

Lauri Feindell

Subject:

FW: OCP and Zoning Bylaw Amendment Referral (Project No. A2023.015-ZONE)

From: Teresa Anderson <tanderson@oib.ca>

Sent: May 1, 2024 9:07 AM

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

Cc: OIB-Referrals <referrals@oib.ca>

Subject: RE: OCP and Zoning Bylaw Amendment Referral (Project No. A2023.015-ZONE)

Some people who received this message don't often get email from tanderson@oib.ca. [Learn why this is important](#)

RE: 60 (sixty) day extension

Thank you for the above application. This email 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 Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 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. Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those

Please note that *not* receiving a response regarding a referral from the Osoyoos Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

We appreciate your co-operation.

Thank you,

Teresa Anderson
Referrals Coordinator



Osoyoos Indian Band
P: 250.498.3444 Ext. 3046
F: 250.498.6577
referrals@oib.ca
www.oib.ca/

Disclaimer

Lauri Feindell

Subject:

FW: OCP and Zoning Bylaw Amendment Referral (Project No. A2023.015-ZONE)

From: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>

Sent: April 3, 2024 1:47 PM

To: Colin Martin <cmartin@rdos.bc.ca>

Subject: RE: OCP and Zoning Bylaw Amendment Referral (Project No. A2023.015-ZONE)

You don't often get email from alc.referrals@gov.bc.ca. [Learn why this is important](#)

The ALC has no objection to the proposed boundary adjustment as it amounts to a subdivision along the ALR boundary, permitted by ALC Regulation.

Regards

Martin Collins, Regional Planner



Okanagan Indian Band

12420 Westside Road • Vernon, BC, • V1H 2A4

Telephone: 250-542-4328 • Facsimile 250-542-4990

Email: okibreferrals@okanagan.org

"This correspondence will not be construed so as to prejudice, limit, or derogate from any rights, claims or interests in respect of any Aboriginal title, rights and interests of Okanagan or Syilx Nation recognized and affirmed under Section 35 of the Constitution Act, 1982 and nothing in this letter indicates acceptance by Okanagan of federal or provincial Crown jurisdiction over or ownership of land, water or other resources within the Territory."

Project Name:

A2023.015-ZONE

FN Consultation ID:

Consulting Org Contact:

Chris Garrish

Consulting Organization:

[Regional District of Okanagan Similkameen](#)

Date Received:

Monday, April 29, 2024

Attention: Chris Garrish

The Territorial Stewardship Division would like to acknowledge receipt of the above referral. The Okanagan Indian Band ("OKIB") has conducted a desktop review of the project. The location of the project to which the referral relates is within Syilx (Okanagan Nation) territory, and may have impacts on Syilx Aboriginal Title and Rights, which OKIB holds as part of the Syilx. However, the project is located outside the OKIB's Area of Responsibility as a member of the Syilx. At this time, we defer to the Osoyoos Indian Band and Lower Similkameen Indian Band for a more in depth review. Please keep us informed of any updates or changes to the project as this may change our assessment and our view on the need for further consultation with OKIB.

liml?mt | Thank You

Julie Richard

Referrals Management Clerk

Territorial Stewardship Division

Okanagan Indian Band

12420 Westside Road

Vernon BC, V1H 2A4

Office: 250-542-7132

Cell: 250-309-5217



**DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION**

Your File #: A2023.015-
ZONE (Imperial
Wax)
eDAS File #: 2024-02724
Date: May 22, 2024

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Zoning Amendment Bylaw 2800.35 for:
Lot 639A, District Lot 2450s, SDYD, Plan KAP1950
601 – 6th Avenue, Osoyoos, BC**

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 Penticton Development Services at (250) 712-3660.

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

Subject:

FW: Public Hearing: 601-6th Avenue (May 23)

From: Janelle Taylor

Sent: May 23, 2024 7:25 AM

To: Colin Martin <cmartin@rdos.bc.ca>; Planning <planning@rdos.bc.ca>

Subject: Public Hearing: 601-6th Avenue (May 23)

Good Morning,

I am writing to provide feedback on the proposed land use changes to the property at 601-6th Avenue (legally described as Lot 639A, Plan KAP1950, District Lot 2450S, SDYD). I have environmental and hazard concerns.

A significant amount of soil has been deposited onto this property over the past 12 months. Slope stability is a concern. Has a professional report been completed in conjunction with this application to confirm that there are safe building areas?

While the subject property is not located directly adjacent to the lake, the significant deposited soil has great potential to affect the lots adjacent to the lake. What mechanisms does the RDOS have through this land use application (such as covenants or subjects to be considered prior to bylaw adoption) to protect the adjacent sanitary lift station for the Border Office, private properties and the lake?

It is my understanding that to subdivide a new parcel below one hectare in size it must be connected to a community sanitary system and a community water system, which is in compliance with the OBWB one-hectare policy. It is also my understanding that the subject property does not have access to community sewer and that a future subdivision of less than 1 hectare in size will not be supported.

<https://www.rdos.bc.ca/assets/PLANNING/AreaX/2019/008-ZONE/PDRReport1ha20190307.pdf>

I request that the RDOS, through this land use application, address the environmental and safety hazards that have been created on this property prior to adopting these bylaws. Please note that the file (A2023.015-ZONE) was incorrectly written on the Public Hearing Notice (A2024.15-ZONE).

Janelle Taylor