* (DWPA) and *Regulation* for water supply systems that serve two single-family residences on a single, indivisible parcel of land.

3.2 IH-HP staff do respond to service requests and complaints associated with all small water system within the context of the DWPA and *Public Health Act* (e.g. providing drinking water safety information).

4.0 REFERENCES

BC Ministry of Health (2007). *Drinking Water Officers' Guide*. Retrieved May 9, 2013, from http://www.health.gov.bc.ca/protect/dwoguide_updated_approved%202007.pdf

HP-WQ-9077 - Decision Brief: Permitting water systems that serve more than one dwelling on a private lot. Interior Health, Health Protection July 2013

Drinking Water Protection Act, SBC 2001, c.9

Public Health Act, SBC 2008, c.28

Water Systems Serving Two Single Family Residences

Does Interior Health, Health Protection (IH-HP) issue permits and conduct routine inspections of water supply systems that serve two single-family residences?

No, as long as those single-family residences are located on the same parcel/lot. In consideration of population health risk, service expectations, and advice from partner agencies these services are not deemed an appropriate use of resources at this time.

Does this effect water systems serving licensed care facilities?

No. Child Care and other Community Care Facilities are not single-family residences. However, Section 20 of the *Community Care and Assisted Living Act* exempts them from the requirements of the *Drinking Water Protection Act* (DWPA). Water systems serving care facilities are managed through Health Protection's Licensing Program.

What about systems that have already been issued permits?

Systems that already have permits will remain in the IH-HP information system. However, they will not be identified for routine inspection or expected to submit to permitting requirements of the DWPA. When the DWPA is updated these permits will be voided and the facility files removed from our information system.

What if they are on a Boil Water Notice?

A letter should be provided to the owner advising of the risk to their system and how they can be addressed. Please consult with your Team Leader on what actions should be taken in these cases.

What happens if there is a concern with one of these systems?

IH-HP staff will continue to respond to service requests and complaints within the context of the DWPA, *Public Health Act*, and *Health Hazard Regulation*.

Why does it matter that the single-family residences are on the same, indivisible property?

Local government and other provincial stakeholders have told us that very small water systems serving multiple properties are prone to governance and operations issues. As such there is a greater need for oversight and, wherever possible, to avoid creating such systems in the future.

Will these systems be mailed requisitions for routine monitoring?

No.



Agricultural Land Commission

201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

July 21, 2021

Reply to the attention of Sara Huber
ALC Planning Review: 46783
Local Government File: X2020.005-ZONE

Evelyn Reichert
Planner 1, RDOS
planning@rdos.bc.ca

**Re: Regional District of Okanagan Similkameen Electoral Area OCP and Zoning
Amendment Bylaw No. 2892, 2021**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area Official Community Plan and Zoning Amendment Bylaw No. 2892, 2021 (the "Amendment Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Amendment Bylaw is consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The Amendment Bylaw proposes amendments to the Residential (RS) and Small Holdings (SH) zones to support the preparation of a new, single zoning bylaw for the six Electoral Areas. The RDOS has undertaken a series of amendments to prepare for the single zoning bylaw, and the RS and SH zones are the last two zones which require updates.

Residential Zones:

Under the Residential category, there are three proposed zones: RS1, RS2, and RS3. The minimum parcel sizes for these zones range from 350 m² for RS1, 500 m² for RS2, and 1000 m² for RS3. Each zone permits a single-detached dwelling as a principal use, as well as uses such as bed and breakfasts and home occupations as accessory uses. The RS2 and RS3 zones permit a secondary suite or an accessory dwelling up to 125 m². ALC staff previously responded to a referral from the RDOS which outlined the draft regulations for secondary suites and accessory dwellings (Planning Review 46772). At the time, ALC staff encouraged the RDOS to amend the bylaw to reflect the recent amendments to the ALR Use Regulation which permit an additional residence up to 90 m² on parcels less than 40 ha where the existing residence is 500 m² or less, and 186 m² on parcels larger than 40 ha.

Generally, ALC staff do not object to the provisions of the Residential zones but note that if/where such zones apply to lands within the ALR, agriculture must be a permitted use, and other restrictions under the ALC Act and its regulations must apply (e.g. additional residence maximum size).

Small Holdings Zones:

Under the Small Holdings category, there are four proposed zones: SH1, SH2, SH3, and SH4. The minimum parcel sizes for the SH1 and SH2 zones vary depending on community water and sewer availability from 0.25 ha to 1 ha, while the SH3 and SH4 permit a 1 ha and 2 ha minimum parcel size, respectively. ALC staff note that if such zones apply to lands within the ALR, the minimum parcel sizes should potentially be increased to ensure that expectations for future

subdivision in the ALR are managed. The Amendment Bylaw could also note that when lands are within the ALR, the subdivision must be reviewed and approved by the ALC.

Each SH zone permits a single-detached dwelling as a principal use and bed and breakfasts, home occupations, and other land uses as accessory uses. ALC staff note that only the SH2, SH3, and SH4 zones permit agriculture, and the use is permitted as an accessory use as opposed to a principal use. If these zones are to apply to lands within the ALR, agriculture should be permitted as a principal use. All of the SH zones also permit accessory dwellings. ALC staff reiterate the comments above related to accessory dwellings.

The SH zones also have a maximum height for buildings and structures of 10 m. ALC staff note that the Ministry of Agriculture, Food and Fisheries' [Guide for Bylaw Development in Farming Areas](#) (the "Minister's Bylaw Standards") recommend that height exemptions be applied to farm buildings so as not to restrict their construction. ALC staff encourage the RDOS to incorporate this exception.

ALC staff also note that the Amendment Bylaw rezones some properties from RS to Agriculture to reflect the fact the land is within the ALR. ALC staff strongly support this initiative.

Overall, ALC staff generally do not object to the Amendment Bylaw, but note the comments raised above.

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

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of RDOS EA BL 2892-2021

CC: Ministry of Agriculture – Attention: Philip Gyug (Philip.Gyug@gov.bc.ca)

46783m1



Feedback Form

OKANAGAN-
SIMILKAMEEN

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen

FILE NO.: X2020.005-ZONE

FROM: Name:

Frits and Johanna Dijk
(please print)

Street Address: _

Electoral Area: I

RE: Amendment Bylaw No. 2892, 2021 for Electoral Areas "A", "C", "D", "E", "F" and "I"
Residential and Small Holdings Zoning Review

My comments / concerns are:

- ☐ I do support the proposed amendments to the Electoral Area land use bylaws.
- ☒ I do support the proposed amendments to the Electoral Area land use bylaws, subject to the comments listed below.
- ☐ I do not support the proposed amendments to the Electoral Area land use bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2892, 2021.

Our parcel falls in tile #11, described as: "Based on parcel size, steep slopes generally undevelopable for further subdivision."

However our parcel is one of the few in this area that is large enough to allow another home.

We are hereby asking for an exception.

We (or future owners of our parcel/property) should have the option to subdivide our property.

Thank you for your consideration. Frits and Johanna Dijk

Feedback Forms must be completed and returned to the Regional District no later than the close of the public hearing (date to be determined).

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the Freedom of Information and Protection of Privacy Act (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “A”

Administrative Recommendation:

THAT Bylaw No. 2905.02, 2021, a bylaw to amend the Electoral Area “A” Official Community Plan to facilitate a 70-lot subdivision and creation of conservation and dedicated park areas at Willow Beach, be read a third time; and,

THAT Bylaw No. 2451.31, 2021, a bylaw to amend the Electoral Area “A” Zoning Bylaw be read a third time; and,

THAT prior to adoption of Amendment Bylaw Nos. 2905.02, 2021, and 2451.31, 2021, that a statutory covenant be registered on the title of Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229 43613 H9726, to provide the Regional District with access to the lands and the ability to undertake mosquito control measures.

Purpose: To facilitate a 70-lot subdivision and creation of conservation and dedicated park areas.

Legal: Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 67; and Folio: A-06379.000
Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229, 43613 & H9726 A-06377.000

OCP: [see amendment bylaw] Proposed OCP: [see amendment bylaw] Civic: 9330 202nd Ave.

Zone: [see amendment bylaw] Proposed Zoning: [see amendment bylaw]

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to facilitate a 70-lot residential subdivision, which will occur on approximately 30% of the site with the remaining 70% of the site to be zoned either Conservation Area (CA) or Parks and Recreation (PR).

In support of the rezoning, the applicant has stated, amongst other things, that:

- *Compared to past application, the current proposal has a significantly smaller development footprint which has been primarily driven by the results of the updated Environmental Impact Assessment*
 - *Zoning is very similar to the zoning that the Board had previously given 3rd reading ...*
 - *Zoning is consistent with Regional Growth Strategy (RGS) and Official Community Plan (OCP).*
 - *The identified SPEA will be protected.*
 - *Highway access was previously dealt with by MoTI through recent H97 improvements.*
-

-
- *The proposed parkland dedication is in accordance with the RDOS parkland dedication requirements and the proposed zoning and subsequent density has remained consistent with the previously adopted by-laws.*

Site Context:

The subject properties are comprised of two legal parcels representing a combined land area of 29.7 ha that is situated approximately 5 km north of the Town of Osoyoos municipal boundary.

Historically, the site was occupied by the Willow Beach mobile home park and campground along with an owner's residence on 500 metres of waterfront. The site also comprises a vacant agricultural parcel north of the former campground area.

Surrounding land uses are seen to be comprised of conservation areas to the north-east (associated with the Okanagan River Channel and oxbows) and agricultural lands to the north and west (across Highway 97).

Background:

On June 16, 2021, an electronic Public Information Meeting (PIM) was held online and was attended by approximately six (6) members of the public.

At its meeting of June 14, 2021, the Electoral Area "A" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of July 8, 2021, the Regional District Board approved first and second reading of the amendment bylaws and delegated the holding of a public hearing to Director Pendergraft.

On August 18, 2021, an electronic public hearing was held and was attended by the agent, property owner and five (5) members of the public.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97).

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

This proposal is *generally* consistent with the designation of Willow Beach as a Rural Growth Area under the RGS Bylaw as well as the Containment Boundary established by the OCP Bylaw.

While it could be argued that a downzoning of land in a Rural Growth Area is inconsistent with the intent of the RGS — which generally encourages higher density due to these locations having infrastructure servicing — it is noted that the site has a limited number connections to the Northwest Sewer and the OCP speaks to the suitability of Willow Beach as a growth area as warranting reconsideration.

Similarly, while the proposed area to be rezoned extends beyond the Willow Beach Rural Growth Area Containment Boundary, Administration notes that a significant reduction in density is being proposed, with the allowable limit to decrease from 240 units to 70 strata parcels (NOTE: each parcel may be developed with a principle dwelling and a secondary suite or "carriage house").

Accordingly, the extension to the east of the Containment Boundary will not result in additional density being created.

The applicant has submitted a preliminary environmental assessment, hydrogeology assessment and archaeological impact assessment (AIA), all of which have generally concluded that the development can proceed subject to certain provisions and conditions

Significant earthworks may be required on parts of the site in order to address its location within the floodplain associated with Osoyoos Lake and the Okanagan River Channel. Any subsequent application for a building permit on the site will need to demonstrate compliance with the floodplain regulations in the Zoning Bylaw.

With regard to traffic impact, due to the reduction in density as well as the significant highway access upgrades that were previously completed adjacent to this property, any adverse impact as a result of this development is not anticipated.

The OCP supports the dedication of park land adjacent to Osoyoos Lake and that the location of the proposed park will be adjacent to an existing trail to the site from 95th Street.

As a bare land strata subdivision, many of the servicing requirements contained within the Regional District's Subdivision Servicing Bylaw will not be applicable to this development (i.e. water system design, sewer system design, street lighting, fire hydrant and underground wiring requirements, etc.).

In summary, this proposal is generally seen to be consistent with the RGS and OCP Bylaws and is seen to be far more sympathetic to the nature of this site than have previous proposals, such as the 1,088 units proposed in 2007. For these reasons, Administration is recommending in favour of approval.

Alternatives:

1. THAT third reading of Bylaw No. 2905.02, 2021, Electoral Area "A" Official Community Plan Amendment Bylaw and Bylaw No. 2451.31, 2021, Electoral Area "A" Zoning Amendment Bylaw be deferred; or
2. THAT first and second reading of Bylaw No. 2905.02, 2021, Electoral Area "A" Official Community Plan Amendment Bylaw and Bylaw No. 2451.31, 2021, Electoral Area "A" Zoning Amendment Bylaw be rescinded and the bylaws abandoned.
- 3.

Respectfully submitted:

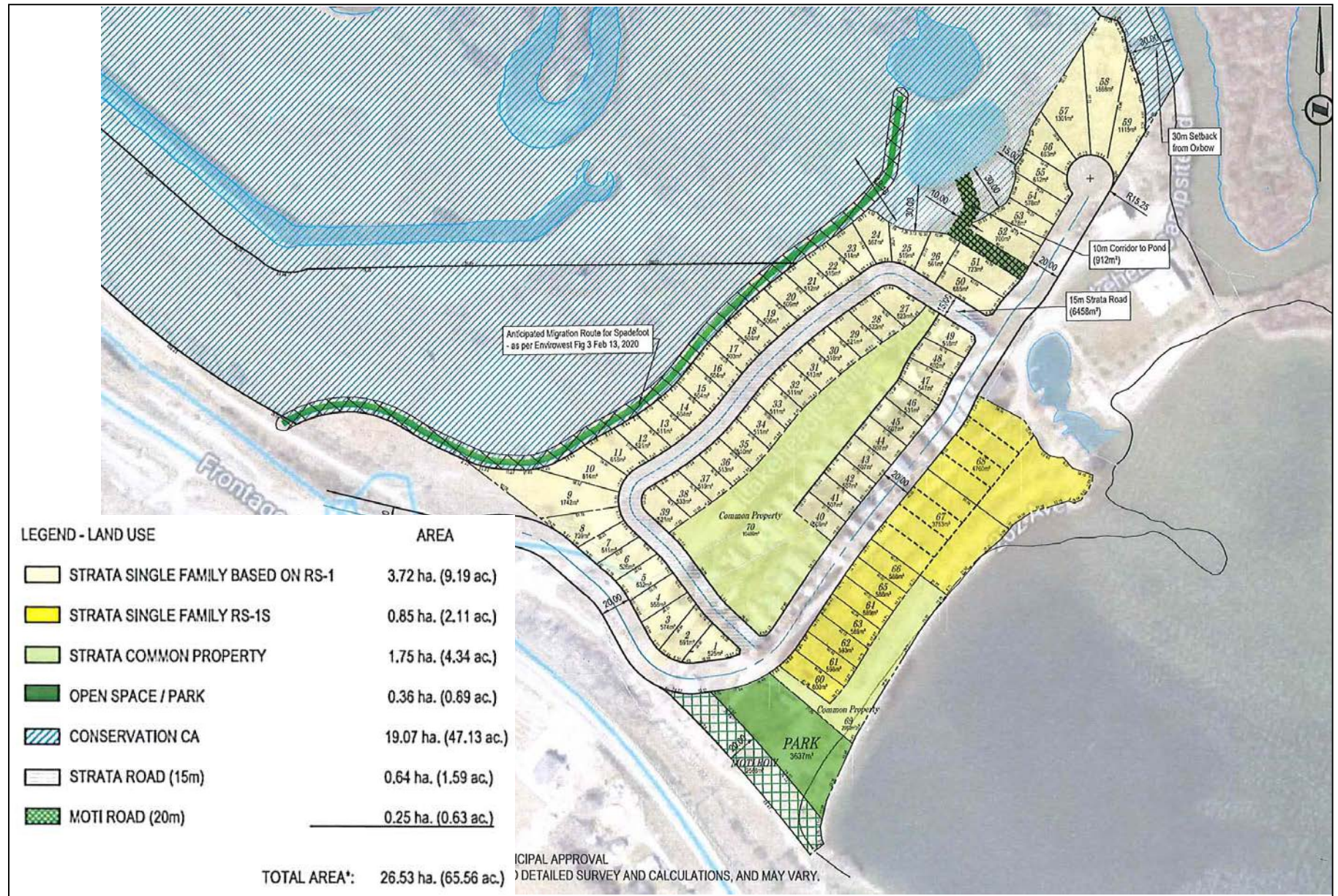


C. Garrish, Planning Manager

Attachments:

- No. 1 – Applicant's Site Plan
- No. 2 – Willow Beach Rural Growth Area Containment Boundary
- No. 3 – Aerial Photo (2007)

Attachment No. 1 – Applicant's Site Plan



Attachment No. 2 – Willow Beach Rural Growth Area Containment Boundary



Attachment No. 3 – Aerial Photo (2007)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2905.02, 2021

A Bylaw to amend the Electoral Area “A” Official Community Plan Bylaw No. 2905, 2021

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 “A” Official Community Plan Amendment Bylaw No. 2905.02, 2021.”
2. The Official Community Plan Bylaw Map, being Schedule ‘B’ of the Electoral Area “A” Official Community Plan Bylaw No. 2905, 2021, is amended by changing land use designation on:
 - (i) an approximately 20.2 ha part of the land described as Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229, 43613 & H9726, and shown shaded green on Schedule ‘B’, which forms part of this Bylaw, from Agriculture (AG) to Conservation Area (CA);
 - (ii) An approximately 4.35 ha area of the land described as Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229, 43613 & H9726, and shown shaded blue on Schedule ‘B’, which forms part of this Bylaw, from Agriculture (AG) to Low Density Residential (LR);
 - (iii) an approximately 2.43 ha area of the land described as Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229, 43613 & H9726 and Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and shown shaded red on Schedule ‘B’, which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR);
 - (iv) an approximately 1.81 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and shown shaded orange on Schedule ‘B’, which forms part of this Bylaw, from Commercial Tourist (CT) to Low Density Residential (LR);

- (v) an approximately 0.17 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Medium Density Residential (MR) to Parks, Recreation and Trails (PR); and
- (vi) an approximately 0.237 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Commercial Tourist (CT) to Parks, Recreation and Trails (PR).

READ A FIRST AND SECOND TIME this 8th day of July, 2021.

PUBLIC HEARING held on this 18th day of August, 2021.

READ A THIRD TIME this _____ day of _____, 2021.

ADOPTED this this _____ day of _____, 2021.

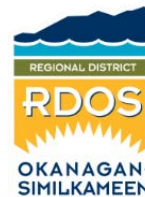
Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

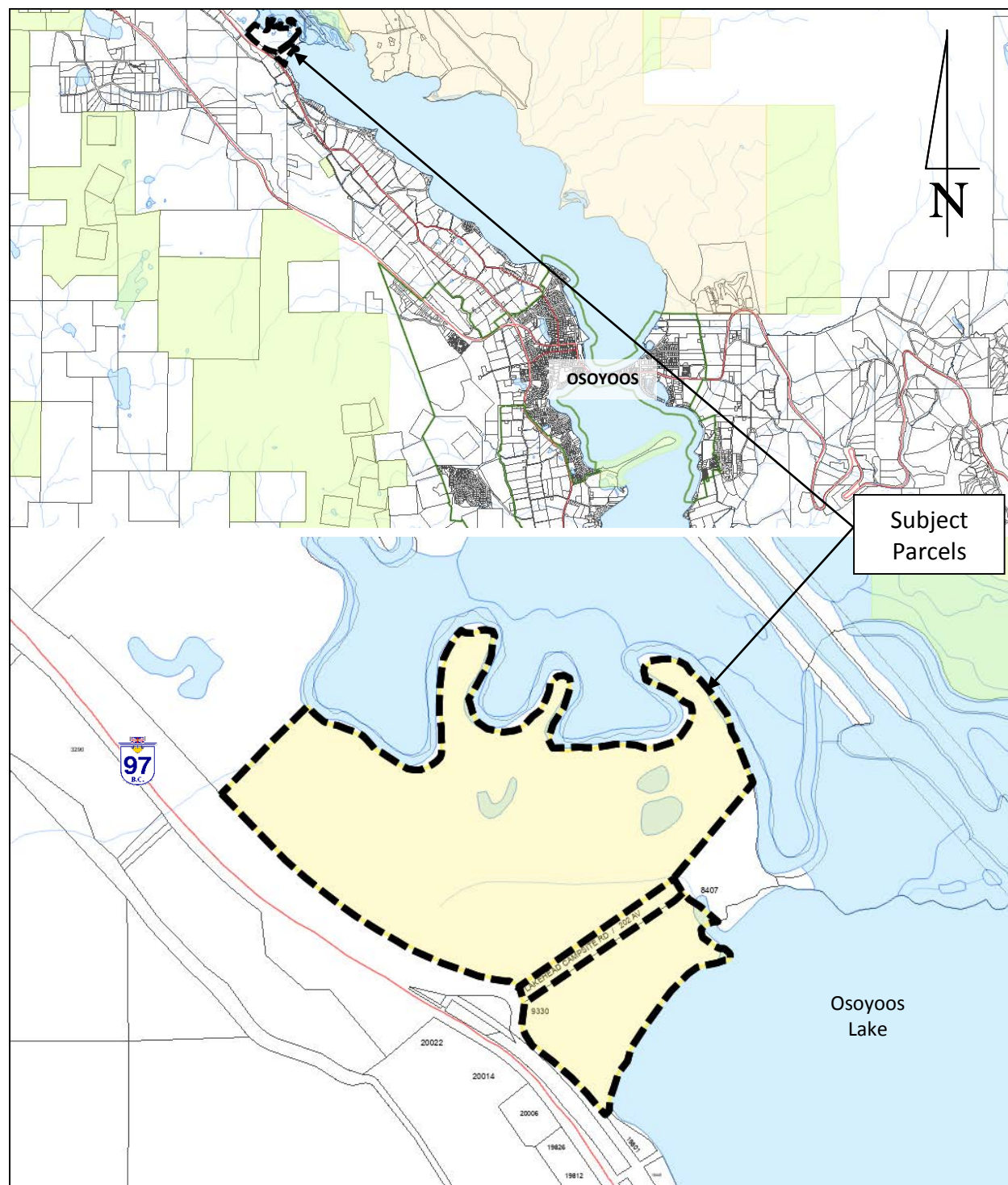
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2905.02, 2021

File No. A2021.003-ZONE

Schedule 'A'



Amendment Bylaw No. 2905.02, 2021
(X2021.003-ZONE)

Page 3 of 5

Regional District of Okanagan-Similkameen

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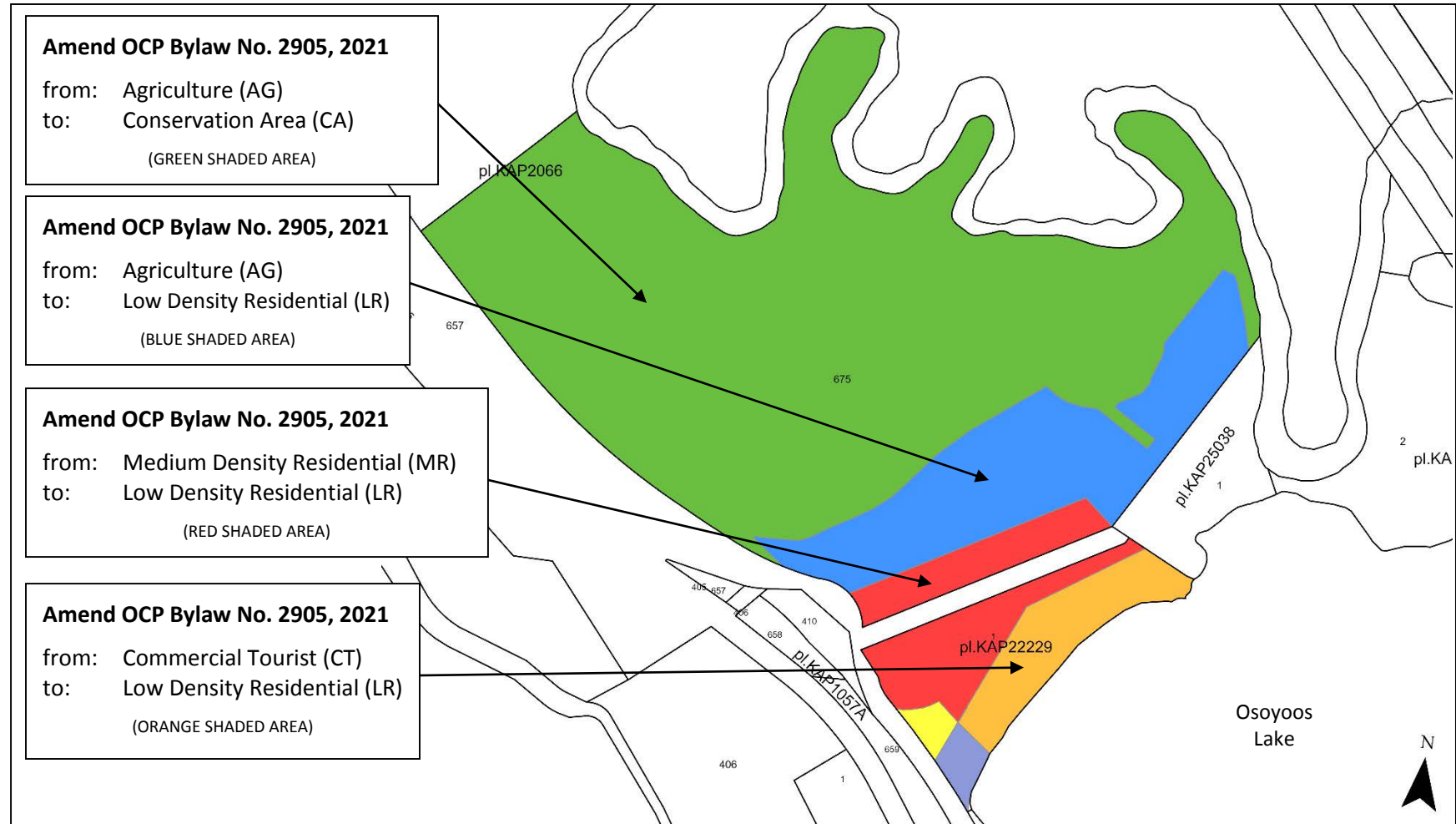
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2905.02, 2021

File No. A2021.003-ZONE

Schedule 'B'



Amendment Bylaw No. 2905.02, 2021
(X2021.003-ZONE)

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Regional District of Okanagan-Similkameen

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

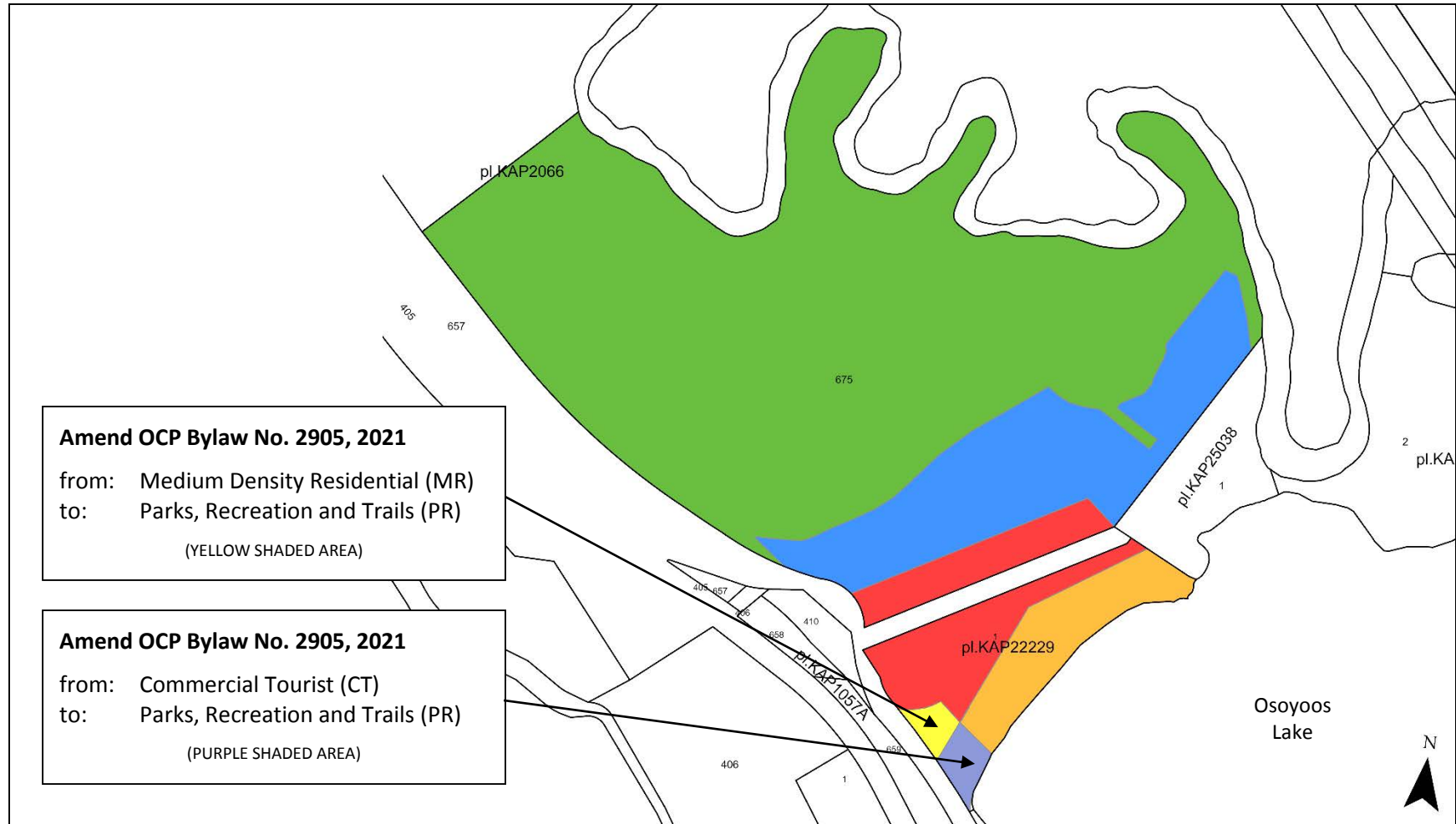
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2905.02, 2021

File No. A2021.003-ZONE

Schedule 'C'



Amend OCP Bylaw No. 2905, 2021

from: Medium Density Residential (MR)
to: Parks, Recreation and Trails (PR)
(YELLOW SHADED AREA)

Amend OCP Bylaw No. 2905, 2021

from: Commercial Tourist (CT)
to: Parks, Recreation and Trails (PR)
(PURPLE SHADED AREA)

Amendment Bylaw No. 2905.02, 2021
(X2021.003-ZONE)

Page 5 of 5

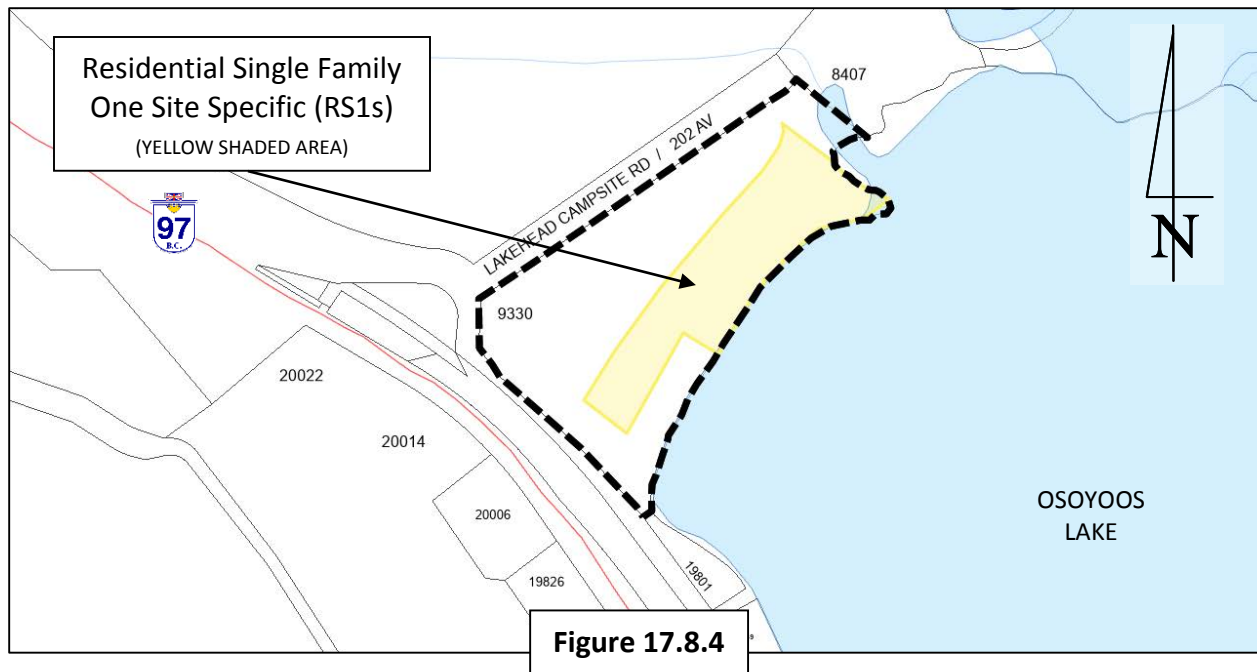
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2451.31, 2021

A Bylaw to amend the Electoral Area “A” Zoning Bylaw No. 2451, 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 “A” Zoning Amendment Bylaw No. 2541.31, 2008.”
2. The “Electoral Area “A” Zoning Bylaw No. 2451, 2008” is amended by:
 - i) adding a new sub-section 17.8.4 under Section 17.8 (Site Specific Residential Single Family One Provisions) to read as follows:
 - .4 in the case of an approximately 0.85 ha area of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677 (9330 202nd Avenue), and shown shaded yellow on Figure 17.8.4:
 - a) despite Section 11.1.4, the minimum parcel width for subdivision shall be 14.0 metres.



3. The Official Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by changing the land use designation on:
 - i) an approximately 20.2 ha part of the land described as Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229, 43613 & H9726, and shown shaded green on Schedule 'B', which forms part of this Bylaw, from Agriculture One (AG1) to Conservation Area (CA).
 - ii) an approximately 4.35 ha part of the land described as Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229, 43613 & H9726, and shown shaded blue on Schedule 'B', which forms part of this Bylaw, from Agriculture One (AG1) to Residential Single Family One (RS1);
 - iii) an approximately 2.43 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and shown shaded red on Schedule 'B', which forms part of this Bylaw, from Medium Density Residential One (RM1) to Residential Single Family One (RS1);
 - iv) an approximately 0.41 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and shown shaded turquoise on Schedule 'B', which forms part of this Bylaw, from Medium Density Residential One (RM1) to Residential Single Family One Site Specific (RS1s).
 - v) an approximately 1.4 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and shown shaded orange on Schedule 'B', which forms part of this Bylaw, from Campground Commercial (CT2) to Residential Single Family One Site Specific (RS1s).

- vi) an approximately 0.17 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and Lot 675, Plan KAP2066, District Lot 2450S, SDYD, Except Plan 22229, 43613 & H9726, and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Medium Density Residential One (RM1) to Parks and Recreation (PR).
- vii) an approximately 0.237 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L 677, and shown shaded purple on Schedule 'C', which forms part of this Bylaw, from Campground Commercial (CT2) to Parks and Recreation (PR).

READ A FIRST AND SECOND TIME this 8th day of July, 2021.

PUBLIC HEARING held on this 18th day of August, 2021.

READ A THIRD TIME this ____ day of ____, 2021.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "A" Zoning Amendment Bylaw No. 2451.31, 2008" as read a Third time by the Regional Board on this ____ day of ____, 2021.

Dated at Penticton, BC this ____ day of ____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of ____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of ____, 2021.

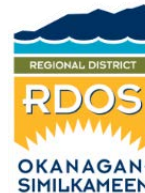
Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

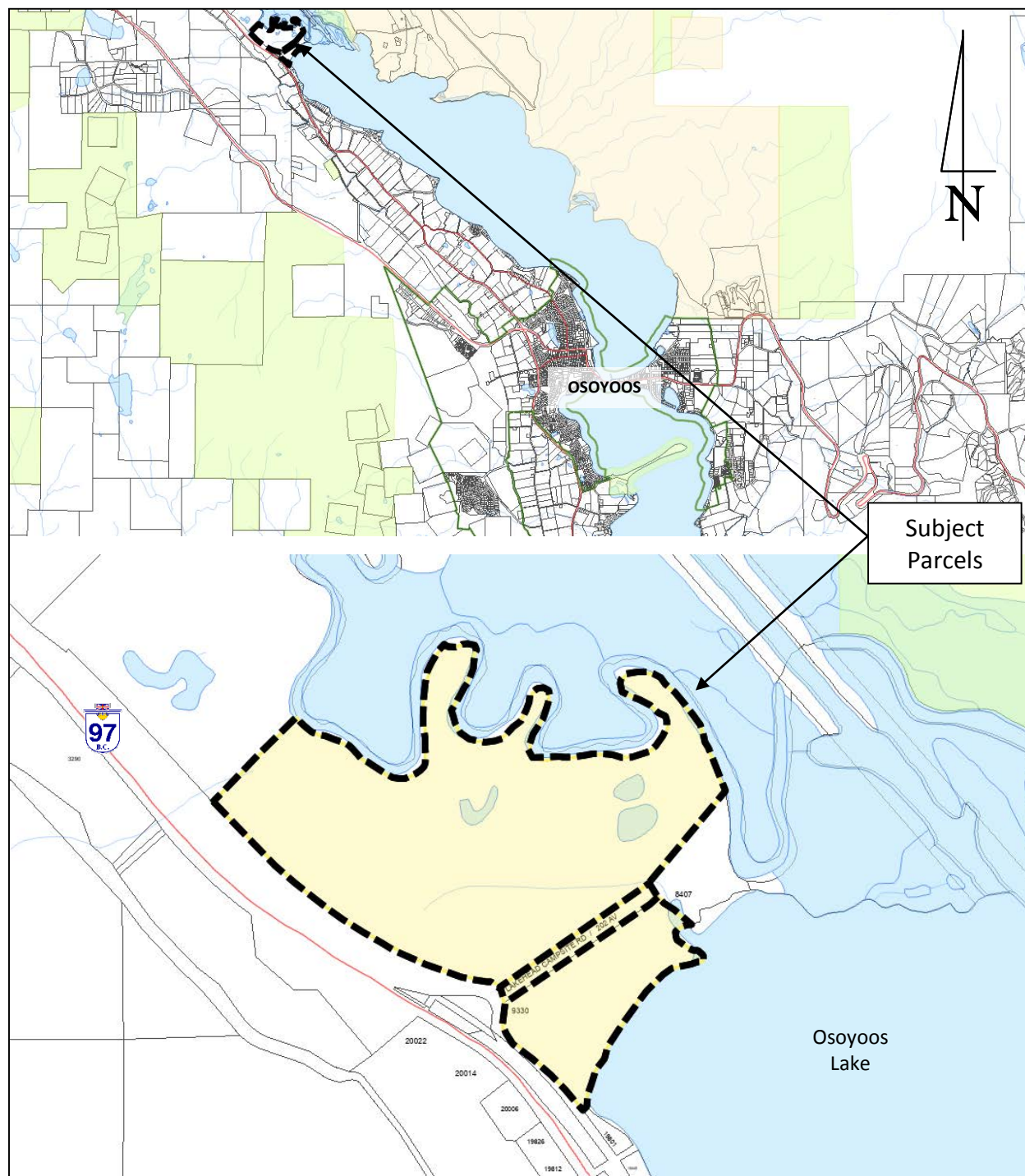
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2451.31, 2021

File No. A2021.003-ZONE

Schedule 'A'



Amendment Bylaw No. 2451.31, 2021
(A2021.003-ZONE)

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Regional District of Okanagan-Similkameen

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

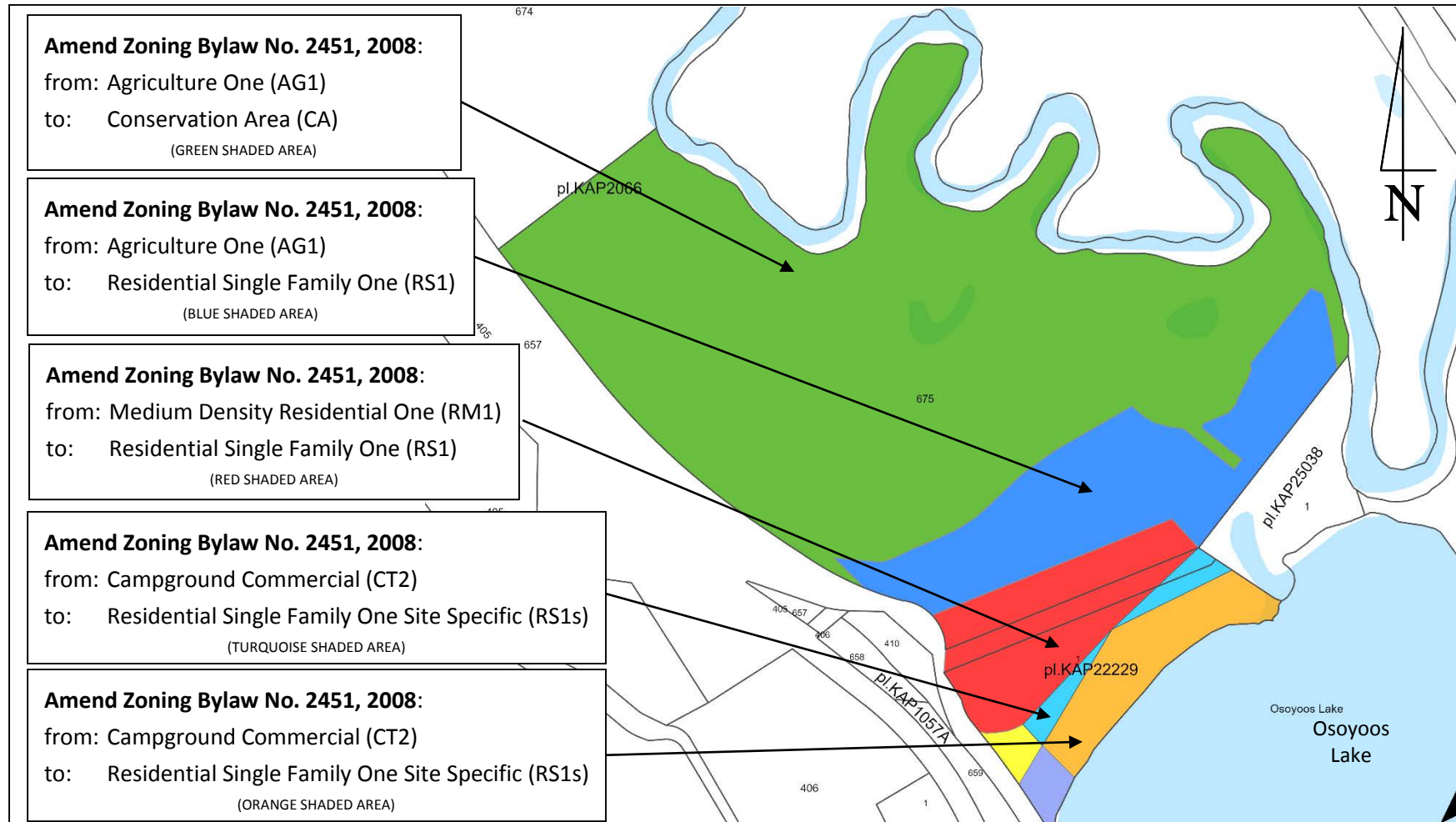
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Amendment Bylaw No. 2451.31, 2021

File No. A2021.003-ZONE

Schedule 'B'



Amendment Bylaw No. 2451.31, 2021
(A2021.003-ZONE)

Page 5 of 6

Regional District of Okanagan-Similkameen

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

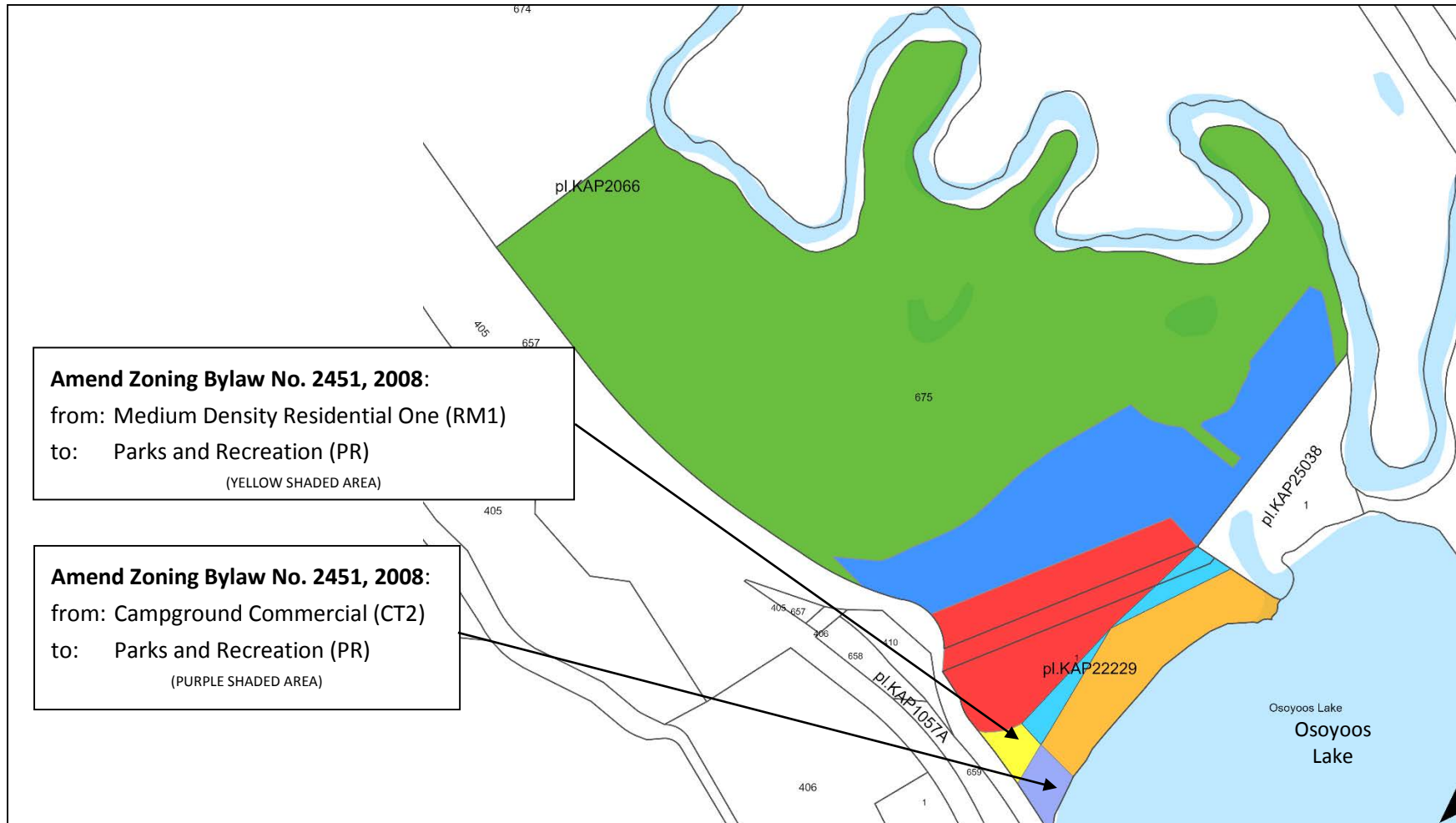
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2451.31, 2021

File No. A2021.003-ZONE

Schedule 'C'



Amendment Bylaw No. 2451.31, 2021
(A2021.003-ZONE)

Page 6 of 6

TO: Regional Board of Directors

FROM: Director Mark Pendergraft

DATE: August 18, 2021

RE: Public Hearing Report - Amendment Bylaw Nos. 2905.02, 2021 and 2451.31, 2021

Purpose of the Amendment Bylaws:

The proposed amendments to the Electoral Area “A” Official Community Plan (OCP) Bylaw No. 2905, 2021, and Zoning Bylaw No. 2451, 2008, are related to a proposed 70-lot residential subdivision, which will occur on approximately 30% of the site with the remaining 70% of the site to be zoned either Conservation Area (CA) or Parks and Recreation (PR).

Public Hearing Overview:

The Public Hearing for Bylaw Nos. 2905.02, 2021 and 2451.31, 2021, was convened electronically on Wednesday, August 18, 2021, at 7:00 pm, via the Webex software platform.

Members of the Regional District staff present were:

- Christopher Garrish, Planning Manager

There was five (5) member of the public present as well as the property owner and their agents.

In accordance with Section 466, the time and place of the public hearing was advertised in the August 4, 2021, and August 11, 2021, editions of the Times-Chronicle (Oliver & Osoyoos).

Copies of reports and correspondence received related to Bylaw Nos. 2905.02, 2021 and 2451.31, 2021, were available for viewing at the Regional District office during the required posting period.

Pursuant to Section 464, 465 & 468 of the *Local Government Act*, Chair Pendergraft called the Public Hearing to order at 7:00 p.m. in order to consider the amendment bylaws.

Summary of Representations:

There were no written briefs submitted at the public hearing.

Chair Pendergraft called a first time for briefs and comments from the floor and noted that a binder is available which includes all written comments received to date and anyone wishing to review the comments could do so.

C. Garrish, Planning Manager, outlined the proposed bylaw.

Chair Pendergraft asked if anyone wished to speak to the proposed bylaw.

B. Elenko, Agent, outlined the proposed application on behalf of the property owner.

B. Harrison, Ducks Unlimited, noted that his organization is a property owner to the north, asked a number of questions and concluded by advising that he does not object to the proposed amendment bylaws.

C. Bratton, does not support the proposed amendments on the basis that the “Willow Beach” site provides a source of affordable housing in the community.

Chair Pendergraft asked a second time if there was anyone who wished to speak further to the proposed bylaw.

B. Elenko, Agent, queried the procedures for submitting representations on-line prior to the close of the public hearing.

Chair Pendergraft asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 7:39 p.m.

Recorded by:



C. Garrish
Planning Manager

Confirmed:

M. Pendergraft

M. Pendergraft
Chair

August 16, 2021

To Christopher Garrish, Planning Manager, RDOS

Email planning@rdos.bc.ca

I am writing in regards to the OCP and Zoning Bylaw amendment for the redevelopment of the Willow Beach property (Project No. A2021.003.ZONE). My name is Cathy Harmer and my husband, Peter and I are the owners of a house at 16403 87th Street, Osoyoos, B.C.

I have read the documents associated with the amendment bylaws No. 2905.02 and 2451.31 and we both attended the virtual Public Information Meeting on Wednesday June 16, 2021.

One of the concerns we have with the proposed rezoning is related to the Park Designation. In general, we are in favour of a park being designated at the North End of the lake and had hoped that the rezoning would include wording on the inclusion of a boat ramp, with associated car and trailer parking, as that is lacking at this area of the lake. At the meeting on June 16th, it was mentioned that there is 20 meter wide right of way planned which is required to give access to the lake, but no discussions have been had about paving it or putting in place a boat ramp, even though there is currently an unofficial boat ramp near the proposed park location. Similarly, parking was mentioned for the park but the amount and type had also not been discussed.

It seems that the lack of any plans for parking, boat trailer parking and a boat ramp is very short-sighted. With a proposed development of 70+ units at this location, I would imagine that most of the people purchasing, or renting, in the strata will have water craft of some sort, and only a very small number of them will be waterfront, so will need access to a boat ramp. There isn't a road depicted on the strata plan suggesting that the strata itself will provide a boat ramp and trailer parking within that boundary, so unless the RDOS puts this in place, all of these people will need to launch elsewhere which doesn't seem reasonable. The only official public boat launches in the area are the Town of Osoyoos Marina and Launch and swiws Provincial Park (Haynes Point) which are 8-11 km away.

I would strongly urge the RDOS to have some agreement with MOT and Infinity to provide these amenities as part of the subdivision process, it shouldn't be left to chance that that these facilities be provided for the residents of the strata and the public that will want to use the proposed park.

On an entirely separate topic, I also would like to comment on something I read in the Ecoscape Preliminary Hydrogeology Assessment, dated January 26, 2021. It relates to the fact that the development is likely to experience groundwater seepage during its lifetime and recommends the installation of sump pumps in each crawlspace with "the discharge ...routed to higher elevation gardens or grassed areas" to promote infiltration (page 23). It wasn't clear in the report whether individual owners would be responsible for this or if infrastructure was to be built to do this for all of the residences. We have an old house and have a sump pump which drains into our garden, but it is not an attractive feature. I think a strata-wide solution should be required for these new homes to ensure the discharge is routed properly so that individual home-owners don't decide to put it into the sewer system. This was an issue during the flood of 2018 where the Solana Bay and Harbour Key areas of Osoyoos were flooded, and many of the nice homes there were routing their sump pump discharge into the town sewer, which threatened to overwhelm it and caused the town to shut off sewer service to affected areas. (See <https://www.timeschronicle.ca/pumping-water-into-sewer-system-could-lead-to-more-sewer-closures-town-warns/>) It would be better to plan ahead than be in the same situation should the volume of water be greater than expected in future.

Sincerely

Cathy and Peter Harmer

Osoyoos, B.C.



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

May 10, 2021

Chris Garrish
Planning Manager, RDOS
planning@rdos.bc.ca

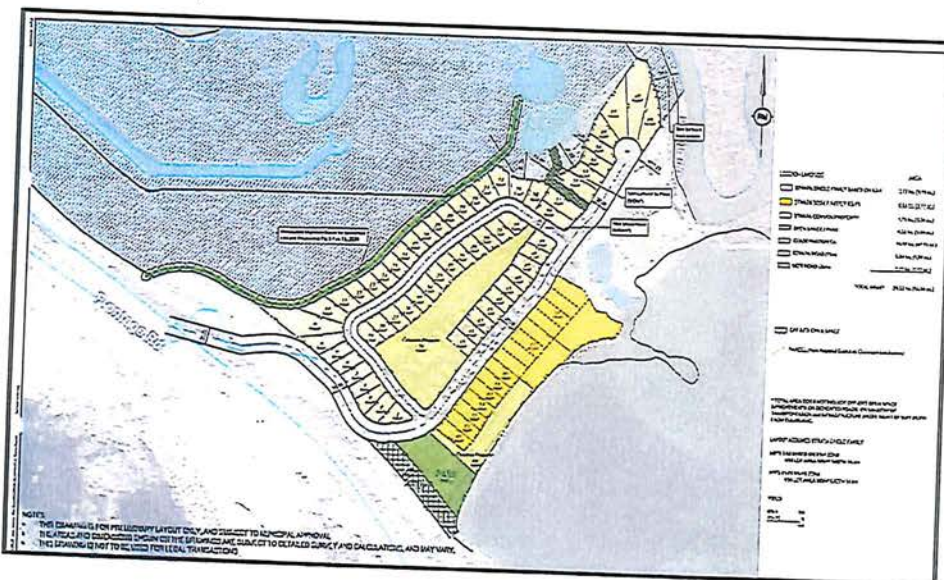
Reply to the attention of Sara Huber
ALC Issue: 52236
Local Government File: 2021-003-ZONE

Re: **Regional District of Okanagan Similkameen Official Community Plan and Zoning Amendment Bylaw Nos. 2905.02 and 2451.31 (Willow Beach)**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Official Community Plan (OCP) and Zoning Amendment Bylaw Nos. 2905.02 and 2451.31 (the "Amendment Bylaws") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Amendment Bylaws are consistent with the purposes of the ALC Act, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

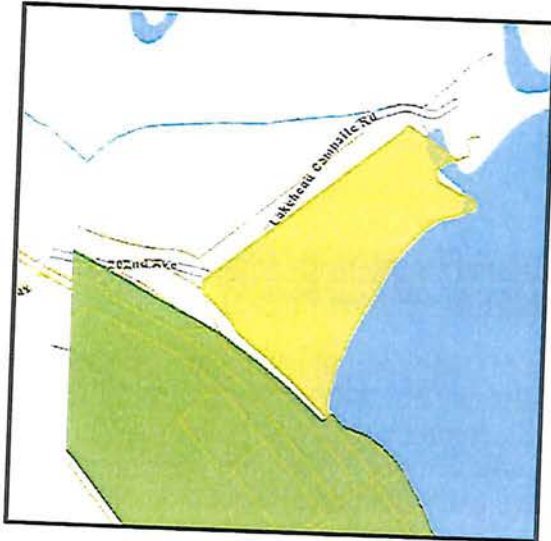
The Amendment Bylaws propose to amend the OCP and Zoning Bylaw land use designations of the of the property identified as 9330 202 Avenue; PID: 002-036-738 (the "Property") in order to facilitate a 66-lot subdivision with a 0.36 ha park dedication adjacent to Osoyoos Lake and the remainder of the Property to the north used for conservation. Specifically, the Amendment Bylaws propose to amend the OCP land use designation of the Property from part Medium Density Residential (MR), part Commercial Tourist (CT) and part Agriculture (AG) to part Low Density Residential (LR), part Parks, Recreation and Trails (P) and part Conservation Area (CA) and amend the Zoning Bylaw zone of the Property from part Medium Density Residential One (RM1), part Tourist Commercial (CT1) and part Agriculture One (AG1) to part Residential Single Family One (RD10), part Residential Single Family One Site Specific (RS1s), part Conservation Area (CA) and part Parks and Recreation (PR).

Proposal Map:



The ALC recognizes that the Property is not within the ALR; however, a very small portion of the southeast boundary of the Property is adjacent to ALR lands.

ALR Context Map:



ALC staff note that on the Proposal Map, a Ministry of Transportation and Infrastructure (MoTI) 20 m wide road is shown directed towards the ALR. ALC staff are unaware if this area forms part of the highway dedication, or whether there are plans to construct this road in future as an access to the subdivision. If construction is proposed within the ALR (regardless of whether a statutory right-of-way has been dedicated), an application to the ALC would be required. Aside from that, ALC staff do not object to the Amendment Bylaws.

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

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'Sara Huber'.

Sara Huber, Regional Planner

Enclosure: Referral of RDOS 2021-003-ZONE

CC: Ministry of Agriculture – Attention: Alison Fox (Alison.Fox@gov.bc.ca)

52236m1

From: [Cooper, Diana FI NR:FX](#)
To: [Christopher Garrish](#)
Cc: [Lauri Feindell](#)
Subject: RE: Bylaw Referral (A2021.003-ZONE) Willow Beach
Date: May 27, 2021 11:06:32 AM
Attachments: [image001.png](#)
[image010.png](#)
[image012.png](#)

Hello Christopher,

Thank you for your referral regarding proposed re-zoning and subdivision of 9330 202nd Avenue, PID 002036738, LOT 1 DISTRICT LOT 2450S SIMILKAMEEN DIVISION YALE DISTRICT PLAN 22229 and PID 002036967, LOT 675 DISTRICT LOT 2450S SIMILKAMEEN DIVISION YALE DISTRICT PLAN 2066 EXCEPT PLANS 22229, 43613 AND H9726. Please review the screenshot of the properties below (outlined in yellow) and notify me immediately if it does not represent the properties listed in your referral.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded on either property.

However, archaeological potential modelling for the area indicates there is high potential for previously unidentified archaeological sites to exist on the properties, as indicated by the brown colour over everything shown in the second screenshot below. Archaeological potential modelling is compiled using existing knowledge about archaeological sites, past indigenous land use, and environmental variables. Models are a tool to help predict the presence of archaeological sites but their results may be refined through further assessment.

The waterfront location of Lot 1 also increases the potential for unknown/unrecorded archaeological deposits.

Archaeology Branch Advice

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned for the subject property, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

Rationale and Supplemental Information

- There is high potential for previously unidentified archaeological deposits to exist both properties.
- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.
- If a permit is required, be advised that the permit application and issuance process takes approximately 8-12 weeks; the permit application process includes referral to First Nations and subsequent engagement.
- The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.
- The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person's expense, in certain circumstances, as set out in the *Heritage Conservation Act*.
- Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit.

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories.

Questions?

For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

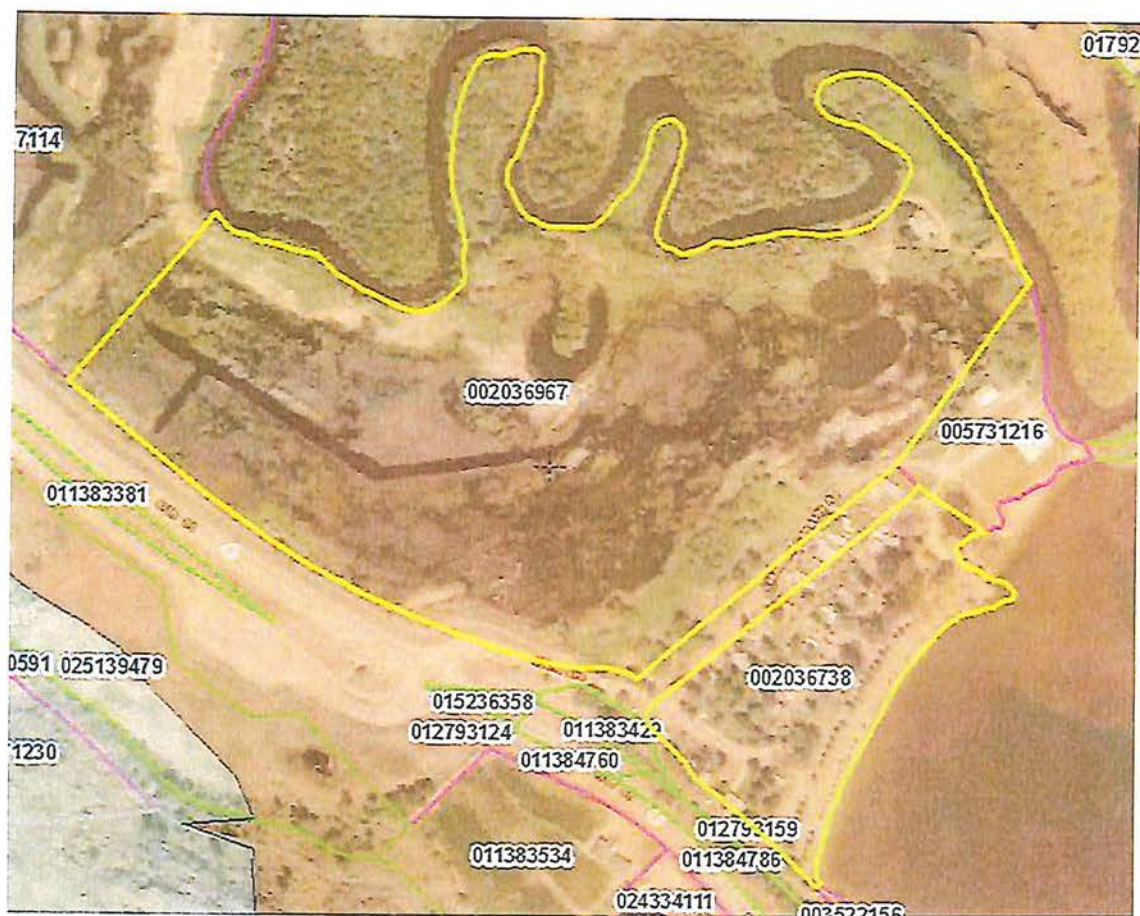
For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Please let me know if you have any questions regarding this information.

Kind regards,

Jiana





Please note that subject lot boundaries (yellow) and areas of archaeological potential (brown) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change.

Diana Cooper
 Archaeologist/Archaeological Information Administrator
 Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development
 Phone: (250) 953-3343 | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2905.02 & 2451.31

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to Conditions Below

☒ Approval Not Recommended Due to Reasons Outlined Below

Thank you for the opportunity to provide comments on this application. It is our understanding that the applicant is requesting to amend the zoning of their properties to facilitate a 66-lot subdivision. This referral has been reviewed from a Healthy Communities Development perspective. The following is for your consideration:

A healthy built environment is planned and built in a way which health evidence demonstrates has a positive impact on people's physical, mental and social health. The Healthy Built Environment Linkages Toolkit (PHSA, 2018) is an evidence-based resource, which links planning principles to health outcomes. From a healthy built environment perspective the location of this development and the distance to services will require use of a vehicle and with it an increase in greenhouse gases and the resulting impact to air quality. The distance may also minimize some opportunities for residents to incorporate active forms of travel into their daily routine.

Housing is a key determinant of health. It has a significant influence on our physical and mental health, social well-being, and indirectly influences many other determinants of health such as income, early childhood development, educational opportunities, and access to health services. Healthy housing is affordable, high quality, and in a location that supports health and well-being. On this note, there is concern regarding the fact that some of this property is within the floodplain, as this may lead to additional stress on residents on a yearly basis.

Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health. Please do not hesitate to reach out to if you require clarification or have questions.

Signature: 

Signed By: Tanya Osborne, BAHS

Agency: Interior Health Authority

Title: Community Health Facilitator

Date: May 7, 2012

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2905.02 & 2451.31


☐ Approval Recommended for Reasons
Outlined Below

☐ Interests Unaffected by Bylaw

☒ Approval Recommended Subject to
Conditions Below

☐ Approval Not Recommended Due
to Reasons Outlined Below

- Adequate water supply for fire suppression
- Plan in place for flood mitigation

Signature: 

Signed By: Tyler Hilland

Agency: Osoyoos Fire Rescue

Title: Deputy Chief

Date: 2021 04 30

From: [FLNR DOS Referrals CSNR:EX](#)
To: [Planning](#)
Subject: A2021.003-ZONE Willow Beach - 9330-202 Avenue - MFLNRORD District Okanagan Shuswap Comments
Date: May 27, 2021 2:18:32 PM
Attachments: [image004.png](#)
[image005.png](#)

Good day,

MFLNRORD District Okanagan Shuswap Comments:

DOS Lands Team

Without seeing a layout plan, I can advise only that this zone is under the Okanagan Large Lake Protocols with Red Zones for Freshwater Mussels which require Qualified Professional report and monitoring if "work in and about" the lake are proposed. It is also a Yellow/Red/Black zone for Foreshore Plants which at this time have no reporting required. No structures can be placed below the Present Natural Boundary. This includes retaining walls, walkways, landscaping etc. This work would require a Water Sustainability Act application.

If the proposed residential units will be "waterfront", they are entitled to private moorage; however, it appears to be a shallow area. They should be aware that dredging for moorage is not permitted under the Land Act.

Mary Ellen Grant, Lands NR Specialist,
250-558-6273, MaryEllen.Grant@gov.bc.ca

Regards,



Patricia Shatzko

DOS Referrals Coordinator

Referrals Email: FLNRDOSReferrals@gov.bc.ca

Direct Phone: VOIP: 778-943-6850

I acknowledge with gratitude that I carry out my work on the traditional territories of Indigenous Peoples. I will tread lightly and with respect while doing so.



May 25, 2021

File: 0280-30

Local Government File: A2021.003-ZONE

Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
Via Email: planning@rdos.bc.ca

Dear Christopher Garrish:

Re: File A2021.003-ZONE – Zoning Amendment for 66 Lot Subdivision (PID: 002-036-738 & 002-036-967) – The Subject Property

Thank you for providing the B.C. Ministry of Agriculture, Food and Fisheries (Ministry) the opportunity to comment on the zoning amendment for 9330 202nd Avenue, Osoyoos. Ministry staff have reviewed the documents you have provided. From an agricultural perspective we can provide the following comments for your consideration:

- The 16.53 ha Subject Property is adjacent to Agricultural Land Reserve (ALR) land to the south and south west, with the majority of ALR land buffered by Highway 97.
- The rezoning removes a portion of the designated land from the Agriculture (AG) zone and the proposed development does not support the production of agriculture commodities or the activities associated with processing these items.
- Under the agriculture capability classification, most of this parcel is within the flood plain of the now heavily modified Okanagan River and Osoyoos Lake and is classified as 6WF, meaning forage crop improvement practices are not feasible mostly due to excess water and lower fertility. The soils present are poorly suited for agriculture.
- The Ministry's [Guide to Edge Planning](#) recommends that any residential development adjacent to ALR land include a 30 metre building setback from any lot lines along the boundary of the ALR and a 15 metre vegetative buffer consistent with a Level 1 buffer as described in the Guide.

- In cases such as this development proposal, where the development is separated from the ALR by a road, the vegetative buffer may be reduced to 7.5 metres, although the 30 metre setback should be maintained. We recommend that the site plan be altered to accommodate this setback and buffer.

If you have any questions, please contact us directly by email or phone.

Sincerely,



Alison Fox, P.Ag.
Land Use Agrologist
BC Ministry of Agriculture, Food and
Fisheries
Alison.Fox@gov.bc.ca
(778) 666-0566



Philip Gyug, P.Ag.
Regional Agrologist
B.C. Ministry of Agriculture, Food and
Fisheries
Philip.Gyug@gov.bc.ca
250-378-0573

Email copy: Sara Huber, Regional Planner (Okanagan), ALC, Sara.Huber@gov.bc.ca



DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION

Your File #: A2021.003-
ZONE
(BL2451.31)
Willow Beach
Dev

eDAS File #: 2021-02405
Date: Jun/25/2021

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

Attention: Lauri Feindell Planning Secretary

Re: Proposed Bylaw 2451. 2008 for:
9330 202nd Avenue, Osoyoos
Lot 675, Plan KAP2066, District Lot 2450S, S?DYD, Except Plan 22229,
43613 & H9726
Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion L677

Hello Lauri,

With regard to the above noted Regional District Okanagan Similkameen zoning proposal, the Ministry has reviewed the materials provided May 4, 2021. Based on this information, the Ministry has no objection to application of this zone to the lands above described.

Aspects related to drainage, land dedication, access to water/lands beyond will be addressed through subdivision process.

If you have any questions, please feel free to call Penticton Development Services at (250) 712-3660.

Yours truly,
Blaine Garrison
Senior Development Officer

Local District Address

Penticton Area Office
102 Industrial Place
Penticton, BC V2A 7C8
Canada

Phone: (250) 712-3660 Fax: (250) 490-2231

H1183P-eDAS (2009/02)

Page 1 of 1

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2905.02 & 2451.31

- ☒ Approval Recommended for Reasons Outlined Below ☐ Interests Unaffected by Bylaw
- ☐ Approval Recommended Subject to Conditions Below ☐ Approval Not Recommended Due to Reasons Outlined Below

Moved by Councillor Rhodes
Seconded by Councillor Bennett
That Council direct staff to respond to the RDOS Bylaw Referral (Amendment of the Electoral Area "A" OCP Bylaw No. 2905, 2021 & Zoning Bylaw No. 2451, 2008 Willow Beach - OCP Amendment & Rezoning Proposal) as follows:
Approval Recommended subject to the following:

- Town of Osoyoos recommends that consideration be given to expanding the public beach and parks area to allow for more visitors and locals to access the north end of Osoyoos Lake.
- That pursuant to section 13 (1) of the Community Charter the Regional District consent to the Town of Osoyoos providing municipal services (water and sewer) to the subject property on terms and conditions to be negotiated between the Town and Owner.
- That a review be completed of the Town's sewer and water capacity to ensure that the Town has the ability to provide water and sewer to the development.

CARRIED

Signature: *Gina MacKay*

Signed By: Gina MacKay

Agency: Town of Osoyoos

Title: Director of Planning and Development

Date: June 26 2021

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “H”

Administrative Recommendation:

THAT Bylaw No. 2497.12, 2021, a bylaw to amend the Electoral Area “H” Official Community Plan Bylaw to permit a 2-lot subdivision at 2321 Old Hedley Road, be read a first and second time and proceed to public hearing; and

THAT Bylaw No. 2498.23, 2021, a bylaw to amend the Electoral Area “H” Zoning Bylaw be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2497.12, 2021, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 21, 2021; and,

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

Purpose: To allow for a 2-lot subdivision to unhook a parcel.

Folio: H-01264.000

Civic: 2321 Old Hedley Road

Legal: Block A, District Lot 2855S, SDYD

OCP: Agriculture (AG)

Zone: Agriculture Three (AG3)

Proposed Development:

To amend the zoning of the subject property in order to allow for a 2-lot subdivision to “unhook” the parcel along Old Hedley Road. This will result in an approximately 9.7 ha parcel on the north side of Old Hedley Road and an approximately 5.4 ha parcel on the south side of Old Hedley Road.

In order to accomplish this, the following land use bylaw amendments are being proposed by the applicant:

- amend the land use designation under Schedule ‘B’ (OCP Map) of the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, from Agriculture (AG) to Large Holdings (LH); and
-

File No: H2021.010-ZONE

-
- amend the zoning under Schedule '2' (Zoning Map) of the Electoral Area "H" Zoning Bylaw No. 2498, 2012, from Agriculture Three (AG3) to part Large Holdings Two (LH2) and part Large Holdings One (LH1).

In support of the rezoning, the applicant has stated that "the rationale for subdivision is to sell the parcel with the house on it to pay off the mortgage and keep [the] waterfront parcel with the cabin for personal future use."

Site Context:

The subject property is approximately 15.38 ha in area, is bounded by the Similkameen River along its southern boundary, is bisected by Old Hedley Road and is approximately 14.5 km west of Hedley and 24 km to the east of Princeton. It is understood that the parcel is comprised of a house and shed situated on the north side of Old Hedley Road, and a cabin on the south side (near the Similkameen River).

The surrounding pattern of development is seen to be comprised of rural-residential and residential land uses adjacent to Old Hedley Road and undeveloped Crown land beyond. Bromley Park Provincial Park is also situated 1.7 km to the north.

Background:

It is not clear when the current boundaries of the subject property were created by a Plan of Subdivision, while available Regional District records indicate that a building permit for the placement of a modular home (2005) has previously been issued for this property.

Under the Electoral Area 'H' Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property has been designated as Agriculture (AG). The property is the subject of a Watercourse Development Permit (WDP) Area designation along the southern edge of the property.

Under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, the subject property has been designated Agriculture Three (AG3), which stipulates a minimum parcel size of 20.0 ha

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with the Similkameen River.

The property is within the Agricultural Land Reserve (ALR), but has been classified as "Residential" (Class 01) by BC Assessment.

The property is the subject of an approval from the Agricultural Land Commission (ALC) to undertake a two (2) lot subdivision, which is due to expire on April 19, 2023.

On December 3, 2015 the Ministry of Transportation and Infrastructure (MoTI) referred a proposed 2 lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws.

The applicant was notified in a letter dated February 19, 2016 that a rezoning was required in order to permit the subdivision due to the 20 ha minimum parcel size in the AG3 zone.

The subject property is not within a community water system area or community sanitary system area, and is also not within a fire department fire district area.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 3).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 58 have been made aware of the proposed amendment bylaw.

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

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaws.

Public Process:

On September 13, 2021, an electronic Public Information Meeting (PIM) was held via Webex and was attended by 2 members of the public (As well as the applicant and staff).

The Electoral Area "H" Advisory Planning Commission (APC) is scheduled to consider this proposal at their meeting of September 21, 2021. A verbal update of the APC's recommendation will be provided to the Board at its meeting of September 23, 2021.

Administration recommends that the written notification of affected property owners, the public meetings as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, the consultation process undertaken is seen to be sufficiently early and does not need to further ongoing.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The proposal involves a subdivision along a road alignment within the ALR where the road generally forms a natural boundary between what is seen to be two separate parcels. The proposed subdivision is not uncharacteristic with surrounding land use development patterns, particularly the Small Holdings (SH) zoned parcels found along Old Hedley Road, and which are also within the ALR.

While an objective of the OCP is "to discourage the subdivision and non-farm use of land designated for 'Agriculture', the LH1 & LH2 zones list agriculture as a principal permitted use and given topographical constraints for the agricultural use of the subject parcel, such as steep, rocky hill side, the Agricultural Land Commission has supported the future subdivision of this property,

Alternatives:

1. THAT Bylaw No. 2497.12, 2021, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.23, 2021, Electoral Area “H” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

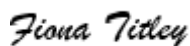
AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2497.12, 2021, in conjunction with its Financial and applicable Waste Management Plans;

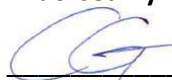
AND THAT the holding of the public hearing be delegated to Director Coyne;

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

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

Respectfully submitted:

Fiona Titley, Planner I

Endorsed By:

C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Applicant’s Site Plan

No. 3 – Site Photo

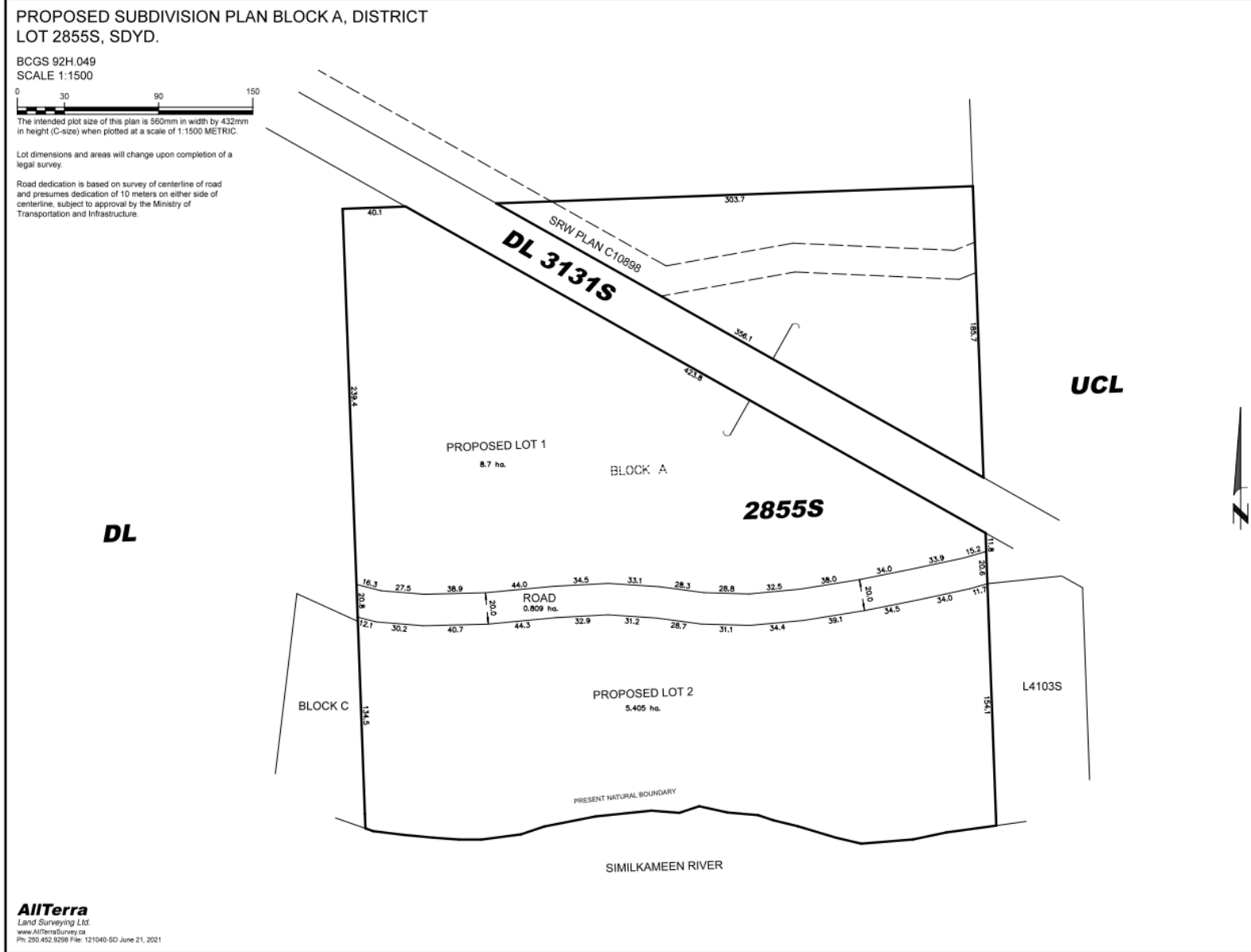
Attachment No. 1 – Agency Referral List

Referrals to be sent to the following agencies as highlighted with a ☒, prior to the Board considering first reading of Amendment Bylaws No. 2497.12, 2021 and 2498.23, 2021.

| | | | |
|-------------------------------------|------------------------------------|-------------------------------------|------------------------|
| <input checked="" 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 checked="" 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 Forest, Lands, Natural Resource Operations & Rural Development (Ecosystem Section) | <input checked="" type="checkbox"/> | Town of Princeton |
| <input checked="" 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 checked="" 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 checked="" 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 |
| | 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"/> | X Irrigation District / improvement Districts / etc. |

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Site Photo



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2497.12, 2021

**A Bylaw to amend the Electoral Area “H”
Official Community Plan Bylaw No. 2497, 2012**

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 “H” Official Community Plan Amendment Bylaw No. 2497.12, 2021.”
2. The Official Community Plan Bylaw Map, being Schedule ‘B’ of the Electoral Area “H” Official Community Plan Bylaw No. 2497, 2012, is amended by changing land use designation on the land described as Block A, District Lot 2855S, SDYD, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Agriculture (AG) to Large Holdings (LH).

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.

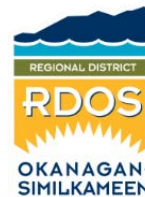
Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

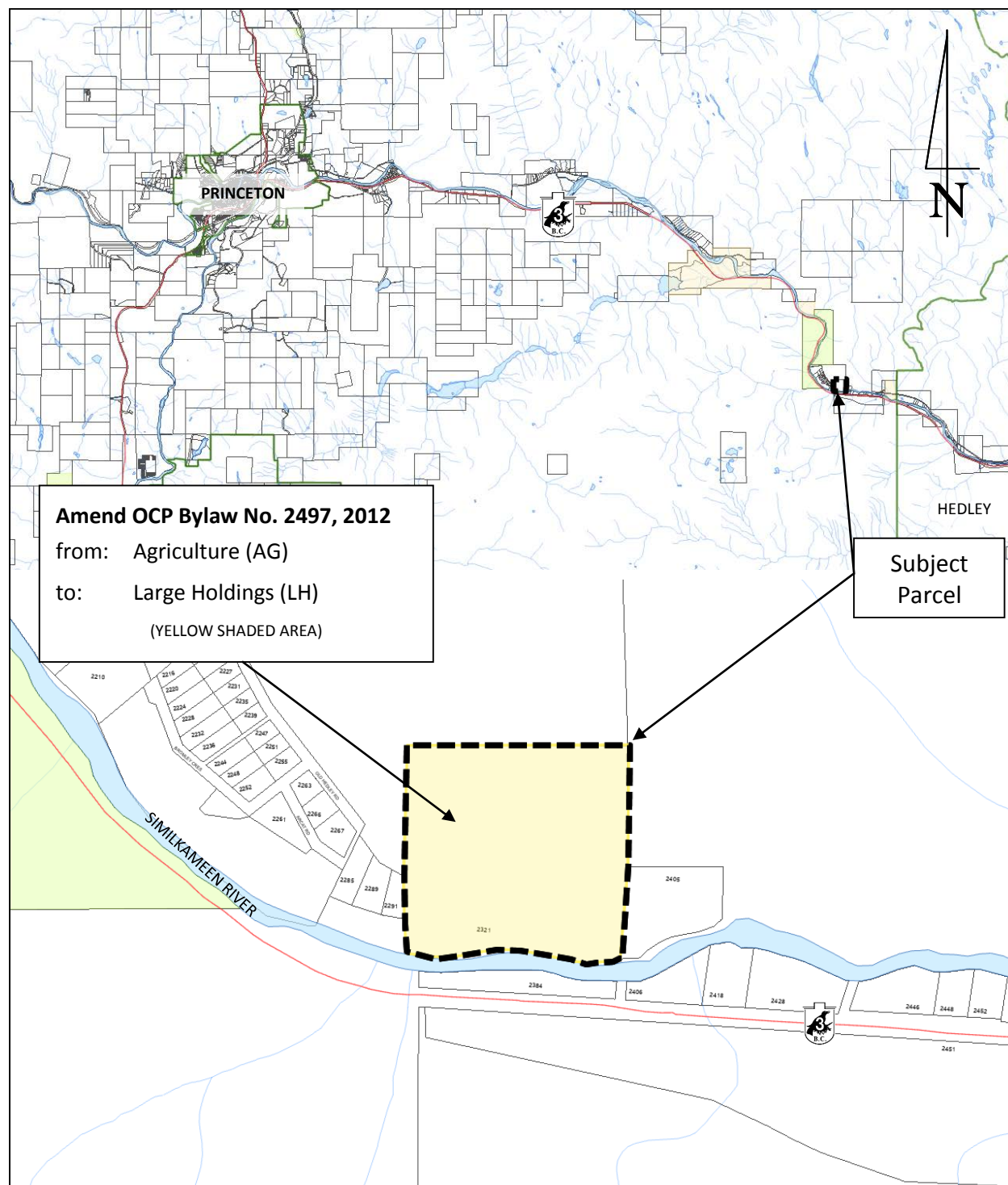
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2497.12, 2021

File No. H2021.010-ZONE

Schedule 'A'



Amendment Bylaw No. 2497.12, 2021
(H2021.010-ZONE)

Page 2 of 2

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.23, 2021

A Bylaw to amend the Electoral Area “H” Zoning Bylaw No. 2498, 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 “H” Zoning Amendment Bylaw No. 2498.23, 2021.”
2. The Official Zoning Map, being Schedule ‘2’ of the Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by changing land use designation on:
 - i) an approximately 9.7 hectare part of the land described as Block A, District Lot 2855S, SDYD, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Agriculture Three (AG3) to part Large Holdings Two (LH2); and
 - ii) an approximately 5.4 hectare part of the land described as Block A, District Lot 2855S, SDYD, and shown shaded purple on Schedule ‘A’, which forms part of this Bylaw, from Agriculture Three (AG3) to Large Holdings One (LH1).

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.

I hereby certify the foregoing to be a true and correct copy of the “Electoral Area “H” Zoning Amendment Bylaw No. 2498.23, 2021” as read a Third time by the Regional Board on this ____ day of _____, 2021.

Dated at Penticton, BC this ____ day of _____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2021.

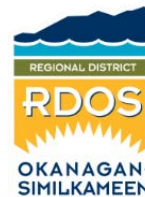
Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

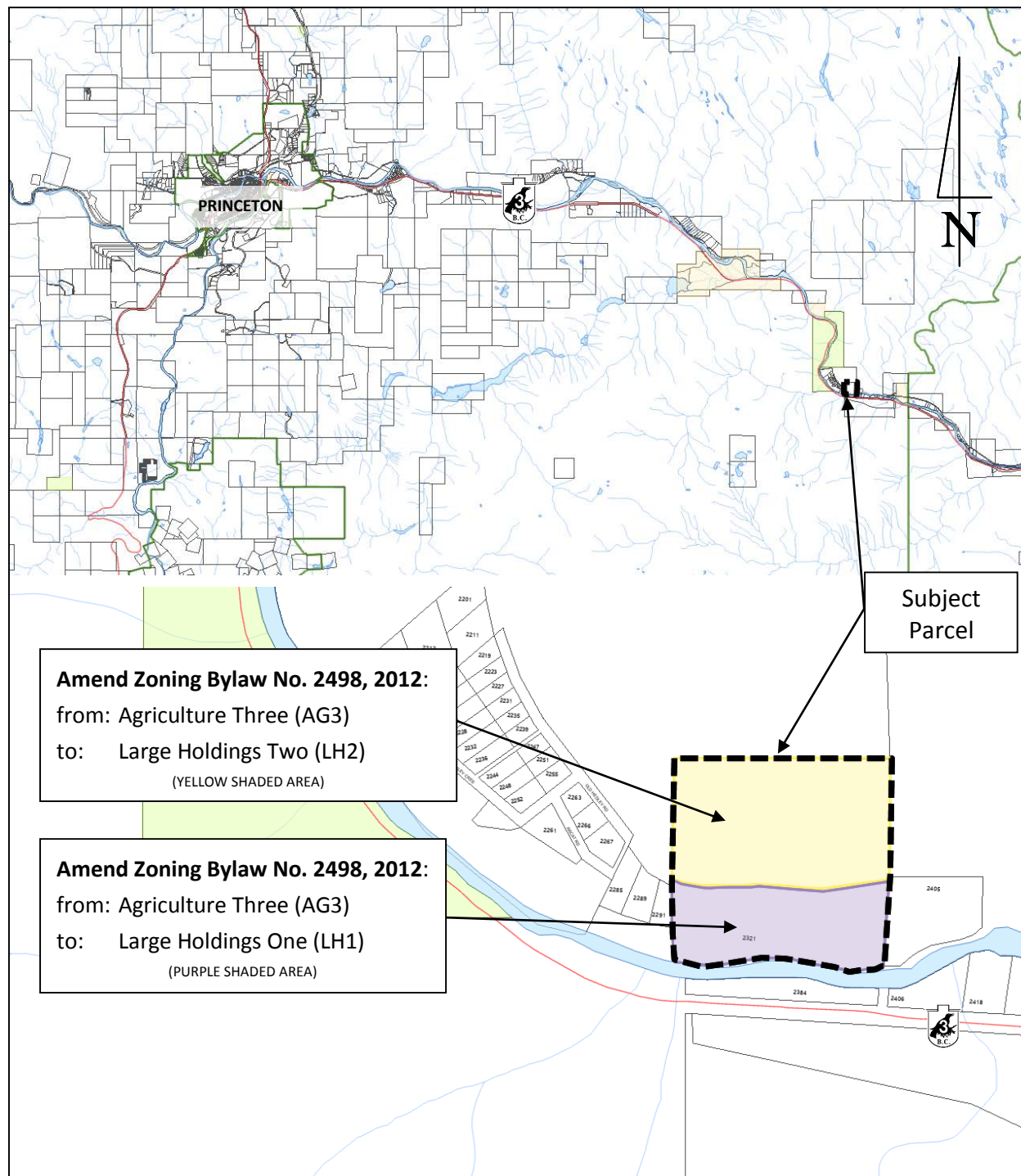
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2498.23, 2021

File No. H2021.010-ZONE

Schedule 'A'



Amendment Bylaw No. 2461.20, 2021
(H2021.010-ZONE)

Page 3 of 3

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Zoning Bylaw Amendment – Electoral Area “F” 5863 Princeton Summerland Road

Administrative Recommendation:

THAT Bylaw No. 2461.16, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw to allow for a “campground” as a permitted use at 5863 Princeton-Summerland Road be read a third time, as amended; and adopted.

Legal: District Lot 4478 ODYD

Folio: F-07294.000

Zone: Resource Area (RA)

Proposed Zoning: Resource Area Site Specific (RAs)

Proposed Development:

To amend the zoning of the property under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, from Resource Area (RA) to Resource Area Site Specific (RAs) with the site specific regulation stipulating that “campground” be allowed as a permitted use on the subject property.

Background:

On August 12, 2021, a Public Information Meeting (PIM) was held electronically and was attended by no members of the public.

At its meeting of August 23, 2021, the Electoral Area “F” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of September 2, 2021, the Board of Directors approved first and second readings of the amendment bylaws and scheduled a public hearing ahead of its meeting of September 23, 2021.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97/3).

Analysis:

“campground” was recently a principal permitted use on the subject properties, and the property owner was in the midst of planning for a campground use, prior to the change in zoning bylaw initiated by the Regional District.

Regardless of the zoning bylaw amendment being adopted or not, the landowner would still be subject to a Campground Permit to bring the property into compliance with that bylaw, with specific regard to the development of a water and sanitary sewer system, road infrastructure, amenity facilities, etc.

The Board is asked to be aware that the proposed revision to the amendment bylaw is in relation to changing the zoning of the property under Schedule '2' (Official Zoning Map) of the ZONING bylaw, which was omitted in the version considered at first reading.

Alternatives:

1. THAT third reading and adoption of Bylaw No. 2461.16, 2021, Electoral Area "F" Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2461.16, 2021, Electoral Area "F" Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

Respectfully submitted:

Nikita Kheterpal

Nikita Kheterpal, Planner I

Endorsed By:



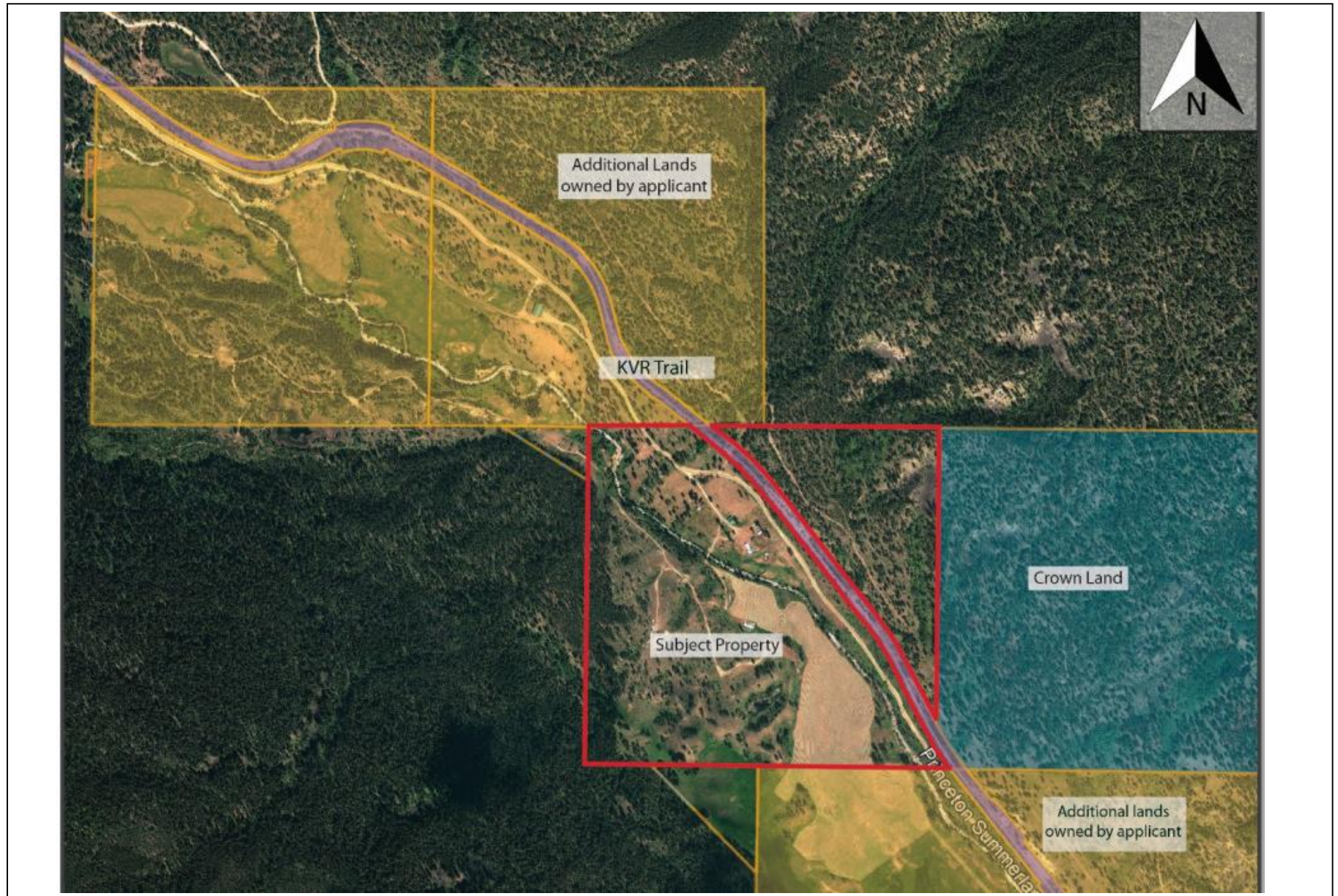
C. Garrish, Planning Manager

Attachments: No. 1 – Applicant's Site Plan

No. 2 – Aerial Photo

No. 3 – Google Streetview (2012)

Attachment No. 1 – Applicant's Site Plan



Attachment No. 2 – Aerial Photo



Attachment No. 3 – Google Streetview (2012)



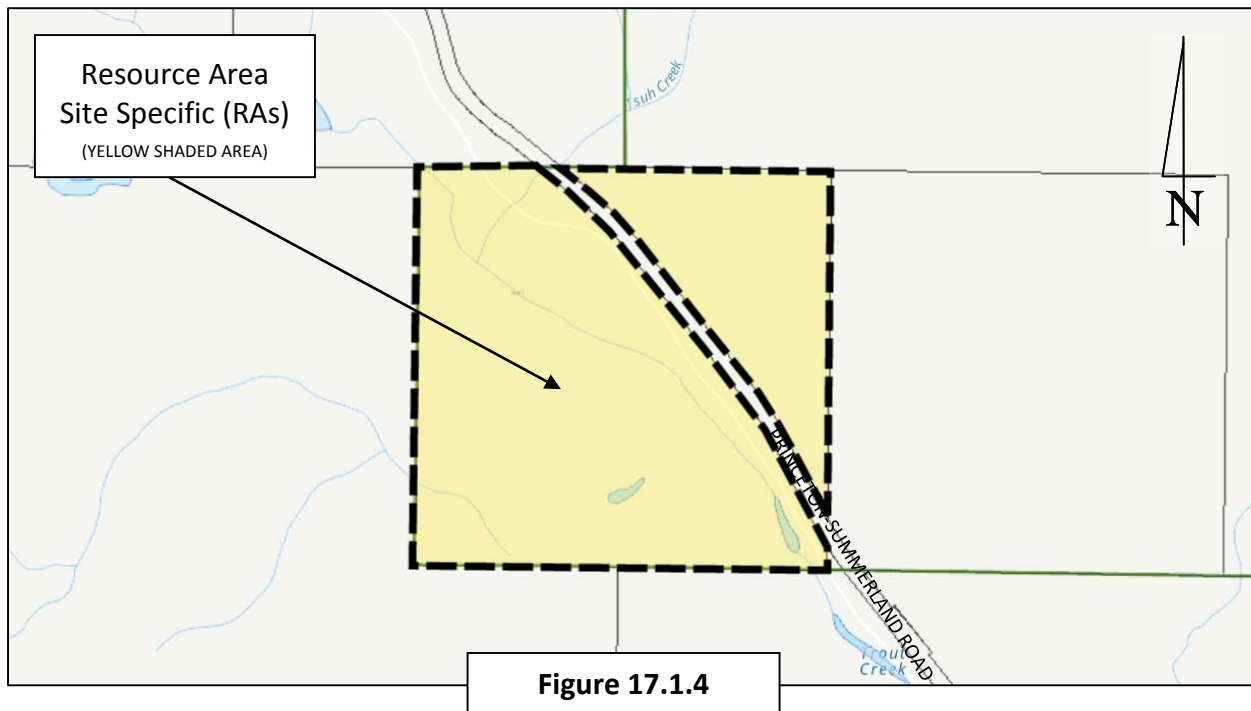
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. NO. 2461.16, 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. 2461.16, 2021.”
2. The Electoral Area “F” Zoning Bylaw No. 2461, 2008 is amended by:
 - i) adding a new Section 17.1.4 (Site Specific Resource Area (RAs) Provisions) under Section 17.0 (Site Specific Designations) to read as follows:
 - .4 in the case of the land described as District Lot 4478, ODYD (5863 Princeton-Summerland Road), and shown shaded yellow on Figure 17.1.4:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 10.1.1:
 - .1 campground.



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 on the land described District Lot 4478, ODYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Resource Area (RA) to Resource Area Site Specific (RAs).

READ A FIRST AND SECOND TIME this 2nd day of September, 2021.

PUBLIC HEARING held on this 23rd day of September, 2021.

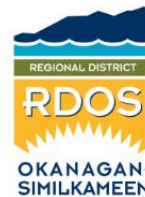
READ A THIRD TIME, AS AMENDED, AND ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

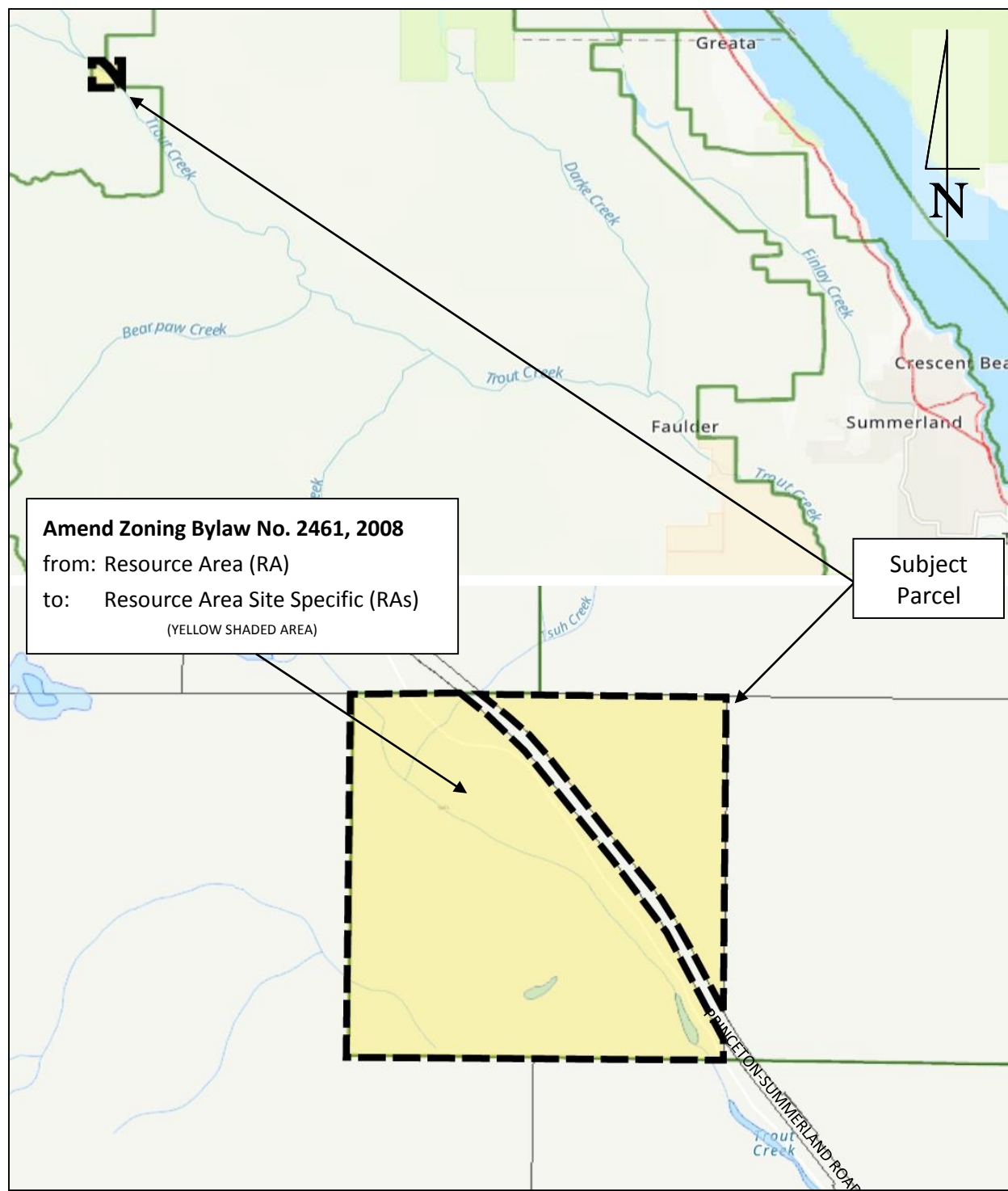
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2461.16, 2021

File No. F2021.004-ZONE

Schedule 'A'



Amendment Bylaw No. 2461.16, 2021
(F2021.004-ZONE)
Page 3 of 3

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Award of Contract - North Naramata Firehall Detailed Design

Administrative Recommendation:

THAT a contract for detailed design of the North Naramata Firehall be awarded to Landform Architecture Ltd. for \$65,000.00.

Purpose:

This is a continuation of efforts to develop a satellite firehall in the north Naramata area to provide services to Indian Rock, Glenfir and Chute Lake Road.

Reference:

Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 2733, 2016.

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

Goal 2.2 – To meet public needs through continuous improvement of key services.

Background:

Following a request from local residents, the Naramata Fire Service Area Boundary was expanded in 2016 to include the areas of Indian Rock, Glenfir and Chute Lake Road.

Fire Underwriters considers a structure adequately covered if, among other things, it is no further than eight kilometers by road from a firehall. Most structures in the expanded fire service area are more than eight kilometers from the existing Naramata firehall on Debeck Road, and as such, a satellite fire hall is needed to service these areas.

To date, land tenure has been acquired for the satellite hall, site planning has been completed, some site pre-development has occurred and conceptual designs for the firehall have been prepared.

Analysis:

An RFP was issued for detailed design of the North Naramata Firehall. Two proposals were received and both met the requirements set out in the RFP. The lowest cost proposal was submitted by Landform Architecture Ltd, at a cost of \$65,800.

Alternatives:

The Board may chose to not award the contract.

Respectfully submitted:

"D. Reeve"

____ D. Reeve, Project Coordinator _____

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Provincial Licence of Occupation – Apex Fire Hall

Administrative Recommendation:

THAT the Regional District submit an application to the Province of British Columbia for a Licence of Occupation on a portion of District Lot 395s, Similkameen Division of Yale Land District for the development of the Apex community fire hall.

Purpose:

To secure tenure over the subject site at Apex Mountain Resort for the purpose of developing a fire hall.

Reference:

Apex Mountain Fire Protection Service Establishment, Bylaw No. 2920, 2020
Reference Map

Business Plan Objective:

Key Success Driver #3: Build a sustainable region
Goal 3.3 To develop an environmentally sustainable region

Background:

In March 2021, a referendum passed to establish a tax-funded fire and rescue service at Apex Mountain Resort. This process identified the need to procure a subject site, develop fire hall infrastructure and purchase equipment. Pursuant to the Apex Mountain Fire Protection Loan Authorization Bylaw No. 2921, 2020 the Regional District is capable of borrowing capital for the establishment of fire protection and response services. This bylaw provides the Regional District with authorization to secure up to three million dollars (\$3M) for the endeavor with a maximum debt term of twenty-five (25) years.

The subject site identified utilizes a former portion of the Scouts Cabin property to access Crown land. Scout Properties has agreed to release a portion of their Crown land lease so the Regional District can apply for tenure on that land. That land accesses the Crown land behind the parcel, where a portion of that area is to be used as the fire hall site.

This planning and land development portion of the project is financed through the the Electoral Area "I" Rural Projects. The site development and fire hall construction will be funded by the Apex Mountain Fire Protection Service area established by the Apex Mountain Fire Protection Service Bylaw No. 2920, 2020, which begins January 1, 2022.

The subject site proposed for the Apex fire hall development is approximately 0.765 hectares in size and is located off Apex Mountain Road.

Analysis:

The process to formalize tenure on the subject site is expected to take approximately 4 to 6 months, with discussions involving referral agencies and neighbouring stakeholders to seek letters of support for the project. A site land survey will need to be conducted in order to confirm property details including utility corridors. Additionally, the removal of trees to make the site suitable for development will need to be addressed by making an application for an Occupant License to cut timber to the Mountain Resorts Branch Timber Program. Additional work to make the site serviceable as a fire hall will include providing various utility site services.

Once tenure for the project is secured, the formal design phase and site development may commence. The tendering and subsequent construction is expected to begin Q2 2022.

Respectfully submitted:

Apollo Figueiredo

A. Figueiredo, Planner, Community Services



OKANAGAN-SIMILKAMEEN
RDOS Map

Legend

- Electoral Area Boundaries
- Major Highways
- Indian Reserve
- Parks
- Streams
- Major Lakes
- Small Lakes

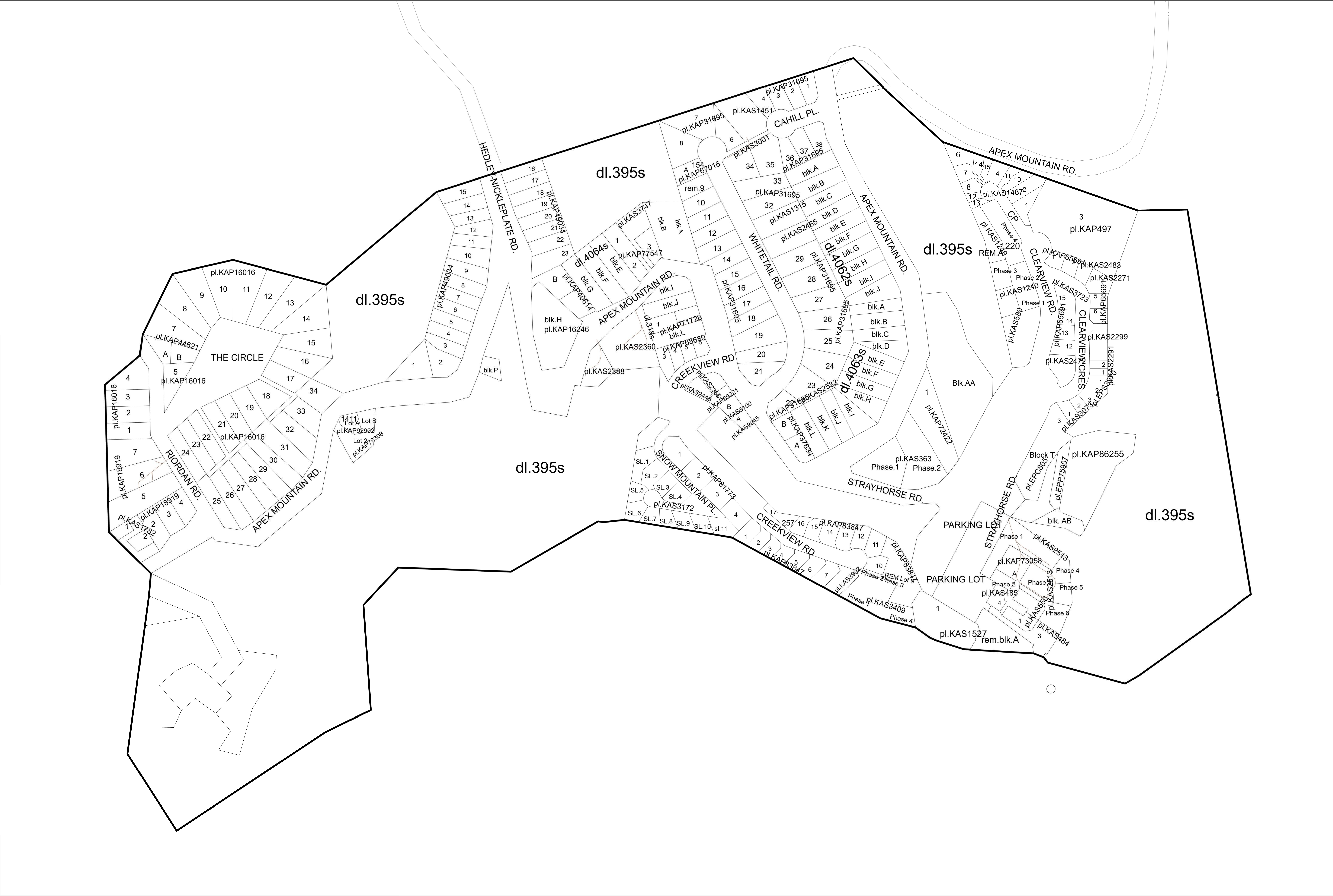
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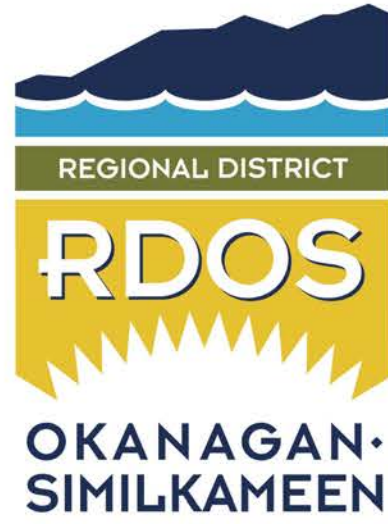
0.1 0 0.07 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Regional District Okanagan-Similkameen

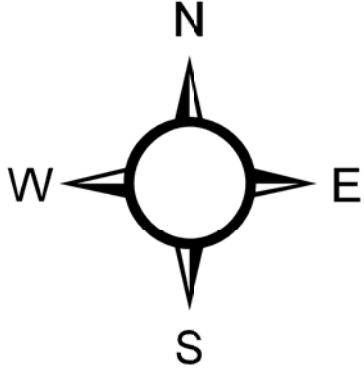
This is a consolidated map compiled from representational data to be used for convenience only and has no legal sanction. The Regional District of Okanagan-Similkameen makes no warranty to the correctness or accuracy of the information on this map.



Apex Mountain Fire Protection Service Establishment
Bylaw No. 2920, 2020



Legend
Bylaw 2920



1:1,750

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: **Grant Approval from the Vermillion Forks Reserve Fund to the Eastgate Fire Protection Society**

Administrative Recommendation:

THAT the Regional District of Okanagan Similkameen approve a \$15,000 grant to the Eastgate Fire protection Society (EFPS); and,

THAT the grant be funded from the Vermillion Forks Community Forest Reserve fund; and,

THAT reserve expenditure Bylaw No.2946, 2021, being a bylaw to authorize an expenditure of \$15,000 from the Vermillion Forks Community Forest Reserve Fund to help fund the EFPS be given first, second, & third readings and be adopted.

Purpose:

To ensure that the EFPS has adequate fire protection equipment to protect the community that is within an interface fire area.

Background:

In 2009, The Board approved the formation of the Vermillion Forks Community Forest Corporation (VFCFC) for the purpose of acquiring and managing a Community Forest Agreement. The Upper Similkameen Indian Band, the Town of Princeton and the Regional District are 1/3 shareholders in the Corporation. The Electoral Area "H" Director and the CAO were appointed as the Regional District's Board Members of the Corporation.

In 2014, the RDOS Board created the Electoral Area "H" Community Facilities Capital Reserve Fund for the purpose of capital expenditures within Electoral Area "H". Annual dividends received from the Vermillion Forks Community Forest Corporation (VFCFC) are transferred into the reserve.

Eastgate is a small, isolated and forest-bound community that straddles Highway 3 just outside the eastern border of Manning Provincial Park, which is within an interface fire area.

The EFPS has requested a \$15,000 grant to assist with costs for equipment which was required to protect the community during the Garrison Lake fire response. The EFPS responded to the fire to ensure that the community was protected during the 10 day fire. Outside resources were mostly unavailable and various equipment was purchased to protect the community.

Analysis:

After deducting the expenditures already committed in 2021 and including this request, the balance in the Area H Vermillion Forks Reserve Fund will be \$1,251,755.

Alternatives:

THAT the Board of the Regional District of Okanagan Similkameen not approve the \$15,000 grant request from the Eastgate Fire protection Society.

Respectfully submitted:

J. Zaffino, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2946, 2021

A bylaw to authorize the expenditure of monies from the Vermillion Forks Community Forest Reserve Fund to help fund the Eastgate Fire Protection for the purchase of fire fighting equipment.

WHEREAS Section 377 of the Local Government Act, and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;

AND WHEREAS the “Vermillion Forks Community Forest Reserve Fund” has sufficient monies available for the granting of funds;

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

1 Citation

- 1.1 This Bylaw shall be cited as the Electoral Area “H” Vermillion Forks Community Forest Reserve Fund Expenditure Bylaw No. 2946, 2021.

2. Interpretation

- 2.1 The expenditure of \$15,000 from the Electoral Area “H” Vermillion Forks Community Forest Reserve Fund is hereby authorized towards the purchase of fire fighting equipment

READ A FIRST, SECOND, AND THIRD TIME this ____ day of ____, 2021

ADOPTED this ____ day of ____, 2021

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Permissive tax exemptions for properties within the City of Penticton

Administrative Recommendation:

THAT the Regional District of Okanagan Similkameen apply for a permissive tax exemption for properties leased at 184 Main Street and 105 Martin Street.

Background:

184 Main Street:

At the January 21, 2021 meeting, the Regional District authorized Covid funds to be used to acquire a five year lease of the 2nd Floor at 184 Main Street, Penticton. The building, owned by First West, became surplus to their needs and a fully equipped data centre on the second floor was available. During negotiations, it was determined that both the 2nd & 3rd Floors of 184 Martin were available for the price previously advertised for just the 2nd floor and the lease has now been signed.

The work that will be performed at 184 Main Street is associated with local government responsibilities. Under the Community Charter, Regional District property would be statutorily exempt from property tax. However, as this property is leased, it will be taxed, thus, the lease agreement within the triple net charge includes the property tax component

105 Martin Street:

The lease for 105 Martin Street commenced on February 1, 2019 and will terminate on January 31, 2024. The primary purpose of this property is to house the Emergency Operations Centre. The work that is being performed at 105 Martin Street is associated with local government responsibilities. Under the Community Charter, Regional District property would be statutorily exempt from property tax. However, as this property is leased, a property tax component is included in the lease payments.

Analysis:

Local governments have the authority to exempt eligible properties from property taxation for up to a ten year period under section 224 of the Community Charter.

A council may, by bylaw in accordance with section 224 (1) of the Community Charter, exempt land or improvements, or both from taxation. The request would be based on Section 224 (2) b of the Community Charter.

- *(b) land or improvements that*
 - *(i) are owned or held by a municipality, regional district or other local authority, and*
 - *(ii) the council considers are used for a purpose of the local authority;*

Once a local government approves a permissive tax exemption, it is forwarded to the British Columbia Assessment Authority (BCAA) for approval. Staff have contacted BCAA to ask that, if a tax exemption is approved by the City of Penticton, would BCAA would allow the exemption, and they answered yes.

It is not uncommon for local governments to own property within Regional District jurisdiction, which would be statutorily exempt. Examples of property that the City of Penticton owns within the Regional District and exempt are:

- Greyback Dam
- Ellis Creek Dam
- Property behind weigh scale near Kaleden

In these cases and others throughout the Regional District the municipalities are not paying taxes to the Regional District.

Alternatives:

not apply for a permissive tax exemption for 184 Main Street and 105 Martin Street.

Respectfully submitted:

J. Zaffino, Finance Manager

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: **Reserve Expenditure Bylaw and Budget Amendment to approve an increase in the 2021 budget and reserve funding in the amount of \$600,000 for the Oliver Landfill Organics Facility**

Administrative Recommendation:

THAT Bylaw No.2945, 2021, being a bylaw to authorize the funding for the expenditure of an additional \$600,000 from the Oliver Landfill Capital Reserve be read a first, second, & third time and be adopted; and,

THAT Bylaw No. 2922.01, 2021, being a bylaw to amend the 2021-2025 Five Year Financial Plan to increase the Oliver Landfill Capital budget by \$600,000, be read a first, second, & third time and be adopted.

Reference:

September 2. 2020 Board report which requested additional funding in the amount of \$600,000 for the Oliver Landfill Organics facility.

Business Plan Objective:

Key Success Driver #3 – Build a Sustainable Regional under Complete Design for the Oliver landfill Organics facility 2020 Public Works Business Plan.

Background:

In 2020 the Regional District received an \$800,000 grant through the Organics Infrastructure Program – Low Carbon Economy Leadership Fund to construct an Organics Facility to compost residential food and yard waste at the Oliver landfill. The Regional District was required to contribute 1/3 of the project cost.

At the September 2, 2021 Board meeting, the Board received a request to increase the Oliver Landfill Organics facility Infrastructure project by \$600,000.

Oliver Landfill Organics Facility Funding 2020/2021

| | | |
|---|----|------------------|
| Approved grant (66.7% of original Budget) | \$ | 800,400 |
| Funded from Reserve | \$ | 399,600 |
| Funded from Reserve (Increase) | \$ | 600,000 |
| Revised Budget | \$ | <u>1,800,000</u> |

Remaining capital budget after amendments \$329,224, remaining operating budget \$576,668.

Respectfully submitted:

J. Zaffino, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2922.01, 2021

A bylaw to amend the 2021-2025 Five Year Financial Plan Bylaw No. 2922 to authorize additional expenditures related to the Oliver Landfill Organics Facility Infrastructure.

WHEREAS the Regional District of Okanagan-Similkameen has adopted 2021-2025 Five Year Financial Plan Bylaw No. 2922, 2021;

AND WHEREAS Section 374 of the *Local Government Act* states the annual financial plan is to be adopted annually, by bylaw, prior to March 31;

AND WHEREAS Section 374(2) of the *Local Government Act* states that the annual financial plan may be amended by bylaw at any time;

AND WHEREAS it is deemed advisable and expedient that the Five Year Financial Plan now be amended;

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

1 CITATION

- 1.1 This Bylaw shall be cited as the “2021-2025 Five Year Financial Plan Amendment Bylaw No. 2922.01, 2021.”

2 INTERPRETATION

- 2.1 Schedule A of Bylaw No. 2922, 2021 is amended by an additional \$600,000 funded from the Oliver Landfill Capital Reserve Fund and expensed against the Organics Facility Infrastructure Project for the Gore Cover and water service.

READ A FIRST, SECOND, AND THIRD TIME this _____ day of _____, 20__

ADOPTED BY TWO-THIRD VOTE this _____ day of _____, 20__

RDOS Board Chair

Corporate Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2945, 2021

A bylaw to authorize the expenditure of monies from the Oliver Landfill Capital Reserve Fund for the Organics Facility Infrastructure.

WHEREAS Section 377 of the *Local Government Act*, and Section 189 of the *Community Charter* authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;

AND WHEREAS the Oliver Landfill Capital Reserve Fund' has sufficient monies available for landfill capital projects;

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

1 CITATION

- 1.1 This Bylaw shall be cited as the Oliver Landfill Capital Reserve Expenditure Bylaw No. 2945, 2021"

2 INTERPRETATION

- 2.1 The expenditure of an additional \$600,000 from the Oliver Landfill Capital Reserve Fund is hereby authorized toward the Organics Facility Infrastructure Project for the Gore Cover and water service.

READ A FIRST, SECOND, AND THIRD TIME this ____ day of ____, 20__

ADOPTED BY TWO-THIRD VOTE this ____ day of ____, 20__

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: Electoral Area “G” Cemetery Operations Contribution Service

Administrative Recommendation:

THAT Bylaw No. 2943, 2021, Electoral Area “G” Cemetery Operations Contribution Service Establishment Bylaw, be read a first, second and third time and forwarded to the Inspector of Municipalities for approval; and,

THAT upon approval by the Inspector of Municipalities, participating area approval for the adoption of Electoral Area “G” Cemetery Operations Contribution Service Establishment Bylaw No. 2943, 2021, be obtained from the electorate within Electoral Area “G” through an alternative approval process in accordance with the *Local Government Act*; and,

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2943 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday December 6, 2021; and,

THAT the elector response form attached to the report dated September 23, 2021 be the approved form for the Bylaw No. 2943 alternative approval process; and,

THAT the total number of eligible electors to which the alternative approval process applies is 1973; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 197.

Purpose:

To contribute funds toward the operation and maintenance of established cemeteries which operate in accordance with the BC *Cremation, Interment and Funeral Services Act*, in Electoral Area “G”.

Business Plan Objective:

Key Success Driver 3.0: Build a Sustainable Community.

Analysis:

The Director for Electoral Area “G” has expressed a desire to create a service that will allow funds to be contributed toward the operation and maintenance of established cemeteries in Electoral Area “G” in accordance with the *Cremation, Interment and Funeral Services Act*.

Electoral Area “G” currently contributes to the Keremeos Cemetery, as authorized by a Supplementary Letters Patent (SLP), up to a maximum of \$2000. By creating a new service through a service establishment bylaw, funds may be directed to all established and operating cemeteries created under the *Cremation, Interment and Funeral Services Act* within Electoral Area “G”.

The service will cost an average household in Electoral Area “G” \$2.62 per year, an increase of \$1.31 per year over what has been contributed annually to the Keremeos Cemetery under the SLP.

Elector Approval

Section 345 of the Local Government Act and Section 86 of the Community Charter outline the requirements of an Alternative Approval Process (AAP). The Board must establish a deadline for elector response forms, establish an elector response form, and determine the number of eligible electors in the service area.

Staff proposes advertising as follows:

| Newspaper | Ads published |
|------------------------|--|
| Similkameen Spotlight | Thursday October 28, 2021; Thursday November 4, 2021 |
| Penticton Western News | Wednesday November 3 , 2021 |

The deadline for elector response forms must be at least thirty days after the second publication date advertised; therefore, the deadline date will be Monday December 6, 2021.

By signing the alternative approval response form, an elector expresses their opposition to the matter being proposed by the Board of Directors. The Information Services department has determined the number of eligible electors within the service area to be 1973. If the number of elector response forms signed is less than 10% of the estimated eligible electors, the Board may consider adopting the bylaw. If the number of elector response forms signed is more than 10% of the estimated eligible electors, the bylaw would require elector assent through referendum.

Communication Strategy:

Staff will be developing a communication plan that includes, but is not limited to, the following public engagement initiatives:

1. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, the Regional District will also advertise the AAP on the RDOS Facebook and Twitter social media sites.

2. A data sheet containing the details of the bylaw and AAP process will be included on the Regional Connections AAP webpage, along with the required forms and bylaws.
3. The Province has developed a guide for local governments in BC on the alternative approval process. The guide, although created primarily for local government staff and elected officials, contains information which is an excellent resource for the public in helping to understand why an AAP is held instead of an Assent Vote (referendum). Staff has developed a more condensed guide geared specifically towards the public and a copy will be available on the AAP webpage.

Alternatives:

1. THAT the Board of Directors decline to give readings to Bylaw No. 2943.
2. THAT participating area approval be obtained by referendum.

Respectfully submitted:

"Gillian Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2943, 2021

A bylaw to establish a contribution service to provide for provision of funds for cemetery services in Electoral Area "G".

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen may, in accordance with the Local Government Act, operate a service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of Directors wishes to establish a service to contribute funds to the operation and maintenance of cemeteries within Electoral Area "G";

AND WHEREAS the approval of the electors was obtained for the service area by the alternative approval process, in accordance with the *Local Government Act*;

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

1 Citation

- 1.1 This Bylaw shall be cited as the Regional District of Okanagan-Similkameen Electoral Area "G" Cemetery Operations Contribution Service Establishment Bylaw No. 2943, 2021.

2 Service Establishment

- 2.1 The function of cemetery operation in Electoral Area "G" is established as the Electoral Area "G" Cemetery Operations Contribution Service.

3 Scope of Service

- 3.1 The service established by this bylaw is to contribute funds toward the operation and maintenance of established cemeteries in Electoral Area "G", operating in accordance with the *Cremation, Interment and Funeral Services Act*.

4 Participating Areas

- 4.1 The participating area is Electoral Area "G" of the Regional District of Okanagan-Similkameen.

5 Service Area Boundaries

- 5.1 The boundaries of the service area are the boundaries of Electoral Area “G” of the Regional District of Okanagan-Similkameen.

6 Methods of Cost Recovery

- 6.1 The annual costs of the Service shall be recovered by one or more of the following:
- a. property value taxes imposed in accordance with Division 3 [requisition and Tax Collection] of the *Local Government Act*;
 - b. parcel tax imposed in accordance with Division 3 of the *Local Government Act*;
 - c. fees and charges imposed under section 397 [imposition of fees and charges] of the *Local Government Act*.
 - d. revenues raised by other means authorized under a provincial enactment;
 - e. revenues received by way of agreement, enterprise, gift, grant or otherwise.

7 Limit

- 7.1 The maximum amount that may be requisitioned from Electoral Area “G” for the cost of the service shall not exceed \$4,080 or \$0.0127 per \$1,000 net taxable value of land and improvements in Electoral Area “G”.

READ A FIRST, SECOND, AND THIRD TIME this ____ day of ____, 20__

APPROVED by the Inspector of Municipalities this ____ day of ____, 20__

APPROVAL OF THE ELECTORATE through Alternative Approval Process this ____ day of ____, 20__

ADOPTED this ____ day of ____, 20__

RDOS Board Chair

Corporate Officer



ELECTORAL AREA “G” CEMETERY OPERATIONS CONTRIBUTION SERVICE ESTABLISHMENT BYLAW NO. 2843, 2021

Notice of Alternative Approval Process

NOTICE IS HEREBY GIVEN pursuant to Section 86 of the Community Charter that the Board of Directors of the Regional District of Okanagan-Similkameen seek the approval of the electors with the boundaries of Electoral Area “G” (Keremeos Rural/Hedley) for the adoption of Electoral Area “G” Cemetery Operations Contribution Service Establishment Bylaw No. 2943, 2021.

In general terms, the bylaw would establish a contribution service for provision of funds for cemetery services in Electoral Area “G”.

The alternative approval process applies to qualified electors within Electoral Area “G” (Keremeos Rural/Hedley).

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Electoral Area “G” Cemetery Operations Contribution Service Establishment Bylaw No. 2943, 2021 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within Electoral Area “G” indicate their opposition by signing the Elector Response Form.

The Regional District has estimated the total number of qualified electors in the service area to be 1973 and that 10% of that number, or 197 qualified electors, must submit signed Elector Response Forms to prevent the Regional District from adopting the bylaw without the full assent of the electors by referendum.

An elector response form must be in the form established by the Regional District. Elector Response Forms are available from the Regional District office, including by mail, fax, or email, on request or on the Regional District website at www.rdos.bc.ca.

The deadline for delivering the original signed Elector Response Form to the Regional District is 4:30 pm on Monday December 6, 2021.

The only persons entitled to sign an Elector Response Form are those who meet the following criteria:

Resident electors must:

- (a) be 18 years of age or older;
- (b) be a Canadian citizen;
- (c) be a resident of British Columbia, for at least 6 months;
- (d) be a resident of Electoral Area “G”; and
- (e) not be disqualified by an Provincial enactment, or otherwise disqualified by law, from voting in an election.

Non-Resident property electors must:

- (a) not be entitled to register as a resident elector of Electoral Area “G”;
- (b) be 18 years of age or older;
- (c) be a Canadian citizen;
- (d) be a resident of British Columbia, for at least 6 months;
- (e) be a registered owner of real property in Electoral Area “G” for at least 30 days;
- (f) not be disqualified by any Provincial enactment or otherwise disqualified by law, from voting in an election; and
- (g) only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

The bylaw is available for public inspection at the Regional District Office 101 Martin Street, Penticton, BC, weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m., or alternatively, on our website at www.rdos.bc.ca.

For more information on the alternative approval process please contact:

Christy Malden, Manager of Legislative Services
101 Martin Street, Penticton, BC V2A 5J9
250-490-4146 1-877-610-3737 [toll free]
cmalden@rdos.bc.ca



ELECTORAL AREA "G" CEMETERY OPERATIONS CONTRIBUTION SERVICE ESTABLISHMENT BYLAW NO. 2943, 2021 Elector Response Form

I am **OPPOSED** to the adoption of Electoral Area "G" Cemetery Operations Contribution Service Establishment Bylaw No. 2943, 2021, by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would establish a contribution service for provision of funds for cemetery services in Electoral Area "G", and

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian Citizen; and
- I have resided in British Columbia for at least six months; and
- I am a resident of the Electoral Area "G", OR I have been a registered owner of real property in Electoral Area "G" for at least 30 days; and
- I am not disqualified by law from voting in local elections; and
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to Bylaw No. 2943, 2021.

| |
|--|
| ELECTOR'S FULL NAME (print) |
| |
| RESIDENTIAL ADDRESS¹ (AND mailing address if different from residential address) |
| |
| SIGNATURE OF ELECTOR |
| |

See the reverse side of this form for further information regarding the petition process.

¹ Non-resident Property Electors must include the address of their property in order to establish their entitlement to sign the petition.



ELECTORAL AREA “G” CEMETERY OPERATIONS CONTRIBUTION SERVICE ESTABLISHMENT BYLAW NO. 2943, 2021 Elector Response Form

Pursuant to Section 269 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen is proposing to seek the assent of the electors of the Regional District by alternative approval process in accordance with Section 86 of the *Community Charter*. The question before the electors is whether they are opposed to the adoption of Electoral Area “G” Cemetery Operations Contribution Service Establishment Bylaw No. 2943, 2021, which, if adopted, will authorize the Regional Board to contribute funds for the operation and maintenance of established cemeteries within Electoral Area “G”.

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2943, 2021, you can sign an elector response form **if you qualify as an elector of the service area.**
 2. If you are NOT opposed to the adoption of the bylaw, you need do nothing.
 3. To sign an elector response form you MUST meet the qualifications as either a Resident Elector or a Non-Resident (Property) Elector of Electoral Area “G”. If you are unsure if you qualify, please contact the Regional District Office at 492-0237.
 4. Each Elector Response form may be signed by one elector of the Regional District.
-

1.

All Elector Response Forms must be received by the Regional District on or before 4:30 p.m. on **Monday December 6, 2021** to be considered.

No faxed or emailed elector response forms will be accepted; must be **original signatures**.

2.

The number of electors in the service area is estimated to be 1973. If ten (10%) percent [197 electors] of the estimated number of electors in the service area sign an elector response form in opposition to the adoption of the said bylaw, Regional District cannot adopt the bylaw without receiving the assent of the electors by referendum.

3.

For further information, contact:

Christy Malden
Manager of Legislative Services
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
250-490-4146
1-877-610-3737 [toll free]
cmalden@rdos.bc.ca

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: **MRDT Request – City of Penticton**

Administrative Recommendation:

THAT the Regional District provide a letter of support to the City of Penticton for their application to the Province of British Columbia to increase the 2% Municipal and Regional District Tax (MRDT) to 3%.

Reference:

- 2 September 2021 letter from Haddad to Newell

Background:

The Municipal and Regional District Tax (MRDT) was introduced in 1987 by the Provincial Government to provide funding for local tourism marketing, programs, and projects. The tax is intended to help grow BC revenues, visitation, and jobs, and amplify BC's tourism marketing efforts in an increasingly competitive marketplace.

The MRDT is an up-to three percent tax applied to sales of short-term accommodation provided in participating areas of British Columbia on behalf of municipalities, regional districts and eligible entities.

The MRDT is jointly administered by Ministry of Finance, Ministry of Tourism, Arts and Culture, and Destination BC.

To promote a coordinated and efficient use of funds, the following MRDT program principles have been adopted:

- Effective tourism marketing, programs, and projects
- Effective local-level stakeholder support and inter-community collaboration
- Coordinated and complementary marketing efforts to broader provincial marketing strategies and tactics
- Fiscal prudence and accountability.

September 2, 2021

Bill Newall
Chief Administrative Officer
Regional District of Okanagan Simikameen
101 Martin Street
Penticton, BC V2A 5J9

Re: Municipal and Regional District Tax Program (MRDT) Application

The City of Penticton, as the designated recipient of the Municipal and Regional District Tax (MRDT), have delegated the responsibility of administering MRDT funds to the Travel Penticton Society on behalf of our community. The City has partnered with Travel Penticton for the past five years and looking out into the next five years from 2022-2026, have been presented with a proposal by Travel Penticton to increase the MRDT from 2% to 3%.

Services provided with the 3% MRDT would be for the purpose of Destination Marketing and creation of a Convention Bureau, enhancing opportunities for hosting meetings, conferences and exhibitions in Penticton. Through extensive engagement with the tourism industry, Travel Penticton have received overwhelming support for this change from the local accommodators and hospitality industry.

At their meeting on August 17th, 2021 Penticton City Council provided support for this initiative being brought forward by Travel Penticton. The City believes that the creation of a Convention Bureau and continued Destination Marketing efforts to be undertaken by Travel Penticton over the coming years through the 3% MRDT proposal will lead the way to ensure the South Okanagan is a destination of choice for visitors and one that our entire community can be proud of.

As part of the MRDT Application, the City requires a letter of support from the RDOS Board as part of the new application for the 3% MRDT proposal, in order to meet the deadline for submission of September 30, 2021.

Should you have any questions or require any additional information I contact be contacted at (250) 490-2579, or would be happy to provide more information in person if required.

Sincerely,

A handwritten signature in blue ink, appearing to read "AH", is written over a light blue horizontal line.

Anthony Haddad
General Manager of Community Services



DESTINATION MARKETING STRATEGY

2022-2026

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Travel Penticton is a Member driven Destination Marketing Organization (DMO). Our current membership consists of accommodation properties within the City of Penticton, offering 4 or more units and collecting the Municipal Regional District Tax (MRDT) along with other tourism businesses, who pay an annual membership fee.

Introduction

Since it was first founded in December 2016, the Travel Penticton Society has been charged with the task of providing external marketing and awareness to potential travellers on a regional, provincial, national and international level. Travel Penticton promotes a collaborative funding model offering a balanced approach to Tourism Marketing utilizing;

- Digital & Social Media Platforms
- Print Mediums
- Media Development & Leveraging
- Event Support & Promotion
- Consumer Direct Shows
- Partnerships with local tourism service providers and attractions
- Destination development

By virtue of the surrounding topography, product mix and communities, Travel Penticton serves as a 'mini-regional' DMO assisting 3 distinct additional areas.



Travel Penticton works in cooperation with
the City of Penticton
Penticton Trade and Convention Centre
South Okanagan Events Centre
Penticton Chamber of Commerce
Downtown Penticton Association
Thompson Okanagan Tourism Association
Destination British Columbia

Vision & Mission

As outlined in our constitution and bylaws the purposes of the of the Travel Penticton Society are:

- to support and market the tourism destination of Penticton and surrounding area in a sustainable manner that strengthens the local economy, and enriches the quality of life;
- to advise, approve and implement the overall marketing direction and strategies on broad tourism issues affecting Penticton and surrounding area AND
- to seek funding opportunities and manage funding for the support and marketing of tourism in Penticton and surrounding area.

Society Mission

- Increase overnight visitation and occupancy rates for Penticton accommodation and local businesses.
- Increase the length of visitor stays and tourism revenue.
- Promote events, attractions and experiences to encourage visitation, with focus on the Spring, Fall and Winter seasons.
- Encourage excellence in tourism service and product providers and offer professional development opportunities to enhance tourism knowledge and skills.
- Work as a 'mini-regional' DMO to promote the areas of Apex Mountain Resort, Naramata and Okanagan Falls.

Guiding Principles of the Society

- Our businesses relationships are a model of trust and integrity.
- We strive for excellence and to continuously improve our effectiveness.
- We value and respect the opinions of our Members and strategic partners.



Vision

Travel Penticton will be recognized as
an industry-leading Community
Destination Marketing Organization.

Strategic Context

An in depth situational analysis is a critical step in our planning process, providing an objective foundation on which to build our strategies and tactics moving forward. While COVID-19 has obviously complicated these considerations, we must not lose sight of other external influencers, many of which remain beyond our control.

Current economic & tourism conditions



COVID-19 will continue to be a significant influence on tourism for the foreseeable future. A reasonable global recovery is predicted to take several years.

Future Growth of Regional Tourism

In a pre-pandemic British Columbia, the tourism economy was the third largest sector, representing 19,300 businesses, 161,000 employees and \$21.5 billion in revenue. While there is hope for the future, we must remain realistic regarding the growth of tourism in Penticton over the next 5 years.

Penticton has fared better than many other tourist destinations throughout the pandemic, seeing a lower than anticipated drop in room revenue of 16.8% drop in 2020. However, recent research indicates a global decline in traveller confidence, and a fourth wave in Fall 2021 will contribute to tourism instability expected to continue well into 2022.

Recovery to 2019 levels of travel is predicted to take between from 3 to 5 years and during this time Penticton will be facing significant competition from other regional, national and international destinations. As COVID restrictions lift, our focus will shift from local and regional travellers to key markets in BC and Alberta. Domestic travellers typically make up 90% of the visitors to Penticton and it makes sense to initially concentrate our efforts on these provincial market segments.

Travel Penticton will also endeavour to expand interest in Fall, Winter and Spring travel through support of events, the Okanagan Hockey School and specific traveller markets such as culinary or endurance sports. Collaborations with other DMOs, stakeholders and tourism partners will remain key to our success during the recovery period. The pooling of resources and marketing dollars will enable us to maximise our reach and coverage without over extending our budget.

Travel Penticton also plans to expedite the recovery of our tourism sector by maximising opportunities for our meetings, conference and event facilities through the creation and operation of a Convention Bureau. Working closely with the City of Penticton, Penticton Trade and Convention Centre, South Okanagan Events Centre, event organizers and private facilities, the Convention Bureau will provide a professional and coordinated response for meeting and event planners. This one-stop concierge style service will allow us to maximize the economic impact from each event by tailoring requirements and providing pre and post event offers to encourage extended stays and return visits.



Disasters can fundamentally change the social and economic makeup of impacted communities. The better a community can recognize these impacts, the better they are positioned to take actions that will spur a more rapid economic recovery.

BC Economic Development Association

Challenges & Opportunities

The SWOT analysis below highlights key factors about the area Travel Penticton serves. It covers themes that may influence or impact our marketing strategies and tactics over the next five years. While we remain aware of other provincial, national and even global influences, our focus remains on the tourism attractions, activities and service providers we are responsible for promoting.

Strengths

- Ambient weather during shoulder seasons
- Expanding culinary, wine and craft-beer scene
- Wide range of festivals and events that encourage multi-night stays throughout the year
- Recognized sports tourism destination
- Single, cohesive and recognized brand
- Excellent location - between 2 lakes, easy highway access
- Strong media and social media presence
- Compact region with easy access to a broad range of visitor attractions and outdoor adventure activities

Weaknesses

- Distinct seasonality with limited offerings for visitors during Spring, Fall and Winter seasons
- Lack of tourism industry staff impacting consistency and quality of product offerings
- Difficult path to purchase once visitors are in the region with no central system or process for booking or packaging
- Limited high-end/boutique accommodations to draw more affluent visitors
- Limited budget and resources compared with other regional DMOs

Opportunities

- Capacity to increase visitation in Spring, Fall & Winter seasons through increased marketing/incentives during these times
- Ability to differentiate Penticton as a unique destination based on integrated product offerings (Culinary, Fuel Free, Endurance, LGBTQ2+, Accessibility)
- Maximize Penticton's presence in the MICE sector through the operation of a Convention Bureau
- Enhance our profile and leverage our limited budget through strategic local and regional partnerships

Threats

- Underlying concerns of COVID-19 continuance & hangover
- Increased intensity and frequency of environmental impacts such as forest fires, high water or extreme weather
- Community capacity for visitors - fixed roof and camping accommodation in particular is declining
- Similar products and experiences are being offered by neighbouring DMOs
- Lack of affordable housing and high cost of living makes it difficult to attract and retain tourism industry staff

Key Learnings

Recovery from the COVID pandemic will be steady, rather than immediate and we need to remain focused yet flexible in our marketing activities. Travellers will initially seek out destinations they perceive to be safe and this needs to be reflected in our messaging. Travel Pentiction will continue to advocate for mutual respect between visitors and businesses with regard to COVID safety protocols into the foreseeable future, especially considering the Delta variant and navigating a fourth wave.

Competition over the next few years will be intense and we must be cautious not to be too reactionary in our approach. While package deals and other traveller incentives may seem a good way to stimulate interest we don't want to find ourselves over-discounting and devaluing our product offerings.

COVID forced many people to become more digitally reliant and visitors expectations are shifting accordingly. McKinsey recently noted the US experienced 10 years' growth in digital and e-commerce in the first three months of COVID alone. To remain competitive Travel Pentiction must continue our investment in digital marketing and encourage member participation through education and collaboration.

Historically the majority of our visitation has been heavily concentrated in July and August, but as the following table shows we are starting to see more dispersion into shoulder months, particularly March, May, June and September. We need to continue to release the pressure of 'The Big Summer Squeeze' and lengthen our tourism season rather than compressing eight months of business into two and a half months of the year. There is ample capacity for increased visitation in Fall and Spring as well as significant opportunity for growth over the Winter season (November - February).

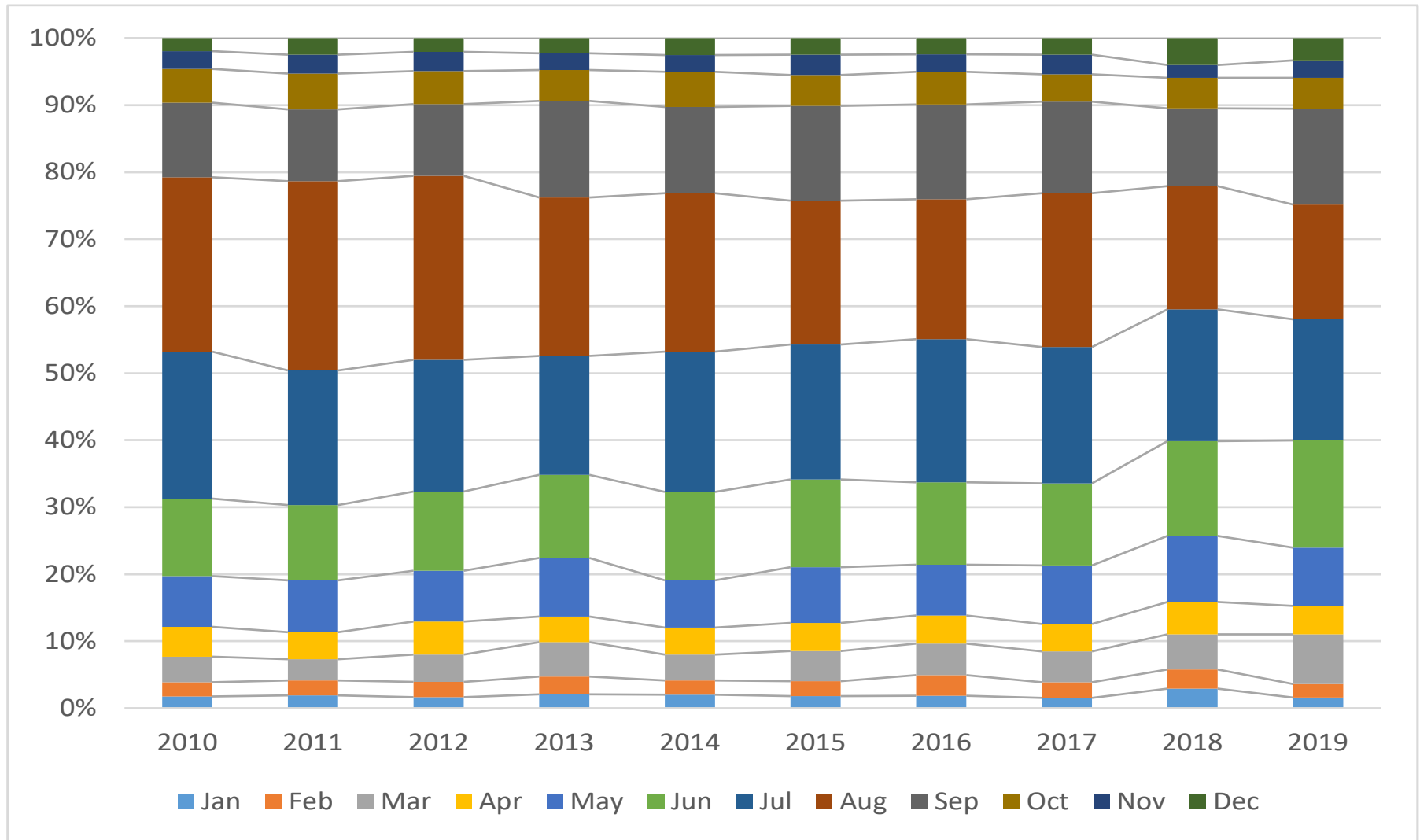
The immediacy of digital communication from both a consumer and media standpoint makes controlling or influencing sentiment extremely challenging. Our 'Real-Time' assets and messaging will continue to play a key role in counteracting less positive media coverage while addressing consumer concerns about issues such as forest fires, road closures or COVID safety.



**“We do not learn from experience....
we learn from reflecting on experience.”**

John Dewey

% of Annual Room Revenue for Penticton by Month



Overall Goals, Objectives & Targets

After conducting a thorough review of our past performance, accounting for the anomalies arising from the COVID-19 pandemic, Travel Penticton has set what we feel are solid achievable and measurable objectives for the next five years.

Primary Objectives

- Annual average room occupancy rates to return to highest pre-pandemic level of 58% by 2026.**
 Generating “Heads in Beds”/overnight stays is the ultimate goal of our marketing activities. MRDT collected will increase as we transition from 2 to 3%, so occupancy rates will be a much more telling measure of success within our tourism sector. Increasing over night stays, expanding shoulder seasons and investment in MICE will all contribute to increased occupancy.
- Earned media to reach a minimum potential audience of 100 million each year.**
 Earned media is a good way to track consumer interest in our region and indicates our destination development activities are effective, as media tends to be interested in what is new or innovative. Development and promotion of our foundational marketing campaigns (Fuel Free, Culinary, Endurance etc.) will be key to offering media new and innovative story ideas.
- Increase unique visitors to the VisitPenticton.com website by an average of 15% (currently 12.7%) per year from 2022-2026.**
 Our consumer website is the hub to which all of our consumer marketing is driven and increased site visits are a solid measure of the success of our marketing strategies. Increased visits are also a significant benefit to our members, driving more traffic to their business and event listings.
- Attract a minimum of one new large-scale event or conference to Penticton each year from 2022-2026.**
 The majority of meetings, conferences and events are held in the Spring and Fall which are currently need periods for accommodators and tourism operators. The per person spending is also generally greater than typical leisure travellers, which will provide an additional boost to the economic recovery of our tourism sector.

Room Occupancy

| | Penticton | | Thompson Okanagan* | |
|------|-----------|--------|--------------------|--------|
| 2017 | 57.8% | +4.3% | 61.9% | +5.3% |
| 2018 | 54.9% | -5.0% | 60.3% | -2.3% |
| 2019 | 51.9% | -5.5% | 60.7% | +0.7% |
| 2020 | 36.0% | -30.1% | 40.2% | -33.8% |

* average room rates from Penticton, Kelowna & Kamloops published by Destination BC and provided by CBRE Hotels and STR

Room Revenue (\$000)*

| | Penticton | | Thompson Okanagan | |
|------|-----------|--------|-------------------|--------|
| 2017 | 30,202 | +1.5% | 308,494 | +8.3% |
| 2018 | 31,920 | +5.7% | 312,469 | +1.3% |
| 2019 | 35,998 | +11.3% | 370,062 | +18.4% |
| 2020 | 27,776 | -22.8% | 246,310 | -33.4% |

* Provided by Stats BC and calculated from MRDT tax collected

Secondary Objectives

- **Align our occupancy and room revenue rates with regional averages by 2026.**

For the past 4 years, Penticton has been below the regional average in terms of occupancy and room revenue. Getting closer to the regional average will indicate that our product offerings are as enticing as other regional destinations. Our efforts to extend our visitor season should have a positive impact on annual averages. The addition of new accommodation facilities and renovation of existing properties will also contribute to an increase in occupancy and ADR.

- **Have our earned media for members and events reach a minimum potential audience of 40 million each every year.**

Earning direct media attention for our members and event organizers validates the return on investment made to attract and host media writers. Members will often volunteer time or offer subsidized rates to offset the overall cost of hosting media and we want to ensure that they are receiving recognition for their efforts through media mentions.

- **Maintain an average engagement on Facebook & Instagram of above 5% from 2022-2026**

Engagement is probably the most telling measure of successful social media marketing. An organization can have millions of followers, but if those followers are not actively engaged they are nothing more than a number. Since its inception, Travel Penticton has built up a loyal social media following and we need to remain focused on curating appealing and engaging content, including significant User Generated Content (UGC) gathered through our asset management solution, Crowdriff.

- **Increase Mobile Visitor Centre traffic by an average of 10% per year from 2022-2026.**

Traffic at our bricks and mortar Visitor Centres has declined by an average of 30% per year over the past 4 years and this is a trend across Canada. Our Mobile Visitor Centre allows us the flexibility to position our team at key high-traffic locations and events where they can engage directly with Visitors.



Objectives need to be SMART

Specific
Measurable
Attainable
Realistic
Time-related

Tracking Performance

Travel Penticton is diligent in tracking our performance on a monthly, quarterly and annual basis, as it helps us to:

- Better understand the needs of our tourism stakeholders
- Highlight areas that may need improvement
- Identify trends and plan/act accordingly
- Improve decision making

For the next five years we have identified more than 30 key performance indicators, which will be reviewed and updated on a monthly basis . Below is an overview of the measures pertaining to our primary and secondary objectives.

Room Occupancy & Room Revenue

Tracking method: Recorded monthly using data provided by STR and published on the Destination BC website. AirDNA is also used to monitor vacation rentals activity on a monthly basis.

Earned Media

Tracking method: Recorded weekly using a report from media monitoring agency, Agility PR.

The report provides an overview of articles relating to tourism in Penticton, based on key word searches. The data is transferred to excel and sub-divided into several categories: General Travel News, Event News, Member News, Visit South Okanagan News and Negative Sentiment.

Unique Website Visitors

Tracking method: Recorded monthly using data provided by Google Analytics.

Social Media Engagement

Tracking method: Recorded monthly using Hootsuite, which provides a performance overview for all of our social media channels and activity.

Mobile Visitor Centre Traffic

Tracking method: Recorded manually on a daily basis and input into Destination BC online tourism network report to generate a monthly overview.



“You can’t manage what you can’t measure.”

Peter Drucker

Affordable Housing Initiatives

The level of affordable housing within the City of Penticton is an issue often raised by tourism businesses, particularly those who employ lower income or seasonal workers. During the height of the tourist season many rental properties favour higher-yield, short-term rentals. The reduction of available monthly rental suites makes the labour shortage even more critical.

The 2020 Housing Needs Assessment for the Regional District of Okanagan Similkameen, highlighted the following:

- The need for affordable housing outweighs availability in Penticton.
- There is a need for more affordable rental units for the growing number of renter households in the City of Penticton.

2022 will be the first time that the City of Penticton have allocated OAP funds towards affordable housing. In recognition of low rental vacancy rates, increasing costs of housing and lack of ability for our tourism sector to find adequate full and part-time employees, the OAP funds will be directed to a newly created Affordable Housing Reserve fund to address the affordable housing crisis in our community. There will be a number of initiatives that the City will be working on in 2022 and will include:

- Creation of an Affordable Housing Reserve for OAP Funds
- Employee Housing Needs Analysis & Action Plan

We believe that the first step in moving forward with eventual projects is to clearly identify the need and be provided with recommendations on how to proceed over the coming years.

An implementation strategy will be one of the key deliverable of the project so that in 2023, our community can tangibly move toward responding to the housing crises, specific to the needs of the hospitality industry. In recognition of the short-term needs moving into 2022, the City will be looking to identify short-term solutions such as providing a portion of the OAP funds to accommodators to enable opportunities for employee housing on-site.



The City of Penticton Official Community Plan includes a goal to “increase housing affordability across the housing spectrum from subsidized, social housing to home-ownership options.”

Strategies - Marketing

Strategy 1: Celebrate the unique activities and experiences that Penticton is famous for

Penticton has been a popular destination for all types of visitors for well over 80 years. With our **ICONICS** approach messaging, we honour the city's deep roots of agriculture, craft culture, outdoor recreation and events, and use this blend of experiences to position Penticton as a destination to be visited multiple times within a year.

ICONICS will continue to be a main feature of our visitor website and a focus for garnering attention from travel media and at consumer shows. They will also feature heavily in any new digital asset creation. By their very nature ICONICS are timeless, but we may see a shift in the prominence of certain ICONICS in line with shifting markets and consumer trends.

ICONIC PENTICTON

- **Wine Country:** 80+ Wineries | Vineyards and Orchards within City boundaries
- **Craft Culture:** Breweries, Cideries, Distilleries | Penticton Farmers Market | Downtown Community Market
- **Indigenous Culture:** Home of the Syilx Okanagan nation peoples territory
- **Events:** 30 annual events | Sporting events, natural and cultural showcases
- **Location:** Hub of the South Okanagan | One of two cities in the world located between two lakes
- **'Float the Channel':** 7km river channel between Okanagan Lake and Skaha Lake | Must do activity every Summer
- **Beaches & Water Activities:** 15 acres of premium sandy beaches | Water skiing, wakeboarding, wake surfing & fishing | Canoe, kayak, stand-up paddle board
- **Kettle Valley Rail Trail:** Non-motorized trails connecting Naramata to OK Falls to Summerland | Walking, trail running, hiking, biking or horseback through vineyards overlooking the lake
- **Outdoor Recreation:** +350km of hiking, biking and trail running trails & world class rock climbing | Alpine & Nordic skiing, snowshoeing, pond hockey and fat biking



ICONICS are about answering the question:
What do we want to be famous for?
It's a powerful new way to package and
market our province through flagship
place brands and place making.

Destination BC

Strategies - Marketing

Strategy 2: Establish Penticton as a recognised vacation destination of choice in key markets (Vancouver/Lower Mainland, Calgary/Alberta, Washington/West Coast US)

Our aim is to continue to build a unique brand identity for Penticton & the South Okanagan. In the first half of our five year strategy we will work to develop our established foundational marketing campaigns:

- **Fuel Free (almost):** This unique campaign focuses on the convenience of available recreation and food & beverage facilities in Penticton, all accessible without the need for a vehicle. As well as encouraging health and wellness, Fuel Free (almost) promotes the importance of responsible and sustainable tourism.
- **Culinary/Daily Special:** Being blessed with such an abundant natural pantry, Penticton draws talented chefs from every corner of the globe. Daily Special is a celebration of this community. It is a picture of the Penticton food scene through the lens of locals, where members of the community give newcomers an authentic look at what it's like to eat, drink and enjoy Penticton.
- **Accessibility & Inclusion:** The main objective of this project is to develop experiences, products and locations that are accessible to people of all ages and abilities. This will allow us to confidently promote Penticton as an accessible and inclusive destination of choice.
- **Endurance:** Penticton has a long history of hosting major endurance events including Subaru IRONMAN Canada, Axel Merckx Granfondo and the Peach Classic Triathlon. This campaign aims to capitalize on this combined with our comfortable climate to encourage athletes to choose Penticton as an annual training ground with our 'Train Early, Train Late' messaging.
- **Visit South Okanagan:** This ongoing collaboration between the South Okanagan DMOs, Wine Regions and Destination BC, seeks to promote 'The Okanagan You Remember'. Enticing new and returning visitors to explore more of the diverse experiences the whole region has to offer.

While maintaining their own unique messaging, these elements will be integrated with and build on each other through complimentary themes, content and imagery. Focusing on these already curated programs will help facilitate a speedier recovery for regional tourism and give us a competitive edge over destinations with less market-ready experiences.



Strategies - Marketing

Strategy 3: Optimize the digital presence of Penticton with regard to travel and tourism

Our consumer website VisitPenticton.com, is the hub to which all of our consumer marketing is driven. Our goal is to draw visitors into something more experiential, rather than just informational. By offering rich stories, cultural insights and personal experiences about what Penticton has to offer, based on each consumer's specific interests, we hope to lengthen the time spent on site and experience an increase in conversions/referrals.

With regard to other social and digital marketing channels we will continue to utilize management solutions such as Hootsuite, Google Ads, Telus Insights and Constant Contact for efficient scheduling, distribution and performance measuring. Crowdriff will also play a key role in the curation of our digital assets including User Generated Content, which we have found extremely impactful for creating authentic marketing messages.

There has been a noticeable shift over the past several years away from traditional advertising mediums such as print, television and radio to digital platforms, which we intend to continue for selected initiatives.

Digital advertising is not only the most cost effective in terms of audience reach, it also offers several other advantages:

- It can be instantly updated to reflect current market conditions
- Messaging can be targeted to very specific geographic markets
- Launch of campaigns can be more easily controlled

Throughout our five year strategy, we plan to invest time and resources into reviewing emerging digital technology including Virtual and Augmented Reality. We will also consider technology, to support our "Real-Time" activations, which have proved extremely successful for crisis management during times of wildfires or high water. This may include installing web cams at Skaha Lake or key points on the KVR trail, which would be utilised to promote current conditions.



**62.9% of the population own a smartphone
and on average spend between
3.5 to 5 hours using it daily.**

TrekkSoft 2019

Strategies - Marketing

Strategy 4: Increase tourism revenues and overnight visitation

Generating 'heads in beds' is the ultimate goal of all our marketing activities and while Penticton's tourism sector remains heavily reliant on Summer visitors we are starting to see more dispersion into early Fall and late Spring. Whether this is due to or a result of the availability of more year-round visitor experiences is difficult to say, but it is definitely something we need to capitalize on.

The messaging and imagery for each of our foundational marketing campaigns will be modified to reflect the different seasons of year, as will the listings and information featured on our website. Our visitor guides and other consumer hand outs, such as trail and city maps will also be designed for year-round usage. By providing a broader range of options for visitors, regardless of the time of year, the more likely we are to encourage them to stay longer.

Within all our marketing strategies, consideration must be given to external influences that may directly effect travel to Penticton and the South Okanagan. Most relevant at the moment are:

Climate Change

Hot dry Summers, longer periods of drought, significant increase in wildfire activity, smoke, variable winters & snow conditions all impact traveller decisions.

Ongoing COVID-19 Pandemic

Although BC is a leader in vaccinations, many parts of the world are lagging behind or there is a growing resistance to vaccinations and vacc-passports. An anticipated fourth wave due to the Delta variant could still affect global travel well into 2022. The Covid 'hangover' will also be a challenge within the timeframe of our 5 Year Strategy.

Labour Shortages

The labour shortage in hospitality and tourism is at a critical level. Government programs designed to assist workers may have produced a negative impact on the number of available workers. Tourism businesses have been severely impacted by variable government restrictions and reduced capacity and operations.



The average annual occupancy rate for hotels/motels in Penticton is currently 55%.
There is ample capacity for increasing overnight stays, particularly during off-peak months.

Strategies - Destination Development

Strategy 1: Continual monitoring, learning and knowledge sharing of Tourism Industry developments

For our tourism sector to be successful and sustainable, we must be willing and able to adapt and change. The best way to do this is to keep well informed about developments within the industry and take advantage of the knowledge and experience shared by industry partners. Travel Penticton will continue to attend the annual TIABC Conference and other relevant tourism based conferences and seminars. We will also subscribe to relevant tourism groups such as the BCDMOA and TOTA to ensure we are receiving the very latest news and information regarding the tourism industry.

At local level we will remain actively involved with the City of Penticton Community Development, Chamber of Commerce and Downtown Penticton Association, seeking out sponsorship and partnership opportunities that will help elevate the profile of tourism.

Strategy 2: Ensure available tourism products meet or exceed the expectation of visitors

Positive consumer sentiment and promotion is an invaluable marketing tool, particularly in our digital age where positive or negative experiences are published immediately. Travel Penticton will develop a plan and schedule based on Member feedback and visitor sentiment to provide support and learning opportunities to help improve their products and services. This will include:

- Working in partnership with local writers and tourism industry businesses to create fresh new itineraries and content
- Providing workshops and training opportunities for tourism industry stakeholders focused on marketing and product development
- Actively encouraging members to claim their TripAdvisor and Google My Business Listing
- Hosting our annual TRUE Penticton Tourism Expo to showcase tourism businesses/activities for upcoming season



“It is not the strongest of the species that survives, not the most intelligent that survives. It is the one that is most adaptable to change.”

Charles Darwin

Strategies - Destination Development

Strategy 3: Change the consumer mindset that Penticton is just about “Peaches & Beaches”

Many visitors to Penticton have pre-conceived ideas of what to expect based on previous experience, or what they may have read or researched. We want to continue to surprise and delight visitors with everything Penticton has to offer today, so there needs to be continuity from the external branding and messaging to in-market delivery.

Our intention is to include in-market activations for our foundational marketing campaigns (Fuel Free, Culinary, Accessibility, Endurance), through the creation of branded assets which can be shared with our local tourism stakeholders. Encouraging tourism community participation will help increase brand awareness and create champions and ambassadors to drive the messaging and delivery of exceptional experiences to consumers.

Travel Penticton will also continue to forge positive relationships and partnerships with local media outlets, who play a very influential role in broadcasting positive consumer sentiment and elevating the profile of Penticton ICONICS and the tourism industry within the region.

Strategy 4: Build a robust and sustainable tourism industry within Penticton

Tourism in Penticton is the third largest contributor to the economy and a robust and sustainable tourism sector will contribute significantly to the City’s long term prosperity. Travel Penticton will continue to share knowledge and ideas with local tourism industry experts and advocate for the interests of tourism stakeholders regarding City developments that impact this sector.

If we hope to attract new accommodation and businesses willing to make a long-term commitment to Penticton’s tourism sector we must work in collaboration with the City of Penticton, Penticton Indian Band and other relevant interest groups on projects that will benefit our tourism sector including the Northern Gateway Development. Partnering with other regional DMOs , TOTA and Destination BC will also be key to ensuring a broad based approach.



**“Those who disrupt their industries
change consumer behaviour,
alter economics, and transform lives.”**

Heather Simmons

Strategies - Visitor Services

Strategy 1: Provide accurate and reliable information to assist visitors at all stages in their purchasing process

Consumers have a wealth of options when travelling and if they're not impressed with Penticton from the outset it's very easy for them to go elsewhere. Working closely with the City, members and tourism partners, we must strive to ensure a consumer's initial experience of Penticton is positive.

The same can be said for those considering relocation. Maintaining a healthy and diverse population is vital to Penticton's economic prosperity and we must constantly encourage new residents and investment. Providing accurate, engaging and informed advice about living and working in Penticton increases our viability and attractiveness as a relocation option.

Strategy 2: Offer a first class customer experience, both externally in the trip planning stages and while in market

One of our main objectives is to encourage excellence in tourism service. As well as providing timely and accurate responses to visitor requests we need to ensure staff and volunteers present and conduct themselves in a professional manner.

Visitor Centre staff and volunteers are often a first point of contact and their expertise and demeanour has a significant influence on a visitor's perception of our destination as a whole. Through standardized, relevant training, constant support and opportunities for improvement we can deliver a first class customer experience.

Strategy 3: Provide a range of service points to meet the needs of a broad visitor base

Competition for visitor dollars is fierce. If we want visitors to stay longer and experience more of what our region has to offer, we must seize every possible opportunity to meet or exceed their expectations. By operating and maintaining all Visitor Centre locations (Main, Peach Satellite, Airport, Mobile) at the same high standard we will leave visitors with a positive, lasting impression of Penticton as a destination that welcomes and appreciates their business.



Experiences are the best part of
travel for everyone.

'When it comes to family travel
experience beats expense.'

Expedia Group 2019

Strategies - Meetings, Incentives Conference & Exhibitions (MICE)

Strategy 1: Assist in the recovery of the MICE sector in Penticton

Penticton's MICE industry is important for a couple of key reasons:

- The majority of meetings, conferences and events are held in the Spring and Fall - times of the year when our hotels and motels have unused capacity.
- Meeting attendees, conference delegates, exhibitors and show attendees, often travelling for business have more latitude for expenses such as restaurant meals, spa services etc. and their spend per person, per day is generally greater than a typical leisure traveller.

Travel Penticton aims to expedite the recovery of our MICE market by serving as a central source of information and first point of contact for meeting and event planners interested in booking Penticton via our newly created Convention Bureau.

The first impression of a destination must be professional, coordinated and responsive or the planner will go no further - they simply will not take the risk. Planners are used to working with one person who develops an understanding of their event requirements and facilitates the gathering of information, suppliers and room blocks and rates. The Travel Penticton Convention Bureau will:

- Co-ordinate an annual MICE marketing strategy which brings all relevant players together to identify and collaborate on priority sales opportunities.
- Build awareness of Penticton as a preferred meetings and event destination in agreed target markets.
- Serve as the central source of information and first point of contact for meeting and event planners interested in booking Penticton.
- Lead a collaborative effort designed to maximise economic impact from each event and each delegate through co-ordination of pre and post off-site event locations and offers.



Penticton is fortunate to have the facilities to serve the MICE market already in place.
Penticton Trade and Convention Centre
South Okanagan Events Centre
Lakeside Resort & Conference Centre
Other large hotels with meeting capacity

Strategies - Meetings, Incentives Conference & Exhibitions (MICE)

Strategy 2: Ensure the survival and continued success of signature annual events

Penticton has a well established reputation when it comes to signature annual events. Peach Festival, Elvis Festival and the Pentastic Jazz Festival, to name a few, have built up a loyal following over the years and draw tens of thousands of visitors to the City.

Recognising the important role signature events have within our tourism sector, Travel Penticton has continued to provide assistance to support external marketing efforts. Our Event Funding program is very well received and always has a full complement of participants, which is encouraging considering many events are run by not-for-profit entities and volunteer boards working with limited budgets and resources.

Travel Penticton intends to re-initiate our Event Funding program for the three years to provide a much needed financial boost to help our signature events re-establish themselves in the marketplace and encourage the return of participants and audience members. In later years the program will become more focused on attracting and assisting new events, particular within the Fall, Spring and Winter months.

Our commitment to Subaru IRONMAN, as a globally recognized brand and important part of Penticton's legacy, will be given unique consideration. As well as highlighting the destination of Penticton on the world stage, IRONMAN will also play a pivotal role in the development of our Endurance (train early, train late) marketing campaign.



Hosting more than 40 annual signature events and festivals, Penticton is fast earning the reputation for being the Event Capital of Canada

Brand Positioning

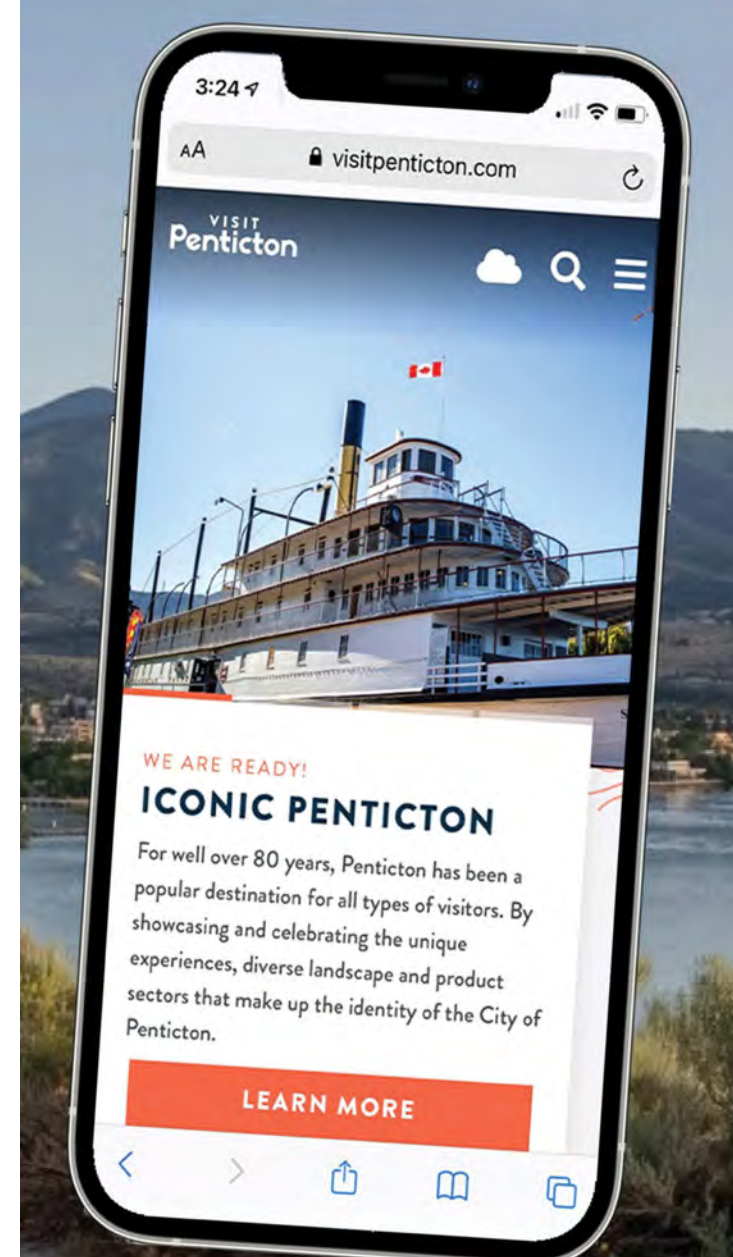
Consistency is key to maintaining and building brand equity. Travel Penticton will continue to strengthen the VISIT PENTICTON brand, through inclusion in all major print, social and digital media marketing campaigns.

The use of relevant tags (@visitpenticton) has also been key to ensure our brand messaging is consistent over all social platforms, in particular, increased User Generated Content (UGC) and cross-section sharing of digital assets and tags. We also strengthen our brand identity through sharing national and regional tourism tags (e.g. #explorecanada, #explorebc, #thompsonokanagan, #visitsouthokanagan).

As the main hub, potential visitors are driven to our VisitPenticton.com website. The site is continuously monitored to ensure the look remains fresh and content is updated and relevant for today's traveller. The site is optimized for mobile usage, which research shows is current the most predominant medium for travellers looking for information.

The Visit Penticton brand is carried through physical attributes such as backdrops, promotional tents, table covers, banners, flags and print collateral for use at various local events, consumer trade shows, media events, promotional programs and visitor information kiosks.

During the latter years of our five year strategy we may consider refreshing the look of the Visit Penticton brand to create a more informal or retro feel, aligned with our foundational marketing campaign brands - Visit South Okanagan, Fuel Free, Daily Special. The website address and social media tags will remain in order to protect the equity we have built up over the years.



VISIT Penticton

Target Markets - Geographic

To optimize our effectiveness in attracting new and returning visitors to our city post COVID-19, Travel Penticton will initially focus on those geographic regions which represent the origin of the highest percent of our visitors. As the graph shows 82% of our visitors come from within Canada, with Europe a distant second at 12%. It does not make sense to consider Europe in the early stages of recovery as the market is so broad and many countries are still subject to travel restrictions. It is likely the US will become the next available viable market, so this will be our secondary focus.

Primary Markets

- British Columbia - with a focus on Vancouver, Lower Mainland Area
- Alberta - with a focus on Calgary, Edmonton and Red Deer

Secondary Markets

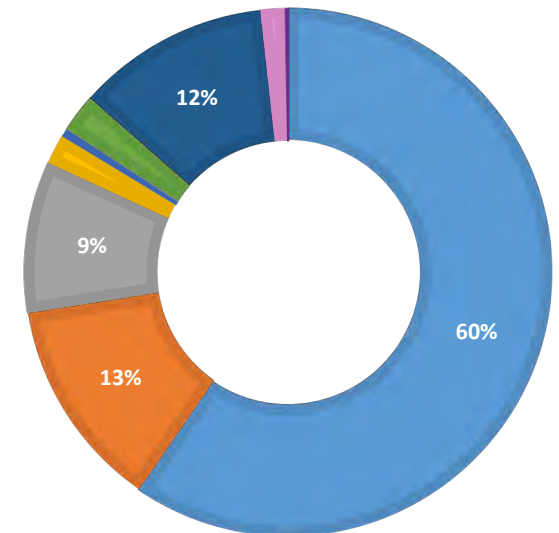
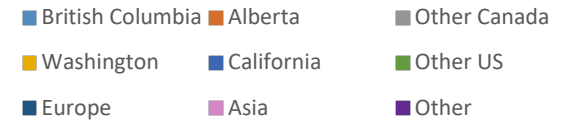
- United States - with a focus on Washington State, Hwy 97 corridor and West Coast

Marketing campaigns will be formulated to compliment each geographic market, perhaps highlighting proximity and safe travel within BC and Alberta and potential cost savings within US markets due to a favourable US/CDN dollar exchange rate.

We must also remain aware visitors from specific regions are more prevalent at certain times of the year. We experience a higher influx of BC and Alberta visitors throughout the Summer and those from other parts of Canada are more inclined to visit during the quieter seasons. The timing of our promotions will be adjusted with this in mind.

Promotion to Ontario will be considered and activated as COVID evolves and travel restrictions are eased and inter-provincial travel is more widely accepted.

PENTICTON VISITOR ORIGIN



Target Markets - Demographic

With a diverse product offering, temperate climate and innumerable recreation opportunities, it's safe to say Penticton really does have something for everyone. However, everyone has their own motivations and desires when it comes to travel. With our foundational and ICONICS marketing campaigns in mind, we need to ensure the overall messaging speaks to those most likely to be incited to action.

These target groups have been identified using Explorer Quotient (EQ) profiles.

ICONIC Penticton: Authentic Experiencers, Cultural Explorers, Free Spirits

Fuel Free (almost): Free Spirits, No-hassle Travellers, Rejuvenators

Culinary/Daily Special: Authentic Experiencers, Cultural Explorers, Free Spirits

Accessibility: No-hassle Travellers, Gentle Explorers, Rejuvenators

Endurance: Authentic Experiencers, Free Spirits, No-hassle Travellers

Visit South Okanagan: Cultural Explorers, Authentic Experiencers, Gentle Explorers

We will also consider each EQ profile contains subsets of Family's, Mature Travellers and Millennials, who will be more responsive to specific messaging at certain times of the year.

With schools being out, Summer is very much a time for family travellers who are typically more value conscious and seeking convenience over luxury. Spring and Fall are key times to target mature travellers and millennials who have more flexibility regarding travel dates and tend to be more incentivised by unique authentic experiences and opportunities for exploration.

Honing our marketing message toward specific demographic groups will help us to generate a greater dispersion of visitors throughout the entire year. This will benefit our tourism sector by offering businesses a steadier income flow, allowing them to remain operational and retain staff longer. This in turn translates to having more experiences available for those shoulder season visitors, building up Penticton's image as a year-round destination.



EQ breaks each geographic market down into psychographic groups called Explorer Types. Each type is identified by particular characteristics stemming from social and travel values, travel motivations and behaviors.
Canadian Tourism Commission

Management, Governance & Administration

Travel Penticton is responsible for, as a Service Provider, providing the strategy and direction for the dispersion of MRDT funds collected within the City of Penticton for external marketing initiatives. In accordance with the MRDT program requirements annual strategy plans, performance reports and budgets are provided to the City of Penticton, as the Designated Recipient, prior to being submitted to the Province for review and approval.

The Society also has Fee for Service Agreement with the City of Penticton pertaining to the delivery of Visitor Services. Quarterly and annual performance reports are presented to City Council and key staff from Finance and Economic Development.

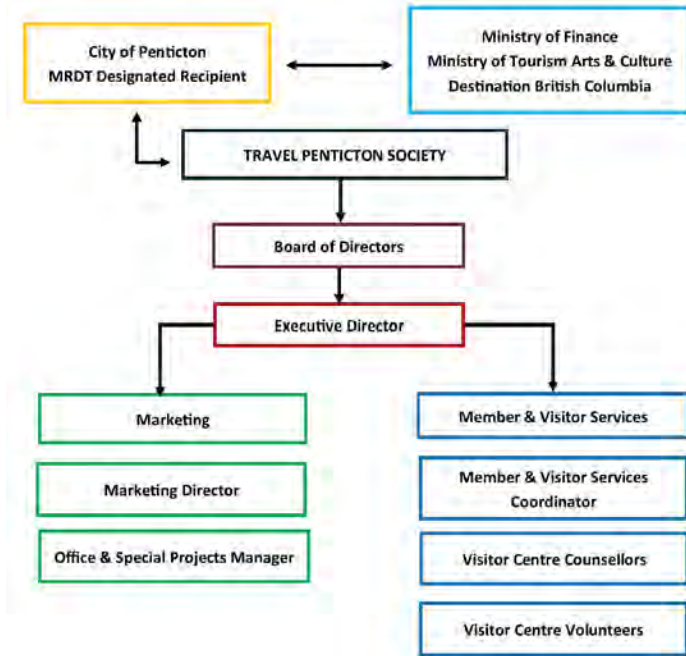
The Travel Penticton Society is a not-for-profit organization with a Board of Directors comprised of:

- 7 elected members representing accommodators collecting MRDT
- 6 elected members representing key tourism sectors
- 3 appointed representatives from key partner organizations (The City of Penticton, Penticton & Wine Country Chamber of Commerce, Penticton Indian Band)

The Board is responsible for the stewardship of the Society and approves, on an annual basis, a strategic plan and budget which takes into account the opportunities available to, and risks affecting the Society.

As a member based organization, Travel Penticton is also accountable to our Member tourism businesses and as such we operate in a manner that is consultative and collaborative. Travel Penticton values input for our Members and tourism partners to ensure the most profitable results.

A key goal of Travel Penticton moving forward is maintaining our alignment with our Members and tourism stakeholders as well as relevant regional, provincial and national tourism marketing entities and government ministries.



Travel Penticton is committed to producing results, engaging employees and building a creative and innovative work environment. Attracting and retaining talented and engaged personnel ensures the delivery of first-class services and the ultimate success of our tourism sector.

Sources of Funding

Travel Penticton operates under these main funding streams:

- **MRDT Revenue**
- **OAP Revenue** (retained by the City of Penticton for affordable housing initiatives)
- **A Fee for Service contract with the City of Penticton**
This is a five-year contract aligned with the MRDT application, which covers the operation and delivery of Visitor Services.
- **Travel Penticton Generated Funds**
This includes membership fees, marketing services provided to members, retail sales revenue and income from special projects.
- **Grants & Subsidies**
We will continue to actively pursue viable provincial, federal grant and subsidy opportunities and form co-operative alliances with TOTA, Destination BC, our members and other tourism partners in order to secure the best possible return for our marketing investments.



MRDT revenue represents approximately 55% of Travel Penticton's annual budget. We recognize and appreciate the vital role of accommodators and will provide continued support through our focus on extending our tourism season and increasing overnight stays.

TRAVEL Penticton

