

Lauri Feindell

Subject: FW: Bylaw Referral - RDOS File No. E2023.005-ZONE - Zoning & OCP Amendments - 1238 Gawne Road, Naramata

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

Sent: May 18, 2023 4:43 PM

To: Shannon Duong <sduong@rdos.bc.ca>

Subject: RE: Bylaw Referral - RDOS File No. E2023.005-ZONE - Zoning & OCP Amendments - 1238 Gawne Road, Naramata

Shannon

It appears that the proposed bylaw amendments are of no concern to the ALC as no ALR non-farm use or subdivision is proposed within the ALR. However, it does appear that an ALC "inclusion" application is proposed.

I am not sure whether this inclusion application has been submitted, or is in process, however, nothing in this response binds, or compels the Commission from making any decision it sees fit.

Regards



Martin Collins,

Regional Planner | Agricultural Land Commission

201 – 4940 Canada Way, Burnaby, BC, V5G 4K6

T 604-953-6673 |

www.alc.gov.bc.ca

PROVINCIAL AGRICULTURAL LAND COMMISSION

If you are not the intended recipient of this e-mail and attachments please notify the sender by return e-mail and delete the e-mail and attachments immediately. This e-mail and attachments may be confidential and privileged. Confidentiality and privilege are not lost by this e-mail and attachments having been sent to the wrong person. Any use of this e-mail and attachments by an unintended recipient is prohibited.

Lauri Feindell

Subject: FW: RDOS File E2023.005-zone-1238 Gawne Rd

From: John Bilodeau
Sent: June 20, 2023 1:35 PM
To: Shannon Duong <sduong@rdos.bc.ca>
Subject: RDOS File E2023.005-zone-1238 Gawne Rd

Hi Shannon,
I'm not sure if you received this original email from June 14th so I am sending it to you again.

Please confirm that my opposition to this development application has been officially added to your file for RDOS board consideration.

Thank you
John Bilodeau

From: John Bilodeau <bilodeaujohn@mac.com>
Date: June 14, 2023 at 8:06:55 PM PDT
To: sduong@rdos.bc.a
Subject: Steve Creamer's Proposal

Hi Shannon,

This is a slippery slope and many of us want to see The Naramata Bench remain a green agricultural treasure.

I just participated in your on-line chat and I was shocked to listen to Steve Creamer making promises he has no intention and absolutely no ability to keep. I was also disappointed that you, as the mediator and someone who understands the situation did not step in to correct him.

Neighbours are being intentionally misled and lied to. Mr. Steve Creamer and Dominic do not have the authority or the power to make any promises about future development. To promise that there will "never ever, ever ever" be further development or to imply that they have some sort of "inside information" is nothing short of being dishonest.

Please mark me down as a big NO to this development. It is entirely motivated by greed. It does nothing to contribute in any way to the community or the quality of life to their neighbours on the Naramat Bench. It is simply a way to capitalize on the pristine agricultural land and provide unaffordable homes to part time wealthy home owners. People who will then get in, subdivide even further and move on when they have made their profits. Just like Steve is doing.

Please take a stand. A line must be drawn and enforced. The pristine, rolling, agricultural

hillsides is what attracted Steve and his wife to purchase their home on the Naramata Bench.
Please don't let them ruin it on their way out.

Thank you,
John Bilodeau

Lauri Feindell

Subject: FW: [External Email] - Bylaw Referral - RDOS File No. E2023.005-ZONE - Zoning & OCP Amendments - 1238 Gawne Road, Naramata

From: Pedersen, Cassidy <Cassidy.Pedersen@fortisbc.com>

Sent: May 17, 2023 1:24 PM

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

Subject: RE: [External Email] - Bylaw Referral - RDOS File No. E2023.005-ZONE - Zoning & OCP Amendments - 1238 Gawne Road, Naramata

Fortis Property Referral #2023-689

Hello,

Please be advised FortisBC Energy Inc. has no concerns as we have no gas in this area.

Thank you,

Shannon Duong
RDOS Planner II
via email

June 12, 2023

Dear Shannon;

Re: Rezoning Application 1238 Gawne Road, Area E

I am writing to voice my opposition to the above rezoning application involving 1238 Gawne Road.

While I appreciate the request to create 2 parcels from the existing 9.7 acre (with house) may make it easier for the owners to sell their home (which has been on the market for some months) I am very concerned about the continued erosion of Agriculture Land (ALR). Approval of this application would create a 4.5 ALR parcel that could be potentially house another two residences.

The rationale that, 'it used to be SH1 so there should be no problem for it to revert' negates the direction and spirit of the OCP which specifically supports the protection of ALR land.

I strongly urged the RDOS to deny this application.

Sincerely,
Stefanie
President, Naramata Society for Responsible Infrastructure

cc: A. Fedrigo, Area E Director

Stefanie Gale



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.:** E2023.005-ZONE

FROM: Name: Kim Hoath, Randall Hunter
(please print)

Street Address: Juniper Drive, Naramata

Date: May 28m 2023

RE: **Okanagan Valley Zoning Amendment Bylaw No. 2800.27, 2023**
Electoral Area "E" Official Community Plan Amendment Bylaw No. 2458.21, 2023
1238 Gawne Rd / 2280 Naramata Rd — Lot 2, District Lot 206, SDYD, Plan EPP109777

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do not support the proposed rezoning of the subject parcel.

Please provide any comments you wish the Board to consider.
Written submissions will be considered by the Regional District Board
prior to 1st reading of Amendment Bylaw Nos. 2800.27 & 2458.21, 2023

This is another example of filling in every vacant parcel of land in Naramata with another building. This simply is not sustainable. We do not have the traffic capacity to add more vehicles. ANY more development is out of bounds. Naramata simply cannot handle more building, development or vehicles. We are FULL. Enough already!!

Stop the madness and start saying NO, we have tipped the scales way to far as it is without catering to more developers here.

How are we to escape in an emergency with more and more vehicles filling the only way in OR out! This is not a game anymore, this is serious!!

Feedback Forms must be completed and returned to the Regional District prior to noon on the day of the applicable Regional District Board meeting.

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

Subject: FW: Bylaw Referral - RDOS File No. E2023.005-ZONE - Zoning & OCP Amendments - 1238 Gawne Road, Naramata
Attachments: Bylaw Referral Sheet - RDOS File No. E2023.005-ZONE.pdf

From: Naramata Fire Chief <NaramataFC@rdos.bc.ca>

Sent: May 17, 2023 12:40 PM

To: Shannon Duong <sduong@rdos.bc.ca>

Subject: RE: Bylaw Referral - RDOS File No. E2023.005-ZONE - Zoning & OCP Amendments - 1238 Gawne Road, Naramata

Hi Shannon,

This proposal doesn't affect our service.

Thanks 😊

Dennis Smith * Fire Chief

Naramata Fire Department

ph.250 496-5319, cell. 250-462-5023

naramatafc@rdos.bc.ca

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2800.27 & 2458.21, 2023

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Signature:  _____

Signed By: Dennis Smith _____

Agency: NARAMATA VFD _____

Title: Fire Chief _____

Date: May 16, 2023 _____



Bylaw Referral

Regional District of Okanagan-Similkameen

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

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

OFFICE USE ONLY	
Date:	May 17, 2023
Bylaws:	2800.27 & 2458.21
File:	E2023.005-ZONE

You are requested to comment on the attached bylaw for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

Please email your reply to planning@rdos.bc.ca by **June 16, 2023**.

PURPOSE OF THE BYLAWS: The applicant is seeking to amend the zoning of their property in order to facilitate a two-lot subdivision. Specifically, it is being proposed to:

- amend the land use designation of an approximately 1.76 ha portion of the property under the Electoral Area 'E' Official Community Plan (OCP) Bylaw No. 2458, 2008, from Agriculture (AG) to Small Holdings (SH);
- amend the zoning of an approximately 3.87 ha portion of the property under the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Agriculture One (AG1) to part Agriculture One Site Specific (AG1s) for an approximately 2.11 ha portion of the property and part Small Holdings Three (SH3) for an approximately 1.76 ha portion of the project; and,
- amend the zoning of an approximately 0.06 ha portion of the property under the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Small Holdings One (SH1) to Small Holdings Three (SH3).

LEGAL DESCRIPTION: Lot 2, District Lot 206, SDYD, Plan EPP109777

CIVIC ADDRESS: 1238 Gawne Road

PID: 031-745-881

AREA OF PROPERTY AFFECTED:	ALR STATUS:	OCP DESIGNATION:	ZONING DISTRICT:
3.93 ha	Yes	Agriculture (AG)	Agriculture One (AG1)

OTHER INFORMATION:

The subject property is currently the subject of an active subdivision application (RDOS File No. E2023.002-SUB; MoTI File No. 2023-00270), which requests to subdivide the parcel into one lot of approximately 2.11 ha and one lot of approximately 1.82 ha.

The property is partially within the Agricultural Land Reserve (ALR), with the proposed 2.11 ha lot being partially comprised of ALR lands.

The property owner also have an active Agricultural Land Commission (ALC) application (ALC Application ID 67947) which proposes to include approximately 0.9 ha of land within the proposed 2.11 ha lot into the ALR. If approved by the ALC, the proposed 2.11 ha lot would be wholly within the ALR, and the proposed two-lot subdivision would occur along the resultant ALR boundary.

The property is subject to an Environmentally Sensitive Development Permit (ESDP) Area, which predominantly impacts the proposed 1.82 ha lot.

BC Assessment has classified the land as part Residential (Class 01) and part Farm (Class 09).

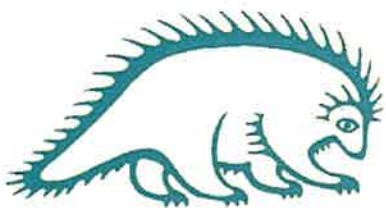
Additional information can be found at the following location: [E2023.005-ZONE | RDOS](#)

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected" no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this bylaw.


Shannon Duong, Planner II

Agency Referral List

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Agricultural Land Commission (ALC) | <input checked="" type="checkbox"/> Ministry of Agriculture and Food | <input checked="" type="checkbox"/> Interior Health Authority (IHA) |
| <input checked="" type="checkbox"/> Fortis BC | <input checked="" type="checkbox"/> Ministry of Transportation & Infrastructure (MoTI) | <input checked="" type="checkbox"/> Naramata Volunteer Fire Department |
| <input checked="" type="checkbox"/> School District #67 | | |



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:

E2023.005-ZONE: OCP & Zoning Amendments - 1238 Gawne Rd

FN Consultation ID:

Consulting Org Contact:

Chris Garrish

Consulting Organization:

[Regional District of Okanagan Similkameen](#)

Date Received:

Wednesday, May 31, 2023

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 Penticton 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



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.:** E2023.005-ZONE

FROM: Name: John Palmer
(please print)

Street Address: Gawne Rd. Naramata

Date: June 28/2023

RE: **Okanagan Valley Zoning Amendment Bylaw No. 2800.27, 2023**
Electoral Area "E" Official Community Plan Amendment Bylaw No. 2458.21, 2023
1238 Gawne Rd / 2280 Naramata Rd — Lot 2, District Lot 206, SDYD, Plan EPP109777

My comments / concerns are:

I do support the proposed rezoning of the subject parcel.

I do not support the proposed rezoning of the subject parcel.

Please provide any comments you wish the Board to consider.
Written submissions will be considered by the Regional District Board
prior to 1st reading of Amendment Bylaw Nos. 2800.27 & 2458.21, 2023

I first moved to Naramata in 1962 and have resided at 1109 Gawne Rd. for 23 years and I have watched the loss of agricultural land to development.

~~First off we don't need any more people having to access Gawne Rd. because living at the bottom of the hill I see far too many cars, trucks with trailers, tow trucks etc sliding down the hill everytime it snows.~~

~~Secondly, I don't believe in breaking up land in the ALR into smaller parcels which allows more development (homes) on this very important agricultural land.~~

~~Thirdly, Naramata is now on the world map as a wine growing area and its important to keep these lands as large as possible to grow grapes and not lost forever to driveways and houses.~~

Feedback Forms must be completed and returned to the Regional District prior to noon on the day of the applicable Regional District Board meeting.

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.



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:

E2023.005-ZONE: OCP & Zoning Amendments - 1238 Gawne Rd

FN Consultation ID:

L-230622

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan Similkameen

Date Received:

Wednesday, May 31, 2023

File number:

L-230622

June 22, 2023

WITHOUT PREJUDICE

Attention: Planning RDOS and

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-230622

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. Mail payment to ATTN: Maryssa Bonneau, Penticton Indian Band Natural Resources Department 841 Westhills Drive, Penticton, British Columbia, Canada V2A 0E8. Please include this letter when sending.

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.

lmlømt,

Madison Terbasket
Interim Referrals Coordinator
Penticton Indian Band
Natural Resources
email: mterbasket@pib.ca
office: (250) 492-0411
cell: 250-499-1340
address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8



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:

E2023.005-ZONE: OCP & Zoning Amendments - 1238 Gawne Rd

FN Consultation ID:

L-230622

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan Similkameen

Date Received:

Wednesday, May 31, 2023

June 22, 2023

WITHOUT PREJUDICE

Attention: Planning RDOS

File number: L-230622

RE: 40 (forty) day extension

Thank you for the above application that was received on 2023-05-31T00:00:00.

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.

liml̓amt,

Madison Terbasket
Interim Referrals Coordinator
Penticton Indian Band
Natural Resources
email: mterbasket@pib.ca
office: (250) 492-0411
cell: 250-499-1340

address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8

To: The management and planning Department of the RDOS

Re: Rezoning Application for 1238 GAWNE Road Project Number E23.005-ZONE

From: Robert Pipars, Concerned grape grower and close neighbour

Applicant : Dominic Unsworth (agent)

Purpose: To amend zoning and OCP designation

Attention Management and Planning For RDOS,

Please consider this request to deny this application for rezoning of this property.

I am an agricultural landowner and commercial grape grower in Naramata . I would like to see all Agricultural land in our area remain intact for grape growing in perpetuity.

Presently, the owner of this 9.7 acre tract mostly non ALR and Ag1 land zoned commercial vineyard is seeking your approval to establish a smaller (5.2 acre) agricultural property and a separate SH3 zoning for the remaining 4.5 acres, some of which is currently used to grow grapes. The agricultural footprint will actually decrease if this change is allowed and later development occurs. Possibly, the number of primary residences and related buildings could be doubled with the allowance of two land titles, instead of the present single Agricultural title and a portion of the driveway titled SH1. My major concern is the precedent that will be established , allowing other land owners to reduce the size of their agricultural but Non ALR properties.

The urban component of Naramata is rapidly increasing. Let us maintain the agricultural land that we have , rather than diminish the remaining supply with rezoning.

We are becoming known for Agritourism, which is unique and depends upon our wineries and the land that provides them with the local grapes. A lot fo effort went into achieving the Naramata Bench Sub GI designation. Our area is now recognized as being special and unique. Collectively, we must keep it intact for agricultural posterity and continued success. This is the basis of our local economy.

Please consider preserving the rural aspect of the Naramata Bench.

Thank you.

Sincerely

Bob Pipars

RECEIVED
Regional District

MAY 16 2023

101 Martin Street
Penticton BC V2A 5J9

Clarification and Implications of this Rezoning Proposal.

This entire 9.7 acre property is zoned AG1, all non-ALR except for the lower 3 acres just above Naramata Road.

Prior to the consolidation of this property in 2006, a 2004 RDOS map shows this property as Crown Land, indicated as "Agricultural" in the ZONING DESIGNATION.

The tract of CROWN LAND below the KVR was purchased by 2 local residents who then divided it between 2 adjacent properties, making it what it is today. The Crown Land was combined with the Agricultural property on Naramata Road to form one continuous property of 9.7 acres from Naramata Rd. right up to the KVR boundary with access from Naramata Road. Grapes were planted and a vineyard was born. The vineyard was put up for sale and then purchased by the present owner. A year or 2 later, a right of way access to the property was excavated at the lower border of the 1236 Gawne Road property. A driveway was built to allow access to the top of this property which is now designated as 1238 Gawne Road.

This access facilitated the construction of the large residential and accessory buildings at the upper level of this property, near the KVR right of way. The SH1 zoned driveway (from the 1236) was legally acquired in the past year. It is the only portion of this land to ever have an SH1 designation. All else = Agricultural.

The proactive petition that the owner had some NARAMATA residents sign should be considered invalid since the information was incorrect and misleading. The upper 4.5 acres of this subdivision would definitely not be "reverting" back to an SH zoning "like the other homes".

The owners' summary also says "only a portion of the vineyard is currently protected by the ALR". Why does the ALR have to protect the status of the property? So that the owner can't have it changed?

Including a small portion of already zoned AG 1 land into the ALR is a distraction from the real issue of this proposal. Why not submit the entire 9.7 acres of AG 1 into the ALR? Why does the top 4.5 acre portion require SH3 zoning?

Also, the property tax on agricultural land is generally reasonable. The tax on a 4.5 acre parcel with expensive buildings on SH zoned land is going to be much more costly than the present tax on the entire property. This brings up an interesting consideration.

4.5 acres is 1.82 hectares. The minimum lot size for SH3 zoning is 1.0 hectare. If a rezoning is granted, could a future property owner subdivide this 1.82 hectare plot into 2 0.91 ha lots? 0.91 is so close to the minimum requirement that a variance allowing approval in the future might be possible.

That would greatly reduce the property tax and put that vacant, rocky land in the upper right hand corner to good use with another residence or two.

Back to agriculture — the owners summary says that "the entire vineyard portion (5.2 acres) would be included into the ALR". There is no mention of the 1 1/2 acres of commercial grapes growing on the upper 4.5 acres to be rezoned to SH3. This seems to have been ignored and would not be a commercially viable vineyard on its own.

The lower 5.2 acres, which is considered the "entire vineyard portion" has about 4 1/2 acres of mature grapes in commercial production. The "home plate" area just above Naramata Road is devoid of grapes and this is 10% of the 5.2 acres. As a separate title, a few more buildings will be allowed on this property. This would again reduce the agricultural footprint. The first choice of a primary residence location will not likely be the the noisy, busy, Naramata Road existing access area but higher up on the hill, near the upper boundary where is best view is, looking down over the property and the lake. Access may have to be up the southern border of the property, eliminating a row of grapes. Or, could a right of way / easement to use the present 1238 Gawne Rd. driveway for access be negotiated? The original 1238 driveway could be shared as is the one at 2440 and 2448 Gammon Road for that 2 house subdivision.

Regardless, the additional buildings allowed on this separate title would reduce the agricultural footprint of this commercial vineyard property. Also, the safety of any increased traffic coming out of the 1238 driveway at the apex of a very busy blind corner is another issue that may have to be addressed.

I have ^{two} suggestions for the RDOS management to consider. Allow only individual submissions concerning rezoning rather than petitions that just have to be signed and submitted by the individual presenting the petition that they created. People can generally easily be convinced to sign something. Individual submissions require consideration, commitment, and effort, reflecting the intent of that person signing their own letter. This is more transparent than signing a petition prepared by someone with a vested interest in the rezoning application.

The last consideration relates to a Nov. 12 2020 file managed by Jo Ann Peachy, one of the RDOS ^{PLANNER} ~~planning~~ staff. This case concerned a property that was located outside of the ALR but zoned A1 and the owner wanted to use it for other purposes. Two B.C. Ministry of Agriculture Agrologists responded to this application at Jo Ann's request, by saying "Given the A1 zoning, the likelihood of good agricultural capability and to prevent further erosion of the agricultural products due to non-farm uses into the future, we suggest that the Regional District consider requesting the Agricultural Land Reserve Commission include (this property) into the ALR. Alison Fox P. Ag. Christina Forbes P. Ag. Kelowna

If we are going to "protect" the 5.2 acres, let's "protect" them.
Thank you, BOB PIPARS

29 June 2023

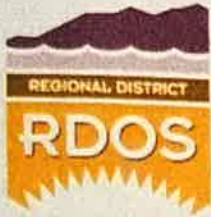
To: Shannon Duong, RDOS, Planner II and Adrienne Fedrigo, Electoral Area "E" Representative

We oppose this subdivision proposal for the following reasons.

- 1) According to input that I received from RDOS Planning, this property has retained variations of agricultural zonings since the introduction of zoning to the area in the early 70's. Both proposed parcels are currently being farmed as a commercial vineyard. This proposed subdivision will reduce the agricultural footprint and the range of agriculture by allowing the addition of a new dwelling and secondary dwelling on proposed lot A. There would also be development of further parking areas, garages, driveways, accessory buildings and structures. This will effectively double the residential density within the current agriculturally-farmed property.
- 2) Should this subdivision be approved, it can be expected that a future easement over the current panhandle driveway access to 1238 Gawne Rd would be granted to the owner of the newly-subdivided Lot A. For the same reasons the applicants had when they previously created the this panhandle, this would allow the owner of Lot A a short, direct access from Gawne Rd instead of via Naramata Road. This will provide Lot A direct access to a preferable building site higher up on the lot farther away from the growing traffic noise of Naramata Road and offering superior lake and mountain views. In fact, a new home, secondary dwelling and accessory buildings would likely be built directly in front of our family home, replacing the grape vines currently growing on Lot A. This will result in more residential development, less agriculture, and significantly more traffic up and down Gawne Road.
- 3) This rezoning application, if approved, would create a precedent and incentive for further subdivisions of similar properties in Naramata and will contribute to the increase in cost of agricultural land in Naramata.
- 4) The Naramata Bench is recognized as a "sub Geographical area" for grape growing. All efforts should be made to preserve the limited land available to make wine from our unique area.
- 5) The agricultural quality and identity of the Naramata Bench attracts growing tourism. Increasing residential density at the expense of agricultural activity should be avoided.
- 6) We have an obligation to uphold the principles of the ALR. We should not enable a reduction of agricultural land. Nor should we allow the escalation of agricultural land costs by expanding residential development on agricultural land.
- 7) Furthermore, the Supporting Rationale in the application is misleading. It states that 1238 Gawne Road had Small Holdings zoning designation prior to 2005. To my knowledge, the approved boundary adjustments/consolidation of this property in 2007 concerned the portion to the east of 2280 Naramata Rd, adjacent to the KVR, which was Crown Land, not SH-zoned. If this is correct, the premise of the applicant's claim is misleading; it leads one to believe that the property used to be zoned SH and implies that their application is asking to revert the property back to a previous status. I have asked the RDOS Planning Department for confirmation, who have indicated to me that they seek to clarify this. So far, I have received no evidence supporting the applicant's claim.

Thank you for your consideration of our feedback.

Jeff and Barbara Queen, 1234 Gawne Rd



Feedback Form

Regional District of Okanagan Similkameen

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

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

OKANAGAN-SIMILKAMEEN

TO: Regional District of Okanagan Similkameen **FILE NO.:** E2023.005-ZONE

FROM: Name: Brad + Lynda Rozander
(please print)

Street Address: [redacted] Naramata Rd

Date: June 14/23

RE: Okanagan Valley Zoning Amendment Bylaw No. 2800.27, 2023
Electoral Area "E" Official Community Plan Amendment Bylaw No. 2458.21, 2023
1238 Gawne Rd / 2280 Naramata Rd — Lot 2, District Lot 206, SDYD, Plan EPP109777

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do not support the proposed rezoning of the subject parcel.

Please provide any comments you wish the Board to consider.
Written submissions will be considered by the Regional District Board
prior to 1st reading of Amendment Bylaw Nos. 2800.27 & 2458.21, 2023

We do not support the subdivision for the following reasons. With this proposal, the applicant is seeking to reduce the agricultural portion of land. Our concern + opposition to this application is due to the fact that if it goes through, there will be less agricultural land due to the addition of new dwellings. The impact will also be made larger with the development of parking areas, garages + driveways. This land has retained agricultural zoning for many decades. Agricultural land is essential to the Naramata Community so this land should continue to maintain the agricultural status + continue being used in such a way. Also, after hearing of the changes the applicant has filed, we would like our previous letter of support (Feb 21/23) to be retracted.

Feedback Forms must be completed and returned to the Regional District prior to noon on the day of the applicable Regional District Board meeting.

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.

June 12, 2023

RDOS

Attn: Shannon Duong, Planner II

Re: Rezoning Application for 1238 Gawne Road, E23.005-ZONE
Zoning and OCP Bylaw Amendment
Public information June 14th, 2023

We are concerned about the referenced application and oppose the rezoning application as well as the amendments requested to the OCP from Agriculture (AG) to part AG and part small holdings (SH).

Agricultural land, or environmentally sensitive land, should not be densified, to SH3 zoning. We need to preserve agricultural land, even where the land is not part of the ALR. What is the end result of allowing this zoning change? It would allow two additional building sites (+ carriage house on each), potentially where the land is currently being used for agricultural purposes (a vineyard). Further building could also interfere with stability of the soil and erosion concerns, that could create problems for neighbor's on adjoining agricultural land. In addition, the current building site on this land required thousands of truckloads of soil/gravel brought in to an environmentally sensitive area in order to create a septic system. Imagine if this is required on several other properties?

It is unclear if this property was previously SH1 zoning as stated by the applicant, was it not Crown land? Whatever the previous zoning was, should have no bearing on the current state of the land or rationale to revise the zoning. If the RDOS allows this zoning revision, it could set a precedent for other property owners to bring application forward to densify this agricultural area, that we need to preserve.

The Naramata Bench is a culmination of co-existing opportunities resulting in a one-of-a-kind, world class agricultural, tourism and recreation corridor, combining exceptional opportunities for wine growing, wildlife corridors, outdoor recreation, and scenic views. It can therefore be concluded that the Naramata Bench farming community makes a very large economic contribution to the RDOS Electoral Area E, the City of Penticton and the Provincial Government. If this very valuable resource is destroyed or threatened, it could detrimentally and severely affect our area and the province as many visitors will not want to spend their valuable dollars in sight of a higher density housing.

Thank you for allowing our submission.

Gjoa Taylor
Director of Society for Preservation of the Naramata Bench



preservenaramatabench.com

cc: Adrienne Fedrigo, Board Representative Electoral Area E



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.:** E2023.005-ZONE

FROM: Name: Elizabeth van Heerden
(please print)

Street Address: Steel Rd, Naramata, BC V0H 1N1

Date: June 16, 2023

RE: **Okanagan Valley Zoning Amendment Bylaw No. 2800.27, 2023**
Electoral Area "E" Official Community Plan Amendment Bylaw No. 2458.21, 2023
1238 Gawne Rd / 2280 Naramata Rd — Lot 2, District Lot 206, SDYD, Plan EPP109777

My comments / concerns are:

I do support the proposed rezoning of the subject parcel.

I do not support the proposed rezoning of the subject parcel.

Please provide any comments you wish the Board to consider.
Written submissions will be considered by the Regional District Board
prior to 1st reading of Amendment Bylaw Nos. 2800.27 & 2458.21, 2023

I cannot find any good motivation in the rationale of the applicant that this subdivision request should even be considered. As example: The existing lot already has street access from both Gawne Rd and Naramata Rd – the motivation for creating two lots does not seem to change anything and the applicant offers contradicting statements - so does the majority of the deemed advantages mentioned in this application.

The only reason I believe this request is made is to create the path forward for a subsequent owner to eventually erect the maximum of buildings on these two lots, or to apply for further deviation to create a new subdivision.

This application goes against the intent of the sub-regions' growth strategy as well as the existing Area E Official Community Plan (and even more so in the new draft OCP) to preserve agriculture and contain growth within the designated growth boundaries.



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.:** E2023.005-ZONE

FROM: Name: Schalk van Heerden
(please print)

Street Address: Steele Rd, Naramata

Date: June 16th, 2023

RE: **Okanagan Valley Zoning Amendment Bylaw No. 2800.27, 2023**
Electoral Area "E" Official Community Plan Amendment Bylaw No. 2458.21, 2023
1238 Gawne Rd / 2280 Naramata Rd—Lot 2. District Lot 206. SDYD, Plan EPP109777

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
 I do not support the proposed rezoning of the subject parcel.

Please provide any comments you wish the Board to consider.
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prior to 1st reading of Amendment Bylaw Nos. 2800.27 & 2458.21, 2023

Subdivision could double the residential density on agricultural land – one principal residence, plus one accessory dwelling on each of proposed Lot A and B. In addition, a new *principal residence* on Lot A would be unrestricted in size up to 500 m² and will necessitate removal of existing vineyard(s) from vacant, but currently cultivated, land in the ALR.

Existing OCP Bylaw 2458, 2008 seems to be opposed to such subdivision, whereas the draft work-in-progress OCP Bylaw 3010, 2023 (not yet promulgated) addresses such applications more expressly – see attached below.

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OCP Bylaw No. 2458, 2008

- 7.3.14 Generally, does not support increasing densities or intensifying land uses within areas designated as an Environmentally Sensitive Development Permit Area or shown as an "Important Ecosystem Area" on Schedule 'C'.
- 9.2.6 To discourage non-agricultural residential use of agricultural land.
- 9.3.4 Permits parcel sizes to vary depending on respective land use designation and decisions of the Province, but generally **shall not** be smaller than 4.0 ha for commercial operations of vine growing and other compatible agricultural uses.
- 9.3.5 Will consider applications to subdivide parcels smaller than 4.0 ha within the ALR, subject to approval of the Province, in the following cases:
- b) where the subdivision or boundary adjustment will allow for more efficient use of agricultural land or the better utilization of farm buildings for farm purposes; and
 - c) where the community interests in the subdivision of the land outweigh the community interests in the retention of the land in a larger parcel.
- 9.3.14 Will consider second dwelling applications within the ALR in accordance with second dwelling policies established in the implementing Zoning bylaw, and reflective of the views of the farming community.

OCP Bylaw No. 3010, 2023 (draft)

- 5.2.6 **Agriculture.** Preserve the farm character of the area, encourage farm-compatible uses on ALR land, and discourage subdivision and over-development.
- 6.5 Residents of Electoral Area "E" have expressed serious concerns that growth management includes varying degrees of residential and multi-use containment areas.
- 6.5.3 Will support the Rural Growth Area by discouraging the re-designation or re-zoning of land that permits increased residential densities outside of growth area containment boundaries.
- 6.5.6 Generally, does not support increasing densities or intensifying land uses within areas designated as an Environmentally Sensitive Development Permit Area or shown as an Important Ecosystem Area on Schedule 'I'.
- 6.5.7 Directs residential development away from designated Agricultural (AG) areas.
- 7.3 Throughout the OCP review process, the community expressed a strong desire to limit any new subdivisions on the hillside above the ring of ALR lands.
- 7.3.1.1 Discourages the rezoning of parcels in order to facilitate subdivision.
- 9.3.2 Will generally **not** support applications to the Agricultural Land Commission (ALC) that seek to:
- b) subdivide land or adjust the boundaries between parcels that results in the fragmentation of farm, vineyard or orchard units, or seek to create homesite parcels; or
 - c) introduce non-agricultural uses.
- 9.3.8 Encourages the consolidation of small parcels into larger farm units that increase efficiency and enhance the land base of the ALR.
- 10.2.2 Prevent rural sprawl by limiting the re-designation of Large Holdings and Small Holdings properties to allow subdivision or higher residential densities.