

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, May 20, 2021
RDOS Boardroom – 101 Martin Street, Penticton

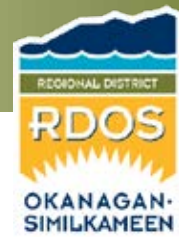
SCHEDULE OF MEETINGS

9:00 am	-	9:30 am	Planning and Development Services Committee
9:30 am	-	10:15 am	Environment and Infrastructure Committee
10:15 am	-	11:15 am	Corporate Services Committee
11:15 am	-	11:45 am	Protective Services Committee
11:45 am	-	12:15 pm	OSRHD
12:15 pm	-	12:45 pm	Break
12:45 pm	-	2:30 pm	RDOS Board

“Karla Kozakevich”

Karla Kozakevich
RDOS Board Chair

2021 Notice of Meetings			
June 3	RDOS Board		Committee Meetings
June 17	RDOS Board	OSRHD Board	Committee Meetings
July 8	RDOS Board		Committee Meetings
July 22	RDOS Board	OSRHD Board	Committee Meetings
August 5	RDOS Board		Committee Meetings
August 19	RDOS Board	OSRHD Board	Committee Meetings
September 2	RDOS Board		Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Committee

Thursday, May 20, 2021

9:00 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of May 20, 2021 be adopted.

B. OKANAGAN FOOD INNOVATION AND PROCESSING HUB

Brad Dollevoet, District of Summerland

Jane Campardo, Engage People and Business Solutions

Charles Cornell, Community Futures, Okanagan-Similkameen

1. Presentation

RECOMMENDATION 2

THAT the Regional District Board support the District of Summerland in its pursuit of an Okanagan Food Innovation and Processing Hub.

C. ADJOURNMENT

ADMINISTRATIVE REPORT



TO: Planning and Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: May 20, 2021
RE: Okanagan Food Innovation and Processing Hub

Administrative Recommendation:

THAT the Regional District Board support the District of Summerland in its pursuit of an Okanagan Food Innovation and Processing Hub.

Purpose:

The purpose of this report is to provide the Planning and Development Committee with an introduction to the Okanagan Food Innovation and Processing Hub (OFH) initiative, and to seek direction on the signing of a letter supporting this initiative.

Background:

The District of Summerland has been leading the idea of a regional food hub project over the past four years, for the purpose of advancing the agriculture sector within Summerland and the broader region. Recently, the Summerland's Director of Planning contacted the RDOS to request a delegation to present the initiative to the Regional District Board.

Administration's understanding of the OFH is that it is a regionally focused initiative located in Summerland, which is dedicated to growing the local agri-food economy and redefining the food system. The initiative is intended to connect local farmers/entrepreneurs to resources that will help them successfully commercialize, scale-up and market new food products and agri-tech innovations.

The OFH's vision is to assist local ag-based businesses with product development and food testing, entrepreneurship programs, and learning/networking spaces, while the OFH's mission is to:

- Build regional agri-food capacity and connect food and agri-tech entrepreneurs to the right resources so that they can develop, successfully commercialize and market new agri-food products and technologies, while redefining the food system.
- Help agricultural communities and the existing food system become more sustainable, ecologically resilient and economically robust.

If implemented, the OFH would provide a commercial kitchen with specialized processing equipment on a shared-use model, including integrated support services for applied research and innovative product development. The OFH would also help promote the agricultural industry by helping producers transition to value-added products and new markets, both local and for export.

The District of Summerland's role in this process has been to assist with facilitating the opportunity for the OFH to materialize and be located in Summerland. The District has indicated that it does not want to operate this proposed building, but would like to see it developed to support the local and regional agricultural industry.

The District of Summerland has been working with several regional partners, including local governments, academia, research and innovation, industry associations, farmers and agri-food businesses. Recently, a memorandum of understanding (MOU) has been signed by the District with both Community Futures Okanagan Similkameen and with Accelerate Okanagan to continue to work together to support the project.

District staff have also indicated in a recent report to Summerland Council that the project team “sees value in seeking political and financial support from the Regional District of Okanagan-Similkameen (RDOS).”

The District’s consultant is investigating location options in Summerland, all of which would require the purchase of land/buildings, and potentially the construction of a new building. While it is the District staff’s priority to find a suitable location for this project in Summerland, there appear to be limited suitable sites available for lease in Summerland at this time. The project team will continue to research and investigate a potential location for this project in Summerland in 2021, with next steps including:

1. Continue updating the business plan.
2. Apply for grants in spring/summer 2021.
3. Investigate and secure a location for the Hub.
4. Adjust and formalize the organizational structure for the Hub depending on funding sources.

The draft letter of support that has been provided by the District of Summerland (attached to this report) includes the following commitments from the Regional District:

- Consider the Hub in the current South Okanagan Regional Growth Strategy review and future strategic economic development planning.
- Consider adding the Hub project to the next RDOS grant-in-aid application process, beginning Fall of 2021.
- Referring the local agri-business community to the hub for the agri-business mentorship programs, processing and technology innovation opportunities.
- Co-marketing and promoting the hub at events, through social media and the RDOS’s Website.

Analysis:

At this preliminary stage of development, Administration views the Okanagan Food Innovation and Processing Hub as being a potentially valuable initiative for the region, which could have positive impacts on the region’s agriculture industry and food security.

Research undertaken by the OFH shows that the region’s agricultural sector and our food security is challenged by a significant proportion of fruit crops being culled due to weather conditions, pest damage or off-grade fruit. In addition, increasing global competition has led to growers taking their orchards out of production and leaving the agriculture industry, resulting in less volume and diversity of the regional food system. The Okanagan Food Innovation and Processing Hub (OFH) may be an important step to mitigating these issues.

Therefore, staff are recommending in support of this initiative by the District of Summerland. The Letter included at Attachment No. 1 has been provided by the District of Summerland for the Board's consideration.

However, the specific level of financial support that the OFH project team may request from the Regional District in the future is presently unknown. Administration cannot presently comment on whether a future request for financial support would be appropriate or recommended without further information and analysis.

Alternatives:

- .1 THAT the Regional District Board not support the District of Summerland in its pursuit of an Okanagan Food Innovation and Processing Hub.
- .2 THAT the Regional District Board support the District of Summerland in its pursuit of an Okanagan Food Innovation and Processing Hub, subject to the following:
 - i) *TBD*

Respectfully submitted:

Cory Labrecque
C. Labrecque, Planner II

Endorsed by:


C. Garrish, Planning Manager

Attachments: No. 1. Draft Letter of Support for the Okanagan Food Innovation and Processing Hub

May XX, 2021

Graham Statt, CAO
District of Summerland
13211 Henry Avenue
Summerland, BC, V0H-1Z0

Dear Mr. Statt,

Re: Okanagan Food Innovation and Processing Hub

The Regional District Okanagan Similkameen (RDOS) is pleased to support the Okanagan Food Hub in Summerland, BC. The South Okanagan-Similkameen region has a long history and reputation in agriculture and is an important economic sector for our communities. Over the last few years, many local farmers have faced fierce price competition from imported food products or larger consolidated farm businesses. In addition, more and more food entrepreneurs are popping up in our region and have had goals to scale their business. However, they have been constrained by the volumes and diversity of products they can offer because of limited commercial processing capacity to fulfill buyers' orders. They aren't able to afford the huge upfront costs of processing space and equipment.

As a Regional District, our mission is to strengthen and diversify our local economy and preserve our quality of life. We see that the Okanagan Food Hub plays a key role in the food economy by:

- aggregating products;
- alleviating some of the upfront costs through shared-use model;
- adding value back into the local economy; and
- supporting farmers and small-scale food processors.

We see the Hub as a unique initiative that contributes to building a socially, economically and environmentally sustainable region.

Social. The Hub enhances local food security and preserves local production. It provides equal access opportunity to value-added processing equipment for all farmers and food processors in the Okanagan-Similkameen region, and beyond. It will also facilitate the delivery of agri-food educational and entrepreneurship programs, food product development and testing services and business advisory support services through a multitude of partners, including local municipalities, academia, research and innovation institutes, indigenous representatives, economic development organizations, accelerators, industry associations and local community members. Its vision is inclusive and will help the existing food system become more sustainable, ecologically resilient and economically robust.

Economic. The BC tree fruit industry is primarily located in this region and this project is seen as providing a direct benefit to the hundreds of growers in this industry. Farmers can sustain themselves more months of the year through value-added production as new opportunities are available to them that wouldn't otherwise be possible (farmers can diversify their operations). New agricultural

businesses will be created across the region that will create interesting food products (offering new opportunities for local retailers and tourism businesses).

Environment. The Hub supports the highest and best use of local produce in our region. It will provide opportunities to reduce and upcycle waste (culled fruit and vegetables) and divert it to value-added production.

The RDOS and the District of Summerland have a long history of collaborating on regional projects. We are interesting in supporting this project in the following ways:

- Consider the Hub in the current South Okanagan Regional Growth Strategy review and future strategic economic development planning.
- Consider adding the Hub project to the next RDOS grant-in-aid application process, beginning Fall of 2021.
- Referring the local agri-business community to the hub for the agri-business mentorship programs, processing and technology innovation opportunities.
- Co-marketing and promoting the hub at events, through social media and the RDOS's Website.

We look forward to hearing more on the developments of this exciting initiative. If you have any questions, please feel free to contact me at XXXX, or by email at: XXXX.

Sincerely,

Karla Kozakevich
Board Chair
Regional District of Okanagan-Similkameen

Cc: Brad Dollevoet, Director of Development Services, District of Summerland
Jane Campardo, Strategic Project Manager, Okanagan Food Hub

Okanagan Food Innovation & Processing Hub



engage
Business & People Solutions
Focus. Grow. Thrive.

May 20, 2021

Objective for Today

1. Quick Overview of the Okanagan Food Hub (OFH)
2. Next Steps
3. Value of the Okanagan Food Hub
4. Questions & Answers

Okanagan Food Hub Overview

Vision:

- Innovate, create and market sustainable agri-food products and technologies, while redefining the food system.



Market Overview - Consumer Demand

- Rising demand for local, natural, plant-based and functional foods, (nutrient rich).
- Snack foods are one of the fastest growing product categories.
- Other foods: frozen and dried foods, sweet spreads, ready-made meals, sauces, dressings.



Market Overview – User Demand

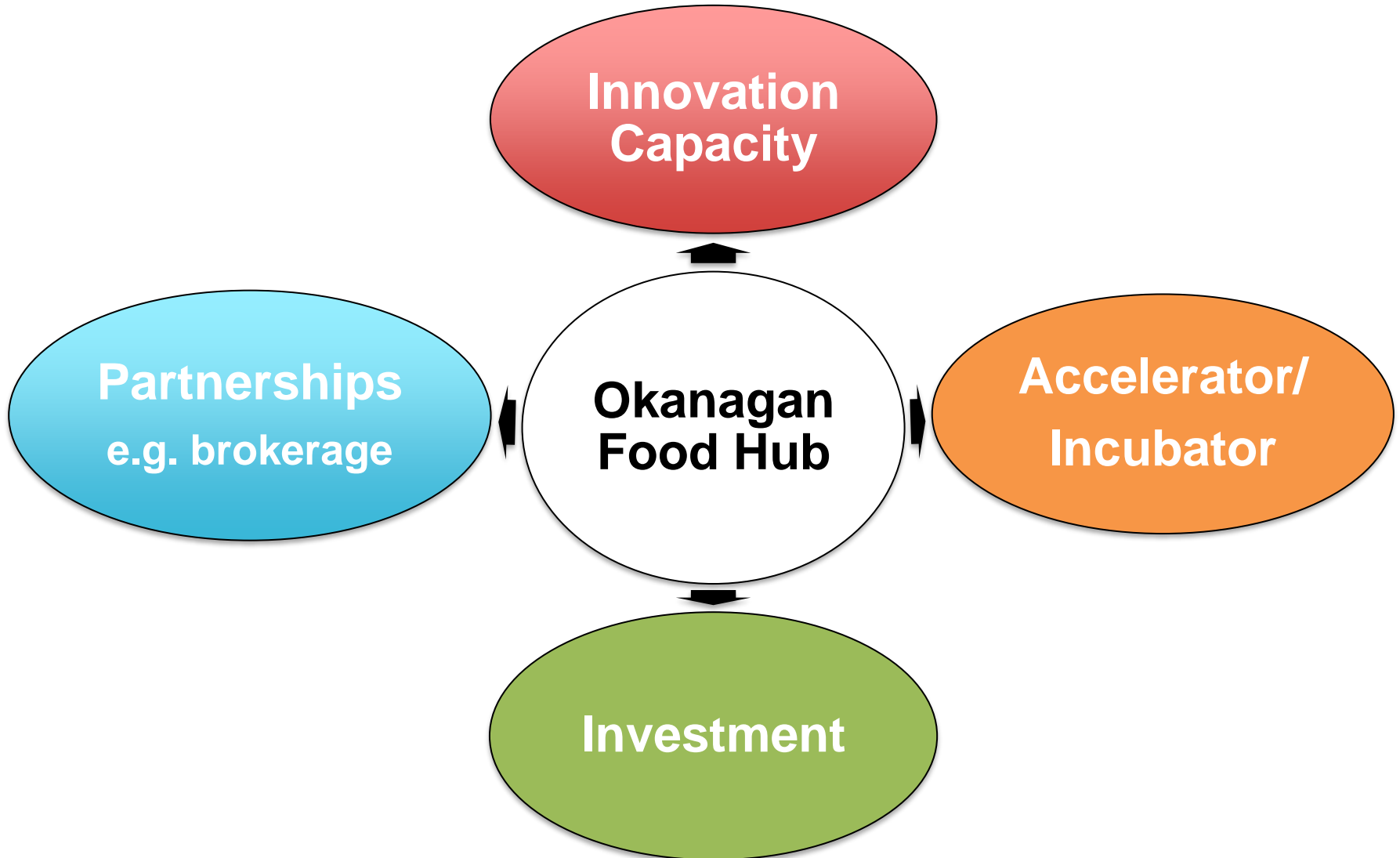
Need for:

- Commercial kitchen and processing equipment
- Food development and testing services
- Brokerage & distribution (and storage)
- Business and technical food advisory services



What does the Structure look like?

Business Model



Collaborative SOFH Partnerships



Dry Line



Packaging Line



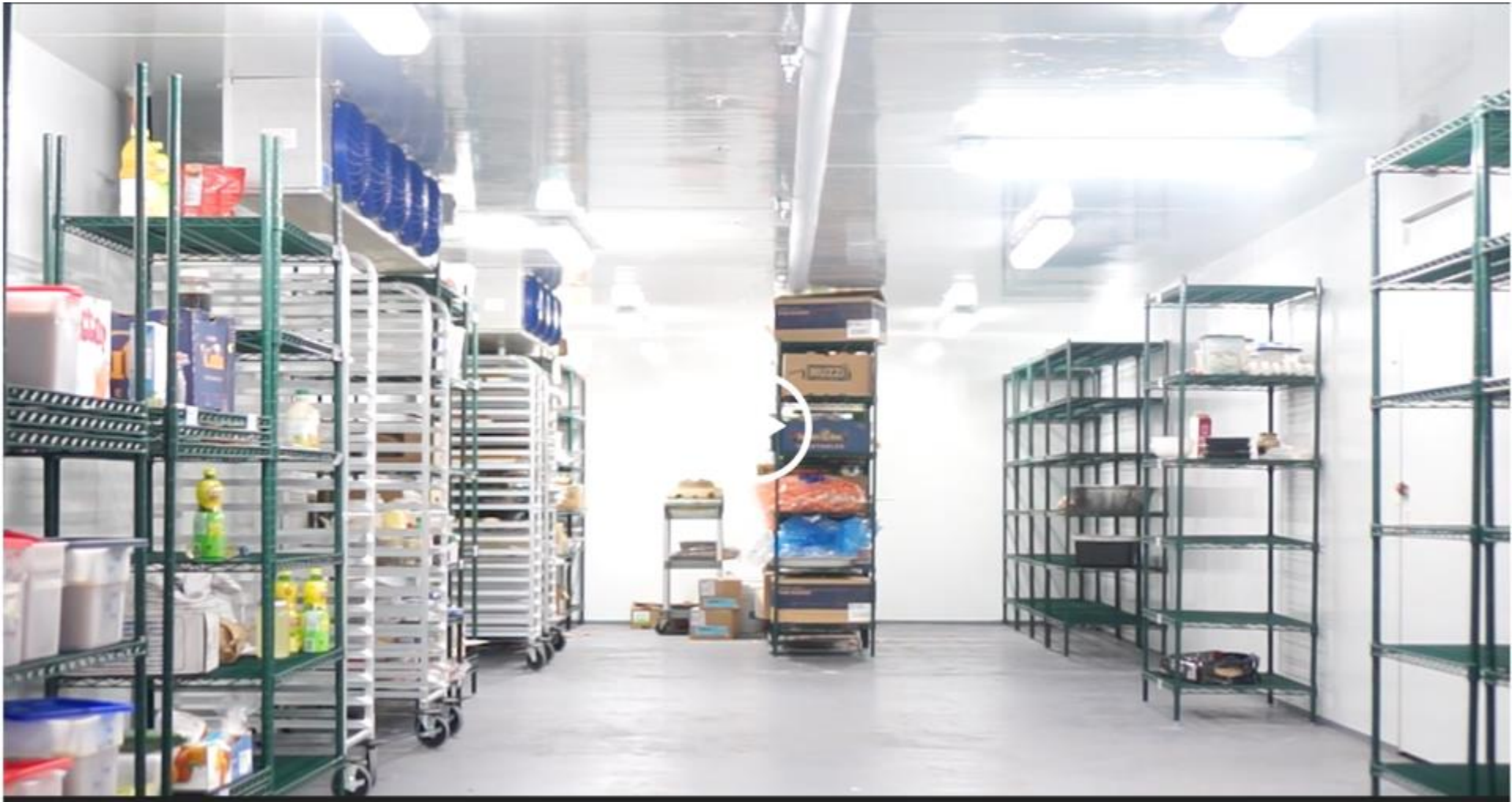
Commercial Kitchen



Wet Line



Storage



Food Testing Lab



What are the next steps?



2021 - Next Steps

1. Confirm support from outstanding project partners
– RDOS, BC Tree Fruits, SSFPA.
2. Continue updating the business plan.
3. Meet with MLAs and MPs.
4. Apply for grants in spring/summer 2021.
5. Secure a location for the Hub.
6. Formalize the structure for the Hub.

Project Update - Funding

- 2 to 3 provincial funding programs anticipated for this summer/fall.
- 2 federal programs may open up this summer.



How does this project align with the RDOS' mandate and Key Success Drivers?

RDOS Vision and Mission

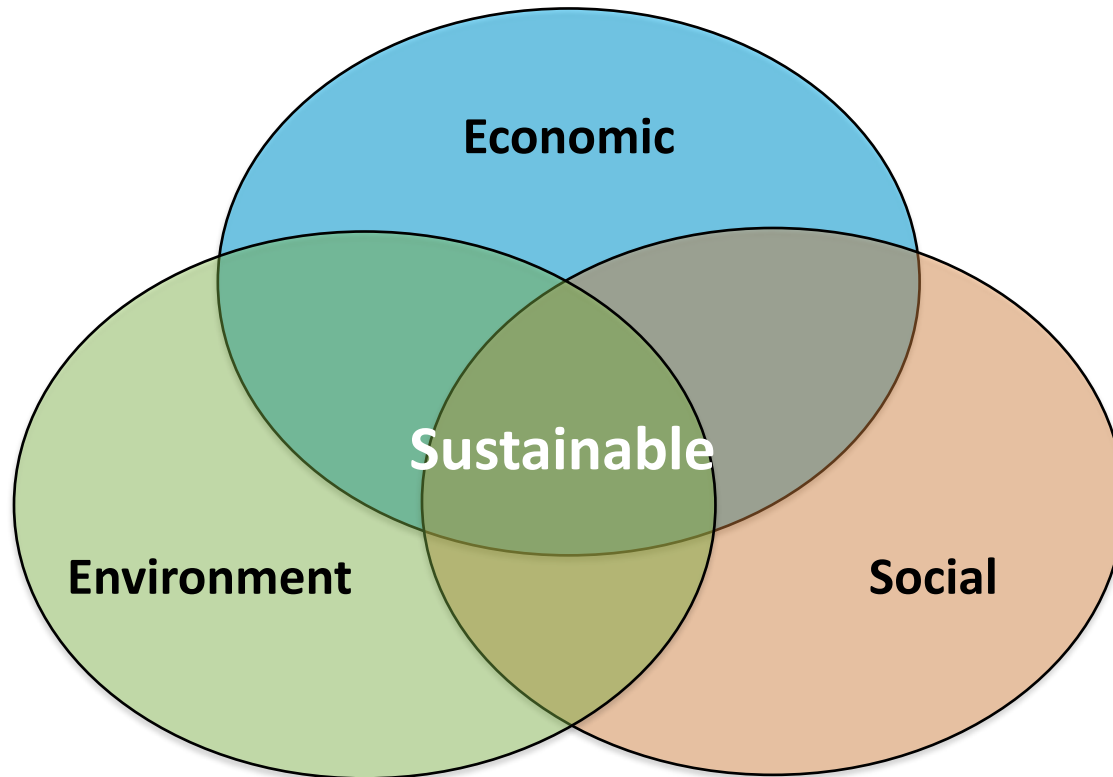
- The RDOS is a steward of our environment, **sustaining a diverse and livable region.**
- The Hub – Strengthens and diversifies our local economy and preserves our quality of life.



RDOS KSD #3 – Build a Sustainable Region

Goals

3.2 To develop an economically sustainable region.



KSD #3 - Economic Pillar

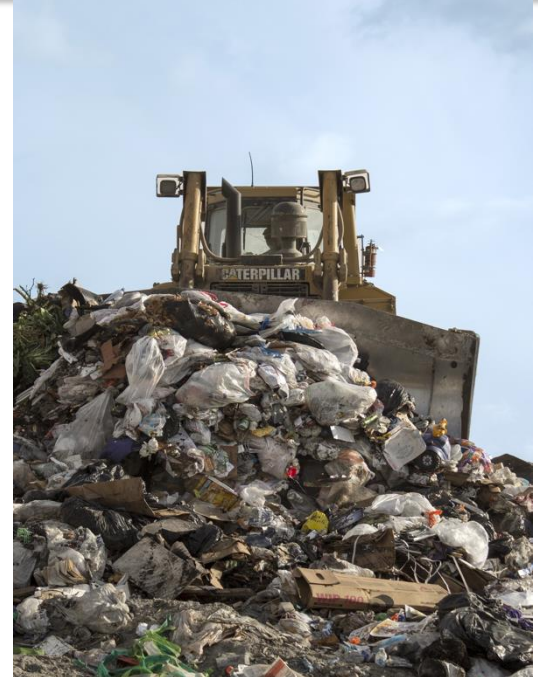
Within 5 years:

- 30 to 50 agricultural businesses created across region.
 - New opportunities
 - Year-round income; new jobs
- Thriving agricultural communities.
 - Agri-tourism
 - Advanced manufacturing
 - Retail



KSD #3: Environment Pillar

- Diverts 100s of tonnes of fruit waste.
- Promotes highest and best use of local produce.
- Protects/respects the ALR.
- Keeps processing here rather than Vancouver/Alberta (↓ environmental footprint).



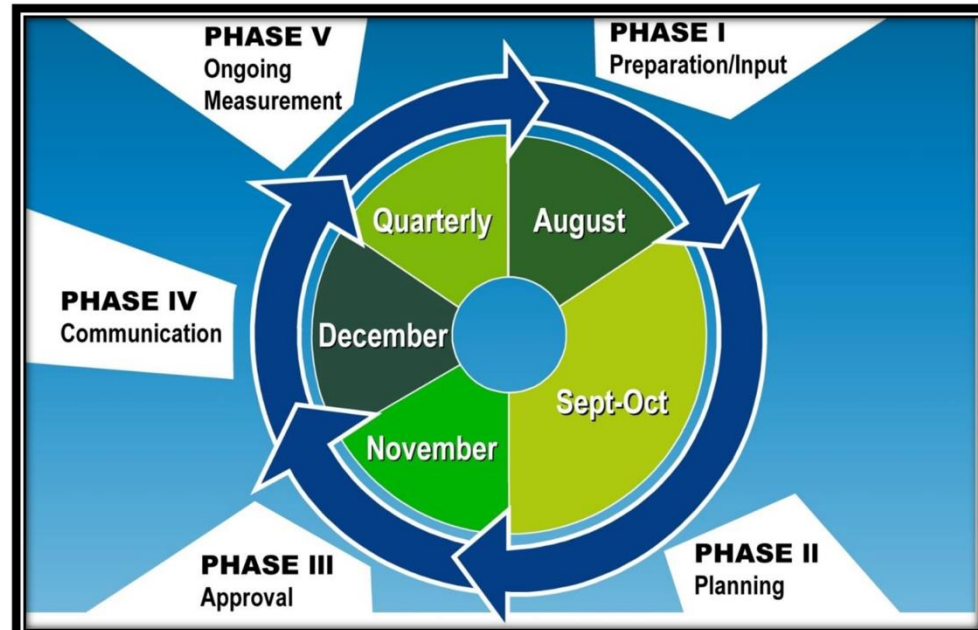
KSD #3 – Social Pillar

- Enhances local food security.
- Provides equal access to Hub for all agri-businesses in the region.
- Allows for shared-used access to resources – saves \$\$.
- New educational and networking opportunities.



Conclusion

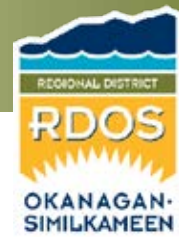
- The Hub meets the goals outlined in the RDOS 2021 Business Plan.
- Request a letter of support from the RDOS.
- Request to add the project to the next budget cycle
 - Regional Grants in Aid
 - Staff support (in-kind)



Questions?







REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Environment and Infrastructure Committee

Thursday, May 20, 2021
9:30 AM

AGENDA

- A. **APPROVAL OF AGENDA**
RECOMMENDATION 1
THAT the Agenda for the Environment and Infrastructure Committee Meeting of May 20, 2021 be adopted.
-
- B. **MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE – For Information Only**
a. Erik Lachmuth & Jeff Wiseman – Quarterly Update
-
- C. **HEDLEY CLEAN UP PROJECT – Information Only**
-
- D. **ADJOURNMENT**

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Hedley Clean Up Pilot

Administrative Recommendation:

For Information.

Purpose:

To inform the Board of the Hedley clean up pilot proposed to take place in 2021/2022.

Background:

The RDOS will be coordinating a clean up of the Hedley community where the planning and community outreach will take place in the summer/fall of 2021, with the physical removal of refuse and derelict vehicles to take place in the spring of 2022. Most of the clean up will take place on crown land and road right of ways. This is a one time clean up event as ongoing efforts will not be feasible.

As jurisdiction and regulation resides with the Province, the RDOS will be coordinating efforts with Forests Lands and Natural Resources and Rural Development (FLNROD), the Ministry of Transportation and Infrastructure (MOTi), and the police (RCMP). While the RDOS will be doing the initial public consultation, and inventories of materials, the public and private notices will be issued by FLNROD, MOTI and the RCMP in accordance with regulations, laws and policy.

The process is scheduled to commence in the summer of 2021 and be completed in the Spring of 2022.

The following represents the process, public outreach and proposed timelines:

- The RDOS will hire a student who will locate, catalog and categorize waste types. A map showing potential waste to be removed will be developed. The student will team up with local volunteers and an initial press release will be issued. This work will commence in the Summer of 2021.

- A communications firm will be retained in order assist with the public outreach and messaging.
- A letter will be mailed to all Hedley residents with information about the issues, a public meeting, and a public survey. The purpose of the survey and public meeting is to determine what the community would like to have cleaned, the responsibilities and roles of the different agencies, and the proposed process and timing for the project. The letter and open house will be scheduled for September 2021.
- The format of the public meeting will depend on COVID restrictions (ideally this will be a Public Open House with story boards) – an exit public survey will be part of the meeting.
- Depending on the results from the public survey, assistance from the Province and the quantities of vehicles, hazardous waste, demolition construction waste and general refuse the budget will be reaffirmed. The scope of the project will be adjusted to meet available budget.
- Confirmation on timelines with FLNROD, MoTi and RCMP will take place.
- Results from the survey will be tallied, and another letter will be drafted that identifies the results of the actions that we will be taking and the proposed timelines. October 2021.
- Clean up will occur in the spring depending on FLNROD, MOTi, and RCMP availability. Likely April 2022:
 - The Province (FLNRO) will approach the adjacent landowners of the offending properties on crown land to see if there any materials that they wish to claim.
 - The Province will identify the offending properties and advertise for a period of time to allow the materials to be removed by their owners. A notice of trespass will be issued.
 - The RCMP will look at VIN numbers on vehicles on road right of way and crown land.
 - The RCMP will search VIN numbers for owners and contact the same. Owners may volunteer to have vehicles removed and surrender ownership of the same.
 - A period of time is given in which to remove the materials or structures. A “notice of trespass” is issued. (30 days)
 - After a set period of time, clean up can commence. At that time designated groups can act as the Provinces agent for the clean up (ie. Tow truck companies (for vehicles) and clean up companies (refuse)). Vehicles are seized and refuse is hauled to the landfill.
 - Vehicles seized will go to a compound for 14 days.
 - After 14 days vehicles will be scrapped.

The RDOS will coordinate communication with the Province, will coordinate the contractors to tow, store vehicles, and scrap vehicles, will conduct hazard assessments of demolition wastes, and arrange for pick up of the same.

Budget 2021:

- Student and GIS mapping: \$3k
- Communications \$6K
- RDOS staff \$5K

Budget 2022:

- Hazard assessment of demolition wastes \$2K
- Refuse clean up (tipping fees waived under illegal dumping, just collection) \$5k (2022)
- Vehicle collection, impoundment and disposal \$15K (2022)

Total 2021 and 2022 (approximate) \$36K

The above 2021 budget has been approved for 2021 and planned for 2022. Budgets come from the Area G Rural Projects Fund.

Analysis:

The above pilot won't be suitable as an ongoing process for cleaning communities. The project is better suited as a one off. All of the authority and enforcement required to clean the community comes from the Province and requires a coordinated effort amongst the various agencies. There is no service area for this type of clean up, and the nature of bureaucracy of the clean up is complicated. As this is a pilot, staff recommend a follow up report to identify the successes and challenges of the program.

Respectfully submitted:

Andrew Reeder

Andrew Reeder, Manager of Operations

Hedley Cleanup Pilot

May 20, 2021 Environmental and
Infrastructure Committee

Background

- Much of the Hedley community consists of crown land lots.
- Many of these lots have been used by residents to dump refuse and/or store derelict vehicles.
- Many of the unused road laneway have been used for similar purposes



Hedley Crown Land
(Orange)

Hedley Crown Land
(Yellow)



Hedley Crown Land and Lane Way (Yellow)





Background

Cleanup of these material is not simple:

- Any vehicle on crown land or on a MoTi RoW has to go through a check by the RCMP, the owners notified and a period of time for impoundment before it can be scrapped.
- Adjacent owners must be contacted for and cleanup advertised to allow for owners to make claim
- Any demolition wastes must be checked by a QEP for dangerous materials (i.e Asbestos, lead) and managed appropriately

Background

Cleanup of these material is not simple:

- Jurisdiction and responsibility for cleanup on Road Right of Ways is MoTi's responsibility
- Jurisdiction and responsibility for cleanup on Crown Land is administered by FLNROD.
- The RCMP checks all derelict vehicles to determine ownership and if there are any stolen vehicles.
- The Province has not undertaken a large scale cleanup in Hedley in recent history

Pilot – Cleanup

The RDOS is proposing one time pilot a cleanup program on Crown Land only:

- A student will map and catalog waste, waste type and estimate quantities – Summer 2021
- Public Engagement to determine – Scope and scale of program and community buy in. – Fall 2021
- Contracts to clean up DLC wastes, regular refuse, vehicles and hazardous wastes will be developed. Timing will come from enforcement authorization from MoTi, FLNROD and RCMP.

Pilot – Cleanup

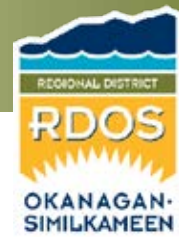
- FLNROD and MoTi will provide notice for cleanup consistent with their policies. Advertisements and contacting adjacent properties will take place.
- RCMP will take down all VIN numbers, search and contact owners. 30 day period to respond, and then 14day impoundment period will commence before scrapping.
- RDOS will coordinate hazardous waste assessment, cleanup of refuse, DLC wastes, Hazardous wastes, and derelict vehicles.

Take Away

- Undertaking a community cleanup is not simple or straight forward, involves multiple agencies and regulations. *An ongoing cleanup program is not practical.*
- The RDOS does not have regulatory authority to clean Crown lands. Success of this project will depend on cooperation from all agencies and could easily fail.
- The public is likely unaware of the regulatory regime. Public buy in is critical in assuring a successful project.



QUESTIONS?



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, May 20, 2021

10:15 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Meeting of May 20, 2021 be adopted.

B. UBCM RESOLUTIONS

RECOMMENDATION 2

THAT the following Resolutions be submitted to the Union of BC Municipalities (UBCM) for consideration at the 2021 UBCM Convention:

1. ***Multi-jurisdictional Issues in Electoral Areas***

WHEREAS a multi-jurisdictional process is used when a "State of Emergency" is declared.

AND WHEREAS land use issues in Electoral Areas may have jurisdictional boundaries that fall within Federal or Provincial, First Nations and/or Regional Districts or multi-jurisdictional areas.

THEREFORE BE IT RESOLVED that a formal multi-jurisdictional process for working in conjunction with lead agencies and governing bodies be established to resolve outstanding land use issues by the joint cooperation of various governmental agencies in order to mitigate the affect to community health/safety and/or loss of multiple properties.

2. ***Organ Donation – Presumed Consent***

WHEREAS the population of British Columbia is 5.071 million but only 1.555 million British Columbians have registered their organ donor decision;

AND WHEREAS one organ donor can save up to 8 lives:

THEREFORE BE IT RESOLVED that UBCM request that the Province of British Columbia enact Provincial legislation whereby an individual is deemed to consent to the individual's organs and tissues being used for transplantation activities, similar to the Presumed Consent Organ Transplant Act passed by the Province of Nova Scotia.

C. PUBLIC PRIVATE COMPETITION PROCESS FOR LANDFILL OPERATIONS – For Information Only

D. LOCAL GOVERNMENT WEEK - For Information Only

E. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: 2021 UBCM Resolutions

Administrative Recommendation:

THAT the following Resolutions be submitted to the Union of BC Municipalities (UBCM) for consideration at the 2021 UBCM Convention:

1. *Multi-jurisdictional Issues in Electoral Areas*

WHEREAS a multi-jurisdictional process is used when a “State of Emergency” is declared.

AND WHEREAS land use issues in Electoral Areas may have jurisdictional boundaries that fall within Federal or Provincial, First Nations and/or Regional Districts or multi-jurisdictional areas.

THEREFORE BE IT RESOLVED that a formal multi-jurisdictional process for working in conjunction with lead agencies and governing bodies be established to resolve outstanding land use issues by the joint cooperation of various governmental agencies in order to mitigate the affect to community health/safety and/or loss of multiple properties.

2. *Organ Donation – Presumed Consent*

WHEREAS the population of British Columbia is 5.071 million but only 1.555 million British Columbians have registered their organ donor decision;

AND WHEREAS one organ donor can save up to 8 lives:

THEREFORE BE IT RESOLVED that UBCM request that the Province of British Columbia enact Provincial legislation whereby an individual is deemed to consent to the individual’s organs and tissues being used for transplantation activities, similar to the Presumed Consent Organ Transplant Act passed by the Province of Nova Scotia.

References:

Ø SILGA Resolutions Webpage: [Resolutions](#)

Background:

The main forum for UBCM policy-making is the annual resolutions cycle. It provides an opportunity for local governments of all sizes and from all areas of the province to express concerns, share their experiences and take a united position.

Local Governments are urged to submit resolutions first to their Area Associations, in the case of the RDOS that is the Southern Interior Local Government Association (SILGA) for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

The Resolutions in the attached Appendix A were submitted to SILGA to be brought to the 2021 UBCM Convention. Five of the six resolutions submitted to SILGA were endorsed, while the sixth, the resolution on Organ Donation - Presumed Consent was not endorsed. The UBCM resolutions committee offered the following comments:

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution calling on the Province to enact legislation whereby an individual is deemed to consent to the individual's organs and tissues being used for transplantation activities, similar to the Presumed Consent Organ Transplant Act passed by the Province of Nova Scotia.

However, the Committee notes that the membership did endorse resolution 2016-B125 which called on local government elected officials to work with the Kidney Foundation to promote registration of organ donors in their communities

Both UBCM and its member local governments have observed that submitting resolutions first to Area Associations results in better quality resolutions overall. If necessary, however, local governments may submit board-endorsed resolutions directly to UBCM prior to June 30, each year.

Analysis:

1. Multi-jurisdictional Issues in Electoral Areas

At the May 6, 2021 Board of Directors meeting, Director Roberts brought forward a request to forward a resolution directly to UBCM concerning multi-jurisdictional issues in Electoral Areas.

2. Organ Donation – Presumed Consent

Appendix A to this report contains the 6 resolutions which the RDOS forwarded to SILGA for consideration on February 19, 2021. While 5 of these resolutions were supported by SILGA, the sixth, being the resolution relating to Organ Donation, was not supported by the SILGA membership.

Alternatives:

- Ø THAT either of the resolutions proposed for direct submission to UBCM be abandoned;

- Ø THAT either of the resolutions proposed for direct submission to UBCM be returned to committee for further discussion in preparation of submitting back through the Area Association (SILGA) in a future year
- Ø THAT either of the resolutions be submitted directly to UBCM for consideration at the 2021 UBCM convention.

Respectfully submitted:

"Christy Malden"

Appendix 'A'

Resolution 1

5.25 % Provincial Collection Fee on Rural Area Property Taxes

WHEREAS rural area property taxes are collected from the Province's Surveyor of taxes on behalf of Regional Districts.

AND WHEREAS the Province of British Columbia charges a 5.25% administration fee on the taxes collected which the property owner pays as part of their property taxes, and this increases the tax burden on electoral area residence.

THEREFORE BE IT RESOLVED that UBCM request that the Province of British Columbia reduce this fee so that the tax burden on the rural property owners may be reduced.

Resolution 2

Abandoned Vehicles on Crown Land

WHEREAS enforcement of abandoned vehicles on Crown Land, Provincial rights of way and road dedications may involve a number of agencies but little coordinated action;

AND WHEREAS members of the public have difficulty knowing who to contact to initiate a complaint of an apparent abandoned vehicle;

THEREFORE BE IT RESOLVED that the Province designate one Ministry or coordinating body to be responsible for abandoned vehicle complaints on Crown Land, Provincial rights of way, and road dedication.

Resolution 3

Organ Donation – Presumed Consent

WHEREAS the population of British Columbia is 5.071 million but only 1.555 million British Columbians have registered their organ donor decision;

AND WHEREAS one organ donor can save up to 8 lives:

THEREFORE BE IT RESOLVED that UBCM request that the Province of British Columbia enact Provincial legislation whereby an individual is deemed to consent to the individual's organs and tissues being used for transplantation activities, similar to the Presumed Consent Organ Transplant Act passed by the Province of Nova Scotia.

Resolution 4

COVID Funding Allocation Deadline

WHEREAS regional districts must fully allocate "COVID-19 Safe Restart Grant for Local Governments" funds to an appropriate regional and local service before December 31, 2021, but municipalities do not have the same allocation deadline requirement;

AND WHEREAS regional districts would like the discretion to hold back some “COVID-19 Safe Restart Grant for Local Governments” funding for allocation to an appropriate regional or local service in a future year;

THEREFORE BE IT RESOLVED that the Province be requested to provide regional districts the same “COVID-19 Safe Restart Grant for Local Governments” allocation and reporting requirements afforded to municipalities.

Resolution 5 ***Flood Mitigation Response***

WHEREAS current funding programs for flood mitigation that require 1/3 of project funding from local government as well as requiring that the local government assume ownership of the works for a period of 10 years, in some cases resulting in an unrealistic burden on affected taxpayers;

AND WHEREAS the financial inability of the residents to meet the requirements of the current funding program often precludes a planned proactive approach to known flood issues to minimize environmental impacts associated with mitigative works and instead results in a reactive approach when an imminent threat occurs, resulting in greater costs and greater environmental damage, in addition to the traumatic and sometimes devastating impacts on affected residents:

THEREFORE BE IT RESOLVED that UBCM lobby the Province to develop programs that take a proactive approach to flood mitigation rather than continuing to try to download additional responsibilities on local governments that are ill-equipped and lacking in financial capacity to address these situations in a proactive manner that best respects the residents and the environment.

Resolution 6 ***911 Dropped Calls***

WHEREAS statistics indicate an increased number of identified abandoned 9-1-1 calls in the South Okanagan; and, the Royal Canadian Mounted Police (RCMP) do not have access to current personal information to respond effectively to abandoned 911 calls.

AND WHEREAS the Royal Canadian Mounted Police response to abandoned 911 calls is labour-intensive;

THEREFORE BE IT RESOLVED that the Ministry of Justice work with the Federal Government of Canada to make available current personal information collected by Provincial and National telecommunication carriers to Police Communications Centers and 911 Public Safety Answering Points within British Columbia to assist with tracking dropped 911 calls.

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Public Private Competition Process for Landfill Operations

FOR INFORMATION ONLY

During the 2021 Business Planning Process, the Regional District of Okanagan Similkameen approved a Public Private Competition for the procuring of a new operations contract for Campbell Mountain Landfill and Oliver Landfill. In addition, this process was approved in the 2021 – 2025 financial plan. This process for obtaining the new operations contract was developed to ensure fairness and accountability.

Business Plan Reference:

Under 2021 Corporate Business Plan Objective 3.3.2, being “to implement the solid waste infrastructure upgrades and requirements for landfill facilities”, performance indicator #4 is to “Conduct a Shadow Bid for the Heavy Equipment Contract Tender”.

Background:

Local governments have found that the most effective methodology of achieving the best value for the lowest price is to send a project out to competition. The Regional District has previously contracted for the maintenance/operation of Campbell Mountain and Oliver landfills through a “Request for Proposals” process where subjective elements were considered in the evaluation. The current contract expires in May 2022 and it is the intent of the Regional District to put that contract out for “Tender”, whereby the only variable is cost. This change allows the RDOS to fairly participate in the bid while ensuring a fair process for private firms.

To ensure fairness, it’s critical that a “hard veil” is established at the start of the Public Private Competition process between Regional District teams that prepare the tender, and those that prepare the bid in response to the tender. The internal bid must adhere to strict confidentiality, transparency and accountability standards.

Confidentiality is achieved through:

1. A Buying Team, led by the Manager of Engineering Services. The Buying Team is the purchaser of the service to operate the Campbell Mountain Landfill and the Oliver Landfill. The Buying Team will, in concert with the Purchasing/Communication Team, prepare the tender documents, assist in the review of the bids received and assist in making a recommendation for award of contract.
2. A Selling Team, led by the Manager of Operations. The Selling Team will prepare a bid in response to the tender. The Selling Team will, if they are awarded the contract, operate the Campbell Mountain Landfill and/or the Oliver Landfill.

3. A Purchasing/Communication Team, led by the Manager of Financial Services. The Purchasing/Communication Team will be responsible for final preparation of the tender documents, administering the process during the tender period, evaluating the bids received, and making a recommendation for award of contract. The Purchasing/Communication Team is also responsible for communicating to staff, the public and the Board of Directors information about the Public Private Competition process.

Confidentiality commenced upon establishment of the teams whereby each team member was required to sign a Confidentiality Statement. Confidentiality between the Buying and Purchasing/Communication Team and the Selling Team will be maintained throughout the tender process.

The award of tender will be based on the Total Cost of Award to the RDOS, which is the submitted bid price plus the cost of administering the contract, which will be different depending on if the contract is awarded to the private sector or internally. The costs of administering the contract for the private sector and internally will be set out in the tender documents.

Transparency is achieved by having the tender require the RDOS Selling Team to keep a detailed and clear record of how their bid price was arrived at for each pay item. These detailed and clear records will be provided to the Tender Review Committee, which may include an independent audit.

Should the Selling Team be the successful bidder, their detailed and clear record of how the bid price was arrived at for each pay item will be made available for review to other private firms that submitted a bid, should they so request. Private bidders will be provided time to review the public bid and comment prior to the award of the contract.

Accountability is maintained, in the event that the Selling Team is awarded the Campbell Mountain Landfill and/or the Oliver Landfill operations contract, by having the RDOS Manager of Financial Services undertake a review of actual costs vs. the bid submission at the end of each year of operation, detailing his findings and presenting it to the CAO.

The project schedule is currently planned as follows:

Tender Release	- August 5, 2021
Tender Close	- September 9, 2021
Award of Tender	- September 23, 2021
Commence Operation Under the New Contract	- June 1, 2022

Communication on the process and schedule is important for the RDOS Board, RDOS staff and the Media. A Communications Plan has been developed and will be implemented during the project, see Attachment A.

Respectfully submitted:

Jim Zaffino, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

May 11, 2021

Communications Plan | Public Private Competition for Landfill Operations

Overview

During the 2021 Business Planning Process, the Regional District of Okanagan-Similkameen (RDOS) approved the Public Private Competition for the Campbell Mountain and Oliver Landfill operations. The current agreement, contracted through a Request for Proposal, expires in May 2022. The RDOS will be issuing a tender for the new contract, whereby the only variable is cost. This change will allow the RDOS to submit a bid for consideration while ensuring a fair process for private firms .

Communicators

- Jim Zaffino, Purchasing Team Lead
- Liisa Bloomfield, Buying Team Lead
- RDOS Communications

Audience

- RDOS Board
- Staff
- Potential bidders
- Media

Objectives

- To ensure transparency and fairness throughout the tender process
- Maintain confidentiality between the Selling Team, Buying Team and Purchasing/Communications Team regarding the nature of the tender

Measurables

- Track all bid submissions
- Track bidder and media enquiries
- Media coverage and social media metrics

Measurables for Confidentiality of Tender Process

- All data and files are security protected by Team Leads with private folders in the electronic database
- All team members (staff and consultants) have signed confidentiality agreements to not discuss with other team members/consultants the details of the tender
- All discussions will be in secure areas away from members of the other teams
- Each team will have separate legal teams and consultants, as required

Measurables for Transparent Process

- General public and potential bidders are informed that RDOS will be submitting a bid for consideration
- Bidders will be provided adequate time to review the tender documents and prepare their submissions
- Pre-tender meeting will be held for all bidders to enquire about the criteria for the tender
- The Selling Team will keep a detailed and clear record of how their bid price was arrived at for each pay item, to be provided to the Tender Review Committee, and may include an independent audit
- Should the Selling Team be the successful bidder, the detailed and clear record of how the bid price was arrived for each pay item will be available for review to other private firms, upon request
- Should the Selling Team be awarded the operations contract, the RDOS Manager of Financial Services will undertake a review of actual costs vs. the bid submission at the end of each year of operation, detailing his findings and presenting it to the CAO

Meetings

- A mandatory virtual pre-tender meeting will be held for potential bidders after the tender has been issued for an opportunity to ask questions and receive clarifications (date TBC)
- Contract will be awarded at the public Board meeting of September 23, 2021

Communications Tools

- Public Board meetings
- Information releases throughout the tender process; shared to Intranet
- Tender will be posted to BCBid website
 - marketplace where public sector organizations (including cities, school districts, health authorities, Crown corporations and the B.C. government) advertise opportunities for contracts for a wide range of goods and services
- RDOS Facebook and Twitter
- Earned media coverage (editorial content)

Information releases

- Create and distribute information releases as scheduled

- Send to RDOS Communications for review and distribution

Board Reports

- Create thorough reports anticipating and answering as many questions as possible
- Reports should indicate responses to specific questions or concerns about the tenders or submissions

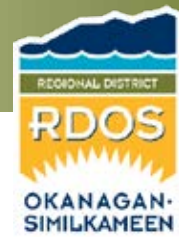
Timeline:

The project schedule is anticipated as follows:

Tender Release	August 5, 2021
Information Release	August 5, 2021
Pre-tender bid meeting	TBA
Tender Close	September 9, 2021
Award of Tender	September 23, 2021
Information Release	September 23, 2021
Commence Operation Under New Contract	June 1, 2022

Engagement Notes

- Provide information about tender criteria as requested by outside bidders and media
- Be prepared to answer questions about maintaining confidentiality; fairness in tender process
- Be clear about steps taken to ensure confidentiality of shadow bid; transparency for potential bidders (opportunity to review RDOS submission, if selected)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, May 20, 2021
11:15 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Protective Services Meeting of May 20, 2021 be adopted.

B. Regional Emergency Management Training and Exercise Incendiary Follow-up – For Information Only

1. Administrative Report

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Protective Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Regional Emergency Management Training and Exercise Incendiary Follow-up
– For Information Only -

Purpose:

To advise Committee of ongoing emergency preparedness training and review actions arising out of Exercise Incendiary.

Business Plan Objective:

- 2.2.1 Improving our bylaws, policy and process within the organization
- 4.2.1 Improving regional district/municipal relations

Background:

After the 2020 Christie Mountain Wildfire, Ally Emergency Management Inc., produced an After Action Report highlighting areas of strength and opportunities for improvement within the Emergency Operations Center (EOC). Lessons learned included the need for additional training and exercising to include tabletop and functional exercises.

Analysis:

Training

The Regional District issued a request for proposals (RFP) in November to provide EOC refresher training and a multi-jurisdictional exercise. Red Dragon Consulting was awarded the contract following the RFP process. The consultant delivered four refresher sessions to 120 participants from various sections of the EOC: Logistics, Finance, Operations, Planning, Management, EOC Director and the Policy group.

Exercise

The tabletop exercise design generated discussion and prompted decision-making for senior staff within the Regional Emergency Management Program. The exercise used a cross-jurisdictional wildfire scenario to consider issues and potential solutions culminating in an agreement on a regional emergency management governance model. The objectives of the exercise were to:

1. Review and familiarize CAO's, Emergency Program Coordinators and Communications experts participating in the Exercise of the roles and responsibilities of the EOC command structure;

2. To review the regional program governance structure when establishing, organizing, and coordinating emergency operations;
3. To develop a coordinated approach for consistent information management for impacted and supporting jurisdictions;
4. To explore and refine the mechanisms required to deliver a coordinated regional emergency operation center;
5. To consider the necessary common platform(s) required to enable efficient and effective collaboration and process management.

Exercise Indendiary Follow-up:

1. Continue to build a governance structure that supports a multi-jurisdictional emergency program that addresses the 5 pillars of emergency management; mitigation, planning and preparedness, response and recovery within our Service capability;
2. Enact policies, bylaws and authorities to extend cross-jurisdictionally in a crisis;
3. Development of a framework for engagement and decision-making during a crisis with consideration to the weight of input from impacted and supporting jurisdictions;
4. Agree on a set of common tools for coordination, collaboration and documentation management;
5. Determine models for incident management for regional and local emergencies at Levels One, Two, and Three;
6. Establish a protocol for engagement and/or support of our Indigenous neighbors within the geographic area of the Regional District when circumstances dictate;
7. Develop formulas, procedures and protocols for cost-sharing, cost recovery, and reimbursement for circumstances where resources are acquired that benefit multiple jurisdictions.

The Regional district received feedback from the training and exercise sessions that participants overall noted the training was valuable. Subsequent to the exercise, an application was submitted to the regional 2021 UBCM Community Emergency Preparedness Emergency Operations Center program. The proposed activities include EOC refresher training, a multi-jurisdictional functional exercise, website design, improved mass emergency notification and research and implementation of a future online EOC platform that supports the regional model.

Respectfully submitted:

"Anne Benn"

A. Benn, Emergency Program Coordinator



A regional exercise to consider
emergency management integration and coordination

AFTER EXERCISE REPORT



First Nations acknowledgement

We would like to acknowledge that this report was authored on the unceded and Traditional Territories of the Syilx and Coast Salish people.

Regional Emergency Management Program acknowledgement

The authors wish to acknowledge the regional partners' Chief Administrative Officers, emergency management staff, and the Regional District Okanagan Similkameen Chief Administrative Officer, General Manager of Community Services, Emergency Services Manager, and the Emergency Program Coordinator. Red Dragon Consulting would also like to recognize that over 30 individuals participated from the Penticton Indian Band, Upper Similkameen Indian Band, RDOS, District of Summerland, City of Penticton, Town of Oliver, Town of Osoyoos, Village of Keremeos and Town of Princeton in the exercise.

This report was written by Paul Edmonds (Principal) of Red Dragon Consulting Ltd., Mike Andrews (Principal) of Get Set Solutions Ltd. and Greg Kanya, independent consultant.

VERSION RECORD

Version	Date	Amendments made	Authorized
1.0	20210412	FINAL	PE

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1.0 Introduction

Red Dragon Consulting was retained by the Regional District Okanagan Similkameen (RDOS) to conduct a series of emergency operations centre (EOC) training sessions followed by a governance exercise. The exercise was based on an interface wildfire scenario designed to generate discussion and prompt decision-making for senior leadership and emergency program coordinators (EPC) of the agencies engaged in a regional emergency management partnership.

2.0 Executive Summary

While the exercise intended to produce a set of conclusive findings and recommendations, the result was largely a clearer understanding of issues and a series of recommendations. This report is the culmination of discussions, key considerations, and recommendations based on the consultant team's extensive experience, insight, and exercise participant engagement.

The initial project objective was to deliver a functional exercise, and in discussion with the Regional District, it was concluded that a tabletop discussion exercise to explore governance would be more appropriate. The relatively recent introduction of the Regional Emergency Management Program bylaw (2901 2020) as well as emergency program coordinators meetings and staff discussions have identified several areas that require thoughtful and careful consideration to promote efficient and effective multi-jurisdictional collaboration.

As with all governance exercises, the consulting team believes that a more concise and conclusive set of findings and recommendations could have resulted if the exercise participants were comprised of fewer agencies and participants and focused on jurisdictional leaders and decision-makers. Engagement was further compounded by the requirement to use virtual coordination tools due to the requirement to comply with the physical distancing restrictions of COVID-19.

It was also evident from many participants that the perceived common aim was to identify a more collaborative, timely and detailed discussion on how to deliver a regional response to an emergency event as opposed to focusing on the governance issues intended.

The exercise identified more areas for further discussion at the senior leadership level than solutions; however, this after-action exercise report will achieve an essential step in evolving an integrated, multi-jurisdictional program through the implementation of the core findings of the consulting team.

Core findings:

- Establish a governance structure that supports a multi-jurisdictional emergency program to address all pillars of emergency management (mitigation, planning/preparedness, response and recovery).
- Enact the necessary policies, bylaws and authorities necessary to empower this program and extend authorities cross-jurisdictionally in crisis.

- Develop a framework for engagement and decision-making during a crisis with consideration to the weight of input from impacted and supporting jurisdictions.
- Agree on a set of common tools for coordination, collaboration, and document management.
- Determine models for incident management for a single jurisdiction, support mechanisms, multi-jurisdiction coordination and multi-jurisdictional integration.
- Establish a protocol for engagement and/or support of non-member jurisdictions when circumstances dictate.
- Develop formulas, procedures and protocols for cost-sharing, cost recovery and reimbursement for circumstances where resources are acquired that benefit multiple jurisdictions.

Furthermore, those multi-jurisdictional decisions required in response would benefit from a more cohesive and integrated emergency management program involved in mitigation, planning and preparedness efforts for agreement member jurisdictions.

3.0 Exercise Purpose & Objectives

The exercise's purpose was to use a cross-jurisdictional wildfire scenario to consider issues and potential solutions culminating in an agreement or better-informed decisions regarding a regional emergency management governance model.

The objectives of the exercise were to:

1. Review and familiarize all participants with the various roles and responsibilities of the command structure;
2. Governance: to determine decision making and required authorities when establishing, organizing, and coordinating emergency operations. This included:
 - initial activation and required staffing levels,
 - which jurisdiction leads and which supports and under what circumstances,
 - engagement of elected officials (Policy Groups) from impacted jurisdictions,
 - decision-making mechanisms from a response and support perspectives,
 - legislated and other responsibilities for the implementation of extraordinary authorities, declarations of local emergency and when incurring costs.
3. Information management; to develop a coordinated approach for consistent information management for impacted and supporting jurisdictions. This included:
 - processes to be followed, including information monitoring, validation, and release.
 - approval process and authority for release
4. Coordination; to explore and refine the mechanisms required to deliver a coordinated regional emergency operation centre. This included:

- cross-jurisdictional integrated organizational structure,
 - physical mobilization of an EOC, regional and/or local,
 - regional EOC support with impact jurisdiction command (review of 2018),
 - role of the RDOS EOC when a member municipality is impacted.
5. Integration; consider the necessary common platform(s) required to enable efficient and effective collaboration and process management. This includes:
- technical solutions (RDOS dashboard, cloud-based system, EM software systems, video link, etc.),
 - requirements for function-specific collaborations (Info Officers, Policy, Directors, Logistics, Finance),
 - shared specialized services such as GIS between stakeholder jurisdictions,
 - coordination of financial process (who pays, who reimburses who and for what)
 - documentation retention.

4.0 Themes and Recommendations

4.1 Shared Integrated Regional Emergency Program

One theme that was not addressed in the exercise but was determined to be highly relevant to the consultant team was that coordinated and integrated response will best come from a coordinated and integrated emergency management program.

What we heard:

- *"We are stronger together need more work for integration."*
- *"Local Emergency Management plans need to be updated and similar in process throughout regional district municipalities."*

Recommendations:

- To revisit and evolve concepts and commitments to an integrated emergency program with an organizational structure that maximizes efficiency to address:
 - How to best fund and structure the joint emergency program to refine efficiencies, avoid duplication and integrate the program under central leadership as opposed to lateral collaboration.
 - Elements and responsibilities of all within the integrated regional program. The development and sharing of templates for common activities of the shared program delivered locally.

This approach extends a greater organizational depth and a broader range of experts; with common knowledge of capabilities and capacities, responsible to the same leadership team during a response.

4.2 Regional Emergency Management Committee

There was a dichotomy of perspectives regarding the composition of the REMC, when to convene the committee and who should engage.

What we heard:

- "...fully impacting to all jurisdictions, then yes convene the committee".
- "If it is only (select communities) only convene committee with those communities involved."
- "Engage or inform?".
- "If the event was multiple days the CAO group would convene to establish how to support the event over many days."
- "...further work in discussion with CEOs required Penticton Indian Band integration and relationships need work".
- "We are stronger together and need more work for integration."
- "...need for guiding principles, look to EMBC for example of models that works, routine governance, a road map in place that doesn't change due to politics".
- "First Nations are self-governing and not subordinate to RD, informal agreement in place. A protocol agreement to contact all First Nations is required; more work is required with First Nations in this regard".

Recommendations:

- Proceed with the concepts of regional governance for an integrated emergency management program including:
 - Establishing the necessary bylaws and authorities to establish the program.
 - Developing a program funding model based on population according to the census.
 - Extend all or elements of the authorities of the Emergency Program Act to reflect the authorities of the REMC in coordinating emergencies in member jurisdictions.
- Explore the Regional District's formalization as the coordinating body for the Regional Emergency Management Program with integration of the City of Penticton's Emergency Program to collectively act as the hub for the program with smaller outlying jurisdiction EPC as satellite offices and representatives.
- During a response, all members of the REMC should be engaged with the impact jurisdiction(s) having the primary authority over response and support activities with partners converging to advise and provide support.
- Establish this committee of the Regional District and its member municipalities and use the committee to discuss other issues and potential membership, including:
 - Potential engagement of First Nations within the boundaries of the RDOS.
 - What happens when an incident borders a non-member community?
 - If a member community is an ESS host or provides other support to a non-member community, how is that community engaged? At what levels?
 - How to engage non-member jurisdictions where critical infrastructure is at risk in the adjacent community which may threaten member communities?

- “Routine” elements of emergency management, including coordinated planning, volunteer management, grant funding, joint purchases, and initiatives, etc.

The recent bylaw and co-development of guidance on when and how to convene the REMC; which jurisdictional teams provide the core response with support from all partners; who undertakes the role of EOC Director; clear reporting lines for multi-jurisdictional teams, and consistent messaging will deliver an agreed framework to solidify regional governance.

The “go big fast” concept to activate EOC processes early on in an emergency event will facilitate valuable discussions on the appropriate roles of the partners. It will be important to ensuring that the voice of an impacted jurisdiction has appropriate weight and authority for considerations relating to its obligations to its citizens and the Emergency Program Act.

4.3 Emergency Support Services:

As with other aspects and recommendations of this report, an integrated approach to Emergency Support Services (ESS) enhances efficiency and expands capacity.

What we heard:

- *"...one team or multiple?"*
- *"Host community" (considerations in support of member and non-member jurisdictions).*
- *"...considerations to engage/support non-member communities."*
- *"...regional ESS model already working well. A good model to use for EOC."*

Recommendations:

- Maintain the integrated ESS team with shared training and exercises.
- Ensure that support capabilities exist between jurisdictions.
- Consider establishing a regional ESS Mobile Support Team consisting of highly trained and experienced members from across the region and equipped for rapid deployment across the region and responsible under the REMC. (Different to the EMBC Mobile Support Team.)

Building on the ESS program's success, the partners involved, and the learning captured in developing such a regional program should be shared with partners to strengthen other current and future coordinated initiatives.

4.4 Considerations with Activating an EOC?

During the workshop, one of the more contentious issues was establishing one or more emergency operations centres and what role, if any, virtual coordination and engagement could have.

What we heard:

- *"Who activates and when?"*

- *"When to activate (an EOC) if not the impact community? Why? How to engage when not involved in event?"*
- *"(What is the) role of the RDOS when other communities impacted?"*
- *(Common protocols to) "connect/call out staff as well as to activate EOC's."*
- *"Past experience with multiple EOC's opened caused confusion. It would be better if only one EOC was opened, and all jurisdictions work together".*
- *(Participant doesn't) "see why the regional CAO committee is activated, he thinks multiple EOC's should be opened for this type of event."*
- *"Potential for local DOC to coordinate with Regional EOC."*
- *"RDOS needs to get to a regional model for local activations. Information flow to regional issues is important to drive situational awareness of incident: hub and spoke analogy."*
- *(Jurisdiction) "would prefer to be included in the discussion even if not involved in the incident."*
- *"Penticton would provide support to other jurisdictions within the regional district when required providing Penticton was not impacted already during the event."*
- *"Existing flood examples on integration, Provincial PREOC prefers contact with one Regional EOC rather than many local EOC's."*
- *"...general discussion good outcome integration is still uncertain. Liaison roles will be important integration will grow optimistic about the process"*

Recommendations:

- Smaller jurisdictions lack capacity, especially for prolonged or complex events, and an integrated model is the best solution for the RDOS and these jurisdictions.
- Build system flexibility to allow for structure and protocols of when to establish:
 - An integrated model where members can share functional elements with the regional (primary) EOC hub.
 - Jurisdictional EOCs, along with an information collaboration strategy.
 - Member municipality facilities available as satellite EOCs or specific functions (virtual and physical), in support of RDOS/partner communities in the vicinity of the emergency to deliver the integrated, effective and efficient response.
- Establish consistent activation protocols cross-jurisdictionally for EOC Levels One, Two and Three.
- Consistent activation system/call-out protocols cross-jurisdictionally, ideally using a pager-type of technology to enhance efficiency.

The establishment of clearly defined procedures for a regional EOC and the "maintenance" of a core team (pre-identification of EOC function-specific staff from the multi-jurisdictions) will help deliver the regional model. An EOC activation model must be co-developed to explore and confirm the roles of EPCs, staff and the REMC nominated EOC Directors in supporting the collaborative team approach.

4.5 Staffing

Several exercise injects explored the concept of EOC staffing and opportunities for an expanded workforce and organizational depth through collaboration. We have combined the issues of staffing and technology as, in our recommendations, they are interrelated.

What we heard:

- *"RDOS CAO to work on the breakdown of barriers to allow staff from other jurisdictions to attend the RDOS EOC."*
- *"RD has a list of EOC trained staff but need to understand what other jurisdictions within RDOS can bring to bear and how does RDOS activate them to help for pre-planning?"*
- *"Wondering how to engage when not involved in the event?"*
- *Town of Oliver, EPC Diane; having an EOC at level one or two in her municipality, they would need support from Regional District, i.e., limited EOC personnel capacity.*
- *Town of Keremeos, CAO Marg; Keremeos needs to share EOC trained staff for their EOC as no depth of EOC trained personnel.*
- *Town of Princeton EPC Ed: no depth in EOC personnel in Princeton. More trained EOC people are required.*
- *Town of Summerland CAO Graham: better relationships basic training and exercising.*

4.6 Technology

Due to the vast geographic area encompassed by the RDOS and containing the member municipalities, some technology element is critical to coordination. This necessity is more pronounced during emergencies and has the potential to address issues of coordination, staffing, documentation management and shared situational awareness.

What we heard:

- *"How does the (REMC) committee come together should they meet in person or electronically?"*
- *"...need to be in one location for EOC, not remote, this works better for face-to-face interaction."*
- *"(Participant) agrees that all parties are in the same EOC, not remote or virtual as better decisions and discussions face to face in one active EOC."*
- *"...was very important to be in planning section of active EOC, better face-to-face interaction."*
- *"EOC dashboard is available to all jurisdictions and EPC's have login credentials."*
- *"...desire a common platform for sharing information dashboard or WebEx as example."*
- *"...documentation consistency is important, but CAO not concerned about particular computer systems."*
- *"...need committee for planning what mechanism used to meet."*

Recommendations:

- The pre-identification of EOC function-specific staff from each partner's jurisdiction should be developed to create a cascade list or similar, to resource a regional EOC while providing organizational depth at all positions.
- The concept of in-person engagement in an EOC versus the use of a technical platform need not be either/or, but should be a combination.
- The consultants agree that technology in an EOC is essential to gain efficiencies in managing processes and that any chosen common technical platform(s) can be extended to support remote multi-jurisdictional integration when time and other factors deem it prudent.
- Any chosen system(s) should be common to all stakeholders or have the capability of being hosted by one and easily engaged by others.

- Systems used in emergencies should be intuitive and also have routine use so it's familiar to users in crisis.
- Consideration should be given to simplifying use and enhanced functional efficiencies, including multi-jurisdictional coordination, integrated staffing models that include in-person and remote engagement, function-specific work platforms, built-in tools and reference, documentation management and shared situational awareness.
- Chosen platforms should allow for the integration of software systems and functionality to streamline user interface to one platform wherever possible.
- When engaging agency representatives, technical specialists and subject-matter experts, there should be one access point that allows all engaged partners access minimizing the need for the engagement of multiple representatives from the same agency to engage partnership stakeholders.
- When an event is happening closer to a town than the RD, consideration should be given to the town hosting an EOC or elements of it, if proximity is desirable.
- Agency representatives are more likely to engage EOCs if they have the option of physical or virtual engagement.

All systems require training, and routine use, common systems will aid in collaborative work by the sharing of common emergency management forms, action plans, and critical information.

4.7 Public Information

Integrated public information seems to be in place and functioning multi-jurisdictionally through user engagement however process flows should be reviewed for efficiencies.

What we heard:

- *"who generates the information? A regional source for information should be RDOS."*
- *"(participating jurisdiction's) expectation is RDOS would draft public information, and it would be proofed by (impact jurisdiction) then once produced shared by CAO with their residents."*
- *"RDOS PIO would coordinate information coming out of RDOS EOC. RDOS EOC is using Microsoft 360 as a platform for information sharing, i.e., basic text group via text to share and discuss information releases with other jurisdictions within RD. When our RDOS EOC is activated, all information comes from the EOC director via the PIO."*
- *"...if your information is contradictory public will lose confidence. Regional EOC as one information source is key for coordinated information. Communicate information with all EOC's first to ensure coordination."*
- *"... all information sharing turned over to PIO's."*
- *"... all communications should come from a central location i.e., "mother ship or central EOC" all players need to be in the loop, coordination of all players for information sharing."*
- *"RDOS responsible for messaging via media and social media."*
- *"...RDOS joint information release with...any other jurisdiction involved in an incident. If RDOS EOC is active, they would still coordinate messaging via civic ready mass notification system."*
- *"PIB is not part of the Civic Ready system."*

- *"Civic Ready needs to be discussed with all jurisdictions within regional district. RD may be looking at a new system. First Nations are not presently on board."*
- *"...need good and accurate information sharing, messages and facts need to be correct and shared via multiple channels."*
- *"...in the short term Civic Ready is the information sharing tool. Need to be able to share information for people from outside of area as well."*

Recommendations:

- Integrated public information seems to be in place and functioning multi-jurisdictionally though the discussions revealed potential expansion of the mass alerting system. We recommend conducting a multi-stakeholder review and gap analysis of the system, its functionality, operational protocols, desired outcomes and anticipated audiences and consider alternative platforms if the analysis reveals it prudent.
- There seems to be significant autonomy given to those coordinating public information. Information Officers are responsible for propagating messages generated by the EOC Director and/or Operations, and the legal responsibility for some messages (orders, alerts) resides with the senior officials of the impacted jurisdiction, and these processes need to be reviewed by all stakeholders, adopted and documented for operational reference. Reference for roles and responsibilities should reinforce these processes and authorities

Information is key to a well-managed Emergency Operation Centre and integrated yet flexible processes of sharing situational awareness and information releases will benefit all residents within the region.

4.8 Authorities

The BC Emergency Program Act (currently under review) dictates local authorities' requirements for the establishment of emergency plans and programs and those authorities that can be enacted during jurisdictional crises.

What we heard:

- *"Evacuation alerts would be issued by town."*
- *"...would issue their own alerts within their jurisdiction."*
- *"City of Penticton would ask for all authorities within a state of local emergency."*
- *"RDOS is the primary authority responsible within their jurisdiction."*

Recommendation:

- The REMC should convene and discuss the various options for governance of the joint emergency program, including the potential for extension of EP Act authorities to the RDOS and/or other jurisdictions in the absence of local capacity or to advise local officials.

Agreement and illustration of the governance structure will clarify "who does what and in what circumstances" for the publishing of official emergency management documentation.

4.9 Task Numbers & Financial Claims

During multi-jurisdictional and complex multi-hazard events, the issuing of provincial task numbers, their intended scope of coverage and the recovery of costs can be complicated when multiple jurisdictions collaborate. Matters of the application and coverages should be investigated, clarified with Emergency management BC and documented as a standard operating procedure for the RDOS and the member municipalities in advance or emergencies.

What we heard:

- *"...individual task numbers for ESS groups and use of EAF's (for cost recovery)."*
- *"...each jurisdiction can pass costs back to the province." (eligible costs.)*
- *"City of Penticton; largest organization within the RD, i.e., City of Penticton pays and recovers costs back from other jurisdictions or EOC's. This suggestion being made as Penticton has internal staff and resources to handle this."*
- *"...municipal employees are paid via their own municipality, and wages are billed back to EMBC via contract or via a resource request."*
- *"Eastgate flooding event example, overtime was paid by Princeton and paid back by RDOS after the fact."*
- *"...work conducted by PIB for RDOS paid by EAF and transferred back to PIB."*
- *"...building familiarity and challenges integration who pays for preparation?"*

Recommendations:

- EMBC should be consulted as to what they prefer in these circumstances as they provide the associated coverages and cost recovery. This should consider the potential for "incident numbers" subordinate to a task number that can associate actions and costs to jurisdictions and activities.
- Based on EMBC consultation, a series of agreements and standard operating procedures should be developed to define:
 - How to best fund and structure the joint emergency program to refine efficiencies, avoid duplication and integrate the program under central leadership as opposed to lateral collaboration.
 - Funding for joint training and exercises for emergency support services and emergency operations centre and other relevant and related areas.
 - Access to grant monies for initiatives that benefit the individual and the collective.
 - When task numbers (or incident numbers) are issued, to whom and for what purposes.
 - How costs are recovered and, if necessary, laterally reimbursed for resources or services engaged that benefit multiple jurisdictions.
 - When costs can be deferred to the province (or a larger jurisdiction for later recovery) as incurring them locally will result in financial hardship.
 - Cost recovery (or procedures in lieu) for the secondment of staff to support other impacted member jurisdictions.

The consulting team is aware that there is considerable knowledge within the partners to deliver successful eligible cost recovery claims. The recommendations would enhance the expectation of the supportive regional EOC model and drive consistency.

4.10 Priorities as defined by the RDOS CAO:

1. Working towards formalizing relationships with First Nations,
2. Other sector tables (need to meet and determine issues and solutions) (GIS and communications has started),
3. Local versus regional response,
4. Communications information sharing and common platform,
5. Consistent messaging (mass notifications),
6. Consistent documentation and expenses,
7. ESS, reception centre, who operates?
8. Exercises (joint exercises and training to test concepts),
9. CAO Group to convene and discuss the regional emergency management agenda.

5.0 Summary

The consultants, participants, and subject-matter experts engaged in this initiative agree on a "stronger together" approach to regional emergency management.

We firmly believe that this cooperation and coordination starts with the routine elements of a joint emergency program. We are confident that establishing an effective coordinated emergency program will provide the necessary framework for efficiency and depth and that integrated response will evolve from this foundation.

We further believe that it is prudent that the Regional District and the largest partner, the City of Penticton, have the necessary resources to provide leadership to this collective. While it seems appropriate that the RDOS provide the leadership of an integrated regional program, the co-location of these two entities in the City of Penticton makes the formation of a centralized program key to explore a unified approach. Indeed, the collaboration and integration of the two largest partners set the tone for expanded regional coordination.

As stated in this report, the vastness of the region and the disparity of capabilities and capacities of member jurisdictions as well as the potential for timely engagement and process efficiencies, make a strong case for an integrated technical platform for collaboration.

Undeniably, such a system should leverage existing and common capabilities and be intuitive to users so that there is familiarity in times of crisis. Systems engaged in operations must be trained to and regularly exercised, and any integrated concepts of operations adopted by the collective should include a comprehensive training and exercise program.

Regular engagement of emergency program elements outside of emergency events, as well as integrated training and exercises, will ensure seamless integration resulting in a region and its stakeholder jurisdictions that truly are "stronger together".

Certification page

Red Dragon Consulting project team presents our findings following Exercise Incendiary “Blue Mountain Fire.”

Respectfully submitted,

Sincerely,

Project Manager



Paul Edmonds

BSc Hons Tech, SIC, OSC, NEBOSH, MEPS, QDJM .

Principal Consultant

Red Dragon Consulting Ltd

Project Team Members:

Paul Edmonds, Michael Andrews (Get Set Solutions Ltd) & Greg Kanya, independent consultant.

BOARD OF DIRECTORS MEETING

Thursday, May 20, 2021

11:45 am

BOARD MEETING AGENDA

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of May 20, 2021 be adopted.

B. MINUTES

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the May 6, 2021 Minutes of the Okanagan-Similkameen Regional Hospital District Board meeting be adopted.

C. URGENT & PRIMARY CARE CENTRE ADVOCACY

D. ADJOURNMENT

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

BOARD OF DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Okanagan-Similkameen Regional Hospital District Board (OSRHD) of Directors held at 1:30 p.m. on Thursday, May 6, 2021, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

- | | |
|--|---|
| Chair J. Sentes, City of Penticton | Director K. Kozakevich, Electoral Area "E" |
| Vice Chair S. McKortoff, Town of Osoyoos | Director S. Monteith, Electoral Area "I" |
| Director M. Bauer, Village of Keremeos | Director R. Obirek, Electoral Area "D" |
| Director G. Bush, Electoral Area "B" | Director M. Pendergraft, Electoral Area "A" |
| 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 D. Holmes, District of Summerland | Director J. Vassilaki, City of Penticton |
| Director P. Veintimilla, Alt. Town of Oliver | Director C. Watt, City of Penticton |
| Director R. Knodel, Electoral Area "C" | |

MEMBERS ABSENT:

- Director M. Johansen, Town of Oliver

STAFF PRESENT:

- | | |
|---|--|
| B. Newell, Chief Administrative Officer | C. Malden, Manager of Legislative Services |
|---|--|

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of May 6, 2021 be adopted. - **CARRIED**

B. MINUTES

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the April 15, 2021 Minutes of the Okanagan-Similkameen Regional Hospital District Board meeting be adopted. - **CARRIED**

C. SUPPLEMENTARY FUNDING REQUEST – IHA

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Okanagan-Similkameen Regional Hospital District send a letter to the Minister of Health expressing their concern with the lack of transparency and openness with regard to the Urgent and Primary Care Centre developed at 437 Martin Street in Penticton.

It was MOVED and SECONDED

That the motion be amended to include Interior Health as a recipient of the letter. – **CARRIED**

Question on the Main Motion

THAT the Okanagan-Similkameen Regional Hospital District send a letter to the Minister of Health and Interior Health expressing their concern with the lack of transparency and openness with regard to the Urgent and Primary Care Centre developed at 437 Martin Street in Penticton.

CARRIED

D. MOTION TO RECONSIDER

At their meeting of April 15, 2021, the Board adopted the following resolution.

THAT IHA be advised to apply to the Minister of Health to have Unit #101 – 437 Martin Street, Penticton designated as a “Hospital” under the Hospital Act;

The 2nd part of the recommendation was voted on separately, and was defeated. The Chair expressed her intent to bring this defeated resolution back to the Board for reconsideration. The motion to reconsider does not need a seconder.

MOTION from Chair Sentes

THAT the Board of Directors reconsider the following motion defeated at the meeting of 15 April 2021 (Unweighted Corporate Vote – Simple Majority)

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

CARRIED

Opposed: Directors Veintimilla, Watt, Gettens, Monteith, Holmes, Robinson, Knodel, Kozakevich

1. Delegation: Carl Meadows and Dan Goughner, IHA
2. Administrative Report

It was MOVED and SECONDED (Weighted Corporate Vote – Majority)

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

CARRIED

Opposed: Directors Watt, Robinson, Veintimilla, Knodel, Holmes, Kozakevich, Monteith

E. ADJOURNMENT

IT WAS MOVED AND SECONDED

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 2:53 p.m.

APPROVED:

CERTIFIED CORRECT:

J. Sentes
OSRHD Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

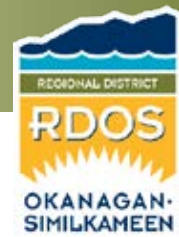
DATE: 20 May 2021

RE: Urgent & Primary Care Centre Advocacy

At their meeting of 6 May 2021 the Board discussed the process and funding of Urgent & Primary Care Centres within the geographic area. One of the suggestions falling out of the discussion was that the Board needed to take a proactive approach with the future planning of the network, rather than waiting for IHA to come in with a request.

Given that, the Board may want to contemplate the following questions:

1. Should we prioritize our locations and advocate those to IHA to work into their capital plan?
2. If so, what parameters would we use to identify and prioritize locations?
3. Should we actively lobby IHA for funding to proceed with development of UPCC's on an expedited schedule?



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

Thursday, May 20, 2021
12:45 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of May 20, 2021 be adopted.

1. Consent Agenda – Corporate Issues

a. Kaleden Parks and Recreation Commission – April 20, 2021

THAT the Minutes of the April 20, 2021 Kaleden Parks and Recreation Commission meeting be received.

b. Naramata Parks and Recreation Commission – April 26, 2021

THAT the Minutes of the April 26, 2021 Naramata Parks and Recreation Commission meeting be received.

c. Area “F” Parks and Recreation Commission – May 4, 2021

THAT the Minutes of the May 4, 2021 Area “F” Parks and Recreation Commission meeting be received.

d. Area “F” Parks and Recreation Commission – May 4, 2021 (AGM)

THAT the Minutes of the May 4, 2021 Area “F” Parks and Recreation Commission AGM meeting be received.

e. Community Services Committee – May 6, 2021

THAT the Minutes of the May 6, 2021 Community Services Committee meeting be received.

f. Corporate Services Committee – May 6, 2021

THAT the Minutes of the May 6, 2021 Corporate Services Committee meeting be received.

Although the Minutes of March 18, 2021 were received at the April 1, 2021 Board meeting, the following recommendation was not acknowledged in the consent agenda as is standard process:

THAT the installation of 3 video surveillance cameras on the outside of the Willowbrook Volunteer Fire Department Building be approved (March 18, 2021 Corporate Services Committee).

g. Planning and Development Committee – May 6, 2021

THAT the Minutes of the May 6, 2021 Planning and Development Committee meeting be received.

h. Protective Services Committee – May 6, 2021

THAT the Minutes of the May 6, 2021 Protective Services Committee meeting be received.

- i. **RDOS Regular Board Meeting – May 6, 2021**
THAT the minutes of the May 6, 2021 RDOS Regular Board meeting be adopted.

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

2. **Consent Agenda – Development Services**
 - a. **Development Variance Permit Application – 1205 Maple Street, Electoral Area “D”**
 - i. **Permit**

THAT the Board of Directors approve Development Variance Permit No. D2021.015-DVP.

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters

1. **Agricultural Land Commission Referral (Non-Adhering Residential Use) – 2185 Naramata Road, Electoral Area “E”**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)
THAT “the application for a “non-adhering residential use – Additional Residence for Farm Use” at 2185 Naramata Road (Lot 24, Plan KAP576, District Lot 206, SDYD, except Plan B4825, 14888, B7983, 16800 & H17800) be authorized” to proceed to the Agricultural Land Commission.

2. **Official Community Plan (OCP) & Zoning Bylaw Amendment – 1750 Highway 3 – Electoral Area “A”**
 - a. Bylaw No. 2905.01
 - b. Bylaw No. 2451.27
 - c. Representations

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)
THAT Bylaw No. 2905.01, 2021, being a bylaw to amend the Electoral Area “A” Official Community Plan Bylaw; and, Bylaw No. 2451.27, 2021, a bylaw to amend the Electoral Area “A” Zoning Bylaw, be denied.

3. **Zoning Bylaw Amendment – Electoral Area “D”, “E”, “F”, & “I” Regulation of “Solar Energy Systems”**
 - a. Amendment Bylaw No. 2911

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)
THAT Bylaw No. 2911, 2021, Regional District of Okanagan Similkameen Solar Energy Systems Regulation Zoning Amendment Bylaw be adopted.

4. **Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002 Requirement to connect to an RDOS Sewer System**
 - a. Bylaw No. 2000.11

RECOMMENDATION 7 (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2000.11, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to require connection of parcels within a sewer system, be read a first, second and third time and be adopted.

5. **Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002**
 - a. Amendment Bylaw No. 2000.12

RECOMMENDATION 8 (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2000.12, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to exempt large parcels from the requirement to prove water, be read a first, second and third time and be adopted.

6. **Zoning for Retail Sales of Cannabis (Electoral Area “D”) – This item was brought as a Notice of Motion at the May 6, 2021 Board Meeting. Administration has provided a report on the matter.**
 - a. Administrative Report
-

C. PUBLIC WORKS

1. **Naramata Village Liquid Waste Management Plan**

RECOMMENDATION 9 (Weighted Corporate Vote – Majority)

THAT the “Naramata Village Liquid Waste Management Plan” project be awarded to McElhanney Ltd. in the amount of \$89,949 plus tax; and

THAT a contingency for the project be established in the amount of \$20,000.

2. **Fortis Gas Line Right of Way at the Campbell Mountain Landfill**

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

THAT the Regional District enter into a Gas Line Right-of-Way agreement with the City of Penticton (the “City”) and FortisBC Energy Inc. (Fortis) to permit FortisBC to construct a gas line main through the CMLF Lease on the following conditions:

1. that Fortis fund all expenses for a risk assessment, legal fees and mitigation activities to protect the RDOS and the City from installation of the Works;
 2. that a connection on the proposed high pressure gas main crossing at Reservoir Road be provided to the RDOS for a future natural gas generation project at no expense to the Regional District.
-

D. COMMUNITY SERVICES**1. Okanagan Falls Parks & Recreation Commission Meeting – March 25, 2021**

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

THAT the minutes of March 25, 2021 be referred to administration to undertake a review of the commission recommendations contained within the commission minutes of March 25, 2021 to determine impacts to current resources and workplans or to confirm legislative and/or legal authority.

2. Okanagan Falls Parks & Recreation Commission Meeting – April 8, 2021

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

THAT the minutes of April 8, 2021 be referred to administration to undertake a review of the commission recommendations contained within the commission minutes of April 8, 2021 to determine impacts to current resources and workplans or to confirm legislative and/or legal authority.

3. Similkameen Community Centre – Bowling Lane Upgrades

RECOMMENDATION 13 (Weighted Corporate Vote – Majority)

THAT the contract for the supply and installation of a new electronic bowling lane scoring/entertainment system be awarded to Buffa Distribution up to the amount of \$55,216.06, exclusive of GST.

4. Town of Oliver Request to Provide Road Rescue Service in RDOS**a. Town of Oliver Letter**

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District grant authority to the Town of Oliver to provide a Road Rescue Service along Fairview Road between the Town of Oliver west boundary and the Keremeos Fire Department Service Area.

5. South Okanagan-Similkameen Fire Chief Association Request for amendment to Fire Department Operational Bylaw No. 2857, 2019**a. Bylaw No. 2857 Amendment – Mark-up****b. Bylaw No. 2857.02**

RECOMMENDATION 15 (Unweighted Participant Vote – 2/3 Majority)

THAT Bylaw 2857.02, 2021, a Bylaw to amend the Fire Department Operational Bylaw to include a definition for “Road Rescue” and grant permission for Fire Departments to leave their service area be read a first, second, and third time and adopted.

E. FINANCE**1. Town of Osoyoos Rural Water Twinning Program – Long Term Borrowing Security Issue Fall 2020 – Bylaw 2928, 2021****3. Bylaw No. 2928, 2021****RECOMMENDATION 16** (Weighted Corporate Vote – 2/3 Majority)**THAT Bylaw No. 2928, 2021 being District of Okanagan Similkameen Security Issue Bylaw No. 2928, 2021, be read a first, second, third time and adopted for the purposes of borrowing up to \$1,538,859 for the design and construction of the rural water twinning program.**

F. LEGISLATIVE SERVICES**1. Communications Policy****a. Policy****RECOMMENDATION 17** (Unweighted Corporate Vote – Simple Majority)**THAT the Board of Directors adopt the RDOS Communications Policy as amended at the May 6, 2021 Corporate Services Committee.**

2. Electoral Area “D” Service and Boundary Configuration Study**RECOMMENDATION 18** (Unweighted Corporate Vote – Simple Majority)**THAT the following residents be appointed as members of the Area “D” Service and Boundary Configuration Study Committee:**

- | | |
|------------------|---------------------|
| - Bob Daly | - Kay Medland |
| - David Forst | - Matt Taylor |
| - Eleanor Walker | - Myleen Mallach |
| - Kerrie MacLean | - Phyllis Radchenko |
| - Kurt Hiebert | - Vi Creasy |
-

G. CAO REPORTS**1. Verbal Update**

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

2. Board Representation

- Developing Sustainable Rural Practice Communities - *McKortoff*
- Municipal Finance Authority – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
- Municipal Insurance Association – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
- Okanagan Basin Water Board - *McKortoff, Holmes, Knodel, Pendergraft (Alternate to McKortoff), Obirek (Alternate to Holmes), Monteith (Alternate to Knodel)*

- e. Okanagan Film Commission – *Gettens, Obirek (Alternate)*
 - f. Okanagan Regional Library – *Monteith, Obirek (Alternate)*
 - g. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
 - h. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
 - i. Starling Control – *Bush, Knodel (Alternate)*
 - j. Fire Chief Liaison Committee – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - k. Intergovernmental Indigenous Joint Council – *Kozakevich, Coyne, Roberts*
-

3. Directors Motions

- a. Notice of Motion - Director Obirek

THAT administration be directed to draft a zoning amendment bylaw for retail cannabis stores in Electoral Area "D".

The Notice of Motion made by Director Robert at the May 6, 2021 Board meeting is being addressed under item B.6. of the May 20, 2021 Board meeting.

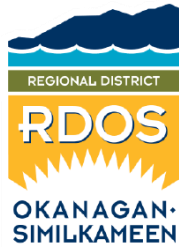
- b. Notice of Motion - Director Roberts

That a resolution be forwarded to UBCM to support a policy change at the Provincial level regarding multi-jurisdictional issues in electoral areas, that they be handled in a manner similar to the way emergencies are handled with a round-table solution-based system.

The Notice of Motion made by Director Roberts at the May 6, 2021 Board meeting is being addressed at the May 20, 2021 Corporate Services Committee meeting.

4. Board Members Verbal Update

I. ADJOURNMENT



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



MINUTES

April 20, 2021

Meeting at 6:30 p.m.

Via Webex

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

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

Absent: Marie-Eve Lamarche

Staff: Justin Shuttleworth, Manager of Parks and Facilities

Recording Secretary: Margaret O'Brien

Delegates / Guests: Yvonne Kennedy, Karen Bennett, Dennis Godry

1. CALL TO ORDER

The meeting was called to order at 6:40 p.m.

ADOPTION OF AGENDA

RECOMMENDATION

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

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for Kaleden Parks and Recreation Commission Meeting of March 16, 2021 be approved.

CARRIED

3. CORRESPONDENCE/DELEGATIONS

- 3.1 Tennis Club Members Yvonne Kennedy and Karen Bennett attended meeting at request of Commission. Presented letter dated April 9, 2021 covering the Tennis Club's wishes for the \$11,000 placed in trust with the RDOS.

The Commission thanks the Tennis Club members for their attendance, their willingness to answer questions and their support.

4. RDOS STAFF REPORTS

4.1 Park updates supplied by Justin Shuttleworth

- Hotel and big island planting will be taking place in very near future.
- Baffle gate and cyclist dismount signage in the works.
- Painting of the Pioneer Park cement wall is being suggested to help offset cleaning and maintenance due to continuing concerns with Graffiti. RDOS would be open to volunteers taking on this project if any interest in/from Community.
- The Bike Rack and backless park bench by the stairs just off the KVR will be purchased by KCA and installation will occur in the near future.
- Parks Master Plan is currently ongoing. The Survey, a video about the project and an interactive mapping tool are now online.

5. COMMISSION MEMBER REPORTS

5.1 Randy Cranston presented cost estimates received on the repair of the tennis court surfaces:

- 1) repair cracks only - \$50,510.00
- 2) repair cracks, apply RiteWay Crack Repair and then resurface courts - \$61,720.00 (recommended)
- 3) remove and replace \$150,000.00

RECOMMENDATION

It was Moved and Seconded that the Kal-Rec Commission would like to extend an invitation to other sport groups, ie Badminton Club, Pickle ball Club, etc., in order to provide their input to the Commission.

CARRIED

6. RDOS DIRECTOR'S REPORT

6.1 Director Monteith update:

- Staff has ordered the Bear Proof garbage cans for the public access area at Twin Lakes.

Installation and garbage removal will begin shortly.

- The swimming dock at Pioneer Park has been replaced for use this summer.
- The Biologist has completed his inspection of the Pioneer Park shoreline.
- The Basketball Academy has donated new basketball nets to Pioneer Park. It has been suggested that staff may want to use metal nets vs rope nets due to vandalism.

7. BUSINESS ARISING

- 7.1
- 1) The tree company will be paying for the picnic table that was damaged by the falling tree.
 - 2) The fire pit by the boat launch is currently in need of maintenance.
 - 3) Kaleden Fire Chief Dennis Godry joined the discussion regarding the possibility of acquiring additional fire pits and/or metal BBQ benches to protect cement picnic tables. Further discussion required.

RECOMMENDATION

It was Moved and Seconded that these topics be added to May's Agenda.

CARRIED

Follow-up of Recommendations from former meetings

- *The RDOS Staff report on programing that occurred in Kaleden is being completed and will be presented at a future Commission Meeting – a quarterly report will be forthcoming.*

8. ADJOURNMENT

RECOMMENDATION

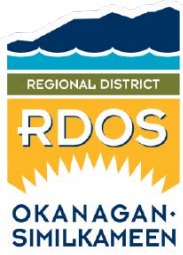
It was Moved and Seconded that the meeting be adjourned at 7:55 pm.

CARRIED

NEXT REGULAR MEETING: May 18, 2021

Chair, Kaleden Parks and Recreation Commission

Recording Secretary

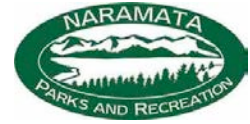


Minutes

Naramata Parks & Recreation Commission

Meeting of April 26, 2021, 6:30 p.m.

WebEx Virtual Meeting - Naramata, BC



Present:	Karla Kozakevich, Director, Electoral Area "E"
Members:	Dennis Smith (Chair), Maureen Balcaen, Nicole Verpaelst, Ashley Selwood, Cynthia Enns, Adrienne Fedrigo, Tom Hoenisch, Richard Roskell arrived to meeting at 6:33 p.m.
Absent:	None
Staff:	Augusto Romero (RDOS Recreation Manager), Mark Woods (RDOS General Manager of Community Services), Justin Shuttleworth (RDOS Manager of Parks and Facilities)
Guests:	None
Recording Secretary:	Heather Lemieux (Recording Secretary)
Delegates:	None

1. CALL TO ORDER

The meeting was called to order at 6:32 p.m. Quorum present.

ADOPTION OF AGENDA

1.1 **RECOMMENDATION**

It was Moved and Seconded that the Agenda for the Naramata Parks & Recreation Meeting of April 26, 2021 be adopted as presented 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 March 22, 2021 be approved as presented.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

- 3.1 Skatepark Correspondence** — A letter was received by a community member regarding a possible skatepark location. Discussed green-space retention.

4. RDOS STAFF REPORTS — Staff Absent

- 4.1 **Parks and Recreation Commission Orientation / Information Session Follow Up** — M. Woods provided an update on regional surveys and project planning processes.
- 4.2 **Parks and Facilities Update** — J. Shuttleworth presented an update. Lights have been installed in Manitou Park to deter Geese, excess top soil has been used for landscaping at Wharf Park, and a trail building course is being planned for Creek Park this spring. Discussed goose management strategies.
- 4.3 **Recreation Manager Update** — A. Romero is preparing a quarterly update that will be completed and distributed to the NPR soon.

5. RDOS DIRECTOR REPORT — Karla Kozakevich, Director, Electoral Area “E”

- 5.1 **Manitou Park** — The Naramata Recreation Access & Enhancement Project is well underway. Signage and sculpture designs are being worked on. Discussed budget.
- 5.2 **Dog Parks** — Discussed adding signage and that any added garbage bins need to be bear proof. Off leash dog park planning will be included in the community survey for feedback.

6. COMMISSION MEMBER REPORTS

- 6.1 **RDOS Commission Communication** — D. Smith inquired on public access to NPR meetings. The RDOS is working on adding Webex links on the RDOS website.

In the meantime, NPR members can forward the meeting WebEx link to interested members of the public.

New members are welcome to join the commission. The maximum number of NPR commission members is 11, currently there are 8 members.
- 6.2 **Manitou Park Parking Barriers** — D. Smith requested that NPR members provide design suggestions for the parking barrier between Manitou Park and the parking lot.
- 6.3 **Skatepark** — A. Selwood updated that the temporary skateboard ramps have been placed on the sports court at Spirit Park. Skateboarding lessons are being planned. Feedback was received by users that the sports court has a very rough surface.
- 6.4 **Parks Maintenance** — M. Balcaen updated on park maintenance, amenities, added port-o-potties, and garbage can usage.
- 6.5 **Adra Tunnel** — T. Hoenisch updated that the Adra Tunnel signage plan continues.

ONGOING

7. BUSINESS ARISING

7.1 Parks, Trails and Recreation Master Plan — A regional survey is underway, many responses have been received already. Discussed mapping tools, sounding boards, stakeholder groups, and kiosks will be planned in the future.

8. ADJOURNMENT

8.1 RECOMMENDATION

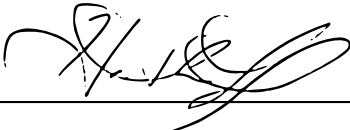
It was Moved and Seconded that the Naramata Parks & Recreation Meeting be adjourned at 7:14 p.m.

CARRIED

NEXT MEETING: May 24, 2021 at 6:30 p.m.
Location TBD



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



Recording Secretary, Heather Lemieux



Minutes

Electoral Area “F” Parks & Recreation Commission

Meeting of May 4, 2021

RDOS Office – 101 Martin Street, Penticton, BC

Present: Ms. R. Gettens, Director, Electoral Area “F”
Members: Ben Arcuri, Chair, Warren Everton, Ben Johnson
Absent: Tristan Mennell, Jane Windeler
Staff: Mark Woods, General Manager of Community Services
Recording Secretary:
Delegates / Guest: Sue Gibbons

1. CALL TO ORDER

The meeting was called to order at 6:15 p.m.

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of May 4, 2021 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 October 7, 2020 be approved.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

3.1 Penticton and Area Cycling Association Presentation

- Pat Dowler, Pete Wilkins and Nick Hill shared their ideas for a mountain biking skills park.

4. RDOS STAFF REPORTS

4.1 Parks and Recreation Commission Orientation / Information Session Follow Up

- M. Woods reviewed

Mariposa Park Development Plan

4.2 • Commission to determine what level of engagement they would want to see

Q1 Activity Report

4.3 • Hard copy was distributed and S. Gibbons will email out an electronic copy with the minutes

5. COMMISSION MEMBER REPORTS

None

6. RDOS DIRECTOR'S REPORT

6.1 SD67 update

- Director Gettens provided an update

6.2 Bulletin Boards – seeking input

- Director Gettens provided an update

RECOMMENDATION

It was Moved and Seconded that the Electoral Area “F” Parks and Recreation Commission endorse the ongoing negotiation with SD67 for:

1. A shared-use agreement with West Bench Elementary School; and,
2. A purchase agreement for the north field and gravel area of West Bench Elementary School

CARRIED

7. BUSINESS ARISING

7.1 None

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 8:15 pm.

CARRIED

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

Sue Gibbons

Recording Secretary



Minutes

Electoral Area “F” Parks & Recreation Commission ANNUAL GENERAL MEETING

Meeting of May 4, 2021

Mariposa Park, West Bench

394 Vedette Drive, Penticton, BC

Present: Ms. R. Gettens, Director, Electoral Area “F”
Members: Ben Arcuri, Ben Johnson, Warren Everton
Absent: Tristan Mennell, Jane Windeler
Staff: Mark Woods, General Manager of Community Services
Recording Secretary:
Delegates / Guest: Sue Gibbons

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the AGM Agenda of May 4, 2021 be adopted.

CARRIED

2. APPROVAL OF LAST AGM MEETING MINUTES

2.1 RECOMMENDATION

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

CARRIED

3. DIRECTOR CALLS FOR NOMINATIONS FOR CHAIRPERSON

3.1 Ben Arcuri was nominated and appointed by acclamation.

4. CHAIR CALLS FOR DISCRETIONARY POSITIONS

4.1 No discretionary positions were considered at this time.

5. ADJOURNMENT

RECOMMENDATION

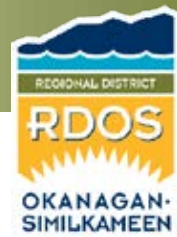
It was Moved and Seconded that the meeting be adjourned at 6:15 pm.

CARRIED

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

Sue Gibbons

Recording Secretary



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

Thursday, May 6, 2021
12:32 p.m.

MINUTES

MEMBERS PRESENT:

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

Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director R. Obirek, Electoral Area "D"
Director T. Roberts, Electoral Area "G"
Director K. Robinson, City of Penticton
Director J. Sentes, City of Penticton
Director E. Trainer, District of Summerland
Director J. Vassilaki, Alt. City of Penticton
Director C. Watt, City of Penticton

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Community Services Meeting of May 6, 2021 be adopted. - **CARRIED**

B. Regional Child Care Action Report – For Information Only

1. Presentation

The Committee reviewed the South Okanagan-Similkameen Child Care Action Plan and the next steps to continue to work with partners, stakeholders and other orders of government on the recommendations outlined in the Action Plan.

C. ADJOURNMENT

It was MOVED and SECONDED

THAT the meeting adjourn. - **CARRIED**

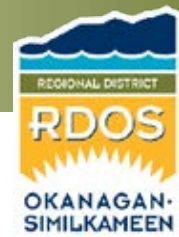
The meeting adjourned at 1:26 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Bauer
Community Services Committee Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, May 6, 2021

11:32 a.m.

MINUTES

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"

Vice Chair S. Coyne, Town of Princeton

Director M. Bauer, Village of Keremeos

Director G. Bush, Electoral Area "B"

Director B. Coyne, Electoral Area "H"

Director R. Gettens, Electoral Area "F"

Director D. Holmes, District of Summerland

Director M. Johansen, Town of Oliver

Director R. Knodel, Electoral Area "C"

Director S. McKortoff, Town of Osoyoos

Director S. Monteith, Electoral Area "I"

Director R. Obirek, Electoral Area "D"

Director M. Pendergraft, Electoral Area "A"

Director T. Roberts, Electoral Area "G"

Director K. Robinson, City of Penticton

Director J. Sentes, City of Penticton

Director E. Trainer, District of Summerland

Director J. Vassilaki, City of Penticton

Director C. Watt, City of Penticton

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

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

THAT the Agenda for the Corporate Services Meeting of May 6, 2021 be adopted. - **CARRIED**

B. COMMUNICATIONS POLICY

1. Communications Policy

The Committee discussed proposed changes to the Communications Policy, including the clarification that the Electoral Area Director is the primary spokesperson on matters specifically pertaining to that electoral area.

RECOMMENDATION 2

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

THAT Board of Directors adopt the amended Communications Policy. - **CARRIED**

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

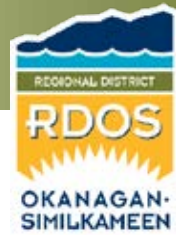
The meeting adjourned at 11:49 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



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

Thursday, May 6, 2021

9:18 am

MINUTES

MEMBERS PRESENT:

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

MEMBERS ABSENT:

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 May 6, 2021 be adopted.
CARRIED

**B. Consolidated Zoning Bylaw - Residential Zone Update – Phase 4 (RS & SH Zone Review)
For Information Only**

The Committee was advised of the engagement tools that have been prepared to provide information on Phase 4 of the Residential Zone Update.

C. Renewal of Vacation Rental Temporary Use Permits

1. Amendment Bylaw No. 2500.20

RECOMMENDATION 2

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

THAT Bylaw No. 2500.20, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Vacation Rental TUP Renewals Development Procedures, be initiated. - **CARRIED**

**D. Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002
Requirement to connect to an RDOS Sewer System**

1. Amendment Bylaw No. 2000.11

RECOMMENDATION 3

It was MOVED and SECONDED

THAT Bylaw No. 2000.11, being an amendment to the Subdivision Servicing Bylaw No. 2000, 2002, to require new parcels being created by subdivision within a sewer service area established by a Regional District bylaw be connected to that sewer system, be initiated. - **CARRIED**

The meeting recessed at 9:54 a.m.
The meeting reconvened at 11:02 a.m.

**E. Proposed Amendment to Subdivision Servicing Bylaw No. 2000, 2002
Requiring Proof of Water when subdividing larger parcels**

1. Amendment Bylaw No. 2000.12

RECOMMENDATION 4

It was MOVED and SECONDED

THAT Bylaw No. 2000.12, being an amendment to the Subdivision Servicing Bylaw No. 2000, 2002, to provide an exemption from the requirement to prove water on parcels greater than 20.0 ha in area, be initiated. - **CARRIED**

**F. Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002
On-Site Sewage Disposal System Requirements**

1. Report Attachment
2. Amendment Bylaw No. 2000.13

RECOMMENDATION 5

It was MOVED and SECONDED

THAT Bylaw No. 2000.13, being an amendment to the Subdivision Servicing Bylaw No. 2000, 2002, to revise onsite sewage disposal system requirements, be initiated. - **CARRIED**

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

1. Amendment Bylaw No. 2000.14

RECOMMENDATION 6

It was MOVED and SECONDED

THAT Bylaw No. 2000.14, being an amendment to the Subdivision Servicing Bylaw No. 2000, 2002, to clarify the requirements for confirming a source of water has been provided for new parcels, be initiated. - **CARRIED**

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

RECOMMENDATION 7

It was MOVED and SECONDED

THAT Bylaw No. 2000.15, being an amendment to the Subdivision Servicing Bylaw No. 2000, 2002, to clarify the requirements for confirming a connection to sewage disposal has been provided for new parcels, be initiated. - **CARRIED**

I. **ADJOURNMENT**

It was MOVED and SECONDED

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 11:31 a.m.

APPROVED:

CERTIFIED CORRECT:

R. Knodel
Committee Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, May 6, 2021
9:54 a.m.

MINUTES

MEMBERS PRESENT:

Chair T. Roberts, Electoral Area "G"	Director S. McKortoff, Town of Osoyoos
Vice Chair S. Coyne, Town of Princeton	Director S. Monteith, Electoral Area "I"
Director M. Bauer, Village of Keremeos	Director R. Obirek, Electoral Area "D"
Director G. Bush, Electoral Area "B"	Director M. Pendergraft, Electoral Area "A"
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 K. Kozakevich, Electoral Area "E"	

MEMBERS ABSENT:

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 May 6, 2021 be adopted. - **CARRIED**

B. DELEGATION

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

Superintendent Hunter and the Area Detachment Commanders address the Committee regarding statistics and initiatives in the various communities throughout the Regional District.

C. ADJOURNMENT

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

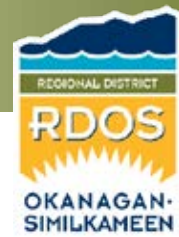
The meeting adjourned at 10:51 a.m.

APPROVED:

CERTIFIED CORRECT:

T. Roberts
Committee Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 2:53 p.m. on Thursday, May 6, 2021 in the Boardroom, 101 Martin Street, 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 P. Veintimilla, Alt. Town of Oliver	Director E. Trainer, District of Summerland
Director R. Knodel, Electoral Area "C"	Director J. Vassilaki, City of Penticton
Director S. McKortoff, Town of Osoyoos	Director C. Watt, City of Penticton

MEMBERS ABSENT:

Director M. Johansen, Town of Oliver

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 May 6, 2021 be adopted. - **CARRIED**

1. Consent Agenda – Corporate Issues

a. Kaleden Parks and Recreation Commission – March 16, 2021

THAT the Minutes of the March 16, 2021 Kaleden Parks and Recreation Commission meeting be received.

b. Electoral Area 'A' Advisory Planning Commission - April 12, 2021

THAT the Minutes of the April 12, 2021 Electoral Area 'A' Advisory Planning Commission meeting be received.

c. Electoral Area 'E' Advisory Planning Commission – April 12, 2021

THAT the Minutes of the April 12, 2021 Electoral Area 'E' Advisory Planning Commission meeting be received.

d. Electoral Area 'E' Advisory Planning Commission – Member Appointment

THAT the Board of Directors appoint Maureen Redman to the Electoral Area 'E' Advisory Planning commission until October 31, 2022.

e. Electoral Area Advisory Planning Commissions – 2021 Meeting Schedule Amendment

THAT the Board of Directors accept the revised 2021 APC Meeting Schedule for the Electoral Area Advisory Planning Commissions.

- f. **Naramata Fire Department 2021 1st Quarter Report**
THAT the Naramata Fire Department 2021 1st Quarter Report be received.
- g. **Community Services Committee – April 15, 2021**
THAT the Minutes of the April 15, 2021 Community Services Committee meeting be received.
- h. **Corporate Services Committee – April 15, 2021**
THAT the Minutes of the April 15, 2021 Corporate Services Committee meeting be received.
- i. **Environment and Infrastructure Committee – April 15, 2021**
THAT the Minutes of the April 15, 2021 Environment and Infrastructure Committee meeting be received.
- j. **Planning and Development Committee – April 15, 2021**
THAT the Minutes of the April 15, 2021 Planning and Development Committee meeting be received.
- k. **Protective Services Committee – April 15, 2021**
THAT the Minutes of the April 15, 2021 Protective Services Committee meeting be received.
- l. **RDOS Regular Board Meeting – April 15, 2021**
THAT the minutes of the April 15, 2021 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

2. Consent Agenda – Development Services

- a. **Development Variance Permit Application – Electoral Area “C” – 1423 Fairview Road**
 - i. Permit
THAT Development Variance Permit No. C2021.016-DVP to allow for a new accessory building (garage) at 1423 Fairview Road be approved.
- b. **Development Variance Permit Application – Electoral Area “E” – No civic number, Robinson Avenue**
 - i. Permit
THAT Development Variance Permit No. E2021.007 DVP to allow for a new single detached dwelling and accessory building on Robinson Avenue in Electoral Area “E” be approved.
- c. **Temporary Use Permit Application – Electoral Area “D” – 2183 Carmi Road**
 - i. Permit
 - ii. Representations
THAT Temporary Use Permit No. D2021.004-TUP to renew an existing TUP for a modified “bed and breakfast” operation at 2183 Carmi Road be approved.

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. UBCM Local Government Development Approvals Program – Grant Application**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District of Okanagan-Similkameen submit an application to the UBCM Local Government Development Approvals Program for a grant for the design and implementation of software to enable digital application submission and approval.

AND THAT the Regional District provide a letter of support for the District of Summerland's grant application for implementation of a regional portal for development service applications.

CARRIED

C. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Liquor and Cannabis Regulation Branch Referral – Electoral Area "D", Cannabis Retail Store**

a. Representations

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS Board of Directors recommends that the subject development application be deferred to allow for additional consultation in the form of a public hearing;

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 Regional District's *Development Procedures Bylaw No. 2500, 2011*.

CARRIED

2. Development Variance Permit Application – Electoral Area "A" – 17857 87th Street

a. Permit

b. Representations

The property owner addressed the Board.

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Development Variance Permit No. A2021.008-DVP, to allow for an accessory building (garage) at 17857 87th Street, be denied.- **CARRIED**

Opposed: Director Bush

3. **Development Variance Permit Application – Electoral Area “E” – 2870 Outlook Way**
 - a. Permit
 - b. Representations

The property owner addressed the Board.

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Development Variance Permit No. E2020.016-DVP, to formalize two retaining walls at 2870 Outlook Way in Area “E” be denied. - **CARRIED**

Opposed: Directors Bush, Knodel

Director S. Coyne left the meeting.

4. **Development Variance Permit Application – Electoral Area “H” – 187 Lockie Road**
 - a. Permit
 - b. Representations

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

That the Board approve Development Variance Permit No. H2021.010-DVP. - **CARRIED**

5. **OCP & Zoning Bylaw Amendments – Okanagan Falls Commercial Zone Review (Okanagan Falls Town Centre Plan – Phase 3)**

This item was postponed from the April 15, 2021 Board meeting.

- a. Amendment Bylaw No. 2603.15, 2021
- b. Amendment Bylaw No. 2455.38, 2021
- c. Representations

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2021 and Zoning Amendment Bylaw No. 2455.38, 2021 be referred to the Electoral Area “D” Advisory Planning Commission. - **CARRIED**

6. **Zoning Bylaw Amendment – Electoral Area “F” – 8475 Princeton-Summerland Road**
 - a. Amendment Bylaw No. 2461.15
 - b. Representations

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

It was MOVED and SECONDED

THAT Bylaw No. 2461.15, 2021, Electoral Area “F” Zoning Amendment Bylaw be read a third time and adopted.

It was MOVED and SECONDED

THAT the matter be deferred to allow for a public information meeting and a second public hearing. **CARRIED**

7. **Zoning Bylaw Amendment – Electoral Area “D”, “E”, “F”, & “I” – Regulation of “Solar Energy Systems”**
- a. Amendment Bylaw No. 2911
 - b. Representations

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2911, 2021, Regional District of Okanagan Similkameen Solar Energy Systems Regulation Zoning Amendment Bylaw be read a third time. - **CARRIED**

8. **Development Procedures Bylaw Amendments – ALR Exclusion Requests**
- a. Amendment Bylaw No. 2500.18

RECOMMENDATION 12 (Unweighted Rural Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Regional District of Okanagan-Similkameen Development Procedures for ALR Exclusion Requests Amendment Bylaw No. 2500.18 be read a first, second and third time and adopted. **CARRIED**

9. **Electoral Area “A” OCP Bylaw No. 2905, 2021**
- a. Bylaw No. 2905
 - b. Public Hearing Report – April 21, 2021
 - c. Area “A” OCP Map Schedules
 - d. Representations

Director Pendergraft advised that the public hearing report reflects an accurate account of what took place at the public hearing held on April 21, 2021.

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

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

RECOMMENDATION 14 (Unweighted Rural Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT the Electoral Area “A” Official Community Plan Bylaw No. 2905, 2021, be read a third time and adopted. - **CARRIED**

D. PUBLIC WORKS**1. Landfill Concrete Crushing Services – Contract Award**

RECOMMENDATION 15 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the “Landfill Concrete Crushing Services” contract be awarded to Ok Excavating (a Division of Green Leaf Enterprises Ltd.), for an amount not to exceed \$115,000 per annum (including applicable taxes) for a three year term. - **CARRIED**

E. COMMUNITY SERVICES**1. Award of KVR Trail Improvements Project**

RECOMMENDATION 16 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the “KVR Trail Improvements” project to upgrade the trail between Little Tunnel and Chute Lake be awarded to MacKinley-Clark Paving, up to the amount of \$151,435.00. - **CARRIED**

F. FINANCE**1. Audited Financial Statements**

Markus Schrott, BDO

Kayla Northcote, BDO

Mr. Schrott and Ms. Northcote addressed the Board with regards to the audited financial statements.

- a. Report – 2020 Audited Financial Statements
- b. RDOS 2020 Audited Financial Statements
- c. RDOS 2020 Final Audit Report to Board of Directors

RECOMMENDATION 17 (Weighted Corporate Vote – Majority)

IT WAS MOVED AND SECONDED

THAT the 2020 Audited Financial Statements of the Regional District of Okanagan-Similkameen as of December 31, 2020 be received.

AND THAT the RDOS Board adopts all reported 2020 transactions as amendments to the 2020 Final Budget.

CARRIED

Directors Bauer and Watt left the meeting.

2. Bylaw No. 2930 – Coalmont Fire Hall and Wildfire Protection Equipment

- a. Bylaw No. 2930

RECOMMENDATION 18 (Weighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw 2930, 2021, being the Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw authorizing the expenditure of \$80,000 towards the construction of the Coalmont satellite fire hall and \$30,000 towards wildfire protection equipment be read a first, second and third time and be adopted. - **CARRIED**

G. LEGISLATIVE SERVICES**1. Dog Control Service Establishment Amendment Bylaw**

- a. Bylaw No. 2775.01

RECOMMENDATION 19 (Unweighted Participant Vote (“A”, “B”, “C”, “D”, “E”, “F”, “G” and “I”) – Simple Majority)

It was MOVED and SECONDED

THAT Regional District of Okanagan-Similkameen Dog Control Service Establishment Amendment Bylaw No. 2775.01, 2021, being a bylaw to include reference to Electoral Area “I” in the Dog Control Service Establishment bylaw, be adopted. - **CARRIED**

2. Ministerial Order regarding Kaleden Assent Vote

- a. Ministerial Order 157-2021

RECOMMENDATION 20 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the provisions contained in Ministerial Order No. M157-2021 for the administration of the June 5, 2021 Kaleden Extension of the Okanagan Falls Sewer Service assent vote be implemented. **CARRIED**

3. Video Surveillance – Similkameen Recreation Centre

RECOMMENDATION 21 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors approve the installation of 4 video surveillance cameras at the Similkameen Recreation Centre. - **CARRIED**

H. CAO REPORTS**1. Verbal Update**

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

2. Directors Motions

a. Director Roberts

This item was postponed from the April 15, 2021 Board meeting as Director Roberts was not present to speak to.

It was MOVED and SECONDED

THAT the Regional District review the Chipping Program objectives and funding model prior to the 2022 Budget. – **CARRIED**

b. Notice of Motion - Director Obirek

To amend zoning for retail cannabis stores in Electoral Area "D"

c. Notice of Motion - Director Roberts

That a resolution be forwarded to UBCM to support a policy change at the Provincial level regarding multi-jurisdictional issues in electoral areas, that they be handled in a manner similar to the way emergencies are handled with a round-table solution-based system.

Director S. Coyne returned to the meeting.

3. Board Members Verbal Update

J. ADJOURNMENT

IT WAS MOVED AND SECONDED

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 4:22 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations on the eastern portion of the parcel near Shuttleworth Creek.

Under the Electoral Area "D" Zoning Bylaw No. 2455, 2008 the property is currently zoned Low Density Residential Two (RS2) which permits accessory dwellings as a secondary use.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Shuttleworth Creek and flood construction level is 1.5 metres above the natural boundary of the watercourse and there is a setback of 15 metres from the natural boundary.

The property has been the subject of a Stop Work Notice for constructing an accessory dwelling without a building permit on August 8, 2018 and at its December 19, 2019 meeting the Regional Board resolved to place a notice on title and to commence injunctive action.

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 issued a permit (Permit No. 2021-01661) on March 29, 2021.

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 siting of this accessory dwelling is seen to be generally consistent with the streetscape and poses no impact to vehicle access.

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.

In this instance, Administration notes that the accessory dwelling does not have a garage or any driveway access between the road right of way and the front of the dwelling. As such, typical concerns with vehicle parking in front of a dwelling or adequate distance for vehicle movement are mitigated, as the proposed variance has no impact to vehicular movement from the parcel.

It is also noted that there are several instances along Maple Street of dwellings and other buildings closer to the street than the required front parcel line setback, contributing to a non-uniform streetscape.

Further, the subject accessory dwelling is generally consistent with the siting of the neighbouring dwelling immediately to the north, which is also located closer to Maple Street.

The edge of payment of Maple Street is approximately a further 6.5 metres from the property line, which also mitigates the perception of a reduced setback and the appearance of overcrowding.

Conversely, Administration recognises that there is ample room on the subject parcel to relocate the accessory dwelling in a location that meets the setback requirements.

As such, the variance is not strictly necessary for enjoyment of the property.

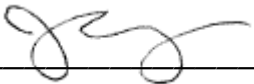
Further, the variance request is not the result of a unique set of circumstances but rather a situation created by property owner.

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

Alternatives:

1. That the Board deny Development Variance Permit No. D2021.015-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "D" Advisory Planning Commission.

Respectfully submitted



JoAnn Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

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

Attachment No. 1 – Site Photo (2018)





Development Variance Permit

FILE NO.: D2021.015-DVP

Owner: Michael Rupert

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot O, Plan 1501, District Lot 374, SDYD

Civic Address: 1205 Maple Street

Parcel Identifier (PID): 011-518-227 Folio: D-00835.000

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "D" Zoning Bylaw No. 2455, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the minimum front parcel line setback for an accessory building in the Low Density Residential Two (RS2) Zone, as prescribed in Section 11.2.6 (b)(i), is varied:
 - i) from: 7.5 metres

to: 2.25 metres to the outermost projection as shown on Schedule 'B'.

COVENANT REQUIREMENTS

7. Not Applicable

SECURITY REQUIREMENTS

8. Not applicable

EXPIRY OF PERMIT

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

Authorising resolution passed by the Regional Board on _____, 2021.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

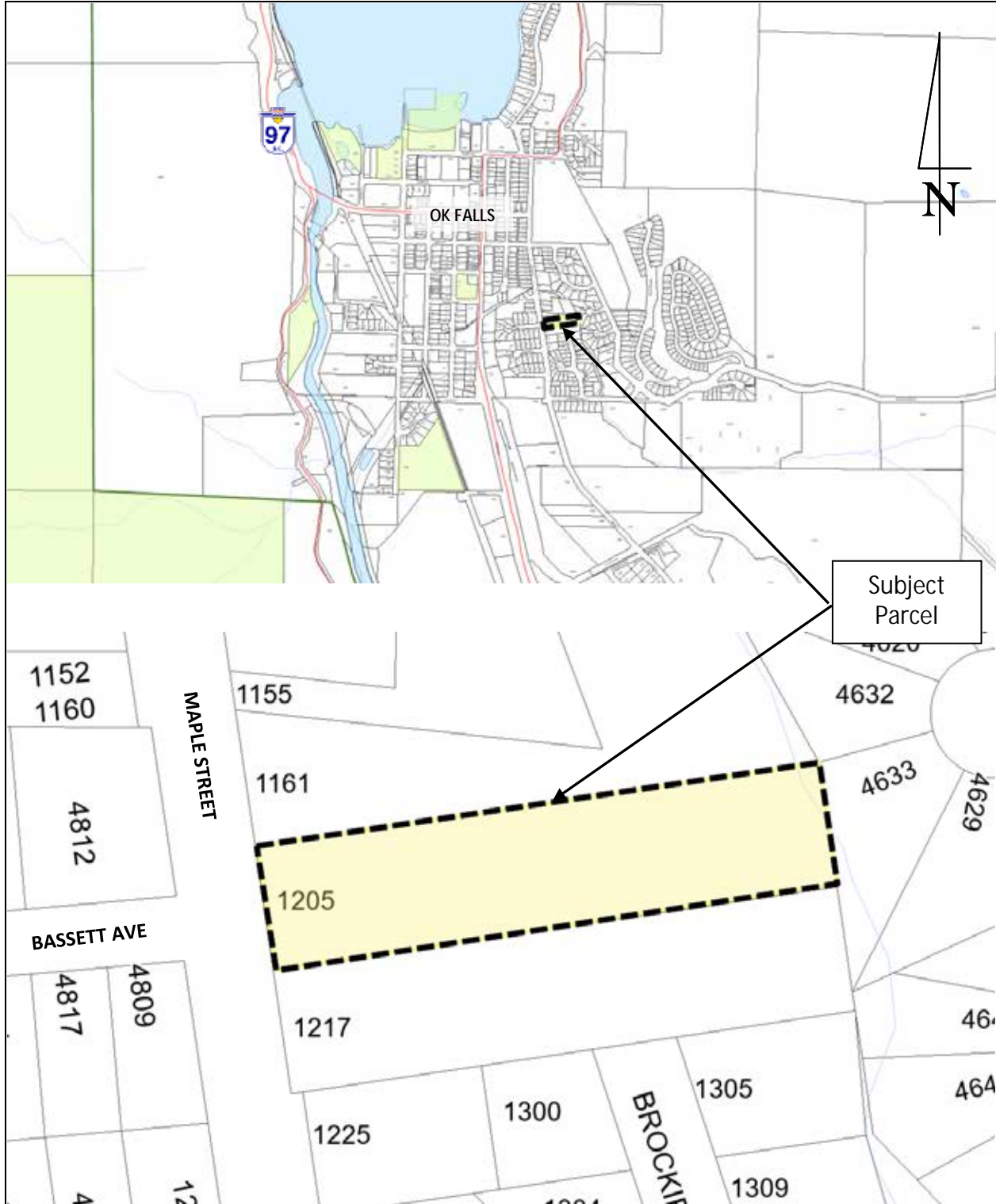
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. D2021.015-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

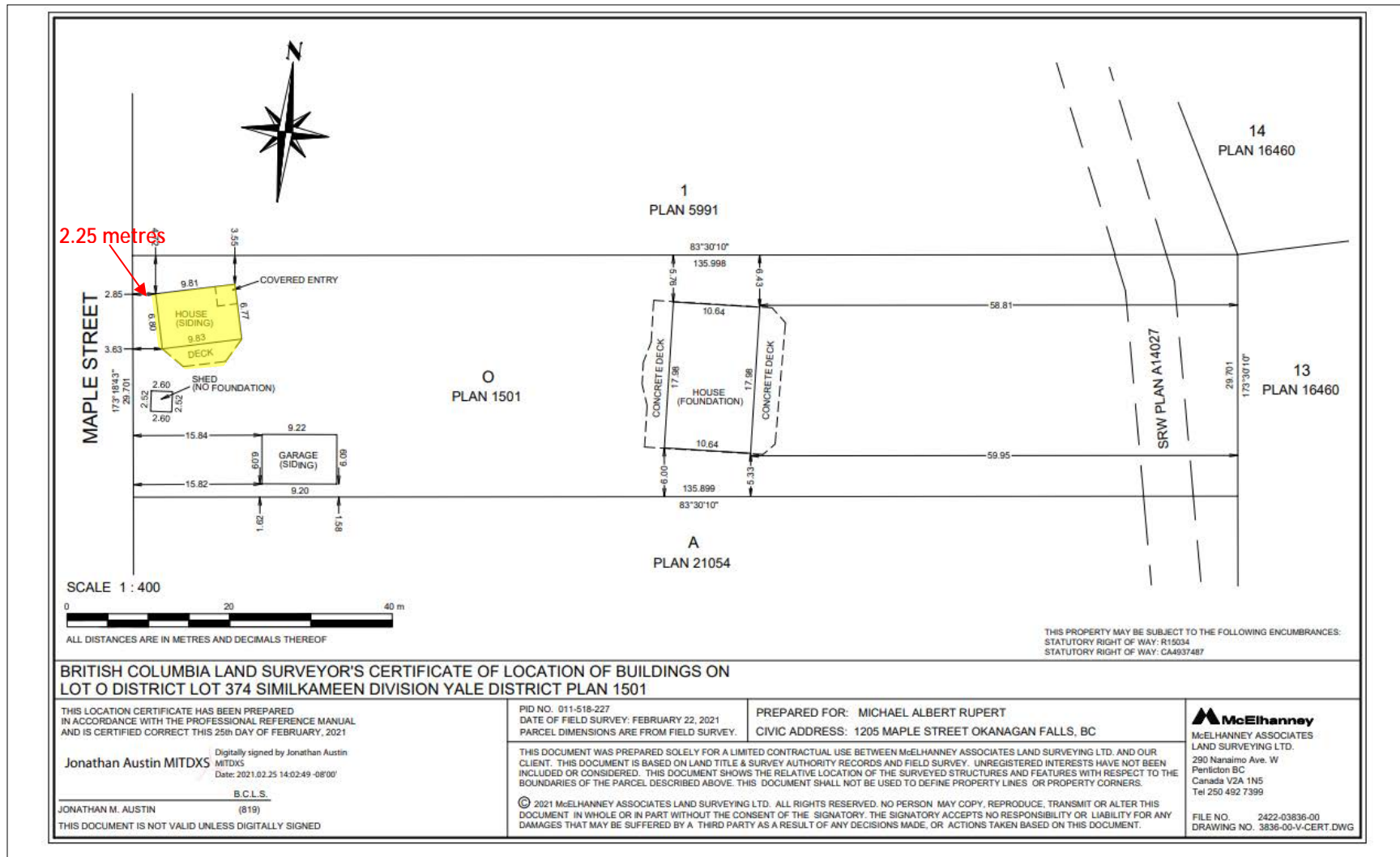
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2021.015-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

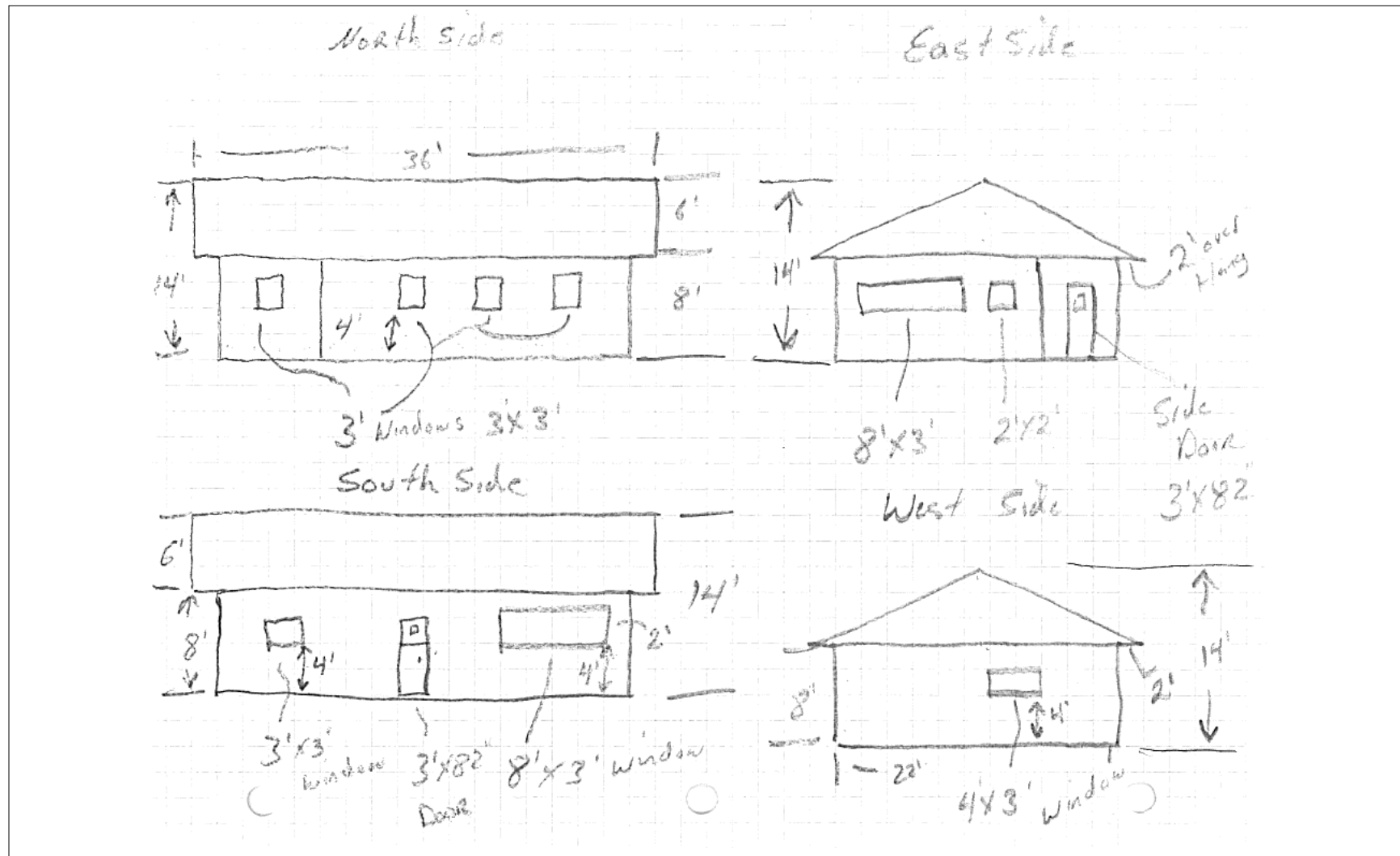
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2021.015-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

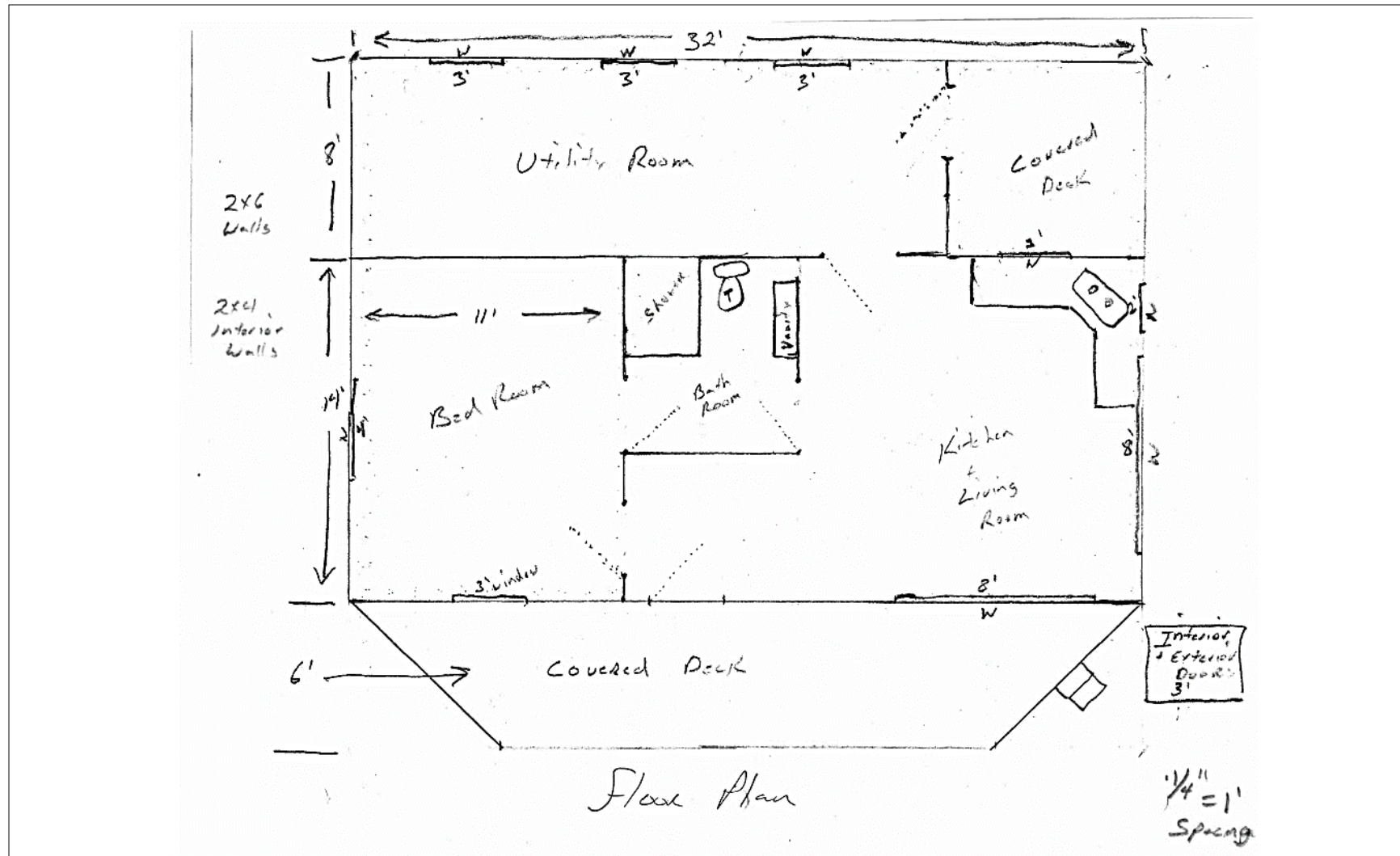
Telephone: 250-492-0237 Email: info@rdos.bc.ca



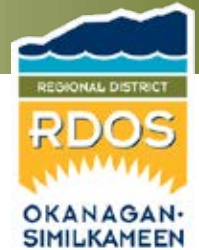
Development Variance Permit

File No. D2021.015-DVP

Schedule 'D'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 20, 2021
RE: Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “E”

Administrative Recommendation:

THAT “the application for a “non-adhering residential use – Additional Residence for Farm Use” at 2185 Naramata Road (Lot 24, Plan KAP576, District Lot 206, SDYD, except Plan B4825, 14888, B7983, 16800 & H17800) be authorized” to proceed to the Agricultural Land Commission.

Purpose: To convert an existing “working cleanup space” into an accessory dwelling.

Owners: Mary Gerrard & Sheldon Fall Agent: Mary Gerrard Folio: E-02066.000

Legal: Lot 24, Plan KAP576, District Lot 206, SDYD, except Plan B4825, 14888, B7983, 16800 & H17800

Civic: 2185 Naramata Road OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20.1(2) of the *Agricultural Land Commission Act* (the Act) has been referred to the Regional District, in order to formalise an existing accessory dwelling on a parcel of land within the Agricultural Land Reserve (ALR).

In support of this proposal, the applicant has stated that “we are requesting permission to convert our existing vineyard worker cleanup space into a residence for a vineyard worker through the addition of a stove only. All existing improvements in the space include a kitchen, 3 piece washroom with a stacking washer and dryer, dining area and lounge area. These were all built out and approved under our original permit from the RDOS.”

Statutory Requirements:

Under Section 34(4) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) applies wherein the Board has the ability to refuse to “authorise” an application.

In this instance, Section 25(3) is seen to apply as the property “is zoned by bylaw to permit [an] agricultural or farm use.

Section 30(4) of the Act grants the Board the authority to not “authorise” an application to proceed to the ALC if the land is zoned by bylaw to permit an agricultural or farm use, or an amendment to an Official Community Plan (OCP) Bylaw or Zoning Bylaw would be required for the proposal to proceed.

Site Context:

The subject property is approximately 2.5 ha in area and is situated on the west side of Naramata Road and is bounded by Okanagan Lake to the west and is approximately 850 north of the City of Penticton boundary. It is understood that the parcel is comprised of a single detached dwelling, an accessory structure (garage/workshop) with an approximately 0.6 ha area under agricultural production.

The surrounding pattern of development is generally characterised by similar agricultural parcels interspersed by residential parcels along Naramata Road.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision dated 1909, while available Regional District records indicate that building permits have previously been issued for a new single detached dwelling (2013), garage / workshop (2013) and retaining wall (2014).

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Agriculture (AG), an objective of which is to discourage the "non-agricultural residential use of agricultural land".

The property is subject to a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations under the OCP Bylaw.

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is currently zoned Agriculture One (AG1) which allows for one (1) accessory dwelling on parcels less than 8.0 ha in area, subject to a maximum floor area of 90.0 m², and subject to ALC approval when a parcel is in the ALR.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Okanagan Lake and may also be affected by the floodplain associated with adjacent watercourses. However, given the topography of the property and the location of the existing structure adjacent Naramata Road, floodplain *may* not be a consideration.

On November 25, 2020 it came to the Regional District's attention that a workshop/garage located on the above noted property has been converted to residential use. A Stop Work Notice was subsequently issued as a building permit had not been issued for the conversion.

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

Analysis:

In considering this proposal, Administration notes that the Electoral Area "E" OCP Bylaw speaks to considering "second dwelling applications within the ALR in accordance with second dwelling policies established in the implementing Zoning bylaw, and reflective of the views of the farming community."

In this instance, the applicant's proposal is consistent with the current density provisions contained in the Electoral Area "E" Zoning Bylaw, which allow for one (1) accessory dwelling on parcels less than 8.0 ha in area. It is on this basis that Administration is recommending that the application be "authorised" to proceed to the ALC for their determination.

Administration notes, however, that recent legislative changes limit the scope of the ALC to only “approve an application for an additional residence if necessary for farm use, but the Commission is prohibited from approving an additional residence otherwise.”

While it is recognised that the applicant has stated the dwelling “will give our long term vineyard worker a place to stay on our property and better service our vineyard needs”, it is also noted that the area under cultivation on the subject property is relatively limited (i.e. approximately 0.6 ha, or 1.48 acres).

Alternatives:

1. THAT the RDOS Board “not authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 2185 Naramata Road (Lot 24, Plan KAP576, District Lot 206, SDYD, except Plan B4825, 14888, B7983, 16800 & H17800) 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 “E” Advisory Planning Commission (APC).

Respectfully submitted:



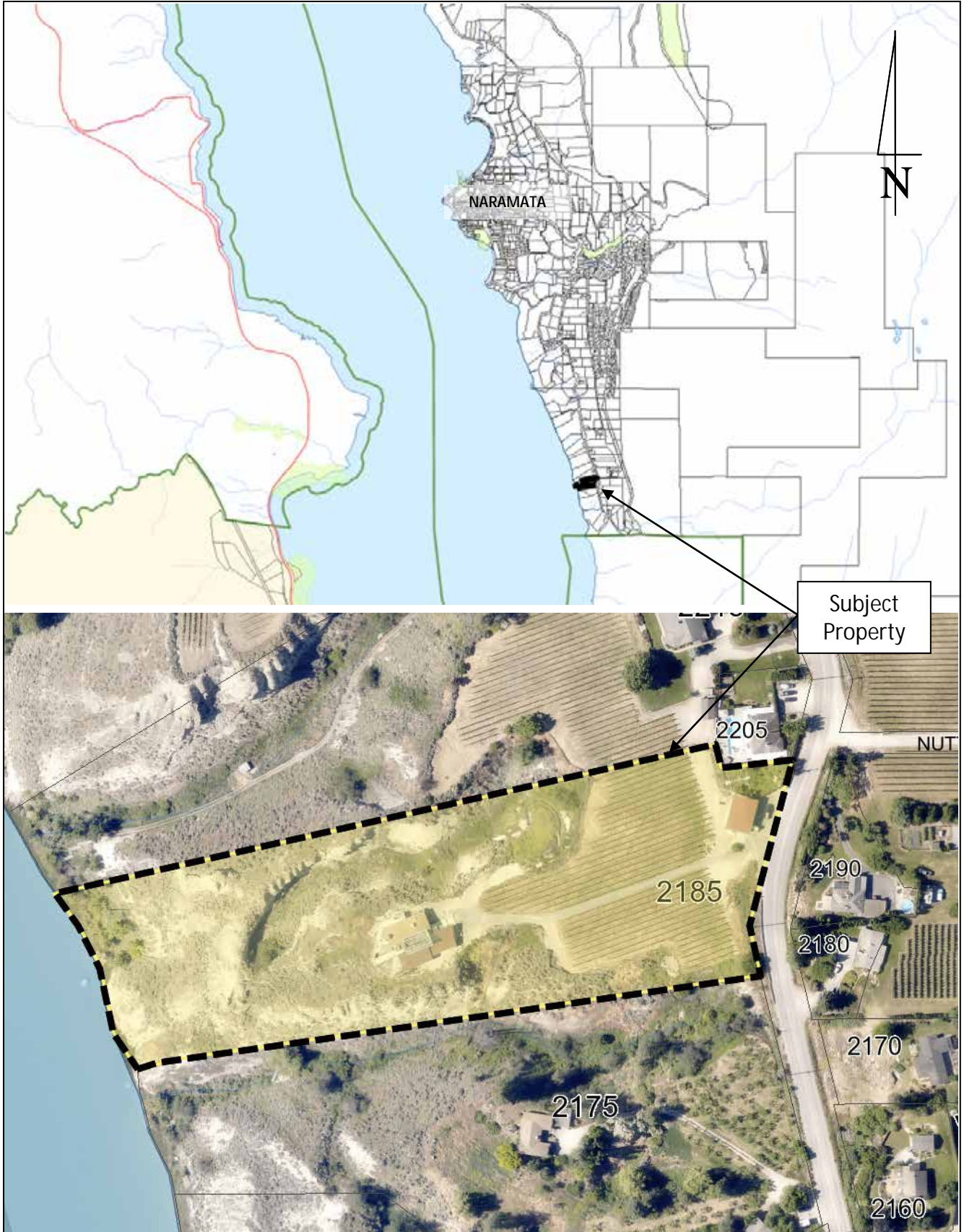
C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

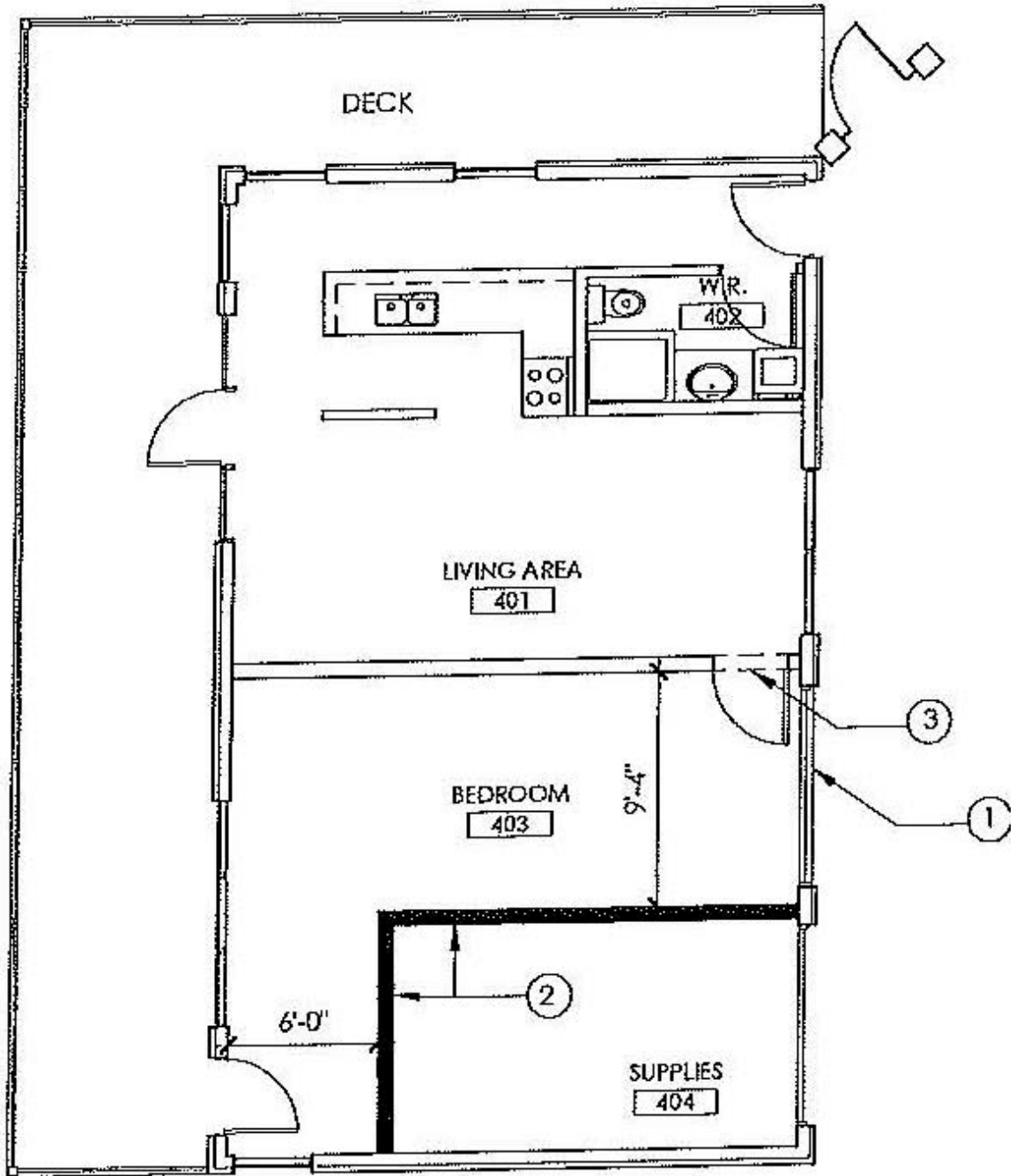
No. 2 – Applicant’s Floor Plan

No. 3 – Site Photo (Google Streetview)

Attachment No. 1 – Context Maps

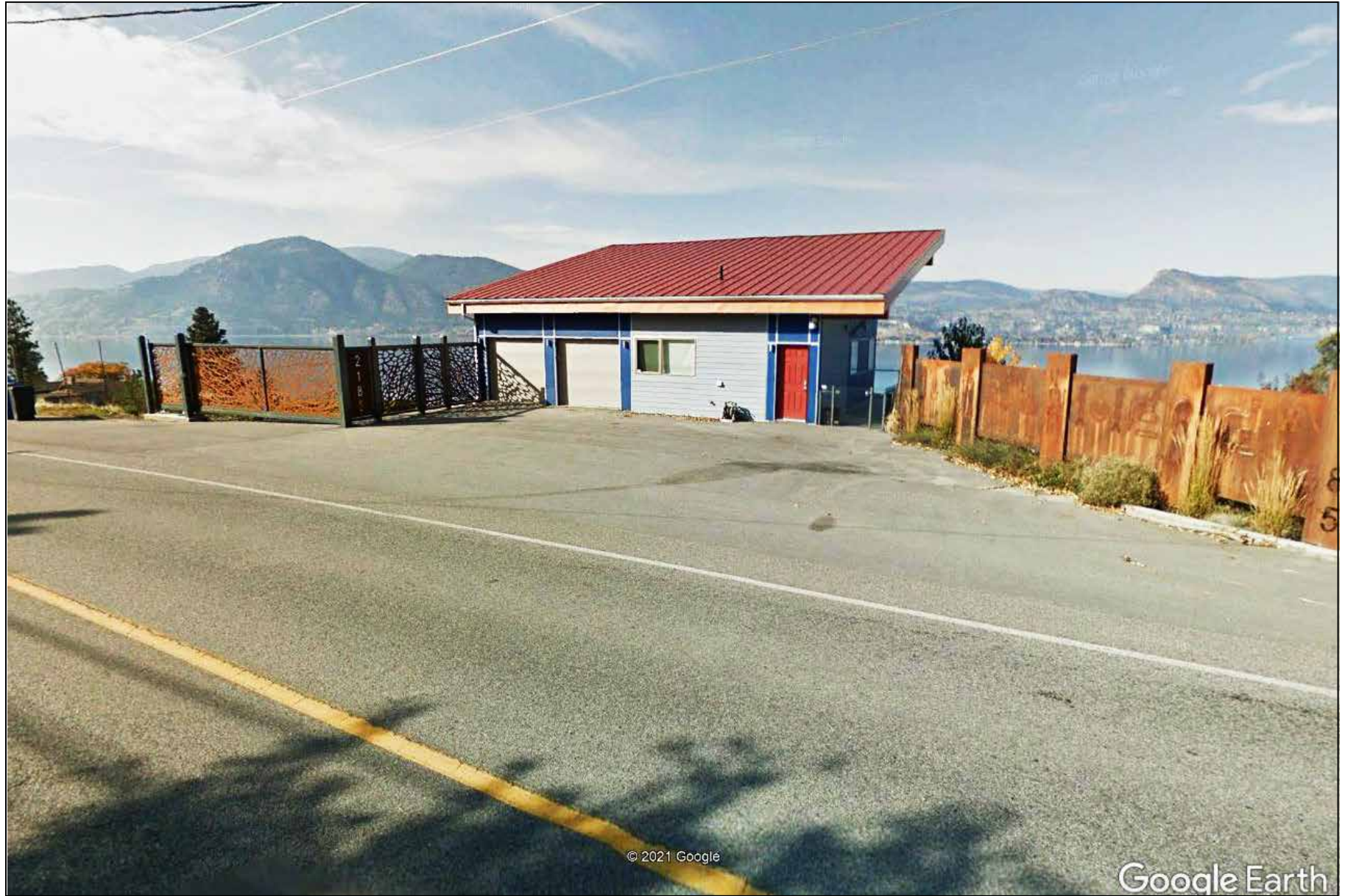


Attachment No. 2 – Applicant's Floor Plan



3 GATEHOUSE - SECOND FLOOR CONSTRUCTION PLAN
A2.08 1/8" = 1'-0"

Attachment No. 3 – Site Photo (Google Streetview)

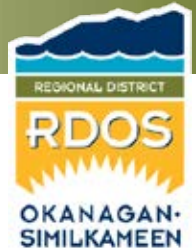


Attachment No. – Aerial Photo (2017)



Converted Garage /
Workshop

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 20, 2021
RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “A”

Administrative Recommendation:

THAT Bylaw No. 2905.01, 2021, being a bylaw to amend the Electoral Area “A” Official Community Plan Bylaw; and, Bylaw No. 2451.27, 2021, a bylaw to amend the Electoral Area “A” Zoning Bylaw, be denied.

Purpose: To allow a 6-lot subdivision (5 residential lots and 1 conservation lot)

Owners: Steinar and Marlene Johnsen Agent: Steinar Johnsen Folio: A-06748.300

Legal: Lot 15, Plan 21789, DL 2709, SDYD, Except Plan KAP90322 Civic: 1750 Highway 3

OCP: Large Holdings (LH) Proposed OCP: part Small Holdings (SH) & part Conservation Area (CA)

Zone: Large Holdings One (LH1) Proposed Zoning: part Small Holdings Three (SH3) & part CA

Proposed Development:

This application is seeking to amend the Official Community Plan designation and zoning of the subject property in order to facilitate a bare land strata subdivision.

In order to accomplish this, the following land use bylaw amendments are being proposed by the applicant:

- amend the OCP land use designation from Large Holdings (LH) to Small Holdings (SH) for an approximately 6.93 hectare part of the land and to Conservation Area (CA) for an approximately 5.6 hectare part of the land; and
- amend the zoning from Large Holdings One (LH1) to Small Holdings Three (SH3) for an approximately 6.93 hectare part of the land and to Conservation Area (CA) for an approximately 5.6 hectare part of the land.

In support of the rezoning, the applicant has stated that “there are 5 natural benches throughout the property that are suitable for developing future building sites ... the proposed site plan has taken existing environmental values into consideration in order to avoid known sensitive areas. The remaining approximately 5.6 hectares is proposed rezoning as conservation area.”

Site Context:

The subject property is approximately 12.5 ha in area and is situated on the north side of Highway 3. It is understood that the parcel is currently being developed for a single detached dwelling and access driveway. The surrounding pattern of development is generally characterised by large rural parcels.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on September 16, 1971, while available Regional District records indicate that building permits for a single detached dwelling (1995 and 2020), accessory dwelling (2020), and a swimming pool (2020) have been previously issued for this property.

Under the Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, subject property is not situated within a designated growth area. At its meeting of November 21, 2019, the Board resolved that the proposed subdivision of the subject parcel is consistent with the RGS Bylaw.

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2905, 2021, the subject property is currently designated Large Holdings (LH), and is the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations. An ESDP was issued in 2016 for a single family dwelling and associated driveway access.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is currently zoned Large Holdings One (LH1) which requires a minimum parcel size of 4.0 ha, and is within the floodplain associated with a watercourse.

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

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within metres of a controlled access highway (i.e. Highway 3).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 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 February 22, 2021, a Public Information Meeting (PIM) was held electronically and was attended by approximately two (2) members of the public.

At its meeting of February 8, 2021, the Electoral Area "A" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be denied.

At its meeting of April 1, 2021, the Regional District Board resolved to defer consideration of this application, pending the adoption of the Electoral Area "A" OCP bylaw No. 2905, 2021.

At its meeting of May 6, 2021, the Regional District Board gave third reading and final adoption to Electoral Area "A" OCP bylaw No. 2905, 2021.

Administration recommends that the written notification of affected property owners, the public meetings as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, the consultation process undertaken is seen to be sufficiently early and does not need to further ongoing.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

In considering this proposal, Administration notes that this proposal fails to meet growth management policies, natural hazard policies, and natural environmental policies in the Electoral Area "A" OCP Bylaw, as it seeks to increase residential development on an environmentally sensitive parcel outside of a designated Growth Area (Primary or Rural) which also contains hazard areas / steep slopes.

Further, it fails to meet evaluation criteria for assessing new Rural Holdings lands which consider compatibility with and impact on the natural environment, natural hazards, servicing, area compatibility, proximity to services, and visual impacts designations, among other factors (OCP Bylaw Section 10.3.4), as discussed below.

Growth Management

Under Section 6.5.3 of the Electoral Area "A" OCP Bylaw, primary and rural growth areas are supported by discouraging re-designation or re-zoning of land that permits increased residential densities outside of Growth Area containment boundaries.

Increasing densities or intensifying land uses within areas designated as an Environmentally Sensitive Development Permit Area is also not generally supported (OCP Bylaw Section 6.5.6).

As this proposal is outside of a growth area and within an environmentally sensitive area, rezoning the subject parcel to increase density is not consistent with the above noted policies.

Area Compatibility

The proposed small holdings designation is not consistent with the immediate vicinity which consists of large, rural parcels.

It is further noted that the Electoral Area "A" OCP Bylaw has recently undergone an extensive review and upheld the Large Holdings (LH) designation for this parcel and surrounding parcels.

This proposal is inconsistent with policy to discourage changes in land designation or zoning that would allow for...the subdivision of LH parcels to less than 4.0 ha in size (OCP Bylaw Section 10.4.4). and fails to meet the criteria for being compatible with adjacent land uses and designations, and the character of the area (OCP Section 10.3.4(b)(vii)) as the character of the area is rural in nature with large parcels with limited development.

The proposed lot size of approximately 1 ha also represents a lot size that is approximately 1/4 (25%) of the typical 4.0 ha parcel size permitted in the LH1 zone, and is much smaller than existing lot sizes of surrounding properties that typically far exceed the Large Holdings minimum lot size requirements.

Housing Needs

The Electoral Area "A" OCP Bylaw states that proposal should clearly demonstrate and articulate the need for it in the context of its impact on the community (Section 10.3.4(a)).

It is noted in the Electoral Area "A" OCP Bylaw that the potential need for new homes in the Plan Area, based on the upper-bound population growth scenario for the next 10 years, can be met by existing undeveloped parcels within the Anarchist Mountain and Willow Beach Rural Growth Areas.

Visual Impacts

This proposal has also been assessed against the criteria for consideration of visual impacts where development is proposed on hillsides (Section 10.3.4.(b)(viii)), as the topography of the parcel and its surrounding lands make it highly prominent and visible from Highway 97, the Town of Osoyoos, and Highway 3.

Although the full impact of the resulting roads and building sites are unknown, the current development of the parcel (for a single detached dwelling and its access driveway) have included rock blasting which has resulted in a "scarring" effect on the hillside and further blasting or excavating to the bedrock surface will be necessary for all building footings.

Natural Environment

A Qualified Environmental Professional (QEP) has assessed the property as being entirely within an environmentally sensitive area and has identified 2.8 ha as ESA 2 (being areas that provide significant local and/or provincial environmental value, including ecosystems that are uncommon and important for rare plants and wildlife), contrary to growth management policy not to support increasing densities in ESDP areas (OCP Bylaw Section 6.5.6).

Although most of the ESA 2 areas are contained within the proposed Conservation Area zone, some of the ESA 2 areas are within the proposed Small Holdings designation. The OCP encourages ESDP designated parcels to remain large to ensure their protection (OCP Bylaw Section 16.3.2.4) and this proposal seeks the opposite by requesting smaller parcel sizes to enable an additional two parcels over and above what is permitted under the existing LH1 zone.

Hazard Lands

The Electoral Area "A" OCP Bylaw discourages development on slopes with grades in excess of 30% to avoid geotechnical hazards (OCP Bylaw Section 17.34.1), while this proposal seeks to increase development potential on a parcel with topography generally descending from the southeast towards Highway 3 at between 30 to 50% and where the majority of construable area of this parcel has been deemed by a geotechnical engineer as a 'moderate' hazard.

It is also noted that the Community Wildfire Protection Plan identifies the majority of the parcel as moderate wildfire risk area.

Administration has further concerns with increasing development permissions in an area known to contain geo-technical hazards as well as sensitive, protected habitat, as there is an increased

likelihood that variances will be sought in the future due to difficulty to meet zoning or subdivision standards.

Servicing

In considering proximity to community and essential services (OCP Bylaw Section 10.3.4(v)), the subject parcel is located 1.6 kilometres from the Town of Osoyoos boundary and in an area where community water and sewer services are not available.

Smaller residential parcels are, more appropriately, located in the Town of Osoyoos where there are community and essential services available.

In response to the concerns raised regarding impact on the water supply to neighbouring properties and potentially reduce the water available to the Osoyoos Irrigation District that serves residences and agricultural operations on the east bench of Osoyoos, Administration acknowledges that the impact of additional wells on the aquifer is unknown and recommends using the precautionary principle when evaluating this proposal.

Should this bylaw receive 1st reading, it is suggested that the Board request the applicant provide a hydrogeological study prepared by a qualified groundwater engineer to evaluate the water balance for the aquifer and whether there is an adequate water surplus to support the proposed development as well as the cumulative withdrawals (i.e. existing demands).

Alternative Recommendation

Conversely, Administration recognises that the proposal includes a conservation area zone to help protect a 5.6 hectare portion of the parcel that contains the majority of ESA 2 areas in perpetuity.

The Environmental Assessment supports this proposal based on most of the proposed development being directed away from ESA 2 areas, which will be within a conservation area. Mitigation can then be utilized to help reduce potential impacts to ESAs.

Similarly, mitigation measures can be used to develop the site from a geotechnical perspective.

It is also noted that the parcels would provide additional housing in a unique location with view of Osoyoos and away from the valley floor, which is suitable for agriculture.

However, the intent of OCP is to avoid development in environmentally sensitive areas and hazard areas, where possible, and to direct residential growth to areas with services.

Summary

In summary, Administration does not support amending the recently adopted Electoral Area "A" OCP Bylaw nor the Electoral Area "A" Zoning Bylaw to enable additional residential development on an environmentally sensitive and highly prominent hillside containing geological hazards.

Alternatives:

1. THAT Bylaw No. 2905.01, 2021, Electoral Area "A" Official Community Plan Amendment Bylaw and Bylaw No. 2451.27, 2021, Electoral Area "A" Zoning Amendment Bylaw be read a first time;
AND THAT prior to second reading of Bylaw No. 2905.01, 2021, Electoral Area "A" Official Community Plan Amendment Bylaw and Bylaw No. 2451.27, 2021, Electoral Area "A" Zoning

Amendment Bylaw, the applicant provide a hydrogeological study prepared by a qualified groundwater engineer to evaluate the water balance for the aquifer and whether there is an adequate water surplus to support the proposed development as well as the cumulative withdrawals (i.e. existing demands).

2. THAT Bylaw No. 2905.01, 2021, Electoral Area "A" Official Community Plan Amendment Bylaw and Bylaw No. 2451.27, 2021, Electoral Area "A" 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 May 20, 2021 to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2905.01, 2021, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 17, 2021;

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

3. THAT Bylaw No. 2905.01, 2021, Electoral Area "A" Official Community Plan Amendment Bylaw and Bylaw No. 2451.27, 2021, Electoral Area "A" 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 May 20, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2905.01, 2021, in conjunction with its Financial and applicable Waste Management Plans;

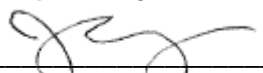
AND THAT the holding of the public hearing be delegated to Director Pendergraft, or their delegate;

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

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

4. THAT Bylaw No. 2905.01, 2021, Electoral Area "A" Official Community Plan Amendment Bylaw and Bylaw No. 2451.27, 2021, Electoral Area "A" Zoning Amendment Bylaw be deferred.

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

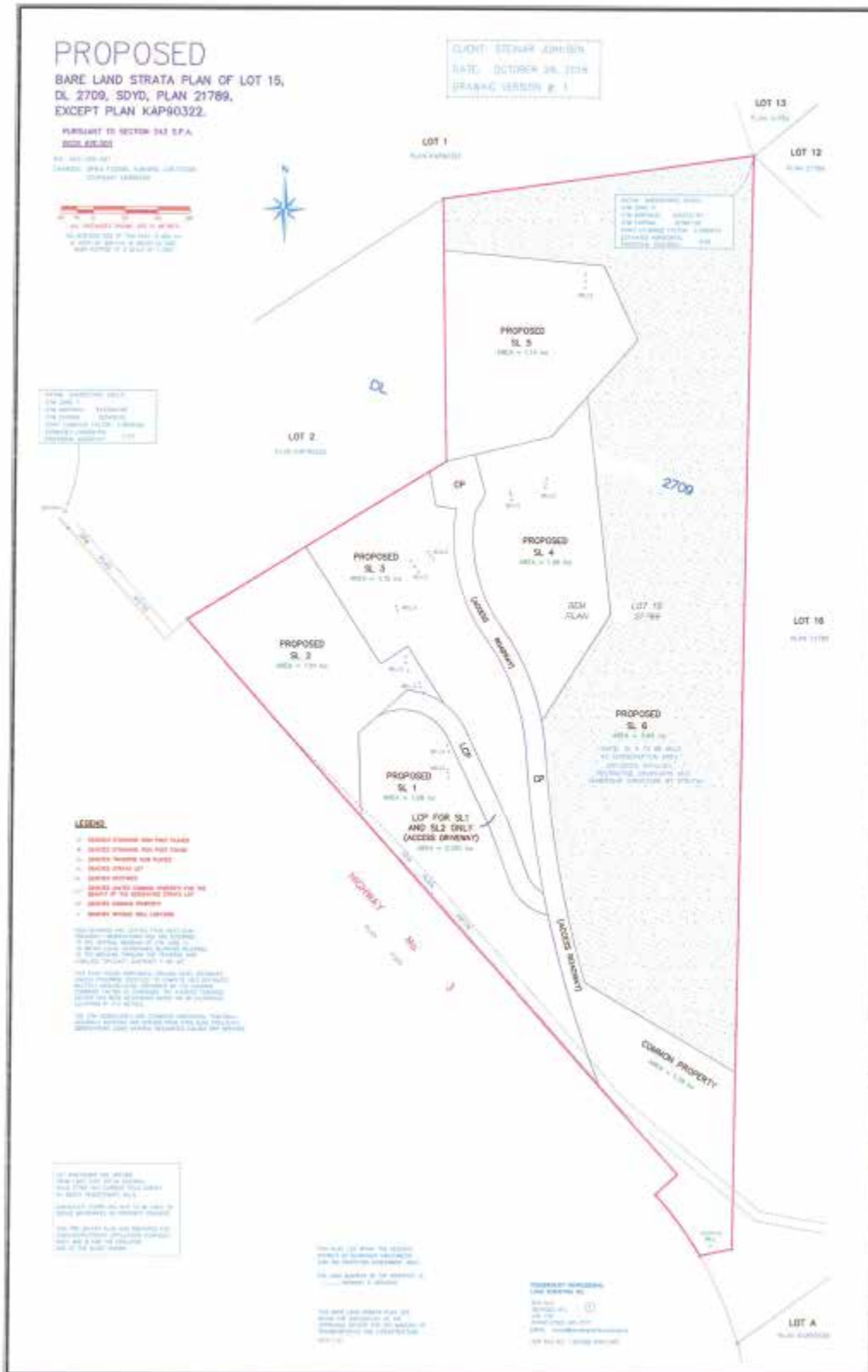
Attachments: No. 1 – Agency Referral List No. 2 – Applicant’s Site Plan
No. 3 – Applicant’s Site Plan (with ESA 2 Areas) No. 4 – Site Photo

Attachment No. 1 – Agency Referral List

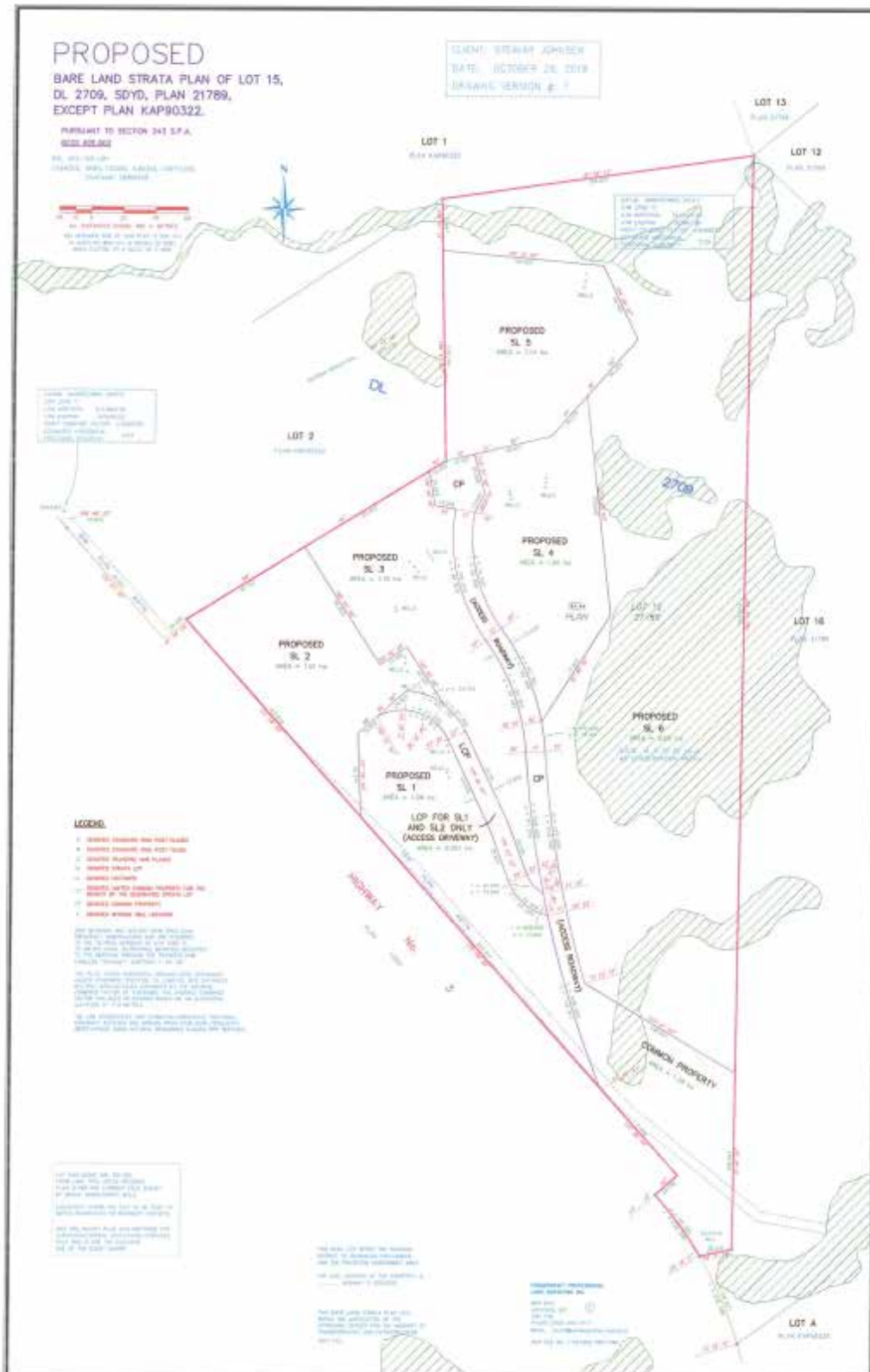
Referrals have been sent to the following agencies as highlighted with a **p**, regarding Amendment Bylaw No. 2905.01, 2021:

p	Agricultural Land Commission (ALC)	p	Fortis
p	Interior Health Authority (IHA)	<input type="radio"/>	City of Penticton
p	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	p	Town of Osoyoos
p	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)
p	Ministry of Transportation and Infrastructure	<input type="radio"/>	Penticton Indian Band (PIB)
<input type="radio"/>	Integrated Land Management Bureau	p	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)	p	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	p	Canadian Wildlife Services
<input type="radio"/>	Kootenay Boundary Regional District	<input type="radio"/>	OK Falls Irrigation District
<input type="radio"/>	Thompson Nicola Regional District	<input type="radio"/>	Kaleden Irrigation District
<input type="radio"/>	Fraser Valley Regional District	p	Osoyoos Irrigation District
p	Anarchist Mtn Fire Department		

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Applicant's Site Plan



Attachment No. 4 – Site Photo



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2905.01, 2021

A Bylaw to amend the Electoral Area "A" Official Community Plan Bylaw No. 2905, 2021

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "A" Official Community Plan Amendment Bylaw No. 2905.01, 2021."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "A" Official Community Plan Bylaw No. 2905, 2021, is amended by changing the land use designation on an approximately 6.93 hectare part of the land described as Lot 15, Plan 21789, District Lot 2709, SDYD, Except Plan KAP90322, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH).
3. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "A" Official Community Plan Bylaw No. 2905, 2021, is amended by changing the land use designation on an approximately 5.6 hectare part of the land described as Lot 15, Plan 21789, District Lot 2709, SDYD, Except Plan KAP90322, and shown shaded green on Schedule 'A', which forms part of this Bylaw, from Large Holdings (LH) to Conservation Area (CA).

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

PUBLIC HEARING held on this ____ day of _____, 2021.

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

ADOPTED this ____ day of _____, 2021.

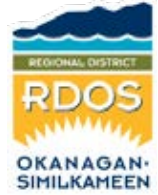
Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

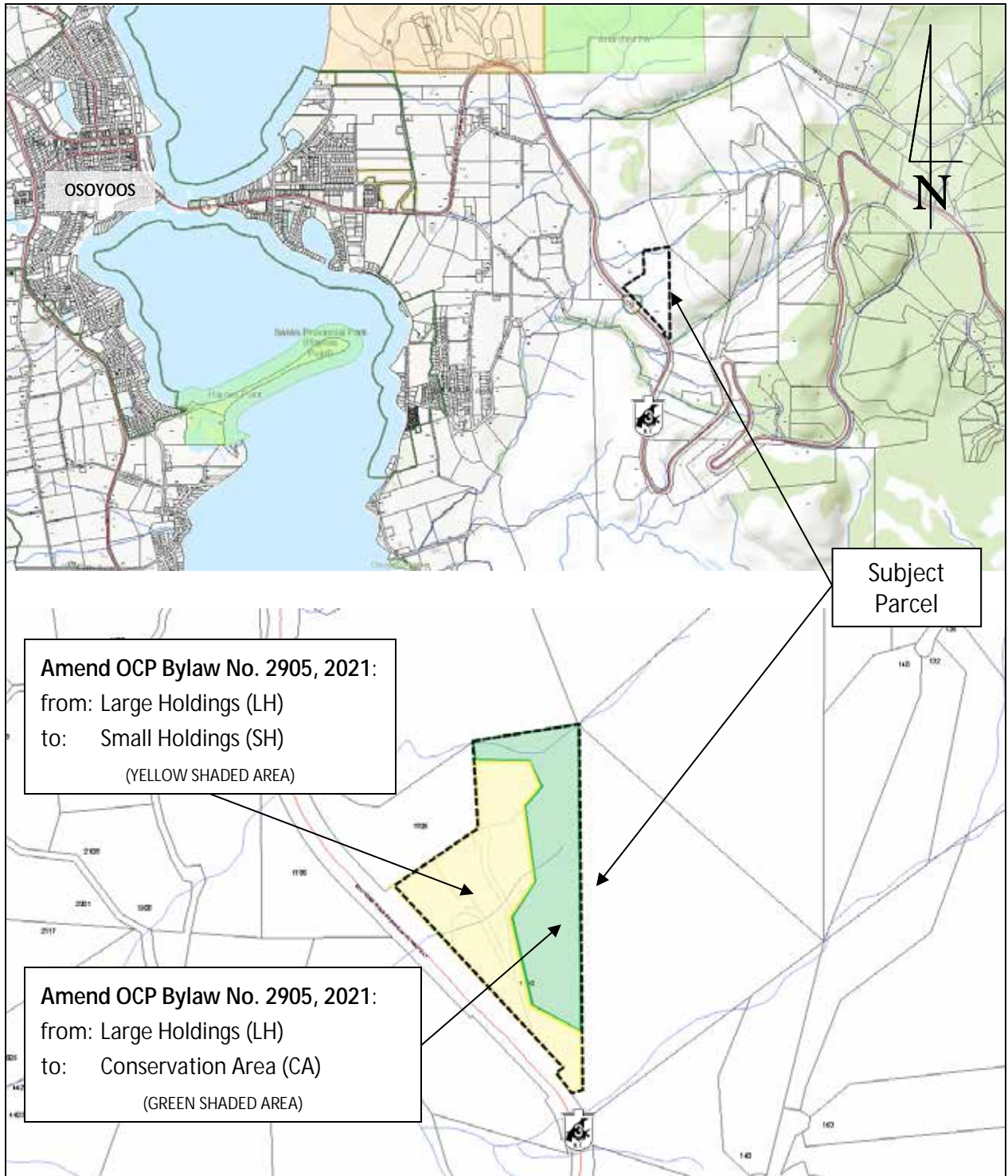
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2905.01, 2021

File No. A2018.207-ZONE

Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2451.27, 2021

A Bylaw to amend the Electoral Area "A" Zoning Bylaw No. 2451, 2008

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "A" Zoning Amendment Bylaw No. 2451.27, 2021."
2. The Official Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by changing the land use designation on an approximately 6.93 hectare part of the land described as Lot 15, Plan 21789, District Lot 2709, SDYD, Except Plan KAP90322, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Large Holdings One Zone (LH1) to Small Holdings Three Zone (SH3).
3. The Official Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by changing the land use designation on an approximately 5.6 hectare part of the land described as Lot 15, Plan 21789, District Lot 2709, SDYD, Except Plan KAP90322, and shown shaded green on Schedule 'A', which forms part of this Bylaw, from Large Holdings One Zone (LH1) to Conservation Area Zone (CA).

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

PUBLIC HEARING held on this ____ day of _____, 2021.

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

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "A" Zoning Amendment Bylaw No. 2451.27, 2021" as read a Third time by the Regional Board on this ____ day of ____, 2021.

Dated at Penticton, BC this __ day of ____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this __ day of ____, 2021.

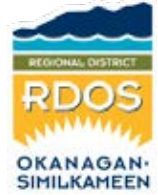
Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

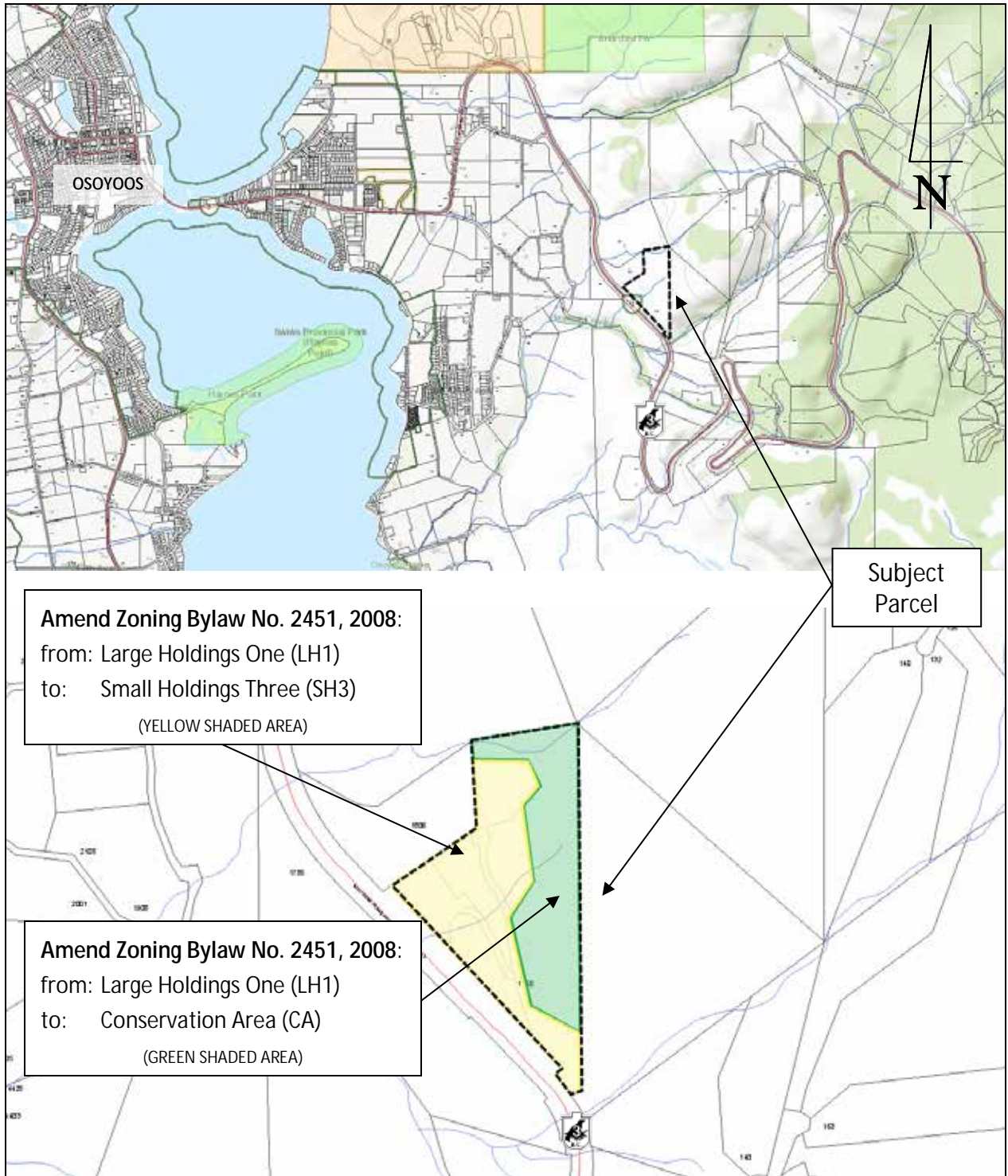
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2451.27, 2021

File No. A2018.207-ZONE

Schedule 'A'





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

April 8, 2021

Reply to the attention of Sara Huber
ALC Issue: 52168
Local Government File: A2018.207-ZONE

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

**Re: Regional District of Okanagan Similkameen Electoral Area A Official
Community Plan and Zoning Amendment Bylaw Nos. 2450.14 and 2451.27**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area A Official Community Plan (OCP) and Zoning Amendment Bylaw Nos. 2450.14 and 2451.27 (the "Bylaws") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaws are consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The Bylaws propose to amend the OCP land use designation from Large Holdings (LH) to Small Holdings (SH) and Conservation Area (CA) and the amend the zoning from Large Holding One Zone (LH1) to Small Holdings Three Zone (SH3) and Conservation Area (CA) on the property identified as 1750 Highway 3E; PID: 002-165-481 (the "Property") in order to facilitate a bareland strata subdivision of five residential lots and one conservation lot.

Proposal Map:



The ALC recognizes that the Property is not within the ALR and while separated by Highway 3, is adjacent to ALR lands. In particular, Strata Lot 1 and 2 are adjacent to the Highway. For this reason, ALC staff recommends considering the setback and buffer requirements outlined in the [Guide to Edge Planning](#), including up to a 30 m building setback from the ALR boundary, and an associated 7.5 m vegetated buffer to reduce the potential for urban/agricultural conflicts.

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

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

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of RDOS A2018.207-ZONE

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

52168m1



March 26, 2020

File: 0280-30

Local Government File: A2018.207-ZONE

JoAnn Peachy, Planner 1
Regional District Okanagan Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Dear JoAnn Peachy:

Re: Rezoning Application for 1750 Highway 3 East (PID: 002-165-481)

Thank you for providing B.C. Ministry of Agriculture, Food and Fisheries staff the opportunity to comment on the above noted application to accommodate a five lot residential subdivision. We note that the property is located outside of the Agricultural Land Reserve (ALR), but is adjacent to the ALR, although separated by Highway 3.

Large rural residential lots adjacent to the ALR tend to be one of the least compatible land uses with agricultural production. In this case, the highway does provide some separation from intensive orchard or vineyard use that is adjacent. We recommend that edge planning consistent with the Ministry's Guide to Edge Planning be implemented. In particular we recommend a continuous 7.5 metre vegetative buffer be put in place along the road frontage for proposed Strata Lots 1 and 2.

If you have any questions, please contact us directly at the numbers and email addresses below.

Sincerely,

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

Chris Zabek, P.Ag.
Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
E-mail: Chris.Zabek@gov.bc.ca
Office: (250) 861-7680

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2450.14 & 2451.27

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

To explain our objection to the proposal, some background is needed.

The Osoyoos Irrigation District (OID) provides water for domestic (residential) and agricultural irrigation purposes on the east bench of Osoyoos. We currently service 154 residences, with more residences under construction. During the summer season, when agricultural irrigation for our over 200-hectare area is in operation, our water source is Lake Osoyoos, which is unsuitable for drinking despite the chlorination we use. In the winter period, when demand is lower, since no irrigation occurs, water from our well (which currently can be consumed without treatment) is used to serve the residences. However, this source is insufficient to meet residential demand, and during winter the well water often must be supplemented with water from the lake.

Due to this use of lake water during both seasons, which is unsuitable for drinking, the OID operates on a year-round boil-water advisory. Interior Health, and the legislation that governs our activities, requires us to move towards getting off the boil-water advisory. Our only effective solution for so doing is to drill another well, so that we have greater supply of drinking water and can therefore avoid using lake water during the winter months, and eventually to twin our distribution system to separate drinking water (from the wells) from water obtained from the lake that would continue to be used for agricultural purposes.

Any development activity that could potentially reduce the water available in our well that is used to serve residences in the winter, and potentially year-round in the future, can only serve to prevent the OID ever being able to successfully move away from our year-round boil-water advisory. The current land use designation of the property in question allows one single-detached dwelling, with a swimming pool, that would have to be supplied by water from a well that could potentially affect the operation of our well. Expanding this, as the application proposes, to 5 residential lots, each of which may, in the future, also include swimming pools, would likely necessitate the drilling on that land of 5 wells, or possibly a community well to service all 5 residential lots. Either way, this would involve a much greater use of well water than is likely at the site under its current status. To the extent that such wells utilize the same well-water source used by the OID, this could severely impact our ability to provide drinkable water to our residents.

To summarize, the OID is opposed to the application, and does not recommend approval due to the likely adverse effects on our drinking water of the additional water use, potentially from the same source as our well, that would be required on the subdivided land with the additional planned housing. Year-round boil-water advisories are a serious matter that have elicited national headlines for the seriousness of the situation they impose on residents. Our attempts to move off the year-round boil-water advisory under which we currently operate could be severely affected by the proposal.

Signature: David L Ryan

Signed By: David Ryan

Agency: Osoyoos Irrigation District

Title: Treasurer

Date: 16 March 2021



March 15, 2021

File: 2021004
Your File: A2018.207-ZONE

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

Attention: JoAnn Peachey

Re: Amend OCP and zoning designations to create 5 residential strata lots and 1 conservation area located at 1750 Highway 3 E, east of Osoyoos, B.C.

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations & Rural Development has reviewed the above noted referral. We understand that the application is to amend OCP and zoning designations to facilitate a bareland strata subdivision of 5 residential lots and 1 conservation area lot at the subject property.

According to our records, the proposed development area contains the following sensitive values:

- Very high conservation ranking
- Potential Critical Habitat for:
 - Tiger Salamander
 - Lewis's Woodpecker
- Bank swallow nesting area

There are a few concerns with the environmental assessment prepared by Ecora, titled "Environmental Assessment for Proposed Strata Subdivision at 1750 Highway 3, Regional District of Okanagan-Similkameen" and dated November 20, 2020 ("the EA") that should be addressed before we are able to recommend the approval of proposed rezoning. This includes:

- In order to declare a stream absent or not applicable under the RAPR, strong evidence must be presented to show there is never flow that connects with a fish-bearing stream. In this case, such evidence does not appear to have been provided in the case of the mapped unnamed tributaries to Haynes Ck on the subject property.

- Additionally, the cleared and grubbed landing created mid-stream may be subject to flooding and/or require a culvert under Sec. 11 of the Water Sustainability Act
- While exact development footprint in each lot may be unknown at this time, a detailed investigation of sensitive species and habitat values in each proposed lot should be completed before effects of rezoning can be properly evaluated. Without identifying location of these values it is not possible to determine whether the number of lots proposed is appropriate for this location.
- Critical habitat has not been mapped on the subject property to show that areas proposed for development will minimize impacts to this habitat
 - This includes wildlife trees for Lewis' Woodpecker. These should be mapped to show that lots can be developed without impacting potential nesting or forage areas.
- It is unclear how destruction of swallow colony nesting area was able to proceed without a development permit but still under the supervision of a QEP

For these reasons we do not recommend supporting the rezoning application at this time, and recommend the QEP address the outstanding issues in the EA.

We appreciate the opportunity to contribute to this application as part of the Ministry's One Land Manager model. Please contact the undersigned if you cannot follow the recommendations provided in this referral response. It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Sustainability Act* and the *Wildlife Act*. The undersigned may be reached at Jamie.Leathem@gov.bc.ca or 250-490-8294 if you have further questions or require additional information.

Sincerely,



Jamie Leathem, M.Sc.
Ecosystems Biologist
For the Referral Committee

JL/jl

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Interior Health Authority (IHA) | <input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure | <input checked="" type="checkbox"/> Anarchist Mtn Fire Department |
| <input checked="" type="checkbox"/> Ministry of Environment & Climate Change Strategy | <input checked="" type="checkbox"/> School District #53 | <input checked="" type="checkbox"/> Fortis |
| <input checked="" type="checkbox"/> Town of Osoyoos | <input checked="" type="checkbox"/> Osoyoos Indian Band (OIB) | <input checked="" type="checkbox"/> Environment Canada |
| <input checked="" type="checkbox"/> Canadian Wildlife Service | | |

Concil considered this at the February 9th, 2021 Council meeting with the following staff recommendations see below:

Regional District of Okanagan Similkameen (RDOS) Bylaw Referral (A2018.207-Zone 1750 HWY 3 East)

Proposed 5 lot bare land strata subdivision (plus conservation area)

- Report from Director of Planning and Development Services

Moved by Councillor Rhodes

Seconded by Councillor Bennett

That Council direct staff to respond to the RDOS Bylaw Referral (A2018.207-Zone 1750 HWY 3 East) as follows:

APPROVAL NOT RECOMMENDED for the following reasons:

- The visual impact of the proposed road network and building sites is unclear from the information provided to date.
 - Proposal is not consistent with the policies of the Regional Growth Strategy.
 - Proposal is inconsistent with the minimum lot sizes as outlined in the current RDOS Area "A" OCP as well as the new (draft) OCP for Area "A".
- CARRIED

Gina MacKay, MCIP, RPP

Title: Director of Planning and Development

Agency: Town of Osoyoos

Date: February 16, 2021



South Okanagan
Similkameen
CONSERVATION
PROGRAM

102 Industrial Avenue
Penticton, British Columbia
V2A 7C8
Tel: (819) 238-2407
Email:
sophie.fillion@usherbrooke.ca
Website: www.soscp.org

January 29, 2021

JoAnn Peachey
Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9

Re: Comments regarding file A2018.207-ZONE

Dear JoAnn,

On behalf of the South Okanagan Similkameen Conservation Program (SOSCP), please consider this our formal referral comments for file A2018.207-ZONE.

*Keeping Nature in Our Future*¹, a Biodiversity Conservation Strategy undertaken by SOSCP and partners in 2012, identified an approach to conserving and protecting sensitive ecosystems in the Okanagan region including within the boundaries of the Regional District of Okanagan-Similkameen (RDOS). Highlighted in the strategy is a strong piece on maintaining habitat and wildlife corridor connectivity, high conservation value areas, and key zones of biodiversity.

The lands subject to the application noted above (1750 Highway 3) are noted within the Biodiversity Conservation Strategy for their Very High Conservation Ranking, Very High Relative Biodiversity, and High Habitat Connectivity. Less than two kilometres north of the subject lands is the Anarchist Protected Area, a 467 hectare refuge for sensitive ecosystems and species at risk. The subject lands tie into a large habitat corridor that runs east to Anarchist Mountain following Bourguiba Creek and then northeast to Baldy Mountain. Fragmenting habitat and disrupting corridors adversely impacts wildlife populations and degrades the overall functioning of these ecosystems. Continued development in this region will further disrupt these corridors and diminish their role in wildlife movement.

SOSCP recommends that the Regional District of Okanagan-Similkameen refuse the rezoning and Official Community Plan (OCP) amendment application for the following reasons:

- 1) Several goals and objectives in the South Okanagan Regional Growth Strategy² (RGS) support the refusal of this application including:
 - a) Goal 1 encourages development to focus in designated Primary Growth Areas and Rural Growth Areas. This goal aims to protect ecologically sensitive areas and promote compact urban development. This application does not fall into any of these designated areas and does not align with the objectives of this goal.

¹ <https://soscp.org/about-soscp/biodiversity/resources/>

² <https://www.rdos.bc.ca/assets/bylaws/planning/AreaX/2770.pdf>



South Okanagan
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Email:
sophie.fillion@usherbrooke.ca
Website: www.soscp.org

- b) Goal 2 is to protect the health and biodiversity of ecosystems in the South Okanagan. This goal further encourages developments to locate in Primary Growth Areas to protect ecologically sensitive sites and maintain wildlife corridor connections. This application significantly impacts an area of high environmental values, as highlighted in the Biodiversity Conservation Strategy.
- 2) The RDOS Official Community Plan for Area "A" Osoyoos Rural³ does not support the application based on several policies and objectives including:
 - a) 8.2.1 and 8.2.2 which encourages development to be directed to Growth Areas and to minimize impacts from residential development on the natural environment.
 - b) 13.3.1.1 which encourages the protection of lands designated as Environmentally Sensitive Development Permit Area (ESDPA), of which the entire subject property is currently designated. There is also an adjacent portion of land abutting the property that is designated as an Important Ecosystem Area.
 - c) 13.3.2.4 which states that parcels of land designated as ESDPA should remain as large as possible to protect habitat.
- 3) In reviewing the Rationale Document (RD) submitted by the applicant, the following issues are noted:
 - a) The RD states the north and south channels (ephemeral watercourses) should be Environmentally Sensitive Area 1 (ESA) yet the 2020 Environmental Assessment (EA) states there are no ESA 1 areas on the property. In the 2020 EA, the north channel is partially designated as ESA 2 while the south channel has no ESA designation. Pg. 21 of the 2020 EA makes a reference to ESA 1 but there is no mention anywhere else in the document as to any portion of the site being designated as such.
 - b) The RD and EA state that the riparian areas in the two ephemeral drainage channels do not require any Riparian Areas Protection Regulations (RAPR) approvals. Despite this, any changes or alterations to them likely require Water Sustainability Act (WSA) approval.
 - c) The RD and EA state the strata will own SL 6. If the application is approved and the subdivision proceeds, consideration should be given to a land dedication to the municipality as per OCP Parkland Dedication Policy 12.4 and 13.3.2.7.
 - d) The RD states that the property is not in a growth area yet the EA states that the proposed rezoning and subdivision is supported by the Regional Growth Strategy. These documents appear to conflict one another. The RGS checklist provided by the applicant notes several policy areas where the development is in conflict with or does not align with the intentions of the strategy, particularly policies 1C-3 and 1C-4. This is confirmed by staff in their November 21, 2019 Administrative Report to the Board of Directors.

³ <https://www.rdos.bc.ca/assets/bvlaws/planning/AreaA/2450A.pdf>



South Okanagan
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- 4) Though densification and intensification are appropriate strategies to avoid urban sprawl, this generally applies to existing built areas i.e. infill development. The RDOS's OCP encourages these types of developments but only within the Primary Growth Areas and Rural Growth Areas. Though the applicant presents their subdivision as an improvement to the current on-site low-density development, this type of intensification generally leads to further intensification and development in the surrounding area. Once approvals of strata subdivisions occur in low-density residential development zones, it increases the likelihood that the approving authority will continue to support these applications. Continued approval of similar applications contributes to the cumulative effects of continued higher density development in areas not suitable or appropriate to intensification, leading to the gradual deterioration of ecosystems through the loss of habitat and disruption of connectivity.
- 5) The surrounding lots continue to be predominantly large holdings residential properties, many of them larger parcels. A higher density residential strata subdivision is not suitable or compatible with the surrounding developments. Neighbourhood and residential character is an important component of livability and identity for residents and cumulative non-compatible development in the area degrades this.
- 6) The entirety of the property is designated as an Environmentally Sensitive Development Permit Area and abuts an Important Ecosystem Area. This means that if the zoning is approved, the municipality is endorsing the partial destruction of the ESDPA. Though the municipality is not obligated to approve the subdivision once applied for, there is a tacit understanding that a zoning approval is a de facto approval of any subsequent subdivision and/or development application (since without the zoning, the subdivision cannot be considered). Permitted uses receive approval subject to the appropriate bylaws but a landowner can by right undertake a permitted use on their property. Considering the limited development potential on the site, and the high ecological values present, there is minimal justification for the proposed application. A subdivision on this property would cause ESDPA destruction, impede a wildlife corridor and habitat connectivity, may potentially cause issues with slope stability, and is overall not a suitable use for this site.

In addition to the policy considerations described above, SOSCP has several recommendations, comments and concerns with the 2020 Environmental Assessment. If the current application is approved, the 2020 EA should be amended to address these issues prior to issuance of an Environmentally Sensitive Development Permit (ESDP) for subdivision:

- 1) Though the RDOS Development Procedures Bylaw⁴ prescribes how ESAs are determined, it would be beneficial to have an explanation of how these areas were mapped, what attributes were assessed, and why they differ from the previous mapped

⁴ <https://www.rdos.bc.ca/assets/bylaws/planning/AreaX/2500.pdf>



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ESAs submitted for the 2014 ESDP and those shown in Appendix A. Confirmation of whether this mapping was done remotely and/or on site should be stated as well.

- 2) The project area is within Mule Deer winter range and the range for Bighorn Sheep as identified by the provincial government. Though regulations for Mule Deer winter range apply only to Crown Land, consideration should be given to how the proposed subdivision will impact wildlife corridors and movement for these species.
- 3) Environmentally valuable resources have not been clearly identified or mapped on the property, only generally referred to within the body of the EA. This includes the mapping of Critical Habitat attributes, wildlife trees, rare plant surveys and formal wildlife surveys. Detailed concerns about this are noted below.
- 4) There have been numerous discussions with Environment and Climate Change Canada (ECCC) on the Bank Swallow colony formed on the exposed cliff face formed due to road construction. The EA states that the QEP, applicant, and construction firm would consult with the Canadian Wildlife Service (CWS) and ECCC on suitable replacement habitat since the current colony impedes road construction. SOSCP followed up with ECCC and CWS. They strongly discourage the destruction and replacement of habitat but stated that if the applicant does so, they must adhere to all applicable regulations including the Species at Risk Act (SARA) and the Migratory Birds Act (MBA). As of a site inspection from the Highway 3 shoulder on January 23rd (photos can be provided), the colony has been destroyed. ECCC did not mention that any discussions had taken place yet with the applicant regarding habitat replacement. There is significant concern as to whether this colony destruction abided by the legal requirements of SARA and the MBA.
- 5) The EA was reviewed against the RDOS Development Procedures Bylaw and the following sections appear to be missing or incomplete:
 - a) 1.c.3.b.i) - location of plant species is not shown on the site maps and plant communities are only generally identified according to Sensitive Ecosystems Inventory (SEI) and Terrestrial Ecosystem Mapping (TEM).
 - b) 1.c.3.b.iii) - a list of found species is not provided except for those from a Conservation Data Centre (CDC) Query and none are shown on the site maps
 - c) 1.c.3.b.iv) - area of expected/potential terrestrial/aquatic wildlife use are not shown on the site maps and are only generally described in the EA with no delineation of wildlife corridors or areas of use
 - d) 1.c.3.b.v) - observations and/or recorded locations of federally listed, provincially ranked, or regionally significant plant communities and species or their habitats are not shown on site maps and no formal wildlife or vegetation surveys were undertaken



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- e) 1.c.3.b.vii) - other existing environmentally valuable resources, including wildlife connectivity corridors, wildlife trees, and hibernacula are not show on site maps and do not appear to have been mapped or inventoried
 - f) 1.c.3.b.viii) - landforms, site stability, geological and topographical features are not shown on site maps and geological and topographical features are only briefly discussed in the EA
 - g) 1.c.3.b.ix) - adjacent lands and uses are not shown on site maps and are only briefly discussed in the EA
 - h) 1.c.3.b.x) - cross sections for sites with slopes greater than 20% are not shown on site maps
 - i) 1.c.3.c - though endangered species records are attached as a CDC Query, this subsection states that if rare and endangered species potentially utilize the site, a species specific inventory must be conducted in the appropriate seasons
 - j) 1.c.3.f - the identification of environmentally valuable resources occurring within the study area is required to determine ESA boundaries. It is unclear from the EA what process, procedures and methodology was utilized to map these areas. As per the requirements of this subsection, there are many considerations that go into determining each ESA category. These are missing from the EA other than noting what the Development Procedures Bylaw states. What site features and attributes were included in the mapping the ESAs? Do they include Critical Habitat attributes, wildlife trees, known occurrences or incidental observations of wildlife or rare plants, snake or bat hibernacula, sensitive ecosystems, etc.? Further details need to be provided on how the ESA were determined and what they include. Each ESA should have a dedicated section within the EA explaining each component required under Subsection 1.c.3.f which then provides the rationale for their classification between ESA 1 thru 4.
 - k) 1.c.4 - the entirety of this section on Impact Assessment & Mitigation was completed. The concern is that the recommendations are very general in nature and not specific to the proposed development on each lot. While understandable, as this is often undertaken at the time of site development, there should be more detailed requirements and recommendations based on the location of ESA 2 area on each lot, the location of each dwelling (which the EA states is generally known), and that many environmentally valuable resources should be known but have not been assessed and detailed in the EA. With this existing and additional information, recommendations for the entire development and each lot should be provided.
- 6) Despite the existence of a valid ESDP for the proposed single residence, best practices would suggest that work should be paused until a determination has been made on this application and the ESDP for the proposed subdivision. This is because changes to lot layout, road construction, mitigation measures, and environmental considerations may all significantly change the course and outcome of the current road and dwelling



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construction. It is advisable that the applicant cease construction until such time as a decision has been issued on their current application to avoid potential lost time and increased costs if requirements for the development change.

- 7) As noted above, the QEP recommends that site specific recommendations for development be undertaken at the time of an ESDP for each future residence. Typically this would be the approach undertaken for a subdivision development. There are significant concerns with this approach based on proposed bylaw amendments to all OCPs which will remove ESDP requirements at the time of development. If this bylaw is approved, there will be no protections or provisions in place for requiring site specific EAs to be undertaken at the time of development. Therefore there is a strong recommendation that this current EA be as comprehensive as possible, including site specific recommendations for each lot, in case the proposed OCP amendments pass before development proceeds in this subdivision.
- 8) The QEP appears to have made all efforts to design the lot layouts such that the impacts to ESA 2 areas is reduced and the majority of ESA 2 is captured within SL 6 which will be zoned Conservation Area. SL 3 and 4 contain several smaller portions of ESA 2 and consideration should be given to adjusting lot boundaries to avoid impacts to these ESA areas by either consolidating the lots or removing them from the plan.
- 9) Section 3.1.1 notes the mapped TEM and SEI ecological communities on the property. A description of each of these communities should be provided in the EA.
- 10) Section 3.2.1 states that there are no defined antelope-brush steppe ecosystems on the property as the antelope-brush present is sporadic and relatively sparse in abundance. In light of the rarity of antelope-brush ecosystems, all efforts should be made to avoid this species on the property. The seral stage of this ecosystem is not described and continued existence on the property may increase establishment and gradual succession to an identifiable antelope-brush steppe ecosystem if left undisturbed.
- 11) Some of the mapping deficiencies are noted above as not meeting the requirements of the RDOS Development Procedures Bylaw. It should be emphasized again that Critical Habitat (CH) attributes needs to be delineated and defined on site. This should be done at the time of subdivision since lot layout may be impacted based on the location of CH. If a particular lot contains an abundance of CH and the layout is already approved, it will be difficult to mitigate or establish a low impact developable area. If done at the time of subdivision, the lots can either be consolidated or dedicated as part of SL 6. All of the features described within section 3.3 should be mapped and inventoried as well. Impacts to CH and these features need to be discussed and steps to mitigate those impacts should be detailed in the EA.



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- 12) The QEP confirms that two out of the three watercourses on site do not fall within the definition of a stream and therefore are not subject to a RAPR assessment. Was a RAPR assessment submitted to the provincial government for Bourguiba Creek?
- 13) Section 3.4 notes that there are not expected to be fish present in any of the streams due to their ephemeral nature. Confirmation of this should be undertaken when a species site inventory is completed.
- 14) Section 4.1 notes that the areas planned for future houses within each of the proposed lots appear to be suitable. These development pockets should be shown on one of the figures within the EA and associated site prep (contingent on the geotechnical report) should be discussed in the mitigation section.
- 15) Section 5 discusses Mitigation and Recommendations. There should be consideration given to compensation and conservation offsets based on the level of development impact. In addition, species specific mitigation strategies should be provided.
- 16) Section 5.2 discusses Reduced Risk Timing Windows. In addition to federal government guidelines, the QEP should also adhere to recommended provincial timing window guidelines.⁵
- 17) Section 5.2.2 Aquatic Resources appears to conflict with earlier statements in the EA which noted that Bourguiba Creek would not be impacted by the development.
- 18) Section 5.2.3 does not mention potential impacts of grading or soil disturbance to reptiles and amphibians that may be present on the property, including several snake species and particularly spadefoots.
- 19) Section 5.3. states that storage areas, including the stockpiling of materials, must be situated at least 30 metres away from watercourses and drainage features. Based on aerial photos of the site and Figure 6.0, there appears to be an existing stockpile site directly situated within the ephemeral draw that bisects the middle of the property. This should be rectified as soon as possible as it appears to be a contravention of the Water Sustainability Act.
- 20) Specific comments for each map figure:
 - a) Figure 2.0 is missing a descriptor for BGxh1 and RZ is described in the body of the EA as road but Urban on this figure. It is unclear as to what the non-coloured

5

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/working-around-water/regional-terms-conditions-timing-windows/okanagan-timing-windows>



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area of this figure represents. Is it deemed Not Sensitive? This non-coloured area is listed as RZ (road) as per TEM yet the road only occupies a small portion of this polygon.

- b) Figure 3.0 is very difficult to read. Separating it out into separate figures would allow for it to be more easily understood.
- c) The subdivision lot layout shown in several figures as overlaid on the aerial imagery should be adjusted such that the access road for SL 1, 2, and 3 is aligned with the existing disturbed road area leading to the stockpile site.
- d) The blue colours in Figure 6.0 make it difficult to distinguish between Stormwater and Proposed Nest Relocation. The Proposed Nest Relocation is not described or referenced anywhere else in the EA, which is a concern. There is mention of colony re-establishment but not relocation. The Riparian Assessment Area referenced in the legend is not shown anywhere in the figure.
- e) Appendix A shows the slope cut for the approach and driveway as encroaching on the adjacent property. Has this been discussed with and approved by the adjacent landowner? This appendix also references an EOA in the legend. Can this acronym be defined?

21) A Development Permit Variance was submitted on December 22, 2020 to the RDOS for a height variance to a proposed retaining wall. This request was done due to concerns about impacting a Telus right-of-way and the Bank Swallow colony. Since the Bank Swallow colony has now been destroyed, it is unclear if this variance is still justified. This would need to be assessed against the geotechnical report and in consultation with ECCC and the CWS.

Based on the information above, and the application details provided by the Regional District of Okanagan-Similkameen, SOSCP recommends that file A2018.207-ZONE be refused. With many provincially and federally listed species at risk potentially present on the property or occupying habitat within this area, maintaining the intactness of this sensitive ecosystem should be a top priority for the RDOS. This recommendation is supported by the RDOS's policies and bylaws noted above.

If you have any questions regarding this recommendation, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Misener".

Benjamin Misener, CPT, RTAg
On behalf of the South Okanagan Similkameen Conservation Program



Canadian Wildlife Service
5421 Robertson Road, RR 1
Delta, BC V4K 3N2

June 12, 2020

Christopher Garrish
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9

Re: Amendment of the Electoral Area "A" OCP Bylaw No. 2450, 2008, & Zoning Bylaw No. 2451, 2008

Dear Mr. Garrish,

Environment and Climate Change Canada's Canadian Wildlife Service recently received a report of an active Bank Swallow colony at 1750 Highway 3, which is the site of Amendment of the Electoral Area "A" OCP Bylaw No. 2450, 2008, & Zoning Bylaw No. 2451, 2008. We wanted to take this opportunity to remind the Regional District of Okanagan-Similkameen of their obligations under the *Migratory Birds Convention Act* and the *Species At Risk Act*. Based on our review of the available information on the proposed amendment of Electoral Area "A" OCP Bylaw No. 2450, 2008, & Zoning Bylaw No. 2451, 2008, we are concerned that development could result in the damage, disturbance and/or permanent removal of nests/residences for Bank Swallows (*Riparia riparia*).

You may not know that the destruction and disturbance of Bank Swallows, their nests and their eggs is prohibited under two pieces of federal legislation, and under the provincial *Wildlife Act* if the nest is active.

The Bank Swallow is afforded protection as a migratory bird under the *Migratory Birds Convention Act* (MBCA) and is also listed as Threatened under Schedule 1 of the *Species at Risk Act* (SARA).

The MBCA and corresponding Regulations (section 6) prohibit the damage, destruction or disturbance of migratory bird nests and eggs, and applies to all lands and waters in Canada (http://laws.justice.gc.ca/eng/regulations/C.R.C.,_c._1035/FullText.html#h-4). For species like Bank Swallows, prohibitions on destruction and disturbance of nests applies during the breeding season, so an individual would be in violation of the Regulations if he or she damages, destroys or disturbs a nest during this period. Generally speaking, active nesting occurs in your region between late March and mid-August. Here is a link to the [General Nesting Periods of Migratory Birds in Canada](#).

Similarly, SARA (section 33 & 36) prohibits the damage or destruction of residences (e.g., nest) of species listed as Endangered or Threatened (<http://laws-lois.justice.gc.ca/eng/acts/s-15.3/page-4.html#h-14>). For migratory bird species at risk, these prohibitions apply to all nests, regardless of land ownership. Under SARA, Bank Swallows have a residence description, which outlines that the nest is considered a residence when the burrow is occupied (<https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/residence-descriptions/bank-swallow.html>). The federal recovery strategy for Bank Swallow is currently in development, which will include the identification of critical habitat across its range in Canada, and we would recommend that the Regional District monitor the Species at Risk Public Registry if the project goes ahead to maintain awareness of new responsibilities and obligations that may arise if critical habitat is identified in the area.



Any activity that impairs the function of the nest would constitute damage or destruction of the residence under SARA. This would include, but is not limited to, any activity that:

- disturbs the adult pair that are excavating the nest, incubating eggs or bringing food to the nestlings such that one or both members of the adult pair are disturbed to the point where the nest may be abandoned, or, if present, the eggs or young perish inside the nest for lack of parental care, and
- blocks access to the nest by the birds.

Section 34 of B.C.'s Wildlife Act

(http://www.bclaws.ca/civix/document/id/complete/statreg/96488_01#section34) specifically protects birds and their eggs from possession, molestation or destruction; the nests of eagles, peregrine falcons, gyrfalcons, ospreys, herons, and burrowing owls year-round; and the nests of all other birds when the birds or their eggs are in the nest.

One way to prevent harm to migratory birds, their nests and eggs is to develop and implement appropriate prevention measures to minimize the risk and to help maintain populations for migratory bird species. It is your responsibility to plan your activities well ahead of the breeding season to avoid harming migratory birds upon their return. For more information, please consult our website (www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reducing-risk.html).

The federal recovery strategy for Bank Swallow is currently in development, which will include the identification of critical habitat across its range in Canada. Therefore, we would recommend that the Regional District monitor the Species at Risk Public Registry if the project goes ahead, to maintain awareness of new responsibilities and obligations that may arise if critical habitat is identified in the area.

Bank Swallows show high fidelity to nest sites, often returning yearly to reuse the same site for breeding and foraging. Bank Swallows are declining across Canada and in British Columbia (~3.3%/year), and are one of the few aerial insectivores (species that eat flying insects) that are likely limited by availability of nesting sites (https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/cosewic-assessments-status-reports/bank-swallow.html#_03_1). In addition to ensuring the Bank Swallow colony is not disturbed during the breeding season, we are recommending the Regional District of Okanagan-Similkameen maintain the existing bank year-round, such that the persistence of the colony of Bank Swallows at the site can be maintained over the long-term, if zoning changes go ahead. Availability of sites such as this for nesting colonies are essential to maintain populations and potentially reverse these declines. By taking part in the protection of Bank Swallows and their residences, the Regional District of Okanagan-Similkameen can be part of tangible and measureable conservation benefits for species at risk and migratory birds.

Sincerely,

Lake,
Randal

Digitally signed
by Lake, Randal
Date: 2020.06.12
11:39:07 -07'00'

Randal Lake
Head, Regulatory Affairs
Canadian Wildlife Service, Pacific Region
RR1, 5421 Robertson Road
Delta, BC V4K 3N2

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2450.14 & 2451.27

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. Abrahamian

Signed By: SURRA PALIAPPA

Agency: SD 53

Title: SECRETARY TREASURER

Date: 15 / 1 / 20



Interior Health
Every person matters

October 18, 2019

JoAnn Peachey
Regional District of Okanagan-Similkameen
101 Martin St
Penticton, BC V2A 5J9
<mailto:planning@rdos.bc.ca>

Dear JoAnn Peachey:

RE: File #: A2018.207-ZONE
Our interests are unaffected

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority



RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2450.14 & 2451.27

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: _____

16 October 2019

Signed By: _____

Subra Paliappa

Title: _____

SECRETARY TREASURER

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: November 6, 2019 12:25 PM
To: Planning
Subject: Highway 3 East, 1750 (A2018.207-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Highway 3 East. **Bringing electrical service to the proposed lots will require significant extension work the cost of which may be substantial. To date, arrangements have not been completed to meet the requirements to service the proposed subdivision.** The applicant is responsible for costs associated with changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician's Name and Phone number
- [FortisBC Total Connected Load Form](#)
- Other technical information relative to electrical servicing

Otherwise, FBC(E) has no concerns with this circulation.

It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

If you have any questions or comments, please contact me at your convenience.

Best Regards,

Steve Danielson, AACI, SR/WA

Contract Land Agent | Property Services | FortisBC Inc.

2850 Benvoulin Rd

Kelowna, BC V1W 2E3

Mobile: 250.681.3365

Fax: 1.866.636.6171

FBCLands@fortisbc.com



Johnson/Senar



RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2450.14 & 2451.27

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

Thank you for the opportunity to provide a health perspective to this referral..

Interior Healthy Communities recommends that these bylaws remain as existing, since this change in land use is not in keeping with the Regional Growth Strategy.

Housing that is good quality, accessible, appropriate and affordable can support the health and well-being of individuals and communities, contributing to an increased sense of safety, decreased crime, greater social connection and improved quality of life. Interior Health recognizes the work that the Regional District of Okanagan Similkameen is doing to balance housing opportunities in the region while maintaining high quality and safe housing for everyone.

Safe and connected active transportation routes support physical and mental health and allow people to be active on a daily basis.

Active transportation infrastructure yields many additional community benefits including efficient transportation improved air quality

(due to less vehicle travel), reduced GHG emissions and improved vibrancy and livability.

Interior Health aims to improve health and wellness by working with regional governments and community partners to create policies and environments that support good health.

This residential development would promote the use of single use vehicles due to the distance and safety to access daily amenities.

Thank you for providing us with the opportunity to review and comment.

Signature: Clare Audet

Signed By: Clare Audet

Agency: Interior Health - Healthy Communities

Title: Environmental Health Officer

Date: February 9, 2021



Your File #: A2018.207-ZONE
(Johnsen)

eDAS File #: 2019-06041

Date: October 25, 2019

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Zoning Amendment Bylaw 2451.27 for:
Lot 15, District Lot 2709, SDYD, Plan 21789, except Plan KAP90322
1750 Highway 3, Osoyoos, BC**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*, subject to the following condition(s):

- Applicant shall provide an engineered design to this Ministry clearly indicating how safe access into the property from Highway 3 will be achieved.

The lane configuration on Highway 3 adjacent to this property is such that any southbound left turn movement into the proposed strata would be very unsafe and not supported by the Ministry of Transportation & Infrastructure.

Once the Ministry has reviewed and subsequently accepts an engineered solution to the left turn movement off Highway 3, we will be prepared to approve the zoning amendment bylaw after 3rd reading.

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: Gillis, Joel FLNR:EX <Joel.Gillis@gov.bc.ca>
Sent: May 18, 2020 8:49 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Active Bank swallow colony under threat of development in osoyoos.

Hi Melissa - I'll add Chloe Boynton from EC to this thread. This is her jurisdiction. I will contact biologists in the Okanagan tomorrow.

Thanks for the concern.

Regards,

Joel

Sent from the forest

> On May 18, 2020, at 15:22, Melissa H [REDACTED]
>
> Hi I was just here on HWY 3
> on May 18,2020 and see a notice of development sign and there is an
> active bank swallow colony here https://urldefense.proofpoint.com/v2/url?u=https-3A__goo.gl_maps_d1CiGNHxLMRuz9oR9&d=DwIGaQ&c=euGZstcaTDIIVimEN8b7jXrwqOf-v5A_CdpnVfiiMM&r=HVgumXI9fhabHa6vLxv0NXfGwA9uxtbxgaEdAm282s&m=OZ5lc-Ec8T83GzB3rDXgE49z8F6pRLAJSoDRxiCaePo&s=tPZsJbxZby1rLXoQv30pcTAjskPwDu3YhDrSNbogaqg&e= of at least 200 Bank Swallows. One of the larger colonies I know of so want to make sure it's protected at they aren't disturbed at minimum at least until all young have fledged.
>
> These birds are protected under SARA (species at risk act) as they are federally listed. Their nests and birds are also protected under bc wildlife act. They are also protected under the migratory birds act.
>
> I have several photos of the colony and of the notice of development and a video I will send.
>
> I've cc'd Dick Cannings who is on COSEWIC and lives nearby. Also Myles Lamont and Joel Gillis and Trevor Castagner from federal wildlife enforcement.
>
> Thank you
> Melissa Hafting
[REDACTED]
>
> <https://urldefense.proofpoint.com/v2/url?u=http-3A__image1.JPG&d=DwIGaQ&c=euGZstcaTDIIVimEN8b7jXrwqOf-v5A_CdpnVfiiMM&r=HVgumXI9fhabHa6vLxv0NXfGwA9uxtbxgaEdAm282s&m=OZ5lc-Ec8T83GzB3rDXgE49z8F6pRLAJSoDRxiCaePo&s=lgCcYXHb_ElC6RGjPVPgddUxwVul9jSzPxL4TzJ6lLU&e=>
>
> <https://urldefense.proofpoint.com/v2/url?u=http-3A__image1.JPG&d=DwIGaQ&c=euGZstcaTDIIVimEN8b7jXrwqOf-v5A_CdpnVfiiMM&r=HVgumXI9fhabHa6vLxv0NXfGwA9uxtbxgaEdAm282s&m=OZ5lc-Ec8T83GzB3rDXgE49z8F6pRLAJSoDRxiCaePo>



JoAnn Peachey

From: Cheryl Bird [REDACTED]
Sent: April 30, 2021 1:10 PM
To: JoAnn Peachey
Subject: Re: Rezoning application info - 1750 Highway 3

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jo Anne,

I wish to address the Board regarding : 1750 Hwy 3 rezoning application

My list of concerns are as follows:

Since I am the direct neighbouring large holding acreage I am extremely concerned about this intended proposed development.

I purchased my large holding acreage because I was told it had to stay that way and that there would not be any future developments nor permission to subdivide.

This would protect my property investment and also that of other neighbouring parcels. It would allow privacy and peacefulness and ensure the natural beauty of the beautiful Osoyoos topography would remain unharmed from developmental scarring. This environmentally sensitive mountain side is a well known and cherished view for all of us who enjoy the surrounding scenery of the Town of Osoyoos.

I bought my large acreage because I enjoy the quiet of the country and all the wildlife that I share with nature and the appreciation of a delicate treasured ecosystem.

My major and foremost concern is the draw of my natural water reserves could definitely be depleted. If all of these lots are permitted to build I could find that there is no water left for me when I go to build because of additional residences consuming the hillside. We are all aware of the low water supply and concerns of water depletion of Anarchist Mtn ever since day one when all the residential subdivision building lots were created higher up the mtn. I have been paying for my Water Rights ever since I purchased my property and I intend to be able to use my adequate supply of it for myself and future dwelling.

Will the owner/developer be prepared to bring in large water reservoir tanks to supply all these residents with adequate water?

Or one large cistern that they ALL draw water from? Or is there going to be 5 or 6 separate Wells drilled for each and every property?

These are very very important questions to consider. Some properties further up Anarchist have had to rely on reservoirs for lack of water.

I also have a concern with drilling and rock blasting and the damage it can do to existing water wells in the immediate area and the disturbance of underground streams or water veins that could become blocked or disrupted by the drilling and blasting which could cause detrimental repercussions and terminate natural water supply.

In most cases, people purchase acreages to enjoy it for their own privacy and the appreciation of nature and the beauty and tranquility it has to offer and get away from cramped city residential lots. The building and construction of all these additional properties over the years could mean considerable on going noise and disturbances to the peaceful hillside and cause irreversible damage to the landscape and ecosystem.

One would not generally think of doing something so radical as to purchase large beautiful serene view acreage only to subdivide and turn it into a small strata subdivision.

However, here we are!

I am aware that the configuration of the residential parcels within the Small Holdings area may change and that is also a concern for my privacy. If the maps portray the proposed plan why should it deviate from that plan? Small Holding

acreages are definitely not compatible with the landscape of the existing LH acreages. It will look out of place. I am definitely not in favour of a multi housing subdivision going up beside me and I very strongly disagree with the proposed rezoning application.

I believe it would be a shame to carve up and deface the post card setting of the Osoyoos hillside that the town of Osoyoos and residents and tourists have enjoyed the beauty of for decades.

My conclusion with this rezoning application

Is hopefully to be in everyone's best interest and I think that this environmentally sensitive area should be deemed 'not for profit' and remain unscathed.

Thank you JoAnn and the Board for allowing me to express my feelings and concerns regarding this rezoning application.

Kind Regards
Cheryl Bird

Sent from my iPhone

On Mar 8, 2021, at 2:22 PM, JoAnn Peachey <jpeachey@rdos.bc.ca> wrote:

Hi Cheryl,

Thanks for chatting with me today about the OCP amendment/rezoning application for 1750 Highway 3.

More information about the application can be found on our webpage for the application here:
<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-a/a2018207-zone/>

As discussed, this application is seeking a split designation/zoning on the property with:
Conservation Area / Conservation Area for a 5.6 hectare (13.83 acre) portion of the land
Small Holdings / Small Holdings Three (SH3) for a 6.93 hectare (17.12 acre) portion of the land.

Their plans are to subdivide the Small Holdings portion to create 5 residential lots. The Conservation Area would be its own conservation lot. The site plan shows each residential lot approximately 1 hectare in size each (2.47 acres).

I've made some notes on the attached site plans by highlighting the residential lots and by marking your property.

Please note that this site plan is a draft site plan. The area in the bylaw for the conservation area (CA) will remain undeveloped (shown as "Proposed SL 6" in the site plan). The configuration of the residential parcels within the Small Holdings area may change.

Your property is highlighted in yellow below and 1750 Highway 3 is highlighted in blue. You can see the driveway location which will align with the access roadway marked on the plan.

<image005.jpg>

If you have any questions, please let me know.

As I also mentioned, you are welcome to provide written comments and I will include those comments as part of the Board agenda package when this application is reviewed by the Board. (Please note your comments will be made public as part of the agenda package).

Regards,

<image001.png>**JoAnn Peachey** • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4384 • tf. 1.877.610.3737 • f. 250.492.0063
jpeachey@rdos.bc.ca • [RDOS](#)
[FACEBOOK](#) • [YOUTUBE](#) • Sign up for [REGIONAL CONNECTIONS](#)

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JoAnn Peachey

From: Jim Zaffino
Sent: March 16, 2021 8:31 AM
To: JoAnn Peachey
Subject: RE: Bylaw Re-Referral - A2018.207-ZONE (SWMP or Financial Plan Comments)

Follow Up Flag: Follow up
Flag Status: Flagged

Hello JoAnn

I have no issues

Thank you for asking

Sincerely,



Jim Zaffino • Manager of Finance
Regional District of Okanagan-Similkameen
Okanagan-Similkameen Regional Hospital District
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4230 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • jzaffino@rdos.bc.ca

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From: JoAnn Peachey <jpeachey@rdos.bc.ca>
Sent: March 15, 2021 3:09 PM
To: Jim Zaffino <jzaffino@rdos.bc.ca>; Cameron Baughen <cbaughen@rdos.bc.ca>
Subject: Bylaw Re-Referral - A2018.207-ZONE (SWMP or Financial Plan Comments)

Hi Jim and Cameron,

Below is an OCP amendment bylaw for your review – please forward any comments you may have. The link below should direct you to the bylaw and related info.

Under the *Local Government Act*, when considering an amendment to an OCP, the Regional District must:
After first reading of a bylaw under subsection (1), the local government must, in sequence, do the following:

- (a) *consider the plan in conjunction with*
 - (i) *its financial plan, and*

JoAnn Peachey

From: Cameron Baughen
Sent: March 15, 2021 3:48 PM
To: JoAnn Peachey; Jim Zaffino
Subject: RE: Bylaw Re-Referral - A2018.207-ZONE (SWMP or Financial Plan Comments)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi JoAnn. As per my last referral the ability to service residential homes for curbside collection in that dangerous stretch of Hwy 3 should be considered by the developer. They should be consulted that this is a potential issue.

Cameron Baughen, Solid Waste Management Coordinator
Regional District of Okanagan-Similkameen
101 Martin St, Penticton, BC V2A 5J9
Phone: 250-490-4203 Toll Free: 1-877-610-3737

From: JoAnn Peachey <jpeachey@rdos.bc.ca>
Sent: March 15, 2021 3:09 PM
To: Jim Zaffino <jzaffino@rdos.bc.ca>; Cameron Baughen <cbaughen@rdos.bc.ca>
Subject: Bylaw Re-Referral - A2018.207-ZONE (SWMP or Financial Plan Comments)

Hi Jim and Cameron,

Below is an OCP amendment bylaw for your review – please forward any comments you may have. The link below should direct you to the bylaw and related info.

Under the *Local Government Act*, when considering an amendment to an OCP, the Regional District must:
After first reading of a bylaw under subsection (1), the local government must, in sequence, do the following:

- (a) consider the plan in conjunction with*
 - (i) its financial plan, and*
 - (ii) any waste management plan that is applicable in the municipality or regional district;*

If you could please review the proposed amendment in the context of the RDOS Waste Management Plan or Financial Plan and advise of any concerns or if the amendment bylaw is considered to be consistent.

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-a/a2018207-zone/>

This bylaw was previously referred to Cam and John (see attached comments). Given the time lapse, I am re-referring to receive current comments.

Thanks!

JoAnn Peachey

From: Cameron Baughen
Sent: October 16, 2019 8:58 AM
To: Lauri Feindell; John Kurvink
Cc: JoAnn Peachey
Subject: RE: Agency Referrals-A2018.207-ZONE (Johnsen)

Follow Up Flag: Follow up
Flag Status: Completed

No issue with Solid Waste Management Plan.

Collection of garbage will be an issue with this subdivision due to the steep highway access. The developer can contact me to discuss as it will be incumbent on the property to allow the vehicle to pull over safely to collect garbage, recycling and yard waste.

Cameron Baughen, RDOS Solid Waste Management Coordinator

101 Martin Street, Penticton BC
Ph 250-490-4203 TF 1-877-610-3737
cbaughen@rdos.bc.ca www.rdos.bc.ca

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From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: October 16, 2019 8:27 AM
To: John Kurvink <jkurvink@rdos.bc.ca>; Cameron Baughen <cbaughen@rdos.bc.ca>
Cc: JoAnn Peachey <jpeachey@rdos.bc.ca>
Subject: FW: Agency Referrals-A2018.207-ZONE (Johnsen)

Good Morning,
Another bylaw referral for your comments/concerns,
Thank you,
Lauri

From: Lauri Feindell
Sent: October 15, 2019 4:23 PM
To: HBE <HBE@interiorhealth.ca>; ReferralAppsREG8@gov.bc.ca; jcvitko@sd53.bc.ca; firechief@amfd.org; 'fbclands@fortisbc.com' <fbclands@fortisbc.com>; 'enviroinfo@ec.gc.ca' (<enviroinfo@ec.gc.ca>) <enviroinfo@ec.gc.ca>; tosoyoos@osoyoos.ca; referrals@oib.ca
Cc: JoAnn Peachey (<jpeachey@rdos.bc.ca>) <jpeachey@rdos.bc.ca>
Subject: FW: Agency Referrals-A2018.207-ZONE (Johnsen)

Re: Project No. A2018.207-ZONE
Bylaw No.s 2450.14 and 2451.27
1750 Highway 3 East, Osoyoos

Please find attached a Bylaw Referral along with a link to the documentation in relation to the amendment Bylaw. If you have any questions, please do not hesitate to contact JoAnn Peachey, file manager at jpeachey@rdos.bc.ca.

Garnett and Marieze Tarr

Osoyoos

BC

VOH 1V6

February 22nd, 2021

Dear Board Members or whom it may concern

Concerns re: OCP Amendment and Rezoning of 1750 Highway 3 East

We own a LH parcel located at [REDACTED] directly below the proposed subdivision and we are deeply concerned about the impact of this proposed subdivision on our water supply.

We have lived at this address and drilled a well in 2000 and had a very high yield well until July of 2010 when the East Bench Irrigation District drilled a well just below us and caused this well to run dry. During the course of the East Bench Irrigation Districts development of this high production well for residential use we engaged the services of Mr. Remi Allard (Hydrogeologist/ Groundwater Engineer) of Sustainable Subsurface Solutions to evaluate our well and the impact that the East Bench Irrigation Districts well was having on our water supply. Mr. Allard comments quite scientifically on the issue of sustainable water supply in the area and we include this for the Boards review.

We subsequently drilled a second high volume well which was again likely impacted by the volume of water extracted by the East Bench Irrigation District Well.

We have since had to drill a third well which is giving us a reliable water supply. This is as far outside of the effect of the East Bench Irrigation District Well as we could go.

Our concern is that the new subdivision with 5 lots all capable of having two dwellings all requiring wells and adequate water may jeopardize our water supply to the point that we have little or no water negatively impacting the value of our property and future options for finding water.

We understand that the applicant will be using some of the land for a nature conservation area but it is important to note that our 10 acres below has also been left untouched by ourselves and provides a natural habitat for many endangered species including rattlesnakes, spadefoot toads, Nuttalls Cottontail rabbit, Western Screech Owl and is situated in the Bunchgrass Biogeoclimatic zone.

In closing please note the attached report by Mr. Allard (page 5 and 6) where he clearly states that the volume of water extracted by all of the wells combined upslope from our property "is close to or exceeds the annual recharge of the aquifer" and that a "higher demand (more wells) could result in a net deficit of water balance for the area. It is important to remember that

there is a fine balance between withdrawing water and recharging of the aquifers and that allowing this subdivision the water supply of many residents, not just ourselves, could be negatively impacted.

Yours Sincerely

A large black rectangular redaction box covering the signature area. A small, faint circular mark is visible above the top edge of the box.

Garnett and Marieze Tarr

A small black rectangular redaction box covering the address area.



Sustainable Subsurface Solutions

31 January 2011

FILE: 10-025

Mr. & Mrs. Garrett Tarr

Re: Third Party Hydrogeological Review - Impacts of Pumping from a Water Well Constructed by Osoyoos Irrigation District on a Domestic Well located at

Further to your request, we are pleased to provide this independent [third party] hydrogeological assessment regarding a domestic well located at [REDACTED] y changes in the water levels and yield of the well thought to have changed as a result of impacts imparted on the aquifer in the area due to pumping the nearby well recently constructed by the Osoyoos Irrigation District [OID]. Our understanding is that the owners of the domestic well, Mr. and Mrs. Tarr, experienced problems in 2010 during the two occasions when testing was completed on the new OID well and that there is concern regarding the continued ability of their well to meet the water demands for their property.

In response to these concerns, information regarding the construction and testing of the well has been provided for review by OID and their hydrogeological consultant, EBA Engineering Consultants Ltd [EBA] of Kelowna. Sustainable Subsurface Solutions was subsequently retained by Mr. & Mrs. Tarr to complete this review. The review is limited in scope to the assessment of available driller's reports for the wells in the immediate area, as well as a review of the data from the pumping tests completed on the OID Well. EBA was notified of this third party review as per the requirements of the Engineers and Geo-Sciences Act of British Columbia. In addition to review of information provided, some dialogue was undertaken with Mr. Dan Watterson of EBA and with Mr. Randy Woods of Aquatech Services, which is the company that completed the pumping tests. As discussed with Mr. & Mrs. Tarr, the scope of work of this assignment is limited by time and budget constraints and is presented without prejudice or malice against EBA, Aquatech and OID.

I. PHYSICAL SETTING AND REVIEW OF HYDROGEOLOGY

As shown in **Figure 1**, the Study Area is located along the eastern flank of the Okanagan Valley in the area of Osoyoos, where the climate is hot and dry in the summer and cool, as well as moderately moist in the winter. The average temperature in the area is 10.1 °C, with daily mean temperatures

ranging from a minimum of -2.1°C in January to a maximum of 21.7°C in July. A significant moisture deficit exists in the area and within the base of the Valley due to high evaporation and low precipitation. The mean annual total precipitation for the area is approximately 317 mm, with a monthly mean total precipitation ranging from 16 mm in September to 37 mm in May.

The surficial geology of the Okanagan Valley [the Valley] is dominated by glacial and post-glacial deposits derived from the erosion of the bedrock in the Valley and adjacent upland areas, followed by various stages of deposition. The resultant landforms along the edges of, and in the base of, the Valley are complex and include alluvial fans, deltas and associated gullies and stream channels [Nasmith, 1962]. According to the British Columbia Water Resource Atlas [WRA], the bedrock geology in the area is dominated by Middle Jurassic Granitic intrusions consisting of porphyritic granite, granodiorite and monzonite. The majority of bedrock within the Study Area is covered by Quaternary [recent] glacial and post-glacial sediments and is therefore not visible. However, bedrock outcrops are present along the eastern portion of and to the east of the Study Area.

Previous work by Golder Associates Ltd. in 2007 included a review of information available from the WRA and the water wells database [WELLS]. Golder reported that the eastern flank of the Valley is underlain by two aquifers including a sand and gravel aquifer [BCMoE Aquifer No. 194] of moderate productivity, moderate water demand, and high vulnerability to surface contamination. This Aquifer is underlain by BCMoE Aquifer No. 808, which is a bedrock aquifer characterized as having moderate productivity, moderate water demand, and a moderate vulnerability to surface contamination. Typically, wells in sand and gravel are significantly higher yielding than wells in bedrock. This is because wells in bedrock source water from fractures, which typically represent a very small volume in comparison to the volume of massive [unfractured] bedrock.

In the higher elevation uplands, to the east of the Study Area, much higher precipitation and cooler temperatures provide for surplus moisture, which is the principal driving mechanism of the water cycle in the Okanagan Basin. Groundwater recharge and subsurface flow are topographically-driven by the substantial elevation difference between the uplands and the base of the Valley. Spring snowmelt [freshet surface water runoff] produces significant seasonal variability in stream flow and in turn, groundwater recharge through infiltration from stream losses.

Based on information available from the WRA, there are approximately 25 water wells known to exist to the east on the flank of Anarchist Mountain and within the watershed that contributes recharge to the Study Area. A cursory review of the yields for these wells indicates that the highest reported yield is 3.2 Litres/ second [L/s], equivalent to 50 USgpm. Coincidentally the highest reported yield is for the Tarr's Well. The average yield is approximately 0.3 L/s [6 USgpm]. Of particular note is that many of the wells have a reported yield of less than 0.1 L/s [2 USgpm].

Submission of water well reports by drillers to Government is still on a voluntary basis in British Columbia. A review of 2009 satellite imagery for the area indicates that there are several dwellings, presumably homes, for which no corresponding well record exists in the WRA. On the assumption that

[122 ft], or approximately 6.7 m [22 ft] lower than when the well was drilled in 2000. As with the OID Well, the difference in static level is presumed to be due to seasonal precipitation variation in the area, or a difference in the collective volume pumped from the aquifer by all users in the area. We believe that the lower static water level in the Tarr's Well [as compared to the level in 2000] is the result of increased stress on the aquifer due to more wells having been drilled in the area.

During the second test, the Tarr's Well was operated in a similar manner as would occur during the summer. This included intermittent pump cycling for domestic use, as well as prolonged pumping for supply to irrigation sprinklers. **Figure 3**, presents plots of time drawdown response for the two wells during the constant rate testing completed on the OID Well. The response in the OID Well is shown in the top plot, whereas the response in the Tarr's Well is shown in the lower plot. The two plots are aligned such that the vertical dashed lines connect the same time point during the testing period.

The first part of the pumping test shows the drawdown in the OID Well and an almost immediate response [lowering of water levels] in the Tarr's Well. With the OID Well pumping continuously and the Tarr's Well intermittently, the rate of drawdown is relatively constant in both wells for the majority of the test. Once the discharge rate was turned up to approximately 1.3 L/s [20 USgpm] in the Tarr's Well [to supply irrigation sprinklers], the rate of drawdown increased dramatically. This rate of pumping is not sustainable when the OID is also operating at 3.2 L/s [50 USgpm]. This is because the intake on the pump in the Tarr's Well is set at approximately 49 m depth and the pump will break suction within 2-3 days.

5. COMMENT ON SUSTAINABLE WATER SUPPLY IN THE AREA

Regional districts and municipalities within the Okanagan Basin utilize subdivision servicing bylaws to monitor residential development outside of water service areas, specifically for the approval of domestic water wells as being capable of providing a sustainable daily volume of water. This process however does not account for the impacts of cumulative withdrawals from aquifers due to on-going rural property development, including densification [subdivisions] of lots. It is therefore prudent to establish a water balance for these rural areas to roughly determine the amount of groundwater available in relation to the amount that is currently being used, or for comparison against a projected volume that would be used in the area due to future growth.

Fortunately, such a water balance was completed for the Study Area by Golder et al [2008, 2009]. Based on this study it was determined that the catchment area contributing recharge to the Study Area covers approximately 16.7 km² on the flank of Anarchist Mountain, which forms the eastern limits of the Okanagan Valley. For the purposes of the study completed, the catchment was denoted as Aquifer 208A, which is not the same as the previously referenced BCMoE Aquifer 808. The footprint of bedrock aquifer 208A, which includes the catchment area that contributes recharge, roughly extends northeast to approximately 1500 meters above sea level, at a point roughly 5000 m east of the Tarr

Property. For reference, the Tarr Property is at approximately 440 meters above sea level. The average annual precipitation over this upland catchment has been estimated at roughly 590 mm/yr [23 in]. This is significantly more than the annual precipitation in the base of the Valley. For Aquifer 208A, approximately 10 % of the precipitation reports to the subsurface, which is further apportioned as 90 % to alluvium [above bedrock] and 10 % to bedrock. Multiplying the total recharge over the entire aquifer results in roughly 59 mm/yr. The total flow through Bedrock Aquifer 208A is therefore estimated to be approximately 3.3×10^5 m³/yr. Flow in the portion of the aquifer that underlies the immediate area of the Tarr Property was determined by multiplying the total flow amount by a factor accounting for the width [in the direction of flow] of the Property [240 m] as compared to the overall width of Aquifer 208A [4800 m]. The estimated total annual flow beneath the Tarr Property, based on climate data, is therefore 16,500 m³/yr, or approximately 4.4×10^6 US Gallons/year.

Without a detailed reconnaissance of all wells adjacent to and up-gradient of the Tarr Property, it is difficult to quantify the current total annual groundwater extraction. However, a preliminary approximation was made by assuming each of the known wells utilizes the amount of water required in RDOS Subdivision servicing Approval Bylaw, which is 2,300 litres/day, or 0.5 USgpm over 24 hours. Therefore, based on the 25 known wells pumping continuously at 2.3 m³/day [0.5 USgpm], the total annual withdrawal would be approximately 21,000 m³/yr, or approximately 5.5×10^6 US Gallons/year. For the same wells pumping at only 12 hrs/day, the total annual withdrawal would be 10,500 m³/yr, or 2.75×10^6 US Gallons/year.

In either case, these very preliminary water balance calculations infer that the volume of water extracted by all of the wells combined upslope of the Tarr Property is close to, or exceeds, the annual recharge to the portion of the aquifer that is available for the Tarr Well. The implications of this are that the aquifer could already be over-subscribed and further development of residential lots on the hillside should only be considered if a more detailed water balance study of the aquifer indicates there is surplus water. It should also be noted that the area considered for the water balance includes the OID Well. In summary, while the pumping test on the OID Well appears to have been of sufficient duration to identify well hydraulics and yield, longer term pumping will be required to truly see if the yield of the well is sustainable.

As previously noted, there could be many more wells located upslope of the Tarr Property [that are currently unreported] that could potentially contribute to a higher demand and therefore a greater net deficit in the water balance for the area.

The water balance estimate does not account for other sources of recharge such as contributions from sewage [septic field] disposal to ground and irrigation return flow, neither of which is expected to contribute significantly to flow in bedrock.

decreasing efficiency over time due to precipitation of dissolved chemicals or sedimentation in the well. Periodic maintenance of wells may alleviate these problems. Sustainable Subsurface Solutions makes no prediction concerning the possible effect of decreasing well efficiency on well yields, nor on the potential for newly-drilled wells in the area to cause mutual drawdown interference. Furthermore, any chemical analysis, based on either sampling completed as part of field investigations on this assignment, or on water quality information provided by others, is intended to provide a snapshot only of the existing water quality available from the aquifer and only at the locations specified. The spatial and temporal water quality within the aquifer may vary as the aquifer is stressed or impacts occur due to other influences.

8. CLOSURE

We trust that the professional opinions and advice presented in this document are sufficient for your current requirements. Please note that there are restrictions and limitations that apply to the scope of our services, which will be outlined in our final report for this project. Should you have any questions, or if we can be of further assistance in this matter, please contact the undersigned.

SUSTAINABLE SUBSURFACE SOLUTIONS



Remi Allard, M. Eng., P. Eng.
Principal Hydrogeologist, Groundwater Engineer

RA/ra/pa

Attachments including references, standard report limitations, figures, tables and appendices

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RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2450.14 & 2451.27

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 November 4th Council meeting with the following staff recommendations see below:

Staff recommend the following:

Approval not recommended for the reasons outlined below:

1. The RDOS is currently undertaking a review of the Electoral Area A OCP. This proposal is best reviewed in the context of the OCP review.
2. The visual impact of the proposed road network and building sites is unclear from the information provided to date.
3. Proposal is not consistent with the policies of the Regional Growth Strategy.

Signature: 

Signed By: Gina MacKay, MCIP, RPP

Agency: Town of Osoyoos

Title: Director of Planning and Development

Date: November 6, 2019





BOARD DATE: NOV 21, 2019
ADDITIONAL ITEM
AGENDA ITEM D.1
A2018.207-ZONE (JOHNSON)

November 20, 2019

File: 2019081
Your File: 2019-03-20

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

Attention: Lauri Feindell

Re: Amend OCP and zoning designations to create 5 residential strata lots and 1 conservation area located at 1750 Highway 3 E. east of Osoyoos, B.C.

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations & Rural Development has reviewed the above noted referral. We understand that the application is to amend OCP and zoning designations to facilitate a bareland strata subdivision of 5 residential lots and 1 conservation area lot at the subject property.

According to our records, the proposed development area contains the following sensitive values:

- Very high conservation ranking
- Critical Habitat for:
 - Western Rattlesnake
 - Great Basin Gophersnake
 - Desert Nightsnake
- Potential Critical Habitat for:
 - Tiger Salamander
 - Lewis's Woodpecker

We do not recommend supporting the application because it proposes greater density of development outside of a Regional District designated Primary or Rural Growth Area.

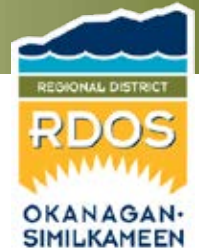
We appreciate the opportunity to contribute to this application as part of the Ministry's One Land Manager model. Please contact the undersigned if you cannot follow the recommendations provided in this referral response. It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Sustainability Act* and the *Wildlife Act*. The undersigned may be reached at Jamie.Leathem@gov.bc.ca or 250-490-8294 if you have further questions or require additional information.

Ministry of
Forests, Lands,
Natural Resource Operations
and Rural Development

Resource Management
Thompson Okanagan Region
102 Industrial Place
Penticton, BC V2A 7C8

Telephone (250) 490-8200
Facsimile: (250) 490-2231

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Zoning Bylaw Amendment – Electoral Area 'D', 'E', 'F', & 'I'
Regulation of "Solar Energy Systems"

Administrative Recommendation:

THAT Bylaw No. 2911, 2021, Regional District of Okanagan Similkameen Solar Energy Systems Regulation Zoning Amendment Bylaw be adopted.

Proposed Development:

The purpose of Amendment Bylaw No. 2911 is to introduce zoning regulation governing the use and placement of solar energy systems in the Okanagan Electoral Area zoning bylaws 'D', 'E', 'F' & 'I'.

Background:

At its meeting of April 1, 2021, 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 May 6, 2021.

A Public Hearing was subsequently held on May 6, 2021, where approximately one (1) member of the public attended, followed by Board approval of third reading of the amendment bylaw.

At its meeting of May 6, 2021, the Regional District Board resolved to approved third reading of the amendment bylaw.

Approval from the Ministry of Transportation and Infrastructure (MoTI) due to the amendment applying to land within 800 metres of a controlled area, was obtained on May 13, 2021.

Alternatives:

1. THAT adoption of Bylaw No. 2911, 2021, Regional District of Okanagan-Similkameen Solar Energy Systems Regulations Zoning Amendment Bylaw be deferred; or
2. THAT first, second and third readings of Bylaw No. 2911, 2021, Regional District of Okanagan-Similkameen Solar Energy Systems Regulations Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

Respectfully submitted:

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2911, 2021

A Bylaw to amend the Electoral Areas "D", "E", "F", & "I" 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 Solar Energy System Amendment Bylaw No. 2911, 2021."

Electoral Area "D"

2. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) adding definition for "solar energy device" under Section 4.0 Definitions as following:
"solar energy device" means a device designed to collect, store and distribute solar energy;
 - ii) adding a new sub-section 7.7.1(c)(iii) (Projections) under Section 7.0 (General Regulations) to read as follows:
 - iii) roof-mounted solar energy devices, may not project beyond the outermost edge of the roof.
 - iii) adding a new sub-section 7.7.2(b) (Projections) under Section 7.0 (General Regulations) to read as follows:
 - b) roof mounted solar energy devices to a maximum of 1.0 meter above the maximum height allowed for the building on which it is installed.
 - iv) adding a new sub-section 7.7.3 (Projections) under Section 7.0 (General Regulations) to read as follows:

- .3 a ground mounted solar energy system less than 1.2 metres in height may be sited on a parcel less than 0.25 ha in area and within a prescribed parcel line setback area.
- v) adding a new Section 7.29 (Solar Energy Systems) under Section 7.0 (General Regulations) to read as follows:

7.29 Solar Energy Systems

Solar energy system is permitted on a parcel less than 0.25 ha in area provided that:

- i) the device is attached to either a principal or accessory building or structure, and does not extend beyond the outermost edge of the roof;
- ii) it is in the form of a ground mounted system and does not exceed a height of 1.2 meters; and
- iii) despite sub-section ii), in an Industrial or Administrative and Institutional zone, a ground mounted system may be sited in accordance with the applicable maximum height and minimum parcel line setback requirements for accessory buildings and structures.

Electoral Area "E"

- 3. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) adding definition for "solar energy device" under Section 4.0 Definitions as following:
"solar energy device" means a device designed to collect, store and distribute solar energy;
 - ii) adding a new sub-section 7.7.1(c)(iii) (Projections) under Section 7.0 (General Regulations) to read as follows:
 - iii) roof-mounted solar energy devices, may not project beyond the outermost edge of the roof.
 - iii) adding a new sub-section 7.7.2(b) (Projections) under Section 7.0 (General Regulations) to read as follows:
 - b) roof mounted solar energy devices to a maximum of 1.0 meter above the maximum height allowed for the building on which it is installed.
 - iv) adding a new sub-section 7.7.3 (Projections) under Section 7.0 (General Regulations) to read as follows:

- .3 a ground mounted solar energy system less than 1.2 metres in height may be sited on a parcel less than 0.25 ha in area and within a prescribed parcel line setback area.
- v) adding a new Section 7.29 (Solar Energy Systems) under Section 7.0 (General Regulations) to read as follows:

7.29 Solar Energy Systems

Solar energy system is permitted on a parcel less than 0.25 ha in area provided that:

- i) the device is attached to either a principal or accessory building or structure, and does not extend beyond the outermost edge of the roof;
- ii) it is in the form of a ground mounted system and does not exceed a height of 1.2 meters; and
- iii) despite sub-section ii), in an Industrial or Administrative and Institutional zone, a ground mounted system may be sited in accordance with the applicable maximum height and minimum parcel line setback requirements for accessory buildings and structures.

Electoral Area "F"

- 4. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) adding definition for "solar energy device" under Section 4.0 Definitions as following:
"solar energy device" means a device designed to collect, store and distribute solar energy;
 - ii) adding a new sub-section 7.7.1(c)(iii) (Projections) under Section 7.0 (General Regulations) to read as follows:
 - iii) roof-mounted solar energy devices, may not project beyond the outermost edge of the roof.
 - iii) adding a new sub-section 7.7.2(b) (Projections) under Section 7.0 (General Regulations) to read as follows:
 - b) roof mounted solar energy devices to a maximum of 1.0 meter above the maximum height allowed for the building on which it is installed.
 - iv) adding a new sub-section 7.7.3 (Projections) under Section 7.0 (General Regulations) to read as follows:

- .3 a ground mounted solar energy system less than 1.2 metres in height may be sited on a parcel less than 0.25 ha in area and within a prescribed parcel line setback area.
- v) adding a new Section 7.29 (Solar Energy Systems) under Section 7.0 (General Regulations) to read as follows:

7.29 Solar Energy Systems

Solar energy system is permitted on a parcel less than 0.25 ha in area provided that:

- i) the device is attached to either a principal or accessory building or structure, and does not extend beyond the outermost edge of the roof;
- ii) it is in the form of a ground mounted system and does not exceed a height of 1.2 meters; and
- iii) despite sub-section ii), in an Industrial or Administrative and Institutional zone, a ground mounted system may be sited in accordance with the applicable maximum height and minimum parcel line setback requirements for accessory buildings and structures.

Electoral Area "I"

5. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
- i) adding definition for "solar energy device" under Section 4.0 Definitions as following:
"solar energy device" means a device designed to collect, store and distribute solar energy;
 - ii) adding a new sub-section 7.7.1(c)(iii) (Projections) under Section 7.0 (General Regulations) to read as follows:
 - iii) roof-mounted solar energy devices, may not project beyond the outermost edge of the roof.
 - iii) adding a new sub-section 7.7.2(b) (Projections) under Section 7.0 (General Regulations) to read as follows:
 - b) roof mounted solar energy devices to a maximum of 1.0 meter above the maximum height allowed for the building on which it is installed.
 - iv) adding a new sub-section 7.7.3 (Projections) under Section 7.0 (General Regulations) to read as follows:

- .3 a ground mounted solar energy system less than 1.2 metres in height may be sited on a parcel less than 0.25 ha in area and within a prescribed parcel line setback area.
- v) adding a new Section 7.29 (Solar Energy Systems) under Section 7.0 (General Regulations) to read as follows:

7.29 Solar Energy Systems

Solar energy system is permitted on a parcel less than 0.25 ha in area provided that:

- i) the device is attached to either a principal or accessory building or structure, and does not extend beyond the outermost edge of the roof;
- ii) it is in the form of a ground mounted system and does not exceed a height of 1.2 meters; and
- iii) despite sub-section ii), in an Industrial or Administrative and Institutional zone, a ground mounted system may be sited in accordance with the applicable maximum height and minimum parcel line setback requirements for accessory buildings and structures.

READ A FIRST AND SECOND TIME this 1st day of April, 2021.

PUBLIC HEARING held on this 6th day of May, 2021.

READ A THIRD TIME this 6th day of May, 2021.

Approved pursuant to Section 52(3) of the *Transportation Act* this 13th day of May, 2021.

ADOPTED this this _____ day of _____, 2021.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002
Requirement to connect to an RDOS Sewer System

Administrative Recommendation:

THAT Bylaw No. 2000.11, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to require connection of parcels within a sewer system, be read a first, second and third time and be adopted.

Purpose:

The purpose of Amendment Bylaw No. 2000.11, 2021, is to amend the Regional District's Subdivision Servicing Bylaw No. 2000, 2002, in order to require parcels within a sewer service area established by a Regional District bylaw be connected to that system as a condition of subdivision.

Background:

At its meeting of May 6, 2021, the Planning and Development (P&D) Committee of the Regional District Board resolved that Amendment Bylaw No. 2000.11 be initiated.

Analysis:

At present, there is no requirement compelling parcels that are being subdivided to a size greater than 1.0 ha in either the Okanagan Falls or Gallagher Lake Sanitary Sewer Service Areas to connect to the Regional District's sewer system, including industrial and commercial zoned properties.

Administration notes that this is generally not an issue at Gallagher Lake given the size of parcels already connected to that system, however, in Okanagan Falls there are currently 14 parcels in the service area that are capable of being subdivided into parcels greater than 1.0 ha in area, with most of this potential at the former Weyerhaeuser site (see Attachment No. 1).

In light of this, Administration considers there to be a strong public interest in amending the Subdivision Servicing Bylaw to require all new parcels to be created by subdivision that are located within a sewer service area established by a Regional District bylaw to connect to the sewer system.

To address concerns regarding the potential implications of this amendment on the Northwest Osoyoos Sewer Service Area, the sewer infrastructure within which is owned and operated by the Town of Osoyoos, Administration is proposing the following text be added to the amendment bylaw (see underlined text):

Despite Table 1 in Schedule "B" (Levels of Works and Services), when a subdivision of a parcel is to be undertaken within any service area established by a bylaw of the Regional District for the purpose of providing a sanitary sewage collection and disposal system owned and operated by the Regional District, the resultant parcels shall connect to, and be served by that system.

Alternately, the option to maintain the status quo and not mandate that parcels in a Regional District sewer service area connect to the system at the time of subdivision is available.

Alternatives:

- .1 THAT Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.11, 2021, be deferred; or
- .2 THAT Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.11, 2021, be denied.

Respectfully submitted:

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

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2000.11, 2021

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Subdivision Servicing Bylaw No. 2000, 2002**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.11, 2021."
2. The "Regional District of Okanagan Similkameen Subdivision Servicing Bylaw No. 2000, 2002" is amended by:
 - i) replacing sub-section 6.5 (Sewage Disposal) under Section 6.0 (Required Works and Services) in its entirety with the following:

6.5 Sewage Disposal

- a) In all subdivisions and developments where this Bylaw requires a community sanitary sewage system, it shall be designed and constructed and otherwise meet the standards set out in Schedule "A" (Design Criteria, Specifications and Standard Drawings).
- b) Despite Table 1 in Schedule "B" (Levels of Works and Services), when a subdivision of a parcel is to be undertaken within any service area established by a bylaw of the Regional District for the purpose of providing a sanitary sewage collection and disposal system owned and operated by the Regional District, the resultant parcels shall connect to, and be served by that system.

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

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002
Requiring Proof of Water when subdividing larger parcels

Administrative Recommendation:

THAT Bylaw No. 2000.12, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to exempt large parcels from the requirement to prove water, be read a first, second and third time and be adopted.

Purpose:

The purpose of Amendment Bylaw No. 2000.12, 2021, is to amend the Regional District's Subdivision Servicing Bylaw No. 2000, 2002, in order to introduce an exemption from the requirement for proof of water when a subdivision is proposing to create parcels greater than 20.0 hectares (ha) in area.

Background:

At its meeting of May 6, 2021, the Planning and Development (P&D) Committee of the Regional District Board resolved that Amendment Bylaw No. 2000.12 be initiated.

Analysis:

Administration recognises that groundwater is a critical resource for residential and agricultural uses and that new development should generally be serviced by an adequate water supply.

It is also recognised that on larger, rural parcels requiring proof of water at the time of subdivision may be an inefficient use of resources.

Specifically, and due to the large size of parcels, the location that a developer chooses to drill a well in order to prove water at subdivision may be unrelated to where a future owner chooses to build structures on that parcel. In such scenarios, the new owner is then required to drill a new well, while the well established at the time of subdivision *may* fall into disuse or be decommissioned.

For these reasons, Administration supports the introduction of an exemption for parcels greater than 20.0 ha in area from having to provide proof of water at the subdivision stage, and that this be a "clean" exemption (i.e. no requirement for a statutory covenant to be registered against title).

This scope of this exemption is tied to the Resource Area (RA) Zone, which is considered to be a "rural" zoning with very limited services/servicing and which establishes a minimum parcel size for subdivision of 20.0 ha.

Alternatives:

- .1 THAT Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.12, 2021, be deferred; or

.2 THAT Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.12, 2021, be denied.

Respectfully submitted:

A handwritten signature in blue ink, consisting of stylized cursive letters, positioned above a horizontal line.

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2000.12, 2021

**A Bylaw to amend the Regional District of Okanagan Similkameen
Subdivision Servicing Bylaw No. 2000, 2002**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan Similkameen Subdivision Servicing Amendment Bylaw No. 2000.12, 2021."
2. The "Regional District of Okanagan Similkameen Subdivision Servicing Bylaw No. 2000, 2002" is amended by:
 - i) replacing Section 6.4 (Water) under Section 6.0 (Required Works and Services) in its entirety with the following:

6.4 Water

- a) In all subdivisions and developments where a water distribution system is required under Schedule "B" (Levels of Works and Services) or, where no community water system is required and each newly created parcel is to be provided with a source of potable water, each shall be located, constructed and otherwise meet the standards found in Schedule "A" (Design Criteria, Specifications and Standard Drawings).
- b) Where a community water system is available, or is being provided, every proposed subdivision which would create more than two (2) additional parcels and is within the boundaries of a Fire Protection District shall provide fire hydrants in accordance with Section 3.2.5 of Schedule "A" (Design Criteria, Specifications and Standard Drawings).
- c) When a parcel to be created by subdivision is 20.0 ha in area or greater, the requirement for a proven water system at Schedule "B" (Levels of Works and Services) does not apply.

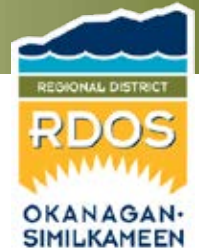
READ A FIRST, SECOND AND THIRD TIME this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Notice of Motion - Zoning for Retail Sales of Cannabis (Electoral Area "D")
FOR INFORMATION

Proposed Development:

The purpose of this report is to provide the Board with an overview of the current regulatory approach to cannabis retail stores in the Electoral Area zoning bylaws and to provide options and timelines for possible changes to the Electoral Area "D" Zoning Bylaw.

Background:

At its meeting of August 16, 2018, the Planning and Development (P&D) Committee of the Board considered an Administrative Report related to options regarding zoning for the retail sale of cannabis.

This report outlined four (4) options that were seen to be available to the Board, and which may be summarised as follows:

1. permit retail cannabis in any zone where "retail" is a permitted use;
2. limit the zones in which retail cannabis is a permitted use;
3. regulate retail cannabis through a Temporary Use Permit (TUP); or
4. prohibit retail cannabis in all zones.

Option 2 was proposed to limit the operation of retail cannabis stores to the Regional District's Town and Village Centre zones (i.e. Okanagan Falls Town Centre Zone) on the basis that these zones are applied to established commercial areas which also generally correspond with Rural Growth Areas under the Regional Growth Strategy (RGS) Bylaw (i.e. locations where the Regional District is attempting to encourage commercial development).

Following significant discussion, the Board resolved in favour of Option 1 with the rationale that "the retail sales of cannabis [be considered] as a retail use permitted in any zone where retail uses are listed."

At its meeting of May 6, 2021, the Board considered the third proposal for a cannabis retail store within Okanagan Falls (Electoral Area "D"). This proposal was subsequently deferred in order that a public hearing on the matter could be scheduled.

A Notice of Motion was subsequently made at the May 6, 2021, Board meeting "to amend zoning for retail cannabis stores in Electoral Area "D"."

Analysis:

Administration supports the direction established by the Board at its meeting of August 16, 2018, to allow cannabis retail as a permitted use in all zones and, as an alternative, further maintains its support for limiting such uses to the Town and Village Centre zones on the basis of these being established commercial areas, and the use supporting economic development in these areas (through the lease of retail space and driving traffic to the communities).

The endorsement of cannabis retail store licences required of local governments by the LCRB is at the discretion of the Board. Despite circumstances where such a use may be permitted by zoning, the Board has authority to resolve to not support an application based on any factors it deems relevant, including when it anticipates the impact on a community to be negative or based on the views of residents.

Should, however, the Board resolve to introduce a new direction for Electoral Area "D", "Option 4" from the 2018 Administrative Report *may* be the best direction if the Board is considering limiting the number of cannabis retail stores in this community.

This approach would prohibit retail cannabis in all zones in Electoral Area "D", thereby requiring a rezoning application from any future proponent.

If this approach were implemented, all existing cannabis retail stores in Electoral Area "D" would enjoy legal non-conformity under Section 528 of the *Local Government Act*, meaning they could not be expanded or moved within the community unless approved through a rezoning process. Alternately, existing retail uses could be accommodated through a site specific zoning.

Other options to regulate the number of cannabis retail stores in Electoral Area "D" are available, and could be brought forward for Board review at a subsequent P&D Committee meeting.

Administration is concerned, however, about the potential resources required to administer such approaches, such as maintaining an inventory of active institutional uses such as schools, daycares, hospitals, libraries, playgrounds and other cannabis retail operations and applying this to queries or proposals that may be received by the Regional District.

The Board is also asked to be aware that, due to existing projects and other strategic work plan commitments, it is unlikely that Administration would be able to begin work on amendments to the Electoral Area "D" Zoning Bylaw until the first quarter of 2022.

Respectfully submitted:



C. Garrish, Planning Manager

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Naramata Village Liquid Waste Management Plan

Administrative Recommendation:

THAT the “Naramata Village Liquid Waste Management Plan” project be awarded to McElhanney Ltd. in the amount of \$89,949 plus tax; and

THAT a contingency for the project be established in the amount of \$20,000.

Reference:

In accordance with the Purchasing and Sales Policy, the Regional District Board of Directors shall approve all purchases over \$50,000.

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

2021 Department Business Plan: Liquid Waste Management Plan – Naramata.

Community Objective 3.3.3.2: Develop a Liquid Waste Management Plan for Naramata

Background:

The current Area Liquid Waste Management Plan (LWMP) was completed in 1993 encompassing the combined Areas of E & F and requires updating. A LWMP will help to guide the selection of techniques to be employed in the collection, treatment and effective reuse of wastewater.

Naramata is an unincorporated high-density area having a population of approximately 1000 full time residents. Currently the majority of the hamlet utilizes onsite septic systems for disposal. Various owners within the village are beginning to look at options for onsite treatment geared at multi-unit and small lot development. Many onsite septic systems are nearing the end of lifetime and will require major repairs and maintenance or potential replacement in the coming years and an updated LWMP for a community wide solution will help to protect the health of the community and surrounding waterways as well as guide the placement and density of future developments by determining what options are available, and feasible for wastewater collection and treatment solutions.

The approval of a LWMP provides certainty in grant proposals and confirms community support for spending on solutions selected to address liquid waste issues.

Analysis:

Only 1 proposal was received. The project has an available budget of \$90,000. The proposal provides all the required components in completing a successful LWMP. McElhanney is also currently working on a very similar LWMP for the City of Revelstoke.

Funding:

The 2021 budget includes the LWMP funding from the following sources in Rural Projects Area E:

- Community Works Gas Tax Fund \$50,875 (plus \$20,000 in 2022 if needed)
- Infrastructure Planning Grant \$10,000
- Operational Reserve Area E \$30,000

The total allocated funding for this project at this time is \$110,875. This proposal falls within our expected budget.

Alternatives:

not award the project to McElhanney Ltd. and cancel the project.

Communication Strategy:

Upon Board approval, McElhanney Ltd. will be contacted to begin the agreement process. A public engagement plan is a component of the first stage of the LWMP, this will include forming committees, assessing barriers to engagement, and strategies for engagement. A project website will detail project objectives and provide access to surveys for gathering feedback from the public.

Respectfully submitted:

Dustin Zahara

Endorsed by:

Liisa Bloomfield

D. Zahara, Engineering Technologist

L. Bloomfield, Manager of Engineering Services

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20th, 2021

RE: Fortis Gas Line Right of Way at the Campbell Mountain Landfill

Administrative Recommendation:

THAT the Regional District enter into a Gas Line Right-of-Way agreement with the City of Penticton (the "City") and FortisBC Energy Inc. (Fortis) to permit FortisBC to construct a gas line main through the CMLF Lease on the following conditions:

1. that Fortis fund all expenses for a risk assessment, legal fees and mitigation activities to protect the RDOS and the City from installation of the Works;
2. that a connection on the proposed high pressure gas main crossing at Reservoir Road be provided to the RDOS for a future natural gas generation project at no expense to the Regional District.

Purpose:

The Regional District is under no obligation to alter its lease agreement with the City of Penticton to permit a high pressure gas main to be placed on Campbell Mountain Landfill lands. Significant staff time and legal and consulting expenses will be required to create an agreement that mitigates the liabilities and future expenses that such a use of landfill lands might entail. The purpose of this report is to determine if the Board wishes to assist FortisBC Energy (Fortis) and create such an agreement and permit the creation of a future right of way and gas main on Campbell Mountain Landfill lands.

Background:

Fortis is in the process of securing lands for a new high pressure gas transmission main that it wishes to construct. They are seeking to secure a portion of the Campbell Mountain Landfill lands in the South Western portion of the landfill as shown below, approximately 914m².

The proposed right of way and high pressure gas main is in an area where leachate has been known to exit the Campbell Mountain landfill site. This could cause damages to Fortis's infrastructure or operation if not properly mitigated. Further, the granular backfill within the Fortis gas main trench could form a conduit for transmission of the leachate.

Other concerns include:

- Potential for the creation of contaminated sites (under Provincial contaminated sites regulation) requiring our future cleanup of the property;

[Click here to enter text.](#)

- Potential for damages to the Fortis pipeline from storm water runoff from the Landfill and diversion upstream from Spiller Road;
- Potential for Landfill gas migration. Gas could migrate along pipe bedding alignment if sand or similar material pervious materials are used for backfill;
- Additional costs for future road crossings, sanitary / storm crossing, etc. (leachate conveyance offsite). Any additional costs should be that of Fortis;
- Stability concerns on existing engineered berms and to the lined pond onsite if large cuts are proposed or if controlled rock blasting occurs. The proposed gas main is next to our recently constructed leachate/detention pond;
- Damage to existing groundwater wells and well yield as a result of disturbance. Any blasting could disturb our existing groundwater wells;
- Assurance of unhindered future access across ROW for infrastructure (pipelines, roads, etc.). All future additional costs associated with the Fortis main being installed, compared to the costs of the main being absent.

In order to assess risks and prescribe mitigations a subject matter expert is required. The proposed right of way and gas main will not affect the current Landfill Fill Plan. The agreement would be developed to ensure that Fortis would maintain responsibility for any future costs associated with the gas main being present on the landfill property; and that the City and RDOS would be held harmless for allowing the gas main to be built on-site.

Fortis has agreed to provide a deposit to cover consulting costs, agreement development and staff time. The potential risks, the proposed deposit and potential mitigations described above have been reviewed with Fortis.

Alternative:

THAT FortisBC Energy Inc. be informed that the RDOS is not interested in permitting the creation of a right of way through the Campbell Mountain Landfill lands.

Analysis:

The Regional District receives no direct benefit from permitting a right of way through the Campbell Mountain Landfill land. Relocating the proposed Fortis gas transmission main to a neighboring property is possible.

Respectfully submitted:

Andrew Reeder, Manager of Operations



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Minutes

Okanagan Falls Parks & Recreation Commission

Webex Meeting of March 25, 2021

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



Present:	Mr. R. Obirek, Director, Electoral Area “D”
Members:	Linda Finner, Chair, Kelvin Hall, Matt Taylor, Alf Hartviksen, Barbara Shanks, Doug Lychak, Joanne Kleb, Judy Garner
Absent:	Shari Rowland, Jillian Johnston, Phyllis Radchenko
Staff:	Recording Secretary: Sue Gibbons
Delegates:	None

1. CALL TO ORDER

The meeting was called to order at 7:05 p.m.

Quorum Present

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of March 25, 2021 be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for the Okanagan Falls Parks and Recreation Commission meeting of March 11, 2021 be approved as amended.

CARRIED

Action Item:

Ask staff to clarify actual budget amount – Area D Master Plan actual budget is 20,450 on the sheet that Sue sent out, not 50,000 that was in the minutes. Also, is it Area D Master Plan or Waterfront Master Plan?

Response:

For clarification, it is the Area "D" Parks Master Plan and the correct budget amount is 20,450. The March 11, 2021 Minutes have been amended.

3. CORRESPONDENCE / DELEGATIONS

3.1 None

4. RDOS STAFF REPORTS

4.1 None

5. COMMISSION MEMBER REPORTS

5.1 None

6. RDOS DIRECTOR'S REPORT

6.1 Director Obirek provided an update.

7. BUSINESS ARISING

7.1 Short-rayed Alkali Aster – M. Taylor

Discussion

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend to the Board to request staff to make an application to the SOSCP to contract a QEP to investigate ways and means of investigating the save the aster, save the beach.

CARRIED

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission ask the Board to instruct staff to investigate the construction of an aster coral at Kenyon Park.

CARRIED

7.2 KVR Trestle – M. Taylor

Discussion

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend to the Board to request staff to issue a RFP to install the jumping platform by July 1, 2021 or other suitable date as determined by staff.

CARRIED

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend to the Board to direct staff to assess the damage caused by bolt removal and remediate the damage immediately by replacing and repairing this spring.

CARRIED

7.3 Lion's Park Maintenance – M. Taylor

Discussion

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend to the Board to request staff to estimate the installation costs of a new berm in Lions Park and then come back to the Commission for final approval and recommendation to the Board.

CARRIED

7.4 Lamb Property – M. Taylor

Discussion

Action Item:

For every Commission member to come back to the next meeting expressing your interest if you are interested in participating in a discussion on the Lamb property.

7.5 Waterfront Master Plan – M. Taylor

Discussion

Action Item:

This Commission to develop a draft waterfront master plan and have it on the agenda for July's commission meeting.

8. ADJOURNMENT

RECOMMENDATION

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

CARRIED

NEXT MEETING – Thursday, April 8, 2021

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

Sue Gibbons

Recording Secretary



Minutes

Okanagan Falls Parks & Recreation Commission

Webex Meeting of April 8, 2021

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



Present:	Mr. R. Obirek, Director, Electoral Area “D”
Members:	Linda Finner, Chair, Kelvin Hall, Matt Taylor, Alf Hartviksen, Barbara Shanks, Doug Lychak, Joanne Kleb, Judy Garner; Jillian Johnston; Phyllis Radchenko
Absent:	Shari Rowland
Staff:	Recording Secretary: Sue Gibbons
Delegates:	None

1. CALL TO ORDER

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

Quorum Present

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of April 8, 2021 be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

- 2.1 The Minutes for the Okanagan Falls Parks and Recreation Commission meeting of March 25, 2021 were not available for approval and are deferred to the May 13, 2021 meeting.

3. CORRESPONDENCE / DELEGATIONS

- 3.1 None

4. RDOS STAFF REPORTS

- 4.1 None

5. COMMISSION MEMBER REPORTS

5.1 Mural on Park Wall – D. Lychak

- D. Lychak gave an overview of the community suggestions for painting a mural on the park wall in Garnett Family Park

Discussion

Action Item:

L. Finner will ask RDOS staff what is required to move this suggestion along

5.2 L. Finner provided an update on a meeting that took place with RDOS staff and Director Obirek

6. RDOS DIRECTOR'S REPORT

6.1 Director Obirek provided an update.

7. BUSINESS ARISING

7.1 Dog Signs – L. Finner

Discussion

Action Item:

Phyllis, Jillian and Judy will form a subcommittee to look into dog parks in Electoral Area "D".

7.2 Corporate Donations and Naming Rights Policy and Draft RDOS Parks and Trails Donation Program – D. Lychak

Discussion

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend that the Board review D. Lychak's report to the RDOS regarding the Parks Donation Program and that the changes contained in the report be implemented.

CARRIED

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 8:40 pm.

CARRIED

NEXT MEETING – Thursday, May 13, 2021

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

Sue Gibbons

Recording Secretary

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Similkameen Community Centre – Bowling Lane Upgrades

Administrative Recommendation:

THAT the contract for the supply and installation of a new electronic bowling lane scoring/entertainment system be awarded to Buffa Distribution up to the amount of \$55,216.06, exclusive of GST.

Purpose:

This project is to install an automated scoring/entertainment system for the bowling lanes at the Similkameen Recreation Centre. The project includes supply and installation of hardware (including player and front desk interfaces) and software, along with staff training on operations and maintenance of the system.

Business Plan Objective:

Providing Public Recreational Opportunities (Objective: 3.1.4)

Background:

A Request for Proposals (RFP) was prepared for supply and installation of an automated scoring/entertainment system and was distributed to three known suppliers of electronic scoring/entertainment systems. Two of the suppliers provided proposals, one declined.

Analysis:

Of the two proposals received, only the proposal provided by Buffa Distribution met the RFP requirements. Buffa's proposal provides for supply and installation of a suitable system and is within the approved 2021 budget for the Similkameen Recreation Facility.

Alternatives:

The Board may chose to not award a contract to Buffa Distributors.

Respectfully submitted:

"Andy Foster"

Similkameen Recreation Manager

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 20, 2021
RE: Town of Oliver Request to Provide Road Rescue Service in RDOS

Administrative Recommendation:

THAT the Regional District grant authority to the Town of Oliver to provide a Road Rescue Service along Fairview Road between the Town of Oliver west boundary and the Keremeos Fire Department Service Area.

Reference:

Letter 27 April 2021 - Johansen to Kozakevich

Background:

(Community Charter) Services outside municipality

- 13** (1) A municipality may provide a service in an area outside the municipality, but it must first obtain consent as follows:
- (a) if the area is in another municipality, the council must obtain the consent of the council of the other municipality;
 - (b) if the area is not in another municipality and is not treaty lands, the council must obtain the consent of the regional district board for the area.
- (2) In giving consent under subsection (1), the other local government may establish terms and conditions, including terms and conditions respecting
- (a) limits on the service to be provided in its area, and
 - (b) the process for terminating provision of the service in its area.
- (3) If consent is given as referred to in subsection (1), the municipal powers, duties and functions provided under this or any other Act in relation to the service may be exercised in the area referred to in that subsection, subject to any applicable terms and conditions established under subsection (2).

Analysis:

The Town of Oliver has requested permission to provide a service outside of their geographic boundary, triggering S. 13 of the Community Charter.

A significant section of Fairview Road west of Oliver is not serviced by the Regional District for road rescue.

April 27, 2021

Chair Karla Kozakevich
RDOS Board Members
Regional District of Okanagan Similkameen (RDOS)
101 Martin Street
Penticton, BC V2A 5J9

Dear Chair Kozakevich and Board Members:

Re: Oliver Fire Department Road Rescue in RDOS Boundary

I am writing to you today to seek your approval to permit the Oliver Fire Department to provide Emergency Management BC, On-Call Road Rescue services within a jurisdictional area of the Regional District of Okanagan Similkameen.

The Oliver Fire Department now undertakes Road Rescue as part of their Services, however the Road Rescue services they are able to provide are limited by the boundary set out in our current Fire Control Bylaw 1369.

The Oliver Fire Department could provide this service along Fairview Road within RDOS jurisdiction. The *Community Charter* outlines that the Town of Oliver must seek approval from the respective local government to allow the Oliver Fire Department to provide On-Call Road Rescue services.

The Road Rescue services the Oliver Fire Department are proposing to respond to along this section of Fairview Road include any situation where an incident may impede traffic, has occurred on or in the vicinity of a recognized roadway, but is not limited to a motor vehicle accident.

The Town of Oliver respectfully asks that this request be considered by the RDOS Board.

Yours truly,



Martin Johansen
Mayor

Attachment

cc Council









South Okanagan Similkameen Fire Chiefs Association

May 5, 2021

RE: Amendment to Fire Department Operational Bylaw No. 2857, 2019

Hello Bill,

Late last year the Willowbrook Volunteer Fire Department made an application with the Fire Chiefs Association of British Columbia (FCABC) for a grant to assist them with purchasing additional equipment to perform Auto Extrication. The FCABC consulted or vetted all the applications through Emergency Management BC (EMBC) to verify recognition of status as a Road Rescue Responder.

To our disappointment Willowbrook VFD was not recognized by EMBC as a Road Rescue Fire Department as they had not been tasked out in the past. We explained that this was a brand-new service being offered in early 2021. EMBC requested a copy of the FD Operational Bylaw and after reviewing it, determined that (in their opinion) there was inadequate documentation to support the Willowbrook VFD to respond outside their fire service area. When this was discovered, it was concluded that as all of the 7 RDOS Fire Departments operate under the same bylaw, therefore if one is not in compliance with their policy for recognition of being a road rescue department, neither are the other departments.

We feel the language attached to be inserted into Bylaw 2857, 2019 would suffice to support the EMBC request.

Thank you for your continued support,

Denis Gaudry

Kaleden Fire Chief

Jordy Bosscha

Keremeos and District Fire Chief

Tony Iannella

Willowbrook Fire Chief

Fred Dobransky

Okanagan Falls Fire Chief

Urs Grob

Anarchist Mountain Fire Chief

Dennis Smith

Naramata Fire Chief

Cc: Dale Kronebusch – SOSFCA Administrator

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Fire Department Operational Bylaw No. 2857, 2019

Consolidated for convenience purposes.
Includes all amendments to the text up to November 27, 2020

Summary of Amendments

Bylaw No.	Adopted	Amendment	Purpose
2857.01	November 27, 2020 (authorized by CAO)	Schedule B	<ul style="list-style-type: none">• authorize Tulameen and District Fire Department to provide Medical First Responder services• authorize Willowbrook Volunteer Fire Department to provide Auto Extraction services

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN
BYLAW NO. 2857.02, 2021

A bylaw to amend Bylaw 2857, 2019 to provide for the administration and operation of fire departments and for the prevention of fires, the prevention of the spread of fire, and for the preservation of life and property within the Regional District of Okanagan-Similkameen.

WHEREAS the Local Government Act enables regional districts to establish and operate services for the benefit of service area residents; and

WHEREAS the Regional District of Okanagan-Similkameen has established various service areas or specified areas for the purpose of providing Fire Protection and other emergency response; and

WHEREAS the Board deems it expedient to regulate and to oversee the operation of the Fire Departments in connection with the provision of Fire Protection and emergency services within the Regional District of Okanagan-Similkameen.

NOW THEREFORE, the Board in open meeting assembled enacts as follows:

Citation

1. This bylaw may be cited as the "Fire Department Operational Amendment Bylaw No. ~~2857, 2019~~2857.02, 2021.

Definitions

2. In this bylaw, including in the recitals hereto, unless the context otherwise requires, the following bolded terms have the following respective meanings:
 - (a) "**Auto Extrication Services**" means a rescue service using various methods and equipment to extricate a trapped victim from a vehicle following a motor vehicle or industrial incident;
 - (b) "**Board**" means the Board of Directors of the RDOS;
 - (c) "**CAO**" means the Chief Administrative Officer for the RDOS, or a designated representative;
 - (d) "**Consultation**" means to seek timely prior written submissions and for due consideration given thereto, all in accordance with RDOS policies and requirements;
 - (e) "**Dangerous Goods**" means hazardous materials, including any product, substance or organism which is of highly combustible and flammable, or explosive nature, all as set out in the Transport of Dangerous Goods Act, RSBC 1996, c. 458, or any other material which, because of its toxic or other inherent characteristics constitutes a fire hazard or a hazard to life, safety or health.
 - (f) "**Designated Officer(s)**" means an employee(s) or contractor(s) of the RDOS designated in writing by the CAO;
 - (g) "**Emergency Equipment**" means any vehicle, firefighting apparatus, tools or equipment acquired for use by a Fire Department;

- (h) **“Emergency Program Act”** means the Emergency Program Act, RSBC 1996, c. 111 or any successor legislation;
- (i) **“Fire Chief”** means the officer in charge of a Fire Department as appointed, after Consultation, by the CAO and in the absence of the Fire Chief, his designate ,
- (j) **“Fire Department”** means the established volunteer fire department for a given Fire Protection Service Area;
- (k) **“Fire Protection”** means all aspects of fire safety including, but not limited to: fire prevention, fire suppression, pre-fire or pre- emergency planning, fire investigation, public education and information, and fire administration;
- (l) **“Fire Protection Service Area”** means each service area as established by the relevant Service Establishment Bylaw of the RDOS, as amended from time to time;
- (m) **“Fire Service”** means, collectively, each Fire Department that has been, or which may be, established by the RDOS in each Fire Protection Service Area;
- (n) **“Fire Underwriters Survey”** (FUS) means the national organization administered by OPTA Information Intelligence, formerly CGI Insurance Business Services, formerly the Insurers’ Advisory Organization and Canadian Underwriters Association. FUS provides data on public fire protection for fire insurance statistical work and underwriting purposes of subscribing insurance companies.
- (o) **“Fire Services Act”** means the *Fire Services Act*, R.S.B.C. 1996, c. 144, or any successor legislation thereto;
- (p) **“Incident”** means a situation to which a Fire Department has responded or would ordinarily respond, including but not limited to:
- where a fire or explosion has occurred, or has the potential of being imminent;
 - a motor vehicle or other transportation incident;
 - where Dangerous Goods and/or Hazardous Materials may reasonably be expected to present a danger to persons, property or the environment; and,
 - other classes of emergencies as designated herein;
- (q) **“IC”** means the incident commander, being the Member on scene as authorized by the Fire Chief to be in charge of an Incident in accordance with ICS;
- (r) **“ICS”** means Incident Command System, being a standardized at-scene emergency management concept specifically designed to allow its user(s) to adopt an integrated organizational structure equal to the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries;
- (s) **“Local Government Act”** means the *Local Government Act*, R.S.B.C. 2015, c. 1 or any successor legislation thereto;
- (t) **“Medical First Responder”** means an Emergency Medical Assistant (“EMA”) first responder trained in pre-ambulatory care by a member trained and evaluated by a recognized accredited

agency and licensed by the B.C. Ministry of Health – Emergency Medical Assistant Licensing Branch;

(u) “**Member**” means, subject to applicable RDOS policy and guidelines, any person appointed by the Fire Chief as a member of a Fire Department and includes without limitations the Officers, every level of firefighters, and support and administrative staff of the Fire Department;

(v) “**Officer**” means, subject to applicable RDOS policy and guidelines, a Member appointed by the Fire Chief as an officer of the Fire Department, but nothing in this bylaw makes such persons officers for the purposes of s. 233 of the Local Government Act;

(w) “**Operational Guidelines**” means the operational guidelines developed in accordance with this bylaw, applicable to the operations and emergency responses of each Fire Department;

(x) “**PSC**” means a Protective Services Coordinator employed / retained by the RDOS as required, after Consultation ;

(y) “**Rescue**” means any situation where a person or persons are saved by quick and forceful action from immediate or threatened danger such as death or injury;

(z) “**RDOS**” means the Regional District of Okanagan-Similkameen;

(aa) “**Road Rescue**” means any situation where an incident which may impede traffic, has occurred on or in the vicinity of a recognized roadway, but is not limited to a motor vehicle incident;

(aa)(bb) “**Service Establishment Bylaw**” means, in respect of each Fire Protection Service Area and related Fire Department, the service establishment or specified area bylaw, or Supplementary Letters Patent, as the case may be, which creates the relevant service area and authorizes the provision of Fire Protection and emergency response services;

(bb)(cc) “**Service Level**” means, in relation to each Fire Department, the service contemplated by the *Fire Services Act* and the standards established by the office of the Fire Commissioner of British Columbia, which each Fire Department is authorized by the RDOS to provide:

(ee)(dd) “**Services**” means specific services delivered by individual Fire Departments referred to in Schedule “B”;

(dd)(ee) “**Workers Compensation Act**” means the Workers Compensation Act, R.S.B.C. 1996, c. 492 or any successor legislation thereto.

Interpretation

3. In this bylaw:

- (a) wherever the singular or the masculine is used in this bylaw, the same shall be deemed to include the plural or the feminine or the body politic or corporate where the context or the bylaw requires; and

(b) any reference in this bylaw to a statute, regulation, ministerial order or other bylaw, means such statute, regulation, ministerial order or other bylaw as updated, amended, revised or replaced, unless otherwise specifically noted.

4. This bylaw does not contemplate or extend in its purpose, to any of the following:

(a) the protection of any person from economic loss;

(b) a guarantee or warranty by the RDOS or any of its agents, as to the service level expectations of any Fire Department under this bylaw, or any other applicable codes, enactments, agreements or standards; or

(c) providing to any person a warranty with respect to the Services of any Fire Department or with respect to the certainty of timely responses. The list of Services does not, of itself, mean that each Fire Department provides such Services or will, in relation to any particular Incident, be able to deliver such Services.

5. In relation to the exercise of operational authorities or powers by the Fire Department at or in connection with an Incident, any reference in this bylaw to the Fire Chief or IC includes any Member designated by the Fire Chief or IC, as the case may be.

6. Notwithstanding anything herein to the contrary, the reference to this Bylaw to "Consultation" shall not diminish or restrict in any way the authority granted to the CAO pursuant to the *Local Government Act* or RDOS 2793. 2018 Chief Administrative Officer Delegation Bylaw.

Administration

7. The operation of the Fire Service shall be administered and overseen by the CAO.

Fire Department Continuation

8. This bylaw applies to the Fire Services listed in Schedule A (as same may be amended from time to time), each of which has been established by the RDOS under and in accordance with the Local Government Act. The Fire Departments identified in Schedule A that have been established to provide Fire Protection and other emergency response Services under the Service Establishment Bylaws are hereby continued, and shall be known by the names set forth in Schedule A and such additional Volunteer Fire Departments as may be established from time to time.

Limits of Jurisdiction

9. The jurisdiction of each Fire Department, and powers granted to such Fire Department and its Fire Chief and Members under this bylaw, are restricted to the boundaries of the Fire Department's particular Fire Protection Service Area. A Fire Department shall not respond to any Incident response under this bylaw outside of the boundaries of its Fire Protection Service Area except as follows:

(a) when, in the opinion of the IC, an Incident that occurred in the Fire Protection Service Area or started outside the Fire Protection Service Area and is considered to be a threat to persons or property within the Fire Protection Service Area or has spread outside the

Fire Protection Service Area, is considered to be a threat to persons or property within the Fire Protection Service Area; or

- (b) when a mutual or automatic aid agreement is in place permitting assistance to be provided, in which case, the response shall be restricted to the area covered by the mutual or automatic aid agreement; or
- (c) when a fee for service agreement (contract) is in place for the Specified Fire Protection Service Area; or
- (d) when requested by a Provincial Ministry or an emergency operations centre where a response fee for Services may apply; or
- (e) when authorized to leave the Fire Protection Service Area under a task number or authorization provided by Emergency Management British Columbia, or at the direction or request of the Wildfire Service in connection with a wildfire or interface fire;

(f) When in the opinion of the Fire Chief or his/her designate, authorizes a response to requests for assistance outside the Fire Service Area including but not limited to Road Rescue responses.

10. A Fire Department providing mutual aid or automatic aid to another Fire Department has the operational powers and authorities provided in this bylaw. Where a fire department (an "External Department"), which is not governed or established under this bylaw, provides emergency response services within a Fire Protection Service Area under a mutual aid or automatic aid agreement with the RDOS, the External Department, in relation to any particular Incident:
- (a) shall be authorized to exercise the powers and authorities specified in the relevant mutual aid agreement or automatic aid agreement, as the case may be; or
 - (b) where the relevant mutual aid agreement or automatic aid agreement does not expressly address the issue of powers and authority, shall be entitled to exercise the same powers and authority as a Fire Department under this Bylaw.

Administration and Operation of the Fire Service

11. The Board shall designate, by policy, the Service Level for each Fire Department in accordance with the standards established by the office of the Fire Commissioner of British Columbia and consistent with the *Fire Services Act*. The Board may revise, amend or change the Service Level of any Fire Department by revision to the relevant policy, and may provide in such policy that the Service Level may be temporarily restricted or changed by the CAO where appropriate to do so.
12. Subject to any necessary budget approvals or directions of the Board, and reporting on same to the Board, the CAO may, after Consultation, establish, or restrict the authorized Services for any Fire Department, provided that each Fire Department shall always provide Fire Protection. The Services currently approved for each Fire Department are set out in Schedule B, but may be amended by the CAO in accordance with this section in Consultation with the Fire Chiefs.

13. The Fire Chief, in Consultation with the PSC is authorized to establish an appropriate training program for the Fire Service and ensure Members are qualified to safely perform the scope of work authorized by this bylaw and Services to be performed by each Fire Department. The training program shall comply with the standards established by the office of the Fire Commissioner of British Columbia, the *Fire Services Act* and the *Workers Compensation Act*, and shall be appropriate to the chosen Service Level and authorized Services of each Fire Department and in consideration of Fire Underwriters Survey requirements.
14. The PSC, in Consultation with the Fire Chiefs, is authorized to design and implement standards for the Fire Service with regard to Emergency Equipment, Fire Protection, Emergency Medical First Responder Programs and other authorized Services.
15. The PSC, in Consultation with the Fire Chiefs, shall develop a set of Operational Guidelines which cover the authorized Services of each Fire Department, including, but not limited to:
 - (a) minimum training and proficiency requirements for each position within the Fire Departments;
 - (b) an incident command system compliant with the current version of the British Columbia Emergency Management System;
 - (c) all necessary guidelines for principal or expected emergency response activities, including, where relevant, IC assessment and size up before entry is conducted in a burning building or structure;
 - (d) the management of mutual and automatic aid responses and other extra-jurisdictional responses;
 - (e) any matters required by the *Workers Compensation Act* or the *Fire Services Act* to be covered by such Operational Guidelines; and
 - (f) such other matters as the PSC and Fire Chiefs may consider appropriate or necessary for the proper operation of the Fire Departments.
16. The Designated Officer shall, after Consultation with the Fire Chiefs, develop and implement compliant occupational health and safety programs, including covering matters such as joint committees and worker representative systems, use of self-contained breathing apparatus and workplace hazardous materials information systems.
17. The Fire Chiefs shall report to the PSC on the state of operations of their respective Fire Departments annually or as considered necessary or appropriate by the CAO. The CAO shall be responsible for ensuring timely reporting regularly to the Board regarding the Fire Service, including on operational issues, administrative and financial matters, and the state of each Fire Department's statutory and regulatory compliance.
18. Notwithstanding the Service Level or authorized Services approved for any of the Fire Departments, in relation to any particular Incident response, each Fire Department shall undertake only those emergency response activities for which it's responding Members are properly trained and equipped. The IC may, in his or her sole discretion, restrict or terminate emergency response activities in any circumstances where the Incident is considered to

exceed the training or capabilities of the responding Members, or Emergency Equipment available to them.

19. Subject to the provisions of this bylaw, any policies of the Board and the direction of the CAO, the Designated Officer(s) shall coordinate and assist in the administration of each Fire Department, including but not limited to human resources, information technology, finance, and legislative services.
20. Subject to the provisions of this bylaw, any policies of the Board and the direction of the CAO, the PSC shall assist and coordinate operational matters of the Fire Departments including, but not limited to fire liaison with the Designated Officer (s).

Authority of the Fire Chief and IC

21. The Fire Chief shall be appointed by the CAO after Consultation. Consultation shall for the purposes of this paragraph include Members of the respective Fire Department. Once appointed the Fire Chief shall have operational responsibility and authority over the Fire Department, subject to the administrative direction of the CAO. For certainty, the individuals who are Fire Chiefs as at the date this bylaw comes into force, are confirmed and ratified in their respective positions.
22. Without limiting section 21 hereof, the Fire Chief of each Fire Department shall be responsible for:
 - (a) implementing or managing all necessary training programs and occupational health and safety programs for the particular Fire Department which, in each case, meets all statutory and regulatory requirements, including those required by the *Fire Services Act* and the *Workers Compensation Act* and regulations made thereunder;
 - (b) ensuring that the particular Fire Department maintains all required records, including those relating to training and occupational health and safety matters;
 - (c) developing, in Consultation with the PSC, the annual budget and five-year financial plan for the particular Fire Department in accordance with, and subject to the guidelines established by, the CAO and subject to approval by Board; and
 - (d) care, custody and control of all assets, Emergency Equipment, buildings, and other equipment in the care and control of the particular Fire Department.
23. The Fire Chief, with the assistance of the Designated Officer, which assistance shall include advice of any new or amended policies of the RDOS, shall follow all applicable bylaws, policies, regulations and procedures of the RDOS.
24. The Fire Chief is authorized to recruit Members to the Fire Department and to appoint Officers in accordance with the Fire Department structure. Officers must be appointed through open competition and in accordance with the specifications in accordance with paragraph 15(a) hereof.
25. The CAO may request that a Fire Chief be designated by the Fire Commissioner as the local assistant to the Fire Commissioner ("LAFC") under the *Fire Services Act*. Upon such

designation, the Fire Chief is responsible for carrying out the Services and fulfilling the responsibilities of an LAFC as provided in the *Fire Services Act*.

26. The IC shall have control, direction and management of all Emergency Equipment and Fire Departments assigned to an Incident.
27. An IC may direct one or more properly trained Members to undertake traffic control at or near an Incident for scene safety.
28. In connection with an Incident, the IC, or any Member under the direction of the IC, is authorized to take measures to prevent and suppress fires, or to mitigate the Incident. The IC is empowered to cause any building, structure or thing to be pulled down, demolished or otherwise removed if they deem it necessary to prevent the spread of fire to other buildings, structures or things or otherwise necessary to mitigate an Incident.
29. The IC, together with Members and Emergency Equipment, may enter at any time, buildings, premises, structures or property in connection with an Incident.
30. A Fire Department may, at any time enter, remain on, or pass through or over buildings, premises, structures or property to gain access to or to protect any person or property in connection with an Incident.
31. Each Member shall be considered a "local public officer" of the RDOS within the meaning of that term in section 738 of the *Local Government Act*, as either a volunteer firefighter of the RDOS or an employee of the RDOS, as applicable in the circumstances.
32. Members and former Members of each Fire Department, in relation to the performance of their duties as contemplated by this bylaw, are deemed to be covered by the provisions of the current version of the *Regional District of Okanagan-Similkameen Public Officers Indemnification Authorization Bylaw*.

Correction of Immediate Hazards

33. Whenever the Fire Chief finds combustible or explosive material, flammable liquids or hazardous chemicals being used, stored or kept in such a manner as to constitute a threat to persons or property, the Fire Chief may, verbally or in writing, order the owner, tenant, occupant or agent responsible to remove the combustible or explosive material, flammable liquid, or hazardous chemical immediately from the building or premises.
34. Whenever the Fire Chief finds a building, structure or premise or part thereof which is unoccupied and which, in the opinion of the Fire Chief, is not being kept in a safe condition to guard against fire or the risk of fire or other dangerous risk or accident, the Fire Chief may order the owner, tenant, occupant or agent responsible to remedy the dangerous condition and to secure the building, structure or premise or part thereof in such a manner as to prevent any unauthorized use by any person while it is unoccupied.
35. In the event of an immediate hazard, if the owner, tenant, occupant or agent responsible refuses or neglects to comply with the order of the Fire Chief to remedy the hazardous condition, or if the owner, tenant, occupant or agent responsible for the building or area cannot be located, the Fire Chief may take such action as is appropriate, without notice and at the

expense of the owner, and the RDOS shall recover the expense thereof with costs, in a like manner as property taxes.

36. Without limiting the generality of the foregoing, when immediate measures must be taken to avoid imminent danger of fire or risk of accident, the Fire Chief may cause the evacuation of any building or area, he may order that the building or area remain evacuated until the hazard is removed, and the Fire Chief may direct the Royal Canadian Mounted Police and other municipal officials to assist in this regard.

Offences

37. No person at an Incident shall obstruct, hinder or delay a Member or other person assisting or acting under the direction of the IC.
38. No person shall drive any vehicle over any Emergency Equipment, including fire hose, without the permission of the IC.
39. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any Incident, fire hydrant, cistern, or any connections provided to a fire main, pipe, standpipe, sprinkler system or any body of water designated for firefighting purposes.
40. No person shall damage or destroy, or obstruct, impede or hinder the operation of any emergency equipment.
41. No person shall falsely represent himself as a Fire Department Officer or Member.
42. No person shall enter the boundaries or limits of an area prescribed as off limits to persons not authorized to enter by the Fire Chief or IC.

Bylaw Enforcement

43. In relation to any particular Fire Protection Service Area, the Fire Chief or his or her designate in such area may enforce the provisions of this bylaw.
44. Any person authorized to enforce this bylaw in a particular Fire Protection Service Area, may inspect any building or premises in such area for compliance with the requirements of this bylaw. In relation to any entry onto property or into premises, other than in connection with an Incident, the entry shall be made subject to and in accordance with:
 - (a) the provisions of section 16 of the Community Charter SBC, 2003, c. 26; and/or
 - (b) the provisions of the Fire Services Act and the regulations made thereunder,
 - (c) as determined to be appropriate in circumstances by the Fire Chief or his designate.
45. The Fire Chief may order any person who contravenes this bylaw to take such measures as are specified in the order to forthwith remedy the non-compliance with this bylaw.
46. The Fire Department is not required to provide an authorized Service if, in the absolute discretion of the Fire Chief or IC, there is insufficient apparatus and/or trained Members to deliver such authorized Service safely in accordance with applicable standards, including those set out in the Fire Services Act and Workers Compensation Act.

47. A person who commits an offense may, in addition to any other penalty, be removed from the scene of an incident by a peace officer, Fire Chief or IC.

Information in an Order

48. An order issued pursuant to this bylaw shall contain at least the following information:

- (a) The name and address of the person upon whom the order is served;
- (b) The day on which the offence is alleged to have been committed;
- (c) The address of the premises under consideration;
- (d) Reasonable particulars of this bylaw with respect to which the noncompliance is alleged;
- (e) A requirement that the person served shall remedy the non-compliance; and
- (f) A prescribed time frame during which the non-compliance must be remedied.

Right to Appeal

49. All orders may be appealed to the CAO, provided that any such appeal must be made within 15 days of receipt of such order.

Penalties

50. Every person commits an offence who:

- (a) Fails to comply with an order issued pursuant to this bylaw; or,
- (b) Fails to provide information or assistance as required by this bylaw; or,
- (c) Knowingly states anything false in information delivered or furnished to the Fire Chief or any Member of the Fire Department in relation to a matter governed or covered by this bylaw; or,
- (d) Obstructs or interferes with an inspection under this bylaw.

51. Nothing in this bylaw shall restrict the RDOS from utilizing any other remedy that would otherwise be available to the RDOS at law.

52. Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.

53. A person commits an offence who violates any provision of this bylaw and shall be liable, on conviction:

- (a) to a fine in the maximum amount of Ten Thousand Dollars (\$10,000.00) or to imprisonment; for no more than Six (6) months, or both; and
- (b) in case of a continuing offence, to a further penalty for each day during which the offence continues as provided by the Offence Act, RSBC 1996, c. 338.

The penalties hereunder shall be in addition to and in substitution for any other penalty or remedy available under this bylaw, the Local Government Act, other Bylaw of the RDOS, the Fire Services Act, the Wildfire Act, SBC 2004, c. 31 or law.

54. Notwithstanding any section of this bylaw, where a person upon whom an order has been served fails to comply with the order and has not appealed from the order, or has appealed from the order and a decision has been rendered against him, the Board may take the necessary action to perform the work required by the order, and the Board may recover the expenses thereof with costs, in a like manner as property taxes pursuant to the provisions of section 399 of the Local Government Act.

Severability

55. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the portion so severed.

Coming into Force

56. This bylaw shall come into full force and effect fourteen (14) days after final passage thereof.

Repeal of Bylaws

57. Upon this bylaw coming into force, the following bylaws, including all amendments thereto, are hereby repealed:
- a. Anarchist Mountain Fire Department Bylaw No. 2335, 2005, and all amendments thereto;
 - b. Kaleden Volunteer Fire Department Bylaw No. 1572, 1995 and all amendments thereto;
 - c. Keremeos & District Volunteer Fire Department Bylaw No 2094, 2001 and all amendments thereto;
 - d. Naramata Fire Department Bylaw No. 1652, 1995 and all amendments thereto;
 - e. Okanagan Falls Volunteer Fire Department Bylaw No. 1571, 1995 and all amendments thereto;
 - f. Tulameen & District Fire Department Bylaw No. 1580, 1995 and all amendments thereto; and,
 - g. Willowbrook Volunteer Fire Department Bylaw No. 1579, 1995 and all amendments thereto.

READ A FIRST, SECOND AND THIRD TIME this 23rd day of May, 2019.

ADOPTED by at least 2/3 of the Votes this 23rd day of May, 2019.

Original signed

Original signed

Board Chair

Chief Administrative Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2857, 2019

Schedule "A"

Fire Protection Services

The following Fire Departments are authorized to provide all aspects of Fire Protection in accordance with this Bylaw:

Fire Services Establishment	Fire Department
Bylaw 2334	Anarchist Mountain Fire Department
Bylaw 1238	Kaleden Volunteer Fire Department
Bylaw 2178	Keremeos and District Volunteer Fire Department
Bylaw 1619	Naramata Fire Department
Bylaw 1310	Okanagan Falls Volunteer Fire Department
Bylaw 1574	Tulameen and District Fire Department
Bylaw 1388	Willowbrook Volunteer Fire Department

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2857, 2019

Schedule "B"

Fire Department Services

The following Fire Departments are authorized to provide all aspects these Services in accordance with this Bylaw:

Fire Suppression

- All Volunteer Fire Departments

Auto Extrication

- Anarchist Mountain Volunteer Fire Department
- Kaleden Volunteer Fire Department
- Keremeos and District Volunteer Fire Department
- Naramata Volunteer Fire Department
- Okanagan Falls Volunteer Fire Department
- Willowbrook Volunteer Fire Department¹

Medical First Responder

- Anarchist Mountain Volunteer Fire Department
- Kaleden Volunteer Fire Department
- Naramata Volunteer Fire Department
- Okanagan Falls Volunteer Fire Department
- Willowbrook Volunteer Fire Department
- Tulameen and District Fire Department²

Property Fire Inspections

- Keremeos and District Volunteer Fire Department
- Okanagan Falls Volunteer Fire Department

Still Water Rescue

- Naramata Volunteer Fire Department
- Okanagan Falls Volunteer Fire Department

¹ Bylaw No. 2857.01

² Bylaw No. 2857.01

Low Angle Rescue

- Anarchist Mountain Volunteer Fire Department
- Kaleden Volunteer Fire Department
- Keremeos and District Volunteer Fire Department
- Naramata Volunteer Fire Department
- Okanagan Falls Volunteer Fire Department

High Angle Rescue

- None

Medium Angle Rescue

- Kaleden Volunteer Fire Department
- Keremeos and District Volunteer Fire Department

Marine Rescue

- Okanagan Falls Volunteer Fire Department
- Naramata Volunteer Fire Department

Confined Space Rescue

- Keremeos and District Volunteer Fire Department

The assistance to be provided by the Volunteer Fire Department is restricted to the level of Service for which each Fire Department and individual firefighter is qualified to provide.

**REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN
BYLAW NO. 2857.02, 2021**

A bylaw to amend Bylaw 2857, 2019 to provide for the administration and operation of fire departments and for the prevention of fires, the prevention of the spread of fire, and for the preservation of life and property within the Regional District of Okanagan-Similkameen.

WHEREAS the Board deems it expedient to regulate and to oversee the operation of the Fire Departments in connection with the provision of Fire Protection and emergency services within the Regional District of Okanagan-Similkameen;

And whereas the Board wishes to amend Fire Department Operational Bylaw No. 2857, 2019;

NOW THEREFORE, the Board in open meeting assembled enacts as follows:

Citation

1. This bylaw may be cited as the "Fire Department Operational Amendment Bylaw No. 2857.02, 2021.

Amendment

2. Bylaw No. 2857 is amended by adding the following to section 2 Definitions:
 - (aa) "**Road Rescue** means any situation where an incident which may impede traffic, has occurred on or in the vicinity of a recognized roadway, but is not limited to a motor vehicle incident;" and renumbering the subsequent subsections;
3. Bylaw No. 2857 is amended by adding the following to section 9 Limits of Jurisdiction:
 - (f) "When in the opinion of the Fire Chief or their designate, authorizes a response to requests for assistance outside the Fire Service Area including but not limited to Road Rescue responses."

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

ADOPTED by at least 2/3 of the Votes this ____ day of ____, 2021.

Board Chair

Chief Administrative Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Town of Osoyoos Rural Water Twinning Program – Long Term Borrowing Security Issue Fall 2020 - Bylaw 2928, 2021

Administrative Recommendation:

THAT Bylaw No. 2928, 2021 being District of Okanagan Similkameen Security Issue Bylaw No. 2928, 2021, be read a first, second, third time and adopted for the purposes of borrowing up to \$1,538,859 for the design and construction of the rural water twinning program.

Reference:

Bylaw No. 2928, 2021, Security Issue Bylaw Authorization for the Town of Osoyoos rural water twinning program

Background:

At the April 13, 2021 Town of Osoyoos Council meeting long term borrowing Bylaw 1348, 2018 was adopted. These funds are to be used for the design and construction of the rural water twinning program. Only the amount needed to fund the final actual project costs will be drawn under the security issuing bylaw. The Loan Authorization Bylaw has been reviewed by the Ministry of Municipal Affairs and a Certificate of Approval has been granted (attached). Funds will be borrowed under a 20 year term with the principal and interest payments funded through user fees from the service area. The debt servicing expense will be added to the 2022 RDOS Five Year Financial Plan.

Respectfully submitted:

"Jim Zaffino Manager of Finance"

J. Zaffino, Manager of Finance

Attached:
Osoyoos Bylaw 1348, 2018
Provincial Certificate of Approval
Liability Servicing Limit Certificate
Certified Resolution

**TOWN OF OSOYOOS
BYLAW NO. 1348, 2018**

**A Bylaw to authorize the borrowing of the estimated cost
to design and construct Rural Water Twinning – Phase 2 and 3**

WHEREAS Council deems it desirable and expedient to design and reconstruct the Rural Water Twinning expansion servicing the properties connected to the Town's rural water system.

AND WHEREAS the estimated cost of constructing the Rural Water Twinning – Phase 2 and 3 including expenses incidental thereto is the sum of \$5,770,000 of which the sum of \$1,538,859 is the amount of debt intended to be borrowed by this bylaw;

NOW THEREFORE the Council of the Town of Osoyoos in open meeting assembled, enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the design and construction of the Rural Water Twinning – Phase 2 and 3 project and do all things necessary in conjunction therewith and without limiting the generality of the foregoing:
 - a. To borrow upon credit of the Town of Osoyoos a sum not exceeding \$1,538,859.
 - b. 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 construction of the said improvements to the Town of Osoyoos.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.
3. This bylaw may be cited as "Loan Authorization Bylaw No. 1348, 2018".

Read a first, second, and third time unanimously by Council this 15th day of October, 2018.

RECEIVED the approval of the Inspector of Municipalities this 2nd day of October, 2019.

Adopted this day 4th of November, 2019.


MAYOR MCKORTOFF


CORPORATE ADMINISTRATIVE OFFICER

**A certified copy of Bylaw
No. 1348 as adopted.**


Deputy Corporate Officer



Certificate of Approval

Under the authority of the *Local Government Act*, I certify that Bylaw No.1348, cited as the "Loan authorization Bylaw No. 1348, 2018" of the Town Of Osoyoos has been lawfully and validly made and enacted, and that its validity is not open to question on any ground in any court of British Columbia.

Dated this 18 day
Of December, 2019

Deputy Inspector of Municipalities of British Columbia

LIABILITY SERVICING LIMIT CERTIFICATE

The Town of Osoyoos (the "Municipality")
 In relation to Loan Authorization Bylaw No. 1348, 2018

The undersigned Financial Officer assigned responsibility for financial administration under section 149 of the Community Charter, SBC 2003, Chapter 26 (the "Charter") or Auditor appointed for the Municipality under section 169 of the Charter hereby certifies as follows:

Calculation revenue for the previous year <i>(section 4 & 5, BC Reg 254/2004)</i>	<u>\$10,985,295.00</u> a
Liability Servicing Limit (a x 25%) <i>(section 2, BC Reg 254/2004)</i>	<u>\$2,746,323.75</u> b
Annual Servicing cost for previous year	<u>\$483,738.00</u> c

Plus: New liabilities incurred, other than current request

Liability Type and reference	Annual servicing cost	
<u>Loan Authorization Bylaw No. 1347</u>	<u>\$246,205.00</u>	d
_____	_____	e
_____	_____	f
_____	_____	g
_____	_____	h
_____	_____	i
_____	_____	j
_____	_____	k
_____	_____	l
Total of lines d through l	<u>\$246,205.00</u>	m

Less: Liabilities which have matured

Liability type and reference	Annual servicing cost	
<u>0003-0</u>	<u>\$4,653.24</u>	n
<u>0004-0</u>	<u>\$6,443.52</u>	o
<u>0005-0</u>	<u>\$2,392.44</u>	p
_____	_____	q
_____	_____	r
Total of lines n through r	<u>\$13,489.20</u>	s

Amount of new liability <i>(section 3, BC Reg 254/2004)</i>	<u>\$1,538,859.00</u> t
Annual servicing cost of new liability <i>(section 3, BC Reg 254/2004)</i>	<u>\$108,206.00</u> u

Total liability servicing cost including current request (lines c+m-s+u) \$824,659.80 v

which is less than the annual liability servicing limit stated on line b.

OR

which exceeds the annual liability servicing limit stated on line b, and the undersigned hereby requests approval of the Inspector of Municipalities under section 174 of the Charter to exceed the limit established under the section.

In accordance with section 179(5) or section 175(1)(b) of the Charter, as applicable, the debt to be contracted under the loan authorization bylaw, or other liability for which certification is being made, referred to above will not exceed the lesser of 30 years and the reasonable life expectancy of the capital asset, activity, work or service, or the remaining term of the applicable agreement, as the case may be, for which the debt is to be contracted.

The undersigned Financial Officer or Auditor also hereby authorizes Legal Counsel of the Municipal Finance Authority of British Columbia to rely on this Certificate in giving any opinion in connection with any borrowing by the Municipal Finance Authority of British Columbia ("MFA") and the issuance of bonds, debentures, and other securities by the MFA in respect of the loan authorization bylaw, or other liability for which certification is being made, referred to above.

DATED this 22nd day of August, 2019.

 Financial Officer
 Jim Zakall, Director of Finance

OR

 Auditor
 (Please print full name & company)

CERTIFIED RESOLUTION

Certified a true copy of a resolution passed by the Council of the Town of Osoyoos at the Regular Open Meeting of April 13, 2021.

**Moved by Councillor Rhodes
Seconded by Councillor Bennett**

That Council of the Town of Osoyoos authorizes up to \$128,400 be borrowed under Section 175 of the *Community Charter*, from the Municipal Finance Authority for the purpose of purchasing a new Rapid Response Vehicle; and that the loan be repaid within five (5) years with no rights of renewal.

CARRIED

Dated this 16th day of April, 2021.



Brianne Hillson
Deputy Corporate Officer

Regional District Security Issuing Bylaw

Regional District of Okanagan Similkameen

Bylaw # 2928, 2021

A bylaw to authorize the entering into of an Agreement respecting financing between the Regional District of Okanagan Similkameen and the Municipal Finance Authority of British Columbia.

WHEREAS the Municipal Finance Authority of British Columbia (the "Authority") may provide financing of capital requirements for regional districts or for their member municipalities by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the regional district on whose request the financing is undertaken;

AND WHEREAS the Town of Osoyoos is a member municipality of the Regional District of Okanagan Similkameen (the "Regional District");

AND WHEREAS the Regional District will finance from time to time on behalf of and at the sole cost of its member municipalities, under the provisions of Section 410 of the *Local Government Act*, the works financed pursuant to the herein mentioned loan authorization bylaws;

AND WHEREAS under the provisions of Section 411 of the *Local Government Act*, the amount of borrowing authorized by each of the following loan authorization bylaws, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder, the amount being issued under the authority thereof by this bylaw, and the term of the debt are included in this bylaw;

AND WHEREAS the tables contained in this bylaw are to provide clarity and information for the purposes of this bylaw;

AND WHEREAS the Regional Board, by this bylaw, hereby requests such financing shall be undertaken through the Authority;

NOW THEREFORE the Regional Board of the Regional District of Okanagan Similkameen in open meeting assembled enacts as follows:

1. The Regional Board hereby consents to financing the debt of Town of Osoyoos and further described in the Municipal Loan Authorization Bylaws table, in the amount of one million, five hundred and thirty eight thousand, eight hundred and fifty nine Dollars (\$1,538,859) in accordance with the following terms.

Municipal Loan Authorization Bylaws

Municipality	Loan Authorization Bylaw #	Purpose	MSIR #/Date	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
Town of Osoyoos	2928,2021	Rural water twinning program		\$1,538,859	\$0.00	\$1,538,859	20 years	\$1,538,859
Total				\$1,538,859	\$0.00	\$1,538,859		\$1,538,859

2. The Authority is hereby requested and authorized to finance from time to time the above noted undertakings, and further described in the Municipal Loan Authorization Bylaws table, at the sole cost and on behalf of Town of Osoyoos up to, but not exceeding one million, five hundred and thirty eight thousand, eight hundred and fifty nine Dollars (1,538,859) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees of the Authority shall determine but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$1,538,859 in Canadian Dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.

3. Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and officer assigned the responsibility of financial administration of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements, which said agreement or agreements shall be substantially in the form annexed hereto as Schedule "A" and made part of this bylaw (such Agreement or Agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.

4. The Agreement in the form of Schedule "A" shall be dated and payable in the principal amount or amounts of monies and in Canadian dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.

5. The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.

6. The Agreement shall be sealed with the seal of the Regional District and shall bear the signature of the Chair and the officer assigned the responsibility of financial administration of the Regional District.
7. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Saanich and at such time or times as shall be determined by the Treasurer of the Authority.
8. During the currency of the obligations incurred under the said Agreement to secure borrowings in respect of the Town of Osoyoos Loan Authorization Bylaw # 1348, 2018 there shall be requisitioned annually an amount sufficient to meet the annual payment of interest and the repayment of principal.
9. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided, however, that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional Board of the Regional District shall make due provision to discharge such liability.
10. The Regional District shall pay over to the Authority at such time or times as the Treasurer of the Authority so directs such sums as are required pursuant to Section 15 of the *Municipal Finance Authority Act* to be paid into the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
11. This bylaw may be cited as "Security Issuing Bylaw # 2928, 2021r".

READ A FIRST TIME this day of month, year.
READ A SECOND TIME this day of month, year.
READ A THIRD TIME this day of month, year.

RECONSIDERED and FINALLY PASSED and ADOPTED this day of month, year.

Chair

Corporate Officer

Certified a true copy of Bylaw # 2928, 2021 as adopted.

Corporate Officer

Schedule "A" to Bylaw # ____

CANADA

PROVINCE OF BRITISH COLUMBIA

AGREEMENT

Regional District of _____

The Regional District of _____ (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Saanich, British Columbia, the sum of _____ DOLLARS (\$_____) in lawful money of Canada, together with interest thereon from the ____ day of _____ 20__, at varying rates of interest, calculated semi-annually, in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the schedule attached commencing on the ____ day of _____ 20__, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

DATED at _____, British Columbia, this ____ day of _____, 20____.

IN TESTIMONY WHEREOF and under the authority of Bylaw # _____ cited as " _____"

_____, this Agreement is sealed with the Corporate Seal of the Regional District of _____ and signed by the Chair and Treasurer thereof.

Please note: you do not have to fill in Schedule A. It is included to show the form that the loan agreement will be in. The MFA will generate the loan agreements and send to you, after the Issue is complete.

Chair

Treasurer

Pursuant to the *Local Government Act*, I certify that the within Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatsoever in any court of the Province of British Columbia.

Deputy Inspector of Municipalities of British Columbia

PRINCIPAL AND/OR SINKING FUND DEPOSIT AND INTEREST PAYMENTS

Date of Payment	Total Payment	Principal/Sinking Fund Deposit	Interest
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Communications Policy

Administrative Recommendation:

THAT the Board of Directors adopt the RDOS Communications Policy as amended at the May 6, 2021 Corporate Services Committee.

Purpose:

To update the Communications Policy to reflect changes requested by Directors.

Reference:

Regional District of Okanagan-Similkameen Policy Manual (<https://www.rdos.bc.ca/regional-government/board-policies/>)
Communications Policy

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.

Background:

The Committee reviewed the current Communications Policy at the February 18, 2021, and March 4, 2021 and May 6, 2021 Corporate Services Committee meetings and the April 15, 2021 Communications workshop with facilitator Jan Enns.

Analysis:

The proposed amended policy includes changes to “Regional Board” in the Responsibilities section of the policy, approved at the March 4, 2021 Corporate Services Committee. This change clarifies that the Electoral Area Director as the primary spokesperson on matters pertaining to specifically to that electoral area, while the Chair is the primary spokesperson on regional matters.

Additional changes include:

- Updating Local Government Act references;

- Updating department name from Office of the Chief Administrative Officer to Legislative Services to reflect current name of the department responsible for managing overall corporate communications;
- Changing “his/her” to “their” to ensure gender-inclusive language.

Alternatives:

1. That the policy not be amended.
2. That the following changes be made to the policy:

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: Communications Policy

AUTHORITY: Board Resolution dated July 16, 2015.

AMENDED: Board Resolution dated _____.

POLICY STATEMENT

Consistent communications enable the Regional District of Okanagan-Similkameen (RDOS) to optimize the customer experience and build the organization's brand by fostering dynamic and effective community relationships. The Regional District strives to elevate external communications to a high performing level and values effective communications as an integral part of good governance. It embraces open government and transparency as a fundamental responsibility.

PURPOSE

The purpose of this policy is to establish guidelines to facilitate coordinated, open and responsive corporate communications that consistently and effectively provides information concerning the Regional District's policies, programs, services and initiatives to ratepayers, stakeholders and other partners.

DEFINITIONS

Brand: The personification of our organization: the visual, emotional, rational, and cultural image that is associated with our organization. It is a collection of perceptions in the mind of our stakeholders.

CAO: 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. 235, 236 and 237 of the Local Government Act.

Chair: The person elected as Chairperson of the Board of Directors for the Regional District of Okanagan Similkameen by their peers on the Board.

Communications Committee: A team comprised of Regional District staff who meet regularly to network and provide input on communication issues.

Corporate Advertising: Advertising generated at the corporate or departmental level with the function of building the Regional District's corporate image or name-awareness or to disseminate information.

Corporate Signature: The primary way the Regional District identifies itself visually. It is composed of two elements: the symbol and the word mark.

Information Release: A factual written summary of information issued to the Public for the purpose of making a statement or announcement.

Legislative Advertising: Advertising generated at the corporate or departmental level with the function of meeting the statutory advertising requirements specified in relevant legislation.

Manager of Legislative Services: The person delegated the responsibility of s. 236 (Corporate Officer) of the Local Government Act by the CAO.

Media: Representatives of the print and electronic Media.

Plain Language: Effective communication that is clear, concise, relevant and easy to understand.

Senior Management Team: The Senior Management Team for the Regional District of Okanagan Similkameen, as appointed by the CAO.

Stakeholder: Any individual, group of individuals, elected representative or organization with a specific stake or interest in the outcome of a decision.

Target Audience: Groups of people that the RDOS is impacting. In general, target audiences can be divided into two groups, internal and external:

Internal

- Regional Board
- RDOS Staff and Management
- Regional Committees
- RDOS Volunteers

External

- RDOS residents, rural and urban
- Member municipalities, including councillors and staff
- First Nations
- Media
- RDOS business communities
- Identified stakeholder groups
- Senior governments

RESPONSIBILITIES

Information provided by the Regional District to the public will be delivered by trained and knowledgeable staff.

Legislative Services Department

While every employee has an influence on the Regional District's communication efforts, the Legislative Services Department is responsible for managing overall corporate communications.

As part of this function, the Manager of Legislative Services is responsible for the development, management and implementation of corporate communication efforts. The Manager of Legislative Services, with the assistance of staff in that department, will work with all departments and Directors to assist with and guide as necessary, communication and engagement issues.

Regional Board

The Chair and/or their Designate is the primary spokesperson for the Regional District on regional matters. The Chair is authorized to release information releases on behalf of the Regional District and provide media interviews in relation to any Board position.

Other members of the Regional Board are secondary spokespersons for the Regional District on regional matters.

The Electoral Area Director or designate is the primary spokesperson and promoter for their electoral area on matters pertaining specifically to their electoral area.

Senior Management Team

Senior Management Team should be prepared to speak to media and/or designate staff from their departments to speak to the media. Management must ensure messages coming from their departments are consistent and timely, and that good media relations are maintained.

Designated staff are expected to maintain media relationships with respect to their specific programs and present consistent and timely messages as required by the Senior Manager.

Communications Committee

The Communications Committee is organized under and administered through the Manager of Legislative Services. Its primary function is to provide advice to the Manager of Legislative Services on communications matters.

PROCEDURES

General

Information provided by the Regional District to the public will be delivered to various target audiences in a timely, courteous and efficient manner. As much as possible, information provided shall be delivered using Plain Language.

When information is provided, it shall be delivered in a format that ensures it is identified as being delivered by the Regional District of Okanagan-Similkameen and will be accompanied by the Corporate Signature.

The range of communication tools at the Regional District's disposal shall be considered with each communication application and staff will identify and use those tools deemed most effective.

When information is unavailable, a prompt and clear explanation shall be provided to the party requesting the information.

Communication Planning

To ensure coordinated and consistent communication practice, strategic communication planning should be part of the annual business planning process.

The Manager of Legislative Services, with input from the organization's various departments and managers, is responsible for developing a strategic communications plan that integrates the Regional District's Vision, Mission and Key Success Drivers.

This plan will broadly identify target audiences, and develop objectives, tools, messages, responsibilities, resources required and means of evaluation parallel to the organization's strategic business plan.

Communicating on behalf of the Regional District

Members of the Regional Board, the Chief Administrative Officer, and Senior Managers are authorized to communicate on behalf of the Regional District in interviews, publications, news releases, on social media

sites, and related communications. Other staff may represent the Regional District if approved by a Senior Manager to communicate on a specific topic.

When discussions are held with the media and/or material such as ads, press releases and newsletters are produced, Directors, employees and specified contractors are responsible to ensure that:

- the privacy of members of the public, District employees and elected officials are respected to the extent required by the Freedom of Information and Protection of Privacy Act. If there is any question about what material is routinely releasable, staff should make contact with the Manager of Legislative Services prior to releasing the information.
- the interests of the District are not jeopardized;
- the information provided is factual and free of personal opinions that may embarrass the District, Chair, individual Directors and other District employees;
- the issues discussed are directly relating to the areas of responsibility of the employee who is providing the information to the media;
- questions relating to other Departments are referred to the relevant Department Head for comments;
- they do not respond to media questions if they are not sure of the answers;
- they will refrain from speculation on an individual Director's or the Board's position on District issues; and,
- the confidential nature of sensitive issues is respected.

Handling Information Releases

Department staff are responsible for preparing Information Releases in accordance with the appropriate Administrative Directive.

Information Releases containing information pertaining to Regional Board matters of decisions, potential litigation, controversial issues of involving Regional District personnel shall be routed to the Manager of Legislative Services for approval by the Chairperson of the Regional Board or their designate prior to public release.

Information Releases containing routine or public information, including advisories, meeting notices and agendas shall be routed to the Manager of Legislative Services for release in accordance with delegation from the Chair.

Handling General Requests

All staff are responsible for communicating basic and routine information to the public in relation to specific job duties as outlined in the RDOS Freedom of Information and Protection of Privacy Corporate Guide.

Information outside of the scope of an individual's job duties should be routed to a supervisor or manager. Requests for or questions about private data should be routed to the Manager of Legislative Services for disposition.

Handling Media Requests

With the exception of routine events and basic information that is readily available to the public, all requests for interviews from the media are to be routed through the applicable Manager.

Media requests include anything intended to be published or viewable to others in some form, including television, radio, newspaper, newsletters, and websites. When responding to media requests, employees should follow these steps:

- If the request is for routine or public information (such as a meeting time or agenda) provide the information.
- If the request is regarding information about Regional District personnel, potential litigation, controversial issues, an opinion on a Regional District matter, or if you are unsure if it is a “routine” question, forward the request to the Manager of Human Resources for matters related to personnel or the Manager of Legislative Services for all other matters.

Internal Communications

The Regional District recognizes that open, two-way communication among Managers and Employees is vital to the effective operation of the Corporation and to achieve its Vision, Mission and Goals. Internal communication is an integral part of the annual Corporate Communications Plan.

Corporate Advertising

Corporate Advertising plays an integral role in the Regional District of Okanagan-Similkameen’s brand management and corporate communication efforts. Advertising can be a key instrument in building the corporate image, name-awareness and providing information to stakeholders.

An Administrative Directive shall be developed and maintained to effectively administer corporate advertising at the Regional District.

GUIDING PRINCIPLES

The Regional District of Okanagan-Similkameen will:

- Provide information that is timely, accurate, clear, accessible and responsive;
- Respect the access to information and privacy rights of citizens and employees;
- Support opportunities for engagement to inform public policy;
- Strive to achieve a culture of two-way communication and communications excellence practices.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Electoral Area "D" Service and Boundary Configuration Study

Administrative Recommendation:

THAT the following individuals be appointed as members of the Area "D" Service and Boundary Configuration Study Committee:

- | | |
|------------------|---------------------|
| - Bob Daly | - Kay Medland |
| - David Forst | - Matt Taylor |
| - Eleanor Walker | - Myleen Mallach |
| - Kerrie MacLean | - Phyllis Radchenko |
| - Kurt Hiebert | - Vi Creasy |

Reference:

- Local Government Act

History:

At the Board meeting of December 3, 2020 the Board of Directors resolved the following:

That the Board support an Incorporation Study assessing costs and benefits as outlined in the recently accepted 2020 Economic Development & Recovery Plan for Okanagan Falls, combining a Boundary Analysis Report for Area D and community engagement initiative; and further, That the Board request the Minister of Municipal Affairs to provide restructure funding in 2021 and 2022.

On March 24, 2021, the Minister advised the Regional District that funding in the amount of \$80,000 would be committed to embark on the first steps in a restructuring process, which include the following:

1. identifies the most pressing service and governance issues,
2. explores community interests in incorporation, and
3. proposes a boundary for incorporation that optimizes for service delivery, representation, tax equity, and community vision. At the conclusion of this study, the Regional District will submit a report to the Minister. Further work towards next steps in the restructuring process will be considered at that time.

Analysis:

A request for Expressions of Interest was advertised extensively around Electoral Area "D" inviting eligible electors to submit their interest in serving on the Service and Boundary Configuration Study Committee.

At the close of the process, 19 applications were received. Two missed the submission deadline and were not considered. Administration and the Electoral Area Director met to discuss criteria and rationale for committee selection.

One of the primary goals was to recruit a committee which would provide a strong balance of those with experience and those who may not have participated on a committee in Electoral Area “D” before.

Also important to the process was to ensure that the committee contain representation from each of the neighbourhoods or pocket communities within the Electoral Area. Those members will, throughout the process, reach out to other individuals in their neighbourhoods to help keep as many people informed and engaged in the process as possible.

If the Board of Directors approves the aboved committee members as outlined in this report, the next steps will be to orient the committee and then retain a consultant experienced in local government structure and governance analysis. The first meeting of this committee is planned for Thursday May 27, 2021.

All applicants are to be commended for their willingness to commit their time to serving their community by responding to the Expression of Interest. The RDOS relies on those civic minded citizens and sincerely appreciates their involvement in helping to shape the region.

Alternatives:

That the Board of Directors chose not to support the recommended appointments to the Electoral Area “D” Service and Boundary Configuration study.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services