



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, September 2, 2021  
RDOS Boardroom – 101 Martin Street, Penticton

## SCHEDULE OF MEETINGS

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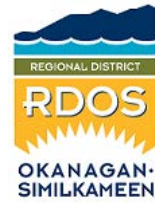
9:00 am	-	9:30 am	Planning and Development Committee
9:30 am	-	10:15 am	Corporate Services Committee
10:15 am	-	11:15 am	RDOS Board of Directors

### *"Karla Kozakevich"*

Karla Kozakevich  
RDOS Board Chair

2021 Notice of Meetings			
September 23	RDOS Board	OSRHD Board	Committee Meetings
October 7	RDOS Board		Committee Meetings
October 21	RDOS Board	OSRHD Board	Committee Meetings
November 4	RDOS Board Inaugural	OSRHD Board Inaugural	
November 18	RDOS Board	OSRHD Board	Committee Meetings
December 2	RDOS Board		Committee Meetings
December 16	RDOS Board	OSRHD Board	Committee Meetings

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



Thursday, September 2, 2021  
9:00 am

**Pages**

**A. APPROVAL OF AGENDA**

RECOMMENDATION

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

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

2

RECOMMENDATION

THAT the resolution to place a moratorium on cannabis retail applications in Electoral Area "D" pending a review and potential amendment coming from that review, be defeated.

**C. Okanagan Zoning Bylaw Review – Occupation of Recreational Vehicles**

4

RECOMMENDATION

THAT the period a guest or visitor may use an RV on a residential property be revised from 90 days to 30 days.

AND THAT the period in which this type of occupancy may occur be limited between May 1st and September 30th in any one (1) calendar year to reflect the summer tourist season and discourage permanent resident use during the off-season.

AND THAT the zones in which a guest or visitor of a property owner may stay in an RV for 30 days be limited to the Resource Area, Agriculture, Large Holdings and certain Small Holdings zones as these are generally greater than 1.0 ha in area.

**D. ADJOURNMENT**

RECOMMENDATION

THAT the meeting adjourn.



**TO:** Planning & Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

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

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**Recommendation:**

**THAT the resolution to place a moratorium on cannabis retail applications in Electoral Area "D" pending a review and potential amendment coming from that review, be defeated.**

**Background:**

At its meeting of August 16, 2018, the Planning and Development (P&D) Committee resolved that "the retail sales of cannabis [be considered] a retail use permitted in any zone where retail uses are listed".

Since October 17, 2018, the Regional District has received 4 referrals from the Liquor and Cannabis Regulations Branch (LCRB) regarding proposals to retail cannabis in the Electoral Areas. 3 of these applications have involved properties in Okanagan Falls, with the other application involving a parcel in Electoral Area "C".

**May 20, 2021** - the Board resolved that "Administration be directed to draft a zoning amendment bylaw for retail cannabis stores in Electoral Area "D"."

**July 22, 2021** - the P&D Committee considered a resolution from the Electoral Area "D" APC regarding cannabis retail stores in Okanagan Falls and resolved to refer the request to the 2022 Business Plan process for discussion.

**August 19, 2021** - a Director's Motion that "'there be a moratorium on cannabis retail applications in Electoral Area "D" pending the review and potential amendment coming from that review' be referred to Administration for analysis of the feasibility, legislative compliance and budget impacts."

**Statutory Authority:**

*Cannabis Control and Licencing Act:*

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

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

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

Under Section 33(1) of the Act, the "General Manager" is prevented from issuing a license for a Cannabis Retail Store (CRS) unless the local government "for the area in which the establishment is proposed to be located or is located gives the [LCRB] a recommendation that the licence be issued or

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amended.” If a local government chooses not to make a recommendation, this would end a licence application.

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

*Local Government Act:*

Under Section 479 of the *Local Government Act*, the Regional District may regulate, amongst other things, “the use of land, buildings and other structures”. It is this authority that allows the Board to impose restrictions on the location and number of cannabis retail stores in an area.

Under Section 460 of the Act, a local government that has adopted a zoning bylaw must define procedures under which an owner of land may apply for an amendment to the bylaw, or the issue of a permit. Importantly, the Act requires that the local government must consider every application submitted to it for a bylaw amendment or permit.

**Analysis:**

While the *Cannabis Control and Licencing Act* is seen to provide the Regional District Board with the authority to effectively “refuse” a cannabis retail store application by not providing a recommendation to the LCRB, it does not grant the Board the authority to stop new applications being submitted to the “General Manager” appointed by the Minister.

Similarly, while the Board has authority under the *Local Government Act* to amend an Electoral Area zoning bylaw to prohibit cannabis retail stores as a permitted use in any zone, it must still accept and consider applications from land owners seeking exceptions to this in the form of an amendment to the zoning bylaw or a temporary use permit.

However, given the Board’s stated intention to consider the introduction of new zoning regulations governing cannabis retail stores in Electoral Area “D” as a 2022 Business Plan item, it is within the Board’s authority to resolve to not provide comment to the province on new licence referrals deemed to be at cross-purposes with the intent of this zoning review.

While such a determination would have the effect of ceasing specific applications seeking licencing approval for a new cannabis retail store, they would need to be considered by the Board on a case-by-case basis.

**Respectfully submitted:**



C. Garrish, Planning Manager

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## ADMINISTRATIVE REPORT

**TO:** Planning & Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

**RE:** Okanagan Zoning Bylaw Review – Occupation of Recreational Vehicles

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**RECOMMENDATION:**

- 1. That the period a guest or visitor may use an RV on a residential property be revised from 90 days to 30 days.**
- 2. That the period in which this type of occupancy may occur be limited between May 1<sup>st</sup> and September 30<sup>th</sup> in any one (1) calendar year to reflect the summer tourist season and discourage permanent residential use during the off-season.**
- 3. That the zones in which a guest or visitor of a property owner may stay in an RV for 30 days be limited to the Resource Area, Agriculture, Large Holdings and certain Small Holdings zones as these are generally greater than 1.0 ha in area.**

**Purpose:**

To provide an overview of a regulatory conflict that currently exists within the Electoral Area zoning bylaws in relation to the use of recreation vehicles (RV) and changes intended to resolve this conflict.

These revisions will inform ongoing work related to the preparation of a single zoning bylaw for the South Okanagan Electoral Areas.

**Background:**

Under Section 7.4 (Prohibited Uses of Land, Buildings and Structures) of the Okanagan Valley Electoral Area Zoning Bylaws, the use of a recreational vehicle (RV) as a permanent residence is prohibited in all zones.

This is in recognition that RVs have not been constructed to a standard that meets the requirements of the BC Building Code for year-round residential use an occupancy. As a result, an RV cannot be inspected for compliance with the Code or have a building permit issued for occupancy.

It is a principle of the Regional District that a dwelling unit should meet minimum health and safety standards for occupation (e.g. adequate ventilation, heating, etc.).

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Despite this prohibition, the zoning bylaws also contain a separate regulation (at Section 7.14) that allows for an RV to be temporarily occupied as a dwelling unit for a period not exceeding 90 days in one (1) calendar year when a guest or visitor is staying with a property owner.

“Residential” Use:

On January 18, 2012, the BC Supreme Court found against the Regional District in a case pertaining to the operation of a short-term “vacation rental” use in Electoral Area “E”.

In reaching this conclusion, the Court determined that the definition of a “dwelling unit” used in the zoning bylaw described a structure and not a use, and therefore did not limit a dwelling unit only to residential uses.

In response, the Regional District amended all of the Okanagan Valley Electoral Area Zoning Bylaws in 2014 to, amongst other things, introduce new definitions for “residential” and “vacation rental”.

As a result of these amendments, a “residential” use is now considered to be the use of a dwelling for a period greater than one (1) month, whereas temporary commercial accommodation of paying guests is considered to be the use of a dwelling unit for a period of less than one (1) month.

Grant Funding Eligibility:

In 2013, the Okanagan Basin Water Board (OBWB) updated its terms of reference for sewage facilities assistance grants, with a new policy (3.6.1) stating:

*Communities must also have policies and bylaws in place prohibiting the development of accessory dwellings (carriage houses) on properties less than 1.0 hectare that are not connected to community sewer.*

In 2014, the OBWB distributed a memorandum to local governments requesting they “update their bylaws to exclude development of accessory dwellings (carriage houses) on lots less than 1.0 ha that rely on on-site sewage disposal. The OBWB further requests an update of zoning and/or subdivision and development servicing bylaws, requiring that secondary suites be tied to the sewage disposal system of the existing dwelling”.

Regulatory History:

The regulatory allowance for a guest or visitor of a property owner to park an RV on a parcel is present in some of the earliest electoral area zoning bylaws, including this example from the Electoral Area “D” Zoning Bylaw No. 100, 1971:

*One (1) travel trailer only may be permitted in conjunction with a permitted residential use on any lot or site, which may be used for the accommodation of guests or visitors during the period between June 1 and September 15 in any year.*

The transition to the current allowance for guests or visitors to live in an RV for up to 90 days, as opposed to specific months of the years, is seen to date to the adoption of the Electoral Area “A” & “C” Zoning Bylaw No. 1478, 1994.

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**Analysis:**

The current zoning regulations governing the occupancy of an RV are inconsistent in that they speak to prohibiting the use of an RV as a dwelling unit, but also speak to allowing people to reside within an RV for a period of 90 days, which the zoning bylaw considers to be a “residential” use of an RV.

To address this, it is being proposed that the period a guest or visitor may use an RV be revised from 90 days to 30 days, as this is the maximum period of time the bylaw associates with a short-term tourist accommodation use.

It is further being proposed that the period in which this type of occupancy may occur be limited between May 1<sup>st</sup> and September 30<sup>th</sup> in any one (1) calendar year to reflect the summer tourist season and discourage permanent residential use during the off-season.

Finally, it is being proposed that the zones in which a guest or visitor of a property owner may stay in an RV for 30 days be limited to the Resource Area, Agriculture, Large Holdings and certain Small Holdings zones as these are generally greater than 1.0 ha in area.

Administration is concerned that, within the context of the zoning bylaws, allowing RVs to be occupied on a residential basis on parcels with an existing principal dwelling means the RVs are essentially being used as “accessory dwellings”.

This presents a challenge on parcels less than 1.0 ha in area as the zoning bylaw requires such dwellings to be connected to a community sewer system. If the parcel is served by septic, allowing the use of an RV for short-term residential purposes *could* also be seen as being inconsistent with the spirit of the OBWB’s application of its “1.0 Policy” for grant funding.

The provision allowing the use of RVs for 90 days also exists independent of the density restrictions found in a zone and could create density conflicts where a parcel may have also been fully developed through the construction of an accessory dwelling (i.e. carriage house) or secondary suite.

Administration also considers this regulation allowing for the short-term occupancy by guests and visitors to be *very* difficult to effectively enforce, and fosters a scenario in which an RV *may* be occupied on an on-going basis (i.e. 12 months a year).

**Respectfully submitted:**



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C. Garrish, Planning Manager

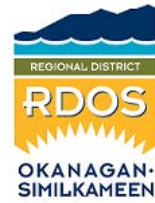
Attachments: No. 1 – Comparison of Current vs Proposed Zoning Regulations for Recreation Vehicles

Attachment No. 1 – Comparison of Current vs Proposed Zoning Regulations for Recreation Vehicles

CURRENT ZONING REGULATIONS	PROPOSED ZONING REGULATIONS
<p><b>7.14 Accessory Temporary Buildings, Mobile Buildings, Recreational Vehicles</b></p>	<p><b>6.13 Recreational Vehicles</b></p>
<p>.3 Only recreational vehicles belonging to the owner or occupier of the principal single detached dwelling unit on a parcel may be stored on the same parcel.</p>	<p>.1 Only recreational vehicles, to a maximum of one (1), belonging to the owner or occupier of a principal single detached dwelling on a parcel may be stored or parked on the same parcel. Stored recreational vehicles shall not be connected to a sewage disposal system, water system or power source</p>
<p>.4 Despite Section 7.14.3 above, one (1) recreational vehicle belonging to a guest or visitor may be located on the same parcel containing a permitted single detached dwelling. Such recreational vehicles shall only be used for the temporary accommodation of the guest or visitor for a period not exceeding a total of ninety (90) days in any one (1) calendar year.</p>	<p>.2 Despite Section <b>Error! Reference source not found.</b>.2, in the Resource Area, Agriculture, Large Holdings and Small Holdings zones, one (1) recreational vehicle belonging to a guest or visitor of the owner or occupier of the principal single detached dwelling may be located on the same parcel containing the principal single detached dwelling. Such recreational vehicles shall only be used for the temporary accommodation of the guest or visitor for a period not exceeding a total of thirty (30) days between May 1<sup>st</sup> and September 30<sup>th</sup> in any one (1) calendar year</p>
<p>.1 A temporary residential building or structure is permitted on a parcel provided that:</p> <ul style="list-style-type: none"> <li>a) it is incidental to the construction of a principal residential dwelling;</li> <li>b) it meets the siting regulations of the zone in which it is located; and</li> <li>c) it is removed within thirty (30) days of the completion of the construction of the principal residence.</li> </ul>	<p>.3 Despite Section <b>Error! Reference source not found.</b>.1, a recreational vehicle may be maintained and occupied on a parcel during the construction of a new single detached dwelling on the same parcel, subject to the following:</p> <ul style="list-style-type: none"> <li>a) it is incidental to the construction of a principal residential building;</li> <li>b) the building or structure must have a valid building permit;</li> <li>c) it meets the siting regulations of the zone in which it is located; and</li> <li>d) it is removed within thirty (30) days of the completion of the construction of the principal residential building.</li> </ul>



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
**Corporate Services Committee**  
**REGULAR AGENDA**



Thursday, September 2, 2021  
9:30 am

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	<b>Pages</b>
<b>A. APPROVAL OF AGENDA</b> <u>RECOMMENDATION</u> THAT the Agenda for the Corporate Services Committee Meeting of September 2, 2021 be adopted.	
<b>B. NATIONAL DAY OF TRUTH AND RECONCILIATION – For Information Only</b>	2
<b>C. RISK MANAGEMENT REGISTRY - For Information Only</b>	4
<b>D. UBCM RESOLUTIONS UPDATE - For Information Only</b>	10
<b>E. ADJOURNMENT</b> <u>RECOMMENDATION</u> THAT the meeting adjourn.	

## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

**RE:** **National Day of Truth and Reconciliation – For Information Only**

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### **Purpose:**

To acknowledge the first National Day of Truth and Reconciliation by closing RDOS offices on September 30, 2021.

### **Reference:**

Bill C-5  
BCGEU Collective Agreement

### **Background:**

Bill C-5, being an amendment to the *Bills of Exchange Act*, the *Interpretation Act* and the *Canada Labour Code* was given Royal Assent on June 3, 2021. The *Act* states that the purpose of the new national day is to “respond to the Truth and Reconciliation Commission of Canada’s call to action number 80 by creating a holiday...which seeks to honour First Nations, Inuit and Metis Survivors and their families and communities...”

S. 16.1 of the collective agreement between the Regional District of Okanagan Similkameen and the British Columbia Government and Service Employees’ Union (BCGEU) specifies that the Employer will observe any day declared or proclaimed a statutory or public holiday by the Employer or by the Province of British Columbia or the Government of Canada.

### **Communication Strategy:**

In order to effectively communicate this new national day of observance, this report offers the first point of discussion for the Board of Directors to share their ideas on how the RDOS may choose to work further with our Indigenous communities and for everyone to consider what can be done to further advance reconciliation efforts.

The Provincial government has indicated that work will commence with Indigenous leaders, organizations and communities on the best and most respectful means to observe the day in British Columbia. This information has not yet been made available, but it is anticipated that the day will

be commemorated across the country in unique ways according to the local perspectives of the communities.

To begin sharing information about the upcoming day, an information release will be drafted to indicate the RDOS support for the day of national observation. The release will share information from Indigenous communities in the area so all residents may better understand the history and its local connection to the meaning of the commemoration. This will be distributed on the RDOS website and via its social media channels.

The Board will be advised of any events being coordinated for September 30 and offer suggestions on respectful ways to participate.

**Respectfully submitted:**

K. Morgan, Human Resources Manager

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

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

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

Table 1. 2019 Register of Major Threats						
THREAT	PROB. <sup>a</sup>	IMPACT				Jul-21
		Health/ Safety <sup>b</sup>	Finan. <sup>c</sup>	Pub. Image <sup>d</sup>	Productiv ity	TOTAL <sup>f</sup>
Climate Change - Disaster Emergency Response	5	4	2	3	4	20
Mitigate Increasing ParochialismTrend	4	0	2	2	4	16
Hacking/Intrusion/Social Engineering	4	1	2	2	4	16
Deteriorating Provincial Responsiveness	5	0	2	2	3	15
Develop regional partnerships (Local Govt./First Nations/Province)	4	0	2	2	3	12
Retention and Successorship of Key Positions	4	0	2	1	3	12
Organizational functionality during extended emergency events	3	0	1	0	4	12
Improve Elected Official/Volunteer/staff relationships	4	3	0	0	3	12
Insufficient resources to meet expectations	4	3	2	2	3	12
Improve Sub-Standard Office Space	3	1	2	2	4	12
Dated or undersized server malfunction	4	1	2	1	3	12
Producing sub-standard water quality	4	3	3	2	2	12
CMLF Contaminated Sites contravention	4	2	3	2	2	12
CMLF Gas Regulation Contravention	4	1	3	2	2	12
Develop an Organics Treatment and Processing Facility	3	0	4	2	1	12
Lack of SOP's for utilities/IT infrastructure	4	2	2	3	3	12
Enhance Employee Security Measures	3	3	1	3	3	9
Cost of increasing environmental standards	3	0	3	2	3	9
Lose radio frequency communications	3	0	2	2	3	9
Impact of new software on staff and public	3	0	0	0	3	9

Sewage spill into water bodies	3	2	2	2	3	9
Residential encroachment at CMLF	3	1	3	3	2	9
Source water quantity depleting	3	1	3	2	3	9
Lack of funds for deteriorating infrastructure	4	0	2	1	2	8
Meeting demand for public transit in rural areas	4	1	2	1	2	8
Major Staff Injury, including drug apparatus (> 1 week)	4	2	1	1	2	8
Uncontrolled growth management (primary and secondary growth areas)	3	1	0	2	0	6
Motorized/non-motorized trail use (interface injury)	3	2	0	2	1	6
Theft or loss of cash at remote facilities	3	0	1	2	2	6
Default on accounts receivable	3		2			6
Breach of Policy (Policy/Procedure Dichotomy)	3	2	2	2	2	6
Flawed or outdated bylaws	3	0	2	2	2	6
Tort and Common law duties of care – negligence, labour, employment practices, slip and fall	3	2	2	2	2	6
Flawed contract/agreement review process	3	0	2	2	2	6
Non-compliance with Privacy legislation, including commissions, fire departments & related volunteer organizations	3	0	1	2	1	6
Inability to find documents (Responding FOI, multiple versions)	3	0	2	2	2	6
Provincial Downloading (Child Care, Housing, ALR)	3		2		2	6
Limitations of Local Government Act	3	1	2	2	2	6
Impact on services from aging demographic	3	0	2	2	0	6
Grievance of Significance	3	0	1	1	2	6
Lack of facility for operational staff & equipment	2	0	0	0	3	6
Loss of electricity in utility facilities (> 5 days)	2	1	2	1	3	6
Misuse of social media	3	0	0	2	2	6
Parks and Trails and Rec Facilities: Lack of maintenance causing slip and falls	3	2	2	2	2	6
Malfunction of emergency telecommunications network/ infrastructure	3	1	2	2	2	6
Poor water quality at public beaches	3	2	0	2	1	6
Effluent not to testing standard	3	2	2	2	2	6
Power Failure at sewage facilities > 4 hrs.	3	2	1	1	2	6
Power Failure in a water system	3	0	1	1	2	6
Water system acquisition	2	1	2	1	3	6
Source water quality	2	3	2	2	2	6
Zebra and Quagga Mussel infestation of water system	2	2	3	3	3	6
Planning for climate change adaptation, development in flood plains	3	2	2	2	2	6
SCADA infrastructure failure	3	2	2	0	2	6



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

## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

**RE:** **UBCM Resolutions Update**

Click or tap here to enter text.

**Purpose:**

To review the resolutions submitted by the Regional District of Okanagan Similkameen for the 2021 UBCM Conference and the disposition of the resolutions following UBCM Resolutions Committee review.

**Reference:**

2021 UBCM Resolutions Book

**Background:**

The 2021 UBCM Virtual Conference is scheduled for September 13<sup>th</sup> – 17<sup>th</sup> and, within that, resolutions are on the Wednesday and Thursday mornings from 09:00 – 12:00. The Assembly will consider not only the 2021 Resolutions, but those submitted in 2020 that were not able to be covered within the allotted time.

The Regional District has 9 resolutions for consideration:

<p><b>Endorsed Block:</b></p> <ul style="list-style-type: none"> <li>• EB 6 – Proactive Flood Mitigation</li> <li>• EB17 – Abandoned Vehicles on Crown Land</li> <li>• EB22 – COVID Funding Allocation Deadline</li> <li>• EB53 – Multi-Jurisdictional Cooperation</li> </ul>	<p><b>No Recommendation:</b></p> <ul style="list-style-type: none"> <li>• NR11 – Dropped cell calls</li> <li>• NR19 – Provincial Collection Fee – rural tax</li> <li>• NR51 – Organ Donation – presumed consent</li> <li>• NR57 – Housing Needs Reports</li> <li>• NR60 – Wildfire Prevention/ Building Code</li> </ul>
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**Analysis**

The “No Recommendation” resolutions will be considered individually at the conference and the Board should be prepared to speak to these resolutions when they hit the floor. There is sufficient detail presented with each resolution within the UBCM Book that Members can use to prepare for the debate.

The only resolution that the Resolutions Committee may have misinterpreted from the Regional District is NR57, which we submitted to draw attention to the new legislative requirement for all local governments to undertake a housing gap study every 5 years. In their rationale for a “No Recommendation”, the Resolutions Committee points out that a local government would not have to implement any of the recommendations out of the study.

We know that. Our concern was the requirement to conduct the study at all. We give several good reasons why the requirement for a Housing Gaps Study should be discretionary for regional districts, not mandatory. The resources, both human and financial, required to conduct a housing study are significant. Should our Board of Directors believe a Housing Gap Analysis in rural areas was necessary, I’m sure we would undertake that study. Our intent is to focus development in the incorporated communities and promoting sprawling residential development into rural areas contradicts good planning principles.

There seems to be no appeal process for a Resolutions Committee designation, so Board Members may want to be prepared to argue for approval of the RDOS Resolution.

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



Thursday, September 2, 2021  
10:15 am

Pages

**A. APPROVAL OF AGENDA**

(Unweighted Corporate Vote - Simple Majority)

RECOMMENDATION

That the Agenda for the RDOS Board Meeting of September 2, 2021 be adopted.

**A.1. Consent Agenda – Corporate Issues**

(Unweighted Corporate Vote - Simple Majority)

RECOMMENDATION

THAT the Consent Agenda Corporate Services be adopted

**A.1.1. Advisory Planning Commissions**

**A.1.1.1. Advisory Planning Commission, Electoral Area "A" 9 - 10**

*THAT the minutes of the August 8, 2021 Advisory Planning Commission, Electoral Area "A" be received.*

**A.1.1.2. Advisory Planning Commission, Electoral Area "E" 11 - 13**

*THAT the minutes of the August 9, 2021 Advisory Planning Commission, Electoral Area "E" be received.*

**A.1.1.3. Advisory Planning Commission, Electoral Area "I" Appointment 14 - 14**

*THAT the Board of Directors appoint Whitney Wynn as a member of the Electoral Area "I" Advisory Planning Commission until October 31, 2022.*

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

**A.1.2. Parks and Recreation Committees**

<b>A.1.2.1.</b>	<b>Naramata Parks &amp; Recreation Commission Minutes</b> <i>THAT the minutes of the July 26, 2021 Naramata Parks &amp; Recreation Commission be received.</i>	15 - 25
<b>A.1.2.2.</b>	<b>Similkameen Recreation Commission Minutes</b> <i>THAT the minutes of the August 17, 2021 Similkameen Recreation Commission be received.</i>	26 - 29
<b>A.1.2.3.</b>	<b>Okanagan Falls Parks and Recreation Commission Minutes</b> <i>THAT the minutes of the August 12, 2021 Okanagan Falls Parks and Recreation Commission be received.</i>	30 - 35
<b>A.1.2.4.</b>	<b>Similkameen Recreation Commission - Annual General Meeting Minutes</b> <i>THAT the minutes of the August 17, 2021 Similkameen Recreation Commission Annual General Meeting be received.</i>	36 - 37
<b>A.1.3.</b>	<b>Select Committees</b>	
<b>A.1.3.1.</b>	<b>Electoral Area "D" Service and Boundary Meeting</b> <i>THAT the minutes of the July 28, 2021 Electoral Area "D" Service and Boundary meeting be received.</i>	38 - 39
<b>A.1.3.2.</b>	<b>Corporate Services Committee</b> <i>THAT the Minutes of the August 19, 2021 Corporate Services Committee meeting be received.</i>	40 - 40
<b>A.1.3.3.</b>	<b>Environment and Infrastructure Committee</b> <i>THAT the Minutes of the August 19, 2021 Community Services Committee meeting be received.</i>	41 - 43
<b>A.1.3.4.</b>	<b>Planning and Development Committee</b> <i>THAT the Minutes of the August 19, 2021 Planning and Development Committee meeting be received.</i>  <i>THAT the Regional District commence a review of the Area "F" Official Community Plan and Zoning Bylaw for the purposes of protecting the aquifer which serves the Faulder Water System and those who have wells on the Meadow Valley Aquifer</i>  <i>THAT the Regional District commence consultation on moving street lighting into the Official Community Plans and removing them from the Subdivision Servicing Bylaw.</i>	44 - 45

- A.1.3.5. Protective Services Committee** 46 - 47  
*THAT the Minutes of the August 19, 2021 Protective Services Committee meeting be received.*
- A.1.3.6. RDOS Regular Board Meeting** 48 - 54  
*THAT the minutes of the August 19, 2021 RDOS Regular Board meeting be adopted.*

**A.2. Consent Agenda – Development Services**  
(Unweighted Rural Vote - Simple Majority)

RECOMMENDATION

THAT the Consent Agenda – Development Services be adopted

- A.2.1. Temporary Use Permit Application, 376 Road 6, Electoral Area “C”** 55 - 64  
*THAT Temporary Use Permit No. C2021.011-TUP, an application to permit farm labour housing at 376 Road 6, be approved on the following conditions:*
- *the maximum gross floor area of all farm worker housing shall be 166.5 m<sup>2</sup>; and*
  - *the maximum number of sleeping units for all farm worker housing shall not exceed 12.*
- A.2.2. Temporary Use Permit Application, 2589 Naramata Road, Electoral Area “C”** 65 - 76  
*THAT Temporary Use Permit No. C2021.011-TUP to allow for a vacation rental at 2589 Naramata Road, be approved.*
- A.2.3. Development Variance Permit Application, 2631 Nicola Avenue, Electoral Area “H”** 77 - 88  
*THAT Development Variance Permit No. H2021.024-DVP to permit the development of an accessory structure at 2631 Nicola Avenue, be approved.*

**B. DEVELOPMENT SERVICES – Bylaw Enforcement**

- B.1. Non-conforming uses 980 Pumphouse Road, Okanagan Falls** 89 - 97  
(Unweighted Corporate Vote - Simple Majority)

RECOMMENDATION

THAT the use of the property legally described as Lot 2, District Lots 2883s and 3147s, SDYD, Plan 9597 except Plan 13984, being 980 Pumphouse Road, Okanagan Falls, be brought into compliance with the Regional District of Okanagan-Similkameen’s Electoral Area “D” Zoning Bylaw No. 2455, 2008, by not later than October 1, 2021;

AND THAT if, after October 1, 2021, the use of the property legally described as Lot 2, Districts Lots 2883s and 3147s, SDYD, Plan 9597 except Plan 13984, being 980 Pumphouse Road, Okanagan Falls, is not in compliance with Zoning Bylaw No. 2455, 2008, the Regional District commence injunctive action against the property owner(s).

**C. DEVELOPMENT SERVICES – Rural Land Use Matters**

**C.1. Zoning Bylaw Amendment – Electoral Area “F”**  
(Unweighted Rural Vote - Simple Majority)

98 - 108

RECOMMENDATION

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

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

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

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

109 - 140

RECOMMENDATION

(Unweighted Rural Vote - Simple Majority)

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

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

RECOMMENDATION

(Unweighted Corporate Vote - Simple Majority)

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

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

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

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

141 - 148

(Unweighted Rural Vote - Simple Majority)

RECOMMENDATION

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

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

149 - 156

(Unweighted Rural Vote - Simple Majority)

RECOMMENDATION

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

**D. PUBLIC WORKS**



- D.1. Oliver Organics Facility - Capital Reserve Expenditure Request** 157 - 159  
(Weighted Corporate Vote - Majority)

RECOMMENDATION

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

- D.2. Reallocation of New Building Canada Funds** 160 - 162  
(Unweighted Corporate Vote - Simple Majority)

RECOMMENDATION

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

**E. LEGISLATIVE SERVICES**

- E.1. Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019** 163 - 171  
(Weighted Corporate Vote - Majority)

RECOMMENDATION

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

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

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

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

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

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

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

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 754.

**F. CAO REPORTS**

**F.1. Verbal Update**

**F.2. Declaration of State of Local Emergency Approval****RECOMMENDATION**

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

THAT the Declaration of a State of Local Emergency for Electoral Area "H" that expired September 1<sup>st</sup> be extended for a further seven days to September 8<sup>th</sup>; and,

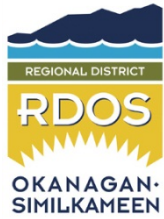
THAT all declarations be submitted to the Minister of State for Emergency Preparedness for approval.

**G. OTHER BUSINESS****G.1. Chair's Report****G.2. Directors Motions****G.2.1. Motion - Director Gettens**

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

**G.3. Board Members Verbal Update****H. ADJOURNMENT****RECOMMENDATION**

THAT the meeting adjourn.



# Minutes

## Electoral Area “A” Advisory Planning Commission

Meeting of Monday August 9, 2021

<https://rdos.webex.com>

**Present:**

Members: Peter Becket (Chair), Dwayne Svendsen, Bill Plaskett, Jim Thornton, Manfred Freese

Absent: Gerald Hesketh, Grant Montgomery

Staff: Fiona Titley, Planner I; Christopher Garrish, Planning Manager; Colin Martin, Planning Student

Guest: Mark Pendergraft, Director, Electoral Area “A”

Delegates: Brad Elenko, Dejan Teodorovic, Dan & Carol Scott

**1. CALL TO ORDER**

The meeting was called to order at 7:02 p.m.

**ADOPTION OF AGENDA**

**MOTION**

It was Moved and Seconded that the Agenda be adopted.

**CARRIED (UNANIMOUSLY)**

**2. APPROVAL OF PREVIOUS MEETING MINUTES**

**2.1 MOTION**

It was Moved and Seconded by the APC that the Minutes of July 12, 2021 be approved.

**CARRIED (UNANIMOUSLY)**

**3. REFERRALS**

**3.1 Referral Application A2021.013-ALC:**

Administrative Report Submitted Fiona Titley, Planner I

Delegate Brad Elenko, Dan & Carol Scott present.

**MOTION**

It was Moved and Seconded that the APC recommends to the RDOS that the subject Referral Application be approved. 3 in Favour; 2 Against

**CARRIED**

**4. AMENDMENT BYLAWS**

**4.1** Bylaw No. 2451.32 A2021.006-ZONE:

Administrative Report Submitted Fiona Titley, Planner I  
Delegate Brad Elenko present.

**MOTION**

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject amendment bylaw be approved.

**CARRIED (UNANIMOUSLY)**

**5. OTHER**

**5.1** Proposed Signage Regulations X2021.013-ZONE

Administrative Report Submitted Christopher Garrish, Planning Manager

APC members chose not to make a formal motion but had an informal discussion including the following points:

- APC felt that the current sign regulations are not regularly enforced, MoTI also does not regularly enforce their standards. What effect will these new regulations have if so much illegal signage continues to exist without consequence?
- Signs may need to be proportional to the size of the building or to parcel size.
- For residential signage a B&B may need both a fascia sign and a freestanding sign if the house is away from the road.

**6. ADJOURNMENT**

**4.1** **MOTION**

It was Moved and Seconded that the meeting be adjourned at 8:52 pm.

**CARRIED (UNANIMOUSLY)**

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Advisory Planning Commission Chair

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Advisory Planning Commission Recording Secretary / minute taker



# Minutes

## Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, August 9, 2021 at 7:00 p.m.

RDOS WebEx, Naramata, BC

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**Present:**

**Members:** Richard Roskell (Chair, Electoral Area 'E' APC), Heather Fleck, Dianna Smith, Maureen Redman, Adrienne Fedrigo

**Absent:** Don Mancell, Debbie Selwood

**Staff:** Laura Miller (RDOS Building & Enforcement Services Manager), Christopher Garrish (RDOS Planning Manager), Nikita Kheterpal (RDOS Planner I)

**Guests:** Karla Kozakevich (RDOS Area 'E' Director)

**Recording Secretary:** Heather Lemieux via transcription

**Delegates:** None

### 1. ADOPTION OF AGENDA

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

#### 1.1 MOTION

That the Agenda for the Electoral Area 'E' Advisory Planning Commission (APC) meeting of August 9, 2021 be adopted as presented.

**CARRIED**

### 2. APPROVAL OF MINUTES

#### 2.1 MOTION

It was Moved and Seconded That the Minutes of the July 12, 2021, Electoral Area 'E' Advisory Planning Commission (APC) meeting be adopted as presented.

**CARRIED**

### 3. DELEGATIONS

- 3.1 **Chimes** - Temporary Use Permit Application - E2021.019-TUP  
Delegation absent.

### 4. DEVELOPMENT APPLICATIONS

- 4.1 **Temporary Use Permit Application** - E2021.019-TUP Administrative Report Submitted by Nikita Kheterpal, Planner I

#### MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved.

**CARRIED**

### 5. OTHER

- 5.1 **Proposed New Signage Regulations**

Administrative Report submitted by Christopher Garrish, Planning Manager

Discussed enforcement, size restrictions in commercial, industrial, and residential zones. Individuals can contact the Ministry of Transportation and Infrastructure regarding signs that may be in place on the road right-of-way without a permit. Exemptions include but are not limited to election signs.

#### MOTION

It was Moved and Seconded in favour of Option 2. THAT the APC recommends to the RDOS Board of Directors that the proposed signage regulations be supported with the following amendments:

- i) The size restriction for Real Estate signage remain unchanged.

**CARRIED**

- 5.2 **Consolidated Noise Bylaw - Construction Hours**

Administrative report submitted by Laura Miller, Building & Enforcement Services Manager

Discussed homeowner construction and commercial construction activities, the differentiation between small and large projects and the size of the company carrying out the construction work.

**MOTION**

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the proposed construction hours be approved with the following amendments:

- i) THAT construction hours on Sundays and Statutory Holidays remain at the current allowed hours of 11:00 a.m. to 4:00 p.m.
- ii) THAT no commercial activity take place on Sundays and Statutory Holidays.

**CARRIED**

**6. ADJOURNMENT**

**MOTION**

It was Moved and Seconded that the meeting be adjourned at 8:03 p.m.

**CARRIED**

**Next Meeting** – September 13, 2021 at 7:00 p.m.

Location TBD

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Richard Roskell, Chair of the Area 'E' Advisory Planning Commission



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Advisory Planning Commission Recording Secretary / minute taker



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 2, 2021  
**RE:** Electoral Area "I" Advisory Planning Commission (APC) Appointment

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**Administrative Recommendation:**

**THAT the Board of Directors appoint Whitney Wynn as a member of the Electoral Area "I" Advisory Planning Commission until October 31, 2022.**

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

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**Purpose:**

The purpose of this report is to seek the Board appointment of a member of the Area Planning Commission for Electoral Area "I".

**Background:**

The role of Area Planning Commission is to provide recommendations to the Regional District on all matters referred to it by the Regional District or by its Electoral Area Director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*.

Section 4 of Bylaw 2339 (Advisory Planning Commissions) provides for the appointment of members, requiring the Board, by resolution, to appoint members to each Commission on the recommendation of the respective Electoral Area Director.

At least two-thirds of the members of a Commission for an Electoral Area shall be residents of that electoral area. Commission appointments shall be made by the Board for terms which run concurrent with the Board term, and no term of appointment shall extend beyond the term of the Electoral Area Director unless re-appointed by the Board.

**Analysis:**

Ms. Wynn has submitted an application to sit on the APC for Electoral Area "I" and Director Monteith has recommended that this application be brought forward for appointment by the Board.

On June 11, 2021, the Regional District was notified by John Davis, a member of the Electoral Area "I" APC of his resignation from the Commission. Volunteers are critical to the success of the Regional District and the Board wishes to acknowledge the significant contribution provided by Mr. Davis.

**Respectfully submitted:**

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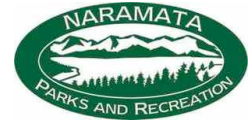
C. Malden, Manager of Legislative Services

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# Minutes



## Naramata Parks & Recreation Commission Meeting of July 26, 2021, 6:30 p.m.



Naramata Fire Hall  
1095 Lower Debeck Road,  
Naramata, BC

- Present:** Karla Kozakevich, Director, Electoral Area "E"
- Members:** Dennis Smith (Chair), Cynthia Enns, Adrienne Fedrigo, Tom Hoenisch, Ashley Selwood, Maureen Balcaen
- Absent:** Nicole Verpaelst, Richard Roskell
- Staff:** None
- Guests:** Justin Shuttleworth (RDOS) arrived to meeting at 6:40 p.m.
- Recording Secretary:** Heather Lemieux (Recording Secretary)
- Delegates:** None

### 1. CALL TO ORDER

The meeting was called to order at 6:37 p.m. Quorum present.

#### ADOPTION OF AGENDA

Added 6.1 Spirit Park.

#### 1.1 RECOMMENDATION

It was Moved and Seconded that the Agenda for the Naramata Parks & Recreation Meeting of July 26, 2021 be adopted as amended and all presentations and reports be received.

**CARRIED**

### 2. APPROVAL OF PREVIOUS MEETING MINUTES

#### 2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for Naramata Parks and Recreation Commission of June 28, 2021 be approved as presented.

**CARRIED**

### 3. CORRESPONDENCE / DELEGATIONS

- 3.1 Correspondence** — A letter of appreciation was received from a community member for the improvements of the BMX trails at Manitou Park.

### 4. RDOS STAFF REPORTS — J. Shuttleworth

- 4.1 Quarterly Report** — *Q2 Activity Report - Naramata Parks and Recreation and Regional Recreation (Naramata) 2021 Q2 Report* attached and distributed to NPR Members.

Discussed:

- i. Irrigation — Work, monitoring, or potential replacement.
- ii. Regional Recreation — Trail improvement plans and projects.
- iii. Adra Tunnel — Historical pictures have been submitted for signage.
- iv. KVR Bench — The bench by Robinson Creek needs to be replaced.
- v. Signs — Way-finding signage is being developed.

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

- 5.1 Bear Aware Sign** — The sign along the road at the Naramata border fell and is being fixed. K. Kozakevich is looking into the possibility of relocating it.

### 6. COMMISSION MEMBER REPORTS

- 6.1 Spirit Park** — Park visitors have been parking on the grass under trees. Discussed future designated parking areas, irrigation, and placing temporary stumps to mark the parking boundary.

**ACTION** — K. Kozakevich to ask J. Shuttleworth about placing a temporary stumps or similar deterrent to prevent vehicles from driving on the grass at Spirit Park.

**ACTION** — A. Fedrigo to send photos of the Spirit Park parking location to K. Kozakevich for follow up with J. Shuttleworth.

- 6.2 Garbage Cans** — Discussed the need for more garbage cans in the village. Considerations discussed on locations, usage, road-right-of-ways, bear proofing, costs, and if garbage and recycling is needed or just garbage.

**ACTION** — K. Kozakevich to look into potential garbage can locations in the village.

- 6.3 Charging Station** — The electric car charging station project for Wharf Park has been approved by FortisBC and MOTi.

**6.4 Parks Maintenance Liaison** — *Park Contractor Info*, attached, report received by M. Balcean.

Discussed:

- i. Naramata Farmers Market — Manitou Park picnic tables need to be relocated on market days. Discussed the adding this responsibility to Parks Maintenance Contractor budget. An annual report from the Naramata Market Society will be requested. Vendors were acknowledged for keeping the park clean, one vendor has been driving on new pathway.
- ii. Cactuses — J. Taylor has been removing non-native cactuses in the park and is monitoring for regrowth.
- iii. Garbage Dumpster — A suggestion was received to use a bear proof rolling dumpster. Discussed replacing the existing dumpster or adding another.
- iv. Washrooms — Reports received that the toilets have been plugging. Discussed placing septic signs in the stalls.
- v. Irrigation — The irrigation schedule is managed by RDOS staff. Discussed assigning irrigation management to the Parks Maintenance Contractor.
- vi. Projects — A Project Coordinator has been added to RDOS staff. Discussed project management role, budgets, and budget timing.

**ACTION** — C. Enns to clarify Manitou Park picnic table locations and moving schedule with J. Taylor.

**ACTION** — A. Fedrigo to discuss a new dumpster for Manitou Park with J. Taylor.

**ACTION** — K. Kozakevich to follow up with D. Reeve on the drinking fountain and washroom septic signs.

**6.5 Budget Survey** — The survey data is being compiled for presentation. **ONGOING**

## **7. BUSINESS ARISING**

**7.1 Grants** — Awaiting decision for the New Horizons grant for the Creek Park Trail connection. **ONGOING**

## **8. ADJOURNMENT**

### **8.1 RECOMMENDATION**

It was Moved and Seconded that the Naramata Parks & Recreation Meeting be adjourned at 7:43 p.m.

**CARRIED**

**NEXT MEETING:** TBD

Location TBD



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



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Recording Secretary, Heather Lemieux

Attachments:

*Q2 Activity Report - Naramata Parks and Recreation.pdf*

*Naramata\_ Reports\_REC\_Q2\_2021.pdf*

*Park Contractor Info.pdf*

## ADMINISTRATIVE REPORT

**TO:** Naramata Parks and Recreation Commission

**FROM:** Community Services Department

**DATE:** July 23, 2021

**RE:** 2021 Q2 Activity Report

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### Update on Activities

#### **Parks, Facilities and Projects**

- Completion and commissioning of Manitou Park washrooms.
- Construction of Manitou pathway.
- Application of sighting permit for OAP storage container.
- Added additional electrical outlet to support Farmer's Market at Manitou Park.
- Completed numerous irrigation repairs and adjustments in Manitou park.
- Filling/grading of Manitou parking lot.
- Hosted a trail workshop at Creek Park in partnership with RSTBC, PACA and City of Penticton.
- Wharf Park turf topsoil and reseeding.
- Diver completed underwater data collection for wharf assesment.
- Installation of waste receptacle (bear bin) at Centre Beach.
- Parks& Trails summer student orientation and training.
- Completed spring clean-up and preperation for all parks and amenties.
  - Shrub beds, pruning and mulching
  - Pick of litter and debris
  - Installation of swim markers
  - Begin regular mowing schedule for all parks
  - Start-up and testing of irrigation systems and seasonal washrooms
- Intiated summer maintenance regime
  - Transition to 7 days a week staffing in parks
  - Monthly beach grooming
  - Hiring and training of summer students
  - Began regular mowing schedule for all parks
  - Daily washrooms and garbage disposal



## Recreation

- Adjusted recreation programs with Provincial Re-start plan.
- Coordination of Special Events for Naramata spaces; constant adjustments due to Provincial Re-start.
- Coordinated May Day event in partnership with PAC.
- Hosted Easter egg hunt in Naramata.
- Supported the transition of the Farmer's Market to Manitou.
- South Okanagan-Similkameen Child Care Study survey completed.
- Published the Recreation [Regional Guide](#) (Summer) electronically on RDOS site.
- Regional Volunteer Week Event: Pitch-in. Naramata Elementary and a number of local volunteers participated
- Working with Naramata Water Sport Association on the Boat storage area in Manitou
- Implemented new volunteer documentation process for better safety and tracking capabilities.

## Administration and Grants

- Initiated quarterly reporting process for all commissions.
- Receiving numerous call for park bookings.
- Made grant application to New Horizons for Creek Park trail and amenity upgrades.
- Renewed seasonal park maintenance contracts for beach grooming, swim markers and park security.

## Regionally Significant Activities

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

## COVID-19 Response

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

## Planned Q3 Activities

### **Parks, Trails & Facilities**

- Planning for “House of Bald Eagle” sculpture installation at Manitou entrance.
- Planning for signage/lighting/benches along new pathway at Manitou.
- Install Center Beach Parks Signs.
- Remove and refurbish Donated Naramata Center picnic table.
- Secure quotes and begin upgrades to the OAP and Library building (windows and heating).
- Begin community wayfinding sign project.
- Install boat storage racks at boat storage site.
- Summer park maintenance regime, transitioning to fall schedule.

### **Recreation and Events**

- Recreation staff continues to support the communities with a variety of local and regional health and wellness initiatives while respecting current COVID-19 measures.
- Publish Fall Recreation [Regional Guide](#) electronically on RDOS site.
- Continued updates to program and facility safety plans in all areas.
- Delivery of Summer programs
- Modest Canada Day celebration at Manitou.
- Hosting UltraMan swim transition station at Manitou Park July 23<sup>rd</sup>.
- Pilot the booking process for Boat Storage units at Manitou



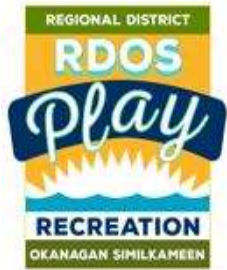
### **Administration and Grants**

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

### **Regionally Significant Activities**

- Recreation team to initiate a Regional Child Care Action Committee.
- Continue with the Regional Parks, Trails and Recreation Master Plan Project.
  - Review draft plan
- Installation of KVR trail-head signs.
- Complete the construction of the Similkameen Rail Trail from Daly Rd to Coulthard Rd.
- Initiate grant funded Main office renovations.
- Update the Regional Road Cycling signage to include the Ironman Canada name and route.





# Regional Recreation (Naramata) 2021 Q2 REPORT (APRIL - JUNE)

"Excellent instructor and organizing"

"Thanks for the fun and excitement!"

"Can't live without my Tuesday Yoga"

"Tball was a success, let's do it next year!"

## Regional Q2 Stats (Naramata):

<i>How much did we do? (Quantity)</i>			<i>How well did we do it? (Quality)</i>		
<i>Measures</i>	<i>Local</i>	<i>Regional</i>	<i>Measures</i>	<i>Local</i>	<i>Regional</i>
- # of hours of recreation	59hrs	255.5 hrs.	- % of programs with volunteer involvement	8%	26%
- # of facility hours available	-	195+hrs.	- % of new users	-	11 (3%\$)
- # Total registered users	197	355	- Total grant \$	\$400	\$400
- # of programs offered to the Community	13	34	- # of partnerships	1	13
- # of volunteers	2	22 (+ 340 Pitch-in)			
- # of volunteer hours	24hrs.	361.5 (350 hrs Pitch-in)			
- # of special events	3	10			
<i>(#) Is anyone better off? (%)</i>					
<i>Measures</i>	<i>Regional</i>		<i>Measures</i>	<i>Regional</i>	
- # of intro beginner programs	5+		- % increase of skill development experienced	96%	
- # of people who started or maintained healthy habits	18 (67%)		- % increase confidence to continue on with some form of recreation	92%	
- # of people who stated that they feel healthier	21 (81%)		- % increase in feeling you are part of a group/ community	89%	
- # of people who feel they are part of a group/ community	24 (89%)		- % people that believe that the program helped achieve social/physical targets	77%	
<b>Additional Comments:</b> Overall Average Program Ratings = 4.6/5					
- Volunteer Pitch-in Event: 5 areas, 3 Schools, Approximate 350hrs and 340 volunteers					
- Completion of South Okanagan Child Care Action Plan report					

### Healthy Individuals and Communities!

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

**\*Re: Moving picnic tables**

**Jordan hasn't heard back about suggested locations but will make changes once they are confirmed.**

**\*Re: Cacti as noted below**

**Jordan suggested and I agree that the pictures (below) and info be forwarded to Mynaramata for publication. It appears someone may be trying to deter dogs and people from using that beach area or, they are simply unaware of the hazard. I'll forward the info if you agree.**

Here is the monthly report provided by Jordan, (the bolding is mine to highlight items for possible follow-up):

Monthly comments on our parks as follows:

CREEK:

No issues

Being well used

Parking lot jammed

**Hope to get parking lot expanded in next years budget?**

WHARF:

No issues

Being well used

Willows trimmed

RDOS to spray for weeds in walkway

No super cleans this month 🙌🙌

RDOS installed no overnight parking signs on cement pad

Several overnight campers parked under willow trees for numerous nights probably on non security patrol nights?

Spoke to them and they left the area

Beach was professionally cleaned this month

COUNTRY SQUIRE:

No issues

Being maintained regularly this month as last month police surveillance was set up on this area

Some unauthorized parking occurring but appears night Security is dealing with it.

CENTER BEACH

No issues

Being well used

RDOS posted two new park signs

#### SPIRIT PARK

All courts are being well used

These are cleaned with a power blower monthly and were power washed early July

#### MANITOU

Being well used

Garbage overflowing daily

Have requested 2nd garbage bin so both bins can be dumped on Thursdays

New washrooms having electrical issues with auto lock but EDOS is looking into it

2 toilets are plugged and plumber could not rectify so RDOS will look into it

Receiving numerous positive comments on the new washrooms and paved walkway

Flags are still at half mast

Numerous lost and found items left on beach daily which are retrieved and placed in storage

Beach was professionally cleaned this month

Lots of sand at base of new foot wash which has to be swept or washed down every morning

**No issues or concerns with weekly Farmers Market**

**Please acknowledge the organizers for the thorough and extensive cleanup each week as it's greatly appreciated**

The old irrigation system could not keep up with the recent heat waves

Horseshoe pits are being used regularly with new sets of horse shoes

RDOS coordinated a couple loads of gravel spread about the parking lot filling in the large pot holes

4x4 vehicles are gaining access to the manitou turf areas by driving through the Old Main Rd drainage ditch

NO PARKING signs have been installed by the RDOS on the fire exit in north east corner and the main entrance areas

The garbage truck is still having access problems on garbage pick up days in

Thursdays as vehicles are still obstructing the service area access driveway even though it is posted and taped off

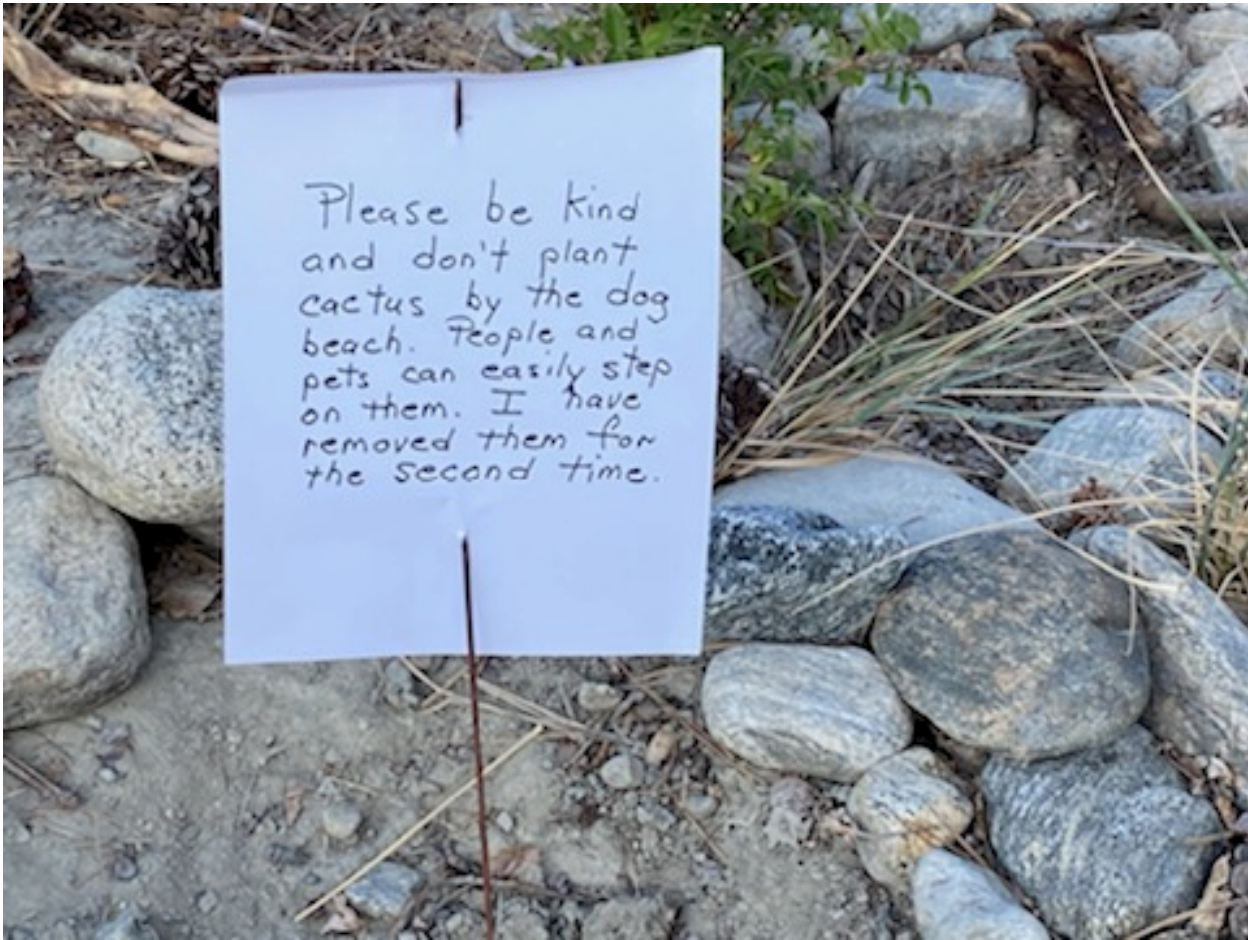
This area may have to be re-signed?

#### LAKE ACCESS POINTS:

Being well used

The vegetation is being trimmed in these areas and around the signage

**Sign posted at Dog beach asking that cactuses not be planted in that area as they are detrimental to the dogs**





# Minutes

## Similkameen Recreation Commission

Meeting of August 17, 2021, 6:30pm

311 9th Street, Keremeos, BC

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<b>Present:</b>	Mr. T. Roberts, Director, Electoral Area "G" Mr. M. Bauer, Director, Village of Keremeos
<b>Members:</b>	Tim Robins - Chair, Sarah Martin (Via Webex), Jennifer Roe, Darrell Taylor, Eileen Oliver-Bauer
<b>Absent:</b>	Jeremy Evans, Village of Keremeos, Mr. G. Bush, Director, Electoral Area, Arden Holley, Village of Keremeos "B"
<b>Staff:</b>	Andy Foster, Similkameen Recreation Manager
<b>Recording Secretary:</b>	Andy Foster
<b>Delegates / Guests:</b>	None

### 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 August 17, 2021 be adopted.

**CARRIED**

### 2. APPROVAL OF PREVIOUS MEETING MINUTES

#### RECOMMENDATION

It was Moved and Seconded that the Minutes for Similkameen Recreation Commission meeting of September 29, 2020 be approved.

**CARRIED**

### 3. CORRESPONDENCE / DELEGATIONS

3.1 None

## **4. RDOS STAFF REPORTS**

### **4.1 Facility Update**

- Similkameen Recreation Centre
  - Facility review
  - Capital project review
  - Staffing review
- Similkameen Community Pool
  - Renovation Summary
  - Future staffing concerns

### **4.2 General Updates**

- Programming
  - Overview provided
- Survey
  - Overview provided
- Budget
  - Capital Project overview provided
    - Shower installation quote required
    - Vestibule reconfigure discussed
  - Staffing discussed
    - Dependent on Refrigeration operations
    - Increased laborer time in 2022
    - Increased programming/coordinator

### **4.3 Q2 Regional Recreation Report**

## **5. COMMISSION MEMBER REPORTS**

### **5.1 None**

## **6. RDOS DIRECTOR'S REPORT**

### **6.1 Village of Keremeos**

- None provided

### **6.2 Electoral Area "B"**

- None provided

### **6.3 Electoral Area "G"**

- None provided

**7. BUSINESS ARISING**

7.1 None

**8. ADJOURNMENT**

**RECOMMENDATION**

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

**CARRIED**

**NEXT MEETING:** Tuesday, September 21<sup>st</sup>, 2021, Similkameen Recreation Centre

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Chair, Recreation Commission – Similkameen Recreation

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Recording Secretary



# Regional Recreation (Similkameen) 2021 Q2 REPORT (APRIL - JUNE)

Our Partnership  
is so valuable  
(School)

"I am happy to get  
back to whittling  
again."

"That was  
awesome" "we  
had lots of giggles"

"I believe the  
gym saved my  
life." (Senior)

## Regional Q2 Stats (Similkameen):

<i>How much did we do? (Quantity)</i>			<i>How well did we do it? (Quality)</i>		
<i>Measures</i>	<i>Local</i>	<i>Regional</i>	<i>Measures</i>	<i>Local</i>	<i>Regional</i>
- # of hours of recreation	87hrs.	255.5 hrs.	- % of programs with volunteer involvement	20%	26%
- # of facility hours available	195	195+hrs.	- % of new users	-	11 (3%\$)
- # Total registered users	43	355	- Total grant \$	-	\$400
- # of programs offered to the Community	5	34	- # of partnerships	6	13
- # of volunteers	13	22 (+ 340 Pitch-in)			
- # of volunteer hours	282 hrs.	361.5 (350 hrs Pitch-in)			
- # of special events	3	10			
<i>(#) Is anyone better off? (%)</i>					
<i>Measures</i>	<i>Regional</i>		<i>Measures</i>	<i>Regional</i>	
- # of intro beginner programs	5+		- % increase of skill development experienced	96%	
- # of people who started <b>or maintained</b> healthy habits	18 (67%)		- % increase confidence to continue on with some form of recreation	92%	
- # of people who stated that they feel healthier	21 (81%)		- % increase in feeling you are part of a group/ community	89%	
- # of people who feel they are part of a group/ community	24 (89%)		- % people that believe that the program helped achieve social/physical targets	77%	
<b>Additional Comments:</b> Overall Average Program Ratings = 4.6/5					
- Volunteer Pitch-in Event: 5 areas, 3 Schools, Approximate 350hrs and 340 volunteers					
- Completion of South Okanagan Child Care Action Plan report					

### **Healthy Individuals and Communities!**

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





# Minutes

## Okanagan Falls Parks & Recreation Commission

August 12, 2021

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



### Present:

Members: Linda Finner, Chair, Barbara Shanks, Doug Lychak, Judy Garner; Alf Hartviksen, Matt Taylor, Jillian Johnston

Absent: Ron, Obirek, JoAnne Kleb, Shari Rowland, Kelvin Hall, Phyllis Radchenko

Recording Secretary: Linda Finner

Staff: None

Delegates: None

### 1. CALL TO ORDER

The meeting was called to order at 7:06 p.m.

Quorum Present

#### ADOPTION OF AGENDA

#### RECOMMENDATION

It was Moved and Seconded that the Agenda of August 12, 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 July 8, 2021 be approved.

**CARRIED**

### 3. CORRESPONDENCE / DELEGATIONS

3.1 None

**4. RDOS STAFF REPORTS**

4.1 Q2 Activity Report and Regional Recreation Report were provided for information

**5. COMMISSION MEMBER REPORTS**

5.1 None

**6. RDOS DIRECTOR'S REPORT**

6.1 None

**7. BUSINESS ARISING**

7.1 None

**8. ADJOURNMENT**

**RECOMMENDATION**

It was Moved and Seconded that the meeting be adjourned at 7:08 p.m.

**CARRIED**

**NEXT MEETING** – Thursday, September 9, 2021

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

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Recording Secretary

## ADMINISTRATIVE REPORT

**TO:** Okanagan Falls Parks and Recreation Commission

**FROM:** Community Services Department

**DATE:** July, 2021

**RE:** 2021 Q2 Activity Report

### Update on Q2 Activities

#### **Parks, Trails & Facilities**

- Completion and commission of the 2-stall accessible washroom at Garnett Family Park and pathway paving.
- Bench donations and plaque installation at Garnett.
- Swing gates installed, bollard removal, bear bin relocated at Garnett.
- Irrigation added to community flowerbed at Garnett.
- Issued an Okanagan Falls tennis/pickle ball courts upgrades and resurfacing tender.
- Adjusted the parks and trails operations to manage extreme heat and intense parks usage.
- Reduced water usage to 50% due to irrigation district pump failure for 2 months
- Clean up and reopened park after motor vehicle accident involving the playground and spray park.
- Replaced swim line and buoys.
- Replacement and relocated Spray Park control module.
- Continued assessment and mitigation planning for erosion of the spit on the Okanagan Falls waterfront and tree removal.
- Completed spring clean-up and preparation for all parks and amenities.
  - Shrub beds, pruning and mulching
  - Pick of litter and debris
  - Installation of swim markers
  - Begin regular mowing schedule for all parks
  - Start-up and testing of irrigation systems and seasonal washrooms
- Initiated summer maintenance regime
  - Transitioned to 7 days a week staffing in parks
  - Monthly beach grooming
  - Hiring and training of summer students
  - Began regular mowing schedule for all parks
  - Increased washrooms cleaning and garbage disposal



## Recreation and Events

- Coordinate volunteer “Pitch-In” events in Ok Falls, West Bench, Kaleden and Naramata
- Adjusted recreation programs with Provincial Re-start plan Publish Summer Recreation [Regional Guide](#) electronically on RDOS site
- South Okanagan-Similkameen Child Care Study survey completed.
- Regional Volunteer Week Event: Pitch-in. 100 local volunteers participated (included school participants)
- Implemented new volunteer documentation process for better safety and tracking capabilities.

## Administration and Grants

- Initiated quarterly reporting process for all commissions.
- Met onsite with Lakefront park subcommittee.

## Regionally Significant Activities

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

## COVID-19 Response

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

## Planned Q3 Activities

### **Parks, Trails & Facilities**

- Submit layout and design proposal for the Keogan Park ballfield to comply with the Agricultural Land
- Summer park maintenance regime, transitioning to fall schedule.
- Begin planning for annual park tree planting for fall.
- Replace broken spray parks toys.

### **Recreation and Events**

- Recreation staff continues to support the communities with a variety of local and regional health and wellness initiatives while respecting current COVID-19 measures.
- Publish Fall Recreation Regional Guide electronically on RDOS site.
- Continued updates to program and facility safety plans in all areas.
- Delivery of Summer programs
- Modest Canada Day celebration in Okanagan Falls.
- Recreation staff continues to support the communities with a variety of local and regional health and wellness initiatives while respecting current COVID-19 measures.
- Publish Summer Recreation [Regional Guide](#) electronically on RDOS website.
- Continued updates to program and facility safety plans in all areas.



### **Administration and Grants**

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

### **Regionally Significant Activities**

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



# Regional Recreation (OK Falls) 2021 Q2 REPORT (APRIL - JUNE)

"we loved the art kits"

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

"The senior 'chattercize' class is very important to me"

## Regional Q2 Stats (OK Falls):

<i>How much did we do? (Quantity)</i>			<i>How well did we do it? (Quality)</i>		
<i>Measures</i>	<i>Local</i>	<i>Regional</i>	<i>Measures</i>	<i>Local</i>	<i>Regional</i>
- # of hours of recreation	68hrs.	255.5 hrs.	- % of programs with volunteer involvement	13%	26%
- # of facility hours available	-	195+hrs.	- % of new users	11	11 (3%\$)
- # Total registered users	60	355	- Total grant \$	-	\$400
- # of programs offered to the Community	8	34	- # of partnerships	2	13
- # of volunteers	106	22 (+ 340 Pitch-in)			
- # of volunteer hours	122	361.5 (350 hrs Pitch-in)			
- # of special events	2	10			
<i>(#) Is anyone better off? (%)</i>					
<i>Measures</i>	<i>Regional</i>		<i>Measures</i>	<i>Regional</i>	
- # of intro beginner programs	5+		- % increase of skill development experienced	96%	
- # of people who started <b>or maintained</b> healthy habits	18 (67%)		- % increase confidence to continue on with some form of recreation	92%	
- # of people who stated that they feel healthier	21 (81%)		- % increase in feeling you are part of a group/ community	89%	
- # of people who feel they are part of a group/ community	24 (89%)		- % people that believe that the program helped achieve social/physical targets	77%	
<b>Additional Comments:</b> Overall Average Program Ratings = 4.6/5					
- Volunteer Pitch-in Event: 5 areas, 3 Schools, Approximate 350hrs and 340 volunteers (100 participants from OK Falls)					
- Completion of South Okanagan Child Care Action Plan report					

### **Healthy Individuals and Communities!**

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



# Minutes

## Annual General Meeting

### Similkameen Recreation Commission

Meeting of August 17, 2021  
311 9th Street, Keremeos, BC

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**Present:** Mr. T. Roberts, Director, Electoral Area "G"  
Mr. M. Bauer, Director, Village of Keremeos

**Members:** Tim Robins - Chair, Sarah Martin (Via Webex), Jennifer Roe, Darrell Taylor, Eileen Oliver-Bauer

**Absent:** Jeremy Evans, Village of Keremeos, Mr. G. Bush, Director, Electoral Area, Arden Holley, Village of Keremeos "B"

**Staff:** Andy Foster, Similkameen Recreation Manager

**Recording Secretary:** Andy Foster

**Delegates / Guests:** None

#### 1. CALL TO ORDER

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

#### ADOPTION OF AGM AGENDA

#### RECOMMENDATION

It was Moved and Seconded that the AGM Agenda of August 17, 2021 be adopted.

**CARRIED**

#### 2. APPROVAL OF PREVIOUS AGM MEETING MINUTES

#### RECOMMENDATION

It was Moved and Seconded that the Minutes for Similkameen Recreation Commission AGM meeting of January 14, 2020 be approved.

**CARRIED**

**3. DIRECTOR CALLS FOR NOMINATIONS FOR CHAIRPERSON**

**3.1 RECOMMENDATION**

It was Moved and Seconded that  
T. Robins by acclamation has been nominated as chair.

**CARRIED**

**4. CHAIR CALLS FOR DISCRETIONARY POSITIONS**

**4.1** None

**5. ADJOURNMENT**

**5.1 RECOMMENDATION**

It was Moved and Seconded that the meeting be adjourned at 6:40 pm.

**CARRIED**

**NEXT MEETING** – January , 2022

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Chair, Recreation Commission – Similkameen Recreation

---

Recording Secretary



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**



**Electoral Area "D" Service and Boundary  
Configuration Committee**

**MINUTES**

Wednesday, July 28, 2021

---

**COMMITTEE MEMBERS PRESENT:**

David Forst  
Kay Medland  
Kerrie McLean  
Matt Taylor

Myleen Mallach  
Phyllis Radchenko  
Vi Creasey

**COMMITTEE MEMBERS ABSENT:**

Bob Daly, Kurt Hiebert, Eleanor Walker

**EX-OFFICIO COMMITTEE MEMBERS PRESENT:**

Electoral Area "D" Director, R. Obirek

Alternate Director, J. D'Andrea

**GUESTS PRESENT:**

Consultant, Allan Neilson, Neilson Strategies Inc  
Consultant, Sherry Hurst, Leftside Partners Inc.

**STAFF PRESENT:**

C. Malden, Manager of Legislative Services  
J. Zaffino, Manager of Finance

C. Ozaraci, Administrative Assistant

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**A. CALL TO ORDER**

The Meeting was called to order at 6:01 pm.

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**B. HOUSEKEEPING**

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

---

**C. APPROVAL OF AGENDA**

The Agenda was approved. CARRIED

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**D. RECEIPT OF THE JULY 14, 2021 MEETING MINUTES**

The minutes were received. CARRIED

**E. CONSULTANT – Allan Neilson & Sherry Hurst**

The Consultants provided an overview of the proposal including updating Fact Sheets, information mail out, panel discussions, neighbourhood meetings, Insights, communications and community engagement.

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**F. QUESTION PERIOD**

There were no members of the public in attendance.

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**G. NEXT MEETING**

The next meeting will be held August 11, 2021 at 6:00 pm

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**H. ADJOURNMENT**

The meeting adjourned at 7:33 pm

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

Thursday, August 19, 2021  
11:30 a.m.

**MINUTES**

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**MEMBERS PRESENT:**

Chair K. Kozakevich, Electoral Area "E"	Director C. Rhodes, 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 T. Roberts, Electoral Area "G"
Director R. Gettens, Electoral Area "F"	Director K. Robinson, City of Penticton
Director D. Holmes, District of Summerland	Director J. Sentes, City of Penticton
Director M. Johansen, Town of Oliver	Director E. Trainer, District of Summerland
Director R. Knodel, Electoral Area "C"	Director J. Vassilaki, City of Penticton

**MEMBERS ABSENT:**

Director S. McKortoff, Town of Osoyoos	Director C. Watt, City of Penticton
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**STAFF PRESENT:**

B. Newell, Chief Administrative Officer	C. Malden, Manager of Legislative Services
J. Zaffino, Manager of Finance	

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**It was MOVED and SECONDED**

THAT the Agenda for the Corporate Services Meeting of August 19, 2021 be adopted. - **CARRIED**

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**B. CITY OF PENTICTON REVIEW OF THE ADMINISTRATIVE OVERHEAD COST ALLOCATION POLICY – ADMINISTRATIVE RESPONSE**

The Committee discussed the Administrative response to the City of Penticton's review of the Administrative Overhead Cost Allocation policy.

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**C. ADJOURNMENT**

**It was MOVED and SECONDED**

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 12:22 p.m.

APPROVED:

CERTIFIED CORRECT:

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K. Kozakevich  
RDOS Board Chair

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B. Newell  
Corporate Officer



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

Thursday, August 19, 2021  
12:22 p.m.

**MINUTES**

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**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

Director S. McKortoff, Town of Osoyoos	Director C. Watt, City of Penticton
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**STAFF PRESENT:**

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

**RECOMMENDATION 1**

**It was MOVED and SECONDED**

THAT the Agenda for the Environment and Infrastructure Committee Meeting of August 19, 2021 be adopted. - **CARRIED**

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**B. DELEGATION – MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE**

Erik Lachmuth, District Manager, Transportation, Okanagan Shuswap District

Jeff Wiseman, Regional Manager

Mr. Lachmuth & Mr. Wiseman fielded questions from the Committee members regarding roads and other issues within the Regional District.

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**C. SOUTH OKANAGAN CONSERVATION FUND – TERMS OF REFERENCE UPDATE**

1. Terms of Reference with edits, August 2021

**RECOMMENDATION 2**

**It was MOVED and SECONDED**

THAT the Board of Directors approve the proposed updates and adjustments to the Terms of Reference for the South Okanagan Conservation Fund as reviewed at the August 19, 2021 Environment and Infrastructure meeting. - **CARRIED**

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**D. ADJOURNMENT**

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

The meeting adjourned at 1:14 p.m.

APPROVED:

CERTIFIED CORRECT:

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R. Gettens  
Committee Chair

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B. Newell  
Corporate Officer



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

Thursday, August 19, 2021

9:01 a.m.

**MINUTES**

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**MEMBERS PRESENT:**

- |   |   |
|---|---|
| Chair R. Knodel, Electoral Area "C"           | Director C. Rhodes, 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:**

- Director S. McKortoff, Town of Osoyoos

**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 August 19, 2021 be adopted. - **CARRIED**

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**B. ZONING REVIEW – FAULDER WATER SYSTEM SERVICE AREA (ELECTORAL AREA F)**

1. Bylaw No. 2790.03 (draft)
2. Bylaw No. 2461.19 (draft)

**RECOMMENDATION 2**

**It was MOVED and SECONDED**

THAT the Regional District commence a review of the Area "F" Official Community Plan and Zoning Bylaw for the purposes of protecting the aquifer which serves the Faulder Water System and those who have wells on the Meadow Valley Aquifer. - **CARRIED**

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**C. STREET LIGHTING POLICIES AND REGULATIONS**

**RECOMMENDATION 3**

**It was MOVED and SECONDED**

THAT the Regional District commence consultation on moving street lighting into the Official Community Plans and removing them from the Subdivision Servicing Bylaw. - **CARRIED**

**D. MOBILE HOME REGULATIONS IN THE ELECTORAL AREA ZONING BYLAWS**

Due to time constraints, this item was postponed to the next Planning and Development Committee meeting.

**E. ADJOURNMENT**

By consensus, meeting adjourned at 9:50 a.m.

APPROVED:

CERTIFIED CORRECT:

\_\_\_\_\_  
 R. Knodel  
 Committee Chair

\_\_\_\_\_  
 B. Newell  
 Corporate Officer





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

Thursday, August 19, 2021

9:50 a.m.

**MINUTES**

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**MEMBERS PRESENT:**

Chair T. Roberts, Electoral Area "G"	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 R. Knodel, Electoral Area "C"
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 K. Kozakevich, Electoral Area "E"	Director C. Watt, City of Penticton
Director C. Rhodes, Town of Osoyoos	

**MEMBERS ABSENT:**

Director S. McKortoff, Town of Osoyoos

**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 August 19, 2021 be adopted. - **CARRIED**

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**B. DELEGATION - RCMP**

1. Superintendent Brian Hunter
2. Sergeant Don Wrigglesworth, Area Detachment Commander for 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 Chad Parsons, Area Detachment Commander for Keremeos

Superintendent Hunter and the Area Detachment Commanders discussed the statistics for the various communities within the Regional District.

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**C. DELEGATION – BC EMERGENCY HEALTH SERVICES**

1. Joe Puskaric, District Manager
- Mr. Puskaric discussed increases to the staffing levels in the region.
-

**D. EMERGENCY OPERATIONS CENTRE UPDATE**

The Committee was provided an update on the work of the Emergency Operation Centre in support of the wildfires within the Regional District.

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**E. ADJOURNMENT**

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

The meeting adjourned at 11:25 a.m.

APPROVED:

CERTIFIED CORRECT:

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T. Roberts  
Committee Chair

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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 2:09 p.m. on Thursday, August 19, 2021 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

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

### MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos  
Director C. Watt, City of Penticton

### 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 August 19, 2021 be adopted as amended by adding Item C.2- Conservation Fund Terms of Reference. - **CARRIED**

### 1. Consent Agenda – Corporate Issues

#### a. Electoral Area "A" Advisory Planning Commission Minutes – July 12, 2021

*THAT the minutes of the July 12, 2021 Electoral Area "A" Advisory Planning Commission be received.*

#### b. Electoral Area "E" Advisory Planning Commission Minutes – July 12, 2021

*THAT the minutes of the July 12, 2021 Electoral Area "E" Advisory Planning Commission be received.*

#### c. Electoral Area "F" Advisory Planning Commission Minutes – July 26, 2021

*THAT the minutes of the July 26, 2021 Electoral Area "F" Advisory Planning Commission be received.*

#### d. Electoral Area "H" Advisory Planning Commission Minutes – April 20, 2021

*THAT the minutes of the April 20, 2021 Electoral Area "H" Advisory Planning Commission be received.*

#### e. Kaleden Parks and Recreation Commission Minutes – July 20, 2021

*THAT the minutes of the July 20, 2021 Kaleden Parks and Recreation Commission be received.*

- f. Corporate Services Committee – July 22, 2021**  
*THAT the minutes of the July 22, 2021 Corporate Services Committee meeting be received.*
- g. Corporate Services Committee – August 5, 2021**  
*THAT the minutes of the August 5, 2021 Corporate Services Committee meeting be received.*
- h. Environment and Infrastructure Committee – August 5, 2021**  
*THAT the minutes of the August 5, 2021 Environment and Infrastructure Committee meeting be received.*
- i. Protective Services Committee – August 5, 2021**  
*THAT the minutes of the August 5, 2021 Protective Services Committee meeting be received.*
- j. RDOS Regular Board Meeting – August 5, 2021**  
*THAT the minutes of the August 5, 2021 RDOS Regular Board meeting be adopted.*
- k. Electoral Area “D” Service and Boundary Configuration Committee Minutes – July 14, 2021**  
*THAT the minutes of the July 14, 2021 Electoral Area “D” Service and Boundary Configuration Committee be received.*
- l. Electoral Area “G” Official Community Plan Citizen’s Advisory Committee Appointments**  
*THAT Cindy Regier and Roger Mayer be appointed to the Electoral Area “G” Official Community Plan (OCP) Project Citizen’s Advisory Committee.*

**RECOMMENDATION 2** (Unweighted Corporate Vote – Simple Majority)

**IT WAS MOVED AND SECONDED**

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

## **2. Consent Agenda – Development Services**

- a. Development Variance Permit Application – 4575 Mill Road, Electoral Area “E”**
  - i. Permit  
*THAT Development Variance Permit No. E2021.028-DVP to subdivide 4575 Mill Road, Naramata into two lots be approved.*
- b. Development Variance Permit Application – 425 Matheson Road, Electoral Area “D”**
  - i. Permit  
*THAT Development Variance Permit No. D2021.030-DVP to allow for the construction of a garage at 425 Matheson Road in Electoral Area “D” be approved.*
- c. Temporary Use Permit Application – 130 Hallis Road, Electoral Area “A”**
  - i. Permit
  - ii. Representations  
*THAT Temporary Use Permit No. A2021.016-TUP to renew an existing TUP for an “outdoor commercial event venue” in Electoral Area “A” be approved.*
- d. Development Variance Permit Application – 135 Towers Road, Eastgate, Electoral Area “H”**
  - i. Permit  
*THAT Development Variance Permit No. H2021.003-DVP to allow for the development of a new dwelling unit at 135 Towers Road, Eastgate, be approved.*

**e. Temporary Use Permit Application – 3180 Bartlett Road, Electoral Area “E”**

- i. Permit
- ii. Representations

*THAT Temporary Use Permit No. E2021.018-TUP to allow for a vacation rental at 3180 Bartlett Road in Electoral Area “E”, 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 – Rural Land Use Matters**

**1. City of Penticton Referral – Official Community Plan Bylaw Amendment – 955 Timmins Street**

**RECOMMENDATION 4** (Unweighted Corporate Vote – Simple Majority)

**It was MOVED and SECONDED**

THAT the City of Penticton be advised that the Regional District has no objection to the proposed Official Community Plan (OCP) Amendment involving part of the property at 955 Timmins Street to “Urban Residential”. - **CARRIED**

**2. City of Penticton Referral – Official Community Plan Bylaw Amendment – 877 Westminster Avenue West**

**RECOMMENDATION 5** (Unweighted Corporate Vote – Simple Majority)

**It was MOVED and SECONDED**

THAT the City of Penticton be advised that the Regional District has no objection to the Official Community Plan (OCP) Bylaw Amendment involving the property at 877 Westminster Avenue West to “Urban Residential”. - **CARRIED**

**3. Letter of Concurrence (Telus) – Smethurst Road/Cottonwood Lane, Electoral Area “E”**

- a. Representations

**RECOMMENDATION 6** (Unweighted Corporate Vote – Simple Majority)

**It was MOVED and SECONDED**

THAT the Regional District send a “Letter of Concurrence” to Innovation, Science, and Economic Development Canada for proposed telecommunication tower BCB576 to be located near Smethurst Road & Cottonwood Lane; with two conditions:

- 1. That the tower not be lighted except for safety lights; and,
- 2. That the tower receive an exterior coating to blend into the surrounding natural setting.

**CARRIED**

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**4. Agricultural Land Commission Referral (Subdivision) – 8310 2<sup>nd</sup> Avenue, Electoral Area “A”**

**RECOMMENDATION 7** (Unweighted Corporate Vote – Simple Majority)

**It was MOVED and SECONDED**

THAT the RDOS Board “authorize” the application to subdivide the parcel located at 8310 2nd Avenue to proceed to the Agricultural Land Commission. - **CARRIED**

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**5. Development Variance Permit Application – 1135 Jonathan Drive, Electoral Area “F”**

- a. Permit
- b. Representations

The Chair enquired whether the property owner or agent was present to address the Board; the property owner addressed the Board.

**RECOMMENDATION 8** (Unweighted Rural Vote – Simple Majority)

**It was MOVED and SECONDED**

THAT Development Variance Permit No. F2021.026-DVP, being an application to construct an over height garage in the front parcel line setback at 1135 Jonathan Drive in West Bench, be denied.

**CARRIED**

Opposed: Directors B. Coyne, Knodel, Roberts, Kozakevich

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

- a. Bylaw No. 2000.13
- b. Bylaw No. 927 (to be repealed)

**RECOMMENDATION 9** (Unweighted Rural Vote – 2/3 Majority)

**It was MOVED and SECONDED**

THAT Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.13, 2021, being an amendment to revise onsite sewage disposal system requirements, be read a first, second and third time and be adopted. - **CARRIED**

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

- a. Bylaw No. 2000.14

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2000.14, 2021, being an amendment of the Subdivision Servicing Bylaw to clarify the requirements for confirming a source of water has been provided for new parcels, be read a first, second and third time and be adopted. - **CARRIED**

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

a. Bylaw No. 2000.15

**RECOMMENDATION 11** (Unweighted Rural Vote – 2/3 Majority)

**It was MOVED and SECONDED**

THAT Bylaw No. 2000.15, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to clarify the requirements for confirming a connection to sewage disposal for new parcels, be read a first, second and third time and be adopted.

**CARRIED**

**C. LEGISLATIVE SERVICES**

**1. 2021 Schedule of Special Meetings**

**RECOMMENDATION 12** (Unweighted Corporate Vote – Simple Majority)

**It was MOVED and SECONDED**

THAT the Fall Schedule of Special Meetings be approved as presented.

- Thursday November 4, 2021 – Legislative Workshop / Inaugural Meeting (full day)
- Friday November 12, 2021 –Budget Committee Meeting #1 (full day)
- Friday November 19, 2021 –Budget Committee Meeting #2 (full day)
- Wednesday November 24, 2021 – Strategic Planning (evening only) with Gordon McIntosh
- Thursday November 25, 2021 – Strategic Planning (full day) with Gordon McIntosh.

**CARRIED**

Addendum

**2. South Okanagan Conservation Fund – Terms of Reference Update**

**It was MOVED and SECONDED**

THAT the Board of Directors approve the proposed updates and adjustments to the Terms of Reference for the South Okanagan Fund as reviewed at the August 19, 2021 Environment and Infrastructure Committee meeting. - **CARRIED**

**D. CAO REPORTS**

**1. Verbal Update**

**2. Declaration of State of Local Emergency Approvals**

**It was MOVED and SECONDED**

THAT the Declaration of a State of Local Emergency for Electoral Area “D” that expired August 15 be extended for a further seven days to August 22; and,

THAT the Declaration of a State of Local Emergency for Electoral Area “H” that expired August 18 be extended for a further seven days to August 25; and,

THAT all declarations be submitted to the Minister of State for Emergency Preparedness for approval.

**CARRIED**

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## E. OTHER BUSINESS

### 1. Chair's Report

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### 2. Board Representation

- a. Developing Sustainable Rural Practice Communities - *McKortoff*
  - b. Municipal Finance Authority – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
  - c. Municipal Insurance Association – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
  - d. 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, Kozakevich (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. Director's Motion – Director Gettens

**It was MOVED and SECONDED**

THAT the Director's Motion "*THAT Administration present to the Board for discussion the findings from the exit interviews of recently departed staff before the 2022 budget discussions begin*" be referred to Administration for analysis of the feasibility, legislative compliance and budget impacts. – **CARRIED**

Opposed: Directors Bauer, S. Coyne

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- b. Director's Motion – Director Obirek

**It was MOVED and SECONDED**

THAT the Director's Motion "*THAT there be a moratorium on cannabis retail applications in Electoral Area "D" pending the review and potential amendment coming from that review*" be referred to Administration for analysis of the feasibility, legislative compliance and budget impacts. - **CARRIED**

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- c. Director's Motion – Director Obirek

THAT the Board of Directors provide a letter to BC Community Gaming Grant Branch confirming capacity of contributing an amount up to \$700,000 from Electoral Area "D" for the acquisition of a fire truck.

**It was MOVED and SECONDED**

THAT the matter be considered at this meeting. – **CARRIED (2/3 vote)**

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**It was MOVED and SECONDED**

THAT the Board of Directors provide a letter in support of a capital project grant application to BC Community Gaming Branch confirming capacity of contributing an amount up to \$700,000 from Electoral Area "D" for the acquisition of a fire truck. - **CARRIED**

d. Notice of Motion – Director Gettens

THAT staff bring forward amendment recommendations to the APC bylaw to address non-attendance by APC members.

**4. Board Members Verbal Update**

**F. ADJOURNMENT**

**IT WAS MOVED AND SECONDED**

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 3:26 p.m.

APPROVED:

CERTIFIED CORRECT:

\_\_\_\_\_  
K. Kozakevich  
RDOS Board Chair

\_\_\_\_\_  
B. Newell  
Corporate Officer

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 2, 2021  
**RE:** Temporary Use Permit Application – Electoral Area “C”

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### Administrative Recommendation:

**THAT Temporary Use Permit No. E2021.011-TUP, an application to permit farm labour housing at 376 Road 6, be approved on the following conditions:**

- **the maximum gross floor area of all farm worker housing shall be 166.5 m<sup>2</sup>; and**
  - **the maximum number of sleeping units for all farm worker housing shall not exceed 12.**
- 

Purpose: To allow for temporary farm labour housing in ALR lands. Folio: C-05482.000  
Civic: 376 Road 6 Legal: Lot 170, Plan KAP1728, District Lot 2450S, SDYD  
OCP: Agriculture (AG) Zoning: Agriculture One (AG1)

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### Proposed Development:

To permit temporary farm labour housing on the subject property through the issuance of a Temporary Use Permit (TUP).

This would be a 12-bedroom new residence for new employees and to alleviate pressure placed on existing employee housing. In the short term, the new house would provide accommodation for workers to work the fields, in a timely manner. In the long term, additional workers are required to allow new fields for the diversification of the produce grown in our community.”

### Site Context:

The subject property is approximately 4.5 ha in area and is situated on the northeastern corner of Highway 97 and Road 6. The parcel is comprised of a single detached dwelling with agricultural productivity on approx. 2.5 ha.

The surrounding pattern of development is generally characterised by similar agricultural parcels used primarily for farming purposes.

### Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on December 17, 1920, while available Regional District records indicate that a building permit for single detached dwelling has been issued in the past.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG). Under the Electoral Area “C” OCP Bylaw policies for

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Agriculture-designated lands the Board “supports establishing housing for year round farm help and seasonal farm workers” (Section 9.3.20).

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One Zone (AG1) which allows for maximum number of two (2) dwellings (one principal and one accessory) for parcels less than 8.0 ha in size.

The Regional District has received written complaints regarding “untidy/unsightly premises” on site which were resolved on October 29, 2020.

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

In December, 2020, a referral for non-adhering residential use application was referred to the Regional District by the Agricultural Land Commission (ALC), in order to allow temporary farm workers housing (TFWH) for up to twelve (12) farm labourers on the subject parcel.

At its meeting on January 7, 2020, the Regional District Board resolved to authorize the application to proceed to ALC for their determination.

On April 1, 2021, the ALC approved the non-adhering residential use application with conditions that:

- *Siting of the moveable modular home in accordance with Schedule A of this decision;*
- *The registration of a restrictive covenant prior to placement of the TFWH, stating that the TFWH will only be used by temporary farm workers in accordance with this decision, and that the owner will remove the TFWH and restore the land to conditions suitable for agricultural use if the TFWH is vacant for two consecutive years;*
- *Approval for the non-farm use is granted for the sole benefit of the Applicants and is non-transferable.*

**Public Process:**

On July 19, 2021, a virtual Public Information Meeting (PIM) was held via WebEx and was attended by no members of the public.

At its meeting of July 20, 2021, the Electoral Area “C” Advisory Planning Commission (APC) did not achieve quorum, however as they had previously heard this application as part of the ALC referral and were supportive, the Area “C” Director opted to send the application forward to the RDOS Board.

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board’s regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board’s Agenda.

**Analysis:**

The Electoral Area “C” OCP Bylaw speaks to supporting “housing for year round farm help and seasonal farm workers” (e.g. farm labour housing). The applicant uses migrant farm workers that require housing to work on this property in addition to nine (9) other agricultural parcels owned by the applicant/owner of the subject parcel.

---

The siting and placement of the temporary farm labour housing will minimize the residential impacts on agricultural lands taking into consideration topography, agricultural capability, access and clustering of residential structures on site.

Impact on the farm and surrounding farm operations is minimal as the use will occur in an area with limited cultivation on the property. In addition, this application has been supported (in past) by key agencies including the Area "C" Advisory Planning Committee, Regional District Board (January 7, 2020), and the Agricultural Land Commission. The floor area for the proposed housing has since been reduced from 256.4 m<sup>2</sup> to 166.5m<sup>2</sup>. The Agricultural Land Commission confirmed that they are supportive of the change in floor area.

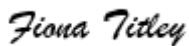
In issuing a Temporary Use Permit, the Regional District may specify conditions according to which the proposed use may be conducted. In this instance, ALC has imposed conditions on the use of proposed dwelling(s) (See background).

In summary, the subject proposal is "temporary" in nature and aligns with OCP policies for supporting farm labour housing in ALR lands.

**Alternatives:**

1. THAT the Board of Directors deny Temporary Use Permit No. C2021.014-TUP; or
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. C2021.014-TUP for the following reasons:
  - i) TBD

**Respectfully submitted:**



Fiona Titley, Planner I

**Endorsed By:**



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo (Google Streetview 2012)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary use permit C2021.014-TUP:

<input checked="" type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input checked="" type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Environment & Climate Change Strategy	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Oliver Fire Department		

Attachment No. 2 – Site Photo (Google Streetview 2012)





# TEMPORARY USE PERMIT

---

FILE NO.: C2021.014-TUP

## GENERAL CONDITIONS

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

## APPLICABILITY

5. This Temporary Use Permit applies to, and only to, those lands, including any and all buildings, structures and other development thereon, within the Regional District as shown on Schedules 'A', and 'B' and described below:

Legal Description: Lot 170, Plan KAP1728, District Lot 2450S, SDYD

Civic Address: 376 Road 6, Oliver, BC

Parcel Identifier (PID): 006-610-706 Folio: C-05482.000

## TEMPORARY USE

6. In accordance with Section 20.0 of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008 the land specified in Section 5 may be used for a "Temporary Farm Workers Housing", which is defined as meaning buildings or structures built on a temporary foundation that provide space for cooking, sanitary, living or sleeping units, for individuals who carry out agricultural work for a farm operation on a seasonal basis.

**CONDITIONS OF TEMPORARY USE**

- 7. The “temporary farm workers housing” use of the land is subject to the following conditions:
  - a) The maximum gross floor area of all farm worker housing shall be 256.4 m<sup>2</sup>
  - b) The maximum number of sleeping units for all farm worker housing shall not exceed 12.

**COVENANT REQUIREMENTS**

- 8. Not applicable.

**SECURITY REQUIREMENTS**

- 9. Not applicable.

**EXPIRY OF PERMIT**

- 10. This Permit shall expire on October, 31, 2024.

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

\_\_\_\_\_  
B. Newell, Chief Administrative Officer



# Regional District of Okanagan-Similkameen

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

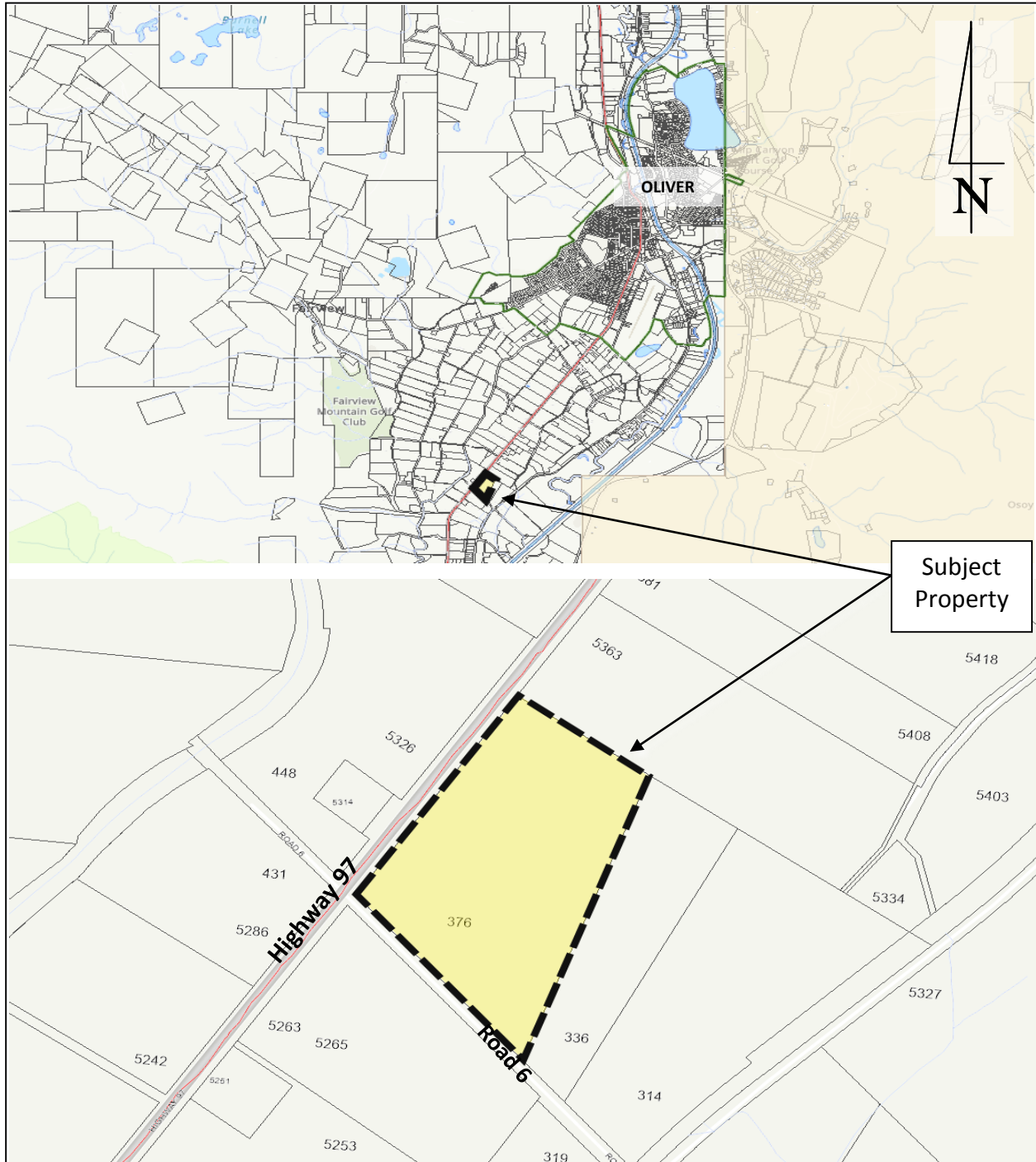
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. C2021.014-TUP

Schedule 'A'



# Regional District of Okanagan-Similkameen

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

Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. C2021.014-TUP

Schedule 'B'



# Regional District of Okanagan-Similkameen

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

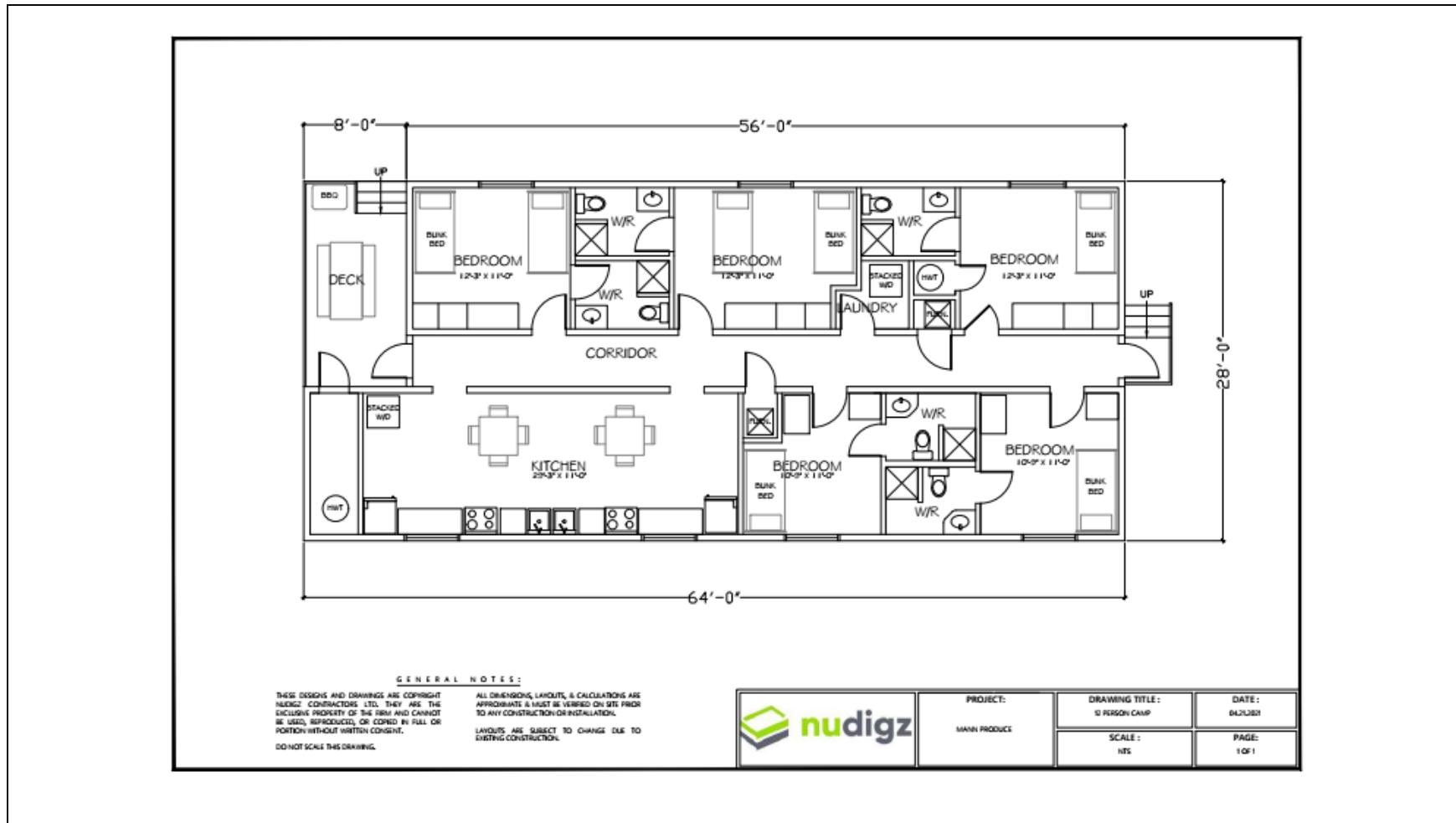
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. C2021.014-TUP

## Schedule 'C'



Temporary Use Permit No. C2021.014-TUP

Page 5 of 5

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 2, 2021  
**RE:** Temporary Use Permit Application – Electoral Area “C”

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### **Administrative Recommendation:**

**THAT Temporary Use Permit No. E2021.011-TUP to allow for a vacation rental at 2589 Naramata Road, be approved.**

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Purpose: to allow for a vacation rental use. Folio: E-02156.020  
Civic: 2589 Naramata Road Legal: Lot 2, Plan KAP34735, District Lot 209, SDYD  
OCP: Agriculture (AG) Zone: Agriculture One (AG1)

---

### **Proposed Development:**

To authorize the operation of a vacation rental of a single detached dwelling on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “the reason for the temporary use is to help us cover some of the costs of the vineyard, to make use of the home when we are not there, and to help bring additional visitors into the region to support local businesses ... The proposed use is only for the single family dwelling and does not impact the farming activity in any way.”

### **Site Context:**

The subject property is approximately 3.6 ha in area and is situated on the west side of Naramata Road. It is understood that the parcel is comprised of a single detached dwelling, a pool and vineyard.

The surrounding pattern of development is generally characterised by similarly sized residential parcels to the south that have been developed with single detached dwellings. There are smaller residential parcels with single detached dwellings to the north.

### **Background:**

It is unknown when the current boundaries of the subject property were created by a Plan of Subdivision, while available Regional District records indicate that building permits for a single family dwelling (2004) and pool (2019) have previously been issued for this property.

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

---

The OCP Bylaw is supportive of the use of a residence for short-term vacation rental use through the issuance of a Temporary Use Permit. Section 22.3.4 of the OCP Bylaw establishes the following criteria in evaluating a Temporary Use Permit application:

- The use must be clearly temporary or seasonal in nature;
- Compatibility of the proposal with adjacent uses;
- Impact of the proposed uses on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas;
- Intensity of the proposed use;
- Opportunity to conduct the proposed use on land elsewhere in the community; and
- The remedial measures to be carried out to mitigate any damage to the natural environment as result of the temporary use.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Agriculture One (AG1) which, among other uses, allows for single detached dwellings as a principal use, with “bed and breakfast operations” as a secondary use.

The property is within the Agricultural Land Reserve (ALR), however, the ALC does not regulate tenure of a principal residence which has received all necessary permits.

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

At its meeting of April 18, 2019, the Regional District Board approved a Temporary Use Permit for a vacation rental use on the subject property. This TUP expired on December 31, 2019, and was not renewed.

**Public Process:**

On August 4, 2021, a Public Information Meeting (PIM) was held electronically and was attended by no members of the public (only the applicant and Area Director were in attendance).

At its meeting of August 9, 2021, the Electoral Area “E” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board’s regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board’s Agenda.

**Analysis:**

In considering this proposal, Administration notes that the proposed vacation rental use on the subject property was previously approved by the Regional Board and the Regional District did not receive any complaints on the operation during the tenure of the previous owners. It is also noted that the vacation rental use does not remove any land from agricultural production and no structures are being proposed for the use.

In response to the criteria contained in Section 22.3.4 of the Electoral Area “E” OCP bylaw, the proposed use is seasonal in nature (May 1<sup>st</sup> – October 31<sup>st</sup>) and the impact on the natural environment is minimized by being contained within the existing building and parking area on the parcel.

---

Administration also notes that the applicant has provided a septic compliance inspection from Dave Seaton, Registered Onsite Wastewater Practitioner (ROWP), dated January 22, 2018, advising that upgrades were installed to the existing septic system and that "the new system can handle the additional loading of a vacation rental with maximum occupancy of 10 guests. A maintenance plan and operations manual were provided to the owner and letter of certification was accepted by Interior Health."

The Regional District's Building Inspection staff have completed a Health and Safety Inspection of the dwelling and confirmed that it meets the standards for health and safety.

Conversely, the use of an agricultural area for relatively commercial purposes can pose potential land use conflicts with agricultural operations.

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

For the reasons listed above, Administration supports approval of the temporary use permit, subject to the conditions contained in the permit.

**Alternatives:**

1. THAT the Board of Directors deny Temporary Use Permit No. E2021.019-TUP; or
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. E2021.019-TUP for the following reasons:
  - i) TBD

**Respectfully submitted:**

*Nikita Kheterpal*

Nikita Kheterpal, Planner I

**Endorsed By:**



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List  
No. 2 – Aerial Photo (2007)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , prior to Board consideration of TUP No. E2021.019-TUP:

<input checked="" type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input checked="" type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Environment & Climate Change Strategy	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Naramata Fire Department		

Attachment No. 2 – Aerial Photo (2007)







# TEMPORARY USE PERMIT

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FILE NO.: E2021.019-TUP

## GENERAL CONDITIONS

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

## APPLICABILITY

5. This Temporary Use Permit applies to, and only to, those lands, including any and all buildings, structures and other development thereon, within the Regional District as shown on Schedules 'A', 'B', 'C' and 'D' and described below:

Legal Description: Lot 2, Plan KAP34735, District Lot 209, SDYD  
Civic Address: 2589 Naramata Road  
Parcel Identifier (PID): 002-931-711 Folio: E-02156.020

## TEMPORARY USE

6. In accordance with Section 22.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a "vacation rental" use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the accommodation of paying guests occupying the dwelling unit for a period of less than 30 days.

## CONDITIONS OF TEMPORARY USE

7. The vacation rental use of the land is subject to the following conditions:

- a) the vacation rental use shall occur only between May 1<sup>st</sup> and October 31<sup>st</sup>;
- b) the following information must be posted within the dwelling unit while the vacation rental use is occurring:
  - i) the location of property lines by way of a map;
  - ii) a copy of the Regional District's Electoral Area "E" Noise Regulation and Prohibition Bylaw;
  - iii) measures to address water conservation;
  - iv) instructions on the use of appliances that could cause fires, and for evacuation of the building in the event of fire;
  - v) instructions on the storage and management of garbage;
  - vi) instructions on septic system care; and
  - vii) instructions on the control of pets (if pets are permitted by the operator) in accordance with the Regional District's Animal Control Bylaw.
- c) the maximum number of bedrooms that may be occupied by paying guests shall be five (05);
- d) the number of paying guests that may be accommodated at any time shall not exceed ten (10);
- e) a minimum of five (05) on-site vehicle parking spaces shall be provided for paying guests;
- f) camping and the use of recreational vehicles, accessory buildings and accessory structures on the property for vacation rental occupancy are not permitted; and
- g) current telephone contact information for a site manager or the property owner, updated from time to time as necessary, as well as a copy of this Temporary Use Permit shall be provided to the owner of each property situated within 100 metres of the land and to each occupant of such property if the occupier is not the owner.
- h) vacation rental operation must follow the Ministry of Health's COVID-19 Guidance for the Hotel Sector during the Provincial State of Emergency, including environmental cleaning, staff health and communication, and any subsequent provincial health orders for hotel operators.
- i) information shall be posted within the dwelling unit during the Provincial State of Emergency for COVID-19 following Provincial recommended communication, signage and posters for the Hotel Sector on the following topics:
  - i) Symptoms of COVID-19
  - ii) B.C.'s COVID-19 Self-Assessment Tool
  - iii) Handwashing
  - iv) Respiratory/cough etiquette

- v) Self-isolation and self-monitoring
- j) a sign must be posted on the front entrance telling staff not to enter the premises if they are feeling ill.
- k) all guests must follow Provincial guidelines during the Provincial State of Emergency for COVID-19, including avoiding non-essential travel as a measure to protect vulnerable people in communities from COVID-19.

**COVENANT REQUIREMENTS**

8. Not applicable.

**SECURITY REQUIREMENTS**

9. Not applicable.

**EXPIRY OF PERMIT**

10. This Permit shall expire on December 31, 2022.

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

\_\_\_\_\_  
B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

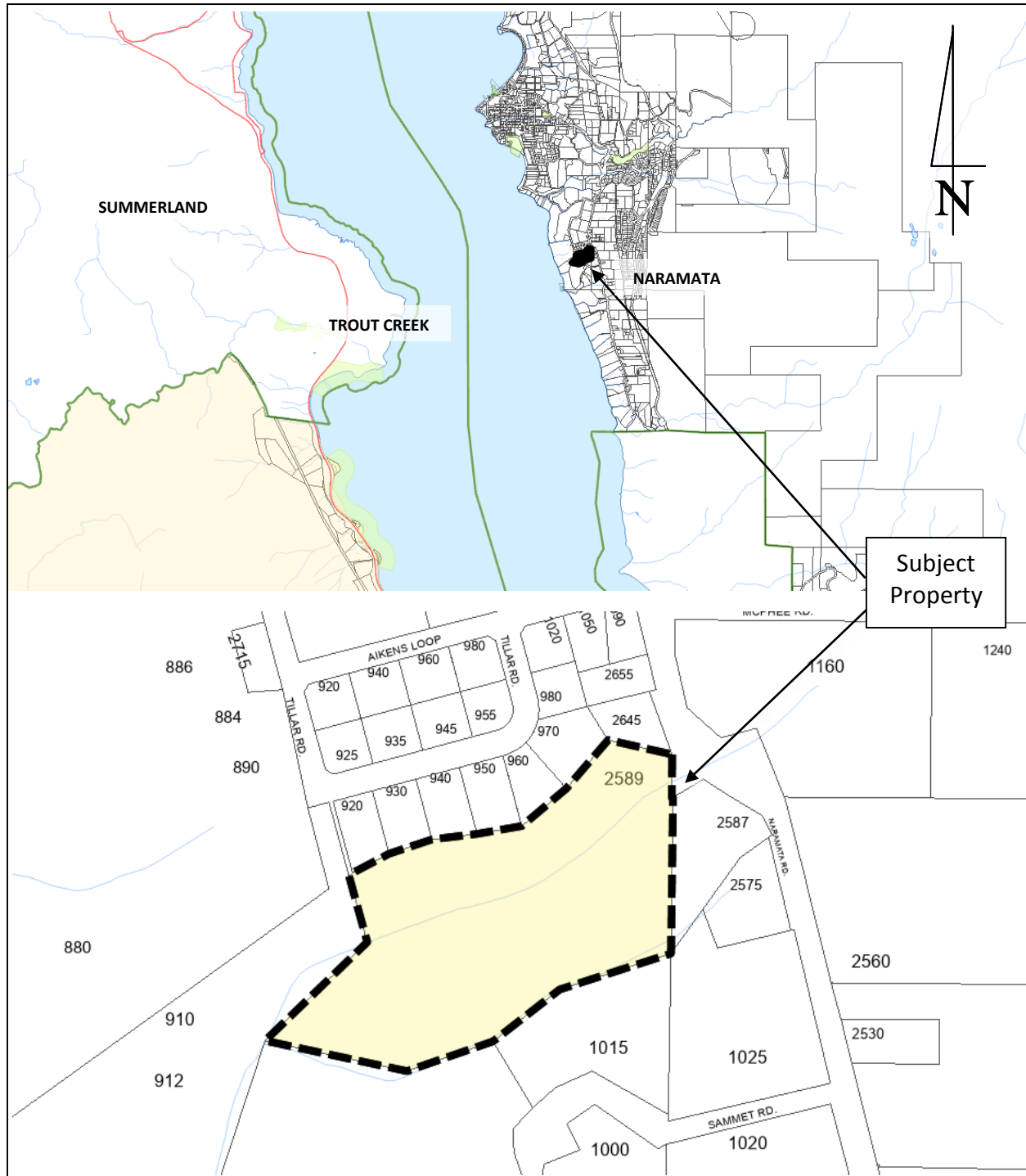
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2021.019-TUP

Schedule 'A'



# Regional District of Okanagan-Similkameen

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

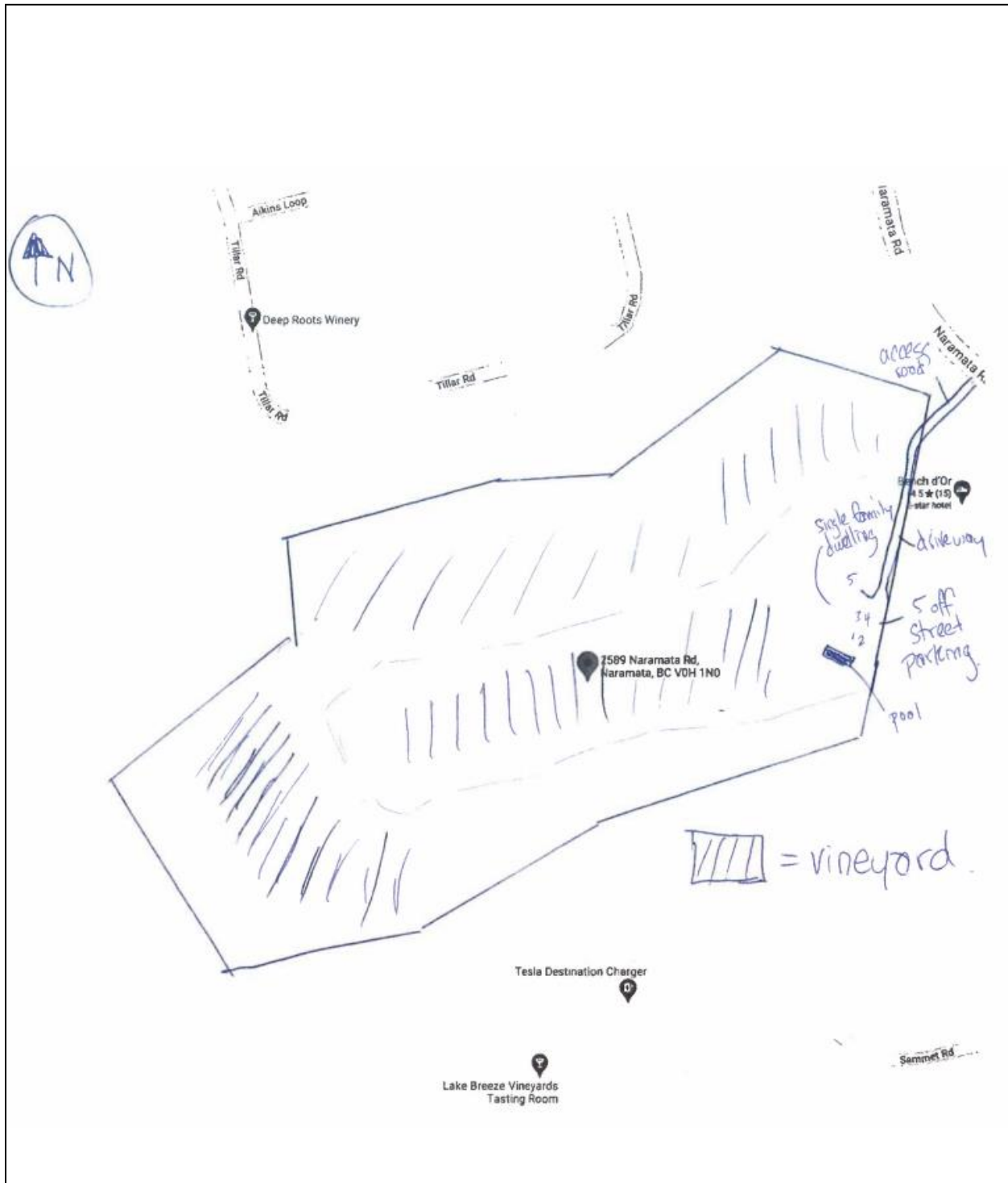
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2021.019-TUP

Schedule 'B'



# Regional District of Okanagan-Similkameen

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

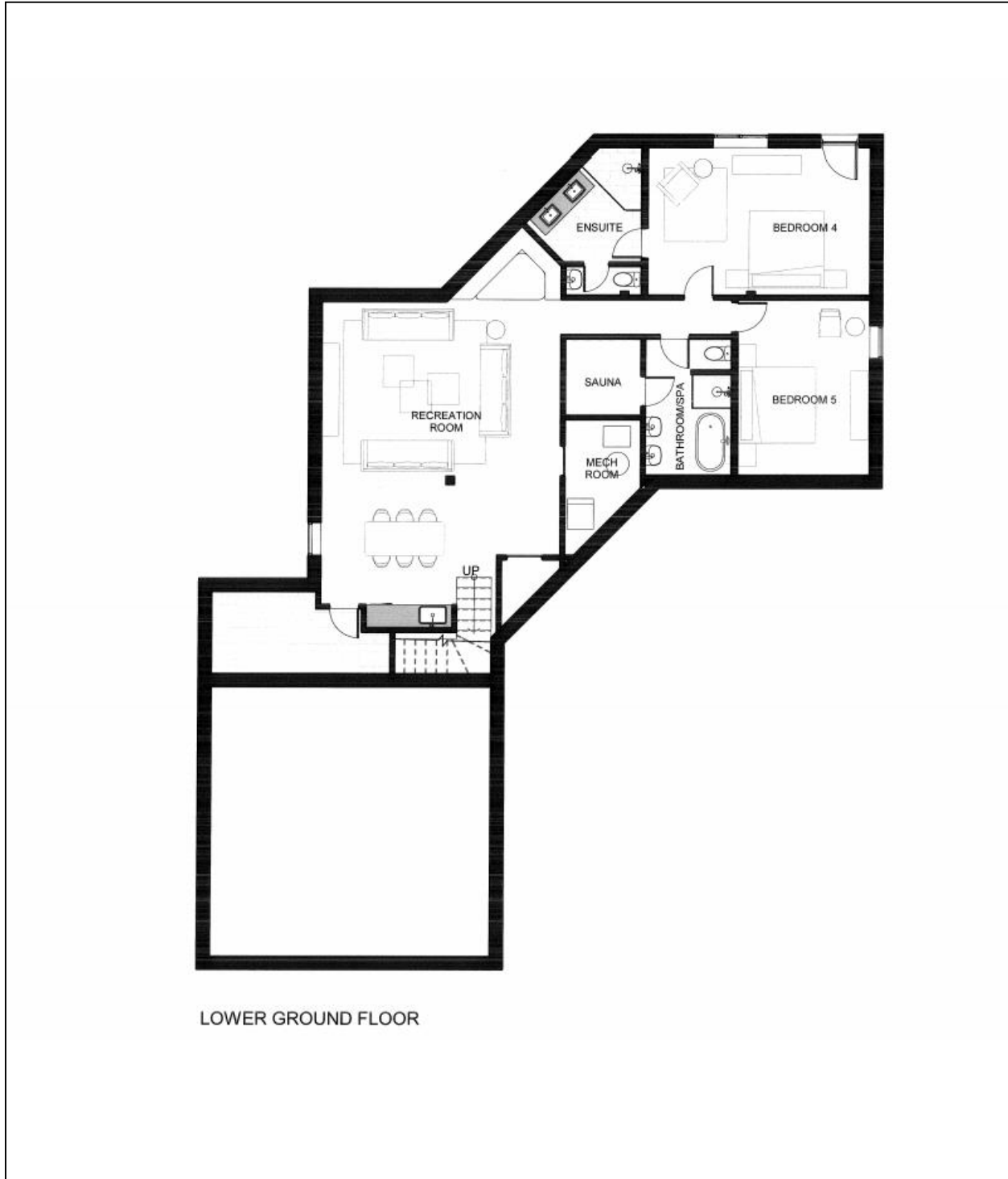
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2021.019-TUP

## Schedule 'C'



LOWER GROUND FLOOR

# Regional District of Okanagan-Similkameen

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

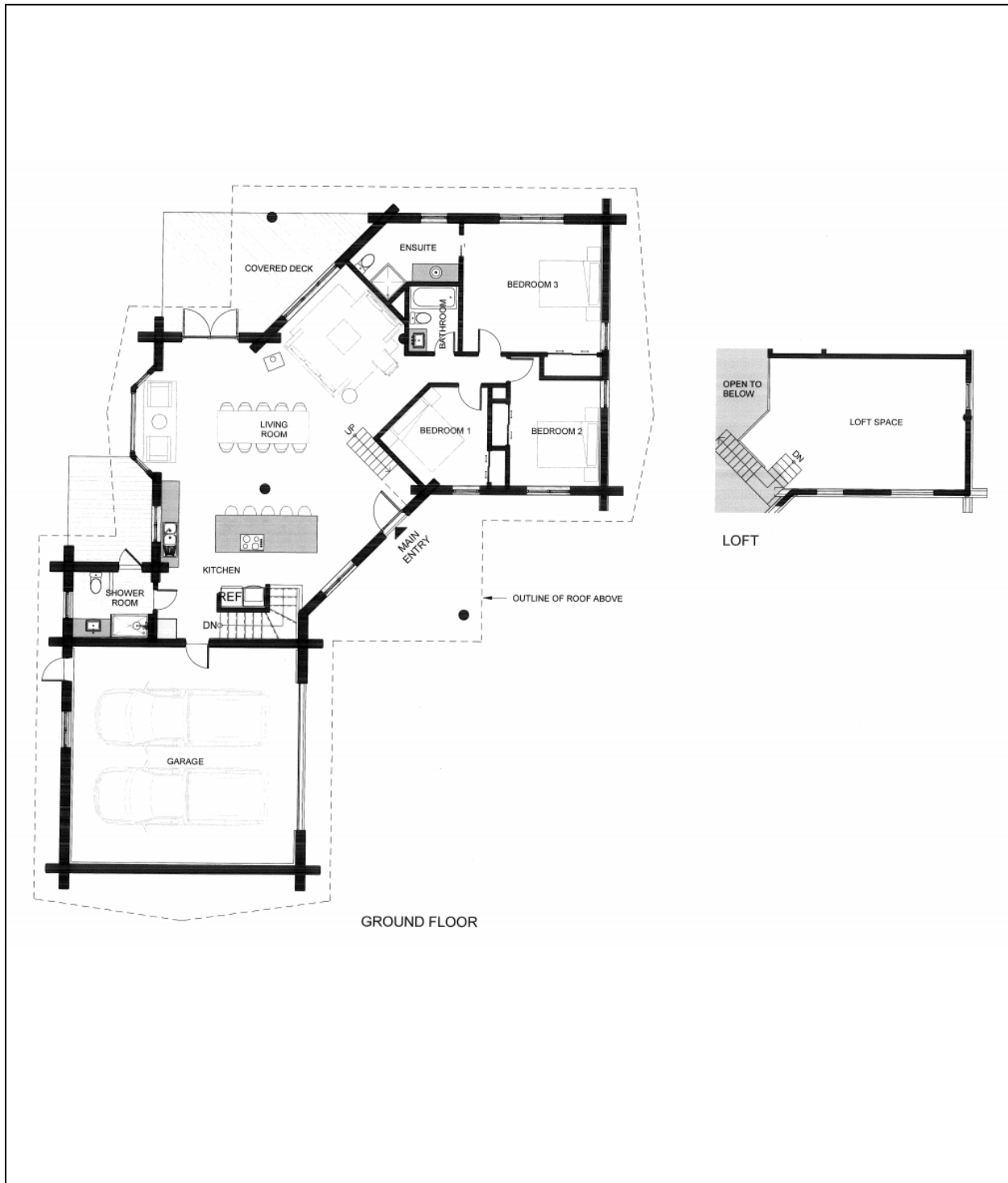
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2021.019-TUP

## Schedule 'D'





**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 2, 2021  
**RE:** Development Variance Permit Application — Electoral Area “H”

---

**Administrative Recommendation:**

**THAT Development Variance Permit No. H2021.024-DVP to permit the development of an accessory structure at 2631 Nicola Avenue, be approved.**

---

Folio: H-00463.000\_

Legal: Lot 6, Block 19, District Lot 128, YDYD

OCP: Low Density Residential (LR)

Zone: Residential Single Family One (RS1)

Variance to reduce the interior side parcel line setback from 1.0 metre to 0.46 metre; and

Requests: to reduce the minimum distance required between structures from 1.0 metre to 0.0 metre.

---

**Proposed Development:**

This application is seeking a variance to the interior side parcel line setback that applies to the subject property in order to undertake the construction of an accessory structure intended for the storage of two boats. The application is also seeking to reduce the minimum distance required between the existing structure on the property and the proposed accessory structure.

Specifically, it is being proposed to:

- i) Reduce the minimum interior side parcel line setback for an accessory building from 1.0 metre to 0.46 metre.
- ii) Reduce the minimum distance required between the accessory building and the existing principal dwelling from 1.0 metre to 0.0 metre.

In support of this request, the applicant has stated that “the variance will not adversely affect the adjacent property...I have two boats that I wish to park on the property. The principal dwelling is right in the middle of the parcel. There is a septic field in the backyard and it is challenging to maneuver the boats into the backyard ... This is really the only location available.”

**Site Context:**

The subject property is approximately 557 m<sup>2</sup> in area and is situated on the east side of Nicola Avenue. The property is currently developed to a single detached dwelling and a shed.

The surrounding pattern of development is characterised by similar single family residential development.

---



---

**Background:**

It is unknown when the current boundaries of the subject property were created by a Plan of Subdivision, while available Regional District records indicate that building permits have not previously been issued for this property.

Under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Low Density Residential (LR).

Under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, the property is currently zoned Residential Single Family One (RS1) which permits accessory buildings and structures, subject to Section 7.12 of the bylaw, and establishes setbacks from the property lines.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Tulameen River.

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

At its meeting of July 22, 2021, the Regional District Board resolved to defer consideration of this application and refer it to the Electoral Area "H" Advisory Planning Commission (APC).

**Public Process:**

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board's regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board's Agenda.

At its meeting of August 17, 2021, the Electoral Area "H" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject application be denied.

**Analysis:**

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

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

**Interior parcel line setback:**

In considering this proposal, Administration finds that the variance to reduce the setback by a distance of 0.56 metres is minor in nature. Concerns of overshadowing and loss of privacy to the abutting parcel are somewhat mitigated as the accessory structure is proposed to be open from all four sides. Further, since a flat roof design is proposed, chances of runoff falling onto the neighbouring property are minimal.

Administration also notes that it is not possible to situate the accessory structure in the rear portion of the property as the septic field occupies a large area and the rear laneway is unmaintained and inaccessible.

---

Distance required between structures on the property:

Administration finds it reasonable to build the boat storage adjacent to the existing dwelling because the required separation of 1 metre between structures is an outdated zoning provision that has been removed from the other Electoral Area zoning bylaws. Fire separation requirements are further addressed through the BC Building Code.

**Alternatives:**

1. That Development Variance Permit No. H2021.024-DVP be denied.

**Respectfully submitted**

*Nikita Kheterpal*  
Nikita Kheterpal, Planner I

**Endorsed by:**

  
C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Front)

No. 2 – Site Photo (Rear)

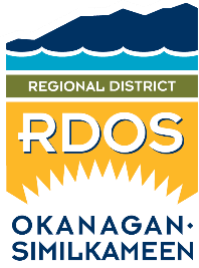
Attachment No. 1 – Site Photo (Front)



Location of the proposed boat storage accessory structure

Attachment No. 2 – Site Photo (Rear)





# Development Variance Permit

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FILE NO.: H2021.024-DVP

## GENERAL CONDITIONS

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

## APPLICABILITY

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

Legal Description: Lot 6, Block 19, District Lot 128, YDYD  
Civic Address: 2631 Nicola Avenue  
Parcel Identifier (PID): 012-914-304 Folio: H-00463.000

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "H" Zoning Bylaw No. 2498, 2012, in the Regional District of Okanagan-Similkameen:
  - a) the minimum interior side parcel line setback for an accessory building in the Residential Single Family One (RS1) Zone, as prescribed in Section 12.1.5 (b)(iii), is varied:
    - i) from: 1.0 metre  
to: 0.46 metres to the outermost projection as shown on Schedule 'B'.

- b) the minimum distance required between the accessory building and the principal dwelling, as prescribed in Section 7.12.2, is varied:
  - i) from: 1.0 metre
  - to: 0.0 metre.

#### **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.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

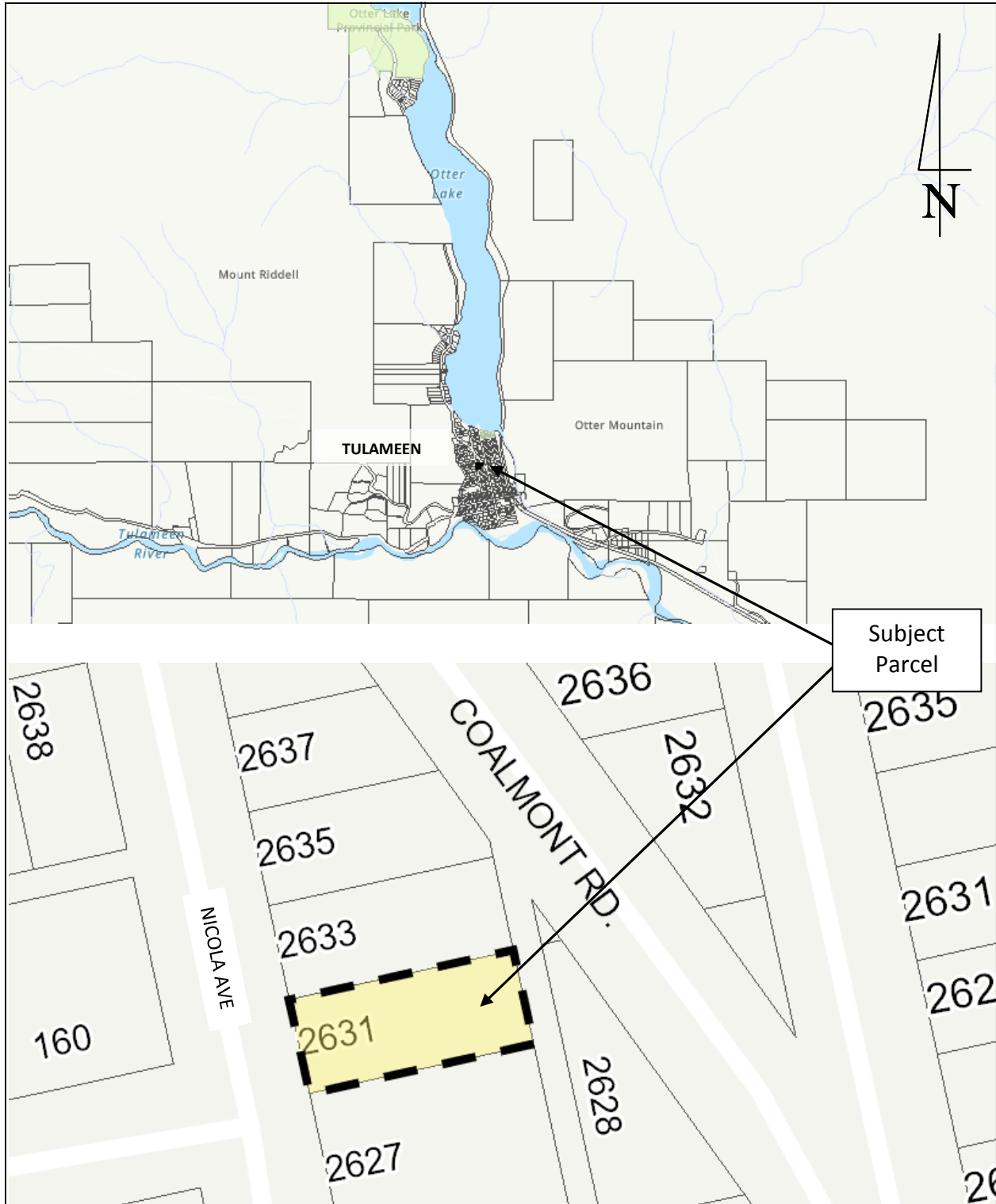
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. H2021.024-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

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

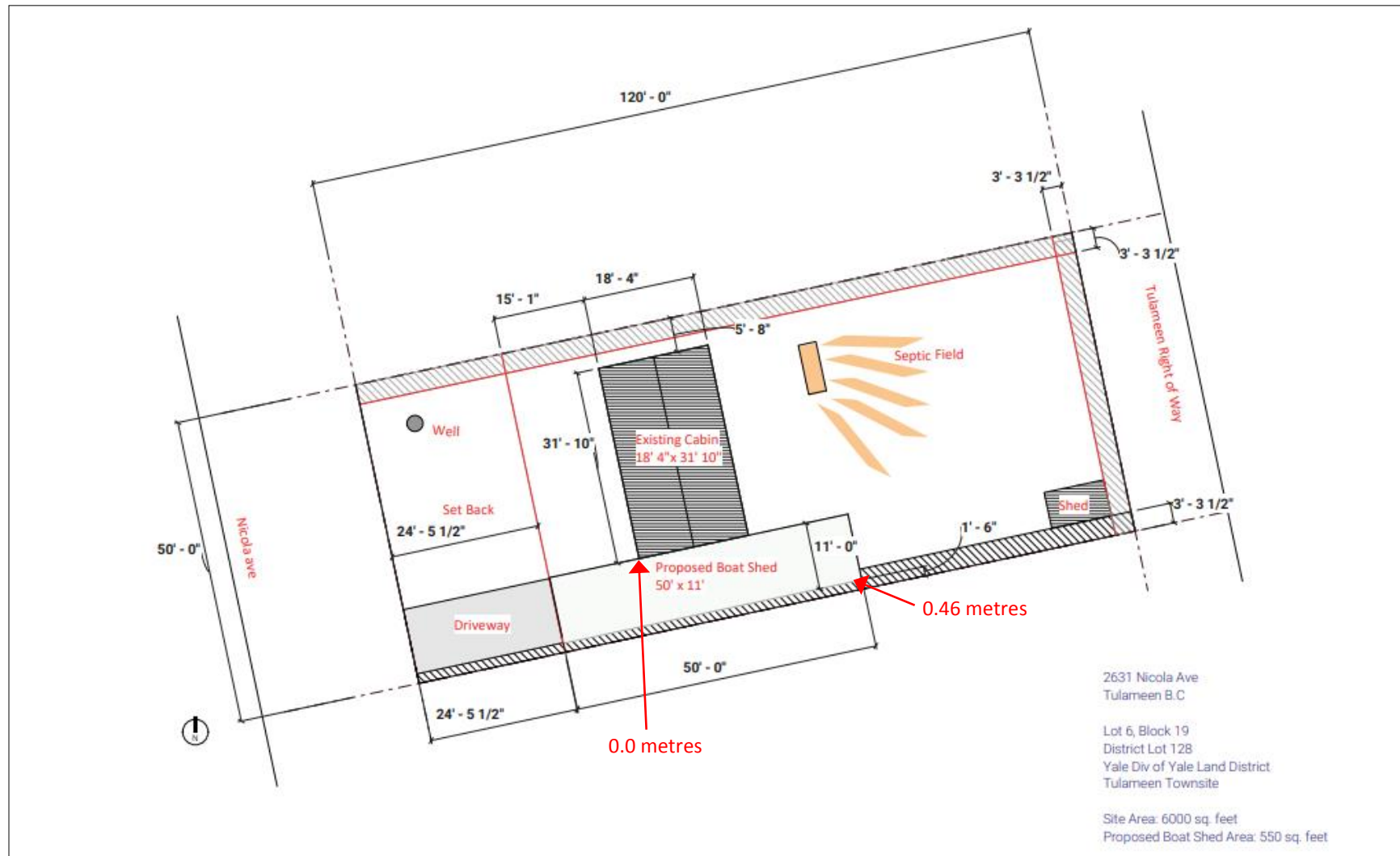
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. H2021.024-DVP

## Schedule 'B'



Development Variance Permit No. H2021.024-DVP

Page 4 of 7



# Regional District of Okanagan-Similkameen

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

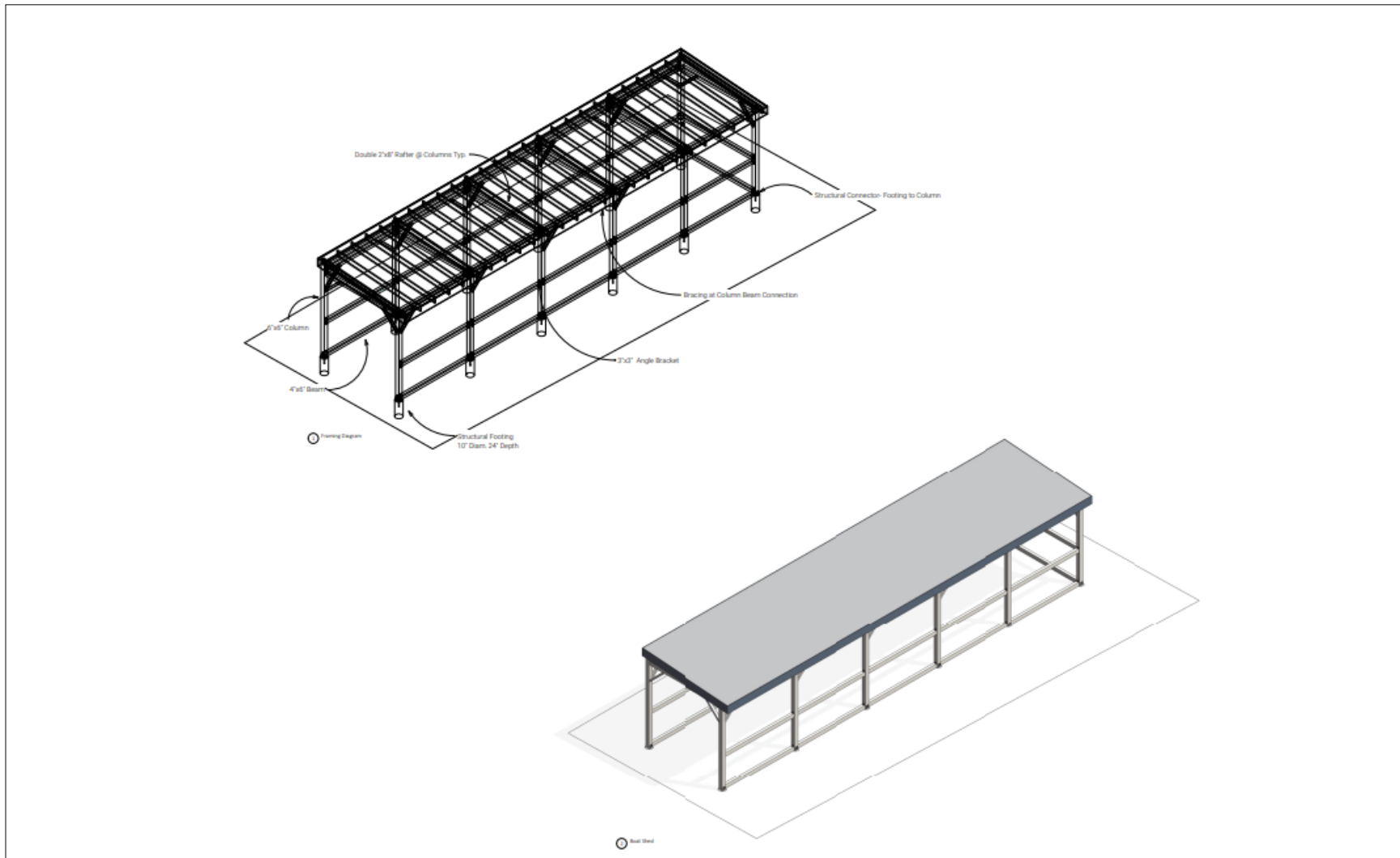
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. H2021.024-DVP

## Schedule 'C'



Development Variance Permit No. H2021.024-DVP

Page 5 of 7

# Regional District of Okanagan-Similkameen

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

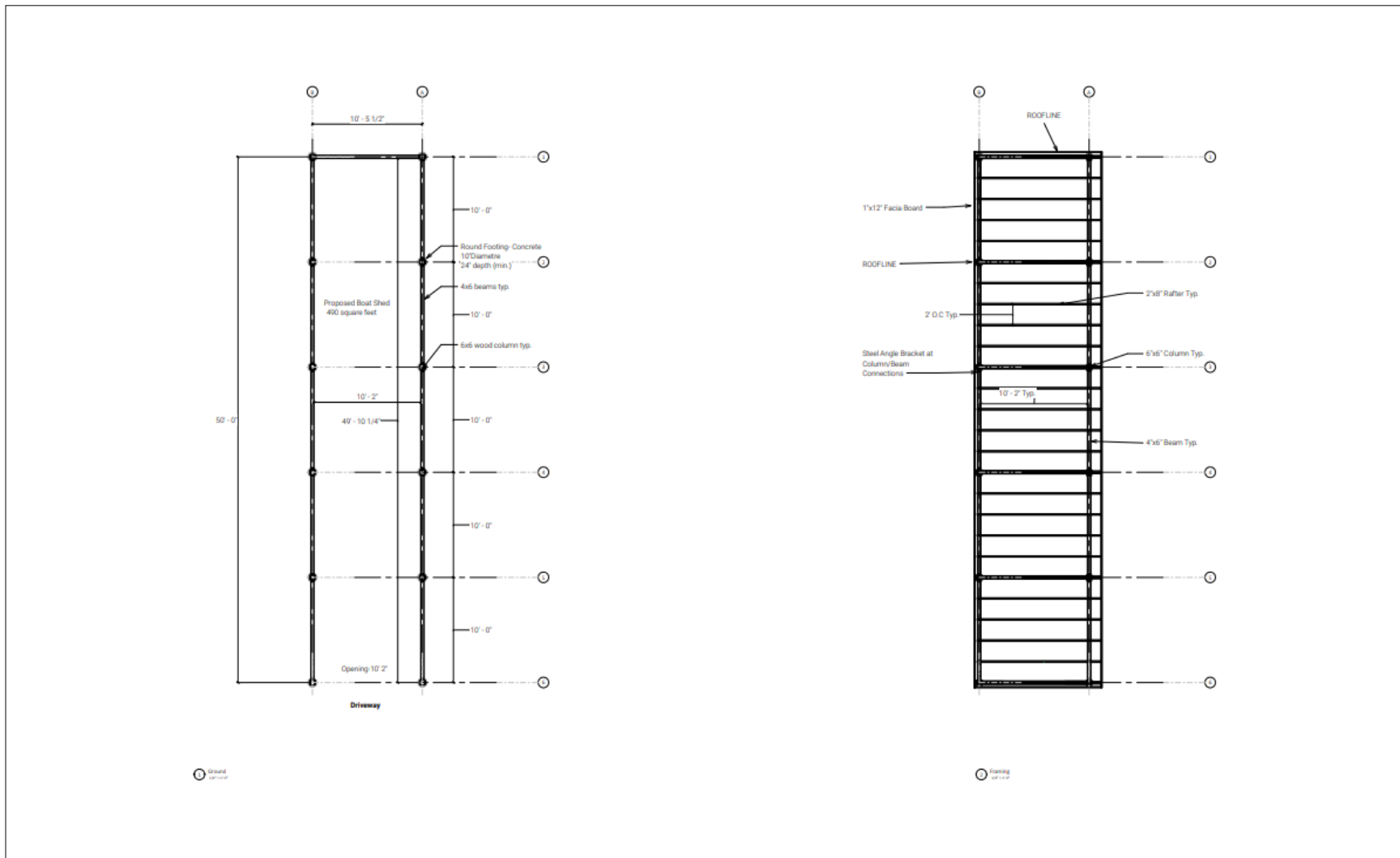
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. H2021.024-DVP

## Schedule 'D'



Development Variance Permit No. H2021.024-DVP

Page 6 of 7

# Regional District of Okanagan-Similkameen

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

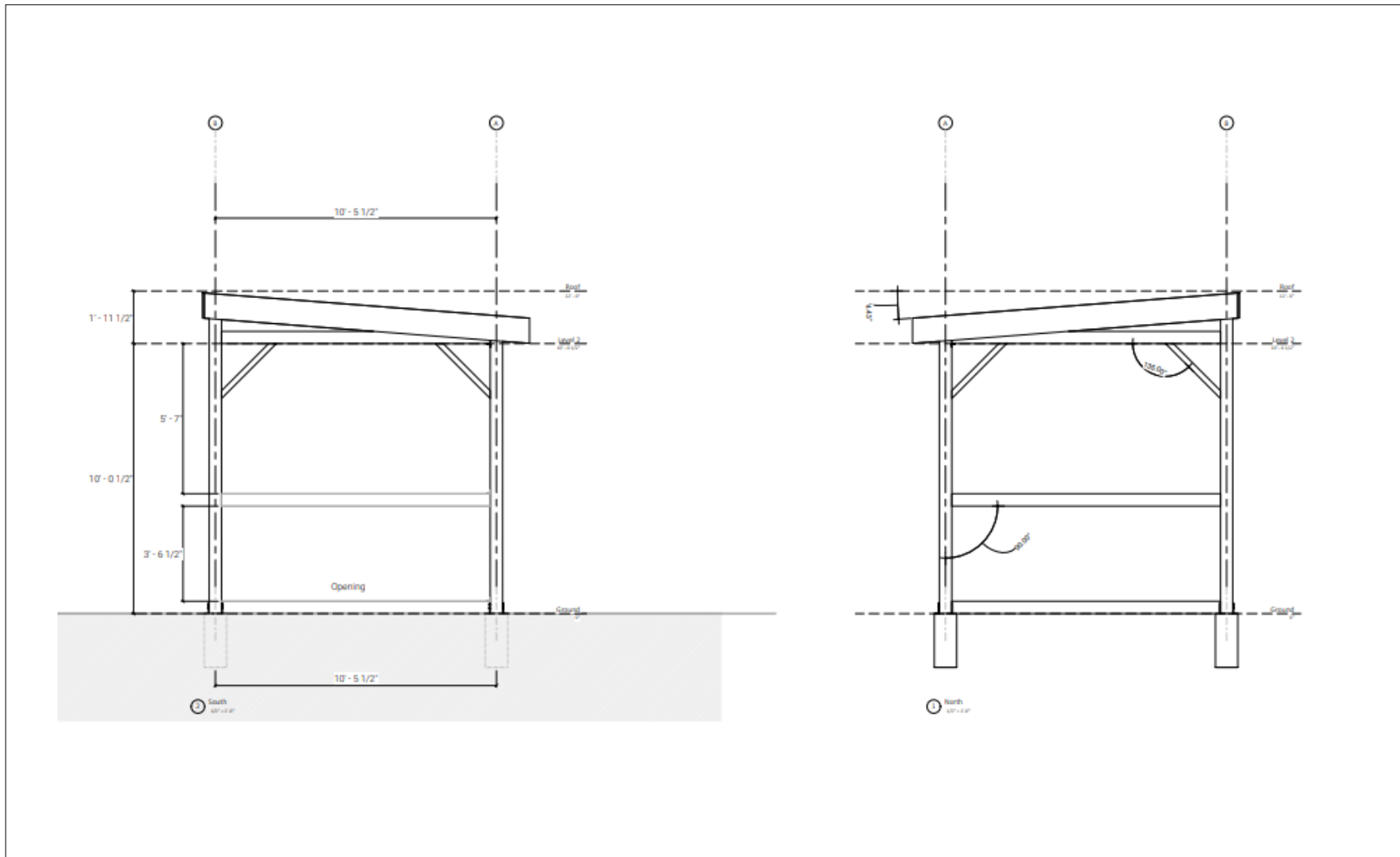
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. H2021.024-DVP

## Schedule 'E'



Development Variance Permit No. H2021.024-DVP

Page 7 of 7

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 2, 2021  
**RE:** Bylaw Enforcement — Non-conforming uses 980 Pumphouse Road,  
Okanagan Falls

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### Administrative Recommendation:

**THAT the use of the property legally described as Lot 2, District Lots 2883s and 3147s, SDYD, Plan 9597 except Plan 13984, being 980 Pumphouse Road, Okanagan Falls, be brought into compliance with the Regional District of Okanagan-Similkameen’s Electoral Area “D” Zoning Bylaw No. 2455, 2008, by not later than October 1, 2021;**

**AND THAT if, after October 1, 2021, the use of the property legally described as Lot 2, Districts Lots 2883s and 3147s, SDYD, Plan 9597 except Plan 13984, being 980 Pumphouse Road, Okanagan Falls, is not in compliance with Zoning Bylaw No. 2455, 2008, the Regional District commence injunctive action against the property owner(s).**

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Civic: 980 Pumphouse Road, Okanagan Falls

Folio: D-00980.000

Legal: Lot 2, District Lots 2883s and 3147s, SDYD, Plan 9597 except Plan 13984

Zone: Low Density Residential Two Zone (RS2)

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### Purpose:

To commence enforcement against 5361 Highway 97 / 980 Pumphouse Lane, Okanagan Falls to bring the non-conforming property into compliance.

### Site Context:

The subject property is approximately 1.02 ha in area and is situated on the south side of Hwy 97 adjacent to the Okanagan River with a strip of land between the subject property and the Okanagan River. The property currently comprises a single detached dwelling and garage.

### Background:

The current boundaries of the subject property were created on April 9, 1958, while available Regional District records indicate that a building permit(s) for a single detached dwelling (1993) has previously been issued for the property.

### Enforcement History:

**May 2015** - Bylaw Enforcement Officer attended the property in order to confirm its use following the erection of a large commercial sign fronting Highway 97. The intent of this visit was to advise the property owner that the use being advertised may not be permitted under the current zoning.

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**May 29, 2015** – a relative of the property owner confirmed that the subject property was being used for the purposes of storing recreational vehicles (RV).

The property owner was advised that a formal complaint had not been submitted to the Regional District about thenon-conforming use, however, if a complaint were received in future further action may be taken. In the interim, they were encouraged to contact the Planning Department to determine if the use was permitted under the Zoning Bylaw.

The property owner was further advised that the property was (then) split-zoned part Large Holdings (LH) and part Single Family Residential One (RS1), neither of which permitted the storing or parking of non-resident owned RV's or a campground use, as implied by the commercial sign.

**July 20, 2020** - a complaint was formally submitted against this property to the Regional District regarding a non-conforming use. An enforcement file was initiated which resulted in letters, multiple emails and telephone conversations with a relative of the property owners.

During investigation of the complaint it was determined that the property is being utilized for a business being operated under the name of "Sonora Tip Self-Contained RV Parking" in addition to a potential campground providing nightly, weekly and monthly on-site camping, as well as providing space for storage of vehicles, RV's Trailers and storage containers (see Attachment No. 3).

**July 9, 2021** - Bylaw Enforcement attended at the property and observed three travel trailers, one motor home and a large boat. The trailers were connected to water and power services and there were several other service hookup stands for more RV units. An occupant of one of the RV's indicated to the Bylaw Enforcement Officer that he was a temporary guest. The Bylaw Enforcement Officer did not observe any obvious facilities for waste disposal.

**July 16, 2021** - Bylaw Enforcement observed six travel trailers on the front area of the property with another trailer or motor home at the east edge of the property.

Various verbal and email communications have been held between bylaw enforcement staff and the property owner in an effort to resolve this matter.

The property owner has been advised of the requirements to bring the property into compliance with the current zoning bylaw. Those actions include:

1. Rezone the property to a zoning designation which permits the current uses; and
2. If rezoned, obtain a campground permit in accordance with Campground Regulations Bylaw No. 2779, 2018; or
3. Cease the current non-conforming commercial and campground uses and remove all signage from the property and advertising of the use.

Under Section 6.6 of the Board's "Bylaw Enforcement Procedures" Policy, where unlawful activity has not ceased or where compliance is not being actively pursued within the time period provided for voluntary compliance, that legal proceedings or direct enforcement action should be initiated.

Legislative Provisions:

Under Section 528 of the *Local Government Act*, a non-conforming use is allowed to continue if it was lawfully established prior to a change in a regulatory land use bylaw. If the use, other than for reasons related to "seasonal, market or production cycles", is discontinued for a continuous period of

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6 months, any subsequent use of the land, building or other structure becomes subject to the land use regulation bylaw (i.e. zoning).

Zoning History:

It is understood that the subject property was transferred to the current owners in or about January 28, 1991, and that a building permit for the existing house was issued in 1993.

Under the Electoral Area “D” Zoning Bylaw No. 100, 1970, the property was zoned Forestry/Grazing (F-G). Permitted uses in the F-G Zone did not include a commercial storage or campground use (NOTE: permitted uses included open-land recreational and institutional uses, but specifically excluded privately owned campsites).

At its meeting of February 18, 1999, the Board adopted the Electoral Area “D” East Skaha, Vaseux Zoning Bylaw No. 1801, 1998. Under this bylaw, the subject property was split-zoned part Large Holdings (LH) and part Single Dwelling Residential 1 (RS1). While neither zone allowed for commercial storage, the LH Zone did allow for “open land recreation”, but this use did not include “campground”.

At its meeting of November 6, 2008, the Board adopted the Electoral Area “D-2” East Skaha Vaseux Zoning Bylaw 2455, 2008. Under this bylaw, the split-zoning of the subject property was carried forward as Large Holdings (LH) and Residential Single Family One (RS1). Neither the (LH) or RS1 Zones permit a commercial storage or campground use.

Since 2008, the Board has adopted a number of amendment bylaws that affect the subject property, including, but not limited to:

- Amendment Bylaw No. 2728, 2017 (adopted July 20, 2017), which replaced the LH Zone with a Large Holding Three (LH3) Zone.
- Amendment Bylaw No. 2455.30, 2018 (adopted April 10, 2018), which replaced the LH3 Zone with the Residential Single Family One (RS1) Zone.
- Amendment Bylaw No. 2455.42, 2020 (adopted on January 6, 2021), which replaced the RS1 Zone with a Low Density Residential Two (RS2) Zone.

Current Zoning Requirements:

As a result of the amendments outlined above, the zoning of the subject property under the Electoral Area “D” Zoning Bylaw is now wholly RS2 (see Attachment No. 2).

Under the RS2 Zone, the only permitted principal use is “single detached dwelling”, while permitted secondary uses of a commercial nature include “home occupations” and “bed and breakfast operations”.

In the Area “D” Bylaw, Campground is clearly defined and is only permitted in the Campground Commercial (CT2) Zone, while “outdoor storage” is listed as a permitted use in only the General Industrial (I1) Zone.

In addition, the Zoning Bylaw currently comprises the following regulations:

- uses not listed for a particular zone are prohibited (Section 5.4.2);
- the use of a tent or recreational vehicle as a permanent residence is prohibited in all zones (Section 7.4.2);

- 
- only recreational vehicles belonging to the owner or occupier of the principal single detached dwelling unit on a parcel may be stored on the same parcel (Section 7.14.3).
  - one (1) recreational vehicle belonging to a guest or visitor may be located on the same parcel containing a permitted single detached dwelling. Such recreational vehicle shall only be used for the temporary accommodation of the guest or visitor for a period not exceeding a total of ninety (90) days in any one (1) calendar year (Section 7.14.3).

**Analysis:**

In reviewing the zoning history of the subject property, its use for the purposes of outdoor storage and a campground does not enjoy non-conforming rights under Section 528 of the *Local Government Act*.

Further, and in accordance with the Board’s “Bylaw Enforcement Procedures” Policy, reasonable efforts have been made to achieve voluntary compliance with the property owner.

Injunctive action will require an application to the British Columbia Supreme Court.

The Board is asked to be aware that the owner is contesting the interpretation that the current uses are prohibited but has not supplied any documentation to support this contention. Resolution of this non-conforming use will only be obtained through the judicial system.

**Alternatives:**

1. That the RDOS abandon enforcement of the Electoral Area “D” Zoning Bylaw No. 2455, 2008 against Lot 2, District Lots 2883s and 3147s, SDYD, Plan 9597 except Plan 13984;
2. That the RDOS pursue enforcement against Lot 2, District Lots 2883s and 3147s, SDYD, Plan 9597 except Plan 13984, through the issuance of Bylaw Offence Notices until such time that the property has been brought into compliance.

**Respectfully submitted:**



L. Miller, Building & Enforcement  
Services Manager

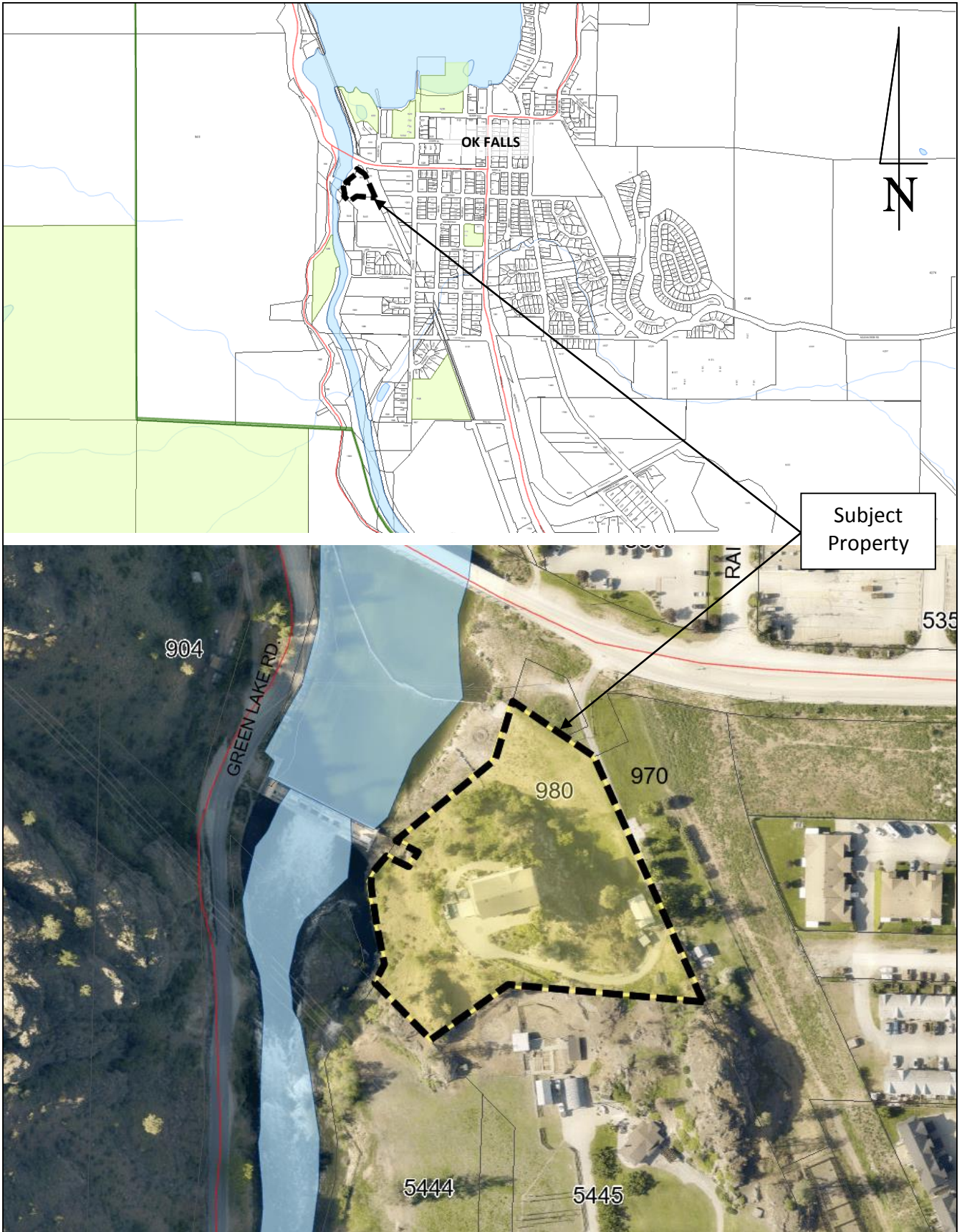


C. Garrish  
Planning Manager

Attachments:

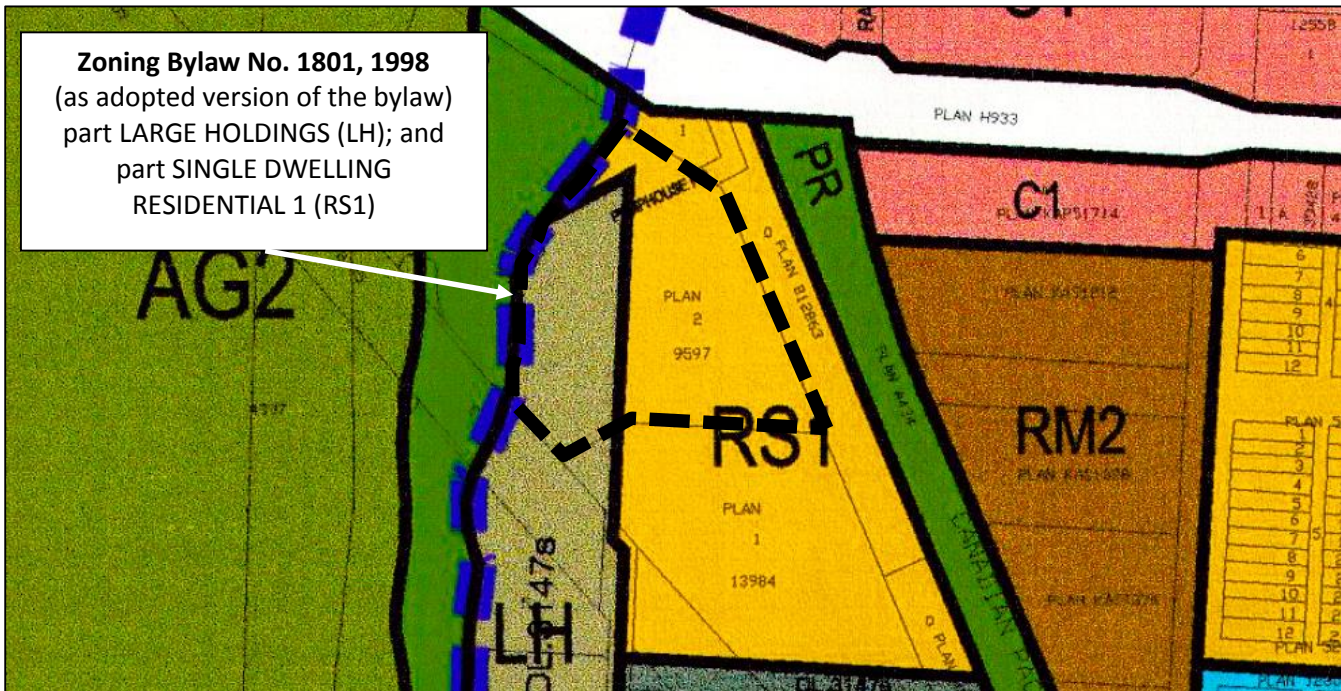
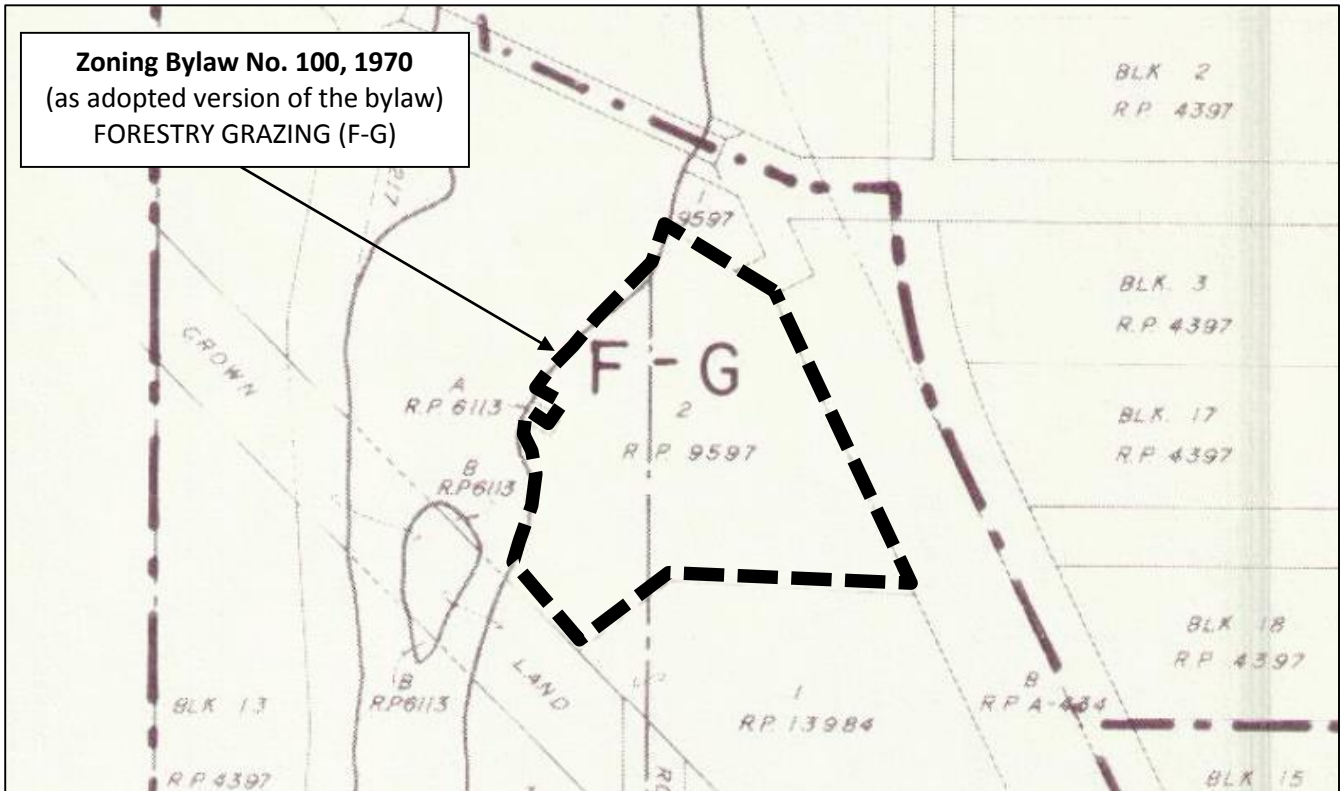
- No. 1 – Context Maps
- No. 2 – Zoning map history
- No. 3 – Current photo
- No. 4 – Site Photo (Google Street View)

Attachment No. 1 – Context Maps

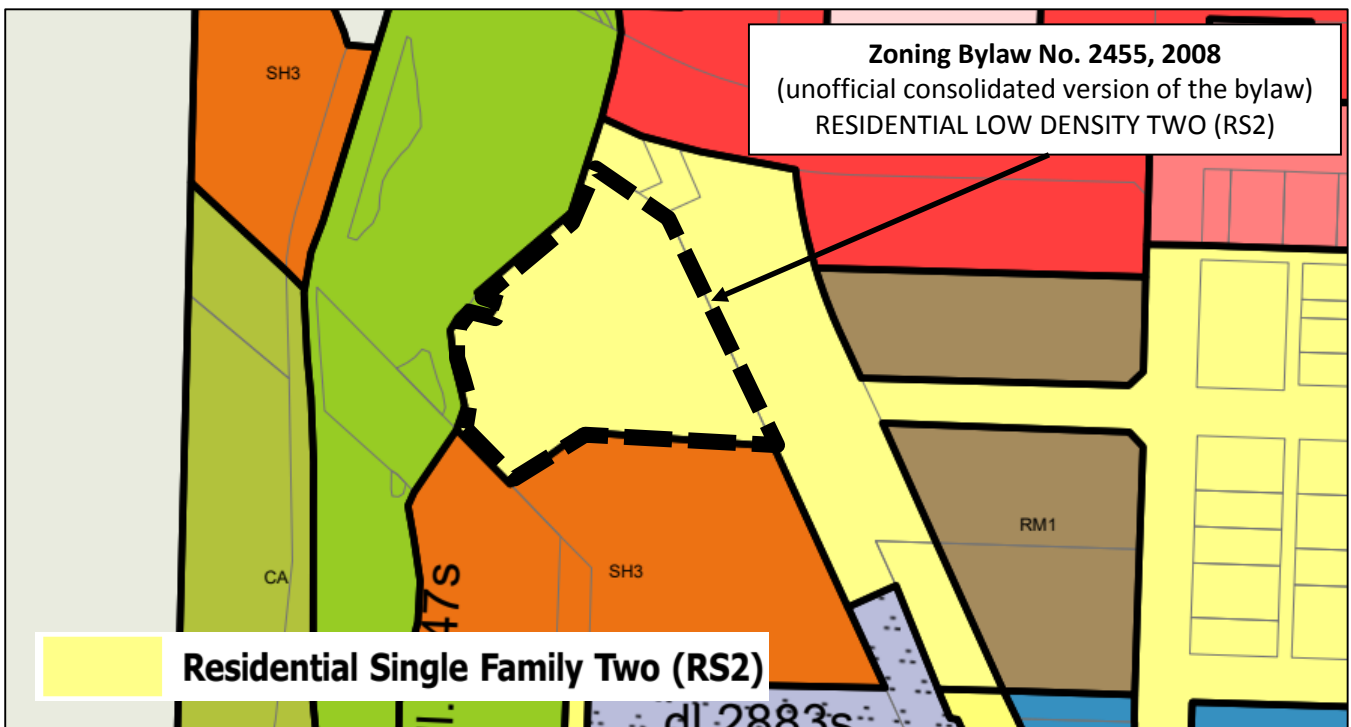
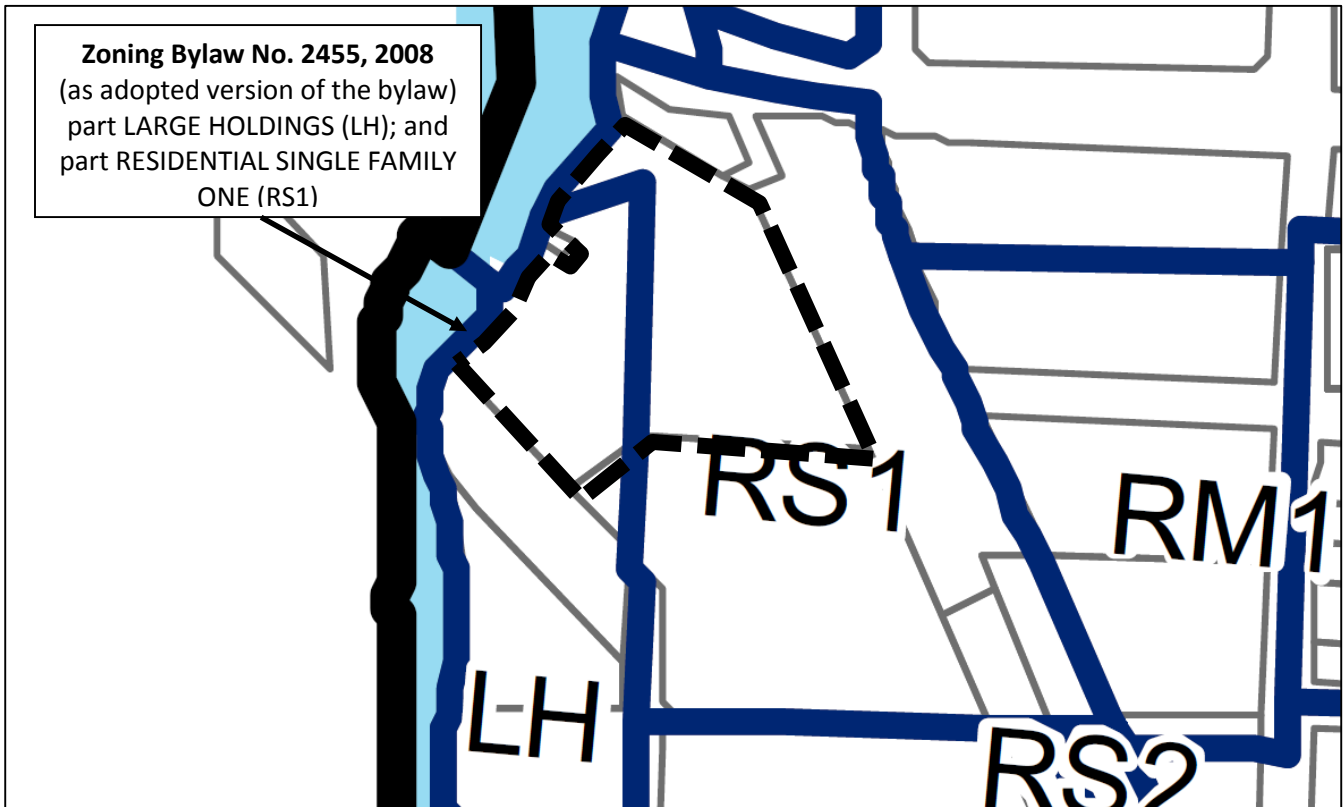




Attachment No. 2 – Zoning Map History of 980 Pumphouse Road



Attachment No. 2 – Zoning Map History of 980 Pumphouse Road



Attachment No. 3 – Site Photo



Attachment No. 4 – Site Photo (Google Street View)



## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 2, 2021  
**RE:** Zoning Bylaw Amendment – Electoral Area “F”

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### **Administrative Recommendation:**

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

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

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

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Legal: District Lot 4478 ODYD

Folio: F-07294.000

Zone: Resource Area (RA)

Proposed Zoning: Resource Area Site Specific (RAS)

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### **Proposed Development:**

The applicant is proposing to amend the zoning of the property from Resource Area (RA) to Resource Area Site Specific (RAS) with the site specific regulation stipulating that “campground” be allowed as a permitted use on the subject property.

In support of the rezoning, the agent has stated that the reinstatement of the campground use will not provide the owner with any land use rights or privileges that they did not have prior to 2018.

### **Site Context:**

The subject property is approximately 64.6 ha in area and it is situated on both west and east side of Princeton-Summerland Road. The property is approximately 15 km west of the boundary with District of Summerland. The parcel is comprised of a single detached dwelling, various accessory structures and vacant rural land used for cattle grazing.

The surrounding pattern of development is generally characterised by large rural parcels (Large Holdings/Resource Area).

### **Background:**

It is unknown when the current boundaries of the subject property were created, while available Regional District records indicate that building permits have not previously been issued for this property. BC Assessment has classified the property as part “Residential” (Class 01) and part “Farm” (Class 09).

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Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Resource Area (RA), and parts of the property are the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations.

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the property is currently zoned Resource Area (RA) which, among other uses, permits single detached dwelling and agriculture but does not allow for a campground. Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property may be within the floodplain associated with Trout Creek.

At its meeting of October 18, 2018, the Regional District Board adopted Bylaw No. 2808, 2018, being an Update of the Tourist Commercial Zones in the Okanagan Electoral Area Zoning Bylaws. Amongst other things, this bylaw removed “campground” as a permitted use in the Resource Area (RA) Zone in the Electoral Area “E”, “F” and “I” Zoning Bylaws.

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

**Referrals:**

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97 & 3).

**Public Process:**

On August 12, 2021, a Public Information Meeting (PIM) was held electronically via Webex application and was attended by no members of the public.

At its meeting of August 23, 2021, the Electoral Area “F” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

**Analysis:**

“campground” was recently a principal permitted use on the subject properties, and the property owner was in the midst of planning for a campground use prior to the change in zoning bylaw initiated by the Regional District.

The landowner would still be subject to a Campground Permit to bring the property into compliance with that bylaw, with specific regard to the development of a water and sanitary sewer system, road infrastructure, amenity facilities, etc.

The rationale for removing “campground” as a permitted use from the RA Zone in 2018 was sound, in that there are no known services at the subject property (i.e. water, sewer, etc.) to support a campground use and the applicant has not provided any conceptual plans or additional information on the proposed campground use, such as how much of the 64 ha property is required for the campground use occupy and how it will be serviced.

**Alternatives:**

1. THAT Bylaw No. 2461.16, 2021, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

2. THAT Bylaw No. 2461.16, 2021, Electoral Area "F" Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2461.16, 2021, Electoral Area "F Zoning Amendment Bylaw be, be denied.

**Respectfully submitted:**

*Nikita Kheterpal*

Nikita Kheterpal, Planner I

**Endorsed by:**



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Applicant's Site Plan

No. 3 – Google Streetview (2012)

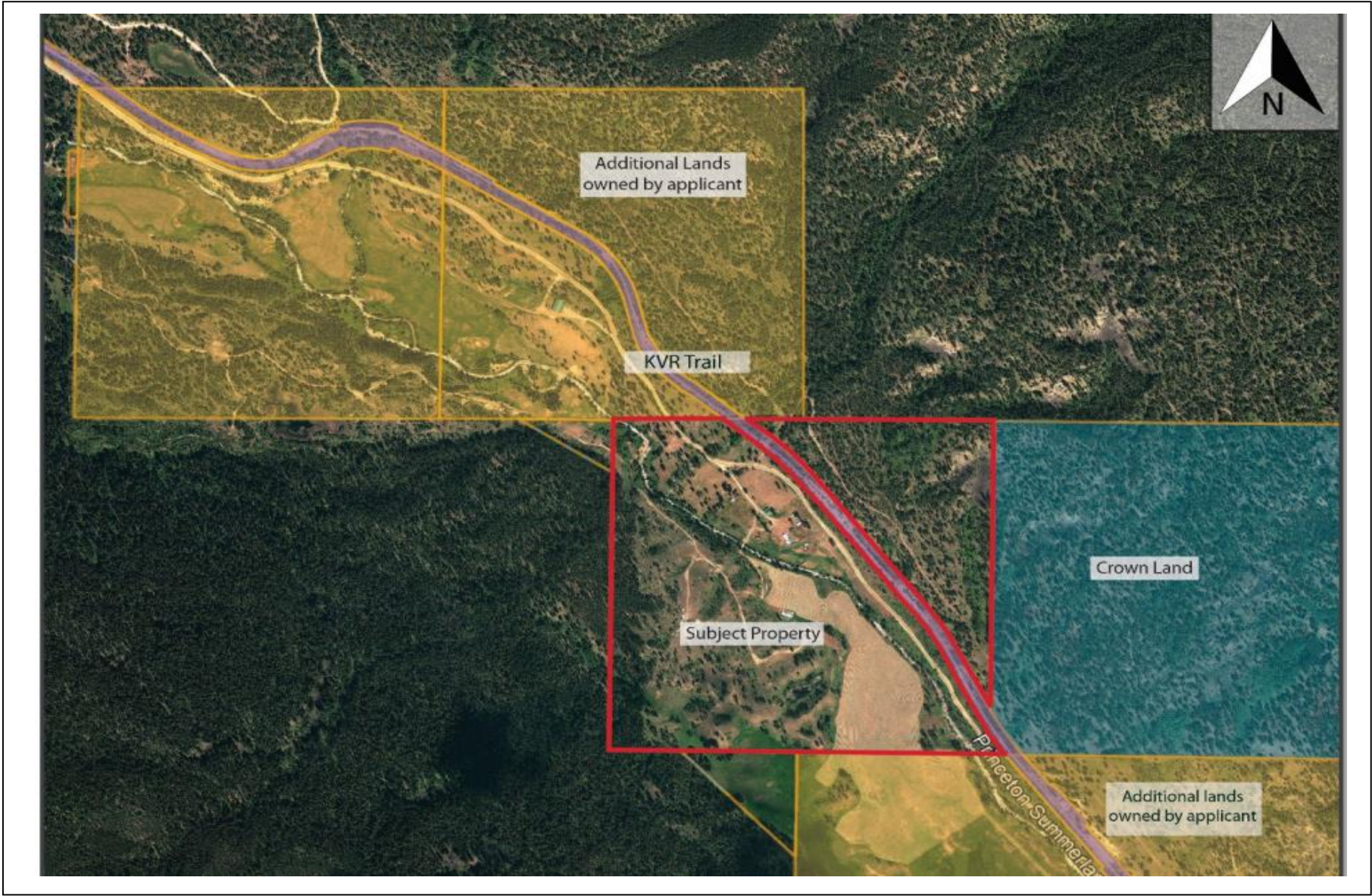
Attachment No. 1 – Agency Referral List

Referrals to be sent to the following agencies as highlighted with a , prior to the Board considering first reading of Amendment Bylaw No. 2461.16.

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input checked="" type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input checked="" type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Ecosystem Section)	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District		



Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Google Streetview (2012)



# RESPONSE SUMMARY

## AMENDMENT BYLAW NO. XXXXX

- 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 opportunity to provide comments on the above named zoning amendment. It is my understanding the proposal is for a site specific amendment to allow campground use in the Rural Area zone. From a planning perspective Interior Health interests are unaffected by this proposal.

Please note Division 2 – Public Sanitary Facilities and Toilets of the BC Regulated Activities Regulation requires sanitary facilities be provided for public places, such as a campground. In order to provide water for domestic purposes the BC Drinking Water Protection Act and Regulation stipulates source water approval, and construction and operating permits are required. Similarly, the BC Sewerage System Regulation requires an Authorized Person under the Regulation design and construct sewerage systems. For more information please see IH Drinking Water webpage about Permits, Approvals and Plans and IH webpage about Onsite Sewerage Systems. It is advised that the water system approval process is initiated early in the planning process due to the amount of time it can take to work through the process.

If you have any questions or if additional resources are needed please feel free to contact us at [hbe@interiorhealth.ca](mailto:hbe@interiorhealth.ca)

Resources:

Public Sanitary Facilities and Toilets of BC Regulated Activities Regulation:  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/161\\_2011#division\\_d2e325](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/161_2011#division_d2e325)

IH Drinking Water webpage about Permits, Approvals and Plans:  
<https://www.interiorhealth.ca/YourEnvironment/DrinkingWater/Pages/Permits.aspx>

IH webpage about Onsite Sewerage Systems:  
<https://www.interiorhealth.ca/YourEnvironment/HBE/Pages/Onsite-Sewerage-Systems.aspx>

Signature:  \_\_\_\_\_

Signed By: Tanya Osborne

Agency: Interior Health

Title: Community Health Facilitator

Date: June 22, 2021

## Nikita Kheterpal

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**From:** Danielson, Steven <Steven.Danielson@fortisbc.com>  
**Sent:** June 24, 2021 1:15 PM  
**To:** Planning  
**Subject:** Princeton-Summerland Rd, 5863, RDOS (F2021.004-ZONE)

With respect to the above noted file,

There are no FortisBC Inc (Electric) ("FBC(E)") facilities affected by this application. As such FBC(E) has no concerns with this circulation.

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

Regards,

**Steve Danielson, AACI, SR/WA**  
**Contract Land Agent | Property Services | FortisBC Inc.**

2850 Benvoulin Rd  
Kelowna, BC V1W 2E3  
Mobile: 250.681.3365  
Fax: 1.866.636.6171  
[FBCLands@fortisbc.com](mailto:FBCLands@fortisbc.com)



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**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. NO. 2461.16, 2021**

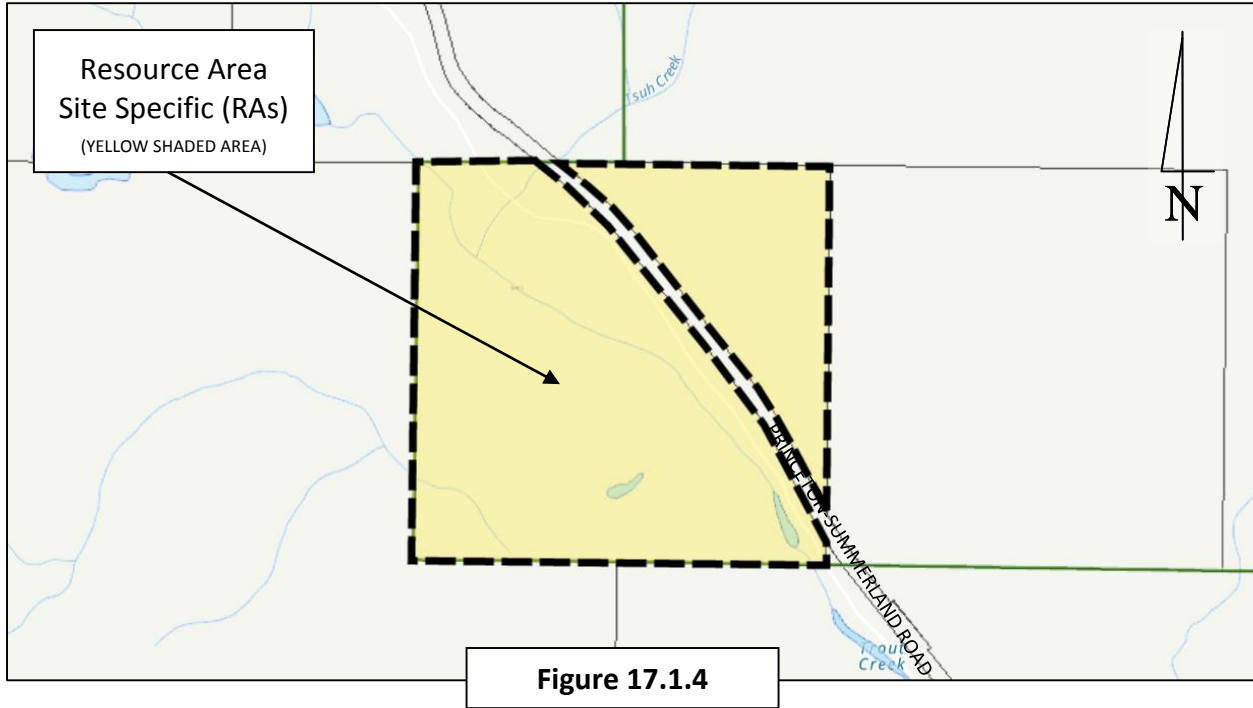
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**A Bylaw to amend the Electoral Area “F” Zoning Bylaw No. 2461, 2008**

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “F” Zoning Amendment Bylaw No. 2461.16, 2021.”
2. The Electoral Area “F” Zoning Bylaw No. 2461, 2008 is amended by:
  - i) adding a new Section 17.1.4 (Site Specific Resource Area (RAs) Provisions) under Section 17.0 (Site Specific Designations) to read as follows:
    - .4 in the case of the land described as District Lot 4478, ODYD (5863 Princeton-Summerland Road), and shown shaded yellow on Figure 17.1.4:
      - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 10.1.1:
        - .1 campground.



READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2021.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2021.

READ A THIRD TIME AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Corporate Officer

# Regional District of Okanagan-Similkameen

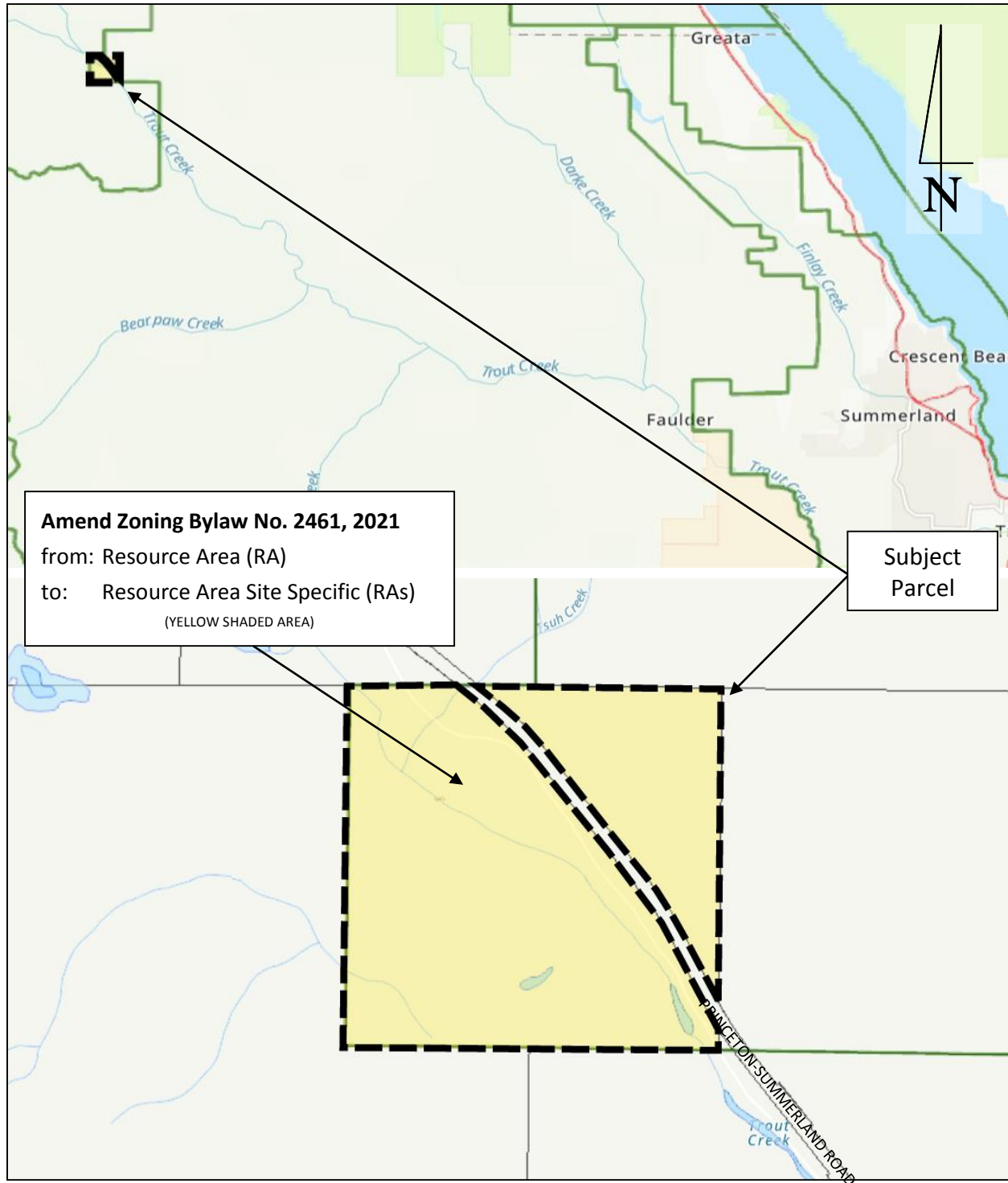
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. No. 2461.16, 2021

File No. F2021.004-ZONE

## Schedule 'A'



Amendment Bylaw No. 2461.16, 2021  
(F2021.004-ZONE)  
Page 3 of 3

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 2, 2021  
**RE:** Zoning Bylaw Amendment – Electoral Area “F”

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### **Administrative Recommendation:**

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

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

**AND THAT the holding of the public hearing be delegated to Director Gettens;**

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

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

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Folio: F-07464.090

Legal: Lot 1, Plan KAP14266, District Lot 5076, ODYD

OCP: Commercial (C)

Zone: General Commercial Site Specific (C1s)

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### **Proposed Development:**

The applicant is seeking to amend the zoning of their property to allow a retail store-general as a permitted use in the Site Specific General Commercial (C1s) zone to operate a thrift store.

The amendment replaces Section 17.3.1(a)(iv) retail sale-convenience, under Section 17.13 (Site Specific General Commercial (C1s) Provisions in its entirety with “retail sales-general”.

### **Site Context:**

The subject property is approximately 0.24 ha in area and is situated on the west side of West Bench Drive, approximately 1.2 km from the municipal boundary for Penticton. It is understood that the parcel is comprised of a building that has an accessory dwelling on the upper floor, commercial space on the main floor, and a garage.

The surrounding pattern of development is generally characterised by residential uses to the north and east, administrative and institutional to the south and Penticton Indian Band land directly to the west of the property.

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**Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 13, 1964, while available Regional District records indicate that building permits for a horse barn (1974), retaining wall (1975), Single family dwelling (1975), deck extension (2004), garage (2006), and a commercial building (2006) have previously been issued for this property.

Under the Electoral Area "F" Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Commercial (C), and is the subject of a Watercourse Development Permit (WDP) Area designation.

Under the Electoral Area "F" Zoning Bylaw No. 2461, 2008, the property is currently zoned General Commercial Site Specific (C1s), which restricts permitted uses to "eating and drinking establishment", "offices", "personal service establishment", "retail sales, convenience", "one (1) accessory dwelling" and "accessory buildings and structures".

A "thrift store" is seen to constitute a "retail store, general" use, which is defined as meaning a "premises where goods, merchandise, and other materials, and personal services, including those listed for convenience retail stores, are offered for sale at retail to the general public ..." As "retail store, general" is not a listed use in the C1s Zone, an amendment to the zoning bylaw is required.

BC Assessment has classified the property as part "Residential" (Class 01), and part "Business and Other" (Class 06).

**Referrals:**

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97 & 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. 67 have been made aware of the proposed amendment bylaw.

**Public Process:**

On August 10, 2021, an Electronic Public Information Meeting (PIM) was held via Webex and was attended by approximately 5 members of the public, as well as the applicants and their proposed tenants, the Area "F" Director and RDOS Staff.

At its meeting of August 23, 2021, the Electoral Area "F" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

**Analysis:**

Convenience stores are increasingly uncommon in residential neighbourhoods and properties with zoning for a convenience store are increasingly being converted into other more viable uses (i.e. daycares, cafes, etc.).

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The OCP Bylaw has designated the subject property as Commercial (C) and this supports its use for smaller-scale, neighbourhood-serving commercial activities, such as “retail store, general”.

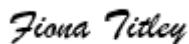
The applicants are not proposing any new construction within the existing building footprints and, additionally, the number of permitted uses on the property will remain the same.

The surrounding development is primarily residential in nature. The OCP generally directs commercial uses to primary growth areas such as the City of Penticton. The proposed amendment constitutes a relatively minor change to the zoning designation.

**Alternatives:**

1. THAT Bylaw No. 2461.17, 2021, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;  
  
AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of September 23, 2021;  
  
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT first reading of Bylaw No. 2461.17, 2021, Electoral Area “F” Zoning Amendment Bylaw be deferred; or
3. THAT first reading of Bylaw No. 2461.17, 2021, Electoral Area “F” Zoning Amendment Bylaw be, be denied.

**Respectfully submitted:**



\_\_\_\_\_  
Fiona Titley

**Endorsed By:**



\_\_\_\_\_  
C. Garrish, Planning Manager

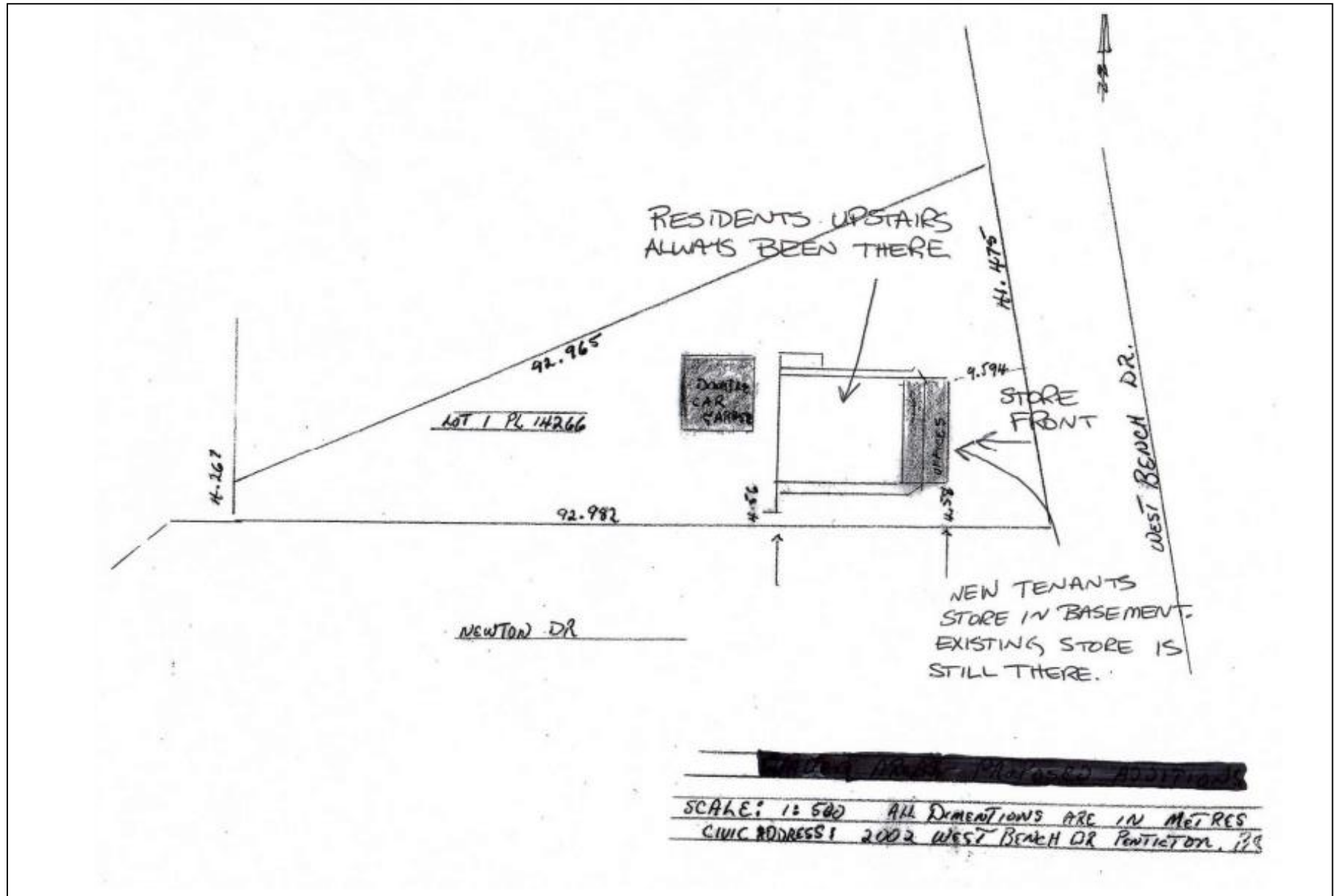
- Attachments: No. 1 – Agency Referral List  
No. 2 – Applicant’s Site Plan  
No. 3 – Applicant’s Floor Plan  
No. 4 – Applicant’s Parking Plan

Attachment No. 1 – Agency Referral List

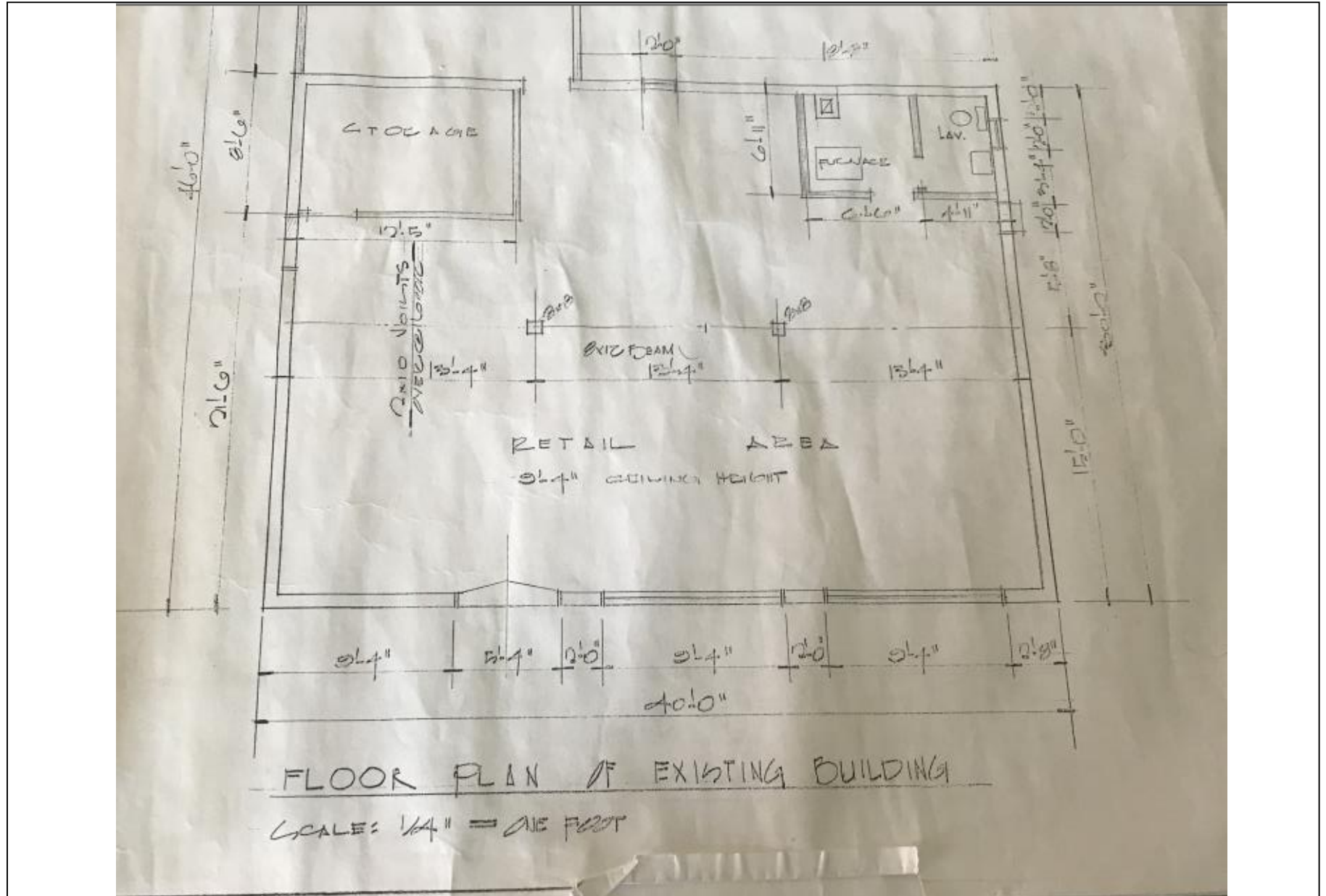
Referrals to be sent to the following agencies as highlighted with a , prior to the Board considering first reading of Amendment Bylaw No. 2461.17, 2021.

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input checked="" type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Ecosystem Section)	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input checked="" type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input checked="" type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input checked="" type="checkbox"/>	Penticton Fire Department

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Applicant's Floor Plan



Attachment No. 4 – Applicant's Parking Plan



## Lauri Feindell

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**From:** Moraes, Ryan <Ryan.Moraes@fortisbc.com>  
**Sent:** July 26, 2021 12:20 PM  
**To:** Planning  
**Subject:** RE: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)  
**Categories:** URGENT

Hello,

FortisBC Energy Inc. has no concerns with this rezoning.

Regards,

---

**Ryan Moraes, P.L.Eng, ASCT | Planning & Design Technologist | FortisBC**

1975 Springfield Rd | Kelowna, BC V1Y 7V7  
☎ 250-490-2621 ☎ 778-214-0509 | ✉ [ryan.moraes@fortisbc.com](mailto:ryan.moraes@fortisbc.com)

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**From:** Referrals <Referrals@fortisbc.com>  
**Sent:** Thursday, July 22, 2021 8:16 AM  
**To:** Moraes, Ryan <Ryan.Moraes@fortisbc.com>  
**Subject:** Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

Property Referral: 2021-1304

Hi Ryan,

Please review the attached / below and provide your comments directly to [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca) by **August 22, 2021**.

If FortisBC Energy Inc. is affected, please copy [referrals@fortisbc.com](mailto:referrals@fortisbc.com) in on your response so that we may update our records.

Thank you,

Mai Farmer  
Property Services Assistant  
Property Services  
Phone 604-576-7010 x57010



---

**From:** Fiona Titley <[ftitley@rdos.bc.ca](mailto:ftitley@rdos.bc.ca)>  
**Sent:** Wednesday, July 21, 2021 11:29 AM  
**To:** 'fire@penticton.ca' <[fire@penticton.ca](mailto:fire@penticton.ca)>; 'development@penticton.ca' <[development@penticton.ca](mailto:development@penticton.ca)>; 'HBE@interiorhealth.ca' <[HBE@interiorhealth.ca](mailto:HBE@interiorhealth.ca)>; Referrals <[Referrals@fortisbc.com](mailto:Referrals@fortisbc.com)>; 'rs@summer.com' <[rs@summer.com](mailto:rs@summer.com)>

**Lauri Feindell**

---

**Subject:** FW: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

**From:** Nicole Capewell <Nicole.Capewell@penticton.ca>  
**Sent:** July 23, 2021 12:24 PM  
**To:** Planning <planning@rdos.bc.ca>  
**Subject:** RE: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

Hello,

We have reviewed the proposed Zoning Amendment Bylaw and note that our interests are unaffected by the bylaw. Please let me know if you require anything further.

Thank you,

**Nicole Capewell, BPI  
Planner II**

City of Penticton | 171 Main Street | Penticton, BC | V2A 5A9  
p: 250.490.2517 | f: 250.490.2502 | e: [nicole.capewell@penticton.ca](mailto:nicole.capewell@penticton.ca)



City Hall is open to the public from 9am to 4pm; however, arranging appointments with Development Services staff is highly recommended. For more information contact Development Services at 250 490 2501 or [development@penticton.ca](mailto:development@penticton.ca).

For information related to all City COVID-19 operations, please go to <https://www.penticton.ca/covid19contact>

**From:** Planning Info - City of Penticton <[planning@penticton.ca](mailto:planning@penticton.ca)>  
**Sent:** Wednesday, July 21, 2021 12:30 PM  
**To:** Nicole Capewell <[Nicole.Capewell@penticton.ca](mailto:Nicole.Capewell@penticton.ca)>  
**Subject:** FW: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

**Heather McDonald, Planning Clerk**

City of Penticton | 171 Main Street | Penticton, BC | V2A 5A9  
p: 250.490.2523 | f: 250.490.2502 | e: [heather.mcdonald@penticton.ca](mailto:heather.mcdonald@penticton.ca)

**\*\* Please note that I will be away July 26-30, 2021 \*\***

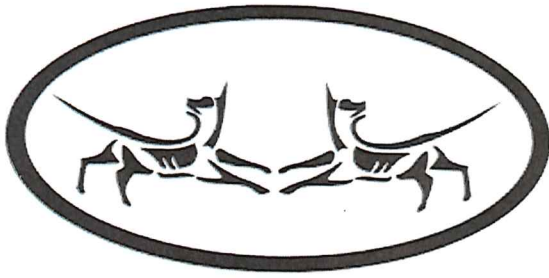
City Hall is open to the public from 9 am to 4 pm; however, arranging appointments with Development Services staff is highly recommended. For more information contact Development Services at 250-490-2501 or [development@penticton.ca](mailto:development@penticton.ca) .  
For information related to all City COVID-19 operations, please go to <https://www.penticton.ca/covid19contact>



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**From:** Development Services email <[Development@penticton.ca](mailto:Development@penticton.ca)>  
**Sent:** July 21, 2021 11:33 AM





**Penticton Indian Band**  
Natural Resources Department  
841 Westhills Drive | Penticton, B.C.  
V2A 0E8  
Referrals@pib.ca | www.pib.ca  
Telephone: 250-492-0411  
Fax: 250-493-2882

---

**Project Name:**

Zoning Amendment - 2002 West Bench Drive (F2021.007-ZONE)

**FN Consultation ID:**

L-210721-F2021 007-ZONE

**Consulting Org Contact:**

Planning RDOS

**Consulting Organization:**

[Regional District of Okanagan Similkameen](#)

**Date Received:**

Friday, July 23, 2021

**File number:**

F2021.007-ZONE

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Attention: Fiona Titley

We are in receipt of the above referral. This proposed activity is within the PIB Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

1. Invoice Number: L-210721-F2021 007-ZONE

Referrals Processing Fee

Sub Total \$ 500.00

Tax \$ 0.00

Total \$ \$500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque or cash payable to Penticton Indian Band. re: P.C.132 and send to 841 Westhills Drive, Penticton, British Columbia, Canada V2A 0E8

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, PIB will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

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

lmlmt,

Heather McDougall  
Referrals Clerk  
Natural Resources Department  
Penticton Indian Band  
W: 250-492-0411  
[Referrals.clerk@pib.ca](mailto:Referrals.clerk@pib.ca)

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**Penticton Indian Band**  
Natural Resources Department  
841 Westhills Drive | Penticton, B.C.  
V2A 0E8  
Referrals@pib.ca | www.pib.ca  
Telephone: 250-492-0411  
Fax: 250-493-2882

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**Project Name:**

Zoning Amendment - 2002 West Bench Drive (F2021.007-ZONE)

**FN Consultation ID:**

L-210721-F2021 007-ZONE

**Consulting Org Contact:**

Planning RDOS

**Consulting Organization:**

[Regional District of Okanagan Similkameen](#)

**Date Received:**

Friday, July 23, 2021

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

August 10, 2021

Attention: Planning RDOS

File number: F2021.007-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was received on 2021-07-23T00:00:00.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

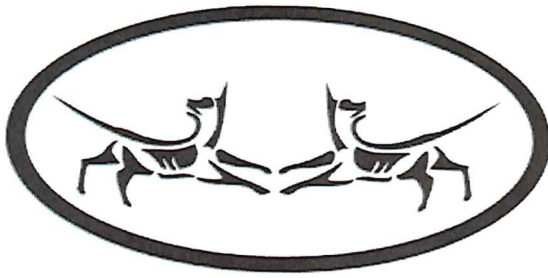
Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economically from those uses.

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

I appreciate your co-operation.

lilməmt,

Heather McDougall  
Referrals Clerk  
Natural Resources Department  
Penticton Indian Band  
P: 250-492-0411  
[Referrals.clerk@pib.ca](mailto:Referrals.clerk@pib.ca)



**Penticton Indian Band**  
Natural Resources Department  
841 Westhills Drive | Penticton, B.C.  
V2A 0E8  
Referrals@pib.ca | www.pib.ca  
Telephone: 250-492-0411  
Fax: 250-493-2882

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**Project Name:**

Zoning Amendment - 2002 West Bench Drive (F2021.007-ZONE)

**FN Consultation ID:**

L-210721-F2021 007-ZONE

**Consulting Org Contact:**

Planning RDOS

**Consulting Organization:**

[Regional District of Okanagan Similkameen](#)

**Date Received:**

Friday, July 23, 2021

**File number:**

F2021.007-ZONE

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Attention: Planning RDOS,

We are in receipt of the above referral. The proposed activity is located within syilx (Okanagan) Nation Territory and the Penticton Indian Band (PIB) Area of Interest. All lands and resources within the vicinity of the proposed development are subject to our unextinguished Aboriginal Title and Rights. The Penticton Indian Band has now had the opportunity to review the proposed activity. Our preliminary office review has indicated that although this is an administrative decision to amend a zoning bylaw, it represents a lengthy history of exclusion in the consultation and development of legislations, regulations and provincial processes over our lands. The bylaws and its objective was developed unilaterally without consultation or consent from the syilx(Okanagan) nation title holders. All lands and resources within syilx Territory are unceded.

Furthermore, the Crown or representatives of the crown have no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in our Aboriginal title lands and resources; the beneficial interest is held by the syilx Nation. The legislation of our lands or resources to third parties are serious infringements on our Aboriginal title. The provincial government's consultation framework, land use referral policy and administrative system are insufficient to uphold our syilx interests in the land and resources within our traditional territory or to meet the fiduciary obligations of British Columbia.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co- existence or accommodation of our title and jurisdiction. Compliance with provincial processes, legislation, regulations and requirements therefore does not ensure that our interests are adequately accommodated. In addition, as proved by the 2014 Tsilhqot'in case, when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

In 2019, the province of British Columbia implemented the United Nations Declaration on the Rights of Indigenous Peoples which aims to emphasize the Indigenous peoples' rights to live in dignity, to maintain and strengthen Indigenous institutions, cultures and traditions and to pursue self-determined development, in keeping with Indigenous needs and aspirations. The

UNDRIP states in article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources. At this time,

The PIB cannot provide comment on this activity due to an insufficient level of engagement and consultation. Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

Please contact me to discuss.

limlæmt,

Maryssa Bonneau  
Referrals Coordinator  
Natural Resources Department  
Penticton Indian Band  
W: 250-492-0411  
C: 250-486-3241  
[Referrals@pib.ca](mailto:Referrals@pib.ca)

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## Lauri Feindell

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**Subject:** FW: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)  
**Attachments:** Bylaw Referral Sheet F2021.007-ZONE.pdf

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**From:** HBE <HBE@interiorhealth.ca>  
**Sent:** July 21, 2021 1:23 PM  
**To:** Planning <planning@rdos.bc.ca>  
**Subject:** FW: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

Hello,

The IH Healthy Community Development Team has received the above captioned referral from your agency.

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.

If you have any questions, please feel free to contact me at 250-549-5758.

Thanks,

Janelle

*Janelle Rimell*, B.Sc, B.Tech, C.P.H.I.(C) (she/her)

Healthy Communities  
Interior Health Authority  
1440 14<sup>th</sup> Avenue, Vernon, BC V1B 2T1  
Office: 250-549-5758  
Cell: 250-540-8380  
Email: [janelle.rimell@interiorhealth.ca](mailto:janelle.rimell@interiorhealth.ca)  
[www.interiorhealth.ca](http://www.interiorhealth.ca)



*I acknowledge that my work area is within the convergance of the ancestral, traditional, and unceded territories of the Syilx and Secwepemc Nations and also recognize the Métis Nation and their important role to shape current understanding of Indigenous ways of being and knowing.*

---

**From:** Fiona Titley <[ftitley@rdos.bc.ca](mailto:ftitley@rdos.bc.ca)>  
**Sent:** Wednesday, July 21, 2021 11:29 AM  
**To:** 'fire@penticton.ca' <[fire@penticton.ca](mailto:fire@penticton.ca)>; 'development@penticton.ca' <[development@penticton.ca](mailto:development@penticton.ca)>; HBE <[HBE@interiorhealth.ca](mailto:HBE@interiorhealth.ca)>; 'referrals@fortisbc.com' <[referrals@fortisbc.com](mailto:referrals@fortisbc.com)>; 'rs@summer.com' <[rs@summer.com](mailto:rs@summer.com)>  
**Cc:** Lauri Feindell <[lfeindell@rdos.bc.ca](mailto:lfeindell@rdos.bc.ca)>  
**Subject:** Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

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RECEIVED  
Regional District

AUG - 3 2021

101 Martin Street  
Penticton BC V2A 5J9

R. Jacobs

Penticton BC  
V2A 8Z3

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

July 29, 2021

Attention: Fiona Titley

Re: Zoning Application: 2002 West Bench Drive, Penticton  
Lot1, Plan KAP14266 District Lot 5076

I would like to register my opposition to a change of zoning from C1S "retail store, convenience" to "retail store, general" for the property located at 2002 West bench Drive. I would ask that the RDOS Planning Board review the potential long term impact of this application and consider carefully before making changes to current zoning.

My concerns are many: Traffic, noise, parking, unsightly on-site storage, and security. However my greatest concern is; what happens next? The application is being made by the property owners on behalf of their renters, the renters have no community ties, they will move on when the situation no longer suits them, leaving a much broader scope of use behind. If the zoning change is made from a specific use for a "convenience store" to a "general store" classification, it has the potential to change the original intent and become a far greater issue. The next venture may well fall within the "general" category but be completely unsuitable and disruptive in a rural neighbourhood leaving the neighbours with little to no say, as long as it falls within the scope of the new amendment.

Most recently the building is was used for home offices and central dispatch for a small company, neither of which caused any disruption to the neighbourhood, it has not been used for a store in many years. I am not aware of any other commercially zoned properties in the West Bench area, which makes sense, since we are a rural residential area without commercial services such as sewage, sidewalks, lighting, or parking. A business designed to attract customers and increase traffic from outside the area can create increased dangers to the neighbourhood. School children daily walk alone and in large classes alongside the road, and horse riders cross next to the property to access the KVR trail. The property in is located closely between a school zone and a park zone, and one only needs to review the complaints online and with the RCMP to see that speeding and trafficare already a problems.

I would like to see the zoning remain as is, to have the use meet the zoning requirements not the other way around.

Thank you for your consideration  
Rhonda Jacobs  
West Bench Resident

F2021.007-ZONE  
F07464.090



# Feedback Form

**Regional District of Okanagan Similkameen**

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

**TO:** Regional District of Okanagan Similkameen **FILE NO.:** F2021.007-ZONE

**FROM:** Name: Gayle McIntaggart  
(please print)

Street Address: \_\_\_\_\_

Date: 2021-08-06

**RE:** Electoral Area "F" Zoning Amendment Bylaw No. 2461.17  
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2461.17.

Please see attached letter

Also on the RDOS website under planning etc there is no header beside the file number. This makes it very difficult to find the proposal and accompanying documents. people will have a difficult time seeing it  
Why would you do that? All othe proposals have the description beside it.

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

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



To RDOS,

I am writing this letter in regards to the Junk in the Trunk store proposal at 2002 West Bench Drive. Penticton.

I live in the area and I have some real concerns about a "Thrift" store at that location. I am very concerned about a change of zone to accommodate the thrift store. This could have negative future impact to the area. Having a local convenience store that serves the community is one thing but a thrift store that serves the City of Penticton residents far more than Westbench community does not make sense. It will increase traffic, there are only two ways in and out and one goes right through a 30 km school zone and playground and one that winds through a residential area and through a 30km/hr park zone. The residents would like to preserve what we have in Westbench which is a safe family orientated rural area, equestrian friendly and walkable neighbourhood for children and adults.

I have been to the Junk in the Trunk current location which is a secure warehouse full of merchandise. They will not fit all that stuff into the basement of the residence on West Bench Dr. I have been told that they will be putting storage containers on the property. My concern is will we have to look at storage containers sitting in the parking lot and/or junk sitting outside. This could really become a hazard attracting criminals looking for easy pickings and people dumping stuff anytime they want rather than paying to take it to the landfill. A thrift store should be in a location that serves the residents of the area. It would be better suited to downtown Penticton.

The RDOS has a responsibility to support the residents that live in the area and who have expectations for it to remain a rural setting without a commercial business right in the middle of it. As the owners of the house are not living in it, it is a rental, I do not believe they have the best interest of the neighbourhood in mind. This is a business decision that does not benefit the community. I have read the letter submitted by Amber Maddalozza where she states that "There is currently no store in the area and the community is very positive about having a thrift store in the West Bench area". I am in direct sight of the proposed location and I have never been approached to give my opinion on a Thrift Store in the area nor have my neighbours who live even closer and we do not support it. Although she states the sales are online and there will be very little traffic that simply is not true. There will be the constant pick up and delivery by commercial vehicle and people driving to pick up items they have purchased. The merchandise has to get to the customers somehow. It is either being picked up and delivered by their commercial truck or customers are coming to pick up. The nature of a thrift store is that people want to examine second hand items for wear and tear and damage rather than buying sight unseen. There will be people attending the store to browse as there is now in their current location. I put very little weight on her statements. The residents that live in the direct area of the proposed location will suffer the consequences of having a Thrift store at that location.

To summarize my concerns are increase in traffic, changing the rural feel of the area, strong possibility of people dumping their garbage at the location in off hours, attracting criminal behavior ie theft and break and enter, zoning being changed to "retail sales general" which could allow for future business at the location that may not fit within the community. The RDOS has not explained how this could impact

future requests. The nature of the existing neighbourhood is not commercial even though it is zoned for Convenience retail from a historical zone licence.

Why is the Junk in Trunk already moving their merchandise into the building prior to any approval? Is this meeting just a formality and has the decision already been made?

Gayle McIntaggart

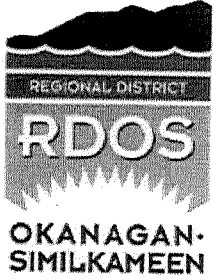
**Lauri Feindell**

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**From:** Deborah Webb  
**Sent:** July 29, 2021 10:31 AM  
**To:** Fiona Titley  
**Subject:** Permission for Thrift Store at 2002 West Bench Drive per Project F2021.007-ZONE

We agree to permit this application.

Mark and Deborah Webb



# Feedback Form

**Regional District of Okanagan Similkameen**

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

**TO:** Regional District of Okanagan Similkameen **FILE NO.:** F2021.007-ZONE

**FROM:** Name: Terrena Buck  
(please print)

Street Address: \_\_\_\_\_

Date: Aug 9 2021

**RE:** Electoral Area "F" Zoning Amendment Bylaw No. 2461.17  
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2461.17.

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## Lauri Feindell

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**From:** Info E-Box  
**Sent:** August 11, 2021 4:37 PM  
**To:** Planning  
**Subject:** FW: Thrift store on West Bench zoning change

-----Original Message-----

**From:** Mary Lou  
**Sent:** August 11, 2021 4:03 PM  
**To:** Info E-Box <info@rdos.bc.ca>  
**Subject:** Thrift store on West Bench zoning change

To Whom it may concern:

Regarding the planning change for the Thrift store on West Bench. I was unable to be online but would like to give my vote as "NO". This change would not "fit" the neighbourhood. We have not had a store or any other type of business up here since the 70's. Stores or merchandizing on the West Bench is out of place at this time and may be counter productive in a number of ways. Thank you for your consideration in this matter.

Sincerely'

Mary Lou Lancaster  
Resident of the West Bench

Sent from my iPad

## Lauri Feindell

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**From:** Erin Aitkens  
**Sent:** August 19, 2021 11:24 PM  
**To:** Fiona Titley  
**Subject:** Rezoning of 2022 West Bench Drive

Hi there-

I am writing to share my opinion for the rezoning of the property at 2022 West Bench Drive. I feel that rezoning this property would be a detriment to our community.

Due to the gravel pit located at the top of our community, we already have traffic concerns with large dump trucks heading to and from the gravel pit. We have three children at the West Bench school who enjoy walking and riding their bikes to school. As you probably are aware, the West Bench doesn't have sidewalks so the kids use the shoulder to get to and from school. Allowing a thrift store at this location will increase traffic in our area, especially the traffic passing right past the school. Traffic is already a concern in this area as many drivers do not obey the school zone and decreased speed and it is concerning for students walking home as well as crossing the street or being dropped off/picked up by their parents.

As well, at its current location, this business appears to be in need of a large amount of storage space for oversized items. The current building at 2022 West Bench Drive does not suite this need. My concern is that many items will need to be stored on and around the property. I would hate for this property to become a junk yard of sorts and negatively affect the housing prices of the surrounding properties.

Finally, we would love to see a business at this location that directly benefits the community of West Bench and it's residents such as a cafe, convenience store, or market space for fresh produce. We don't feel a thrift store will serve this purpose at this location.

Thank you for your time. If you need to contact me I can be reached via email or phone

-Erin Aitkens

## Lauri Feindell

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**From:** Pat Wand  
**Sent:** August 19, 2021 7:42 PM  
**To:** Fiona Titley  
**Subject:** 2002 West Bench Dr rezoning

Dear Fiona,

I am writing this to make it know that we at 740 West Bench Dr.  
Do NOT agree with the rezoning of the property at 2002 West Bench Drive.

Thank you

Pat Wand and Mike Smith



# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: F2021.007-ZONE

FROM: Name: KEVIN & BETTY MARREN  
(please print)

Street Address: \_\_\_\_\_

Date: AUG 22 - 2021

RE: Electoral Area "F" Zoning Amendment Bylaw No. 2461.17  
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2461.17.

- WE ARE AGAINST THE REZONING
- WE DO NOT NEED THE ADDITIONAL TRAFFIC UP HERE
- WE DO NOT BELIEVE THIS WOULD SERVE OUR COMMUNITY IN THE LEAST
- ALL TRAFFIC WILL BE THROUGH THE SCHOOL ZONE
- IT WILL BECOME A DUMPING GROUND WITH "DONATIONS"

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*THANK YOU.*



## Lauri Feindell

---

**From:** Lorna Foster  
**Sent:** August 23, 2021 12:18 PM  
**To:** Planning; Fiona Titley; Riley Gettens  
**Subject:** Amended copy regarding 2002 West Bench Drive  
**Attachments:** Store rezone.docx

Hi there,

Please accept and use this amended copy of my letter recently emailed to you minutes ago. Regrettably, I forwarded my unedited copy by accident. Just in case you are putting one in a file. I will send the same letter attached to the Feedback Form in time for the directors meeting in September. I do hope you are able to share some of these concerns with the APC.

Sincerely,  
Lorna Foster

**Re:Electoral Area "F" Zoning Amendment Bylaw No. 2461.17**

**2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD**

As long-term residents living on the primary road affected by this zoning change (Newton Drive west) please consider the following concerns when making your decision regarding 2002 West Bench Drive's application to operate a Thrift Store at this location. While we are not opposed to all commercial activity and would encourage a neighbourhood store or coffee shop that would be more aligned with the current zoning, we are opposed to the zoning change for the following reasons:

- 1) The property is not conducive to servicing commercial and heavy truck traffic. The Thrift Store owners have indicated that in addition to regular foot traffic and shoppers' vehicles, the store would also be the shipping point for online sales, which will increase the amount of commercial traffic that can safely and efficiently load and unload without blocking adjacent Newton Drive. There are no provisions for the proper loading and unloading of larger trucks and moving vans/ vehicles. The property has no loading bay area or loading unloading zone. It does not have a proper egress or opening in a designated area that would prevent a larger delivery vehicle from blocking Newton Drive traffic while being loaded or unloaded. As such, truck traffic could potentially be blocking Newton Drive for periods of time. Newton Drive is not a through street and the blocking of this road would prevent residents from accessing or leaving their homes.
- 2) Newton Drive, which runs adjacent to 2002 West Bench Drive, is not a through street. It is limited in width to two lanes, with no lane markings or painted centerlines. It does not have paved or marked pedestrian walking areas. With the exception of the residents on the street, the majority of Newton Drive traffic is generated by individuals accessing the numerous hiking and biking trails on Penticton Indian Band lands and maintenance traffic attending to the West Bench water towers. There is regular foot, bicycle, and horseback traffic on this street including frequent access from nearby West Bench Elementary students who use the street for their daily physical education walks due to its close proximity to the school and the safety offered by the street.
- 3) The driveway and parking lot area to the property at 2002 West Bench Drive is only accessed from a single-entry point on Newton Drive. As a result, all traffic will have either back in or out of the property from Newton

Drive. This creates a potential danger hazard to both pedestrian and vehicle traffic using the adjacent property. The topography of the roadway site is located on a moderately steep grade as well. The western most point of Newton Drive, does not have a proper turn around area for larger vehicles due to the No Through Road orientation. There is a small area where people park when hiking or biking but this parking area is located on PIB lands. When individuals park in this area, it makes the roadway area congested, thus, larger vehicles would be unable to safely turn around should they proceed up the roadway past the store location.

4) A Thrift Store at this location does not align with the overall fit and form of the surrounding residential neighbourhood. Currently, Newton Drive is in a semi-rural residential neighbourhood. In addition, this zoning change opens the possibility of future uses for this property that are currently unknown in the event that this business closes or relocates.

5) We have concerns regarding the possible storage of excess and deliveries of store merchandise, which would be left outside the premises for periods of time. We are also concerned regarding the use of shipping containers or storage sheds that potentially could be used to house excess merchandise and stock.

We thank you in advance for considering our concerns when you make this important and potentially non-reversible decision that could have far-reaching impact on our neighbourhood and on the West Bench Rural area in general.

Sincerely,

Lorna and Dave Foster

## Lauri Feindell

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**From:** Rick Clarke  
**Sent:** July 30, 2021 11:58 AM  
**To:** Fiona Titley  
**Subject:** application number F2021.007-zone

Hello Fiona. My partner, Rhonda J Jacobs and I live at [redacted] Newton Drive and have a question regarding this application.

First of all, as a direct neighbour we were NEVER contacted as to this application and am alarmed that that would be stated in the applicants letter that all the neighbours were on board.

This application seems to be very vague as to the description of "general" use. It is NOT a store and hasnt been for a very long time.

If this is approved what guarantees do residents have if this "sorta" commercial lot, gets out of control with storage bins and general collection from home estate sales that create yet another mess such as the property directly across from Selby Park.

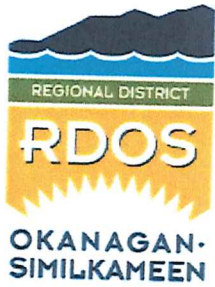
A convenience store is a long way from "general" use I believe. So we would like to know as examples, what type of retail store would then be allowed.

Please contact me by home phone  
Or my email

Thank you Fiona, Rick Clarke ( retired kitchen and bath design consultant )



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# Feedback Form

RECEIVED  
Regional District

AUG 18 2021

101 Martin Street  
Penticton BC V2A 5J9

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen **FILE NO.:** F2021.007-ZONE

FROM: Name: DARRICK SMITH  
(please print)

Street Address: \_\_\_\_\_

Date: AUG. 15 2021

RE: **Electoral Area "F" Zoning Amendment Bylaw No. 2461.17**  
**2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD**

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2461.17.

- NOT INTERESTED IN THAT TYPE OF BUSINESS  
IN OUR NEIGHBORHOOD.

- CONCERNS OF EXCESSIVE ITEMS OUTSIDE OF  
THE BUILDING.

\_\_\_\_\_

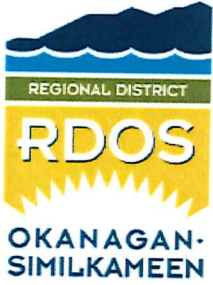
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\_\_\_\_\_

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# Feedback Form

RECEIVED  
Regional District

AUG 18 2021

101 Martin Street  
Penticton BC V2A 5J9

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: F2021.007-ZONE

FROM: Name: Robert Perret  
(please print)

Street Address: \_\_\_\_\_

Date: Aug 13 2021

RE: Electoral Area "F" Zoning Amendment Bylaw No. 2461.17  
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

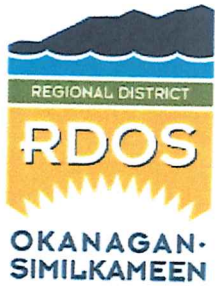
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2461.17.

I do not feel that the re-zoning, and that type of enterprise will be of any benefit to the west bench community.

It may turn out to be a dumping ground for used clothing etc, as we have all experienced. The homeless and the rampant theft in Penticton. If this business is buying used goods, it could become a dumping ground for goods that people are trying to sell, but can't.

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# Feedback Form

RECEIVED  
Regional District

AUG 18 2021

101 Martin Street  
Penticton BC V2A 5J9

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen

FILE NO.: F2021.007-ZONE

FROM: Name: JANE WINDOELER  
(please print)

Street Address: \_\_\_\_\_

Date: AUG 16/2021

RE: Electoral Area "F" Zoning Amendment Bylaw No. 2461.17  
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

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- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

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more traffic  
speeding is already a problem with kids + horses walking  
along west Bench Drive - part of the school  
a recipe for a "junk yard" existing  
more downtown ppl "causing" homes for theft issue  
once the zoning is changed, residents will be up here  
at the mercy of whatever retail outlet may  
come up next.

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

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2461.17, 2021**

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**A Bylaw to amend the Electoral Area “F” Zoning Bylaw No. 2461, 2021**

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “F” Zoning Amendment Bylaw No. 2461.17, 2021.”
2. The “Electoral Area “F” Zoning Bylaw No. 2461, 2021” is amended by:
  - a) replacing Section 17.3.1(a)(iv) under Section 17.13 (Site Specific General Commercial (C1s) Provisions) in its entirety with the following:
    - (iv) retail sales, general.

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.

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Board Chair

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Corporate Officer

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 2, 2021  
**RE:** Development Variance Permit Application — Electoral Area “H”

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### **Administrative Recommendation:**

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

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Legal: District Lot 2415, KDYD, Except Pla KAP47683 KAP52197

Folio: H-01161.000                      Zone: Large Holdings Two (LH2)

Variance Request: reduce parcel area exemption from 20.0 ha or greater to 8.0 ha area or greater.

---

### **Proposed Development:**

This application is seeking a variance to the requirement contained in the Subdivision Servicing Bylaw No. 2000, 2002, that requires new parcels less than 20.0 ha in area to provide proof of water.

Specifically, it is being proposed to vary the requirement under the Subdivision Servicing Bylaw No. 2000, 2002 Section 6.4 (C) which states that new parcels less than 20.0 ha in area provide proof of water at the time of subdivision. The proposed new parcels are 8.0 ha & 13.0 ha in area.

In support of this request, the applicant has stated that “the requirement to provide a water source is sound, and for smaller parcels, it makes sense to prove water quality and quantity at the time of parcel creation. Given the large area of the remainder parcel and the multiple homesites, the current owners wish to defer the drilling of a new well so that the new owners can drill a well in a location that suits their potential homesite in the future.”

### **Site Context:**

The subject property is approximately 21.78 ha in area and is situated on the west side of Summers Creek Road, approximately 9 km north of the boundary of the Town of Princeton. The property currently contains a single detached dwelling at the south end and vacant land.

The surrounding pattern of development is characterised by similar sized large holdings properties to the east and resource area Crown Land to the west.

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**Background:**

It is not clear when the current boundaries of the subject property were created by a Plan of Subdivision, while available Regional District records indicate that a building permit for a single family dwelling (2005) has previously been issued for this property. BC Assessment has classified the property as “Residential” (Class 01).

Under the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Large Holding (LH), and is the subject of a Watercourse Development Permit (WDP) designation.

Under the Electoral Area “H” Zoning Bylaw No. 2498, 2012, the property is currently zoned Large Holdings Two (LH2) which allows for a single detached dwelling and accessory buildings as permitted uses.

Under the Regional District’s Subdivision Servicing Bylaw No. 2000, 2002, new parcels greater than 0.5 ha in area are to prove a source of ground water on each proposed lot capable of providing potable water (i.e. drinking water).

At its meeting of July 22, 2021, the Board adopted Amendment Bylaw No. 2000.12, 2021, which introduced an exemption for parcels greater than 20.0 ha in area from having to provide proof of water at the subdivision stage.

On March 10, 2021, the Ministry of Transportation and Infrastructure (MoTI) referred a proposed 2-lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws.

On March 22, 2021, the Regional District advised the Ministry that “The applicant is required to provide proof that each parcel to be created by the subdivision that does not have an existing well located on the parcel ...”

The subject property is not included within a community water system area, a community fire department fire protection service area or a community sanity system service area.

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule ‘4’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on August 26, 2021. All comments received are included as a separate item on the Board’s Agenda.

**Analysis:**

In considering this proposal, Administration recognises that on larger, rural parcels, requiring proof of water at the time of subdivision may be an inefficient use of resources.

This is due to 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.

---

Conversely, Administration notes that the existing exemption for new parcels greater than 20.0 ha in area is a reflection that these parcels generally tend to be zoned Resource Area (RA) and that the intent of this zoning is for such parcels to generally be rural in nature and un-serviced.

This exemption is a further reflection that a water source can generally be found on a 20 ha parcel and that it is not imperative that this be proven at the subdivision stage as it is on smaller parcels.

If parcels less than 20.0 ha in area created through subdivision without proof of an adequate water source, this *may* present challenges to future use of the land due to the limited land area in which to establish a sustainable, potable water source

However, Administration also notes that it is not uncommon to provide exemptions from proof of water requirements for parcels less than 8.0 ha in area. The exemption for parcels more than 20.0 ha is subjective. There may be a risk that water may not be available on the lot, but there is already one well on the current parcel, so the risk is deemed to be minor.

A stronger argument may be that larger, rural parcels requiring proof of water at the time of subdivision may be an inefficient use of resources on the basis that 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.

Benchmarking indicates that area in other Regional Districts such as the Thompson-Nicola Regional District, the Regional District of East Kootenay, the North Okanagan Regional District and the Regional District of Central Okanagan require proof of water for parcels less than 8.0 ha.

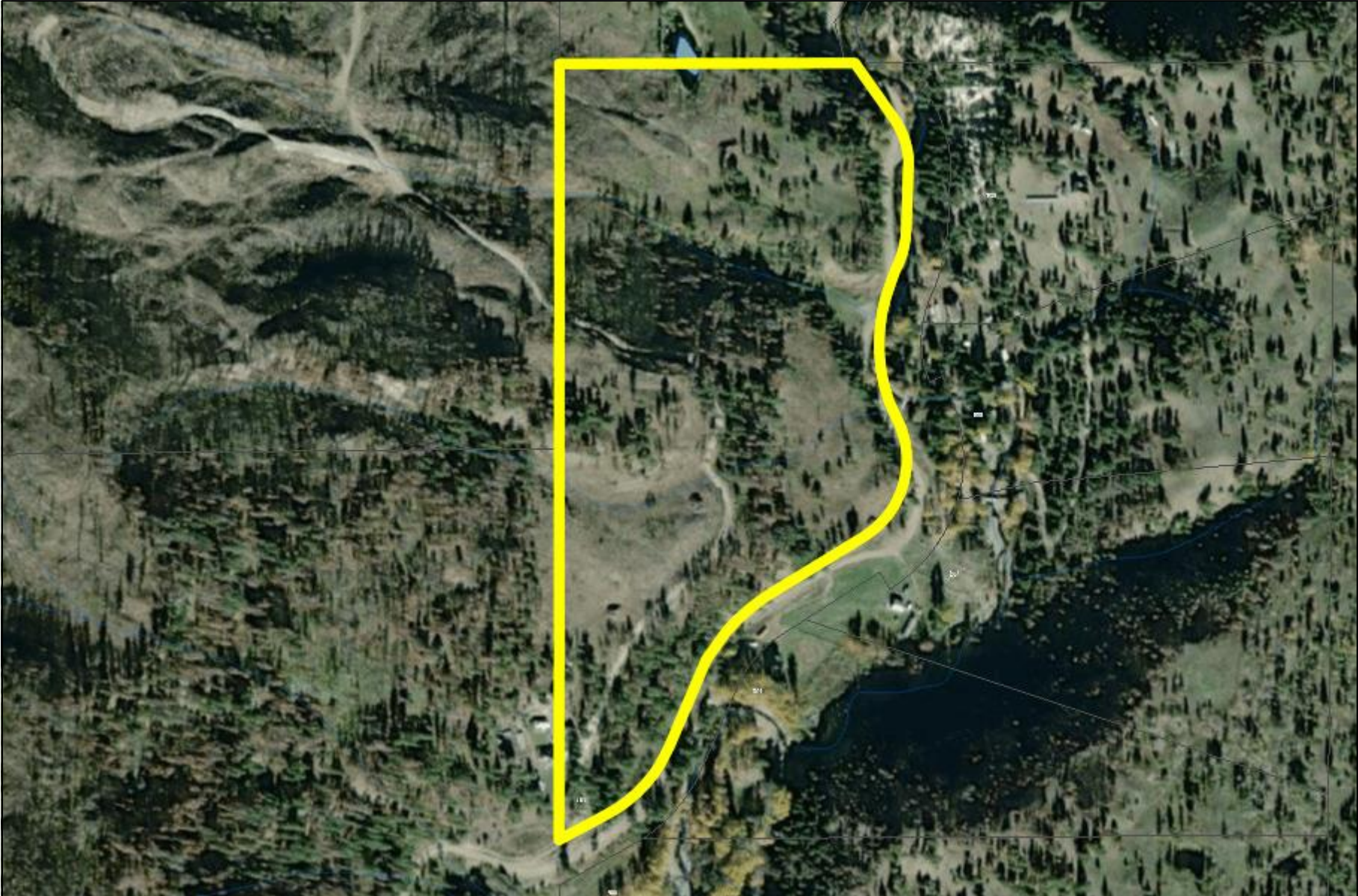
For the reasons outlined above, Administration supports the requested variances.

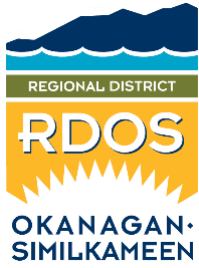
**Alternatives:**

1. That Development Variance Permit No. H2021.029-DVP be denied.
2. That the application and it be referred to the Electoral Area “H” Advisory Planning Commission.

Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo





# Development Variance Permit

---

FILE NO.: H2021.029-DVP

Owner:

Agent:

## GENERAL CONDITIONS

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

## APPLICABILITY

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

Legal Description: District Lot 2145, KDYD, Except Plan KAP47683 KAP52197

Civic Address: 1100 Summer Creek Road

Parcel Identifier (PID): 012-940-500 Folio: H-01161.000

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Subdivision Servicing Bylaw No. 2000, 2002, in the Regional District of Okanagan-Similkameen:
  - a) the exemption from the requirement at Schedule "B" (Levels of Works and Services) for a proven water system when a parcel is to be created by subdivision, as prescribed in Section 6.4(c) is varied:
    - i) from: 20.0 ha in area or greater

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Development Variance Permit No. H2021.029-DVP

Page 1 of 4

to: 8.0 ha in area or greater.

#### **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.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

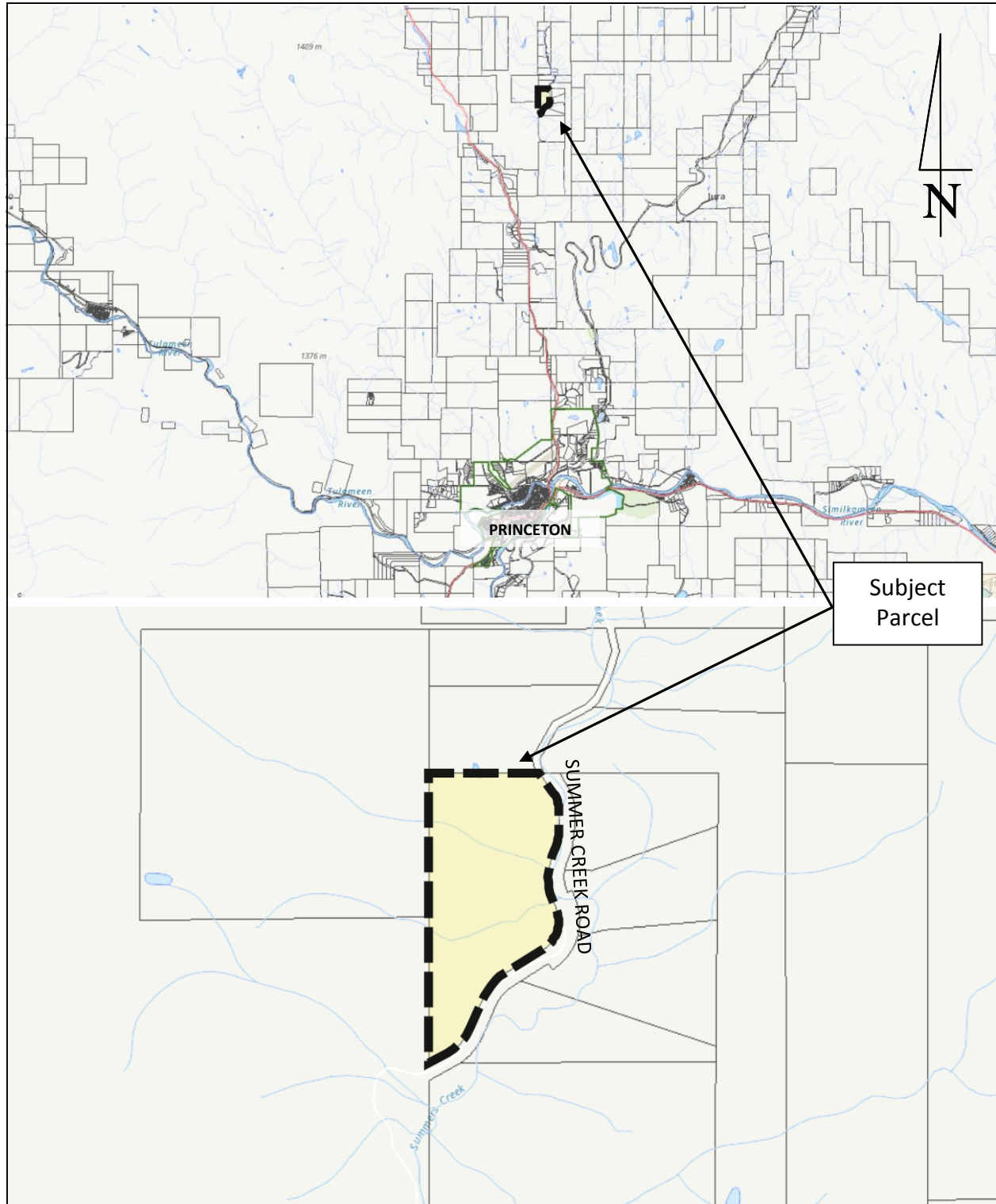
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. H2021.029-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

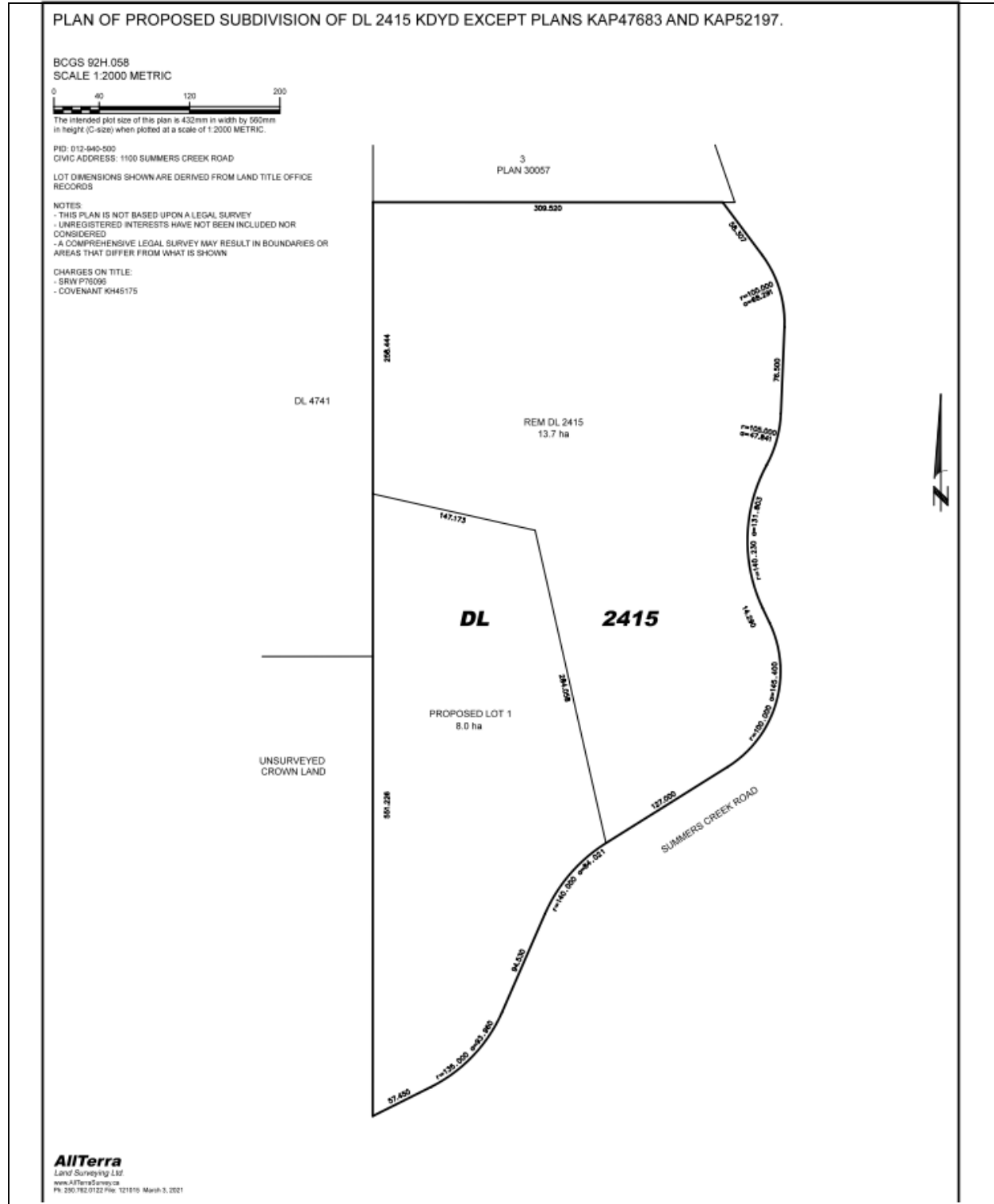
101 Martin St, Penticton, BC, V2A-5J9  
 Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. H2021.029-DVP

## Schedule 'B'



## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

**RE:** Development Variance Permit Application — Electoral Area “H”

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### **Administrative Recommendation:**

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

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Legal: District Lot 2415, KDYD, Except Pla KAP47683 KAP52197

Folio: H-01161.000                      Zone: Large Holdings Two (LH2)

Variance Request: reduce parcel area exemption from 20.0 ha or greater to 8.0 ha area or greater.

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### **Proposed Development:**

This application is seeking a variance to the requirement contained in the Subdivision Servicing Bylaw No. 2000, 2002, that requires new parcels less than 20.0 ha in area to provide proof of water.

Specifically, it is being proposed to vary the requirement under the Subdivision Servicing Bylaw No. 2000, 2002 Section 6.4 (C) which states that new parcels less than 20.0 ha in area provide proof of water at the time of subdivision. The proposed new parcels are 8.0 ha & 13.0 ha in area.

In support of this request, the applicant has stated that “the requirement to provide a water source is sound, and for smaller parcels, it makes sense to prove water quality and quantity at the time of parcel creation. Given the large area of the remainder parcel and the multiple homesites, the current owners wish to defer the drilling of a new well so that the new owners can drill a well in a location that suits their potential homesite in the future.”

### **Site Context:**

The subject property is approximately 21.78 ha in area and is situated on the west side of Summers Creek Road, approximately 9 km north of the boundary of the Town of Princeton. The property currently contains a single detached dwelling at the south end and vacant land.

The surrounding pattern of development is characterised by similar sized large holdings properties to the east and resource area Crown Land to the west.

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**Background:**

It is not clear when the current boundaries of the subject property were created by a Plan of Subdivision, while available Regional District records indicate that a building permit for a single family dwelling (2005) has previously been issued for this property. BC Assessment has classified the property as “Residential” (Class 01).

Under the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Large Holding (LH), and is the subject of a Watercourse Development Permit (WDP) designation.

Under the Electoral Area “H” Zoning Bylaw No. 2498, 2012, the property is currently zoned Large Holdings Two (LH2) which allows for a single detached dwelling and accessory buildings as permitted uses.

Under the Regional District’s Subdivision Servicing Bylaw No. 2000, 2002, new parcels greater than 0.5 ha in area are to prove a source of ground water on each proposed lot capable of providing potable water (i.e. drinking water).

At its meeting of July 22, 2021, the Board adopted Amendment Bylaw No. 2000.12, 2021, which introduced an exemption for parcels greater than 20.0 ha in area from having to provide proof of water at the subdivision stage.

On March 10, 2021, the Ministry of Transportation and Infrastructure (MoTI) referred a proposed 2-lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws.

On March 22, 2021, the Regional District advised the Ministry that “The applicant is required to provide proof that each parcel to be created by the subdivision that does not have an existing well located on the parcel ...”

The subject property is not included within a community water system area, a community fire department fire protection service area or a community sanity system service area.

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule ‘4’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on August 26, 2021. All comments received are included as a separate item on the Board’s Agenda.

**Analysis:**

In considering this proposal, Administration recognises that on larger, rural parcels, requiring proof of water at the time of subdivision may be an inefficient use of resources.

This is due to 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.

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Conversely, Administration notes that the existing exemption for new parcels greater than 20.0 ha in area is a reflection that these parcels generally tend to be zoned Resource Area (RA) and that the intent of this zoning is for such parcels to generally be rural in nature and un-serviced.

This exemption is a further reflection that a water source can generally be found on a 20 ha parcel and that it is not imperative that this be proven at the subdivision stage as it is on smaller parcels.

If parcels less than 20.0 ha in area created through subdivision without proof of an adequate water source, this *may* present challenges to future use of the land due to the limited land area in which to establish a sustainable, potable water source

However, Administration also notes that it is not uncommon to provide exemptions from proof of water requirements for parcels less than 8.0 ha in area. The exemption for parcels more than 20.0 ha is subjective. There may be a risk that water may not be available on the lot, but there is already one well on the current parcel, so the risk is deemed to be minor.

A stronger argument may be that larger, rural parcels requiring proof of water at the time of subdivision may be an inefficient use of resources on the basis that 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.

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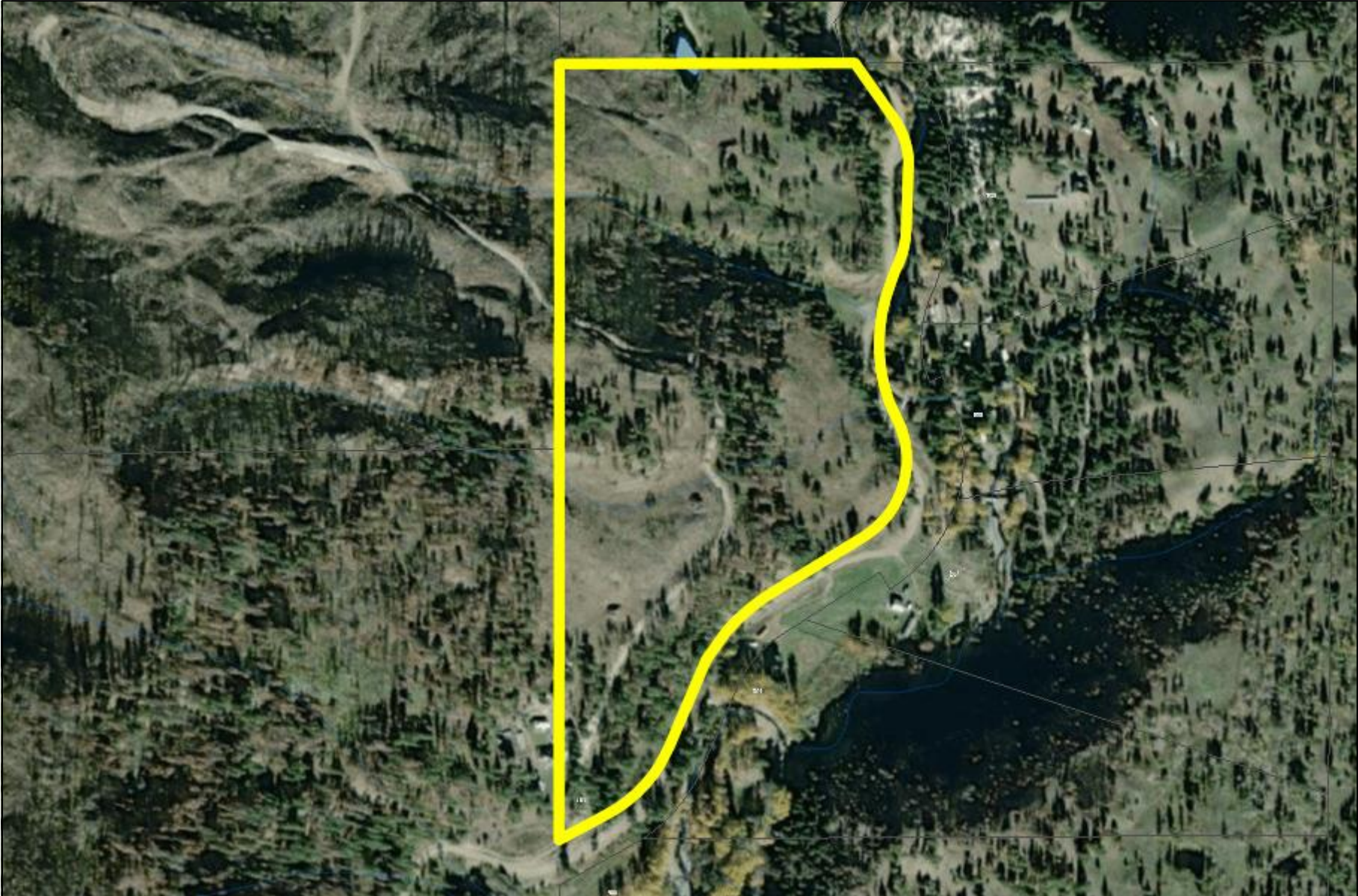
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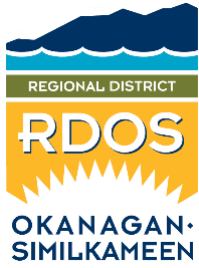
**Alternatives:**

1. That Development Variance Permit No. H2021.029-DVP be denied.
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Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo





# Development Variance Permit

---

FILE NO.: H2021.029-DVP

Owner:

Agent:

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---

Development Variance Permit No. H2021.029-DVP

Page 1 of 4

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**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:
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  - 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

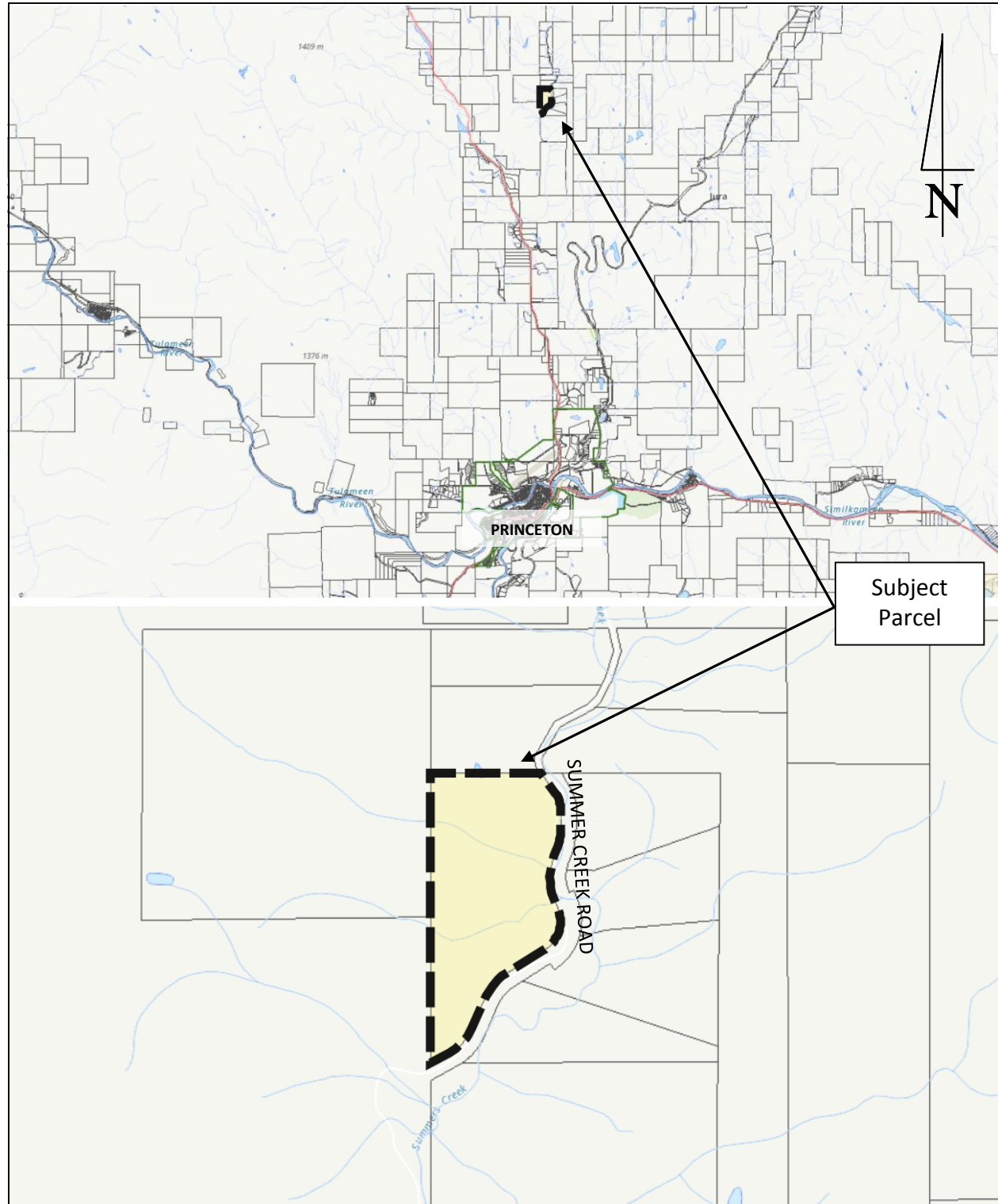
Tel: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. H2021.029-DVP

Schedule 'A'



# Regional District of Okanagan-Similkameen

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

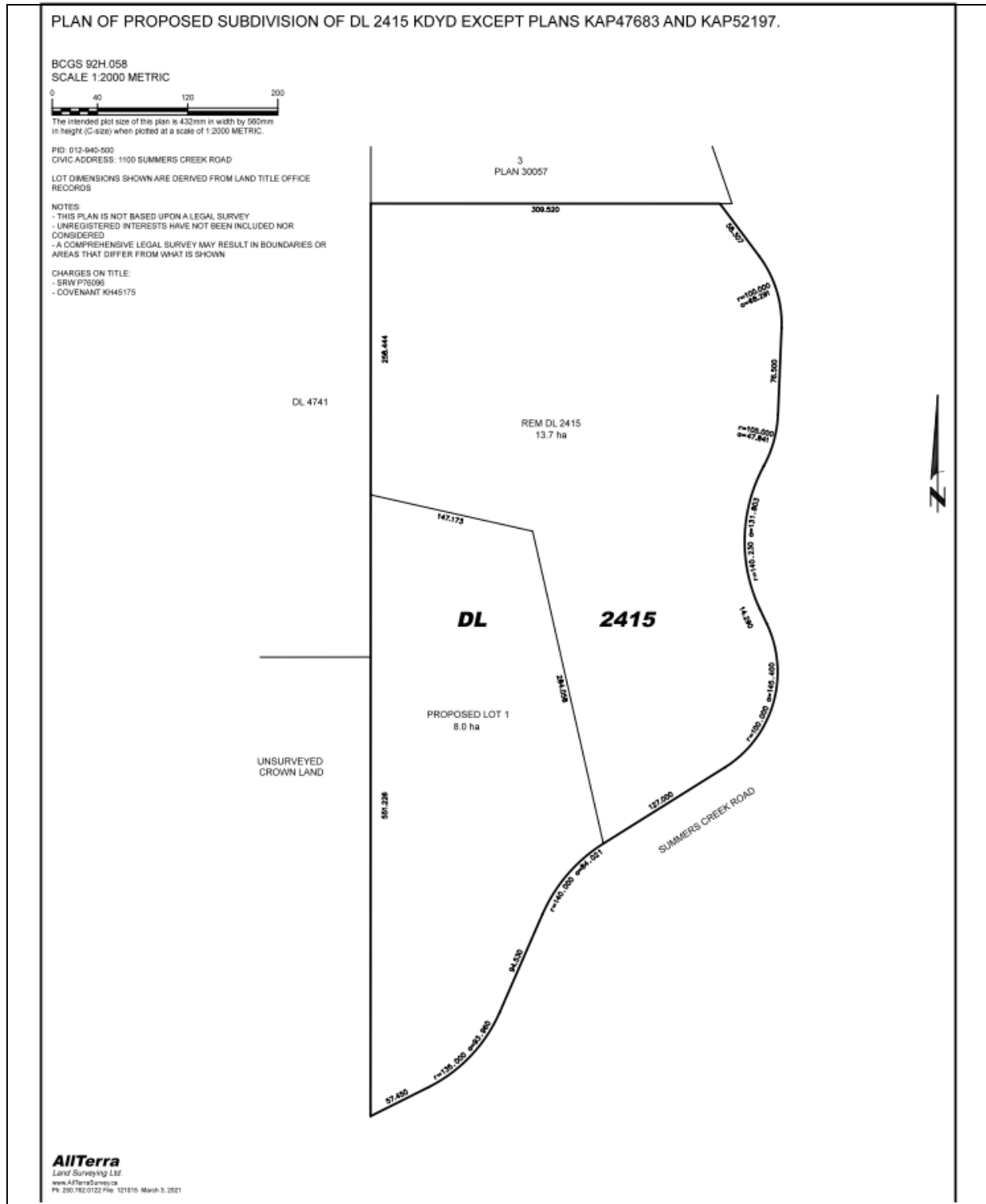
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Development Variance Permit

File No. H2021.029-DVP

Schedule 'B'



Development Variance Permit No. H2021.029-DVP

Page 4 of 4

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

**RE:** Oliver Landfill – Organics Facility Capital Reserve Expenditure

---

### **Administrative Recommendation:**

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

### **Business Plan Objective:**

Key Success Driver #3 – Build a Sustainable Region under Complete Design for the Oliver Landfill Organics Facility – 2020 Public Works business plan.

### **Background:**

In 2020 the Regional District of Okanagan Similkameen (RDOS) applied for a grant through the Organics Infrastructure Program – Low Carbon Economy Leadership Fund to construct an Organics Facility to compost residential food and yard waste at the Oliver landfill. In 2020 the Grant application was approved and the RDOS executed a cost sharing agreement to construct a \$1,200,000 Organics Facility with 66.7% funding coming from the federal and provincial governments.

### **Analysis:**

#### **Gore Cover vs Turned Windrowing**

The original application was based on a turned windrow composting system. After designs were underway, discussions with consultants specializing in compost design and neighbouring property owners identified some potential issues with the windrowing technique. The largest issues include high operational costs, large water demand due to the extremely dry climate at the landfill, and increased difficulty controlling odors and animals.

The consultant prepared a cost benefit analysis and a 10 year operational cost comparison for the turned windrow design and other technologies, such as the Gore Cover. The analysis determined that while the Gore Cover composting system has a higher capital cost, the operating expenses are expected to be about half the cost of windrowing each year during a 10 year period. One of the stipulations of the grant is that the facility be operated for a minimum period of 10 years.



The Gore Cover system also addresses some of the other concerns with windrowing by reducing water demand and providing better vector control. The Gore Cover system will cost much less to operate each year to produce high quality Class A compost for sale to the consumer.

### **Water Service to the Oliver Landfill**

A water service for the Oliver Landfill has been a long standing request for the site. Due to the local geology and lack of a viable aquifer in the area, a productive well is not an option. Any water required onsite by the operator must be trucked in. While this method works for dust control purposes, it is inefficient for a composting operation due to the water requirements, even with a Gore Cover system.

The grant application anticipated trucking the water to a large storage tank onsite where it would be used as needed for the composting process. After further designs and discussions with the Town of Oliver, a more sustainable solution was evaluated for the landfill site; a connection to the Town of Oliver's water system. The connection will involve a small booster station at the bottom of Black Sage Road with a 75mm water service up to the landfill. As the water service is a valuable add-on to the compost facility moving forward, and the overall landfill operations, the water service is an important addition to the project.

### **Financial Impact of Gore Cover and Water Service**

The Gore Cover composting method and the water connection from the Town of Oliver are two of the key upgrades to the original compost facility conceptual design used for the grant program in early 2020. These upgrades will require additional capital expenditures from the landfill reserves.

The estimated cost used in the grant application was \$1.2M for the design and construction of a windrow composting type system and would require trucking water to the site for operational needs. The updated cost estimate for the Gore Cover system and installation of a water service is about \$1.8M which includes a \$200,000 contingency.

In terms of operational costs, the Oliver Landfill currently spends approximately \$150,000-\$175,000 annually managing organics and wood waste. Estimates provided by the consultant indicate expected annual operational costs for the windrow composting to be about \$228k and for the Gore Cover to be about \$110k. With the Gore Cover technology, it is expected that operational costs will decrease for the organic management and a marketable product will be available for purchase by customers. This will help offset the increase to the capital cost. In addition, the water service is of great benefit for the landfill operations.

### **Funding**

The Capital Reserve for the Oliver Landfill has funding for the increased capital costs associated with the Gore Cover system and water service. The reserve balance on December 31, 2020 was \$1,363,152.

### **Alternatives:**

The Board may choose to not support the Gore Cover technology and the water service for the site.

**Communication Strategy:**

The Community will continue to receive information on the progress of the design and construction of the Organics facility at the Oliver Landfill via information releases and newsletters.

**Respectfully submitted:**

*Shane Fenske*

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S. Fenske, Engineering Technologist

**Endorsed By:**

*Liisa Bloomfield*

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L. Bloomfield, Manager of Engineering Services

## ADMINISTRATIVE REPORT

**TO:** Environment and Infrastructure Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

**RE:** **Reallocation of New Building Canada Funds**

---

### Administrative Recommendation:

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

### Purpose:

A grant of about \$6.0 is available from a terminated project and the funds may be reallocated to a suitable project with approval from the Ministry of Municipal Affairs.

### Background:

The Regional District was awarded a grant from the New Building Canada II Program for the construction of sewerage collection systems in the communities of Skaha Estates and Kaleden in 2017. This was a phased application due to the amount required, with the Skaha Estates project in phase I rejected due to cost and the Kaleden phase defeated on assent. The grant initially awarded amounted to \$6,606,224 of a total application requested of \$8.5 M.

The NBCF program funding is set to expire on March 31, 2023. Having already repurposed the grant once, the Province may be willing to reallocate the funding to a suitable project providing the project meets the program's original intent. In determining a proposed project, the direction received from the Province includes the following:

- Wastewater project is preferred.
- Water projects would be considered only if it would address a health issue.
- Project must be designed and constructed before March 31, 2023.

Details on the original grant program are available in the [Program Guide](#) and include the following:

- Program objectives includes economic growth, a clean environment and building stronger communities.
- The infrastructure must be owned and operated by the Regional District.
- Gas tax is not eligible to be used as the 1/3 portion to be paid by the RDOS.
- Eligible projects must be for the acquisition, construction, renewal, rehabilitation or material enhancement of infrastructure, excluding normal maintenance or operation

**Analysis:**

In determining a suitable project, there are several factors to be considered. These include:

- Availability of matching funding as there is insufficient time for completion a borrowing bylaw with assent process.
- Community support
- Ownership of the infrastructure

Water and sewer systems that would benefit from funding are listed below. Each of the projects are in various stages of development and have different available funding mechanisms. However, not all of them may be supported by the Province for the reallocation of grant funds.

Name	Brief Description	Identified Issues/Opportunities
Naramata Wastewater System	Installation of a modular wastewater treatment & collection system that can be expanded over time to the community;	The local government share would come from developers; Designs and estimates not yet available and the LWMP will not yet be completed before the project would need to move forward to meet deadlines
Name	Brief Description	Identified Issues/Opportunities
Okanagan Falls Sewer Expansion	Expand the sewer in the Okanagan Falls area to fill in gaps in the service area with new liftstations and sewer mains	Funding is not available to match the grant funds; Conceptual designs complete
Willowbrook Water System Reservoir	Design and construction of a new reservoir cell to increase the system's storage capacity for peak flow and fire flow	Funding is not available to match the grant funds; scale of project required to use grant funds is too large for the system; More of a water supply sustainability issue than a water quality issue; Design and cost estimates are not completed
Sun Valley Water System Treatment and Back up power	Design and construction of a treatment plant and a back up generator to prevent water quality issues.	Funding is not available to match the grant funds; scale of project required to use grant funds is too large for the system; Health risk as every power failure impacts the quality of the water; Application already made to a different grant program

Naramata Water System watermain and reservoir upgrades	Design and construction of new watermains to replace aging infrastructure and a new reservoir cell at Juniper reservoir to increase the system's storage capacity for peak flow and fire flow as it services a large portion of the system	Partial funding is available in capital reserve accounts; Service supply issue more than a health risk; Designs for watermains have been completed for future grant programs
Olalla Water System Upgrades	Construction of new watermains that have been designed in preparation of a future grant program	Insufficient funding in reserve accounts for the work; scale of project required is too large for the system
Sage Mesa Water System upgrades	Major infrastructure upgrades and either connection to the City of Penticton or a new treatment plant is required	Not a RDOS service and ineligible for funding; Insufficient time for completion of the project before the deadline
Faulder Water System upgrades	Upgrade of various watermains and reservoir	Funding is not available to match the grant funds; scale of project required is too large for the system;

An appropriate scope and size for the \$6.0M grant is required and the matching funds must be available for a project to be successful in requesting a reallocation of funding. The timeline is very short and work should get underway as soon as possible.

**Respectfully submitted:**

*Liisa Bloomfield*

\_\_\_\_ L. Bloomfield, Engineering Manager \_\_\_\_\_

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

**RE:** Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019

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### **Administrative Recommendation:**

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

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

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

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

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

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

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

**THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 754.**

**Purpose:**

To establish the amount of funds that may be borrowed to make the necessary capital repairs to the Oliver & District Arena to keep it operational in 2022.

**Reference:**

Oliver Parks and Recreation Society resolution dated July 19, 2021

**Business Plan Objective:**

Key Success Driver 3.0: Build a Sustainable Community

**Background:**

Through a service agreement, Oliver Parks and Recreation Society operates the Oliver Arena on behalf of the Regional District which owns the asset. Residents from the Town of Oliver and Electoral Area "C" fund the operation and maintenance of this facility.

Built in 1969, the arena building structure itself has a serviceable life of 75 years. Key components have reached the end of service life and are failing. In order to maximize the efficiency and life span of the facility these components should be replaced at an estimated cost of up to 3 million dollars.

In addition, the facility overall is not barrier-free compliant, and several upgrades to washrooms, dressing rooms, entrances and viewing areas are required to meet accessibility standards. Initial investigations have determined that the bleachers, stairs and handrails are still in their original wood frame construction state and do not meet current safety and fire regulations.

The Regional District applied for an Investing in Canada Infrastructure Program (ICIP) grant in 2019 but the application was unsuccessful. The project has been parcelled into smaller phases and another grant application was submitted. It is anticipated that this second grant application will be successful.

**Analysis:**

The Board of Directors resolved on February 7, 2019 that participating area approval for the adoption of the loan authorization bylaw be obtained through a referendum process. However, at their July 19, 2021 meeting, the Society requested that participating area approval be obtained instead by an alternative approval process (AAP). The Board should be aware that in addition to the expense of a referendum (approximately \$10,000 compared to \$1,000 for an AAP), the timing for a referendum is longer, generally an 80 day process, compared to an AAP which may be as short as 32 days, after Inspector approval.

The debt servicing will cost an average household in Oliver \$4.52 per year, and in Electoral Area "C" \$4.20 per year. 2023 will be the first year in which debt payments will be required.

**Elector Approval**

Section 345 of the Local Government Act and Section 86 of the Community Charter outline the requirements of an AAP. The Board must establish a deadline for elector response forms, establish an elector response form, and determine the number of eligible electors in the service area.

Staff proposes advertising as follows:

<b>Newspaper</b>	<b>Ads published</b>
Oliver Chronicle	Wednesday October 27,2021; Wednesday November 3, 2021

The deadline for elector response forms must be at least thirty days after the second publication date advertised; therefore, the deadline date will be Monday December 6, 2021.

The Information Services department has determined the number of eligible electors within the service area to be 7541. If the number of elector response forms signed is less than 10% of the estimated eligible electors, the Board may consider adopting the bylaw. If the number of elector response forms signed is more than 10% of the estimated eligible electors, the bylaw would require elector assent through referendum.

**Communication Strategy:**

Staff will be developing a communication plan that includes, but is not limited to, the following public engagement initiatives:

1. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, the Regional District will also advertise the AAP on the RDOS Facebook and Twitter social media sites.
2. A data sheet containing the details of the bylaw and AAP process will be included on the AAP webpage, along with the required forms and bylaws.
3. The Province has developed a guide for local governments in BC on the alternative approval process. The guide, although created primarily for local government staff and elected officials, contains information which is an excellent resource for the public in helping to understand why an AAP is held instead of an Assent Vote (referendum). Staff has developed a more condensed guide geared specifically towards the public and a copy will be available on the AAP webpage.

**Alternatives:**

1. THAT Board of Directors not decrease the proposed loan authorization amount in Bylaw No. 2844 to \$400,000.
2. THAT participating area approval be obtained by referendum.

**Respectfully submitted:**

**Endorsed by:**

*“Gillian Cramm”*

\_\_\_\_\_  
G. Cramm, Legislative Services Coordinator

\_\_\_\_\_  
C. Malden, Manager of Legislative Services





**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2844, 2019**

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A bylaw to authorize the long term borrowing for the capital costs associated with the upgrades to the Oliver and District Arena.

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**WHEREAS** the Board of the Regional District of Okanagan Similkameen has established by Oliver and District Arena Conversion and Service Establishment Bylaw No. 2924, 2021, a service for the purpose of constructing, operating and maintaining an arena within the Town of Oliver;

**AND WHEREAS** pursuant to the *Local Government Act* and the *Community Charter*, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

**AND WHEREAS** the estimated cost of capital upgrades to the Oliver and District Arena including expenses incidental thereto is the sum of three million, one hundred and forty five thousand, three hundred and fifty dollars (\$3,145,350) of which the sum of four hundred thousand dollars (\$400,000) is the amount of debt intended to be borrowed by this bylaw;

**AND WHEREAS** the maximum term for which a debenture may be issued to secure the debt created by this bylaw is for a term not to exceed twenty years;

**AND WHEREAS** the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

**NOW THEREFORE**, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

**1.0 LOAN AUTHORIZATION**

1.1 The Regional Board is hereby empowered and authorized to undertake and carry out or cause to be carried out capital costs associated with the upgrades to the Oliver & District Arena, serving the Town of Oliver and Electoral Area "C", generally in accordance with plans on file in the regional district office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

- a) To borrow upon the credit of the Regional District a sum not exceeding four hundred thousand dollars (\$400,000).

- 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 capital costs associated with the upgrades to the Oliver & District Arena.

**2.0 TERM OF DEBENTURE.**

- 2.1 The maximum term for which debentures may be issued to secure debt created by this bylaw is twenty (20) years.

**3.0 CITATION**

- 3.1 This bylaw may be cited as Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019.

**READ A FIRST, SECOND, AND THIRD TIME** this 7<sup>th</sup> day of February, 2019

**THIRD READING RESCINDED AND RE-READ A THIRD TIME AS AMENDED** this 15<sup>th</sup> day of October, 2020

**THIRD READING RESCINDED AND RE-READ A THIRD TIME AS AMENDED** this \_\_\_\_ day of \_\_\_\_, 202\_\_

**APPROVED BY THE INSPECTOR OF MUNICIPALITIES** this \_\_\_\_ day of \_\_\_\_, 202\_\_

**RECEIVED THE APPROVAL OF THE ELECTORS** this \_\_ day of \_\_\_\_, 20\_\_

**ADOPTED** this \_\_\_\_ day of \_\_\_\_, 202\_\_

\_\_\_\_\_  
RDOS Board Chair

\_\_\_\_\_  
Corporate Officer



**OLIVER AND DISTRICT ARENA  
LOAN AUTHORIZATION BYLAW NO. 2844, 2019  
Elector Response Form**

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I am **OPPOSED** to the adoption of Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to borrow a sum not more than four hundred thousand dollars (\$400,000) for the capital costs associated with the upgrades to the Oliver and District Arena, and

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian Citizen; and
- I have resided in British Columbia for at least six months; and
- I am a resident of the Oliver and District Arena service area (Town of Oliver or Electoral Area "C"), OR I have been a registered owner of real property in the Oliver and District Arena service area (Town of Oliver or Electoral Area "C") for at least 30 days; and
- I am not disqualified by law from voting in local elections; and
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to Bylaw No. 2844, 2019.

<b>ELECTOR'S FULL NAME (print)</b>
<b>RESIDENTIAL ADDRESS<sup>1</sup> (AND mailing address if different from residential address)</b>
<b>SIGNATURE OF ELECTOR</b>

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<sup>1</sup> Non-resident Property Electors must include the address of their property in order to establish their entitlement to sign the petition.



# OLIVER AND DISTRICT ARENA LOAN AUTHORIZATION BYLAW NO. 2844, 2019 Elector Response Form

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See the reverse side of this form for further information regarding the petition process.

Pursuant to Section 269 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen is proposing to seek the assent of the electors of the Regional District by alternative approval process in accordance with Section 86 of the *Community Charter*. The question before the electors is whether they are opposed to the adoption of Oliver and District Arena Loan Authorization Bylaw No. 2844, 2019, which, if adopted, will authorize the Regional Board to borrow a sum not more than four hundred thousand dollars (\$400,000) for the capital costs associated with the upgrades to the Oliver and District Arena.

## INSTRUCTIONS

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1. If you are opposed to the adoption of Bylaw No. 2844, 2019, you can sign an elector response form **if you qualify as an elector of the service area.**
  2. If you are NOT opposed to the adoption of the bylaw, you need do nothing.
  3. To sign an elector response form you MUST meet the qualifications as either a Resident Elector or a Non-Resident (Property) Elector of the service area (Town of Oliver or Electoral Area "C"). If you are unsure if you qualify, please contact the Regional District Office at 492-0237.
  4. Each Elector Response form may be signed by one elector of the Regional District.
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### 1.

All Elector Response Forms must be received by the Regional District on or before 4:30 p.m. on **Monday December 6, 2021** to be considered.

No faxed or emailed elector response forms will be accepted; must be **original signatures.**

### 2.

The number of electors in the service area is estimated to be 7541. If ten (10%) percent [754 electors] of the estimated number of electors in the Regional District sign an elector response form in opposition to the adoption of the said bylaw, Regional District cannot adopt the bylaw without receiving the assent of the electors by referendum.

### 3.

For further information, contact:

Christy Malden  
Manager of Legislative Services  
Regional District of Okanagan-Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9  
250-490-4146  
1-877-610-3737 [toll free]  
cmalden@rdos.bc.ca



## **Oliver and District Arena Loan Authorization Bylaw BYLAW No. 2844, 2019**

### **Notice of Alternative Approval Process**

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NOTICE IS HEREBY GIVEN pursuant to Section 86 of the Community Charter that the Board of Directors of the Regional District of Okanagan-Similkameen seek the approval of the electors with the boundaries of the Oliver and District Arena service area (Town of Oliver and Electoral Area "C") for the adoption of Oliver and District Loan Authorization Bylaw No. 2844, 2019.

In general terms, the bylaw would authorize the Regional Board to borrow a sum not more than four hundred thousand dollars (\$400,000) for the capital costs associated with the upgrades to the Oliver and District Arena.

The alternative approval process applies to qualified electors within the Oliver and District Arena Service Area, (Town of Oliver and Electoral Area "C").

PLEASE TAKE NOTICE THAT the Regional District may proceed with the adoption of Oliver and District Arena Loan Authorization Bylaw No. 2844 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within the Oliver and District Arena service area indicate their opposition by signing the Elector Response Form.

The Regional District has estimated the total number of qualified electors in the service area to be 7541 and that 10% of that number, or 754 qualified electors, must submit signed Elector Response Forms to prevent the Regional District from adopting the bylaw without the full assent of the electors by referendum.

An elector response form must be in the form established by the Regional District. Elector Response Forms are available from the Regional District office, including by mail, fax, or email, on request or on the Regional District website at [www.rdos.bc.ca](http://www.rdos.bc.ca).

The deadline for delivering the original signed Elector Response Form to the Regional District is 4:30 pm on **Monday December 6, 2021**.

The only persons entitled to sign an Elector Response Form are those who meet the following criteria:

**Resident electors must:**

- (a) be 18 years of age or older;
- (b) be a Canadian citizen;
- (c) be a resident of British Columbia, for at least 6 months;
- (d) be a resident of the Oliver and District Arena service area; and
- (e) not be disqualified by an Provincial enactment, or otherwise disqualified by law, from voting in an election.

**Non-Resident property electors must:**

- (a) not be entitled to register as a resident elector of the Oliver and District Arena service area;
- (b) be 18 years of age or older;
- (c) be a Canadian citizen;
- (d) be a resident of British Columbia, for at least 6 months;
- (e) be a registered owner of real property in the Oliver and District Arena service area for at least 30 days;
- (f) not be disqualified by any Provincial enactment or otherwise disqualified by law, from voting in an election; and
- (g) only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

The bylaw is available for public inspection at the Regional District Office 101 Martin Street, Penticton, BC, weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m., or alternatively, on our website at [www.rdos.bc.ca](http://www.rdos.bc.ca).

For more information on the alternative approval process please contact:

Christy Malden, Manager of Legislative Services  
101 Martin Street, Penticton, BC V2A 5J9  
250-490-4146 1-877-610-3737 [toll free]  
[cmalden@rdos.bc.ca](mailto:cmalden@rdos.bc.ca)

## ADMINISTRATIVE REPORT

**TO:** Protective Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** September 2, 2021

**RE:** **Declaration of State of Local Emergency Approval**

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### **Administrative Recommendation:**

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

THAT the Declaration of a State of Local Emergency for Electoral Area “H” that expired September 1<sup>st</sup> be extended for a further seven days to September 8<sup>th</sup>; and,

THAT all declarations be submitted to the Minister of State for Emergency Preparedness for approval.

### **Reference:**

*Emergency Program Act, Section 12*

12(1) A local authority or the head of the local authority, may, at any time that the local authority of the head of the local authority, as the case may be, is satisfied that an emergency exists or is imminent in the jurisdictional area for which the local authority has responsibility, declare a state of local emergency relating to all or any part of the jurisdictional area.

12(3) The head of a local authority must, before making a declaration under subsection (1), use best efforts to obtain the consent of the other members of the local authority to the declaration and must, as soon as practicable after making a declaration under subsection (1), convene a meeting of the local authority to assist in directing the response to the emergency.