



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, November 19, 2020
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00am	-	9:15 am	Public Hearing – Okanagan Basin Lakes Zone Public Hearing – 500 Secrest Hill Rd.
9:15 am	-	9:30 am	Community Services Committee
9:30 am	-	10:00 am	Corporate Services Committee
10:00 am	-	10:45 am	Protective Services Committee
10:45 am	-	11:00 am	Coffee Break
11:00 am	-	12:00 pm	RDOS Board

“Karla Kozakevich”

Karla Kozakevich
RDOS Board Chair

2020 Notice of Meetings			
December 3	RDOS Board		Committee Meetings
December 17	RDOS Board	OSRHD Board	Committee Meetings



NOTICE OF PUBLIC HEARING

Amendment Bylaw No. 2862, 2020

Dock Regulations: Okanagan Basin Lakes Zone

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 **Regional District of Okanagan-Similkameen Proposed Dock Regulations: Okanagan Basin Lakes Zone Amendment Bylaw No. 2862, 2020**, 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 by electronic means on:

Date: Thursday, November 19th, 2020

Time: 9:00 a.m.

Location: <https://rdos.webex.com> **Meeting number:** 146 308 3145 **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 toll-free 1-855-797-9485**, and using meeting number 146 308 3145. 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 bylaws 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.

PURPOSE OF THE BYLAW:

RDOS is proposing a set of amendments to the Electoral Area Official Community Plan and Zoning Bylaws for lakes within the Okanagan water basin. The proposed policies and zoning regulations would be applied to all aspects of Okanagan, Osoyoos, Skaha, and Vaseux Lakes and their foreshores within the RDOS’s jurisdiction (Electoral Areas “A”, “C”, “D”, “E”, “F”, and “I”).

The proposed amendments contained in **Bylaw No. 2862, 2020** would serve to maintain opportunities on the major lakes in the Valley for community and visitor use, while also helping protect environmental qualities of the lakes and existing community infrastructure such as water intakes. The proposed water-based zone includes, amongst other things:

- Maintaining opportunities for responsible water-based recreation on the lakes, including small-scale docs and swimming platforms associated with adjacent residential use.
- Minimizing the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has the opportunity to review and assess commercial, marina and group moorage applications on a case-by-case basis through a site-specific rezoning process.

These Official Community Plan (OCP) and Zoning Bylaw amendments will be applied to the:

- Electoral Area “A” OCP Bylaw No. 2450, 2008, and Zoning Bylaw No. 2451, 2008;
- Electoral Area “C” OCP Bylaw No. 2452, 2008, and Zoning Bylaw No. 2453, 2008;
- Electoral Area “D” OCP Bylaw No. 2603, 2013, and Zoning Bylaw No. 2455, 2008;
- Electoral Area “E” OCP Bylaw No. 2458, 2008, and Zoning Bylaw No. 2459, 2008;
- Electoral Area “F” OCP Bylaw No. 2790, 2018, and Zoning Bylaw No. 2461, 2008; and
- Electoral Area “I” OCP Bylaw No. 2683, 2016, and Zoning Bylaw No. 2457, 2008.

FURTHER INFORMATION:

For further information about the content of **Bylaw No. 2862, 2020**, and the land affected by them, 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.

Additional information related to this proposal is also available at: www.rdos.bc.ca (Departments → Development Services → Planning → Strategic Projects → Dock Regulation Review).

Anyone who considers themselves affected by **Bylaw No. 2862, 2020**, 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.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT: 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.



NOTICE OF PUBLIC HEARING

Electoral Area “C” Zoning Bylaw Amendment 500 Secrest Hill 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 **Electoral Area “C” Zoning Amendment Bylaw 2453.38, 2020**, 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 by electronic means on:

Date: Thursday, November 19th, 2020

Time: 9:00 a.m.

Location: <https://rdos.webex.com> **Meeting number:** 146 308 3145 **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.

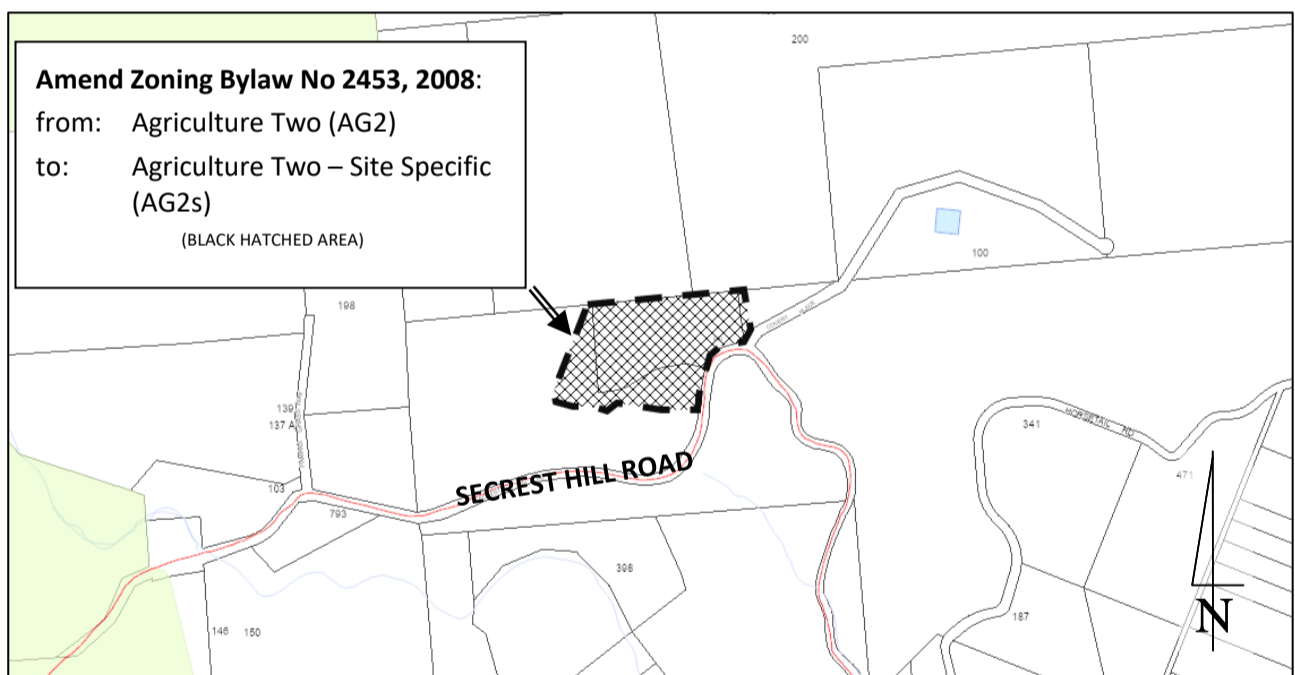
Interested individuals may also participate in the public hearing by calling toll-free 1-855-797-9485, meeting number 146 308 3145. Additional instructions on how to participate in an electronic public hearing are available on the Regional District’s website: www.rdos.bc.ca.

Anyone who considers themselves affected by the amendment bylaws 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.

PURPOSE OF THE BYLAW(S):

The purpose of the proposed amendments is to formalize the operation of the “Loose Bay” campground on the subject property. More specifically:

Amendment Bylaw No. 2453.38, 2020, proposes to amend the Electoral Area “C” Zoning Bylaw No. 2453, 2008, by changing the zoning of 500 Secrest Hill Road (which is legally described as Block A, Plan KAP1729, District Lot 2450S, SDYD), from Agriculture Two (AG2) to Agriculture Two Site Specific (AG2s), with the site specific regulation to allow “campground” as a permitted use.



FURTHER INFORMATION

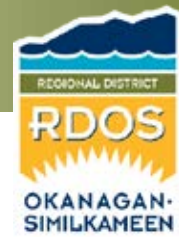
For further information about the content of **Amendment Bylaw No. 2453.38, 2020** and the land affected by them, persons are encouraged to inspect a copy of the proposed Bylaws at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory 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 “C” → C2020.010-ZONE).

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Postal: 101 Martin St, Penticton, BC, V2A-5J9 | **Tel:** 250-492-0237 | **Email:** planning@rdos.bc.ca



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Community Services Committee
Thursday, November 19, 2020
9:00 am

AGENDA

- A. **APPROVAL OF AGENDA**
RECOMMENDATION 1
THAT the Agenda for the Community Services Meeting of November 19, 2020 be adopted.
-
- B. **Healthy Communities Partnership – Information Only**
-
- C. **ADJOURNMENT**



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Healthy Communities Partnership – For Information

Purpose:

This report is an update to the Regional District partnership with Interior Health (IH) and provides a summary of recent collaborative projects and begins to outline some of the future collaboration opportunities. IH's Healthy Communities team will continue to work together with Regional District staff to create the conditions which support health and well-being for communities.

The health of individuals and populations is created by many intersecting factors, including our social and physical environments, our genetics and our access to doctors and hospitals. The social determinants of health (i.e. income, education, employment, etc.) have the biggest influence on health and well-being. Local governments currently provide much of the essential social and physical infrastructure necessary to support individual and community health and well-being.

IH aims to improve health and well-being by working with local governments and community partners to create policies and environments that support good health. Both health authorities and local governments have a shared interest in working together to improve the quality of life for community members.

Reference:

Reference the Board Resolution from January 2013

Business Plan Objective: *(Tie to current RDOS Business Plan)*

Key success Driver 3: Build a Sustainable Region

Goal 3.1: To develop a healthy and socially sustainable region

Objective 3.1.4: By providing public recreational opportunities

Background:

In December 2012, the Board received a presentation from the Community Health Facilitator with IH. The Board was introduced to the IH Program for Healthy Communities and requested to adopt a resolution stating their interest in partnering with IH to promote healthy living throughout the Region.

In January 2013, The Board supported the staff recommendation that:

The Regional District of Okanagan Similkameen agree to partner with the Okanagan Similkameen Healthy Living Society (OSHLS) to increase actions that will improve the health of citizens of the Regional District by reducing chronic disease and obesity; and further,



The Regional District of Okanagan Similkameen participate as a member of the Okanagan Similkameen Healthy Living Coalition; and further,

The Regional District of Okanagan Similkameen authorize the Chair and CAO to sign the Letter of Understanding attached to this report; and further,

The Regional District of Okanagan Similkameen encourage each of their member municipalities to indicate their support of this initiative by resolving to enter into the Letter of Understanding with the OSHLS.

The 2013 partnership supported:

- cross-sectoral collaboration throughout the Region
- RDOS and municipal staff capacity building: bringing a health and sustainability lens to civic planning
- Healthy Community Scans
- Workshops and events
- UBCO student experiential learning projects

Some more recent collaborative projects that have been in partnership with IH include:

- 2017-2018 Regional Recreation Approach (Plan H Grant)
- 2018-2020: Physical Literacy for Communities (PL4C) project: PLAY Okanagan Similkameen (Sport for Life initiative)

Analysis:

The IH Healthy Communities team has been engaging in building healthier communities within the South Okanagan and Similkameen since 2012. IH has dedicated staff that can collaborate on community plans, policies, strategies and initiatives using a health and equity lens. In particular, the Community Health Facilitator is a direct connection to the wider IH network and helps to navigate their internal system. The Healthy Communities team continues to support local government with the provision of health data, best practice tools and resources, planning, facilitation, presentations, gap analysis, Provincial and local connections and much more. Some actions include, but are not limited to:

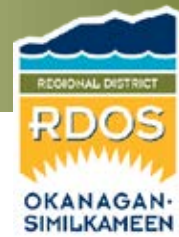
- Identify and implement community actions whenever possible, to improve health and wellness, and reduce risk factors associated with chronic disease;
- Collaborate on community plans, strategies, policies, and initiatives using a health and equity lens;
- Build community capacity through regional district staff and community organizations.

More recently, IH and the Regional District are working with cross-sectoral partners in updating the Terms of Reference of the PL4C committee. This will likely increase the scope of the committee with health and recreation still being at the forefront of objectives.

IH is also contributing by providing information, insight and feedback to a variety of Regional District initiatives which includes; the Regional Growth Strategy (RGS), the Housing needs Assessment, Child care Needs Assessment and Action Plan, West Bench Age-Friendly and Electoral Area OCP reviews.

Respectfully submitted:

Augusto Romero



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, November 19, 2020

9:30am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Meeting of November 19, 2020 be adopted.

B. Select Committees and External Agency Appointments

RECOMMENDATION 2

THAT the appointments to select committees and external agencies be adjusted to reflect changes proposed in the November 19, 2020 report from the Chief Administrative Officer.

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Select Committees and External Agency Appointments

Administrative Recommendation:

THAT the appointments to select committees and external agencies be adjusted in accordance with the attachment to the report of November 19, 2020.

Analysis:

Each year, members of the Board of Directors are invited to submit expressions of interest for appointment to Board select committees and external agencies which are of interest to them or to confirm their desire to remain in a position to which they were previously appointed.

Generally, changes to these positions have not occurred midway through an election cycle unless a Director wishes to step down from a committee or external agency, although in the interest of transparency and fairness, the Chair provides the opportunity annually.

Because there were five new municipal directors appointed to the Board for the 2021 year, it was anticipated that there would be adjustments to the external agencies and select committee appointments. On November 9, 2020 a call for expressions of interest was sent to all Board members and the resulting requests have been incorporated into the list attached to this report.

In accordance with the Select Committee Policy, the Chair and Vice Chair of the Board of Directors will also be the Chair and Vice Chair (respectively) of the Corporate Services Committee.

Respectfully submitted:



C. Malden, Manager of Legislative Services

2021 External Agency Appointments

Developing Sustainable Rural Practice Communities Committee: 2021: Director McKortoff

Any Director eligible

- 1 Director from participating Municipality or Electoral Area

Municipal Finance Authority: 2021: Chair Kozakevich, Vice Chair Coyne

(Chair & Vice Chair)

- Chair as representative
- Vice Chair as alternate representative

Municipal Insurance Association: 2021: Chair Kozakevich, Vice Chair Coyne

(Chair & Vice Chair)

- Chair as representative
- Vice Chair as alternate representative

Okanagan Basin Water Board: 2021: Directors McKortoff, Holmes, Knodel. 2021 Alternate Representatives, Director Pendergraft (for McKortoff), Director Monteith (for Knodel), Director Obirek (for Holmes)

Participants are Electoral Areas , A, C, D, E, F, part of G, I, City of Penticton, District of Summerland, Town of Osoyoos, Town of Oliver

- 3 Directors as representatives
- 3 Directors as alternate representatives

Okanagan Film Commission: 2021: Director Gettens. Alternate, Director Obirek

Any Director Eligible

- 1 Director as representative

Okanagan Regional Library District: 2021: Director Monteith. Alternate, Director Obirek

Participants are Electoral Areas A, B,C,D,E,F,G, I

- 1 Electoral Area Director as appointee
- 1 Electoral Area Director as alternate appointee

Okanagan Kootenay Sterile Insect Release Board: 2021: Director Bush. Alternate, Director Knodel

Participants are Electoral Areas A, B, C, D, E, F,G,& I, City of Penticton, District of Summerland, Town of Osoyoos, Town of Oliver, Village of Keremeos

- 1 Director from participating Municipality or Electoral Area
- 1 Director from participating Municipality or Electoral Area as alternate appointee

BC Rural Centre (formerly Southern Interior Beetle Action Coalition): 2021: Director Gettens

Any Director eligible

- 1 Director as representative

Southern Interior Local Government Association

Directors are elected through SILGA at their annual convention

Southern Interior Municipal Employers Association: 2021: Director Knodel. Alternate, Chair Kozakevich

- 1 Director from participating Municipality or Electoral Area
- 1 Director from participating Municipality or Electoral Area as alternate appointee

Starling Control: 2021: Director Bush. Alternate, Director Knodel

Any Director eligible

- 1 Director from participating Municipality or Electoral Area

UBCO Water Research Chair Advisory Committee: 2021: Director Holmes

Any Director eligible

- 1 Director from participating Municipality or Electoral Area

Fire Chief Liaison Committee: 2021: Directors Pendergraft, Knodel, Monteith, Obirek, Roberts

Directors for Electoral Areas with RDOS fire departments

Intergovernmental Indigenous Joint Council: 2021: Chair, Vice Chair, Director Roberts)

Any Director eligible

Board Select Committees:

Community Services: 2021: Director Bauer, Chair and Director Monteith, Vice-Chair.

Environment & Infrastructure: 2021: Director Gettens, Chair. Alternate, Director Bush

Protective Services: 2021: Director Roberts, Chair and Director S. Coyne, Vice-Chair.

Planning & Development: 2021: Director Knodel, Chair and Director Pendergraft, Vice Chair

Corporate Services: 2021: Board Chair and Vice Chair as Alternate



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, November 19, 2020
10:00 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Protective Services Meeting of November 19, 2020 be adopted.

B. DELEGATION

1. Superintendent Brian Hunter, RCMP
 2. Corporal Brian Evans, Area Detachment Commander for Keremeos and Oliver
 3. Sergeant Jason Bayda, Area Detachment Commander for Osoyoos
 4. Sergeant Rob Hughes, Area Detachment Commander for Princeton
 5. Sergeant Dave Preston, Area Detachment Commander for Summerland
 - a. Penticton South Okanagan-Similkameen Regional Detachment Quarterly Report
-

C. ADJOURNMENT

RCMP·GRC



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

PENTICTON SOUTH OKANAGAN
SIMILKAMEEN
REGIONAL DETACHMENT
QUARTERLY REPORT

July – September
2020



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Canada

2020/21 Annual Performance Plan Policing Priorities

Penticton:

Crime Reduction (Property Crimes and Drugs)
Traffic - Road Safety
Family and Sexual Violence
Employee Wellness

Princeton:

Crime Reduction (Property Crimes)
Traffic – Road Safety
Youth – Positive interactions with youth
First Nations/Police relations

Osoyoos:

Crime Reduction (Property Crimes)
Traffic – Road Safety
Charge Approvals (Crown/Police Communication)

Keremeos:

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

Oliver:

Crime Reduction (Property Crimes)
Traffic - Road Safety

Summerland:

Crime Reduction (Property Crimes)
Violence in Relationships
Traffic - Road Safety
Police/Community Relations – Police Visibility



PENTICTON (MUNICIPAL) Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	5412	4723	-13%	13812	12743	-8%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	126	147	17%	339	357	5%
Sex Offences	32	27	-16%	74	66	-11%
Uttering Threats	66	64	-3%	178	171	-4%
Domestic Violence (Violent Crime Only)	43	42	-2%	133	123	-8%
Violent Crime - Total	266	276	4%	720	723	0%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	127	47	-63%	243	143	-41%
Bicycle Theft	87	70	-20%	167	128	-23%
Break & Enter - Business	76	31	-59%	221	148	-33%
Break & Enter - Residence	37	28	-24%	122	86	-30%
Break & Enter - Other	33	17	-48%	105	65	-38%
Mischief to Property	389	387	-1%	1083	1047	-3%
Theft - Other	161	121	-25%	386	328	-15%
Shoplifting	93	72	-23%	336	301	-10%
Theft from Vehicle	369	230	-38%	729	679	-7%
Fraud	103	88	-15%	261	264	1%
Property Crime - Total	1561	1152	-26%	3851	3352	-13%

Top 10 Calls for Service - Penticton Detachment (Municipal)	
Initial Call Type	# of Calls
Disturbance	379
Theft	343
Unwanted Person	321
Suspicious Person	245
Abandoned 911	242
Check Wellbeing	231
Traffic Incident	222
Assist Other Agency	196
Suspicious Circumstances	196
Property	171

Criminal Code files: 2054 (down 15% from 2405 in Q3 2019)



PENTICTON (RURAL – ALL AREAS) Q3 2020 STATS

































<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	954	1045	10%	2364	2516	6%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	26	21	-19%	57	57	0%
Sex Offences	5	6	20%	16	13	-19%
Uttering Threats	12	18	50%	40	44	10%
Domestic Violence (Violent Crime Only)	7	5	-29%	20	19	-5%
Violent Crime - Total	53	55	4%	139	140	1%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	12	13	8%	43	36	-16%
Bicycle Theft	10	17	70%	14	25	79%
Break & Enter - Business	13	2	-85%	18	8	-56%
Break & Enter - Residence	6	4	-33%	24	17	-29%
Break & Enter - Other	4	4	0%	13	14	8%
Mischief to Property	45	46	2%	107	114	7%
Theft - Other	24	16	-33%	61	44	-28%
Shoplifting	1	0	-100%	2	1	-50%
Theft from Vehicle	37	27	-27%	89	95	7%
Fraud	14	20	43%	36	48	33%
Property Crime - Total	178	166	-7%	442	442	0%

Top 10 Calls for Service - Penticton Detachment (Rural)	
Initial Call Type	# of Calls
Traffic Incident	188
Abandoned 911	74
Assist Other Agency	53
MVI	51
Check Wellbeing	47
Disturbance	44
Suspicious Circumstances	37
Theft	34
Hazardous Situation	33
Assist General Public	31

Total Criminal Code files Q3 2020: 348 (decrease of 3% from Q3 2020)



OKANAGAN FALLS Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020		Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020	
Total Calls for Service	154	184		19%	370	462		25%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020		Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020	
Assault (Common & With Weapon/Cause Bodily Harm)	11	6		-45%	21	16		-24%
Sex Offences	2	1		-50%	4	4		0%
Uttering Threats	4	10		150%	11	22		100%
Domestic Violence (Violent Crime Only)	3	0		-100%	8	0		-100%
Violent Crime - Total	19	22		16%	43	49		14%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020		Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020	
Auto Theft	7	4		-43%	14	7		-50%
Bicycle Theft	1	2		100%	1	3		200%
Break & Enter - Business	3	1		-67%	3	3		0%
Break & Enter - Residence	0	0	N/C		3	4		33%
Break & Enter - Other	0	2	N/C		1	4		300%
Mischief to Property	8	13		63%	20	36		80%
Theft - Other	4	3		-25%	12	9		-25%
Shoplifting	1	0		-100%	1	0		-100%
Theft from Vehicle	7	2		-71%	16	21		31%
Fraud	2	4		100%	10	8		-20%
Property Crime - Total	34	31		-9%	86	97		13%

Top 10 Calls for Service - Okanagan Falls	
Initial Call Type	# of Calls
Traffic Incident	18
Threats	13
Disturbance	13
Unwanted Person	12
Abandoned 911	12
Check Wellbeing	10
MVI	7
Harassment	7
Assist Police/Fire/Ambulance	7
Theft	6

Total Criminal Code files: Q3 2020: 82 (increase of 17% from Q3 2019)



KALEDEN Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	45	49	9%	127	115	-9%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	2	1	-50%	6	2	-67%
Sex Offences	0	1	N/C	0	1	N/C
Uttering Threats	0	1	N/C	1	3	200%
Domestic Violence (Violent Crime Only)	1	0	-100%	2	1	-50%
Violent Crime - Total	3	4	33%	9	9	0%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	0	0	N/C	2	3	50%
Bicycle Theft	1	2	100%	1	3	200%
Break & Enter - Business	0	0	N/C	0	0	N/C
Break & Enter - Residence	0	1	N/C	5	1	-80%
Break & Enter - Other	1	0	-100%	4	0	-100%
Mischief to Property	3	3	0%	9	5	-44%
Theft - Other	2	3	50%	6	5	-17%
Shoplifting	0	0	N/C	0	0	N/C
Theft from Vehicle	0	5	N/C	6	13	117%
Fraud	1	0	-100%	1	3	200%
Property Crime - Total	9	16	78%	36	36	0%

Top 5 Calls for Service - Kaleden	
Initial Call Type	# of Calls
Theft	6
Bylaw	5
Suspicious Circumstances	4
Mischief	3
Assist General Public	3

Total Criminal Code files Q3 2020: 26 (increase of 13% compared to Q3 2019)



NARAMATA Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	82	90	10%	175	228	30%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	2	1	-50%	3	2	-33%
Sex Offences	2	1	-50%	3	2	N/C
Uttering Threats	0	2	N/C	3	3	0%
Domestic Violence (Violent Crime Only)	2	2	0%	3	2	-33%
Violent Crime - Total	3	5	67%	8	8	0%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	2	3	50%	3	6	100%
Bicycle Theft	0	3	N/C	0	6	N/C
Break & Enter - Business	0	0	N/C	0	0	N/C
Break & Enter - Residence	0	0	N/C	1	4	300%
Break & Enter - Other	1	0	-100%	3	3	0%
Mischief to Property	5	8	60%	8	11	38%
Theft - Other	3	2	-33%	5	7	40%
Shoplifting	0	0	N/C	0	0	N/C
Theft from Vehicle	2	1	-50%	6	6	0%
Fraud	3	1	-67%	5	2	-60%
Property Crime - Total	18	21	17%	34	50	47%

Top 5 Calls for Service - Naramata	
Initial Call Type	# of Calls
Traffic Incident	14
Abandoned 911	14
Breach	11
Property	5
MVI	4

Total Criminal Code files Q3 2020: 44 (increase of 42% from Q3 2019)



SUMMERLAND Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020		Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020	
Total Calls for Service	780	984		26%	2144	2210		3%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020		Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020	
Assault (Common & With Weapon/Cause Bodily Harm)	5	11		120%	33	45		36%
Sex Offences	4	9		125%	7	16		129%
Uttering Threats	4	12		200%	13	34		162%
Domestic Violence (Violent Crime Only)	2	7		250%	20	23		15%
Violent Crime - Total	20	35		75%	75	114		52%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020		Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020	
Auto Theft	11	18		64%	32	27		-16%
Bicycle Theft	10	4		-60%	13	6		-54%
Break & Enter - Business	9	10		11%	19	39		105%
Break & Enter - Residence	4	4		0%	11	9		-18%
Break & Enter - Other	4	1		-75%	7	4		-43%
Mischief to Property	39	33		-15%	101	77		-24%
Theft - Other	17	25		47%	41	48		17%
Shoplifting	2	1		-50%	6	5		-17%
Theft from Vehicle	19	35		84%	68	56		-18%
Fraud	13	16		23%	33	43		30%
Property Crime - Total	132	151		14%	339	321		-5%

Top 10 Calls for Service - Summerland	
Initial Call Type	# of Calls
Traffic Incident	134
Theft	63
Abandoned 911	56
Disturbance	48
Check Wellbeing	47
Property	45
Assist General Public	41
Suspicious Circumstances	39
Alarm	36
Mischief	36

Total Criminal Code files Q3 2020: 306 (increase of 20% from Q3 2019)



KEREMEOS Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	485	579	19%	1195	1247	4%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	13	7	-46%	28	24	-14%
Sex Offences	2	3	50%	7	8	14%
Uttering Threats	5	13	160%	16	14	-13%
Domestic Violence (Violent Crime Only)	7	4	-43%	13	12	-8%
Violent Crime - Total	22	26	18%	56	53	-5%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	6	4	-33%	14	11	-21%
Bicycle Theft	4	2	-50%	4	5	25%
Break & Enter - Business	4	1	-75%	4	6	50%
Break & Enter - Residence	4	1	-75%	9	4	-56%
Break & Enter - Other	4	2	-50%	6	6	0%
Mischief to Property	16	26	63%	35	55	57%
Theft - Other	13	12	-8%	36	29	-19%
Shoplifting	1	0	-100%	1	0	-100%
Theft from Vehicle	10	10	0%	20	31	55%
Fraud	1	10	900%	14	21	50%
Property Crime - Total	70	71	1%	155	180	16%

Top 10 Calls for Service - Keremeos	
Initial Call Type	# of Calls
Traffic Incident	73
Abandoned 911	47
Assist General Public	31
Check Wellbeing	26
Disturbance	25
Theft	25
MVI	23
Suspicious Circumstances	23
Unwanted Person	22
Mischief	20

Total Criminal Code files: 121 (increase of 5% from 115 in Q3 2019)



PRINCETON Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	751	805	7%	1785	1755	-2%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	20	31	55%	41	67	63%
Sex Offences	2	2	0%	5	12	140%
Uttering Threats	13	11	-15%	34	34	0%
Domestic Violence (Violent Crime Only)	10	9	-10%	22	21	-5%
Violent Crime - Total	42	49	17%	101	124	23%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	3	9	200%	7	16	129%
Bicycle Theft	5	6	20%	5	7	40%
Break & Enter - Business	5	2	-60%	12	4	-67%
Break & Enter - Residence	5	3	-40%	9	9	0%
Break & Enter - Other	11	5	-55%	17	9	-47%
Mischief to Property	19	20	5%	47	48	2%
Theft - Other	23	15	-35%	47	37	-21%
Shoplifting	1	3	200%	8	5	-38%
Theft from Vehicle	17	26	53%	32	30	-6%
Fraud	4	5	25%	20	20	0%
Property Crime - Total	94	99	5%	209	190	-9%

Top 10 Calls for Service - Princeton	
Initial Call Type	# of Calls
Traffic Incident	96
Abandoned 911	57
Theft	45
MVI	42
Check Wellbeing	39
Assist General Public	38
Disturbance	36
Property	36
Suspicious Circumstances	30
Suspicious Vehicle	27

Total Criminal Code files: 181 (increase of 7% from 169 in Q3 2020)



OLIVER DETACHMENT – Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	1038	921	-11%	2908	2456	-16%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	42	26	-38%	122	114	-7%
Sex Offences	11	5	-55%	16	12	-25%
Uttering Threats	8	10	25%	35	25	-29%
Domestic Violence (Violent Crime Only)	5	8	60%	21	30	43%
Violent Crime - Total	76	47	-38%	219	171	-22%
Violent Crime - OCC Only	37	9	-76%	91	63	-31%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	24	15	-38%	65	40	-38%
Bicycle Theft	5	2	-60%	21	2	-90%
Break & Enter - Business	11	3	-73%	39	15	-62%
Break & Enter - Residence	8	5	-38%	25	12	-52%
Break & Enter - Other	10	4	-60%	46	16	-65%
Mischief to Property	29	20	-31%	79	91	15%
Theft - Other	34	19	-44%	80	49	-39%
Shoplifting	9	11	22%	24	29	21%
Theft from Vehicle	16	10	-38%	55	41	-25%
Fraud	12	15	25%	32	49	53%
Property Crime - Total	168	111	-34%	501	371	-26%

Top 10 Calls for Service - Oliver Detachment	
Initial Call Type	# of Calls
Assist Police/Fire/Ambulance	82
Traffic Incident	79
Abandoned 911	70
Alarm	53
Disturbance	47
Theft	38
Check Wellbeing	36
Suspicious Circumstances	31
Assist Other Agency	29
Assist General Public	26

Criminal Code files: 341 (down 23% from 441 in Q3 2019)



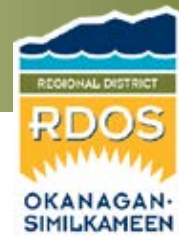
OSOYOOS DETACHMENT – Q3 2020 STATS

<i>Calls for Service</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	896	1176	31%	2075	2394	15%
<i>Violent Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	19	20	5%	45	50	11%
Sex Offences	4	8	100%	10	15	50%
Uttering Threats	5	12	140%	14	29	107%
Domestic Violence (Violent Crime Only)	4	3	-25%	18	12	-33%
Violent Crime - Total	32	47	47%	84	123	46%
<i>Property Crime</i>	Q3 2019	Q3 2020	% Change 2019 to 2020	Q3 YTD 2019	Q3 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	14	7	-50%	37	15	-59%
Bicycle Theft	3	3	0%	6	3	-50%
Break & Enter - Business	10	3	-70%	26	20	-23%
Break & Enter - Residence	8	5	-38%	22	21	-5%
Break & Enter - Other	5	4	-20%	21	12	-43%
Mischief to Property	37	25	-32%	76	64	-16%
Theft - Other	23	30	30%	53	51	-4%
Shoplifting	3	2	-33%	7	14	100%
Theft from Vehicle	8	20	150%	27	39	44%
Fraud	13	19	46%	39	43	10%
Property Crime - Total	125	119	-5%	322	291	-10%

Top 10 Calls for Service - Osoyoos Detachment	
Initial Call Type	# of Calls
Marine Incident	173
Abandoned 911	109
Traffic Incident	95
Property	91
Disturbance	49
Theft	49
Assist General Public	42
Check Wellbeing	39
Suspicious Circumstances	37
Bylaw	36

Criminal Code files: 285 (up 19% from 239 in Q3 2019)





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Thursday, November 19, 2020

11:00am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of November 19, 2020 be adopted.

1. Consent Agenda – Corporate Issues

- a. **Naramata Parks and Recreation Commission – September 28, 2020**
THAT the Minutes of the October 15, 2020 Naramata Parks and Recreation Commission meeting be received.
- b. **Okanagan Falls Recreation Commission – October 1, 2020**
THAT the Minutes of the October 1, 2020 Okanagan Falls Recreation Commission meeting be received.
- c. **Kaleden Parks and Recreation Commission – October 6, 2020**
THAT the Minutes of the October 6, 2020 Kaleden Recreation Commission meeting be received.
- d. **Area F Parks and Recreation Commission – October 7, 2020**
THAT the Minutes of the October 7, 2020 Area F Recreation Commission meeting be received.
- e. **Advisory Planning Commission, Electoral Area 'C' – September 8, 2020**
THAT the Minutes of the September 8, 2020 Advisory Planning Commission, Electoral Area 'C' meeting be received.
- f. **Advisory Planning Commission, Electoral Area 'D' – October 13, 2020**
THAT the Minutes of the October 13, 2020 Advisory Planning Commission, Electoral Area 'D' meeting be received.
- g. **Advisory Planning Commission, Electoral Area 'E' – October 26, 2020**
THAT the Minutes of the October 26, 2020 Advisory Planning Commission, Electoral Area 'E' meeting be received.
- h. **Advisory Planning Commission, Electoral Area 'I' – September 16 2020**
THAT the Minutes of the September 16, 2020 Advisory Planning Commission, Electoral Area 'I' meeting be received.
- i. **Letter of Support for Okanagan Falls Irrigation District Application**
THAT the Regional District forward a letter to the OBWB in support of the Okanagan Falls Irrigation District's application to the Water Conservation and Quality Improvement grant program for the 'Metering OK Falls Parks and Agricultural Properties' project.

- j. Electoral Area "I" Kaleden Parks and Recreation Commission Appointments**
THAT the Board of Directors appoint Debbie Shillitto, Marie-Eve Lamarche and Rick Johnson to the Electoral Area "I" Kaleden Parks and Recreation Commission for a two year term, ending December 31, 2021.
- k. Community Services Committee – October 15, 2020**
THAT the Minutes of the October 15, 2020 Community Services Committee meeting be received.
- l. Corporate Services Committee – October 15, 2020**
THAT the Minutes of the October 15, 2020 Corporate Services Committee meeting be received.
- m. Environment and Infrastructure Committee – October 15, 2020**
THAT the Minutes of the October 15, 2020 Environment and Infrastructure Committee meeting be received.
- n. Planning and Development Committee – October 15, 2020**
THAT the Minutes of the October 15, 2020 Planning and Development Committee meeting be received.

THAT Amendment Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be initiated. - CARRIED

THAT the proposed amendments to the ESDP areas be referred to the Electoral Area Advisory Planning Commissions. - CARRIED

THAT the Board of Directors initiate Official Community Plan Amendment Bylaw No. 2913, 2020.- CARRIED

THAT the maximum floor area of a secondary suite and accessory dwelling be set at 125.0 m2 in the Draft South Okanagan Electoral Area Zoning Bylaw No. 2800. - CARRIED

- o. Protective Services Committee – October 15, 2020**
THAT the Minutes of the October 15, 2020 Protective Services Committee meeting be received.
- p. RDOS Regular Board Meeting – October 15, 2020**
THAT the minutes of the October 15, 2020 RDOS Regular Board meeting be adopted.
- q. RDOS Regular Board Meeting – November 5, 2020**
THAT the minutes of the November 5, 2020 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Consent Agenda – Corporate Issues be adopted.

- 2. Consent Agenda – Development Services**
- a. Development Variance Permit Application – 203 West Bench Drive, Electoral Area "F"**
- i. Permit**
That the Board of Directors approve Development Variance Permit No. F2020.014-DVP.

- b. **Development Variance Permit Application – Link Lake Road, Electoral Area “H”**
 - i. Permit
 - ii. Representations

That the Board of Directors approve Development Variance Permit No. H2020.005-DVP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

THAT the Consent Agenda – Development Services be adopted.

B. DEVELOPMENT SERVICES – Rural Land Use Matters

- 1. **Development Variance Permit Application – 10147 146 Avenue, Electoral Area “A”**
 - a. Permit

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors approve Development Variance Permit No. A2020.008-DVP

- 2. **Agricultural Land Commission Referral (“non-adhering residential use”) – 5317 Sunflower Street, Electoral Area “C”**

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

THAT the RDOS “authorize” the application for a “non-adhering residential use” at 5317 Sunflower street (Lot 249 Plan KAP1789, DL 2450, SDYD) in Electoral Area “C” to proceed to the Agricultural Land Commission.

- 3. **Zoning Bylaw Amendment – 500 Secrest Hill Road – Electoral Area “C”**

- a. Bylaw No. 2453.38, 2020
- b. Representations

RECOMMENDATION 6 (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2453.38, 2020, Electoral Area “C” Zoning Amendment Bylaw be read a third time and adopted.

- 4. **Agricultural Land Commission Referral (Non-Farm Use) – 1543 Maple Street, Electoral Area “D”**

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT the RDOS Board “not authorize” the application to allow a warehouse as a non-farm use on the parcel located at 1543 Maple Street, Okanagan Falls (Lot 2, Plan 14822, District Lot 551, SDYD) to proceed to the Agricultural Land Commission.

5. **Petition to Enter Service Areas – 3498 Arawana Forestry Road, Electoral Area “E”**
 - a. Bylaw No. 1618.02, 2020
 - b. Bylaw No. 2190.08, 2020

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 1618.02, 2020, Naramata Street Lighting Local Service Establishment Amendment Bylaw be adopted;

AND THAT Bylaw No. 2190.08, 2020, Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Amendment Bylaw be adopted.

6. **Agricultural Land Commission Referral (Subdivision) – 2860 Arawana Road & 3256 Juniper Drive, Electoral Area “E”**

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

THAT the RDOS Board not “authorize” the application to subdivide the parcels located at 2860/2864 Arawana Road (Lot 13, Plan 576, District Lot 207, SDYD, Except Parcel A Shown on Plan A62, Parcel B Shown on Plan B5981, KAP81407 and EPP30242) and 3256 Juniper Drive (Lot 8, KAP46231, District Lot 2711, SDYD) to proceed to the Agricultural Land Commission.

7. **Electoral Area “G” Official Community Plan (OCP) Bylaw Implementation – Contract Award**

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the Electoral Area “G” Official Community Plan (OCP) Bylaw Project to EcoPlan in the amount of \$110,000.00.

8. **Development Variance Permit Application – 120 5th Street, Kaleden, Electoral Area “I”**
 - a. Permit
 - b. Responses

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors deny Development Variance Permit No. I2020.002-DVP

9. **Official Community Plan (OCP) and Zoning Bylaw Amendments – Proposed Dock Regulations – Okanagan Basin Lakes**
 - a. Bylaw No. 2862
 - b. Representations

RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2862, 2020 the Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw, be read a third time.

10. Development Procedures Bylaw Updated – Park Land Dedication Proposals

- a. Bylaw No. 2500.16

RECOMMENDATION 13 (Unweighted Rural Vote – 2/3 Majority)

THAT Amendment Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be read a first, second and third time and adopted.

11. Official Community Plan (OCP) and Zoning Bylaw Amendments – Electoral Area “D” Residential Zone Update – Comprehensive Development (CD) Zones (Phase 3)

- a. Bylaw No. 2603.20
- b. Bylaw No. 2455.42
- c. Representations

RECOMMENDATION 14 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2603.20, 2020, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors consider the process, as outlined in this report from the Chief Administrative Officer dated November 19, 2020, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.20, 2020, 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 December 17, 2020;

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

C. PUBLIC WORKS**1. Okanagan-Kootenay Sterile Insect Release Program (SIR)**

- a. SIR Apportionment Options

RECOMMENDATION 15 (Weighted Corporate Vote – Majority)

1. THAT the Regional District of Okanagan Similkameen support apportioning the annual value tax burden of the SIR Program among participating Regional Districts using a hybrid formula that determines each Regional District's annual value tax requisition on:

- the Regional District's proportion of the previous year's converted assessment base (land and improvements) for the Program's service area as a whole, weighted at 75%; and,
- the Regional District's proportion of the previous year's total taxable acreage for the Program's service area as a whole, weighted at 25%; and,

2. THAT the Regional District of Okanagan Similkameen support phasing-in the new apportionment approach over a four-year period; and,

3. THAT the Regional District of Okanagan Similkameen support a request from the four participating Regional Districts to the Ministry of Municipal Affairs and Housing for an Order in Council to implement the new apportionment approach and phase-in provision.

2. Award of 2020-2021 Waste Composition Study

RECOMMENDATION 16 (Weighted Corporate Vote – Majority)

THAT the contract for the 2020-2021 waste composition study and composition comparison be awarded to Tetra Tech Canada Inc. for \$68,000 plus applicable taxes.

3. Award of RFP for Agricultural Chipping

RECOMMENDATION 17 (Weighted Corporate Vote – Majority)

THAT the contract for Agricultural Chipping be awarded to South Okanagan Tree Works for \$300 per hour plus applicable tax, estimated at \$75,000 per annum for a three year term, with an option for a three year extension.

D. COMMUNITY SERVICES

1. Provincial License of Occupation Renewal – KVR Osprey Lake to Faulder

a. Parcel Map

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors endorse an application to the Province of British Columbia for a Licence of Occupation renewal over the former Kettle Valley Rail right-of-way from Osprey Lake to Faulder for a period of ten (10) to thirty (30) years, legally described as in the report submitted by Apollo Figueiredo.

E. FINANCE

1. Bylaw 2919 – Area “C” Community Works (Gas Tax) Reserve Expenditure Bylaw

a. Bylaw 2919, 2020

RECOMMENDATION 19 (Weighted Corporate Vote – Majority)

THAT Bylaw No. 2919, 2020, Electoral Area “C” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$5,000 to fund the extension of ductwork to increase heating efficiencies at the Willowbrook Fire Hall be given first, second, & third reading and adopted.

F. LEGISLATIVE SERVICES

1. Board Policy Review as considered at the October 15, 2020 Corporate Services Committee
 - a. Fleet Acquisition, Replacement and Disposal Policy
 - b. Exempt Employee Performance Planning and Review Policy
 - c. Public Complaint Resolution Policy
 - d. Official Recognition Policy
 - e. Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits Policy
 - f. Anti-Idling for RDOS Fleet Vehicles Policy
 - g. Proclamation Policy

RECOMMENDATION 20 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors adopt the amended “Fleet Acquisition, Replacement and Disposal Policy”, and the amended “Exempt Employee Performance Planning and Review Policy”; and,

THAT the Board of Directors adopt the “Public Complaint Resolution” and the “Official Recognition” policies; and further,

THAT the Board of Directors rescind the “Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits”, the “Anti-Idling for RDOS Fleet Vehicles” and the “Proclamation” policies.

2. Sickle Point Parkland Acquisition
 - a. Bylaw No. 2914
 - b. Bylaw No. 2915
 - c. Elector Response Form
 - d. Notice of AAP

RECOMMENDATION 21 (Weighted Corporate Vote – Majority)

THAT Bylaw No. 2914, 2020, being a bylaw of the Regional District of Okanagan Similkameen to amend Kaleden Recreation Programming and Facility Maintenance Service Establishment Bylaw 1554, 1994 to increase the requisition limit be given 1st, 2nd and 3rd readings;

THAT the Director for Electoral Area “I” consent to the adoption of Bylaw No. 2914, 2020;

THAT Bylaw No. 2914, 2020 be forwarded to the Inspector of Municipalities for approval;

THAT Bylaw No. 2915, 2020, being a bylaw of the Regional District of Okanagan Similkameen to authorize the long-term borrowing of not more than \$3,500,000 for the purchase of Lot A, Plan KAP55255, DL 1035, Land District 54, commonly known as Sickle Point, be given 1st, 2nd and 3rd Readings and be forwarded to the Inspector of Municipalities for approval;

THAT upon approval of the Inspector, participating area approval for Bylaw No. 2915, 2020 be obtained from the electorate within the Kaleden Recreation Programming and Facility Maintenance Service through an alternative approval process (AAP) in accordance with the *Local Government Act*;

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2915, 2020 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday February 8, 2021;

THAT the elector response form attached to the report dated November 19, 2020 be the approved form for Bylaw No. 2915, 2020 alternative approval process;

THAT the total number of eligible electors to which the alternative approval process applies is 1816;

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 182.

3. Electoral Area "E" Parkland Acquisition

- b. Bylaw No. 2917, 2020
- c. Bylaw no. 2918, 2020
- d. Elector Response Form
- e. Notice of AAP

RECOMMENDATION 22 (Weighted Corporate Vote – Majority)

THAT Bylaw No. 2917, 2020 Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Establishment Amendment Bylaw, being a bylaw to increase the requisition limit for the service, be read a first, second and third time;

THAT the Director for Electoral Area "E" consent to the adoption of Bylaw No. 2917, 2020;

THAT Bylaw No. 2917, 2020 be forwarded to the Inspector of Municipalities for approval;

THAT Bylaw No. 2918, 2020, Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw, being a bylaw of the Regional District of Okanagan-Similkameen to authorize the long-term borrowing of not more than \$900,000 for the purchase of 012-287-687, Parcel A(DD 46960F and Plan B3260) Block 135, DL 210, SDYD, Plan 519 in Naramata, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval;

THAT upon approval of the Inspector, participating area approval for Bylaw No. 2918, 2020 be obtained from the electorate within the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service through an alternative approval process (AAP) in accordance with the Local Government Act;

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2918, 2020 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday February 8, 2021;

THAT the elector response form attached to the report dated November 19, 2020 be the approved form for Bylaw No. 2918, 2020 alternative approval process;

THAT the total number of eligible electors to which the alternative approval process applies is 1730;

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 173.

4. **Bylaw Notice Enforcement Amendment Bylaw – Open Burning amendments**
 - a. **Bylaw No. 2507.12, 2020**

RECOMMENDATION 23 (Unweighted Corporate Vote – 2/3 Majority)

THAT Bylaw No. 2507.12, 2020 Bylaw Notice Enforcement Amendment Bylaw, being a bylaw to amend the penalty schedule for open burning offences, be read a first, second and third time and be adopted.

G. CAO REPORTS

1. **Verbal Update**
-

H. OTHER BUSINESS

1. **Chair's Report**
-

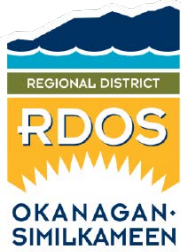
2. Board Representation

- a. BC Grape Growers Association and Starling Control – *Bush, Monteith (Alternate)*
 - b. Municipal Finance Authority – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - c. Municipal Insurance Association – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - d. Okanagan Basin Water Board - *McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff), Holmes (Alternate to Boot), Monteith (Alternate to Knodel)*
 - i. Okanagan Basin Water Board Report – October 2020
 - e. Okanagan Film Commission – *Gettens, Holmes (Alternate)*
 - f. Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
 - g. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
 - h. South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - i. Okanagan-Similkameen Regional Hospital District – *Sentes, McKortoff*
 - j. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - k. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
-

3. Directors Motions

4. **Board Members Verbal Update**
-

I. ADJOURNMENT



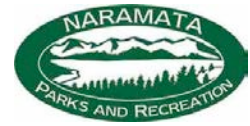
Minutes

Naramata Parks & Recreation Commission

Meeting of September 28, 2020, 6:30 p.m.

Spirit Park, Tennis Court

866 Sherwood Place, Naramata, BC



Present:	Karla Kozakevich, Director, Electoral Area “E”
Members:	Dennis Smith (Chair), Maureen Balcaen, Tom Hoenisch, Richard Roskell, Nicole Verpaelst, Jacqueline Duncan
Absent:	Ashley Selwood, Adrienne Fedrigo (Recreation Coordinator)
Staff:	Justin Shuttleworth (Manager of Parks and Facilities), Augusto Romero (Recreation Manager), Doug Reeve (RDOS, Projects Coordinator II)
Guests:	Cynthia Enns
Recording Secretary:	Heather Lemieux (Recording Secretary)
Delegates:	Doug Mathias

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

ADOPTION OF AGENDA — Added 3.2 Banners

1.1 **RECOMMENDATION**

It was Moved and Seconded that the Agenda for the Naramata Parks & Recreation Meeting of September 28, 2020 be adopted as amended and all presentations and reports be received.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 **RECOMMENDATION**

It was Moved and Seconded that the Minutes for Naramata Parks and Recreation Commission of February 24, 2020 be approved as presented.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

- 3.1 **Doug Mathias** — Presented on community interest for a recreation facility to provide recreation services and offices.

- 3.2 Banners** — An email was received from the Naramata Citizens Association (NCA) requesting financial support for a community banner project.

ACTION — Dennis Smith to forward the email to commission members.

4. RDOS STAFF REPORTS

- 4.1 Boat Storage** — Doug Reeve (RDOS, Projects Coordinator II) reported that site prep is underway, some native vegetation was retained. More vegetation will be added next spring in consultation with the Penticton Indian Band (PIB). Watercraft racks and removable bollards (to prevent unauthorized vehicle access) will be installed. A natural border will be used instead of fencing.
- 4.2 Wharf Park** — Doug Reeve (RDOS, Projects Coordinator II) reported that repair work was completed on the gravel path and concrete edging.
- 4.3 Manitou Park Project** — Doug Reeve (RDOS, Projects Coordinator II) reported that the washroom design has been tendered. Construction is expected to be complete by the end of 2020. The accessible pathway construction will start in early 2021.
- 4.4 2021 Budget Discussion** — Justin Shuttleworth (Manager of Parks and Facilities) and Augusto Romero (Recreation Manager) reported that a budget survey has been distributed to all regional parks and recreation commissions.

Discussed budget overview and summary. Noted budget changes due to service disruptions in 2020. Discussed volunteer programs and their long-term sustainability, offering more outdoor programs in future, assets vs. reserves, capital purchases, commission grants, provincial assets and the provinces involvement in asset management and long-term operating capacities.

5. COMMISSION MEMBER REPORTS

- 5.1 Goose Management Discussion** — Maureen Balcaen reported that the addling program was successful.
- 5.2 Parks Maintenance Contractor Liaison** — Maureen Balcaen reported that the parks were very busy this season. Discussed vandalism, dust and parking challenges.

6. RDOS DIRECTOR REPORT — Karla Kozakevich (RDOS Area “E” Director)

- 6.1 NPR Membership** — Gratitude was expressed to Lyle Resh and Jeff Gagnon for their years of service to the commission. A warm welcome to potential new NPR member, Cynthia Enns.
- 6.2 Electric Car Charging Station** — Location planning is underway.
- 6.3 Naramata Centre Beach** — Naramata Cittaslow is fundraising to purchase part of the beach. Discussed possible future parkland acquisitions.

6.4 Taxation — Regional directors from all areas in the RDOS will be having a board meeting to discuss tax increases or decreases.

7. BUSINESS ARISING

7.1 Three Blind Mice Trail - Statement of Interest Update — Richard Roskell discussed maps, zoning and access points. The Penticton and Area Cycling Association (PACA) has extensive knowledge and maps of the trails.

ACTION — Justin Shuttleworth to invite PACA representatives to an upcoming NPR meeting.

7.2 Consider New Commission Member — Guest, Cynthia Enns, presented an introduction and statement of interest in becoming a NPR member.

8. ADJOURNMENT

RECOMMENDATION

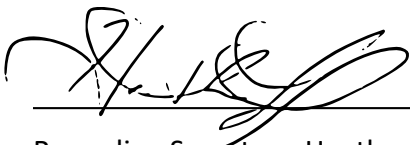
It was Moved and Seconded that the Naramata Parks & Recreation Meeting be adjourned at 8:19 p.m.

CARRIED

NEXT MEETING: October 26, 2020 at 6:30 p.m.
 Location TBD



Chair, Dennis Smith, Naramata Parks and Recreation Commission – Electoral Area “E”



Recording Secretary, Heather Lemieux



Minutes

Okanagan Falls Parks & Recreation Commission

Meeting of October 1, 2020

Okanagan Falls Community Centre, 1141 Cedar Street,
Okanagan Falls, BC



Present: Mr. R. Obirek, Director, Electoral Area “D”

Members: Kelvin Hall, Chair, Doug Lychak, Matt Taylor, Jillian Johnston, Barbara Shanks, Joanne Kleb,

Absent: Daniela Fehr, Alf Hartviksen, Shari Rowland

Staff: Jim Zaffino, Manager of Finance
Justin Shuttleworth, Manager of Parks and Facilities
Augusto Romero, Recreation Manager

Recording Secretary: Sue Gibbons

Delegates: None

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of October 1, 2020 be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for Okanagan Falls Parks and Recreation Commission meeting of February 13, 2020 be approved.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

3.1 None

4. RDOS STAFF REPORTS

4.1 2021 Budget discussion

- Review of 2020
 - Discussed trends, issues, budget projections and the status of projects
- 2021
 - Discussed trends, maintenance and service levels and projects

5. COMMISSION MEMBER REPORTS

5.1 Report regarding Walkabouts

- Carried forward to next meeting

5.2 Report on Aster

- Carried forward to next meeting

5.3 Report on Heritage Hills

- D. Lychak gave an update on the progression of Heritage Hills Park

6. RDOS DIRECTOR'S REPORT

6.1 None

7. BUSINESS ARISING

- 7.1 A question was raised asking what the process is for booking the rental of the pavilion, etc. in Heritage Hills Park.

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 8:25 pm.

CARRIED

NEXT MEETING – Thursday, November 12TH, 2020

Chair, Parks and Recreation Commission – Electoral Area “D”

Sue Gibbons

Recording Secretary



Minutes

Kaleden Parks & Recreation Commission

Meeting of October 6, 2020

Kaleden Community Hall – 320 Lakehill Road, Kaleden, BC



Present: Ms. S. Monteith, Director, Electoral Area “I”

Members: Doug King, Vice Chair, Jaynie Malloy, Margaret O’Brien, Dave Gill, Gail Jeffery, Randy Cranston

Absent: Neal Dockendorf

Staff: Jim Zaffino, Manager of Finance
Justin Shuttleworth, Manager of Parks and Facilities
Augusto Romero, Recreation Manager

Recording Secretary: Margaret O’Brien

Delegates / Guests: Debbie Shillitto, Christine Rempel, Marie-Eve Lamarche

1. CALL TO ORDER

The meeting was called to order at 6:35 p.m.

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of October 6, 2020 be adopted.

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 January 16, 2020 be approved.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

3.1 Offer from community member to donate a piano in the park

- Discussion

4. RDOS STAFF REPORTS

- 4.1 2021 Budget Discussion – Commission and RDOS Staff
- 4.2 Parks and Facilities / Projects – Justin Shuttleworth, Jim Zaffino
- 4.3 Recreation – Augusto Romero, Jim Zaffino

5. COMMISSION MEMBER REPORTS

- 5.1 None

6. RDOS DIRECTOR’S REPORT

- 6.1 Discussion re purchase of Sickle Point

RECOMMENDATION

That the Kal-Rec Parks and Recreation Commission supports the undertaking of an investigation by the Regional District of Okanagan-Similkameen (RDOS) into a joint collaboration with the Save Sickle Point Committee of possibly purchasing the property known as Sickle Point.

CARRIED

7. BUSINESS ARISING

- 7.1 None

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 8:30 pm.

CARRIED

NEXT REGULAR MEETING: TBD

Chair, Kaleden Parks and Recreation Commission

Recording Secretary



Minutes

Electoral Area "F" Parks & Recreation Commission

Meeting of October 7, 2020

RDOS Office – 101 Martin Street, Penticton, BC

Present: Ms. R. Gettens, Director, Electoral Area "F"

Members: Ben Arcuri, Chair, Tristan Mennell, Jane Windeler, Darryl Dietrich, Ben Johnson

Absent: Warren Everton

Staff: Jim Zaffino, Manager of Finance
Justin Shuttleworth, Manager of Parks & Facilities
Augusto Romero, Recreation Manager

Recording Secretary: Sue Gibbons

Delegates / Guest:

1. CALL TO ORDER

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

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of October 7, 2020 be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for Electoral Area "F" Parks and Recreation Commission of February 11, 2020 be approved.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

3.1 None

4. RDOS STAFF REPORTS

4.1 2021 Budget discussion

- Review of 2020
 - Discussed trends, issues, budget projections and the status of projects
- 2021
 - Discussed trends, maintenance and service levels and projects
 - Discussed School District 67 shared use agreement. No changes at this point.

4.2 Age-Friendly Survey

- Presentation was delivered by Urban Systems and an email follow up was sent by A. Romero with questions from Urban Systems. Commission members were asked to respond.

5. COMMISSION MEMBER REPORTS

None

6. RDOS DIRECTOR'S REPORT

6.1 None

7. BUSINESS ARISING

7.1 None

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 9:00 pm.

CARRIED

Chair, Parks and Recreation Commission – Electoral Area “F”

Sue Gibbons

Recording Secretary



Minutes

Electoral Area 'C' Advisory Planning Commission

Meeting of: *Tuesday, September 8, 2020*

Community Centre, Oliver BC

Present: Rick Knodel, Director, Electoral Area 'C'

Members: Ed Machial, Vice-Chair David Janzen Jack Bennest
 Beantjit Chahal Jessica Murphy

Absent: Sara Bunge, Chair
 Louise Conant
 Terry Schafer, Alternate Director, Electoral Area "C"

Staff: Cory Labrecque, Planner II
 Rushi Gadoya, Planning Technician
 Sofia Cerqueira, Recording Secretary

Delegation: Singh, Sukhmander

1.	CALL TO ORDER
	<p>The meeting was called to order at 7:05p.m.</p> <p>ADOPTION OF AGENDA</p> <p><u>MOTION</u></p> <p>It was Moved and Seconded that the Agenda for the Special Electoral Area "C" Advisory Planning Commission (APC) meeting of September 8, 2020 be adopted.</p> <p style="text-align: right;"><u>CARRIED</u></p>
2.	Adoption of the Agenda
	<p>2.1 ADOPTION OF THE AGENDA</p> <p><u>MOTION</u></p> <p>It was Moved and Seconded that the Minutes of the July 7, 2020 Electoral Area "C" Advisory Planning Commission (APC) meeting be adopted.</p> <p style="text-align: right;"><u>CARRIED</u></p>

3.	DELEGATION
	<p>3.1 Singh, Sukhmander & Sandhu, Surjit –Agricultural Land Commission (ALC) Application C05664.000 (C2020.007-ALC)</p> <p>3.2 <u>C06519.200 (C2019.15.TUP) – Temporary Use Permit Application</u> Administrative Report submitted by JoAnn Peachey, Planner</p> <p><u>MOTION</u> That the APC recommends to the RDOS Board that the proposed temporary use be approved.</p> <p style="text-align: right;"><u>CARRIED</u></p>
4.	Development Applications
	<p>4.1 C05664.000 (C2020.007-ALC) –ALC Application Administrative Report submitted by Rushi Gadoya</p> <p><u>MOTION</u> THAT the APC recommends to the RDOS Board of Directors that the subject application be “authorized” to proceed to the Agricultural Land Commission be denied.</p> <p style="text-align: right;"><u>CARRIED</u></p> <p>4.2 C05193.008 (C2020.010-ZONE) –Zoning Bylaw Amendment Administrative Report submitted by Cory Labrecque</p> <p><u>MOTION</u> THAT the APC recommends to the RDOS Board of Directors that the proposed rezoning of an approximately 5.5ha part of Block A, Plan KAP1729, District Lot 2450S, SDYD, to accommodate the “Loose Bay” campground be approved.</p> <p style="text-align: right;"><u>CARRIED</u></p>
5.	ADJOURNMENT
	<p><u>MOTION</u> It was Moved and Seconded that the meeting be adjourned at 7:48pm.</p> <p style="text-align: right;"><u>CARRIED</u></p>

Ed Machial

Advisory Planning Commission Vice-Chair

Sofia Cerqueira

Recording Secretary



Minutes

Electoral Area 'D' Advisory Planning Commission

Meeting of Tuesday, October 13, 2020

Okanagan Falls Community Centre

1141 Cedar Street, Okanagan Falls, BC

-
- Present:** Ron Obirek, Director, Electoral Area "D"
- Members:** Doug Lychak, Kurtis Hiebert, Navid Chaudry, Jerry Stewart, Alf Hartviksen, Jill Adamson, Kelvin Hall
- Absent:** Almira Nunes, Norm Gaumont, Bob Pearce, Don Albright, Malcom Peterson
- Staff:** JoAnn Peachey, RDOS Planner 1
- Recording Secretary:** Debbie Morrow
- Delegates:** Gerelus, Larry

1. CALL TO ORDER

The meeting was called to order at 7:08 p.m.

2. ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED

3. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of July 14, 2020 be approved.

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

CARRIED

4. DELEGATIONS

- 4.1 4.1 Gerelus, Larry for Agricultural Land Commission (ALC) Referral (Non-farm use)
D03459.020 (D2020.011-ALC)

Discussion

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors that the subject application not be “authorized to proceed to the Agricultural Land Commission

DEFEATED

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors that the subject application be “authorized” to proceed to the Agricultural Land Commission.

CARRIED

5. ADJOURNMENT

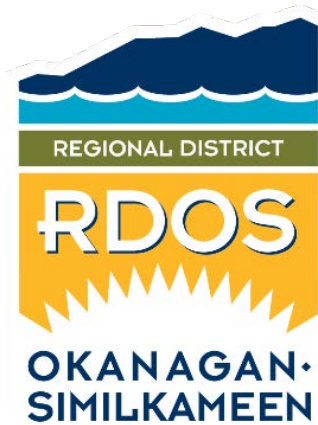
MOTION

It was Moved and Seconded that the meeting be adjourned at 8:00 pm.

CARRIED

Advisory Planning Commission Chair

Advisory Planning Commission Recording Secretary / minute taker



Minutes

Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, October 26, 2020 at 7:30 p.m.

Naramata Centre Dinning Hall, 460 Ellis Avenue
Naramata, BC

Present:

Members: Bruce Clough (Chair, Electoral Area 'E' APC), Heather Fleck, Don Mancell, Dianna Smith, Richard Roskell, Phil Janzen

Absent: Debbie Selwood

Staff: Cory Labrecque (RDOS Planner)

Guests: Karla Kozakevich (RDOS Area 'E' Director), 15 members of the public

Recording Secretary: Heather Lemieux, via transcription

Delegates: Donna Butler (Ecora Engineering)

1. ADOPTION OF AGENDA

The meeting was called to order at 7:48 p.m. Quorum Present.

MOTION

It was Moved and Seconded by the APC THAT the Agenda be adopted as presented.

CARRIED

2. APPROVAL OF MINUTES

MOTION

It was Moved and Seconded by the APC THAT the Minutes of March 9, 2020 be approved.

CARRIED

3. DELEGATIONS

- 3.1 Donna Butler, Ecora Engineering for Official Community Plan (OCP) and Rezoning Amendments E02018.000 (E2019.017-ZONE)
Applicant: Naramata Holding Ltd

4. DEVELOPMENT APPLICATIONS

- 4.1 E02018.000 (E2019.017-ZONE) - OCP and Rezoning Amendment
Administrative Report submitted by Cory Labrecque

MOTION

It was Moved and Seconded in favour of Option 3. THAT the APC recommends to the RDOS Board of Directors that the subject bylaw be denied.

CARRIED

5. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 8:29 p.m.

CARRIED

Next Meeting – November 9, 2020 at 7:30 p.m.

Location TBD

Bruce Clough, Chair of the Area 'E' Advisory Planning Commission



Advisory Planning Commission Recording Secretary / minute taker



Minutes

Electoral Area 'I' Advisory Planning Commission

Meeting of Wednesday 16th of September, 2020

Kaleden Community Hall, 320 Lakehill Road, Kaleden, BC

- Present:** Subrina Monteith, Director, Electoral Area "I"
- Members:** Adele Dewar - Chair, Darlene Bailey – Vice Chair, Chris Struthers – Secretary,
Bruce Shepherd, Mike Gane, Bob Handfield, Doreen Olson
- Absent:** John Davis, Sandie Wilson
- Staff:** JoAnn Peachey – Planner
Rushi Gadoya - Planner
- Recording Secretary:** Chris Struthers
- Delegates:** Delegation representing Development Variance Permit Application I01645.200.
Delegation representing Development Variance Permit Application I01378.500.

1. CALL TO ORDER

The meeting was called to order at 5:32 p.m.

2. ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED UNANIMOUSLY

3. DEVELOPMENT APPLICATIONS

3.1 I01645.200 (I2020.009-DVP) – Development Variance Permit Application (218 Cedar Ave)

Delegates present.

Discussion.

MOTION

It was Moved and Seconded THAT the APC recommends to the RDOS Board that the subject development application be approved..

CARRIED UNANIMOUSLY

3.2 I01378.500 (I2020.002-DVP)– Development Variance Permit Application (120-5th St)

Delegates present.

Discussion.

MOTION

It was Moved and Seconded That the APC recommends to the RDOS Board that the proposed development application be denied.

CARRIED

4. NEW BUSINESS

4.1 N/A

4. APPROVAL OF PREVIOUS MEETING MINUTES

Recent disruptions to the usual APC schedule meant that previous meeting minutes have not yet been distributed for review. Will require follow-up at next meeting.

N/A

5. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 6:22 pm.

CARRIED


Adele R Dewar (Sep 17, 2020 10:08 PDT)

Advisory Planning Commission Chair


Chris Struthers (Sep 18, 2020 10:15 PDT)

Advisory Planning Commission Recording Secretary / minute taker.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Letter of Support for Okanagan Falls Irrigation District Application to the OBWB Water Conservation and Quality Improvement (WCQI) Grant Program

Administrative Recommendation:

THAT the Regional District forward a letter to the OBWB in support of the Okanagan Falls Irrigation District's application to the Water Conservation and Quality Improvement grant program for the 'Metering OK Falls Parks and Agricultural Properties' project.

Background:

The OBWB provides funding through the Water Conservation and Quality Improvement (WCQI) grant program to local governments, irrigation districts, and non-profit organizations for projects that conserve and protect water, based on the recognition that we are all part of "One Valley, One Water."

In 2017, the RDOS Board provided a letter of support for this project, however the Okanagan Falls Irrigation District had unexpected expenses that prevented the completion of this project. The Irrigation District is now prepared to move ahead with the project and is requesting renewed support from the RDOS in the upcoming WCQI grant intake.

Analysis:

The Okanagan Falls Irrigation District (OFID) is applying to the OBWB's WCQI program for a grant to meter the parks and agricultural properties as well as the elementary school and community cemetery. The aim of the project is to collect data for determining the amount of water used by each user group on the OFID system. The OFID currently meters industrial and commercial properties as well as the spray park at Kenyon Park. Using the data collected from all of the different metered user groups, the residential consumption can be determined. The impact on consumption rates could be monitored as the OFID institutes water conservation programs based on the RDOS' Water Conservation Strategy. The OFID anticipates the total project to cost around \$55,000-\$60,000.

Respectfully submitted:

Liisa Bloomfield

L. Bloomfield, Engineering Manager

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 19, 2020
RE: Electoral Area "I" Kaleden Parks and Recreation Commission
Appointments

Administrative Recommendation:

THAT the Board of Directors appoint the following members to the Electoral Area "I" Kaleden Parks and Recreation Commission for a two year term, ending December 31, 2021.

Area "I" Kaleden Parks and Recreation Commission
Debbie Shillitto
Marie-Eve Lamarche
Rick Johnson

Purpose:

To appoint three new members to the Kaleden Parks and Recreation Commission.

Reference:

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

Background:

Pursuant to the Bylaw 2732, 2016, parks and recreation commissions are appointed by and advise the Board of Directors regarding matters related to local parks and recreation service areas. Advertisements for membership occur each fall with most members beginning their term January 1st each year. However, new members can be appointed at any time provided there are openings. Members must reside in the service area in which they serve and terms are for up to two years, expiring December 31st of each year. Membership terms shall be staggered such that half of the terms shall begin in even numbered years, and the other half of the terms shall begin in odd numbered years.

Analysis:

Wayne Lee of the Kaleden Parks and Recreation Commission has retired, leaving the commission with seven members which will be at ten members once the new members are appointed by the Board of Directors. The maximum number of members allowed is eleven. A letter is to be provided to Wayne thanking him for his contribution to his commission.

The Electoral Area Director has reviewed the applications, and is recommending Debbie Shillitto, Marie-Eve Lamarche and Rick Johnson be appointed to the Kaleden Parks and Recreation Commission.

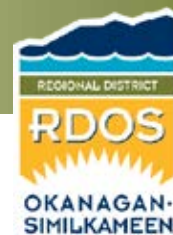
Alternatives:

That the Board not appoint the new members to the Kaleden Parks and Recreation Commission.

Respectfully submitted:

Justin Shuttleworth

J. Shuttleworth, Parks & Facilities Manager



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

Thursday, October 15, 2020

10:27 a.m.

MINUTES

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director T. Boot, District of Summerland

STAFF PRESENT:

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

RECOMMENDATION 1

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

THAT the Agenda for the Community Services Meeting of October 15, 2020 be adopted. - **CARRIED**

B. Q3 ACTIVITY REPORT

The Committee was advised of the activities of the third quarter of 2020 and the planned activities for the fourth.

C. ADJOURNMENT

By consensus, the Community Services Committee meeting adjourned at 10:28 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Bauer
Community Services Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, October 15, 2020
10:42 a.m.

MINUTES

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director T. Boot, District of Summerland

STAFF PRESENT:

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

RECOMMENDATION 1

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

THAT the Agenda for the Corporate Services Meeting of October 15, 2020 be adopted. - **CARRIED**

B. Q3 UPDATES

1. Activity Report
2. Communications Report

The Committee was provided an update on the activities of the third quarter of 2020 and the planned activities for the fourth quarter.

C. Q3 CORPORATE ACTION PLAN

The Committee reviewed the Corporate Action Plan.

D. Q3 MANAGEMENT DISCUSSION AND ANALYSIS REPORT

The Committee reviewed the financial position of the organization.

E. BOARD POLICY REVIEW

- a. Draft Revised Fleet Acquisition Policy
- b. Draft Revised Exempt Employee Performance Planning and Review Policy
- c. Draft Public Complaint Resolution Policy
- d. Draft Official Recognition Policy
- e. Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits Policy
- f. Anti-Idling for RDOS Fleet Vehicles
- g. Proclamation Policy

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors adopt the amended “Fleet Acquisition, Replacement and Disposal Policy”, and the amended “Exempt Employee Performance Planning and Review Policy”; and,

THAT the Board of Directors adopt the new “Public Complaint Resolution” and the “Official Recognition” policies; and further,

THAT the Board of Directors rescind the “Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits”, the “Anti-Idling for RDOS Fleet Vehicles” and the “Proclamation” policies.

CARRIED

F. ADJOURNMENT

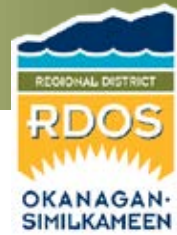
By consensus, the Corporate Services Committee meeting adjourned at 11:54 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



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

Thursday, October 15, 2020
10:29 a.m.

MINUTES

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director T. Boot, District of Summerland

STAFF PRESENT:

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

RECOMMENDATION 1

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

THAT the Agenda for the Environment and Infrastructure Committee Meeting of October 15, 2020 be adopted. - **CARRIED**

B. Q3 ACTIVITY REPORT

The Committee was advised of the activities of the third quarter of 2020 and the planning activities for the fourth quarter.

C. 2020 MOSQUITO CONTROL PROGRAM REPORT

The Committee was presented a year end report on the 2020 mosquito program.

D. ADJOURNMENT

The meeting was adjourned at 10:41 a.m.

APPROVED:

CERTIFIED CORRECT:

G. Bush
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Committee

Thursday, October 15, 2020

9:15 am

Minutes

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director G. Bush, Electoral Area "B"	Director T. Boot, District of Summerland
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STAFF PRESENT:

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

RECOMMENDATION 1

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

THAT the Agenda for the Planning and Development Committee Meeting of October 15, 2020 be adopted. - **CARRIED**

B. Q3 ACTIVITY REPORT

The Committee was advised of the activities of the third quarter of 2020 and the planned activities for the fourth quarter.

C. DEVELOPMENT PROCEDURES BYLAW – PARKLAND DEDICATION AMENDMENT

1. Draft Bylaw No. 2500.16

RECOMMENDATION 2

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

THAT Amendment Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be initiated. - **CARRIED**

- D. **ESDP AREA UPDATE**
1. Draft Bylaw No. 2500.17
 2. Draft Bylaw No. 2912 (OCP)

RECOMMENDATION 3

It was MOVED and SECONDED

THAT the proposed amendments to the ESDP areas be referred to the Electoral Area Advisory Planning Commissions. - **CARRIED**

- E. **ALR EXCLUSION POLICIES**
1. Bylaw No. 2913

RECOMMENDATION 4

It was MOVED and SECONDED

THAT the Board of Directors initiate Official Community Plan Amendment Bylaw No. 2913, 2020.
CARRIED

- F. **SECONDARY SUITES & ACCESSORY DWELLINGS – MAXIMUM FLOOR AREA ALLOWANCES**

RECOMMENDATION 5

It was MOVED and SECONDED

THAT the maximum floor area of a secondary suite and accessory dwelling be set at 125.0 m² in the Draft South Okanagan Electoral Area Zoning Bylaw No. 2800. - **CARRIED**

- G. **ADJOURNMENT**

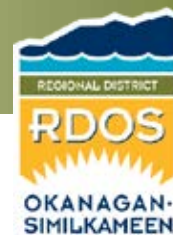
By consensus, the meeting adjourned at 10:17 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, October 15, 2020

10:17 a.m.

MINUTES

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director T. Boot, District of Summerland

STAFF PRESENT:

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

RECOMMENDATION 1

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

THAT the Agenda for the Protective Services Meeting of October 15, 2020 be adopted. - **CARRIED**

B. Q3 ACTIVITY REPORT

The Committee was advised of the activities of the third quarter of 2020 and the planned activities for the fourth quarter.

C. ADJOURNMENT

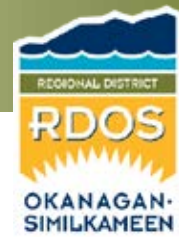
By consensus, the Protective Services Committee meeting adjourned at 10:27 a.m.

APPROVED:

CERTIFIED CORRECT:

D. Holmes
Committee Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 12:17 p.m. on Thursday, October 15, 2020 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director T. Boot, District of Summerland

STAFF PRESENT:

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

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Agenda for the RDOS Board Meeting of October 15, 2020 be adopted as amended by adding:

- Item E3 Oliver and District Arena Capital Upgrades
- Item I Closed Session.

CARRIED

1. Consent Agenda – Corporate Issues

- Similkameen Recreation Commission – September 17, 2020
THAT the Minutes of the September 17, 2020 Similkameen Recreation Commission meeting be received.
- Electoral Area "D" Okanagan Falls Parks Recreation Commission
THAT the Board of Directors appoint Judy Garner to the Electoral Area "D" Naramata Parks and Recreation Commission for a two year term, ending December 31, 2022.
- South Okanagan Conservation Fund – Technical Advisory Committee Appointments
THAT the Board of Directors appoint the following as volunteer members of the South Okanagan Conservation Fund Technical Advisory Committee:

Three year term ending December 31 2022

- Timothy Gray (B.Sc, M.E.T, R.P.Bio.)
- Laura Machial (MSc., R.P.Bio.)

THAT a letter of appreciation be sent to Adam Ford, Ph.D on behalf of the Board, thanking him for his dedication and support while serving on this committee for the past three years.

- d. Planning and Development Committee – October 1, 2020
THAT the Minutes of the October 1, 2020 Planning and Development Committee meeting be received.
- e. RDOS Regular Board Meeting – September 17, 2020
THAT the Minutes of the September 17, 2020 Regular Board meeting be adopted.
- f. RDOS Regular Board Meeting – October 1, 2020
THAT the minutes of the October 1, 2020 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

2. Consent Agenda – Development Services

- a. Temporary Use Permit Application – 3575 3rd Street, Electoral Area “E”
 - i. Permit
 - ii. Representations

THAT the Board of Directors approve Temporary Use Permit No. E2020.008-TUP

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Consent Agenda – Development Services be adopted. - **CARRIED**

B. DEVELOPMENT SERVICES – Building Inspection

1. Building Bylaw Infractions – 1321 Fish Lake Road – Placement of structures without building permits

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as District Lot 3761, ODYD, Except Plan 33562, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018;

AND THAT injunctive action be commenced.

CARRIED

2. Building Bylaw Infractions – G9 – 5405 McLean Creek Road, Electoral Area “D” – Expired permit, incomplete inspections and failure to meet floodplain elevation requirements
 - a. Representations

The property owner addressed the Board.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT if corrective works have not been completed by November 30, 2020 a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lots 374, 551 & 2710 Plan KAP81234, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and No. 2805; and

THAT injunctive action be commenced.

CARRIED

Opposed: Director Bush

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Reschedule Public Hearing - Zoning Bylaw Amendment – 500 Secret Hill Road (Loose Bay) Electoral Area “C”

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the holding of a public hearing for Bylaw No. 2453.38, 2020, be scheduled for the Regional District Board meeting of November 19, 2020;

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

CARRIED

2. Petition to Enter Service Areas – 3498 Arawana Forestry Road – Electoral Area “E”
Street Lighting and Campbell Mountain Landfill Solid Waste Collection and Drop-Off
 - a. Bylaw No. 1618.02
 - b. Bylaw No. 2190.08

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 1618.02, 2020, Naramata Street Lighting Local Service Establishment Amendment Bylaw be read a first, second and third time;

AND THAT Bylaw No. 2190.08, 2020, Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Amendment Bylaw be read a first, second and third time.

CARRIED

3. Petition to Enter Water Service Area – 3440, 3498, 3580, 3690 Arawana Forestry Road Electoral Area “E”
 - a. Bylaw No. 2896, 2020

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2896, 2020, a bylaw of the Regional District of Okanagan Similkameen to amend the Naramata Water System Local Service Establishment Bylaw be read a first and second time; but that the Bylaw not be brought for third reading until the following conditions have been fulfilled.

1. That a detailed letter, with expectations and requirements of the Regional District to be fulfilled at the expense of the owner with respect to infrastructure upgrades to provide water service to the Lands be delivered to Naramata Benchland Properties Ltd.; and, that the letter contain a provision whereby the developer acknowledges receipt of the letter and agrees with the contents therein; and
2. That to ensure any future owner has notice of the infrastructure requirements of the Regional District, and the costs to provide water service to the Lands and to mitigate potential liability with respect to any obligation of the Regional District to provide water service, that a “no-build/subdivision” covenant be registered against the Lands pursuant to Section 219 of the Land Title Act prior to inclusion of the Lands into the Naramata Water System Service Area. The Section 219 Covenant should also refer to the requirements of a development agreement being entered into prior to rezoning, subdivision or construction, if any.

CARRIED

4. Agricultural Land Commission Referral (Exclusion) – 1313 Greyback Mountain Road Electoral Area “E”
 - a. Representations

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS Board “authorize” the application to exclude an approximately 22.56 ha part of the parcel located at 1313 Greyback Mountain Road (Plan KAP1190, Sublot 8, District Lot 2711, SDYD) to proceed to the Agricultural Land Commission. - **CARRIED**

5. Zoning Bylaw Amendment – 2390 Coalmont Road – Electoral Area “H”
 - a. Bylaw No. 2498.22
 - b. Representations

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

It was MOVED and SECONDED

THAT Bylaw No. 2498.22, 2020, Electoral Area “H” Zoning Amendment Bylaw be read a third time and be adopted. - **CARRIED**

6. Zoning Bylaw Amendment – Regulation of Metal Storage Containers
Electoral Areas “A”, “C”, “D”, “E”, “F” & “I”
 - a. Bylaw No. 2895, 2020

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for November 19, 2020 at 7:00 p.m.;

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

CARRIED

D. PUBLIC WORKS

1. Required Resolution for Investing in Canada Infrastructure Program – Rural and Northern Communities Grant Application

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District support the following applications to the Investing in Canada Infrastructure Program – Rural and Northern Communities for the following projects, given in priority order:

1. Naramata Water System Infrastructure Upgrades
2. Sun Valley Water Treatment and Generator Upgrade; and,

THAT the Regional District commits to its share of each project for staff time, potential cost overruns or other ineligible expenses.

CARRIED

E. COMMUNITY SERVICES

1. Community Economic Recovery Infrastructure Grant Program

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board endorse two applications to the Community Economic Recovery Infrastructure Program (CERIP) grant for:

- Keremeos Outdoor Pool Restoration and Accessibility Improvements
- Kaleden Hotel Structural Rehabilitation

CARRIED

2. Award of Manitou Park Public Washroom Construction Project

RECOMMENDATION 14 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Board of Directors award the construction of a new Public Washroom and septic system at Manitou Park to Plan B Contractors Inc. up to the amount of \$282,110.00 exclusive of GST.

CARRIED

3. Oliver and District Arena Capital Upgrades

- a. Administrative Report
- b. Bylaw No. 2844, 2019
- c. Oliver Parks and Recreation Society Request for Support

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors support the Oliver Parks and Recreation Society application for the Oliver & District Arena through the Investing in Canada Infrastructure Program for a total project value of \$3,145,350 with the Regional District of Okanagan-Similkameen share of Community, Culture and Recreation stream being \$838,865 and the Rural Northern Community stream with the Regional District share to be \$0.00.

CARRIED

RECOMMENDATION 16 (Weighted Corporate Vote – Unanimous)

It was MOVED and SECONDED

THAT third reading of Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019 be rescinded to amend the amount to be borrowed from \$2,600,000 to \$900,000; and,

THAT third reading of Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019 be re-read as amended.

CARRIED

F. LEGISLATIVE SERVICES

1. Willowbrook Fire Protection Local Service Establishment Amendment Bylaw

- a. Bylaw No. 1388.03

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.03, 2020, being a bylaw to change reference to Electoral Area "D" to Electoral Area "I", be adopted. - **CARRIED**

2. Update on Municipal Director Appointments

G. CAO REPORTS

1. Verbal Update
-

H. OTHER BUSINESS

1. Chair's Report
-

2. Board Representation

- a. BC Grape Growers Association and Starling Control – *Bush, Monteith (Alternate)*
 - b. Municipal Finance Authority – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - c. Municipal Insurance Association – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - d. Okanagan Basin Water Board - *McKortoff, Holmes, Knodel, Pendergraft (Alternate to McKortoff), Monteith (Alternate to Knodel)*
 - e. Okanagan Film Commission – *Gettens, Holmes (Alternate)*
 - f. Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
 - g. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
 - h. South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - i. Okanagan-Similkameen Regional Hospital District – *Kozakevich, Holmes (Alternate)*
 - j. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - k. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
-

3. Directors Motions

- a. Directors Motion - Director Gettens

IT WAS MOVED AND SECONDED

THAT staff investigate the feasibility of hiring an Indigenous Relations position to develop and maintain resilient working relationships with each of the South Okanagan Similkameen's Indian Bands. – **CARRIED**

Opposed: Directors Bush, Robinson, Bauer

4. Board Members Verbal Update
-

I. CLOSED SESSION

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT in accordance with Section 90(1)(e) of the *Community Charter*, the Board close the meeting to the public on the basis of discussions involving the acquisition, disposition or expropriation of land or improvements, disclosure of which could reasonably be expected to harm the interests of the regional district. - **CARRIED**

The meeting closed to the public at 2:07 p.m.

The meeting opened to the public at 2:25 p.m.

J. ADJOURNMENT

By consensus, the meeting adjourned at 2:25 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Inaugural Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 3:00 p.m. on Thursday, November 5, 2020 in Salon D, Penticton Lakeside Resort, 21 Lakeshore Drive, Penticton, British Columbia.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer	C. Malden, Manager of Legislative Services
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A. CALL TO ORDER

Chief Administrative Officer Bill Newell called the meeting to order and advised of the order of business.

B. ELECTION OF 2021 BOARD CHAIR AND VICE CHAIR

CAO Newell called for nominations for the position of RDOS Board Chair.

Nomination: Director B. Coyne, seconded by Director Bauer nominated Director Kozakevich.

Nomination: Director Monteith, seconded by Director Trainer nominated Director Holmes.

CAO Newell called two more times for nominations. No further nominations were forthcoming.

Nominees were given an opportunity to provide a brief speech.

C. Malden and G. Cramm were appointed to serve as scrutineers.

Director Kozakevich was elected RDOS Chair for the ensuing year.

CAO Newell called for nominations for the position of RDOS Board Vice-Chair.

Nomination: Director Vassilaki, seconded by Director Gettens nominated Director Monteith.

Nomination: Director Bauer, seconded by Director McKortoff nominated Director S. Coyne.

Nomination: Director Trainer, seconded by Director Obirek nominated Director Holmes; however, Director Holmes declined the nomination.

CAO Newell called two more times for nominations. No further nominations were forthcoming.

Nominees were given an opportunity to provide a brief speech.

Director S. Coyne was elected RDOS Vice-Chair for the ensuing year.

C. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Agenda for the RDOS Inaugural Board Meeting of November 5, 2020 be adopted. - **CARRIED**

D. LEGISLATIVE SERVICES

1. 2021 RDOS Schedule of Meetings

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the 2021 Regional District of Okanagan-Similkameen Board and Committee Schedule of Meetings, as provided in the November 5, 2020 report from the Chief Administrative Officer, be approved. - **CARRIED**

2. 2021 Advisory Planning Commission Schedule of Meetings

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors accept the 2021 APC Meeting Schedule for the Electoral Area Advisory Planning Commissions, as amended by changing the time of the meetings for Electoral Area "I" APC meetings to 7:00 p.m. - **CARRIED**

3. 2021 Regional District Signing Authority

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors appoint the 2021 Board Chair and Vice Chair as signing officers for the Regional District of Okanagan-Similkameen for the 2021 year:

RDOS Board Chair: Karla Kozakevich

RDOS Board Vice-Chair: Spencer Coyne

CARRIED

4. 2020 November Schedule of Board Meetings – for information

E. ADJOURNMENT

By consensus, the meeting adjourned at 3:44 p.m.

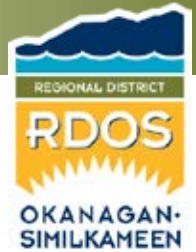
APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 19, 2020
RE: Development Variance Permit Application — Electoral Area “F”

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. F2020.014-DVP

Purpose: To allow for development of a new deck on an existing single family dwelling.

Owners: Rob & Michelle Swetlikoe Agent: N/A Folio: F-07329.000

Civic: 203 West Bench Drive Legal: Lot 31, Plan 5817, District Lot 5076, ODYD

OCP: Small Holdings (SH) Zone: West Bench Small Holdings (SH6)

Variance Request: to reduce the minimum rear parcel line setback from 7.5 metres to 4.36 metres.

Proposed Development:

This application is seeking a variance to the rear parcel line setback in order to formalise the construction of a new deck on an existing principal dwelling.

Specifically, it is being proposed to vary the rear parcel line setback for a principal building and structure from 7.5 metres to 4.36 metres.

In support of this request, the applicant has stated that “we didn’t realize there was a bylaw in place for such a large distance from the rear property line when we replaced the existing deck.”

Site Context:

The subject property is approximately 2,590 m² in area and is situated on the east side of West Bench Drive. The property is currently developed to include a single detached dwelling.

The surrounding pattern of development is characterised by similar residential lots zoned West Bench Small Holdings.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 20, 1952, while available Regional District records indicate that building permit have not previously been issued for this property.

Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Small Holdings (SH).

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the property is currently zoned West Bench Small Holdings (SH6) which requires a minimum rear parcel line setback of 7.5 metres for

principal buildings (i.e. single detached dwellings). The bylaw (Section 7.7.1(c)(ii)(.2)) also establishes limitations for unenclosed decks to project into a rear parcel line setback (upto 2.0 metres).

The existing deck (built approximately in 1980's) was recently replaced by a new deck. In doing so, the applicant (unknowingly) extended two (2) feet further into the rear parcel line setback.

Under Section 529 (Non-conforming structures) of the *Local Government Act*, a building or structure that does not comply with the siting (i.e. setbacks) of a zoning bylaw may only be maintained, extended or altered only to the extent that no further contravention of the bylaw occurs. In this instance, the new deck is seen to represent an extension of a contravention to the siting requirements of the zoning bylaw.

A Building Permit was submitted in May 2020, to repair/replace existing deck.

BC Assessment has classified the property as "Residential" (Class 01) and the property also has a geotechnical classification of "Silt Bluff Hazard".

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

Analysis:

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

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

In this instance, Administration notes that the proposed deck is not seen to have any negative impact to the neighbouring properties as it overlooks a garage on the neighbouring property to the east and is unlikely to result in a loss of residential amenity or privacy on this property.

Further, there exists a steep grade change between subject property and neighbouring properties (north and east) and the impact of reduced setback will be mitigated with already existing vegetation cover (along east side) and fence (along north side) between the properties.

Finally, Administration also recognises that the new deck is substantially the same as the deck that was replaced and represents only a minor intensification of the development footprint associated with the dwelling.

Conversely, Administration considers that 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 that other options are available to the applicant, such as constructing the deck to the south of the existing dwelling and avoiding the rear setback entirely.

Further, the point at which a non-conforming structure requires structural alterations appears to be the preferred point at which compliance with the requirements of the zoning bylaw must be sought.

Due to the proposed deck having already been constructed, this would require it be demolished.

For the reasons outlined above, Administration supports the requested variances and is recommending approval.

Alternatives:

1. That the Board deny Development Variance Permit No. F2020.014-DVP; or
2. That the Board defer consideration of the application and it be referred to the Electoral Area "F" Advisory Planning Commission.

Respectfully submitted

R. Gadoya

Rushi Gadoya, Planning Technician

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Photo

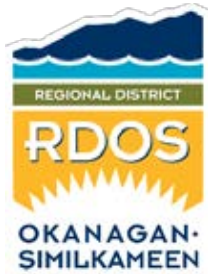
No. 2 – Site Photos (October 2020)

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Site Photos (October 2020)





Development Variance Permit

FILE NO.: F2020.014-DVP

Owner: Rob & Michelle Swetlikoe
203 West Bench Drive
Penticton, BC V2A 8X8

Agent: NA

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 31, Plan 5817, District Lot 5076, ODYD

Civic Address: 203 West Bench Drive

Parcel Identifier (PID): 010-242-007 Folio: F-07329.000

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "F" Zoning Bylaw No. 2461, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the minimum rear parcel line setback for a deck in the West Bench Small Holdings (SH6) Zone, as prescribed in Section 10.9.6(a)(ii) is varied:
 - i) from: 7.5 metres

to: 4.36 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 _____, 2020.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

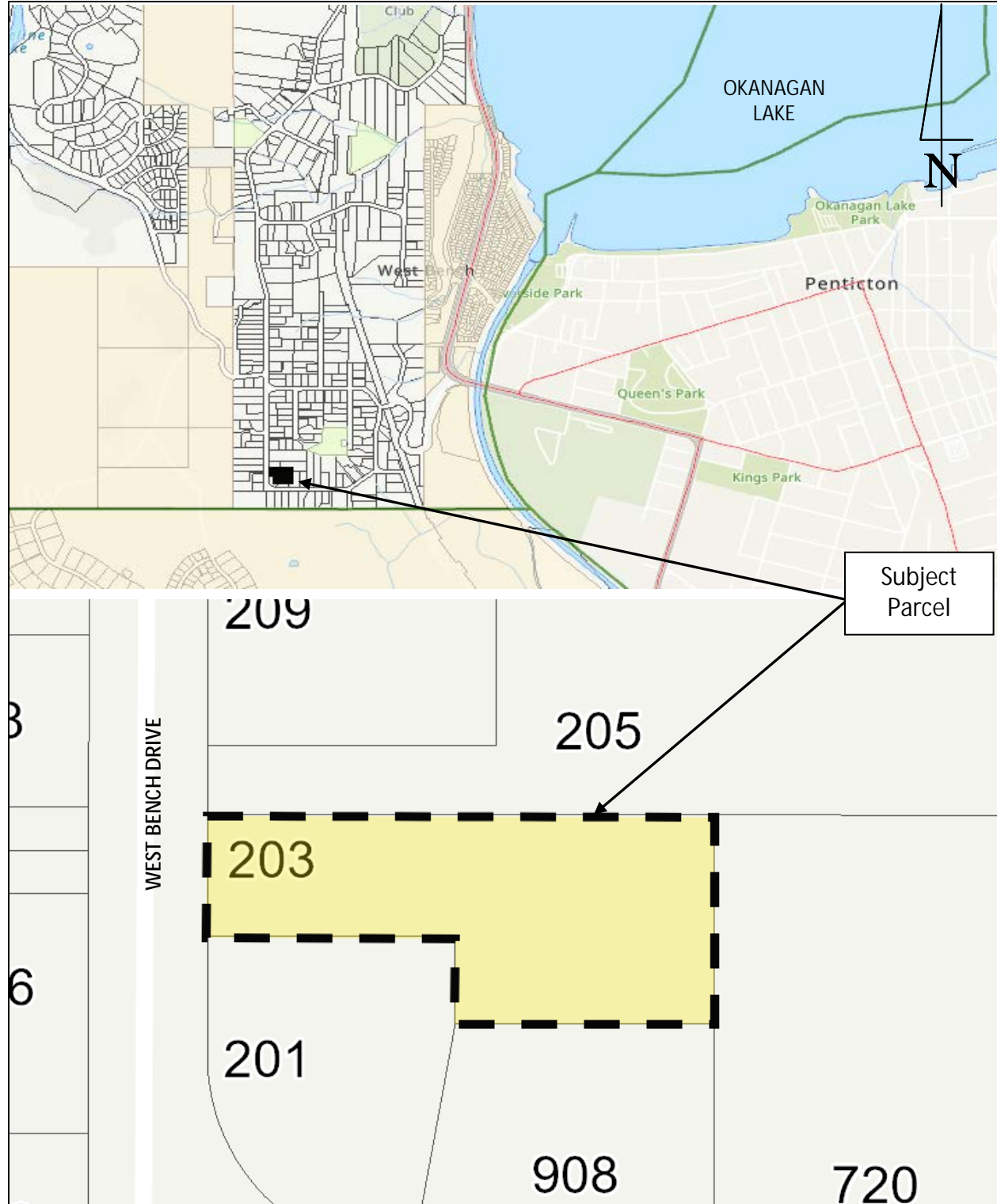
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. F2020.014-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

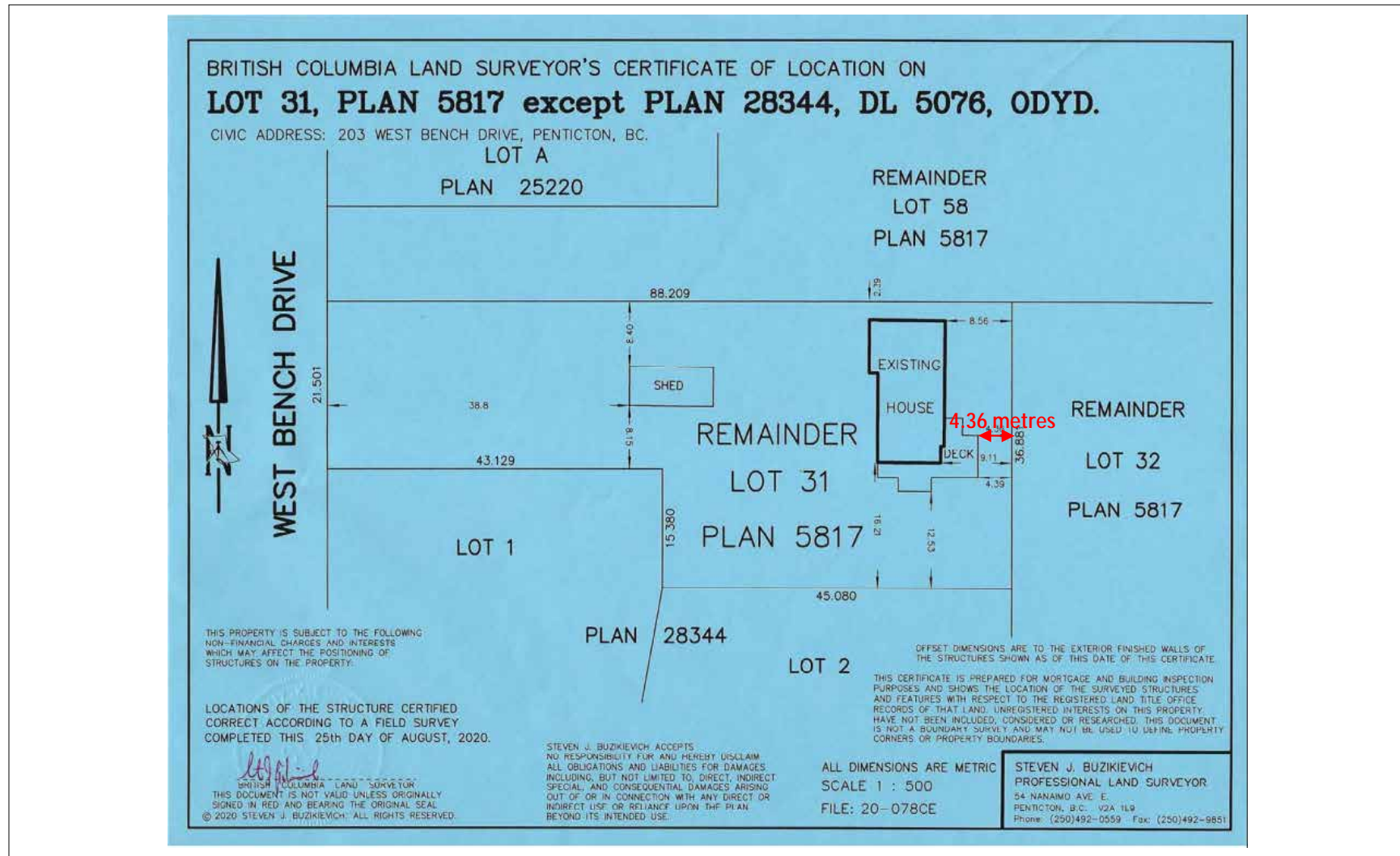
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. F2020.014-DVP

Schedule "B"



Development Variance Permit No. F2020.014-DVP

Regional District of Okanagan-Similkameen

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

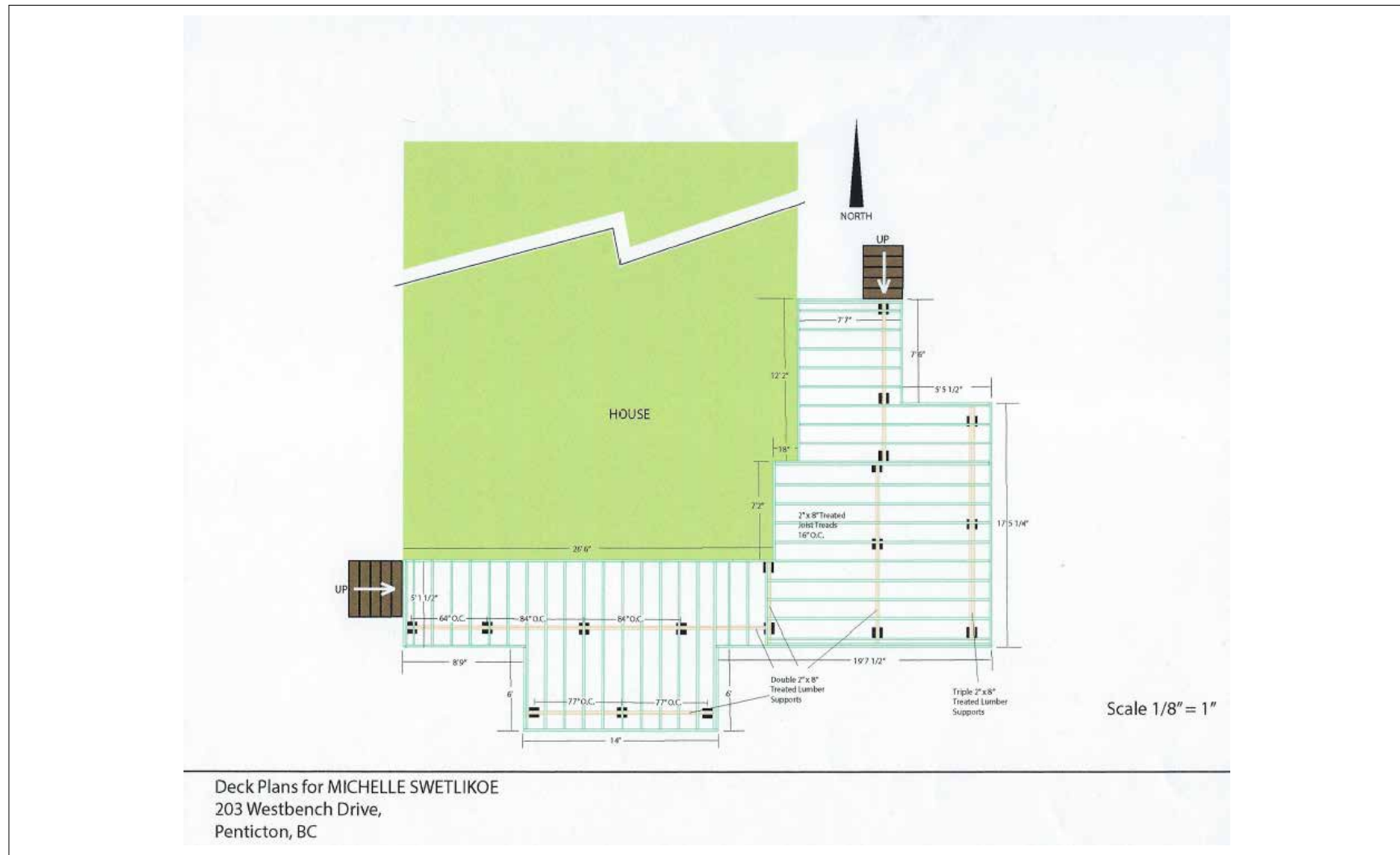
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. F2020.014-DVP

Schedule "C"



Under Section 17.0 Environment and Conservation, it is Board policy to co-operate with senior governments to provide a coordinated strategy for the stewardship of "riparian assessment areas", in keeping with the general intent of the Riparian Areas Regulation (Section 17.3.11).

Under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, the property is currently zoned Residential Single Family One (RS1) which permits a single detached dwelling as a principal use.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with the natural boundary of the watercourse and the flood construction level is 1.5 metres above the natural boundary for the floodplain.

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 the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

This item was referred to the Electoral Area "H" Advisory Planning Commission (APC) in the October 20, 2020 meeting agenda; however, the Electoral Area "H" APC did not provide a formal recommendation due to lack of quorum.

Analysis:

In considering this proposal, Administration notes that the subject parcel contains a creek on the northern portion of the parcel, and a Qualified Environmental Professional (QEP) has submitted a report identifying the Streamside Protection and Enhancement Area (SPEA).

The building envelope available outside of the SPEA, parcel line setbacks and separation distance from the septic system is limited. The proposed variance is intended to increase the buildable area outside of the Streamside Protection and Enhancement Area (SPEA) by reducing the rear parcel line setback.

In the spirit of supporting senior government's objective to ensure habitat protection for streamside areas, Administration acknowledges that the parcel is encumbered by the SPEA and that a reduction to the rear yard setback would allow for a greater buildable area outside of the protection area.

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 this instance, the rear parcel line abuts one Large Holdings parcel with no development in the immediate vicinity.

Conversely, Administration recognises that the proposed development may be seen as over-development of the parcel. Without variances, the parcel could accommodate a single detached dwelling or mobile home with a smaller building footprint.

Further, the SPEA disturbance area is primarily for the accommodation of a second-storey deck, which is not integral to the building design nor strictly necessary for reasonable enjoyment of the parcel.

However, the “hardship” request to allow for development within the SPEA will be evaluated by the Province.

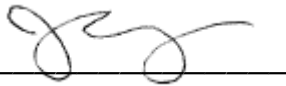
The reduction of the rear yard setback allows for a building area that is primarily outside of the SPEA and is considered the best alternative to other building locations that would require further encroachment into the SPEA.

For these reasons, Administration supports the requested variance and is recommending approval.

Alternative:

1. That the Board deny Development Variance Permit No. H2020.005-DVP.

Respectfully submitted



JoAnn Peachey, Planner I

Endorsed by:

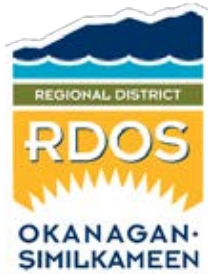


C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Assessment Report)

Attachment No. 1 – Site Photo (Assessment Report)





Development Variance Permit

FILE NO.: H2020.005-DVP

Owner: Dean Pickering
3185 Capstan Crescent
Coquitlam, BC, V3C-4H3

Agent: Gordon Mackinnon
Wildrock Environmental
Consultants

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', 'E', and 'F' 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 13, Plan 25638, District Lot 4166, KDYD

Civic Address: Link Lake Road (no street address)

Parcel Identifier (PID): 005-384-443 Folio: H-01361.260

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "H" Zoning Bylaw No. 2498, 2012, in the Regional District of Okanagan-Similkameen:
 - a) the minimum rear parcel line setback for a principal building in the Residential Single Family One (RS1) Zone, as prescribed in Section 12.1.5(a)(ii), is varied:
 - i) from: 7.5 metres

to: 4.0 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 _____, 2020.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

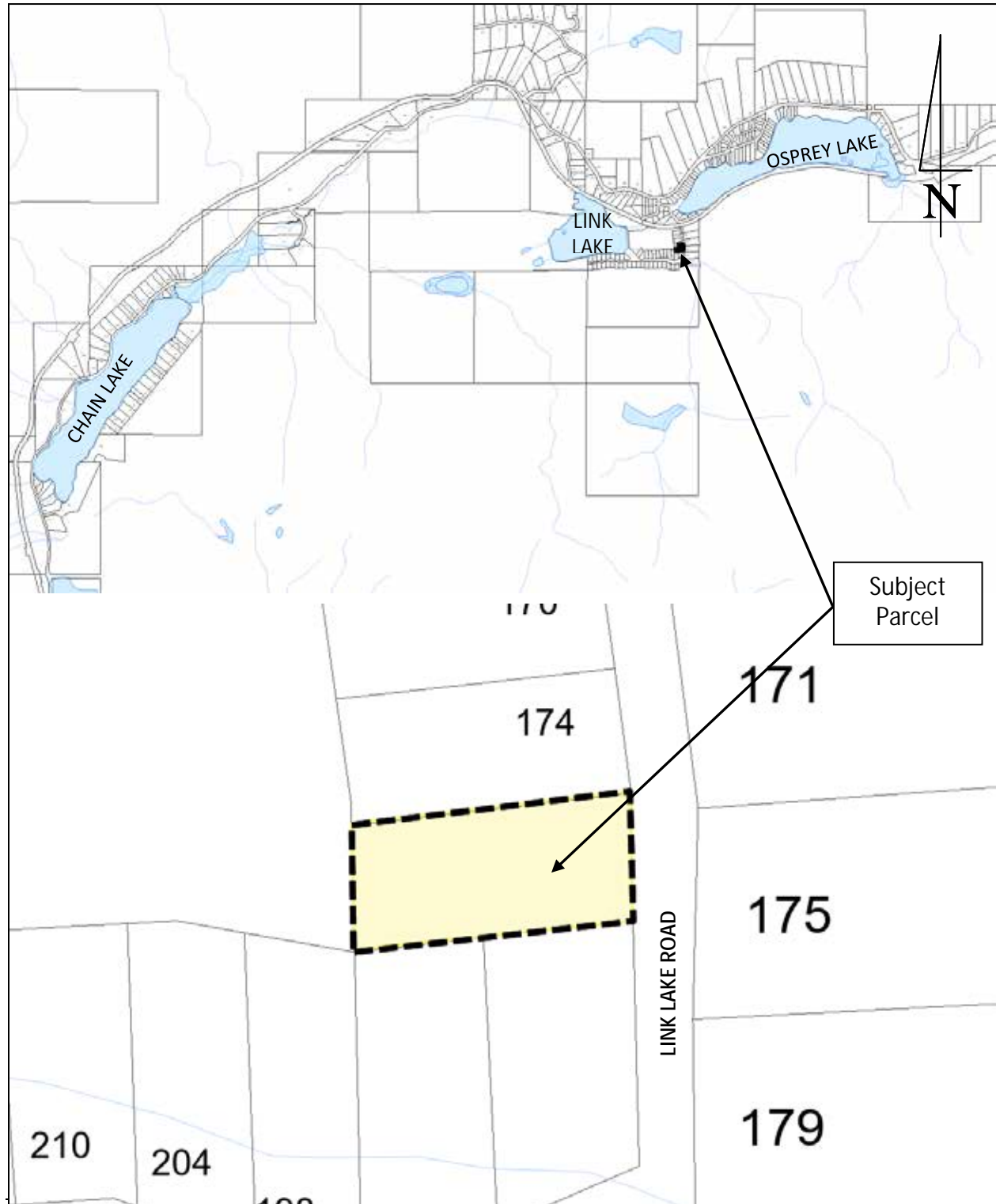
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. H2020.005-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

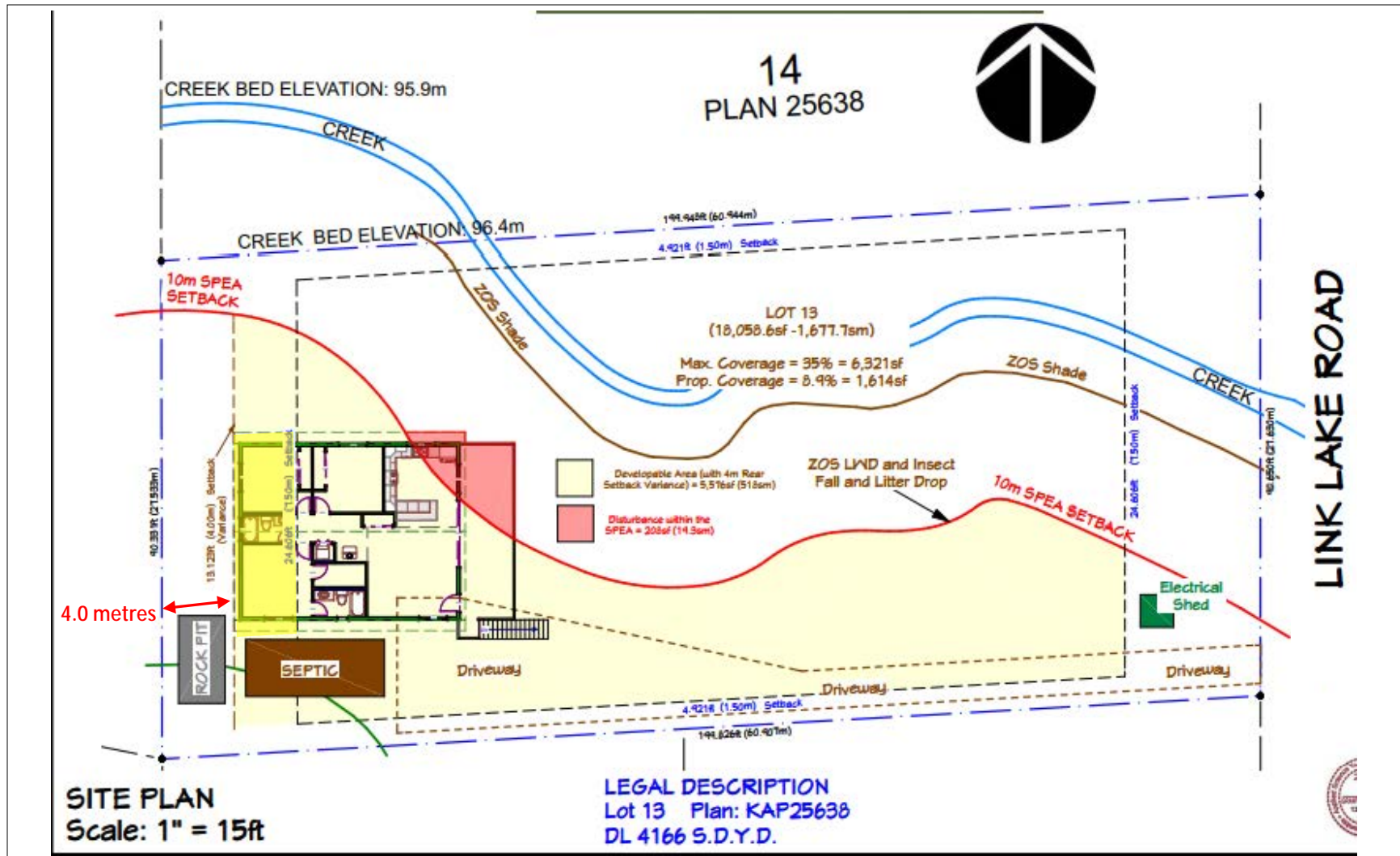
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. H2020.005-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

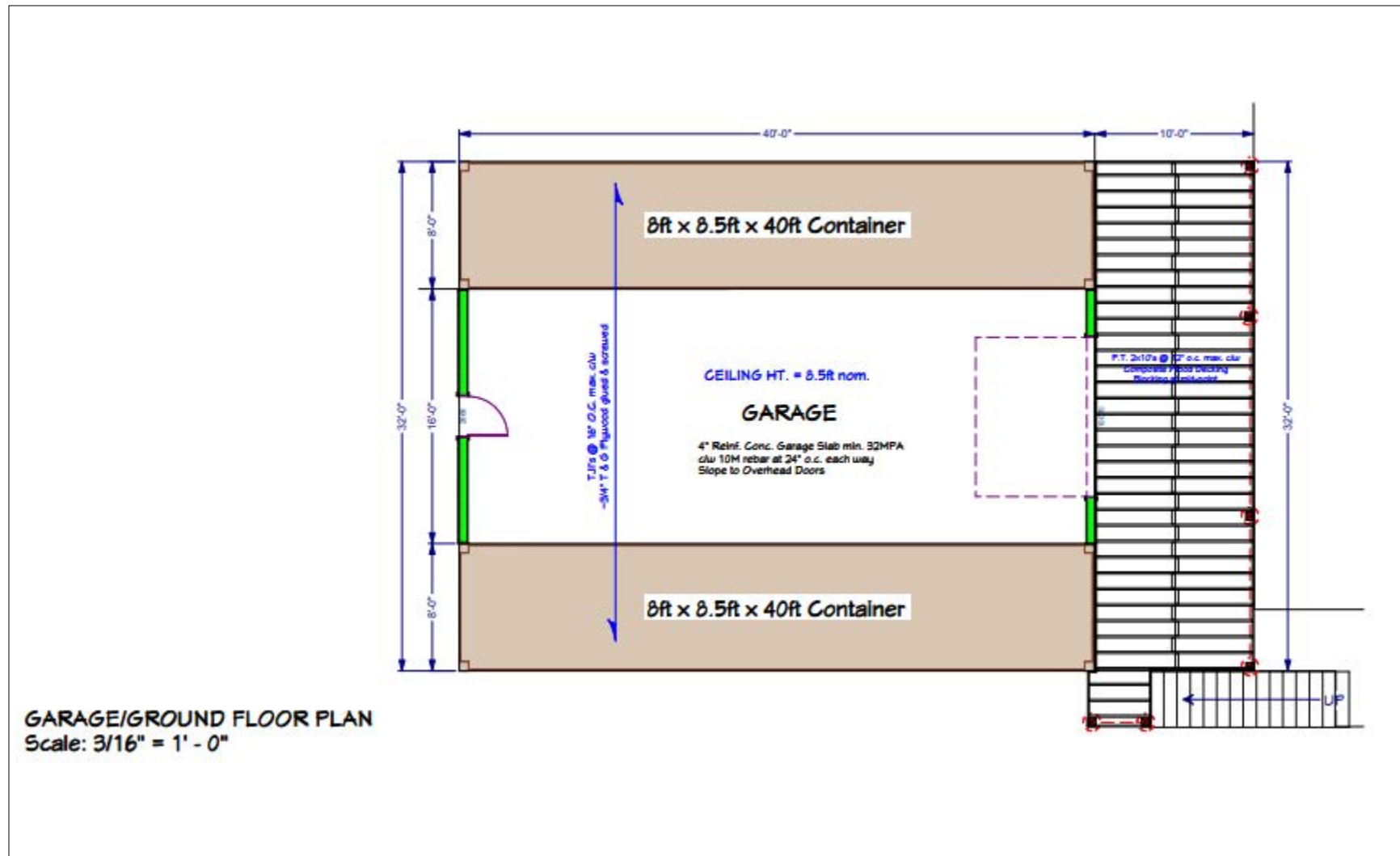
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. H2020.005-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

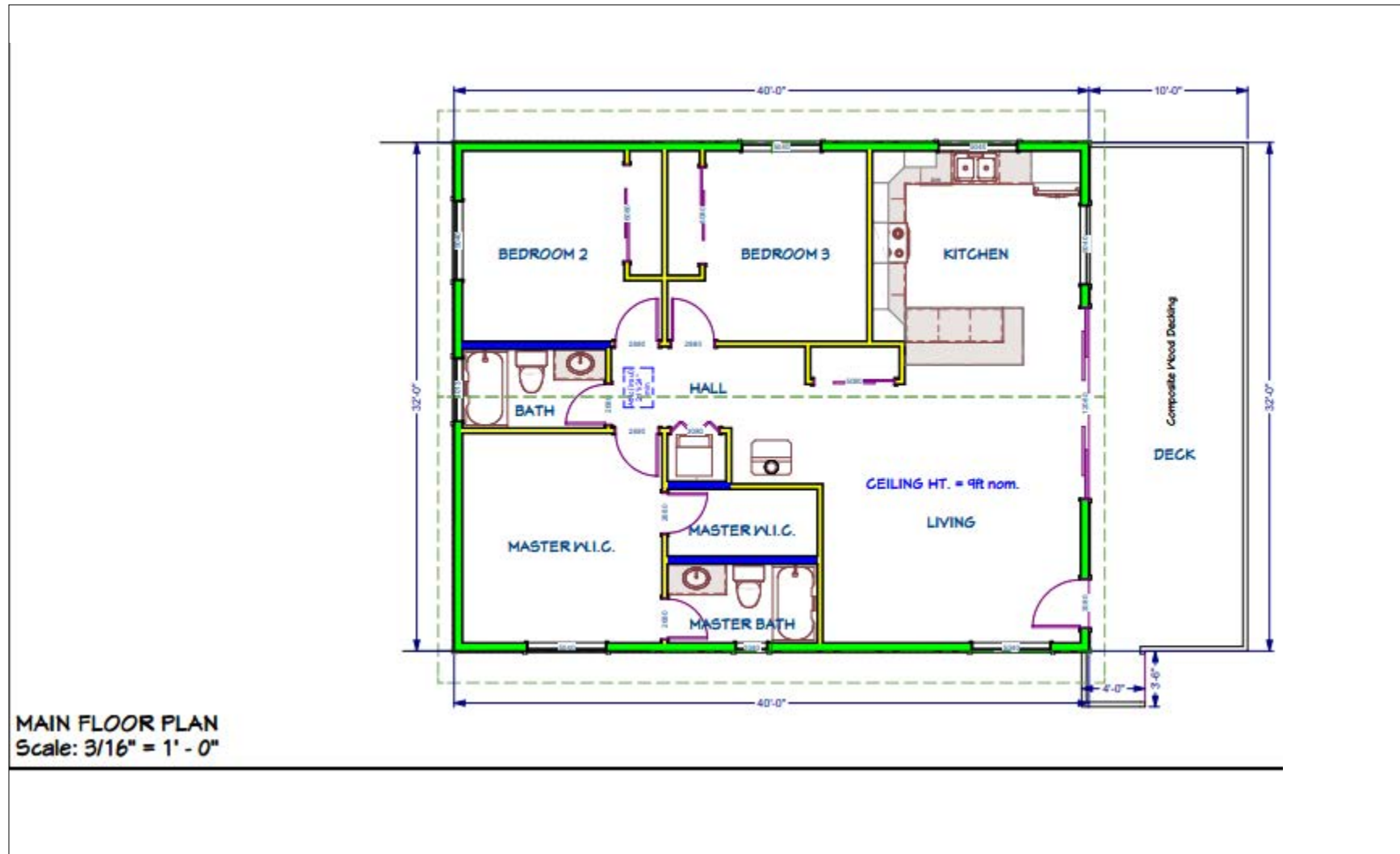
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. H2020.005-DVP

Schedule 'D'



Regional District of Okanagan-Similkameen

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

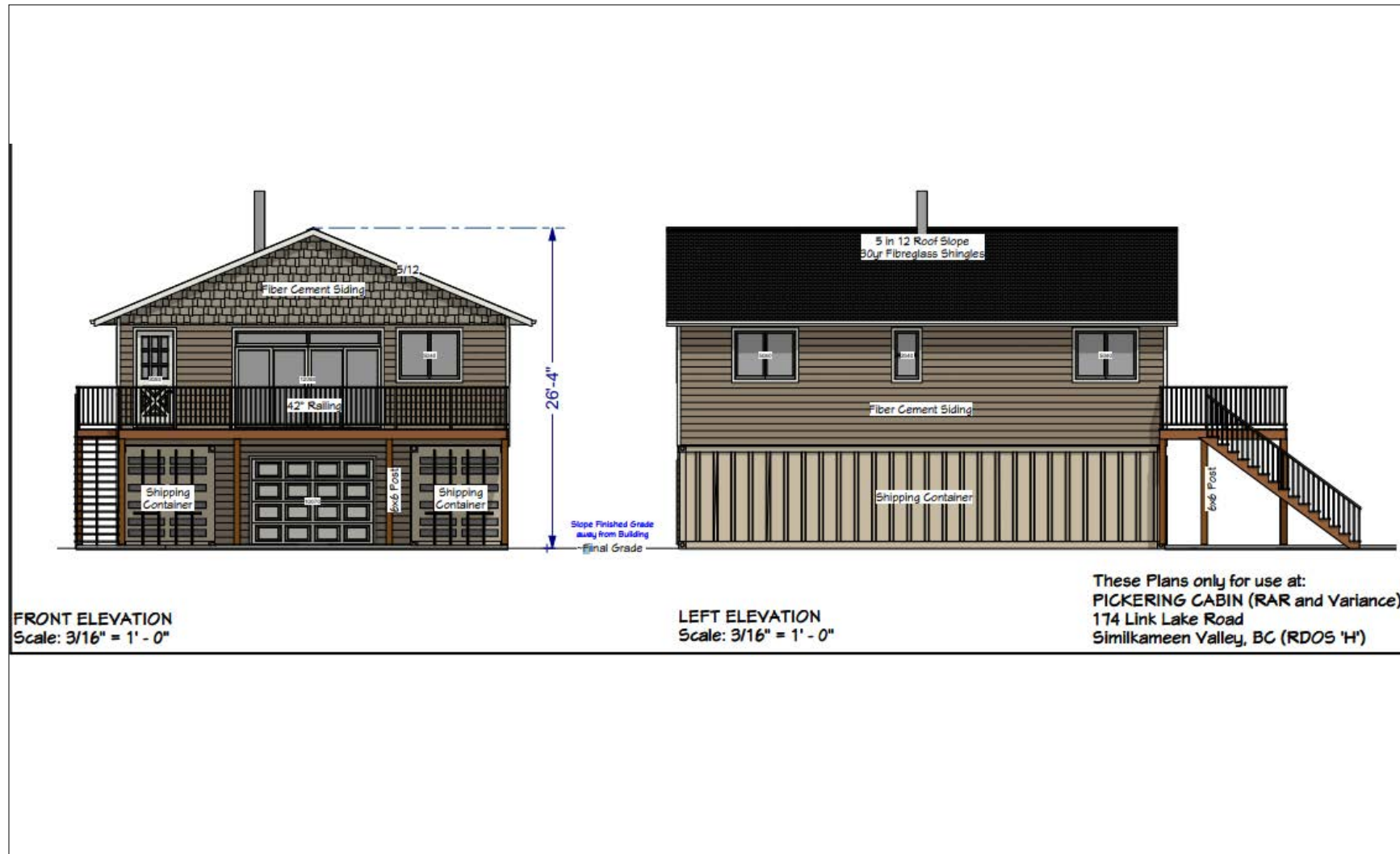
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. H2020.005-DVP

Schedule 'E'



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. H2020.005-DVP

Schedule 'F'



RE: Referral - Comments Requested - Development Variance Permit-Link Lake Road (no address)

Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>

Wed 9/2/2020 8:56 AM

To: Planning E-Box <planning@rdos.bc.ca>

Hello RDOS planners!

Happy September!

Thank you for your referral regarding a proposed development on the property legally described as LOT 13 DISTRICT LOT 4166 KAMLOOPS DIVISION YALE DISTRICT PLAN 25638, PID 005384443. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded on the subject property.

However, archaeological potential modelling for the area indicates there is high potential for previously unidentified archaeological sites to exist on the property, as indicated by the brown colour shown over everything 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.

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 on the property.
- 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 Site Inventory Information & Data 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: Planning E-Box <planning@rdos.bc.ca>

Sent: August 26, 2020 4:22 PM

To: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>

Subject: Referral - Comments Requested - Development Variance Permit-Link Lake Road (no address)

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Diana,

The RDOS is requesting comments on a DVP application for a new single detached dwelling. The subject parcel was identified under the predictive model of having archaeological potential.

Specifically, the request is to reduce the rear yard setback from 7.5 m to 4.0 m. I have attached the draft DVP which includes context maps, site plan, and building elevations. It is understood that the site is currently vacant.

If you would like to provide comments, please do so by Friday, September 11th.

If you require any further information or additional time, please let me know. I can be reached at 250-490-4384 or planning@rdos.bc.ca

Regards,
JoAnn Peachey
Planner I

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 19, 2020
RE: Development Variance Permit Application — Electoral Area "A"

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. A2020.008-DVP

Purpose: To allow for an assembly of canopy/carport – erected on standard (steel) shipping containers.

Owners: Leslie Abraham Agent: N/A Folio: A-06004.000

Civic: 10147 146th Avenue Legal: Lot A, Plan 7184, DL 2450S, SDYD

OCP: Agriculture (AG) Zone: Agriculture One Zone (AG1)

Variance Request: to reduce the rear parcel line setback for an accessory building from 7.5 m to 2.38 m

Proposed Development:

This application is seeking a variance to the minimum rear parcel line setback that applies to the subject property in order to construct a 190 m² carport/canopy structure.

Specifically, it is being proposed to reduce the minimum rear parcel line setback for buildings and structures on parcels 0.2 ha or greater from 7.5 meters to 2.38 meters.

In support of this request, the applicant has stated that "the purpose for this carport is to provide durable cover for farm equipment that is subject to high maintenance from exposure to extreme weather conditions unless equipment is protected. The containers provide for workshop space and secure storage for valuable tools, etc. (we have had numerous thefts, breakins, vandalism damage, etc over past years that have costs of at least \$10,000)."

Site Context:

The subject property is approximately 8287 m² in area and is situated on the west side of Highway 97. The property is currently developed as a farm and orchards with a single detached dwelling and farm accessory buildings/structures.

The surrounding pattern of development is characterised by large lots zoned similar Agriculture One zone (rural residential).

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 22, 1955, while available Regional District records indicate that building permit have not previously been issued for this property.

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, the subject property is currently designated Agriculture (AG), and is the subject of a Watercourse Development Permit (WDP) Area designations and is also within "Agricultural Protection Area".

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is currently zoned Agriculture One Zone (AG1) which allows accessory buildings and structures as permitted (secondary) uses and requires a minimum rear parcel line setback of 7.5 meters on parcels 0.2 ha or greater.

The property is the subject of a Stop Work Notice for "placing steel containers and roof" (proposed farm structure) without a building permit.

The property is within the Agricultural Land Reserve (ALR) and has been classified by BC Assessment 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 the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

Analysis:

In considering this proposal, Administration notes that by reducing the required rear parcel line setback, the most accessible, already constructed padded area (on which the containers are to be located) could be utilized to support farming operations (for farm equipment storage).

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

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

In 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, Administration notes that the proposed carport location is not located in proximity to other buildings. It is also noted that the nearest building on neighbouring property is more than 100 meters away from proposed carport's location.

Further, the proposed location was strategically chosen to deter thefts, breakins and vandalism that has occurred over the past on subject property. By locating the carport within rear yard, the existing security fence and gate setup could be utilised with minimum impact to neighbouring property owners.

As such, the proposal is seen as having low impact on neighbours or neighbouring uses and is situated such that farm related activities on site aren't compromised.

Conversely, Administration recognises that the parcel is large and there is significant space (with alternative vehicle movement, that may disturb existing farm land) for an alternative siting of the

proposed carport that could meet the setback requirements. Specifically, the structure could be located further to the north, and presumably outside of setbacks area.

For these reasons, Administration supports the requested variances and is recommending approval.

Alternatives:

1. That the Board deny Development Variance Permit No. A2020.008-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "A" Advisory Planning Commission.

Respectfully submitted

R. Gadoya

Rushi Gadoya, Planning Technician

Endorsed by:

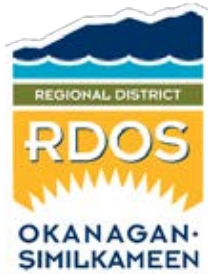


C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (May 2020)

Attachment No. 1 – Site Photo (May, 2020)





Development Variance Permit

FILE NO.: A2020.008-DVP

Owner: Leslie Abraham
10147 146th Avenue
Osoyoos, BC V0H 1V2

Agent: N/A

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 A, Plan 7184, District Lot 2450S, SDYD

Civic Address: 10147 146th Avenue

Parcel Identifier (PID): 010-013-105 Folio: A-06004.000

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 accessory building in the Agriculture One (AG1) Zone, as prescribed in Section 10.2.6 (a)(ii), is varied:
 - i) from: 7.5 metres

to: 2.38 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 _____, 2020.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

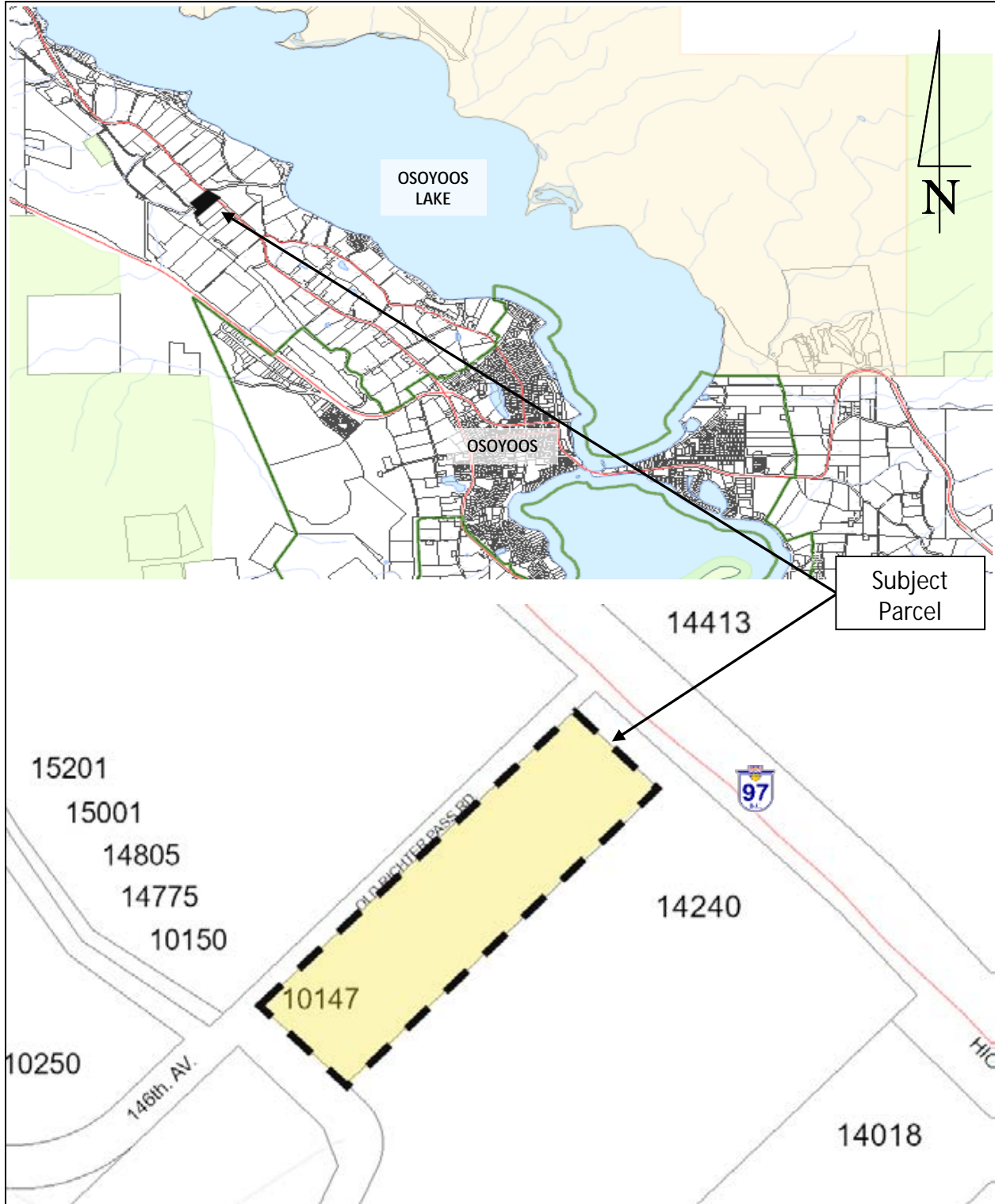
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. A2020.008-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

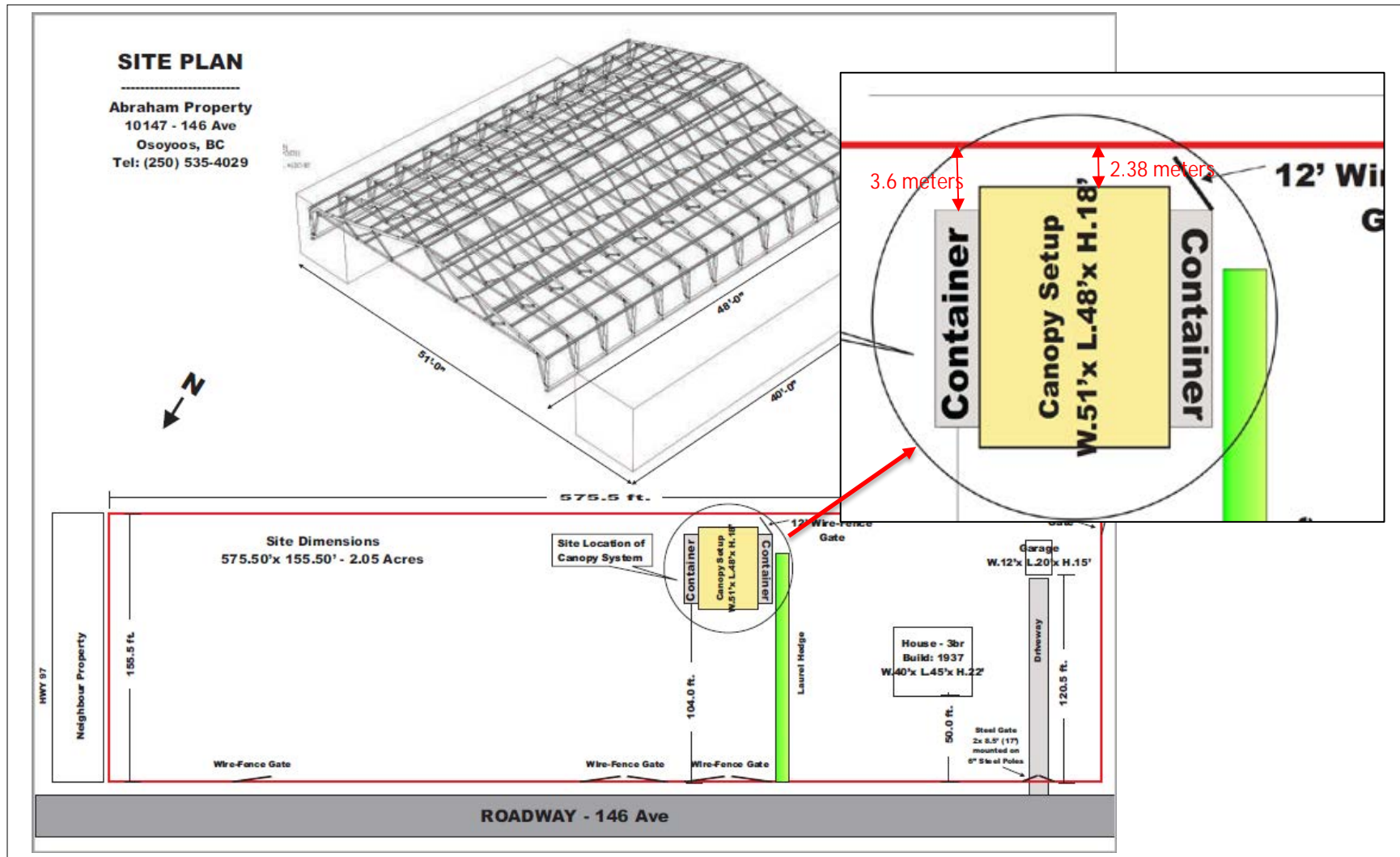
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. A2020.008-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

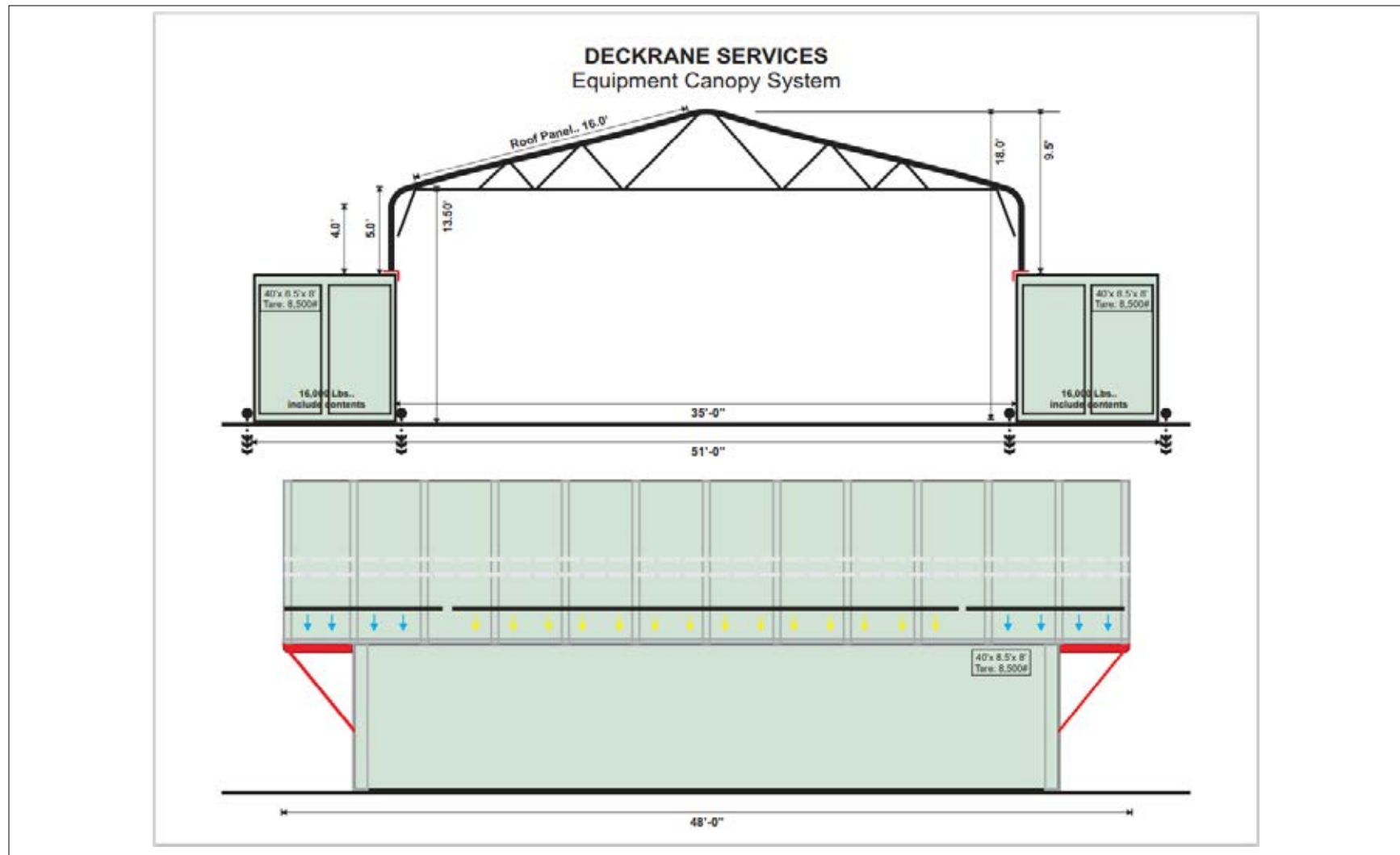
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. A2020.008-DVP

Schedule 'C'



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Agricultural Land Commission Referral (“non-adhering residential use”) – Electoral Area “C”

Administrative Recommendation:

THAT the RDOS “authorize” the application for a “non-adhering residential use” at 5317 Sunflower street (Lot 249 Plan KAP1789, DL 2450, SDYD) in Electoral Area “C” to proceed to the Agricultural Land Commission.

Purpose: To allow a principal dwelling with a parcel coverage of 600 m² within the Agricultural Land Reserve.

Owner: Sukhmander Singh & Surjit Sandhu Agent: N/A Folio: C-05664.000

Civic: 5317 Sunflower street Legal: Lot 249 Plan KAP1789, DL 2450, LD SDYD

OCP: Agriculture (AG) Zoning: Agriculture One Zone (AG1)

Proposed Development:

The Agricultural Land Commission (ALC) has referred to the Regional District an application under Section 20.1(2) of the *Agricultural Land Commission Act* (i.e. non-adhering residential use).

This application is proposing the development of a principle residence in the Agricultural Land Reserve (ALR) with total floor area of 814.9 m² when the legislation otherwise permits a maximum floor area of 500 m². The proposed residence is to comprise seven (7) bedrooms, kitchen, five (4) car garage and area for media room, living room, family room and covered decks.

In support of this application, the proponent has stated, “we are two separate families that want to live together. We are two families that wish to ask if we are eligible to build a house together (joint) for two families that is more than [500 m²].”

Statutory Requirements:

Under Section 34 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”.

Site Context:

The subject property is approximately 4.6 ha in area and is situated on the west side of Highway 97, approximately 3 km south from the boundary with Town of Oliver.

The property is understood to contain one (1) single detached dwelling (195 m²) built in 1940 and an accessory building (shed) and is currently used to farm organic cherries and apples. The site has been cleared and improvements have been made to prepare the land for farming.

The surrounding pattern of development is generally characterised by similar agricultural lands.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on November 30, 1921, while available Regional District records indicate that building permit(s) 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 Agriculture (AG), and is also within Watercourse Development Permit (WDP) area. An objective of the AG designation is "to preserve agricultural land with continuing value for agriculture for current and future production, and to protect this land from uses which are inconsistent with agricultural use or are incompatible with existing agricultural uses in the area."

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One Zone (AG1) which allows maximum parcel coverage of 600 m² for residential uses on parcels greater than 0.8 ha in area.

The property is entirely within the Agricultural Land Reserve (ALR), is surrounded by ALR lands and has been classified as "Residential" (Class 01) and "Farm" (Class 09) by BC Assessment.

APC & Board Consideration

At its meeting of August 6, 2020, the Regional District Board resolved to refer this application to the Electoral Area "C" Advisory Planning Commission (APC).

At its meeting of August 18, 2020, the Electoral Area "C" APC resolved to recommend to the Board that the subject application be denied.

At its meeting of October 1, 2020, the Board resolved to deferred consideration of this application in order to allow the applicant an opportunity to revise their proposal so as to comply with the zoning bylaw requirement of a maximum residential footprint of 600 m².

On October 14, 2020, the applicant submitted revised plans to the Agricultural Land Commission (ALC) which showed the maximum footprint of the proposed dwelling as being 600 m², which is down from the original 676 m² design submitted in April of 2020.

Analysis:

In considering this referral, Administration notes that although the floor area of the proposed dwelling exceeds provincial (ALC) regulations of 500 m², the Electoral Area "C" Zoning Bylaw allows for maximum residential footprint of 600 m² where only one (1) principal residence is proposed.

The Board previously endorsed reducing oversized dwellings 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".

Administration also recognises that majority of the area proposed for the construction of the new dwelling has previously been disturbed and developed with farm buildings. It is not anticipated that allowing an over-sized dwelling at this same location will result in significant alienation of agriculture land.

While 30 fruit trees will require removal to accommodate the proposed new dwelling, the applicant is proposing to rehabilitate part of the property that currently comprises the existing dwelling and plant this same area with more than 300 new fruit trees.

On a further note, all of the family members that will be residing in the proposed new dwelling are required to support the farm use of the property, thereby satisfying a key ALC requirement.

Conversely, Administration is concerned that the size of dwelling being proposed is unrelated to the agricultural use of the subject property (which is 4.6 ha) 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.

Administration further considers that other options are available to the property, primarily in the form of complying with existing (provincial) regulations and redesigning the proposed dwelling to not exceed a floor area of 500 m². Similarly, the option to accommodate an additional family on the property is available through the allowance for an accessory dwelling (with a floor area not exceeding 90.0 m²).

In summary, given that the changes to the proposed size of the dwelling to make it consistent with the zoning bylaw and that it meets a key ALC requirement of being for family members supporting farm operations on site, Administration is generally in support of the application.

Alternatives:

1. THAT the RDOS "not authorize" the application for a "non-adhering residential use – principal residence more than 500 m²" at 5317 Sunflower Street (Lot 249 Plan KAP1789, DL 2450, SDYD) in Electoral Area "C" to proceed to the Agricultural Land Commission.

Respectfully submitted

R. Gadoya

Rushi Gadoya, Planning Technician

Endorsed by:



C. Garrish, Planning Manager

Attachments:

No. 1 – Context Map

No. 2 – Applicant's Site Plan

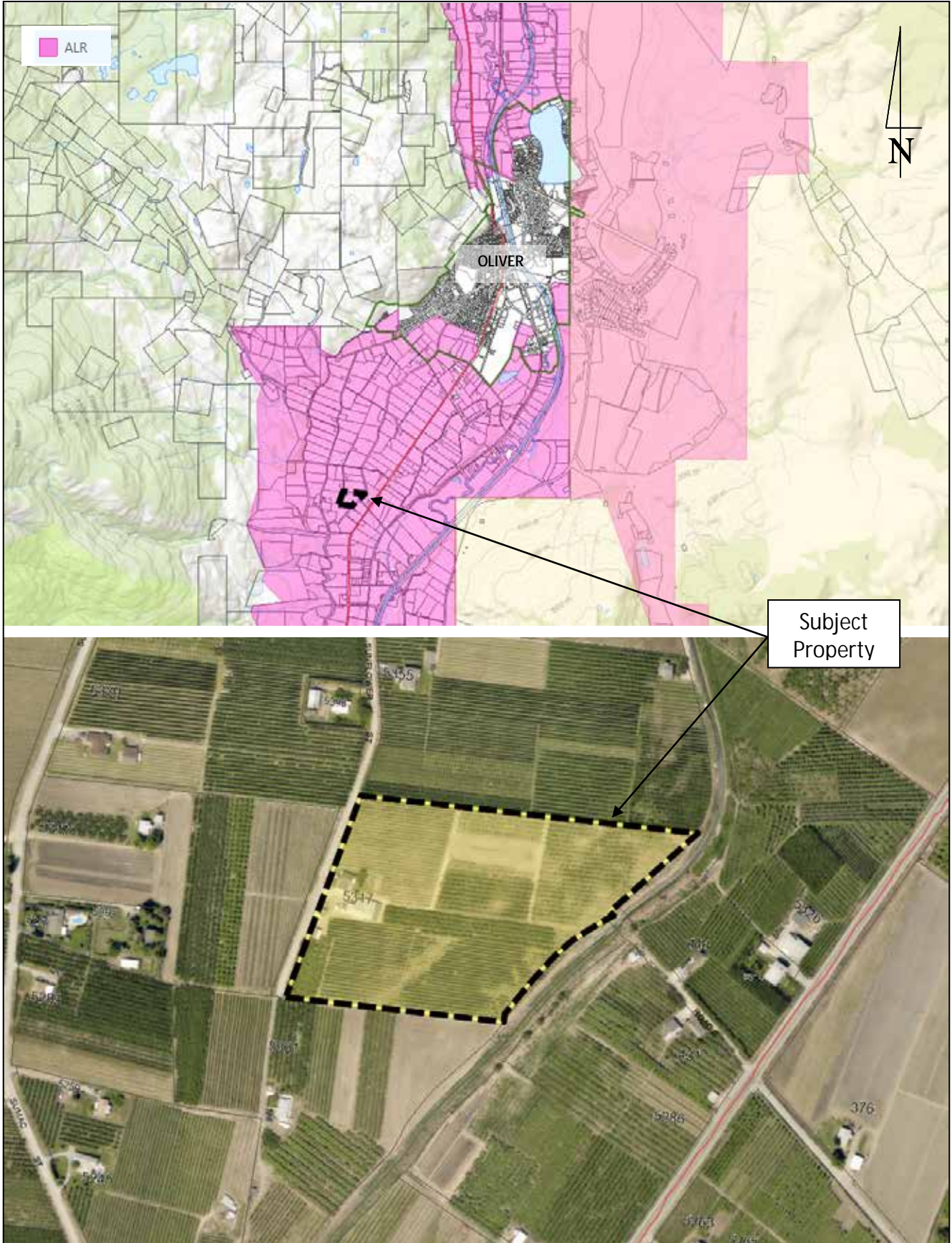
No. 3 – Aerial Photo of Site

No. 4 – Ground Floor Plan

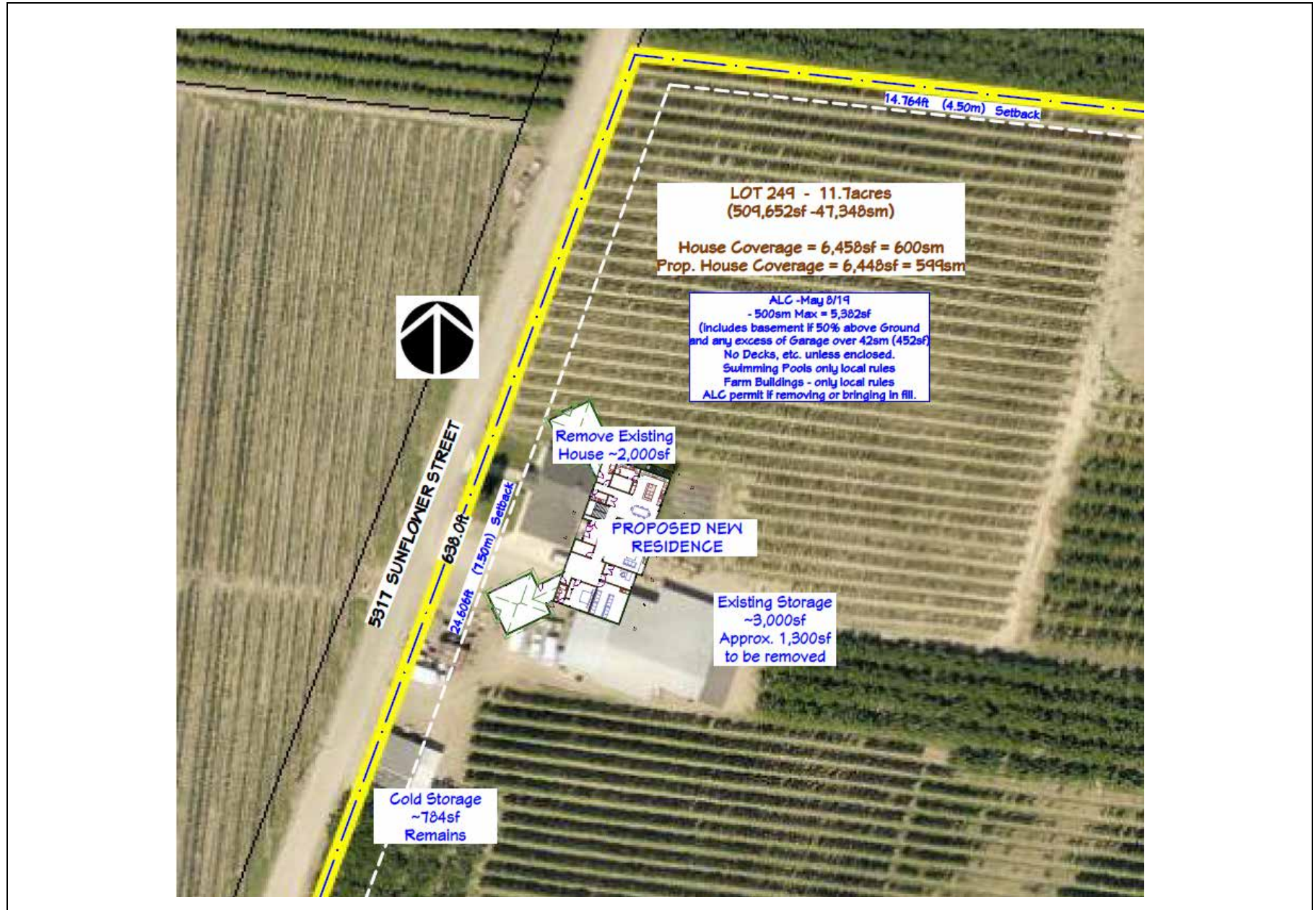
No. 5 – Upper Floor Plan

No. 6 – Site Photos (Google)

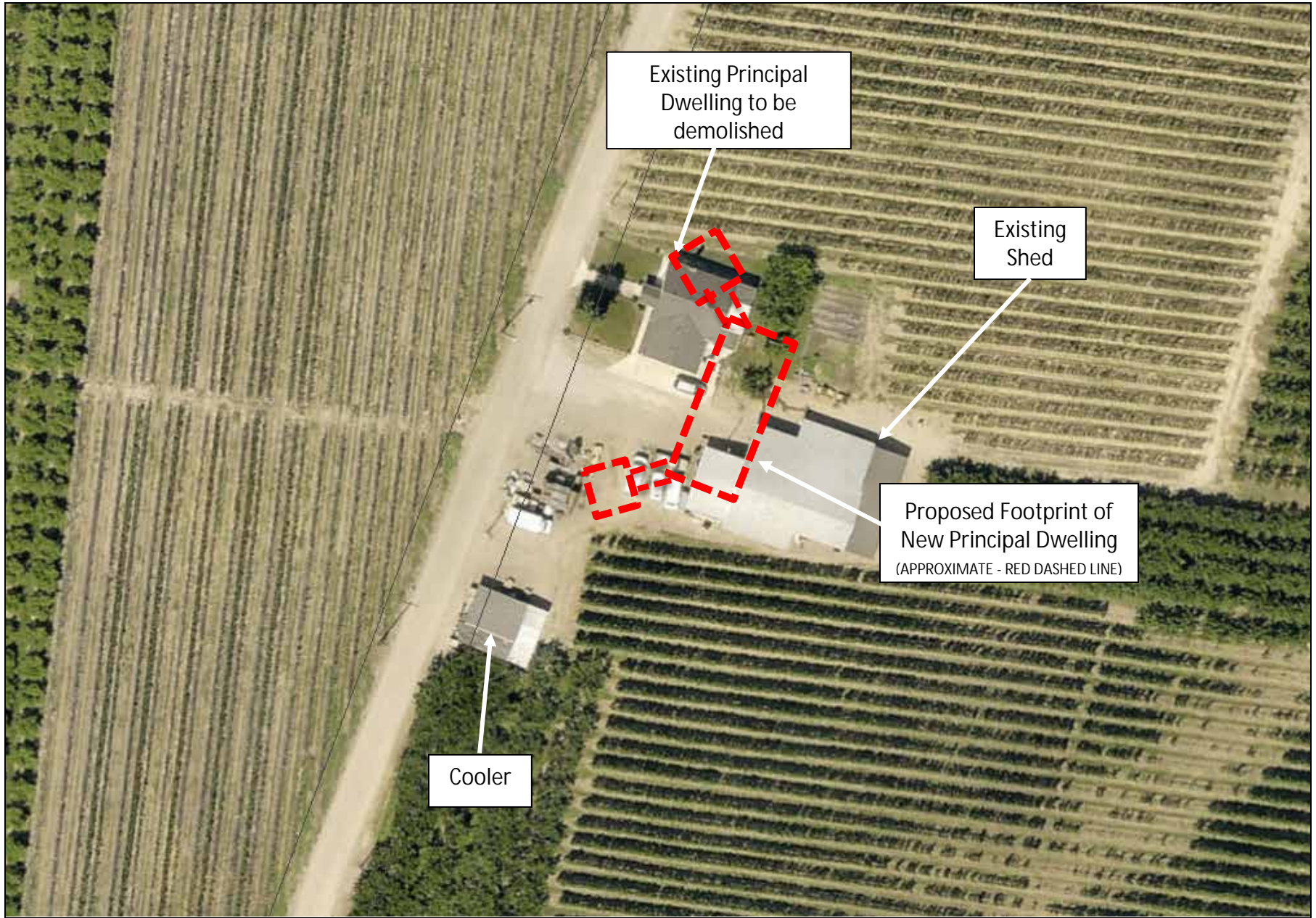
Attachment No. 1 — Context Maps



Attachment No. 2 — Applicant's Site Plan



Attachment No. 3 — Aerial Photo



Attachment No. 4 — Ground Floor Plan



A3

Date: 14/10/2020
Page: 5 of 4
Scale: As Indicated

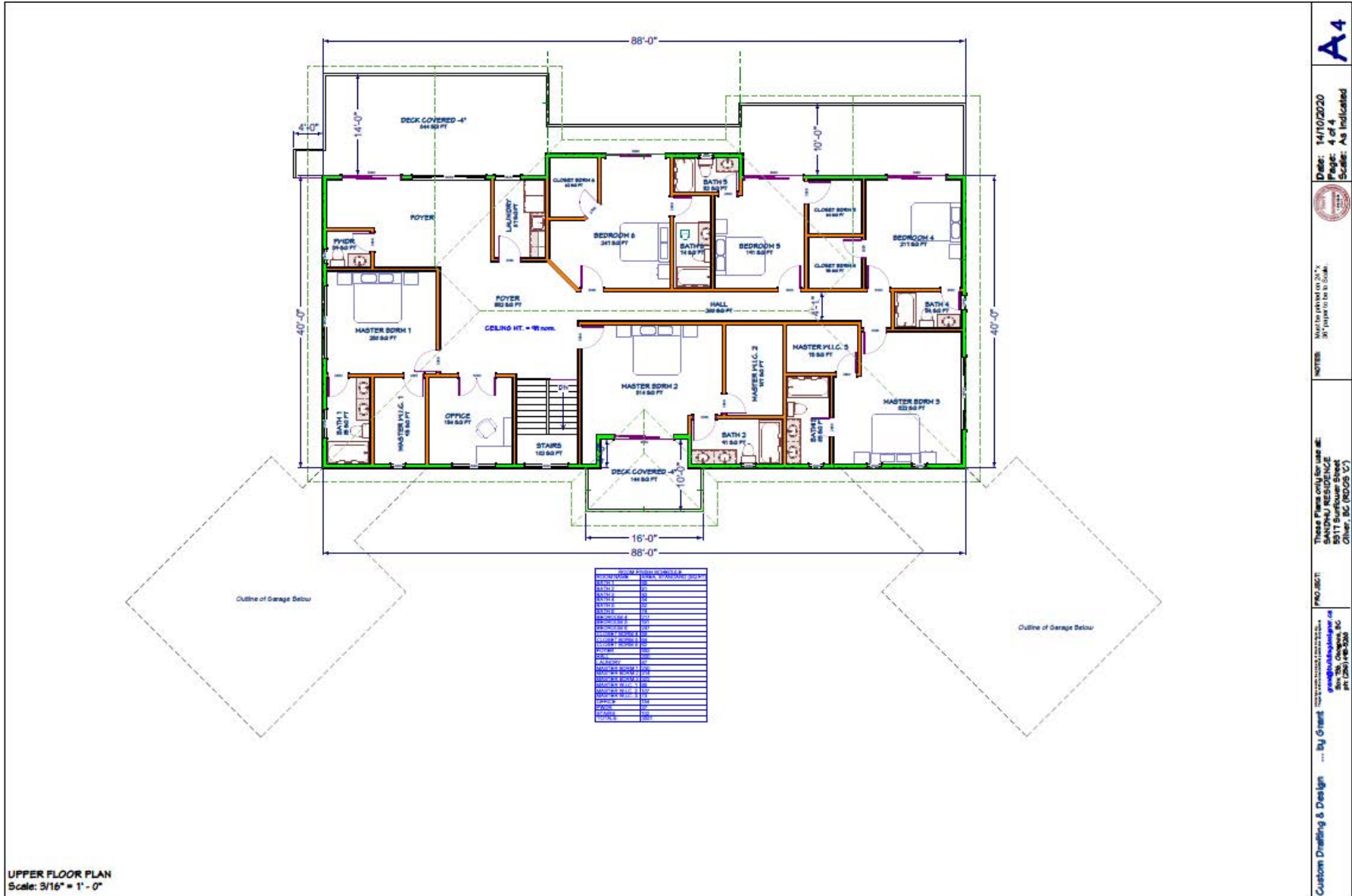
NOTE: ALL DIMENSIONS ARE IN FEET AND INCHES.
3/16" = 1' - 0"

These plans are only for use at:
SANDRA WOODWARD
8011 Burnham Street
Greer, SC 29605 USA

PROJECT:
PROJECT NO. C2020.007-ALC
BY: TR. CHEN, INC.
PROJECT NO. 2020-007-ALC

Custom Drafting & Design

Attachment No. 5 — Upper Floor Plan



A4

Date: 14/10/2020
Page: 4 of 4
Scale: As Indicated



NOTES: Must be drawn on 24" x 36" paper for all sheets.

These Plans only for use at:
5511 Burnside Street
Other, BC (R2005 V)

PROJ. NO:

By Grant
www.grantdesigns.com
PH: (250) 498-5234

Attachment No. 6 —Site Photos (Google)



At its meeting of September 8, 2020, the Area "C" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of September 17, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaws and scheduled the holding of a public hearing for the Regional District Board meeting of October 15, 2020.

At its meeting of October 15, 2020, the Board resolved to re-schedule the holding of the public hearing for the Regional District Board meeting of November 19, 2020.

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).

Analysis:

The "Loose Bay" campground has a long history of serving the needs of migrant farm labour and an objective of the OCP is "to encourage the agricultural sector's improvement and expansion by pursuing supportive land use policies within and adjacent to farming areas."

This rezoning is required to issue permits and construct necessary improvements, to ensure the campsite can operate in a safe and healthy manner given the COVID-19 pandemic. Formalisation of the campground will allow for an upgrading of infrastructure to serve patrons, including improved washroom, laundry and shower facilities.

Conversely, lands capable of accommodating such a campground may exist elsewhere on non-agricultural lands. However, it is not clear that development of such lands are feasible or provide the same level of convenience and oversight as the current location.

In Summary, Administration considers that the subject property's current and long-term use by migrant farm labour exceeds its agricultural potential, and that the "Loose Bay" campground supports and helps sustain farming activity in the area.

Alternatives:

1. THAT third reading of Bylaw No. 2453.38, 2020, Electoral Area "C" Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2453.38, 2020, Electoral Area "C" Zoning Amendment Bylaw be rescinded and the bylaw abandoned.

Respectfully submitted:

Cory Labrecque

Cory Labrecque, Planner II

Endorsed By:



C. Garrish, Planning Manager

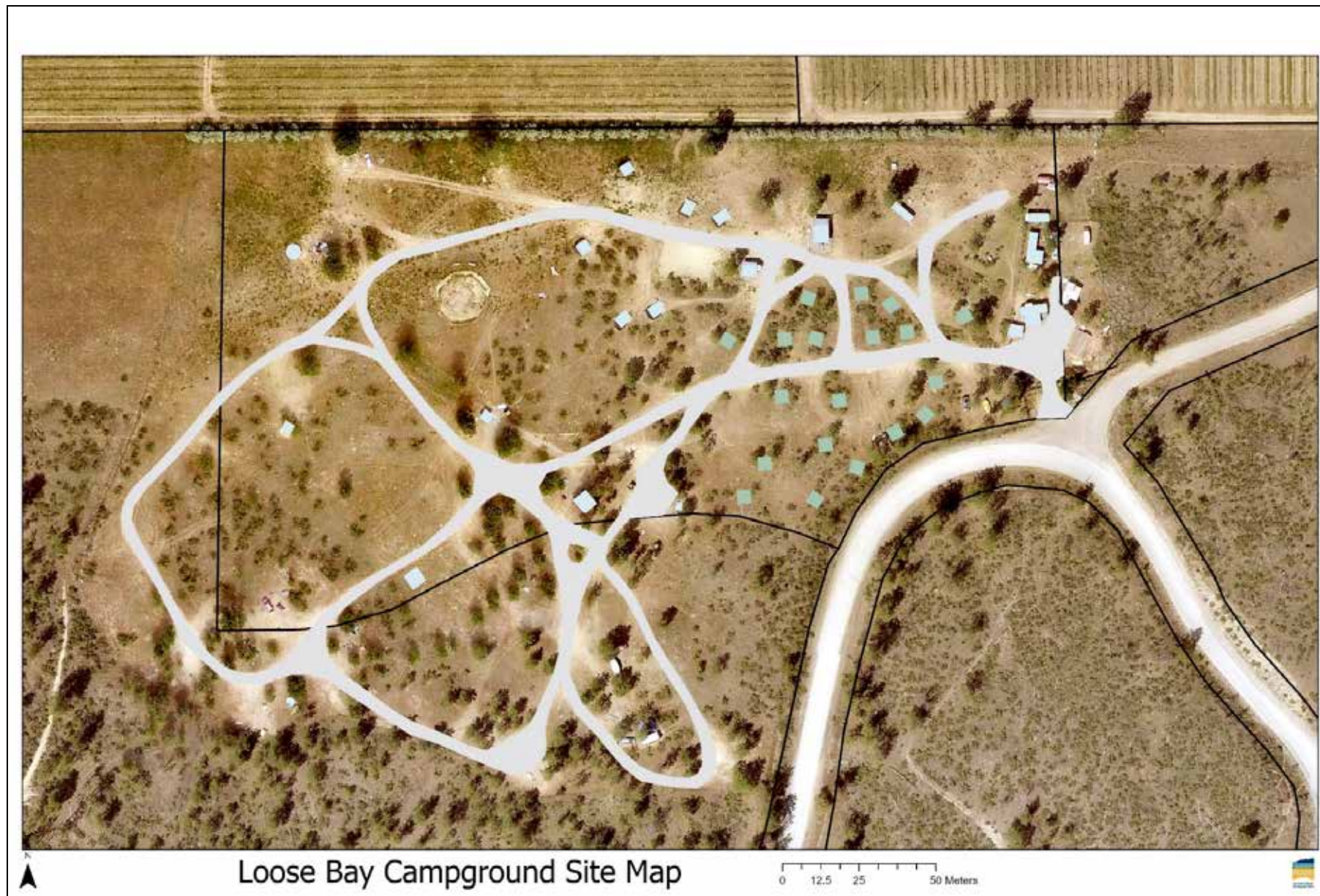
Attachments:

No. 1 – Site Plan

No. 2 – Service Locations

No. 3 – Site Photo

Attachment No. 1 – Site Plan



Attachment No. 2 – Service Locations



Attachment No. 3 – Site Photos



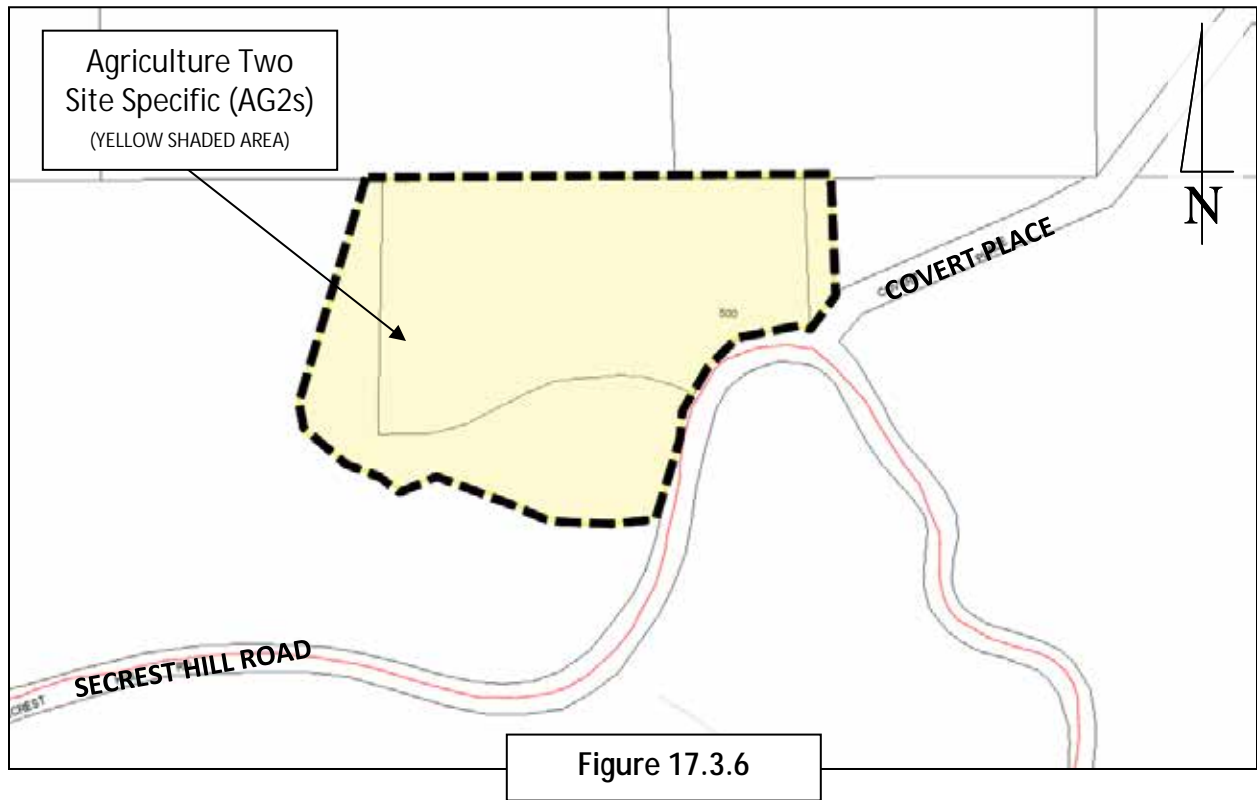
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2453.38, 2020

A Bylaw to amend the Electoral Area "C" Zoning Bylaw No. 2453, 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 "C" Zoning Amendment Bylaw No. 2453.38, 2020."
2. Electoral Area "C" Zoning Bylaw no. 2453, 2008 is amended by:
 - i) adding a new Section 17.3.6 under Section 17.3 (Site Specific Agricultural Two (AG2s) Designations) to read as follows:
 - .6 In the case of approximately 5.2 ha of Crown land, including the land described as Block A, Plan KAP1729, District Lot 2450S, SDYD, Lease/Permit/Licence # 345722, and a portion of surrounding Crown land, and shown shaded yellow on Figure 17.3.6:
 - i) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 10.3:
 - a) campground.



3. The Official Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation of approximately 5.2 ha of Crown land, including the land described as Block A, Plan KAP1729, District Lot 2450S, SDYD, Lease/Permit/Licence # 345722, and a portion of surrounding Crown land, as shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Agriculture Two (AG2) to Agriculture Two Site Specific (AG2s).

READ A FIRST AND SECOND TIME this 17th day of September, 2020.

PUBLIC HEARING held on this 19th day of November, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

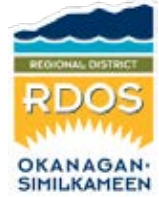
ADOPTED this ____ day of _____, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

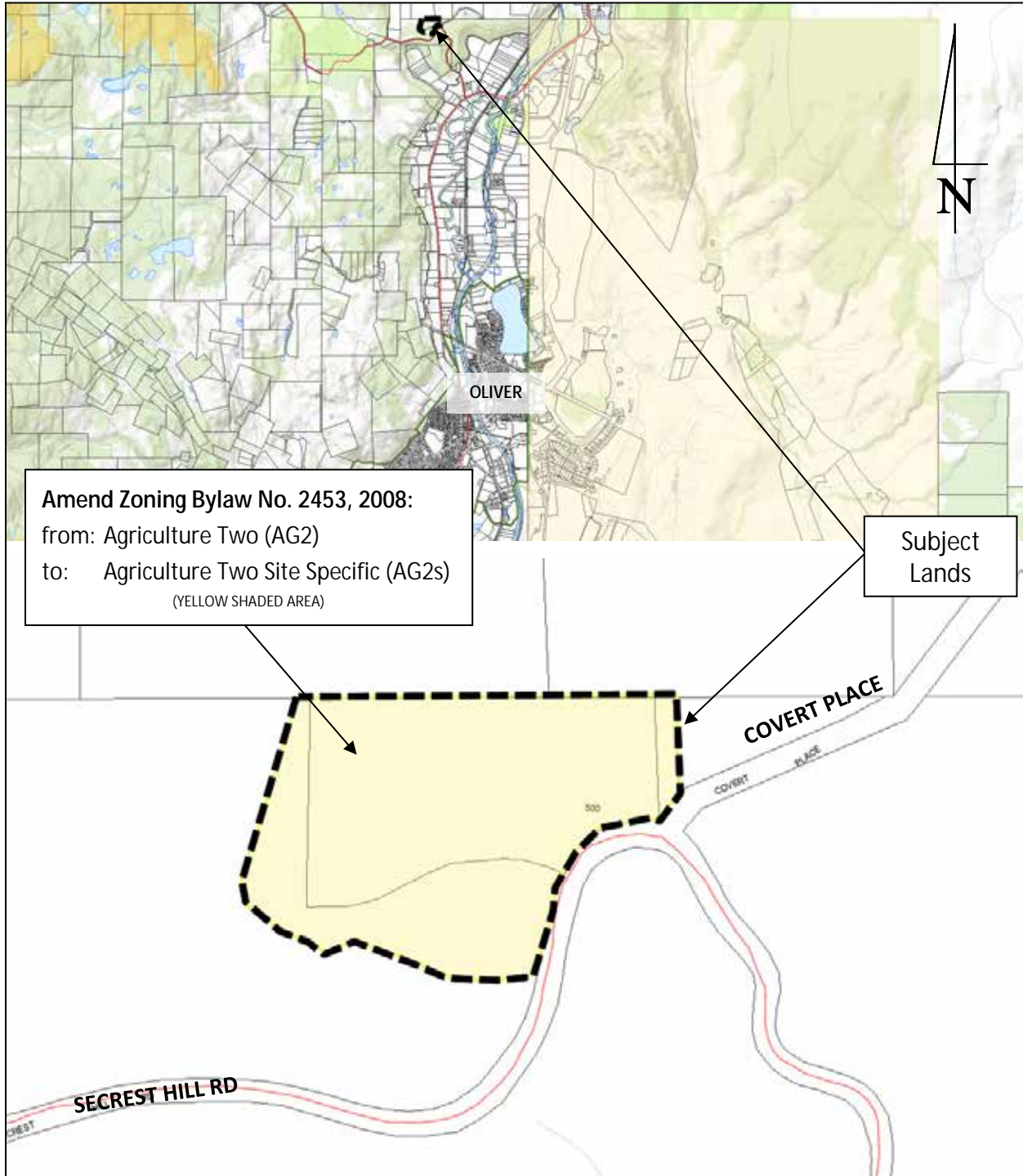
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2453.38, 2020

File No. C2020.009-ZONE

Schedule 'A'





July 27, 2020

File: 0280-30
Local Government File: C2020.010-ZONE

Cory Labreque, Planner II
Regional District Okanagan Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Re: Bylaw 2452.23 and 2453.38 File: C2020.010-ZONE

Dear Cory Labreque,

Thank you for providing B.C. Ministry of Agriculture staff the opportunity to comment on the proposed rezoning of 500 Secrest Hill Road to accommodate a commercial campground. As noted in the application materials, the Ministry of Agriculture is providing approximately \$200,000 in grants for improvements to washroom, shower and laundry facilities in order to ensure that seasonal farm workers have access to safe and hygienic housing while working on local farms.

Ministry staff are supportive of zoning that will accommodate the campground and these improved facilities; however, we concur with the Agricultural Land Commission request in their Resolution #348/2020 that the site remain designated and zoned primarily for agriculture and that the property retain its Agricultural OCP designation and Agriculture Two (AG2) zone with a site specific text amendment to accommodate the campground use and associated facilities or a Temporary Use Permit, rather than rezoning as proposed to a Commercial Tourism (CT) zone. We also support the condition in Resolution #348/2020 for construction of a fence or similar barrier along the west and south boundaries of the proposed campground area to delineate the campground from the remainder of the property and to prevent expansion of the campground into the adjacent ALR land.

If you have any questions, please contact me directly at Alison.Fox@gov.bc.ca or 778-666-0566.

Sincerely,

Alison Fox, P.Ag.
Land Use Agrologist
BC Ministry of Agriculture
Alison.Fox@gov.bc.ca
(778) 666-0566

Christina Forbes, P.Ag.
Regional Agrologist
BC Ministry of Agriculture
Christina.Forbes@gov.bc.ca
(250) 309-2478

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission
Mike Bandy, Land Use Planner, Agricultural Land Commission



Interior Health
Every person matters

July 23, 2020

Cory Labrecque, Planner
Regional District of Okanagan-Similkameen
101 Martin Street,
Penticton, British Columbia V2A 5J9
planning@rdos.bc.ca

Dear Cory Labrecque:

Re: C2020.010-ZONE
500 Secrest Hill Road
Legal: Block A, Plan KAP1729, District Lot 2450S, SDYD & a portion of surrounding Crown land.

Thank you for the opportunity to comment on the above named proposal. It is my understanding the applicant is seeking an amendment of Electoral Area 'C' OCP land use designation from Agriculture (AG) to Commercial Tourist (CT) and a rezoning of the property from Agriculture Two (AG2) to Campground Commercial (CT2) in order to formalize a campground for migrant farm laborers.

From the health community development perspective Interior Health supports this proposal because it will reduce the demand for housing within the community.

The Environmental Assessment Team has no objections to the proposal provided that shower, bathroom, and other sanitary facilities are connected to an appropriate sewerage system per the BC Sewerage System Regulation (Pursuant to the BC Public Health Act). Pit Privies, also known as outhouses, are not a legal means of sewerage disposal in BC. If you have questions regarding your existing system and its performance and/or compliance with today's standards, please contact an Authorized Person under the regulation (Registered Onsite Wastewater Practitioner or Engineer) or the Environmental Assessment Team via HBE@interiorhealth.ca.

Sincerely,

Tanya Osborne, BAHS
Healthy Communities
Population Health

Marion Masson, CIPHI(c)
Specialist Environmental Health Officer
Environmental Management

Bus: 250-469-7070 x12287
tanya.osborne@interiorhealth.ca
www.interiorhealth.ca

Population Health
505 Doyle Avenue
Kelowna, BC V1Y 0C5

Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: August 4, 2020 4:09 PM
To: Planning
Cc: Lauri Feindell
Subject: RE: Bylaw Referral (C2020.010-ZONE)

Hello RDOS Planners! Happy August! ☺

Thank you for your referral C2020.010-Zone to allow a commercial campground ("Loose Bay") as a non-farm use on and around the parcel located at 500 Secrest Hill Road (Block A, Plan KAP1729, District Lot 2450S, SDYD) to proceed to the Agricultural Land Commission;

And

Zoning Bylaw No. 2453, 2008, be initiated in order to formalise the use of an approximately 5.5 ha area, including the property at 500 Secrest Hill Road (Block A, Plan KAP1729, District Lot 2450S, SDYD), as a "campground".

Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the area of land listed in your referral.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded within or in close proximity to the property.

Archaeological potential modelling for the area does not indicate a high potential for previously unidentified archaeological sites to be found on the subject property. The area has moderate potential, but not enough to warrant archaeological investigation.

Archaeology Branch Advice

The Archaeology Branch does not identify a need for archaeological study or Provincial heritage permit(s) at the time of this referral.

Please notify all individuals (e.g., owners, developers, equipment operators) involved in land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) 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

- Archaeological study and Provincial heritage permit(s) are not required in the absence of an archaeological site.
- There is always a possibility for previously unidentified archaeological sites to exist on the property.
- 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.

Questions?

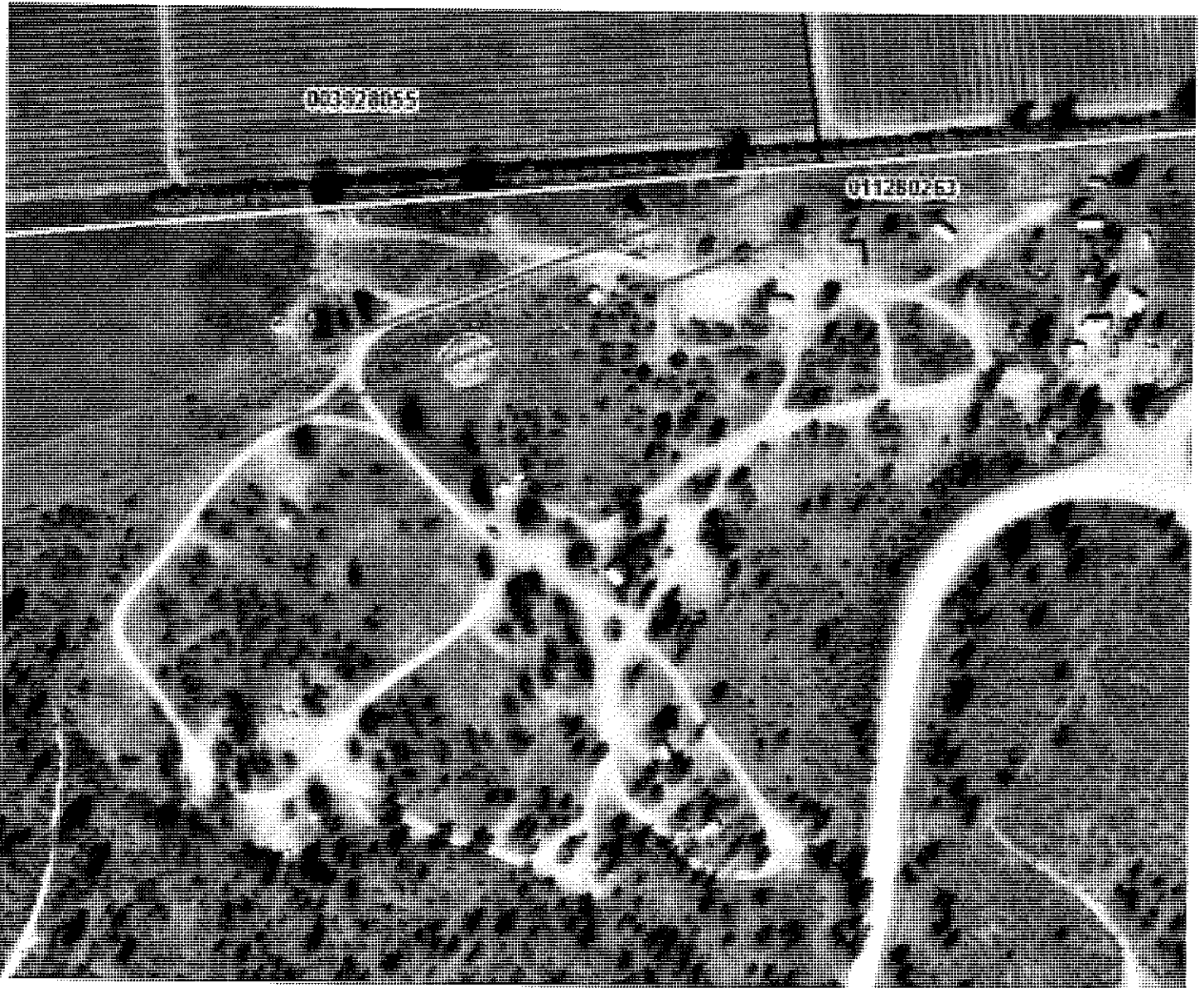
For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

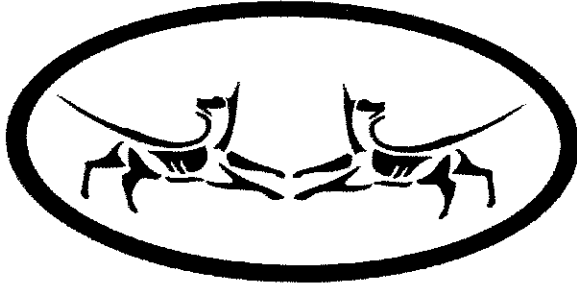
Please let me know if you have any questions regarding this information.

Kind regards,

Diana



Diana Cooper
Archaeologist/Archaeological Site Inventory Information & Data Administrator



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 - D2017.069-ZONE

FN Consultation ID:

L-200723-D2017069-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan-Similkameen

Date Received:

Friday, July 31, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

July 31, 2020

Attention: Planning RDOS

File Number: D2017.069-ZONE

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.

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.

Invoice Number: L-200723-D2017069-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

Please make cheque payable to Penticton Indian Band. re: P.C.132

If you require further information or clarification, please do not hesitate to contact me.

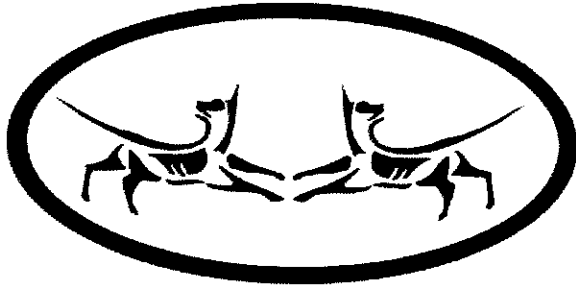
limlmt,

Maryssa Bonneau

Referrals Administrator

P: 250-492-0411

Referrals@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 - D2017.069-ZONE

FN Consultation ID:

L-200723-D2017069-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan-Similkameen

Date Received:

Friday, July 31, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

July 31, 2020

Attention: Planning RDOS

File number: D2017.069-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was sent on July 23, 2020.

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.

limləmt,

Maryssa Bonneau

Referrals Administrator

P: 250-492-0411

Referrals@pib.ca

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2452.23 & 2453.38

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: P. S. Subramanian

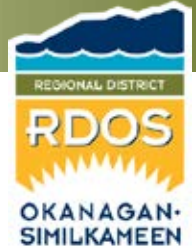
Signed By: SUGRA PALTAPPA

Agency: SD 53

Title: SECRETARY TREASURER

Date: 21-7-20

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 19, 2020
RE: Agricultural Land Commission Referral (Non-Farm Use) – Electoral Area “D”

Administrative Recommendation:

THAT the RDOS Board “not authorize” the application to allow a warehouse as a non-farm use on the parcel located at 1543 Maple Street, Okanagan Falls (Lot 2, Plan 14822, District Lot 551, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for a warehouse for farm use within the ALR

Owners: Shuttleworth Creek Vineyard Ltd. Agent: Larry Gerelus Folio: D-03459.020

Legal: Lot 2, Plan 14822, District Lot 551, SDYD Civic: 1543 Maple Street

OCP: Agriculture (AG) Zone: Agriculture One Zone (AG1)

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 “warehouse for farm use” as a non-farm use within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking approval to use the warehouse for the storage of finished wine, vineyard equipment and supplies from two separate wineries.

In support of this proposal, the applicant has stated that “if this warehouse was on one of the winery sites it would be considered a farm use warehouse but because a winery is not located on the same property, it falls into a non-farm use category. The decision to locate the warehouse here rather than on one of the winery sites is that it is an ideal location for wine storage. The property is flat and the logistics of receiving and shipping is very efficient on this property.”

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” will be required in order for the development to proceed.

Section 25(3) 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 approximately 7.4 ha in area and is situated on the east side of Maple Street in Okanagan Falls. It is understood that the parcel is comprised of a single detached dwelling and one accessory structure (garage) and has approximately 5.6 ha of vineyard.

The surrounding pattern of development is generally characterised by agricultural land to the north and industrial lands to the west, south and east containing vacant lands and a mix of other uses. There are also residential lands to the northeast in the form of a mobile home park.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on February 9, 1965, while available Regional District records indicate that building permit have not previously been issued for this property.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Agriculture (AG), with policies that speak to maintaining the integrity of land suitable for agriculture (Section 9.2.3), preventing encroachment of non-farm land uses (Section 9.2.7), and encourage farm related commercial businesses, that do not conflict with adjacent properties (Section 9.2.15).

The property is also the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations.

Under the Electoral Area “D” Zoning Bylaw No. 2455, 2008, the property is currently zoned Agriculture One (AG1) which permits, among other uses, “packing, processing and storage of farm and off-farm products” as a principal use.

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

On August 6, 2020, the ALC reviewed a Notice of Intent (NoI) to remove soil and place fill over an approximately 1,326.6 m² of ALR land for a warehouse and concluded this was inconsistent with its regulations as the warehouse was not at an alcohol production facility and therefore not ancillary.

At its meeting on September 17, 2020, the Regional District Board resolved to refer this “non-farm use” application to the Electoral Area “D” Advisory Planning Commission (APC).

At tis meeting on October 13, 2020, the Electoral Area “D” APC resolved to recommend to the RDOS Board of Directors that the subject application be “authorized” to proceed to the ALC.

Analysis:

In considering this proposal, Administration notes that the subject property is designated as Agriculture, under which the Electoral Area “D” OCP Bylaw seeks to maintain land suitable for agriculture, prevent encroachment of non-farm uses onto agricultural lands, and to “to encourage the

agricultural sector's improvement and expansion by pursuing supportive land use policies within and adjacent to farming areas."

Administration recognises that the intent of agricultural lands is for growing agricultural crops for providing food, horticultural, medicinal or farm products and the amount of viable farm lands within the Province is limited.

As there is no nexus between the warehousing of finished wine and the agricultural use on the subject property, Administration has concerns that the warehouse facility is more of a stand-alone commercial/industrial use and not agricultural.

Of further concern is the scale of the warehouse operation, where 826 m² is dedicated for wine storage for off-site wineries.

Further, "packing, processing and storage of farm and off-farm products" is permitted in the neighbouring industrial park lands (I1 zone) that are not used for growing crops, as well as other commercial/light industrial lands within the Regional District and City of Penticton.

As such, there appears to be viable alternatives by locating elsewhere and in areas that are more appropriate for a commercial warehouse by not encroaching on viable farmlands.

Although the Zoning Bylaw broadly allows for "packing, processing and storage of farm and off-farm products" as a principal use, not an ancillary or secondary use to agriculture or an alcohol production facility (i.e. winery), the Zoning Bylaw may not align with the Agriculture or ALR designation.

Further, the "packing, processing and storage of farm and off-farm products" use is undefined under the Zoning Bylaw and leaves room for interpretation as to what was intended to be permitted under such a provision.

Conversely, the proposed "warehouse" facility supports agricultural operations in general, as it will be used to support two other wineries under the same ownership.

The warehouse will support the vineyard operation on site through storage of vineyard equipment and offices/lab, as well as storage of farm products from off-site wineries (i.e. finished wine). Both uses are considered consistent with the AG1 zone.

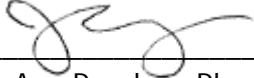
The impetus of the application is due to the absence of a winery on site (i.e. no processing of grapes at this location and no winery licence), which is a distinction not recognized under the Electoral Area "D" Zoning Bylaw.

At this time, Administration does not consider the proposal to be a greater benefit to the agricultural sector in general than what would be lost by allowing an industrial use on viable farmland.

Alternatives:

1. THAT the RDOS Board "authorize" the application to allow a warehouse as a non-farm use on the parcel located at 1543 Maple Street, Okanagan Falls (Lot 2, Plan 14822, District Lot 551, SDYD) 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:



JoAnn Peachey, Planner I

Endorsed By:

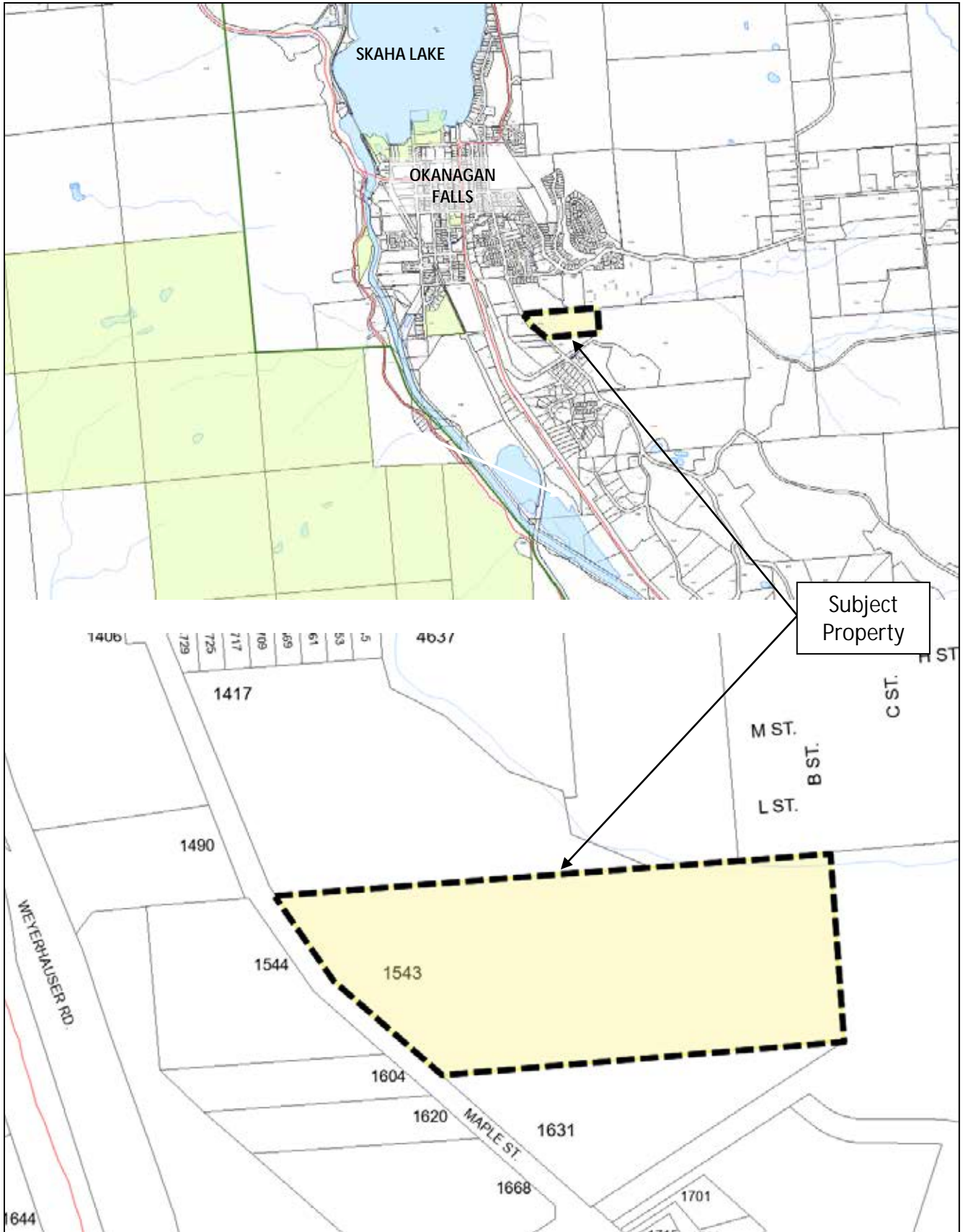


C. Garrish, Planning Manager

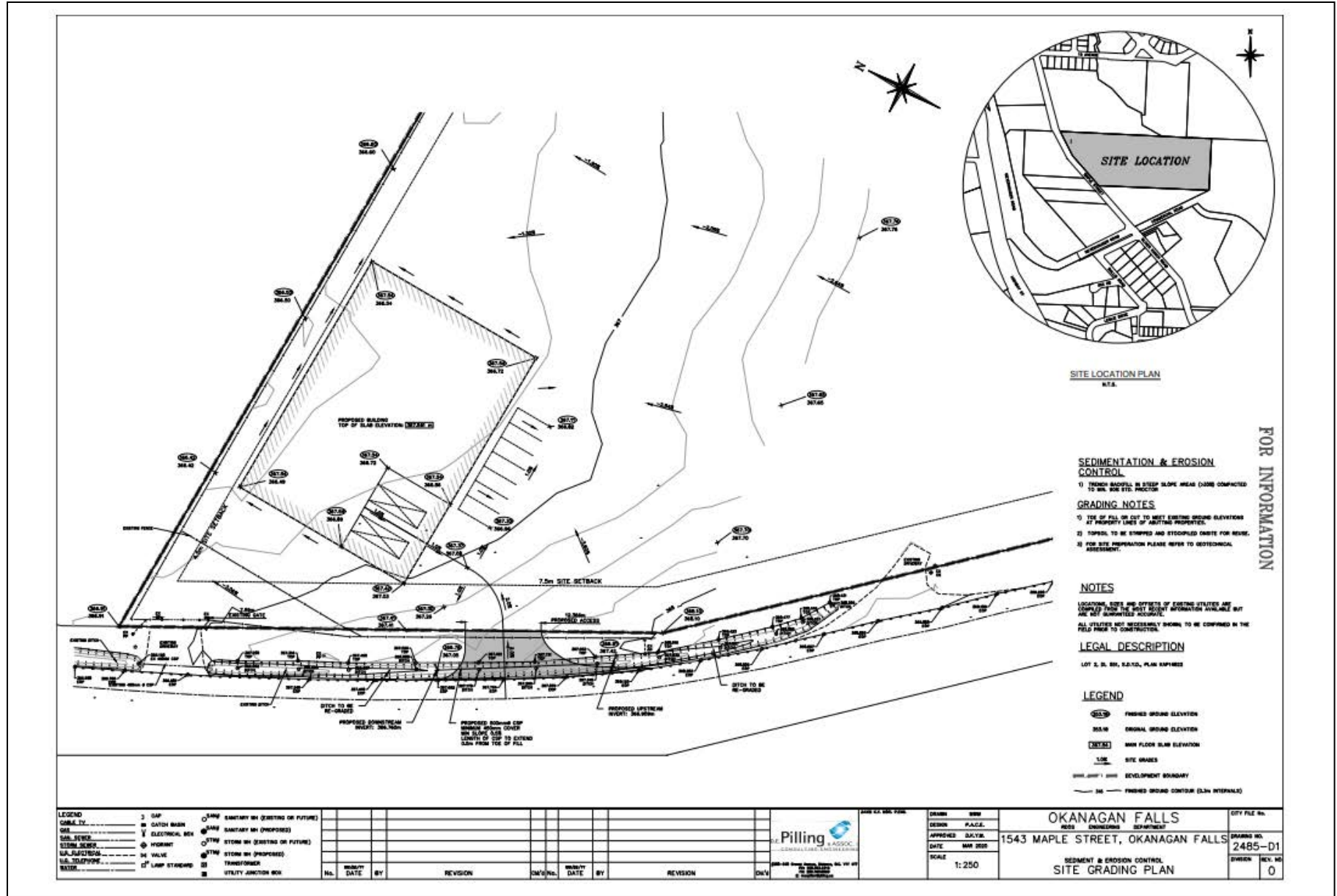
Attachments:

- No. 1 – Context Maps
- No. 2 – Applicant’s Site Plan
- No. 3 – Applicant’s Building Elevations
- No. 4 – Applicant’s Floor Plan (Ground Level)
- No. 5 – Applicant’s Floor Plan (Mezzanine)

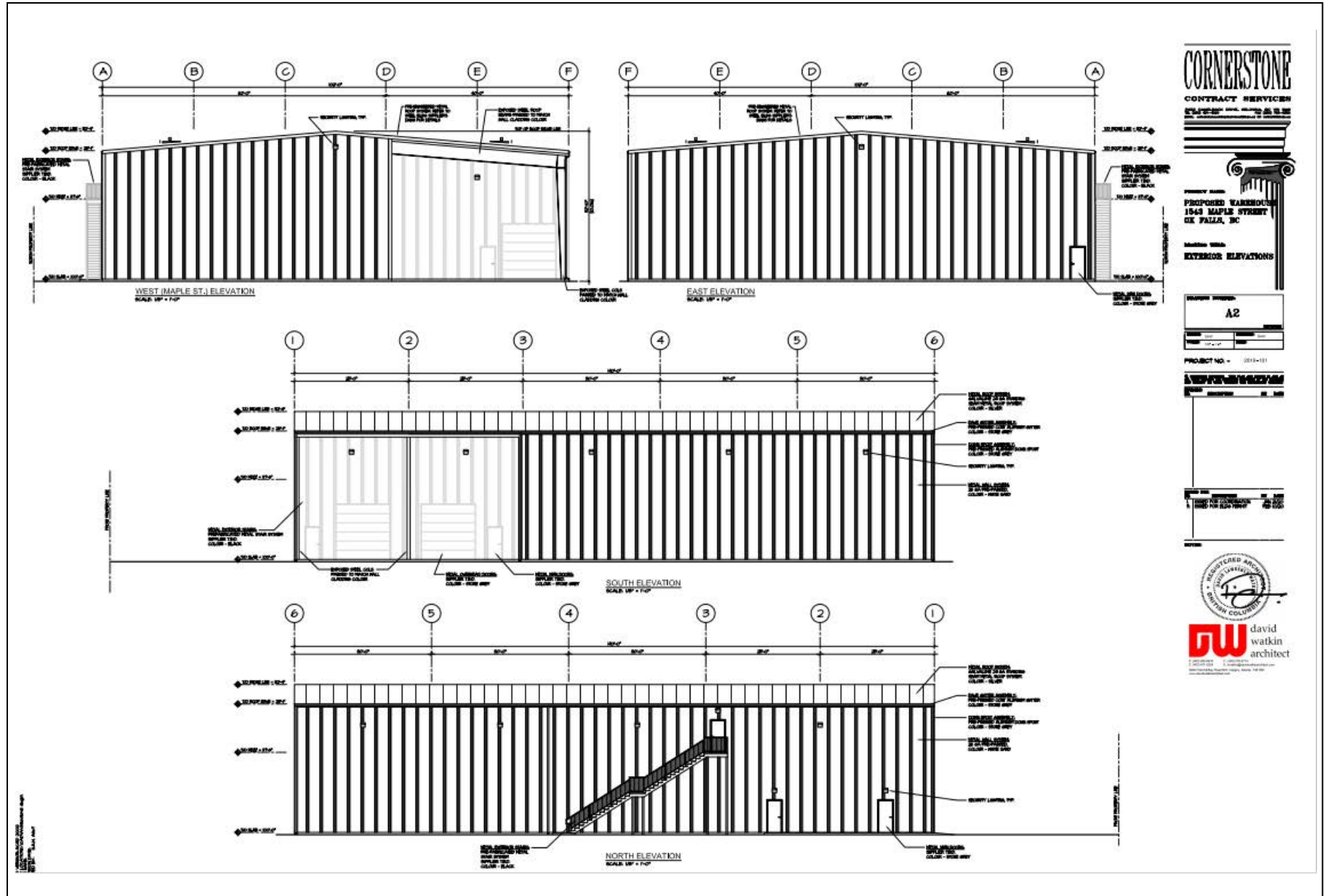
Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Applicant's Building Elevations



CORNERSTONE
CONTRACT SERVICES

PROJECT NAME:
PROPOSED WAREHOUSE
 1543 MAPLE STREET
 OK FALLS, BC

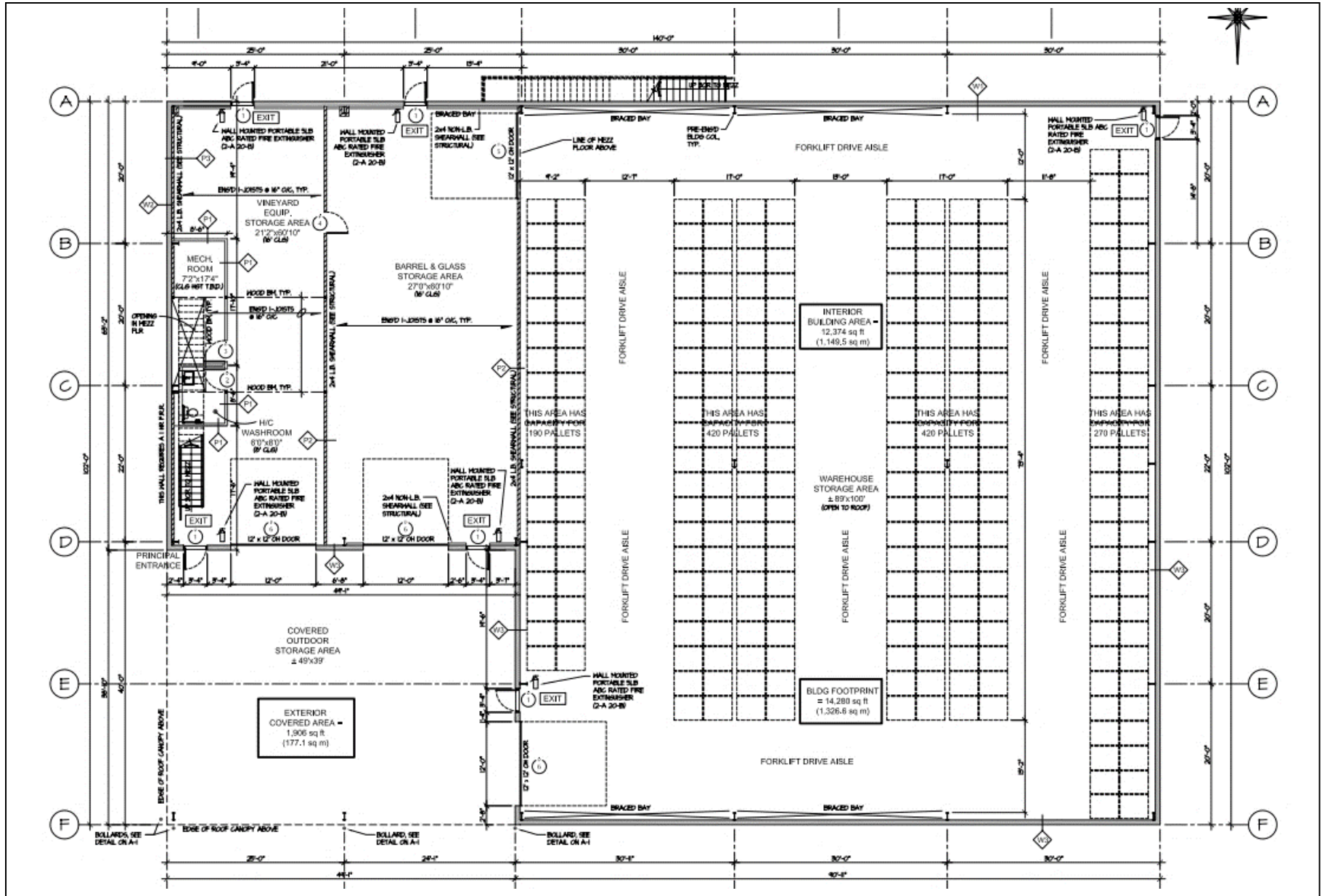
DATE:
EXTERIOR ELEVATIONS

SCALE:
A2

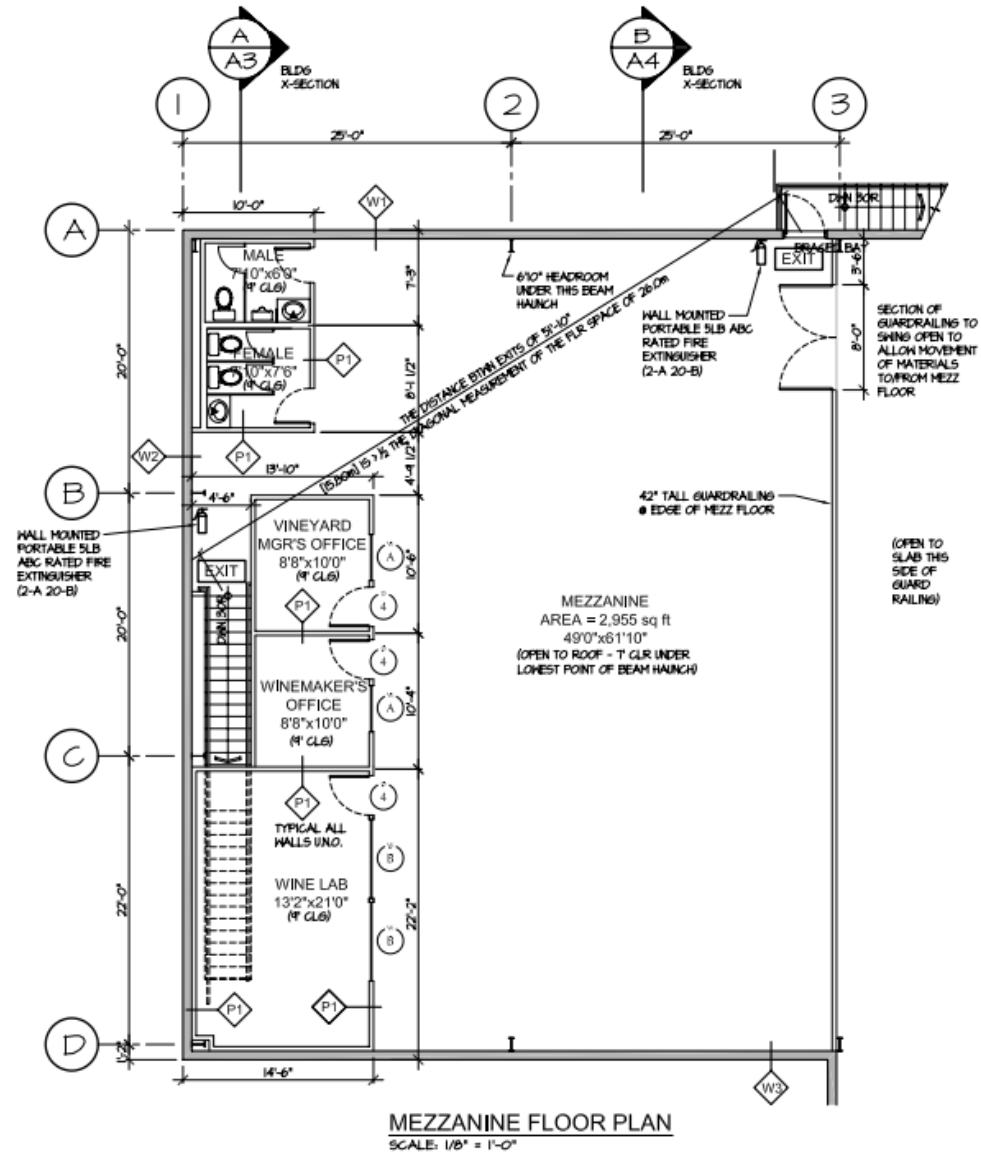
PROJECT NO.: 2019-101

DAVID WATKIN ARCHITECT

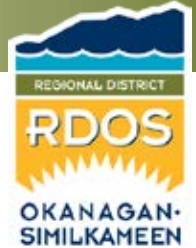
Attachment No. 4 – Applicant's Floor Plans (Ground Floor)



Attachment No. 5 – Applicant's Floor Plans (Mezzanine)



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 19, 2020
RE: Petition to Enter Service Areas – Electoral Area “E”
Street Lighting and Campbell Mountain Landfill Solid Waste Collection and Drop-Off

Administrative Recommendation:

THAT Bylaw No. 1618.02, 2020, Naramata Street Lighting Local Service Establishment Amendment Bylaw be adopted;
AND THAT Bylaw No. 2190.08, 2020, Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Amendment Bylaw be adopted.

Purpose: To extend Street Lighting and Solid Waste Collection service areas to a parcel in Naramata

Owners: Naramata Benchland Properties Ltd Agent: Brad Elenko (McElhanney) Folio: E-07171.400

Civic: 3498 Arawana Forestry Road Legal: Lot 3, Plan EPP60812, District Lot 2711, SDYD

OCP: Small Holdings (SH) Zone: Small Holdings Five Site Specific (SH5s)

Purpose:

The applicant has submitted two petition requests to the Regional District relating to the provision of Street Lighting and Solid Waste Collections services to the property at 2498 Arawana Forestry Road (being Lot 3, Plan EPP60812, District Lot 2711, SDYD).

In order to facilitate this, the following bylaw amendments are required:

- amend Schedule ‘A’ of the Naramata Street Lighting Local Service Establishment Bylaw No. 1618, 1995, to include the property at Lot 3, Plan EPP60812, District Lot 2711, SDYD; and
- amend the Schedule of the Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Bylaw No. 2190, 2003, to include the property at Lot 3, Plan EPP60812, District Lot 2711, SDYD.

Background:

At its meeting of October 15, 2020, the Board approved first, second and third reading of Amendment Bylaw Nos. 1618.02, 2020, and 2190.08, 2020.

Analysis:

Administration supports the property’s inclusion within the Solid Waste Collection and Drop-off Service Area due to the pending subdivision of this parcel to a rural-residential use (despite inclusion in this service area not being a requirement of the Subdivision Servicing Bylaw).

Alternatives:

1. THAT first, second and third reading of Bylaw No. 1618.02, 2020, Naramata Street Lighting Local Service Establishment Amendment Bylaw be rescinded and the bylaw abandoned;
AND THAT first, second and third reading of Bylaw No. 2190.08, 2020, Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Amendment Bylaw be rescinded and the bylaw abandoned.
2. That adoption of Bylaw No. 1618.02, 2020, Naramata Street Lighting Local Service Establishment Amendment Bylaw and Bylaw No. 2190.08, 2020, Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Amendment Bylaw be deferred pending:
 - a) *TBD.*

Respectfully submitted:

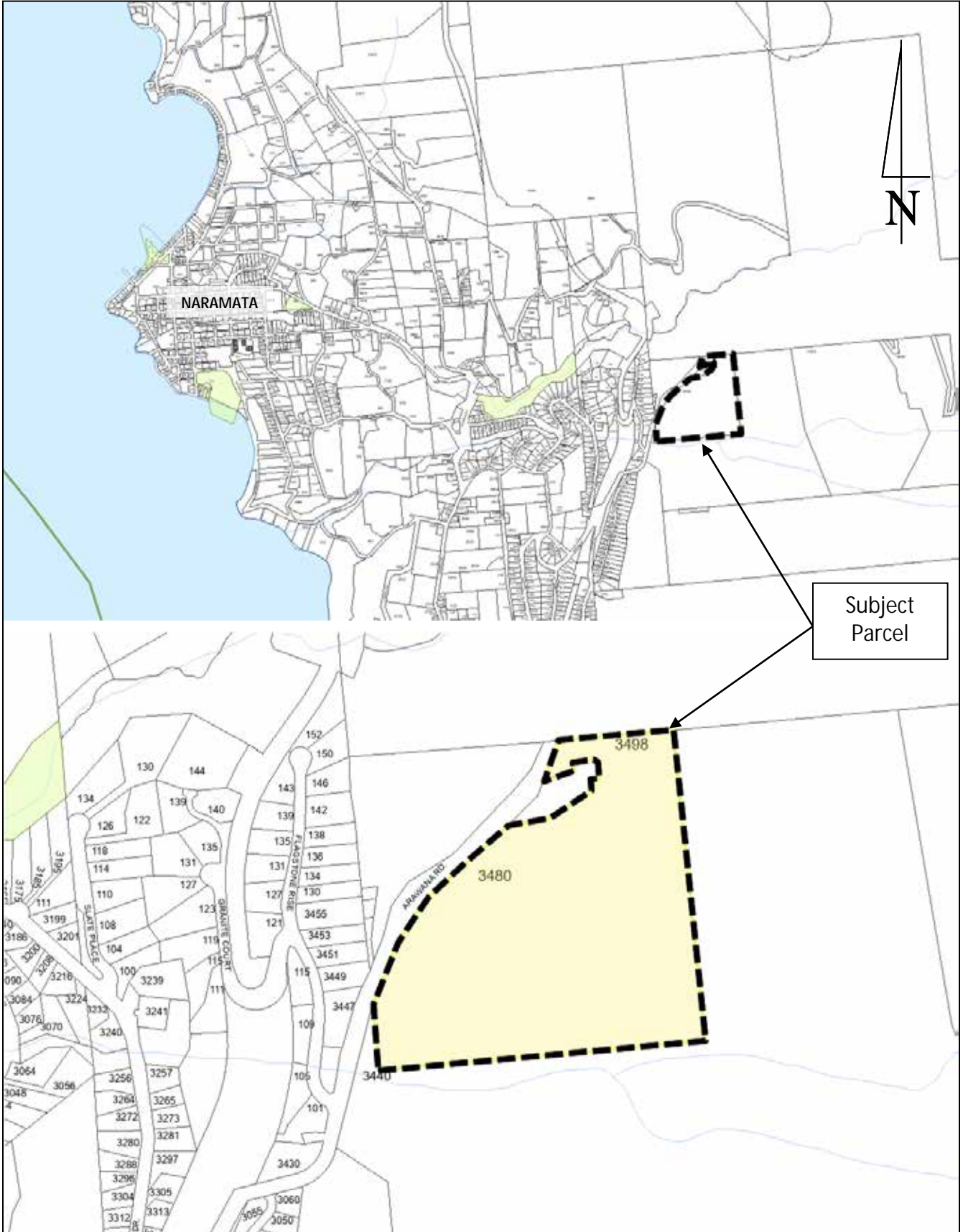


C. Garrish, Planning Manager

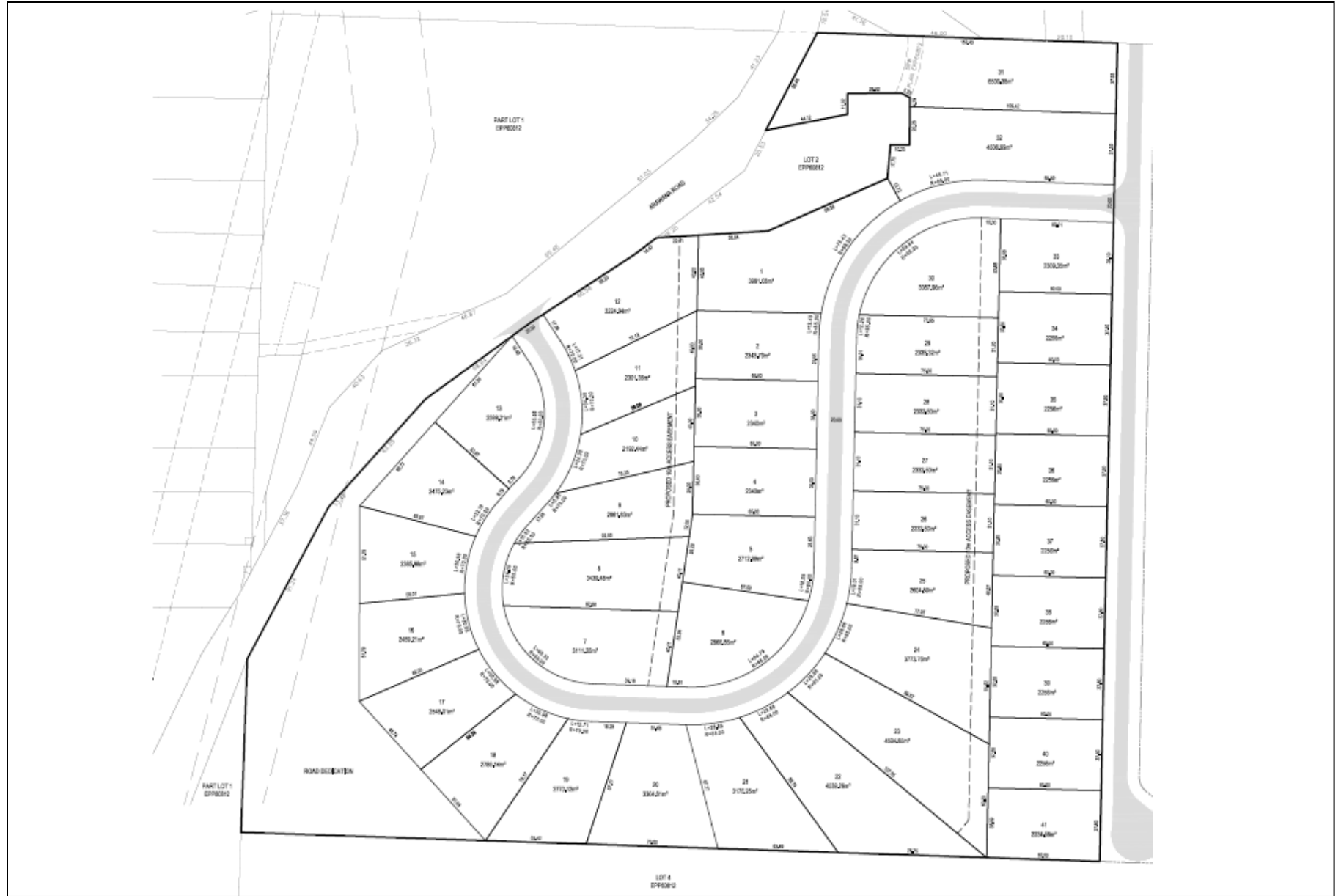
Attachments:

- No. 1 – Context Maps
- No. 2 – Applicant's Proposed Subdivision Plan

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Proposed Subdivision Plan



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1618.02, 2020

**A Bylaw to amend the Naramata Street Lighting
Local Service Establishment Bylaw No. 1618, 1995**

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 "Naramata Street Lighting Local Service Establishment Amendment Bylaw No. 1618.02, 2020."
2. The Schedule 'A' of the Naramata Street Lighting Local Service Establishment Bylaw No. 1618, 1995, is amended by incorporating the land described as Lot 3, Plan EPP60812, District Lot 3474, SDYD (3498 Arawana Road), and shown shaded yellow on Schedule 'A', which forms part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this 15th day of October, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "E" by the electoral area director this 4th day of November, 2020.

ADOPTED this ____ day of _____, 2020.

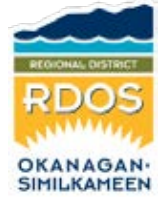
Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, 2020.

Regional District of Okanagan-Similkameen

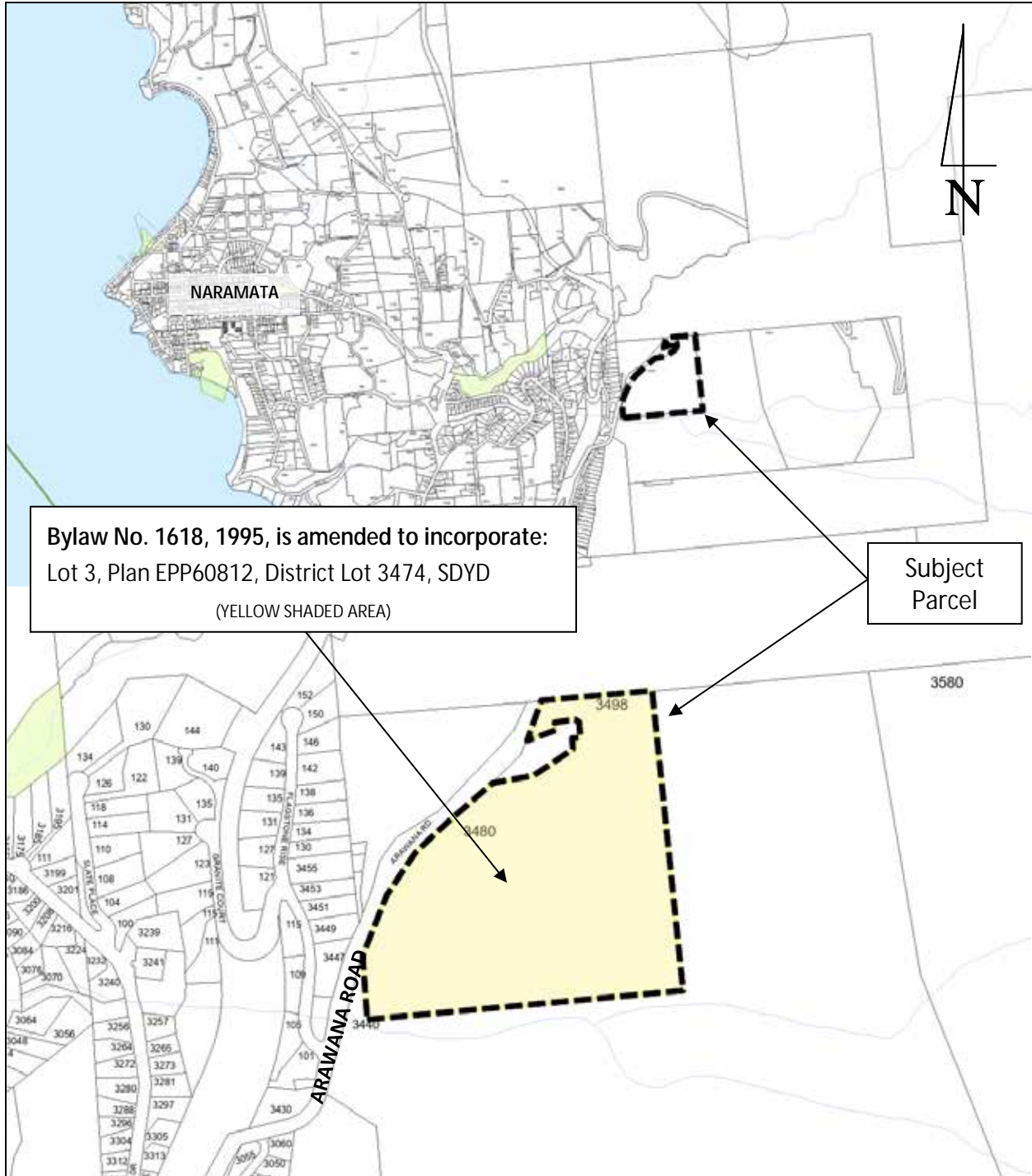
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 1618.02, 2020

File No. E2020.001-SAP

Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2190.08, 2020

**A Bylaw to amend the Campbell Mountain Landfill Solid Waste
Collection and Drop-Off Service Establishment Bylaw No. 2190, 2003**

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 "Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Amendment Bylaw No. 2190.03, 2020."
2. The Schedule of the Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Bylaw No. 2190, 2003, is amended by incorporating the land described as Lot 3, Plan EPP60812, District Lot 3474, SDYD (3498 Arawana Road), and shown shaded yellow on Schedule 'A', which forms part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this 15th day of October, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "A" by the electoral area director this 6th day of November, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "B" by the electoral area director this 6th day of November, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "C" by the electoral area director this ____ day of _____, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "D" by the electoral area director 6th day of November, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "E" by the electoral area director this 4th day of November, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "F" by the electoral area director this 3rd day of November, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "G" by the electoral area director 6th day of November, 2020.

CONSENTED TO in writing on behalf of the electors of Electoral "I" by the electoral area director 12th day of November, 2020.

CONSENTED TO in writing on behalf of the electors of the Village of Keremeos by the municipal council this 2nd day of November, 2020.

ADOPTED this _____ day of _____, 2020.

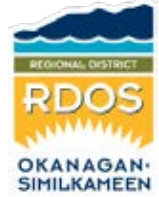
Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2020.

Regional District of Okanagan-Similkameen

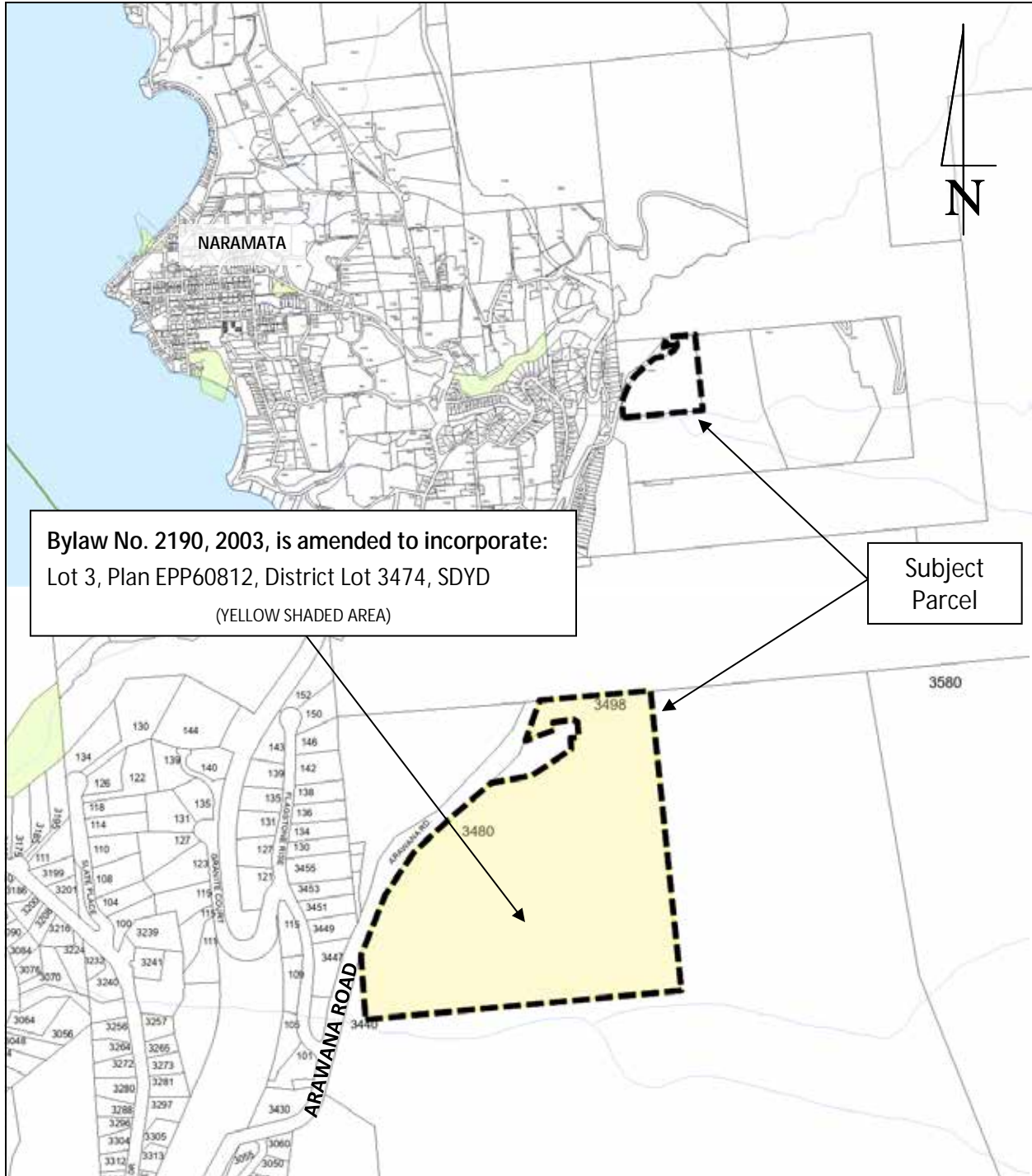
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



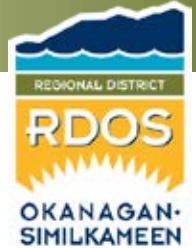
Amendment Bylaw No. 2190.08, 2020

File No. E2020.001-SAP

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 19, 2020
RE: Agricultural Land Commission Referral (Subdivision) – Electoral Area “E”

Administrative Recommendation:

THAT the RDOS Board not “authorize” the application to subdivide the parcels located at 2860/2864 Arawana Road (Lot 13, Plan 576, District Lot 207, SDYD, Except Parcel A Shown on Plan A62, Parcel B Shown on Plan B5981, KAP81407 and EPP30242) and 3256 Juniper Drive (Lot 8, KAP46231, District Lot 2711, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for a subdivision within the ALR.

Owners: Lawrence Josey / Randall Kozak Agent: Randall Kozak Folio: E-02088.000 / E-06824.185

Legal: Lot 13, Plan 576, District Lot 207, SDYD, Except Parcel A Shown on Plan A62, Parcel B Shown on Plan B5981, KAP81407 and EPP30242; and Lot 8, KAP46231, District Lot 2711, SDYD

Civic: 2860 Arawana Road & 3256 Juniper Drive

OCP: part Agriculture (AG); and Zone: part Agriculture One (AG1); and
part Low Density Residential (LR) part Residential Single Family (RS1)

Proposed Development:

An application has been lodged with the Agricultural Land Commission (ALC) under Section 21(2) of the *Agricultural Land Commission Act* (the Act) in order to permit a subdivision to occur within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission’s approval to allow for lot line adjustment between the parcel at 2860 Arawana Road and 3256 Juniper Drive to add approximately 0.3 ha to the parcel at 3256 Juniper Drive.

In support of this proposal, the applicant has stated that “this is so this portion can then be used by the owner (*of 3256 Juniper Drive*) because it is accessible to him...the owner can then farm and plant a vineyard which is the purpose of the application”.

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.

In this instance, Section 25(3) is seen to apply as the property at 2860/2864 Arawana Road is zoned by bylaw to permit [an] agricultural or farm use”.

Section 34.1 (2) 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 at 2860/2864 Arawana Road is approximately 4.4 ha in area and is situated on the east side of Arawana Road. It is understood that the parcel is comprised of a micro cannabis production facility, two single family dwellings, vineyard and various accessory structures.

The subject property at 3256 Juniper Drive is approximately 1,574 m² in area and is situated on the west side of Juniper Drive.

The surrounding pattern of development is generally characterised by larger agricultural parcels to the west and smaller residential parcels to the north, east and south intermixed with vacant, environmentally sensitive hillsides and ravines. Arawana Creek lies to the north of the subject properties.

Background:

2860/2864 Arawana Road

The current boundaries of the subject properties were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 10, 2013, while available Regional District records indicate that building permits for storage (1979), roof/deck extension (1997), single family dwelling renovation (2014), auxiliary single family dwelling (2016) and cannabis micro grow facility (2019) have been issued.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No.2458, 2008, the subject property is currently designated Agriculture (AG), and the southeast portion of the parcel is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Agriculture One (AG1) which requires a minimum parcel size of 4.0 ha.

The property is within the Agricultural Land Reserve (ALR).

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

3256 Juniper Drive

The current boundaries of the subject properties were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on November 28, 1991, while available Regional District records indicate that building permits for a single family dwelling (1992), carport alteration (2018) and window alteration (2020) have been issued.

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

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which requires a minimum parcel size of 1,010 m², subject to servicing requirements.

The property is not within the Agricultural Land Reserve (ALR) and has been classified as "Residential" (Class 01) by BC Assessment.

Analysis:

In considering this proposal, Administration opposes the proposed subdivision as it seeks to fragment a small unit of farmland (i.e. 3,000 m²) and consolidate this potentially uneconomic unit with an adjacent residential use.

It is a broad goal of the OCP to preserve agricultural lands (Section 6.3.4), which is echoed further in the South Okanagan Regional Growth Strategy's supporting policy to "discourage further subdivision of farm parcels" (Policy 1D-3).

The lands at 2860/2864 Arawana Road are seen to benefit from larger parcel size, as they contain active farming operations and agricultural uses.

Administration has concerns with the viability of such a small amount of farmland operating in conjunction with a residential parcel (3256 Juniper Drive) and whether future owners of a primarily residential parcel in an established residential street will continue farming.

Administration further notes that existing parcel line is congruent with the boundaries of the ALR and the agricultural designation of the parcel and the proposed lot line adjustment would inadvertently increase the development potential of the parcel at 3256 Juniper Drive through split-zoning.

Conversely, Administration recognizes that the 0.3 ha portion of the parcel is not accessible by machinery from 2860/2864 Arawana Road due to a steep ravine. Adjusting the lot line would allow the owner of 3256 Juniper Drive to farm and plant a vineyard on his own property.

Under Section 9.0 Agriculture of the Electoral Area "E" OCP Bylaw, there are instances where the Regional Board will consider to subdivide parcels smaller than 4.0 ha within the ALR, including where boundary adjustment will allow for more efficient use of agricultural land and where community interests in the subdivision outweigh the community interests of retaining a larger parcel (Section 9.3.5).

However, Administration believes it is of community interest to retain larger parcel sizes for agricultural lands and to coincide with the established boundaries of the OCP and zoning designations, and ALR (and avoid development pressure that may not otherwise be present).

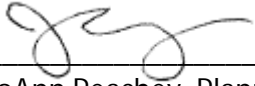
In summary, Administration recommends that this application not be authorized to be forwarded to the ALC to prevent the fragmentation of an agricultural parcel.

Alternatives:

1. THAT the RDOS Board not "authorize" the application to subdivide the parcels located at 2860/2864 Arawana Road (Lot 13, Plan 576, District Lot 207, SDYD, Except Parcel A Shown on Plan A62, Parcel B Shown on Plan B5981, KAP81407 and EPP30242) and 3256 Juniper Drive (Lot 8, KAP46231, District Lot 2711, SDYD) to proceed to the Agricultural Land Commission.

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

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

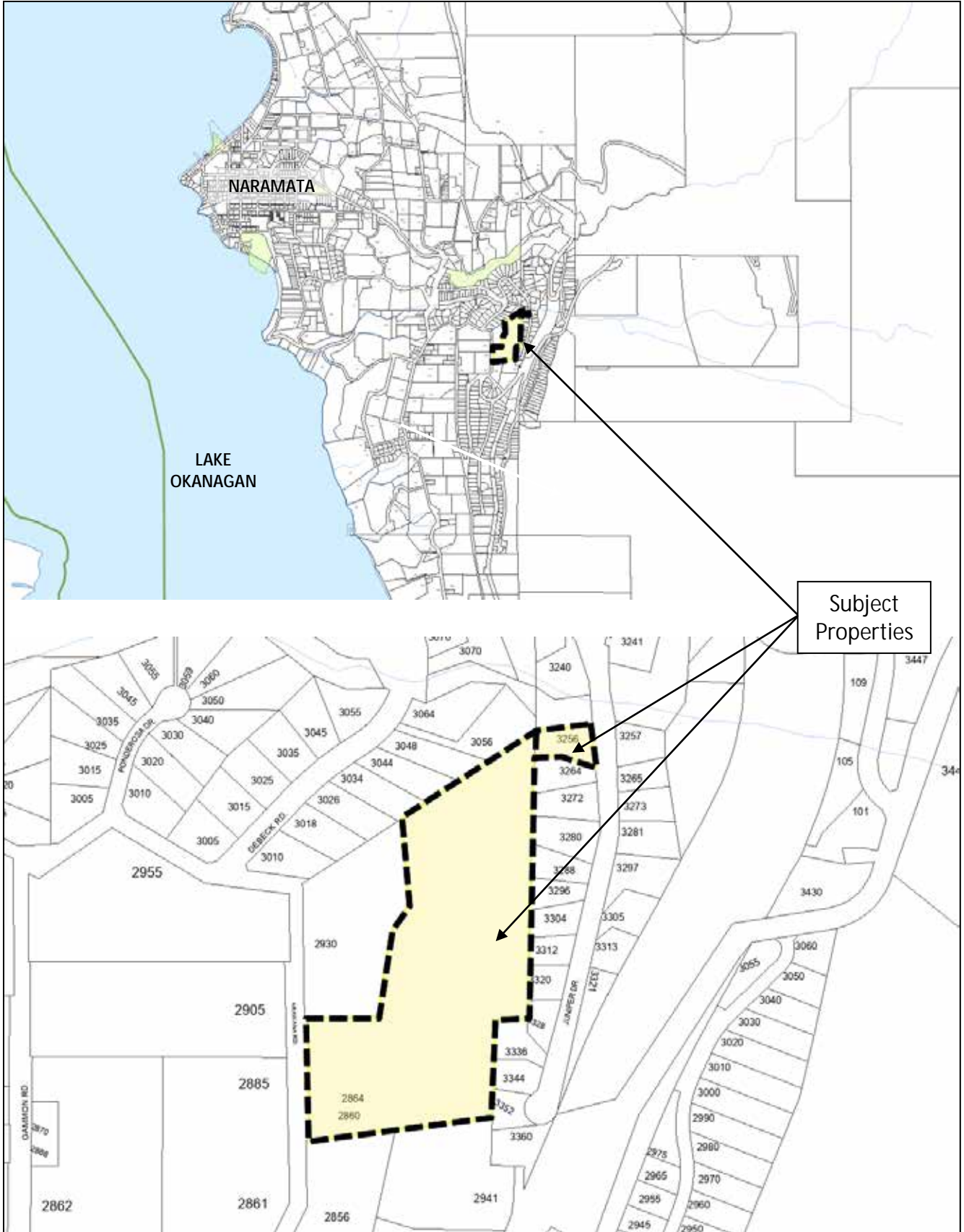
Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

No. 3 – Site Photo (October 2020)

No. 4 – Site Photo (October 2020)

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan

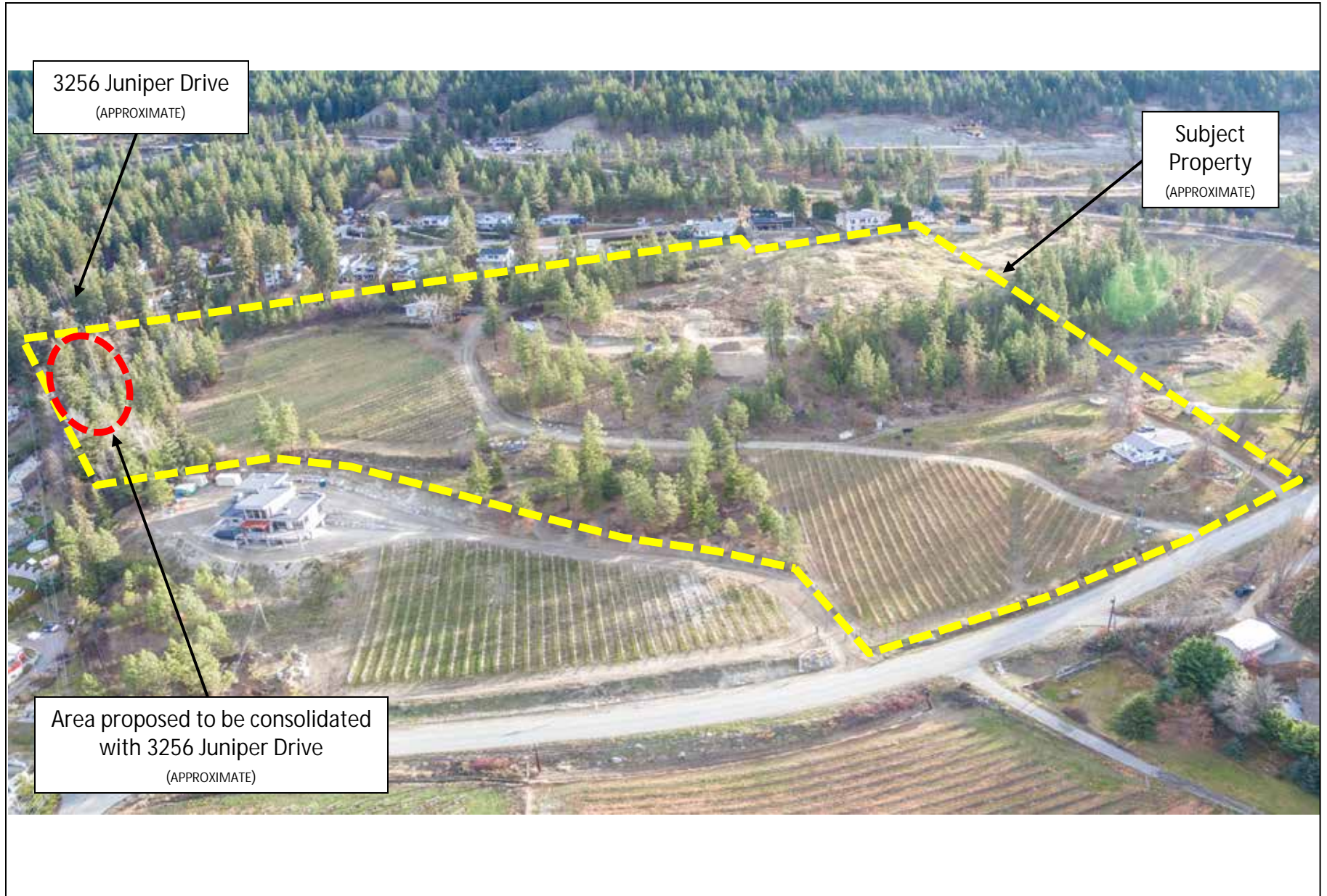


Attachment No. 3 – Site Photo (October 2020)



View looking of 3256 Juniper Drive parcel from
Juniper Drive

Attachment No. 4 – Aerial Photo



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Electoral Area "G" Official Community Plan (OCP) Bylaw Implementation— Contract Award

Administrative Recommendation:

THAT the Board of Directors award the Electoral Area "G" Official Community Plan (OCP) Bylaw Project to EcoPlan in the amount of \$110,000.00.

Purpose:

The purpose of this report is to seek direction from the Board with regard to the awarding of a consulting contract for Electoral Area "G" Official Community Plan (OCP) Bylaw Implementation.

Background:

In 2019, the Electoral Area "G" Director expressed an interest in the communities' opinion on future land use and development to reflect the aspirations and goals for the next 20-25 years, as well as providing direction to respond effectively to referrals from other levels of government and agencies. A community engagement project was undertaken from August to October 2019 for the purpose of determining the level of community interest in developing an OCP. The "Let's Talk Land Use" campaign included a survey, open houses and a focus group-style meeting.

Results of the community engagement indicated general support for developing a community vision that will help guide Electoral Area "G" for the next 20 or so years.

On October 16, 2020, the Regional District posted a Request for Proposals (RFP) from consultant teams with proven experience in rural land use planning in support of creating the first Official Community Plan Bylaw for Electoral Area "G".

Staff prepared the following documents for the consultant's use:

- Community Profile (i.e. core communities, population, housing, land use, services, etc.)
- Land Use Map
- Community Engagement Strategy

The consultant's will build upon the Community Profile and Land Use Map provided to finalize a Background Report. The majority of work will involve execution of the Community Engagement Strategy. The consultant will also prepare the draft OCP Bylaw and a summary report documenting how the Background report and community engagement informed the draft OCP Bylaw.

The proposed schedule for completing the OCP Bylaw Review contained within the RFP has adoption tentatively scheduled for March of 2022 (i.e. 16 months after awarding of contract), and is as follows:

Task	Completion Date
Award to Consultant	November 2020
Project Initiation	December 2020
Finalize Work Plan and Community Engagement Strategy	December 2020
Final Background Report	February 2021
Public Project Launch	January 2021
Implement Community Engagement Strategy	January 2021-February 2022
Summary Report of Community Engagement (Phase 1-3)	September 2021
First Draft OCP	October 2021
Revised Draft OCP Bylaw	December 2021
Final OCP Bylaw	February 2022

In response to the RFP, one (1) submissions was received by the November 6, 2020 deadline from *EcoPlan*.

In accordance with the Regional District’s “Purchasing and Sales Policy”, the Board shall approve all purchases over \$50,000.00. The consulting funds available to cover this project is \$110,000 (i.e. \$108,340 plus GST).

Analysis:

As there was only one submission received, Administration is recommending that the project be awarded to the sole proponent, *EcoPlan*.

Overall, Administration believes that the *EcoPlan* consulting team is a strong collaboration of professional planners with decades of experience in policy development and community engagement. Further, the proposal demonstrates strength in local knowledge, policy development and community engagement needed to execute the project successfully.

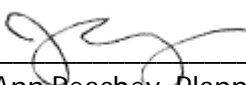
The *EcoPlan* consulting team includes *EcoPlan*, *Agrlington Group* and *Riechert Consulting*, contributing 70%, 12% and 18% of total personnel hours respectively. Of the 846 total personnel hours, 13% are attributed to the project manager, J. Ingram who has proven experience in project management for Official Community Plan updates.

Alternative:

THAT the Board not award the contract to *EcoPlan*.

Respectfully submitted:

Endorsed by:



 JoAnn Peachey, Planner I



 C. Garrish, Planning Manager

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 19, 2020
RE: Development Variance Permit Application — Electoral Area “I”

Administrative Recommendation:

THAT the Board of Directors deny Development Variance Permit No. I2020.002-DVP

Purpose: To accommodate a retaining wall, fence on a retaining wall, and a swimming pool/hot tub

Owners: MJVO Holdings, Inc. Agent: Jennifer and Mario Iorio Folio: I-01378.500

Civic: 120 5th Street, Kaleden Legal: Parcel A (See KT140320), Block 9, Plan 763, DL 105S, SDYD

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

Variance Requests: [see below]

Proposed Development:

This application is seeking to vary several zoning regulations that apply to the subject property in order to install a retaining wall and a fence on a retaining wall along 5th Street and the lane, and to construct a swimming pool and hot tub in the front yard.

Specifically, it is being proposed to:

- reduce the front parcel line setback for an accessory structure from 7.5 metres to 3.63 metres;
- to increase the maximum combined height of a fence and retaining wall at the parcel line from 1.8 metres to 3.02 metres;
- to increase the maximum height of a retaining wall in a required front or side parcel line setback from 1.2 metres to 5.83 metres; and
- to reduce the minimum distance for a retaining wall from the corner of the site at the intersection of streets from 4.5 metres to 0.0 metres.

In support of this request, the applicant has stated, “the design works in the limited space of the property, yet takes into consideration the neighbouring house site lines as well as the roadway appearance. This proposal not only greatly improves the character of the home and property but the streetscape as well with the presence of architectural custom blockwalls, negative lighting and street art installations”.

Site Context:

The subject property is approximately 837 m² in area and is situated on the south side of 5th Street with a lane to the east. The property is currently developed with a single detached dwelling.

The surrounding pattern of development is characterised by low density residential and is in close proximity to Pioneer Park which abuts Skaha Lake.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision which was registered as the plan of townsite of Kaleden on May 4, 1910, while available Regional District records indicate that a building permit for an addition to a single detached dwelling (2019).

Under the Electoral Area "1" Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Low Density Residential (LR).

Under the Electoral Area "1" Zoning Bylaw No. 2457, 2008, the property is currently zoned Residential Single Family One (RS1) which permits single detached dwellings as a principal use, and accessory buildings and structures, among other uses, as a secondary use. Accessory buildings and structures include swimming pools, retaining walls, and fences over 2.0 metres in height.

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

The proposal is within 4.5 metres of a road reserve, and the Ministry of Transportation and Infrastructure has issued a permit (Permit No. 202-03439) for the proposed setbacks.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

At its meeting of September 16, 2020, the Electoral Area "1" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject application be denied.

The applicant has since modified their proposal by reducing the height of the retaining wall through a stepped design, and by moving the pool/hot tub further away from the front parcel line.

Analysis:

In considering this proposal, Administration notes that there are no unique circumstances for the parcel that necessitate an over-height retaining wall and fence at this location and there are available alternatives to development that would meet the bylaw requirements or minimize the variances requested.

Retaining Wall

The Zoning Bylaw's retaining wall regulations are meant to mitigate the visual impact and prominence of such structures. Typically, retaining walls are required on hillsides for geotechnical stability or to create a level building site for development.

In this instance, the retaining wall is to accommodate a swimming pool area and provide a private and safe area within the front yard for this use. There are no site constraints that require a retaining wall within the sight triangle.

The "stepped" nature of the retaining wall is seen to meet the intent of the retaining wall height regulation as no portion of the retaining wall is greater than 1.2 metres and this "stepping" no more

imposing to the streetscape than other permitted retaining walls that are not disadvantaged by height calculations measuring from the lowest grade to the top of the structure.

However, the location of the retaining wall at an intersection with a lane is considered to defeat the intent of the bylaw, as these areas are intended to allow for unimpeded sightlines by maintaining low profiles and the retaining wall raises ground level to establish a higher profile.

Conversely, Administration recognizes that the retaining wall within the "sight triangle" is limited to 1.0 m high and is located on a lane with low traffic.

Fence on a retaining wall

The Zoning Bylaw's fence height regulations are meant to mitigate visual prominence of such structures. The positioning of a fence on top of a retaining wall, particularly at the property line, adds to the prominence of the structure and creates a barrier between the street and the parcel.

In this instance, there is room elsewhere on the property to locate a fence for the purpose of enclosing the pool area and to provide privacy/security.

Further, there is no unique site circumstance requiring the fence to be located on top of the retaining wall or any mitigating site factors that make such a structure less imposing.

Conversely, the fencing consists of glass railing to provide visual permeability and allows for improved security of the pool area.

Swimming pool

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

An in-ground swimming pool and hot tub is not seen to impact the sightlines of vehicular traffic and a swimming pool and hot tub being located partially within the front parcel line setback could be supportable on its own, given the low impact to adjoining properties and the street.

However, when paired with the proposed retaining wall and fencing described above, the overall impression is that of a site is being over-developed and in a manner that is not consistent with surrounding residential parcels which all provide open, landscaped front yards along 5th Street with low or no fencing.

Summary

The proposal is considered to be over-development of the site. As such, Administration does not support the requested variances and is recommending denial.

Alternative:

1. That the Board approve Development Variance Permit No. I2020.002-DVP.

Respectfully submitted



JoAnn Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

Attachments:

- No. 1 – Site Photo (November 2020)
- No. 2 – Site Photo (November 2020)

Attachment No. 1 – Site Photo (November 2020)

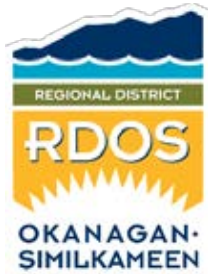


View from Lane

Attachment No. 2 – Site Photo (November 2020)



View along 5th Street



Development Variance Permit

FILE NO.: I2020.002-DVP

Owner: MJVO Holdings Ltd., Inc. No. Agent: n/a
BC0727360
772 Sproule Avenue
Coquitlam, BC, V3J 4L5

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: Parcel A (See KT140320), Block 9, Plan 763, District Lot 105s,
SDYD

Civic Address: 120 5th Street, Kaleden

Parcel Identifier (PID): 025-546-198 Folio: I-01378.500

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "I" Zoning Bylaw No. 2457, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the minimum front parcel line setback for an accessory structure in the Residential Single Family One (RS1) Zone, as prescribed in Section 11.1.6(b)(i)), is varied:

- i) from: 7.5 metres
to: 3.63 metres to the outermost projection as shown on Schedule 'B'.
- b) in the case of a fence constructed on top of a retaining wall, the combined maximum height of the fence and retaining wall at the parcel line or within 1.2 metres of the parcel line, as prescribed in Section 7.8.1(d), is varied:
 - i) from: 1.8 metres, as measured from the finished grade of the abutting higher parcel
to: 3.02 metres as shown on Schedule 'D' and 'E'.
- c) in a required setback for a front or side parcel line, the maximum height of a retaining wall, as prescribed in Section 7.30.4(a), is varied:
 - i) from: 1.2 metres
to: 5.83 metres as shown on Schedule 'D' and 'E'.
- d) on a corner site contiguous to a highway intersection, the minimum distance of a retaining wall from the corner of the site at the intersection of the streets, as prescribed in Section 7.30.4(b), is varied:
 - i) from: 4.5 metres
to: 0.0 metres as shown on Schedule 'C'.

COVENANT REQUIREMENTS

7. Not Applicable

SECURITY REQUIREMENTS

8. Not applicable

EXPIRY OF PERMIT

9. The development shall be carried out according to the following schedule:
- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
 - b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2020.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

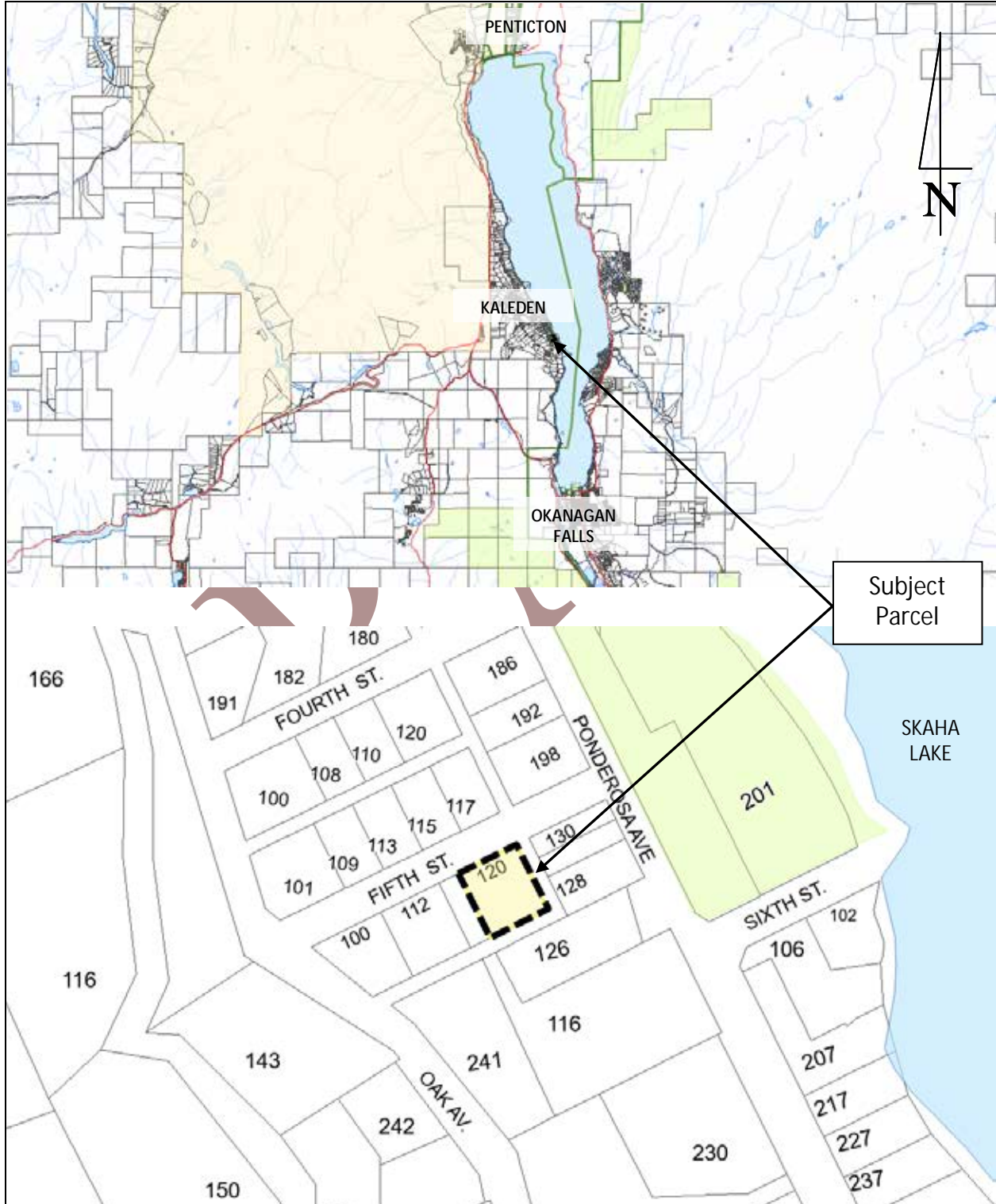
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. I2020.002-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

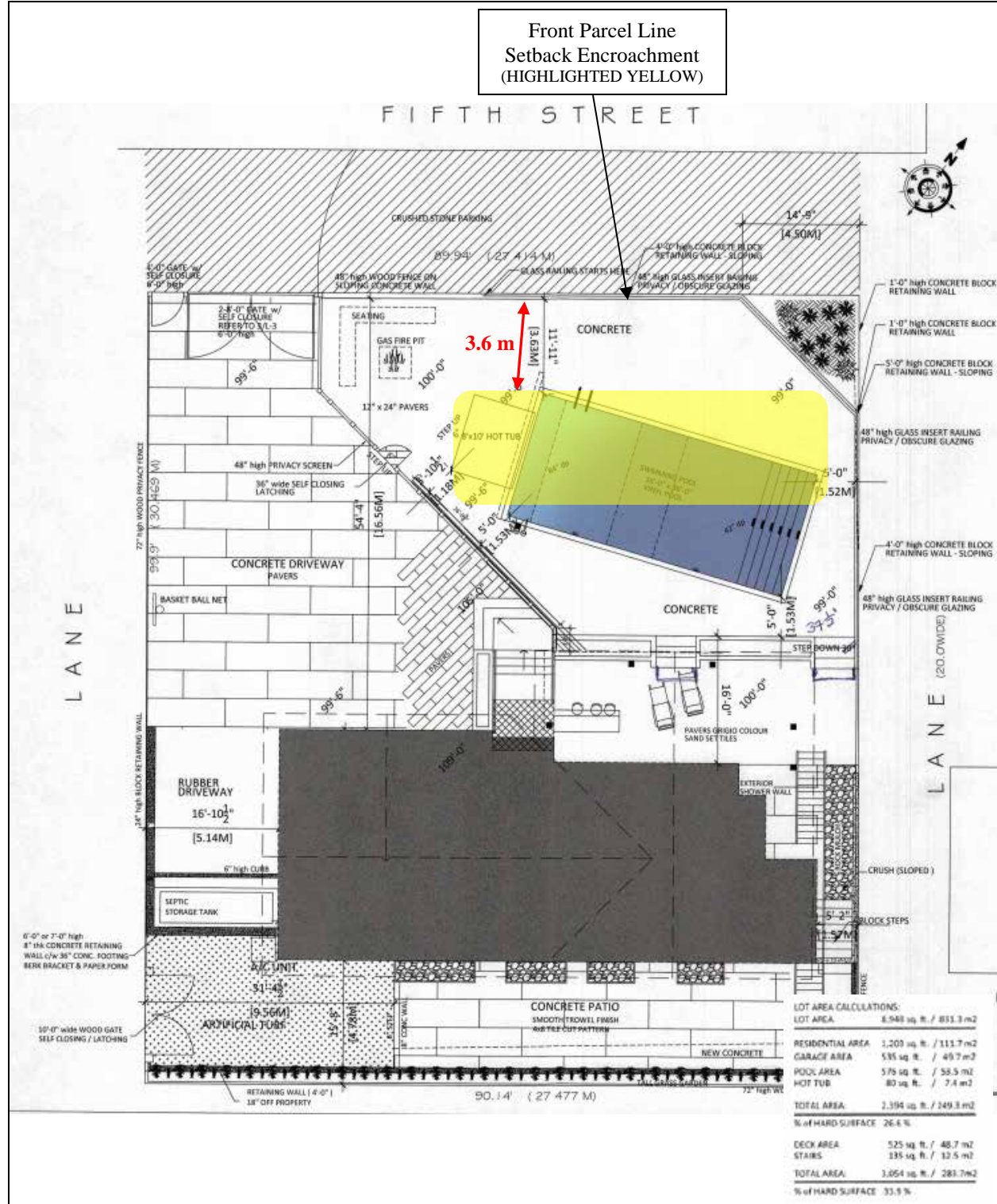
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. I2020.002-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

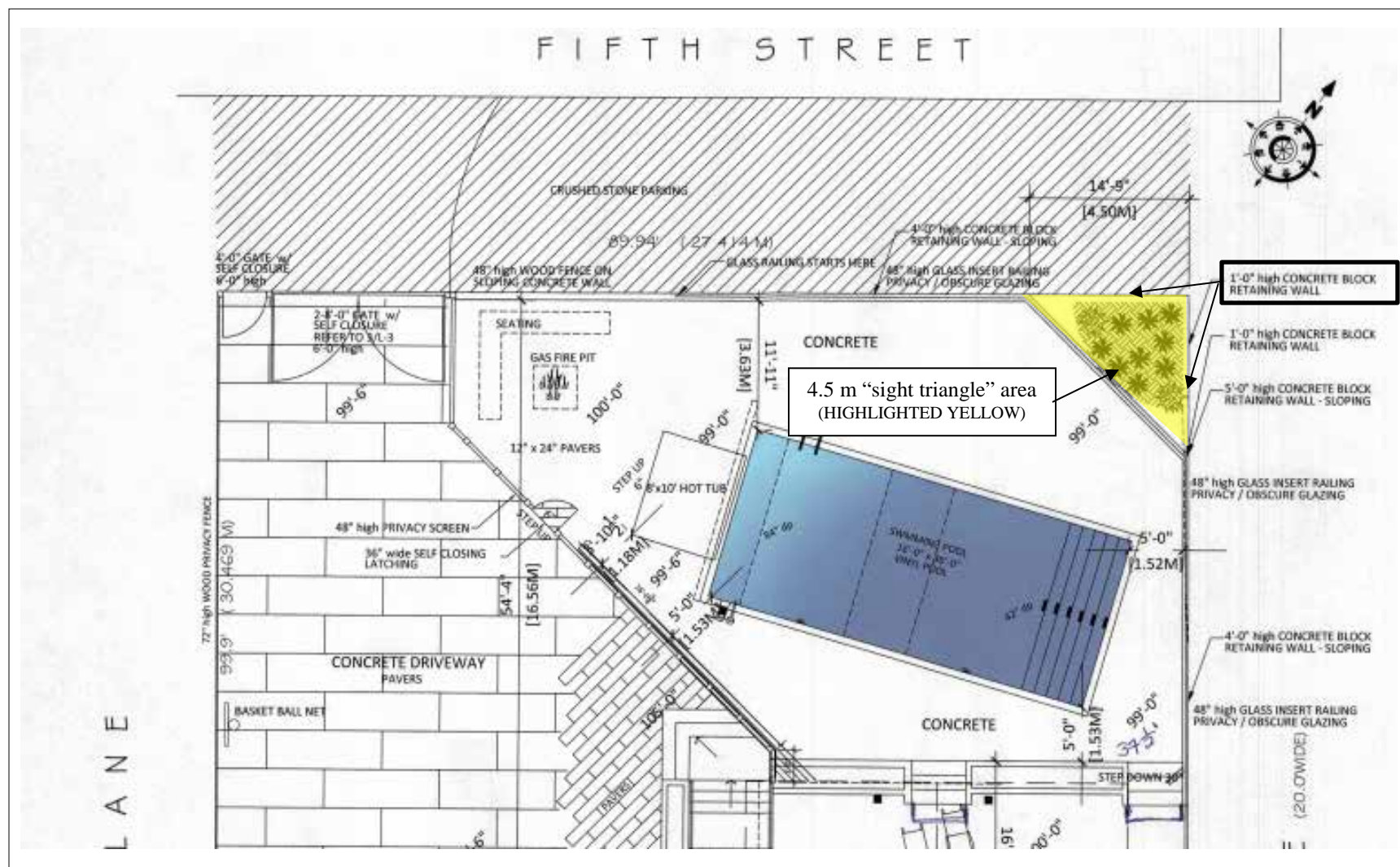
101 Martin St, Penticton, BC, V2A-5J9

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

Development Variance Permit

File No. I2020.002-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

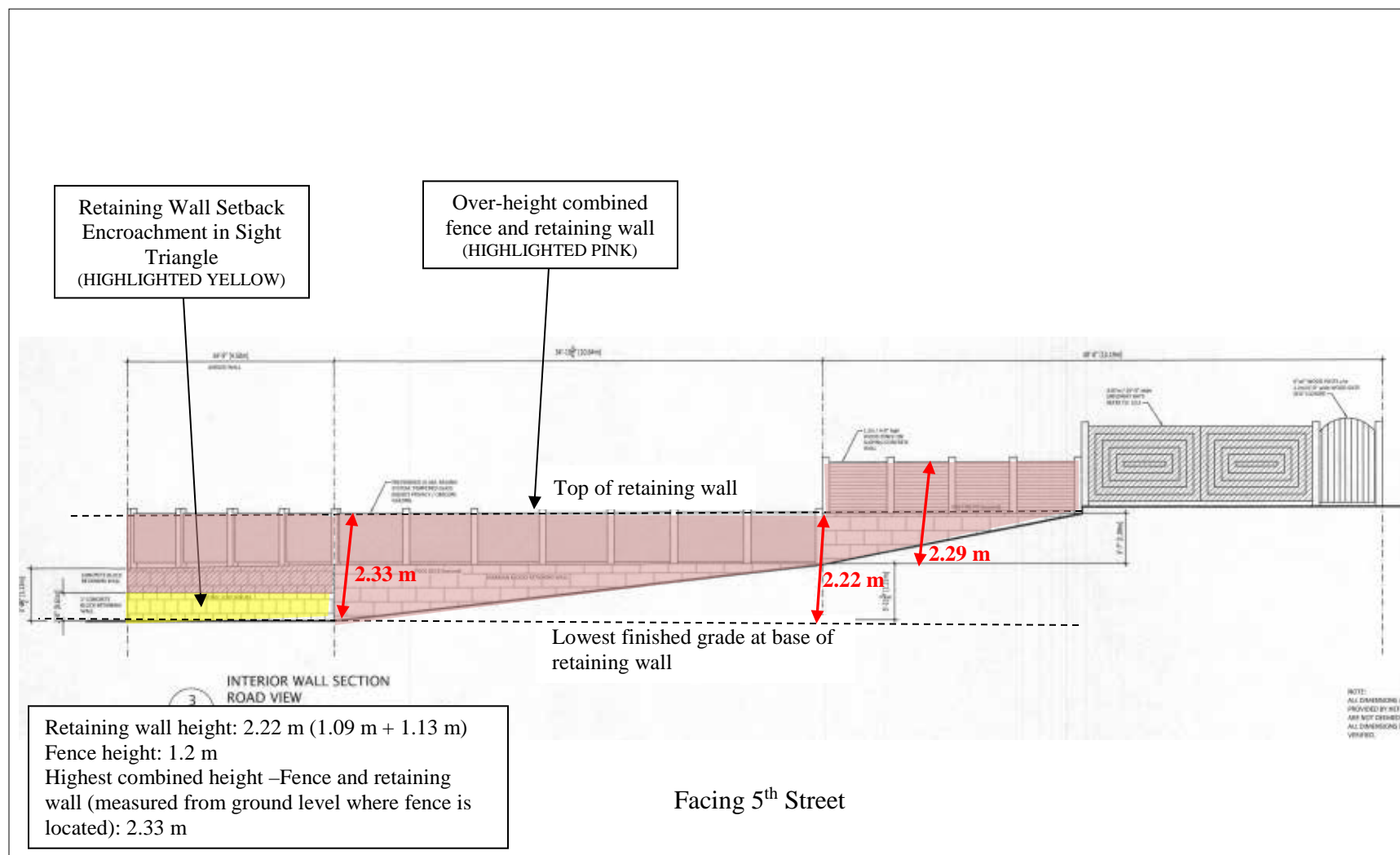
101 Martin St, Penticton, BC, V2A-5J9

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

Development Variance Permit

File No. I2020.002-DVP

Schedule 'D'



Regional District of Okanagan-Similkameen

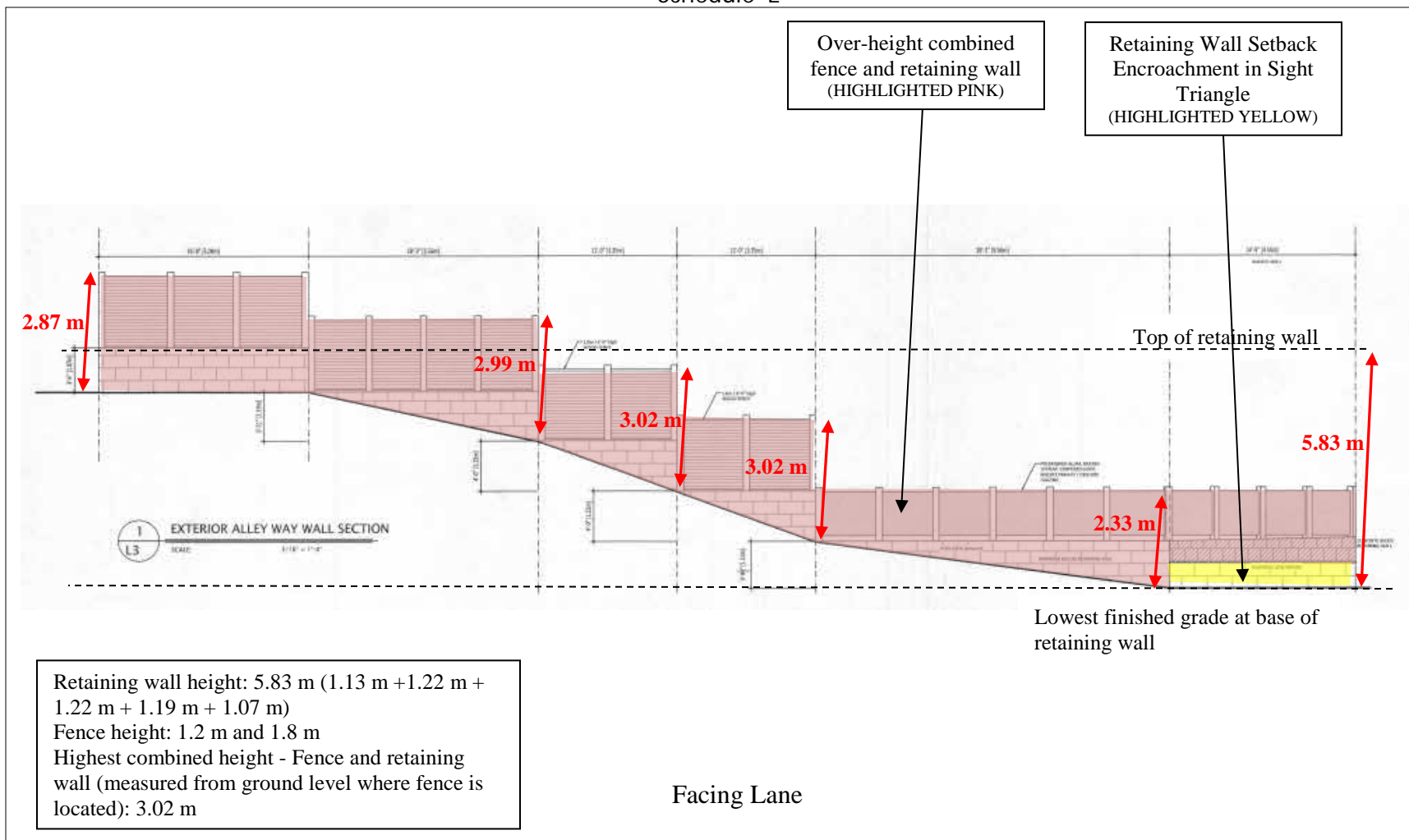
101 Martin St, Penticton, BC, V2A-5J9

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

Development Variance Permit

File No. I2020.002-DVP

Schedule '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.:** I2020.002-DVP

FROM: Name: Barbara E. LESLIE
(please print)

Street Address: _____, Kaleden, BC V0H1K0

RE: Development Variance Permit (DVP) Application
120 5th Street, Kaleden, Electoral Area "I"

My comments / concerns are:

- I do support the proposed variances at 120 5th Street.
- I do support the proposed variances at 120 5th Street, subject to the comments listed below.
- I do not support the proposed variances at 120 5th Street.

All written submissions will be considered by the Regional District Board

See attached letter.

B. Leslie

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

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

Nov. 11, 2011

File Number :120210.002-DVP

To. Regional District of Okanagan Similkameen

101 Martin Street

Penticton, BC

From: Barbara E. Leslie Kaleden, BC V0H1K0

Re: Development Variance Permit Application for 120-5th street, Kaleden, BC Electoral Area I

I do not support the proposed variances at 120 – 5th street for the following reasons:

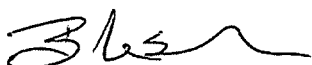
- 1- A 1.8 meter height of a retaining wall and fence is adequate under the building bylaw for a pool security (Minimum requirement is 1.2 meters). A 3.02 meter high structure is not required by law.
- 2- A 3.02 meter high structure consisting of a solid retaining wall and glass railing/panels along Fifth Street will not fit into the adjacent neighbors landscaping or character of the neighbourhood.
- 3- The use of glass railings/panels along Fifth Street may be a safety issue. Fifth Street accumulates a lot of sand and gravel from winter road maintenance operations. Fifth Street has increased motorized traffic and pedestrians since the regional park was upgraded. It is possible that loose sand and gravel from traveling vehicles could break the glass and be a safety concern for the pedestrians. How and who would be responsible for cleanup of glass breakage in a timely manner?
- 4- The placement of the proposed solid retaining wall and fence on the property line would decrease visibility for most vehicles entering 5th street from the driveway adjacent to the west property line of 120 5th street.
- 5- I have lived/owned 112 -5th street since Sept 1989. During that time I have enjoyed the rural lifestyle of the community and its green spaces. The use of a 3.02 meter high solid security retaining wall and fence adjacent to Fifth Street would reduce my view of the regional park (public green space) at the end of 5th street.
- 6- I believe the construction of the proposed solid wall and fence at the property line adjacent to 5th street is not in keeping with the growth strategies that were embraced in the Official Community Plan for this area. The site has already been nicknamed as "*WHISTLER ON FIFTH*" by persons in the community.

Additional concern:

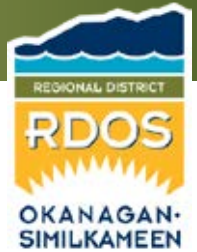
The applicant is proposing the majority of the lot be landscaped/hardscaped with concrete products .I have a concern on where lot runoff would go and where that liquid from the pooled will be disposed of. The travel portions and road allowances/ditches of Fifth Street have been undermined from storm events and pool discharges over the years. Would the discharges from this site further damage the road's integrity ?

Thank you for the opportunity to express my concerns.

Sincerely yours,



Barbara E. Leslie



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Official Community Plan (OCP) and Zoning Bylaw Amendments
Proposed Dock Regulations – Okanagan Basin Lakes

Administrative Recommendation:

THAT Bylaw No. 2862, 2020 the Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw, be read a third time.

Purpose:

The purpose of this report is to seek direction from the Board regarding revised Official Community Plan (OCP) and Zoning Bylaw amendments related to the regulation of docks on major lakes within Electoral Areas "A", "C", "D", "E", "F", and "I".

Background:

Public Information Meetings were hosted electronically on July 30th, August 4th and August 5th, 2020, and were attended by approximately twenty (20) members of the public.

At its meeting of May 21, 2020, the Planning and Development Committee resolved "that the Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw No. 2862 proceed to first reading."

At its meeting of October 1, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaw and scheduled a public hearing ahead of its meeting of November 19, 2020.

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 required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97/3).

Analysis:

Further to the direction previously provided by the Board, Draft Amendment Bylaw No. 2862 contains a number of proposed General Regulations that would govern the placement of docks on Okanagan, Osoyoos, Skaha, and Vaseux Lakes.

In general, the draft regulations are designed so that most residential-scale docks, swimming platforms, moorage buoys, and boat launches would not require the Board's approval. The proposed zoning regulations align with the Provincial General Permission for the Use of Crown Land for Private Moorage, including these key regulations:

- one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel;
- a dock does not extend a distance greater than 42.0 metres into the lake from the upland parcel;
- a dock does not exceed a width of 1.5 metres, or a platform exceeding a width of 3.0 metres; and
- a dock does not impede pedestrian access along the foreshore.

In addition, the adjacent upland parcel must be zoned to permit a single detached dwelling, and a maximum of one (1) standalone swimming platform is permitted per upland parcel, so long as the total area of the platform does not exceed 10.0 m².

Following stakeholder input, discussions with the Province, and further analysis, some key improvements were made to the draft bylaw since the May 21, 2020 Committee meeting:

- All references to moorage buoys are removed from the draft bylaw, given the Board's primary objectives of the dock regulations initiative, higher-level government jurisdictional issues, and capacity issues related to the RDOS's capacity to properly monitor and enforce the widespread installation of moorage buoys.
- Shared neighbour docks are a permitted use, in order to promote responsible shared dock ownership and cost sharing, while potentially reducing future dock construction on the lakes over time (these are first still subject to provincial approval).
- The maximum number of boat moorage areas per dock has increased from two (2) to four (4) moorage areas, in order to reflect current private residential moorage practices, and to remove a possible disincentive for shared neighbour docks.

Intensive Uses Requiring Board Approval:

However, larger scale docks and related developments that do not meet all of the above listed requirements would automatically be subject to the Board's review through a Site Specific Rezoning process.

This will provide an opportunity for the Board to review any proposals that do not conform to the requirements, including group moorage, commercial docks and marinas, float plane moorage, on a case-by-case basis. The supporting OCP policy amendments list a number of criteria that could be used in such a review (see Attachment No. 1).

Official Community Plan (OCP) Bylaw - Objectives and Policies:

In support of the amendments, Administration is proposing the introduction of supportive objectives and policies to the Electoral Area Official Community Plan Bylaws (see Attachment No. 1).

In addition, it is being proposed to apply a new "Basin Lakes (BL)" land use designation to the surface of the lakes to indicate where these new objectives and policies are to be applied and to include this on the applicable OCP Map schedules.

Zoning Bylaw Map:

The new "Okanagan Basin Lakes Zone" would generally apply to the whole of the lakes within each respective Electoral Area boundary and would allow as a principal permitted use "water-based recreation". Permitted accessory uses are to include a smaller scale dock, boatlift, and swimming platform.

Parks and Recreation (PR) Zone

Due to the PR Zone currently permitting "public moorage and marina", it is being proposed to amend this to ensure consistency with other amendments to "public moorage", thereby ensuring that any marina proposals are subject to the Board's review through a site-specific rezoning process.

Electoral Area "F":

Electoral Area "F" is the only Electoral Area that currently has zoning regulations for docks and boat lifts. The zoning designations along Okanagan Lake upland properties currently all extend out over the water and there is a section contained in the general regulations specifically for Docks and Boatlifts that outlines the size, shape, setbacks from property line, and conditions of use.

In the case of Electoral Area "F" Zoning Bylaw, the proposed Zoning Bylaw would replace the existing regulations related to docks and marinas, and also pull any existing zones that extend over the lake back to the shoreline.

It should be noted that for any existing docks or moorage that do not meet the new zoning, they will be considered legally non-conforming.

Alternatives:

1. THAT third reading of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw No. 2862 be deferred; or
2. THAT first and second readings of Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw No. 2862 be rescinded and the bylaw abandoned.

Respectfully submitted:

Cory Labrecque
Cory Labrecque, Planner II

Endorsed By:



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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2862, 2020

**A Bylaw to amend the Electoral Area "A", "C", "D", "E", "F", and "I"
Official Community Plan Bylaws and 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 "Regional District of Okanagan-Similkameen Okanagan Basin Lakes Zoning Amendment Bylaw No. 2862, 2020."

Electoral Area "A"

2. The Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by:
 - i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 2.0 (Official Community Plan Map Designations).
 - ii) adding a new Section 13.5 (Basin Lakes) under Section 13.0 (Natural Environment & Conservation) to read as follows:

13.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

13.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Osoyoos Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

13.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 18.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;

- ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
3. The land shown shaded yellow on the attached Schedule 'A-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended accordingly.
4. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:
"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
 - ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:
"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
 - iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:
"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;
 - iv) adding a new definition of "foreshore" under Section 4.0 (Definitions) to read as follows:
"foreshore" means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;
 - v) adding a new definition of "group moorage facility" under Section 4.0 (Definitions) to read as follows:
"group moorage facility" means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;
 - vi) adding a new definition of "marina" under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

- vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

- viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

- ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

- x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.

- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
 - .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
 - .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².
- xii) replacing Section 16.2.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:
- f) public moorage;
- xiii) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

- a) water-based recreation;

Accessory Uses:

- b) dock;
- c) boat launch;
- d) boatlift; and
- e) swimming platform.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

- 5. The land shown shaded yellow on the attached Schedule 'A-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "A" Zoning Bylaw No. 2451, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended accordingly.

Electoral Area "C"

- 6. The Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:
 - i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 4.0 (Official Community Plan Map Designations).
 - ii) adding a new Section 16.5 (Basin Lakes) under Section 16 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated

with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Vaseux Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 21.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.

- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
7. The land shown shaded yellow on the attached Schedule 'C-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended accordingly.
8. The Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
 - i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
 - ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:

"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
 - iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:

"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;
 - iv) adding a new definition of "foreshore" under Section 4.0 (Definitions) to read as follows:

"foreshore" means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;
 - v) adding a new definition of "group moorage facility" under Section 4.0 (Definitions) to read as follows:

“group moorage facility” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

xi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.

- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xii) replacing Section 16.2.1(f) (Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xiii) adding a new Section 16.4 (Okanagan Basin Lakes (W1) Zone) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

d) boatlift; and

e) swimming platform. .

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

a) Not applicable

16.4.3 Minimum Parcel Size:

a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

9. The land shown shaded yellow on the attached Schedule 'C-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "C" Zoning Bylaw No. 2453, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended accordingly.

Electoral Area "D"

10. The Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 5.0 (Official Community Plan Map Designations).
- ii) adding a new Section 17.5 (Basin Lakes) under Section 17 (Natural Environment & Conservation) to read as follows:

17.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and

surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

17.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Vaseux Lake and Skaha Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of more intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

17.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 24.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks

and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.

- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

11. The land shown shaded yellow on the attached Schedule 'D-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, and the OCP Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended accordingly.

12. The land shown shaded yellow on the attached Schedule 'D-2' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, and the OCP Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended accordingly.

13. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:

- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
- ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:

"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
- iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:

"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include

the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

- iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

“**foreshore**” means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;

- v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

“**group moorage facility**” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

- vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

“**marina**” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

- vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“**moorage**” means the tying, fastening or securing of a boat or other watercraft to a dock;

- viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“**swimming platform**” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

- ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“**water-based recreation**” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

- x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit "single detached dwelling", and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xii) replacing Section 17.2.1(f) (Parks and Recreation Zone (PR)) under Section 17.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xiii) adding a new Section 17.4 (Okanagan Basin Lakes Zone (W1)) under Section 17.0 (Administrative and Open Space) to read as follows:

17.4 OKANAGAN BASIN LAKES ZONE (W1)

17.4.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

d) boatlift; and

swimming platform.

17.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

a) Not applicable

17.4.3 Minimum Parcel Size:

a) Not applicable

17.4.4 Minimum Parcel Width:

a) Not applicable

17.4.5 Maximum Number of Dwelling Permitted Per Parcel:

a) Not applicable

17.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
- i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

17.4.7 Maximum Height:

a) Not applicable

17.4.8 Maximum Parcel Coverage:

a) Not applicable

14. The land shown shaded yellow on the attached Schedule 'D-3' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "D" Zoning Bylaw No. 2455, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.

15. The land shown shaded yellow on the attached Schedule 'D-4' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "D" Zoning Bylaw No. 2455, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.

Electoral Area "E"

16. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:

- i) adding a reference to “Okanagan Basin Lakes BL” under “Community Services and Administrative Designations” at Section 4.0 (Official Community Plan Map Designations).
- ii) adding a new Section 18.5 (Basin Lakes) under Section 18.0 (Natural Environment & Conservation) to read as follows:

18.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule ‘B’ (Official Community Plan Map).

18.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Okanagan Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

18.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule ‘B’ (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.

- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubes on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

17. The land shown shaded yellow on the attached Schedule 'E-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended accordingly.

18. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:

- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
- ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:

"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
- iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:

“dock” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

- iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

“foreshore” means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;

- v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

“group moorage facility” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

- vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

- vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

- viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

- ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

- x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, one (1) standalone boatlift or one (1) swimming platform is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

- xii) replacing Section 16.3.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

- xiii) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

- a) water-based recreation;

Accessory Uses:

- b) dock;

- c) boat launch;
- d) boatlift; and
- e) swimming platform.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

19. The land shown shaded yellow on the attached Schedule 'E-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "E" Zoning Bylaw No. 2459, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended accordingly.

Electoral Area "F"

20. The Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 4.0 (Official Community Plan Designations).
- ii) adding a new Section 16.5 (Basin Lakes) under Section 16.0 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Okanagan Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.

- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
 - .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
 - .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
 - .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
 - .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
 - .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
21. Schedule 'B' (Official Community Plan Map) of the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended by decreasing the extent of those land use designations that currently adjoin Okanagan Lake by 50.0 metres over the surface water, as measured from the high water mark.
22. The land shown shaded yellow on the attached Schedule 'F-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, and the OCP Map, being Schedule 'B' of the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended accordingly.
23. The Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
- i) deleting the definitions of "docks community" and "docks private" under Section 4.0 (Definitions).
 - ii) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

“boat lift” means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;

- iii) adding a new definition of “boat launch” under Section 4.0 (Definitions) to read as follows:

“boat launch” means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;

- iv) adding a new definition of “dock” under Section 4.0 (Definitions) to read as follows:

“dock” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

- v) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

“foreshore” means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;

- vi) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

“group moorage facility” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

- vii) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

- viii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

- ix) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

- x) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

- xi) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xii) Replacing Section 7.26 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) in it’s entirety with the following:

7.26 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

- xiii) replacing Section 10.1.1(s) (Resource Area (RA) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:

- s) *deleted*;

- xiv) replacing Section 10.2.1(l) (Agriculture Two (AG2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - l) *deleted*;
- xv) replacing Section 10.3.1(m) (Agriculture Three (AG2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - m) *deleted*;
- xvi) replacing Section 10.5.1(i) (Small Holdings Two (SH2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - i) *deleted*;
- xvii) replacing Section 10.7.1(f) (Small Holdings Four (SH4) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - f) *deleted*;
- xviii) replacing Section 10.8.1(h) (Small Holdings Five (SH5) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - h) *deleted*;
- xix) replacing Section 11.1.1(d) (Residential Single Family One (RS1) Zone – Permitted Uses) under Section 11.0 (Low Density Residential) in its entirety with the following:
 - d) *deleted*;
- xx) replacing Section 11.2.1(d) (Residential Single Family Two (RS2) Zone – Permitted Uses) under Section 11.0 (Low Density Residential) in its entirety with the following:
 - d) *deleted*;
- xxi) replacing Section 16.2.1(f) (Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:
 - f) public moorage;
- xxii) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:
 - 16.4 OKANAGAN BASIN LAKES ZONE (W1)**
 - 16.4.1 Permitted Uses:**
 - Principal Uses:
 - a) water-based recreation;

Accessory Uses:

- b) dock;
 - c) boat launch;
 - d) boatlift; and
- swimming platform.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

24. Schedule '2' (Zoning Map) of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by decreasing the extent of those land use zonings that currently adjoin Okanagan Lake by 50.0 metres over the surface water, as measured from the high water mark.

25. The land shown shaded yellow on the attached Schedule 'F-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "F" Zoning Bylaw No. 2461, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended accordingly.

Electoral Area "I"

26. The Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 4.0 (Official Community Plan Designations).
- ii) adding a new Section 16.5 (Basin Lakes) under Section 16.0 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Skaha Lake and Vaseux Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

27. The land shown shaded yellow on the attached Schedule 'I-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, and the OCP Map, being Schedule 'B' of the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, is amended accordingly.

28. The Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended by:

- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:
"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;

- ii) adding a new definition of “boat launch” under Section 4.0 (Definitions) to read as follows:

“**boat launch**” means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
- iii) adding a new definition of “dock” under Section 4.0 (Definitions) to read as follows:

“**dock**” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;
- iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

“**foreshore**” means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;
- v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

“**group moorage facility**” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;
- vi) replacing the definition of “marina” under Section 4.0 (Definitions) in its entirety with the following:

“**marina**” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;
- vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“**moorage**” means the tying, fastening or securing of a boat or other watercraft to a dock;
- viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“**swimming platform**” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

- ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:
 - “**water-based recreation**” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;
- x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).
- xi) adding a new Section 7.31 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.31 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
 - .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
 - .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
 - .4 A dock walkway shall not exceed a width of 1.5 metres.
 - .5 A dock moorage platform shall not exceed a width of 3.0 metres.
 - .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
 - .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
 - .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².
- xii) replacing Section 16.2.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:
 - f) public moorage;
 - xiii) adding a new Section 16.5 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.5 OKANAGAN BASIN LAKES ZONE (W1)

16.5.1 Permitted Uses:

Principal Uses:

- a) water-based recreation;

Accessory Uses:

- b) dock;
- c) boat launch;
- d) boatlift;
- e) swimming platform.

16.5.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.5.3 Minimum Parcel Size:

- a) Not applicable

16.5.4 Minimum Parcel Width:

- a) Not applicable

16.5.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.5.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.5.7 Maximum Height:

- a) Not applicable

16.5.8 Maximum Parcel Coverage:

a) Not applicable

29. The land shown shaded yellow on the attached Schedule 'I-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "I" Zoning Bylaw No. 2457, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended accordingly.

READ A FIRST AND SECOND TIME this 1st day of October, 2020.

PUBLIC HEARING held on this 19th day of November, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

I hereby certify the foregoing to be a true and correct copy of the "Regional District of Okanagan-Similkameen Okanagan Basin Lakes Zoning Amendment Bylaw No. 2862, 2020" as read a Third time by the Regional Board on this ____ day of _____, 2020.

Dated at Penticton, BC this ____ day of _____, 2020.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2020.

For the Minister of Transportation & Infrastructure

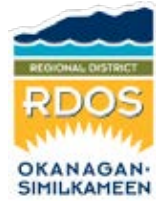
ADOPTED this ____ day of _____, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

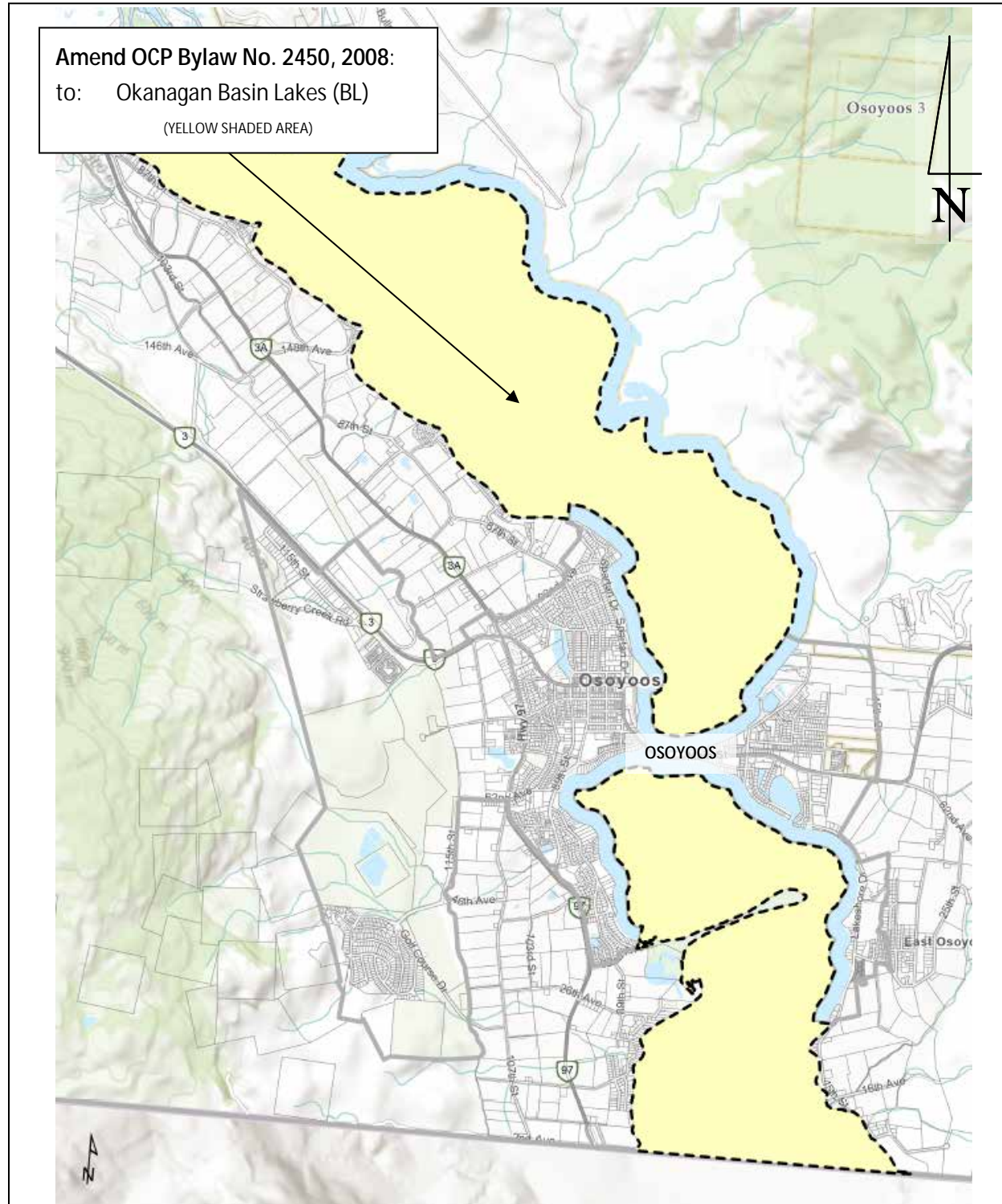
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'A-1'



Regional District of Okanagan-Similkameen

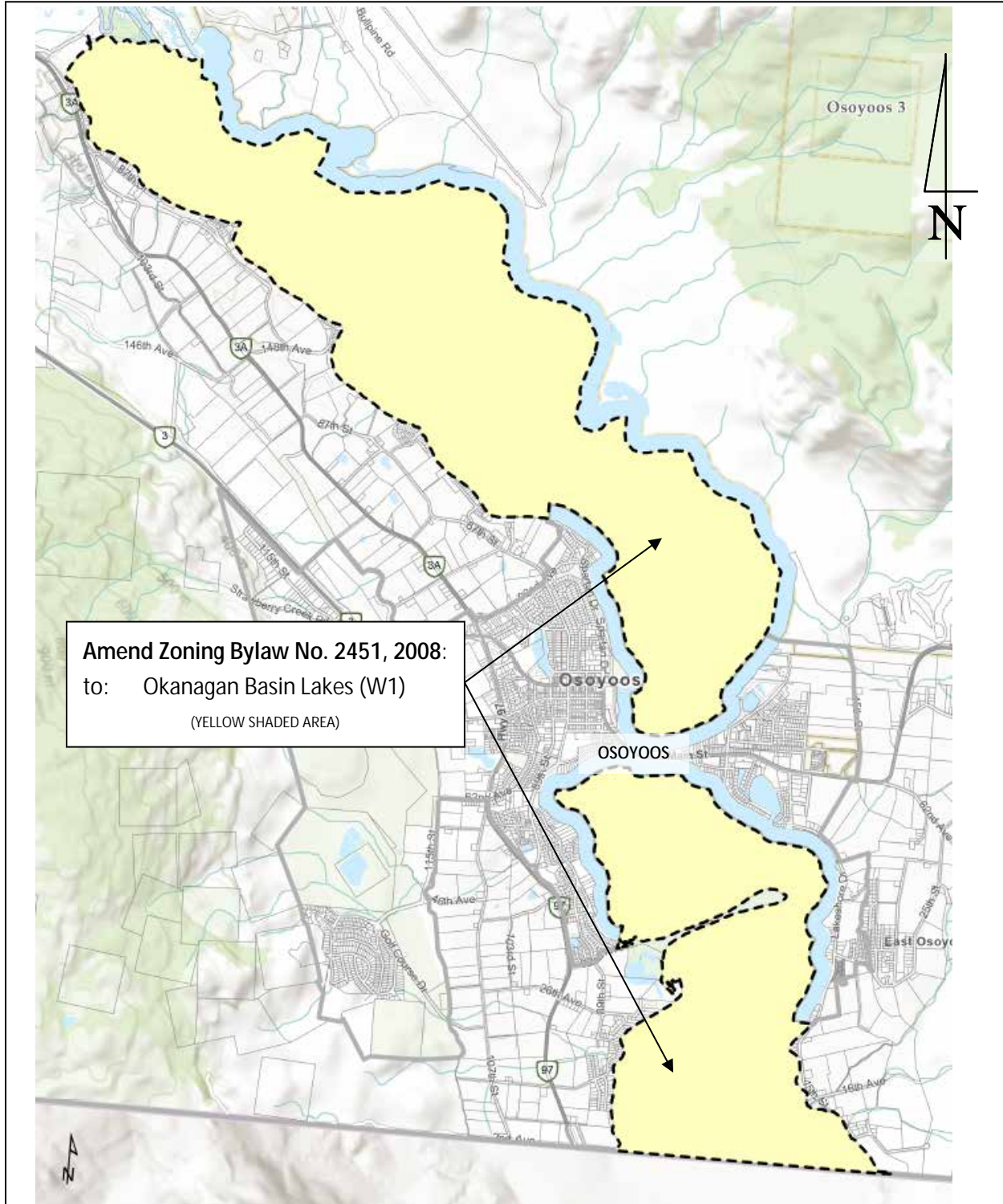
101 Martin St, Penticton, BC, V2A-5J9
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Amendment Bylaw No. 2682, 2020

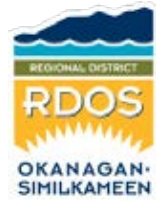
File No. X2020.009-ZONE

Schedule 'A-2'



Regional District of Okanagan-Similkameen

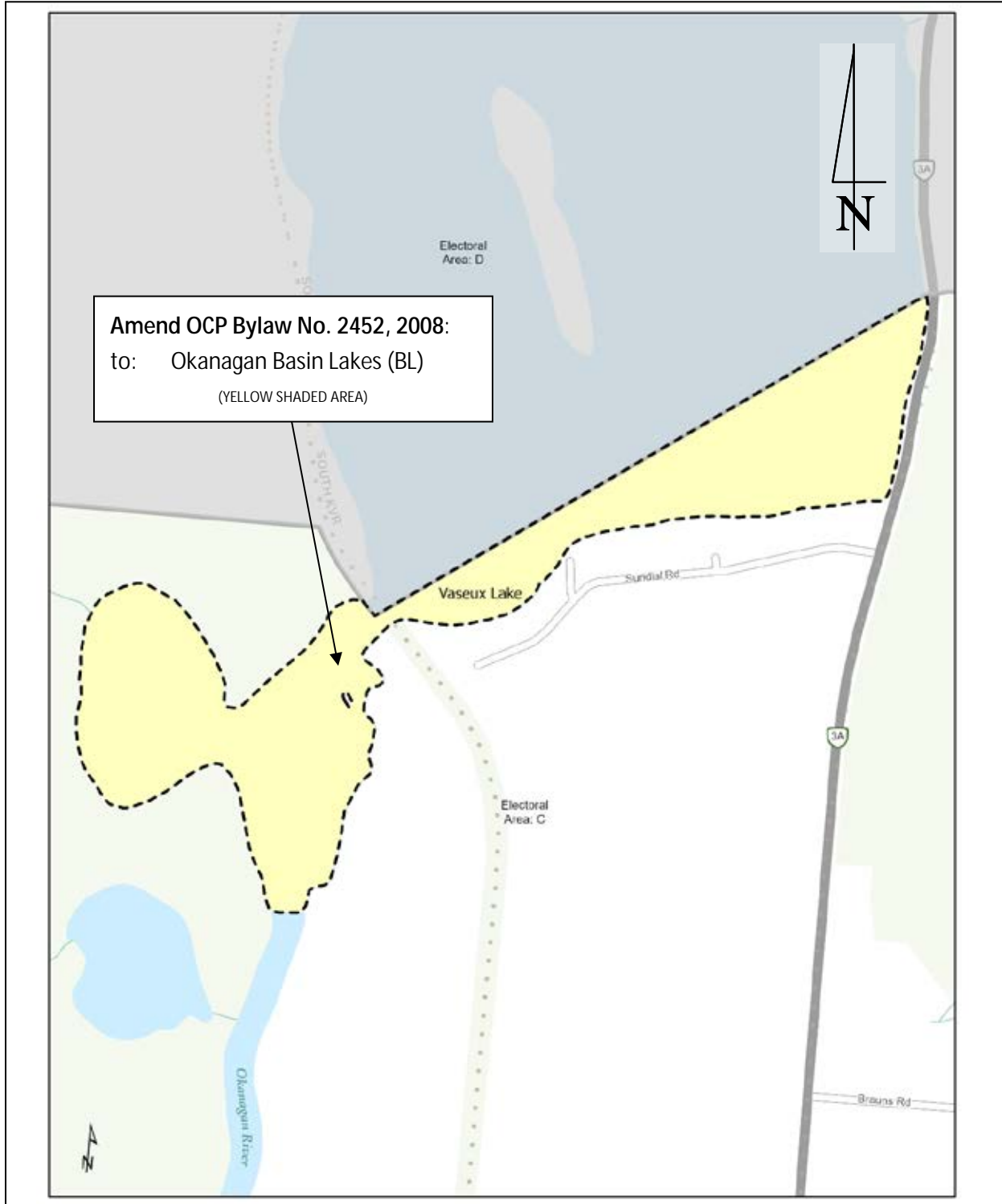
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'C-1'



Regional District of Okanagan-Similkameen

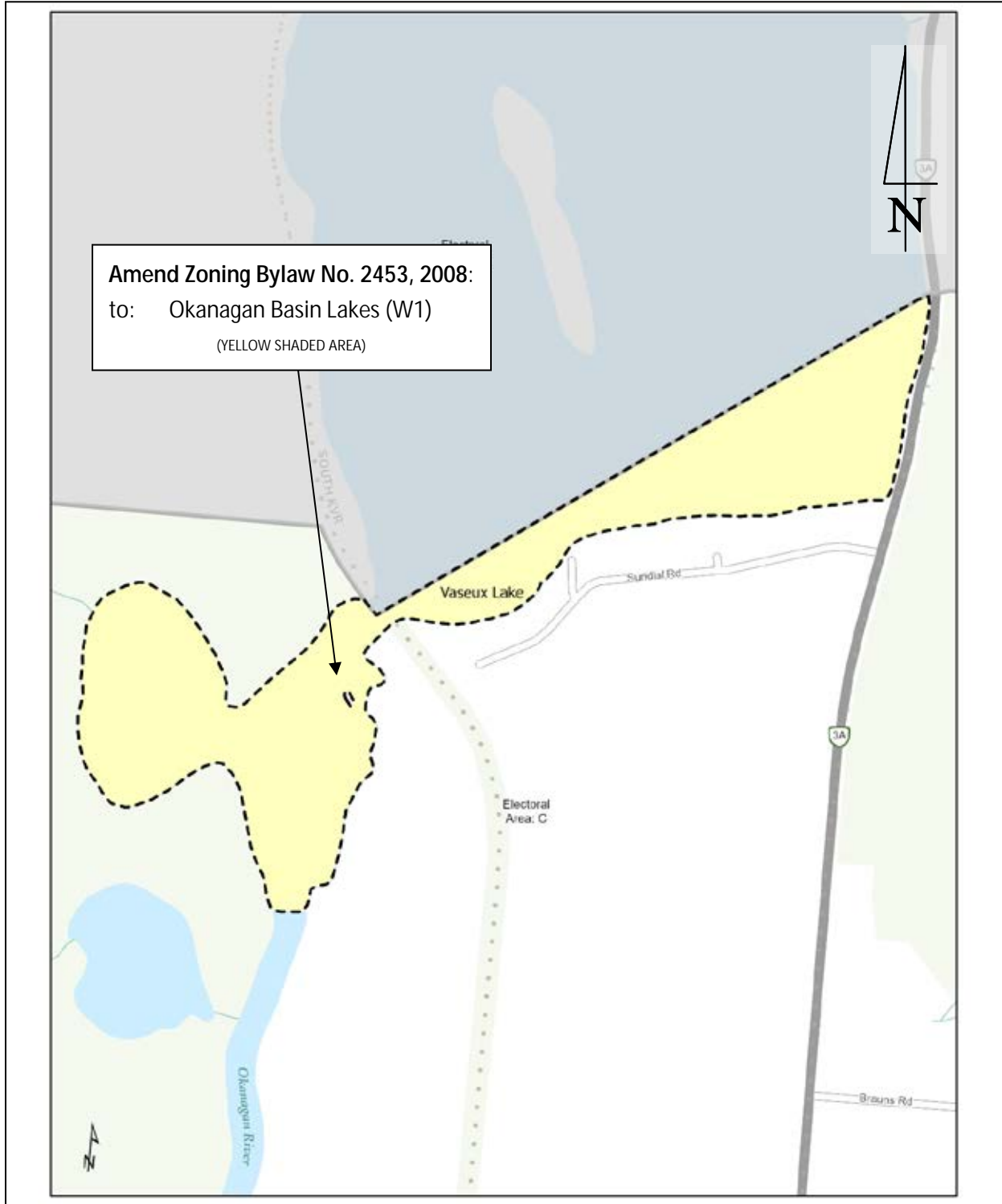
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

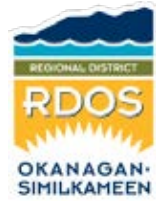
File No. X2020.009-ZONE

Schedule 'C-2'



Regional District of Okanagan-Similkameen

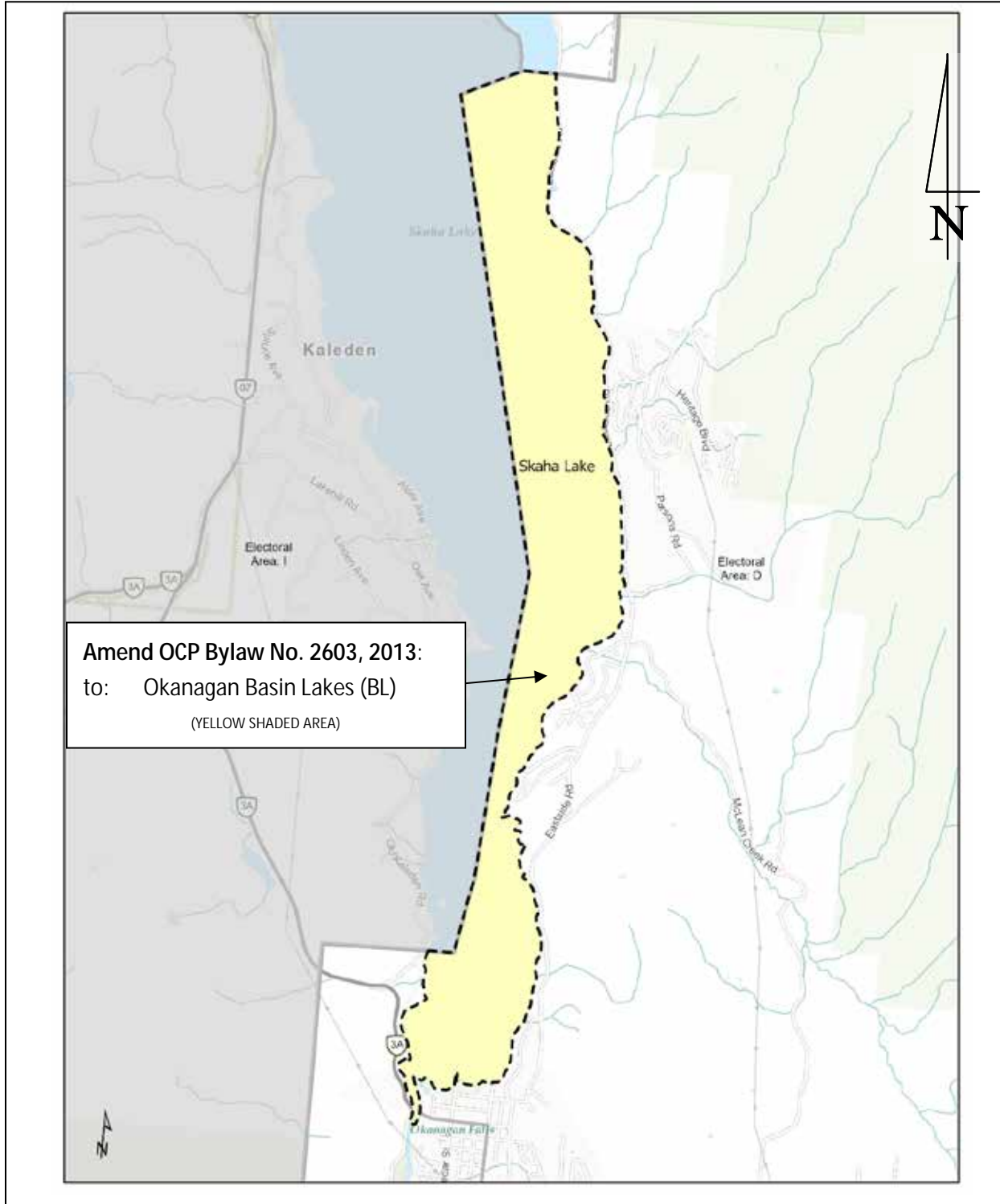
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

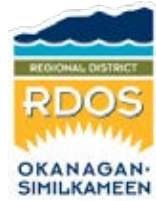
File No. X2020.009-ZONE

Schedule 'D-1'



Regional District of Okanagan-Similkameen

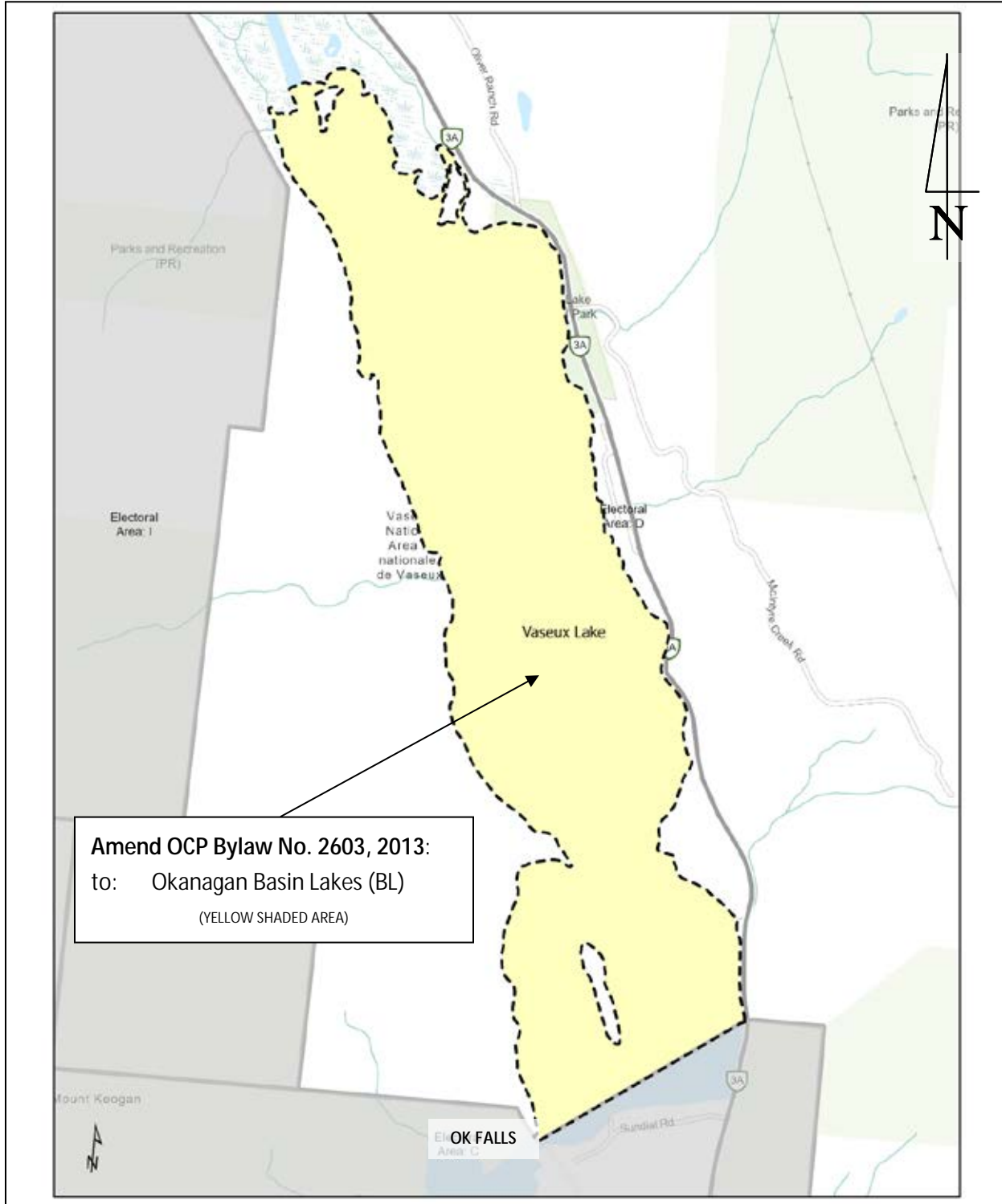
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'D-2'



Regional District of Okanagan-Similkameen

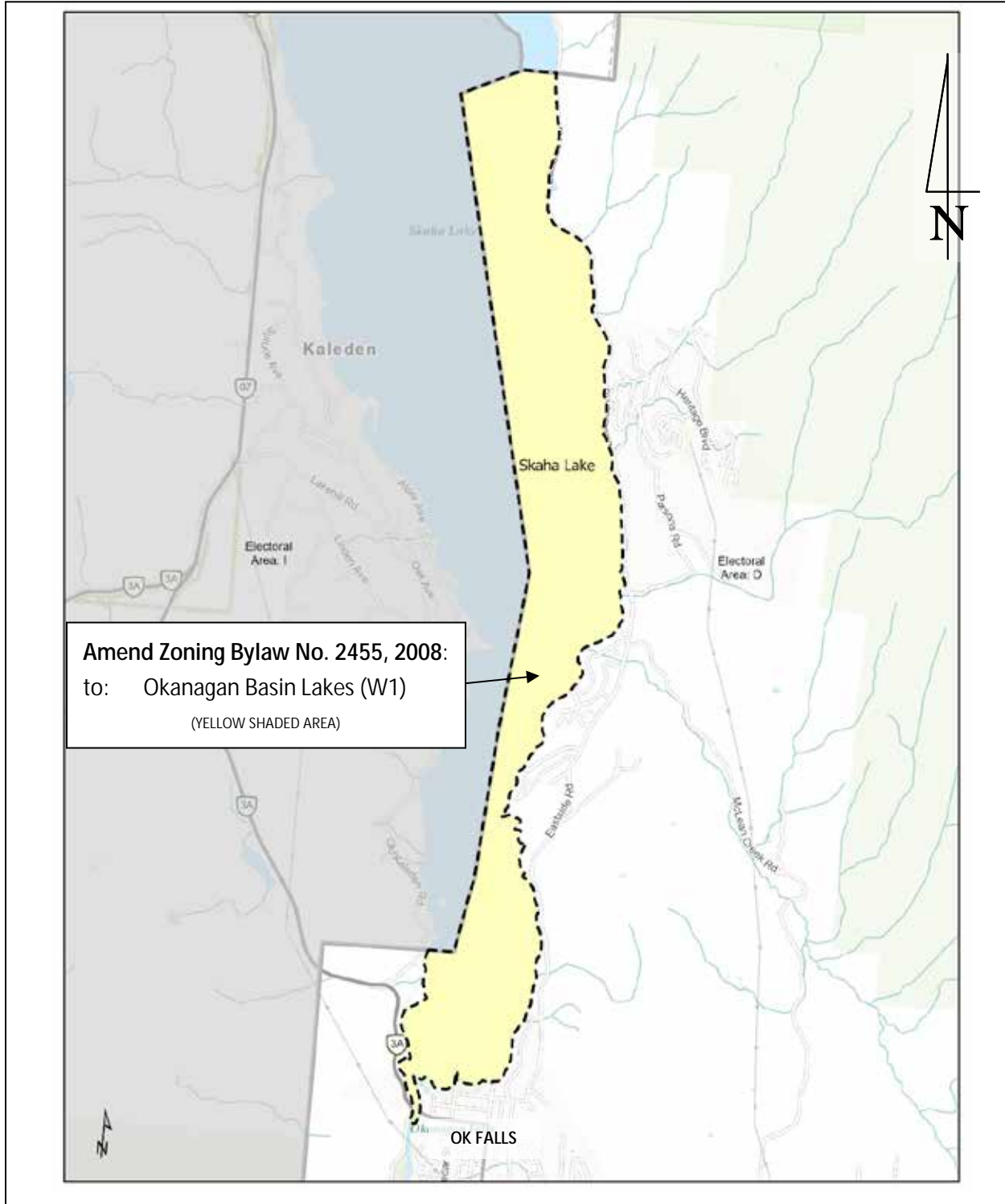
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

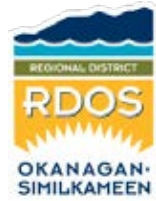
File No. X2020.009-ZONE

Schedule 'D-3'



Regional District of Okanagan-Similkameen

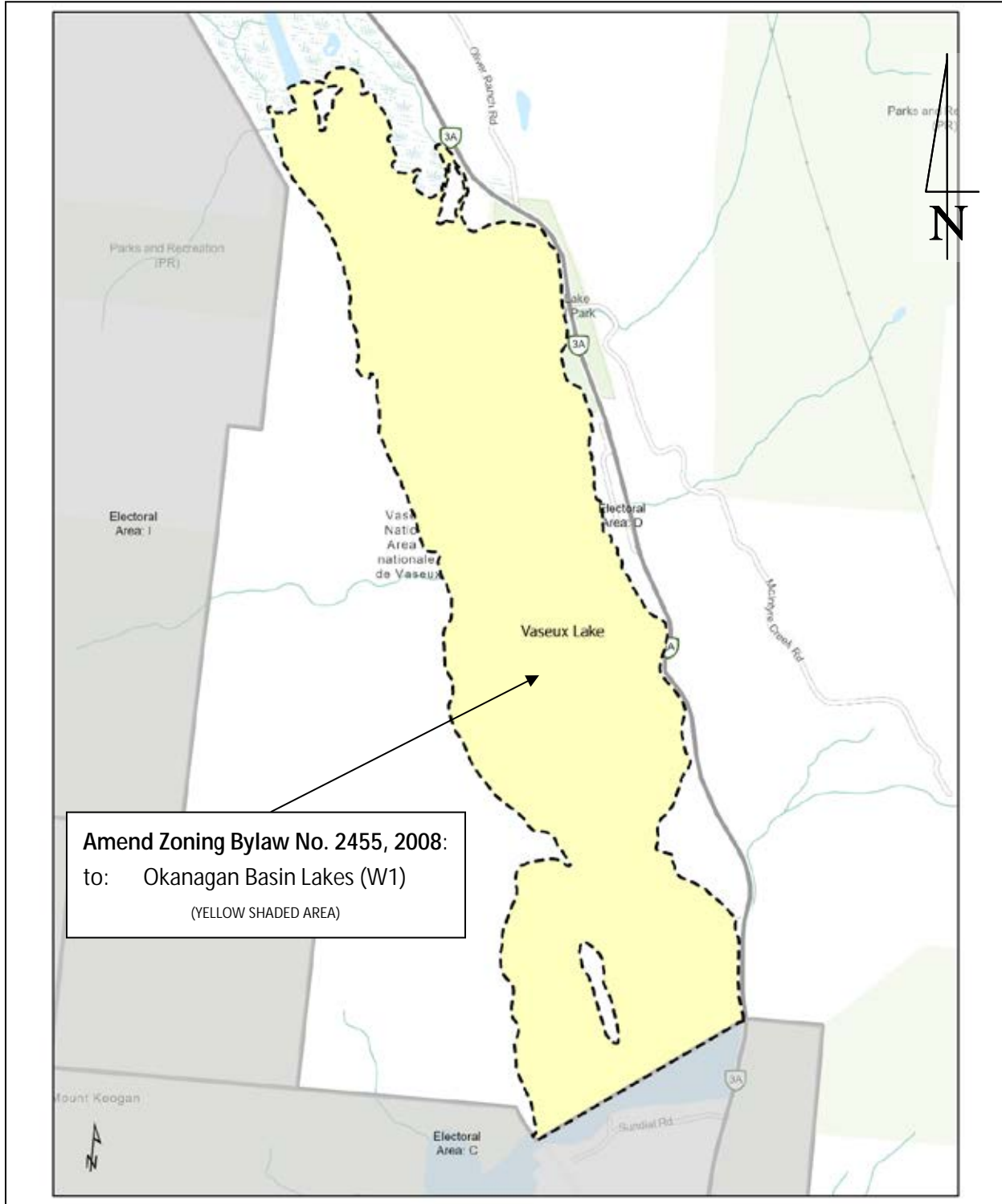
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

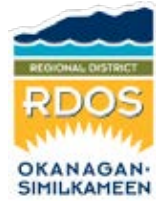
File No. X2020.009-ZONE

Schedule 'D-4'



Regional District of Okanagan-Similkameen

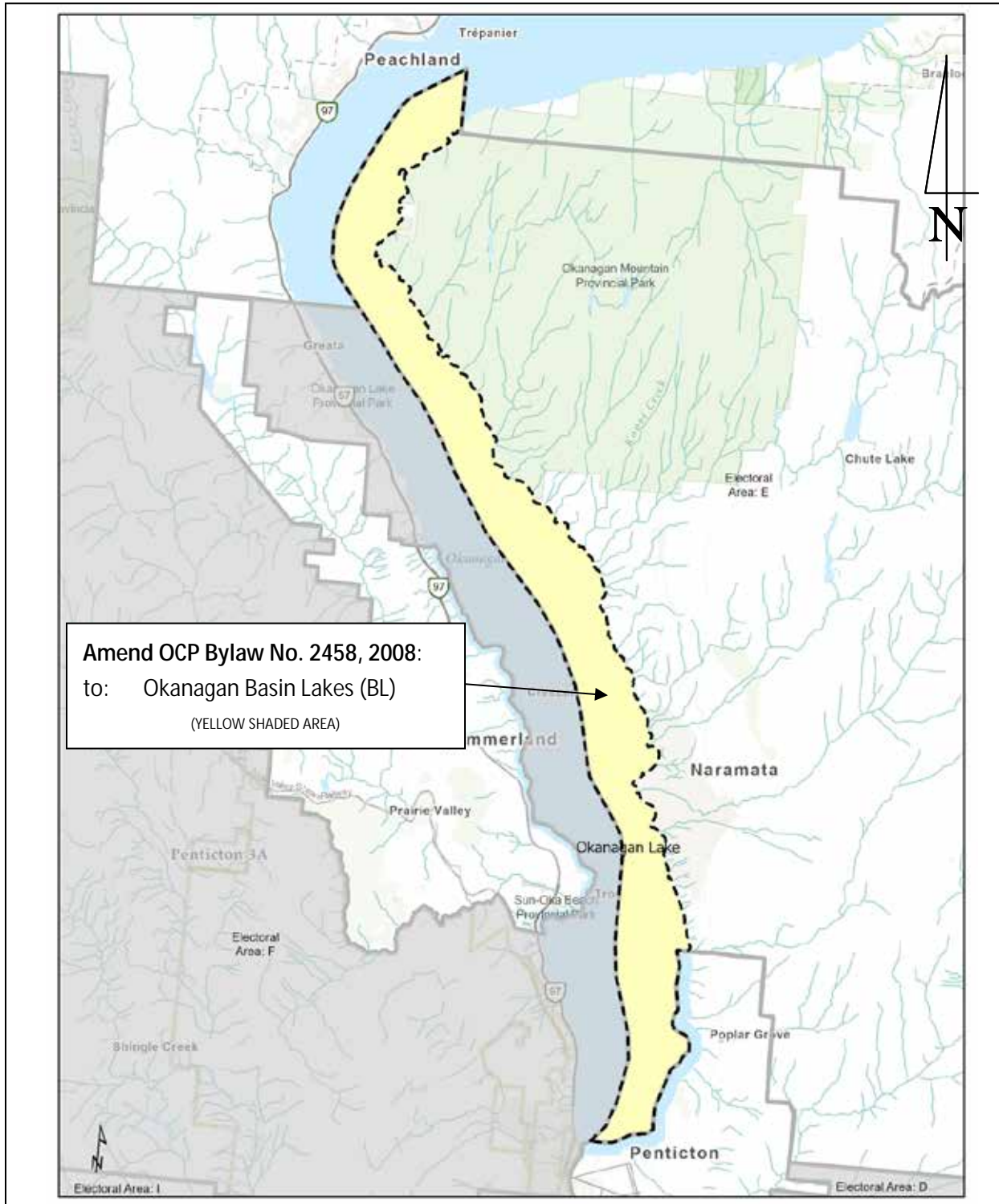
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'E-1'



Regional District of Okanagan-Similkameen

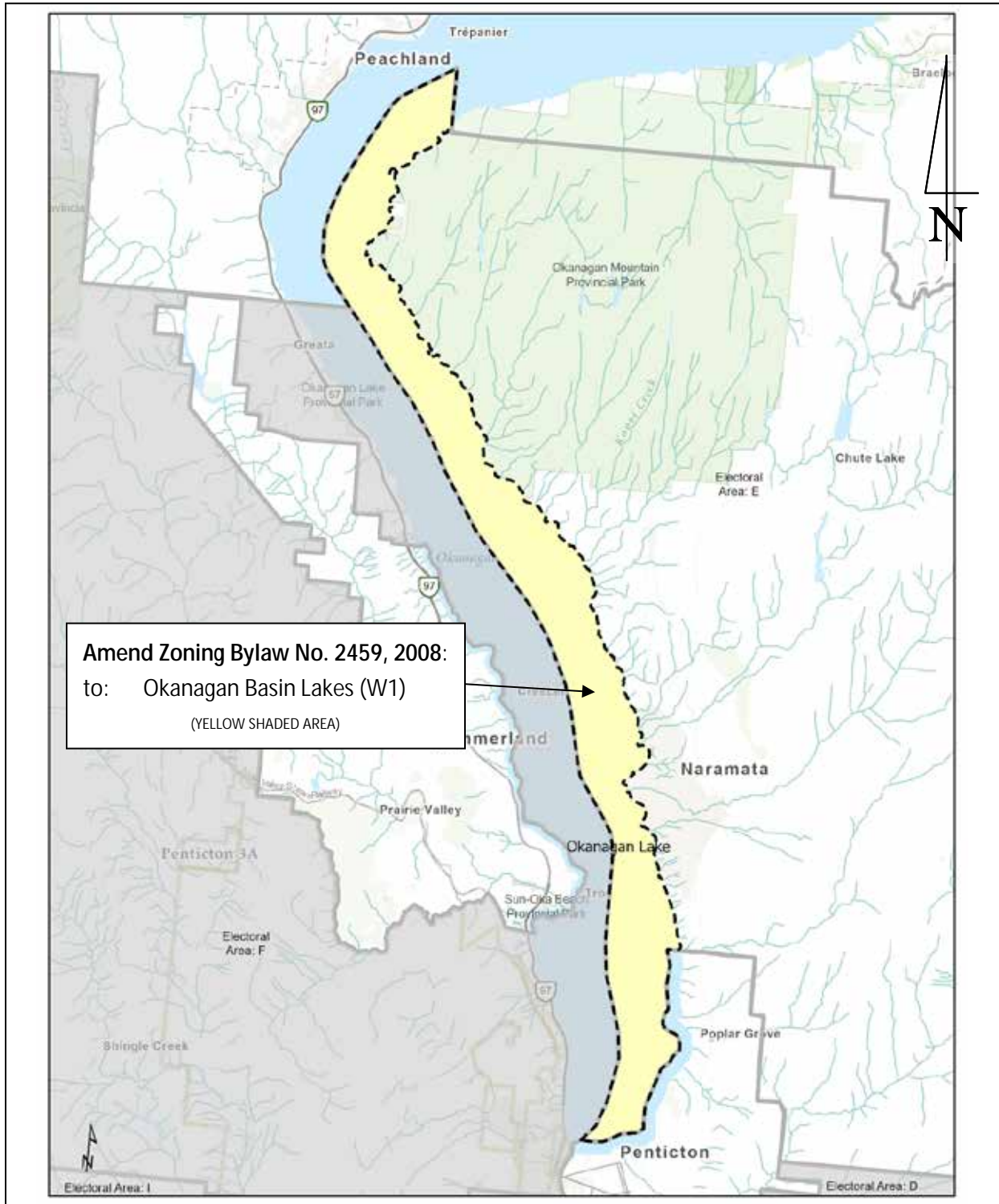
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

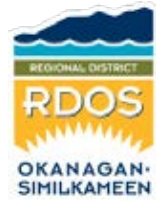
File No. X2020.009-ZONE

Schedule 'E-2'



Regional District of Okanagan-Similkameen

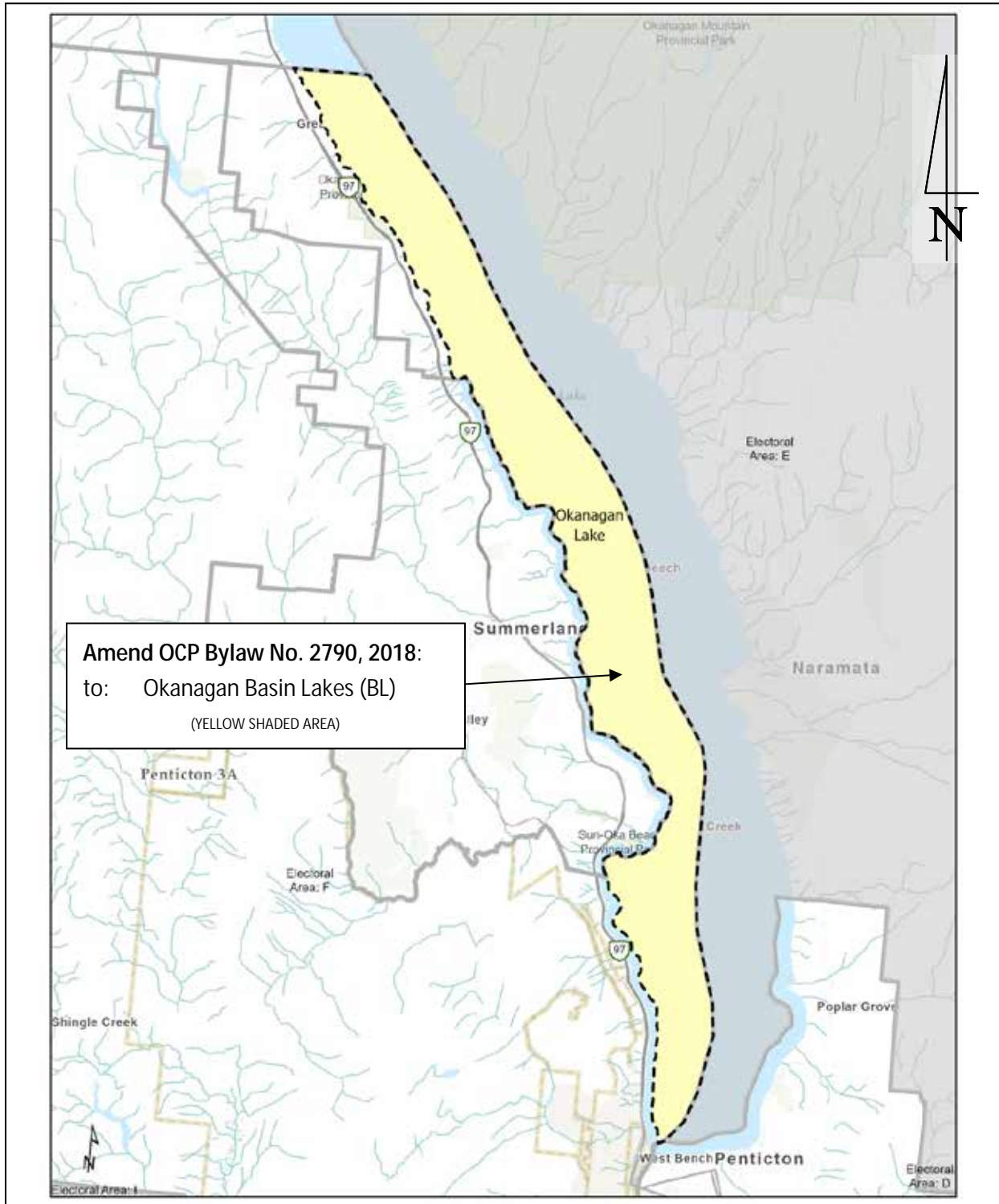
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'F-1'



Regional District of Okanagan-Similkameen

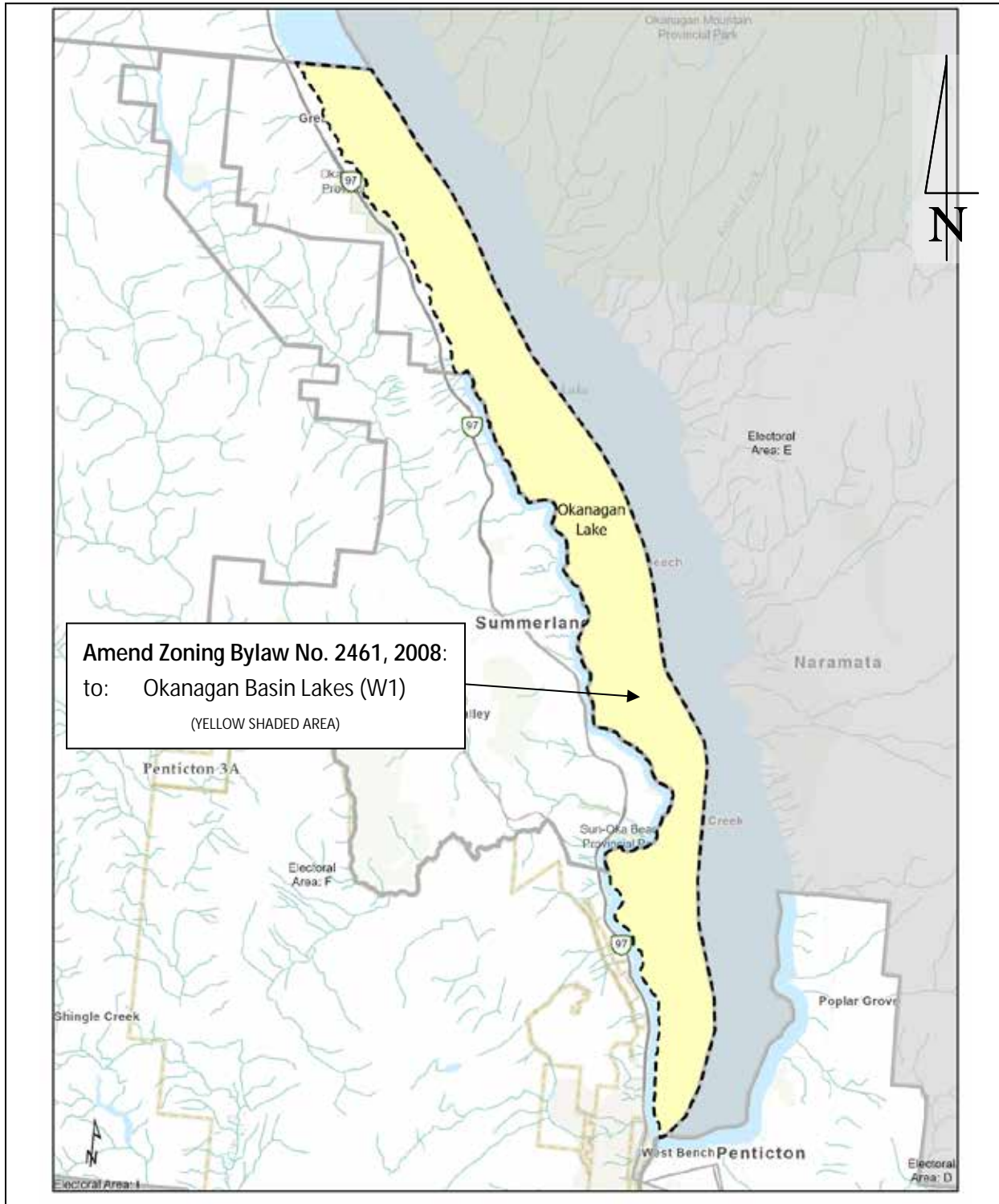
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

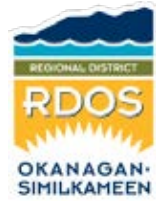
File No. X2020.009-ZONE

Schedule 'F-2'



Regional District of Okanagan-Similkameen

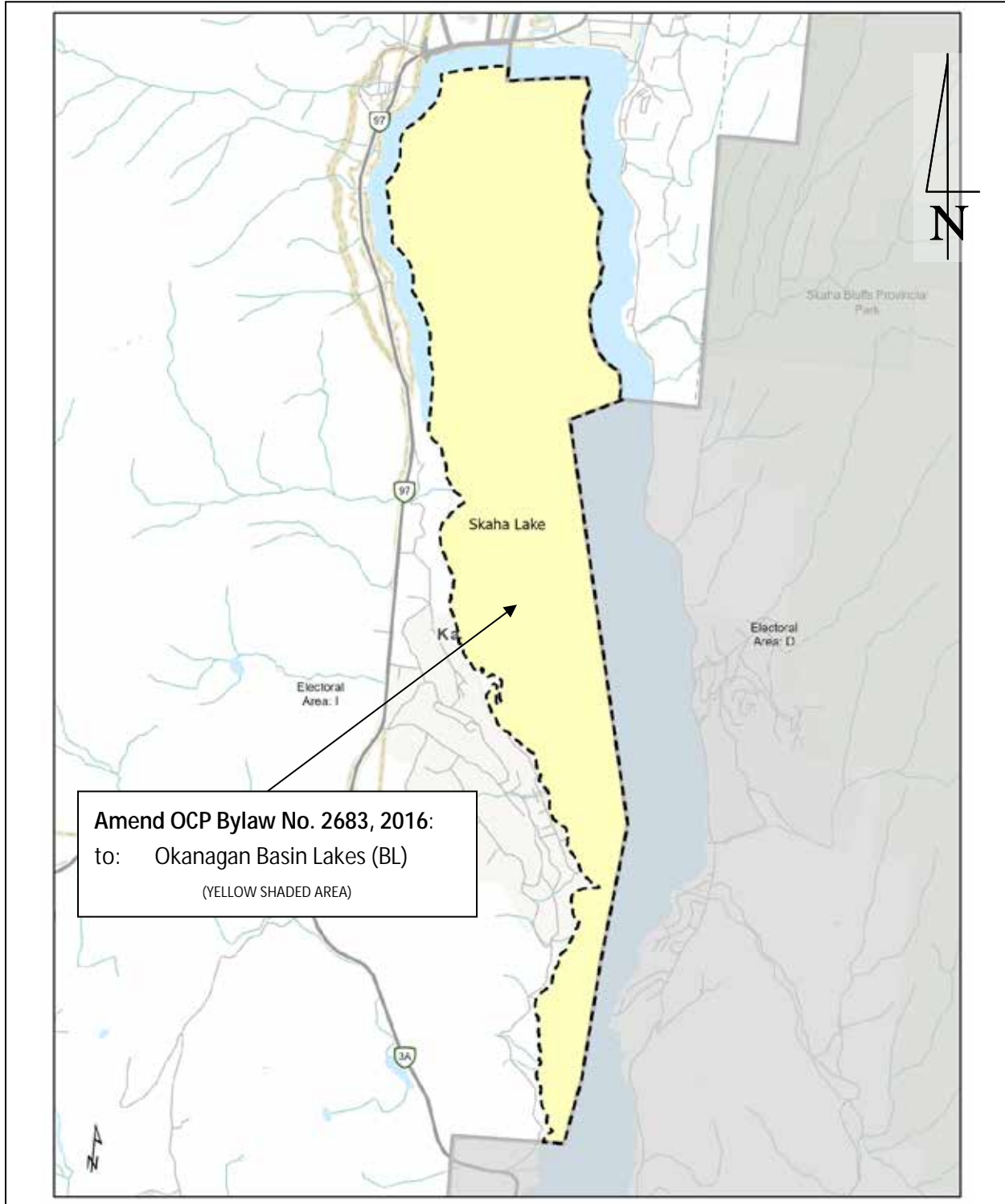
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Amendment Bylaw No. 2682, 2020

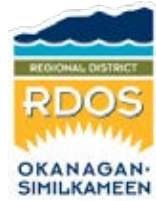
File No. X2020.009-ZONE

Schedule 'I-1'



Regional District of Okanagan-Similkameen

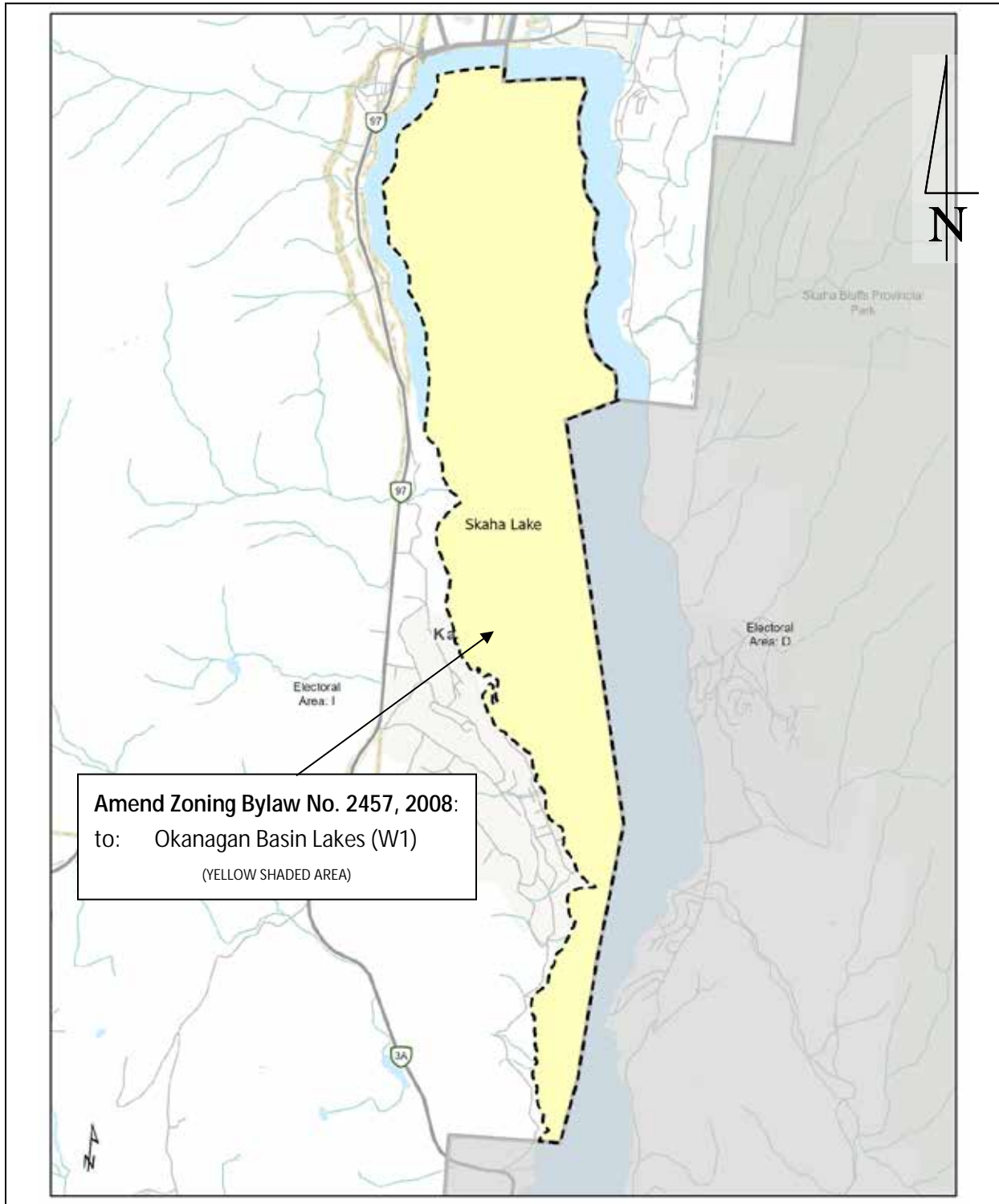
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'I-2'



Lauri Feindell

Subject: FW: Bylaw Referral X2019.009-ZONE

From: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>

Sent: May 4, 2020 9:51 AM

To: Lauri Feindell <lfeindell@rdos.bc.ca>

Subject: RE: Bylaw Referral X2019.009-ZONE

Hi Lauri,

The interests of the Mountain Resorts Branch are unaffected by this bylaw referral.

I also wanted to advise that our branch now has a general email for referrals and inquiries. In future, please direct referrals for our branch to MountainResortsBranch@gov.bc.ca .

Thanks,
Tori

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2862

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

Council considered this at the May 19th, 2020 Council meeting with the following staff recommendations see below:

Approval Recommended with a notation that RDOS staff and Town of Osoyoos staff continue to work together to ensure that incompatible uses are prevented from locating adjacent to each other across jurisdictional boundaries.

Signature: 

Signed By: Gina MacKay, MCIP, RPP

Agency: Town of Osoyoos

Title: Director of Planning and Development

Date: May 26, 2020



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 X2019.009-ZONE

FN Consultation ID:

L-200504-X2019-009-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Wednesday, May 6, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

May 6, 2020

Attention: Planning RDOS

File number: X2019.09-ZONE

Bylaw: 2862

RE: 40 (forty) day extension

Thank you for the above application that was sent on May 4, 2020.

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,

Maryssa Bonneau
Referrals Administrator
P: 250-492-0411
Referrals@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 X2019.009-ZONE

FN Consultation ID:

L-200504-X2019-009-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Wednesday, May 6, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

May 6, 2020

Attention: Planning RDOS

File Number: X2019.09-ZONE

Bylaw: 2862

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.

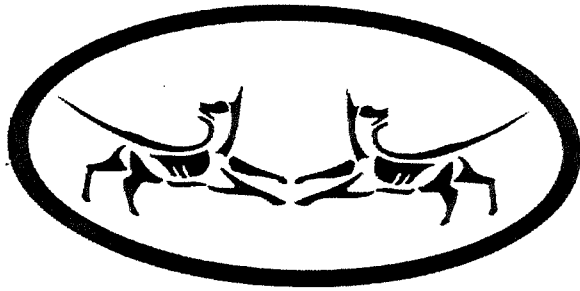
The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right 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.

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



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 X2019.009-ZONE

FN Consultation ID:

L-200504-X2019-009-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan-Similkameen

Date Received:

Wednesday, May 6, 2020

Activity No Payment

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

June 23, 2020

File number: X2019.09-ZONE

Attention: Planning RDOS

Re: Bylaw Referral X2019.009-ZONE

We write regarding your failure to pay invoice #L-200504-X2019-009 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 4, 2020.

The 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 Okanagan territory and as such, is subject to 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, 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.

Most recently, 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.

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.

limlœmt,

Maryssa Bonneau
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca

CC: Band and provincial contact

July 14, 2020

RDKB File No. O-2
Please Quote on Correspondence

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

via email: planning@rdos.bc.ca

RE: RDOS proposed OCP and Zoning Bylaw amendments

This is to advise that on June 25, 2020, the Regional District of Kootenay Boundary (RDKB) Board of Directors adopted the following resolutions respecting the above-referenced matter:

305-20 *Moved: Director McGregor*

Seconded: Director Korolek

That the Regional District of Kootenay Boundary Board of Directors advise the Regional District of Okanagan Similkameen that the Regional District of Kootenay Boundary supports the amendments to the Official Community Plan and Zoning Bylaws for RDOS's Electoral Areas 'A', 'C', 'D', 'E', 'F' and 'I' as outlined in the Bylaw Referral.

Carried.

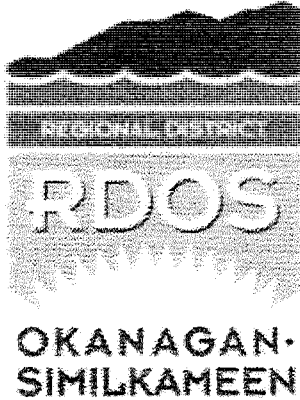
Should you require further information regarding the above, please contact the Planning and Development Department.

Sincerely,



Maria Ciardullo
Planning and Development Department
Senior Secretary

P:\PD\PD_Committee\BoardFollowUp\Municipalities and Regional Districts\RDOS proposed bylaw amendments-July 2020.doc.docx



Feedback Fo

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

FROM: Name: BILL & LYNN S
(please print)

Street Address: 137 CARIBOU

RE: **Metal Storage Container Regulations Zoning Amendme**
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaw

My comments / concerns are:

- I do support the proposed textual amendments to the Okana Bylaws to regulate the placement of metal storage container:
- I do support the proposed textual amendments to the Okana Bylaws to regulate the placement of metal storage container below.
- I do not support the proposed textual amendments to the Okana Bylaws to regulate the placement of metal storage co

13 May 2020

TO: Cory Labrecque, Planner II
clabrecque@rdos.bc.ca

FM: Bruce Shepherd

RE: COMMENTS ON PROPOSED DOCK REGULATIONS (Bylaw No. 2862)

I would like to submit the following comments in response to version 2020-05-11 of the above-named draft bylaw:

- Let me begin with an overall comment that would be applicable to all Electoral Areas that are covered in this document. I would hope that the final version includes advice that there are other jurisdictions aside from RDOS that may need to be contacted in advance of undertaking any of these structures, including:

- (1) Federal Department of Fisheries and Oceans, who could have concerns regarding Navigable Waters (which the Okanagan system is so designated), aquatic species at risk, and destruction of riparian vegetation and fish habitat.
- (2) BC Ministry of Forests, Lands, Natural Resource Operations & Rural Development, who will grant General Permission for docks, but requires an application for Special Permission for boat ramps and stand-alone boat lifts (and a \$250 application fee).
- (3) I find it discouraging that no accommodation is made in this document for the option of shared docks by neighboring owners of single-residence properties. This has long been a general recommendation by both federal and provincial ministries as a way to reduce the environmental footprint of these structures. Indeed, the requirement of a 5m setback from property lines within this document seems to preclude this option.

- As I reside in Kaleden, the following comments pertain primarily to Electoral Area 'I' but may also apply to other Electoral Areas as well:

- (1) On the advice of the Interior Health Authority and consultant expertise, the Kaleden Irrigation District (KID) has established an Intake Protection Zone (IPZ). Within that IPZ, it would be prudent to require a site-specific review process (that includes KID input) prior to construction of any of the structures listed in this document.
- (2) While the length of dock has been set at 42m in this document to be consistent with Provincial guidelines, this is excessive for smaller waterbodies such as Skaha Lake and Vaseux lake. For normal recreational usage, there is no need for docks to extend out past depths more than 2m.
- (3) The maps of Skaha Lake provided as Schedules 'I-1' and 'I-2' confuse me. The northern sections as mapped would be totally ineffectual for the purpose of regulating nearshore structures. If they are meant to designate that the principal use of the area is for water-based recreation, then the boundary lines should run along the high-water mark. I suspect that the boundaries were set to avoid criticism from First Nations on the western portion and from the City of Penticton on the east side. I suggest that these maps either need to be redrawn, or include some additional explanation of the boundaries. As they sit, they are trying to cover at least two conflicting objectives and are doing so unsuccessfully.

Thanks for taking the time to consider these comments....

Bruce Shepherd

Kaleden, BC V0H 1K0

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2862

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

The Kaleden Irrigation District is providing the comments below for consideration prior to the RDOS approving the subject bylaw:

Skaha Lake serves as Kaleden's drinking water source and encouraging more aquatic activity without the RDOS Board's approval would create more pollution to the water and the shoreline. Even with the Board's approval, source water protection may not be taken into their decision.

Our drinking water intake would be more susceptible to damage from anchoring, moorage buoys or platforms that may drift or be illegally installed.

On the advice of the Interior Health Authority and with consultant expertise, the Kaleden Irrigation District (KID) has established an Intake Protection Zone (IPZ). Within that IPZ, it would be prudent to require a site-specific review process (that includes KID input) prior to construction of any of the structures listed in this document. KID recommends that this should be included in the bylaw amendment for all Electoral Areas where water suppliers have established IPZs to protect their water intakes and water quality. Such a review process becomes even more essential should the maximum length of docks remain at 42 m to be consistent with Provincial guidelines. KID is of the opinion that 42 m is excessive for smaller water bodies such as Skaha Lake and Vaseux Lake, and that there is no need for docks to extend out beyond depths more than 2m for normal recreational activities.

The bylaw must enshrine all current and future applicable Federal and Provincial laws.

A copy of Kaleden Irrigation District's brochure containing information on our IPZ, which was sent to all ratepayers on our system, is attached as part of the above comments.

Signature: Cheryl E. Halla

Signed By: Cheryl E. Halla

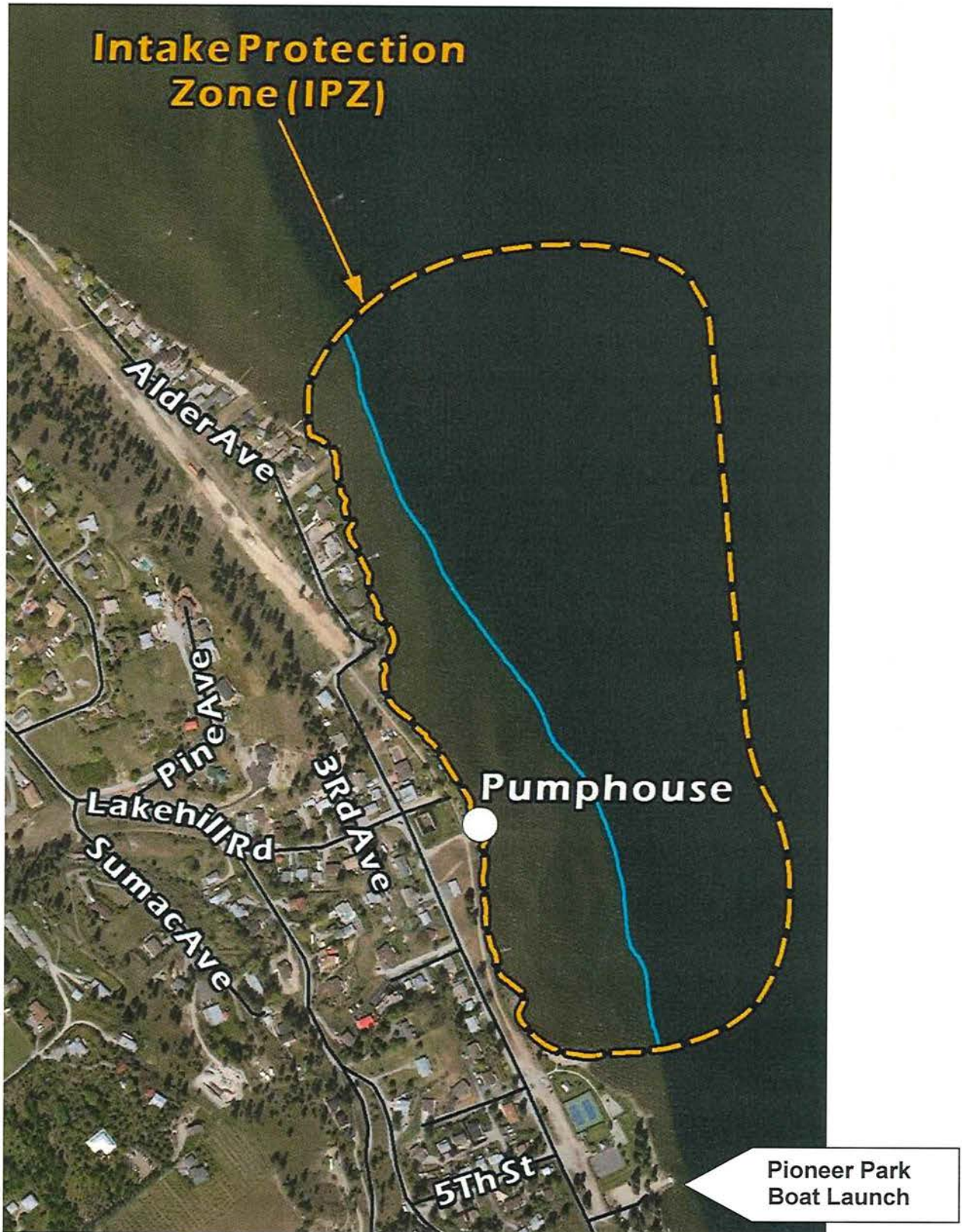
Agency: KALEDEN IRRIGATION DISTRICT

Title: Financial / Corp. Admin

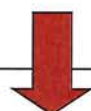
Date: May 25, 2020

KALEDEN'S INTAKE PROTECTION ZONE

Do You Live, Work or Play Near the Yellow Dotted Boundaries on This Map?



If You Do, Check out the Information on the Flip Side!



Lauri Feindell

From: Michael Greig
Sent: July 26, 2020 8:48 PM
To: Planning
Subject: Dock Regulation Review | RDOS

Hello Cory,

I've read with interest the RDOS proposals for proposed dock regulations. They could go a long way to overcoming some of the dock application issues of the past.

I have two questions and one comment. I hope to attend one of the Q&A sessions but thought I might bounce this off you in advance.

1. To what extent will the RDOS have authority over the approval of new docks on Crown land lakes, such as north osoyoos lake? Recommendations from the RDOS to another government body such as Crown Lands holds no merit if they can be ignored or some 'compromise solution' that still bends the intent is struck.
2. To what extent does the RDOS have authority to create bylaws or rules for foreshore use if the upland is controlled by another government agency, such as the Agriculture Land Commission (ALC), who may set their own rules or regulations for use of upland that may not coincide with RDOS desires on the foreshore? The ALC and ALR regulations I believe allow commercial uses of the upland that may conflict with desired foreshore uses. This puts BC Lands in a difficult position having to approve applications if they coincide with upland property uses.
3. It seems that both BC Lands and the ALC need to agree with the direction that the RDOS wish to move in if this is to be effective.

Thankyou for your consideration and great work.

Mike and Sharon Greig,

Osoyoos, BC
VOH 1H2
N

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

Sent: July 26, 2020 1:19 PM

Subject: Dock Regulation Review | RDOS

<https://www.rdos.bc.ca/development-services/planning/strategic-projects/dock-regulation-review/>

Lauri Feindell

From: Cory Labrecque
Sent: September 23, 2020 11:41 AM
To: Lauri Feindell
Subject: FW: Docks and swimming rafts

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

From: VELMA BATEMAN <almostparadise@shaw.ca>
Sent: August 10, 2020 8:40 AM
To: Cory Labrecque <clabrecque@rdos.bc.ca>
Cc: Karla Kozakevich <kkozakevich@rdos.bc.ca>
Subject: Docks and swimming rafts

Hello Corey - thanks for the phone call on Friday which helped me to understand why some things are set out as they are! Anyway, I am going to put in my two cents worth for the record.

In my everyday life, I worry a lot about Okanagan Lake. So many towns and cities taking water from it, so many people along the lakeshore using the services of Nutri-lawn which uses formulas containing 2-4D (which of course ends up in the lake due to rain and watering of lawns), so many water vehicles which use gasoline for power and create the attendant emissions, spills, noise pollution, etc.)

Docks create another form of pollution in the lake. My personal experience is that the water and rocks in dock areas are not pristine, a result I assume of the water's rush for the shore being broken up by supports which hold up the docks. For this reason, I think we should be very careful regarding the number of docks permitted and how they are built. I am encouraged that there is provision coming for two properties to share a dock. Something that would have helped some areas of Mill Bay in Naramata and other areas which are 'over-docked'.

As I mentioned, I am astonished to learn that permits would or could actually be granted for docks up to a length of 42 metres. That would outstrip our 100 foot lot in Naramata by over 36 feet!

With regard to the width of docks, reasonable at 1.5 metres, the situation becomes far less reasonable with permission to have four boat births on said dock. If said dock is built at the 15 foot setback from the next door neighbour, with even one boat on the neighbour's side the dock has come within two or three feet of the neighbour's yard.

With regard to pedestrian access, I was astonished to read that docks are not permitted to prevent pedestrian passage along the lake shore and if they do prevent, a stile is to be constructed! I walk along the beach frequently from our location and find it necessary to step up onto the lawn at some places in order to get around the dock. I wonder if responsibility for some of the enforcement of this could be placed with the companies who build the docks. To date, it appears no other authority is enforcing it.

You have probably noticed that I think protection of the lake (and the environment) is paramount in making decisions about anything which will have an impact. I would be gratified to see this objective ensconced in all legislations relating to use of the lake.

Thank you for your efforts

Velma Bateman

Lauri Feindell

Subject: FW: Bylaw Referral X2019.009-ZONE
Attachments: V2_Bylaw Referral Sheet (Docks) - Copy.docx

From: Forbes, Christina D AGRI:EX <Christina.Forbes@gov.bc.ca>
Sent: May 4, 2020 10:51 AM
To: Planning <planning@rdos.bc.ca>
Subject: FW: Bylaw Referral X2019.009-ZONE

Good morning

The Ministry of Agriculture has no comment to provide for this referral.

Thank you,
Christina

Christina Forbes BSc, P.Ag | Regional Agrologist | Kelowna
p: 250-861-7201 | c: 250-309-2478
Email: Christina.Forbes@gov.bc.ca

Generic Email: AgriServiceBC@gov.bc.ca



Your File #: D2019.009-
ZONE
eDAS File #: 2020-02132
Date: May 8, 2020

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

Attention: Lauri Feindell, Planning Secretary

Re: **Proposed Text Amendment Bylaw 2862, 2020 for:**
Dock Regulation Bylaw - Electoral Area "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 (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: Cory Labrecque
Sent: August 7, 2020 3:56 PM
To: Lauren Wornig
Cc: Lauri Feindell
Subject: RE: Dock Question - FILE IN DOCKS

Categories: filing to edms

Hi Lauren,

Thank you for your interest in our proposed dock regulations.

In cases where dock permission is being granted/considered by the Province, they will indicate to any applicant when they need to consult with the RDOS on our bylaw requirements. For most residential docks that align with the Province's stipulations, additional permitting/rezoning processes would not be required (aside from our existing Watercourse Development Permit (WDP) process). A formal rezoning process would only be triggered for more intensive uses, such as commercial, float-plane and group moorage.

It is important to note that the RDOS would not have the legislative authority or capacity to interfere with the decisions of the province, or mediate between the province and property owners over the individual dock disputes. The province and federal government maintain the highest level of authority on the use of Crown land (i.e. the lakes and foreshores), and the RDOS's draft bylaw is predicated on any dock installations first aligning with provincial and federal legislation/decisions.

Kind Regards,
Cory



Cory Labrecque, MCIP, RPP, Planner II
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
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From: Lauren Wornig <laurenwornig@gmail.com>
Sent: August 6, 2020 4:40 PM
To: Planning <planning@rdos.bc.ca>
Subject: Dock Question for Cory Labrecque

Hi Cory,

Thank you for the presentations on July 30, August 4 & 5 regarding Public Q & A Sessions for Proposed Dock Regulations. As per your invitation to e-mail additional questions, I have the following query.

How involved will the RDOS be in disputes over dock regulations?

What will be the RDOS's role be in future applications for docks, platforms or boat launches?

For instance, since the 2017 flood and the resulting multiple cases of damaged docks, I am aware of some applications to the province (via FLNR Front Counter) for General Permission to repair these structures that have resulted in disputes between the province and upland owners. There are clear cases where the damaged docks were not built according to regulation, but there are other cases where the dock builders insist the regulations at the time of construction were followed while the province disagrees and will not process a permit for repair. Is it the RDOS's intention to help mediate these disputes in any way?

Thank you,

Lauren

July 14, 2020

RDKB File No. O-2

Please Quote on Correspondence

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

via email: planning@rdos.bc.ca

RE: RDOS proposed OCP and Zoning Bylaw amendments

This is to advise that on June 25, 2020, the Regional District of Kootenay Boundary (RDKB) Board of Directors adopted the following resolutions respecting the above-referenced matter:

305-20 *Moved: Director McGregor*

Seconded: Director Korolek

That the Regional District of Kootenay Boundary Board of Directors advise the Regional District of Okanagan Similkameen that the Regional District of Kootenay Boundary supports the amendments to the Official Community Plan and Zoning Bylaws for RDOS's Electoral Areas 'A', 'C', 'D', 'E', 'F' and 'I' as outlined in the Bylaw Referral.

Carried.

Should you require further information regarding the above, please contact the Planning and Development Department.

Sincerely,



Maria Ciardullo
Planning and Development Department
Senior Secretary

P:\PD\PD_Committee\BoardFollowUp\Municipalities and Regional Districts\RDOS proposed bylaw amendments-July 2020.doc.docx

From: Tobin, Patrick J FLNR:EX <Patrick.Tobin@gov.bc.ca>

Sent: August 10, 2020 12:03 PM

To: Cory Labrecque <clabrecque@rdos.bc.ca>

Cc: Boivin, Janis FLNR:EX <Janis.Boivin@gov.bc.ca>; Tobin, Patrick J FLNR:EX <Patrick.Tobin@gov.bc.ca>

Subject: RE: X2019.009-ZONE - Proposed Dock Regulations: Okanagan Basin Lakes Zone - MFLNRORD District Okanagan Shuswap Comments

Good morning Cory.

There is a long and short answer to the question surrounding placement of buoys.

The short answer is "buoys are managed by transport Canada". This is what you will see on Provincial websites and policy direction but the truth of the matter is that it is not a complete answer.

While it is true that buoys are managed by Transport Canada it is the shape, size, colour, markings, identification, intended uses etc that Transport Canada manages. What is not addressed in the short answer is that the anchoring of buoys to the bed of the lake actually requires permission from the province. To reframe it the anchor occupies Crown Land and as such legally requires a licence or some form of permission/authorization to occupy the bed of the lake.

And to jump ahead to a possible next question the Province is not really interested in tenuring the tens or maybe even hundreds of thousands of buoys that occupy the waters of BC.

To be honest the yacht club is wrong. They have no legal authority to place buoys wherever they want. If a person complains to FLNRORS C&E staff they may be able to get the buoys removed if they are creating an issue fronting their property. Where there are congregations of buoys (referred to as buoy farms) developing in an area C&E and even Transport Canada Officers can have them removed.

I always advise property owners that only they have the ability to place buoys fronting their properties. If someone else places a buoy in front of their property they can contact Transport Canada (if the bou does not meet their specifications, most notably a contact phone number of the buoys owner) or C&E via the NRVR reporting line.

That said for this kind of non-compliance to rise to the top of the Officers investigation/action list the transgressions will likely need to be substantial or the complainant very persistent. C&E and even Transport Canada Officers do not go looking for these with all the other issues they have on their plates.

If RDOS puts in a bylaw that seeks to manage buoys it could help C&E immensely in cleaning up problem areas.

I have cc'd the Regional Manager for Compliance and Enforcement in the Thompson Okanagan, Janis Boivin. She may be able to assist with some strategies to assist the District in this regard.

Please feel free to call me to discuss should you have any further questions.

Take care.

Patrick Tobin, RPF
Senior Authorizations Officer
Okanagan Shuswap Resource District

Ministry of Forests, Lands and Natural Resource Operations
NOTE NEW Phone # (778) 943-6987

From: Cory Labrecque [<mailto:clabrecque@rdos.bc.ca>]
Sent: Wednesday, August 5, 2020 9:37 AM
To: Tobin, Patrick J FLNR:EX
Subject: RE: X2019.009-ZONE - Proposed Dock Regulations: Okanagan Basin Lakes Zone - MFLNRORD District Okanagan Shuswap Comments

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Patrick,

Thank you for taking the time to comment on our proposed Docks bylaw. We did make improvements to our draft bylaw based on your feedback.

RDOS is now in the process of public consultation. One question that's come up through the RDOS Board Chair is:

"On slide # 5, it references 2 moorage buoys. How will that be something that can be controlled when currently folks place these buoys in front of other people's properties. For example, right now the Penticton Yacht Club places buoys in the lake for their members to use. a Naramata resident complained about them being in front of her house and the Penticton Yacht club said that is permitted as the water is open for use by all. If this moves forward, will we be able to restrict the yacht club from doing this?" (Note that in the draft bylaw, we increased the number of moorage areas to four per dock. An additional two standalone buoys are also permitted - which are now separated from the total moorage area count).

What is the Province's take on this type of question – namely the placement of buoys in front of other properties? Any comments/guidance you have on this would be much appreciated.

Kind Regards,



Cory Labrecque, MCIP, RPP, Planner II
Regional District of Okanagan-Similkameen
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From: FLNR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>
Sent: May 28, 2020 8:30 AM
To: Planning <planning@rdos.bc.ca>
Cc: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: X2019.009-ZONE - Proposed Dock Regulations: Okanagan Basin Lakes Zone - MFLNRORD District Okanagan Shuswap Comments

Good day,

MFLNRORD District Okanagan Shuswap Comments

DOS Lands Team:

Some comments for the RDOS folks on their proposed bylaw.

1. The provincial policy governing private moorage allows for 1 dock or 1 boat ramp or 1 standalone boatlift. The dock regulation review seems to indicate that a property may have a dock and a boatway. This would not be permitted by the province. The definition of Private Moorage is as follows:

Private Moorage Facility	means a dock, a permanent boat way (i.e. boat ramp), or a stand-alone boat lift that is permanently affixed to aquatic Crown land. It is for the personal and private residential use by one or a number of individuals or a family unit for boat moorage.
---------------------------------	--

This is further defined in the policy as follows:

Requirements for All Private Moorage Facilities

DO:

- **Construct only one private moorage facility per property (e.g. only one dock or one boat way, not both).**
- **If it is located in a marine environment ensure that it is limited to a single dock which consists of an elevated pier leading to a ramp and one moorage float only.**
- **Ensure that all structures (i.e. dock, boat way, boat lifts) are at least 5 metres from the projected side property line (6 metres if adjacent to a**


FILE: 12565-00

PAGE: 10

EFFECTIVE DATE: January 21, 2019

AMENDMENT:

2. The proposed bylaw limits the number of moorage areas on a structure to 2 boat moorage areas (or one boatlift and a moorage area of which a buoy would counted as a moorage area). A few considerations:
 - a. Are personal water craft (ie seedoo) lifts considered part of the number?
 - b. Our provincial policy does not set a number of lift/moorage features for **Private Moorage** (which differs significantly from commercial, marina or strata include group moorage) so this could be viewed as more restrictive than provincial policy. While it is absolutely within the purview of Local government to set the standards for their jurisdictions (provided the local government standards at least meet the provincial standards) there could be pushback on this restriction. We often see 2-3 boatlifts on a dock with a couple of buoys fronting a property. Future dock approvals would no longer allow more than two such features and if we find they have been added afterwards the structure would be deemed to be unauthorized as it would be inconsistent with local government bylaws
 - c. We do not track buoys so addition of buoys or pre-existing buoys onsite would complicate issues if the buoy is tied to dock authorization. I would suggest separating buoys out from docks and either allowing one or two independabnt of the dock.

- 
3. The bylaw envisions 2 moorage areas (ie 2 boatlifts max) but makes no mention of a maximum platform area. In our most restrictive zones (Red and Black zones for Kokanee foreshore spawning) the maximum platform area is 24 m2 (typically 3x8 meters). We have yet to have upland owners in Red/Black zones complain that they cannot adequately moore their vessels on a lift with a 24m2 platform. In our less restrictive zones (yellow and no colour) there are no set maximum platform areas save for what can fit within a properties riparian footprint. Docks with greater than 24 m2 platform areas have been approved in these less restrictive zones
 4. Consider setting a maximum platform area. 24 m2 is, as I mention above, a very adequate platform area allowing two lifts and even room for pwc lifts is permitted (providing depth can be achieved).
 5. We permit Private Moorage fronting "lots" within "Paper Subdivisions". North Bench Road is an example. Technically 1 surveyed legal lot that is informally subdivided (ie the subdivision is not registered with Land Titles) . Would these applications require Board approval?
 6. The bylaw mentions some key dimensions but there is no mention of setbacks requirements. We require 5 meter (6 meter from public access, parks etc) for docks, swim platforms and ideally buoys. This provincial standard is based on Transport Canada requirements for safe boating.
 7. In the Okanagan we typically do not differentiate boat moorage from float plane moorage.
 8. As a matter of course new or modifications to Private Moorage structures requiring a formal Specific Permission (docks on an Arch site, shared docks, docks fronting "lots" in Paper Subdivisions, docks with non-conforming features that do not meet the January 17, 2017 GP grandfathering criteria, case by case specific requirements ie docks greater than 42 meters) are referred to local government for review and comment.
 9. For new applications that meet our January 17, 2017 GP criteria or docks that are being converted from formal licences to General Permissions local governments are advised, along with the proponent that the Province has determined the dock to be a GP structure according to provincial criteria. In these notifications we advise the proponent to contact local governments to ensure that the design meets local government bylaws and if they do not either seek a variance or modify the design to comply. While we are familiar with many of the local governments bylaws we do not adjudicate applications based on these bylaws as there are too many to keep track of. We look to local governments to advise us if there is a problem and if there is we can intervene as necessary. For some jurisdictions the bylaws are fairly strict and substantially different enough from provincial standards we can readily advise proponents and their agents if a design contradicts local government bylaws but this is not always the case.

Please feel free to call me directly to discuss if you wish to do so.

Patrick Tobin, RPF
Senior Authorizations Officer
Okanagan Shuswap Resource District
Ministry of Forests, Lands and Natural Resource Operations
Office: (778) 943-6987 (VOIP)
Patrick.Tobin@gov.bc.ca

Patricia Shatzko

**Authorizations Administrator
Referrals Coordinator**

Resource Team Email: DOSRESOU@Victoria1.gov.bc.ca

Direct Email: Patricia.Shatzko@gov.bc.ca

Referrals Email: FLNRDOSReferrals@gov.bc.ca

Direct Phone: VOIP: 778-943-6850

ADMINISTRATIVE REPORT



TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: October 15, 2020
RE: Development Procedures Bylaw Updated – Park Land Dedication Proposals

Administrative Recommendation:

THAT Amendment Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be read a first, second and third time and adopted.

Purpose:

The purpose of Amendment Bylaw 2500.16 is to introduce requirements and processing procedures related to Park Land Dedication proposals submitted to the Regional District in accordance with Section 510 of the *Local Government Act*.

Background:

Under Section 510 of the *Local Government Act*, an owner of land being subdivided to create three (3) or more parcels must, at the owner's option:

- a) *provide, without compensation, park land of an amount and in a location acceptable to the local government, or*
- b) *pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes ...*

Importantly, under Section 510(2)(b) of the Act, if an official community plan (OCP) bylaw contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land or money.

All of the Electoral Area Official Community Plan (OCP) Bylaws are seen to comprise policies respecting the location and type of future parks.

At its meeting of October 15, 2010, the Planning and Development (P&D) Committee of the Board resolved that "Amendment Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be initiated."

Analysis:

The purpose of the proposed amendments to the Development Procedures Bylaw are to establish clear and identifiable requirements that will facilitate the assessment of Park Land Dedication proposals submitted to the Regional District for consideration by the Board.

This would include, amongst other things, requiring basic information such as a site plan and an outline explaining why the land is being proposed for dedication instead of a payment. When a cash in lieu payment is being proposed, that this be accompanied by a "Full Narrative Appraisal" completed

by an accredited appraiser in accordance with the Regional District Board's "Park Land Dedication Policy" (2019).

It is further proposed that prior to Board consideration, a Park Land Dedication proposal be considered by the applicable Electoral Area Parks & Recreation Commission or, if there is no Parks & Recreation Commission established, that the applicable Electoral Area Advisory Planning Commission (APC) review the proposal and provide a recommendation.

Administration notes that the way in which the Regional District processes Park Land Dedication proposals was raised in recent legal proceedings initiated against the Regional District (*0956375 B.C. Ltd. v. Okanagan-Similkameen (Regional District), 2020 BCSC 743*), with the suggestion being that existing processes and requirements were not clear to applicants.

In addition, the pending introduction of BasicGov software to manage applications received by the Development Services Department requires the formalization of procedures for dealing with Park Land Dedication proposals.

Alternatives:

- .1 THAT first reading of Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be denied; or
- .2 THAT consideration of Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be deferred pending:
 - i) *TBD*

Respectfully submitted:


C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.16, 2020

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Development Procedures Bylaw 2500, 2011**

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. 2500.16, 2020."
2. The "Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011" is amended by:
 - (i) adding a new Section 1.2.8 under Section 1.0 (Title and Scope) to read as follows:

.8 a Park Land Dedication proposal under s. 510 of the *Local Government Act*.
 - (ii) adding a new Section 3.2.10 under Section 3.0 (General Regulations) to read as follows:

.10 The submission of a Park Land Dedication proposal shall be made and processed substantially as outlined in Schedule '11' of the bylaw.
 - (iii) adding a new Schedule 11 (Park Land Dedication Proposal) following Schedule 10 (Referral of a Ministry of Transportation and Infrastructure Subdivision Application) to read as follows:

SCHEDULE 11	PARK LAND DEDICATION PROPOSALS
------------------------------	---------------------------------------

This information is meant as a general guide only and is not regarded as the right to Board acceptance of a Park Land Dedication approval if the steps indicated are followed.

1. Submission Requirements – All Types of Proposals

.1 Authorisation

- (a) A Park Land Dedication proposal shall be made to the Chief Administrative Officer in writing and on the appropriate form, and shall be:
 - (i) made by the owner(s) of the land involved or by a person authorized by all property owner(s);
 - (ii) if a numbered company holds the property, a corporate search shall accompany the application illustrating the company directors. The signatory on the application form shall be a company director; and
 - (iii) made on the appropriate form designated by the CAO.

.2 State of Title Certificate

- (a) a copy of the Land Title Office search print, issued not more than thirty (30) calendar days prior to the submission date for any parcel of land subject to the Park Land Dedication proposal; and
- (b) a copy of all non-financial charges (i.e. covenants, easements and rights-of-way, etc.) registered on the subject property(s).

2. Submission Requirements – Land Dedication Proposals

In addition to the requirements of Section 1, a proposal that involves the dedication of land shall provide the following:

.1 Proposed Subdivision Plan

- (a) a proposed subdivision plan prepared by a BC Land Surveyor and drawn to scale shall be submitted to the Regional District and include the following (as applicable):
 - (i) north arrow and scale;
 - (ii) dimensions, boundaries and land area of park land dedication area;
 - (iii) dimensions, boundaries and land areas of all proposed parcels;
 - (iv) location and dimensions of all existing structures;
 - (v) location of all existing infrastructure (i.e. water lines, wells, septic fields, sanitary sewer & storm drain facilities, etc.);
 - (vi) location of existing road accesses;
 - (vii) existing covenant areas, easements and right-of-ways (if applicable); and
 - (viii) all future subdivision phases (if applicable).

.2 Proposal Summary

- (a) An outline of the lands being proposed for dedication, including:

- (i) an explanation of why the land is being proposed for dedication instead of a payment;
- (ii) an explanation of the benefits to the community of the Regional District acquiring the land for park land; and
- (iii) an overview of any previous park land dedication or future subdivision phases that may require park land dedication.

.3 Digital Files

- (a) a digital file of the proposed subdivision plan prepared by a BC Land Surveyor shall be submitted to the Regional District in the form of a "shape", ".dwg" or similar Computer-Aided Design (CAD) format.

3. Submission Requirements – Payment (Cash In-lieu) Proposals

In addition to the requirements of Section 1, a proposal that involves the payment of cash in-lieu of land shall provide the following prior to Regional District Board consideration:

.1 Full Narrative Appraisal

- (a) to be completed by an accredited appraiser in accordance with the Regional District Board's "Park Land Dedication Policy" (2019).

4. Processing Procedure

A Park Land Dedication proposal submitted to the Regional District of Okanagan-Similkameen (RDOS) will be processed as follows:

- .1 Upon receipt of a proposal, the Regional District will open a file and Development Services staff will review the proposal to determine whether it is complete and, if incomplete, will request the required information from the proponent.
- .2 Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies. Staff may conduct a site visit to view the property as part of the evaluation process.
- .3 Development Services staff will refer the proposal to all applicable Regional District departments for comment.
- .4 Development Services staff will notify the relevant Area Director(s) of the proposal.
- .5 The File Manager will be prepare a technical report to be forwarded for consideration to either:
 - i) the applicable Electoral Area Parks & Recreation Commission; or
 - ii) if there is no Parks & Recreation Commission service area established for the lands being subdivided, the applicable Electoral Area Advisory Planning Commission (APC).

- .6 The proponent will be included as a delegation on the Agenda of the applicable commission meeting at which the proposal will be considered and will be invited to attend the meeting in order to present their proposal and answer any questions from Commission members.
- .7 If a cash-in-lieu payment is recommended by the Commission, Administration will require a Full Narrative Appraisal to be submitted for the application to proceed.
- .8 The File Manager will then incorporate all referral comments and the Full Narrative Appraisal (if applicable) into a technical report to the Board.
- .9 The applicant is invited to attend the Board meeting at which the Park Land Dedication Proposal will be considered.
- .10 The Board will consider the technical report and may accept the Park Land Dedication Proposal, or may table or refuse the Park Land Dedication Proposal.
- .11 Once the Board minutes have been prepared, the applicant will be notified in writing of the outcome.

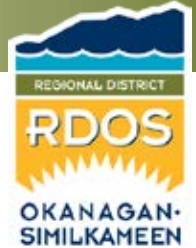
READ A FIRST, SECOND AND THIRD TIME on the __ day of ____, 2020.

ADOPTED on the __ day of ____, 2020.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D” Residential Zone Update – Comprehensive Development (CD) Zones (Phase 3)

Administrative Recommendation:

THAT Bylaw No. 2603.20, 2020, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area “D” 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 this report from the Chief Administrative Officer dated November 19, 2020, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.20, 2020, 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 December 17, 2020;

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

Proposed Development:

It is being proposed that the Regional District Board initiate an amendment to the Electoral Area “D” Official Community Plan (OCP) Bylaw and Zoning Bylaw in order to update the Comprehensive Development (CD) Zone as part of on-going work related to the preparation of a single zoning bylaw for the South Okanagan Valley Electoral Areas.

Background:

At its meeting of October 16, 2008, the Board considered an Administrative Report proposing the creation of a single Electoral Area Zoning Bylaw and directed staff to investigate the preparation of such a bylaw.

Since that time, Administration has balanced work on a consolidated Okanagan Valley zoning bylaw with competing demands related to current planning (i.e. rezoning and permit applications) and other long-range planning projects (i.e. RGS, OCP & Area Plan reviews).

In support of this project, the Regional District’s recent Business Plan’s have included the development of “a consolidated Okanagan Valley Zoning Bylaw” and ensuring “all existing bylaws and policies are kept in a current and useful form ...” as on-going projects.

In anticipation of bringing forward a draft zoning bylaw for consideration to the Board, Administration will be presenting the final series of draft amendments over the coming months intended to update the Residential zones and facilitate their eventual consolidation in a new bylaw.

At its meeting of April 19, 2018, the Planning and Development (P&D) Committee of the Board considered an Administrative report the provided a broad outline of the Residential Zone Update.

Previous Phases of the Residential Zone Review have included the OCP Policies and RM1 Zone Review (Phase 1) that was adopted by the Board on February 6, 2020, and the Duplex Zone Review (Phase 2) adopted by the Board on June 4, 2020.

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 97).

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. 53 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.

Public Process:

On July 8, 2020, the Regional District sent letters to all owners of land currently zoned CD (approximately 127 different parcels, including strata parcels) advising of the proposed changes contained within the amendment bylaws, and offering to meet to discuss any questions or comments they may have had. In response, approximately three (3) property owners contacted the Regional District.

The bylaw was also notified on the Regional District's web-site, social media accounts and by inclusion in the "bi-weekly" advertisement in local newspapers.

Administration recommends that the written notification of affected property owners 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 amendments contained within the amendment bylaws will update the comprehensive development (CD) zones found in Electoral Area "D" and make it consistent with the approach applied in the other Electoral Areas.

Specifically, it is being proposed to have CD Zone(s) in Electoral Area "D" be specific to individual parcels as opposed to using the CD Zone as a "blanket zone" that is applied to multiple parcels.

It is further being proposed to replace the CD Zone on properties that have subsequently been developed since the introduction of this zoning in 1998 with other zones that exist within the Zoning Bylaw.

For instance, it is being proposed that the "Big Horn Mountain Estates" neighbourhood be transitioned from the CD Zone to the RS2 Zone. Similarly, a number of parcels that have been developed to a rural-residential density on Eastside Road are being proposed for transition into various Small Holdings (SH) zones.

Following consultation with affected property owners, it is being proposed that three different properties retain a new version of a CD Zone in order to facilitate their intended development.

Alternatives:

1. THAT Bylaw No. 2603.20, 2020, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area "D" 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 November 19, 2020, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.20, 2020, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of the public hearing be delegated to Director Obirek, 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*.

2. THAT Bylaw No. 2603.20, 2020, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area "D" Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2603.20, 2020, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area "D" Zoning Amendment Bylaw be, be denied.

Respectfully submitted:



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, regarding Amendment Bylaw No. 2603.20:

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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.20, 2020

A Bylaw to amend the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Official Community Plan Amendment Bylaw No. 2603.20, 2020."
2. The Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:
 - i) adding a new Section 10.4.3 (Policies – Large Holdings) under Section 10.0 (Rural Holdings) to read as follows and re-numbering all subsequent sections:
 - .3 Supports a maximum density of one (1) principal residential dwelling unit per parcel and one (1) secondary suite or one (1) accessory dwelling in the Upper Carmi area.
 - ii) adding a new Section 10.4.4 (Policies – Large Holdings) under Section 10.0 (Rural Holdings) to read as follows and re-numbering all subsequent sections:
 - .4 Does not support the subdivision of lots in the Upper Carmi area until such time that detailed plans and studies conclude that lots smaller than 4.0 ha can be satisfactorily accommodated given the servicing constraints in the area and the high ecosystem values, and until the Regional Growth Strategy is amended to reflect future growth in this area.
 - iii) adding a new Section 10.5.4 (Policies – Small Holdings) under Section 10.0 (Rural Holdings) to read as follows:
 - .4 Supports secondary suites and accessory dwellings, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.

- iv) adding a new Section 11.3.8 (Policies – Low Density Residential) under Section 11.0 (Residential) to read as follows:
 - .8 Supports the use of a comprehensive development zone to allow a range of Medium Density Residential (MR) and Low Density Residential (LR) densities and dwelling types on the land described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD (187 & 195 Eastside Road). As this land is developed, the comprehensive development zone should be replaced with existing zones found in the applicable zoning bylaw.
 - v) adding a new Section 11.3.9 (Policies – Low Density Residential) under Section 11.0 (Residential) to read as follows:
 - .9 Supports the use of a comprehensive development zone to allow a maximum of 6 principal dwellings in a variety of dwelling types on the land described as Lot 14, Plan KAP82660, District Lot 2710, SDYD (187 Racette Way). As this land is developed, the comprehensive development zone should be replaced with existing zones found in the applicable zoning bylaw.
 - vi) adding a new Section 11.3.10 (Policies – Low Density Residential) under Section 11.0 (Residential) to read as follows:
 - .10 Supports the use of a comprehensive development zone to allow a range of Medium Density Residential (MR) and Low Density Residential (LR) densities and dwelling types on the land described as Plan KAP90314, District Lot 2710, SDYD (175 Eastside Road). As this land is developed, the comprehensive development zone should be replaced with existing zones found in the applicable zoning bylaw.
3. 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 shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - ii) an approximately 8,000 m² area part of the land described as Lot 1, Plan KAP35151, Sublot 38, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Low Density Residential (LR) to Resource Area (RA).

READ A FIRST AND SECOND TIME this ____ day of _____, 2020.

PUBLIC HEARING held on this ____ day of _____, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

ADOPTED this this ____ day of _____, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

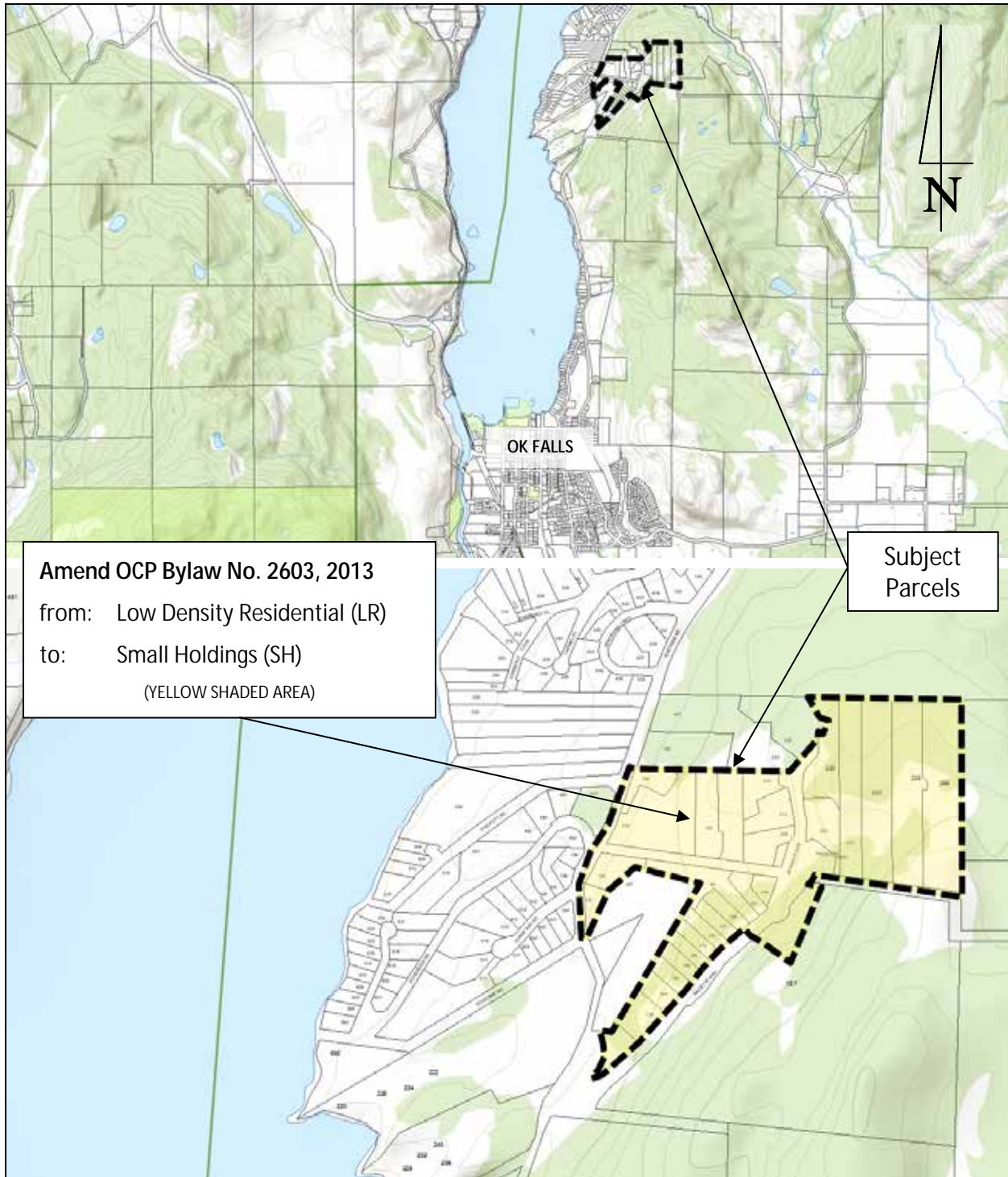
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.20, 2020

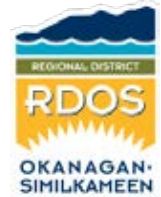
File No. D2020.004-ZONE

Schedule 'A'



Regional District of Okanagan-Similkameen

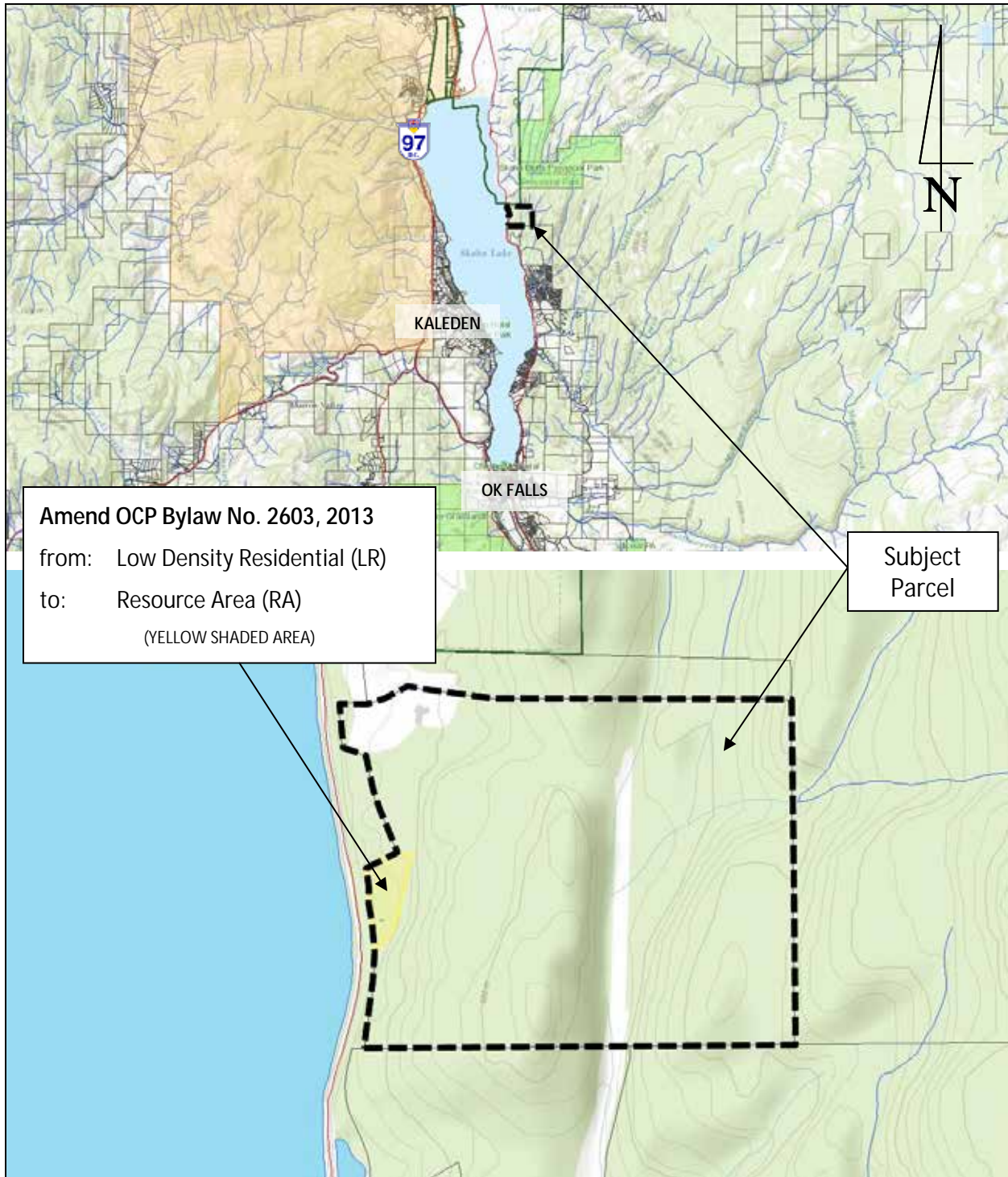
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.20, 2020

File No. D2020.004-ZONE

Schedule 'B'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.42, 2020

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 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 "D" Zoning Amendment Bylaw No. 2455.42, 2020."
2. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:
 - i) Replacing the "Low Density Residential Zones" part of Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) in its entirety with the following:

Low Density Residential Zones	
Low Density Residential Two Zone	RS2
Low Density Residential Duplex Zone	RD1
Residential Manufactured Home Park Zone	RSM1
 - ii) Replacing the "Comprehensive Development Zones" part of Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) in its entirety with the following:

Comprehensive Development Zones	
Maple Street Comprehensive Development Zone	CD5
Eagle's Rock Comprehensive Development Zone	CD9
Eastside Road South Comprehensive Development Zone	CD10
Eastside Road North Comprehensive Development Zone	CD11
 - iii) replacing Section 7.15 (Cluster Development) under Section 7.0 (General Regulations) in its entirety with the following:

7.15 *deleted*

- iv) replacing Section 11.1 (Residential Single Family One (RS1) Zone) under Section 11.0 (Low Density Residential) in its entirety with the following:

11.1 *deleted*

- v) replacing Section 11.2 (Low Density Residential Two (RS2) Zone) under Section 11.0 (Low Density Residential) in its entirety with the following:

11.2 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.2.1 Permitted Uses:

Principal uses:

- a) single detached dwellings;

Secondary uses:

- b) accessory dwelling, subject to Section 7.11;
c) secondary suite, subject to Section 7.12;
d) home occupations, subject to Section 7.17;
e) bed and breakfast operation, subject to Section 7.19;
f) accessory buildings and structures, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 19.9.

11.2.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

11.2.4 Minimum Parcel Width:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel; and
b) one (1) secondary suite or one (1) accessory dwelling per parcel.

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: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

11.2.7 Maximum Height:

- a) No principal 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 Minimum Building Width:

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

11.2.9 Maximum Parcel Coverage:

- a) 45%

vi) replacing Section 13.1.1(i) (Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) in its entirety with the following:

- i) apartment building, subject to Section 13.1.10;

vii) adding a new Section 13.1.1(n) (Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) to read as follows and renumbering all subsequent sections:

- n) townhouse, subject to Section 13.1.10;

viii) replacing Section 14.2.1(d) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) in its entirety with the following:

- d) apartment building, subject to Section 14.2.5;

ix) replacing Section 14.2.1(i) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) to read as follows and renumbering all subsequent sections:

i) townhouse, subject to Section 14.2.5;

x) replacing Section 14. 2.1(i) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) in its entirety with the following:

14.2.5 Dwelling Unit Regulations

a) dwelling units shall be located above the first floor or at the rear of a building containing a principal commercial use.

xi) replacing Section 18.1 (Comprehensive Development (CD) Zone) under Section 18.0 (Comprehensive Development) in its entirety with the following:

18.1 *deleted*

xii) adding a new Section 18.3 (Eagle’s Rock Comprehensive Development (CD9) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

18.3 EAGLE’S ROCK COMPREHENSIVE DEVELOPMENT (CD9) ZONE

18.3.1 Purpose

The purpose of the Eagle’s Rock Comprehensive Development Zone is to create site-specific land use regulations for the parcel located at 187 Racette Way, which is legally described as Lot 14, Plan KAP82660, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.3.2 Location

The property is situated on the east side of Racette Way near its intersection with Eastside Road.



Figure 18.3.2

18.3.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on December 14, 2006, while available Regional District records indicate that buildings permits have not previously been issued for the property (as of 2020).

The property is within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but is not serviced by a community sewer system (as of 2020).

18.3.4 Permitted Uses:

Principal Uses:

- a) duplex;
- b) single detached dwelling;
- c) townhouse;

Accessory Uses:

- 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 buildings and structures, subject to Section 7.13.

18.3.5 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;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.3.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.3.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel for single detached dwellings;
- b) two (2) dwelling units per parcel for duplexes, provided that both dwellings are located in one (1) residential building; or
- c) despite Section 18.3.7(a) & (b), on parcels greater than 2.3 ha in area, the maximum number of principal dwelling units shall not exceed six (6).

18.3.8 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: 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

18.3.9 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.

18.3.10 Maximum Parcel Coverage:

- a) 75% for townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.3.11 Minimum Building Width:

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

18.3.12 Conditions of Use:

- a) the minimum land area on which a townhouse use may be undertaken shall be 1,000.0 m².
- b) a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.

xiii) adding a new Section 18.4 (Eastside Road South Comprehensive Development (CD10) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

18.4 EASTSIDE ROAD SOUTH COMPREHENSIVE DEVELOPMENT (CD10) ZONE

18.4.1 Purpose

The purpose of the Eastside Road South Comprehensive Development Zone is to create site-specific land use regulations for the parcels located at 187 & 195 Eastside Road, which are legally described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.4.2 Location

The parcels are situated on the east side of Eastside Road adjacent its intersection with Echo Bay Road (an unmade road).



18.4.3 Background:

The subject property was originally created by a plan of subdivision deposited with the Land Titles Office in Kamloops on December 31, 1914, and further subdivided in subsequent decades resulting in the current parcels.

Available Regional District records indicate that a buildings permit was previously issued for an addition to a dwelling in 1988, and that the property has historically been used as a farm.

The parcels are within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but are not serviced by a community sewer system (as of 2020).

18.4.4 Permitted Uses:

Principal Uses:

- a) agriculture;
- b) apartment building;
- c) duplex;
- d) single detached dwelling;
- e) townhouse;

Accessory Uses:

- f) bed and breakfast operation, subject to Section 7.19;
- g) home occupation, subject to Section 7.17;
- h) secondary suite, subject to Section 7.12;
- i) brewery, cidery, distillery, meadery or winery, subject to Section 7.24, and on the same parcel as an agriculture use; and
- j) accessory buildings and structures, subject to Section 7.13.

18.4.5 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) 450.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.4.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.4.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel for single detached dwellings;
- b) two (2) dwelling units per parcel for duplexes, provided that both dwellings are located in one (1) residential building; or
- c) 25 dwellings per hectare for apartment buildings and townhouses, subject to servicing requirements.

18.4.8 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: 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

18.4.9 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.

18.4.10 Maximum Parcel Coverage:

- a) 75% for apartment buildings and townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.4.11 Minimum Building Width:

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

18.4.12 Amenity Space Requirements:

- a) the following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

18.4.13 Conditions of Use:

- a) the minimum land area on which an apartment building or townhouse use may be undertaken shall be 1,000.0 m².

xiv) adding a new Section 18.5 (Eastside Road North Comprehensive Development (CD11) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

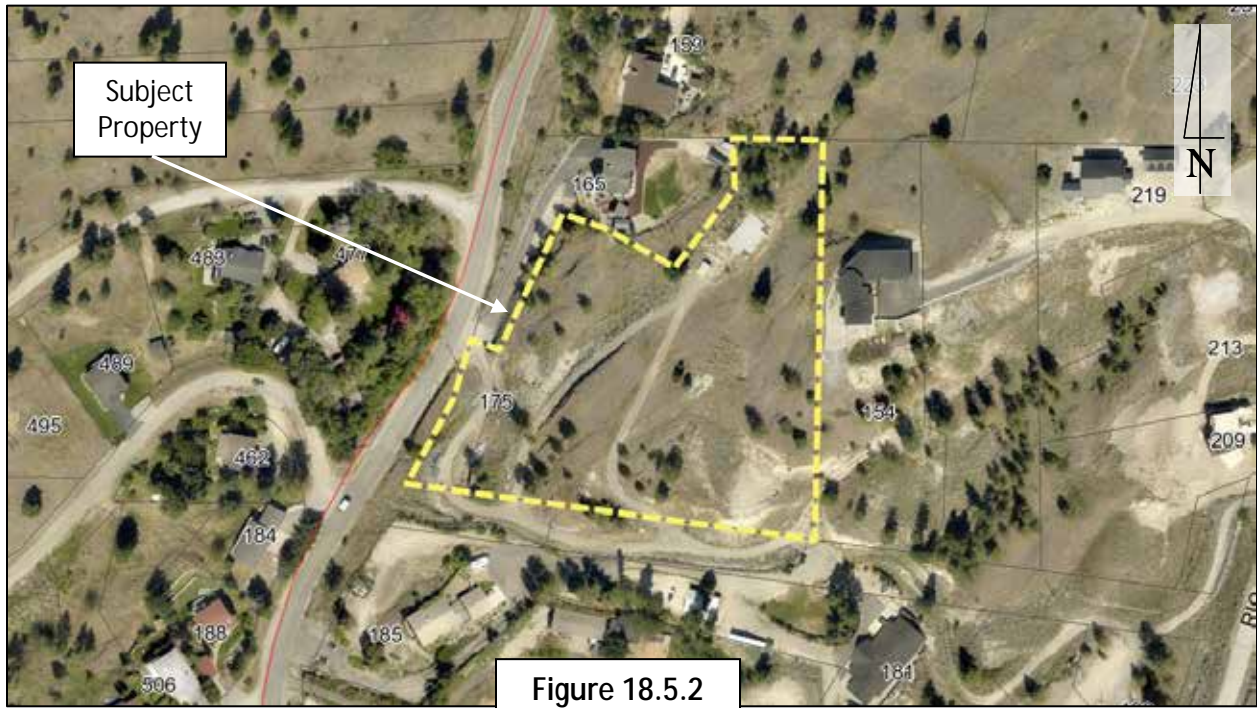
18.5 EASTSIDE ROAD NORTH COMPREHENSIVE DEVELOPMENT (CD11) ZONE

18.5.1 Purpose

The purpose of the Eastside Road North Comprehensive Development Zone is to create site-specific land use regulations for the parcel located at 175 Eastside Road, which is legally described as Plan KAP90314, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.5.2 Location

The property is situated on the east side of Eastside Road near its intersection with Philpott Road.



18.5.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on January 29, 2010, while available Regional District records indicate that buildings permits have no previously been issued for the property (as of 2020).

The property is within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but is not serviced by a community sewer system (as of 2020).

18.5.4 Permitted Uses:

Principal Uses:

- a) duplex;
- b) single detached dwelling;
- c) townhouse;

Accessory Uses:

- 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 buildings and structures, subject to Section 7.13.

18.5.5 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) 500.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.5.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.5.7 Maximum Density:

- a) 18 dwellings/ha, subject to servicing requirements.

18.5.8 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: 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

18.5.9 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.

18.5.10 Maximum Parcel Coverage:

- a) 75% for townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.5.11 Minimum Building Width:

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

18.5.12 Conditions of Use:

- a) the minimum land area on which a townhouse use may be undertaken shall be 1,000.0 m².
- b) a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.

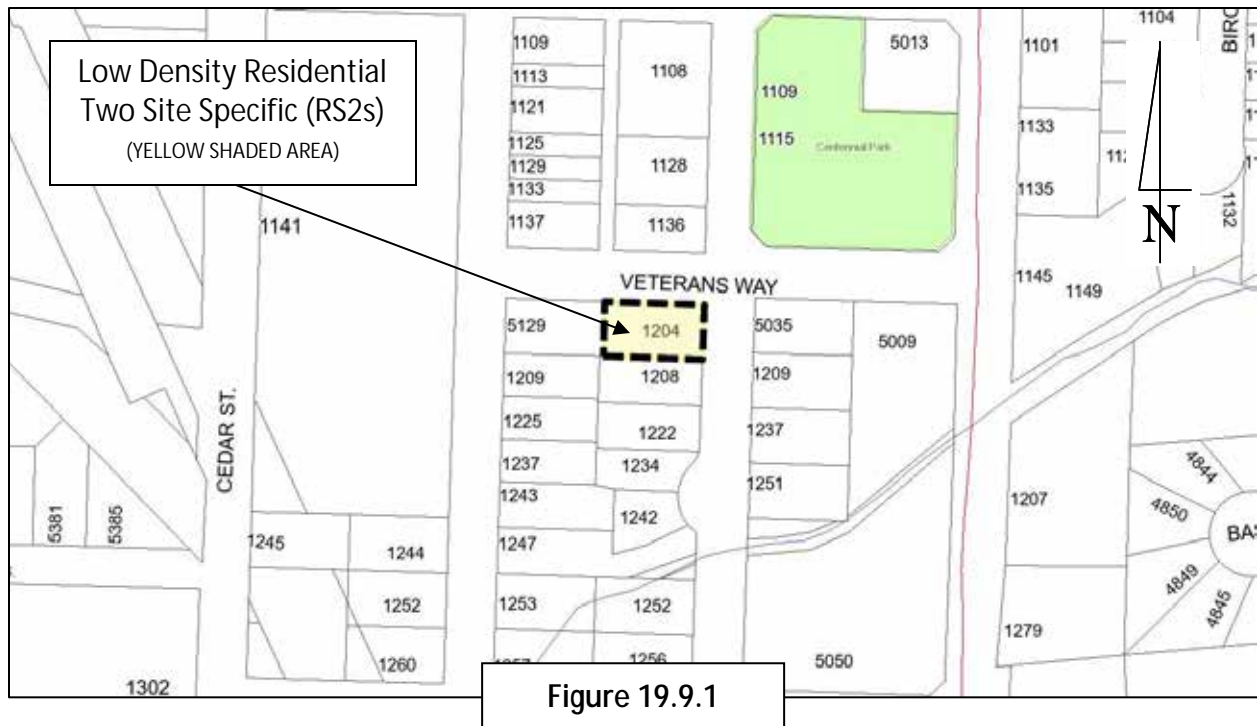
xv) replacing Section 19.8 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.8 *deleted*

xvi) replacing Section 19.9 (Site Specific Low Density Residential Two (RS2s) 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 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 19.9.1:
 - i) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 11.2.1:
 - a) "veterinary establishment".



xvii) replacing Section 19.30 (Site Specific Comprehensive Development (CDs Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.30 *deleted*

3. The Official 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 'A', which forms part of this Bylaw, from Comprehensive Development Site Specific (CDs) to Low Density Residential Two (RS2).
 - ii) the land shown shaded purple on Schedule 'A', which forms part of this Bylaw, from Comprehensive Development (CD) to Low Density Residential Two (RS2).
 - iii) land shown shaded purple on Schedule 'B', which forms part of this Bylaw, from Comprehensive Development (CD) to Small Holdings Four (SH4).
 - iv) the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Comprehensive Development (CD) to Small Holdings Five (SH5).
 - v) an approximately 2.3 ha area of the land shown shaded green on Schedule 'C', which forms part of this Bylaw, from Comprehensive Development Site Specific (CDs) to Eagle's Rock Comprehensive Development (CD9).

- vi) the land described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Comprehensive Development Site Specific (CD) to Eastside Road South Comprehensive Development (CD10).
- vii) the land described as Plan KAP90314, District Lot 2710, SDYD (175 Eastside Road) and shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Comprehensive Development Site Specific (CD) to Eastside Road North Comprehensive Development (CD11).
- viii) an approximately 8,000 m² area part of the land described as Lot 1, Plan KAP35151, Sublot 38, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Comprehensive Development (CD) to Resource Area (RA).
- ix) the land described as Lot 14, Plan 1280, Block 5, District Lot 374, SDYD (1204 Willow Street) and shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two Site Specific (RS2s).
- x) the land described as Lot 5, Plan 9324, District Lot 337, SDYD (716 Mosley Place) and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two (RS2).
- xi) all parcels zoned Residential Single Family One (RS1) to Low Density Residential Two (RS2).

READ A FIRST AND SECOND TIME this ____ day of _____, 2020.

PUBLIC HEARING held on this ____ day of _____, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.42, 2020" as read a Third time by the Regional Board on this ____ day of _____, 2020.

Dated at Penticton, BC this ____ day of _____, 2020.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2020.

For the Minister of Transportation & Infrastructure

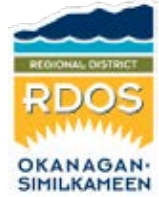
ADOPTED this ____ day of _____, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

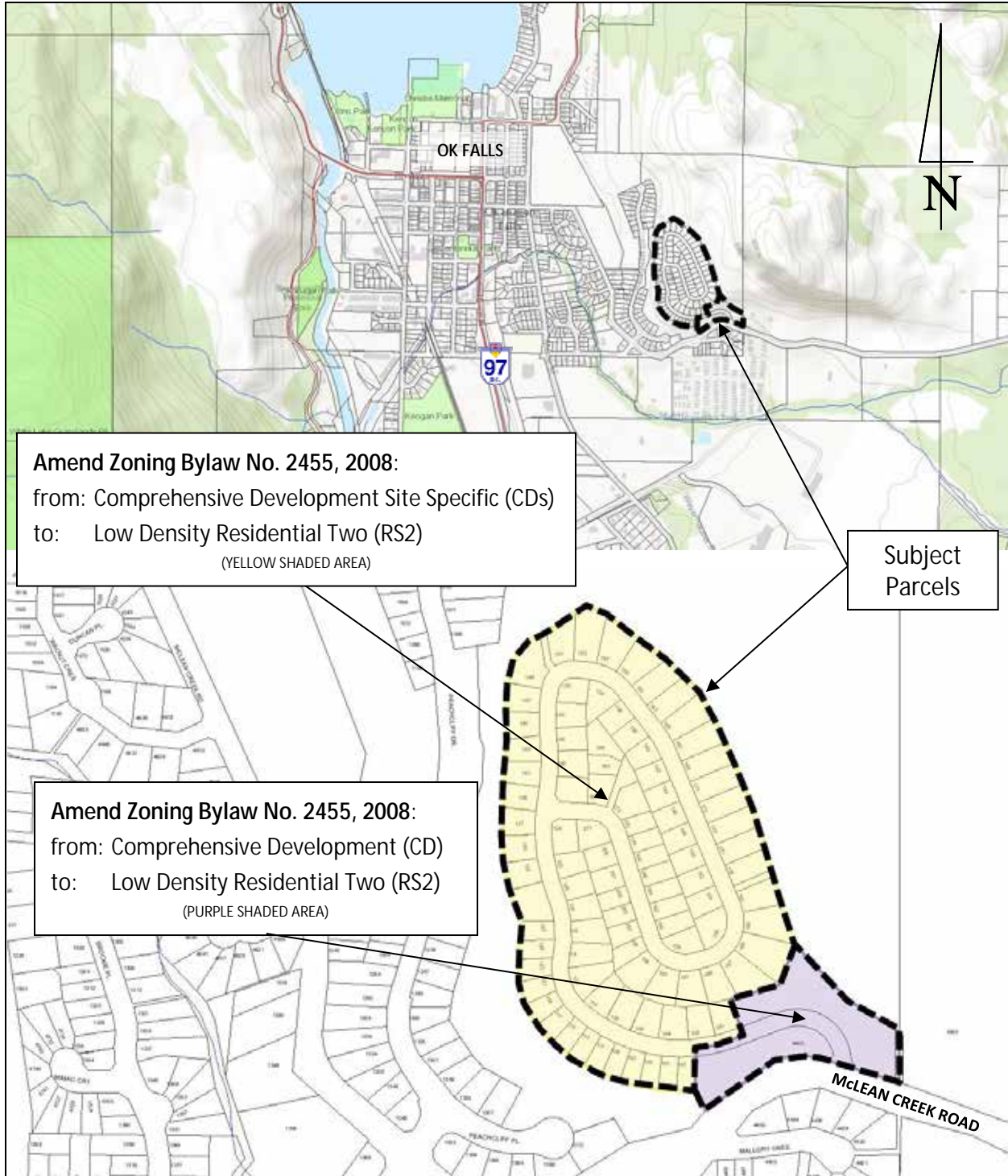
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'A'



Regional District of Okanagan-Similkameen

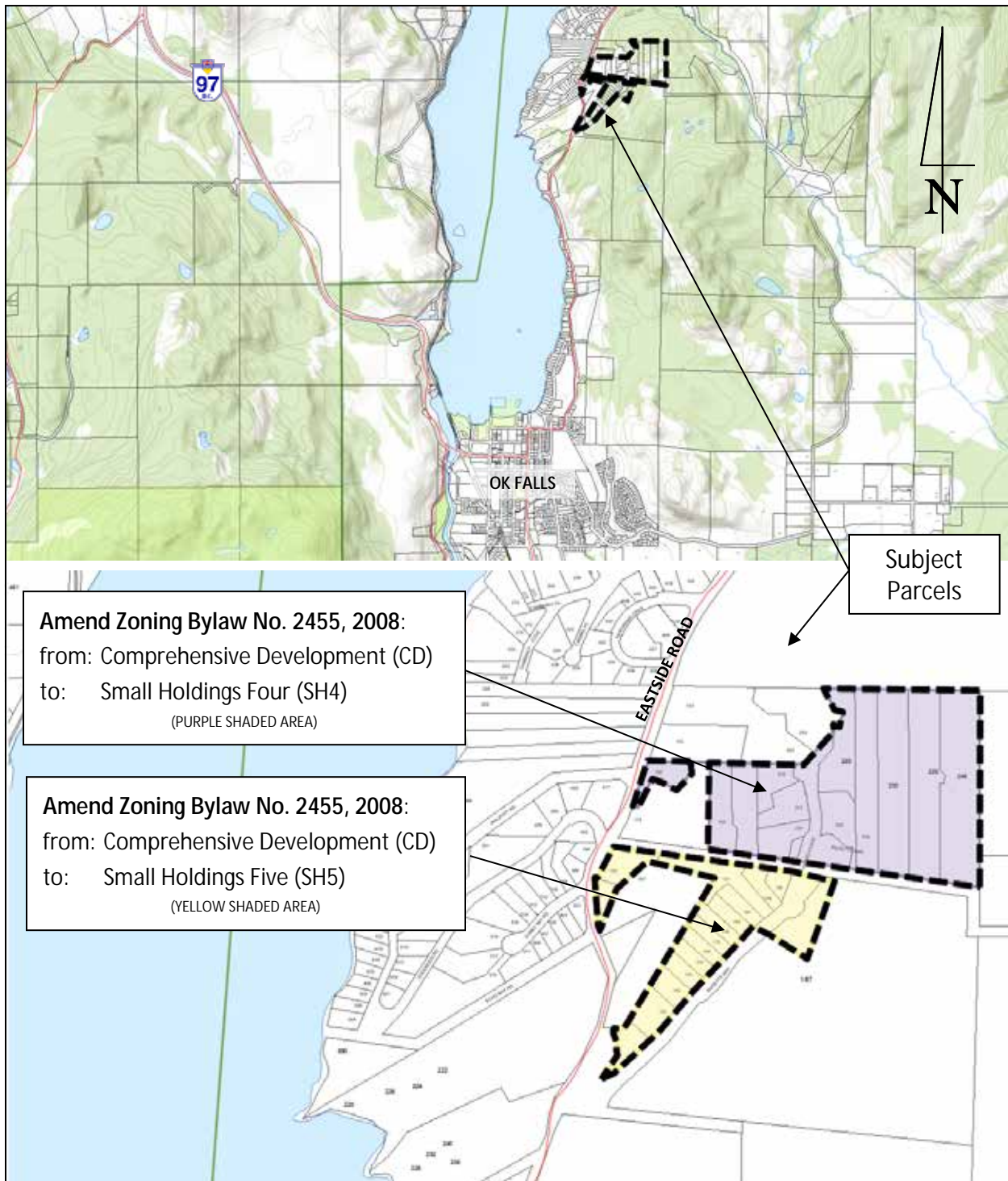
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Amendment Bylaw No. 2455.42, 2020

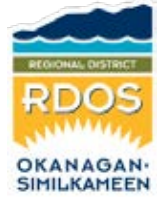
File No. D2020.004-ZONE

Schedule 'B'



Regional District of Okanagan-Similkameen

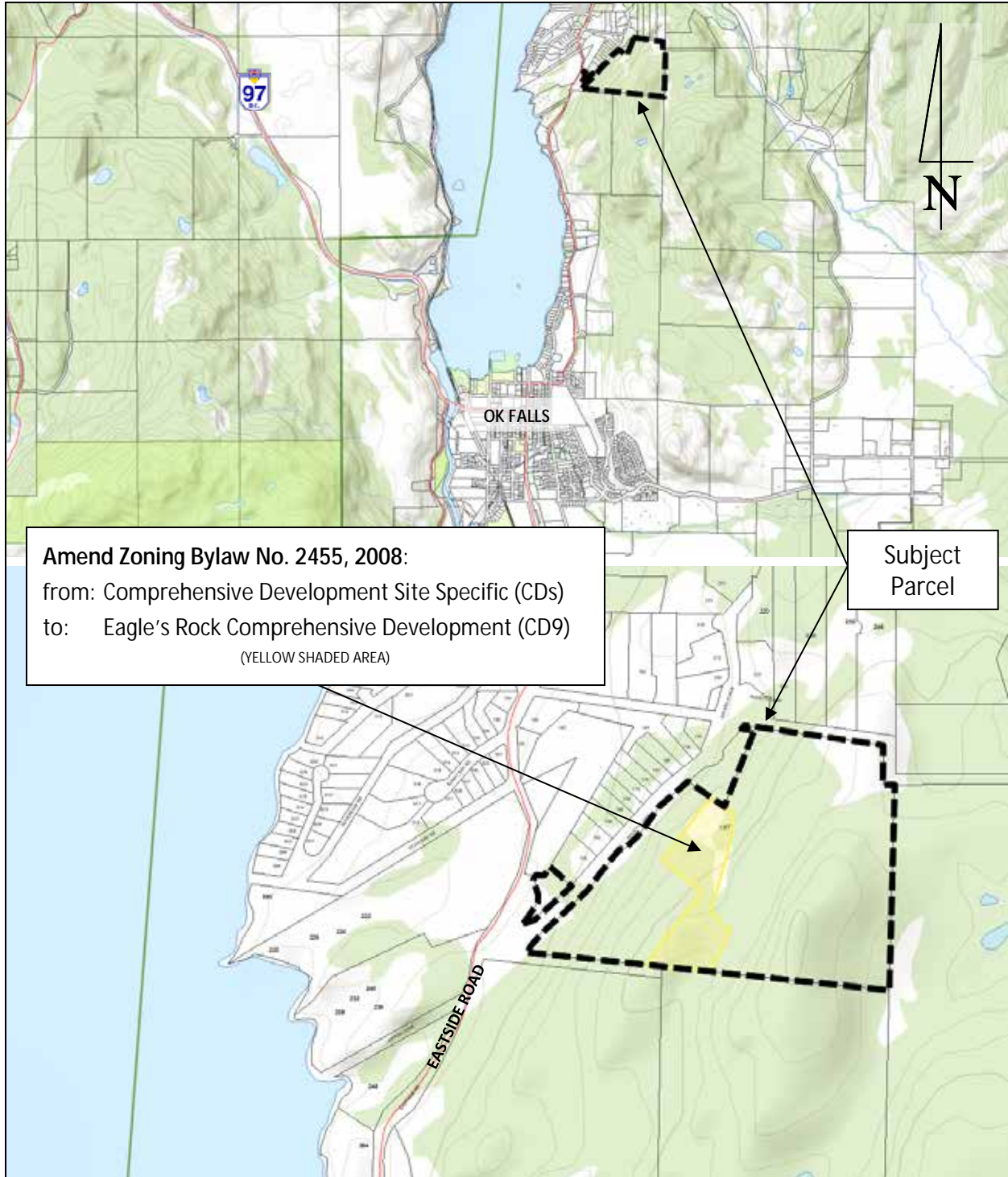
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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

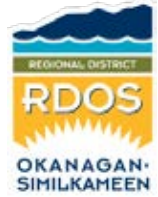
File No. D2020.004-ZONE

Schedule 'C'



Regional District of Okanagan-Similkameen

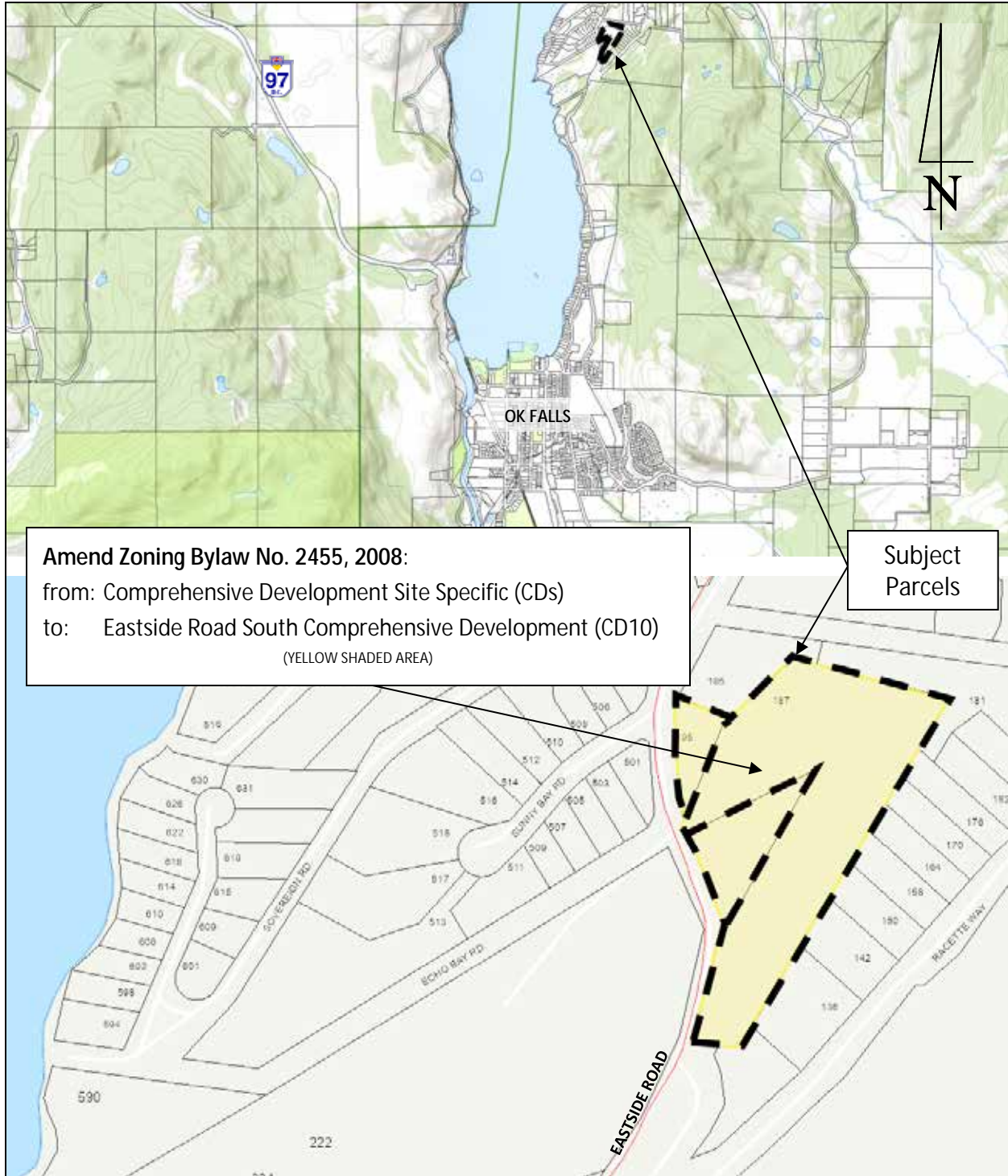
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

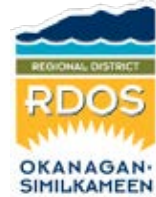
File No. D2020.004-ZONE

Schedule 'D'



Regional District of Okanagan-Similkameen

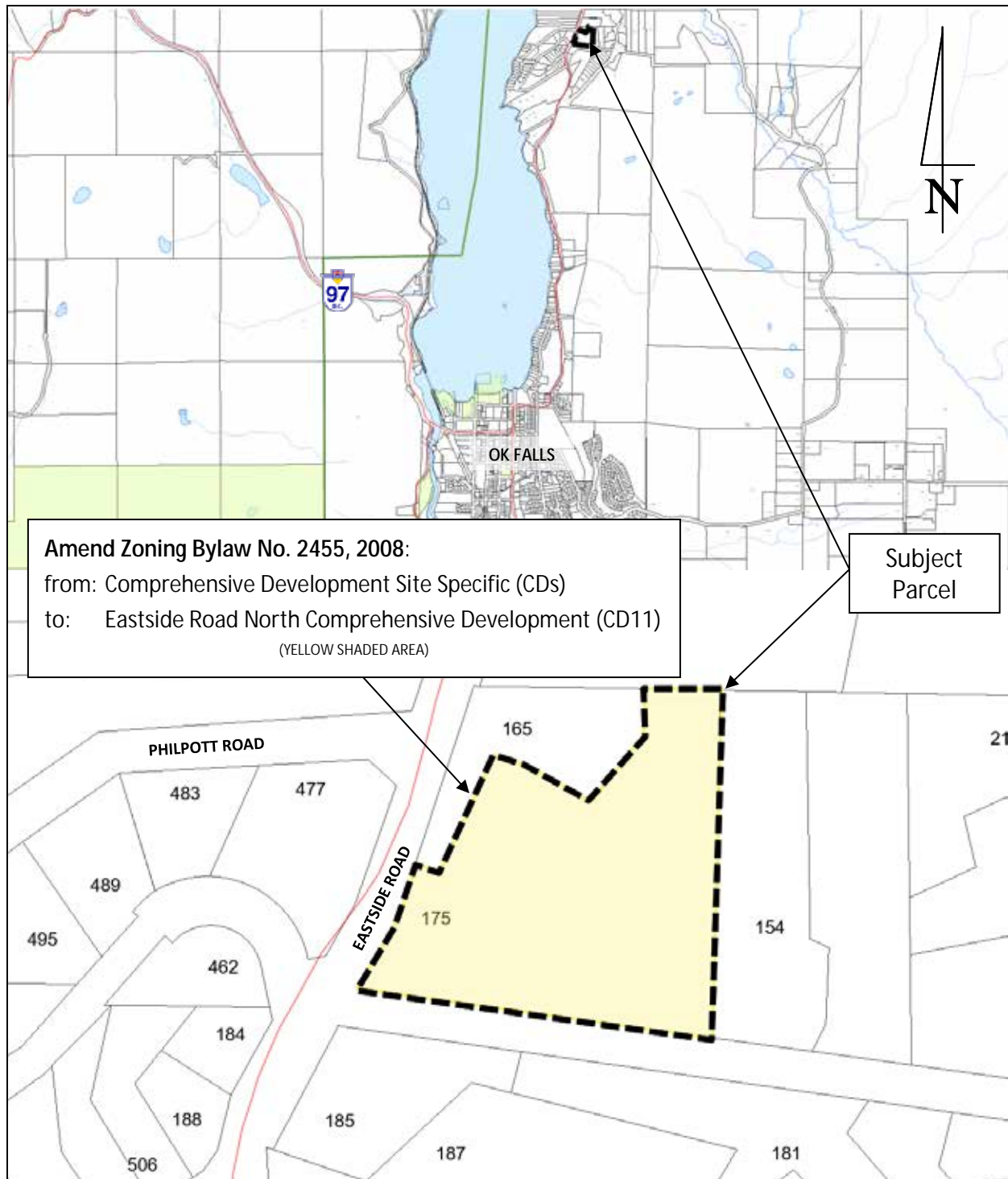
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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

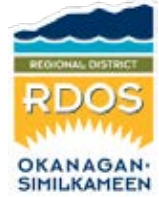
File No. D2020.004-ZONE

Schedule 'E'



Regional District of Okanagan-Similkameen

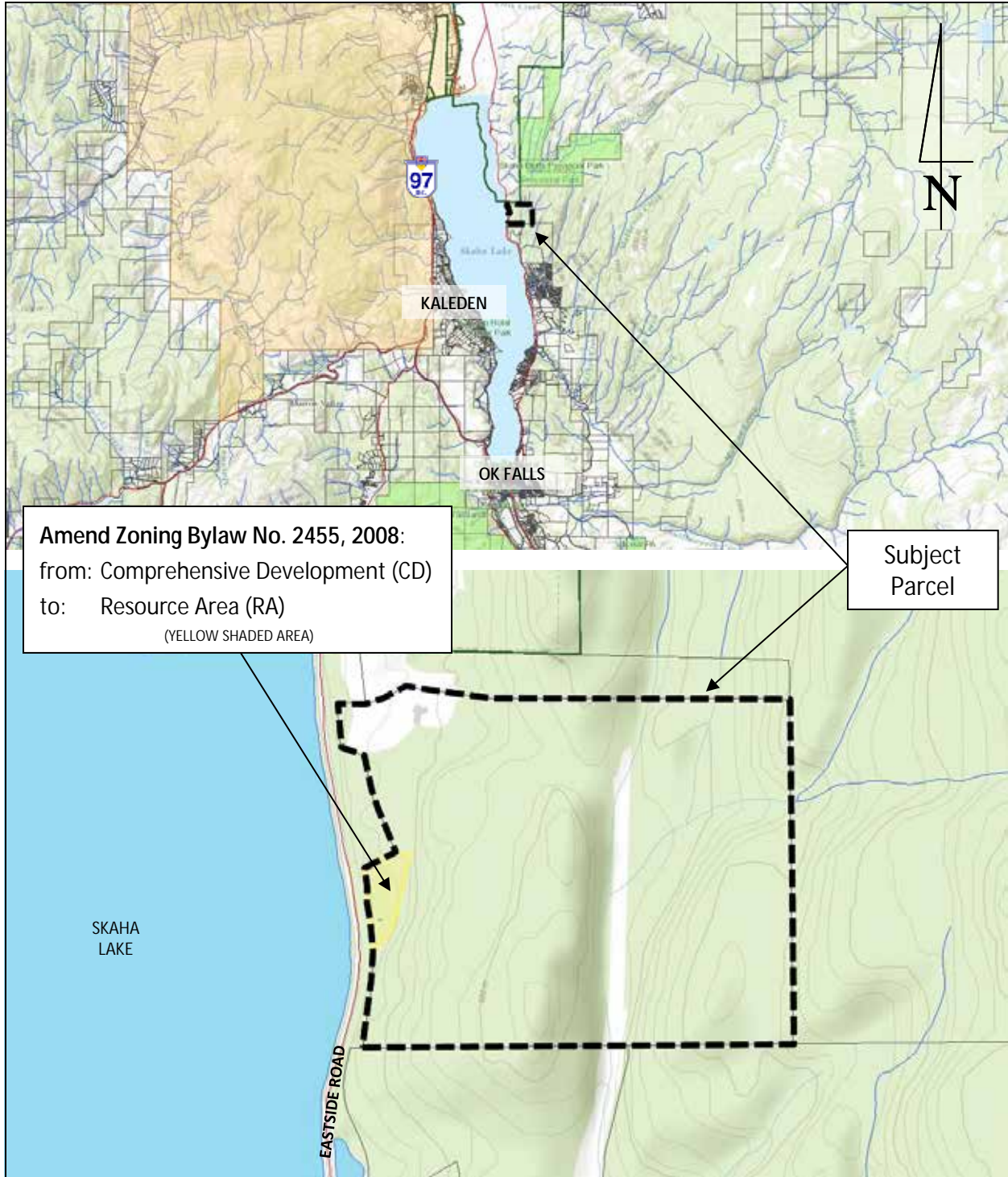
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

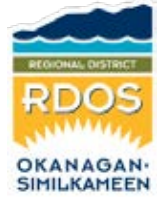
File No. D2020.004-ZONE

Schedule 'F'



Regional District of Okanagan-Similkameen

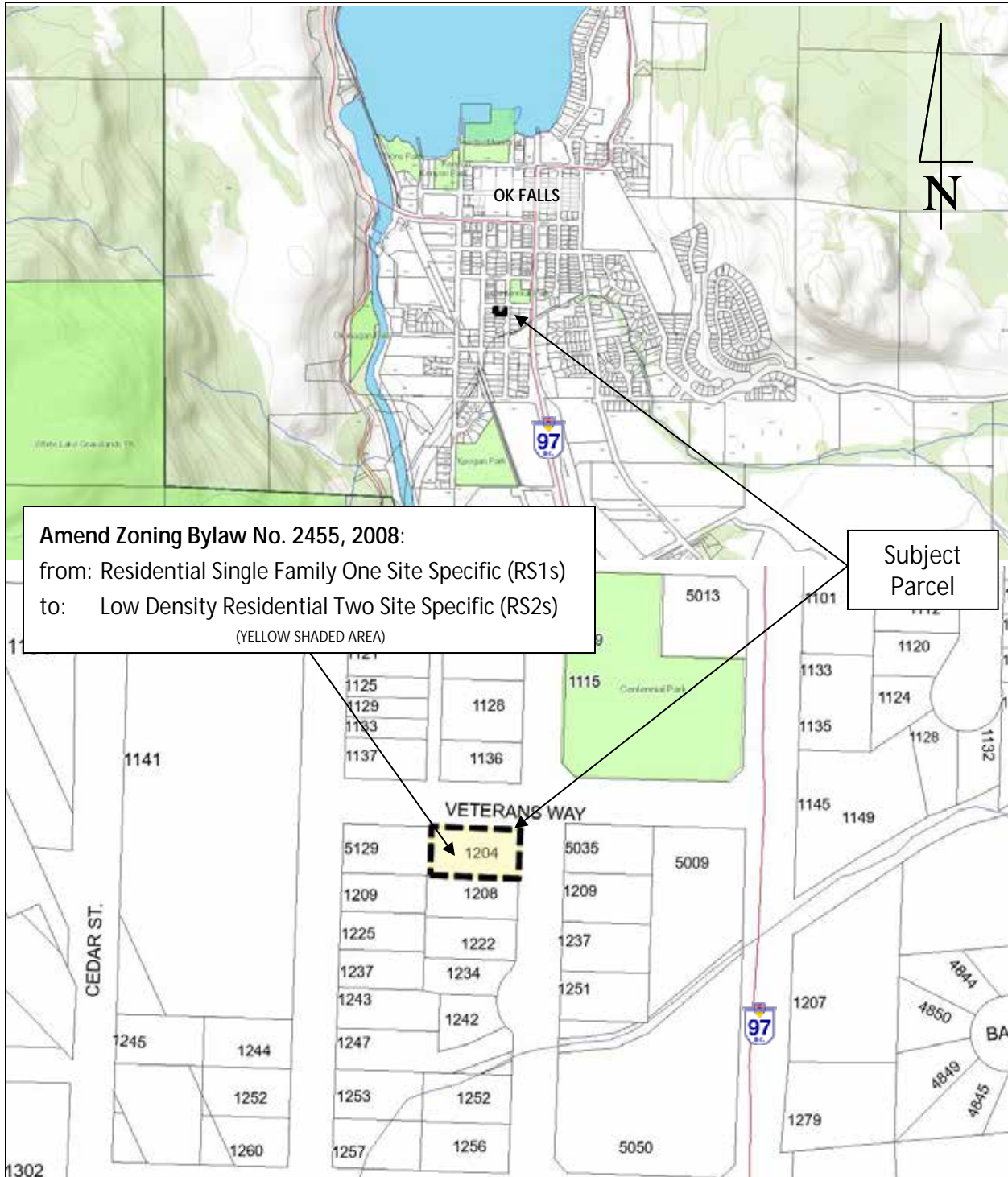
101 Martin St, Penticton, BC, V2A-5J9
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Amendment Bylaw No. 2455.42, 2020

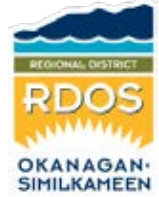
File No. D2020.004-ZONE

Schedule 'G'



Regional District of Okanagan-Similkameen

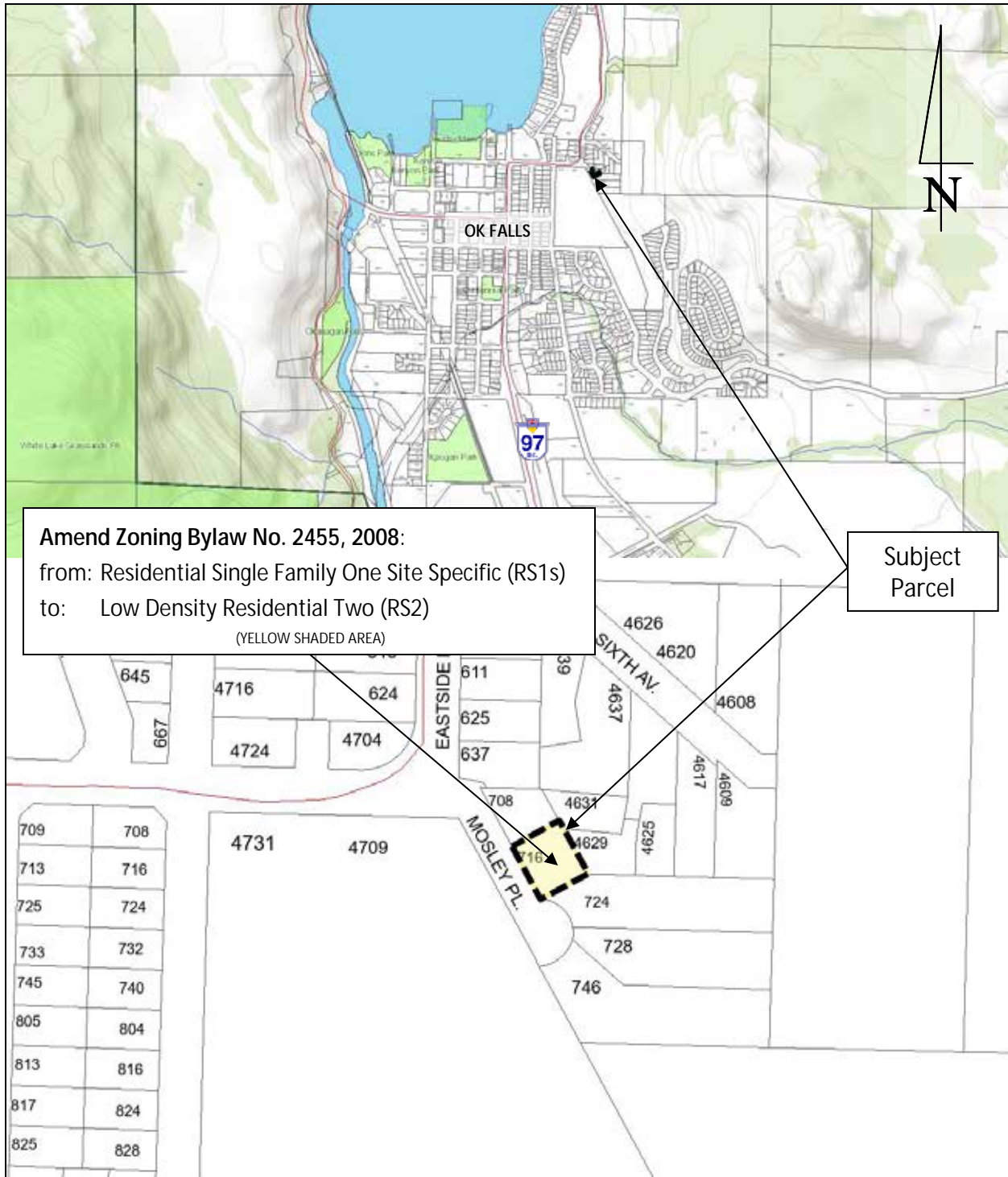
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'H'



RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2603.20 & 2455.42

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: _____

P.S. Subramanian

Agency: _____

SD 53

Date: _____

21 July 2020

Signed By: _____

SUBRA PALISAPPA

Title: _____

SECRETARY TREASURER

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Okanagan Kootenay Sterile Insect Release Program (SIR)

Administrative Recommendation:

- 1. THAT the Regional District of Okanagan Similkameen support apportioning the annual value tax burden of the SIR Program among participating Regional Districts using a hybrid formula that determines each Regional District's annual value tax requisition on:**
 - the Regional District's proportion of the previous year's converted assessment base (land and improvements) for the Program's service area as a whole, weighted at 75%; and,
 - the Regional District's proportion of the previous year's total taxable acreage for the Program's service area as a whole, weighted at 25%; and,
- 2. THAT the Regional District of Okanagan Similkameen support phasing-in the new apportionment approach over a four-year period; and,**
- 3. THAT the Regional District of Okanagan Similkameen support a request from the four participating Regional Districts to the Ministry of Municipal Affairs and Housing for an Order in Council to implement the new apportionment approach and phase-in provision.**

Purpose:

To address a recommendation from the Okanagan Kootenay Sterile Insect Board of Directors on an amendment to the allocation of costs for the program amongst the four participating regional districts.

Reference & Background:

Presentation from SIR to the Board of Directors 5 November 2020

Analysis:

1. The taxable acreage in the Okanagan Similkameen, now recorded at 3,556.83 (20.8%), is over triple that of the North Okanagan Regional District recorded at 1,121.12 (17.2%), yet the current formula is only 3.6% different. Clearly the beneficiary of the partnership is the south Okanagan-Similkameen.
2. The proposed option would increase the annual RDOS tax on an average property from \$7.74 to \$9.40; or, \$1.66/year. The proposal is extended for implementation over a 4-year period, so the 2021 impact will be \$0.41/year on the average property.



Okanagan Kootenay Sterile Insect Release Program
Working Group on Apportionment
July 17, 2020

APPORTIONMENT OPTIONS

INTRODUCTION

This paper outlines, for discussion with the Working Group, a set of cost-sharing options that the Regional Districts of Okanagan Similkameen (RDOS), Central Okanagan (RDCO), North Okanagan (RDNO), and Columbia Shuswap (CSRD) could use to allocate the SIR Program's value property tax burden.

The options have been developed based on the information and views brought forward by the Working Group members, most recently during interviews in June, 2020, with the SIR Program consultant. During those interviews Working Group members identified preferred cost-sharing factors, highlighted the potential for other program revenues, and set out important principles to guide the apportionment exercise. These principles included:

- > *Partnership* — Working Group members recognize the importance of the inter-regional partnership at the heart of the SIR.
- > *Broad Benefit* — Members recognize that the Program provides broad and significant benefit to all communities,

residents, and ecosystems throughout the service area.

- > *Equity* — Members believe that equity would be strengthened under a formula that reflects each region's relative benefit from the Program. Such a solution will take into account inter-regional differences in pome fruit acreage, in addition to an assessment base factor.
- > *Pragmatism* — Working Group members recognize that the actual dollar amount assigned to each Regional District is important to consider, cost-sharing rationale notwithstanding. Shifts in the tax burden must be pragmatic in order to win support.

OPTIONS

Figure 1 presents three cost-sharing options for discussion with the Working Group (the current approach is included for ease of comparison). The BC Assessment and SIR Program data used to create the options are provided in Attachment I. Figure 2 provides a description of each option, and sets out some of the pros and cons for Working Group members to consider.

**Figure 1
Cost-Sharing Options**

Apportionment Option	RDOS		RDCO		RDNO		CSRD		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Current Approach (<i>status quo</i>) Fixed Percentages*	\$355,831	20.8%	\$1,002,487	58.6%	\$294,245	17.2%	\$58,165	3.4%	\$1,710,728	100.0%
1. 50-50 Converted Assess (L+I) Taxable Acreage	\$552,995	32.3%	\$855,331	50.0%	\$262,036	15.3%	\$40,336	2.4%	\$1,710,728	100.0%
2. 75-25 Converted Assess (L+I) Taxable Acreage	\$438,331	25.6%	\$946,688	55.3%	\$269,760	15.8%	\$55,949	3.3%	\$1,710,728	100.0%
3. 75-25 Converted Assess (Land) Taxable Acreage	\$419,491	24.5%	\$998,339	58.4%	\$247,357	14.5%	\$45,541	2.7%	\$1,710,728	100.0%

* Under the Current Approach (*status quo*) costs are allocated in accordance with fixed percentages which are based on 2006 converted assessment (land) values.

**Figure 2
Explanation of the Options**

Option	Description	Pros	Cons
1. 50-50 Converted Assess (L+I) Taxable Acreage	Costs shared on basis of: <ul style="list-style-type: none"> – prior-year converted assessment (land & improvements), as 	<ul style="list-style-type: none"> – Use of full converted assessment base (i.e., land and improvements) takes into account Program's broad benefit to communities and residents, in addition to ecosystems. 	<ul style="list-style-type: none"> – Results in significant shift in tax burden to RDOS. – Does not result in uniform tax rate across service area.

Option	Description	Pros	Cons
	<p>percentage of service area total^{1,2}</p> <ul style="list-style-type: none"> – prior-year taxable acreage, as percentage of service area total <p>The two factors are given equal weight. Thus, 50% of the total allocation is based on converted assessment, and 50% is based on acreage.</p>	<ul style="list-style-type: none"> – Use of full converted assessment base is standard for shared services. – Puts significant weight on acreage, which reflects each region's relative benefit from the service (based on inter-regional differences in pome fruit acreage). – Allocation changes in response to changing property values and acreage levels. 	
<p>2. 75-25 Converted Assess (L+I) Taxable Acreage</p>	<p>Costs shared on basis of:</p> <ul style="list-style-type: none"> – prior-year converted assessment (land & improvements), as percentage of service area total – prior-year taxable acreage, as percentage of service area total <p>Converted assessment given greater weight than acreage. Specifically, 75% of the total allocation is based on converted assessment.</p>	<ul style="list-style-type: none"> – Use of full converted assessment base takes into account Program's broad benefit to communities, residents, and ecosystems. – Use of full converted assessment base is standard for shared services. – Recognizes acreage, which reflects each region's relative benefit from the service. – The greater weight given to assessment reduces the size of the tax shift to RDOS compared to the previous option. – Allocation changes in response to changing property values and acreage levels. 	<ul style="list-style-type: none"> – Shift in tax burden to RDOS is not insignificant. – Does not result in uniform tax rate across service area.
<p>3. 75-25 Conv Assess (Land) Taxable Acreage</p>	<p>Costs shared on basis of:</p> <ul style="list-style-type: none"> – prior-year converted assessment 	<ul style="list-style-type: none"> – Use of converted land base takes into account broad benefit to ecosystems. 	<ul style="list-style-type: none"> – Shift in tax burden to RDOS is not insignificant.

¹ The converted assessment base identified here includes the converted values of land and improvements for all classes of property.

² The timing of BC Assessment's release of the revised assessment rolls relative to the Regional Districts' budget deadlines means that cost-sharing each year must be determined based on the prior year's assessment figures. These figures are the most current. For a similar reason, the prior year's acreage must be used for formulas that incorporate acreage totals.

Option	Description	Pros	Cons
	<p><i>(land only)</i>, as percentage of service area total</p> <ul style="list-style-type: none"> – prior-year taxable acreage, as percentage of service area total <p>Converted assessment (land) is given greater weight than acreage.</p>	<ul style="list-style-type: none"> – Recognizes acreage, which reflects each region's relative benefit from the service. – The weight given to assessment, and the focus on land-only values, further moderate the size of tax burden shift to RDOS. – Allocation changes in response to changing property values and acreage levels. 	<ul style="list-style-type: none"> – Use of land-only converted base does not reflect benefit to communities and residents as much as other options. – Use of land-only may raise equity concerns for RDCO given its disproportionately high proportion of the total converted land base. – Use of land-only may not fairly tax certain properties with relatively low land values, such as condominiums and mobile homes. – Does not result in uniform tax rate across service area.

OBSERVATIONS

Based on the input provided to the consultant during the recent interviews, Option 3 appears to achieve the changes that the Working Group members are seeking. Through its inclusion of taxable acreage, the option reflects each region's relative benefit from the Program. Compared to the alternatives, Option 3 would also result in a more reasonable— though not insignificant — transfer of tax burden to RDOS. This outcome arguably makes the option the most pragmatic of the three alternatives considered.

One potential disadvantage of Option 3 is its use of converted *land* values in place of land and *improvements*. Some Working Group members identified land and improvements as the preferred assessment base given:

- > the widespread use of land and improvements as a basis for cost-sharing other shared services³
- > the belief that land and improvements, compared to *land* only, may better account for the Program's benefit to residents and communities

It is also worth noting that for some stakeholders, a reliance on land values may result in inter-regional equity concerns, particularly for RDCO. RDCO's proportion of the total converted land base is greater than the Region's proportion of the full converted base.

ADDITIONAL POINTS

The transfer of tax burden to RDOS under Option 3 would be

³ Within the four Regional Districts, the SIR Program is the only service that relies on converted land-only as a basis for cost-sharing.

more moderate than the transfers that would occur under the other two options. At close to \$64,000 (Figure 1), however, even the Option 3 transfer would not be insignificant — indeed, it would amount to an 18% increase to RDOS' 2020 value tax requisition. The Working Group may wish to consider the possibility of phasing in any transfer over a period of time (e.g., three years).

It should also be noted that the cost impacts calculated under the different options assume a fixed value tax burden of \$1,710,728. This amount has been fixed for the past ten years but cannot be expected to hold steady in the years ahead. Revenues from product sales are anticipated to mitigate future cost increases; however, these revenues are in the process of being built and not guaranteed.

Finally, the issue of service area was raised by RDCO during the June, 2020. As noted in the *Briefing Note* on the interview findings, each Regional District in the Program determines for itself, in conjunction with its own local jurisdictions, which municipalities and electoral areas, and how much of each, are included in the SIR Program. RDCO has historically taken the view that all local jurisdictions, representing the Regional District's entire land base, should be included. The other three Regional Districts have, in general, chosen instead to limit Program participation to municipalities and electoral areas — or portions of thereof — that had commercial orchards at the Program's inception. These original participating boundaries may no longer track with the areas that are currently agriculturally-viable or are likely to be agriculturally-viable in the future.

In a cost apportionment system based at least in part on annual converted assessment, the amount of territory in each Regional

District that is included in the SIR service area influences the amount that each Regional District pays toward the service.

RDCO's Working Group members have made the point that the decision to include the Regional District's entire land base in the Program reflects widespread support for SIR, and recognizes the Program's broad indirect benefit to all residents, communities, and ecosystems. Further discussion by the Working Group on the principle that underlies this approach may be warranted.

ATTACHMENT I

Detailed Data for Apportionment Options

Data	Data Source	RDOS		RDCO		RDNO		CSRD		TOTAL	
		Data	%	Data	%	Data	%	Data	%	Data	%
Converted Land	BC Assess (2020)	980,625,780	17.5%	3,635,817,622	64.7%	813,321,000	14.5%	189,377,637	3.4%	\$ 5,619,142,039	100.0%
Conv. Land & Imp.	BC Assess (2020)	2,218,235,740	18.9%	7,114,153,899	60.7%	1,901,710,324	16.2%	490,246,543	4.2%	\$ 11,724,346,506	100.0%
Taxable Acreage*	SIR Program (2020)	3,556.83	45.7%	3,058.07	39.3%	1,121.12	14.4%	41.82	0.5%	7,777.84	100.0%

* Acreage figures as adjusted in April, 2020.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Award of 2020-2021 Waste Composition Study

Administrative Recommendation:

THAT the contract for the 2020-2021 waste composition study and composition comparison be awarded to Tetra Tech Canada Inc. for \$68,000 plus applicable taxes.

Purpose:

The RDOS Solid Waste Management Plan calls for undertaking a waste composition study at local landfills.

Reference:

[RDOS Solid Waste Management Plan webpage](#)

Business Plan Objective:

Solid Waste Management Plan Review Phase 1 (Waste Audit)

- Conduct Waste Composition Studies

Background:

The 2012 RDOS Solid Waste Management Plan calls for the RDOS to conduct a waste composition study. The intent of the study is to better understand the types of waste entering landfills from residential collection, front end garbage service and transfer station bins. This knowledge will help develop the next Solid Waste Management Plan development scheduled to commence in 2021.

The RDOS partnered with the Regional District of Central Okanagan to develop a Request for Proposals (RFP) for waste composition studies at the Glenmore and Campbell Mountain Landfill. The RFP was conducted under contract through The Interior Purchasing Office Inc.

The cost of the waste composition study was placed in the 2020 budget in 4300 - SOLID WASTE MANAGEMENT.

The aforementioned project was budgeted at \$70,000.

Analysis:

In keeping with the RDOS Purchasing Policy guidelines, the RFP used a scoring matrix to evaluate the seven proposals received. The scoring matrix used in the RFP is shown in Table 1 below. The RFP required that all proposals be submitted for a set budget of \$65,000. A comparison of RDOS waste composition to other jurisdictions throughout B.C. for \$3,000 was added on to the project scope.

Tetra Tech Canada Inc. was reviewed by a team of RDCO and RDOS and was found to have the highest overall evaluation score by consensus.

Table 1. Waste Composition RFP Scoring Matrix

Scored Evaluation Criteria	Weight
Most Suitable Methodology & Approach	40%
Most Suitable Team	30%
Most Suitable Experience & References	30%

Waste composition studies will be conducted at Campbell Mountain Landfill in November and another in the early spring. The results of the waste composition studies will be compared with the results from the 2020-2021 Glenmore landfill study and prior year waste composition studies conducted at the Glenmore Landfill.

The optional service of comparing a variety of other jurisdiction waste composition studies from across BC. will allow for comparisons between jurisdictions that have banned and not banned food waste. This information will better inform lifecycle studies of RDOS landfills and compost sites as the RDOS considers implementing food waste diversion.

Communication Strategy:

The results of the waste composition study will be presented to the Board and be used for the development of an updated Solid Waste Management Plan scheduled to commence in 2021.

Respectfully submitted:

Cameron Baughen

C. Baughen, Solid Waste Management Coordinator

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Award of RFP for Agricultural Chipping

Administrative Recommendation:

THAT the contract for Agricultural Chipping be awarded to South Okanagan Tree Works for \$300per hour plus applicable tax, estimated at \$75,000 per annum for a three year term, with an option for a three year extension.

Purpose:

To provide the best value for onsite chipping of agricultural organics for the Campbell Mountain Landfill, Oliver Landfill and rural Area 'A' service areas.

Reference:

[Air Quality Webpage](#)

Background:

The RDOS provides onsite agricultural chipping to agricultural properties in the Campbell Mountain Landfill service area (City of Penticton, Village of Keremeos, Areas 'B', 'D', 'E', 'F', 'G', 'I'), the Oliver Landfill service area (Town of Oliver, Area 'C') and Electoral Area 'A'. Presently growers request a free quote and can choose to proceed by paying 25% of the quoted chipping costs.

The cost of the onsite agricultural chipping program varies significantly from year to year. The demand from growers removing whole fruit trees is affected by market demand, replant funding and the ability of growers to burn their trees. The potential award of the service contract at \$75,000 was estimated by adding up the highest annual costs by service area. The actual costs will be fully dependent on actual work provided.

Analysis:

The 2020 Request for Proposals for Agricultural Chipping resulted in four submissions. In keeping with guidelines of the RDOS Purchasing Policy, three RDOS Staff evaluated the proposals using the Purchasing Policy evaluation form. South Okanagan Tree Works was found to be using superior equipment and had the lowest cost for an average job site. Costs were determined by comparing hourly, mobilization and the machinery types. They also had the superior references.

Large stumps pose a problem for the equipment used by South Okanagan Tree Works. The RDOS will be working with South Okanagan Tree Works on transporting clean stumps to the landfill for chipping as required. This work is intended to be included under the quoted cost for the work. The stumps will be received at local landfills at no charge due to being agricultural and available to be ground for use at these landfills.

Communication Strategy:

The RDOS continues to work with agriculturists on administering the Agricultural Chipping program.

Respectfully submitted:

Cameron Baughen

C. Baughen, Solid Waste Management Coordinator

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Provincial Licence of Occupation Renewal – KVR Osprey Lake to Faulder

Administrative Recommendation:

THAT the Board of Directors endorse an application to the Province of British Columbia for a Licence of Occupation renewal over the former Kettle Valley Rail right-of-way from Osprey Lake to Faulder for a period of ten (10) to thirty (30) years, legally described as:

District Lots 4128, 4130, 4115, 4127, 4126, 4125 and District Lot 4334 shown on Plan Crown Grant 107 District Lot 4336 shown on Crown Grant 1 and that part of DL 4335 shown on Plan CG 107, those parts of DL's 2068, 2069, 2070, 2091 and 2092 shown on Plan A105 all of KDYD together with District Lots 4406, 4405, 4404, 4403, 4402, those parts of DL's 2093 and 2094 shown on Plan A137; those parts of DL's 3400, 3760, 1072 Pcl D of DL 2893 1072 (ex EPP38279) shown on Plan A67 and that part of DL 4407 shown on CG Plan 96; Pcl A DL 3698 Plan A151; that part of DL 4411 shown on CG 100; those portions of DL 3699 shown on Plan A139 all of ODYD, containing 110.4 hectares, more or less

Purpose:

To renew tenure over the section Kettle Valley Rail right-of-way connecting the trail between Osprey Lake and Faulder.

Reference:

Parcel Map

Business Plan Objective:

Goal 3.1 To Develop a Socially Sustainable Region

Objective 3.1.4: By providing public recreational opportunities

Background:

The 2011 Regional Trails Master Plan identified acquiring tenure over the Kettle Valley Railway as an on-going priority to connect the communities of the region with off highway recreational corridors. The Licence of Occupation would grant the RDOS the ability complete works to improve and maintain the trail for public use. An extensive trail network provides benefits to the public

health, social, tourism and economic sectors by connecting people and communities through linear corridors for commuting or recreational uses.

This section of the KVR Trail is a highly desired connection between Osprey Lake to Faulder, which is a large connection comprising of approximately 110 hectares of trail network and approximately North of Princeton and West of Summerland. Currently, the RDOS manages over 230 km of trails within its boundaries, with this length of trail being an approximately 39km of linear corridor that runs adjacent to Princeton Summerland Road.

Analysis:

The Regional District of Okanagan – Similkameen began management over this section of KVR right-of-way in November 2019 on a one year term which is due to expire November 2020. In November 2019 the expiring licence of occupation was given on a one year term in order to expediate the process of gaining management over the trail corridor, however, a licence of occupation renewal will be granted if approved by the Province for a period of ten to thirty years.

This section of KVR trail is adjoined to further KVR parcels under differing tenure conditions that extend East to Summerland and West towards Princeton, providing a continuous connection between communities. Renewing this approximately 39km connection of trail from Osprey Lake to Faulder would provide an off highway connection for recreationalists. Potential future works to be completed on the trail will include trail maintenance, signage installation, invasive plant removal, & access control.

Alternatives:

That the Board does not endorse the application to the Province of British Columbia for a Licence of Occupation renewal at this time. This would prevent the Regional District of Okanagan-Similkameen from managing and maintaining trail infrastructure.

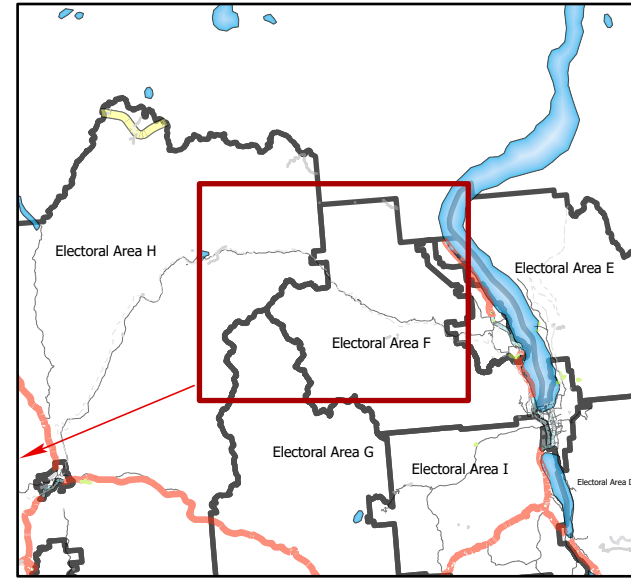
Respectfully submitted:

Apollo Figueiredo

A. Figueiredo, Planner, Community Services






Earthstar Geographics

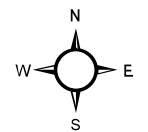


Regional District of Okanagan-Similkameen

KVR Trail Faulder to Osprey Lake

Legend

-  Subject Parcels
-  World Imagery
-  Low Resolution 15m Imagery



Projection: NAD83
 Scale: 1:139,000
 Cartographer: Ryan Periana
 date: 2020-11-02

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Bylaw 2919 – Area “C” Community Works (Gas Tax) Reserve Expenditure
Bylaw

Administrative Recommendation:

THAT

Bylaw No. 2919, 2020, Electoral Area “C” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$5,000 to fund the extension of ductwork to increase heating efficiencies at the Willowbrook Fire Hall be given first, second, & third reading and adopted.

Reference:

Bylaw 2402, 2006 - Regional District Okanagan-Similkameen Electoral Area “C” Community Works (Gas Tax) Reserve Fund Establishment Bylaw.

Bylaw 2919, 2020 Electoral Area “C” Community Works (Gas Tax) Reserve Expenditure.

Background:

In 2018, the Willowbrook Fire Hall installed a new energy efficient heating system. Subsequently, it was determined that the current ductwork was not adequate to efficiently maintain a consistent temperature in the truck bays. The current system blows warm air at one end of the bay only so it is difficult to maintain the necessary temperature for essential equipment located at the opposite end of the truck bay. Extended ductwork would provide more efficient heating of the space and lower heating costs.

Analysis:

This project meets the criteria as set out for the Community Works Gas Tax Program as it is creating energy efficiencies.

After deducting the expenditures already committed in 2020, the balance in the Area "C" Community Works (Gas Tax) Reserve Fund is \$1,024,759.58

Alternatives:

Status Quo – Ductwork is not extended.

Respectfully submitted:

"Jim Zaffino, Manager of Finance"

J. Zaffino, Manager of Finance

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2919, 2020

A bylaw to authorize the expenditure of monies from the Electoral Area 'C' Community Works (Gas Tax) Reserve Fund to extend heating ductwork at the Willowbrook Fire Hall

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 'Electoral Area 'C' Community Works (Gas Tax) Reserve Fund' has sufficient monies available for community 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 "Electoral Area 'C' Community Works (Gas Tax) Reserve Fund Expenditure Bylaw No. 2919, 2020"

2. The expenditure of \$5,000 from the Electoral Area 'C' Community Works (Gas Tax) Reserve Fund is hereby authorized to extend heating ductwork at the Willowbrook Fire Hall

READ A FIRST, SECOND, AND THIRD TIME this ___ day of ___, 2020

ADOPTED this ___ day of ___, 2020

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Board Policy Review

Administrative Recommendation:

THAT the Board of Directors adopt the amended “Fleet Acquisition, Replacement and Disposal Policy”, and the amended “Exempt Employee Performance Planning and Review Policy”; and,

THAT the Board of Directors adopt the “Public Complaint Resolution” and the “Official Recognition” policies; and further,

THAT the Board of Directors rescind the “Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits”, the “Anti-Idling for RDOS Fleet Vehicles” and the “Proclamation” policies.

Purpose:

To ensure Regional District policies are relevant and reflect current practice.

Reference:

Regional District of Okanagan-Similkameen Policy Manual (<https://www.rdos.bc.ca/regional-government/board-policies/>)

Fleet Acquisition, Replacement and Disposal Policy (to amend)

Exempt Employee Performance Planning and Review Policy (to amend)

Official Recognition Policy (to adopt)

Public Complaints Resolution Policy (to adopt)

Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits Policy (to rescind)

Anti-Idling for RDOS Fleet Vehicles Policy (to rescind)

Proclamation Policy (to rescind)

Business Plan Objective:

Goal 2.2 of the RDOS Corporate Action Plan is to meet public needs through continuous improvement of key services. One of the objectives of this goal is achieved by ensuring policies are current and reflect the priorities of the Board of Directors.

Analysis:

At the October 15, 2020 Corporate Services Committee meeting, the Board reviewed the above noted policies.

The policies contained in this report include:

- Fleet Acquisition, Replacement and Disposal Policy (to amend)
 - o Adding additional scoring criteria related to fuel efficiency and vehicle emissions; requirement for a business case to keep a vehicle in RDOS fleet beyond 12 years.
- Exempt Employee Performance Planning and Review Policy (to amend)
 - o Removes references to “Senior” management, performance rewards, and weighted corporate objective in annual business plan.
- Official Recognition Policy (to adopt)
 - o Establishes guidelines for occasions when an official recognition of an event by the Regional District is appropriate.
- Public Complaint Resolution (to adopt)
 - o Provides a fair complaint procedure for complaints raised by members of the public regarding program and service delivery.
- Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits Policy (to rescind)
 - o Serves no purpose as enforcement is the usual course of action if a variance has been denied.
- Anti-Idling for RDOS Fleet Vehicles Policy (to rescind)
 - o Better classified as an Administrative Directive to staff
- Proclamation Policy (to rescind)
 - o Incorporated into the Official Recognition Policy and therefore redundant.

Alternatives:

1. THAT the following policies be rescinded:
2. THAT the following policies be retained:

Communication Strategy:

The Board Policy Index on the RDOS website is updated as policies are adopted, revised or rescinded.

Respectfully submitted:

Endorsed by:

“Gillian Cramm”

G. Cramm, Legislative Services Coordinator

C. Malden, Manager of Legislative Services

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

POLICY: Fleet Acquisition, Replacement and Disposal Policy

AUTHORITY: Board Resolution dated August 4, 2016.

POLICY STATEMENT

The acquisition, replacement and disposal of Regional District fleet vehicles will be undertaken in an efficient and cost effective manner that minimizes greenhouse gas emissions and maximizes life-cycle economics while taking into account the individual services' current and future needs.

PURPOSE

To establish the method and criteria for procurement and subsequent disposal of the safest, most fuel efficient vehicles that meet department needs. Vehicle acquisitions will seek to optimize the fleet size, support climate action initiatives by minimizing the environmental impact of owning and operating vehicles and provide the best overall value for the Regional District. Vehicle disposals will be done in a fair, transparent manner that maximizes value.

DEFINITIONS

RDOS – Regional District of Okanagan Similkameen

Fleet vehicles– all vehicles, except specialized Emergency response vehicles, owned by the RDOS

Green Alternative vehicles – vehicles that emit low or zero emissions; typically powered by fuels other than gasoline or diesel

Right sizing – vehicles purchased to meet the average or usual anticipated use of the vehicle.

RESPONSIBILITIES

Department managers will assess operational needs and identify any new or replacement vehicle requests during the annual budget process.

The Board will consider each request for new/replacement vehicles during the annual budget process.

The Board will be notified of any unanticipated, “emergency” replacements as they occur throughout the year. The Board will consider each emergency replacement as they occur.

PROCEDURES

Department managers will ensure right sizing of vehicle purchases. Some items to be considered when determining a vehicle to meet right sizing are:

- a) Engine size
- b) Vehicle weight
- c) Average carrying capacity (if applicable)
- d) Average passenger capacity
- e) Average terrain (all wheel drive/four wheel drive requirements)
- f) Acceptable safety equipment

When more than one type of vehicle make and/or model is suitable to meet right sizing, life cycle costs including capital costs, maintenance costs, fuel costs and resale value should be considered. **Refer to Life Cycle Costing Matrix.**

The lowest GHG emission fuel possible should be purchased for all fleet vehicles. Green alternative vehicles should be selected whenever operationally suitable.

Use the Canadian Fuel Consumption Guide provided by Natural Resources Canada to review efficiency and GHG emissions. The yearly cost of the vehicle can also be found here for life cycle costing.

All fleet vehicles will be standardized in color. All fleet vehicles will be outfitted with the appropriate RDOS logo decals.

Department managers will work collaboratively with other departments requiring vehicles to solicit the most desirable quote from prospective vendors and ensure purchasing policy requirements are met for any vehicle acquisition.

Replacement vehicles reaching the service life replacement trigger points, will be assessed using the "Vehicle Replacement Guide Scoring Sheet" (see attached). The scoring sheet will accompany any subsequent budget requests.

Due to safety and GHG concerns, after 12 yrs. all vehicles will be removed from service unless a business case can be made to preserve them.

The RDOS will only make urgent "safety related" repairs immediately prior to disposition of any vehicle.

Department managers will ensure vehicles under their authority maintain a preventative maintenance program to maximize useful life.

Disposal of any vehicle will seek to maximize value to the RDOS.

Methods of disposal include; internal reassignment between services at an agreed upon fair market value, trade-in and offer for sale to public. If a vehicle is deemed obsolete or unsafe for resale, it will be sold when possible, for scrap metal.

Disposals will not be made to RDOS employees or Board Members without written consent from the Chief Administrative Officer.

Related Links:

<https://www.nrcan.gc.ca/energy-efficiency/energy-efficiency-transportation/2019-fuel-consumption-guide/21002>

http://www.greeningtheblue.org/sites/default/files/UNSP_Product%20Sheet_Vehicles_basic%20and%20advanced_all%20regions.pdf

<https://toolkit.bc.ca/tool/life-cycle-costing>

RDOS VEHICLE REPLACEMENT GUIDELINE SCORING SHEET

Inspection date: _____

Unit number: _____ VIN: _____

Vehicle Make/Model: _____ In-service date: _____

Kilometers or Hours: _____

Dept. Assigned to: _____

FACTOR	DESCRIPTION		POINTS
Age	One point for every year of service from manufacture date		
Mileage	One point for every 20,000 kms.		
Type of Service	1 to 5 points based on type of service		
	Constant Heavy Use (e.g. Utilities)	5 Points	
	Occasional Heavy Use (e.g. Parks)	4 Points	
	Medium Use (e.g. Inspections)	3 Points	
	Light Use (e.g. Landfills)	2 Points	
	Administrative Use (e.g. Pool Vehicles)	1 Points	
Reliability	Frequency of Repairs (in addition to regular preventative)		
	Pending major repairs	10 Points	
	In shop once per month	8 Points	
	In shop every 2 months	6 Points	
	In shop every 4 months	4 Points	
	In shop every 6 months	2 Points	
Condition	General Exterior Appearance Integrity of Interior Rust, Dents etc.	Good	1 Point
		Fair	3 Points
		Poor	5 Points
Deduction	Deduct 5 Points if vehicle is still under manufacturer's warranty		
Efficiency	Vehicle Fuel Efficiency (Based off U.N. Sustainability Guidelines) Adjust Annually.	≤5 l/100km	0 points
		6 ≤ x < 5 l/100km	2 points
		8 ≤ x < 6 l/100km	4 points
		10 ≤ x < 8 l/100km	6 points
		>10 l/100km	8 points
Emissions	1 point for each 10% over the current model year emissions output for the same vehicle or equivalent	Ex. 1 point= 10% Ex. 2 point= 20% Ex. 3 point= 30%	
TOTAL POINTS			

Points Ratings	Under 20	Condition 1	Excellent
	20 to 25	Condition 2	Good
	26 to 30	Condition 3	Fair
	31 to 35	Condition 4	Poor (consider replacement)
	Over 35	Condition 5	Replace

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

POLICY: Exempt Employee Performance Planning and Review

AUTHORITY: Board Resolution dated July 2, 2015.

POLICY STATEMENT

It is a policy of the Regional District of Okanagan-Similkameen that, in order to achieve the Board's goals and objectives, the Board shall develop a framework and implement a system to assess the performance, provide adequate compensation and incent superior performance of the Officers and Managers of the RDOS annually.

PURPOSE

1. To provide a link between Board expectations and the performance of Officers, Managers and Confidential Employees at the Regional District of Okanagan Similkameen (the "RDOS").
2. To ensure the Board has the opportunity to make informed decisions on the provision of adequate base compensation to secure and retain the services of exempt employees with the skills, abilities and competencies necessary to achieve the goals of the RDOS.
- ~~3. To establish a process to link compensation to performance and provide an objective basis for recognizing and rewarding superior performance.~~
- 4.3. To focus management performance on achieving the Corporate Business Plan.
- ~~5.4.~~4. To facilitate coordination and teamwork among the organization's senior management team.

DEFINITIONS

1. "Administrative Support" means human and financial resources provided by the CAO to carry out a function in support of the RDOS Board or its Committees.
2. "Board" means the Board of Directors for the Regional District of Okanagan Similkameen.
3. "CAO" means the Chief Administrative Officer of the Regional District of Okanagan Similkameen, duly appointed by resolution or bylaw of the Board of Directors, and holding the designations under s. 197, 198 and 199 of the Local Government Act.
4. "CFO" means the person appointed as Chief Financial Officer by the CAO and delegated the responsibility of s. 199 of the Local Government Act.
5. "Chair" means the person elected as Chairperson of the Board of Directors for the Regional District of Okanagan Similkameen by his peers on the Board.
6. "Committee" means a standing, select or ad hoc committee of the Regional District of Okanagan Similkameen.

-
7. "Exempt Employees" mean all those employees of the Regional District of Okanagan Similkameen excluded from the Union, including those in Officer, Manager and Confidential positions.
 8. "Governance" means the process of exercising corporate leadership by the policy-making authority on behalf of the organization as a whole in terms of its purpose, control, and future.
 9. "Manager of Legislative Services" means the person delegated the responsibility of s. 198 (Corporate Officer) of the Local Government Act by the CAO.
 10. "Member" means an individual member of the Board of Directors.
 11. "RDOS" means the Regional District of Okanagan Similkameen.
 12. "~~Senior~~ Management Team" means the ~~Senior~~ Management Team for the Regional District of Okanagan Similkameen, as appointed by the CAO.
 13. Whenever the singular, masculine or feminine is used in this Policy it shall be interpreted as if the plural, feminine or masculine has been used where the context so requires.

RESPONSIBILITIES

The Board shall:

1. Govern the RDOS consistent with its Legislation, Bylaws, Mission Statement, Values and Budget.
2. Adopt an Annual Business Plan, ~~including weighted corporate objectives.~~
3. Annually budget an aggregate amount for salary increases and performance rewards for the Exempt Employee Group.
4. On an annual basis, review compensation for Exempt Employees at Budget committee and authorize the CAO to increase salaries for exempt employees based on year-over-year adjustments to the BC Cost of Living Index.
5. Annually review a Corporate Services Committee Report on the performance of the CAO based on achievements against the annual Business Plan (80%) and personal performance (20%).
6. Maintain possession of this policy and any amendments thereto shall be made by resolution of the Board.

Individual Board Members shall:

7. Participate in the annual electronic performance evaluation of the CAO.

The Corporate Services Committee shall:

8. Administer the Exempt Employee Performance Planning and Review Policy and recommend amendments to the Board, if any.
9. When required, review the base compensation paid to Exempt Staff, informed by a market survey of benchmarked positions and submit a recommendation to the Board for the subsequent year's base pay.
10. Annually review a consolidated performance evaluation for the CAO based on achievements against the annual Business Plan (80%) and personal performance (20%).

The CAO shall:

11. Within Budget, establish rates of pay for the Exempt Group.
12. Present a Business Plan to the Board by December 31st of each year setting out the objectives for the subsequent year to achieve the strategic goals, ~~prioritized and weighted.~~
13. Present an assessment of the corporate performance against the Business Plan to the Corporate Services Committee in January of the subsequent year, which shall be integral to the performance evaluation calculation.
14. Evaluate the performance of the ~~Senior~~ Management Team against their duties ~~and award a performance reward to the Senior Management Team, if warranted, assessed on their success on corporate (70%) and personal (30%) objectives.~~
15. Ensure that all exempt employees receive a formal annual performance review.
16. Assign administrative support to the Corporate Services Committee for the review of survey results and undertake any instructions therefrom to address threats or opportunities identified.

EVALUATION CRITERIA:

1. The Chief Administrative Officer holds a strategic leadership position within the organization and the CAO Performance Planning and Review Process will address the competencies of critical importance to the success of the Regional District of Okanagan Similkameen:
 - **Communicates Clearly:** Listens to others, provides clear translation between the Board and staff, presents well at all levels and in all mediums.
 - **Leadership:** Supports the Board in maintaining a strategic focus in the organization, assisting and supporting the Board in maintaining operational readiness;
 - **Organizational Development:** Evaluates the CAO's performance on his ability to develop and lead a high performance team;

-
- **Systems Thinking:** Understands the big picture and forms linkages between strategy and action. Can grasp complexities and identify policy and priority contradictions;
 - **Nurtures Relationships:** Builds trust and respect with others and moves towards win/win situations;
 - **Understands Political Sensitivities:** Understands governance responsibilities and can bridge the political/administrative interface. Ensures implementation of the Board's decisions.

PROCEDURES

The Corporate Services Committee shall:

1. November - Review the profile and the competencies required for the CAO position as a basis for the annual CAO Evaluation Survey by the Board.
2. November - Develop an ~~electronic~~ survey tool to allow the Board Members to measure the CAO's success against the profile and competencies for the position. Administrative Support shall be provided by the Manager of Human Resources.
3. December - Survey all Board Members.
4. January - Review a report from the CAO on the corporate performance against the previous year's annual business plan and develop a point-rating for the corporate component of the CAO Performance Evaluation.
5. January - Review the results of the Board Evaluation of the CAO Survey, both quantitative and qualitative, in-camera. This survey shall be non-attributable and the CAO shall be invited to participate in the review at Committee.
6. Information obtained or disclosed during the evaluation process shall be confidential to the Board and the CAO and will not be used or disclosed except as defined per the Policy.

CAO Evaluation by Employees:

7. December – The HR Manager will develop and distribute an electronic survey to allow Employees to evaluate the performance of the CAO. The survey should be designed with questions that could be responded to fairly by employees to be used to assist the Corporate Services Committee in their assessment of the CAO's personal performance.
8. This survey shall be non-attributable.
9. January - Results of the Survey, both quantitative and qualitative, shall be provided to the Corporate Services Committee.
10. The CAO shall be invited to participate in the review at Committee.

-
11. Information obtained or disclosed during the evaluation process shall be confidential to the Board and will not be used or disclosed except as defined per the Policy.

CAO Base Compensation

12. It is a priority of the Board to remain competitive with their compensation practices in order to attract and retain competent employees.
13. January - the Corporate Services Committee shall obtain a report from the Manager of Human Resources on CAO Compensation. Every 3rd year, the HR Manager shall produce a report that compares remuneration of similar positions to the CAO across a broad range of organizations as a foundation for their analysis of the CAO salary and to determine if adjustment to the range is required.

CAO Performance:

14. The CAO shall provide the Corporate Services Committee with the following information to assist with the performance evaluation:
- a. The Business Plan; quantitative results
 - b. A Self-Assessment
 - c. The Job Description for the position
 - d. The Employee Survey Results
 - e. The Board Evaluation Results

The CAO shall:

15. Conduct performance evaluations on the members of the ~~senior~~ management team annually ~~and issue performance rewards to the Senior Management Team, excluding the CAO, based on performance judged to be superior for that calendar year.~~
16. The CAO shall brief the Corporate Services Committee on the results of the annual ~~Senior~~ Management Team performance evaluations ~~and performance rewards.~~

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

POLICY: Public Complaint Resolution

AUTHORITY: Board Resolution dated _____

POLICY STATEMENT

The Regional District shall provide a timely and fair response to complaints. Complaints shall be viewed as an opportunity to improve program service delivery. Any person making a complaint shall be provided the opportunity to do so, free from actual or threatened negative consequences regardless of what the complaint is regarding, who it is direct to, or the eventual outcome.

PURPOSE

The purpose of the Public Complaint Resolution Policy is to promptly and effectively address program and service delivery concerns raised by members of the public. The policy will assist to provide excellent service to the public and contribute to the continuous improvement of Regional District operations. The Regional District of Okanagan-Similkameen strives to increase customer satisfaction by:

- providing a fair complaint procedure which is clear and easy to use for anyone wishing to make a complaint;
- providing a timely and reasonable response to complaints; and
- using complaints as an opportunity to improve program and service delivery issues.

This policy does not address complaints regarding non-Regional District services, issues addressed by legislation, a decision of the Board, internal employee complaints or matters that are handled by tribunals, courts of law, and quasi-judicial boards.

DEFINITIONS

“Board” means the Board of the Regional District of Okanagan-Similkameen

“CAO” means Chief Administrative Officer of the Regional District of Okanagan-Similkameen

“Chair” means the person elected as Chairperson of the Board of Directors for the Regional District of Okanagan-Similkameen

“Director” means an elected or appointed Director of the Regional District of Okanagan-Similkameen, an appointee to a board, committee, commission, plan, task force or other body of the Regional District of Okanagan-Similkameen

“Investigator” means the CAO or designated department manager tasked with conducting an investigation into the complaint

“Regional District” means the Regional District of Okanagan-Similkameen

COMPLAINT DEFINITION

A complaint is an expression of dissatisfaction with respect to a contradiction in policies or procedures related to Regional District programs, services, facilities or staff members, where a member of the public believes that the Regional District has not provided a service experience to the customer's satisfaction at the point of service delivery and where a response or resolution is expected.

A complaint is distinct from:

- A request for service made on behalf of a citizen for a specific service,
- A general enquiry or specific request for information regarding Regional District services
- An opinion or feedback, comment, or expression of interest in a program or service processes
- A suggestion or idea submitted by a customer with the aim of improving services, programs or processes

In order to resolve a complaint, the Regional District requires the complainant's personal information including name and contact information. Therefore, anonymous complaints cannot be addressed.

APPLICATION

All employees, Directors and committee members should have a clear understanding the Complaint Administration Procedure.

COMPLAINT ADMINISTRATION PROCEDURE

A. Frontline Resolution

The complainant should attempt to resolve concerns by dealing with the applicable Regional District employee or immediate supervisor directly involved with the issue, where appropriate.

Regional District employees have a responsibility to attempt to resolve an issue or concern before it becomes a complaint and to identify opportunities to improve Regional District services where deficiencies are noted.

B. Complaints

If a complainant does not consider their matter was not resolved through a frontline resolution, a formal complaint may be submitted to the CAO on the Regional District of Okanagan-Similkameen Complaint Form (Appendix A). All information, including name and contact information, must be complete to initiate an internal investigation.

Administration

The CAO, or designate, shall log the complaint within the 'Complaint Registry', assign a tracking number and acknowledge receipt of the complaint within 4 business days.

During this phase, the CAO or designate shall:

- a. Contact the complainant, acknowledging receipt of the complaint, and provide a tracking number for reference purposes.
- b. If needed, clarify the complaint with the complainant obtaining additional detail.
- c. If appropriate, transfer complaint to the Manager of the appropriate department. In the case of a complaint regarding the CAO, the complaint shall be transferred to the Chair.

Investigation

The Manager, or designate, of the applicable department and CAO, or designate, shall conduct an investigation into the nature of the complaint.

If a complaint is made against the CAO, the Chair shall conduct the investigation or designate a solicitor, or other qualified individual at arms-length of the regional district.

The designated investigator shall review the issues identified by the complainant, and in so doing they may:

- Review relevant regional, provincial or federal legislation
- Review Regional District policies, procedures and any existing file documents
- Interview employees or members of the public involved in the issue(s)
- Identify actions that may be taken to address the complaint or to improve Regional District operations
- Provide a resolution report to the CAO or Chair

Decision

Within thirty (30) calendar days of receipt of the complaint, the designated investigator shall make a determination as to the validity of the complaint (determine that the complaint was valid, not valid, valid in part, vexatious, or unfounded). The designated investigator shall recommend an appropriate resolution which may include initiating changes to procedure, initiating the progressive disciplinary process or any other suitable resolution as may be appropriate in the circumstances.

A written response shall be provided to the complainant and shall include whether or not the complaint was substantiated with reasons for the decision and any actions the regional district has or will take as a result. Details of the information provided may include the following where appropriate:

- Overview of complaint
- Detail of how the investigation was conducted
- Summary of the facts
- Outline of the findings
- Identification of next steps
- Suggestions of appropriate resolution along with the rationale supporting the proposed resolution

If the complaint is complex, the response provided may identify a need for additional time. Justification and an estimated timeline will be provided within this correspondence.

The decision shall be considered final. There are no appeal mechanisms at the Regional District level. If the complainant is dissatisfied with the response, they are invited to contact the Ombudsperson's office.

C. Records Management & Personal Information

A copy of the complaint and response shall be maintained in accordance with the Records Retention Policy.

The Regional District will adhere to all applicable legislation regarding privacy in accordance with the *Freedom of Information and Protection of Privacy Act*. All complaint records will be kept securely and in accordance with corporate policy and legislative responsibilities.

Personal information on the complaint is treated as confidential to protect the privacy of the complainant. However, complainants should be aware that certain circumstances may indirectly identify them during an investigation.

RETRIBUTION

Allegations of retribution or threat of retribution against a complainant or anyone cooperating with an investigation under this policy shall be investigated in accordance with current Code of Ethics, Code of Conduct, and Harassment and Bullying and Discrimination policies.

REFERENCE

- Ombudsperson Act, RSBC 1996
- Freedom of Information and Protection of Privacy Act, RSBC 1996
- Records Management Policy
- Code of Conduct Policy
- Code of Ethics Policy
- Harassment and Bullying Policy
- Discrimination Policy

Appendix A

Public Complaint Form
CONFIDENTIAL

Date:	
Name: (Please Print)	
Contact Information: (Phone number and email address)	
Date of Incident: (if applicable)	
Name of RDOS Representative and Department with whom you were dealing with (if known and if applicable)	
Complaint:	

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

POLICY: Official Recognition Policy

AUTHORITY: Board Resolution dated _____.

POLICY STATEMENT

PURPOSE

The purpose of the policy is to establish guidelines and ensure that occasions of Official Recognition are handled in a consistent and appropriate manner.

PROCEDURES

Display of Flags:

The National Flag of Canada, the flag of British Columbia and the flag of the Regional District shall be displayed in accordance with Government of Canada Rules for flying the National Flag of Canada, and the Province of British Columbia Flag Protocol. The following shall be adhered to:

- All flags should be in good condition and should never touch the ground when being raised, lowered or removed.
- Where there is only one flag pole, the National Flag of Canada shall be flown.
- When two flags are displayed, both flags are to be flown on separate poles and are to be flown at the same height.
- Placement of flags to an observer facing the flags, the position of the honoured flag shall be on the left. For example, when the Canadian flag and the B.C. flag are flown together, the Canadian flag is positioned on the left and the B.C. on the right.
- When three flags are displayed, the position of the honoured flag is in the centre. To an observer facing the display, the second-ranking flag (in order of precedence) is placed to the left of centre and the other to the right. For example, when the Canadian flag, B.C. flag and the Regional District of Okanagan-Similkameen (RDOS) flag are flown together, the B.C. flag is on the left, the Canadian flag is in the middle and the RDOS flag is on the right.

Half-Masting:

Flying of flags at half-mast represents a period of official mourning or commemoration. When lowering to half-mast, the flag should be raised fully to the top of the flagpole, then lowered immediately to the half-mast position.

If more than one flag is being flown, then all flags must be half-masted. Half-masting is to occur from the time of notification of death until sunset on the day of the funeral, on the following occasions:

Federal
Death of the current Sovereign, the current or former Governor General or the current or former Prime Minister
Death of a Member of the House of Commons that represents a riding within the Regional District of Okanagan-Similkameen.

Provincial
Death of the current or former Lieutenant Governor or current or former Premier of British Columbia
Death of a Member of the Legislative Assembly that represents a riding within the Regional District of Okanagan-Similkameen

Regional
Current Board Member
Current First Nations Leader within the Regional District of Okanagan-Similkameen boundaries
Current Regional District of Okanagan-Similkameen employee

Special Days	
April 28	Day of Mourning (Workers)

On the death of a person, or an event, the Chief Administrative Officer, in consultation with the Chair, shall have the authority to bestow this honour on behalf of the Regional District of Okanagan-Similkameen

Should half-masting need to commence on a weekend or statutory holiday, flags will be lowered on the Friday evening prior to the half-masting date and raised again on the morning of the next business day.

Expressions of Condolence and Moments of Silence

The RDOS Board may from time to time observe a brief period of silence in commemoration of solemn occasions. If a member wishes the Board to observe a moment of silence during a meeting, the member must consult with the Chair and/or Vice-Chair prior to the meeting. If approved, during the meeting, the Chair will introduce the moment of silence for the occasion during the meeting outlining that prior consultation has occurred and that the moment of silence has been agreed upon for the occasion.

Instances may include:

- Death of a current or former Board member
- Death of a current or former alternate Director
- Death of local Indian Band Chief or councillor
- Death of mayor or councillor from a member municipality
- Death of school district trustee
- Death of current or former employee
- Tragic incident in the community, province or country

Acknowledgement of Community Members

Electoral Area

An Electoral Area Director may recognize the contributions made by a member of their community. A Certificate of Recognition or Appreciation may be signed by the Electoral Area Director in recognition of their contributions. The Electoral Area Director may elect to purchase, from their contingency budget, an award for the member of the community in recognition of outstanding service. Any award may be considered a taxable benefit for the recipient.

Regional Area

In consultation with the Chair, an Electoral Area Director may recognize the contributions to the Regional area made by a member of their community. A Certificate of Recognition or Appreciation may be signed by both the Chair and the Electoral Area Director. The Electoral Area Director may elect to purchase an award for the member of the community in recognition of outstanding service. Any award may be considered a taxable benefit for the recipient.

Elections and Appointments

When a Prime Minister or Premiere has been elected, the Chair on behalf of the Board of Directors of the Regional District of Okanagan-Similkameen shall provide a letter of Recognition to the new elected official.

Upon appointment to the Ministry of Municipal Affairs, the Chair on behalf of the Board of Directors of the Regional District of Okanagan-Similkameen shall provide a letter of Recognition to the newly appointed minister.

Upon election as Chief or Councillor of Penticton Indian Band, Osoyoos Indian Band, Lower Similkameen Indian Band, Upper Similkameen Indian Band or Chair of the Okanagan Nation Alliance, the Chair on behalf of the Board of Directors of the Regional District of Okanagan-Similkameen shall provide a letter of Recognition.

Volunteer Acknowledgement

All volunteers shall be invited and acknowledged at a year end reception, hosted by the RDOS.

Proclamations

All requests for the issuance of proclamations will be referred to the Manager of Legislative Services to acknowledge the request and advise the requesting individual or organization that the Regional District declines to issue proclamations in accordance with Board Policy.

The Regional District does not have any statutory authority in accordance with the Local Government Act or the Community Charter for the issuance of proclamations.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

P O L I C Y

POLICY NO: P4020-00.05

Page 1 of 1

SUBJECT: BYLAW ENFORCEMENT – PRE-EXISTING NON-COMPLIANT BUILDINGS, STRUCTURES, OR THINGS THAT HAVE BEEN DENIED VARIANCE PERMITS

Effective Date
June 19, 2008

Amendment

Board Resolution
B256/08

Administered By
Development Services

BACKGROUND

The Local Government Act, Section 266:

- Authorizes Regional Districts to make bylaws for the purpose of enforcing the bylaws of the Regional District.

RDOS Enforcement Bylaw No. 708:

- States that contravening RDOS bylaws is a punishable offense subject to the regulations set out in the relevant bylaw.

Land use bylaw enforcement is currently undertaken upon written complaint, unless directed otherwise by the RDOS Board.

POLICY

That staff are directed to proceed immediately with enforcement upon denial of Variance Permits for pre-existing non-compliant buildings, structures, or things in the context of the applicable land use bylaw and its regulations.

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

POLICY: Anti-Idling for RDOS Fleet Vehicles

AUTHORITY: Board Resolution No. B201/07 dated April 19, 2015.
Administrative Review July 14, 2015

POLICY STATEMENT

The Regional District of Okanagan-Similkameen (RDOS) endeavours to build a sustainable community through environmental stewardship.

PURPOSE

The RDOS is committed to reduce unnecessary vehicle idling as a means of reducing air pollution, harmful greenhouse gas emissions and fuel expense.

DEFINITIONS

“Idle” means the state in which vehicle engine is running but is not in gear.

“Operator” means any Regional District employee or Director that operates a Regional District vehicle.

PROCEDURES

No operator of an RDOS fleet vehicle shall permit the engine of that vehicle to idle for more than three (3) consecutive minutes except as provided in under the “Exemptions” listed below.

Exemptions:

This policy shall not apply when:

- a) A vehicle is forced to remain motionless because of traffic;
- b) The primary propulsion engine of a vehicle is providing a power source necessary for operations other than propulsion;
- c) The primary propulsion engine of a vehicle is being operated at idle to conform to manufacturers warm up and cool down specifications, for maintenance or diagnostic purposes, or by manufacturer’s engaging the engines in testing for research and development.

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

POLICY: Proclamation Policy

AUTHORITY: Board Resolution dated July 16, 2015.

POLICY STATEMENT

A proclamation is a public or official announcement made by declaration of a public body. The Regional District of Okanagan-Similkameen does not have any statutory authority in accordance with the *Local Government Act* or the *Community Charter* for the issuance of proclamations.

PURPOSE

To provide direction that formalizes the resolution of the Board on handling proclamation requests and to eliminate unnecessary administration of proclamations where the Regional District of Okanagan-Similkameen has no statutory authority.

The Board of Directors may lend political support to community causes, organizations, and events by means other than proclamations.

PROCEDURES

All requests for the issuance of proclamations will be referred to the Manager of Legislative Services to acknowledge the request and advise the requesting individual or organization that the Regional District of Okanagan-Similkameen declines to issue proclamations in accordance with Board policy.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Intent to Acquire Sickle Point for Parkland

Administrative Recommendation:

THAT Bylaw No. 2914, 2020, being a bylaw of the Regional District of Okanagan Similkameen to amend Kaleden Recreation Programming and Facility Maintenance Service Establishment Bylaw 1554, 1994 to increase the requisition limit be given 1st, 2nd and 3rd readings;

THAT the Director for Electoral Area "I" consent to the adoption of Bylaw No. 2914, 2020;

THAT Bylaw No. 2914, 2020 be forwarded to the Inspector of Municipalities for approval;

THAT Bylaw No. 2915, 2020, being a bylaw of the Regional District of Okanagan Similkameen to authorize the long-term borrowing of not more than \$3,500,000 for the purchase of Lot A, Plan KAP55255, DL 1035, Land District 54, commonly known as Sickle Point, be given 1st, 2nd and 3rd Readings and be forwarded to the Inspector of Municipalities for approval;

THAT upon approval of the Inspector, participating area approval for Bylaw No. 2915, 2020 be obtained from the electorate within the Kaleden Recreation Programming and Facility Maintenance Service through an alternative approval process (AAP) in accordance with the *Local Government Act*;

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2915, 2020 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday February 8, 2021;

THAT the elector response form attached to the report dated November 19, 2020 be the approved form for Bylaw No. 2915, 2020 alternative approval process;

THAT the total number of eligible electors to which the alternative approval process applies is 1816;

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 182.

Reference:

Bylaw No. 2914, 2020,
 Bylaw No. 2915, 2020

Background:

Sickle Point is a waterfront parcel approximately 4.8 acres in size located in the unincorporated community of Kaleden, in between the KVR on the west and Skaha Lake on the east. It has legal access through an easement along the KVR from Alder Ave.

The property is currently under a court-ordered sale, initiated by Lanyard Investments Inc. against Reum Holdings Ltd. The Kaleden Community Association believes it to be in the public interest to acquire the property as a nature park and have initiated a fundraising program to assist in the purchase. They have requested that the Regional District initiate actions to borrow the remainder.

HM Commercial Group has been retained by Lanyard to market the property and HM advises that they have received a conditional offer that is acceptable to Lanyard, with conditions to be removed by November 26. Lanyard would then have 21 days to have the offer submitted to the Court.

The property has been appraised at \$2.48M and the listed price is \$2.95M.

Analysis:

The Regional District has conversed with Lanyard about submitting an offer based on the appraised value, but conditional on approval by the electors, with a proposed February 2021 closing date. Lanyard has indicated that the offer currently received is acceptable to them, but if conditions are not removed they would be willing to consider the offer from the Regional District.

Elector Approval

Section 345 of the Local Government Act and Section 86 of the Community Charter outline the requirements of the 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
Penticton Herald	Wednesday December 30, 2020; Wednesday January 13, 2021
Penticton Western	Wednesday December 30, 2020; Wednesday January 6, 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 February 8, 2021.

The Regional District does not maintain a voter’s list. The Information Services department has determined the number of eligible electors within the service area to be 1816. 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.

Alternatives:

1. Make an offer to purchase Sickie Point, conditional on approval of the electorate in the Kaleden Parks & Recreation Service.
2. Should the offer not be accepted, but approval of the electorate is approved, pursue the property through expropriation.

Communication Strategy:

Staff will be developing a communication plan that includes, but is not limited to, the following public engagement initiatives:

1. This purchase is supported by the Kaleden Community Association and they will be a strong advocacy group within the Kaleden Parks and Recreation Service Area during the consultation process.
2. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, many residents refer to online community publications. To ensure optimal coverage, the Regional District will also advertise the AAP in Skaha Matters as well as the RDOS Facebook and Twitter social media sites.
3. A data sheet containing the details of the bylaw and AAP process will be included on the AAP webpage, along with the required forms and bylaws.
4. 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.

Respectfully submitted:

"G. Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

Christy Malden, Manager of Legislative Services

**REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN
BYLAW NO. 2914, 2020**

A bylaw to amend the Kaleden Recreation Programming and Facility Maintenance Local Service Establishment Bylaw No. 1554, 1994.

WHEREAS Bylaw No. 1554, 1994 established the Kaleden Recreation Programming and Facility Maintenance Local Service;

AND WHEREAS the Board of Directors of the Regional District Okanagan-Similkameen wishes to proceed under the *Local Government Act*, to amend the service of recreation programming and facility maintenance;

AND WHEREAS the Board of Directors wishes to increase the requisition limit for the service;

AND WHEREAS the approval of the electors in the service area has been obtained in accordance with the Local Government Act;

NOW THEREFORE the Board of Directors of the Regional District Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

CITATION

1. This bylaw may be cited for all purposes as the "Kaleden Recreation Programming and Facility Maintenance Local Service Establishment Amendment Bylaw No. 2914, 2020".

AMENDMENT OF SERVICE

2. Section 4 of Bylaw No. 1554, 1994 is deleted in its entirety and replaced with the following:

"Cost Recovery Method

As provided in the Local Government Act, 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 of the Local Government Act;
- b) Subject to subsection (2) of Section 378 of the Local Government Act, parcel taxes imposed in accordance with Division 3;
- c) Fees and charges imposed under Section 397;

- d) Revenues raised by other means authorized under Provincial legislation;
- e) Revenues received by way of agreement, enterprise, gift, grant or otherwise."

3. Section 5 of Bylaw No 1554, 1994 is deleted in its entirety and replaced with the following:

"The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$415,463 or \$0.7195 per thousand dollars of net taxable value of land and improvements in the service area."

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

ELECTORAL AREA "I" DIRECTOR CONSENT OBTAINED this ___ day of _____, ____.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this ___ day of _____, ____.

APPROVAL OF THE ELECTORATE OBTAINED this ___ day of ____, ____

ADOPTED this ___ day of _____, ____.

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ___ day of _____, ____.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2915, 2020

A bylaw to authorize the long-term borrowing for the acquisition of parkland within Electoral Area "I" of the Regional District of Okanagan-Similkameen.

WHEREAS pursuant to the *Local Government Act* and the *Community Charter*, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No. 1554, Kaleden Recreation Programming and Facility Maintenance Local Service Establishment Bylaw, a service for the purpose of providing recreation programming and facility maintenance;

AND WHEREAS it is deemed desirable and expedient to purchase a parcel for parkland purposes;

AND WHEREAS the estimated cost of purchasing the parcel, including expenses incidental thereto, is the sum of three million, five hundred thousand dollars (\$3,500,000) of which the sum of three million, five hundred thousand dollars (\$3,500,000) is the maximum amount of debt intended to be borrowed by this bylaw;

AND WHEREAS the maximum term for which a debenture may be issued to secure the debt created by this bylaw is for a term not to exceed twenty five (25) years;

AND WHEREAS the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

AND WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen has obtained the approval of electors in accordance with the *Local Government Act*;

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 Kaleden Parkland Acquisition Loan Authorization Bylaw No. 2915, 2020

2. AUTHORIZATION OF PURCHASE

- 2.1 The Regional of Okanagan Similkameen is hereby empowered and authorized to undertake and carry out or cause to be carried out the purchase of a waterfront parcel serving the Kaleden Recreation Programming and Facility Maintenance Local Service Area generally in accordance with plans on file in the Regional District office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
- 2.2 To borrow upon the credit of the Regional District a sum not more than three million, five hundred thousand dollars (\$3,500,000).
- 2.3 To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the purchase of a waterfront parcel at Sickle Point, legally described as Lot A, Plan KAP55255, DL 1035, Land District 54.

3. TERM OF DEBENTURE

- 3.1 The maximum term for which debentures may be issued to secure debt created by this bylaw is twenty five (25) years.

READ A FIRST, SECOND, AND THIRD TIME this ___ day of ___, 2020

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this ___ day of ___, ___

RECEIVED ASSENT OF THE ELECTOR THIS ___ day of ___, ___

ADOPTED this ___ day of ___, ___

RDOS Board Chair

Corporate Officer



KALEDEN PARKLAND ACQUISITION BYLAW NO. 2915, 2020 Elector Response Form

I am **OPPOSED** to the adoption of Kaleden Parkland Acquisition Loan Authorization Bylaw No. 2915, 2020 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to borrow a sum not more than three million, five hundred thousand dollars (\$3,500,000) to purchase a parcel for parkland purposes at Sickie Point, legally described as Lot A, Plan KAP55255, DL 1035, Land District 54, 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 have resided in, OR have been a registered owner of real property in the Kaleden Recreation Programming and Facility Maintenance Service Area 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. 2915, 2020.

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.



KALEDEN PARKLAND ACQUISITION BYLAW NO. 2915, 2020 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 Kaleden Parkland Acquisition Loan Authorization Bylaw No. 2915, 2020, which, if adopted, will authorize the Regional Board to borrow a sum not more than three million, five hundred thousand dollars (\$3,500,000) to purchase a parcel for parkland purposes at Sickie Point, legally described as Lot A, Plan KAP55255, DL 1035, Land District 54.

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2915, 2020, you can sign an elector response form **if you qualify as an elector of this designated 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 the Regional District. 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 February 8, 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 1816. If ten (10%) percent [182 electors] of the estimated number of electors in the Regional District 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



KALEDEN PARKLAND ACQUISITION LOAN AUTHORIZATION BYLAW No. 2915, 2020

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 Kaleden Recreation Programming and Facility Maintenance Local Service Area of the Regional District for the adoption of Kaleden Parkland Acquisition Loan Authorization Bylaw No. 2915, 2020.

In general terms, the bylaw would authorize the Regional Board to borrow a sum not more than three million, five hundred thousand dollars (\$3,500,000) to purchase a parcel for parkland purposes at Sickle Point, legally described as Lot A, Plan KAP55255, DL 1035, Land District 54.

The alternative approval process applies to qualified electors within the Kaleden Recreation Programming and Facility Maintenance Service Area.

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Kaleden Parkland Acquisition Loan Authorization Bylaw No. 2915, 2020 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within the Kaleden Recreation Programming and Facility Maintenance Service Area 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 1816 and that 10% of that number, or 182 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 February 8, 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 the Kaleden Recreation Programming and Facility Maintenance Service Area for at least 30 days; 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 the Kaleden Recreation Programming and Facility Maintenance Service Area;
- (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 the jurisdiction 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

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 19, 2020

RE: Electoral Area “E” Parkland Acquisition

Administrative Recommendation:

THAT Bylaw No. 2917, 2020 Electoral Area “E” Recreation Programming, Parks and Facility Maintenance Local Service Establishment Amendment Bylaw, being a bylaw to increase the requisition limit for the service, be read a first, second and third time;

THAT the Director for Electoral Area “E” consent to the adoption of Bylaw No. 2917, 2020;

THAT Bylaw No. 2917, 2020 be forwarded to the Inspector of Municipalities for approval;

THAT Bylaw No. 2918, 2020, being a bylaw of the Regional District of Okanagan-Similkameen to authorize the long-term borrowing of not more than \$900,000 for the purchase of 012-287-687, Parcel A(DD 46960F and Plan B3260) Block 135, DL 210, SDYD, Plan 519 in Naramata, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval;

THAT upon approval of the Inspector, participating area approval for Bylaw No. 2918, 2020 be obtained from the electorate within the Electoral Area “E” Recreation Programming, Parks and Facility Maintenance Local Service through an alternative approval process (AAP) in accordance with the Local Government Act;

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2918, 2020 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday February 8, 2021;

THAT the elector response form attached to the report dated November 19, 2020 be the approved form for Bylaw No. 2918, 2020 alternative approval process;

THAT the total number of eligible electors to which the alternative approval process applies is 1730;

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 173.

Reference:

Bylaw No. 1172, 1990

Bylaw No. 2917, 2020

Bylaw No. 2918, 2020

Background:

Electoral Area “E” Recreation Programming, Parks and Facility Maintenance Local Service Bylaw No. 1172, 1990 established the service of recreation programming, parks and facility maintenance in 1990. The requisition limit was increased in 1993 by Bylaw No. 1441, and has not increased since.

Analysis:

An increase of the requisition limit in the service establishment bylaw for the Electoral Area “E” Recreation Programming, Parks and Facility Maintenance Local Service is required in order to facilitate the purchase of parkland, and to maintain current service levels. Bylaw No. 2817 increases the requisition limit for the service area by just less than ten percent, based on the rate applied to the net taxable value of land and improvements.

The parkland parcel of interest is a waterfront parcel within the townsite of Naramata, currently owned by the Naramata Centre Society. The agreed upon purchase price is \$1,700,000. After a concerted community effort to fundraise toward the purchase of the waterfront parcel, over \$836,700 has been raised to date.

Elector Approval

Section 345 of the Local Government Act and Section 86 of the Community Charter outline the requirements of the 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
Penticton Herald	Wednesday December 30, 2020; Wednesday January 13, 2021
Penticton Western	Wednesday December 30, 2020; Wednesday January 6, 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 February 8, 2021.

The Regional District does not maintain a voter’s list. The Information Services department has determined the number of eligible electors within the service area to be 1730. 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.

Alternatives:

THAT Bylaw No. 2917, 2020 Electoral Area “E” Recreation Programming, Parks and Facility Maintenance Local Service Establishment Amendment Bylaw not proceed.

THAT Bylaw No. 2918, 2020 Electoral Area “E” Parkland Acquisition Loan Authorization Bylaw not proceed.

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, many residents refer to online community publications. To ensure optimal coverage, the Regional District will also advertise the AAP on My Naramata as well as 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 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.

Respectfully submitted:

Endorsed by:

“Gillian Cramm”

G. Cramm, Legislative Services Coordinator

C. Malden, Manager of Legislative Services

**REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN
BYLAW NO. 2917, 2020**

A bylaw to amend the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Establishment Bylaw No. 1172, 1990

WHEREAS Bylaw No. 1172, 1990 established the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Service;

AND WHEREAS the Board of Directors of the Regional District Okanagan-Similkameen wishes to proceed under the *Local Government Act*, to amend the service of Recreation Programming, Parks and Facilities Maintenance in Electoral Area "E";

AND WHEREAS the Board of Directors wishes to increase the requisition limit for the service;

AND WHEREAS the approval of the electors in the service area has been obtained in accordance with the Local Government Act;

NOW THEREFORE the Board of Directors of the Regional District Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

CITATION

1. This bylaw may be cited for all purposes as the "Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Establishment Amendment Bylaw No. 2917, 2020".

AMENDMENT OF SERVICE

2. Section 5 of Bylaw No. 1172, 1990 is deleted in its entirety and replaced with the following:

"Limit:

The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$443,967 or 0.4881 per thousand dollars of the net taxable value of land and improvements in the service area."

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

ELECTORAL AREA "E" DIRECTOR CONSENT OBTAINED this ____ day of _____, ____.

ADOPTED this ____ day of _____, ____.

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, ____.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2918, 2020

A bylaw to authorize the long-term borrowing for the acquisition of a parkland within Electoral Area "E" of the Regional District of Okanagan-Similkameen.

WHEREAS pursuant to the *Local Government Act* and the *Community Charter*, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No. 1172, Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Establishment Bylaw, a service for the purpose of providing recreational programming, parks and facility maintenance;

AND WHEREAS it is deemed desirable and expedient to purchase a parcel for parkland purposes;

AND WHEREAS the estimated cost of purchasing the parcel including expenses incidental thereto is the sum of One Million Seven Hundred Thousand dollars (\$1,700,000.00) of which the sum of nine hundred thousand dollars (\$900,000) is the maximum amount of debt intended to be borrowed by this bylaw;

AND WHEREAS the maximum term for which a debenture may be issued to secure the debt created by this bylaw is for a term not to exceed twenty five (25) years;

AND WHEREAS the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

AND WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen has obtained the approval of electors in accordance with the *Local Government Act*;

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 Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2918, 2020

2. AUTHORIZATION OF PURCHASE

- 2.1 The Regional Board is hereby empowered and authorized to undertake and carry out or cause to be carried out the purchase of a waterfront parcel serving the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Area generally in accordance with plans on file in the Regional District office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
- 2.2 To borrow upon the credit of the Regional District a sum not more than nine hundred thousand dollars (\$900,000).
- 2.3 To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the purchase of a waterfront parcel in Naramata with a legal description of 012-287-687, Parcel A(DD 46960F and Plan B3260) Block 135, DL 210, SDYD, Plan 519.

3. TERM OF DEBENTURE

- 3.1 The maximum term for which debentures may be issued to secure debt created by this bylaw is twenty five (25) years.

READ A FIRST, SECOND, AND THIRD TIME this ___ day of ___, 2020

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this ___ day of ___, ___

RECEIVED APPROVAL OF THE ELECTOR THIS ___ day of ___, ___

ADOPTED this ___ day of ___, ___

RDOS Board Chair

Corporate Officer



**ELECTORAL AREA "E" PARKLAND ACQUISITION
LOAN AUTHORIZATION BYLAW NO. 2918, 2020
Elector Response Form**

I am **OPPOSED** to the adoption Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2918, 2020 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to borrow a sum not more than nine hundred thousand dollars (\$900,000) to purchase a parcel for parkland purposes legally described as 012-287-687, Parcel A(DD 46960F and Plan B3260) Block 135, DL 210, SDYD, Plan 519, 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 have resided in, OR have been a registered owner of real property in the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Area 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. 2918, 2020.

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 "E" PARKLAND ACQUISITION LOAN AUTHORIZATION BYLAW NO. 2918, 2020 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 "E" Parkland Acquisition Loan Authorization Bylaw No. 2918, 2020, which, if adopted, will authorize the Regional Board to borrow a sum not more than nine hundred thousand dollars (\$900,000) to purchase a parcel for parkland purposes legally described as 012-287-687, Parcel A(DD 46960F and Plan B3260) Block 135, DL 210, SDYD, Plan 519.

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2918, 2020, you can sign an elector response form **if you qualify as an elector of designated 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 the Regional District. 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 February 8, 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 1730. If ten (10%) percent [173 electors] of the estimated number of electors in the Regional District 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



Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw BYLAW No. 2918, 2020

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 "E" Recreation Programming, Parks and Facility Maintenance Local Service Area of the Regional District for the adoption of Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2918, 2020.

In general terms, the bylaw would authorize the Regional Board to borrow a sum not more than nine hundred thousand dollars (\$900,000) to purchase a parcel for parkland purposes legally described as 012-287-687, Parcel A(DD 46960F and Plan B3260) Block 135, DL 210, SDYD, Plan 519.

The alternative approval process applies to qualified electors within the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Area.

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2918, 2020 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Area 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 1730 and that 10% of that number, or 173 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 February 8, 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 the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Area for at least 30 days; 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 the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Area;
- (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 the jurisdiction 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

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 19, 2020
RE: Bylaw Notice Enforcement Bylaw

Administrative Recommendation:

THAT Bylaw No. 2507.12, 2020 Bylaw Notice Enforcement Amendment Bylaw, being a bylaw to amend the penalty schedule for open burning offences, be read a first, second and third time and be adopted.

Reference:

Bylaw No. 2507, 2010
Bylaw No. 2898, 2020

Business Plan Objective:

KSD 2 Meet public needs through the continuous improvement of key services by improving bylaws, policy and process within the organization

History:

The Bylaw Notice Enforcement Bylaw provides the Regional District with a timely and cost-effective system for administering minor bylaw infractions. It avoids the time-consuming court processes associated with disputing bylaw tickets in the Provincial Court.

Analysis:

The adoption of the Open Burning Bylaw No. 2898, 2020, necessitates the updating to the penalty schedule in the Bylaw Notice Enforcement bylaw to reflect the new bylaw. With one exception and where possible, the fine amounts in Bylaw No. 2507.12 reflect the amounts in the previous schedule that referenced the now-repealed burning bylaw. The fine for open burning between April 15 and October 14 has risen to \$250.00 from \$125.00 at the suggestion of one of the local Fire Chiefs.

Communication Strategy:

The updated bylaw will be posted on the RDOS website.

Respectfully submitted:

"G. Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

Christy Malden, Manager of Legislative Services

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 2507.12, 2020**

A bylaw to amend the service for enforcement of bylaw notices.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen adopted the Open Burning Regulations Bylaw No. 2898, 2020;

AND WHEREAS the Regional Board wishes to amend the Bylaw Notice Enforcement Bylaw No. 2507, 2010;

NOW THEREFORE the Board of Directors of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

CITATION

1. This bylaw may be cited for all purposes as Bylaw Notice Enforcement Amendment Bylaw No. 2507.12, 2020.

AMENDMENT OF SERVICE

1. Bylaw Notice Enforcement Bylaw No. 2507, 2010 is amended by:
 - (a) replacing Appendix 6(a) to Schedule A in its entirety with the new Appendix 6(a) to Schedule A attached to Bylaw 2507.12, 2020.

READ A FIRST, SECOND AND THIRD TIME this ___ day of ___, 20__.

ADOPTED this ___ day of ___ 20__.

RDOS Board Chair

Corporate Officer

SCHEDULE 'A'

Appendix 6(a) to Schedule A

Open Burning Regulations Bylaw No. 2898, 2020

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Burn without authorization	IV.1.	\$125.00	\$112.50	\$137.50	Yes
Campfire without fuel break	V.1.b.	\$250.00	\$225.00	\$275.00	No
Campfire not monitored by responsible adult	V.1.c.	\$250.00	\$225.00	\$275.00	No
Campfire without adequate firefighting hand tools and adequate water available	V.1.d.	\$250.00	\$225.00	\$275.00	No
Campfire not completely out and cold before leaving unattended	V.1.e.	\$500.00	\$450.00	\$550.00	No
Campfire between 2300 hrs and 0600 hrs unless otherwise authorized by Fire Chief	V.1.f.	\$125.00	\$112.50	\$137.50	Yes
Campfire during windy period	V.1.g.	\$250.00	\$225.00	\$275.00	No
Open Burning between April 15 and October 14	III.1.c.	\$250.00	\$225.00	\$275.00	No
Open Burning without fuel break	V.2.b.	\$250.00	\$225.00	\$275.00	No
Open Burning without burn area monitored by responsible adult	V.2.c.	\$250.00	\$225.00	\$275.00	No
Open Burning without adequate firefighting hand tools	V.2.d.	\$250.00	\$225.00	\$275.00	No

SCHEDULE 'A'

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Fire not completely out and cold before leaving fire unattended	V.2.e	\$500.00	\$450.00	\$550.00	No
Burning Permitted Burning Materials between 2300 hrs and 0800 hrs unless otherwise authorized by Fire Chief	V.2.f.	\$125.00	\$112.50	\$137.50	Yes
Burning during windy period	V.2.g.	\$250.00	\$225.00	\$275.00	No
Use of fireworks not in accordance with Provincial Regulation or RDOS fireworks bylaw	V.3.	\$250.00	\$225.00	\$275.00	No
Use of torches during complete fire restricted times	V.4.	\$250.00	\$225.00	\$275.00	No
Use of Bear bangers during complete fire restricted times	V.5.	\$250.00	\$225.00	\$275.00	No
Not reporting escape of fire to 9-1-1; leaving scene of escape of fire without release by Fire Chief	V.7.	\$500.00	\$450.00	\$550.00	No
Burning of Prohibited Materials	V.9.	\$500.00	\$450.00	\$550.00	No



BOARD REPORT: October 7, 2020

1450 KLO Road, Kelowna, BC V1W 3Z4
P 250.469.6271 F 250.762.7011
www.obwb.ca



Okanagan Basin
WATER BOARD

OBWB Directors

Sue McKortoff - Chair,
Regional District of Okanagan-Similkameen

Cindy Fortin - Vice-Chair,
Regional District of Central Okanagan

Victor Cumming, Regional District of North Okanagan

Rick Fairbairn, Regional District of North Okanagan

Bob Fleming, Regional District of North Okanagan

James Baker, Regional District of Central Okanagan

Colin Basran, Regional District of Central Okanagan

Toni Boot, Regional District of Okanagan-Similkameen

Rick Knodel, Regional District of Okanagan-Similkameen

Chris Derickson, Okanagan Nation Alliance

Bob Hrasko, Water Supply Association of B.C.

Denise Neilsen, Okanagan Water Stewardship Council

The next regular meeting of the OBWB will be 10 a.m. **Tues. Nov. 3, 2020.** Location to be determined.

Okanagan Basin Water Board Meeting Highlights

Water Board celebrates 50th anniversary: The Okanagan Basin Water Board held a small celebration on October 1st, to mark its 50th year in the valley. The event was deliberately small to keep within COVID-19 health guidelines. On hand were current and past board chairs and Water Stewardship Council chairs. Photos from the event can be found at http://bit.ly/FB-OkWW_50Anniv. An online public event is being planned with details available soon. Also, the OBWB's 2020 Annual Report, which celebrates the agency's 50th, is available at <https://bit.ly/36pZMMo>.

OBWB & province to work together on lake level management review: The board heard from Shaun Reimer, with B.C.'s Ministry of Forests, Lands, Natural Resource Operations and Rural Development. Reimer is in charge of managing Okanagan lake levels, operating the Okanagan dam in Penticton. The presentation was requested following a request from Peachland Council, asking the OBWB to work with the province to address lake levels and flooding in recent years. City of Vernon has also raised concerns about the high level of Kalamalka Lake this year. Reimer agreed that the lake level management targets and operations should be reviewed and added that there are several issues that make it complex to manage. Only so much water can be released downstream at a time to prevent flooding, erosion of the Okanagan River channel, and to protect fish. At the same time, just enough has to be held back to meet irrigation and ecosystem needs in summer. Compounding the management of the lake level is the variable inflows in the last few years, he added, noting that the variability is expected to increase with climate change. The OBWB and Reimer agreed that they would work together to review lake management and acknowledged the importance of including Okanagan Nation Alliance, local communities, the province and federal government in the discussions.

Milfoil control to be reviewed and new machines added: The OBWB was updated on some recent discussions with UBC Okanagan to review current milfoil control methods. The current method of rototilling the invasive weed in winter and harvesting in summer was developed in the 1970s and 80s and little research has been done since. The research will look at lower-impact alternatives that reduce sediment and native mussel disturbance, and limit turbidity. The board also approved funds to purchase a new milfoil equipment trailer and milfoil crane truck.

Water survey underway in Okanagan: Directors were briefed on a telephone survey that is underway in the Okanagan. The survey is a repeat of ones conducted in 2009 and 2014, aimed at gauging resident's awareness and concern regarding various water issues in the valley. The survey will be used to help guide public outreach efforts, as well as the OBWB's response to water quality and quantity issues.

Additional flood maps to be developed: The board approved funds to make improvements to Okanagan lakeshore flood maps (available at www.OkanaganFloodStory.ca), so that they can be used more widely in local government planning.

For more information, please visit: www.OBWB.ca