



**DEVELOPMENT APPROVALS
PRELIMINARY BYLAW
COMMUNICATION**

Your File #: D2018.100-
ZONE BL
2455.39 (OK
Falls Town
Centre)
eDAS File #: 2018-05022
Date: November 19, 20

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw 2455.39, 2018 for:
Okanagan Falls Town Centre**

Preliminary Approval is granted for the above noted Text Amendment Bylaw (*Version 2018-11-16*) for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions please feel free to call Rob Bitte at (250) 490-2280.

Yours truly,

Rob Bitte
District Development Technician

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

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2603.16 & 2455.39

Approval Recommended for Reasons
Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to
Conditions Below

Approval Not Recommended Due
to Reasons Outlined Below

Signature: 

Signed By: Janelle Rimell

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: November 13, 2018



RESPONSE SUMMARY *Additional Information*

AMENDMENT BYLAW NOS. 2603.16 & 2455.39

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

There are three large archaeological sites located in the center of Okanagan Falls and on the shore of Skaha Lake. DiQv-17, DiQv-38 and DiQv-28 are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. Additionally, archaeological potential modelling for the area indicates that the whole area of interest has high potential to contain unknown archaeological deposits.

Prior to any land-altering activities on or near the archaeological sites, an Eligible Consulting Archaeologist should be engaged to determine the steps in managing impacts to the sites. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

If a permit is required, proponents should be advised that the permit application and issuance process takes approximately 8-10 weeks and should plan their development schedule accordingly.

If work is planned that is outside of the red areas as shown in the screenshot below, the Archaeology Branch cannot require that proponents conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent(s). However, the Archaeology Branch strongly encourages engaging an archaeologist prior to development as the sites may extend beyond the limits indicated on the attached screenshot.

If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted, and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

Below is a screenshot showing downtown Okanagan Falls in relation to the archaeological sites (red areas). The brown/orange colour of the screenshot is the archaeological potential – in this case the entire area has high potential to contain unknown/unrecorded archaeological deposits.

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

Kind regards,

Diana



This shows the downtown and lakeshore of Okanagan Falls in relation to the archaeological sites.



This is the downtown and lake shore of Okanagan Falls showing the archaeological potential (brown/orange colour).



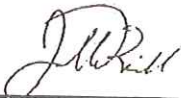
Diana Cooper | Archaeologist/Archaeological Site Inventory Information and Data Administrator

Archaeology Branch|Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7| PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3
Phone: 250-953-3343 | Fax: 250-953-3340 | Website: <http://www.for.gov.bc.ca/archaeology/>

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2455.39

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

Signature: 

Signed By: Janelle Rimell

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: October 2, 2018

From: Clifford, Robyn M TRAN:EX
To: [Christopher Garrish](#)
Cc: [Mitch Benke](#); [Rob Bitte](#)
Subject: Bylaw 2455.39 - OFTC zone
Date: September 25, 2018 3:12:11 PM

Our file: 2018-05022

Your file: D2018.100- Zone

Good afternoon Chris,

As per our earlier discussions, we have the following concerns relating to the proposed OFTC zone:

- Page 1, Sec. 2.iii – reference to new “Sec. 9.5 Off-Street Vehicle Parking Exemption”, specifically regarding the 50% reduction in on-site parking for commercial uses. As discussed, this reduction in parking is not supported by the Ministry. All public roads in the Okanagan Falls area are provincial highways under Ministry jurisdiction therefore ministry parking standards apply as a minimum.
- Page 2, Sec. 13.1.2.a) - reference to Sec. 15.18: where is this located in the bylaw?
- Page 3, Sec. 13.1.7.b) Accessory building setback: please add an additional item v) to reflect a 4.5 metre minimum setback adjacent any public road (as per the preceding paragraph).
- Page 4, reference to deletion of Sec. 17.20.1 and Sec. 17.20.2 however there doesn't appear to be any schedule for rezoning the affected properties once these sections are deleted.

Please call if you have any questions in this regard.

Yours truly,

Robyn M. Clifford
Sr. District Development Technician
Ministry of Transportation & Infrastructure, Okanagan Shuswap District
tel 250.712-3665 cell 250.878-4518 email robyn.clifford@gov.bc.ca





Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2018.100-ZONE

FROM: Name: Philip Rathjen
(please print)

Street Address: _____
* also _____

RE: Electoral Area "D" Zoning Amendment Bylaw No. 2455.39
OK Falls Town Centre Plan Implementation – Phase 2 (Zoning Amendments)

My comments / concerns are:

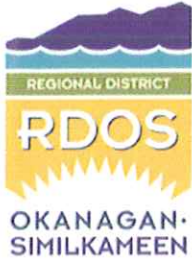
- I do support the proposed amendments to the Electoral Area "D" Zoning Bylaw.
- I do support the proposed amendments to the Electoral Area "D" Zoning Bylaw, subject to the comments listed below.
- I do not support the proposed amendments to the Electoral Area "D" Zoning Bylaw.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2455.39.

- 1) The flexibility of the OFTC zone to allow Residential use along with commercial uses on the ground floor of mixed complexes will be a welcomed improvement provided the RDOS respects the rights of home residents to enjoy the use of their property, by exercising guidelines to restrict the location of commercial use that is a 'poor' fit with residential complexes or public facilities.
- 2) As per the Sept 25th discussion at OFTC update meeting the 15 metre (5 floor) building height may continue to discourage development due to costs and parking space needed.

Feedback Forms must be completed and returned to the Regional District
no later than Friday **October 5, 2018**





Feedback Form

RECEIVED
Regional District

NOV 23 2018

Regional District of Okanagan Similkameen

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

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2018.100-ZONE

FROM: Name: RAY & BARB MULROONEY
(please print)

Street Address: _____

RE: Electoral Area "D" 155.39
OK Falls Town Centre Plan Implementation – Phase 2 (Zoning Amendments)

My comments / concerns are:

- I do support the proposed amendments to the Electoral Area "D" Zoning Bylaw.
- I do support the proposed amendments to the Electoral Area "D" Zoning Bylaw, subject to the comments listed below.
- I do not support the proposed amendments to the Electoral Area "D" Zoning Bylaw.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2455.39.

Feedback Forms must be completed and returned to the Regional District
no later than Friday **November 27, 2018**

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.