

Lauri Feindell

From: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>
Sent: December 4, 2023 11:50 AM
To: Ben Kent
Subject: RE: Bylaw Amendment Referral - ZONE - 6886 Highway 97 | File No. C2023.013-ZONE

Ben

Thanks for the referral

The ALC has no objection to the bylaw amendments noting that it approved the boundary adjustment and non-farm use of the 0.12 ha area as per Resolution #325/2023.

Regards



Martin Collins,
Regional Planner | Agricultural Land Commission
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6
T 604-953-6673 |
www.alc.gov.bc.ca

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

From: Ben Kent <bkent@rdos.bc.ca>
Sent: Friday, December 1, 2023 3:45 PM
To: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>; Gyug, Philip AF:EX <Philip.Gyug@gov.bc.ca>; XT:Oliver, Town ENV:IN <admin@oliver.ca>; referrals@fortisbc.com; FOR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>; ofdchief@oliver.ca
Cc: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: Bylaw Amendment Referral - ZONE - 6886 Highway 97 | File No. C2023.013-ZONE

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

Re: Project No. C2023.013-ZONE
OCP & Zoning Bylaw Amendment

Please find attached a Referral sheet for an OCP and Zoning Bylaw Amendment application, along with a link to our web page with the relevant documentation.

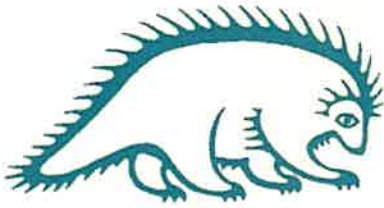
Please review and forward your comments to planning@rdos.bc.ca by January 8, 2024.

Kind Regards,



Ben Kent, MPL • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250-490-4109 • tf. 1-877-610-3737
www.rdos.bc.ca • bkent@rdos.bc.ca

This Communication is intended for the use of the recipient to whom it is addressed, and may contain confidential, personal and/ or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication and do not copy, distribute or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.



Okanagan Indian Band

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

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

Email: okibreferrals@okanagan.org

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

Project Name:

C2023.013-ZONE

FN Consultation ID:

C2023.013-ZONE

Consulting Org Contact:

Chris Garrish

Consulting Organization:

[Regional District of Okanagan Similkameen](#)

Date Received:

Friday, December 1, 2023

Attention: Chris Garrish

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

liml?mt | Thank You

Julie Richard

Referrals Management Clerk

Territorial Stewardship Division

Okanagan Indian Band

12420 Westside Road

Vernon BC, V1H 2A4

Office: 250-542-7132

Cell: 250-309-5217

Lauri Feindell

From: Guerreiro, Celina <celina.guerreiro@fortisbc.com>
Sent: December 19, 2023 10:57 AM
To: Planning
Cc: Referrals
Subject: RE: Bylaw Amendment - 6886 Highway 97 | No. C2023.013-ZONE - Fortis Property Referral #2023-1569 - Jan 8/24 - Okanagan-Similkameen

Some people who received this message don't often get email from celina.guerreiro@fortisbc.com. [Learn why this is important](#)

Good day,

With respect to the above noted file, FortisBC Energy Inc. (Gas) has reviewed the subject proposal and has no objections or concerns. **Note that there is an existing gas service line to the current premise. If an abandonment or alteration is required due to demolition, renovation or building on the gas meter line location, please contact: 1-888-224-2710 or visit FortisBC.com([here](#)) to guide an online application in order to initiate the planning process.**

If you have any questions or concerns, please do not hesitate to ask!

Thank you,

Celina Guerreiro, QEP, P.Ag, CTech
Planning & Design Technologist, Zone 5
Main: 1-250-868-4544
celina.guerreiro@fortisbc.com



FortisBC Energy Inc.
1975 Springfield Rd.
Kelowna, Bc
V1Y 7V7

From: Referrals <Referrals@fortisbc.com>
Sent: Wednesday, December 6, 2023 9:28 AM
To: Zone 5 Property Referrals <Zone5PropertyReferrals@fortisbc.com>
Subject: Bylaw Amendment - 6886 Highway 97 | No. C2023.013-ZONE - Fortis Property Referral #2023-1569 - Jan 8/24 - Okanagan-Similkameen

Fortis Property Referral #2023-1569

Please review the attached / below and provide your comments directly to planning@rdos.bc.ca by **Jan 8, 2024**.

If a Statutory Right of Way is required, please copy referrals@fortisbc.com in on your response so that we may update our records.

Thank you,

Liz Dell

Lands Department, Property Services Assistant

16705 Fraser Highway | Surrey BC V4N 0E8

P: 778-578-8038 / referrals@fortisbc.com

From: Ben Kent <bkent@rdos.bc.ca>

Sent: Friday, December 1, 2023 3:45 PM

To: ALC.Referrals@gov.bc.ca; philip.gyug@gov.bc.ca; admin@oliver.ca; Referrals <Referrals@fortisbc.com>; FLNRDOSReferrals@gov.bc.ca; ofdchief@oliver.ca

Cc: Lauri Feindell <lfeindell@rdos.bc.ca>

Subject: [External Email] - Bylaw Amendment Referral - ZONE - 6886 Highway 97 | File No. C2023.013-ZONE

CAUTION: This is an external email.
Do not respond, click on links or open attachments unless you recognize the sender.

Re: Project No. C2023.013-ZONE
OCP & Zoning Bylaw Amendment

Please find attached a Referral sheet for an OCP and Zoning Bylaw Amendment application, along with a link to our web page with the relevant documentation.

Please review and forward your comments to planning@rdos.bc.ca by January 8, 2024.

Kind Regards,



Ben Kent, MPL • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250-490-4109 • tf. 1-877-610-3737
www.rdos.bc.ca • bkent@rdos.bc.ca

This Communication is intended for the use of the recipient to whom it is addressed, and may contain confidential, personal and/ or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication and do not copy, distribute or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.

This email was sent to you by FortisBC*. The contact information to reach an authorized representative of FortisBC is 16705 Fraser Highway, Surrey, British Columbia, V4N 0E8, Attention: Communications Department. You can unsubscribe from receiving further emails from FortisBC by emailing unsubscribe@fortisbc.com.

*"FortisBC" refers to the FortisBC group of companies which includes FortisBC Holdings, Inc., FortisBC Energy Inc., FortisBC Inc., FortisBC Alternative Energy Services Inc. and Fortis Generation Inc.

This e-mail is the property of FortisBC and may contain confidential material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. FortisBC does not accept liability for any errors or omissions which arise as a result of e-mail transmission. If you are not the intended recipient, please contact the sender immediately and delete all copies of the message including removal from your hard drive. Thank you.



**DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION**

Your File #: C2023.013-ZONE
eDAS File #: 2023-05923
Date: December 28, 2023

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Zoning Amendment Bylaw 2800.32,2024 for:
Lot 48D, District Lot 2450s, SDYD, Plan KAP1729
Oliver, BC**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions, please feel free to call Penticton Development Services at (250) 712-3660.

Yours truly,

Rob Bitte
Development Officer

Local District Address
Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231



Bylaw Referral

Regional District of Okanagan-Similkameen

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

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

OFFICE USE ONLY	
Date:	December 1, 2023
Bylaw:	2452.24 & 2800.32
File:	C2023.013-ZONE

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

Please email your reply to planning@rdos.bc.ca by **January 8, 2024**.

PURPOSE OF THE BYLAWS: The applicant is seeking to amend the zoning of the property in order to formalize the historic encroachment of an adjacent vehicle repair use onto Crown land. Specifically, it is being proposed to:

- amend the land use designation of an approximately 0.12 ha portion of the property under the Electoral Area 'C' Official Community Plan (OCP) Bylaw No. 2452, 2008, from Agriculture (AG) to Industrial (I); and
- amend the zoning of an approximately 0.12 ha portion of the property under the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Agriculture One (AG1) to General Industrial (I1).

LEGAL DESCRIPTION: Lot 48D, Plan KAP1729, District Lot 2450S, SDYD

CIVIC ADDRESS: N/A (adjacent property to the north is 6886 Highway 97)

PID: 011-280-573

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

OTHER INFORMATION:

The applicant is seeking to rezone a 0.12 ha portion of Crown land that is in the process of being consolidated with their adjacent property at 6886 Highway 97. The Crown land is currently zoned AG1, but the adjacent vehicle repair use encroached onto it many years ago. The requested rezoning is to formalize this encroachment.

An application for Crown purchase (File No. 3412996) of the 0.12 ha portion of the subject property by the owner of the adjacent property was accepted on March 10, 2020 and required that the Crown parcel be subdivided and subsequently consolidated with the adjacent property.

A subdivision application (eDAS File #2020-01639) to consolidate the 0.12 ha area of the encroachment with the parcel at 6686 Highway 97 has been referred to the Regional District and the requested rezoning to I1 is required to facilitate the proposed subdivision.

The subject property is within the ALR and ALC Resolution #325/2023 approved the 0.12 ha portion of this parcel to be consolidated with the property at 6886 Highway 97.

The remainder of the Crown parcel is indicated as being subject to a Fortis Statutory Right of Way. The subject property is within water and fire service areas provided by the Town of Oliver.

Additional information can be found at the following location:

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-C/c2023-013-ZONE>

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

Ben Kent
Ben Kent, Planner I

Agency Referral List

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> ALC | <input checked="" type="checkbox"/> Fortis | <input checked="" type="checkbox"/> Ministry of Agriculture |
| <input checked="" type="checkbox"/> Town of Oliver | <input checked="" type="checkbox"/> Ministry of Forests | <input checked="" type="checkbox"/> OKIB |
| <input checked="" type="checkbox"/> MoTI | <input checked="" type="checkbox"/> Oliver Fire Department | |

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2452.24 & 2800.32

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

The Ministry of Water, Land and Resource Stewardship (formerly Ministry of Forests) is aware of the Crown Grant application under file no. 3412996 and the requirement for rezoning of this 0.12 ha. Crown lands supports this applicaiton.

Signature: *D Snider*

Signed By: Danielle Snider

Agency: Ministry of Water, Land and Resource Stewardship

Title: Senior Authorizations Specialist

Date: January 2, 2024

Lauri Feindell

From: Fox, Alison AF:EX <Alison.Fox@gov.bc.ca>
Sent: January 12, 2024 11:55 AM
To: Ben Kent
Cc: ALC Referrals ALC:EX; Zabek, Chris AF:EX
Subject: RE: Bylaw Amendment Referral - ZONE - 6886 Highway 97 | File No. C2023.013-ZONE

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ben,
Given that the ALC has approved the non-farm use for the 0.12ha piece of Crown land through ALC Resolution #325/2023, Ministry staff have no other comments on this application at this time.
Thank you for the opportunity to review it.
Alison

Alison Fox, P.Ag.
Land Use Agrologist
Strengthening Farming Program
BC Ministry of Agriculture and Food
778 666-0566
Alison.Fox@gov.bc.ca

Ministry Mission: World leading stewardship of land, farm and food systems for the health and prosperity of British Columbians

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail and any attachments is prohibited. If you have received this e-mail in error, please contact me immediately by return e-mail and delete this copy from your system. Thank you.

P Please consider the environment before printing this email.

From: Ben Kent <bkent@rdos.bc.ca>
Sent: Tuesday, January 9, 2024 11:28 AM
To: Fox, Alison AF:EX <Alison.Fox@gov.bc.ca>
Subject: RE: Bylaw Amendment Referral - ZONE - 6886 Highway 97 | File No. C2023.013-ZONE

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

Hi Alison,

While I can't delay this application from proceeding to advisory committee meetings, any referral comments submitted by January 17th would be received in time for our Regional District Board to consider at first and second reading of this bylaw.

Any comments you could submit would be greatly appreciated.

Regards,



Ben Kent, MPL • Planner II
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250-490-4109 • tf. 1-877-610-3737
www.rdos.bc.ca • bkent@rdos.bc.ca

This Communication is intended for the use of the recipient to whom it is addressed, and may contain confidential, personal and/or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication and do not copy, distribute or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.

From: Fox, Alison AF:EX <Alison.Fox@gov.bc.ca>
Sent: January 9, 2024 10:53 AM
To: Ben Kent <bkent@rdos.bc.ca>
Subject: RE: Bylaw Amendment Referral - ZONE - 6886 Highway 97 | File No. C2023.013-ZONE

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

Hello Ben,
Due to staff holidays through December and early January, it was not possible to meet the deadline of January 8th for this referral. Is it possible to get an extension until January 17th?
Thanks,
Alison

Alison Fox, P.Ag.
Land Use Agrologist
Strengthening Farming Program
BC Ministry of Agriculture and Food
778 666-0566
Alison.Fox@gov.bc.ca

Ministry Mission: World leading stewardship of land, farm and food systems for the health and prosperity of British Columbians

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail and any attachments is prohibited. If you have received this e-mail in error, please contact me immediately by return e-mail and delete this copy from your system. Thank you.

P Please consider the environment before printing this email.

From: Gyug, Philip AF:EX <Philip.Gyug@gov.bc.ca>
Sent: Friday, December 1, 2023 4:07 PM
To: Fox, Alison AF:EX <Alison.Fox@gov.bc.ca>
Subject: FW: Bylaw Amendment Referral - ZONE - 6886 Highway 97 | File No. C2023.013-ZONE

RDOS Referral

From: Ben Kent <bkent@rdos.bc.ca>
Sent: Friday, December 1, 2023 3:45 PM
To: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>; Gyug, Philip AF:EX <Philip.Gyug@gov.bc.ca>; XT:Oliver, Town ENV:IN <admin@oliver.ca>; referrals@fortisbc.com; FOR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>; ofdchief@oliver.ca
Cc: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: Bylaw Amendment Referral - ZONE - 6886 Highway 97 | File No. C2023.013-ZONE

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

Re: Project No. C2023.013-ZONE
OCP & Zoning Bylaw Amendment

Please find attached a Referral sheet for an OCP and Zoning Bylaw Amendment application, along with a link to our web page with the relevant documentation.

Please review and forward your comments to planning@rdos.bc.ca by January 8, 2024.

Kind Regards,



Ben Kent, MPL • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250-490-4109 • tf. 1-877-610-3737
www.rdos.bc.ca • bkent@rdos.bc.ca

This Communication is intended for the use of the recipient to whom it is addressed, and may contain confidential, personal and/ or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication and do not copy, distribute or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.