



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, April 18, 2019  
RDOS Boardroom – 101 Martin Street, Penticton

## SCHEDULE OF MEETINGS

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9:00 am	-	9:15 am	Public Hearing: Electoral Area “D” Official Community Plan Bylaw and Zoning Bylaw Amendments, 176 Chadwell Place
9:15 am	-	10:45 am	Planning and Development Committee
10:45 am	-	11:00 am	Community Services Committee
11:00 am	-	12:30 pm	Corporate Services Committee
12:30 pm	-	1:00 pm	Lunch
1:00 pm	-	2:30 p.m.	Environment and Infrastructure Committee
2:30 pm	-	2:45 pm	Protective Services Committee
2:45 pm	-	4:30 pm	RDOS Board

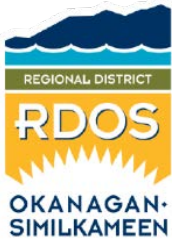
*"Karla Kozakevich"*

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Karla Kozakevich  
RDOS Board Chair

### Advance Notice of Meetings:

May 9, 2019	RDOS Board/Committee Meetings
May 23, 2019	RDOS Board/OSRHD Board/Committee Meetings
June 6, 2019	RDOS Board/Committee Meetings
June 20, 2019	RDOS Board/OSRHD Board/Committee Meetings
July 4, 2019	RDOS Board/Committee Meetings
July 18, 2019	RDOS Board/OSRHD Board/Committee Meetings
August 1, 2019	RDOS Board/Committee Meetings
August 15, 2019	RDOS Board/OSRHD Board/Committee Meetings



# NOTICE OF PUBLIC HEARING

Amendment to the Electoral Area “D” Official Community Plan Bylaw No. 2603, 2013, and Zoning Bylaw No. 2455, 2008.

176 Chadwell Place (Lot 3, Plan EPP61041, District Lot 2710, SDYD)

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area “D” Official Community Plan Amendment Bylaw No. 2603.17, 2019, and Zoning Amendment Bylaw No. 2455.40, 2019**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a delegated public hearing to be held on:

**Date:** Thursday, April 18, 2019

**Time:** 9:00 a.m.

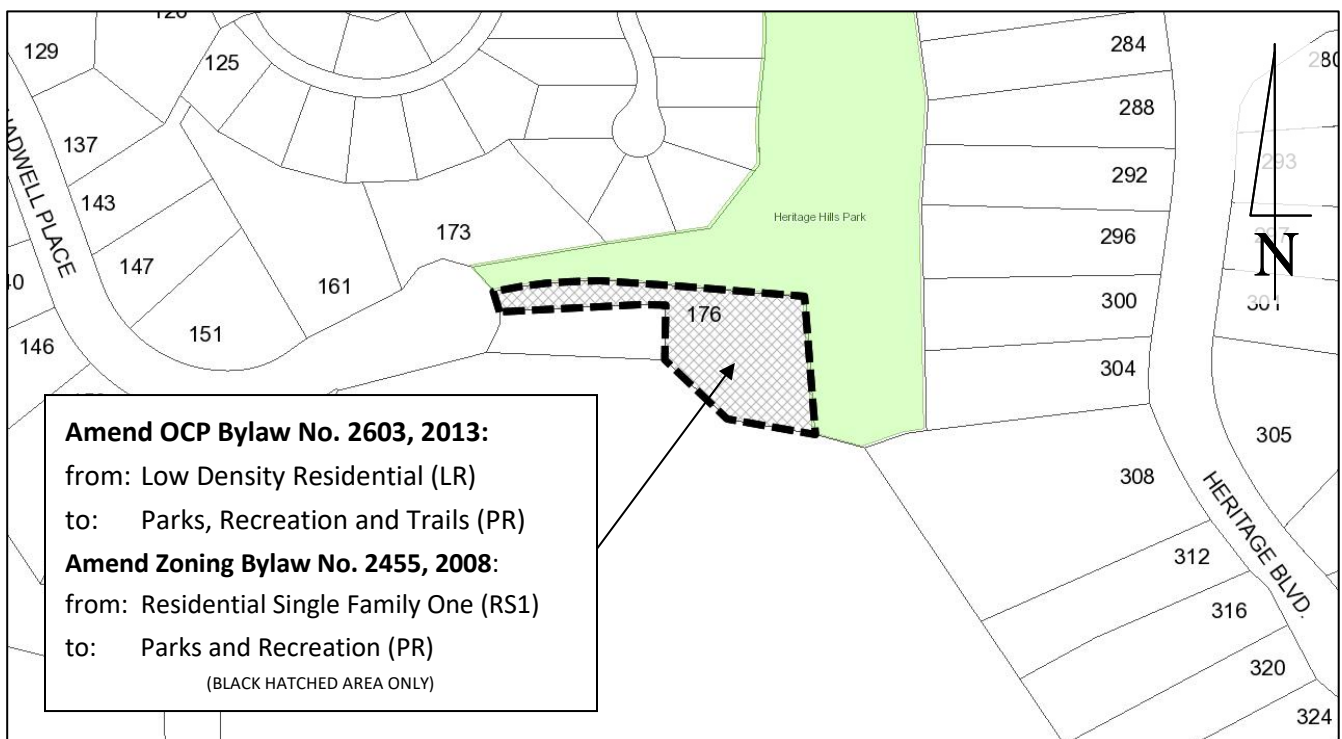
**Location:** RDOS, Board Room, 101 Martin Street, Penticton

The proposed amendments to the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, and Zoning Bylaw No. 2455, 2008, are related to a rezoning of the property at 176 Chadwell Place, legally described as Lot 3, Plan EPP61041, District Lot 2710, SDYD, that is being initiated by the Regional District in order to reflect its acquisition by the Regional District for park purposes.

Specifically:

**Amendment Bylaw No. 2603.17, 2019**, proposes to amend the OCP Bylaw Map, being Schedule ‘B’ of the Electoral Area “D” OCP Bylaw No. 2603, 2013, by changing land use designation of the subject property from Low Density Residential (LR) to Parks, Recreation and Trails (PR).

**Amendment Bylaw No. 2455.40, 2019**, proposes to amend the Official Zoning Map, being Schedule ‘2’ of the Electoral Area “D” Zoning Bylaw No. 2455, 2008, by changing the land use designation of the subject property from Residential Single Family One (RS1) to Parks and Recreation (PR).



For further information about the content of the **Official Community Plan Amendment Bylaw No. 2603.17, 2019, and Zoning Amendment Bylaw No. 2455.40, 2019**, and the land affected by it, persons are encouraged to inspect a copy of the proposed Bylaws at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information related to this proposal is also available at: [www.rdos.bc.ca](http://www.rdos.bc.ca) (Departments → Development Services → Planning → Current Applications & Decisions → Electoral Area “D” → D2019.001-ZONE).

Anyone who considers themselves affected by **Official Community Plan Amendment Bylaw No. 2603.17, 2019, and Zoning Amendment Bylaw No. 2455.40, 2019**, can present written information to the Regional District prior to or at the public hearing and may also speak at the public hearing. No

letter, report or representation from the public will be received after the conclusion of the public hearing.

**NOTE:** 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.

**Postal:** 101 Martin St, Penticton, BC, V2A-5J9 | **Tel:** 250-490-4101 | **Fax:** 250-492-0063 | **Email:** [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Planning and Development Committee

Thursday, April 18, 2019

9:15 a.m.

## REGULAR AGENDA

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### A. APPROVAL OF AGENDA

#### RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of April 18, 2019 be adopted.

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### B. Delegation – Agricultural Land Commission

Jennifer Dyson, Chair

Gerry Zimmermann, Vice Chair

Kim Grout, Chief Executive Officer

Representatives from the ALC will provide an overview of the organizational structure, update on the Revitalization of the ALR Committee findings, provide justification into the decisions to allow industrial cannabis production as a permitted farm use in the ALR.

1. Administrative Report – Recent Amendments
- 

### C. Bylaw Enforcement

Administration will present legal updates on various enforcement matters.

#### RECOMMENDATION 2

THAT in accordance with Section 90(1)(i) of the *Community Charter*, the Board close the meeting to the public on the basis of receipt of advice subject to lawyer-client privilege.

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### D. Quarterly Activity Report

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### E. ADJOURNMENT



# ADMINISTRATIVE REPORT



**TO:** Planning and Development Committee

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

**DATE:** April 18, 2019

**RE:** Agricultural Land Commission Act – Recent Amendments  
**For Information Only**

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## **Purpose:**

To provide the Board with background information regarding recent and proposed amendments to the *Agriculture Land Commission (ALC) Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. This is in support of representative(s) from the Agricultural Land Commission (ALC) appearing as delegation at the Planning and Development (P&D) Committee meeting of April 18, 2019.

## **Background:**

On July 13, 2018, the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* was amended by Order-in-Council No. 380 in order to clarify that the lawful production of cannabis was considered a “farm use” if produced outdoors in a field or inside a structure that has a base consisting entirely of soil [emphasis added].

As a result of this amendment, all forms of cannabis production that are not produced “in a field or inside a structure that has a base consisting entirely of soil” are now considered to be a “non-farm use” and as requiring the “authorization” of the Regional District Board and approval of the Agricultural Land Commission (ALC).

Moreover, local governments gained authority to restrict any aspect of cannabis production in the ALR where such production involves a structure that has a base that does not consist entirely of soil, but this has to be done by bylaw.

At its meeting of September 6, 2018, the Planning and Development (P&D) Committee of the Board resolved to “direct staff to prepare a zoning bylaw amendment for all applicable Electoral Areas to prohibit the non-farm use of Cannabis production within all zones where ‘agriculture’ is listed.”

As part of the discussion related to this item, a request was put forward by Director(s) to have the ALC invited to present to the Board directly on these legislative changes. Staff subsequently co-ordinated with the ALC in order to have the Chair of the Commission, Jennifer Dyson, and Chief Executive Officer (CAO), Kim Grout, present to the Board at its meeting of April 18, 2019.

Since this request from the Board, the provincial government has adopted Bill 52, being the *Agricultural Land Commission Amendment Act, 2018*, on November 27, 2018. Amongst other things, the amendments contained within this Bill resulted in the following:

- The reinstatement of a single zone for all ALR land in BC (previously the RDOS was comprised within “Zone 1”);
  - limiting new house sizes to less than 500 m<sup>2</sup>, except through application to the ALC in cases where it would support farming;
-

- 
- requiring ALC approval of any additional residences in the ALR to curb non-farm development; and
  - cracking down on the dumping of construction debris, toxic waste and other fill in the ALR through increased penalties.

On March 7, 2019, the provincial government gave 1<sup>st</sup> reading to Bill 15, being the *Agricultural Land Commission Amendment Act, 2019*. Amongst other things, the amendments contained within this Bill propose the following:

1. *replacing the current ALC governance model of six panel regions and an executive committee with one commission maintaining regional representation by requiring membership from all six administrative regions;*
2. *providing the chair of the ALC with more flexibility to organize commission members into a decision-making panel on applications when warranted, by topic, technical expertise or by an administrative region;*
3. *adding new decision-making criteria to prioritize the protection and enhancement of the size, integrity and continuity of the land base that the ALC must consider when exercising any power or performing a duty under the ALCA;*
4. *adding more compliance and enforcement capacity and tools, including a new offence for landowners who do not produce records to the ALC when ordered;*
5. *requiring that exclusions be submitted to the ALC only by local governments, First Nations governments or the Province, to encourage these type of applications be done as part of thoughtful land-use planning process.*

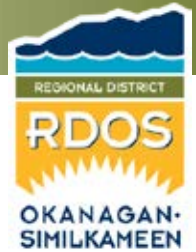
**Respectfully submitted:**

  
C. Garrish, Planning Manager

**Endorsed by:**

  
B. Dollevoet, General Manager of Dev. Services

# ADMINISTRATIVE REPORT



**TO:** Planning & Development Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** First Quarter, 2019 Activity Report – Development Services Department  
**For Information Only**

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## Overview:

The Development Services Department comprises the functional areas of Planning, Building Inspection, Bylaw Enforcement, Heritage and Development Engineering.

## PLANNING:

### Q1 Activities

#### Regional Growth Strategy:

- Ø Climate Projections Report: Pacific Climate Impacts Consortium continuing Climate projection modelling for Okanagan Basin. Project led by RDNO, with RDCO and RDOS in supporting role;
- Ø South Okanagan Regional Growth Strategy Overview P&D Committee report;
- Ø 2017 RGS Snapshot report presented to the Board in January, 2019;
- Ø RGS consistency Board report presented for a proposed 12 lot subdivision in Electoral Area "E".

#### Electoral Area Planning:

The following reports were prepared for consideration by the Planning and Development Committee:

- Ø Official Community Plan Bylaw Review Schedule;
- Ø *Agricultural Land Commission Act* Amendments – Residential Dwellings;
- Ø Board of Variance Overview;
- Ø Cannabis Production Facilities, Electoral Area Zoning Bylaw Amendment;
- Ø Overview of OBWB/Provincial "1.0 Hectare Policy" for Grant Funding;
- Ø Accessory Dwelling Unit ("carriage house") Review; and
- Ø Foreshore (Docks and Moorage) Regulations.

The following reports were prepared for consideration by the Board:

- Ø 6 Official Community Plan and/or Zoning Bylaw Amendments\*;
- Ø 7 Development Variance Permits;
- Ø 1 Temporary Use Permits;
- Ø 4 Agriculture Land Commission Referrals;
- Ø Letters of Concurrence (Telus), Electoral Area "E"; and
- Ø Official Community Plan Review

\*may include multiple readings of same amendment bylaw(s)

- ∅ 7 Development Permits (i.e. Environmentally Sensitive, Watercourse, etc.) were issued under delegated authority.
- ∅ 7 Advisory Planning Commission (APC) Meetings were scheduled.
- ∅ 2 Public Information Meetings for Bylaw Amendments or Temporary Use Permits were scheduled.
- ∅ 2 Public Hearings were scheduled.
- ∅ The following Development Permits were approved:

**Environmentally Sensitive Development Permits**

	"A"	"B"	"C"	"D"	"E"	"F"	"G"	"H"	"I"	Total
Development (i.e. construction)	1	n/a	-	-	1	-	n/a	-	2	4
Land Alteration	-	n/a	-	-	-	-	n/a	-	-	-
Subdivision	-	n/a	-	-	-	-	n/a	-	-	-
<b>1<sup>st</sup> Quarter Total (2019)</b>	<b>1</b>	<b>n/a</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>*</b>	<b>n/a</b>	<b>-</b>	<b>1</b>	<b>4</b>

**Watercourse Development Permits**

	"A"	"B"	"C"	"D"	"E"	"F"	"G"	"H"	"I"	Total
Development (i.e. construction)	2	n/a	-	1	-	-	n/a	-	-	3
Land Alteration	-	n/a	-	-	-	-	n/a	-	-	-
Subdivision	-	n/a	-	-	-	-	n/a	-	-	-
<b>1<sup>st</sup> Quarter Total (2019)</b>	<b>2</b>	<b>n/a</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>n/a</b>	<b>-</b>	<b>-</b>	<b>3</b>

- ∅ A total of 3 Liquor License referral for Lounge and Special Event Area Applications:
  - ✓ Nighthawk Vineyards ("I")
  - ✓ Therapy Vineyards Ltd. ("E"); and
  - ✓ Desert Hills Estate Windery ("C").
- ∅ The following represents the subdivision referrals that were received from the Ministry of Transportation and Infrastructure (MoTI):

**Subdivisions Referrals Received: January 1, 2019 to March 31, 2019**

	A	B	C	D	E	F	G	H	I	Total
Fee Simple	-	-	-	-	-	-	-	-	-	-
Bare Land Strata	-	-	-	-	-	-	-	-	-	-
Conventional	-	-	-	-	1	-	1	3	-	5
Road Closure	-	-	-	-	-	-	-	1	-	1
<b>Year to Date</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>4</b>	<b>-</b>	<b>6</b>

- 
- ∅ Provision of planning services to the Town of Oliver on a month-to-month basis.  
NOTE: the Town of Oliver has notified the Regional District of its intent to cancel their planning services contract. Currently, the Town is in the hiring process of a Manager of Development Services.
  - ∅ Provision of planning services to the Village of Keremeos
  - ∅ Provision of planning services to the Town of Princeton

#### Planned Activities for Q2 – 2019

- Review of 2017 amendments to the Environmentally Sensitive Development Permit Area Designation, Guidelines & Mapping.
- Continue work in support of South Okanagan Electoral Area Zoning Bylaw No. 2800 (i.e. Apex Zones, Small Holdings & Residential zones, etc.);
- Public consultation and adoption of amendment bylaw for Cannabis Production Facilities.
- Continue to provide planning services to the Town of Oliver, Village of Keremeos and Town of Princeton.

#### **BUILDING INSPECTION:**

##### Q1 Activities

- 135 permits were issued to March 31, 2019, compared to 99 which were issued to the same date in 2018 (see Attachment No. 2 for the annual summary of issued Building Permits).
- The new farm building provisions are currently undergoing public consultation with respect to draft Building Bylaw #2805, 2018.
- Active enforcement of Building bylaw violations continues. 13 files have been brought before the Board in Q1.
- Average timeline from application date to permit issuance is 23 days.

#### Planned Activities for Q2 – 2019

- Public consultation completion, review and adoption of Building Bylaw #2805, 2018.

#### **BYLAW ENFORCEMENT:**

##### Q1 Activities

- Schedules updated for the Bylaw Notice Enforcement Bylaw
- Review of the Animal Control level of Service for contributing Electoral Areas. Implementation of revised Animal Control service.
- One Untidy/Unsightly bylaw contravention Board report presented for Electoral Area "I".

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Planned Activities for Q2 – 2019

- Continue to review internal processes to work towards standardizing and streamlining workflows
- Work with Legislative Services to develop processes for board hearings related to Untidy & Unsightly premises bylaw and Noise Bylaw  
(see Attachment 3 for Summary of Bylaw Enforcement Complaints)

**DEVELOPMENT ENGINEERING:**

Q1 Activities

- ∅ Twin Lake Golf Course Resort development
  - ✓ Finalization of Water Monitoring Terms of Reference (requirement of 2<sup>nd</sup> reading)
- ∅ Keremeos Building Permits Review:
  - ✓ Off-site infrastructure requirements for two Building Permits
- ∅ Keremeos Subdivisions:
  - ✓ Issued Preliminary Layout Review for S-2018-01
  - ✓ Draft Preliminary Layout Review for S-2018-02
- ∅ Works and Services Bylaw Project: legal review of the “front-end” bylaw and a consultant is reviewing the technical specifications.

Planned Activities for Q2 – 2019

- Twin Lakes Golf Course Resort
  - Have community water and sewer designs at 80 percent complete
  - Draft Servicing Agreement(s) prior to scheduling public hearing for rezoning.
- Continue Works and Services Bylaw and Schedules preparation.
- Continue to provide development engineering services to the Village of Keremeos.
- Completing works and services reviews for referrals from Planning Services.

**Respectfully Submitted**



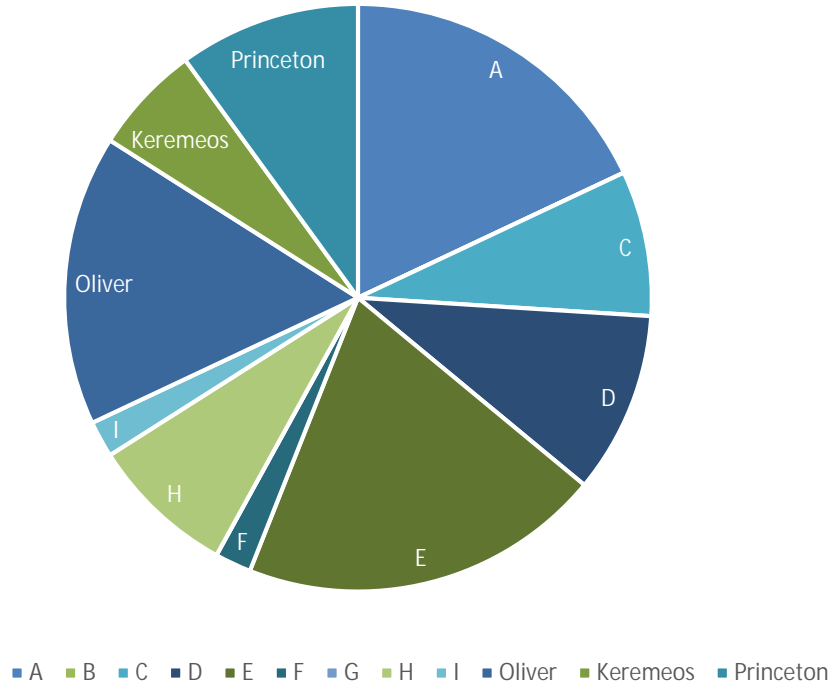
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B. Dollevoet, General Manager, Development Services

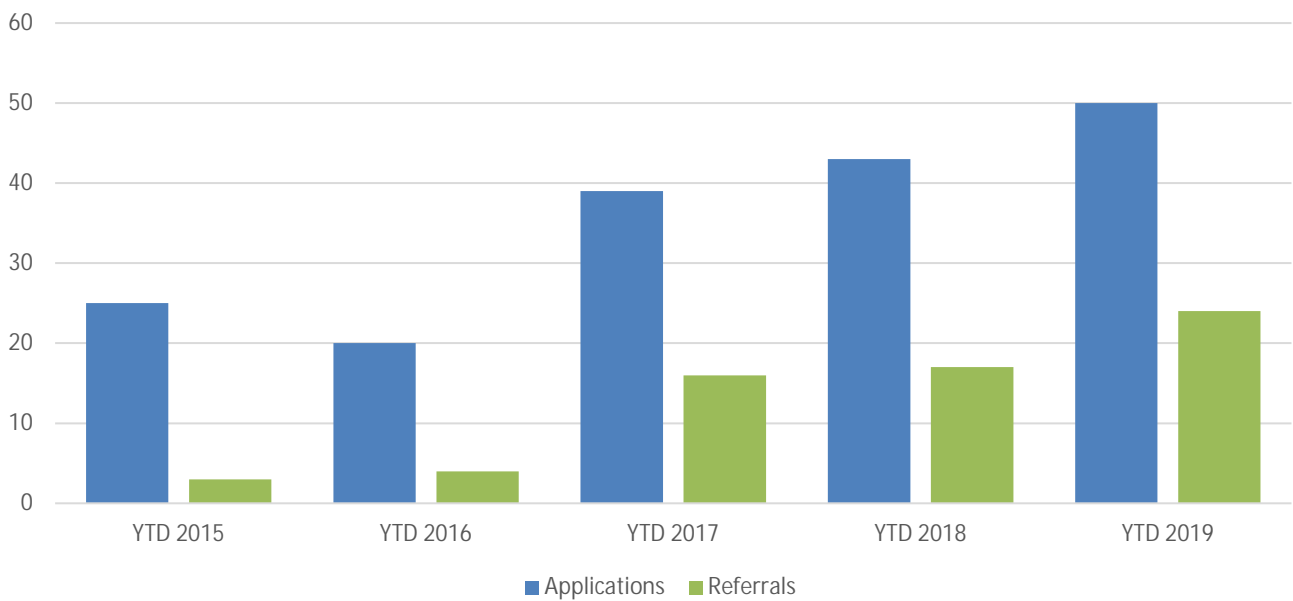
Attachments: No. 1 – Number of Development Applications / Referrals (1<sup>st</sup> Quarter)  
No. 2 – Summary of Building Permits (1<sup>st</sup> Quarter)  
No. 3 – Summary of Bylaw Enforcement Complaints (1<sup>st</sup> Quarter)

Attachment No. 1 - Number of Development Applications / Referrals, 1<sup>st</sup> Quarter, 2019

Development Applications - Electoral Areas/Member municipalities



Year-to-date Applications & Referrals



Attachment No. 2 – Summary of Building Permits Issued, 1<sup>st</sup> Quarter 2019

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN  
SUMMARY OF BUILDING PERMITS FOR THE MONTH OF MARCH 2019

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN SUMMARY OF BUILDING PERMITS FOR THE MONTH OF MARCH 2019										
NUMBER OF PERMITS ISSUED										
DESCRIPTION	A	C	D	E	F	H	I	TOTAL	2019	2018
RENEWAL/DEFICIENCY		1						1	8	10
S.F.D.	1	1	1	4		2	2	11	24	18
MOBILE/MANU HOMES	1							1	9	11
CABINS/REC SEMI-DETACHED, DUPLEX, MULTI						1		1	1	1
DEMOLITION / MOVE	1	1	1					3	7	4
ACCESSORY USES	1	5	3	2	2	3	2	18	34	20
ADDITIONS / REPAIRS / PLUMBING	1	1		2	4	1		9	26	23
COMMERCIAL							1	1	5	8
INDUSTRIAL FARM BUILDING EXEMPTION		1				1		2	5	3
INSTITUTIONAL								0	0	0
SOLID FUEL APPLIANCE								0	16	0
<b>MONTHLY TOTAL</b>	<b>5</b>	<b>10</b>	<b>5</b>	<b>8</b>	<b>6</b>	<b>8</b>	<b>5</b>	<b>47</b>	<b>135</b>	<b>99</b>
<b>YEAR TO DATE 2019</b>	<b>12</b>	<b>23</b>	<b>19</b>	<b>22</b>	<b>10</b>	<b>21</b>	<b>28</b>	<b>135</b>		
<i>SAME MONTH 2018</i>	<i>6</i>	<i>7</i>	<i>11</i>	<i>8</i>	<i>4</i>	<i>4</i>	<i>0</i>	<i>40</i>		
<i>YEAR TO DATE 2018</i>	<i>16</i>	<i>19</i>	<i>21</i>	<i>22</i>	<i>7</i>	<i>14</i>	<i>0</i>	<i>99</i>		
DOLLAR VALUE OF PERMITS										
DESCRIPTION	A	C	D	E	F	H	I	TOTAL	TOTAL YEAR	
RENEWAL/DEFICIENCY		\$1,000						\$1,000	\$146,500	
S.F.D.	\$348,185	\$335,400	\$344,760	\$1,207,697		\$301,390	\$193,865	\$2,731,297	\$7,174,825	
MOBILE/MANU HOMES	\$131,760							\$131,760	\$1,129,655	
CABINS/REC SEMI-DETACHED, DUPLEX, MULTI						\$93,975		\$93,975	\$93,975	
DEMOLITION / MOVE	\$1,000	\$1,000	\$1,000					\$3,000	\$7,000	
ACCESSORY USES	\$57,120	\$210,040	\$136,890	\$37,310	\$116,979	\$147,040	\$80,720	\$786,099	\$1,583,514	
ADDITIONS / REPAIRS / PLUMBING	\$14,000	\$94,400		\$119,800	\$89,710	\$5,760		\$323,670	\$1,799,468	
COMMERCIAL							\$80,000	\$80,000	\$2,507,740	
INDUSTRIAL FARM BUILDING EXEMPTION								\$0	\$0	
INSTITUTIONAL								\$0	\$0	
SOLID FUEL APPLIANCE								\$0	\$16,000	
<b>MONTHLY TOTAL</b>	<b>\$552,065</b>	<b>\$641,840</b>	<b>\$482,650</b>	<b>\$1,364,807</b>	<b>\$206,689</b>	<b>\$548,165</b>	<b>\$354,585</b>	<b>\$4,150,801</b>	<b>\$14,458,676</b>	
<b>YEAR TO DATE 2019</b>	<b>\$1,128,560</b>	<b>\$2,435,940</b>	<b>\$3,276,655</b>	<b>\$2,625,322</b>	<b>\$580,544</b>	<b>\$1,308,665</b>	<b>\$3,102,990</b>	<b>\$14,458,676</b>		
<i>SAME MONTH 2018</i>	<i>\$837,185</i>	<i>\$1,076,570</i>	<i>\$1,845,606</i>	<i>\$1,248,035</i>	<i>\$631,140</i>	<i>\$802,340</i>	<i>\$0</i>	<i>\$5,067,093</i>		
<i>YEAR TO DATE 2018</i>	<i>\$2,355,195</i>	<i>\$4,884,210</i>	<i>\$2,554,806</i>	<i>\$3,344,365</i>	<i>\$672,240</i>	<i>\$1,206,780</i>	<i>\$0</i>	<i>\$12,042,313</i>		
BUILDING INSPECTION REVENUE										
MONTH	2013	2014	2015	2016	2017	2018	2019			
JANUARY	\$15,847.48	\$8,965.60	\$17,905.98	\$38,090.55	\$39,602.01	\$55,887.27	\$30,704.46			
FEBRUARY	\$18,055.76	\$25,842.00	\$19,575.32	\$29,419.02	\$44,897.41	\$37,396.10	\$81,677.98			
MARCH	\$28,007.02	\$30,397.81	\$32,251.07	\$41,406.24	\$62,053.58	\$72,804.20	\$51,199.20			
APRIL	\$20,973.73	\$28,055.24	\$47,883.66	\$15,209.80	\$35,550.35	\$41,018.96				
MAY	\$43,054.17	\$47,678.54	\$34,819.01	\$88,336.89	\$335,459.36	\$61,771.86				
JUNE	\$42,069.21	\$78,964.49	\$62,473.80	\$105,215.54	\$66,954.09	\$70,972.42				
JULY	\$46,889.56	\$48,610.54	\$93,218.43	\$70,891.24	\$95,394.43	\$71,463.33				
AUGUST	\$35,669.63	\$41,182.51	\$59,620.80	\$73,568.01	\$47,165.53	\$42,822.93				
SEPTEMBER	\$24,607.81	\$68,044.72	\$121,384.59	\$102,226.37	\$90,566.53	\$45,924.16				
OCTOBER	\$28,791.57	\$36,694.11	\$39,069.81	\$44,894.56	\$43,695.30	\$84,294.81				
NOVEMBER	\$25,620.64	\$40,766.83	\$58,845.97	\$32,663.33	\$58,442.60	\$43,348.80				
DECEMBER	\$16,484.32	\$39,792.14	\$40,132.41	\$29,147.95	\$41,432.10	\$32,698.12				
<b>TOTAL</b>	<b>\$346,070.90</b>	<b>\$494,994.53</b>	<b>\$627,180.85</b>	<b>\$671,069.50</b>	<b>\$961,213.29</b>	<b>\$660,402.96</b>	<b>\$163,581.64</b>			



Attachment No. 3 – Summary of Bylaw Enforcement Complaints, 1st Quarter

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
**SUMMARY OF BYLAW INFRACTIONS**  
**1ST QUARTER (JAN-MAR 2019)**

**COMPLAINTS RECEIVED January - March 2019**

DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD	2018	2018 YTD
LAND USE	0	0	1	1	0	0	0	1	1	4	4	2	2
ESDP	0	0	0	0	0	0	0	0	0	0	0	0	0
WDP	0	0	0	0	0	0	0	0	0	0	0	4	4
MULTIPLE	0	0	0	0	0	0	0	0	1	1	0	0	0
UNTIDY/UNSIGHTLY	0	0	1	0	1	0	0	0	0	2	2	0	0
BUILDING BYLAW	1	0	1	0	0	2	0	0	0	4	4	4	4
ANIMAL CONTROL	3	0	3	4	1	2	0	0	1	14	13	19	19
NOISE CONTROL	0	0	0	7	2	1	0	0	2	12	12	2	2
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>4</b>	<b>0</b>	<b>6</b>	<b>12</b>	<b>4</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>5</b>	<b>37</b>	<b>35</b>	<b>31</b>	<b>31</b>

**COMPLAINTS RESOLVED January - March**

DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD	2018	2018 YTD
LAND USE	0	0	1	0	2	4	1	0	0	8	8	47	47
ESDP	0	0	1	0	0	0	0	0	0	1	1	0	0
WDP	0	0	0	0	0	0	0	0	0	0	0	4	4
MULTIPLE	0	0	0	1	0	0	0	0	0	1	1	0	0
UNTIDY/UNSIGHTLY	0	0	0	1	0	0	0	0	0	1	1	19	19
BUILDING BYLAW	1	0	1	0	0	0	0	1	0	3	3	5	5
ANIMAL CONTROL	2	3	0	3	0	0	0	0	0	8	8	4	4
NOISE CONTROL	0	0	0	6	2	0	0	0	2	10	10	4	4
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>11</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>32</b>	<b>32</b>	<b>83</b>	<b>83</b>

**TOTAL ACTIVE COMPLAINTS**

DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL
LAND USE	5	0	15	9	3	9	1	3	7	52
ESDP	0	0	0	1	1	0	0	0	1	3
WDP	4	0	0	1	0	0	0	0	1	6
MULTIPLE	0	0	1	0	0	0	0	1	2	4
UNTIDY/UNSIGHTLY	0	0	5	8	3	2	3	5	2	28
BUILDING BYLAW	0	0	1	1	0	1	0	3	2	8
ANIMAL CONTROL	1	3	6	3	1	0	2	0	4	20
NOISE CONTROL	0	0	0	4	1	0	0	0	0	5
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>10</b>	<b>3</b>	<b>28</b>	<b>27</b>	<b>9</b>	<b>12</b>	<b>6</b>	<b>12</b>	<b>19</b>	<b>126</b>

**MILEAGE**

DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD
LAND USE	0	0	152	65	2	217	0	0	57	493	493
ESDP	0	0	0	0	0	0	0	0	0	0	0
WDP	0	0	0	0	0	0	0	0	0	0	0
MULTIPLE	0	0	0	0	0	0	0	0	0	0	0
UNTIDY/UNSIGHTLY	0	0	91	351	45	0	82	212	67	848	848
ANIMAL CONTROL	393.5	0	537	521	68	76	39		830.5	2465	2465
NOISE CONTROL	0	0	0	429	186	34	0	0	99	748	748
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>393.5</b>	<b>0</b>	<b>780</b>	<b>1366</b>	<b>301</b>	<b>327</b>	<b>121</b>	<b>212</b>	<b>1054</b>	<b>4554</b>	<b>4554</b>
<b>YTD</b>	<b>393.5</b>	<b>0</b>	<b>780</b>	<b>1366</b>	<b>301</b>	<b>327</b>	<b>121</b>	<b>212</b>	<b>1054</b>	<b>4554</b>	



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, April 18, 2019

10:45 a.m.

## REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Community Services Committee Meeting of April 18, 2019 be adopted.

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B. Quarterly Activity Report

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C. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Community Services Committee

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

**DATE:** April 18, 2019

**RE:** First Quarter Activity Report – For Information Only

### COMMUNITY SERVICES DEPARTMENT

Parks, Recreation, Transit, Cemeteries and Rural Projects

#### Activities Completed for Q1 2019

##### **Parks, Recreation and Trails**

- Completed AGM's and orientation meetings for all Parks and Recreation Commissions.
- Started the 2020 planning process with Parks and Recreation Commissions.
- Commenced construction at Pioneer Park in Kaleden, including extension of the KVR trail and improvements to parking and drainage. Completed a \$100k cost-sharing agreement with MoTI to support the project.
- Secured a guest spot for the 'RDOS Play' Physical Activity Trailer (PAT) at the SILGA Conference in Penticton.
- Proposed a new Use Agreement for the Kaleden Community Hall.
- Completed the Provincial well registration process for RDOS parks.
- Applied for ICIP grants for Similkameen Pool, Oliver Arena, Pioneer Park, West Bench Parks, Manitou Park and Okanagan Fall Beach Parks.
- Applied for and received:
  - BCRPA Summer Student Grant - \$5,000
  - Rec Sites and Trails Partnership grant - \$5,000
  - Great Trail Spring Clean Up grant - \$1,000
- Moved Beach volleyball courts at Christie Memorial Park.
- Removed picnic shelter in Kenyon Park.
- Negotiated funding memorandum of understanding with Community Association for Heritage Hills park development.
- Completed re-design of Okanagan Falls boat launch.
- Completed preliminary design concepts of the Wharf Park re-development in Naramata.
- Completed renovations to 101 Martin Street office annex/EOC.
- Completed upgrades to 101 Martin Street office walls, doors, paint.
- Completed winter maintenance of pedestrian corridor, park paths, landfill and 101 Martin Street.
- Completed Winter Recreation programs, developed NEW Spring Guides and distributed to the public via print, social media, website and civic ready.
- Finalized a Joint Use Agreement with Keremeos and Cawston Schools (SD 53).

- Meeting with SD67 to negotiate a Joint Use Agreement for West Bench Elementary and Kaleden with value added from Regional Recreation initiatives (specifically PAT visits).
- Developing the RDOS Play framework, including PAT Booking Form, standardized forms for registration and waivers.
- Updated Regional Recreation website and created online forms for park vendor and facility and park rentals.
- Hosted Physical Literacy 101 Workshop including 35 cross sectoral partners – Physical Literacy for Communities project.

### **Transit**

- Completed the AAP for the upcoming 2019 Penticton – Kelowna Regional Transit service.
- Completed the Service Development Plan MOU for Penticton-Kelowna expansion with BC Transit.
- Presented final Penticton – Kelowna Transit service plan to Board.

### **Rural Projects**

- Submitted permit applications for Alison Creek trail sediment removal.

## **Planned Activities for Q2 2019**

### **Parks, Recreation and Trails**

- Continue 2020 planning process with Parks and Recreation commissions.
- Park startups and spring cleanup.
- Regional trail assessment and spring cleaning.
- Assist Recreations Sites and Trails B.C. with the repairs to damaged sections of the KVR in Faulder and Tulameen.
- Complete final design and permitting for Okanagan Falls and Kaleden boat launch replacements.
- Design and tendering for upgrades to the Selby Park playground in West Bench.
- Complete pickleball and tennis courts surfacing at Spirit Park in Naramata.
- Commence design process for Manitou Park.
- Complete design and install new irrigation zones at Kobau Park in Cawston.
- Open Similkameen Pool in Keremeos.
- Licence of Occupation application for KVR Summerland to Osprey Lake.
- Renew Licence of Occupation for Okanagan Falls boat launch and Lions Park.
- Continue with detailed design of Heritage Hills Park.
- Complete 2019 phase of the Pioneer Park in Kaleden (KVR Trail, drainage and parking lot).
- Host spring special events and begin development of summer recreation guides.
- Implement PLAY OS milestones and from Community Action Teams.
- Confirm PAT visits and sponsorship.
- Hire Outdoor Play Facilitator (Canada Summer Job) to coordinate PAT visits and assist with regional recreation programs.

### **Transit**

- Work with the Transit working group and BC Transit to finalize the 2019 Penticton – Kelowna Regional transit service.
- Work with BC Transit to solidify options for West Bench Transit.
- Undertake analysis of existing services to improve transit efficiency.
- Finalize a Transit marketing plan.

### **Rural Projects**

- Begin RDOS building assessments in Naramata.

**Respectfully submitted:**

*Mark Woods*

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M. Woods, Manager of Community Services



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, April 18, 2019

11:00 a.m.

## REGULAR AGENDA

- 
- A. APPROVAL OF AGENDA  
**RECOMMENDATION 1**  
THAT the Agenda for the Corporate Services Committee Meeting of April 18, 2019 be adopted.
- 
- B. 2019 Corporate Action Plan – For Information Only
- 
- C. Quarterly Activity Report – for information only
- 
- D. Communication and Engagement Plan 2019 – for information only
- 
- E. Community Works Fund Update – For Information Only
- 
- F. ADJOURNMENT

# **2019 Corporate Action Plan**

## **Q1 Report**

2019 Business Plan Adopted by the Board of Directors on 21 March 2019

# 2019 Corporate Action Plan

(Adopted 21 March 2019)

## Dashboard

#	Objective	Status	Page
1.1.1	By achieving a high standard of financial management and reporting		4
1.1.2	By being an effective local government		4
1.2.1	By implementing the 2019 joint occupational health and safety action plan		4
1.3.1	By implementing an Organizational Development Program		5
2.1.1	By promoting regional district facilities and services		5
2.1.2	By engaging our citizens in the development and improvement of our programs		5
2.2.1	By continuously improving bylaws, policies and process within the organization		6
2.2.2	By implementing the regional transit future plan		6
2.3.1	By working with IHA to attract physicians to the Regional District		6
3.1.1	By reviewing and updating the emergency management program		7
3.1.2	By implementing the Regional Trails Program		7
3.1.3	By implementing the 2019 phase of the parks program		7
3.1.4	By providing public recreational opportunities		8
3.2.1	By developing an Asset Management Plan		8
3.2.2	By Reviewing Long-Range Planning Documents		8
3.3.1	By implementing the 2019 Phase of the Solid Waste Management Plan		9
3.3.2	By enhancing the Okanagan Falls Waste Water Treatment System		9
3.3.3	By enhancing Regional District Water System Delivery		9
4.1.1	By executing the Strategic Planning and Enterprise Risk Management Programs		10
4.2.1	By assisting the Board to operate in an effective manner		10
4.2.2	By improving Regional District/ Municipal Relations		10



## Dashboard

### Progress Colour Key:

No Issues

GREEN

Minor issue(s)

YELLOW

Significant issue(s)

RED

For the full detail on each corporate objective refer to the appropriate # or page # in the document attached hereto.

### Action Plan Definitions:

- CAO = Chief Administrative Officer  
 GMCS = General Manager of Community Services  
 GMDS = General Manager of Development Services  
 MFS = Manager of Financial Services  
 MHR = Manager of Human Resources  
 MIS = Manager of Information Systems  
 MLS = Manager of Legislative Services  
 GMPW = General Manager of Public Works

### Status Colour Key:

Q1 – Black

Q2 – Red

Q3 - Blue

Q4 - Green

## 2019 Corporate Action Plan

### Key Success Driver 1.0: High Performing Organization

<b>Goal 1.1 To Be an Effective, Fiscally Responsible Organization</b>				
<b>Objective 1.1.1 - By achieving a high standard of financial management and reporting</b>				
#	ACTION	WHO	WHEN	STATUS
1.1.1.1	Receipt of an unqualified independent audit for 2018	MFS	Q2	Underway
1.1.1.2	Adoption of an informed 2019 – 2023 Financial Plan	MFS	Q1	Complete
1.1.1.3	Successfully meeting budget in 95% of established services	SMT	Q4	
1.1.1.4	Defining enhanced financial controls; including, <ul style="list-style-type: none"> <li>· Audit Policy</li> <li>· Reserves Audit and Plan</li> </ul>	MFS	Q2	
1.1.1.5	Define performance indicators in every Dept. and report in MD&A	MFS	Q3	
1.1.1.6	Review the Board Remuneration Bylaw and initiate discussion on CRA Changes	MLS	Q3	Underway

<b>Objective 1.1.2 - By being an effective local government</b>				
#	ACTION	WHO	WHEN	STATUS
1.1.2.1	Complete phase 2 (Water Facilities) of the Business Continuity Plan	MLS	Q2	
1.1.2.2	Complete Phase 3 (Other RDOS Facilities) of the business Continuity Plan	MLS	Q4	
1.1.2.3	Develop and implement a workspace plan for RDOS facilities	GMCS	Q1	Complete

<b>Goal 1.2 To Be a Healthy and Safe Organization</b>				
<b>Objective 1.2.1 By implementing the 2019 joint occupational health and safety action plan</b>				
#	ACTION	WHO	WHEN	STATUS
1.2.1.1	Complete the 2019 phase of the Safe Work Procedures Plan	MHR	Q4	
1.2.1.2	Keep the RDOS injury rate below the average for our WorkSafe BC classification unit	MHR	Q3	

<b>Goal 1.3 To Cultivate a High Performing Organizational Culture</b>				
<b>Objective 1.3.1 By implementing an Organizational Development Program</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
1.3.1.1	Develop and support an employee organizational development committee	CAO	Q1	Complete
1.3.1.2	Create a 2019 organizational development action plan	MHR	Q2	
1.3.1.3	Conduct a Staff Perception Survey	MHR	Q4	
1.3.1.4	Show improved results on the 2019 Staff Perception Survey over 2018 Survey	MHR	Q4	
1.3.1.5	Establish a mandate and commence negotiations for a revised collective agreement	CAO	Q3	

**Key Success Driver 2.0: To Optimize the Customer Experience**

<b>Goal 2.1 To Provide a High Level of Customer Service</b>				
<b>Objective 2.1.1 By promoting regional district facilities and services</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
2.1.1.1	Participate in Local Government Awareness Week	MLS	Q2	
2.1.1.2	Develop a marketing program to promote understanding of RDOS Facilities and Services	MLS	Q3	
2.1.1.3	Host an open house in each Electoral Area	MLS	Q4	

<b>Objective: 2.1.2 By engaging our citizens in the development and improvement of our programs</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
2.1.2.1	Utilization of social media tools to enhance organizational engagement	MLS	Q3	
2.1.2.2	Conduct 5 service-related quality assurance surveys	MLS	Q3	
2.1.2.3	Evaluate Community Satellite Offices in Naramata; Kaleden and Okanagan Falls	MLS	Q3	

<b>Goal 2.2 To Meet Public Needs Through the Continuous Improvement of Key Services</b>				
<b>Objective 2.2.1 By improving bylaws, policy and process within the organization</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
2.2.1.1	Review 8 Services to ensure compliance with requisition limits and geographic boundaries entrenched in Establishment Bylaws	MLS/ MFS	Q2	
2.2.1.2	Ensure policies are current and reflect the priorities of the 2018 – 2022 Board of Directors	MLS	Q4	
2.2.1.3	Amend the CAO Delegation Bylaw to reflect the direct oversight of Fire Departments by the Board of Directors	CAO	Q2	
2.2.1.4	Purchase Internal Tracking Software for tracking of Building permits as well as other Development Services process applications	GMDS	Q2	On schedule
2.2.1.5	Adopt an updated Works and Servicing Bylaw	GMDS	Q3	On schedule
2.2.1.6	Adoption of Okanagan Valley Consolidated Zoning Bylaw	GMDS	Q4	Delayed due to staff shortages.
2.2.1.7	Bring 8 Regulatory Bylaws forward to the Board for discussion and updating including, but not limited to: Parks; Untidy/Unsightly; Fireworks; Burning; Heritage; animal control	MLS	Q3	
2.2.1.8	Investigate a Service Establishment Bylaw to capture parking enforcement in unincorporated communities	GMDS/ MLS	Q3	
2.2.1.9	Process Loan Authorization bylaws including, but not limited to: Oliver Arena and Willowbrook Fire Truck	MLS	Q2	

<b>Objective 2.2.2 By implementing the 2019 phase of the regional transit future plan</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
2.2.2.1	Implement the Penticton – Kelowna Service	GMCS	Q4	
2.2.2.2	Review and revise the West Bench Service	GMCS	Q4	

<b>Goal 2.3: To Provide Adequate Access to Health Care</b>				
<b>Objective 2.3.1 By Working with IHA to Attract Physicians to the Regional District</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
2.3.1.1	Organize a workshop to gather information on a preferred standard of health care; including IHA, Physicians Assoc.	CAO	Q2	

2.3.1.2	Determine the RDOS role in physician attraction for the 2020 Budget, including service establishment and financial support	CAO	Q2	
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### Key Success Driver 3.0: To Build a Sustainable Region

#### KSD 3: BUILDING A SUSTAINABLE REGION

#### Goal 3.1 To Develop a Socially Sustainable Region

#### Objective 3.1.1 By reviewing and updating the emergency management program

#	ACTION	WHO	WHEN	STATUS
3.1.1.1	Review and update the emergency program bylaw	GMCS	Q2	
3.1.1.2	Review and update the emergency response plan	GMCS	Q2	
3.1.1.3	Develop an emergency response plan exercise program and implement the 2019 phase	GMCS	Q2	
3.1.1.4	Plan and organize the 2019 emergency response and recovery	GMCS	Q2	
3.1.1.5	Prepare an approach to the Minister of Public Safety regarding Emergency/Disaster Mitigation Future Plan	CAO	Q1	Complete
3.1.1.6	Investigate development of a "Flood Management Service"	GMCS	Q2	Suspended by the Board
3.1.1.7	Update the Community Wildfire Protection Plan	GMCS	Q3	

#### Objective 3.1.2: By implementing the regional trails program

#	ACTION	WHO	WHEN	STATUS
3.1.2.1	Establish a Regional Trail network connection at Hedley	GMCS	Q2	
3.1.2.2	Install trail head signage at 4 locations throughout the Regional District	GMCS	Q2	
3.1.2.3	Develop a regional parks and trails maintenance standards policy	GMCS	Q4	
3.1.2.4	Review the Regional Trails Master Plan with the Board	GMCS	Q2	

#### Objective 3.1.3: By implementing the 2019 Phase of the Parks Program

#	ACTION	WHO	WHEN	STATUS
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3.1.3.1	Implement the 2019 phase of the Heritage Hills Park development plan	GMCS	Q4	
3.1.3.2	Implement the 2019 phase of the Pioneer Park redevelopment plan	GMCS	Q2	
3.1.3.3	Construct public boat launches in Okanagan Falls and Kaleden	GMCS	Q4	
3.1.3.4	Prepare a park development plan for the Coalmont Park	GMCS	Q2	
3.1.3.5	Construct a public restroom at Osoyoos lake Park	GMCS	Q2	
3.1.3.6	Construct the Mariposa Park Sports Court and Selby Park Playground	GMCS	Q2	
3.1.3.7	Implement the 2019 phase of the Manitou Park development plan	GMCS	Q4	

<b>Objective 3.1.4: By providing public recreational opportunities</b>				
#	ACTION	WHO	WHEN	STATUS
3.1.4.1	Carry out the Physical Literacy for Communities initiative (PL4C) project throughout the Region	GMCS	Q3	
3.1.4.2	Redevelopment of the Similkameen Swimming Pool	GMCS	Q3	

<b>Goal 3.2 To Develop an Economically Sustainable Region</b>				
<b>Objective: 3.2.1: By Developing an Asset Management Plan</b>				
#	ACTION	WHO	WHEN	STATUS
3.2.1.1	Implement Phase 3 of the Asset Management Plan	MFS	Q4	Contract awarded

<b>Objective: 3.2.2: By Reviewing Long-Range Planning Documents to keep Current with Best Practice</b>				
#	ACTION	WHO	WHEN	STATUS
3.2.2.1	Review the allowance of Carriage Homes and Accessory Dwellings in Residential Zones	GMDS	Q1	Committee presentation complete.
3.2.2.2	Update the Geotechnical Hazard area study for the Greater West Bench community	GMDS	Q2	On Schedule
3.2.2.3	Commence the Electoral Area "A" Official Community Plan review process	GMDS	Q4	On Schedule

<b>Goal 3.3: To Develop an Environmentally Sustainable Region</b>				
<b>Objective: 3.3.1: By implementing the 2019 Phase of the Solid Waste Management Plan</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.1.1	Present a Solid Waste Orientation to the Board	GMPW	Q2	
3.3.1.2	Acquire a regional organics facility site	GMPW	Q4	
3.3.1.3	Work with the City of Penticton to relocate the Penticton Compost Facility at CMLF	GMPW	Q4	
3.3.1.4	Complete the leachate treatment design and construction plan for CMLF	GMPW	Q4	
3.3.1.5	Proceed with approved landfill gas management system design	GMPW	Q4	
3.3.1.6	Complete the closure works for the Keremeos landfill	GMPW	Q4	
3.3.1.7	Commence planning for an expanded entrance to the Campbell Mountain Landfill	GMPW	Q3	
3.3.1.8	Construct the Apex transfer station	GMPW	Q3	

<b>Objective 3.3.2 By enhancing the Okanagan Falls Waste Water Treatment System</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.2.1	Complete design and carry out construction on the Wetland Project	GMPW	Q4	
3.3.2.2	Repurpose the Building Canada II sewer project	GMPW	Q3	
3.3.2.3	Complete design of a new solids dewatering works at the WWTP	GMPW	Q2	

<b>Objective: 3.3.3: By enhancing the Regional District Water System Delivery</b>				
<b>#</b>	<b>ACTION</b>	<b>WHO</b>	<b>WHEN</b>	<b>STATUS</b>
3.3.3.1	Finalize the Cross-Connection Control Bylaw and the financial plan	GMPW	Q3	
3.3.3.2	Develop a Water System Acquisition Policy and Procedure	GMPW	Q2	

3.3.3.3	Review and adopt the regional Water Regulatory Bylaw	GMPW	Q2	
3.3.3.4	Develop a Filtration Deferral and Source Water Protection Plan for the Naramata Water System	GMPW	Q3	

**Key Success Driver 4.0: Provide Governance and Oversight in a Representative Democracy**

**Goal 4.1 To Execute a Well-Defined Strategic Planning Cycle**  
**Objective: 4.1.1: By executing the Strategic Planning and Enterprise Risk Management Programs.**

#	ACTION	WHO	WHEN	STATUS
4.1.1.1	Develop a 2019 – 2022 Strategic Plan	CAO	Q1	Complete
4.1.1.2	By conducting a Values Workshop for the 2018 – 2022 Board of Directors	CAO	Q2	
4.1.1.3	Adoption of the 2019 Corporate Business Plan	CAO	Q1	Complete
4.1.1.4	Update the Enterprise Risk Management Register and present to 2018-2022 Board of Directors	MIS	Q2	
4.1.1.5	Initiate the 2020 Corporate Business Plan Cycle	MIS	Q3	

**Goal 4.2 To Promote Board and Chair Effectiveness**  
**Objective: 4.2.1: By assisting the Board to operate in an effective manner**

#	ACTION	WHO	WHEN	STATUS
4.2.1.1	Plan and implement a Board orientation program for the 2018 – 2022 Board-elect	MLS	Q4 2018	Complete
4.2.1.2	Develop and present an accountability framework to the Board to assist with oversight responsibilities	CAO	Q2	
4.2.1.3	Develop a report on Board evaluation as part of the Governance discussions for the Board	CAO	Q2	
4.2.1.4	Review the Legislative Structure	CAO	Q4	
4.2.1.5	Present governance sessions for Area Planning, Recreation and Water Commissions	SMT	Q2	Complete

**Objective: 4.2.2: By Improving Regional District/ Municipal Relations**

#	ACTION	WHO	WHEN	STATUS
4.2.2.1	Identify relationship success factors	CAO	Q2	



4.2.2.2	Organize a workshop with member municipalities to discuss relationship-building	CAO	Q2	
4.2.2.3	Re-establish the CAO Group Working Committee	CAO	Q2	

DRAFT

## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Q1 2019 Activity Report

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### LEGISLATIVE SERVICES

#### 2019 Q1 Completed Activities

- Oriented Parks & Rec, Water and Advisory Planning Commissions
- Coordinated budget meetings in Electoral Areas / Public Engagement events
- Commenced review of Area "D" / "I" Economic Development Service
- Completed literature and legislative review of Flood Water service requirements
- 2019 – 2022 Strategic Plan processed and adopted by the Board
- 2019 Corporate Business Plan processed and adopted by the Board
- 2019 Corporate Action Plan developed
- Develop Terms of Reference for Citizen Review Committee for Remuneration
- Adopted 2019 Fees and Charges Bylaw
- Coordinated 2019 Home Show booth – focus on Emergency Services

#### 2019 Q2 Planned Activities

- Create service area for Chute Lake Dam
  - Review Shinnish Creek Diversion/Chain Lakes Service
  - Create Borrowing bylaw for Oliver Parks and Recreation Society
  - Review Parks Establishment and Regulatory bylaws
  - Review remaining Heritage and Fireworks bylaws
  - Commence transfer process for Missezula Lake Water System
  - Coordinate 2019 Local Government Awareness Week
  - Coordinate and attend 2019 SILGA conference
  - Investigate obtaining permits from MOTI for parking and boulevard maintenance issues
-

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## **2.0 INFORMATION SERVICES DEPARTMENT**

### **2019 Q1 – Completed Activities**

- Electronic Document Management System (EDMS)
  - Training for records manager on new software
  - Research methods and implications of implementing automatic declaration of records
  - Implement 2 factor authentication to expose EDMS outside network
- Configure new backup server on SharePoint site
- Update EOC dashboard and add new mobile GIS apps for collecting more information while in the field and displaying it immediately on the dashboard
- Launch new website specific for EOC: <https://emergency.rdos.bc.ca>
- Complete RFP for collecting drone data at the landfills to more accurately plan heights and volume growth
- Participate in RFP for more asset management work and recommendation of new software
- Fulfill IT requirements (phone, internet, computers) for new annex at 105 Estabrook Ave and move CS staff to new location

### **2019 Q2 – Planned Activities**

- Electronic Document Management System (EDMS)
  - Implementing automatic declaration of records
  - Implement 2 factor authentication
- Setup new physical server to host virtual servers
- Decommission old backup machine
- Setup new physical server to host virtual servers
- Move public website to new Content Management System
- Import and quality assurance of detailed drone data for RDOS Landfills
- Participate in RFP for new development tracking software
- Add water service information to field GIS apps for PW's field staff
- Update web mapping software to current version
- Update EOC equipment with latest software and datasets
- Incorporate latest flood plan mapping datasets from OBWB into RDOS GIS
- Negotiate new agreement for phone and internet services with SD67
- Fulfill IT requirements (phone, internet, computers) for office renovation at 101 Martin St
- Organize Enterprise Risk Management workshop for admin staff and present to Board

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## **FINANCE DEPARTMENT**

### **2019 Q1 Completed Activities**

- Conducted public consultation on budget
- 2019 RDOS and OSRHD 5-Year Financial Plans adopted
- Filed 2018 EOC claims now totalling \$5,239,914.11
- Participated in 2018 Financial Audit
- Finalized Budget Process Review Terms of Reference
- Awarded RFP for Phase 3 of Asset Management Plan
- Maternity leave replacement hired for UB Clerk position

### **2019 Q2 Planned Activities**

- Obtain unqualified audit opinion on 2018 Financials
- Release Expression of Interest for Purchasing Cards
- Conduct stakeholder workshops with Asset Management consulting team
- Submission of tax requisition to the Provincial Surveyor of Taxes and member municipalities
- Continue to convert vendors to EFT
- File ongoing 2018 EOC Reimbursement Claims
- Investigate functionality Time Tracker replacement software
- Undertake review of budget process
- Generate and distribute annual utility billings
- Recruit for Clerk 2
- Update the EOC Finance Section procedures
- Manage open enrolment period for the Fire Departments benefits plan

## **4.0 HUMAN RESOURCES DEPARTMENT**

### **2019 Q1 Completed Activities**

- 2019 recruitments on schedule
- Safe Work Procedure updates continue
- WHMIS training for new staff is underway as part of orientation process
- Compensation survey for exempt and union staff is in progress
- Enterprise Unit work is underway for Osoyoos CAO
- Long Service Award Ceremony completed
- Staff perception survey results compiled with organizational plan for 2019 to be determined

### **2019 Q2 Planned Activities**

- Staff salary review data compilation
- Monitor compliance with the Performance Plan & Review program and advise CAO of deficiencies
- Create the 2019 organizational development action plan
- Continue Spring recruitments

- Lead the Wellness Committee and assist with wellness initiatives to address organizational health
- Complete EOC training for logistics section
- Continue to update Safe Work Procedures as per the 2019 phase of the plan
- Continue Enterprise Unit Work identified for 2019
- Review and update Administrative Directives at the Labour Management Meetings as identified

## ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: April 18, 2019

RE: Communication & Engagement Plan 2019 – Information Only

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### 2019 Q1 Completed Activities:

- Budget Video  
This video was created in response to misinformation regarding how the RDOS collects taxes. It is a short overview of how the RDOS services work and how those services are paid for.  
<https://www.dropbox.com/s/rbb2vqiivblzomj/RDOS%20Budget-v3.mp4?dl=0>
- Educational Materials on Dog Control  
Fact sheets and updated dog control brochures were circulated around the RDOS (in applicable areas) to help provide clear and accurate information for citizens.
- Recycling Collection Video  
This video describes what materials can be collected for residential recycling in rural and municipal collection programs within the RDOS. Click the link below to watch.  
<https://www.youtube.com/watch?v=at6q6ymzrcI>
- Curbside Recycling Collection Survey Video  
The RDOS will be phasing out the use of blue and clear bags for curbside recycling collection. The RDOS and Village of Keremeos are conducting a survey on the three replacement options available to residents once the blue and clear bags are not in use. This video describes the different options. Click the link to watch:  
<https://www.youtube.com/watch?v=t-P-JFH1TR8&t=24s>
- Home and Reno Show – March  
This year's theme was primarily emergency preparedness, CivicReady and ESS information and volunteer opportunities. Along with emergency services information, present at the booth was an ALERT (Animal Lifeline Emergency Response Team) rep handing out information and pet food samples, composting bin on display and sale information, demolition steps, and more. Public Works attended as well to showcase the newly printed 'Building Climate Resilience in the Okanagan – Homeowner's Guide' which was a collaboration project with the RDOS, South Okanagan Real Estate Board, Okanagan Nation Alliance and many more. Click here for an e-copy of the booklet:

[http://www.rdosmaps.bc.ca/min\\_bylaws/publicworks/Building\\_Resilience\\_guidebook/SOREBRDOS.pdf](http://www.rdosmaps.bc.ca/min_bylaws/publicworks/Building_Resilience_guidebook/SOREBRDOS.pdf)

Emergency Services raffled off a 2-person emergency preparedness kit (made by getmykit.ca) and Public Works raffled off two 'Building Climate Resilience in the Okanagan – Homeowner's Guide' books. We received close to 600 entries into the raffle.

- **Building Bylaw (Farm Building) Initiative**

Information Officer created a Building Bylaw (Farm Buildings) fact sheet. The fact sheet lists reasons for the proposed changes, information about inspections and costs, as well as photographs. The fact sheet was sent to municipalities, agricultural groups, associations, and cooperatives along with an invitation to discuss the proposed changes in person. The fact sheet was shared on the RDOS website and Facebook page. Printed copies are available at the RDOS front counter and provided with issued permits. Copies were also sent to select RDOS facilities to be posted on bulletin boards.

### **2019 Q2 Planned Activities:**

- **SILGA Tradeshow Booth – May 1 & 2**

At the SILGA Tradeshow, held on May 1<sup>st</sup> and 2<sup>nd</sup>, we will be showcasing three unique RDOS initiatives.

- Ø Emergency Services' Drone (inside Penticton Trade & Convention Centre)
- Ø Mobile Quagga and Zebra Mussel Prevention Trailer (outside in parking lot)
- Ø Physical Activity Trailer "P.A.T" (outside in parking lot)

#### **Emergency Services' Drone**

In 2018, the RDOS EOC contracted HummingBird Drones to assist with flooding assessment and mitigation. After a successful year utilizing HummingBird Drones, it was clear drones were a vital tool for future natural disasters.

To improve situational awareness during the initial stages of an incident, it was decided that the RDOS EOC would purchase a drone and certify Drone Pilots to Transport Canada's Unmanned Aerial Vehicle (UAV) standard in-house.

#### **Mobile Quagga and Zebra Mussel Prevention Trailer**

In 2016, Okanagan and Similkameen Invasive Species Society (OASISS) took to the road in their newly constructed, educational, trailer to help educate the public on how to prevent aquatic invaders from reaching the Okanagan waters. This project was made possible by the generous grant from the Royal Bank of Canada's RBC Blue Water Project Fund received by the RDOS.

Collaboratively, the RDOS and OASISS worked to design, procure and customize the mobile unit as well as outreach materials for this program. The Okanagan Basin Water Board

(OBWB), through their Don't Move a Mussel Program, was also a significant and collaborative partner on this project. This regional program is complementary to the BC's Invasive Mussel Defense Program which includes eight trained inspection crews with mobile decontamination units.

To learn more, contact Zoe Kirk, Public Works Projects Coordinator

### **Physical Activity Trailer "P.A.T."**

RDOS PLAY launched a one of a kind Physical Activity Trailer or "PAT" to promote awareness and provide opportunity for physical activity.

PAT focuses on physical literacy, safe play and reduction of sedentary behavior and increased access to recreation. Physical Literacy is the ability to move with competence and confidence in a wide variety of physical activities. PAT is packed full of great equipment, such as disc golf, hula hoops, bocce, pickle ball, and much more.

To learn more, please contact Shona Schleppe, Rural Services Manager

- Quality Assurance Surveys

One of the goals on the 2019 Communication and Marketing Work Plan is to conduct 4 service-related quality assurance surveys, including the following. These surveys will take place at various times throughout 2019 and results reported to the Board upon completion.

- Ø Campbell Mountain Landfill
- Ø Online Payment System
- Ø Similkameen Recreation Facility
- Ø Completion of Building Permit process
- Ø Front Counter – general customer service

- Local Government Awareness Week - May

LGAW runs from May 20 – May 26. Activities include inviting the local high schools to attend the May 23<sup>rd</sup> board meeting, and promotion of awareness through daily fun facts on our Facebook page for the entirety of the week.

- RDOS Branding and RDOS Clothing

We will be promoting the RDOS branding standards internally and the RDOS clothing options will also be updated for 2019. This is an opportunity for those staff who interact with the public to do so in a professional, branded manner. Directors are welcome to purchase RDOS branded clothing as well.

**Respectfully submitted:**

*"Christy Malden"*

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C. Malden, Legislative Services Manager



## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee

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

**DATE:** April 18, 2019

**RE:** Update on Double Gas Tax Transfer

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### **Introduction**

The Government of Canada announced a one-time doubling of Gas Tax transfer nationally as part of the 2019 federal Budget. The \$2.2 billion transfer will result in a one-time payment of \$278.6 million for British Columbia to support local government infrastructure and capacity building priorities.

Local governments in British Columbia will see a bonus payment of Community Works funds (~\$109 million) that will effectively double the 2018 allocation. The Strategic Priorities Fund will also receive an additional \$ 30.7 million as per the federal Gas Tax program delivery model, but will not be allocated in 2019.

Although a transfer schedule has not been confirmed by Canada, it is expected that the first payment will align with the next scheduled Community Works Fund payment in July 2019.



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Environment and Infrastructure Committee

Thursday, April 18, 2019  
1:00 p.m.

### REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Environment and Infrastructure Committee Meeting of April 18, 2019 be adopted.

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B. South Okanagan Conservation Fund Final Report for 2018 Projects

Bryn White, SOSCP Program Manager, will address the Committee to present the final report for the 2018 projects.

**RECOMMENDATION 2**

THAT the Board of Directors receive the South Okanagan Conservation Fund Final Reports for 2018 projects, and approve release of holdbacks as contained in the April 18, 2019 report to the Environment and Infrastructure Committee from B. Newell.

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C. Final Review of Water Use Regulation Bylaw No. 2824, 2019

1. Draft Bylaw No. 2824

**RECOMMENDATION 3**

THAT Bylaw No. 2824, 2019, being a bylaw to set the terms and conditions under which water may be supplied and used in the Regional District of Okanagan-Similkameen Water Service Areas, be forwarded to the Board on May 9, 2019 for consideration.

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D. Quarterly Activity Report – for information only

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E. Dam Ownership

**RECOMMENDATION 4**

THAT in accordance with Section 90(1)(i) of the *Community Charter*, the Board close the meeting to the public on the basis of receipt of advice subject to lawyer-client privilege.

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F. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Environment and Infrastructure Committee

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

**DATE:** April 18, 2019

**RE:** South Okanagan Conservation Fund – Final Report Update for 2018 Projects

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### **Administrative Recommendation:**

**THAT the Board of Directors receive the South Okanagan Conservation Fund Final Reports for 2018 projects, and approve release of holdbacks as follows:**

### **Purpose:**

To provide a final report to the Environment Committee on the completion the funded projects from the 2018 delivery year under the Environmental Conservation Service (South Okanagan Conservation Fund).

### **Reference:**

South Okanagan Conservation Fund (SOCF) Terms of Reference – (June 2017).

### **Background:**

In January 18, 2018, the RDOS Board approved funding for seven South Okanagan Conservation Fund projects totaling just over \$400,000. This local investment has leveraged matching resources of over \$2.1 M cash, and \$151,000 in-kind contributions from both within, and outside the region.

The projects are categorized generally as Conservation Outreach and Stewardship, Habitat Acquisition and Habitat Restoration and Enhancement.

- Ø **Managing At-Risk Wildlife in the Workplace**, Okanagan Similkameen Conservation Alliance and the Community Bat Program - \$7,841.68
- Ø **Conserving South Okanagan Habitats through an Invasive-Free Certification Program**, Okanagan and Similkameen Invasive Species Society - \$6,415
- Ø **Providing Fish Passage at Ellis Creek Sediment Basin**, Okanagan Nation Alliance and Penticton Indian Band - \$50,000
- Ø **Creating Fish Spawning Areas/Reconnection of Floodplain Okanagan River Penticton**, Okanagan Nation Alliance and En'owkin Centre - \$40,260
- Ø **Locatee Lands Project Securement of CP Parcel 40-4**, En'owkin Centre and Penticton Indian Band - \$57,755
- Ø **Habitat Stewardship and Enhancement in the South Okanagan**, OK Similkameen Stewardship Society - \$38,000
- Ø **White Lake Biodiversity Ranch – Park Rill Creek East Property Securement**, Nature Trust of BC - \$200,000

The Terms of Reference specifies that proponents provide a Final Report on the completion of the Project (By February 15<sup>th</sup> 2019).

Each of the proponents have met the Final Report Requirement, with the exception of one who will be approaching the Board shortly with a request for an extension. Two projects have also been approved for a second year of funding during the 2018 application process as multi- year projects are eligible under the Terms of Reference.

The call for proposals for the next South Okanagan Conservation Fund intake will open in September of 2019. Later that fall, the Board will also be provided with an Interim Report update on the 8 projects the Board approved in the amount of \$292,837 that are currently underway.

**Respectfully Submitted**

*"Christy Malden"*

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C. Malden, Manager of Legislative Services

## ADMINISTRATIVE REPORT

**TO:** Environment and Infrastructure Committee

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

**DATE:** April 18, 2019

**RE:** Final Review of Water Use Regulation Bylaw No. 2824, 2019

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### Recommendation:

**That Bylaw No. 2824, 2019, being a bylaw to set the terms and conditions under which water may be supplied and used in the Regional District of Okanagan-Similkameen Water Service Areas, be forwarded to the Board on May 9, 2019 for consideration.**

### Purpose:

The Water Use Regulation Bylaw will unify water use practices and set out terms for service throughout all of the Regional District owned and operated water systems under one bylaw.

### Reference:

[Local Government's Role in Ensuring Clean Drinking Water](#) – Regional District of Okanagan-Similkameen – May 29th, 2017 (Water Audit)

Regional Water Conservation Strategy. Adopted December 2017 by the Regional District Board.

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

Key Success Driver 3: Build a Sustainable Region

Goal 3.3 To Develop an environmentally sustainable region

Incorporated into the 2018 and 2019 Public Works Business Plan

### Background:

One of the key objectives in the sub-regional growth strategy, that was reiterated in the 2017 Water Audit, includes development of a regional bylaw for water use regulation and conservation. The Regional District received multiple year funding through the Okanagan Basin Water Board's Water Conservation and Quality Improvement Grant Program to create new regional bylaws.

The Regional District currently owns and operates eight (8) water systems (Faulder, Naramata, Olalla, Gallagher Lake, Loose Bay, Sun Valley, Willowbrook and West Bench). The existing water use regulation bylaws range in date from 1972 to 2013 and describe different levels of service. Most do not use current best practices in water management that allow the Regional District to encourage more efficient water use and plan for future sustainability.

The new regulatory bylaw was created alongside the conservation strategy to promote uniform standards and best practices throughout all the water systems. This new bylaw is intended to

protect and enhance the quality of life for our residents through water conservation/efficiency and sustainable water management, integration of drought management recommendations and consistent interpretation of the regulations.

At the October 5, 2017 meeting of the Environment and Infrastructure Committee, Econics presented a summary of the developed key aspects of the bylaw to date. In the three weeks following this Committee meeting, the new bylaw and the conservation strategy ideas were presented to the public.

Six public information meetings were held to encompass all the water systems owned by the Regional District. The meetings had good dialogue with the public on various topics covered by the bylaw and strategy. Some amendments were made to the documents following the feedback received to incorporate minor changes and streamline the language.

The major comments and concerns of the public conveyed at the public meetings and from the feedback surveys collected:

- General support for universal metering if dole valves can be removed for agriculture
- Concern over water restrictions and timing for allowed waterings
- Support the need for water restrictions
- Would like inserts with billing or newsletters on conservation suggestions
- Wanted specifics on when stages would be implemented
- Encourage agriculture using inefficient sprinklers to install more efficient systems

The Water Conservation Strategy was updated after the public meetings and brought to the Board on December 7, 2017 where it received approval as a guiding document. This strategy consolidated and expanded on the existing water conservation plans in a few water systems. The next step was to update the regulatory bylaw from the public feedback.

### **Analysis:**

The draft bylaw standardizes the terms and conditions under which water may be supplied and used for all water systems operated by the Regional District. Under existing bylaws, these terms and conditions are highly variable and many important clauses that will enable the Regional District to more prudently manage water supplies and water services are omitted or unclear. Many of the old bylaws do not take best practices or current regulations into account.

The new bylaw will replace about 20 existing bylaws that govern terms of water use and water service provision for Regional District owned and operated water systems. A single, consolidated bylaw will simplify the administration of water service provision, and streamline the integration of new water systems that come under Regional District ownership.

When a new water system is acquired, rather than develop and adopt a new standalone service bylaw or adopt those from the incoming system, the new bylaw will only require the addition of the new service area to be in force.

Notable features of the updated draft bylaw include:

- A process that individuals must adhere to when applying for a water service connection with details on provisions for the Regional District to accept or refuse to grant water service;
- Clarification of the responsibilities of customers (e.g., repair of frozen or leaking pipes on the privately-owned portion of the connection, installation of requisite backflow prevention or flow-control devices);
- Provision for the Regional District to require customers to pay for the purchase and installation of water meters and pits on new connections;
- Staged water-use restrictions (i.e., water conservation stages) for the Regional District to implement to reduce consumption and details on what the triggers are to move to different restriction stages; and
- Provision for the Regional District to access parcels to enforce the terms of the bylaw with appropriate notification depending on the circumstance (e.g., shutting off service or fixing leaks if owners are not present; inspecting private water systems; and issuing notifications for non-compliance).

Since the public information meetings, the bylaw has been refined and the language has been simplified on many aspects to improve clarity. Additionally, the bylaw has received a detailed legal review to ensure the applicability and enforcement potential of the bylaw. The key concepts and intent of the bylaw sections have not changed since being presented at the public meetings.

### Implementation and Next Steps

After the review in the Environment Committee, it is proposed that the bylaw will be finalized with any remaining minor edits and brought to the May 9, 2018 Board meeting for three readings and adoption.

After the Regional bylaw has been finalized and adopted, the next steps will include the following:

- Updating of existing bylaws related to the new regulatory bylaw such as the Enforcement bylaws, Subdivision Servicing Requirements and the Fees and Charges Bylaws;
- Creation or updating of policies and procedures related to the new regulatory bylaw; and
- Updating of the current education program to inform the residents of the changes from existing and new requirements, specifically around the water conservation stages.

### **Alternatives:**

1. Refer Bylaw 2824 back to staff for further review and changes.
2. Refer Bylaw 2824 to the May 9<sup>th</sup> Environment and Infrastructure Committee for more discussion.

**Communication Strategy:**

It is the intent of the Regional District to send information online or part of a newsletter to update residents of the water systems on what changes have been adopted and how it will affect their water use practices.

**Respectfully submitted:**

*"Lisa Bloomfield"*

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L. Bloomfield, Manager of Engineering



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
**Bylaw No. 2824, 2019 – WATER USE REGULATION BYLAW**

A bylaw to set the terms and conditions under which water may be supplied and used in the  
Regional District of Okanagan-Similkameen *Water Supply Systems*.

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**WHEREAS** pursuant to the *Local Government Act*, a Regional District may regulate in relation to a service;

**AND WHEREAS** the Regional District deems it desirable to establish the terms and conditions under which water may be supplied and used in those portions of the Regional District in established water service areas;

**NOW THEREFORE**, the Board of Directors of the Regional District of Okanagan-Similkameen enact as follows:

**1. CITATION**

- 1.1. This Bylaw may be cited as the “Regional District of Okanagan-Similkameen Water Use Regulation Bylaw No. 2824, 2019.”

**2. ADMINISTRATION**

- 2.1. This Bylaw comes into force on the date of its formal adoption.
- 2.2. This Bylaw applies to any Regional District owned *Water Supply System*, as defined in Part 4 of this Bylaw.
- 2.3. The *Manager* is authorized to administer and oversee the operation of the Regional District *Water Supply Systems* and administer and enforce this *Bylaw*.

**3. SCHEDULES**

- 3.1. The following Schedules are attached to and form part of this Bylaw:
- Schedule “A” – *Water Service Areas*
  - Schedule “B” – Special Details for Gallagher Lake Water System
  - Schedule “C” – Special Details for West Bench Water System
  - Schedule “D” – Water Supply Stages
  - Schedule “E” – Definitions for Water Service Fees and Charges

#### 4. INTERPRETATION

##### 4.1. In this Bylaw:

"*Agricultural Water Use*" means water used for a *Farm Use* on land designated as agricultural land under the *Agricultural Land Commission Act*;

"*Applicant*" means a person who has submitted an application to the Regional District for *Water Services* and has not yet received approval;

"*Authorized Personnel*" means a Regional District employee acting under the supervision of the *Manager*, or an authorized agent as designated by the *Manager*;

"*Backflow*" means the reversal of the flow of water or other liquids, gases or solids;

"*Backflow Preventer*" means a device or method to prevent *Backflow*;

"*Bylaw*" means the *Regional District of Okanagan-Similkameen Water Use Regulation Bylaw No. 2824, 2019* as amended from time to time;

"*Cross Connection Control Bylaw*" means the *Regional District of Okanagan-Similkameen Cross Connection Control Bylaw No. 2851, 2019* as amended from time to time;

"*Customer*" means a person who is being provided *Water Services* or who has filed an application for *Water Services* with the Regional District that has been approved by the Regional District;

"*Discontinue*" means to terminate the arrangement between the Regional District and the *Customer* for the *Water Services*;

"*Excess Water Use*" means applying or using more water than is required to provide a service, produce a product or complete a task, and includes: applying water to a hardscape, such as a sidewalk, driveway or parking lot; or to exterior windows or exterior building surfaces; or to landscapes to a degree that water drains, runs off or spreads to surrounding areas; or to turf and outdoor tracks for a purpose unrelated to health and safety;

"*Farm Land Water Use*" means water used for a *Farm Use* on land designated as a farm under the *Assessment Act*;

"*Farm Use*" means the use of land for farm operations, including farming of land, plants and animals and any other similar activities designated as farm uses by enactment, including the *Agricultural Land Commission Act*, and expressly includes operating plant nurseries, orchards, vineyards, turf farms, and tree farms;

"*Fees and Charges Bylaw*" means the *Regional District of Okanagan-Similkameen Fees and Charges Bylaw* as amended from time to time

"*Flow-Control Device*" means a fitting used to restrict the maximum rate that water can flow through a pipe, hose, or *Irrigation System*;

"*Irrigation Season Extension*" means an extension of the duration of the *Irrigation Services* as governed by Parts 6 and 12 of this Bylaw;

"*Irrigation Services*" means the provision of *Water Services* to an *Irrigation System* for a *Farm Use* pursuant to Part 12 of this Bylaw;

"*Irrigation System*" means the distribution of water to the surface or sub-surface of lawns, gardens, crops, orchards or other areas situated outside buildings by any method;

- "*Manager*" means the Chief Administrative Officer or their designate;
- "*Micro-Irrigation or Drip-Irrigation System*" means a low volume watering method that delivers water slowly and directly to plant roots and that consumes less than 90 litres per hour (20 imperial gallons per hour) and operates at less than 172 kilopascals (25 pounds per square inch);
- "*Parcel*" means any lot, block or other area in which land is held or into which it is subdivided;
- "*Private Waterworks*" means any pipe and fittings intended to receive water from a *Water Service Connection* and deliver or distribute the water to and within a *parcel*;
- "Regional District" means the Regional District of Okanagan-Similkameen;
- "*Service Agreement*" means an agreement between the Regional District and a *Customer* for the provision of *Water Services* pursuant to Section 6.7 of this Bylaw;
- "*Service Card*" means the documentation for recording the details, such as material and location, of the *Water Service Connection* in the format provided by the Regional District;
- "*Shut off*" means the temporary closing of the *Water Service Connection* by *Authorized Personnel*;
- "*Subdivision and Servicing Bylaw*" means the *Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw No. 2000, 2002*, as updated from time to time;
- "*Temporary Water Use Permit*" means a permit issued by the Regional District pursuant to Part 13 of this Bylaw;
- "*Water Meter*" means a device supplied, owned and maintained by the Regional District which measures the quantity of water delivered to a *parcel*;
- "*Water Meter Pit*" means an underground enclosure and related equipment (including pipes, valves and couplers) to house a *Water Meter* or *Backflow Preventer* at or near a *Water Service Connection*;
- "*Water Service Area*" means the areas identified in Schedule "A";
- "*Water Service Connection*" means the point where a *Water Supply System* connects to any *parcel* and includes all pipes, taps, valves, connections and other things used to connect the *Private Waterworks* into the *Water Supply System*, and will typically be at the downstream side of a *Water Meter* near the boundary or property line of the *parcel*;
- "*Water Services*" means the supply of water from the Regional District to a *Customer* pursuant to this Bylaw;
- "*Water Supply Stage*" refers to any of the following stages: Normal; Stage 1; Stage 2; Stage 3; and Stage 4, of the water supply management measures as set out in Part 15 and Schedule "D" of this Bylaw;
- "*Water Supply System*" means the Regional District-owned works used to provide water to and within the *Water Service Areas*.

- 4.2. Words or phrases defined in the British Columbia *Interpretation Act*, the *Community Charter*, and the *Local Government Act*, shall have the same meaning when used in this Bylaw, unless otherwise defined in this Bylaw.

- 4.3. The headings used in this Bylaw are for convenience only and shall not affect the construction or interpretation of this Bylaw.
- 4.4. Any enactment referred to in this Bylaw is a reference to that enactment and its regulations, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein (as may be cited by short title or otherwise) is a reference to a bylaw of the Regional District, as amended, revised, consolidated or replaced from time to time.
- 4.5. Words importing the singular number include the plural and vice versa, and words importing gender include the masculine, feminine and neutral genders and vice versa.
- 4.6. The word "person" includes an individual, partnership, firm, body corporate, government or department thereof.
- 4.7. The words "include" and "including", when following any general statement, term or matter, shall not be construed to limit that general statement, term or matter to the specific items or matters set forth immediately following those words or to similar items or matters following those words or to similar items or matters.
- 4.8. Definitions of words and phrases used in this Bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this Bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

## 5. **SERVICES MANDATORY**

- 5.1. Subject to the Regional District's authority under Section 10.1, the owner or occupier (or an agent authorized to act on their behalf) of a *parcel* used for residential, commercial, industrial, or agricultural purposes within a *Water Service Area* must apply for *Water Services* and be connected to the *Water Supply System*.

## 6. **APPLICATION FOR WATER SERVICES**

- 6.1. A person requesting *Water Services*, including

- (a) *Irrigation Services*;
- (b) *Irrigation Season Extension*;
- (c) re-activating existing *Water Service Connections*;
- (d) transferring an existing *Water Services* account;
- (e) changing the type of *Water Services* provided; or,
- (f) making alterations to existing *Water Service Connections* or *Water Meters*;

must apply to the Regional District prior to making any connection to the *Water Supply System*.

- 6.2. An application for *Water Services* referred to in Section 6.1 must be in the form required by the *Manager* and contain, for each proposed connection:
  - (a) a description of the purpose of the connection;

- (b) a description of the size of pipe intended to be used at the *Water Service Connection* and the approximate placement of the *Private Waterworks*;
  - (c) payment of all applicable fees in the *Fees and Charges Bylaw*.
- 6.3. Before considering an application for *Water Services*, the *Manager* may require an *Applicant* to provide:
  - (a) a design plan or drawing of each proposed connection, prepared by a professional engineer, that includes the location of:
    - i. existing services;
    - ii. the proposed services; and
    - iii. buildings, trees, driveways, and sidewalks, and
  - (b) any additional information the *Manager* may request.
- 6.4. If an *Applicant* is requesting *Water Services* for more than one *parcel*, or for more than one building or structure on a *parcel*, the *Applicant* may be considered a separate *Customer* for each of the *parcels*, buildings or structures. For the purposes of this provision, the *Manager* will determine whether any *parcel* contains more than one building or structure.
- 6.5. The *Manager* may approve, refuse or impose conditions on an application for *Water Services* pursuant to this Bylaw.
- 6.6. The *Manager* may refuse to approve an application for *Water Service Connections* to a parcel or for any of the reasons listed in Section 10.1 of this Bylaw.
- 6.7. The *Manager* may require an *Applicant* or *Customer* to enter into a *Service Agreement* with the Regional District that modifies or supplements this Bylaw.

## **7. CONSTRUCTION AND TURN-ON OF WATER SERVICE CONNECTIONS**

- 7.1. Unless the *Manager* provides an exemption in writing, a *Customer* must ensure:
  - (a) the *Water Service Connection* is fitted with a *Water Meter Pit*;
  - (b) the *Water Meter* is installed in a *Water Meter Pit*; and
  - (c) if applicable, the *Water Service Connection* has a *Backflow Preventer*.
- 7.2. A *Customer* is responsible for all costs related to the purchase and installation of a *Water Service Connection*, including a *Water Meter Pit*, *Water Meter*, *Backflow Preventer* and any other equipment reasonably required to provide the *Water Services*.
- 7.3. Within one (1) year of the Regional District approving an application for *Water Services*, a *Customer* must:
  - (a) pay to the Regional District an installation fee equivalent to the estimated cost of installing a *Water Service Connection*, including a *Water Meter Pit*, *Water Meter*, *Backflow Preventer* and any other equipment reasonably required to provide the *Water Services*, in such form and amount as determined by the Regional District; or

- (b) under the direction of the *Manager*, install a *Water Service Connection*, including a *Water Meter Pit*, *Water Meter*, *Backflow Preventer*, if applicable, and any other equipment reasonably required to provide the *Water Services*, pursuant to design drawings accepted by the Regional District as well as all applicable bylaws and enactments and any instructions or directions the *Manager* may provide.

7.4. If a *Water Service Connection* is installed pursuant to Section 7.3(b), the Customer must promptly notify the *Manager* when the installation is complete. *Authorized Personnel* may inspect the installation or require the *Customer* to provide a certification from a professional engineer confirming the installation complies with the plans accepted by the *Manager* as well as all applicable bylaws and enactments and any instructions or directions provided. A *Customer* must provide the Public Works Department with a *Service Card* within seven (7) days after the *Water Service Connection* is installed or prior to the *Water Service Connection* being turned on.

7.5. A *Customer* must contact the Public Works Department to request that their *Water Services* be turned on and pay all applicable fees in the *Fees and Charges Bylaw*, before the Regional District will provide *Water Services* to a *Customer*.

7.6. For clarity, the Regional District will begin providing the *Water Services* only after an application for *Water Services* has been approved, all required fees have been paid, and the *Water Service Connection* (including a *Water Meter Pit*, *Water Meter*, and *Backflow Preventer* as required) have been installed in compliance with the Regional District's bylaws and to the satisfaction of the *Manager* or *Authorized Personnel*.

7.7. A *Customer* is responsible for all costs related to changes, extensions, connections to or replacement of a *Water Service Connection*, including a *Water Meter Pit*, *Water Meter*, *Backflow Preventer* and other equipment used to provide the *Water Services* to the *Private Waterworks*, if they are requested by the *Customer* or necessitated by the actions of the *Customer*.

7.8. No person shall:

- (a) make changes, extensions, connections to or replacements of a *Water Service Connection*, including a *Water Meter Pit*, *Water Meter*, *Backflow Preventer* or other equipment used to provide the *Water Services* from the *Water Supply System* to *Private Waterworks*, or
- (b) make changes, extensions, connections to, replacements of, or in any other way tamper with a *Water Supply System* (or portion of)

without the prior written approval from the *Manager*.

## 8. WATER METERS

8.1. A *Customer* must take reasonable care of any *Water Meter* in use for its *parcel*. A *Customer* is responsible for all expense, risk and liability with respect to all *Water Meters* and related equipment used for the *Customer's parcel* unless any loss or damage is

- (a) directly attributable to the negligence of the Regional District or its *Authorized Personnel*; or,
- (b) caused by or resulting from a defect in the *Water Meter*.

- 8.2. No person shall install, connect, move, tamper with or disconnect a *Water Meter* or related equipment without the prior written approval from the *Manager*.
- 8.3. If a *Customer* has reason to believe a *Water Meter* is not functioning properly, they may apply to the Public Works Department to test a *Water Meter*:
  - (a) If the *Water Meter* is found to be recording incorrectly, then the cost of removing, replacing and testing the meter will be borne by the Regional District; and,
  - (b) If the testing indicates that the *Water Meter* is recording correctly, then the *Customer* must pay the Regional District for the cost of testing the *Water Meter* as set out in the *Fees and Charges Bylaw*.

## **9. CUSTOMER RESPONSIBLE FOR PRIVATE WATERWORKS**

- 9.1. A *Customer* must, at their sole expense, ensure their *Private Waterworks* comply with the *Cross-Connection Control Bylaw*, and all other applicable bylaws and enactments.
- 9.2. A *Customer* must, at their sole expense, maintain, repair, and replace *Private Waterworks* and, portions thereof, as reasonably required. This includes promptly repairing frozen, leaking, or malfunctioning pipes or fixtures within the *Private Waterworks*.
- 9.3. A *Customer* is responsible for all costs associated with the repair, relocation, or removal of *Private Waterworks*.

## **10. DISCONTINUANCE OF WATER SERVICES**

- 10.1. The *Manager* may *discontinue* or *shut-off Water Services* to a *parcel* for any of the following reasons:
  - (a) the *Customer* or *Applicant* has not fully paid a bill for *Water Services* by the due date;
  - (b) the *Customer* or *Applicant* has outstanding charges owing to the Regional District for *Water Services*;
  - (c) the *Customer* or *Applicant* is in receivership or bankruptcy, or operating under the protection of any insolvency legislation;
  - (d) the *Customer* or the *parcel* is in contravention of any Provincial, Federal or Regional District enactment.
- 10.2. Before discontinuing or shutting-off *Water Services* under section 10.1, the Regional District will deliver written notice to the *parcel* outlining the reasons for the discontinuance or shut-off and providing an opportunity for persons affected to remedy the circumstances or make representations to the Regional District Board.
- 10.3. The *Manager* may agree to *discontinue*, *shut off*, or transfer the *Water Services* if:
  - (a) A *Customer* applies, in writing, to the Public Works Department requesting the discontinuance, *shut off* or transfer. Such an application must be submitted at least five (5) days in advance of the requested discontinuance, shut off or transfer; and

- (b) The discontinuance, shut off or transfer would not violate section 5.1 of this Bylaw, or any other enactment.

10.4. Unless otherwise stated in this Bylaw, a *Customer* is not released from any previously existing obligations to the Regional District under a *Service Agreement* or this *Bylaw* by the discontinuance, shut off or transfer of *Water Services*.

10.5. After *Water Services* are discontinued to a *parcel*, the Regional District may remove the *Water Service Connection* (and related equipment) to the *parcel*.

10.6. Nothing in this Part affects the Regional District's authority in Parts 11 and 15 of this *Bylaw*.

## 11. INTERRUPTION OF WATER SERVICES

11.1. The Regional District does not guarantee a specific water pressure, a continuous supply of water, or a direction of water flow to *Customers*.

11.2. The Regional District reserves the right, at any time, and without notice, to change the operating pressure, to discontinue the *Water Services*, or to change the direction of flow of water within a *Water Supply System* in the event of an emergency where the safety of life or property is at risk or to undertake maintenance or repairs of the *Water Supply System*.

11.3. The *Manager* may do the following, whether temporarily or permanently, to ensure reliable, efficient, and equitable use and availability of water:

- (a) prohibit or limit specific uses of water;
- (b) limit the amount of water supplied to a *Customer*;
- (c) regulate the time and rate at which water may be used;
- (d) declare a *Water Supply Stage* in effect, pursuant to Part 15 and Schedule "D" of this Bylaw.

11.4. The *Manager* may discontinue, interrupt or reduce the delivery of *Water Services* for any of the following purposes or reasons:

- (a) in the event of a temporary or permanent shortage of water, whether actual or perceived by the Regional District based on available information,
- (b) to comply with any legal requirements,
- (c) to make repairs or improvements to any part of a *Water Supply System*, or
- (d) to relocate or construct a *Water Service Connection*.

11.5. Notice of changes to the *Water Services* in this Part will be given, to the extent practicable, by

- (a) newspaper, radio or television announcement, or
- (b) notice in writing that is
  - (i) sent through the mail to the *Customer's* billing address,
  - (ii) left at the *parcel* where the *Water Services* are delivered,
  - (iii) served personally on a *Customer*, or



- (iv) sent by facsimile, email, text message, phone or other electronic means to the *Customer*, or
- (c) oral communication.

## **12. IRRIGATION SERVICES**

- 12.1. The *Manager* may, at its sole discretion, decide to provide *Irrigation Services* and if so, the duration of the *Irrigation Services* available for any calendar year.
- 12.2. The *Manager* may, at its sole discretion, discontinue providing *Irrigation Services* at any time.
- 12.3. No person, other than *Authorized Personnel*, shall turn on *Irrigation Services*.
- 12.4. If the Regional District provides *Irrigation Services*, a *Customer* may apply to extend the duration of their *Irrigation Services* in any year by submitting an *Irrigation Season Extension* application to the *Manager*.
- 12.5. An *Irrigation Season Extension* applies only to the year in which it is granted. A *Customer* must apply to the *Manager* at least two weeks in advance of the requested dates to receive an *Irrigation Season Extension* for that year.
- 12.6. In addition to the requirements for *Water Services* contained in this Bylaw, a *Water Service Connection* for *Irrigation Services* must have:
  - (a) a *Flow-Control Device* approved by the Canadian Standards Association which limits water flow to a maximum rate of 5 US gallons per minute per acre based on the size of *parcel* being serviced;
  - (b) a *Backflow Preventer* installed in accordance with the requirements of the *Cross-Connection Control Bylaw*; and
  - (c) if within a metered area, a *Water Meter* housed in a *Water Meter Pit*.
- 12.7. A *Customer* is responsible for all costs associated with acquiring, installing, maintaining, repairing, and replacing the devices listed in Section 12.6.

## **13. TEMPORARY WATER USE OF FIRE HYDRANTS, STANDPIPES OR ANY OTHER TEMPORARY SERVICE CONNECTIONS**

- 13.1. A person may only use a fire hydrant, standpipe, or temporary water connection pursuant to a *Temporary Water Use Permit*.
- 13.2. Notwithstanding 13.1, a *Temporary Water Use Permit* is not required to use a fire hydrant, standpipe, or temporary water connection for emergency fire protection.
- 13.3. An application for a *Temporary Water Use Permit* must be in the form required by the *Manager* and contain:
  - (a) a description of the purpose of the *Temporary Water Use Permit*;
  - (b) the time period in which the *Temporary Water Use Permit* is requested;

- (c) payment of all applicable fees in the *Fees and Charges Bylaw*; and
- (d) any additional information *Authorized Personnel* may request.

13.4. The *Manager* may issue a *Temporary Water Use Permit* subject to terms and conditions regarding the duration or quantity of use, or any other condition that is consistent with the purposes of this Bylaw.

13.5. If the *Manager* grants a *Temporary Water Use Permit* and requires a *Water Meter* to monitor use, *Authorized Personnel* will install a *Water Meter* to measure the volume of water used by the *Temporary Water Use Permit* holder.

13.6. All connections to *fire hydrants* shall:

- (a) be installed and removed by *Authorized Personnel*;
- (b) be fitted with a *Backflow Preventer*; and
- (c) meet all other conditions specified on the *Temporary Water Use Permit*.

## 14. BILLING

14.1. Every *Customer*, including a *Temporary Water Use Permit* holder, must pay for *Water Services* pursuant to this Bylaw and the *Fees and Charges Bylaw*.

14.2. Specifically, where *Water Meters* are in use for billing purposes:

- (a) the Regional District will measure the quantity of *Water Services* delivered to a *Customer* using a *Water Meter* and the starting point for measuring delivered quantities during each billing period will be the finishing point of the preceding billing period.
- (b) *Water Services* to each *Water Meter* will be billed separately for *Customers* who have more than one *Water Meter* on their *parcels*.
- (c) For billing purposes, the *Manager* may estimate a *Customer's Water Meter* readings if, for any reason, *Authorized Personnel* could not obtain a meter reading.

14.3. If *Water Services* are terminated, the *Manager* may estimate the final meter reading for the *Customer's* final bill based on averaging the *Customer's* previous six (6) bills. If fewer than six (6) bills are available, the *Manager* may estimate the final meter reading based on averaging the *Customer's* previous bills that are available.

14.4. In every case of over-billing, the Regional District will refund to the *Customer* all money incorrectly collected, without interest, for the duration of the error.

14.5. In every case of under-billing, the Regional District will back-bill the *Customer* for the duration of the error.

14.6. If there are reasonable grounds to believe that the *Customer* has tampered with or otherwise used the *Water Services* in an unauthorized way, or there is evidence of fraud, theft or other criminal acts, or if a reasonable *Customer* should have known of under-billing and failed to promptly bring it to the attention of the Regional District, the *Manager* may charge, demand,

collect or receive from its *Customer* greater compensation than that specified in the *Customer's Service Agreement*, this Bylaw and the *Fees and Charges Bylaw*.

- 14.7. The *Customer* is liable for the administrative costs incurred by the Regional District in the investigation of any incident of tampering, including the costs of repair, or replacement of equipment.
- 14.8. If the amount due for *Water Services* or related charges on any bill has not been received in full by the due date specified on the bill, the Regional District may include the outstanding balance in the next bill to the *Customer* and any late payment charge specified in the *Fees and Charges Bylaw*.
- 14.9. A charge imposed under this Bylaw which remains unpaid on the thirty-first day of December in the year discovered shall be determined to be taxes in arrears on the *parcel* on which the charge was imposed and may be recovered as provided in the *Local Government Act* in the following taxation year.

## **15. WATER-SUPPLY MANGEMENT**

- 15.1. The *Manager* may declare the *Water Services* to be subject to any of the *Water Supply Stages* set out in Schedule D after considering any of the following:
  - (a) weather conditions and forecasts;
  - (b) water consumption levels;
  - (c) reservoir or source water supply levels;
  - (d) potential water quality or water availability concerns;
  - (e) provincial drought stages in effect; or
  - (f) planned or unplanned maintenance, repair, or construction of a *Water Supply System*.
- 15.2. The *Manager* will, to the extent practicable, provide notice of the implementation of or a change in a *Water Supply Stage* pursuant to Section 11.5 of this Bylaw.
- 15.3. When a *Water Supply Stage* comes into force, any prior *Water Supply Stage* that was in force ceases to be in force.
- 15.4. If no other *Water Supply Stage* is declared to be in force, the Regional District will supply the *Water Services* under the Normal Stage water conservation measures.

## **16. PROHIBITIONS**

- 16.1. No person shall:
  - (a) attempt to turn-on or turn-off, operate, destroy, tamper, or alter any portion of the *Water Supply System*, including without limitation, *Water Meters*;
  - (b) waste, lend, sell, give or otherwise dispose of water supplied by the Regional District or permit the water to be taken or carried away for the use or benefit of others, without first obtaining written permission from the *Manager*, unless the water is being used for suppressing an active fire; or

- (c) obstruct or interfere with the *Manager* or any *Authorized Person* in the performance of his or her duties or the exercise of his or her powers under this bylaw.

## **17. ACCESS AND ENFORCEMENT**

**17.1.** *Authorized Personnel* may, at all reasonable times and in a reasonable manner and after taking reasonable steps to give notice to a *Customer*, enter onto a *parcel* provided water service for the purpose of:

- (a) inspecting a portion of a *Water Supply System* that is located on the *parcel*;
- (b) inspecting, investigating or repairing *Private Waterworks* if they are reasonably believed to be creating a disturbance with a *Water Supply System*;
- (c) preventing *Excess Water Use* if the *Customer* is not in attendance;
- (d) identifying or inspecting potential or existing *Backflow* into the *Water Supply System*;
- (e) installing, inspecting, repairing, or changing a *Water Meter*;
- (f) issuing notifications, warnings, or educational materials pursuant to the provisions of this Bylaw; and
- (g) verifying that a *Customer* is compliant with the provisions of this Bylaw.

**17.2.** Every person who:

- (a) violates any provision of this Bylaw;
  - (b) causes, suffers, or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw;
  - (c) neglects or refrains from doing anything required to be done by any provision of this Bylaw; or
  - (d) fails to comply with any order, direction, or notice given under this Bylaw
- is guilty of an offence.

**17.3.** Each day that an offence continues will be deemed a separate and distinct offence.

**17.4.** A person found guilty on summary conviction of an offence is liable to a fine not exceeding \$10,000.

**17.5.** Notwithstanding Section 17.4, where any *Customer* who fails to comply with a provision of this Bylaw, or any notice issued pursuant to this Bylaw, the Regional District, after giving at least 24 hours' notice, may have any physical works done considered necessary to remedy the Bylaw infraction, and recover associated costs from the *Customer*.

**17.6.** Any penalty imposed pursuant to this Bylaw will be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

**18. SEVERABILITY**

18.1. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw, and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

**19. REPEAL**

19.1. Upon final adoption of this *Bylaw*, the following Bylaws, including all amendments thereto, are hereby repealed:

Faulder

Bylaw 1179, 1993 – Faulder Community Water System Regulatory Bylaw

Gallagher Lake

Bylaw 2644, 2014 – Gallagher Lake Water Distribution Regulation Bylaw 2644, 2014

Naramata

NID Bylaw 434, 1993 – Water Regulations Bylaw 1993

Bylaw 2377, 2006 – Naramata Community Water Rates Bylaw

Olalla

OID Bylaw 26, 1976 – Water Distribution Regulation Bylaw

Bylaw 2381, 2006 – Olalla Community Water System Rates Bylaw

Sun Valley

SVID Bylaw 2, 1984 – Water Distribution Regulation Bylaw

West Bench

WBID Bylaw 140, 2005 – Water Distribution Regulation Bylaw

Bylaw 2634, 2013 – West Bench Water Distribution and Use Regulation Bylaw

READ A FIRST, SECOND AND THIRD TIME this      day of                          , 2019.

ADOPTED this                  day of                          2019.

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Chair

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Corporate Officer

## **SCHEDULE "A" – WATER SERVICE AREAS**

This Bylaw will apply to each *Water Service Area* as defined in the following bylaws, including any and all amendments thereto:

### **Faulder *Water Service Area*:**

Bylaw No. 1177, 1990 - Faulder Community Water System Local Service Establishment Bylaw

### **Gallagher Lake *Water Service Area*:**

Bylaw No. 2630, 2013 - Gallagher Lake Sewer and Water Service Establishment Bylaw

### **Naramata *Water Service Area*:**

Bylaw No. 1620, 1995 - Naramata Water System Local Service Establishment Bylaw

### **Olalla *Water Service Area*:**

Bylaw No. 1690, 1996 - Olalla Local Community Establishment Bylaw

### **Sun Valley *Water Service Area*:**

Bylaw No. 2764, 2017 - Sun Valley Water Service Conversion and Continuation Bylaw

### **West Bench *Water Service Area*:**

Bylaw No. 2555, 2011 - West Bench Water System Service Establishment Bylaw

### **Willowbrook *Water Service Area*:**

Bylaw No. 2709, 2015 - Willowbrook Water Service Establishment Bylaw

## **SCHEDULE "B" – SPECIAL DETAILS FOR GALLAGHER LAKE WATER SYSTEM**

In accordance with an agreement between the Senkulmen Utilities Ltd. and the Regional District, dated March 12, 2014, the following provisions apply to *Customers* located in the Gallagher Lake *Water Service Area*, as defined in *Gallagher Lake Sewer and Water Service Establishment Bylaw No. 2630, 2013*:

1. All *Customers* residing in the Gallagher Lake *Water Service Area* shall pay any applicable connection fee imposed under the *Fees and Charges Bylaw* directly to the Osoyoos Indian Band (OIB) offices.
2. The *Customer* must provide the Regional District with proof of payment to SUL/OIB prior to the commencement of the *Water Services*.
3. All other payments, including user fees and Regional District fees, for the *Water Service Connection* will be made to the Regional District.
4. If there is a conflict between any provision in this Schedule "B" and the Bylaw, Schedule "B" shall apply.
5. Except as specifically provided for under this Schedule "B", all Regional District bylaws apply to *Customers* within the Gallagher Lake Sewer and *Water Service Area*.

## **SCHEDULE "C" – SPECIAL DETAILS FOR WEST BENCH WATER SYSTEM**

In accordance with a bulk purchase agreement entered into between the City of Penticton and the Regional District on April 19, 2012, the following additional provisions apply to residents receiving Water Service within the *West Bench Water Service Area*, as defined in the *West Bench Water System Service Establishment Bylaw No. 2555, 2011*:

1. All *Customers* in the *West Bench Water Service Area* must pay, to the City of Penticton, a development cost charge of \$1,300.00 ("**Development Cost Charge**") prior to having *Water Services* turned on. For clarity, only new *Customers* who do not already receive *Water Services* or are seeking additional or new *Water Services* will be required to pay the Development Cost Charge.
2. The Development Cost Charge is a fee in addition to all the other applicable fees for *Water Services* that a *Customer* may be required to pay.
3. If there is a conflict between any provision in this Schedule "C" and the Bylaw, this Schedule "C" shall apply.
4. Except as specifically provided for under this Schedule "C", all Regional District bylaws apply to *Customers* within the *West Bench Water Service Area*.



**SCHEDULE "D" – WATER SUPPLY STAGES**

RATIONALE	NORMAL	STAGE 1	STAGE 2	STAGE 3	STAGE 4
<p><b>Description</b> <i>(to inform internal operations)</i></p>	<p>Represents normal (i.e. average) conditions for local area.  Water use restrictions focus on water use efficiencies and drought awareness.</p>	<p>Inform the public of the potential for more severe drought if early drought (drier than average) conditions for local area are occurring.  Will move into this stage earlier in a cycle so that the potential to move to more severe stages is reduced.  Water use restrictions focus on water use efficiencies.</p>	<p>Represents low water supply conditions for local area or in prolonged, moderate drought conditions.  Water use restrictions are necessary to sufficiently reduce water demand to allow for sustainable supply and to meet environmental requirements.</p>	<p>Represents very low water supply conditions.  Water use restrictions are necessary to maintain supplies during a period of critical water shortage.  If triggered by drought, represents severe drought conditions for local area and increased risk of wildfire.</p>	<p>Strict water use restrictions are necessary to maintain critical supply.  No spare water is available.  An emergency loss of supply during which water is spared for consumptive and sanitary purposes only.  Fire protection may be compromised.</p>
<p><b>Goal</b> <i>(to inform internal operations)</i></p>	<p>Efficient on-going water-use practices</p>	<p>Intended to roughly reduce total and peak use by 10%</p>	<p>Intended to roughly reduce total and peak use by 20%</p>	<p>Intended to roughly reduce total and peak use by 50%</p>	<p>Maintain Community Health  Intended to roughly reduce total and peak use by 90%</p>
<p><b>Activation</b></p>	<p>Year-round for all systems (unless a higher stage is in effect)</p>	<p><i>Authorized Personnel</i> will determine advancement through the <i>Water Supply Stages</i> based on the following:</p> <ul style="list-style-type: none"> <li>• Time of year and typical seasonal water demand trends</li> <li>• Precipitation and temperature conditions and forecasts</li> <li>• Water usage, recent trends and <i>Customer</i> compliance with restrictions on water use under this Bylaw</li> <li>• <i>Water Supply System</i> performance in water quality and quantity</li> <li>• Water availability concerns arising from natural or manmade causes</li> <li>• Climate Change</li> </ul> <p>An internal operational procedure will guide <i>Authorized Personnel</i> through this decision-making process with consideration of these items.</p>			

RESIDENTIAL	NORMAL	STAGE 1	STAGE 2	STAGE 3	STAGE 4
<b>RESIDENTIAL</b>  Established lawns, trees, shrubs, flowers, vegetables	<ul style="list-style-type: none"> <li>Manual sprinklers: 3 days/week (6-10am &amp; 6-10pm)</li> <li>Automatic sprinklers: 3 days/week (12:01-6am)</li> <li>Drip irrigation &amp; hand-held watering: any day, any time</li> <li>Use of harvested rainwater and recycled water are exempted</li> </ul>	<ul style="list-style-type: none"> <li>Manual sprinklers: 2 days/week (6-10am &amp; 6-10pm)</li> <li>Automatic sprinklers: 2 days/week (12:01-6am)</li> <li>Drip irrigation: 3 days/week (12:01-6am)</li> <li>Hand-held watering: 3 days/week (6-10am &amp; 6-10pm)</li> <li>Use of harvested rainwater and recycled water are exempted</li> </ul>	<ul style="list-style-type: none"> <li>Manual sprinklers: 1 days/week (6-10am &amp; 6-10pm)</li> <li>Automatic sprinklers: 1 days/week (12:01-6am)</li> <li>Drip irrigation: 2 days/week (12:01-6am)</li> <li>Hand-held watering: 2 days/week (6-10am &amp; 6-10pm)</li> <li>Use of harvested rainwater and recycled water are exempted</li> </ul>	<ul style="list-style-type: none"> <li>Manual sprinklers: not permitted</li> <li>Automatic sprinklers: not permitted</li> <li>Drip irrigation: 1 days/week (12:01-6am)</li> <li>Hand-held watering: 1 days/week (6-10am &amp; 6-10pm)</li> <li>No lawn watering</li> <li>Use of harvested rainwater and recycled water are exempted</li> </ul>	<ul style="list-style-type: none"> <li>Not permitted</li> </ul>
<b>RESIDENTIAL</b>  Establishment Period for Newly planted sod, trees, shrubs, flowers, and vegetables	<ul style="list-style-type: none"> <li>Any day at any time using any method for the first 49 days for new seeded lawns</li> <li>Any day at any time for the first 21 days after newly planting for everything else (establishment period)</li> <li>Watering allowances as set out in the row above will apply after the establishment period</li> </ul>	<ul style="list-style-type: none"> <li>Any day at any time using any method for the first 49 days for new seeded lawns</li> <li>Any day at any time for the first 21 days after newly planting for everything else (establishment period)</li> <li>Watering allowances as set out in the row above will apply after the establishment period</li> </ul>	<ul style="list-style-type: none"> <li>4 days/week at any time using any method for the first 49 days for new seeded lawns</li> <li>4 days/week at any time for the first 21 days after newly planting for everything else (establishment period)</li> <li>Watering allowances as set out in the row above will apply after the establishment period</li> </ul>	<ul style="list-style-type: none"> <li>Not permitted</li> </ul>	<ul style="list-style-type: none"> <li>Not permitted</li> </ul>

RESIDENTIAL	NORMAL	STAGE 1	STAGE 2	STAGE 3	STAGE 4
<p>RESIDENTIAL</p> <p>Outdoor Cleaning (e.g. driveways, sidewalks, patios, decks, cars, boats, ATV, etc.)</p>	<ul style="list-style-type: none"> <li>Any day, using any means, provided it does not result in <i>Excess Water Use</i></li> <li>Use a broom or hose with a spring loaded turn off nozzle</li> </ul>	<ul style="list-style-type: none"> <li>2 days/week, using any means, with no <i>Excess Water Use</i> occurring</li> <li>Cleaning required to comply with health &amp; safety regulations and use of water to apply product (e.g. paint) are exempted</li> <li>Use a broom or hose with a spring loaded turn off nozzle</li> </ul>	<ul style="list-style-type: none"> <li>Washing or cleaning with a hose and spring-loaded nozzle as necessary for health &amp; safety reasons only</li> <li>No washing for aesthetic purposes</li> </ul>	<ul style="list-style-type: none"> <li>Not permitted</li> <li>Washing or cleaning with a hose and spring-loaded nozzle as necessary for health &amp; safety reasons only</li> <li>No washing for aesthetic purposes</li> </ul>	<ul style="list-style-type: none"> <li>Not permitted</li> <li>Cleaning required to comply with health &amp; safety regulations exempted</li> </ul>
<p>RESIDENTIAL</p> <p>Topping up, filling/refilling pools, hot tubs, garden ponds/ water features</p>	<ul style="list-style-type: none"> <li>Any day at any time for volumes less than 40,000 litres</li> <li>24 hr notice must be received at the Regional District for volumes greater than 40,000 litres</li> </ul>	<ul style="list-style-type: none"> <li>Any day at any time for volumes less than 40,000 litres</li> <li>Prior approval from <i>Authorized Personnel</i> required for volumes greater than 40,000 litres</li> </ul>	<ul style="list-style-type: none"> <li>Any day between 10AM – 3PM for volumes less than 40,000 litres</li> <li>Prior approval from <i>Authorized Personnel</i> required for volumes greater than 40,000 litres</li> </ul>	<ul style="list-style-type: none"> <li>Prior approval from <i>Authorized Personnel</i> required for all volumes</li> </ul>	<ul style="list-style-type: none"> <li>Not permitted</li> </ul>

COMMERCIAL	NORMAL	STAGE 1	STAGE 2	STAGE 3	STAGE 4
<p><b>COMMERCIAL</b></p> <p>Public, Commercial, or institutional playing fields, cemeteries, Parks, or Boulevards</p>	<ul style="list-style-type: none"> <li>3 days/week at any time using any method</li> </ul>	<ul style="list-style-type: none"> <li>2 days/week at any time using any method</li> </ul>	<ul style="list-style-type: none"> <li>2 days/week at any time for: hand-held containers, hoses with shut-off, or Micro-Irrigation or Drip-Irrigation Systems</li> <li>Manual Sprinklers: 1 day/week (6-10am and 6-10pm)</li> <li>Automatic Sprinklers: 1 day/week (12:01-6am)</li> </ul>	<ul style="list-style-type: none"> <li>1 day/week at any time for: hand-held containers, hoses with shut-off, Micro-Irrigation or Drip-Irrigation Systems</li> </ul>	<ul style="list-style-type: none"> <li>Not permitted</li> </ul>
<p><b>COMMERCIAL</b></p> <p>Golf course watering</p>	<p>Any day for fairways, tees and greens as follows:</p> <ul style="list-style-type: none"> <li>Manual sprinklers: (6-10am &amp; 6-10pm)</li> <li>Automatic sprinklers: (12:01-6am)</li> <li>Micro-Irrigation or Drip irrigation: any day, any time</li> </ul>	<p>Tees &amp; greens 5 days/week and Fairways: 3 days/week using the following:</p> <ul style="list-style-type: none"> <li>Manual sprinklers: (6-10am &amp; 6-10pm)</li> <li>Automatic sprinklers: (12:01-6am)</li> <li>Micro-Irrigation or Drip irrigation: any day, any time</li> </ul>	<p>Tees &amp; greens 3 days/week and Fairways: 1 day/week using the following:</p> <ul style="list-style-type: none"> <li>Manual sprinklers: (6-10am &amp; 6-10pm)</li> <li>Automatic sprinklers: (12:01-6am)</li> <li>Micro-Irrigation or Drip irrigation: any day, any time</li> </ul>	<p>Tees &amp; greens 1 day/week using the following:</p> <ul style="list-style-type: none"> <li>Manual sprinklers: (6-10am &amp; 6-10pm)</li> <li>Automatic sprinklers: (12:01-6am)</li> <li>Micro-Irrigation or Drip irrigation: any day, any time</li> </ul> <p>Fairway watering not permitted</p>	<ul style="list-style-type: none"> <li>Not permitted</li> </ul>

UTILITY WORKS	NORMAL	STAGE 1	STAGE 2	STAGE 3	STAGE 4
UTILITY WORKS Maintenance & flushing of hydrants, repair & testing of water works	<ul style="list-style-type: none"> <li>Any day &amp; any time</li> </ul>	<ul style="list-style-type: none"> <li>Any day &amp; any time</li> </ul>	<ul style="list-style-type: none"> <li>Any day &amp; any time</li> </ul>	<ul style="list-style-type: none"> <li>Only for non-routine activities required for public health and safety purposes</li> </ul>	<ul style="list-style-type: none"> <li>Only for non-routine activities required for public health and safety purposes</li> </ul>

AGRICULTURE	NORMAL	STAGE 1	STAGE 2	STAGE 3	STAGE 4
<i>Agricultural Water Use</i> <i>Farm Use</i>	<ul style="list-style-type: none"> <li>No restrictions</li> </ul>	<ul style="list-style-type: none"> <li>No restrictions</li> </ul>	<ul style="list-style-type: none"> <li>No restrictions</li> <li>Voluntary reductions in water use encouraged</li> </ul>	<ul style="list-style-type: none"> <li>Manual sprinklers: 2 days/week (6-10am &amp; 6-10pm), or</li> <li>Automatic sprinklers: any day (12:01-6am)</li> <li>Micro-Irrigation or Drip-Irrigation System at any time</li> </ul>	<ul style="list-style-type: none"> <li>Outdoor water use prohibited except to sustain livestock and for the minimal maintenance needs of perennial fruit trees used for Commercial production.</li> </ul>

Note: Water use ordered by the Regional District or Fire Marshall to reduce fire risk is exempted from restrictions at all stages.

## **SCHEDULE "E" – DEFINITIONS FOR FEES AND CHARGES**

The intent of this schedule is to define all terms used in billing of the *Water Services* and to provide consistency in all *Water Service Areas*.

### **GENERAL DEFINITIONS**

"*Basic User Fee*" means the annual flat rate charged to each residence occupied for *domestic* use connected to the *Water Supply System*;

"*Commercial*" means any occupation, employment or enterprise that is carried on for profit;

"*Domestic*" means for use within the home or dwelling place and does not include any *Commercial*, *Industrial* or *Agricultural* use;

"*Industrial*" means an occupation, employment or enterprise that is carried on for profit to: process raw materials; manufacture or assemble semi-finished or finished goods, products or equipment; cleaning servicing, repairing or testing of materials, goods and equipment associated with Industrial use; storage or shipping terminals; and distribution and sale of materials, bulk goods and equipment.

"*Institutional*" means a facility which relates to human development such as education, recreation, religion or politics or which relates to public service such as health or protective services;

"*Irrigation Acreage*" means all irrigable land area serviced only from an Irrigation Water Service Connection, not a residential water service connection;

"*Public Utilities*" means broadcast transmission, water, sewer, gas, electrical, telephone, transportation or other services established by a person servicing the immediate neighbourhood having no exterior storage of any kind and no garage for the repair and maintenance of equipment and does not include oil or gas storage tanks or a public storage and works yard;

"*Residential*" means the occupancy or use of a *Dwelling Unit* for the permanent domicile of a person or persons; or the occasional or seasonal occupancy of a *Dwelling Unit* as a dwelling by an owner who has a permanent domicile elsewhere or by non-paying guests of such an owner. This use does not include vacation rental;

"*Residential Acreage*" means all irrigable land area serviced from a residential connection which is or has been irrigated from the Regional District's works;

"*Vacant Lot*" means all lands within service area or in close proximity to water main but not connected; may be undeveloped land or deemed non-irrigable, by an agrologist's report;

### **RESIDENTIAL USE**

"*Apartment*" or "*Condominium*" means a *Multiple Dwelling* building comprising three or more *Dwelling Units* with shared entrances and other essential facilities and services and with shared exit facilities provided for *Dwelling Units* located above the first storey;

"*Duplex Dwelling*" means two *Dwelling Units* located in one principal building on a parcel. A duplex dwelling does not include a *Secondary Suite*;

"*Dwelling Unit*" means one or more habitable rooms constituting one self-contained unit which has a separate entrance, and which contains washroom facilities, and not more than one set of cooking

facilities (unless a secondary suite is permitted in the applicable zone), and which is designed to be used for living and sleeping purposes;

"*Manufactured Home*" means a "*Mobile Home*" or "*Modular Home*" normally built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than that of its manufacture, but does not include *Travel Trailers*, *Recreational Vehicles*, park model recreational vehicles or campers;

"*Mobile Home*" means a *Manufactured Home* which is certified as being constructed to the Canadian Standards Association Z240 Mobile Home Series Standard;

"*Modular Home*" means a *Manufactured Home* which is certified as being constructed to the Canadian Standards Association A277 Standard;

"*Mobile Home Park*" or "*Manufactured Home Park*" means any parcel of land, upon which three (3) or more *Manufactured Homes* or *Single Family Dwellings* are located on individual manufactured home sites that are occupied exclusively for *Residential* purposes on a rental basis. Includes all buildings and structures used or intended to be used as part of such manufactured home park;

"*Mobile Home Space*" or "*Manufactured Home Space*" means an area of land for the installation of one *Manufactured Home* with permissible additions and situated within a *Manufactured Home Park*;

"*Multi-Dwelling Unit*" means a building containing three or more *Dwelling Units*. These can include 3-plex, 4-plex, *townhouse* and a *Mobile Home* in a *Mobile Home Park*;

"*Secondary Suite*" means a self-contained second *Dwelling Unit* located within a principal *Single Family Dwelling* accessory to the principal dwelling used or intended to be used as a residence, with self-contained sleeping, living, cooking and sanitary facilities and direct access to the open air without passage through any portion of the principal *Dwelling Unit*. A *Secondary Suite* does not include *Duplex* housing, semi-detached housing, *Multiple-Dwelling* housing or boarding and rooming housing;

"*Single Family Dwelling*" or "*Single Detached Dwelling*" means a detached building used for *residential* use of one family and consisting of one *Dwelling Unit*. May include a "*Modular Home*" but does not include a "*Mobile Home*";

"*Townhouse*" means a block of at least three (3) side-by-side *Dwelling Units*, accessible from ground level, with each *Dwelling Unit* having a separate yard space, and each unit separated from each other on at least one side by a common party wall;

## **COMMERCIAL USE**

### **ACCOMODATION TYPE USE:**

"*Bed and Breakfast*" means an occupation conducted within a principal *Dwelling Unit*, by the residents of the *Dwelling Unit*, which provides sleeping accommodations to the traveling public and includes the provision of a morning meal for those persons using the sleeping accommodations;

"*Bunkhouse*" means a dwelling under 800 square feet in area for the accommodation of transient labour with more than one sleeping unit and which is served by water for only a portion of the year. Any dwelling over 800 square feet will be considered two bunkhouses, over 1600 square feet would be three, etc.;

"*Cabin*" means a detached building containing a maximum of one sleeping unit used year-round exclusively for the temporary accommodation of the traveling public or seasonal workers, and may include washroom facilities. The dwelling is under 800 square feet. Note that this differs from the *Summer Cabin* as a *Cabin* has a year-round water supply;

"*Campground*" means a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist *Cabins* or *Recreation Vehicles* which are licensed for the current year and have been brought to the site by the traveler. May include an office as part of the permitted use but does not include *Hotels*, *Manufactured Homes*, *Manufactured Home Parks*, *Motels* or *Recreational Vehicle Parks*;

"*Campsite*" means an area in a *Campground* used or intended to be used, leased or rented for seasonal occupancy of tents, *Recreational Vehicles* or *Tourist Cabins*;

"*Hotel*" means a building containing *Commercial* guest sleeping units, and a lobby area for guest registration and access to the sleeping units and may contain accessory uses such as a restaurant, licensed drinking facilities, accessory retail store, and meeting rooms;

"*Motel*" means a building or buildings containing housekeeping and/or not less than six sleeping units each with an exterior entrance and designed to provide temporary accommodation for the travelling public;

"*Recreational Vehicle*" means a vehicle designed to be towed behind a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, fifth wheels, camper trailers, pick-up coaches, motorized campers, motorized homes, park model trailers and other similar vehicles, which provide temporary recreational accommodation for the traveling public;

"*Recreational Vehicle Park*" means any lot or parcel operated and maintained for the sole purpose of providing two (2) or more recreational vehicle and park model sites or lots, connected to services, for the exclusive use and occupancy, for a maximum of six (6) months of the year only, of persons who are the owners or lessees of the sites or lots; may include bare land strata lots under the relevant Provincial regulations, but does not include a *Mobile Home Park*, *Motel*, or *Campground*;

"*Summer Cabin*" or "*Guesthouse*" or "*Pickers Cabin*" means a detached building containing a maximum of one sleeping unit used exclusively for temporary summer accommodation, and may include washroom facilities. The *Dwelling* is under 800 square feet and only serviced with water for a portion of the year;

"*Vacation Rental*" means the use of a *Residential Dwelling Unit* for the temporary *Commercial* accommodation of paying guests for a period of less than one month. This use does not include *Bed and Breakfast*;

## **FOOD & BEVERAGE BUSINESS USE**

"*Agriculture*" means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;



*"Brewery, Cidery, Distillery or Meadery"* means the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume that is licensed under the Liquor Control and Licensing Act to produce beer, cider, spirits or mead;

*"Eating And Drinking Establishment"* means a development where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the site and includes neighbourhood pubs, licensed restaurants, lounges, cafes, delis, tea rooms, lunch rooms, drive-in food services, refreshment stands and take-out restaurants but excludes mobile catering food services; includes eating establishments at Wineries, breweries, distilleries;

*"Food and Beverage Processing"* means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a *Brewery, Cidery, Distillery or Meadery* and *Winery*;

*"Processed Farm Products"* means farm products that have been transformed by biological or other means such as fermentation, cooking, butchering, canning, smoking or drying to increase their market value and convenience to the consumer, but does not include hot and cold food items sold for on-site consumption

*"Service Industry Establishment"* means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

*"Retail Sales of Farm and/or Off-Farm Products"* means retail activity which is an accessory use to a *Farm Use* and which may include the sale of goods produced on or off that farm as permitted in a given zone and which includes buildings and structures necessary for the sale and storage;

*"Winery"* means an establishment involved in the manufacture, packaging, storing and sales of grape and fruit-based wines, including a wine bar, food & beverage lounge and an *Eating and Drinking Establishment*;

## **RETAIL AND OFFICE TYPE USE**

*"Car Wash"* means a business used to clean the exterior of motor vehicles in wash bays or with wash wands. Fee is per wash bay or wash wand;

*"Home Industry"* means an occupation or a commercial use that is accessory to the principal *residential dwelling unit* on the parcel. It may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials;

*"Kennel"* means the care of five (5) or more dogs, cats or other domestic animals or pets whether such animals are kept commercially for board, propagation, training, sale or for personal and private enjoyment;

*"Laundromat"* means the business where clothes are washed and dried. Fee is per washing machine;

*"Office"* means a business premises or building, designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;

*"Personal Service Establishment"* means a business which caters to a person's personal needs, and includes a tailor, seamstress, cobbler, photographer, barber, beautician, hairdresser, and dry-cleaning facilities. Does not include laundromats;

*"Retail Store, Convenience"* means a retail sales outlet for the sale of foodstuffs, periodicals, sundries, fresh fruit and vegetables, hygienic or cosmetic goods or plants to serve the residents of the surrounding community on a day to day basis, which may include a confectionery, delicatessen, meat market, bakery, automated banking machines, video sales and rental, and depots for film or postal services, and which has a maximum gross retail floor area including storage of 250 m<sup>2</sup>;

*"Retail Store, General"* means 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. Typical uses include but are not limited to grocery, clothing, shoe, hardware, pharmaceutical, appliance, and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment or retail stores requiring outdoor storage;

*"Service Station"* means premises used principally for the retail sale of motor fuels, lubricating oils, propane and motor vehicle accessories, retail sales by way of vending machines and the servicing of motor vehicles, excluding other retail sales, wholesale sales, or motor vehicle structural body repairs and painting. Does not include car washing bays or washing wands;

## INSTITUTIONAL USE

*"Charitable Institution"* means a facility or premises used for temporary gatherings and temporary accommodation, which is owned by a public or private organization which is not organized for the purpose of carrying on a trade or business and no part of the net earnings of which are for the benefit of any private group or individual and may include a religious or recreational retreat;

*"Church"* means an assembly building used for religious worship, which is maintained and controlled by a religious body organized to sustain public worship;

*"Community Care and/or Residential Care Facility"* means a facility licensed by the Provincial government as a community care facility or residential care facility or like establishments not licensed provincially;

*"Community Hall"* means a building or part of a building designed for, or intended to be used by the public for such purposes as civic meetings, educational meetings, political meetings, recreational activities or social activities and may include banquet facilities;

*"Educational Facility"* means the use of land, buildings or structures for education, instruction and training and may include administration offices and dormitories to house students. Typical examples include but are not limited to elementary, middle and secondary schools, storefront schools, community colleges, universities, technical and vocational schools;

*"Indoor Recreation"* means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;

*"Park"* means any publicly-owned, held, or beneficially-owned outdoor land or facility specifically designed for passive or active recreation including tot-lots, playgrounds, walkways, trails, band

shells, greenbelts, buffers, constructed landscaping, nature interpretation areas, or similar land uses;

*"Public Facilities"* means a fire hall, community hall, school, public park, recreation facility and other similar building, structure or space intended for public use;

*"Spray Park"* means a facility that is open to the public and that that is equipped with water sprays, water jets, sprinklers and similar devices that spray water for recreation and enjoyment of the users;

Where two or more types of uses are made of a single property or building, multiples or combinations of the user rate shall be determined by the RDOS, acting reasonably. In the case of a residence accompanying a commercial use, the applicable rate shall be the higher of the two rates but not both.

#### **OTHER DEFINITIONS**

*"Dole Valve"* means a flow control device used on a water service connection to restrict the amount of water supplied;

*"Hydrant Permit" to be renamed to "Temporary Water Use Permit"*

## ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: April 18, 2019

RE: First Quarter Activity Report

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### ACTIVITIES COMPLETED IN Q1 2019:

#### SOLID WASTE

- Campbell Mountain Landfill Biocover Pilot – Final report was reviewed by the Ministry of Environment and have requested additional content to the report. This work is currently underway with a completion of the updated report expected in Q2 when it will be resubmitted to the Province.
- Campbell Mountain Landfill Drainage and Leachate – Leachate extraction well pump has been undergoing pump tests to observe the well yield and any impact on the surrounding monitoring wells. Data is being collected to be used in the Phase 2 of the overall project to determine treatment needs and any additional extraction well requirements.
- Campbell Mountain Landfill Entrance/Exit review – RFP is under development to look at the current configuration of the entrance and exit of the landfill.
- Campbell Mountain Landfill Spiller Road Drainage – Reviewed initial report prepared by the City of Penticton and requested scope changes to incorporate missing sections for drainage planning.
- Keremeos Landfill Closure Plan – Closure plan not approved by the Ministry of Environment. The MoE requires additional studies before issuing approval, which are underway and will be completed in Q2.
- Oliver Landfill scale house and scale replacement – RFP under review and will be released in early Q2 to obtain a consultant.
- Keremeos Transfer Station scale house replacement – RFP under review and will be released in early Q2 to obtain a consultant.
- Apex Waste Transfer Station – Building acquisition occurred during Q1. The tendering for all the civil site work and building construction is underway. Tendering of maintenance and hauling contracts will commence in Q2
- A nuisance study at the Campbell Mountain Landfill will be completed shortly. The study determine impacts of the landfill and the Penticton Biosolid composting facility on neighbouring properties. A workshop with the Board will be conducted in the coming weeks.

## WATER

- Regional Water Regulation Bylaw – The final draft of the bylaw went to legal review. Staff reviewed the final document and a few questions are being answered prior to it coming to the Board for discussion in early Q2.
- Cross Connection Control Bylaw – The draft was reviewed and revisions are being made after first review by staff.
- Missezula Lake Water Works District – resolution from the waterworks district received. Water system technical assessment report completed. A financial plan will be developed and will be presented at the AGM scheduled for May 19th.
- Sun Valley Water System – Commissioning and troubleshooting of the new SCADA and communication upgrades was completed. Project and final grant claims are now complete.
- Willowbrook Water System – Completed commissioning of SCADA and communications upgrades. Grant application through the Investing in Canada Infrastructure Program, Rural and Northern Communities – Environmental Quality Program was submitted for a chlorine contact system.
- The Loose Bay water system has been declassified as a water system reducing costs, the level of testing, the number of water reports required, and level of effort requirement to manage the system.

## SEWER

- Skaha Estates Sewer Expansion – Repurposing of \$6.6M grant to Kaleden Sewer project underway. RFP is being developed for the Kaleden sewer predesign project.
- OK Falls Constructed Wetland Project – Sheet pile material purchased and delivered to WWTP. Design will be finalized once MOE confirms Operation Certificate amendment requirements. Tender and specification package compilation underway. Construction is anticipated to occur October – December 2019.
- OK Falls Waste Water Treatment Plant Solids Dewatering Project – Awarded consulting contract to consultant in January 2019. Preliminary design underway. Construction expected to begin in Q3.
- The roadway to the WWTP has had all brush removed from the sides of the access road.

## OTHER PROJECTS/PROGRAMS

- Mosquito Program – The program has started for 2019. Permission to treat letters have been distributed. RFP for Helicopter flight services is under review.
- Well licencing workshop for producers was successfully carried out on Jan 31, 2019.
- The new Utility Acquisition Policy is nearing completion. A series of workshops with staff and then the Board will be scheduled shortly.
- Asset Management – Providing a supporting role to Finance.

- Chute Lake Dam – Determination of roles and responsibilities will need to be determined in the coming weeks. A method of transferring water licenses to the Regional District will need to be determined.
- The Building Climate Resilience in the Okanagan Homeowner's Resource Guidebook is complete, and being printed in preparation for distribution and formal media launch in Q2.
- Disaster Financial Assistance (DFA) funded Lidar acquisition (Phase 1) and Geo BC modification of data is complete and being distributed to local governments.

## **ACTIVITIES PLANNED FOR Q2 2019:**

### **SOLID WASTE**

- Campbell Mountain Landfill Biocover Pilot – Wait for response from Ministry of Environment from the revised report and then submit the formal substituted requirements application of the Landfill Gas Regulation.
- Campbell Mountain Landfill Leachate – Leachate extraction well pump data will be analysed and determination of additional extraction wells, treatment requirements and options will be initiated.
- Campbell Mountain Landfill Spiller Road Drainage – Reviewed initial report prepared by the City of Penticton and requested scope changes to incorporate missing sections for drainage planning. City directing consultant to proceed with detailed design of upgrades.
- Campbell Mountain Landfill Entrance/Exit review – RFP will be released and awarded to begin a review of the entrance and exit of Campbell Mountain landfill.
- Keremeos Landfill Closure Plan – Closure to be detailed designed and tendered. Construction to be completed by 2020.
- Apex Waste Transfer Station – Award of tender to occur and planning for the construction window will begin. Construction expected in Q3. The transfer station will open to the public in Q4. RFPs for maintenance, operation and hauling services will be issued and awarded.
- Oliver Landfill scale house and scale replacement – RFP to be released to retain a consultant to look at the entrance and exit, scale replacement and the scale house installation.
- Keremeos Transfer Station scale house replacement – RFP to be released to retain a consultant to look at the scale house installation.

### **WATER**

- Cross Connection Control Bylaw – The draft of the bylaw will be sent for legal review.
- Missezula Lake Water Works District – Vote at the AGM meeting is scheduled for May 19th
- Utility Acquisition Policy – Bring forward to board in Q2 2019.
- Regional Water Regulation Bylaw – The final version of the bylaw will be presented to the Board at the beginning of Q2 for review and adoption.
- RFP will be issued for Source Water Protection Plan – IHA requirement to assess water source risks for Naramata water system.

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- RFP for Willowbrook GARP study will be completed. The study is scheduled to take one year to complete.
  - Chlorine contact tank will be install in the Willowbrook water system providing that IHA will agree to remove the Boil Water Advisory.

## **SEWER**

- Kaleden Sewer Expansion – Release RFP for Kaleden sewer predesign project. Prepare for award to a consultant to complete this work.
- OK Falls Constructed Wetland Project – Release tender and award contract in preparation for Q4 construction.
- OK Falls Waste Water Treatment Plant Solids Dewatering Project – Complete preliminary design, detailed design and begin compiling tender package.

## **OTHER PROJECTS/PROGRAMS**

- Asset Management – Providing a supporting role to Finance.
- Mosquito Program – initiating and continuing treatments as waters rise and stagnate
- Continue collecting departmental narratives for BC Climate Action – annual CARIP report – due at end of Q2.
- Lidar data manipulation for use within the RDOS will continue, with last aerial footage acquired by mid Q2
- DFA Grant funded hydrometric data logging equipment purchased for Darke Creek and installed by end of Q2
- Develop workshops for homeowners (water conservation and preparedness) utilizing the Homeowner’s Resource Guide

**Respectfully submitted:**

*Neil Webb*

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N. Webb, General Manager of Public Works



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, April 18, 2019

2:30 p.m.

## REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Protective Services Meeting of April 18, 2018 be adopted.

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B. Quarterly Activity Report – for information only

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C. Closed Session

**RECOMMENDATION 2**

THAT in accordance with Section 90(1)(c) of the *Community Charter*, the Committee close the meeting to the public on the basis of labour relations or other employee relations.

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D. ADJOURNMENT



## ADMINISTRATIVE REPORT

**TO:** Protective Services Committee

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

**DATE:** April 18, 2019

**RE:** First Quarter Activity Report – For Information Only

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### Emergency Management, Policing, E-911

#### Activities Completed in Q1 2019:

- Continued to implement 2018 EOC after Action Report recommendations.
- Maintained activation of the RDOS Emergency Operations Centre (EOC) to support the recovery process for widespread flooding throughout the District from 2018.
- Continued discussions with the Province on flood relief for residents.
- Carried out upgrades to the E-911 emergency telecommunications network.
- Completed an RDOS 2019 Spring Freshet Emergency Plan.
- Received an Emergency Support Services (ESS) grant via UBCM.
- Received an EOC and Training grant via UBCM.
- Presented at the Penticton Search and Rescue training nights – Evacuations and overview of the RDOS Emergency Management.
- Conducted 3 community emergency preparedness presentations.
- Participated in the Penticton Home Show – Emergency Preparedness booth.
- Conducted EOC Lunch and Learns for RDOS Staff.
- Conducted UAV Drone Training for RDOS Staff and Search and Rescue teams.
- Established a Regional Emergency Social Services steering committee.
- Initiated construction works for the RDOS mobile EOC trailer.

#### Planned Activities for Q2 2019:

- Continue to support the communities effected by flooding through the Regional EOC.
- Complete upgrades to the mobile EOC trailer.
- Update standard operating procedures for EOC activation.
- Continue to support emergency planning efforts within the Regional District.
- Audit of excess emergency telecommunications equipment.
- Submit EOC and training grant to UBCM.
- Finalize the 2019 Regional Emergency Preparedness training schedule.
- Re-establish E-911 faults mapping system with Inter-mapper.

- 
- Commence work on the Emergency Program Bylaw amendments.
  - Consider the re-establishment of the Regional Emergency Preparedness Committee.
  - Develop an EOC contractor/supplier list within communities.
  - Enhance community partnerships (contractors, businesses, emergency services) for business continuity and EOC support during emergencies.

**Respectfully submitted:**

*Mark Woods*

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M. Woods, Manager of Community Services



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**  
**BOARD of DIRECTORS MEETING**  
Thursday, 2:45 p.m.

**REGULAR AGENDA**

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1** (Unweighted Corporate Vote – Simple Majority)

**THAT the Agenda for the RDOS Board Meeting of April 18, 2019 be adopted.**

**1. Consent Agenda – Corporate Issues**

**a. Community Services Committee – April 4, 2019**

*THAT the Minutes of the April 4, 2019 Community Services Committee meeting be received.*

**b. Environment and Infrastructure Committee – April 4, 2019**

*THAT the Minutes of the April 4, 2019 Environment and Infrastructure Committee meeting be received.*

*THAT the Board of Directors provide a letter of support for the Carmi Recreation Trails Group application to Ministry of Forest, Lands and Natural Resource Operations and Rural Development to convert the Upper Carmi Intensive Recreation area to a Community Forest.*

**c. Protective Services Committee – April 4, 2019**

*THAT the Minutes of the April 4, 2019 Protective Services Committee meeting be received.*

**d. RDOS Regular Board Meeting – April 4, 2019**

*THAT the minutes of the April 4, 2019 RDOS Regular Board meeting be adopted.*

**e. Kobau Park Annual General Meeting – March 5, 2019**

*THAT the minutes of the March 5, 2019 Annual General meeting be received.*

**f. Kobau Park Commission– March 5, 2019**

*THAT the minutes of the March 5, 2019 Kobau Park Commission meeting be received.*

**g. Similkameen Recreation Commission – March 5, 2019**

*THAT the minutes of the March 5, 2019 Similkameen Recreation Commission meeting be received.*

- h. Similkameen Recreation Commission – April 2, 2019**  
*THAT the minutes of the April 2, 2019 Similkameen Recreation Commission meeting be received.*
- i. Area “F” Parks and Recreation Commission– March 13, 2019**  
*THAT the minutes of the March 13, 2019 Area “F” Parks and Recreation Commission meeting be received.*
- j. Kaleden Recreation Commission - March 13, 2019**  
*THAT the minute of the March 13, 2019 Kaleden Recreation Commission meeting be received.*
- k. Okanagan Falls Parks and Recreation Commission – March 14, 2019**  
*THAT the minutes of the March 14, 2019 Okanagan Falls Parks and Recreation Commission meeting be received.*
- l. Electoral Area “F” Advisory Planning Commission (APC) Appointments**  
*THAT the Board of Directors appoint the following as members of the Electoral Area “F” Advisory Planning Commission until October 31, 2022: Gerard (Gerry) Lalonde, & Don Barron*

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

---

- 2. Consent Agenda – Development Services**

  - a. Development Variance Permit Application — 1316 Smethurst Road, Electoral Area “E”**

    - i. Permit
    - ii. Representations

*THAT the Board of Directors approve Development Variance Permit No. E2019.002-DVP.*
  - b. Development Variance Permit Application — 2930 Arawana Road, Electoral Area “E”**

    - i. Permit

*THAT the Board of Directors approve Development Variance Permit No. E2019.007-DVP.*
  - c. Temporary Use Permit Application — 2589 Naramata Road, Naramata, Electoral Area “E”**

    - i. Permit
    - ii. Representations

*THAT the Board of Directors approve Temporary Use Permit No. E2019.003-TUP.*

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

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**B. DEVELOPMENT SERVICES – Building Inspection**

**1. Building Bylaw Infraction, 104 LOCKIE RD (expired building permit)**

**RECOMMENDATION 4** (Unweighted Corporate Vote – Simple Majority)  
THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 5, Plan KAP44042, District Lot 596, YDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

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**C. DEVELOPMENT SERVICES – Untidy/Unsightly Bylaw Enforcement**

**1. Untidy and Unsightly Property Contravention, 5208 9<sup>th</sup> Avenue, Okanagan Falls**

**RECOMMENDATION 5** (Unweighted Corporate Vote – Simple Majority)  
THAT the RDOS commence the formal process to bring Lot 1, District Lot 374, SDYD, Plan KAP43911 (5208 – 9<sup>th</sup> Avenue) into compliance with the Regional District of Okanagan-Similkameen's Untidy and Unsightly Premises Bylaw No. 2326, 2004.

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

**1. Enforcement of Non-conforming Use, 833 Fish Lake Road, Electoral Area "F"**

**RECOMMENDATION 6** (Unweighted Corporate Vote – Simple Majority)  
THAT Regional District Board commence injunctive action with respect to the use of the property at 833 Fish Lake Road (legally described as Lot 1, Plan KAP293, District Lot 154, ODYD, Portion shown on Plan B951, Except Plan 30904) for the purposes of a motocross track.

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2. **Official Community Plan (OCP) & Zoning Bylaw Amendments – 5021 Highway 97C (Elkhart Lodge), Electoral Area “H”**
  - a. Bylaw No. 2497.10
  - b. Bylaw No. 2498.17
  - c. Draft covenant

To allow for a service station, drive-thru restaurant, commercial card-lock facility and highway maintenance yard (“outdoor storage”)

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

**THAT** Bylaw No. 2497.10, 2019, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.17, 2018, Electoral Area “H” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

**AND THAT** the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated April 18, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

**AND THAT**, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2497.10, 2019, in conjunction with its Financial and applicable Waste Management Plans;

**AND THAT** the holding of a public hearing be scheduled for the Regional District Board meeting of May 9, 2019;

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

**AND THAT**, prior to adoption, a statutory covenant is registered on the title of the subject property (legally described as Lot 1, Plan KAP68315, DL 4531, KDYD), in order to require that a Storm Drainage System including a Contamination Prevention System be installed on-site.

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3. **Agricultural Land Commission Referral (“non-farm” use) – 48 Savanna Road, Electoral Area “F”**

To allow for farm labour accommodation in the Agricultural Land Reserve

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

**THAT the Board of Directors “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 48 Savanna Road (District Lot 3762, ODYD, Portion S ½) in Electoral Area “F” to proceed to the Agricultural Land Commission;**

**AND THAT the Agricultural Land Commission be advised that the Board of Directors supports the use of a statutory covenant registered under Section 219 of the *Land Title Act* in order to require that:**

- the use of the sleeping units is restricted to farm labour only;
- the structure be removed from the property once an on-going need for farm labour no longer exists;
- the structure be constructed or manufactured in a manner that makes it easily moveable from one location to another; and
- the foundation be temporary in nature (i.e. not concrete).

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4. **Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D”**

- a. Bylaw No.2603.17
- b. Bylaw No. 2455.40
- c. Responses Received

The proposed amendments to the Electoral Area “D” Official Community Plan (OCP) Bylaw and Zoning Bylaw are related to the introduction of a Parks and Recreation (PR) Zone over the parcel at 176 Chadwell Place in the “Heritage Hills” community of Electoral Area “D”. The Regional District has recently acquired this parcel for parkland purposes.

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

**THAT Bylaw No. 2603.17, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.40, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a third time and adopted.**

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- 
5. **Early Termination of a Land Use Contract – 781 Highway 97, Okanagan Falls, Electoral Area “D”**
    - a. Bylaw No.2603.18
    - b. Bylaw No. 2455.32

To replace Land Use Contract No. LU-12-D-76 with a Small Holdings Four (SH4) Zone.

**RECOMMENDATION 10** (Unweighted Rural Vote – Simple Majority)

**THAT Bylaw No. 2603.18, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.32, 2019, Electoral Area “D” Zoning Amendment Bylaw be adopted.**

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**E. COMMUNITY SERVICES – Rural Projects**

1. **Provincial License of Occupation Application – Okanagan Falls Public Boat Launch**

To acquire tenure over the Crown foreshore parcel that underlies the public boat launch in Okanagan Falls for a ten-year period

**RECOMMENDATION 11** (Unweighted Corporate Vote – Simple Majority)

**THAT the Board of Directors support an application to the Province of British Columbia for a License of Occupation (LOO) over a Crown foreshore parcel in Okanagan Falls for 10 years.**

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**F. FINANCE**

1. **Oliver/Electoral Area C Parks & Recreation Society Services Capital Reserve Fund Expenditure**
  - a. Bylaw No. 2853
  - b. Drawings

**RECOMMENDATION 12** (Weighted Corporate Vote – 2/3 Majority)

**THAT Bylaw No.2853, 2019, Oliver/Electoral Area C Parks & Recreation Society Services Capital Reserve Fund Expenditure Bylaw for the expenditure of \$165,000 towards improvements of the community centre administration area be read a first, second and third time and be adopted.**

---



**G. LEGISLATIVE SERVICES****1. Sun Valley Water System Borrowing Bylaw****a. Bylaw No. 2837**

To abandon a bylaw that no longer has a purpose.

**RECOMMENDATION 13** (Unweighted Corporate Vote – Simple Majority)

**THAT first, second and third readings of Bylaw No. 2837, 2018 Sun Valley Water System Borrowing Bylaw be rescinded and the bylaw abandoned.**

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**2. Fireworks Regulation and Prohibition Bylaw****a. Bylaw No. 2854**

To bring forward a bylaw prohibiting the sale or disposal of fireworks in Electoral Areas “D”, “F” and “I” before the expected fire season begins.

**RECOMMENDATION 14** (Unweighted Corporate Vote – 2/3 Majority)

**THAT Bylaw No. 2854, 2019 Electoral Areas “D”, “F” and “I” Fireworks Regulation and Prohibition Bylaw be read a first, second and third time and be adopted.**

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

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

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## 2. Board Representation

- a. BC Grape Growers Association and Starling Control – *Bush, Monteith (Alternate)*
  - b. BC Rural Centre (formerly Southern Interior Beetle Action Coalition) – *Gettens, Obirek (Alternate)*
  - c. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
  - d. Municipal Finance Authority – *Kozakevich (Chair), Bauer (Vice Chair, Alternate)*
  - e. Municipal Insurance Association – *Kozakevich (Chair), Bauer (Vice Chair, Alternate)*
  - f. Okanagan Basin Water Board - *McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff), Holmes (Alternate to Boot), Monteith (Alternate to Knodel)*
  - g. Okanagan Film Commission – *Gettens, Holmes (Alternate)*
  - h. Okanagan Nation Alliance Steering Committee – *Kozakevich, Monteith (Alternate)*
  - i. Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
  - j. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
  - k. Okanagan-Similkameen Regional Hospital District – *Veintimilla, Boot (Alternate)*
  - l. South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
  - m. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
  - n. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
  - o. UBCO Water Research - Chair Advisory Committee – *Holmes, Bauer (Alternate)*
- 

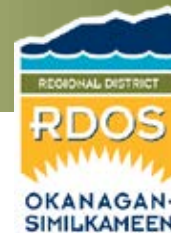
## 3. Directors Motions

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## 4. Board Members Verbal Update

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## J. ADJOURNMENT



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Community Services Committee

Thursday, April 4, 2019  
10:50 a.m.

## Minutes

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### MEMBERS PRESENT:

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

### MEMBERS ABSENT:

Director T. Boot, District of Summerland	Director S. McKortoff, Town of Osoyoos
Director S. Coyne, Town of Princeton	Director J. Vassilaki, 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

#### It was MOVED and SECONDED

THAT the Agenda for the Community Services Committee Meeting of April 4, 2019 be adopted. - CARRIED

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### B. DELEGATION – Okanagan Boys and Girls Club

a. Presentation  
[handout](#)

Jennifer Anderson - Area Director, South Okanagan  
Laurene Sloboda - Centre Director

Ms Anderson and Ms. Sloboda provided an overview of the Okanagan Boys & Girls Club services and programs in the South Okanagan area.

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**C. ADJOURNMENT**

By consensus, the Community Services Committee meeting adjourned at 11:20 a.m.

APPROVED:

CERTIFIED CORRECT:

\_\_\_\_\_  
M. Bauer  
Community Services Committee Chair

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



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Environment and Infrastructure Committee

Thursday, April 4, 2019  
11:21 a.m.

### MINUTES

#### MEMBERS PRESENT:

Chair G. Bush, Electoral Area "B"  
Vice Chair R. Gettens, Electoral Area "F"  
Director M. Bauer, Village of Keremeos  
Director J. Bloomfield, City of Penticton  
Director E. Trainer, Alt. District of Summerland  
Director B. Coyne, Electoral Area "H"  
Director B. Gould, Alt. Town of Princeton  
Director D. Holmes, District of Summerland  
Director J. Kimberley, City of Penticton  
Director R. Knodel, Electoral Area "C"

Director K. Kozakevich, Electoral Area "E"  
Director C. Rhodes, Alt. Town of Osoyoos  
Director S. Monteith, Electoral Area "I"  
Director R. Obirek, Electoral Area "D"  
Director M. Pendergraft, Electoral Area "A"  
Director F. Regehr, City of Penticton  
Director T. Roberts, Electoral Area "G"  
Director J. Sentes, Alt. City of Penticton  
Director P. Veintimilla, Town of Oliver

#### MEMBERS ABSENT:

Director T. Boot, District of Summerland  
Director S. Coyne, Town of Princeton

Director S. McKortoff, Town of Osoyoos  
Director J. Vassilaki, 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

##### It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of April 4, 2019 be adopted. - **CARRIED**

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#### B. DELEGATION

Neda Joss, Carmi Recreation Trails Group  
Andrew Drouin, South Okanagan Trail Alliance

Ms. Joss and Mr. Drouin [presented](#) their vision to create a community forest in the Carmi area. RDOS signature of support is required for the application. RDOS participation on a society board may be required once the process is underway.

**It was MOVED and SECONDED**

THAT the Board of Directors provide a letter of support for the Carmi Recreation Trails Group application to Ministry of Forest, Lands and Natural Resource Operations and Rural Development to convert the Upper Carmi Intensive Recreation area to a Community Forest. - **CARRIED**

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**C. ADJOURNMENT**

By consensus, the Environment and Infrastructure Committee meeting adjourned at 11:43 p.m.

APPROVED:

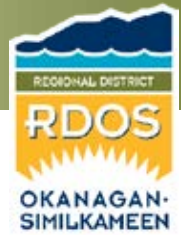
CERTIFIED CORRECT:

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G. Bush  
Committee Chair

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B. Newell  
Chief Administrative Officer



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Protective Services Committee

Thursday, April 4, 2019  
9:07 a.m.

## MINUTES

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### MEMBERS PRESENT:

Chair D. Holmes, District of Summerland  
Vice Chair T. Roberts, Electoral Area "G"  
Director M. Bauer, Village of Keremeos  
Director J. Bloomfield, City of Penticton  
Director E. Trainer, Alt. District of Summerland  
Director G. Bush, Electoral Area "B"  
Director B. Coyne, Electoral Area "H"  
Director B. Gould, Alt. Town of Princeton  
Director R. Gettens, Electoral Area "F"  
Director J. Kimberley, City of Penticton

Director R. Knodel, Electoral Area "C"  
Director K. Kozakevich, Electoral Area "E"  
Director C. Rhodes, Alt. Town of Osoyoos  
Director S. Monteith, Electoral Area "I"  
Director M. Pendergraft, Electoral Area "A"  
Director R. Obirek, Electoral Area "D"  
Director F. Regehr, City of Penticton  
Director J. Sentes, Alt. City of Penticton  
Director P. Veintimilla, Town of Oliver

### MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton  
Director S. Coyne, Town of Princeton

Director S. McKortoff, Town of Osoyoos  
Director T. Boot, District of Summerland

### STAFF PRESENT:

B. Newell, Chief Administrative Officer  
K. Morgan, Manager of Human Resources

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 Committee Meeting of April 4, 2019 be adopted. - CARRIED

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### B. Closed Session

#### RECOMMENDATION 2

#### It was MOVED and SECONDED

THAT in accordance with Section 90(1)(c) of the *Community Charter*, the Committee close the meeting to the public on the basis of labour relations or other employee relations. - CARRIED

The meeting closed to the public at 9:09 a.m.

The meeting recessed at 10:49 a.m.  
The meeting reconvened in camera at 12:02 p.m.  
The meeting opened to the public at 12:30 p.m.

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**C. Emergency Services and Emergency Operations Centre Overview – For Information Only**

Due to time constraints, this item was moved to the April 4, 2019 RDOS Regular Board meeting, Item D4.

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**D. ADJOURNMENT**

By consensus, the Protective Services Committee meeting adjourned at 12:30 p.m.

APPROVED:

CERTIFIED CORRECT:

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D. Holmes  
Protective Services Committee Chair

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B. Newell  
Chief Administrative Officer





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

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 12:45 p.m. Thursday, April 4, 2019 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

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

### MEMBERS ABSENT:

Director T. Boot, District of Summerland	Director S. McKortoff, Town of Osoyoos
Director S. Coyne, Town of Princeton	Director J. Vassilaki, City of Penticton

### STAFF PRESENT:

B. Newell, Chief Administrative Officer	B. Dollevoet, General Manager of Development Services
C. Malden, Manager of Legislative Services	M. Woods, General Manager of Community Services
J. Kurvink, Manager of Finance	J. Shuttleworth, Manager of Parks & Facilities
C. Garrish, Manager of Planning	A. Figueiredo, Planner
S. Vaisler, Manager of Emergency 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 April 4, 2019 be amended by adding Item D3 Bylaw No. 2852 Area H Community Facilities Capital Reserve Fund Expenditure Bylaw and Item D4 Emergency Services Overview. - **CARRIED**

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1. Consent Agenda – Corporate Issues

a. Environment and Infrastructure Committee – March 21, 2019

*THAT the Minutes of the March 21, 2019 Environment and Infrastructure Committee meeting be received.*

*THAT the Regional District require residential homes to supply their own reusable container for curbside recycling collection.*

*THAT staff work with Central Okanagan and North Okanagan Regional Districts to combine efforts to ban the use of single use plastic bags.*

b. Planning and Development Committee – March 21, 2019

*THAT the Minutes of the March 21, 2019 Planning and Development Committee meeting be received.*

*THAT the Board of Directors initiate Zoning Amendment Bylaw No. 2849.*

*THAT the Okanagan Electoral Area Zoning Bylaws be amended to introduce a Water Use Zone in order to regulate the development of commercial docks with amendment for 100 m zone.*

c. Protective Services Committee – March 21, 2019

*THAT the Minutes of the March 21, 2019 Protective Services Committee meeting be received.*

d. RDOS Regular Board Meeting – March 21, 2019

*THAT the minutes of the March 21, 2019 RDOS Regular Board meeting be adopted.*

e. Electoral Area "E" Advisory Planning Commission – March 11, 2019

*THAT the minutes of the March 21, 2019 RDOS Regular Board meeting be received.*

f. Town of Osoyoos Community Services Advisory Committee Appointments

i. Community Services Advisory Committee Terms of Reference

*THAT the Board of Directors appoint Carol Nesdoly, Brian Lobb and Fred Hamilton as members to the Town of Osoyoos Community Services Advisory Committee for a four year term, expiring October 31, 2022.*

g. Naramata Fire Rescue Member List

*THAT the Naramata Fire Rescue roster be adopted as amended.*

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

**IT WAS MOVED AND SECONDED**

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

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2. Consent Agenda – Development Services
  - a. Development Variance Permit Application — 300 Jones Way, Electoral Area “C”
    - i. Permit
    - ii. [Response received](#)

To legalise the construction of an equestrian centre/livestock shelter within a parcel line setback area.

*THAT the Board of Directors approve Development Variance Permit No. C2019.004-DVP.*

- b. Agricultural Land Commission Referral (“non-farm” use) – 2860 Arawana Road Electoral Area “E”

To undertake a cannabis production facility with a concrete floor system  
*This item was removed from the Consent agenda; please refer to Item B.2.a Items removed from Consent Agenda – Development Services*

**RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)**

**IT WAS MOVED AND SECONDED**

THAT the Consent Agenda – Development Services be adopted as amended to remove Item A.2.b - **CARRIED**

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

1. Early Termination of a Land Use Contract – 781 Highway 97, Okanagan Falls Electoral Area “D”
  - a. Bylaw No. 2455.32
  - b. Bylaw No. 2603.18
  - c. Responses Received

To replace Land Use Contract No. LU-12-D-76 with a Small Holdings Four (SH4) Zone

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2603.18, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.32, 2019, Electoral Area “D” Zoning Amendment Bylaw be read a third time. - **CARRIED**

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## 2. Items Removed from Consent Agenda – Development Services

- a. This item was previously listed on the Consent Agenda as Item A.2.b. but was removed.

Agricultural Land Commission Referral (“non-farm” use) – 2860 Arawana Road Electoral Area “E”

To undertake a cannabis production facility with a concrete floor system

**It was MOVED and SECONDED**

THAT the Board of Directors “authorize” the application to undertake a “non-farm” use at 2680 Arawana Road (Lot 13, Plan KAP576, District Lot 207, SDYD, Except Plan A62 B5981 KAP81407 EPP30242) in Electoral Area “E” to proceed to the Agricultural Land Commission. - **CARRIED**

---

## C. PUBLIC WORKS

### 1. Award of the Helicopter Flight Services for Mosquito Control Program

To authorize the award of a five-year Services Agreement to provide Helicopter Flight Services for the Mosquito Control Program.

**RECOMMENDATION 5 (Weighted Corporate Vote – Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors award the contract for the provision of Helicopter Flight Services for the Mosquito Control Program to Eclipse Helicopters Ltd. at a cost of \$35,000.00. - **CARRIED**

---

### 2. Award of the Contract Services Agreement for the Landfill Organic Materials Grinding Services

To authorize the award of a four year Services Agreement to grind collected organic waste materials at Regional District administered Landfills.

**RECOMMENDATION 6 (Weighted Corporate Vote – Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors award the contract for the provision of Landfill Organic Materials Grinding Services to Huska Holdings Ltd. for a cost of up to \$589,560. - **CARRIED**

---

**D. COMMUNITY SERVICES – Rural Projects****1. Area ‘A’ Park Naming**

- a. Anarchist Mountain Community Society, Board meeting Minutes; January 9, 2019
- b. Anarchist Mountain Community Society, letter of support; March 20, 2019
- c. Anarchist Mountain Fire Department, letter of support; March 22, 2019

**RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the RDOS Board endorse the name “Jamie Soule Memorial Park” park parcel located on Lot A, Plan EPP23874, District Lot 2709, Land District Similkameen Div. of Yale, PID: 029-041-520. - **CARRIED**

---

**2. Kelowna – Penticton Bus Service Expansion****RECOMMENDATION 8 (Weighted Corporate Vote –Majority)****It was MOVED and SECONDED**

THAT the Board of Directors support the unintegrated regional bus service proposed by the alternative Fare Option #2 as contained in the administrative report dated April 4, 2019. - **CARRIED**

Opposed: Directors Gould, B. Coyne, Sentes, Roberts, Kimberley, Pendergraft, Bauer, Bush

---

**ADDENDUM**

3. [Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw](#)
  - a. [Bylaw No. 2852](#)

To award \$60,000.00 to the Princeton & District Vehicle Extrication Society towards purchasing a new rescue vehicle.

**RECOMMENDATION 9 (Weighted Corporate Vote – Majority)****It was MOVED and SECONDED**

THAT Bylaw No. 2852, 2019, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw be read a first, second and third time and be adopted. - **CARRIED**

---

**ADDENDUM**

4. Emergency Services and Emergency Operations Centre Overview  
[PowerPoint](#)  
[EOC Activation Reference Guide](#)  
[BCEMS pamphlet](#)

Sean Vaisler, Manager of Emergency Services, and Mark Woods, General Manager of Community Services presented an overview of the Emergency Management Program, Board notification process, activation levels and obligations to the municipalities.

---

## E. LEGISLATIVE SERVICES

1. RDOS Fees and Charges Bylaw No. 2848, 2019
  - a. Bylaw No. 2848, 2019

**RECOMMENDATION 9 (Weighted Corporate Vote –Majority)**

**It was MOVED and SECONDED**

THAT Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2848, 2019 be read a third time, and be adopted. - **CARRIED**

---

2. Declaration of State of Local Emergency Approval

**RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for Electoral Area “C” that expired 18 March 2019, at midnight for a further seven days to 25 March 2019, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for Electoral Area “C” that expired 25 March 2019, at midnight for a further seven days to 01 April 2019, at midnight.

THAT the Board of Directors declare a State of Local Emergency for Electoral Area “C”, to expire 10 April 2019, at midnight.

**CARRIED**

---

3. Fire Services Regulatory System

At the regular meeting of 21 March 2019, the Board requested that Corporate Counsel appear at the next meeting to provide an update and seek instruction on the development of a Fire Services Regulatory Bylaw

**RECOMMENDATION 11**

**It was MOVED and SECONDED**

THAT in accordance with Section 90(1)(i) of the *Community Charter*, the Board close the meeting to the public on the basis of receipt of advice subject to lawyer-client privilege. - **CARRIED**

The meeting closed to the public at 2:18 p.m.

The meeting opened to the public at 3:21 p.m.

**RISE AND REPORT**

During the closed session, the Board of Directors resolved the following:

**It was MOVED and SECONDED**

THAT a consolidated fire services bylaw be completed, directing all Fire Departments to report directly to the Chief Administrative Officer. - **CARRIED**

Opposed: Director Obirek

**It was MOVED and SECONDED**

THAT upon adoption of a new consolidated fire services bylaw the Chief Administrative Officer hire a Protective Services Manager to work with all seven regional fire departments. - **CARRIED**

---

**F. CAO REPORTS**

1. Verbal Update

---

**G. OTHER BUSINESS**

1. Chair's Report

- 
2. Directors Motions

- a. Director Knodel

**It was MOVED and SECONDED**

THAT the Board of Directors consider Director Knodel's motion at the April 4, 2019 Board meeting. - **CARRIED** by two-third vote

**It was MOVED and SECONDED**

THAT the Board of Directors send a letter to Mr. Yi Li, Regional Water Engineer, Ministry of Forests, Land, Natural Resource Operations and Rural Development, requesting the necessary permits for restoration of Kearns Creek between Myers Road and Gold Tau Road be expedited to facilitate completion of works while the creek is still dry. - **CARRIED**

- 
3. Board Members Verbal Update
-

**H. ADJOURNMENT**

By consensus, the meeting adjourned at 3:55 p.m.

APPROVED:

CERTIFIED CORRECT:

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

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





# AGM MINUTES

## Kobau Park Commission

March 5, 2019, 7:00 pm  
Cawston Hall, WI RM

**Members Present:** Marie Marven, Deanna Gibbs, Bob McAtamney, Tammy Vesper,  
Sonjia Vander Hoek, Doug McLeod, Marc Lepage

**Absent:**

**Area Representatives** George Bush Area "B"

**Staff:** Justin Shuttleworth,

**Recording Secretary:**

**Guests:**

---

### 1. Approval of Agenda

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the Agenda for the Kobau Park AGM Meeting of March 5, 2019 be adopted and all presentations and reports be accepted. – CARRIED

---

### 2. Approval of Last Meeting Minutes

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the minutes for the Kobau Park AGM of August 28, 2018 be adopted. – CARRIED

---

### 3. Correspondence/Delegations/Public Questions

**None**

---

### 4. Chairs Annual Report

Verbal Report – M. Marven

---



# AGM MINUTES

## Kobau Park Commission

March 5, 2019, 7:00 pm  
Cawston Hall, WI RM

5. Directors Calls For Nominations For Chairperson

Marie Marven accepted the nomination for Chairperson of Area 'B' Parks and Recreation Commission.

**2019 Chairperson, Marie Marven – ACCLAIMED**

---

6. Adjournment

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED the 2019 Area B Parks and Recreation Commission be adjourned. – CARRIED**

**NEXT MEETING:** First meeting of 2020 - TBD

---

Recreation Commission Chair

---

Recording Secretary



# MINUTES

## Kobau Park Commission

Tuesday, March 5, 2019, 7:15 pm  
Cawston Hall, WI RM

**Members Present:** Marie Marven, Tammy Vesper, Sonjia Vander Hoek, Marc Lepage,  
Wendy Stewart, Justine Wright

**Absent:**

**Area Representatives** George Bush Area "B"

**Staff:** Justin Shuttleworth,

**Recording Secretary:** Justin Shuttleworth

**Guests:** None

---

### 1. Approval of Agenda

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the Agenda for the Kobau Park Meeting of March 5, 2019 be adopted and all presentations and reports be accepted. – CARRIED

---

### 2. Approval of Last Meeting Minutes

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the minutes for the Kobau Park of August 28<sup>th</sup>, 2018 be adopted. – CARRIED

---

### 3. Correspondence/Delegations/Public Questions

NONE

---

### 4. Staff Reports

4.1. Recreation Update Written – J. Shuttleworth

4.1.1. Looking in to movie in the park for 2019

4.2. Parks Verbal Update – J. Shuttleworth

4.2.1. Park maintenance 2019

4.2.2. Irrigation Project through Kobau Parks Society Donation \$4,000

4.2.3. 2018 Budget Summary

4.2.4. 2019 Draft Budget

---



# MINUTES

## Kobau Park Commission

Tuesday, March 5, 2019, 7:15 pm  
Cawston Hall, WI RM

- 5. Commission Member Reports
    - 5.1. Ball Fields
      - 5.1.1. Field use is down
      - 5.1.2. Looking for new advertisements for out field
- 

- 6. RDOS Director Report  
NONE
- 

- 7. Business Arising
    - 7.1. Commission to submit a list of small projects in the park to RDOS staff.
- 

- 8. Adjournment

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED the Area B Parks Commission meeting of March 5<sup>th</sup>, 2019 meeting be adjourned – CARRIED**

**NEXT MEETING:** TBD  
Cawston Hall

---

Recreation Commission Chair

---

Recording Secretary



# MINUTES

## Similkameen Recreation Commission

March 5<sup>th</sup>, 2019 @ 7:00pm  
Keremeos Recreation Centre

**Members Present:** Tom Robins, Jennifer Roe, Duncan Baynes, Dave Cursons, Tim Austin, Selena Despres  
**Absent:** Richard Oostra  
**Area Representatives** George Bush (Area B), Tim Roberts (Area G), Jeremy Evans (Keremeos)  
**Staff:** Shane Marsh (Similkameen Recreation), Gillian Cramm (Legislative Services)  
**Recording Secretary:** Shane Marsh  
**Guests:**

---

### 1. Approval of Agenda

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the Agenda for the Similkameen Recreation Meeting of March 5<sup>th</sup>, 2019 be adopted and all presentations and reports be accepted.

– CARRIED

---

### 2. Approval of Last Meeting Minutes

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the Minutes for the Similkameen Recreation Meeting of February 5<sup>th</sup>, be adopted and all presentations and reports be accepted.

– CARRIED

---

### 3. Correspondence/Delegations/Public Questions

**RECOMMENDATION**

Bob Proctor had submitted his resignation from the Similkameen Recreation Commission.

---

### 4. RDOS Staff Report

#### 4.1. Commission Orientation

4.1.1 The Freedom of Information and Protection of Privacy Act discussion as well as Meetings, Rules & Effective Decision-Making handout discussion with G. Cramm



# MINUTES

## Similkameen Recreation Commission

March 5<sup>th</sup>, 2019 @ 7:00pm  
Keremeos Recreation Centre

- 4.2. Facility Updates discussion with S. Marsh
    - 4.2.1 Skating rink 2018-19 review
    - 4.2.2 Bowling Alley repairs and maintenance discussion
  - 4.3. Pool Updates discussion with S. Marsh
    - 4.3.1 Will be putting out an ad for summer lifeguards
- 

- 5. Commission Member Reports
    - No commission reports presented
- 

- 6. RDOS Director Reports
    - 6.1. Village of Keremeos
      - No report presented
    - 6.2. Electoral Area B
      - No representative present
    - 6.3. Electoral Area G
      - No report presented
- 

- 7. Business Arising

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the Similkameen Recreation Commission allocates up to \$500 for seasonal decorations for the Similkameen Recreation Centre.

– CARRIED

Opposed:

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the Similkameen Recreation Commission will sponsor \$200 to the Okanagan Horse Sense Spring Break Gathering to subsidize children's registrations.

– CARRIED

Opposed:



# MINUTES

## Similkameen Recreation Commission

March 5<sup>th</sup>, 2019 @ 7:00pm  
Keremeos Recreation Centre

### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the RDOS provide an RDOS email address for each of the Recreation Commission member.

– CARRIED

Opposed:

### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the Similkameen Recreation Commission invite Rachael Gurevitch to the April 2<sup>nd</sup>, 2019 Recreation Commission meeting to further discuss her proposal for an Art Show at the Similkameen Recreation Centre.

– CARRIED

Opposed:

---

## 8. Adjournment

### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the March 5<sup>th</sup>, 2019 Similkameen Recreation Commission meet be adjourned.

– CARRIED

Opposed:

**NEXT MEETING:** April 2<sup>nd</sup>, 2019 @ 7:00pm  
Similkameen Recreation Centre

---

Recreation Commission Chair

---

Recording Secretary



# MINUTES

## Similkameen Recreation Commission

April 2<sup>nd</sup>, 2019 @ 7:00pm  
Keremeos Recreation Centre

<b>Members Present:</b>	Tom Robins, Jennifer Roe, Duncan Baynes, Dave Cursons, Tim Austin, Selena Despres
<b>Absent:</b>	Richard Oostra
<b>Area Representatives</b>	George Bush (Area B), Tim Roberts (Area G), Jeremy Evans (Keremeos)
<b>Staff:</b>	Shane Marsh (Similkameen Recreation), Shona Schleppe (Rural Services Manager), Laura McCarron (Recreation Coordinator)
<b>Recording Secretary:</b>	Shane Marsh
<b>Guests:</b>	Rachelle Gurevitch

---

### 1. Approval of Agenda

#### **RECOMMENDATION**

#### **IT WAS MOVED AND SECONDED**

That the Agenda for the Similkameen Recreation Meeting of April 2<sup>nd</sup>, 2019 be adopted and all presentations and reports be accepted.

– CARRIED

---

### 2. Approval of Last Meeting Minutes

#### **RECOMMENDATION**

#### **IT WAS MOVED AND SECONDED**

That the Minutes for the Similkameen Recreation Meeting of March 5<sup>th</sup>, be adopted and all presentations and reports be accepted.

– CARRIED

---

### 3. Correspondence/Delegations/Public Questions

#### **RECOMMENDATION**

No Correspondence/Delegations/Public Questions presented.

---

### 4. RDOS Staff Report

#### 4.1. Recreation Coordinator report

4.1.1 L. McCarron discussed overview of the rec programs that have been started in 2019 with a focus on physical literacy and movement.





# MINUTES

## Similkameen Recreation Commission

April 2<sup>nd</sup>, 2019 @ 7:00pm  
Keremeos Recreation Centre

- 4.2. Facility Updates discussion with S. Marsh
    - 4.2.1 Bowling season has come to a completion with a focus shifting to the pool season.
    - 4.2.2 Full facility assessment will take place in the summer to determine the needs and wants for each facility.
  - 4.3. Pool Updates discussion with S. Marsh
    - 4.3.1 Will be putting out an ad for summer lifeguards
    - 4.3.2 Pool will be emptied, cleaned and repaired starting in the middle of April
    - 4.3.3 Pool schedule will be finalized and distributed to the community
  - 4.4. Strategic Planning with S. Schleppe
    - 4.4.1 strategic planning discussion for long term and short term upgrades and projects for each facility.
- 

5. Commission Member Reports  
No commission reports presented
- 

6. RDOS Director Reports
    - 6.1. Village of Keremeos  
No report presented
    - 6.2. Electoral Area B  
No representative present
    - 6.3. Electoral Area G  
No report presented
- 

7. Business Arising

### **RECOMMENDATION**

#### **IT WAS MOVED AND SECONDED**

That the Similkameen Recreation Commission strike a committee that includes an RDOS staff person to facilitate the exhibition of local art works at The Similkameen Recreation Centre.

– **CARRIED**

Opposed:



# MINUTES

## Similkameen Recreation Commission

April 2<sup>nd</sup>, 2019 @ 7:00pm  
Keremeos Recreation Centre

---

8. Adjournment

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the April 2<sup>nd</sup>, 2019 Similkameen Recreation Commission meeting be adjourned.

– **CARRIED**

Opposed:

**NEXT MEETING:** May 7<sup>th</sup>, 2019 @ 7:00pm

Similkameen Recreation Centre

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Recreation Commission Chair

---

Recording Secretary



# MINUTES

## Area "F" Parks and Recreation Commission

Wednesday March 13, 2019, 7:28 pm  
RDOS Office

**Members Present:** Warren Everton, Ben Arcuri, Jane Windeler,  
**Absent:** **Tristan Mennell, Riley Gettens**  
**Area Director**  
**Staff:** Mark Woods  
**Recording Secretary:** Warren Everton  
**Guests:**

- 
1. Director/Staff call for nominations for chairperson/executive  
Warren Everton nominated Ben Arcuri for Chairperson. Tristan Mennell Seconded  
Nomination was accepted. Ben Arcuri elected by acclamation  
Tristan nominated Warren for Recording Secretary. Jane Windeler Seconded. Warren Everton  
elected by acclamation

- 
1. APPROVAL OF LAST MEETING MINUTES  
**IT WAS MOVED AND SECONDED**  
**That the Agenda for the Area "F" Parks and Recreation Meeting of March 13, 2019 be adopted  
and all presentations and reports be accepted. – CARRIED**

- 
2. APPROVAL OF LAST MEETING MINUTES  
**IT WAS MOVED AND SECONDED**  
**That the minutes for the Area "F" Parks and Recreation Annual General Meeting of January 30,  
2019 be adopted. – CARRIED**  
**IT WAS MOVED AND SECONDED**  
**That the minutes for the Area "F" Parks and Recreation Meeting of January 30, 2019 be  
adopted. – CARRIED**

- 
3. CORRESPONDENCE/DELEGATIONS  
No correspondence

---

4. STAFF REPORTS

- 4.1. Selby Park project

Staff presented handouts on the layout, features and costs of the project. Total costs are  
estimated to be \$58,583 with the caveat that some contingency was built into the numbers.



# MINUTES

## Area "F" Parks and Recreation Commission

Wednesday March 13, 2019, 7:28 pm

RDOS Office

Also included in the costs are irrigation system repairs and sod installation/repairs. Discussion on layout and drivers behind the costs. Also discussion around the possibility of removing the spinner and reducing some of the other costs. The consensus was to complete this project as intended while minimizing the costs as close to \$50,000 as possible.

### Actions:

1. Staff to obtain a new quote on the equipment since the earlier quoted costs expired at the end of January.
- 

### 5. COMMISSION MEMBER REPORTS

No reports

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### 6. RDOS DIRECTOR REPORT

No report

---

### 7. BUSINESS ARISING

Membership decline discussed. Intent is to do a membership drive through social media.  
Director to follow up through her Area F website.

---

### 8. ADJOURNMENT

### NEXT MEETING:

May, 2019 via email poll

---

**Recreation Commission Chair**

---

**Recording Secretary**



# MINUTES



## Kaleden Recreation Commission

Wednesday, March 13, 2019

Kaleden Community Hall

**Members Present:** Doug King (Chair), Jaynie Malloy, Randy Cranston, Neal Dockendorf, Jen Charlish, Wendy Busch, Wayne Lee  
**Absent:** Gail Jeffery  
**Staff:** Janet Black, Gillian Cramm  
**Recording:** Jen Charlish

Call to Order: 7:00 pm

1. APPROVAL OF AGENDA

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the Agenda for the Kaleden Parks & Recreation Meeting of March 13, 2019 be adopted. CARRIED**

---

2. APPROVAL OF MEETING MINUTES

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the minutes for the Kaleden Parks & Recreation Regular and Orientation Meeting of January 9, 2019 be adopted. CARRIED**

---

3. CORRESPONDENCE/DELEGATIONS

---

4. RDOS STAFF REPORTS

4.1 Recreation Coordinator Report – Janet Black

4.1.1 Spring Break Special events

4.1.2 Spring flyer will be out soon

4.1.3 Friday June 21<sup>st</sup> P.A.T returning

4.1.4 \$500 Grant for Canada Day - Matt Duffus ha been booked

4.1.5 A summer student has been applied for

4.1.6 Movie license – PAC got it through the school

4.1.7 Requested activities:

ballroom dance instruction, evening Yoga, programs at Twin Lakes



# MINUTES



## Kaleden Recreation Commission

Wednesday, March 13, 2019

Kaleden Community Hall

- 4.2 Report on Physical Literacy 101 Workshop – bringing together a cross-sectoral team of professionals including Health, Education, Sport, Media and Recreation to enhance physical literacy across the ages.

Information can be found at Sport for Life <http://sportforlife.ca/>

---

5. LEGISLATIVE SERVICES PRESENTATION - Gillian Cramm

Gillian outlined the Commission's responsibilities in relation to the Freedom of Information and protection of Privacy Act, The Community Charter, Conflict of Interest, and keeping minutes.

---

6. RDOS DIRECTOR REPORT - Subrina gave her report and update on projects in the area.

---

7. BUSINESS ARISING

7.1 Park Cleanup Day

7.1.1 Date April 27th

7.1.2 Riparian Planting and Education session

- Justin to be asked to do this either on April 27 or in early June

7.2 FOI and Privacy Concerns

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the Board be asked to authorize individual RDOS email addresses for the members of the Kaleden Recreation Commission**

**CARRIED**

---

8. KCA

- The KCA is willing to look at giving financial assistance for small projects in the hall or parks.
  - Kal-Rec would need to identify the projects and apply for funding.
- 

9. ADJOURNMENT

Hearing no objection, the Chair declared the meeting adjourned at 9:40 pm.

---

**NEXT REGULAR MEETING:**

Wednesday, May 8, 2018

Kaleden Community Hall



# Minutes

## Regular Meeting

### Okanagan Falls Parks and Recreation Commission

Thursday, March 14, 2019 at 6:45 pm  
Okanagan Falls Community Centre

**Members:** Alf Hartviksen, Matt Taylor, Kelvin Hall, Barbara Shanks, Daniela Fehr, Carole Barker, Jim Lamond, David Del Rizzo, Parul Nayak  
**Regrets:** Doug Lychak,  
**Guests:**  
**Area Director:** Ron Obirek  
**Staff:** Justin Shuttleworth, Doug Reeve, Gillian Cramm

#### CALL TO ORDER

The Meeting was called to order at 6:37 pm.

#### 1. ADOPTION OF AGENDA

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the Agenda for March 14, 2019 be adopted. CARRIED**

---

#### 2. APPROVAL OF MINUTES FROM LAST MEETING

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the Minutes for Okanagan Falls Parks and Recreation Commission of January 10, 2019 be approved. CARRIED**

---

#### 3. BUSINESS ARISING FROM PREVIOUS MINUTES

3.1 Master Plan for Parks – *Deferred to April meeting*

3.2 Lion's Park – Pond and fountain – *No update*

3.3 Pickleball Court Donation

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That a donation for a pickle ball court would be considered by the commission, pending a location selected through parks planning and no preferential use by the donor. CARRIED**

---

#### 4. CORRESPONDENCE/DELEGATIONS

4.1 Legislative Service Presentation – *G. Cramm*

4.2 Email Correspondence related to parkette on Heritage Blvd

**RECOMMENDATION**



# Minutes

## Regular Meeting

### Okanagan Falls Parks and Recreation Commission

Thursday, March 14, 2019 at 6:45 pm  
Okanagan Falls Community Centre

#### IT WAS MOVED AND SECONDED

To defer the Heritage Hills Parkett discussion for resolution to the April Parks and Recreation meeting.      **CARRIED**

---

5.

- 5.1. Chair Update – No Report
  - 5.2. Treasurer update – *J.Lamond provided a verbal report*
  - 5.3. Heritage Hills Park Committee – *Staff shared Memorandum of Agreement for Heritage Hills Park development for information*
- 

6.

- 6.1. Parks Updates – *J. Shuttleworth and D. Reeve*
    - Zoning change to Park for Heritage Hills and 605 Willow – *In progress*
    - Kenyon Park picnic Shelter – *Shelter has been removed for safety reasons and stored off site*
    - Pickleball court estimate – *Class estimate of \$76,400 provided for information*
    - Boat Launch Drawing Review – *Construction drawing and details provided for information*
    - Keogan Park Well – *Staff will explore use of existing well for irrigation*
    - Kenyon House – *Issues with heating identified, options to replace or repair to be explored*
  - 6.2. Recreation Report – None Provided
- 

7. RDOS DIRECTOR REPORT – *R. Obirek provided a verbal report*

---

8. NEW BUSINESS ARISING FROM THIS MEETING

- 8.1. Master Plan for Parks
  - 8.2. Heritage Hills Parkette
  - 8.3. MOA for Heritage Hills Park Development
-





**Minutes**  
**Regular Meeting**  
**Okanagan Falls Parks and Recreation Commission**  
Thursday, March 14, 2019 at 6:45 pm  
Okanagan Falls Community Centre

9. ADJOURNMENT

**IT WAS MOVED**

**That the meeting be adjourned at 9:48pm CARRIED**

Next Meeting: April 11, 2019

\_\_\_\_\_  
Chair, Parks and Recreation Commission

\_\_\_\_\_  
Recording Secretary

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Electoral Area "F" Advisory Planning Commission (APC) Appointments

---

## Administrative Recommendation:

**THAT the Board of Directors appoint the following as members of the Electoral Area "F" Advisory Planning Commission until October 31, 2022: Gerard (Gerry) Lalonde, & Don Barron**

---

## Purpose:

The purpose of this report is to seek two additional Board appointments for members of the Area Planning Commission for Electoral Area "F".

## Reference:

[Advisory Planning Commission Bylaw No. 2339](#)

## 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:

The above member appointments have been reviewed and approved to be brought forward for appointment by the Board by Director Gettens. These two are in addition to six others that were appointed by the Board on March 7, 2019 to sit on the Electoral Area "F" APC.

## Respectfully submitted:

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B. Dollevoet, General Manager, Development Services

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**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Development Variance Permit Application — Electoral Area “E”

---

**Administrative Recommendation:**

**THAT the Board of Directors approve Development Variance Permit No. E2019.002-DVP**

---

Purpose: to allow for a shower and sleeping facilities within an accessory building  
Owners: D. Mathias & K. Born      Agent: C Allen (Landform Architecture)      Folio: E-01947.010  
Civic: 1316 Smethurst Road      Legal: Lot 1, District Lot 266, SDYD, Plan 36743  
OCP: Small Holdings (SH)      Zone: Small Holdings Three (SH3)

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**Proposed Development:**

The purpose of this application is to allow for the development of sleeping facilities and a shower in an accessory structure in the Small Holdings Three (SH3) Zone. The applicant proposes to construct a single detached dwelling unit made up of three separate ‘pods’; a living pod, a sleeping pod and an art pod. The art pod contains a garage and shop on the lower floor and a studio, sleeping facility and shower on the top floor.

To facilitate this development, it is being proposed to vary the prohibition against sleeping facilities and a shower in an accessory building found at Section 7.13 (Accessory Buildings and Structures) of the Electoral Area “E” Zoning Bylaw No. 2459, 2008.

In support of these requested variances, the applicant has provided the following rationale:

- *[the] house will appear as a single dwelling ...*
- *this is a 2.0 ha lot ... [and] the house is, in fact, not visible from any of the neighbouring homes;*
- *this is a small flexible, energy efficient house, which connects interior and exterior spaces;*
- *the design places the house so it can heal the only disturbed portion of the site, preserve the natural landscape, and incorporates a bridge to allow spring meltwater to flow under the house. It is an innovative approach to preserving the environmental qualities of the property.*

**Site Context:**

The subject property is approximately 2.37 ha in area located adjacent to Naramata Creek, on the south side of Smethurst Road and is approximately 1.8 km east of the Naramata townsite. The property is currently undeveloped and consists of fairly steep and rocky terrain.

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The surrounding neighbourhood characteristics include smaller or similar sized SH3 and AG1 parcels to the north, west, and east with residential development south of Naramata Creek.

**Background:**

The subject parcel was created by a plan of subdivision deposited with the Land Titles Office in Kamloops in 1986, while available Regional District records indicate building permits for a storage shed and single detached dwelling were applied for in 2018.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Small Holdings (SH), and has a geological hazard rating of "limited or no hazard of slumps and slides. No development problems anticipated."

An expedited Environmentally Sensitive Development Permit (ESDP) was issued in March 2018 for the construction of a new single detached dwelling and a septic field.

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is zoned Small Holdings Three (SH3), which permit single detached dwellings as a principal permitted use. For a structure to be considered part of a principal dwelling, the Zoning Bylaw requires that it be attached by a "common wall and roof".

If a structure cannot meet this criterion, the Zoning Bylaw considers it to be an accessory structure and, in the SH3 Zone, prohibits showers and bathtubs, bedrooms, sleeping facilities or other living facilities, from occurring within an accessory structure.

At its March 7, 2019 meeting, the Planning and Development Committee directed staff to initiate an amendment to the Okanagan Electoral Area Zoning Bylaws in order to, amongst other things, expand the range of zones in which an "accessory dwelling" is permitted as a secondary use. This includes allowing "accessory dwellings" in the SH3 Zone provided a parcel is greater than 1.0 ha in area.

**Public Process:**

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

At its meeting of March 11, 2019, the Electoral Area "E" Advisory Planning Commission resolved to recommend to the RDOS Board that the subject application be approved.

**Analysis:**

When assessing variance requests a number of factors are generally taken into account. These include the intent of the zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and whether the proposed development would have a detrimental impact upon the amenity of the area and/or adjoining uses.

The intent of the zoning regulations governing when a structure is considered principal versus accessory is to assist with the application of development controls and what may occur within the structure.

For instance, the Zoning Bylaw provides different building envelopes for principal vs. accessory structures (i.e. maximum height is greater for a principal dwelling whereas setbacks from a parcel line

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are less for an accessory structure) as well as uses (i.e. secondary suites must occur within a principal dwelling).

The intent of the zoning regulations prohibiting the placement of showers and bathtubs, bedrooms, sleeping facilities or other living facilities, and limiting the size of bathrooms to 3.0 m<sup>2</sup> within an accessory structure is to discourage their conversion to dwelling units, usually in contravention of existing zoning regulations.

In assessing this application, Administration considers the proposed garage and "art pod" to be a *de facto* accessory dwelling (i.e. "carriage house"), and that this is inconsistent with the intent of the SH3 Zone (i.e. no more than one detached dwelling per parcel) and should be denied.

However, in light of the direction provided by the Board at its meeting of March 7, 2019 (see above), Administration is recommending that this development variance permit be approved as the structure will generally meet the new criteria for an accessory dwelling.

In relation to the established streetscape, any potential limiting physical features on the property, or whether the development may have a detrimental impact on the amenity of the adjoining uses, Administration offers the following observations:

- the property is fairly large and sloped over Smethurst Road, and the proposed buildings are to be located well back from the street.
- the house and accessory structure design being proposed have the same aesthetics;
- the proposed house and accessory structure appear to meet required setbacks, parcel coverage and height provisions.

Conversely, there do not appear to be any limiting physical features that would warrant a variance and that other options are available to the applicant, such as designing their dwelling in a way that complies with the requirements of the Zoning Bylaw.

**Alternatives:**

That the Board deny Development Variance Permit No. E2019.002-DVP.

**Respectfully submitted**



C. Garrish, Planning Manager

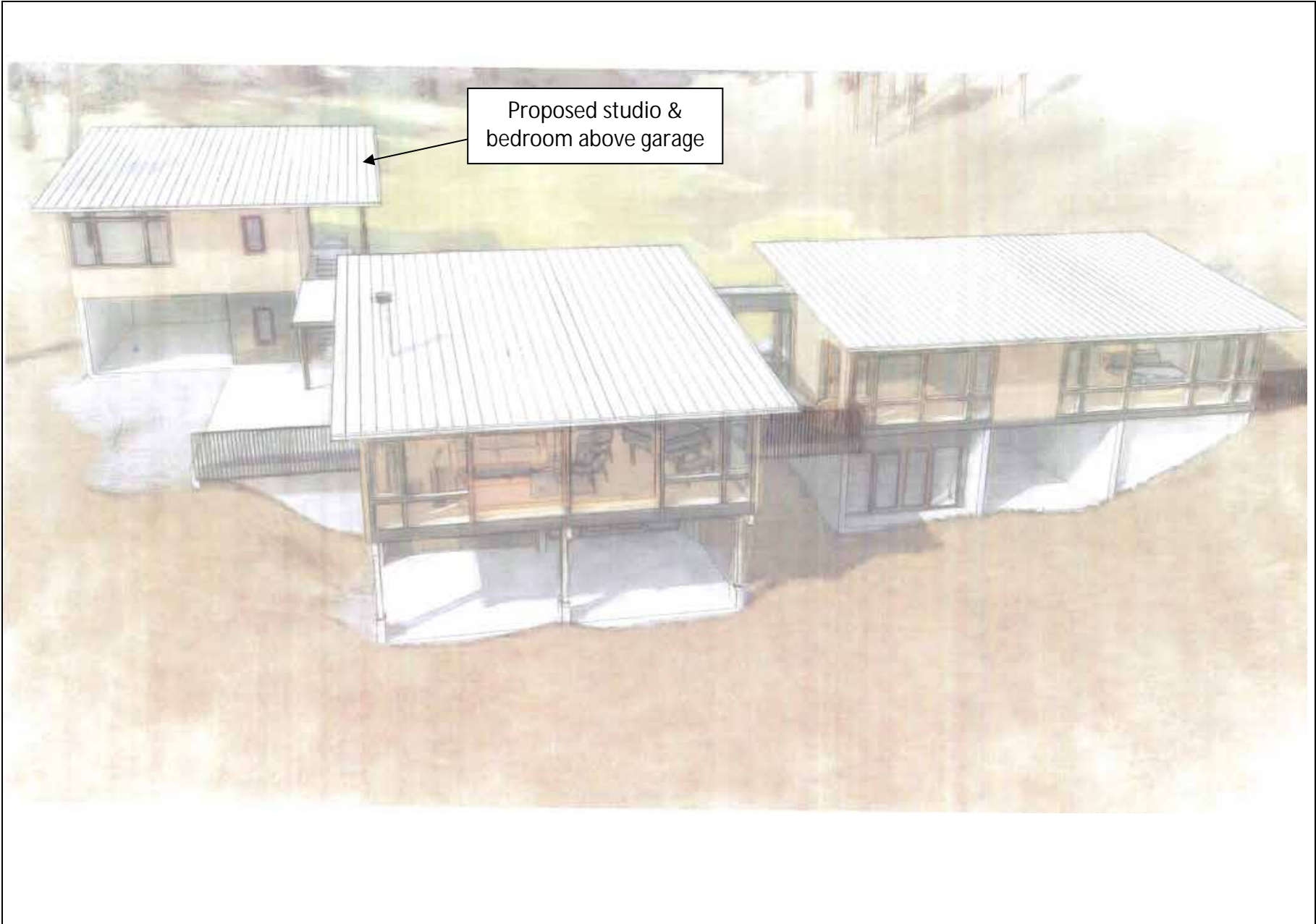
**Endorsed by:**

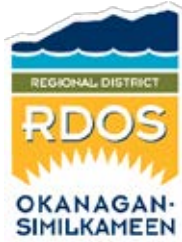


B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 – Rendering

Attachment No. 1 – Rendering





# Development Variance Permit

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FILE NO.: E2019.002-DVP

Owner: Douglas Mathias & Karolina Born  
4290 North Naramata Rd  
Naramata, BC V0H 1N1

Agent: Landform Architecture (Chris Allen)  
205-301 Main Street  
Penticton, BC V2A 5B7

## GENERAL CONDITIONS

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

## APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A', 'B', 'C', 'D' & 'E' and 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 1, District Lot 266, SDYD, Plan 36743

Civic Address: 1316 Smethurst Road, Naramata

Parcel Identifier (PID): 004-260-597 Folio: E-01947.010

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
  - a) Section 7.13.3 is varied:
    - i) from: No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities or other living facilities, with the exception of

an accessory building or structure in the RA, AG1 and LH1 Zones where one (1) shower is permitted.

- ii) to: An accessory building or structure may contain a shower and sleeping facility.

**7. COVENANT REQUIREMENTS**

- a) Not Applicable

**8. SECURITY REQUIREMENTS**

- a) Not applicable

**9. EXPIRY OF PERMIT**

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 \_\_\_\_\_, 2019.

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



# Regional District of Okanagan-Similkameen

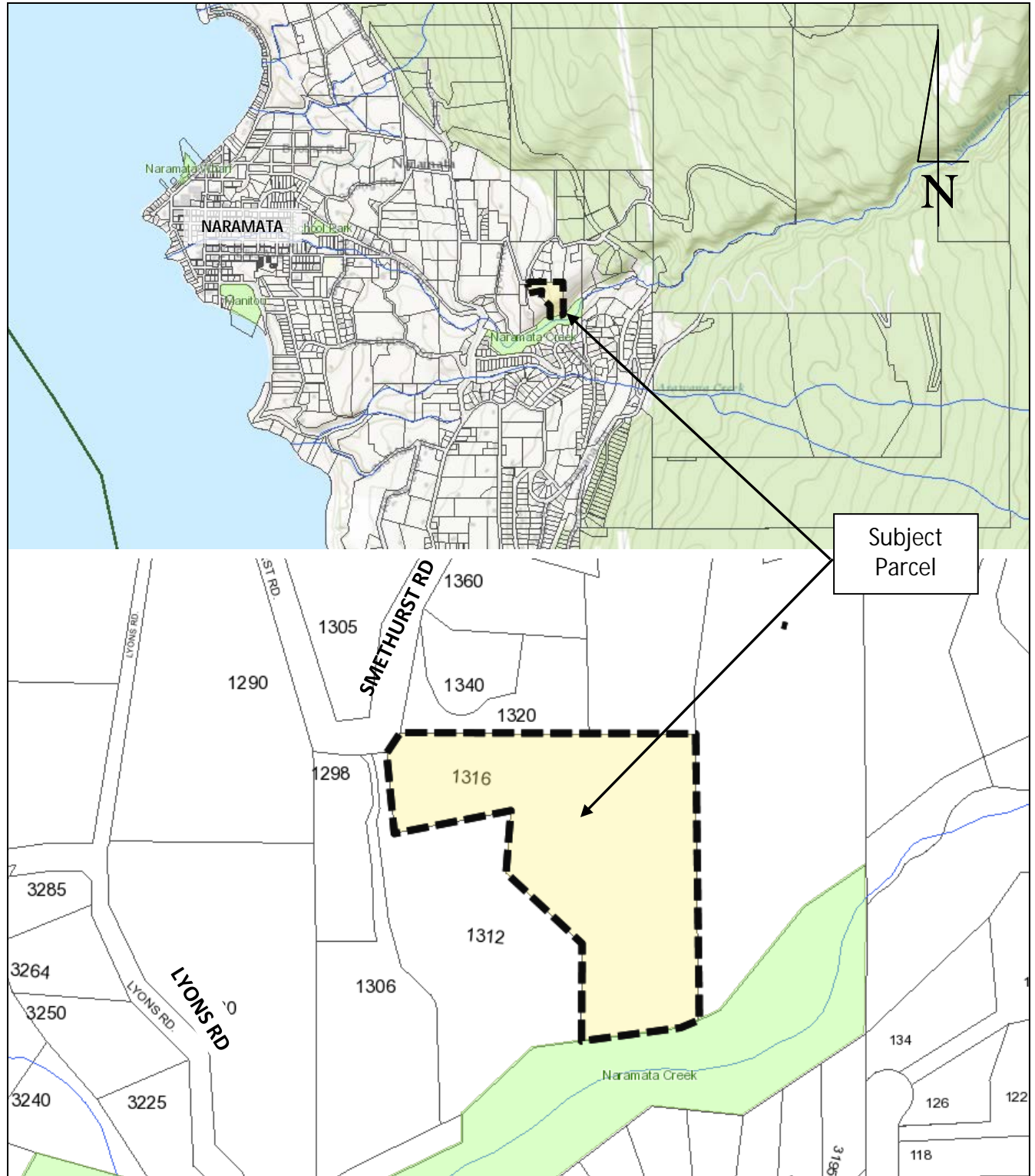
101 Martin St, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2019.002-DVP

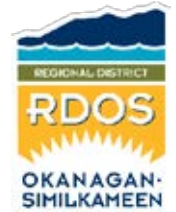
Schedule 'A'



# Regional District of Okanagan-Similkameen

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

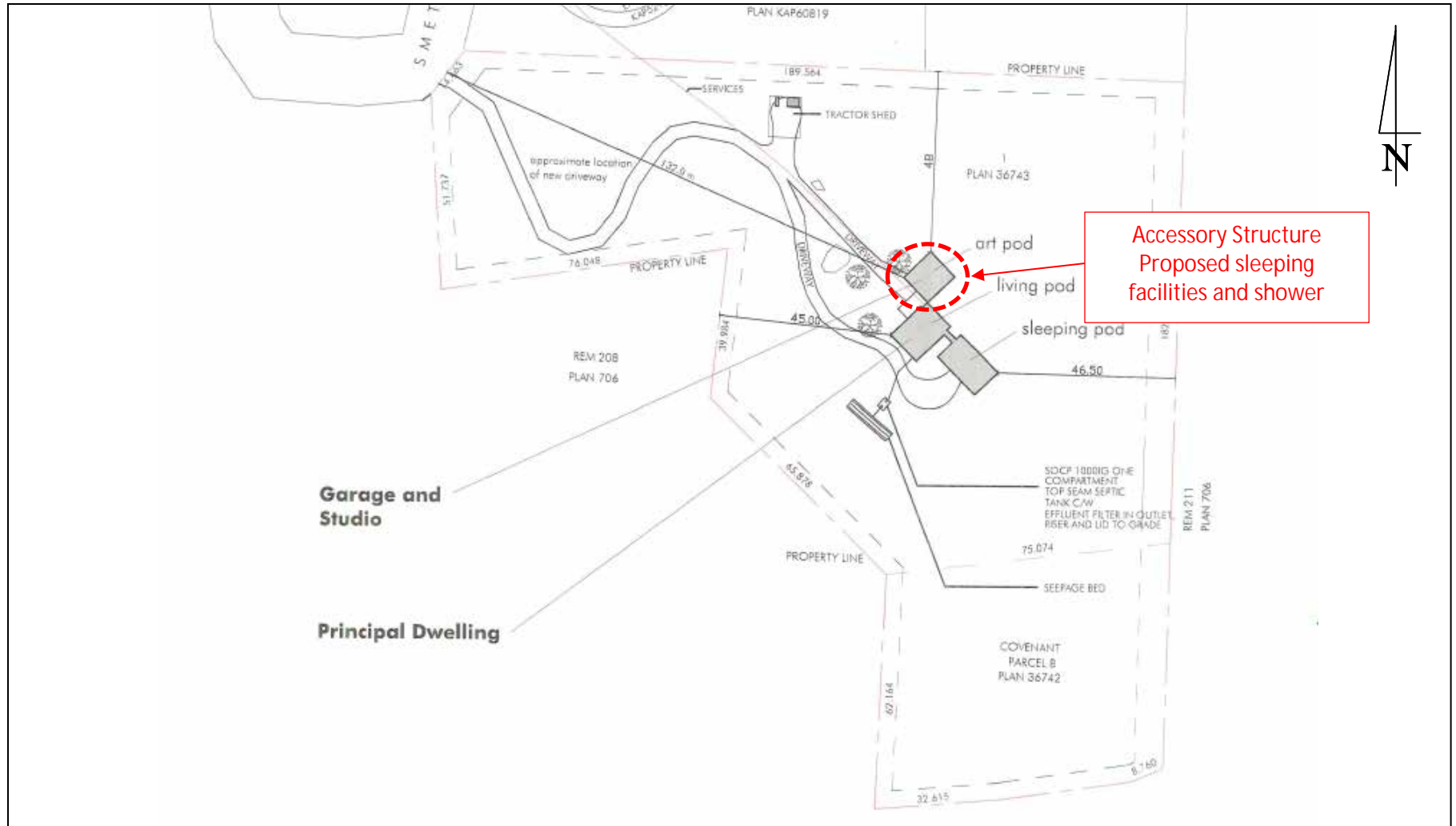
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2019.002-DVP

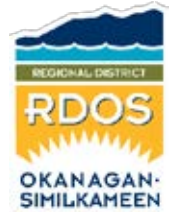
## Schedule 'B'



# Regional District of Okanagan-Similkameen

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

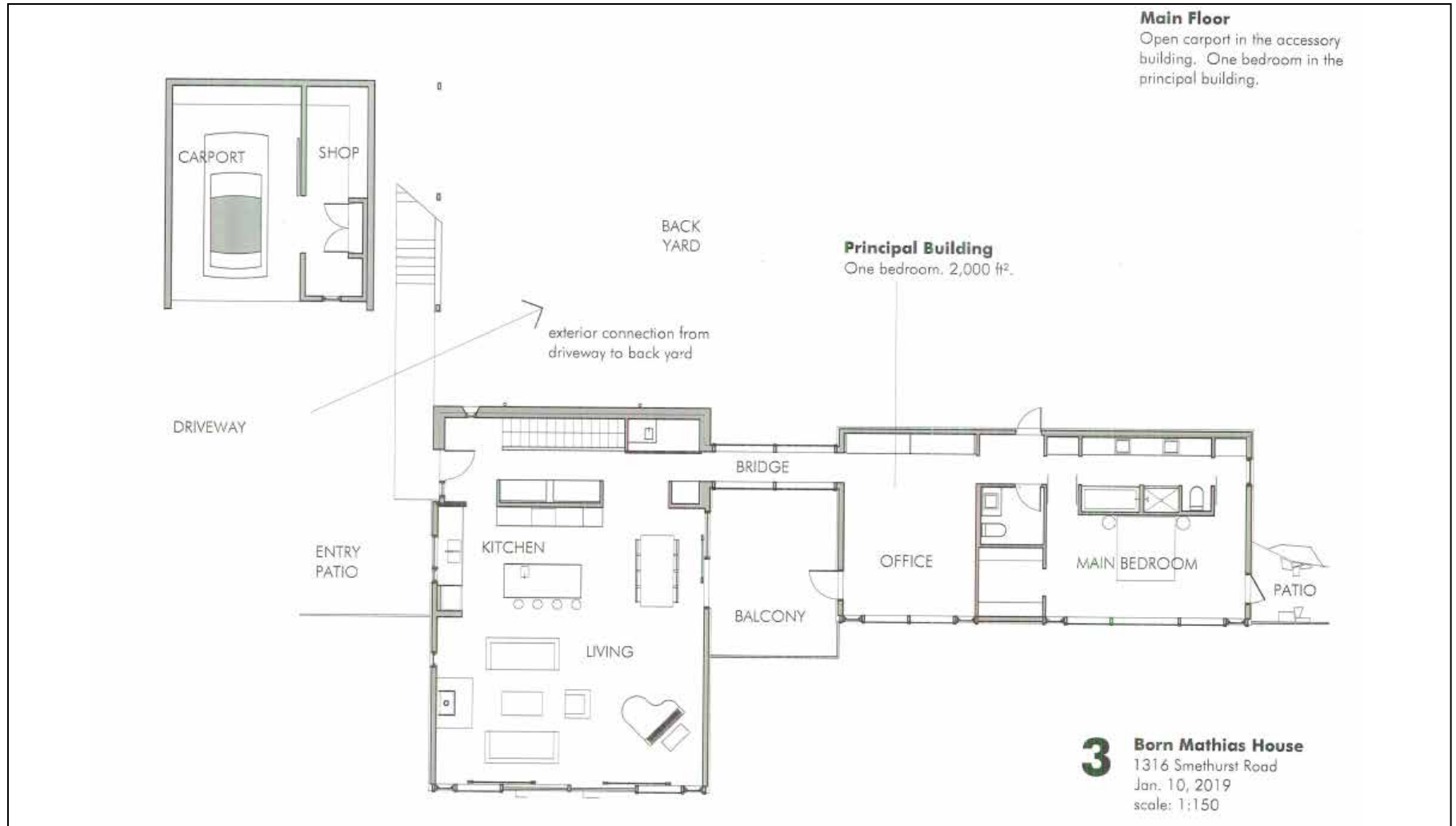
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2019.002-DVP

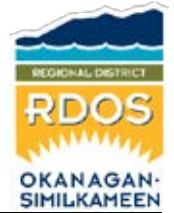
## Schedule 'C'



# Regional District of Okanagan-Similkameen

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

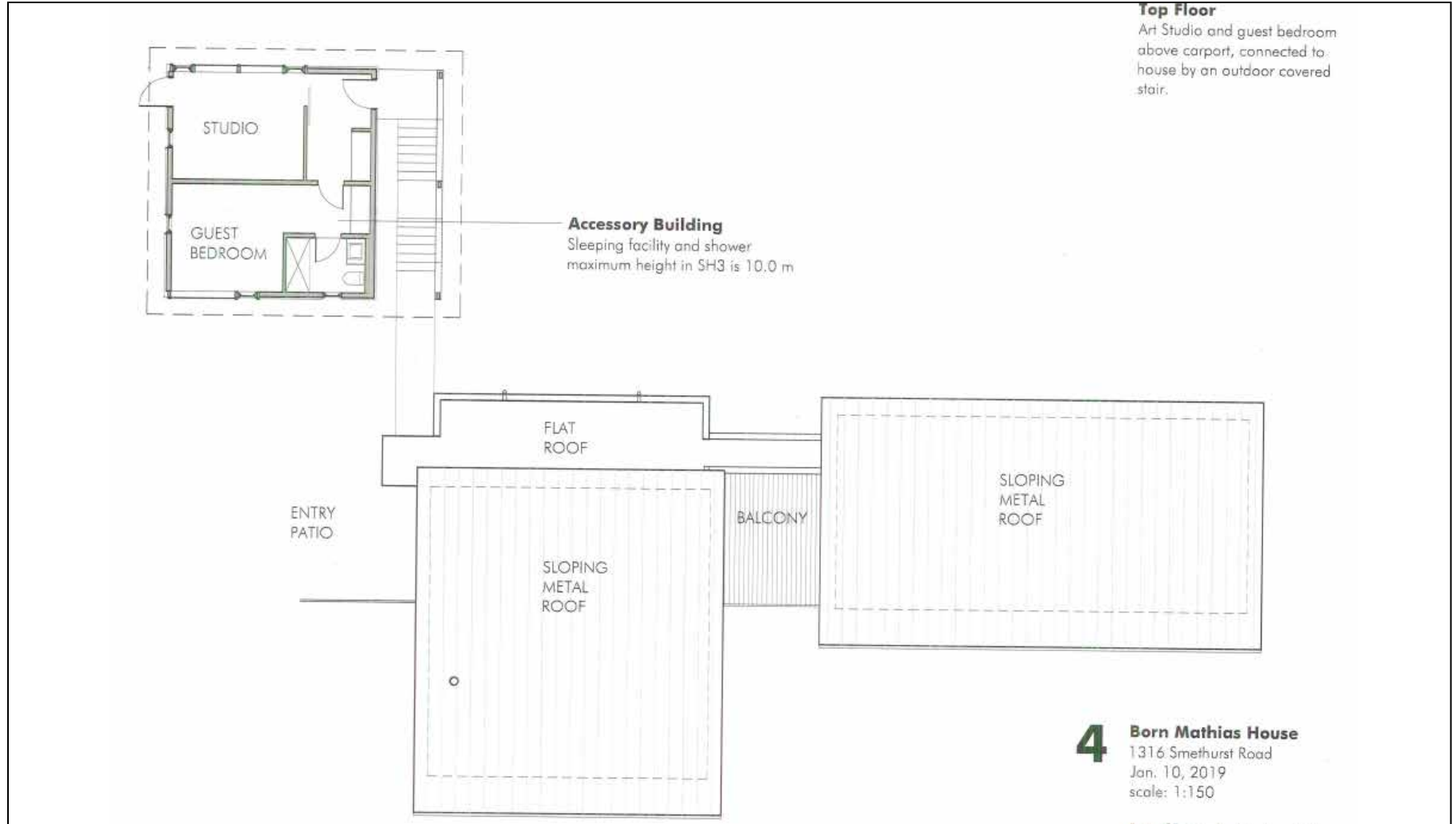
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2019.002-DVP

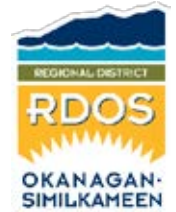
## Schedule 'D'



# Regional District of Okanagan-Similkameen

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

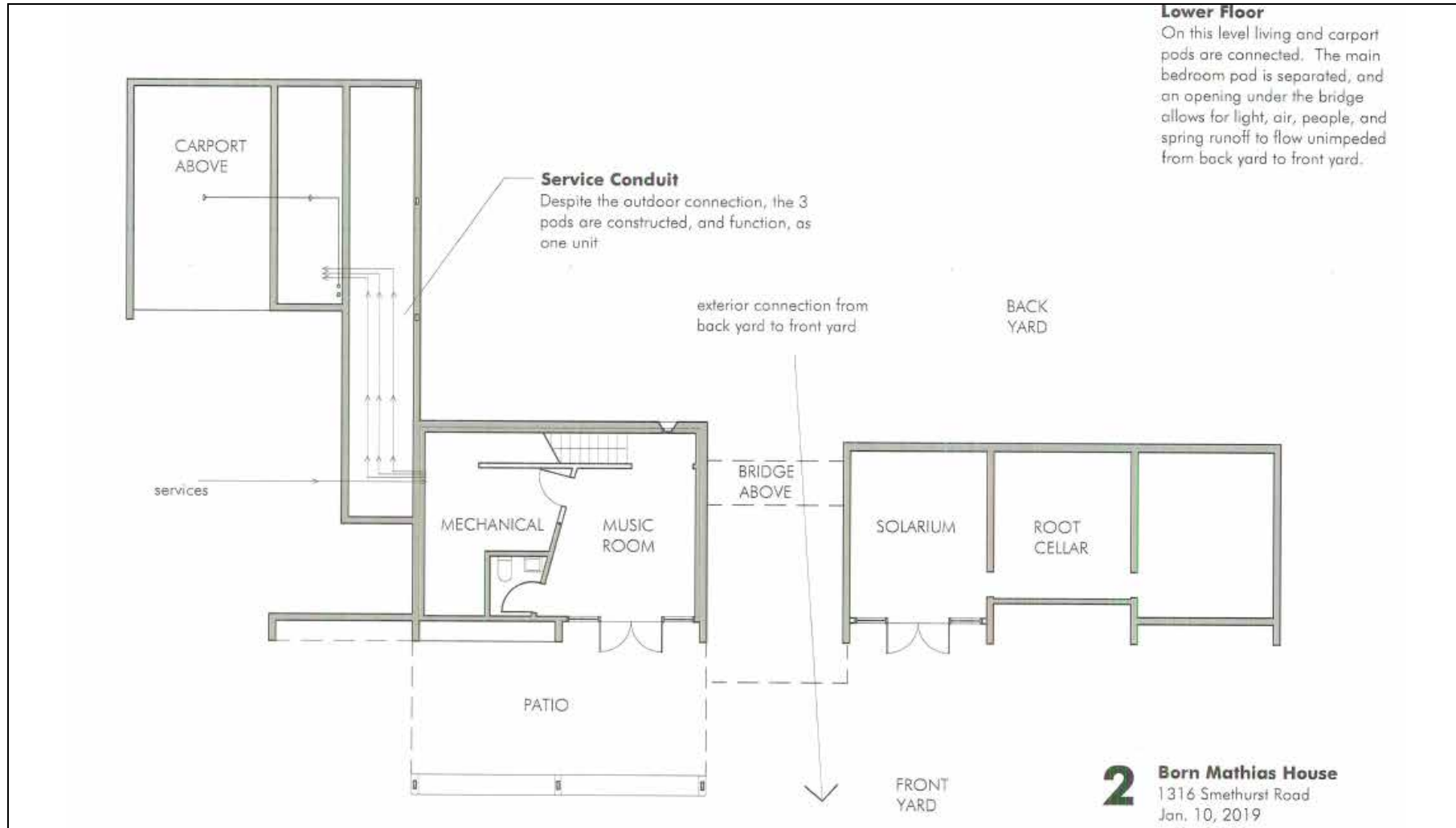
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. E2019.002-DVP

## Schedule 'E'



11 January 2019

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

RE: Development Variance Permit Application

Karolina Born/Douglas Mathias  
1316 Smethurst Road, Naramata

---

Dear Sir,

I have examined the documents describing the above variance application and, in my opinion, the proposal is an excellent solution to adapting the building and intended use to the existing topography.

Granting this variance will have no impact on my property or my beneficial use thereof, and I can see no reason to oppose such a variance.

Sincerely yours,

---

RON MITCHELL

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SUSAN MITCHELL

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MARGARITA



11 January 2019

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

RE: Development Variance Permit Application  
Karolina Born/Douglas Mathias  
1316 Smethurst Road, Naramata

---

Dear Sir,

I have examined the documents describing the above variance application and, in my opinion, the proposal is an excellent solution to adapting the building and intended use to the existing topography.

Granting this variance will have no impact on my property or my beneficial use thereof, and I can see no reason to oppose such a variance.

Sincerely yours,

— — — — — JANUARY 22/19

HEIDI NOBLE ~~NEIGHBOUR~~  
, NEIGHBOUR .

NARAMATA, BC



11 January 2019

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

RE: Development Variance Permit Application  
Karolina Born/Douglas Mathias  
1316 Smethurst Road, Naramata

---

Dear Sir,

I have examined the documents describing the above variance application and, in my opinion, the proposal is an excellent solution to adapting the building and intended use to the existing topography.

Granting this variance will have no impact on my property or my beneficial use thereof, and I can see no reason to oppose such a variance.

Sincerely yours,

PAUL KIRSCHMANN 2019/01/12

Susan Kirschmann Jan. 12, 2019

Naramata



11 January 2019

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

RE: Development Variance Permit Application

Karolina Born/Douglas Mathias  
1316 Smethurst Road, Naramata

---

Dear Sir,

I have examined the documents describing the above variance application and, in my opinion, the proposal is an excellent solution to adapting the building and intended use to the existing topography.

Granting this variance will have no impact on my property or my beneficial use thereof, and I can see no reason to oppose such a variance.

Sincerely yours,

Jan 11/19

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NARAMATA

Taggerts

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Development Variance Permit Application — Electoral Area “E”

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## **Administrative Recommendation:**

**THAT the Board of Directors approve Development Variance Permit No. E2019.007-DVP**

---

Purpose: To allow for the siting of an accessory building within a rear parcel line setback area

Owners: Ronal & Patricia Braun      Agents: Ronal Braun      Folio: E-02088.005

Civic: 2930 Arawana Road      Legal: Lot 13, Plan KAP576, District Lot 207, SDYD

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

Variance Request: To reduce minimum rear parcel line setback for a building or structure from 7.5 m to 2.3 m

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## **Proposed Development:**

The applicant is seeking to construct an accessory building (i.e. “farm building”) to within 2.3 metres of the rear property line. Under the Agriculture One (AG1) Zone that applies to the property, such buildings are to be sited 7.5 metres from a rear parcel line.

The building is to have a floor area of approximately 60.0 m<sup>2</sup> (640 ft<sup>2</sup>) with the highest point of the roof structure being 3.66 metres (i.e. 12 feet) descending to a low point of 2.74 metres (i.e. 9 feet). The applicant has indicated intended uses of “farm equipment” and “farm storage & shop”.

In support of this request, the applicant has stated, amongst other things, that the “building site is part of a ‘cut-and-fill’ flat area on this significantly sloped parcel. Locating the building closer to rear property line, and the ‘cut’, tucks it closer to the bank, reducing visual impact and any view impedence.”

The applicant has further stated that this is the “best location for small building – further west places some portion on disturbed (fill) area, north is treed and sloped, south would limit access to garden.”

## **Site Context:**

The subject property is approximately 1.25 ha in area and is located on the east side of Arawana Road approximately 2.8 km east of the Naramata village area. Development of the property currently comprises a single detached dwelling with an approximately 3,000 m<sup>2</sup> area under agricultural production (i.e. grapes).

The surrounding pattern of development is characterised by a mix of low density residential development to the north, south and east and agricultural/rural residential development to the west.

## **Background:**

File No: E2019.007-DVP

---

The subject property was created by a plan of subdivision submitted to the Land Titles Office in Kamloops on June 10, 2013, while available Regional District records indicate a Building Permit have previously been issued for a single detached dwelling (2017) and pool (2018).

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Agriculture (AG), an objective of which is to "preserve agricultural land with continuing value for agriculture for current and future production, and to protect this land from uses which are inconsistent with agricultural use or are incompatible with existing agricultural uses in the area."

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is zoned Agriculture One (AG1) Zone, which establishes a minimum parcel line setback of 7.5 metres for accessory buildings and structures from a rear parcel line.

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

At its meeting of April 8, 2019, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that the proposed development be approved.

**Analysis:**

When assessing variance requests a number of factors are generally taken into account. These include: the intent of the zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and whether the proposed development would have a detrimental impact upon the amenity of the area and/or adjoining uses.

With respect to the use of parcel line setbacks in an Agriculture zone, these are varied and range from mediating potential conflicts between agricultural and residential uses, to ensuring development does not adversely impact on adjacent agricultural operations.

The Ministry of Agriculture advises that appropriate setback distances are seen to mitigate against such conflicts as they "can help prevent nuisance [complaints], protect natural resources, and safeguard human health. On the other hand, excessive setbacks can present serious challenges to farming operations."

In considering this proposal, Administration notes that the applicant is seeking to site the structure on an already disturbed part of the property and that they will also be co-locating it on the same general development pad as is utilised by the principal dwelling. Accordingly, there will be no alienation of productive farmland.

It is further noted that that the use of adjacent parcels to the north – which the structure is proposed to be constructed closer to - is for agricultural purposes and that the nearest dwelling unit (other than the applicant's) is over 100 metres from the accessory structure. Accordingly, a reduced setback to 2.3 metres is unlikely to adversely affect human health, safety or residential amenity.

Conversely, there do not appear to be any limiting physical features (i.e. steep topography or watercourse) that would warrant the structure being constructed within 2.3 metres and that there are other, non-agricultural lands on the property where the applicant could place the structure and not encroach into a setback area (i.e. between the dwelling unit and Arawana Road).

---

In summary, Administration considers the requested variance to be reasonable recommends that the development variance permit be approved.

**Alternative:**

THAT the Board of Directors deny Development Variance Permit No. E2019.007-DVP.

**Respectfully submitted**



C. Garrish, Planning Manager

**Endorsed by:**



B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 – Site Photo

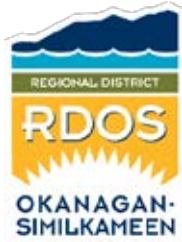


Attachment No. 1 – Site Photo



Proposed location of  
accessory building  
(RED DASHED LINE - APPROXIMATE)

Subject Property  
(YELLOW DASHED LINE - APPROXIMATE)



# Development Variance Permit

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FILE NO.: E2019.007-DVP

Owner: Ron & Patricia Braun  
2930 Arawana Road  
Naramata, BC, V0H-1N1

## GENERAL CONDITIONS

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

## APPLICABILITY

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

Legal Description: Lot 13, Plan KAP576, District Lot 207, SDYD, Portion on Plan KAP81407, part of, exc Parcel A shown on Plan A62 & Parcel B shown on Plan B5981

Civic Address: 2930 Arawana Road, Naramata

Parcel Identifier (PID): 026-742-411 Folio: E-002088.005

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
  - a) the minimum rear parcel line setback for a building or structure in the Agriculture One (AG1) zone, as prescribed in Section 10.2.6(a)(ii), is varied:

- i) from: 7.5 metres  
to: 2.3 metres to the outermost projection as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

- a) Not Applicable

8. **SECURITY REQUIREMENTS**

- a) Not applicable

9. **EXPIRY OF PERMIT**

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 \_\_\_\_\_, 2019.

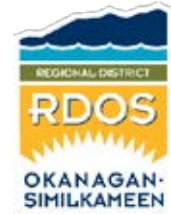
\_\_\_\_\_  
B. Newell, Chief Administrative Officer



# Regional District of Okanagan-Similkameen

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

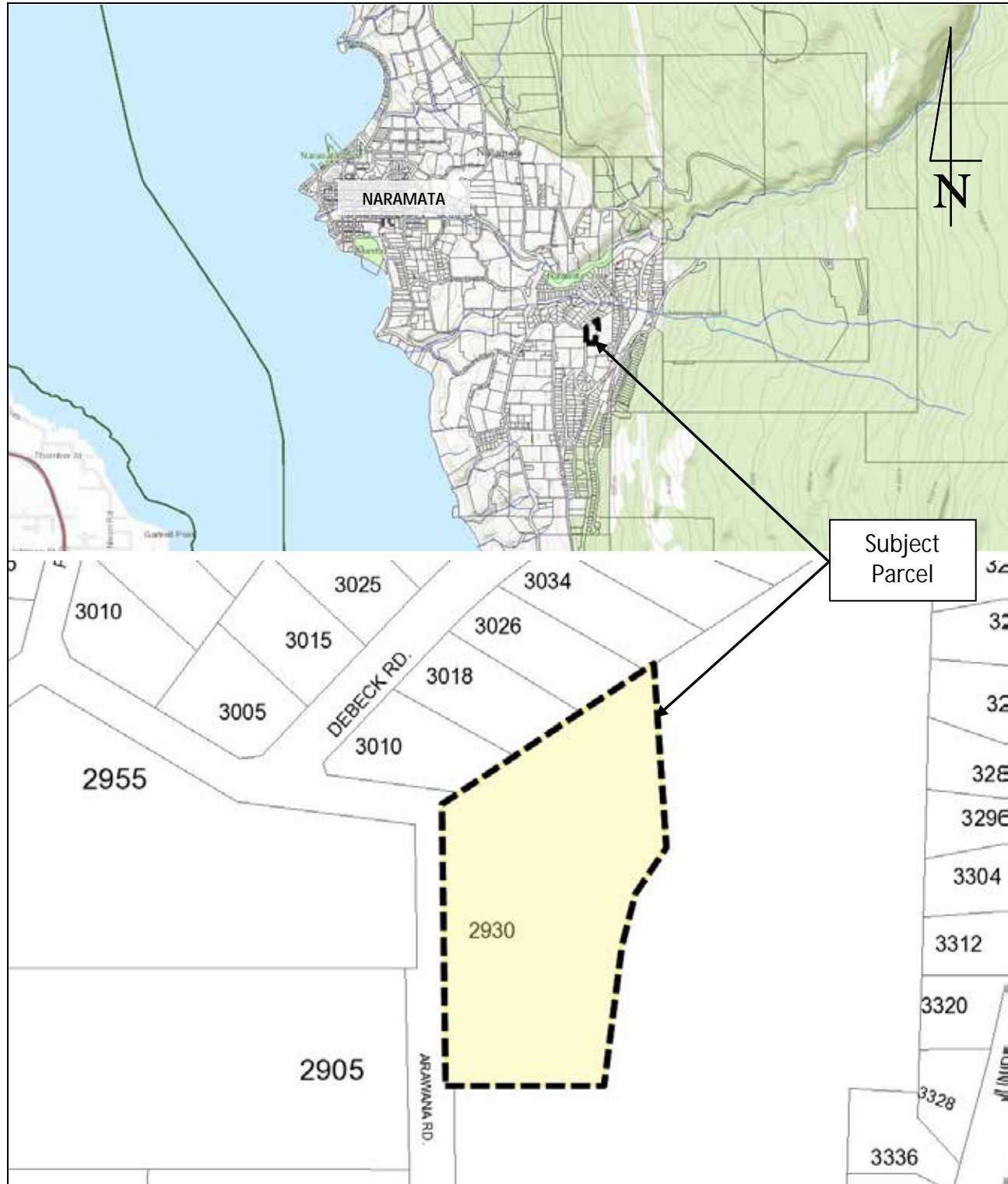
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. E2019.007-DVP

Schedule 'A'





# Regional District of Okanagan-Similkameen

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

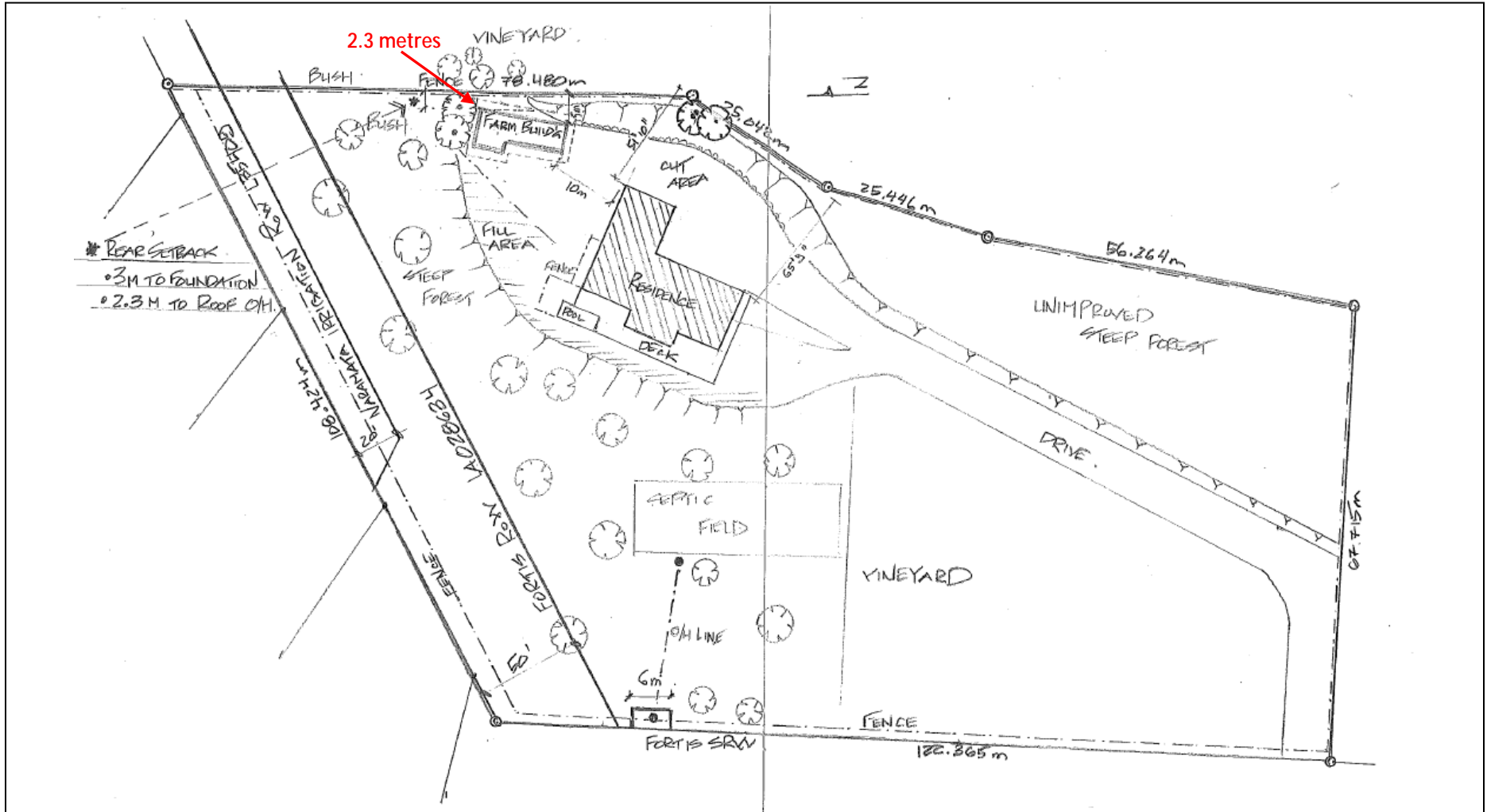
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. E2019.007-DVP

Schedule 'B'



# Regional District of Okanagan-Similkameen

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

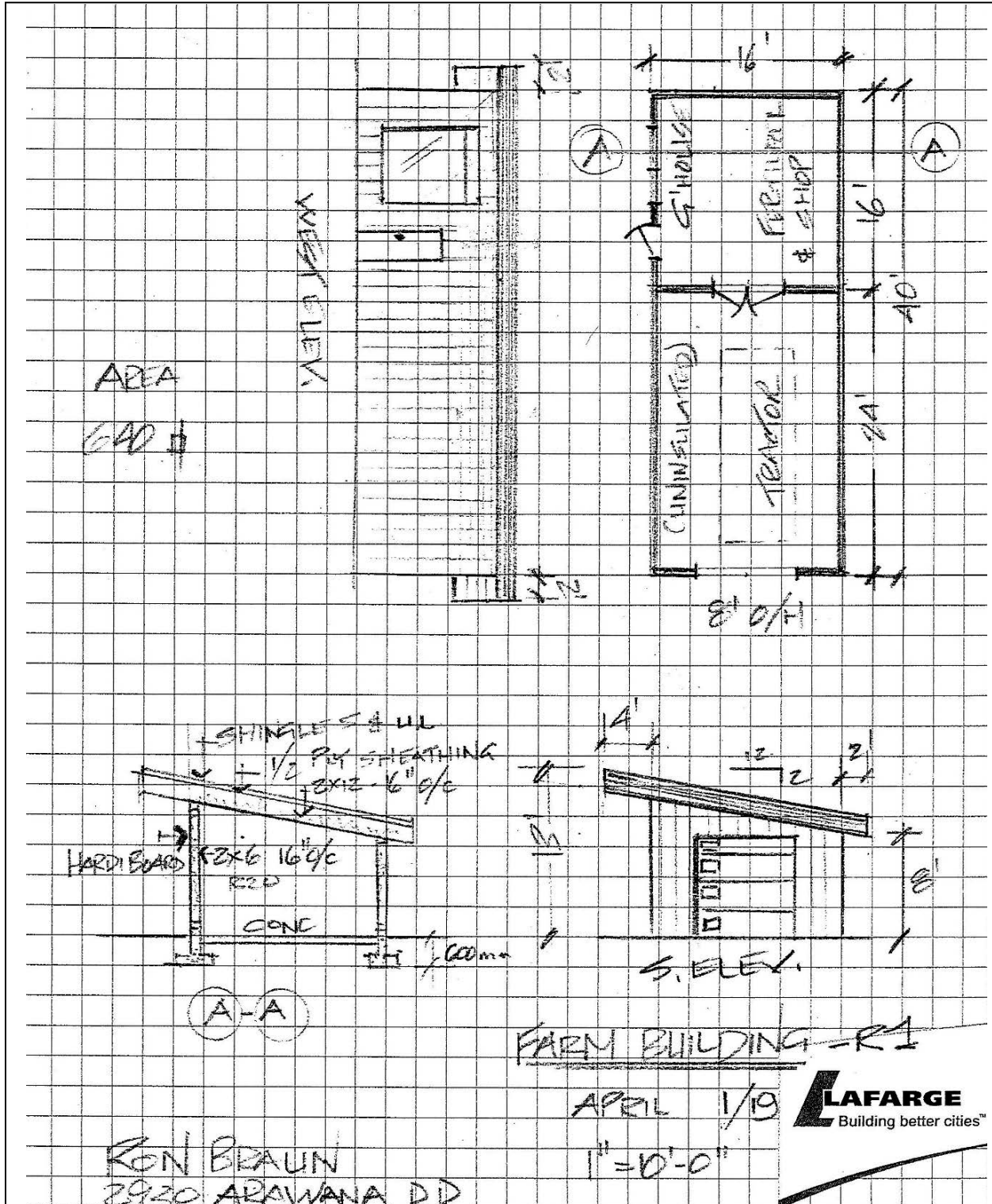
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Development Variance Permit

File No. E2019.007-DVP

Schedule 'C'



RON BRAUN  
2920 ARAWANA RD

FARM BUILDING - R1

APRIL 1/19

1" = 10'-0"



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Temporary Use Permit Application — Electoral Area “E”

---

## Administrative Recommendation:

**THAT the Board of Directors approve Temporary Use Permit No. E2019.003-TUP**

---

Purpose: To allow for the operation of a short-term vacation rental use.

Owner: David & Shelley Evans                      Applicant: David Evans                      Folio: E-02156.020

Civic: 2589 Naramata Road, Naramata              Legal: : Lot 2, Plan KAP34735, District Lot 209, SDYD

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

---

## Proposal:

This application seeks approval for the operation of a short-term vacation rental use which will be comprised of five (5) bedrooms within the existing principal dwelling unit. It is further proposed to operate the vacation rental use from May 1<sup>st</sup> to October 31<sup>st</sup>.

In support of this proposal, the applicant has stated that:

*The vacation rental use will only operate between May 1<sup>st</sup> and October 31. During this time the entire house will be offered for rent on a nightly basis to one group at a time, ie no mixed bookings or single room use. There will be a maximum occupancy of 10 people and a minimum age limit of 25 for any booking (this does not include people or children under age as long as the booking is made someone over the age of 25 who will be present during the entire stay). The house is approximately 3000 Sqft in finished floor area over lower ground floor, main floor and loft. There are 5 bedrooms and 5 bathroom and 3 separate sitting areas as well as outside decks and a pool all for the guests' private use. There is a two-car integral garage and parking for 4 other vehicles outside, giving 6 parking spaces in total or 1.2 per bedroom. The entire 9 acres is fenced and there is a gate at the driveway entrance. Guests will be greeted by our property manager and she will also be on call in the event of any issue.*

## Site Context:

The subject parcel is approximately 3.69 ha in area and is situated on the west side of Naramata Road between its intersection with McPhee Road to the north and Sammet Road to the south.

The property is seen to be comprised of a single detached dwelling while the lands are currently under agricultural production. The surrounding pattern of development is characterised by similar agricultural land uses to the east, west and south and a low density residential subdivision to the north.

---

## Background:

The subject property was created by a subdivision plan deposited in the Land Title Office in Kamloops on May 7, 1984, while available Regional District records indicate that Building Permits have previously been issued for a single family dwelling (2004), interior renovations (2018) and pool (2019).

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is currently zoned Agriculture One (AG1) which only allows for commercial agricultural operations as principal permitted uses. To the extent that the zoning allows for non-agricultural commercial uses, this is generally restricted to small-scale residential uses such as "home occupations" and "bed and breakfast operations".

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

The OCP Bylaw supports — in the residential designations — "the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed" and further contains a number of criteria against which the Board will consider a vacation rental TUP (at Section 11.6.2), including:

- a) *capability of accommodating on-site domestic water and sewage disposal;*
- b) *mitigating measures such as screening and fencing;*
- c) *provision of adequate off-street parking;*
- d) *confirmation that the structure proposed for use as a vacation rental meets a minimum standard for health and safety; and*
- e) *benefits that such accommodation may provide to the community.*

The property is also situated within the Agricultural Land Reserve (ALR) and under Section 3(1) of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, agri-tourism on a farm is a permitted farm use provided that "the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms ..." provided that the subject property is classified as "farm" under the *Assessment Act*. In this instance, the subject property has been assessed as part "farm" (Class 09) and part "residential" (Class 01).

The geotechnical classification for the property is part "hazard of materials sliding or slumping" and part "hazard of slumps and slides. Site specific engineering investigations recommended where high density development is anticipated".

## Public Process:

A Public Information Meeting was held on April 8, 2019, at the Old Age Pensioners (OAP) Hall in Naramata and was attended by the applicant and four (4) members of the public.

At its meeting of April 8, 2019, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed temporary use be approved.

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.



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In accordance with Section 2.5 of Schedule '5' of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed at Attachment No. 1. Comments received from this referral are included as a separate item on the Board's Agenda.

**Analysis:**

In assessing this proposal, Administration notes that the OCP Bylaw is silent on the operation of "vacation rental" uses in the Agricultural (AG) designation.

Nevertheless, the Plan does support property owners being able to diversify and enhance uses secondary to agricultural uses, including bed and breakfast operations (Section 9.3.11) and other "value-added" uses such as agri-tourism provided they do not present a potential land use conflict with surrounding properties (Section 9.3.12) and "appropriate provisions for tourist commercial uses" (Section 9.3.15).

In response to the criteria contained at Section 11.6.2 of the Plan, Administration notes that the applicant has provided a septic compliance inspection from Dave Seaton, Registered Onsite Wastewater Practitioner (ROWP), advising that upgrades to the existing septic system had been completed 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 completed an assessment of the dwelling and have confirmed that it meets minimum standards for health and safety.

Due to the property being in a large-lot agricultural area, there is sufficient area for vehicle parking and it is understood that there is existing screening between the dwelling and the dwellings on the neighbouring properties to the west.

Given the OCP Bylaw generally supports accessory commercial/residential uses related to tourist accommodation in the Agriculture (AG) designation, Administration is supportive of this proposal.

Under the Regional District's "Vacation Rental Temporary Use Permit Policy", a term limit not exceeding 18 months shall be applied to Temporary Use Permit being issued for a vacation rental use on land which has not been the subject of such an approved use previously (or which is being proposed by new owners of the land).

The intent of this Policy is to allow for a new vacation rental use to operate for one "season" in order to determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

**Alternative:**

THAT the Board of Directors deny Temporary Use Permit No. E2019.003-TUP.

**Respectfully submitted:**

  
C. Garrish, Planning Manager

**Endorsed by:**

  
B. Dollevoet, General Manager of Dev. Services

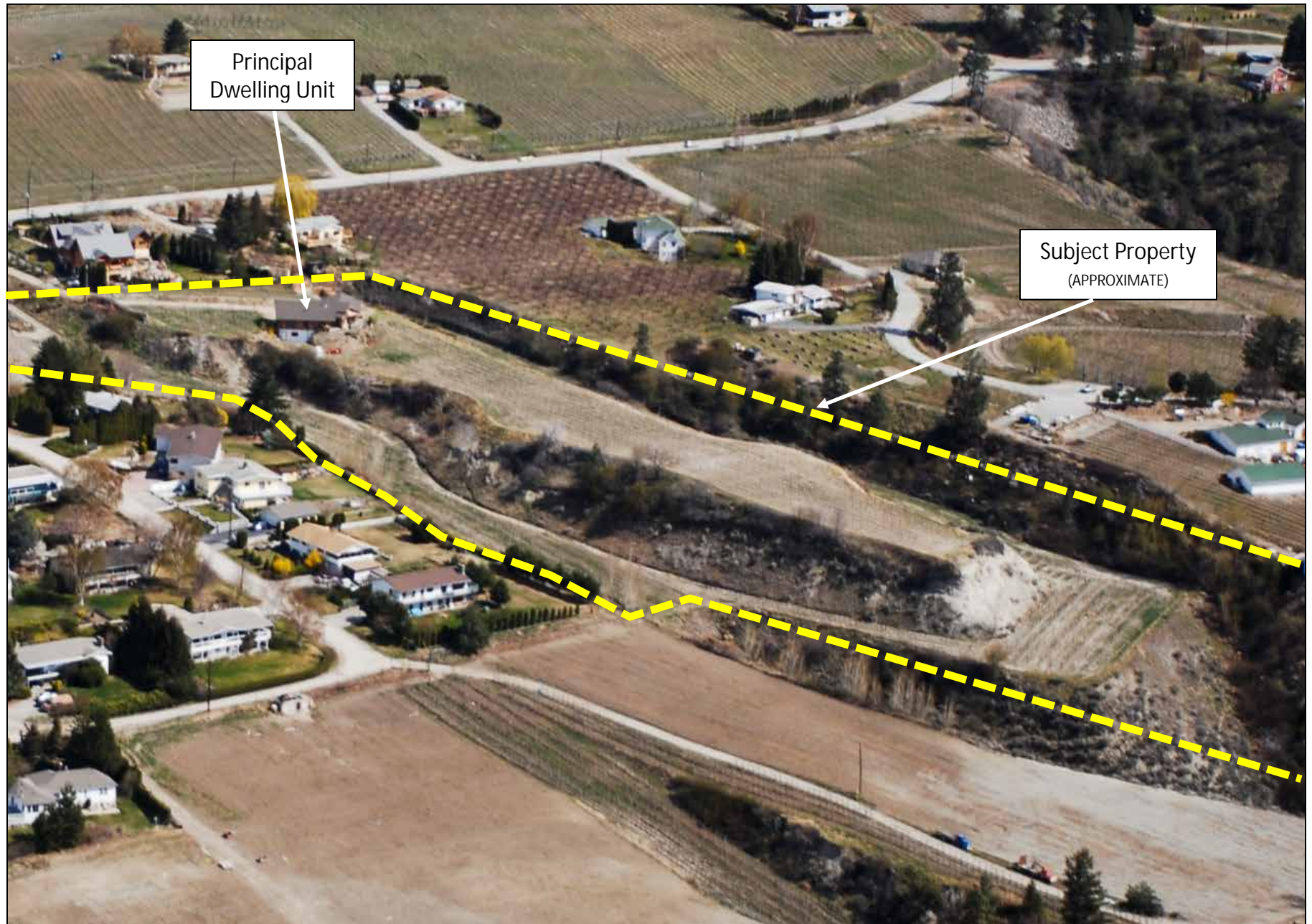
Attachments: No. 1 – Agency Referral Sheet  
No. 2 – Aerial Photo (2007)

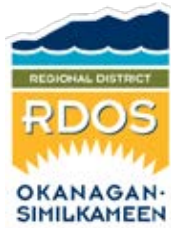
Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, prior to Board consideration of TUP No. E2019.003-TUP:

<b>p</b>	Agricultural Land Commission (ALC)	<input type="radio"/>	City of Penticton
<b>p</b>	Interior Health Authority (IHA)	<input type="radio"/>	District of Summerland
<input type="radio"/>	Ministry of Agriculture	<input type="radio"/>	Town of Oliver
<input type="radio"/>	Ministry of Community, Sport and Cultural Development	<input type="radio"/>	Town of Osoyoos
<input type="radio"/>	Ministry of Energy & Mines	<input type="radio"/>	Town of Princeton
<input type="radio"/>	Ministry of Environment	<input type="radio"/>	Village of Keremeos
<input type="radio"/>	Ministry of Forests, Lands & Natural Resource Operations	<input type="radio"/>	Okanagan Nation Alliance (ONA)
<input type="radio"/>	Archaeology Branch	<input type="radio"/>	Penticton Indian Band (PIB)
<input type="radio"/>	Ministry of Transportation and Infrastructure	<input type="radio"/>	Osoyoos Indian Band (OIB)
<input type="radio"/>	Integrated Land Management Bureau	<input type="radio"/>	Upper Similkameen Indian Bands (USIB)
<input type="radio"/>	BC Parks	<input type="radio"/>	Lower Similkameen Indian Bands (LSIB)
<input type="radio"/>	School District #53 (Okanagan Similkameen)	<input type="radio"/>	Environment Canada
<input type="radio"/>	School District #58 (Nicola Similkameen)	<input type="radio"/>	Fisheries and Oceans Canada
<input type="radio"/>	School District #67 (Okanagan Skaha)	<input type="radio"/>	Fortis
<input type="radio"/>	Canadian Wildlife Service	<b>p</b>	Naramata Volunteer Fire Department

Attachment No. 2 – Aerial Photo (2007)





# TEMPORARY USE PERMIT

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FILE NO.: E2019.003-TUP

Owner: David & Shelley Evans  
3669 Catherwood Road  
Revelstoke, BC, V0E-2S3

## 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', 'D' & 'E' and described below:

Legal Description: Lot 2, Plan KAP34735, District Lot 209, SDYD

Civic Address/location: 2589 Naramata Road, Naramata

Parcel Identifier (PID): 002-931-711 Folio: E-02156.020

## TEMPORARY USE

6. In accordance with Section 20.0 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 (5);
  - (d) the number of paying guests that may be accommodated at any time shall not exceed ten (10);
  - (e) a minimum of two (5) 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.

## **COVENANT REQUIREMENTS**

8. Not applicable.

## **SECURITY REQUIREMENTS**

9. Not applicable.

**EXPIRY OF PERMIT**

10. This Permit shall expire on December 31, 2019.

Authorising resolution passed by Regional Board on \_\_\_\_ day of \_\_\_\_\_, 2019.

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B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

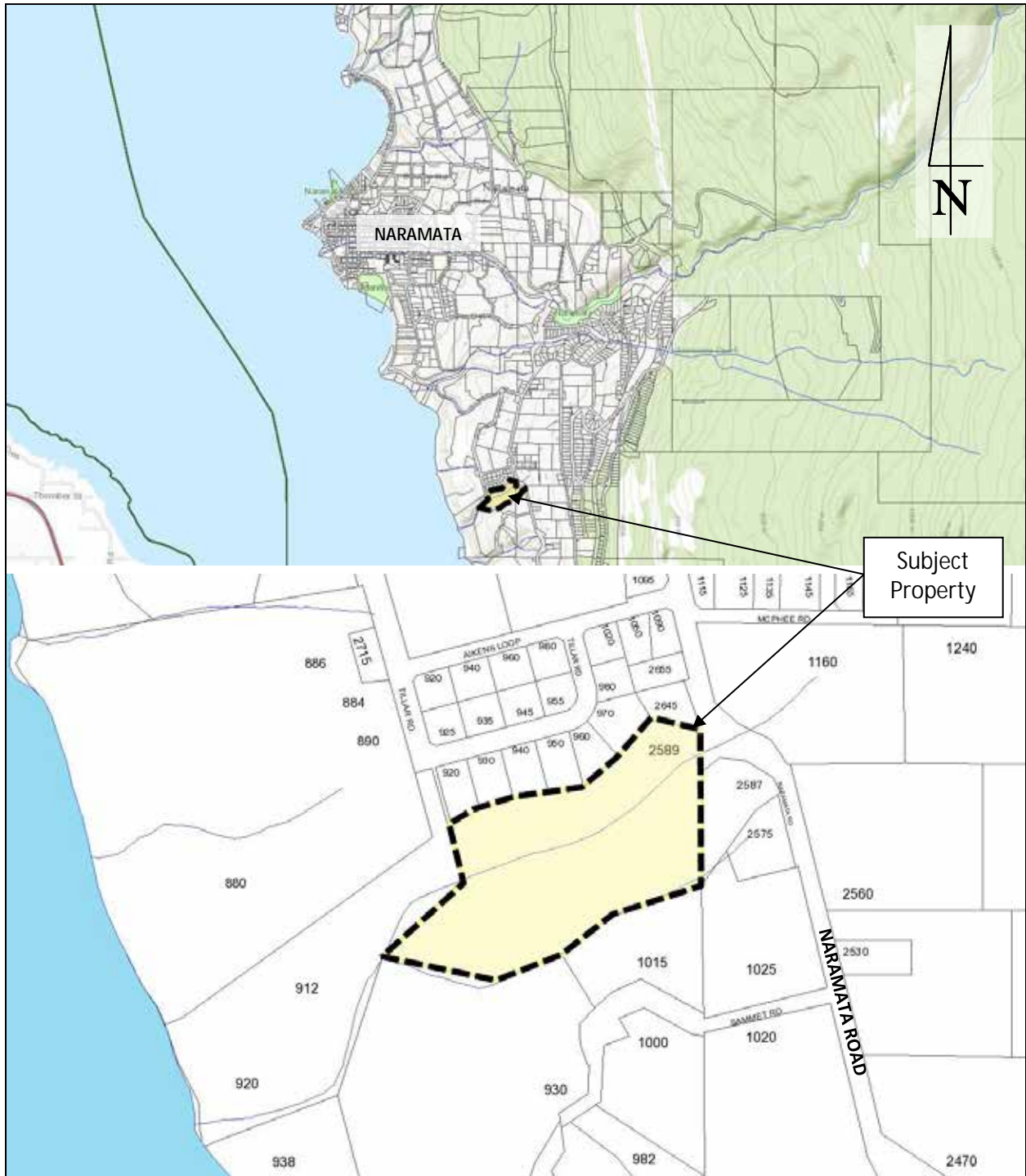
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2019.003-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. E2019.003-TUP

## Schedule 'B'



# Regional District of Okanagan-Similkameen

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

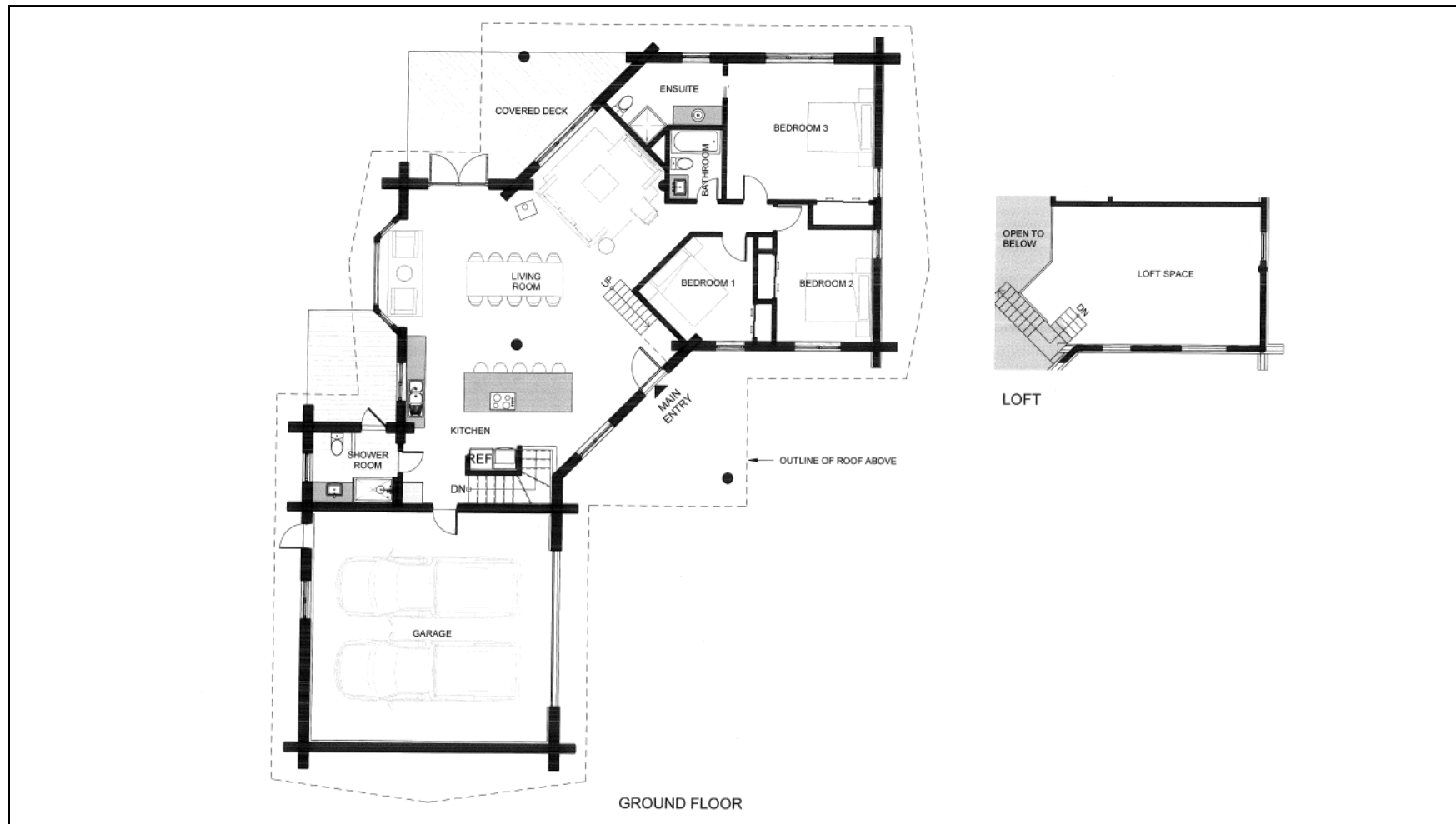
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2019.003-TUP

## Schedule 'C'



# 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. E2019.003-TUP

## Schedule 'D'



Temporary Use Permit No. E2019.003-TUP

Page 7 of 8

# Regional District of Okanagan-Similkameen

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

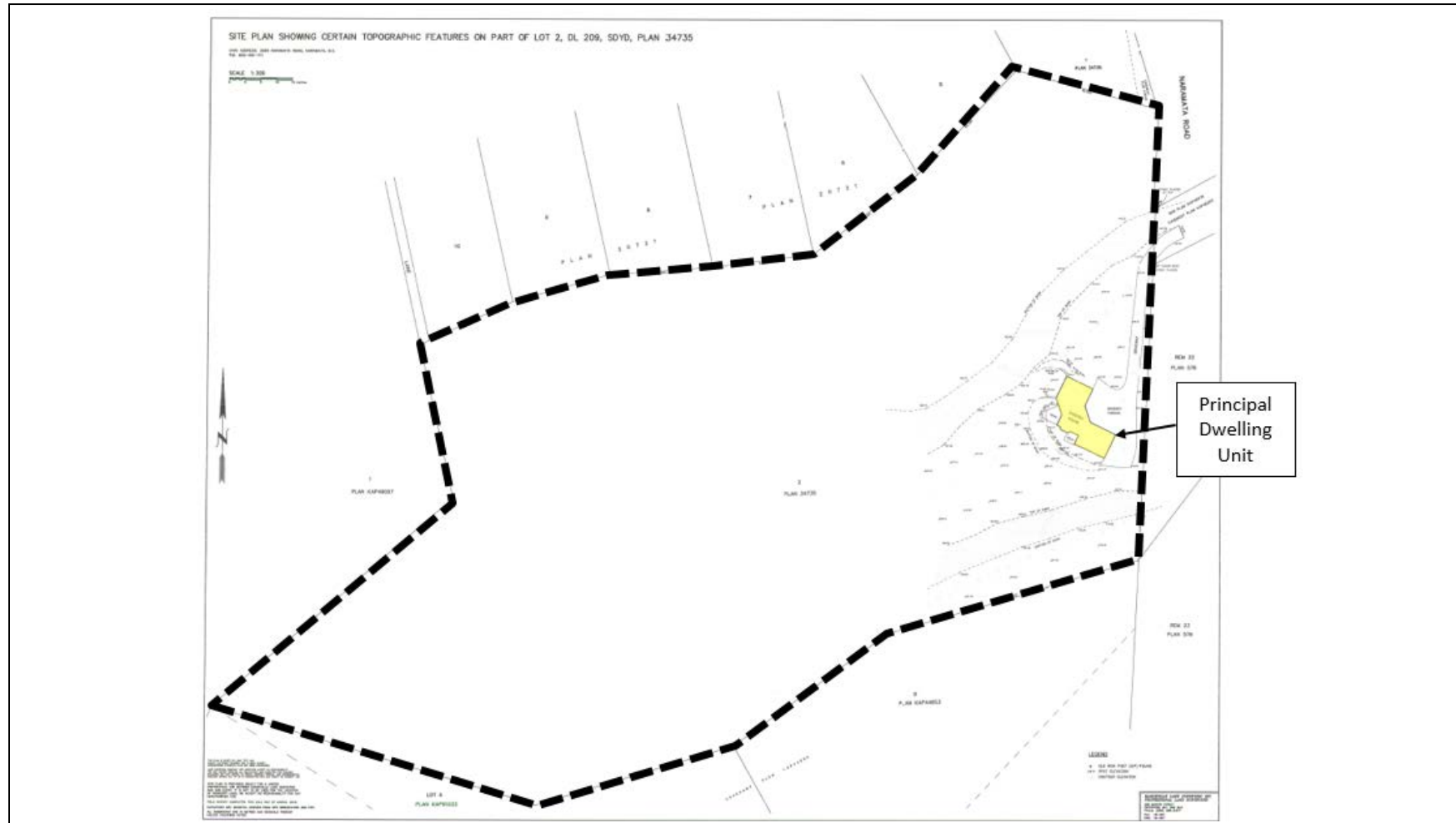
Telephone: 250-492-0237 Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)



Temporary Use Permit

File No. E2019.003-TUP

Schedule 'E'



Temporary Use Permit No. E2019.003-TUP

Page 8 of 8

**Lauri Feindell**

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**Subject:** FW: Temporary Use Permit Referral - Project E2019.003-TUP

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**From:** ALC Okanagan Land Use ALC:EX <ALC.Okanagan@gov.bc.ca>  
**Sent:** March 18, 2019 10:30 AM  
**To:** Planning <planning@rdos.bc.ca>  
**Subject:** RE: Temporary Use Permit Referral - Project E2019.003-TUP

Hello,

Thank you for forwarding the referenced temporary use permit. The Agricultural Land Commission's (ALC's) interests are unaffected by the proposed vacation rental. The ALC does not regulate the occupancy of dwellings that are consistent with the ALC Act and Regulations.

Please let me know if you have any questions.

Sincerely,

Riccardo Peggi | Land Use Planner | Agricultural Land Commission  
201 – 4940 Canada Way Burnaby BC V5G 4K6 | T 604 660 7007  
[Riccardo.Peggi@gov.bc.ca](mailto:Riccardo.Peggi@gov.bc.ca) | [www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)





**Interior Health**  
*Every person matters*

March 18, 2019

Christopher Garrish MCIP, RPP  
Regional District of Okanagan-Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9  
<mailto:planning@rdos.bc.ca>

Dear Christopher Garrish:

**RE: File #: E2019.003-TUP - 2589 Naramata Road, Naramata  
Our interests are unaffected**

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

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

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

Sincerely,

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

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 18, 2019

**RE:** Building Bylaw Infraction  
Folio: H-00744.150 Lot: 5 Plan: KAP44042 DL: 596  
PID: 016-693-370  
Civic Address: 104 LOCKIE RD (Permit #19703)

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### Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 5, Plan KAP44042, District Lot 596, YDYL, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

### Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333.

### Background:

The Contravention of Building Regulations Report dated September 24, 2018 from the Building Official indicates that the building permit has expired and required inspections have not been completed satisfactorily.

Permit #19703 was issued on May 4, 2016 to amend and complete permits #19147 and 19376 which were issued April 29, 2015 to raise the foundation of an existing cabin, and on August 26, 2015 for an addition to the cabin. The permit ultimately expired on May 4, 2018.

The majority of the work has been completed with the exception of the exterior guards and handrails. Considerable effort has been put into affixing the guards and handrails, however they were non-code compliant. The owners then placed plywood over the guards, affixed a cap over the glass, and eliminated any openings greater than 4".

## Background con't:

Because of the perceived temporary nature of the guards, the building official did not finalize the permit and the owners asserted that it met code and there was no provision in the code for how permanent a structure had to be.

Letters dated June 11, 2018 and July 25, 2018 had been sent to the owner in an effort to resolve this matter.

On September 17, 2018, the Building and Enforcement Services Manager attended at the site to review the guards. The owners advised that despite the potential temporary nature of the guards they would not be removing them. The Building and Enforcement Services Manager agreed that the existing guards met the basic intent of the Code with respect to health and safety, but that because of the perception of being temporary, advised that a notice would be registered against the title of the property to warn future owners of the potential risk to health and safety if the plywood guards are removed. The owners agreed.

In order to close the permit file, all handrails and guards would have to be code compliant.

This Building Bylaw infraction is considered to be Category 2.

A map showing the location of this property and photos of the infraction are attached.

## Analysis:

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

**Category 1** (Minor Deficiencies) – Place notice of deficiencies on folio file.

**Category 2** (Major Deficiencies) – Place Section 302 Notice on title.

**Category 3** (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 302 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

**Alternatives:**

1. Do not proceed with enforcement action
2. Place a notice of deficiencies on the folio file (Category 1)
3. Place a Section 302 Notice on title and proceed with injunctive action (Category 3)

**Respectfully submitted:**

*"L. Miller"*

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Laura Miller, Manager of Building and Enforcement Services

**Endorsed by:**

*"B. Dollevoet"*

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B. Dollevoet, General Manager, Development Services







**Green plywood as guards**

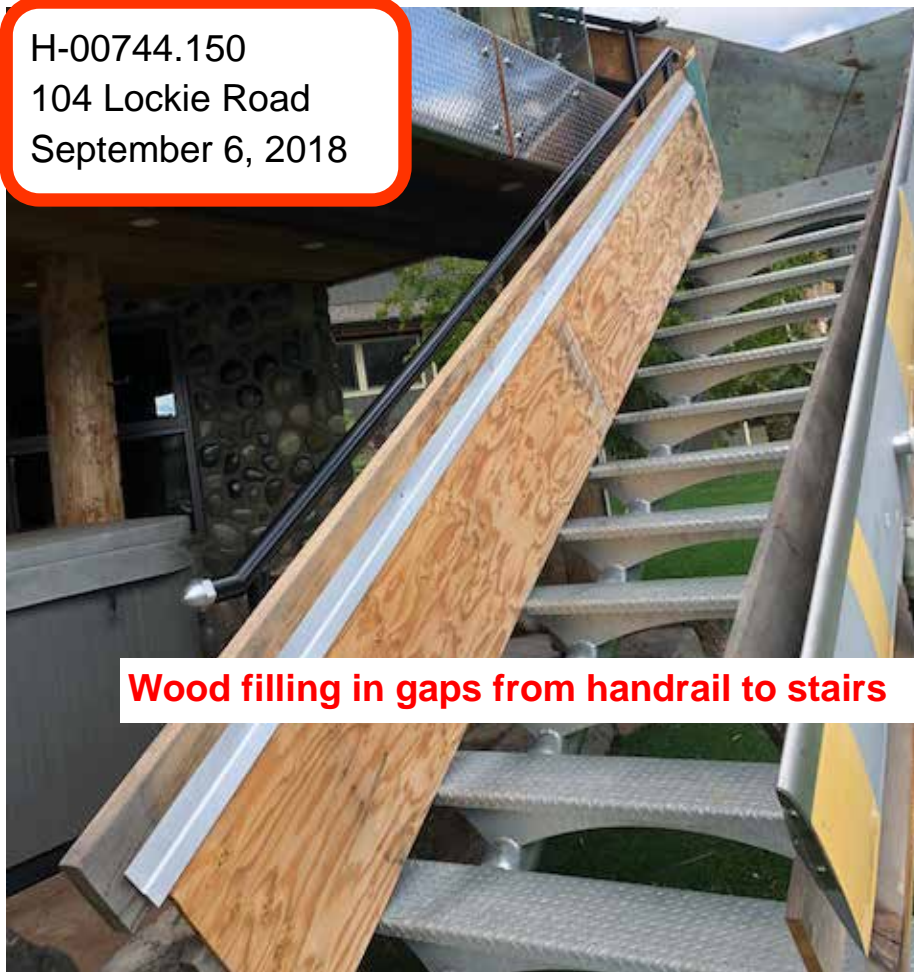
H-00744.150  
104 Lockie Road  
September 6, 2018



**Green plywood as guards**

H-00744.150  
104 Lockie Road  
September 6, 2018

H-00744.150  
104 Lockie Road  
September 6, 2018



**Wood filling in gaps from handrail to stairs**

H-00744.150  
104 Lockie Road  
September 6, 2018



**Helicopter propeller as handrail**

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 18, 2019

**RE:** Untidy and Unsightly Property Contravention  
Electoral Area: D Folio: D00998.197  
PID: 016-563-930  
Civic Address: 5208 9<sup>th</sup> Avenue, Okanagan Falls

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### Administrative Recommendation:

**THAT the RDOS commence the formal process to bring Lot 1, District Lot 374, SDYD, Plan KAP43911 (5208 – 9<sup>th</sup> Avenue) into compliance with the Regional District of Okanagan-Similkameen’s Untidy and Unsightly Premises Bylaw No. 2326, 2004.**

### Purpose:

To commence a process to clean up a property in contravention of the Untidy and Unsightly Premises Bylaw No. 2326, 2004.

### Reference:

[RDOS Bylaw No. 2326, 2004 - Untidy and Unsightly Premises \(“Untidy and Unsightly Bylaw”\)](#)

### Background:

A complaint was received against the subject property on November 7, 2018 after the Okanagan Falls Volunteer Fire Department responded to a fire at the property.

The Bylaw Enforcement Officer attended the site on November 27, 2018 after the initial complaint was made and confirmed that the property is clearly in contravention of the Untidy and Unsightly Premises Bylaw including unsightly and possibly hazardous conditions on the property. Photos were taken which evidence a large amount of waste plastics, old tires, furniture and many other items. The items are piled up all over the property and are spilling over the perimeter fence onto the alley and adjacent properties.

By letter dated January 24, 2019, the property owner was notified of the contravention of the Untidy and Unsightly Premises bylaw and a deadline of March 7, 2019 was imposed within which to have the property cleaned up.



The Bylaw Officer attended at the property on March 11, 2019 to re-inspect the condition of the property. He noted that although considerable effort had been made the property remained in an untidy and unsightly condition.

The tenant (related to the property owner), was notified by telephone after a request for extension, that no extension would be granted and that the RDOS would be proceeding to initiate enforcement proceedings. Pursuant to the process outlined in Bylaw No. 2326, the property owner (and tenant) will have at least 60 more days within which to bring the property into compliance. A third party has offered to assist with the clean up effort.

Attached as Schedule B are a selection of photographs of the site which were taken during the site inspections.

**Analysis:**

Section 4 of the Untidy and Unsightly Bylaw gives authority for the RDOS to undertake direct action through its own forces, or those of a contractor, to carry out the work necessary to comply with the provisions of the bylaw at the expense of the owner or occupier. Upon failure to pay, the Regional District may recover the costs of undertaking the work through property taxes.

The bylaw further provides that whenever items of apparent value are removed from the property by the Regional District, the District may place such items in storage and give notice to the occupants that unless within one month (30 days) the owner pays the costs for the removal and storage and takes possession of the items, that the Regional District may dispose of them.

To avoid the cost of obtaining a storage unit, transferring items to storage for a month, then arranging for disposal after a month (whether by auction or transferring them to a landfill), it is proposed that the property owner will receive 30 days prior notice to remove items from the property. The RDOS will then arrange for a private contractor to attend the site immediately after 30 days having elapsed to remove and dispose of all remaining items in contravention of the Bylaw.

**Alternatives:**

1. That the RDOS bring Lot 1, District Lot 374, SDYD, Plan KAP43911 into compliance with the Regional District of Okanagan-Similkameen Untidy and Unsightly Premises Bylaw No. 2326, 2004, through the summary conviction process.
2. That the RDOS abandon enforcement of the Untidy and Unsightly Premises Bylaw No. 2326, 2004 against Lot 1, District Lot 374, SDYD, Plan KAP43911.

**Respectfully submitted:**



L. Miller, Building & Enforcement Services Manager



Endorsed by:



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B. Dollevoet, Development Services General Manager

Attachments: Schedule A – parcel map  
Schedule B – photos of subject property

# SCHEDULE A



## Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9  
Phone: (250)492-0237 Fax: (250)492-0063  
Toll Free: 1-877-610-3737  
Website: www.rdos.bc.ca

## PARCEL MAP

Created on: 08-Mar-2019



- ### LEGEND
- Electoral Area Boundaries
  - Major Highways
  - Indian Reserve
  - Parks
  - Streams
  - Major Lakes
  - Small Lakes

Owner(s):

Scale 1:564

Civic Address(es):

5208 9TH AVE

**SCHEDULE B**





# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Enforcement of Non-conforming Use - "Motocross Track"  
833 Fish Lake Road, Electoral Area "F"

---

## Administrative Recommendation:

**THAT Regional District Board commence injunctive action with respect to the use of the property at 833 Fish Lake Road (legally described as Lot 1, Plan KAP293, District Lot 154, ODYD, Portion shown on Plan B951, Except Plan 30904) for the purposes of a motocross track.**

---

Civic: 833 Fish Lake Road Folio: F-01889.000  
Legal: Lot 1, Plan KAP293, District Lot 154, ODYD, Portion shown on Plan B951, Except Plan 30904  
Zone: Agriculture Three (AG3)

---

## Purpose:

The purpose of this report is to seek direction from the Regional District Board regarding potential enforcement action against the property owner of 833 Fish Lake Road (legally described as Lot 1, Plan KAP293, District Lot 154, ODYD, Portion shown on Plan B951, Except Plan 30904) in relation to the on-going operation of a motocross track.

The use of the property for a motocross track is in contravention of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, and Electoral Area "F" Noise Regulation and Prohibition Bylaw No. 1526, 1994.

## Site Context:

The subject property is approximately 7.6 ha in area and is situated at the junction of Fish Lake Road and Meadow Valley Road near Faulder, BC. The property currently has a manufactured home dwelling unit as well as a shop and covered storage building as well as a motorcross track over a majority of the land.

## Regulatory Provisions:

Under the Electoral Area "F" Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is designated Agriculture (AG), an objective of which is to "protect the agricultural land base of the Plan Area including associated farming, orchards, vineyards, ranching, and associated value added activities."

Under the Electoral Area "F" Zoning Bylaw No. 2461, 2008, the subject property has been zoned Agriculture Three (AG3), which allows for a range of principal and accessory uses related to farming, including an allowance for a single detached dwelling and limited accessory dwelling units, but does not include a motocross track.

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Section 3.1.2 of the Zoning Bylaw states that “land or the surface of water must not be used ... except as specifically permitted in this Bylaw”, while Section 3.1.3 further states that “all uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the principal uses.”

Under Section 4.4 (Regulation) of the Electoral Area “F” Noise Regulation and Prohibition Bylaw No. 1526, 1994, “no person shall make or cause, or permit to be made or cause, any noise in Electoral Area “F” of the Regional District, which disturbs, or tends to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity.”

**Background:**

In July of 2016, Regional District staff began to receive email, phone and written complaints regarding the use of the subject property for the purposes of a motocross track, and the resultant noise being generated by this use.

An initial assessment of the motocross track use against the provisions of the Electoral Area “F” Zoning Bylaw concluded that such a use could be considered an accessory residential use of the land if it was conducted in a non-commercial manner and limited to residents of the property and their immediate family and friends.

Of concern at that time was that the property did not comprise a residential dwelling and, therefore, the motocross track could not be considered an accessory residential use. The property owner was subsequently advised that the track could not be used in the absence of a residential use occurring on the property.

In September of 2016, the Regional District became further aware of the extent to which soil on the property had been disturbed in order to construct the motocross track and advised the property owner to discontinue the use of the track while a further review was undertaken.

On October 11, 2016, the property owner was advised of the outcome of this review: the motocross track was not, in fact, a permitted principal or accessory use and, to continue using the track would require the discretionary approval of the Board through either a Temporary Use Permit or a Zoning Bylaw amendment. The landowner was further advised that continued use of the motocross track would result in enforcement action.

Since 2016, complaints have continued to be submitted to the Regional District regarding the on-going use of the motocross track and associated noise. These complaints tend to abate during the winter months but resume in the spring, summer and fall.

A Building Permit for the placement of a mobile home was subsequently issued to the property owner on April 10, 2017. Occupancy has not been approved. The permit expired April 10, 2019.

On October 20, 2017, and October 31, 2017, Bylaw Offence Notices in the amount of \$500 were issued for operating a use not listed in respect of a particular zone. The fines were disputed by the property owner and, on April 5, 2018, an Adjudicator with the Southern Interior Bylaw Adjudication Program subsequently found that:

*The RDOS [sic] did not present sufficient evidence to confirm to the adjudicator that the equipment being operated on [October 31, 2017] and at the [subject property] could not be used*

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*for agricultural purposes. As reasonable doubt exists, the allegation is deemed to not have occurred and the ticket is struck down.*

Most recently (i.e. Spring of 2019), the Regional District has begun to receive complaints regarding the continuing use of the motocross track.

**Analysis:**

Administration notes that Section 6.6 of the Board's "Bylaw Enforcement Procedures" Policy sets out that 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.

Administration considers that reasonable efforts have been made to achieve voluntary compliance with the property owner through a cessation of the use or through the seeking of Board approval to formalize the use through a TUP or bylaw amendment application.

Administration further notes that the property owner continues to use the land in contravention of the bylaw(s) despite receiving repeated notices to not do so.

Finally, the use of the property for a motocross track is not seen to be consistent with the OCP designation and zoning of the property to ensure its use for agricultural purposes, while its continued use for a motocross track is seemingly creating an adverse impact on the Meadow Valley community based on the continued submission of formal complaints to the Regional District.

For these reasons, Administration is recommending that injunctive action be initiated against the property owner of 833 Fish Lake Road.

Should the Board support this recommendation, Directors are asked to be aware that injunctive action will require an application be submitted to the British Columbia Supreme Court. Seeking a court injunction has a legal cost which, if successful, can only partially be recovered from the property owner.

**Alternative:**

THAT Regional District Board not commence injunctive action with respect to the use of the property at 833 Fish Lake Road (legally described as Lot 1, Plan KAP293, District Lot 154, ODYD, Portion shown on Plan B951, Except Plan 30904) for the purposes of a motocross track.

**Respectfully submitted:**



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L. Miller  
Building & Enforcement Services Manager

**Respectfully submitted:    Endorsed by**



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C. Garrish  
Planning Manager

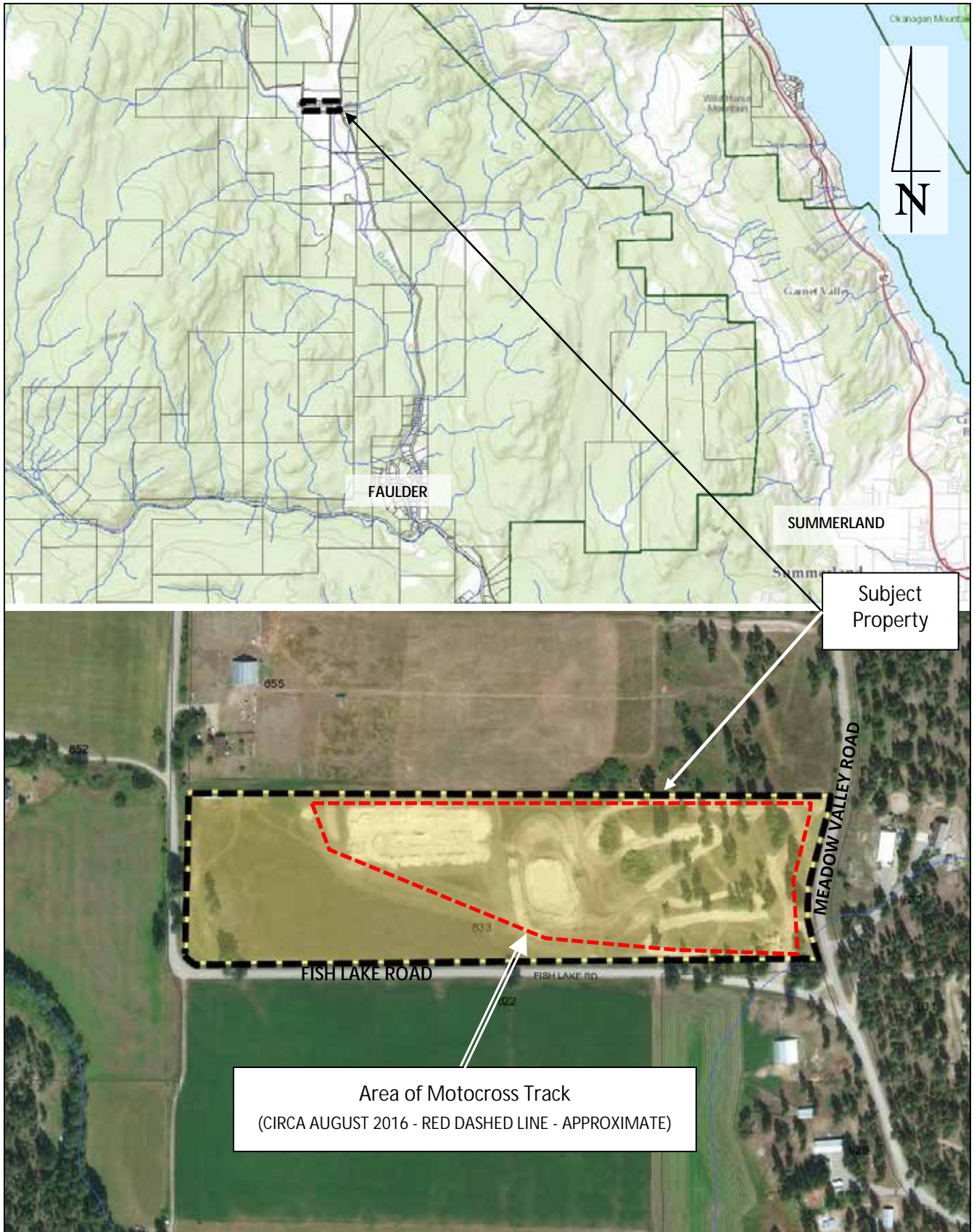


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B. Dollevoet  
General Manager of Dev. Services

Attachments:    No. 1 – Context Maps  
                          No. 2 – Site Photos (2017)

Attachment No. 1 – Context Maps



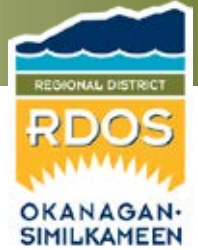


Attachment No. 2 – Site Photos (2017)





# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “H”

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## Administrative Recommendation:

**THAT** Bylaw No. 2497.10, 2019, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.17, 2018, Electoral Area “H” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

**AND THAT** the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated April 18, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

**AND THAT**, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2497.10, 2019, in conjunction with its Financial and applicable Waste Management Plans;

**AND THAT** the holding of a public hearing be scheduled for the Regional District Board meeting of May 9, 2019;

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

**AND THAT**, prior to adoption, a statutory covenant is registered on the title of the subject property (legally described as Lot 1, Plan KAP68315, DL 4531, KDYD), in order to require that a Storm Drainage System including a Contamination Prevention System be installed on-site.

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Purpose: To allow for a service station, drive-thru restaurant, commercial card-lock facility and highway maintenance yard (“outdoor storage”).

Owners: Jason & Sarah Smith                      Agent: Dylan Anderson                      Folio: H-01374.100

Legal: Lot 1, Plan KAP68315, DL 4531, KDYD                      Civic: 5021 Highway 97C (Elkhart Lodge)

OCP: part Resource Area (RA); and                      Proposed OCP: part Commercial (C)  
part Commercial (C)

Zone: part Resource Area (RA)                      Proposed Zoning: Elkhart Lodge  
part Tourist Commercial One (CT1)                      Comprehensive Development (CD3)

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## Purpose:

This application is seeking to amend the zoning on an approximately 3.5 ha part of the property at 5021 Highway 97C (Elkhart Lodge) in order to allow for a service station, drive-thru restaurant, commercial card-lock facility and highway maintenance yard (“outdoor storage”).

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In order to facilitate this, it is being proposed to amend the land use designations and zonings as follows:

- from part Resource Area (RA) to Commercial (C) under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012; and
- from part Resource Area (RA) and part Tourist Commercial One (CT1) to a new Elkhart Lodge Comprehensive Development (CD3) Zone under the Electoral Area "H" Zoning Bylaw No. 2498, 2012.

In support of this proposal, the applicant has stated that:

*The uses proposed for the purposes of this development present a great opportunity for the RDOS to service an area that is currently lacking. Travelers (be it the general public or commercial truckers) going between Peachland and Merritt, or traversing the area more broadly, have little to no options for refueling, having a meal, resting facility or recreational facility. The proposal also helps to create continuous permanent jobs in this area, thereby helping the local economy. Once the facility is completely built and operating, the proposed commercial uses could create as many as 30 to 50 full time positions.*

*Additionally, the purposes of adding outdoor storage for highway maintenance materials (salt, sand, etc.) to the list of proposed uses for the site, derives from conversations with highway maintenance contractors expressing the desire to have materials at this location. This saves contractors from having to return to either Peachland or Merritt to collect sand or salt in the event of snowy roads. As the geographic location of the subject site is in the middle of the two notable towns, it helps the contractor to maintain both sides of the highway with ease.*

*We feel that the proposed uses within this application will allow for a variety of uses to establish themselves on the Subject Property. All of the proposed uses have been carefully chosen to reflect the nature of the site and surrounding area.*

#### **Site Context:**

The subject property is approximately 13.9 ha in area and is situated on the south side of Highway 97C (Coquihalla Connector) with access provided by Elkhart Road and is 64 km north-west of Peachland and 57 km south-east of Merritt. The property currently comprises two buildings that are used for a restaurant and motel as well as a separate storage shed. The remainder of the parcel is under-developed.

The surrounding pattern of development is generally characterised by un-developed private and Crown land parcels (surveyed and un-surveyed).

#### **Background:**

It is understood that the current boundaries of the subject property were created by a plan of subdivision deposited with the Land Titles Office in Kamloops on January 25, 2001, while available Regional District records indicate that Building Permits were previously issued for a service station (1990), restaurant (1990) and a motel (1991).

At its meeting of May 17, 1990, the Board adopted Amendment Bylaw 1120, 1989, which changed the zoning on an approximately 1.0 ha part of the property to Highway Commercial (C2) in order to

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facilitate the development of a service station. While a service station was subsequently constructed on the site, it is unknown when this use ceased and the related structures demolished.

In 1994, a rezoning application that sought to change the RA zoned part of the property to Small Holdings Three (SH3) in order to facilitate a 38 residential lot subdivision and was withdrawn due to a lack of services (i.e. electricity) and fire protection.

At its meeting of September 21, 2000, the Regional District Board approved Development Variance Permit No. H-00-01374.000, which waived a number of servicing requirements under the (then) Subdivision Servicing Bylaw No. 1567, in order to facilitate the subdivision of the subject parcel from a parent parcel situated on the north side of Highway 97C.

Under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012, the property is primarily designated Resource Area (RA) with an approximately 1.0 ha near the existing restaurant and motel designated Commercial (C). The property is also the subject of a Watercourse Development Permit (WDP) Area designation under the OCP Bylaw, in relation to a pond located near the motel / restaurant.

Under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, the property is primarily zoned Resource Area (RA) with an approximately 1.0 ha near the existing restaurant and motel zoned Tourist Commercial One (CT1).

#### **Referrals:**

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as Amendment Bylaw No. 2497.10, 2019, involves land within 800 metres of a controlled access highway (i.e. Highway 97C).

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. 58 have been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Agency comments had been received from the Ministry of Forests, Lands and Natural Resource Operations (Ecosystem Branch), Interior Health Authority (IHA), Ministry of Transportation and Infrastructure (MoTI) and the Upper Similkameen Indian Band and these are included as a separate items on the Board Agenda.

#### **Public Process:**

A Public Information Meeting was held on February 19, 2019, at the Riverside Centre at 148 Old Hedley Road in Princeton and was attended by two (2) members of the public.

At its meeting of February 19, 2019, the Electoral Area "H" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed rezoning be approved with the following conditions:

- 
- i) *That there be a land use regulation to restrict impact on adjacent properties from any process or materials used or stored on site.*

Administration recommends that the convening of the public information meeting, consideration by the Electoral Area "H" APC as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, this process is seen to be sufficient early and does not need further consultation.

**Analysis:**

In considering this proposal, Administration notes that a commercial zoning that allows for restaurants and tourist accommodation (i.e. hotel and motel) has existed on this property since 1990 and that the site has previously been developed to these uses as well as a service station.

In this context, the applicant's request to expand the commercial zoning beyond the current 1.0 ha part of the property in order to shift the location of these uses closer to the highway is not entirely unreasonable.

For instance, it is noted that despite the OCP Bylaw speaking to encouraging "commercial development away from highways to protect the visual character of the rural area ..." the Plan also provides an exception to this by supporting new service station proposals where they will "serve both the local population and the travelling public."

While re-establishment of a service station at the site as well as the proposed commercial card-lock will be incongruous with the surrounding pattern of development, they are directly related to serving the needs of Highway 97C users, that may be of benefit to the residents of the RDOS and its member municipalities.

Similarly, the creation of the proposed works yard to be utilised by highway maintenance contractors will also be to the benefit of Highway 97C users.

Of concern, however, is the remote nature location of the subject property with the nearest communities being over 50 km away. As well, a lack of basic community infrastructure such as water, sewer, electricity and fire protection raises concern about the appropriateness of intensifying development at this location.

It is likely that the developer will require upgraded services in accordance with the Regional District's Subdivision Servicing Bylaw (i.e. provision of on-site communal septic and water system, provision of basic fire fighting equipment and possible electrical upgrades).

In response to the concerns raised at the Public Information Meeting as well as the APC meeting, the applicant has indicated their willingness to enter into a statutory covenant requiring that an on-site Storm Drainage System including a Contamination Prevention System be installed on the property in order to limit any potential hazardous materials leaving the site. For reference purposes, a copy of a draft covenant is included at Attachment No. 4.

**Alternatives:**

1. THAT Bylaw No. 2497.10, 2019, Electoral Area "H" Official Community Plan Amendment Bylaw and Bylaw No. 2498.17, 2019, Electoral Area "H" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

---

AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated April 18, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2497.10, 2019, in conjunction with its Financial and applicable Waste Management Plans;

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

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

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

2. THAT first reading of the Electoral Area "H" Official Community Plan (OCP) Amendment Bylaw No. 2497.10, and the Electoral Area "H" Zoning Amendment Bylaw No. 2498.17, 2019, be deferred.
3. THAT first reading of the Electoral Area "H" Official Community Plan (OCP) Amendment Bylaw No. 2497.10, and the Electoral Area "H" Zoning Amendment Bylaw No. 2498.17, 2019, be denied.

**Respectfully submitted:**



C. Garrish, Planning Manager

**Endorsed by**



B. Dollevoet, General Manager, Dev. Services

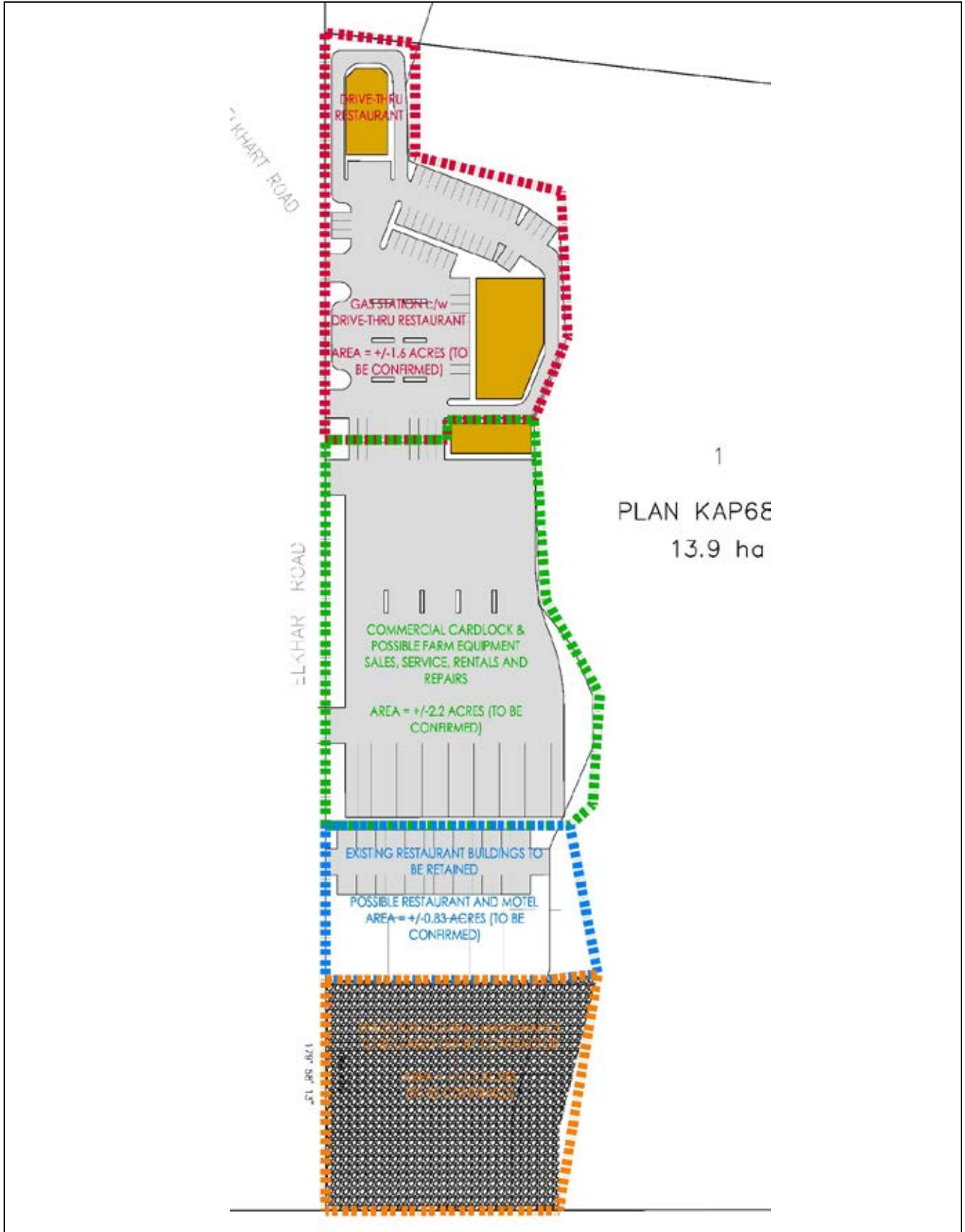
- Attachments:
- No. 1 – Agency Referral List
  - No. 2 – Applicant's Site Plan
  - No. 3 – Aerial Photo (Vantage West Realty)
  - No. 4 – Draft Statutory Covenant

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, regarding Amendment Bylaw No. 2497.10, 2019:

<input type="radio"/>	Agricultural Land Commission (ALC)	<input type="radio"/>	Fortis
<b>p</b>	Interior Health Authority (IHA)	<input type="radio"/>	City of Penticton
<input type="radio"/>	Ministry of Agriculture	<input type="radio"/>	District of Summerland
<input type="radio"/>	Ministry of Energy & Mines	<input type="radio"/>	Town of Oliver
<input type="radio"/>	Ministry of Community, Sport and Cultural Development	<input type="radio"/>	Town of Osoyoos
<b>p</b>	Ministry of Environment	<input type="radio"/>	Town of Princeton
<input type="radio"/>	Ministry of Forest, Lands & Natural Resource Operations (Arch. Branch)	<input type="radio"/>	Village of Keremeos
<input type="radio"/>	Ministry of Jobs, Tourism and Innovation	<input type="radio"/>	Okanagan Nation Alliance (ONA)
<b>p</b>	Ministry of Transportation and Infrastructure		Penticton Indian Band (PIB)
<input type="radio"/>	Integrated Land Management Bureau	<input type="radio"/>	Osoyoos Indian Band (OIB)
<input type="radio"/>	BC Parks	<b>p</b>	Upper Similkameen Indian Bands (USIB)
	School District 53 (Okanagan Similkameen)	<input type="radio"/>	Lower Similkameen Indian Bands (LSIB)
<b>p</b>	School District 58 (Nicola Similkameen)	<input type="radio"/>	Environment Canada
<input type="radio"/>	School District 67 (Okanagan Skaha)	<input type="radio"/>	Fisheries and Oceans Canada
<input type="radio"/>	Central Okanagan Regional District	<input type="radio"/>	Archaeology Branch
<input type="radio"/>	Kootenay Boundary Regional District	<input type="radio"/>	Dominion Radio Astrophysical Observatory
<input type="radio"/>	Thompson Nicola Regional District	<input type="radio"/>	Canadian Wildlife Services
<input type="radio"/>	Fraser Valley Regional District	<input type="radio"/>	Lakeshore Highland Water System
<input type="radio"/>	Okanagan Falls Volunteer Fire Dep't	<input type="radio"/>	Okanagan Falls Irrigation District

Attachment No. 2 – Applicant's Site Plan





Attachment No. 3 – Aerial Photo (Vantage West Realty)



Area to be rezoned to CD3  
(APPROXIMATE)



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2497.10, 2019**

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**A Bylaw to amend the Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012**

---

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 "H" Official Community Plan Amendment Bylaw No. 2497.10, 2019."
2. The Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012, is amended by:
  - i) by adding a new Section 13.3.10 under Section 13.0 (Commercial) to read as follows:
    - .10 Will consider amending the land use designation on the remainder of the property at 5021 Highway 97C (Elkhart Lodge) and legally described as Lot 1, Plan KAP68315, District Lot 4531, KDYD, to Commercial subject to further site planning related to, amongst other things, the provision of on-site water and sewer systems, environmental assessments and emergency services access (i.e. fire protection).
3. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "H" Official Community Plan Bylaw No. 2498, 2012, is amended by changing the land use designation of an approximately 2.5 ha part of the land described as Lot 1, Plan KAP68315, District Lot 4531, KDYD, and shown shaded blue on Schedule 'A', which forms part of this Bylaw, from part Resource Area (RA) to Commercial (C).

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2019.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_ day of \_\_\_\_, 2019.

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

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

# Regional District of Okanagan-Similkameen

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

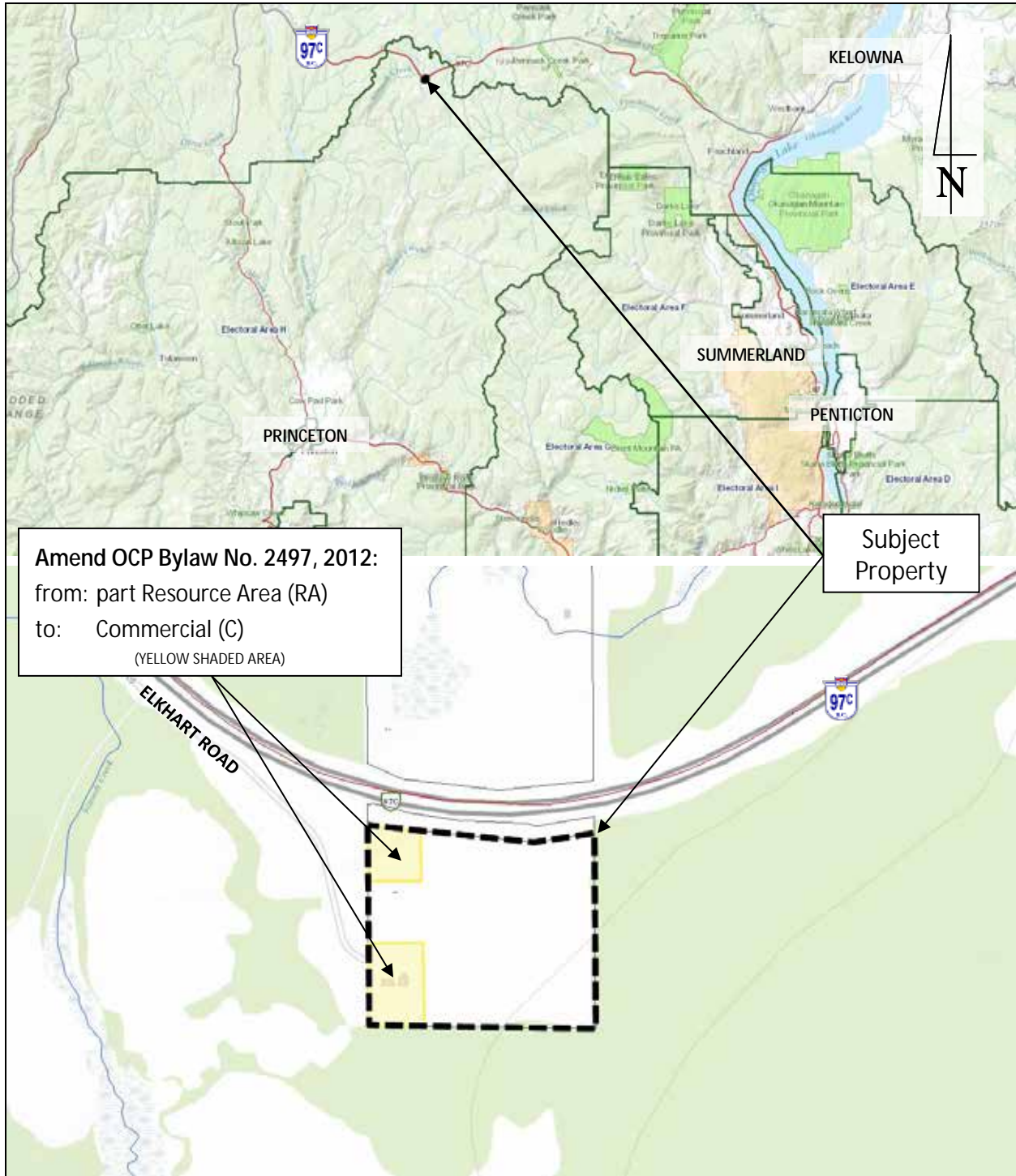
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2497.10, 2019

Project No: H2018.193-ZONE

## Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.17, 2019

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**A Bylaw to amend the Electoral Area "H" Zoning Bylaw No. 2498, 2012**

---

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 "H" Zoning Amendment Bylaw No. 2498.17, 2019."

2. The Electoral Area "H" Zoning Bylaw No. 2498, 2012, is amended by:

i) adding a definition of "commercial card-lock facility" under Section 4.0 (Definitions) to read as follows:

**"commercial card-lock facility"** means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

ii) adding a definition of "outdoor storage" under Section 4.0 (Definitions) to read as follows:

**"outdoor storage"** means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

iii) adding a new reference to "Elkhart Lodge Comprehensive Development Zone CD3" under Section 6.1 (Zoning Districts).

iv) adding a new Section 16.1 (Comprehensive Development) to read as follows and renumbering all subsequent sections:

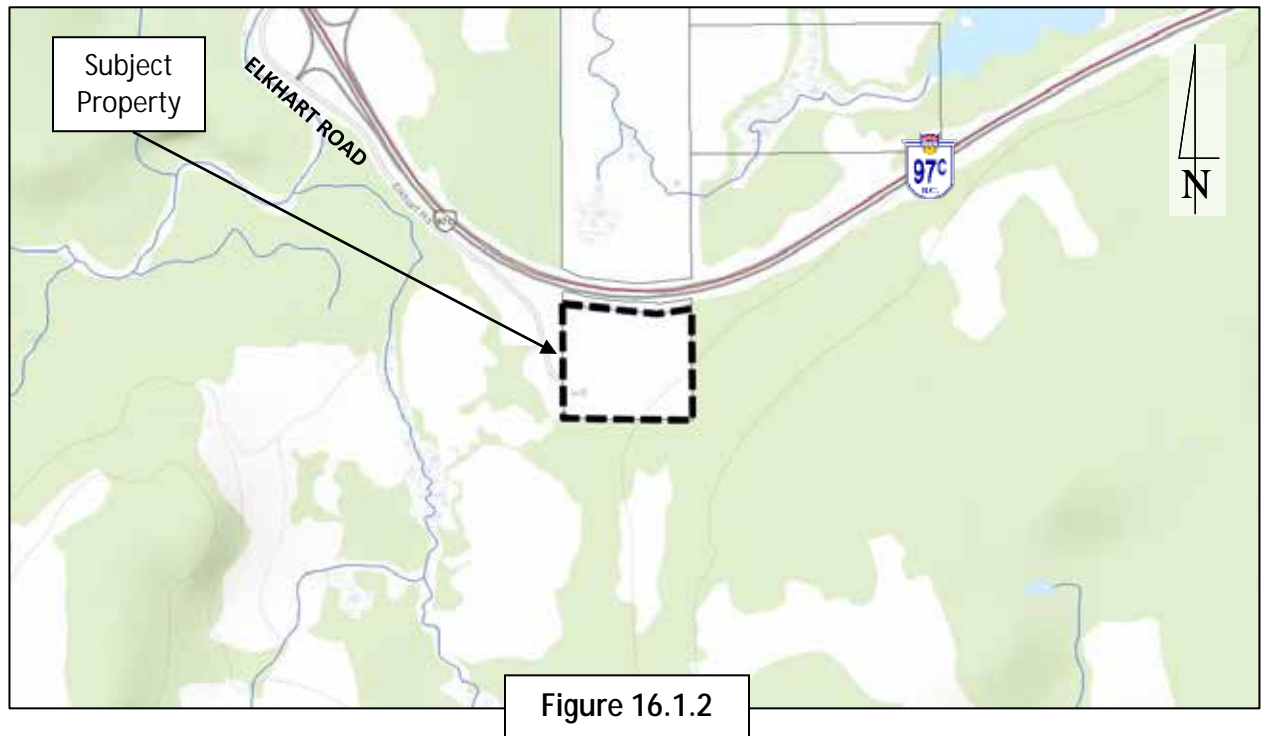
**16.1 ELKHART LODGE COMPREHENSIVE DEVELOPMENT (CD3) ZONE**

**16.1.1 Purpose**

The purpose of the Elkhart Lodge Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for an approximately 4.0 ha part of the parcel located at 5021 Highway 97C (Coquihalla Connector), which is legally described as Lot 1, Plan KAP68315, District Lot 4531, KDYD (PID: 024-938-041), and hereinafter referred to as the "Elkhart Lodge", in order to facilitate a highway commercial development catering to the needs of the travelling public.

### 16.1.2 Location

The property is situated approximately 92 km north of the Town of Princeton and is accessible via Highway 97C (Coquihalla Connector).



### 16.1.3 Background:

The commercial use of the subject property dates to an amendment to the (then) Electoral Area "H" Zoning Bylaw that was adopted by the Regional District Board in 1990. This amendment introduced a "Highway Commercial" Zone on an approximately 1.0 ha part of the property in order to facilitate the development of a service station. This use was subsequently expanded to include tourist accommodation units and accessory restaurant.

### 16.1.6 Permitted Uses:

#### Principal Uses:

- a) commercial card-lock facility;

- b) eating and drinking establishment;
- c) hotel;
- d) motel;
- e) outdoor storage;
- f) retail sales, general;
- g) service station;

Accessory Uses:

- h) one (1) accessory dwelling, subject to Section 7.11;
- i) offices;
- j) accessory buildings or structures, subject to Section 7.13.

**16.1.7 Minimum Parcel Size for Subdivision:**

- a) 4.0 ha

**16.1.8 Minimum Parcel Width:**

- a) Not less than 25% of parcel depth

**16.1.9 Minimum Setbacks:**

- a) Buildings and Structures:
  - i) Front share lot line: 7.5 metre
  - ii) Rear share lot line: 7.5 metre
  - iii) Interior side share lot line: 3.0 metre
  - iv) Exterior side share lot line: 4.5 metres

**16.1.10 Maximum Height:**

- a) No building or structure shall exceed a height of 12.0 metres

**16.1.11 Maximum Parcel Coverage:**

- a) 35%

3. The Zoning Map, being Schedule '2' of the Electoral Area "H" Zoning Bylaw No. 2498, 2012, is amended by changing the land use designation of an approximately 3.5 ha part of the land described as Lot 1, Plan KAP68315, District Lot 4531, KDYD, and shown shaded blue on Schedule 'A', which forms part of this Bylaw, from part Tourist Commercial One (CT1) and part Resource Area (RA) to Elkhart Lodge Comprehensive Development (CD3).

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2019.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2019.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "H" Zoning Amendment Bylaw No. 2498.17, 2019" as read a Third time by the Regional Board on this \_\_\_\_ day of \_\_\_\_, 2019.

Dated at Penticton, BC this \_\_ day of \_\_\_\_, 2019.

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

Approved pursuant to Section 52(3) of the Transportation Act this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
For the Minister of Transportation & Infrastructure

ADOPTED this \_\_ day of \_\_\_\_, 2019.

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



# Regional District of Okanagan-Similkameen

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

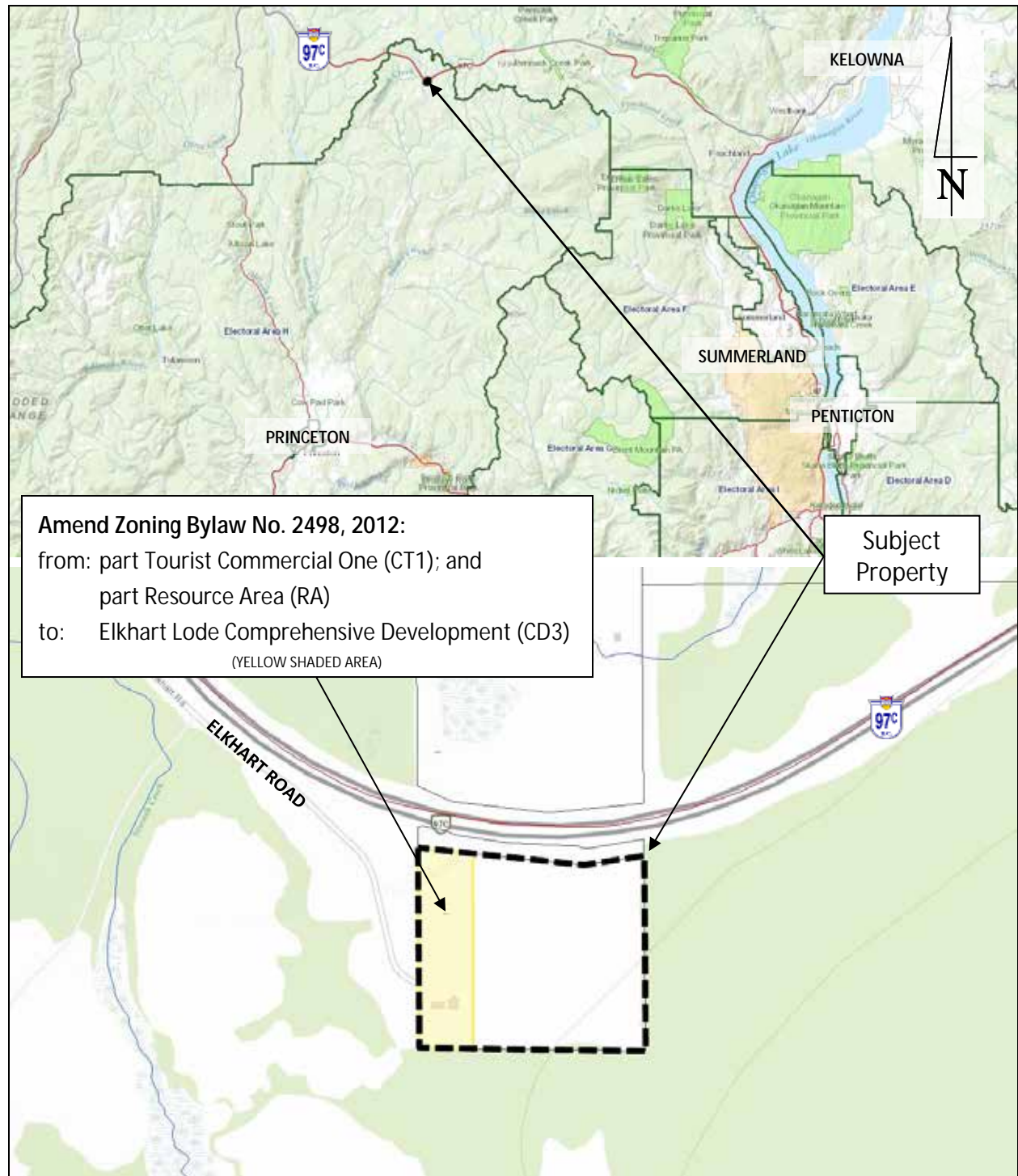
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2498.17, 2019

Project No: H2018.193-ZONE

## Schedule 'A'



Amendment Bylaw No. 2498.17, 2019

(H2018.193-ZONE)

Page 5 of 5



TERMS OF INSTRUMENT - PART 2

RESTRICTIVE COVENANT: LAND TITLE ACT S.219  
(Storm Drainage Detention)

BETWEEN: Name: (To be Determined)  
Address: 3760 Southwood Street, Burnaby  
Occupation or  
Incorporation Number: (To be Determined)

(the "Grantor")

OF THE FIRST PART;

AND: Regional District of Okanagan-Similkameen, having its Offices at  
101 – Martin Street, Penticton, BC, V2A-5J9.

(the "Regional District of Okanagan-Similkameen")

OF THE SECOND PART;

WHEREAS:

A. The Grantor is the registered owner of those lands and premises in the Regional District of Okanagan-Similkameen, in the Province of British Columbia and more particularly known and described as:

Parcel Identifier: 024-938-041

Lot 1, District Lot 4531, Kamloops Division Yale District Plan KAP68315

(the "Lands")

B. By the provisions of Section 219 of the *Land Title Act*, R.S.B.C. 1996, C. 250, as amended (the "*Land Title Act*") a covenant, whether of a negative or positive nature in respect of the use of land, or, that land is or is not to be built on, in favour of the Regional District of Okanagan-Similkameen, may be registered as a charge against the title to that land and is enforceable against the Grantor and its successors in title, even if the covenant is not annexed to land owned by the Regional District of Okanagan-Similkameen.

- C. The Grantor has applied to the Regional District of Okanagan-Similkameen for an amendment to the Regional District of Okanagan-Similkameen's zoning regulations to permit the development on the Land of \_\_\_\_\_ (the "Proposed Development").
- D. To address the Regional District of Okanagan-Similkameen's concerns about the possible release of contaminants, including sediment, from the Lands to and through adjacent Lands, the Grantor has agreed not to use the Lands for the Proposed Development, or any part of the Proposed Development, until and unless the Grantor has first constructed and installed on the Lands a storm drainage system to limit the rate of drainage flow released from the Lands during a storm event to pre-development levels (the "Storm Drainage System").
- E. The Grantor has further agreed to maintain the Storm Drainage System in perpetuity.
- F. The Grantor has further agreed to construct and maintain a spill control system, temporary sediment control system and site contamination system as part of the Storm Drainage System.

NOW THEREFORE THIS AGREEMENT WITNESSETH that pursuant to Section 219 of the *Land Title Act*, and in consideration of ONE (\$1.00) DOLLAR now paid to the Grantor by the Regional District of Okanagan-Similkameen (the receipt of which is hereby acknowledged) the Grantor covenants and agrees with the Regional District of Okanagan-Similkameen as follows:

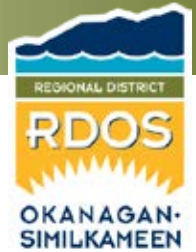
- 1. The Grantor covenants and agrees with the Regional District of Okanagan-Similkameen that:
  - (a) as of the date the Grantor executes this Agreement, the Grantor shall not develop or construct on the Lands anything in relation to the Proposed Development, until the Grantor has submitted to the Regional District of Okanagan-Similkameen and received the written approval of the Regional District of Okanagan-Similkameen's General Manager of Development Services for, detailed plans and specifications for the Storm Drainage System;
  - (b) the plans and specifications for the Storm Drainage System required under section 1(a) shall be certified by a suitably qualified professional;
  - (c) the Storm Drainage System shall be situated on the Lands, designed to control the flow of storm water from the site to match the predevelopment condition and mitigate the post development contamination run-off;
  - (d) the Storm Drainage System shall include a spill control system, temporary sediment control system and a site contamination system and these latter three systems (collectively, the "Contamination Prevention System") shall be designed to prevent

the spills, sediment transport or other contamination escaping from the Land during construction of the Proposed Development, and thereafter in perpetuity; and,

2. The Grantor further covenants and agrees with the Regional District of Okanagan-Similkameen that the Storm Drainage System including the Contamination Prevention System, or an equivalent system or systems to the satisfaction of the Regional District of Okanagan-Similkameen's General Manager of Development Services shall be installed and maintained during the course of construction of the Proposed Development and that despite any implied or express permission given to the Grantor by the Regional District of Okanagan-Similkameen in the form of building or occupancy permits or otherwise, the use of the Lands for the Proposed Development or any part thereof is prohibited unless the Storm Drainage System has been installed in accordance with the approved plans and specifications, and is maintained and repaired as may be required to ensure it is fully functional and operating in accordance with its intended purpose.
3. Without limiting the generality of section 2 of this Agreement, the Grantor covenants and agrees with the Regional District of Okanagan-Similkameen:
  - (a) That no building, structure, fence, foundation, pavement, excavation, pile of material or obstruction shall be made, placed, erected or maintained on any portion of the Storm Drainage System and that only lawn grass or plantings, shall be planted and allowed to grow upon the Storm Drainage System, except as provided by the Regional District of Okanagan-Similkameen.
  - (b) That the Grantor shall not do or knowingly permit to be done any act or thing which will interfere with or obstruct the Storm Drainage System.
  - (c) That the Grantor shall not disturb, reshape, modify or in any way alter any portion of the finished ground surface of the Storm Drainage System. If any changes are required, such changes shall first be reviewed and approved in writing by a suitably qualified professional.
  - (d) That the Grantor will, as far as reasonably necessary, carry out or cause to be carried out the maintenance, repair, cleaning, renewal replacement and/or otherwise servicing of the Storm Drainage System in a proper and workmanlike manner.
3. The Grantor hereby releases, indemnifies and saves harmless the Regional District of Okanagan-Similkameen, its elected and appointed officials, employees and agents from and against any and all liability, actions, causes of actions, claims, damages, expenses, costs, debts, demands or losses suffered or incurred by the Regional District of Okanagan-Similkameen arising from the granting or existence of this Agreement, from the performance by the Grantor of this Agreement or any default of the Grantor under or in respect of this Agreement.

4. The Grantor hereby covenants and agrees with the Regional District of Okanagan-Similkameen that the Regional District of Okanagan-Similkameen is not required or is under no obligation in law or equity to prosecute or enforce this Agreement in any way whatsoever.
5. The Grantor covenants and agrees to obtain from any prospective grantee, purchaser, leaseholder, tenant or other transferee of the Lands referred to herein, an agreement to be bound by the terms of this Agreement.
6. It is mutually understood and agreed by and between the parties hereto that this agreement and the covenants herein contained shall be construed as running with the Lands.
7. The Grantor for itself, its successors and assignees, hereby covenants, promises and agrees with the Regional District of Okanagan-Similkameen, pursuant to Section 219 of the *Land Title Act* (it being the intention of the parties hereto that the covenant herein contained shall be annexed to the Lands) that the Grantor shall not at any time hereinafter allow the Lands to be used for any purpose which would detract from or otherwise interfere with the function of the hereinbefore described Storm Drainage System.
8. This Agreement shall be binding upon and ensure to the benefit of the respective parties hereto, their heirs, executors, successors, administrators and assignees.
9. The parties hereto covenant and agree that they will do and execute such further acts and deeds and give such further assurances as may be reasonably necessary to implement the true meaning of this Agreement.
10. The parties agree that this Agreement may only be modified or discharged with the consent of Regional District of Okanagan-Similkameen pursuant to the provisions of Section 219(9) of the *Land Title Act*.

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Agricultural Land Commission Referral ("non-farm" use) – Electoral Area "F"

---

## Administrative Recommendation:

**THAT** the Board of Directors "authorize" the application for a "non-adhering residential use – additional residence for farm use" at 48 Savanna Road (District Lot 3762, ODYD, Portion S ½) in Electoral Area "F" to proceed to the Agricultural Land Commission;

**AND THAT** the Agricultural Land Commission be advised that the Board of Directors supports the use of a statutory covenant registered under Section 219 of the *Land Title Act* in order to require that:

- the use of the sleeping units is restricted to farm labour only;
  - the structure be removed from the property once an on-going need for farm labour no longer exists;
  - the structure be constructed or manufactured in a manner that makes it easily moveable from one location to another; and
  - the foundation be temporary in nature (i.e. not concrete).
- 

Purpose: To allow for farm labour accommodation in the Agricultural Land Reserve.

Owner: Bearfoot Acres Inc.                      Agent: Keith Carlson                      Folio: F-07214.000

Civic: 48 Savanna Road                      Legal: District Lot 3762, ODYD, Portion S ½

OCP: Agriculture (AG)                      Zone: Agriculture Three (AG3)

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## Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20.1(2) of the *Agricultural Land Commission Act* (the Act) has been referred to the Regional District in order to allow the development of farm labour housing on a parcel of land within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission's approval to construct farm labour housing comprising 41 bedrooms capable of accommodating up to 64 person. In support of this proposal, the applicant has stated, amongst other things, that:

*We propose to have worker accommodation built on agriculturally unsuitable piece of land consisting partly of new construction and partly of quality, dorm style trailers. The whole building will have 41 bedrooms and will house up to 64 people, which provides housing for a part of the picking crew for the months of August and September. Once the orchard reaches full production around 150 pickers are required.*

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*For the remainder of the season, starting in March, the building will be occupied for 6-8 months by 8-10 people to help us maintain and operate the orchard. We intend to hire foreign labor and the building will be built to the SAWP/TFW program standard.*

*The reasoning for the number of pickers required is as follows: Our biggest block of cherries (variety: Sentennial) is 15.7ha and will produce 25 tonnes/ha, which comes down to 900,000 lbs to be harvested over 10-14 days. An average picker picks 500 lbs per day. This gives us a labour requirement of around 150 pickers for this block. On top of that, supporting staff, like tractor and forklift operators are required to get the crop out of the orchard.*

### **Statutory Requirements:**

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

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

### **Site Context:**

The subject property is approximately 65.8 ha in area and is located on the western terminus of Savanna Road in Meadow Valley approximately 8.8km north of Faulder. The property is understood to be comprised of an existing dwelling unit and a number of accessory buildings and structures and is under agricultural cultivation apart from 29 ha of forested land that the applicant has indicated is unsuitable for agriculture.

The surrounding pattern of development is characterised by agricultural operations to the south and east and un-surveyed Crown land to the north and west.

### **Background:**

It is unknown when the subject property was created by subdivision, while available Regional District records indicate that Building Permits have previously been issued for a renovation related to a daycare (1986) and a dwelling addition for a mudroom (1997).

On February 22, 2019, amendments to the *Agricultural Land Commission (ALC) Act* came into effect, and made important changes to the regulations governing the construction of dwelling units on lands in the Agricultural Land Reserve (ALR). The following is a summary of key changes provided by the ALC:

- generally land in the ALR may have no more than one (1) residence per parcel;
- the Commission may approve an application for an additional residence if necessary for farm use, but the Commission is prohibited from approving an additional residence otherwise;
- the total floor area of a principal residence must be 500 m<sup>2</sup> or less in order to comply with the ALC Act;
- provisions facilitating the construction of additional dwellings for farm help, manufactured homes for immediate family members, accommodation above an existing farm building, or (in parts of the province) a second single family dwelling have been deleted from the ALC Act.

---

The ALC has further advised that, for “unfinished additional residences”, all required authorizations to construct the residence had to have been granted before February 22, 2019, and construction of the foundation of the residence substantially commenced before February 22, 2019, in order to enjoy “grandfathering” rights.

Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is designated as Agriculture (AG), is within a Watercourse Development Permit (WDP) Area designation, and shown as possessing Important Ecosystem Areas.

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the property is zoned Agriculture Three (AG3), which allows for a maximum of one (1) principle dwelling and assigns accessory dwelling unit numbers and size based on land area.

### **Analysis:**

In considering this proposal, Administration notes that the Electoral Area “F” OCP Bylaw speaks to supporting “second dwellings within the ALR where they are used to support agricultural activities and purposes (e.g., workers’ housing).”

On this basis that Administration is recommending that the application be “authorised” to proceed to the ALC for their determination.

Of concern, however, is the intensity of the current proposal, the remoteness of the property and the potential use of the units by person unrelated to the agricultural operation of the property, particularly in the off-season.

While Administration has been supportive of similar proposals for “bunkhouse” style accommodation of farm labour in the past, these developments were of a significantly smaller scale — i.e. 20 persons (Covert Farms) and 10 persons (Arise Ventures) respectively — than what is currently being proposed.

To address these concerns, Administration favours an approach similar to that applied by local governments in the Central Okanagan, which is to limit the permanence of such structures on agriculturally zoned parcels. This generally takes the form of a statutory covenant registered under Section 219 of the *Land Title Act* to, amongst other things, require that:

- the use of the sleeping units is restricted to farm labour only;
- the structure be removed from the property once an on-going need for farm labour no longer exists;
- the structure be constructed or manufactured in a manner that makes it easily moveable from one location to another; and
- the foundation be temporary in nature (i.e. not concrete).

The Board is also asked to be aware that, should this proposal be authorised and subsequently approved by the ALC, the applicant will be required to seek an amendment to the Electoral Area “F” Zoning Bylaw in order to proceed.

This is due to the zoning bylaw not having a definition for “bunkhouse” or “boarding house” for farm labour and that the current “accessory dwelling” definition requires one residential living unit containing private cooking and bathroom facilities, whereas the applicant is proposing a structure with shared cooking and bathroom facilities and multiple rooms (41).

---

The zoning bylaw further suggests that the maximum number of un-related persons that may reside in a single detached dwelling unit is five (5), whereas the applicant is proposing to accommodate up to 64 persons.

Administration envisions that such a zoning amendment could be in the form of site-specific text amendment to allow for a 41-unit “bunkhouse” or “boarding home” type accommodation.

**Alternative:**

1. THAT the Board of Directors not “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 48 Savanna Road (District Lot 3762, ODYD, Portion S ½) in Electoral Area “F” to proceed to the Agricultural Land Commission.
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “F” Advisory Planning Commission (APC).

**Respectfully submitted**

**Endorsed by:**



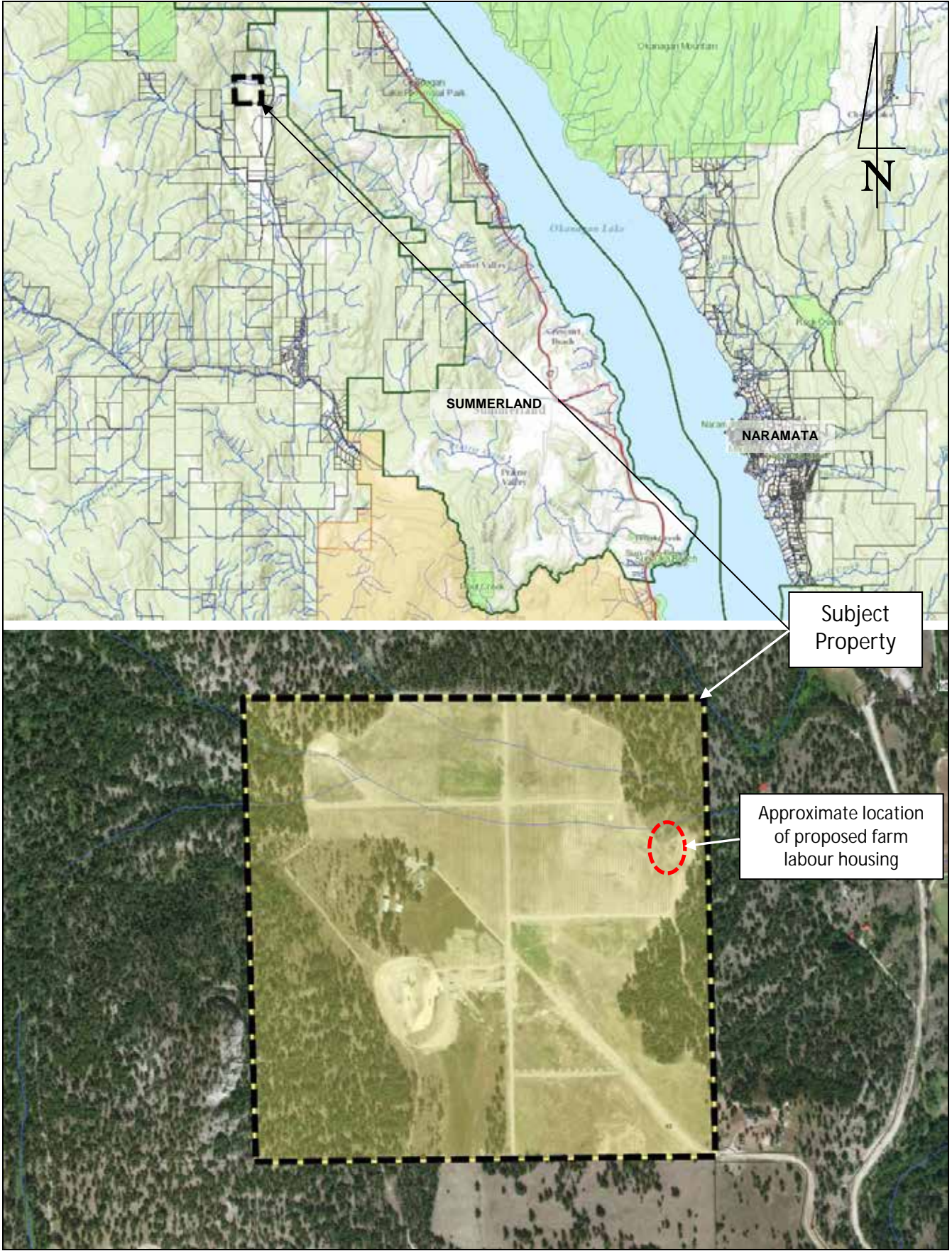
C. Garrish, Planning Manager

B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 – Context Maps  
No. 2 – Applicant’s Site Plan  
No. 3 – 3D Rendering of Proposed Structure

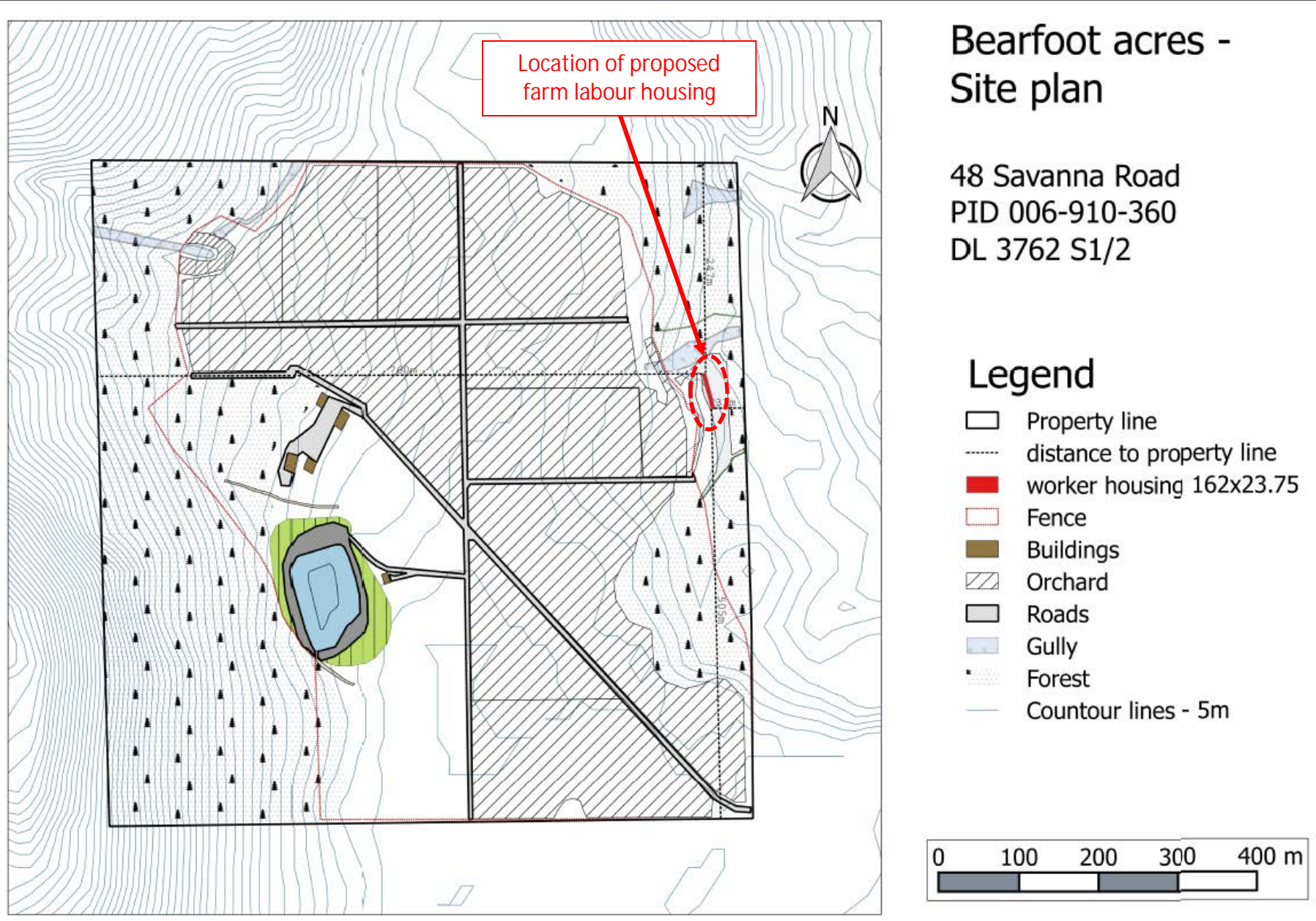


Attachment No. 1 – Context Maps





Attachment No. 2 – Applicant’s Site Plan

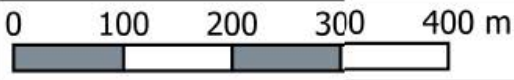


# Bearfoot acres - Site plan

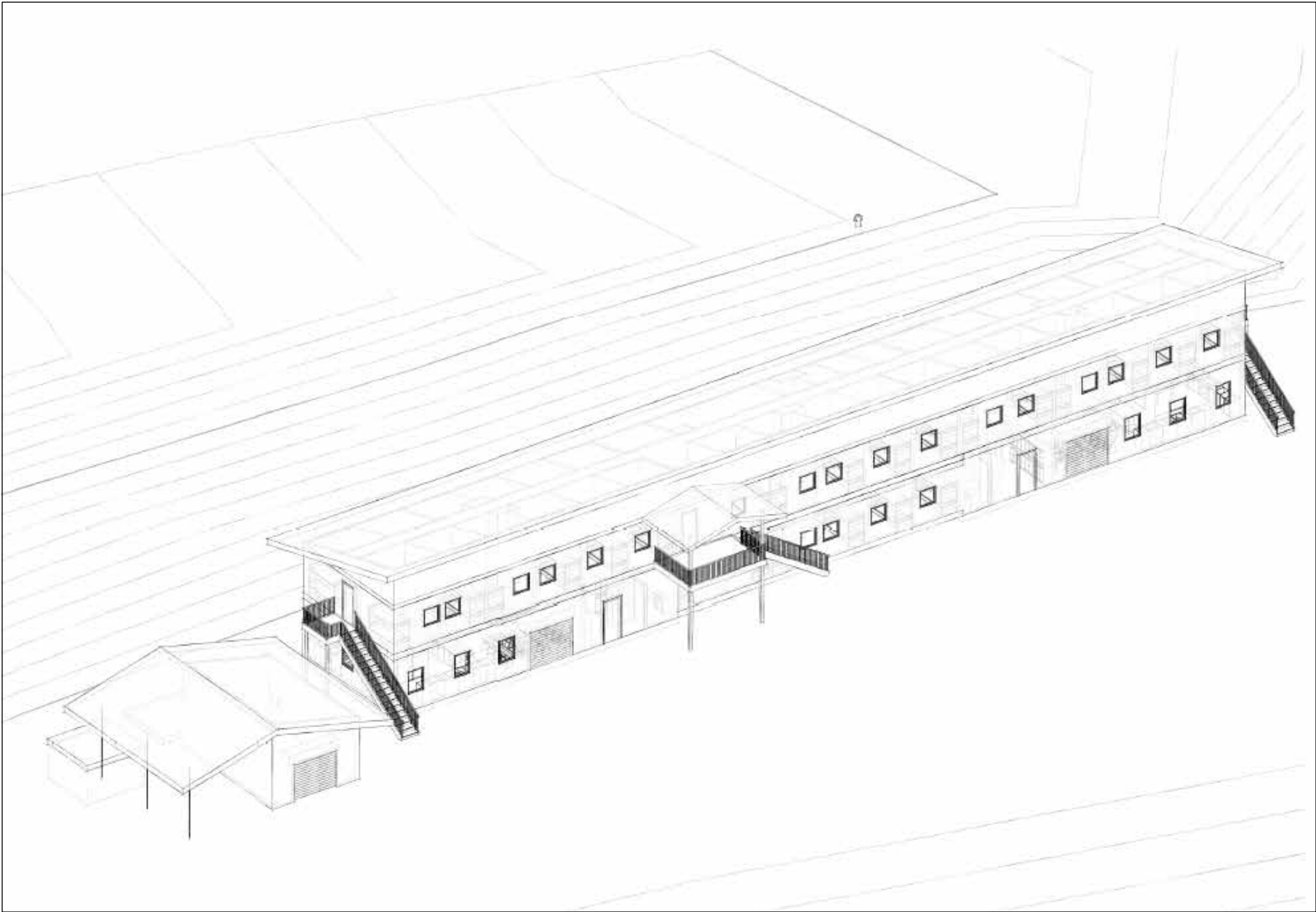
48 Savanna Road  
PID 006-910-360  
DL 3762 S1/2

## Legend

- Property line
- distance to property line
- worker housing 162x23.75
- Fence
- Buildings
- Orchard
- Roads
- Gully
- Forest
- Countour lines - 5m



Attachment No. 3 – 3D Rendering of Proposed Structure



## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** April 18, 2019

**RE:** Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D”

---

### Administrative Recommendation:

**THAT Bylaw No. 2603.17, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.40, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a third time and adopted.**

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### Purpose:

The proposed amendments to the Electoral Area “D” Official Community Plan (OCP) Bylaw and Zoning Bylaw are related to the introduction of a Parks and Recreation (PR) Zone over the parcel at 176 Chadwell Place in the “Heritage Hills” community of Electoral Area “D”. The Regional District has recently acquired this parcel for parkland purposes.

### Background:

In 2015, the Regional District:

- approved up to \$200,000 from reserve funding for parkland acquisition with the adoption of the Heritage Hills Parkland Acquisition Reserve Expenditure Bylaw.
- utilized \$400,000 was to purchase parkland at 176 Chadwell Place in Heritage Hills.

At its meeting of March 21, 2019, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of April 18, 2019.

All comments received through the public process are compiled and included as a separate item on the Board Agenda.

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

### Analysis:

Administration supports the proposed amendments to the land use designation and zoning of the subject properties to reflect their acquisition and long-term use for parkland purposes.

### Alternatives:

1. THAT first and second reading of the Electoral Area “D” Official Community Plan (OCP) Amendment Bylaw No. 2603.17, 2019, and the Electoral Area “D” Zoning Amendment Bylaw No. 2455.40, 2019, be rescinded and the bylaws be abandoned.

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2. THAT third reading of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.17, 2019, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.40, 2019, be deferred.

**Respectfully submitted:**



C. Garrish, Planning Manager

**Endorsed by**



B. Dollevoet, General Manager of Dev. Services

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2603.17, 2019**

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**A Bylaw to amend the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013**

---

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Official Community Plan Amendment Bylaw No. 2603.17, 2019."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by changing land use designation on the land described as Lot 3, Plan EPP61041, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Low Density Residential (LR) to Parks, Recreation and Trails (PR).

READ A FIRST AND SECOND TIME this 21<sup>st</sup> day of March, 2019.

PUBLIC HEARING held on this 18<sup>th</sup> day of April, 2019.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Board Chair

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Chief Administrative Officer



# Regional District of Okanagan-Similkameen

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

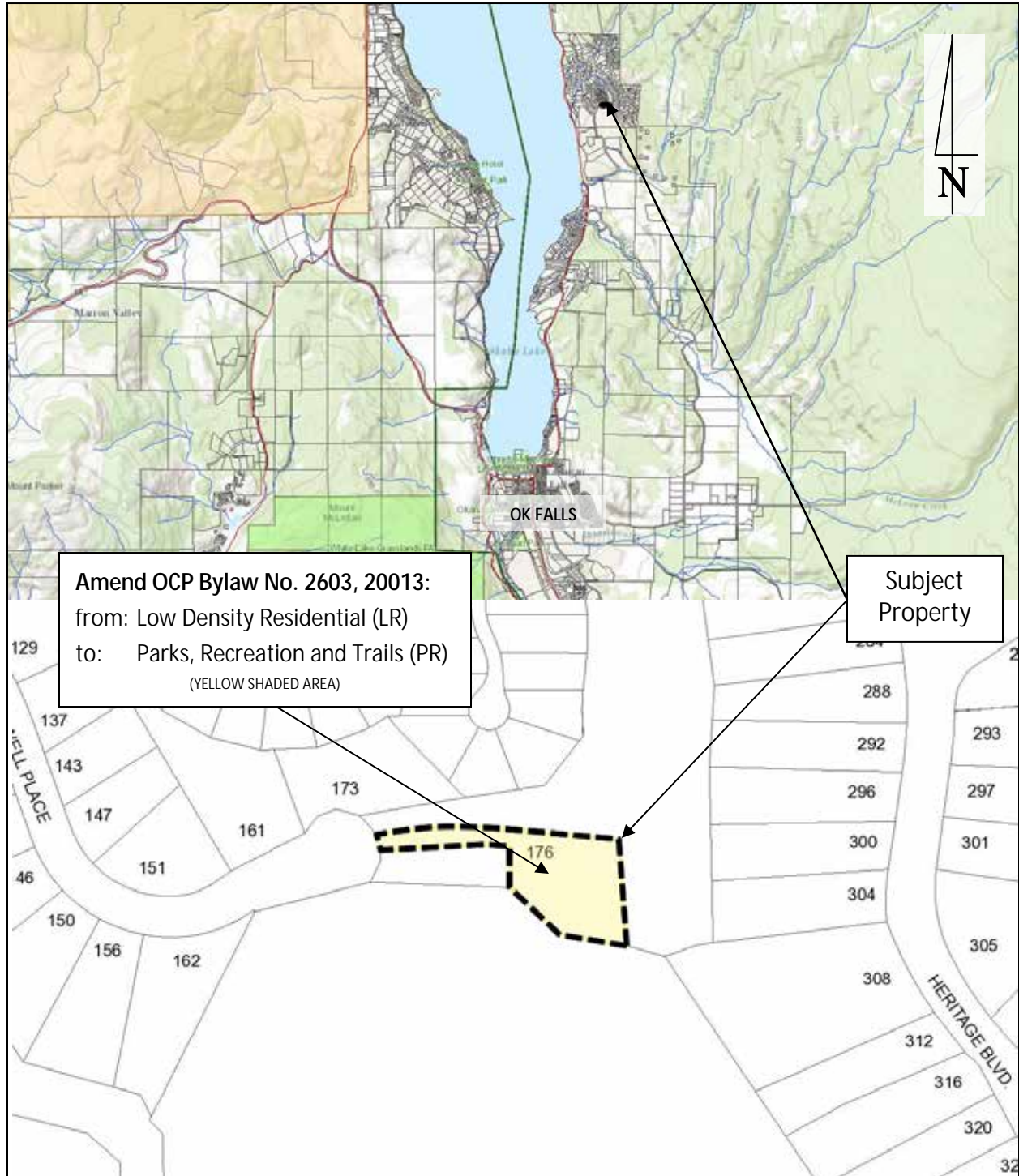
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.17, 2019

Project No: D2019.001-ZONE

## Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.40, 2019

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**A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 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 "D" Zoning Amendment Bylaw No. 2455.40, 2019."
2. The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation of the land described as Lot 3, Plan EPP61041, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).

READ A FIRST AND SECOND TIME this 21<sup>st</sup> day of March, 2019.

PUBLIC HEARING held on this 18<sup>th</sup> day of April, 2019.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Board Chair

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Corporate Officer



# Regional District of Okanagan-Similkameen

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

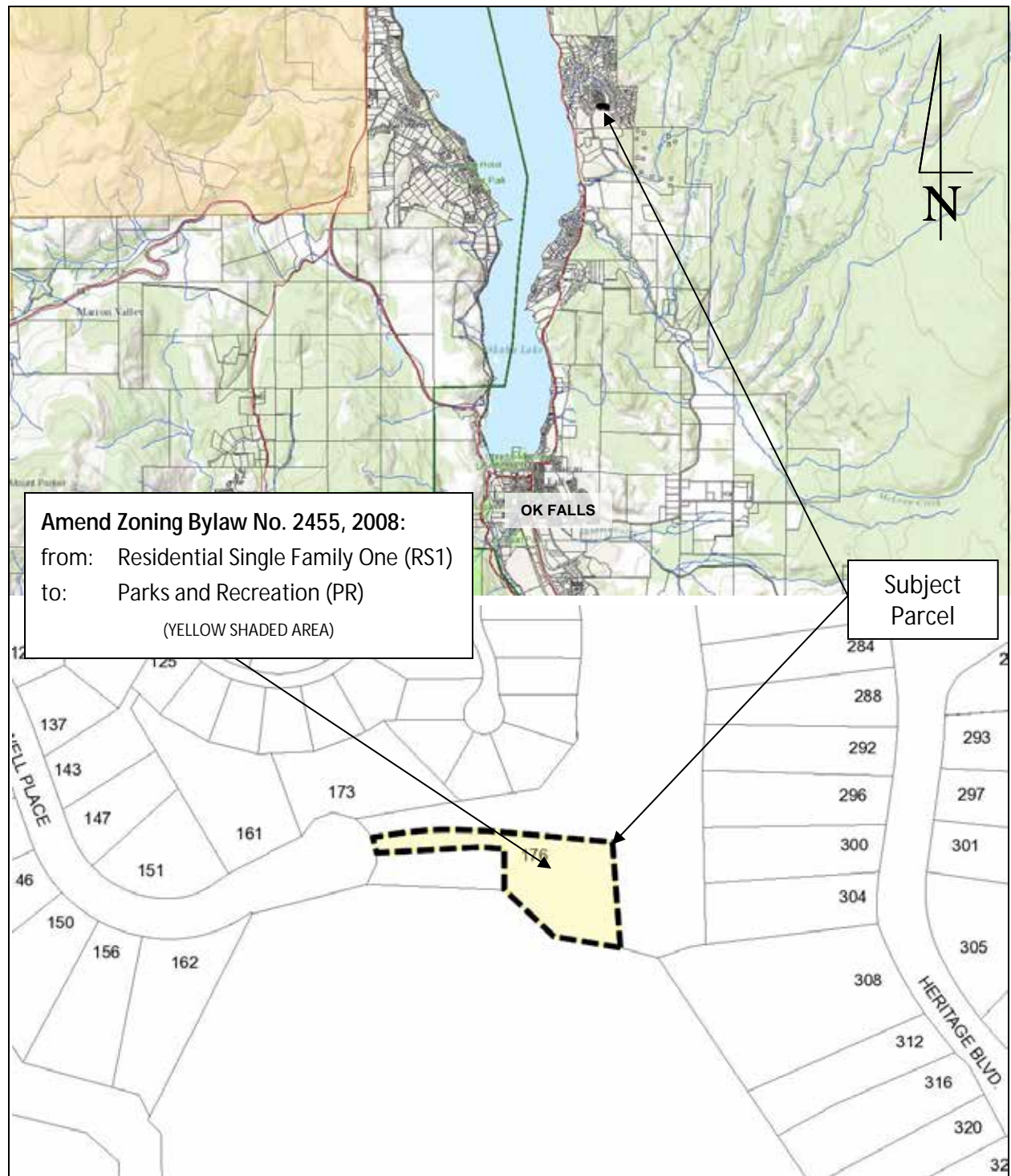
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.40, 2019

File No. D2019.001-ZONE

Schedule 'A'





Your File #: D2019.001-  
ZONE Park  
Rezone  
2603.17-  
2455.40

eDAS File #: 2019-00603

Date: February 5, 2019

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

Attention: Lauri Feindell Planning Secretary

**Re: Proposed Zoning Amendment Bylaw 2455.40 for:  
Lot 3, District Lot 2710, SDYD, Plan EPP61041  
176 Chadwell Place and  
Lot A, District Lot 337, SDYD, Plan EPP42481  
605 Willow Street, OK Falls, BC**

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

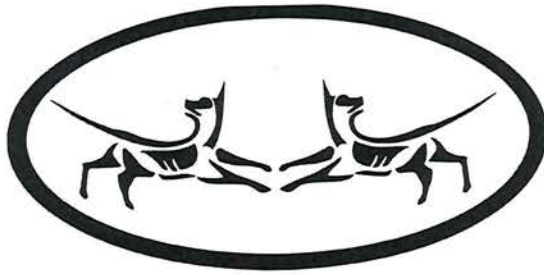
If you have any questions please feel free to call Rob Bitte at (250) 490-2280.

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





## Penticton Indian Band

*Natural Resources Department*  
841 Westhills Drive | R.R. #2, Site 80, Comp.19  
Penticton, B.C. CAN  
V2A 0E8  
Referrals@pib.ca | www.pib.ca  
Telephone: 250-492-0411 Fax: 250-493-2882

**WITHOUT PREJUDICE AND NOT TO  
BE CONSTRUED AS CONSULTATION**

February 5, 2019

Regional District of Okanagan Similkameen  
101 Martin Street  
PentictonBC V2A 5J9

**RTS ID:** 3648

**Referral Date:** February 4, 2019

**Referral ID:** D2019.001-ZONE

**Reference ID:** BL 2603.17 and 2455.40

**Summary:** A Bylaw to amend the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, from Low Density Residential to Parks, Recreation and Trails.

**Attention: Lauri Feindell**

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on February 4, 2019. 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, Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 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.

Limlæmt,  
Natasha Slack  
Referrals Administrator

RTS ID: 3648 CC: Osoyoos Indian Band (Referrals@oib.ca),ONA (nrmanager@syilx.org)





**From:** [Cooper, Diana.FLNR:EX](#)  
**To:** [Planning](#)  
**Cc:** [Lauri Feindell](#)  
**Subject:** RE: Bylaw Referral (D2019.001-ZONE)  
**Date:** February 4, 2019 4:29:39 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.png](#)  
[image005.png](#)

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Greetings RDOS Planners,

Thank you for your referral regarding D2019.001-ZONE, involving the re-zoning of two parcels of land acquired by the RDOS so that they become park land.

605 Willow Street, Okanagan Falls, PID 029506433, LOT A DISTRICT LOT 337 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP42481, has no known archaeological sites recorded on it.

176 Chadwell Place, Heritage Hills, PID 029841381, LOT 3 DISTRICT LOT 2710 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP61041, has no known archaeological sites recorded on it.

Both properties are located in areas with high potential to contain unknown/unrecorded archaeological deposits. Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the RDOS to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision.

Prior to any land alterations (*e.g.*, addition to home, property redevelopment, extensive landscaping, service installation), the Archaeology Branch recommends contacting an eligible consulting archaeologist to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the properties to determine whether the work may impact protected archaeological materials.

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](http://www.bcapa.ca)) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required.

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.



Please review the screenshots of the properties below (outlined in yellow). The brown colouration in the screenshots is the high potential for unknown/unrecorded archaeological deposits.

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

Kind regards,

Diana

605 Willow Street, Okanagan Falls



176 Chadwell Place, Heritage Hills



**From:** [Jody Cvitko](#)  
**To:** [Planning](#)  
**Cc:** [Debby Sansome](#); [Subramanian Paliappa](#)  
**Subject:** FW: Bylaw Referral (D2019.001-ZONE)  
**Date:** February 12, 2019 3:35:48 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

---

Good afternoon,

The subject Bylaw does not affect School District No. 53 (Okanagan Similkameen).

Thank you.

Jody Cvitko  
Executive Assistant  
to the Secretary Treasurer  
School District No. 53 (Okanagan Similkameen)  
E. [jcvitko@sd53.bc.ca](mailto:jcvitko@sd53.bc.ca)  
T. 250-498-3481 ext. 80111  
F. 250-498-4070







# OSOYOOS INDIAN BAND

---

1155, SEN\*POK\*CHIN BOULEVARD, OLIVER BC, V0H 1T8  
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

February-27-19

**Invoice: 5100-77-682**

Referral ID: D2019.001-ZONE/2455.40 Lot 605

Reference #: R-77-001279

RTS #1596

Date: February-04-19

Regional District of Okanagan-Similkameen  
101 Martin ST.  
Penticton, BC V2A 5J9

**Attention:** Christopher Garrish,

We are in receipt of the above referral. This proposed activity is within the Osoyoos Indian Bands 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 to 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.

The Osoyoos Indian Band 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 right. According to this policy, proponents are required to pay a \$500.00 processing fee for each referral. This fee must be paid within 30 days. Please make the cheque payable to the Osoyoos Indian Band re: RTS invoice: 5100-77-682. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

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

If the proposed activity requires a more in-depth review, the Osoyoos Indian Band will notify you and all parties will negotiate a Memorandum of Agreement regarding a process for review of the proposed activity.





Regional District of Okanagan-Similkameen  
February-27-19  
Page 2

Please note that our participation in the referral and consultation process does not define or amend the Osoyoos Indian Band'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.

limlæmt

A handwritten signature in black ink that reads "Amanda Anderson". The signature is written in a cursive style with a circular flourish at the end.

Amanda Anderson  
Referrals Officer  
Osoyoos Indian Band  
cc:



# OSOYOOS INDIAN BAND

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1155, SEN\*POK\*CHIN BOULEVARD, OLIVER BC, V0H 1T8  
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

February-27-19

Referral ID: D2019.001-ZONE/2455.40 Lot 605

RTS #: 1596

Date: February-04-19

**Reference#: R-77-001279**

Regional District of Okanagan-Similkameen  
101 Martin ST.  
Penticton, BC V2A 5J9

**RE: 60 (sixty) day extension**

Thank you for the above application that was received on February-08-19.

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 Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 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. Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

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

We appreciate your co-operation.

limlɛmt,

Amanda Anderson  
Referrals Officer  
Osoyoos Indian Band  
cc:





# OSOYOOS INDIAN BAND

---

1155, SEN\*POK\*CHIN BOULEVARD, OLIVER BC, V0H 1T8  
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

February-27-19

Referral ID: D2019.001-ZONE/2455.40 Lot 605

RTS #: 1596

Date: February-04-19

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Regional District of Okanagan-Similkameen  
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limlmt,

Amanda Anderson  
Referrals Officer  
Osoyoos Indian Band  
cc:



## Lauri Feindell

---

**To:** Judy Morris  
**Subject:** RE: Bylaw Referral (D2019.001-ZONE)

**From:** Judy Morris <ofid@telus.net>  
**Sent:** February 28, 2019 10:56 AM  
**To:** Lauri Feindell <lfeindell@rdos.bc.ca>  
**Subject:** RE: Bylaw Referral (D2019.001-ZONE)

Hi Lauri, sorry for not getting back to you, I only had one of five Trustees reply stating he supported the bylaw.

Judy



*Judy Morris  
Manager*

*OKANAGAN FALLS IRRIGATION DISTRICT  
PO Box 110 – 1109 Willow Street  
Okanagan Falls, BC  
VOH 1R0*

*Phone: 250.497.8541*

*Fax: 250.497.5817*

*Email: [ofid@telus.net](mailto:ofid@telus.net)*

*[www.okanaganfallsirrigationdistrict.ca](http://www.okanaganfallsirrigationdistrict.ca)*



February 26, 2019

File: 58000-20/2019011

Okanagan Regional District  
101 Martin Street  
Penticton BC V2A 5J9

Attention: Christopher Garrish

**Re:** OCP and Zoning Bylaw Amendment for Electoral Area "D" OPCP Bylaw No. 2603, 2013, and Zoning Bylaw No. 2455, 2008, located at 605 Willow Street, OK Falls and 176 Chadwell Place, Heritage Hills

---

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations & Rural Development has reviewed the above noted referral. We understand that the application is for zoning amendment of two parcels to reflect their new use for Parks and Recreation (PR) purposes.

According to our records, the proposed development area at 605 Willow Street, OK Falls contains the following known values:

- Critical Habitat for Federally-listed Species at Risk:
  - Short-rayed Aster (*Symphytotrichum frondosum*)
  - American Badger (*Taxidea taxus jeffersonii*)
  - Pallid Bat (*Antrozous pallidus*)
  - Behr's Hairstreak (*Antrozous pallidus*)
  - Rattlesnake (*Crotalus oreganus*)

And the proposed development area at 176 Chadwell Place, Heritage Hills contains the following known values:

- Conservation Ranking, Okanagan
  - High
- Critical Habitat for Federally-listed Species at Risk:
  - American Badger (*Taxidea taxus jeffersonii*)
  - Pallid Bat (*Antrozous pallidus*)
  - Rattlesnake (*Crotalus oreganus*); within 2km of a known den site
  - Lewis's Woodpecker (*Melanerpes lewis*)
- Species and Ecosystems at Risk
  - Antelope-brush/ Needle-and-Thread Grass (red listed in BC)

We have assessed this referral to be a known and potential risk to wildlife, fish or their habitats based on the information available. Based on critical habitat mapping, and the proximity of the first location to Skaha Lake, there exists the potential for impacts to species and ecosystems at risk, depending on the plans for development of park or recreation facilities. It is therefore recommended that prior to any development at either site, a QP conduct site-assessments using the attached QP checklist and evaluate the environmental values present. The QP will also be able to determine the potential for adverse effects to environmental values as a result of any future site alterations, and develop value-specific mitigation measures to avoid or limit adverse effects.

The results of this assessment should be submitted to the undersigned for review, and the submitted checklist must be based on the final development proposal. QPs are encouraged to contact the undersigned directly for further information if necessary. We will notify the referring agency of any outstanding recommendations for consideration in approving the application following review of the Checklist. In rare instances, a more detailed assessment (e.g., environmental impact assessment (EIA)) may be required based on our review of the completed Checklist. It is also the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Sustainability Act* and the *Wildlife Act*.

The undersigned may be reached at [Dan.Denesiuk@gov.bc.ca](mailto:Dan.Denesiuk@gov.bc.ca) or 250-490-8246 if you have any questions or require additional information.

Sincerely,



Dan Denesiuk, MSc, RPBio  
Ecosystems Biologist  
Thompson Okanagan Region  
Penticton, BC

DD/cl

Attachment: Thompson Okanagan Region Qualified Professional Checklist for Environmental Values



# Thompson Okanagan Region

## Qualified Professional Checklist for Environmental Values

### Foreword

The following Qualified Professional Checklist for Environmental Values (the Checklist) is to be submitted by a Qualified Professional (QP) when requested by the approving agency. The Checklist is required to provide additional information to Thompson Okanagan Region (TOR) Ecosystems biologists who have reviewed a proposal and determined that there are known or potential environmental values present that could be impacted by the proposed activities. The Checklist provides a clear summary of the environmental values present at the proposed project location and the potential for direct and/or indirect impacts to those values. TOR Ecosystems biologists require this information to provide inclusive recommendations for a proposed project.

The submitted checklist must be based on the final development proposal. Ecosystems biologists may have discussion with the QP in order to fully understand the values present and/or potential impacts. In rare instances a more detailed environmental impact assessment (EIA) may be required based on the Ecosystems biologists' review of the completed checklist.

### Environmental Values provided by TOR Ecosystems Biologists

Known (i.e., mapped) environmental values identified by Ecosystems biologists that should be considered in the completed checklist:	
<b>Note: The completed checklist should include <u>all environmental values</u> that could occur within the proposed project footprint (See Part B #2 below)</b>	

### Checklist

#### **Part A: General Project Information**

<b>Approving Agency</b>				
<b>Approving Agency File #</b>				
<b>Project Name</b>				
<b>Proponent Name and Contact</b>	Name: E-mail: Telephone:			
<b>Location</b>	Zone	NAD	Easting	Northing



<b>Location Description</b>			
<b>Property Description</b>	PID Number	Legal Description (if no PID #) <input type="checkbox"/> private <input type="checkbox"/> crown	
<b>BEC Subzone and Variant</b>			
<b>Size of Project Footprint (ha)</b>			
<b>Time to Complete Works</b>			
<b>Project Description Included with Application (Yes/No). If no, provide here</b>			

### **Part B: Biological Assessment Information**

<b>The Qualified Professional Confirms that:</b>	<b>Yes, No, or N/A</b>	<b>Explanation</b>
<b>General/Background Information</b>		
1) The proposal conforms to all Federal and Provincial legislation and regulation (e.g., <i>Migratory Birds Convention Act</i> , <i>Wildlife Act</i> , <i>Water Sustainability Act</i> )		
2) The QP has a general knowledge of local environmental values including Species and Ecosystems at Risk (SEAR) in project footprint (e.g., Develop with Care Sec. 5.7, Land and Resource Management Plans, etc.)		
3) A review of known /potential environmental values within the project footprint has occurred (See Table 1 for data sources). Provide a list of all values identified.		
4) Local "fact sheets" and Best Management Practices (BMPs) were used if applicable (See Table 2 for BMP sources)		
<b>Biological Field Assessment</b>		
5) A biological field assessment occurred within the project footprint. Provide dates.		

6) Inventories were conducted following provincial standards (e.g., RISC) to confirm presence/absence of environmental values identified above in #3. List any deviations. Provide list of all values inventoried for.		
7) Have any of the following been identified within or adjacent to (within 200 m) the project footprint.	Federal or Provincial SEAR (list all identified)	
	Habitat Features: (e.g., burrow, den, nest, lek, mineral lick, wildlife tree)	
	Sensitive Ecosystems (SEI Inventory)	
	Rocky Outcrops or Talus Slopes	
	Cottonwood /Aspen Stands	
	Riparian communities (List all communities identified)	
	Streams, lakes, wetlands (including ephemeral wetlands)	
8) SEAR findings have been provided to the WSI and CDC in an appropriate data submission format.		
<b>Impact Assessment</b>		
9) A map is provided showing all environmental values identified in #6 and #7. The map depicts the location of all proposed activities relative to the values.		
10) Pictures are provided of all environmental values found in #6 and #7.		
11) Can direct and/or indirect impacts to environmental values be avoided? Provide brief explanation.		
12) Can direct or indirect impacts to environmental values be minimized, mitigated, or restored on-site? If yes, provide suggested mitigation below		

(Part C). Use hierarchy and procedures from the Environmental Mitigation Policy (See Table 2 for source)		
--	--	--

### ***Part C: Proposed Mitigation***

Please provide the measures that in the QP's professional opinion will contribute to the avoidance, mitigation, or restoration of direct and/or indirect impacts from the proposed activities on environmental values identified in Part B. Ecosystems biologists will determine which mitigation measures are provided to the decision maker and may provide additional measures if deemed applicable.

--

### ***Part D: Risk Assessment on Final Submission***

This assessment requires the professional judgment of the QP. It requires a complete understanding of the environmental values and the project scope. The risk assessment as determined by the QP will provide valuable environmental information necessary to provide inclusive recommendations to the decision maker.

<b>The Qualified Professional Confirms that:</b>	<b>Yes, No, or N/A</b>	<b>Explanation</b>
In the QP's professional opinion, will the proposed mitigation maintain the integrity of the environmental value?		
Are there residual impacts after avoidance, mitigation, and restoration have been applied as in the Environmental Mitigation Policy? If yes, provide details.		

In the QP's professional opinion, is the mitigation not sufficient or likelihood of success unclear?		
--	--	--

- All information provided in this checklist is to the best of my professional knowledge true and complete.

Name of Qualified Professional: \_\_\_\_\_

Professional Association and Number: \_\_\_\_\_

Date: \_\_\_\_\_



## Data Sources for SEAR and BMPs

Table 1. Data sources for Environmental Values

Environmental Values	Available Data Sources
Conservation Data Centre (CDC) Species at Risk	BC Species and Ecosystems Explorer: <a href="http://www.env.gov.bc.ca/atrisk/toolintro.html">http://www.env.gov.bc.ca/atrisk/toolintro.html</a> Habitat Wizard: <a href="http://www.env.gov.bc.ca/habwiz/">http://www.env.gov.bc.ca/habwiz/</a> DataBC Catalogue: <a href="http://catalogue.data.gov.bc.ca/dataset?download_audience=Public">http://catalogue.data.gov.bc.ca/dataset?download_audience=Public</a> DataBC iMapBC: <a href="http://www.data.gov.bc.ca/dbc/geographic/view_and_analyze/imapbc/index.page">http://www.data.gov.bc.ca/dbc/geographic/view_and_analyze/imapbc/index.page</a>
Wildlife Species Inventory (WSI) Species at Risk Data	WSI Homepage: <a href="http://www.env.gov.bc.ca/wildlife/wsi/index.html">http://www.env.gov.bc.ca/wildlife/wsi/index.html</a> Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Conservation Lands	Information Page and Maps: <a href="http://www.env.gov.bc.ca/fw/habitat/conservation-lands/">http://www.env.gov.bc.ca/fw/habitat/conservation-lands/</a> Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Kamloops, Lillooet and Okanagan Land and Resource Management Plans (LRMP)	Kamloops: <a href="https://www.for.gov.bc.ca/tasb/slrp/plan46.html">https://www.for.gov.bc.ca/tasb/slrp/plan46.html</a> Okanagan: <a href="https://www.for.gov.bc.ca/tasb/slrp/plan70.html">https://www.for.gov.bc.ca/tasb/slrp/plan70.html</a> Lillooet: <a href="https://www.for.gov.bc.ca/tasb/slrp/plan58.html">https://www.for.gov.bc.ca/tasb/slrp/plan58.html</a> Spatial Layers: DataBC Catalogue, DataBC iMapBC: See links above
Approved Ungulate Winter Ranges (UWR)	Orders and Maps: <a href="http://www.env.gov.bc.ca/wld/frpa/ur/index.html">http://www.env.gov.bc.ca/wld/frpa/ur/index.html</a> Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Approved Wildlife Habitat Areas (WHA)	Orders and Maps: <a href="http://www.env.gov.bc.ca/wld/frpa/iwms/wha.html">http://www.env.gov.bc.ca/wld/frpa/iwms/wha.html</a> Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Old Growth Management Areas (OGMA)	Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Environment and Climate Change Canada: Critical Habitat in BC	<a href="http://donnees.ec.gc.ca/data/species/developplans/critical-habitat-for-species-at-risk-british-columbia/?lang=en">http://donnees.ec.gc.ca/data/species/developplans/critical-habitat-for-species-at-risk-british-columbia/?lang=en</a>
Fisheries and Aquatic Species Information	Fisheries Information Summary System: <a href="http://www.env.gov.bc.ca/fish/fiss/index.html">http://www.env.gov.bc.ca/fish/fiss/index.html</a> Flood Plain Mapping: <a href="http://www.env.gov.bc.ca/wsd/data_searches/fpm/reports/region3.html">http://www.env.gov.bc.ca/wsd/data_searches/fpm/reports/region3.html</a> Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Terrestrial Ecosystem Mapping (TEM)	Information Page: <a href="http://www.env.gov.bc.ca/ecology/tem/manuals.html">http://www.env.gov.bc.ca/ecology/tem/manuals.html</a> Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Sensitive Ecosystems Inventory (SEI)	<a href="http://www.env.gov.bc.ca/sei/">http://www.env.gov.bc.ca/sei/</a> Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See

	links above
Other Resources for All Values:	Ecological Reports Catalogue: Ecocat <a href="http://www.env.gov.bc.ca/ecocat/">http://www.env.gov.bc.ca/ecocat/</a> Biogeoclimatic Ecosystem Classification: <a href="https://www.for.gov.bc.ca/hre/becweb/">https://www.for.gov.bc.ca/hre/becweb/</a> E-fauna: <a href="http://ibis.geog.ubc.ca/biodiversity/efauna/">http://ibis.geog.ubc.ca/biodiversity/efauna/</a> E-flora: <a href="http://ibis.geog.ubc.ca/biodiversity/eflora/">http://ibis.geog.ubc.ca/biodiversity/eflora/</a>

Table 2. Sources of Provincial BMPs and Guidance Documents

Provincial BMPs & Guidance Documents	Source
Provincial guidelines and BMP documents.	<a href="http://www.env.gov.bc.ca/wld/BMP/bmpintro.html#first">http://www.env.gov.bc.ca/wld/BMP/bmpintro.html#first</a>
RISC Standards	<a href="https://www.for.gov.bc.ca/hts/risc/pubs/">https://www.for.gov.bc.ca/hts/risc/pubs/</a>
Develop with Care Environmental Guidelines	<a href="http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/index.html">http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/index.html</a>
Environmental Mitigation Policy for BC	<a href="http://www.env.gov.bc.ca/emop">http://www.env.gov.bc.ca/emop</a>
Riparian Area Regulation	<a href="http://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/riparian-areas-regulation">http://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/riparian-areas-regulation</a>
Working Around Water	<a href="http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/working-around-water">http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/working-around-water</a>
Standards & Best Practices for Instream Works	<a href="http://www.env.gov.bc.ca/wld/documents/bmp/iswstdsbpsmarch2004.pdf">http://www.env.gov.bc.ca/wld/documents/bmp/iswstdsbpsmarch2004.pdf</a>
Shoreline Management Guidelines for Shuswap Lake Area	<a href="http://www.fraserbasin.bc.ca/Library/TR_SLIPP/SLIPP_Shoreline_Mgmt_Guidelines_Shuswap_Mara_Lakes.pdf">http://www.fraserbasin.bc.ca/Library/TR_SLIPP/SLIPP_Shoreline_Mgmt_Guidelines_Shuswap_Mara_Lakes.pdf</a>
Instream Works Timing Windows	<a href="http://www.env.gov.bc.ca/wld/instreamworks/regionaltimingwindows.htm">http://www.env.gov.bc.ca/wld/instreamworks/regionaltimingwindows.htm</a>

Table 3. Sources for Local Government Guidelines

Guidance Document	Source
TNRD Lakeshore Development Guidelines	<a href="https://tnrd.civicweb.net/document/17913/Lakeshore%20Development%20Guidelines.pdf">https://tnrd.civicweb.net/document/17913/Lakeshore%20Development%20Guidelines.pdf</a>
Shuswap Watershed Mapping	<a href="http://www.csr.bc.ca/services/development-planning/maps">http://www.csr.bc.ca/services/development-planning/maps</a>

Table 4. DFO and other Federal Resources

Guidance Description	Source
Fisheries & Oceans Canada - projects near water	<a href="http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html">http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html</a>
Environment and Climate Change Canada: Critical Habitat in BC	<a href="http://donnees.ec.gc.ca/data/species/developplans/critical-habitat-for-species-at-risk-british-columbia/?lang=en">http://donnees.ec.gc.ca/data/species/developplans/critical-habitat-for-species-at-risk-british-columbia/?lang=en</a>

Water Survey Canada - hydrometric data	<a href="http://www.ec.gc.ca/rhc-wsc/default.asp?lang=En">http://www.ec.gc.ca/rhc-wsc/default.asp?lang=En</a>
Species at Risk Public Registry	<a href="https://www.registrelep-sararegistry.gc.ca/default.asp?lang=En&amp;n=24F7211B-1">https://www.registrelep-sararegistry.gc.ca/default.asp?lang=En&amp;n=24F7211B-1</a>
Incidental Take of Migratory Birds	<a href="https://www.ec.gc.ca/paom-itmb/">https://www.ec.gc.ca/paom-itmb/</a>



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Early Termination of a Land Use Contract – Electoral Area “D”

---

## **Administrative Recommendation:**

**THAT Bylaw No. 2603.18, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.32, 2019, Electoral Area “D” Zoning Amendment Bylaw be adopted.**

---

Purpose: To replace Land Use Contract No. LU-12-D-76 with a Small Holdings Four (SH4) Zone.

Owners: William Lewis & David Ward      Agent: Not applicable      Folio: D-05095.000

Civic: 781 Highway 97, OK Falls      Legal: Lot A, Plan KAP28126, District Lot 2193, SDYD

Zone: Not applicable (Land Use Contract)      Proposed Zoning: Small Holdings Four (SH4)

---

## **Proposed Development:**

The amendment bylaws propose to terminate Land Use Contract No. LU-12-D-76 (being Bylaw No. 304) from the the property at 781 Highway 97 and to zone the property Small Holdings Four (SH4) under the Electoral Area “D-2” Zoning Bylaw No. 2455, 2008, and to change the land use designation of an approximately 1,091 m<sup>2</sup> part of the property from Conservation Area (CA) to Small Holdings (SH).

## **Background:**

A Public Information Meeting was held on March 13, 2018, at the Community Centre in Okanagan Falls and approximately six (6) members of the public were in attendance.

At its meeting of March 13, 2018, the Electoral Area “D” Advisory Planning Commission (APC) was schedule to consider this proposal, but failed to achieve quorum.

At its meeting of March 4, 2019, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of April 4, 2019.

A Public Hearing was held on April 4, 2019, where the property owners and one (1) member of the public attended. At its meeting of that same date, the Board resolved to approve third reading of the amendment bylaw.

Approval from the Ministry of Transportation and Infrastructure (MoTI) due to the amendment applying to land within 800 metres of a controlled area, was obtained on April 10, 2019.

## **Alternatives:**

- 
1. THAT first, second & third reading of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.18, 2019, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.32, 2019, be rescinded and the bylaws abandoned.
  2. THAT adoption of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.18, 2019, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.32, 2019, be deferred.

**Respectfully submitted:**



C. Garrish, Planning Manager

**Endorsed by:**



B. Dollevoet, General Manager of Development Services

Attachments: No. 1 – Site Photo

Attachment No. 2 – Site Photo



Subject  
Property

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2603.18, 2019**

---

**A Bylaw to amend the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013**

---

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Official Community Plan Amendment Bylaw No. 2603.18, 2019."
2. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by changing the land use designation of an approximately 1,091 m<sup>2</sup> area of shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Conservation Area (CA) to Small Holdings (SH).

READ A FIRST AND SECOND TIME this 7<sup>th</sup> day of March, 2019.

PUBLIC HEARING held on this 4<sup>th</sup> day of April, 2019.

READ A THIRD TIME this 4<sup>th</sup> day of April, 2019.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

---

Board Chair

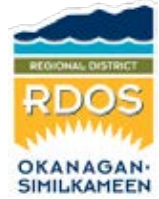
---

Chief Administrative Officer



# Regional District of Okanagan-Similkameen

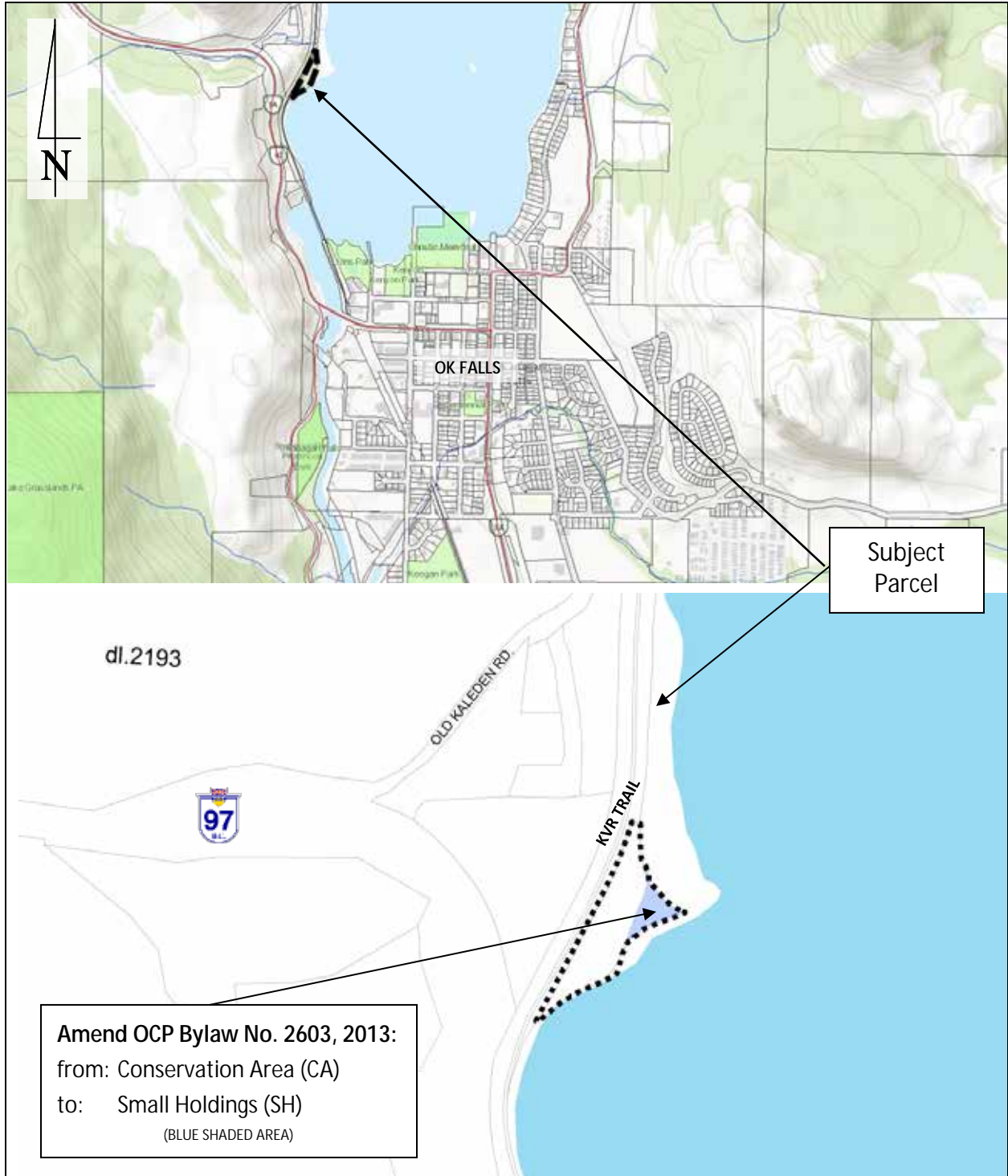
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.18, 2019

Project No: D2018.013-ZONE

## Schedule 'A'



Amendment Bylaw No. 2603.18, 2019  
(D2018.013-ZONE)

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2455.32, 2018**

---

**A Bylaw to terminate Land Use Contract No. LU-12-D-77 and to amend the Electoral Area "D" Zoning Bylaw No. 2455, 2008**

---

WHEREAS pursuant to s. 548 of the *Local Government Act*, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Land Use Contract LU-12-D-77 Termination and Zoning Amendment Bylaw No. 2455.32, 2018."
2. The Land Use Contract No. LU-12-D-77, registered in the Kamloops Land Title Office under charge number M42703 against title to the land described as Lot A, Plan KAP28126, District Lot 2193, SDYD, and shown shaded yellow on the attached Schedule 'A' (which forms part of this Bylaw), is terminated.
3. The land described as Lot A, Plan KAP28126, District Lot 2193, SDYD, and shown shaded yellow on the attached Schedule 'A' (which forms part of this Bylaw) is zoned Small Holdings Four (SH4) in Regional District Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2455, 2008 and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.
4. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation of an approximately 1,091 m<sup>2</sup> area of land shown shaded blue on Schedule 'A', which forms part of this Bylaw, from Conservation Area (CA) to Small Holdings Four (SH4).
5. Sections 2 & 3 of this Bylaw shall come into force on the day that is one year and one day after the date this Bylaw is adopted.

READ A FIRST AND SECOND TIME this 7<sup>th</sup> day of March, 2019.

PUBLIC HEARING held on this 4<sup>th</sup> day of April, 2019.

READ A THIRD TIME this 4<sup>th</sup> day of April, 2019.

Approved pursuant to Section 546(4) of the *Local Government Act* this 10th day of April, 2019.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

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

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



# Regional District of Okanagan-Similkameen

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

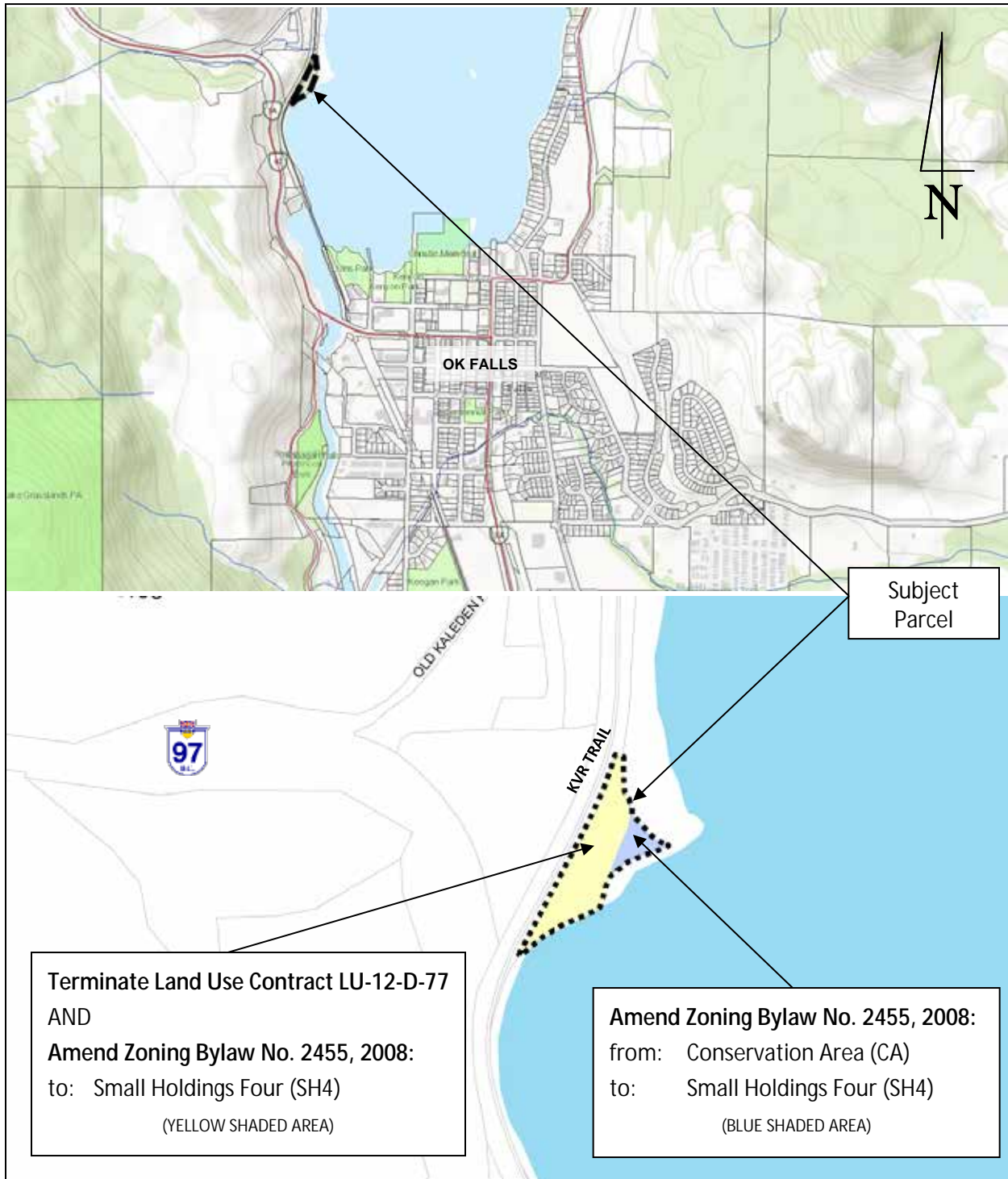
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.32, 2019

File No. D2018.013-ZONE

## Schedule 'A'



## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 18, 2019

**RE:** Provincial License of Occupation Application – OK Falls Public Boat Launch

---

### **Administrative Recommendation:**

**THAT the Board of Directors support an application to the Province of British Columbia for a License of Occupation (LOO) over a Crown foreshore parcel in OK Falls for 10 years.**

### **Purpose:**

To acquire tenure over the Crown foreshore parcel that underlies the public boat launch in OK Falls for a ten-year period. The parcel is described as follows:

*All that unsurveyed Crown foreshore being part of the bed of Skaha Lake and fronting Main Street as shown on Plan 35419 of District Lot 337, Similkameen Division Yale District, containing 0.057 hectares, more or less.*

### **Reference:**

Parcel Map

### **Business Plan Objective:**

- 3 Key Success Driver
- 3.1 To develop a socially sustainable region
- 3.1.7 By providing public recreational opportunities

### **Background:**

The RDOS has operated and maintained the public boat launch facility in OK Falls for over 20 years. The most recent tenure held by the RDOS was a ten-year License of Occupation, which expired in May of 2017. The Crown has offered the RDOS a replacement Licence of Occupation having a ten-year term expiring May of 2027.

### **Analysis:**

Obtaining a license of occupation from the Province would allow the RDOS to continue operations and maintenance of the OK Falls boat launch.

### **Alternatives:**

That the Board not support application to the Province for a Licence of Occupation at this time.

Respectfully submitted:

*"Doug Reeve"*

---

D. Reeve, Project Coordinator

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 18, 2019

**RE:** BL 2853 Oliver/Electoral Area C Parks & Recreation Society Services Capital Reserve Fund Expenditure

---

### Administrative Recommendation:

**THAT Bylaw No.2853, 2019, Oliver/Electoral Area C Parks & Recreation Society Services Capital Reserve Fund Expenditure Bylaw for the expenditure of \$165,000 towards improvements of the community centre administration area be read a first, second and third time and be adopted.**

### Reference:

Bylaw 2702, 2015 – Oliver/Electoral Area C Capital Reserve Fund Establishment Bylaw.  
Bylaw 2853, 2019 – Oliver/Electoral Area C Parks & Recreation Society Services Capital Reserve Fund Expenditure Bylaw.

### Background:

The Community Hall (office side) was built in the late 1970's and for decades the administration office was a working space for 1-2 employees. The capacity of the organization has significantly increased over the past 20 years, currently there are 4 full time employees, 2 part-time/relief employees and a contract bookkeeper all trying to fulfill their job duties and provide excellent customer service out of the same footprint. The administration office is the location where all programming, event planning, registration and reservations, accounting, procurement, grant writing, human resources/labour management take place and the organization's primary location for customer service.

### Analysis:

Thinkspace architects visited the site to conduct inspections and meet with staff and determined that while the footprint of the office could not increase, the space could be reconfigured to meet the following concerns:

- 1) provide an accessible entrance and customer service area
- 2) improve customer service capacity and satisfaction
- 3) increase productivity of employees

- 4) address the issues with energy loss, heating/cooling, electrical and data needs
- 5) bring the building up to fire safety code following the weight room expansion

The total anticipated project budget is \$170K. Some of the work will be covered within the existing budget (mechanical and electrical supplies, HVAC etc) and OPRS is requesting that up to \$165K be transferred from reserves to cover the costs of the construction project.

At the March 18 regular meeting of the OPR Society,

*It was MOVED and SECONDED that the Society accepts staff recommendation as presented to request that the funds required for improvements to the Community Centre administration office from the RDOS (up to \$165K) be drawn from the appropriate service establishment bylaw. Schafer/Magoffin. CARRIED*

The current balance in the reserve account is \$967,400.

**Alternatives:**

Status Quo – Project does not go forward

**Respectfully submitted:**

*“John Kurvink, Manager of Finance/CFO”*

---

J. Kurvink, Finance Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2853, 2019**

---

A bylaw to authorize the expenditure of monies from the Oliver Parks & Recreation Services Capital Reserve Fund for improvements to the community centre administration area

---

**WHEREAS** Section 377 of the Local Government Act, and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;

**AND WHEREAS** the 'Oliver Parks & Recreation Capital Reserve Fund' has sufficient monies available for community capital projects;

**NOW THEREFORE**, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

**1 Citation**

- 1.1 This Bylaw shall be cited as the "Oliver Parks & Recreation Capital Reserve Fund Expenditure Bylaw No. 2853, 2019"
2. The expenditure of \$165,000 from the Oliver Parks & Recreation Services Capital Reserve Fund is hereby authorized for improvements to the community centre administration area

**READ A FIRST, SECOND, AND THIRD TIME** this \_\_\_ day of \_\_\_, 2019

**ADOPTED** this \_\_\_ day of \_\_\_, 2019

---

RDOS Board Chair

---

Corporate Officer



# OLIVER PARKS AND RECREATION COMMUNITY CENTER - OFFICE RENOVATION

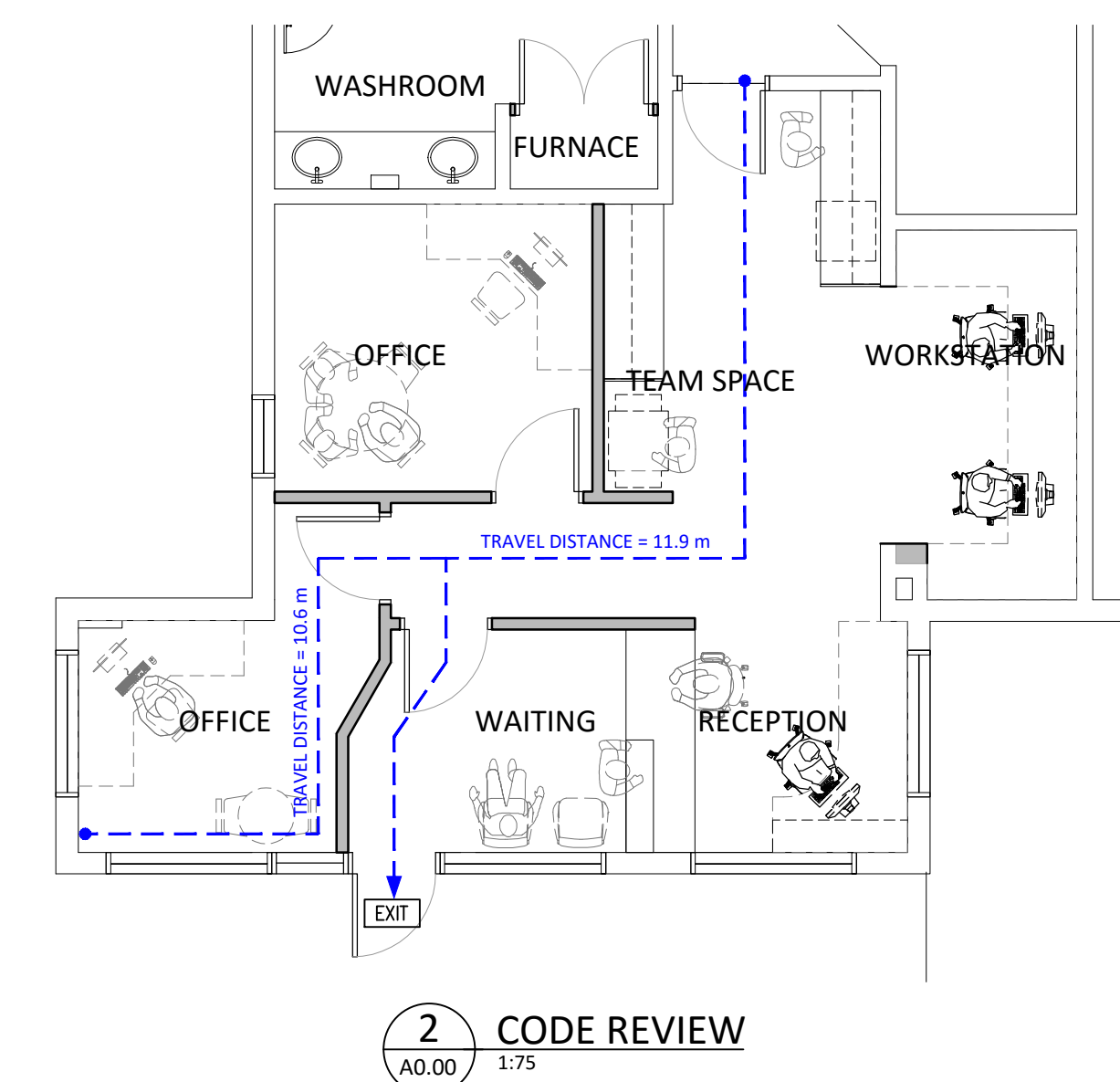
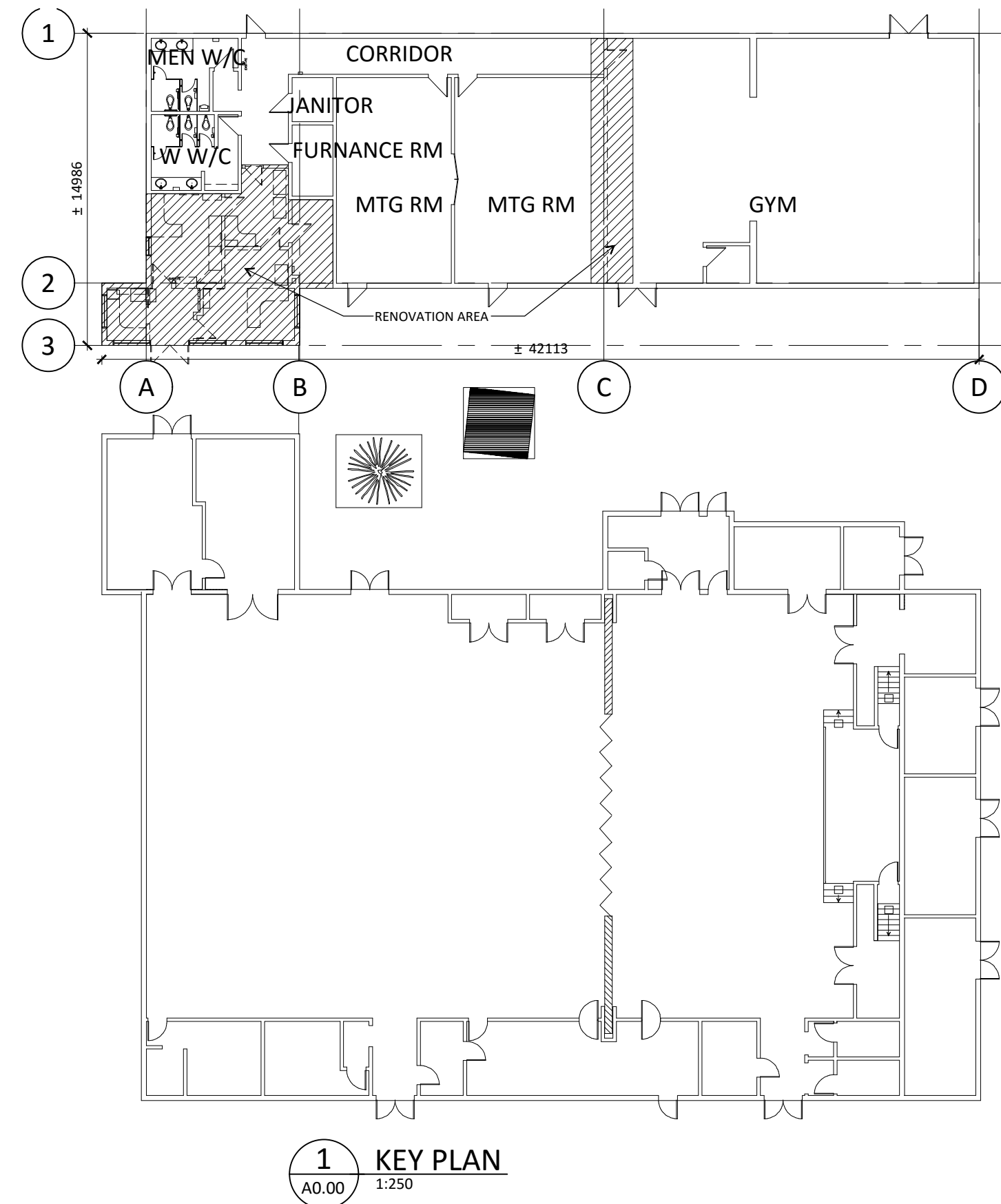
665 MCKINNEY ROAD, OLIVER BC V0H 1T0

**ARCHITECTURAL**  
 THINKSPACE ARCHITECTURE PLANNING INTERIOR DESIGN  
 Suite 300 - 10190 152A Street, Surrey, BC V3R 1J7  
 PH: (604) 581-8128 EMAIL: admin@thinkspace.ca  
 A0.00 COVER SHEET, CODE REVIEW & SITE PLAN  
 A1.01 DEMOLITION PLANS AND REFLECTED CEILING PLANS  
 A1.02 NEW PANS AND REFLECTED CEILING PLANS  
 A1.03 ROOF PLAN & ELECTRICAL SCHEMATIC  
 A7.01 MILLWORK DETAILS AND SCHEDULES

**MECHANICAL**  
 ROCKY POINT ENGINEERING  
 Suite 201, 1420 St. Paul Street, Kelowna BC V1Y 2E6  
 PH: (250) 763-3759 EMAIL: bob.alexander@rpeng.ca  
 M-0 TITLE PAGE  
 M-1 DEMO, HVAC & PLUMBING PLANS  
 M-2 SPECIFICATIONS

## ABBREVIATIONS

ADD	ADDENDUM	N	NORTH
AFF	ABOVE FINISHED FLOOR	NF	NEAR FACE
AL	ALUMINUM	N.I.C	NOT IN CONTRACT
ANOD	ANODIZED	NO	NUMBER
ARCH	ARCHITECTURAL	NOM	NOMINAL
AS	ACOUSTIC SEALANT	NTS	NOT TO SCALE
AT	ACOUSTICAL TILE		
BDRM	BEDROOM	OA	OVERALL
BL	BUILDING LINE	OC	ON CENTER
BLDG	BUILDING	OD	OUTSIDE DIAMETER
BM	BENCH MARK	OH	OVERHEAD
BOT	BOTTOM	OHD	OVERHEAD DOOR
BRG	BEARING	OJO	OUT TO OUT
BSMT	BASEMENT	OPNG	OPENING
BU	BUILT UP	OSCI	OWNER SUPPLY/CONTRACTOR INSTALL
		P	PAINT
C	CENTER LINE	P-LAM	PLASTIC LAMINATE
C/C	CENTER TO CENTER	PC	PRECAST CONCRETE
CG	CORNER GUARD	PERP	PERPENDICULAR
CJ	CONTROL JOINT	PL	PROPERTY LINE
CLAG	CAULKING	PLY	PLYWOOD
CMU	CONCRETE MASONRY UNIT	PCN	PROPOSED CHANGE NOTICE
CO	CLEAN OUT	PSF	PRESSED STEEL FRAME
CONC	CONCRETE	PTN	PARTITION
CONST	CONSTRUCTION	PVC	POLY VINYL CHLORIDE
CPT	CARPET	QT	QUARRY TILE
CPTT	CARPET TILE	QTY	QUANTITY
CT	CERAMIC TILE		
C/W	COMPLETE WITH	R	RISER, RADIUS
D	DOOR	R&S	ROD AND SHELF
DCS	DOUBLE CLEAR SAFETY GLASS	RB	RUBBER, RUBBER BASE
DEMO	DEMOLITION	RBC	RUBBER BASE COVERED
DET	DETAIL	RBS	RUBBER BASE STRAIGHT
DF	DRINKING FOUNTAIN	RCP	REFLECTED CEILING PLAN
DI	DIAMETER	RD	ROOF DRAIN
DN	DOWN	REQD	REQUIRED
DTS	DOUBLE TINTED SAFETY GLASS	REV	REVISION
DWG	DRAWING	RH	RIGHT HAND
		RO	ROUGH OPENING
ELECT	ELECTRICAL	ROW	RIGHT OF WAY
ELEV	ELEVATOR, ELEVATION	RS	RESILIENT TILE
ENCL	ENCLOSURE	RT	RESILIENT SHEET
EQ	EQUAL		
EX	EXISTING	S&FB	SOUND ATTENUATION FIBERGLAS BATTS
EXP	EXPANSION, EXPOSED EXTERIOR	SC	SOLID CORE WOOD DOOR
FA	FIRE ALARM	SCS	SINGLE CLEAR SAFETY GLASS
FD	FLOOR DRAIN	SIM	SIMILAR
FDN	FOUNDATION	SPEC	SPECIFICATION
FE	FIRE EXTINGUISHER	SS	STAINLESS STEEL
FFE	FINISHED FLOOR ELEVATION	ST	STAIN
FHC	FIRE HOSE CABINET	STC	SOUND TRANSMISSION CLASS
FIN	FINISH	STL	STEEL
FP	FIRE PROOF	STRUC	STRUCTURAL
FRR	FIRE RESISTANCE RATING	STS	SINGLE TINTED SAFETY GLASS
FRP	FIBREGLASS REINFORCED PANEL	STUJ	STUCCO
FURN	FURNITURE	SUSP	SUSPENDED
		SV	STONE VENEER
GA	GALVE	T/O	TOP OF
GALV	GALVANIZED	T&B	TOP AND BOTTOM
GFA	GROSS FLOOR AREA	T&G	TONGUE AND GROOVE
GL	GLAZING	TBC	TO BE CONFIRM
GLB	GLASS BLOCK	TEL	TELEPHONE
GR	GRANITE	TEM	TEMPERED (GLASS)
GWB	Gypsum WALL BOARD	TEMP	TEMPORARY
HB	HARDBOARD	TERR	TERRAZZO
HC	HOLLOW CORE	THK	THICK
HDWD	HARDWOOD	TF	TINT FILM
HDW	HARDWARE	TR	TREAD
HWP	HIGH IMPACT WALL PANEL	TRAV	TRAVERTINE
HM	HOLLOW METAL	TYP.	TYPICAL
HMD	HOLLOW METAL DOOR		
HSS	HOLLOW STRUCTURAL STEEL	UH	UNIT HEATER
HT	HEIGHT	UNFIN	UNFINISHED
ID	INSIDE DIAMETER	U.N.O	UNLESS NOTED OTHERWISE
IMD	INSULATED METAL DOOR	U/S	UNDERSIDE
INSUL	INSULATION	VEST	VESTIBULE
		VB	VINYL BASE, VAPOR BARRIER
JST	JOIST	VR	VAPOR BARRIER
JT	JOINT	VOS	VERIFY ON SITE
		VT	VINYL TILE
KG	KILOGRAM	W	WOOD
KM	KILOMETER	W	WITH
KO	KNOCKOUT	W/C	WATER CLOSET
		WD	WINDOW
L	LENGTH, LONG	WG	WIRED GLASS
LAM	LAMINATED GLAZING	WM	WIRE MESH
LAV	LAVATORY	W/O	WITHOUT
LH	LEFT HAND	WP	WORK POINT, WATERPROOF
LIN	LINEAR	WV	WOOD VENEER
LINO	LINOLEUM	WWF	WELODED WIRE FABRIC
LL	LIVE LOAD		
LVR	LOUVRE		
LWC	LIGHT WEIGHT CONCRETE		
m	METER		
MARB	MARBLE		
MATL	MATERIAL		
MAX	MAXIMUM		
MECH	MECHANICAL		
MEMB	MEMBRANE		
MEZZ	MEZZANINE		
MIN	MINIMUM		
MISC	MISCELLANEOUS		
mm	MILLIMETER		
MTL	METAL		



PROJECT DESCRIPTION	
PROJECT NAME	OLIVER PARKS & RECREATION, COMMUNITY CENTER OFFICE RENOVATION
PROJECT ADDRESS	665 MCKINNEY ROAD, OLIVER BC V0H 1T0
LEGAL DESCRIPTION	LOT A, PLAN KAP38045, DISTRICT LOT 24505, LAND DISTRICT SIMILKAMEEN DIVISION OF YALE
COORDINATING PROFESSIONAL	TODD DUST, ARCHITECT AIBC AT THINKSPACE ARCHITECTURE PLANNING INTERIOR DESIGN
GOVERNING BUILDING CODE	BRITISH COLUMBIA BUILDING CODE (BCBC) 2012 & AMENDMENTS
MAJOR OCCUPANCY	GROUP A, DIVISION 2, 1 STOREY
PROJECT TYPE	INTERIOR RENOVATION, LEVEL 1
RENOVATION AREA	69.74 m <sup>2</sup>
TOWN OF OLIVER BYLAWS	UNCHANGED BY PROJECT

BUILDING CONSTRUCTION, BCBC 3.2.2.28	
GROUP A, DIVISION 2, ONE STOREY	
EXISTING # STOREYS	1
SPRINKLERED	NO
CONSTRUCTION	COMBUSTIBLE OR NON-COMBUSTIBLE
FLOOR ASSEMBLIES	N/A
MEZZANINES	N/A
SUPPORTING STRUCTURE	N/A
MAXIMUM FLOOR AREA OF 800 m <sup>2</sup> WITH NO FIRE COMPARTMENT GREATER THAN 400 m <sup>2</sup> .	

## BUILDING CODE REVIEW

OCCUPANCY LOAD		(ALL AREAS IN M <sup>2</sup> )		
EXISTING OCCUPANCY LOAD (BCBC TABLE 3.1.17.1)		TOTAL: 396		
ROOM NO.	ROOM NAME	AREA	AREA / PERSON	TOTAL PERSONS
1	OFFICE	8.9	9.3	1.0
2	OFFICE	10.8	9.3	1.2
4	WORKSTATION	6.5	9.3	0.7
5	RECEPTION	6.5	9.3	0.7
6	WAITING	7.9	9.3	0.8
10	MEETING	58.4	0.8	77.9
11	MEETING	70.7	0.8	94.3
12	GYM	207.6	1.0	218.5
*OCCUPANCY BY COUNT INSTEAD OF CALCULATION.		<b>TOTALS</b>	<b>395.0</b>	

OCCUPANT LOAD TO HAVE A POSTED LIMIT OF 150 PERSONS BASED ON WASHROOM COUNT.

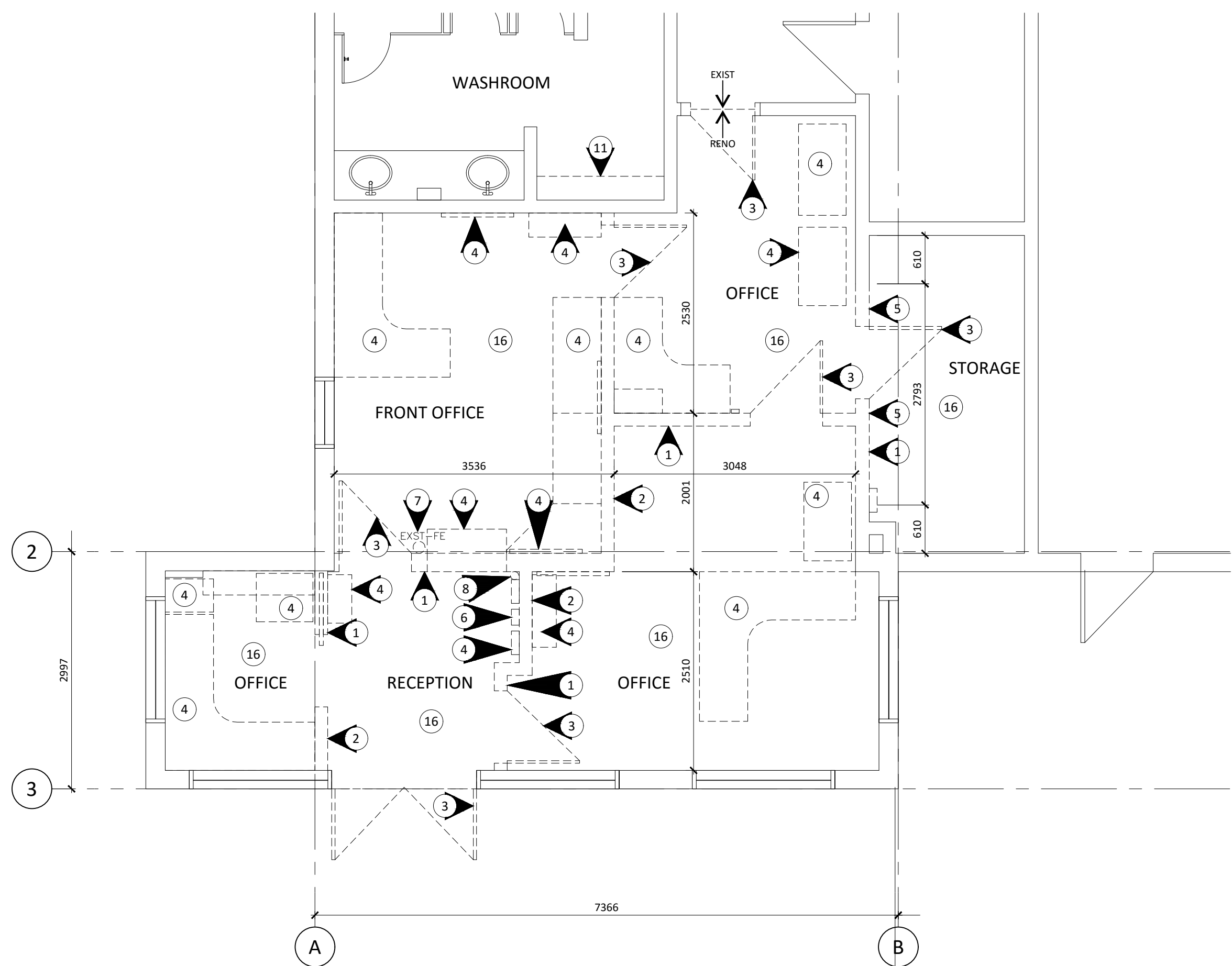
ISSUED FOR	GLOBAL REVISIONS LIST*
BID	NO. DATE DESCRIPTION
	1 2018-10-09 ISSUED FOR BID

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 Thinkspace, a partnership of:  
 Todd Dust, Architect AIBC  
 Ray Wolfe, Architect AIBC  
 Hank Kampanian, Architect AIBC  
 Leonard Boag, Architect AIBC, A.A.A.

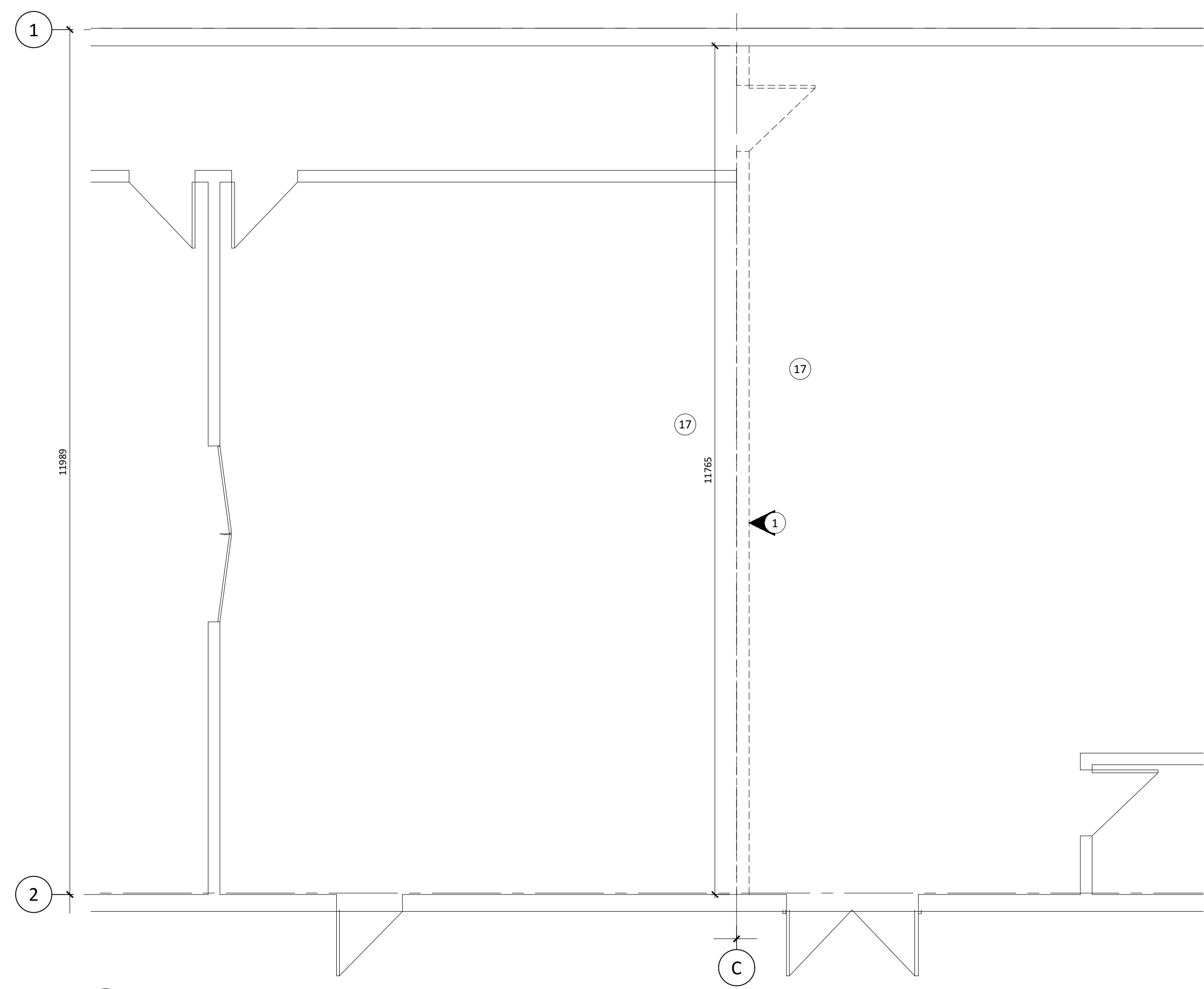
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 206-1470 St. Paul Street | Kelowna, BC | V1Y 2E6  
 t (250) 762 2503 f (250) 861 5047 www.thinkspace.ca

Project Number: **18688**  
 Drawing: **COVER SHEET, CODE REVIEW & SITE PLAN**  
 Scale: AS NOTED  
 Project: **OLIVER PARKS & RECREATION COMMUNITY CENTRE - OFFICE RENOVATION**  
 6359 PARK DRIVE, OLIVER, BC V0H 1T0  
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 Plot Date: 2018-10-09

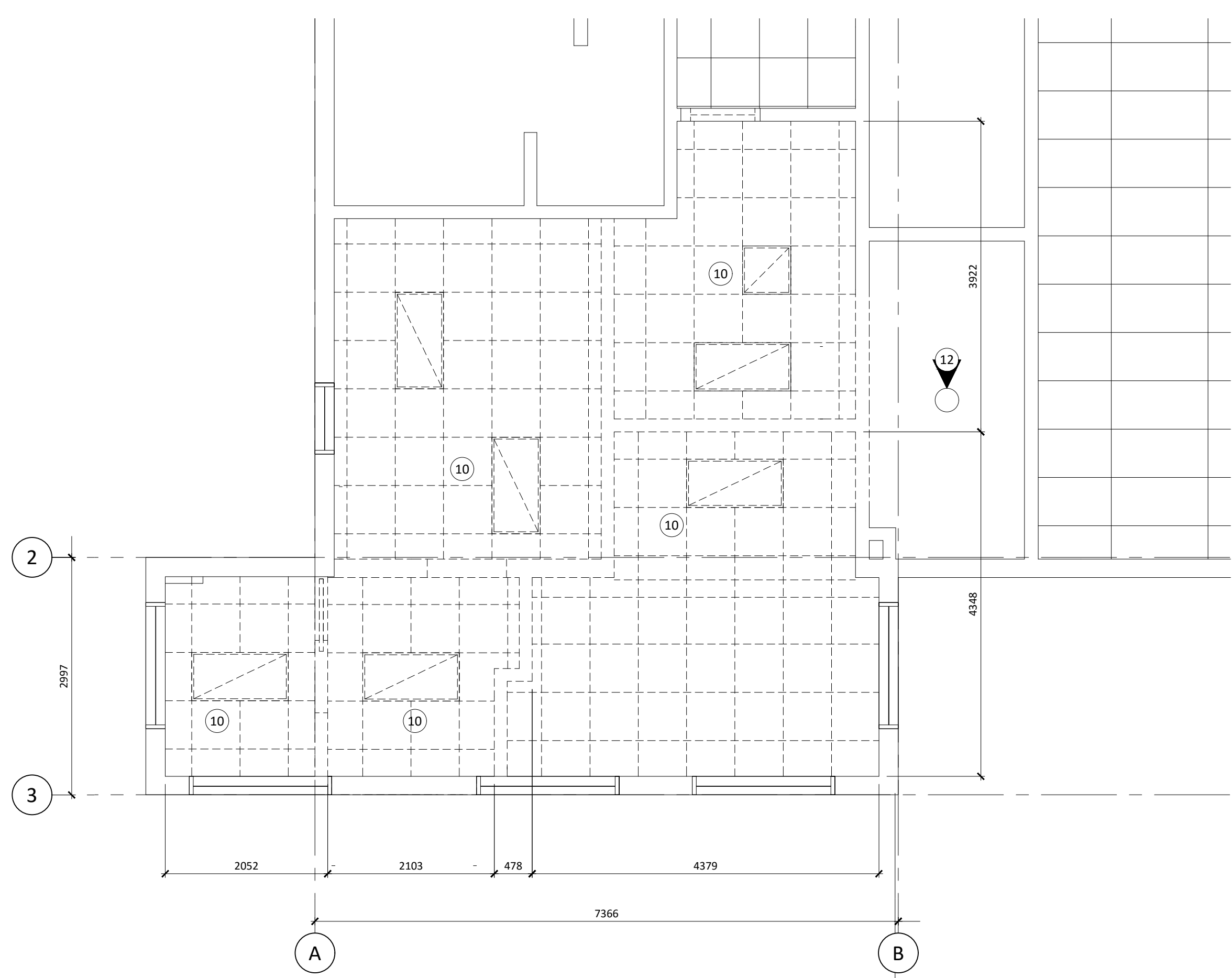




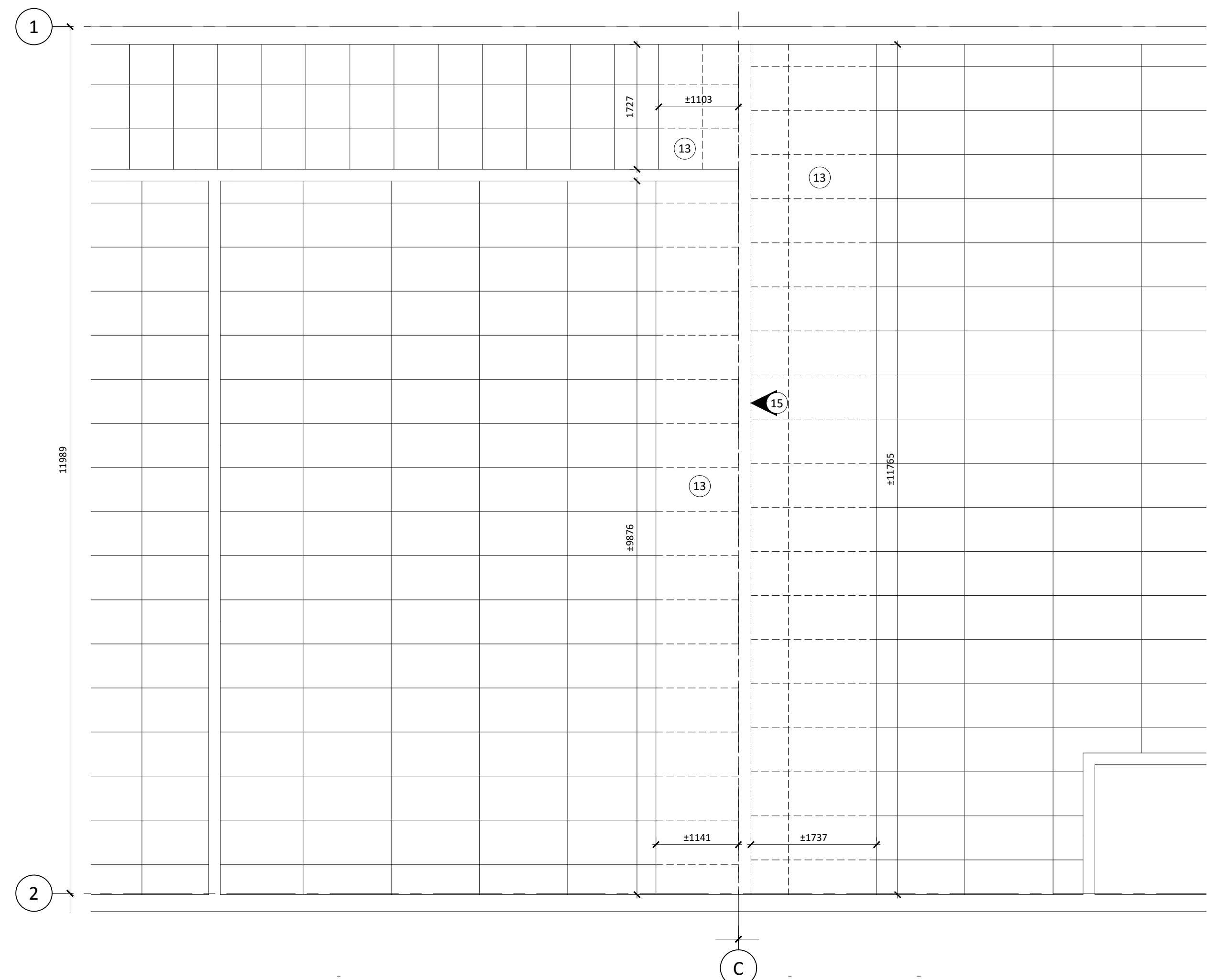
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A1.01 1:50



**2 FLOOR PLAN - DEMOLITION**  
A1.01 1:50



**3 REFLECTED CEILING PLAN - DEMOLITION**  
A1.01 1:50



**4 REFLECTED CEILING PLAN - DEMOLITION**  
A1.01 1:50

**TAGS AND MARKERS**

<b>F1</b>	<b>F1</b>	FLOOR ASSEMBLY
<b>P1</b>	<b>P1</b>	WALL ASSEMBLY
<b>C1</b>	<b>C1</b>	CEILING TYPE, REFER TO SCHEDULE
<b>2400</b>	<b>2400</b>	CEILING HEIGHT AFF
<b>W1</b>	<b>W1</b>	WINDOW TYPE
<b>M1</b>	<b>M1</b>	MILLWORK TYPE
<b>D1234</b>	<b>D1234</b>	DOOR NUMBER/TAG
<b>R1</b>	<b>R1</b>	REVISION TAGS
<b>1</b>	<b>1</b>	KEYNOTES
<b>101</b>	<b>101</b>	ROOM NUMBER
<b>ROOM</b>	<b>ROOM</b>	ROOM NAME
<b>AREA: XXX SQM</b>	<b>AREA: XXX SQM</b>	ROOM AREA
		RECESSED LIGHT FIXTURE
		MECH. DIFFUSER
		NEW SPRINKLER

- DEMOLITION NOTES**
- 1 EXISTING WALL, DOOR FRAME & DOOR PANEL & BASE TO BE REMOVED
  - 2 EXISTING WALL TO BE REMOVED AS REQ'D OR AS DIMENSIONED
  - 3 EXISTING DOOR AND DOOR FRAME TO BE REMOVED
  - 4 REMOVE EXISTING FURNITURE, TACKBOARD AND HAND OVER TO CLIENT
  - 5 RELOCATE FIRE ALARM PANEL, PA SYSTEM, & MISCELLANEOUS ELECTRICAL TO SUIT.
  - 6 EXISTING PULL STATION TO BE REMOVED
  - 7 RE & RE EXISTING WALL MOUNTED FIRE EXTINGUISHER
  - 8 RE & RE EXISTING WALL MOUNTED CAMERA
  - 9 RELOCATE ELECTRICAL OUTLETS AS REQ'D.
  - 10 REMOVE EXISTING CEILING & LIGHT FIXTURES.
  - 11 REMOVE EXISTING MILLWORK AND BASE.
  - 12 REMOVE EXISTING FIXTURES.
  - 13 REMOVE EXISTING CEILING AND FIXTURES AS REQUIRED. TEMPORARILY SUPPORT T-BAR TO REMAIN AS REQUIRED.
  - 14 RE & RE GYPSUM BOARD CEILING AS REQUIRED FOR NEW WALL.
  - 15 RE & RE ALL WALL MOUNTED ACCESSORIES, MILLWORK & ELECTRICAL OUTLETS TO SUIT NEW WALL.
  - 16 REMOVE FLOORING & BASE TO ACCOMMODATE CONSTRUCTION
  - 17 RE & RE GYM FLOORING TO ACCOMMODATE CONSTRUCTION

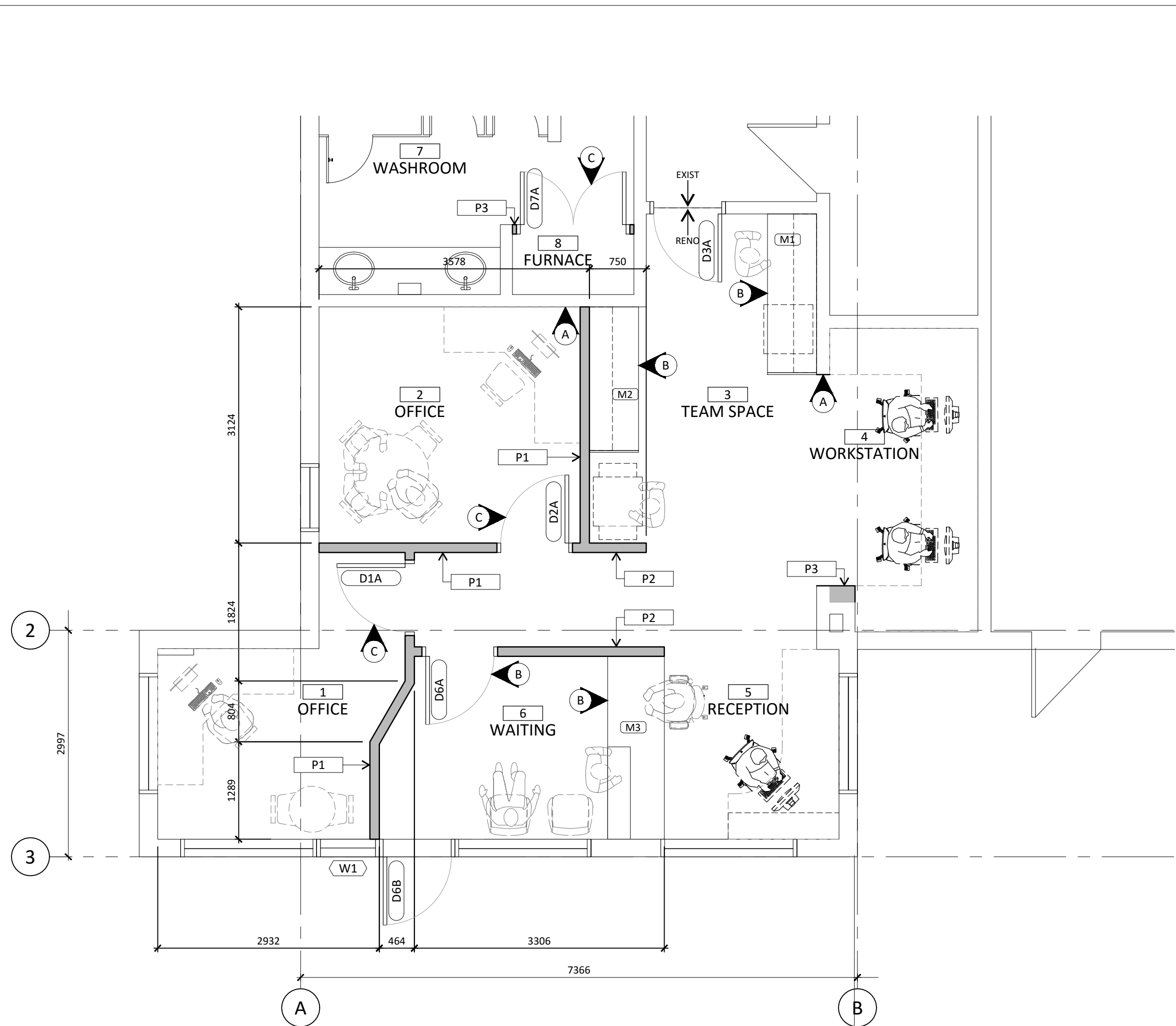
- GENERAL NOTES**
- FINAL SLAB PERFORATIONS ( ANCHORING, CORING, DRILLING, CUTTING ETC.) POSITIONS TO BE CONFIRMED ON SITE.
  - PATCH & RESTORE EXISTING WALLS & FLOOR AS REQ'D TO RECEIVE NEW FINISHES & NEW MILLWORK
  - ALL DIMENSIONS ARE TAKEN FROM FINISHED FACE OF EXISTING CONSTRUCTION ASSEMBLY.
  - CONFIRM ALL DIMENSIONS AT SITE.
  - ALL ELECTRICAL, MECHANICAL AND MATERIALS ABOVE CEILING LEVEL SHALL BE MADE FREE OF DUST & DEBRIS PRIOR TO INSTALLATION OF BULKHEAD AND CEILING SYSTEM.
  - CONTRACTOR SHALL REMOVE ALL REDUNDANT MATERIALS, FIXTURES AND HANGERS, TYPICAL.
  - ALL DEBRIS SHALL BE REMOVED IN COVERED & SEALED CARTS.
  - FIRE SEPARATION AND CLOSURES SHALL NOT BE COMPROMISED BY HOARDING.
  - SALVAGE ALL WALL MOUNTED ACCESSORIES, REINSTALL UPON COMPLETION OF CONSTRUCTION UNLESS NOTED OTHERWISE.
  - GENERAL CONTRACTOR TO COORDINATE EXACT LOCATION OF HOARDING ON SITE WITH STAFF PRIOR TO ERECTION.
  - MAKE GOOD ALL UNEVEN SURFACES AND HOLES TO TAKE ON NEW FINISHES.
  - CONFIRM THE LOCATION OF ALL SERVICES PRIOR TO DEMOLITION.
  - REMOVE ALL MECHANICAL AND ELECTRICAL ITEMS STATED FOR DEMOLITION INCLUDING ALL ABANDONED SERVICES, REFER TO MECHANICAL DRAWINGS.
  - ELECTRICAL SHALL BE COMPLETED AS A DESIGN/BUILD.

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Thinkspace, a partnership of:  
Roy Wolfe, Architect AIBC  
Henk Kampanian, Architect AIBC  
Leonard Bozorgeneh, Architect AIBC, AAA  
Issue Date: 2018-10-09  
Issue For: **BID**  
**GLOBAL REVISIONS LIST\***  
NO. DATE DESCRIPTION ISSUED FOR BID  
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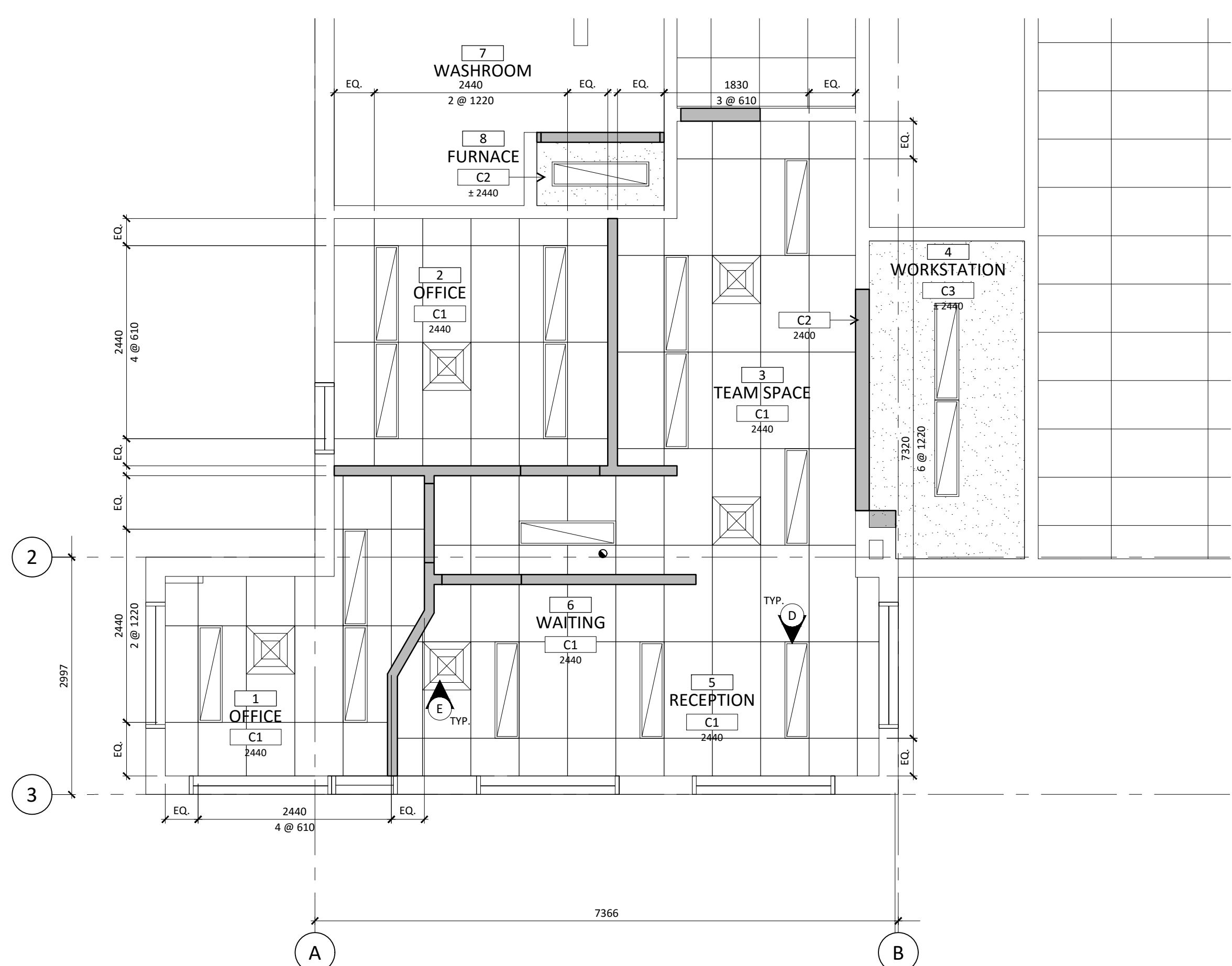
NO.	DATE	DESCRIPTION	ISSUED FOR BID
1	2018-10-09	ISSUED FOR BID	

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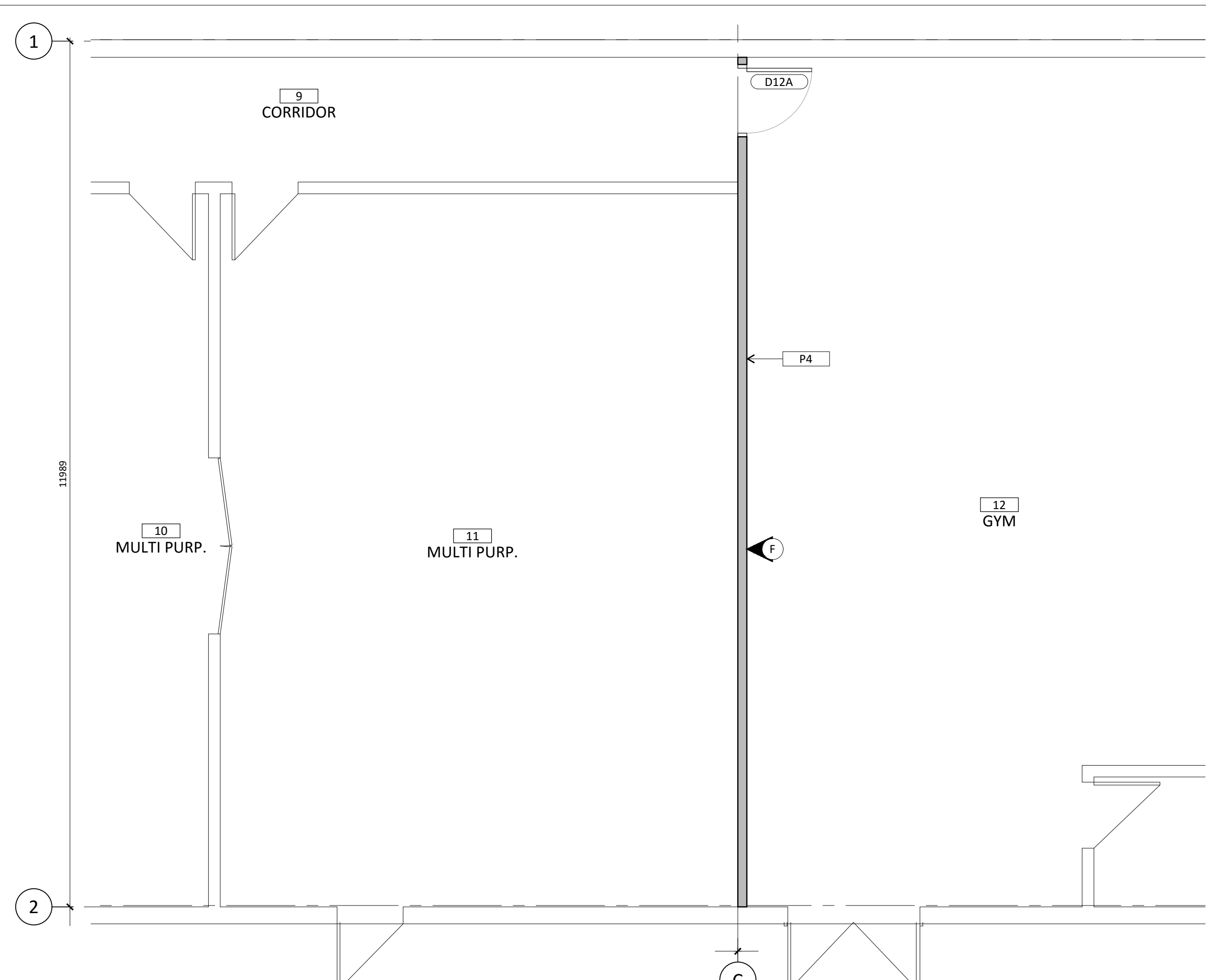
Project: **OLIVER PARKS & RECREATION COMMUNITY CENTRE - OFFICE RENOVATION** SCALE: 1:50  
Drawing: **DEMOLITION PLANS AND REFLECTED CEILING PLANS**  
Sheet Number: **A1.01**  
Project Number: **18688**  
Sheet Number: **A1.01**  
File Path: I:\18688 oliver parks rec. office\2.0 drawings\2.1 current drawings\A1.01 - demo plans.dwg  
Plot Date: 2018-10-09



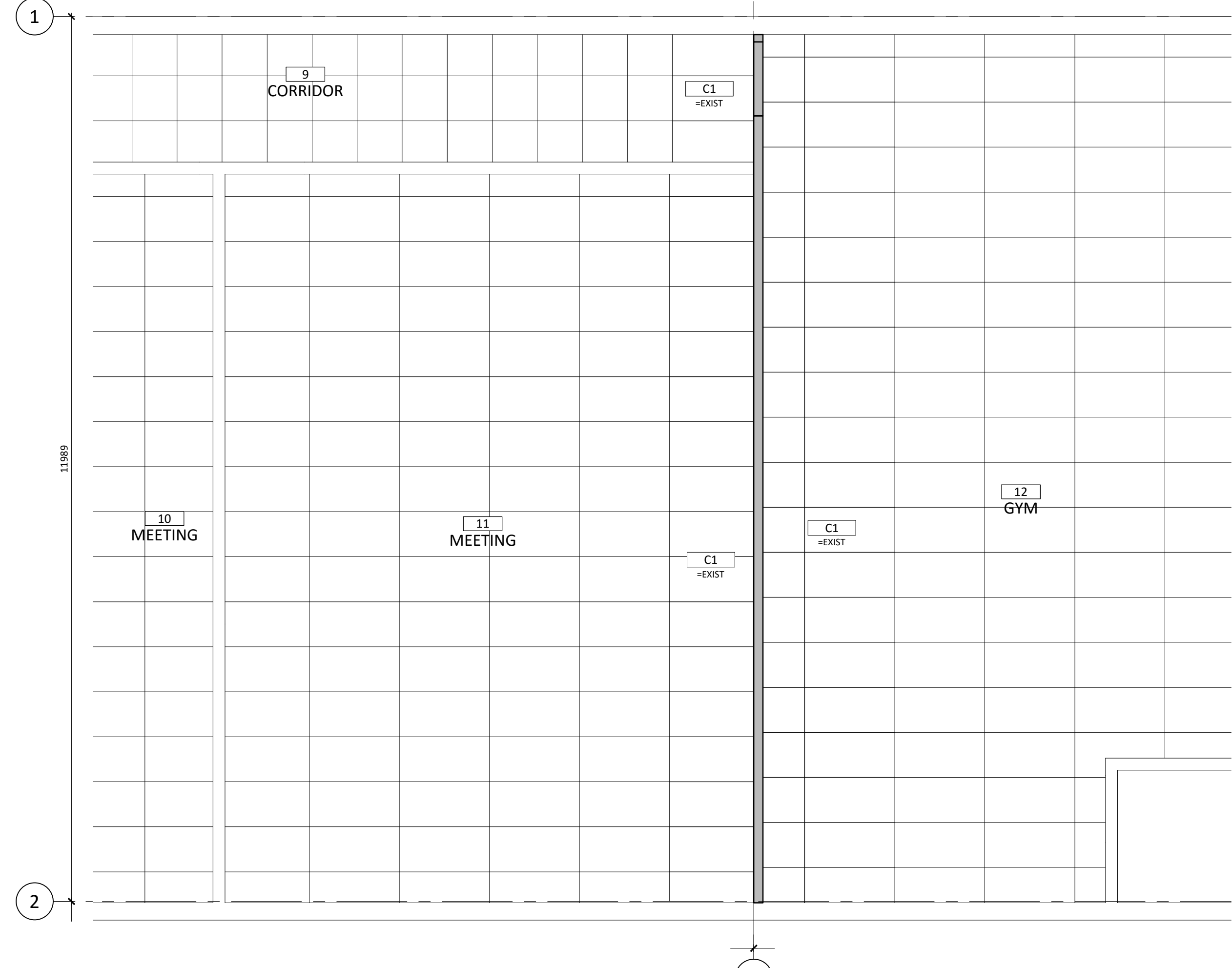
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3 REFLECTED CEILING PLAN - DEMOLITION  
A1.01 1:50



2 FLOOR PLAN - DEMOLITION  
A1.01 1:50



4 REFLECTED CEILING PLAN - DEMOLITION  
A1.01 1:50

CONSTRUCTION TYPES

PARTITION WALL ASSEMBLIES

- P1 ACOUSTIC PARTITION  
FR: N/A ULC: N/A R: N/A STC: 49  
- FINISH AS SPECIFIED, EACH SIDE  
- 16mm TYPE 'X' GYPSUM BOARD  
- 92mm STEEL STUD @ 400mm O.C.  
- 75mm SAFB ACOUSTIC INSULATION IN CAVITY  
- 16mm TYPE 'X' GYPSUM BOARD
- P2 PARTITION WALL  
FR: N/A ULC: N/A R: N/A STC: N/A  
- FINISH AS SPECIFIED, EACH SIDE  
- 13mm TYPE 'X' GYPSUM BOARD  
- 92mm STEEL STUD @ 400mm O.C.  
- 13mm TYPE 'X' GYPSUM BOARD
- P3 INFILL WALL  
FR: TBC ULC: TBC R: TBC STC: TBC  
- FINISH AS SPECIFIED  
- 13mm GYPSUM BOARD  
- 92mm STEEL STUD @ 400mm O.C.
- P4 PARTITION WALL  
FR: 1 HR ULC: W424 R: N/A STC: N/A  
- FINISH AS SPECIFIED, EACH SIDE  
- 16mm TYPE 'X' GYPSUM BOARD TO U/S STRUCTURE  
- EXISTING STUDS TO REMAIN  
- 16mm TYPE 'X' GYPSUM BOARD TO U/S STRUCTURE  
- STRAP EXISTING BEAM AS REQUIRED

CEILING ASSEMBLIES

- C1 SUSPENDED CEILING SYSTEM  
- 610x1220 TILES  
- SUSPENDED CEILING GRID  
- EXISTING STRUCTURE
- C2 GYPSUM BOARD  
- FINISH AS SCHEDULED  
- 13mm TYPE 'X' GYPSUM BOARD  
- 92mm STEEL STUD @ 400 O.C. MAX

TAGS AND MARKERS

- F1 FLOOR ASSEMBLY
- P1 WALL ASSEMBLY
- C1 CEILING TYPE, REFER TO SCHEDULE  
2400 CEILING HEIGHT AFF
- W1 WINDOW TYPE
- M1 MILLWORK TYPE
- D1234 DOOR NUMBER/TAG
- R1 REVISION TAGS
- 1 KEYNOTES
- 101 ROOM NUMBER  
ROOM ROOM NAME  
AREA-XXX SQM ROOM AREA
- RECESSED LIGHT FIXTURE
- MECH. DIFFUSER
- NEW SPRINKLER

RENOVATION NOTES

- (A) PATCH & RESTORE EXISTING WALLS & FLOOR AS REQ'D TO RECEIVE NEW FINISHES
- (B) NEW MILLWORK
- (C) NEW DOOR AND DOOR FRAME
- (D) NEW LIGHT FIXTURE, TYP.
- (E) NEW MECHANICAL GRILLE
- (F) RE & RE ALL WALL MOUNTED ACCESSORIES, MILLWORK & ELECTRICAL OUTLETS TO SUIT NEW WALL
- (G) PROVIDE NEW PAINTED MDF BASE TO MATCH

GENERAL NOTES

- FINAL SLAB PERFORATIONS (ANCHORING, CORING, DRILLING, CUTTING ETC.) POSITIONS TO BE CONFIRMED ON SITE.
- PATCH & RESTORE EXISTING WALLS & FLOOR AS REQ'D TO RECEIVE NEW FINISHES & NEW MILLWORK
- ALL DIMENSIONS ARE TAKEN FROM FINISHED FACE OF EXISTING CONSTRUCTION ASSEMBLY.
- CONFIRM ALL DIMENSIONS AT SITE.
- ALL ELECTRICAL, MECHANICAL AND MATERIALS ABOVE CEILING LEVEL SHALL BE MADE FREE OF DUST & DEBRIS PRIOR TO INSTALLATION OF BULKHEAD AND CEILING SYSTEM.
- CONTRACTOR SHALL REMOVE ALL REDUNDANT MATERIALS, FIXTURES AND HANGERS, TYPICAL.
- ALL DEBRIS SHALL BE REMOVED IN COVERED & SEALED CARTS.
- FIRE SEPARATION AND CLOSURES SHALL NOT BE COMPROMISED BY HOARDING.
- SALVAGE ALL WALL MOUNTED ACCESSORIES, REINSTALL UPON COMPLETION OF CONSTRUCTION UNLESS NOTED OTHERWISE.
- GENERAL CONTRACTOR TO COORDINATE EXACT LOCATION OF HOARDING ON SITE WITH STAFF PRIOR TO ERECTION.
- MAKE GOOD ALL UNEVEN SURFACES AND HOLES TO TAKE ON NEW FINISHES.
- CONFIRM THE LOCATION OF ALL SERVICES PRIOR TO DEMOLITION.
- REMOVE ALL MECHANICAL AND ELECTRICAL ITEMS STATED FOR DEMOLITION INCLUDING ALL ABANDONED SERVICES, REFER TO MECHANICAL DRAWINGS.
- ELECTRICAL SHALL BE COMPLETED AS A DESIGN/BUILD.

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Issue Date: 2018-10-09  
Issue For: BID  
GLOBAL REVISIONS LIST\*  
NO. DATE DESCRIPTION ISSUED FOR BID  
1 2018-10-09 ISSUED FOR BID

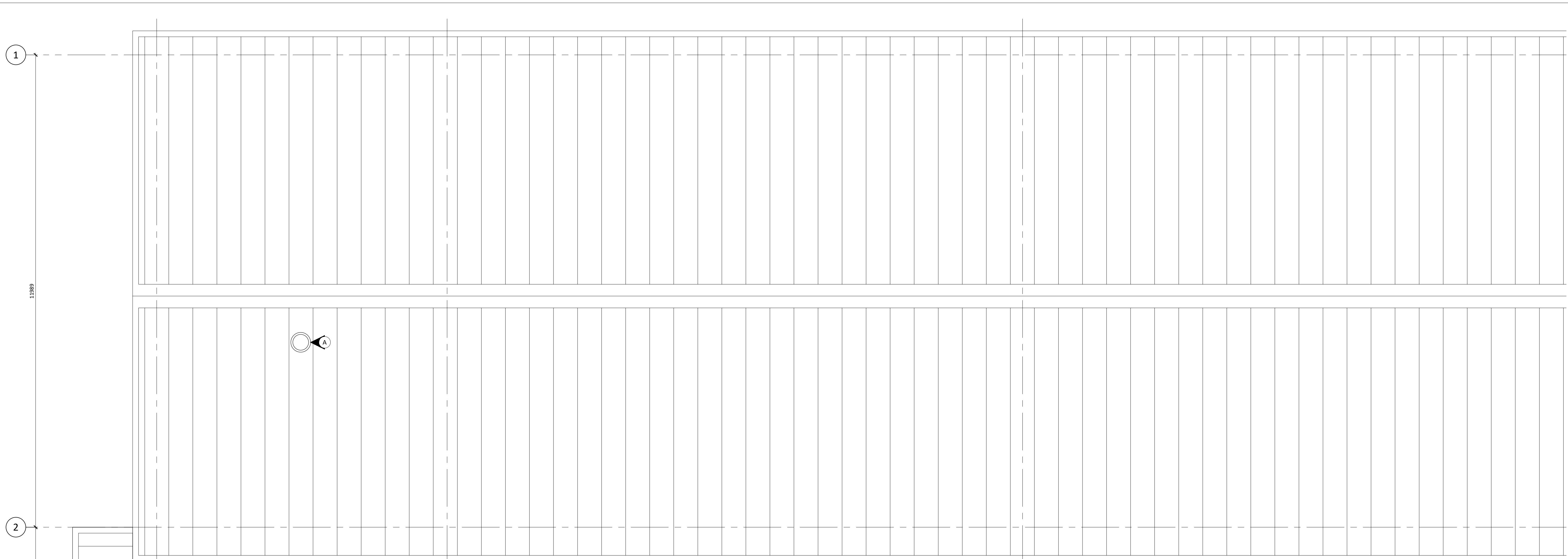
\*Sheet changes clouded and tagged respectively.

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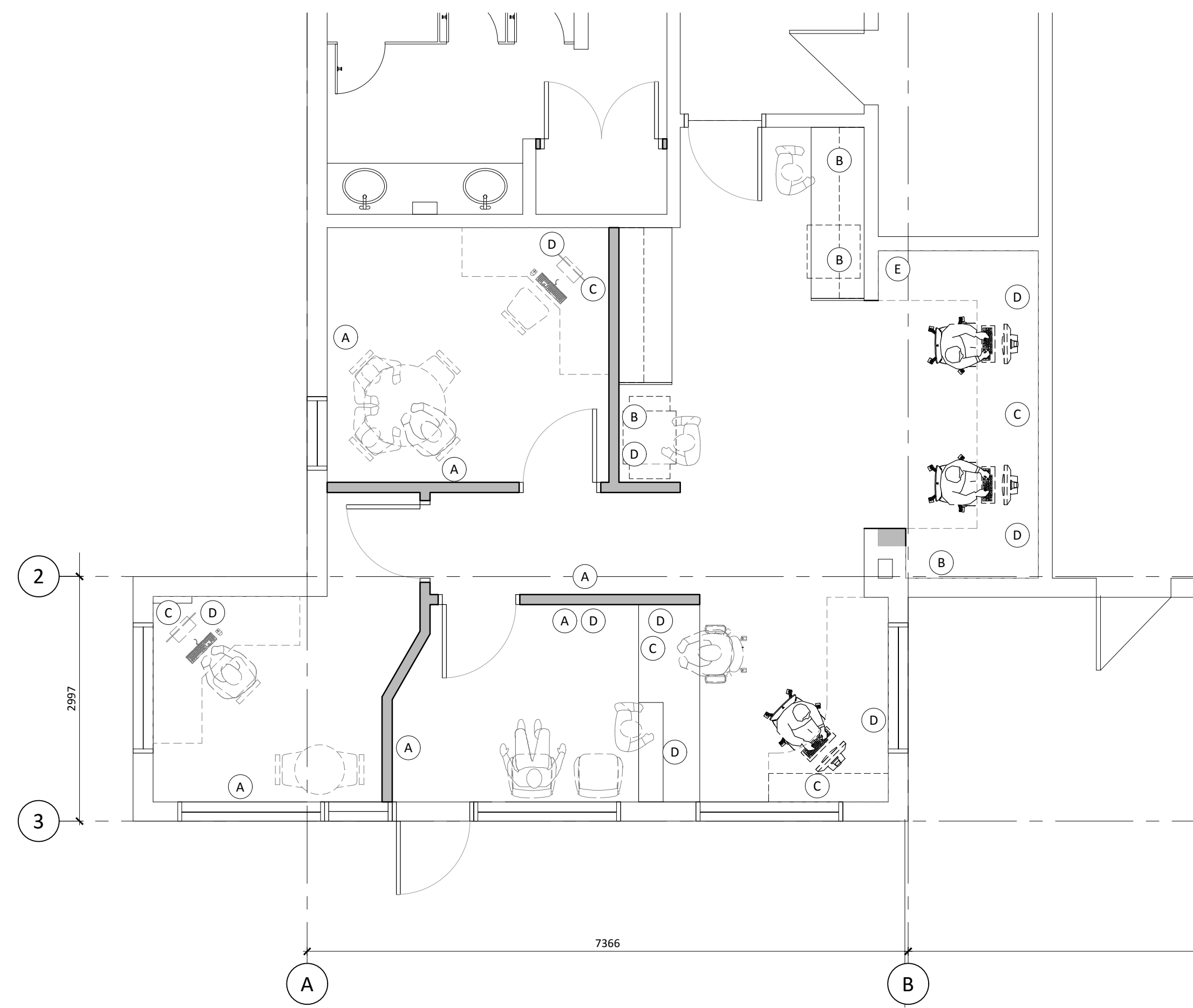
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Project: OLIVER PARKS & RECREATION COMMUNITY CENTRE - OFFICE RENOVATION  
Drawing: NEW PLANS AND REFLECTED CEILING PLANS  
Project Number: 18688  
Sheet Number: A1.02  
Scale: 1:50  
File Path: I:\18688 oliver parks rec. office\2.0 drawings\2.1 current drawings\A1.01 architectural\A1.01 architectural\A1.01 architectural\A1.01 architectural.dwg  
Plot Date: 2018-10-09





**1** ROOF PLAN - NEW  
A1.01 1:50



**1** ELECTRICAL SCHEMATIC LAYOUT  
A1.01 1:50

**RENOVATION NOTES**

- (A) PROVIDE FLASHING AND COUNTER FLASHING AND NEW CHIMNEY FLUE AT ROOF.

**ELECTRICAL SCHEMATIC LEGEND**

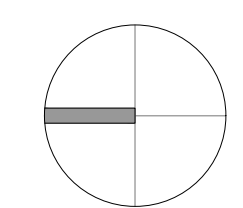
- (A) 120v/15a DUPLEX RECEPTACLE GENERAL CIRCUIT
- (B) 120v/20a DUPLEX RECEPTACLE SINGLE CIRCUIT
- (C) 120v/15a DUPLEX RECEPTACLE SINGLE CIRCUIT TO EACH WORKSTATION/OFFICE
- (D) 2 - CAT 5/6 FOR PHONE OR INTERNET
- (E) 120v/15a DUPLEX RECEPTACLE SINGLE CIRCUIT FOR FRIDGE

**ELECTRICAL SCHEMATIC NOTES**

1. A NEW CIRCUIT WILL BE NEEDED FOR THE ROOFTOP UNIT.
2. REMOVE T-STATS & BASEBOARD HEATERS

**GENERAL NOTES**

- FINAL SLAB PERFORATIONS ( ANCHORING, CORING, DRILLING, CUTTING ETC.) POSITIONS TO BE CONFIRMED ON SITE.
- PATCH & RESTORE EXISTING WALLS & FLOOR AS REQ'D TO RECEIVE NEW FINISHES & NEW MILLWORK
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- REMOVE ALL MECHANICAL AND ELECTRICAL ITEMS STATED FOR DEMOLITION INCLUDING ALL ABANDONED SERVICES, REFER TO MECHANICAL DRAWINGS.
- ELECTRICAL SHALL BE COMPLETED AS A DESIGN/BUILD.



Issued For  
**BID**

NO.	DATE	DESCRIPTION	ISSUED FOR BID
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Project  
**OLIVER PARKS & RECREATION COMMUNITY CENTRE - OFFICE RENOVATION**  
6359 PARK DRIVE, OLIVER, BC V0H 1T0

Sheet Number  
**18688**

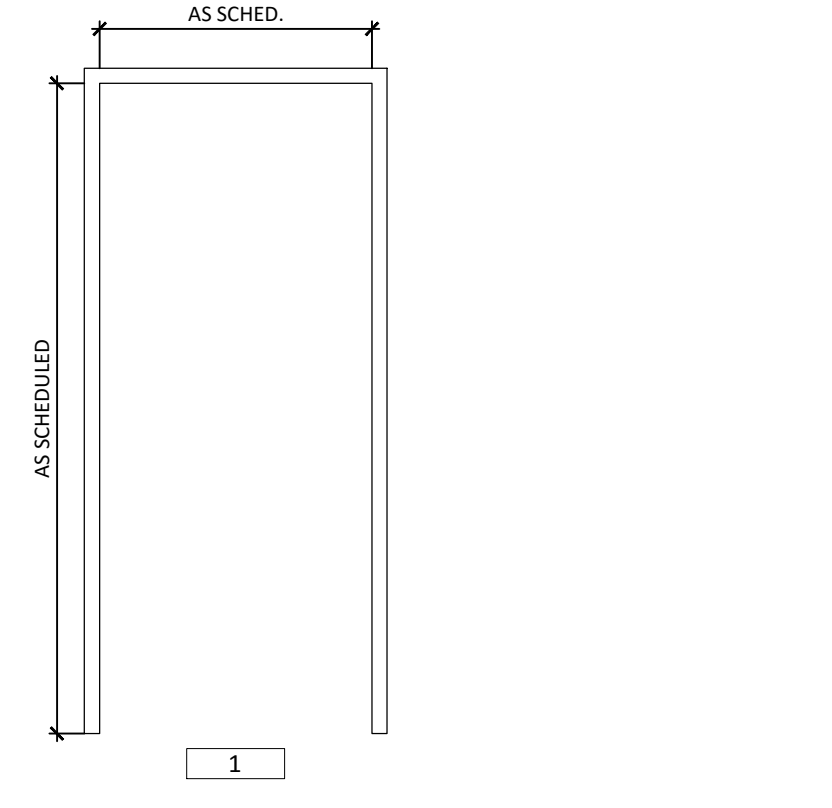
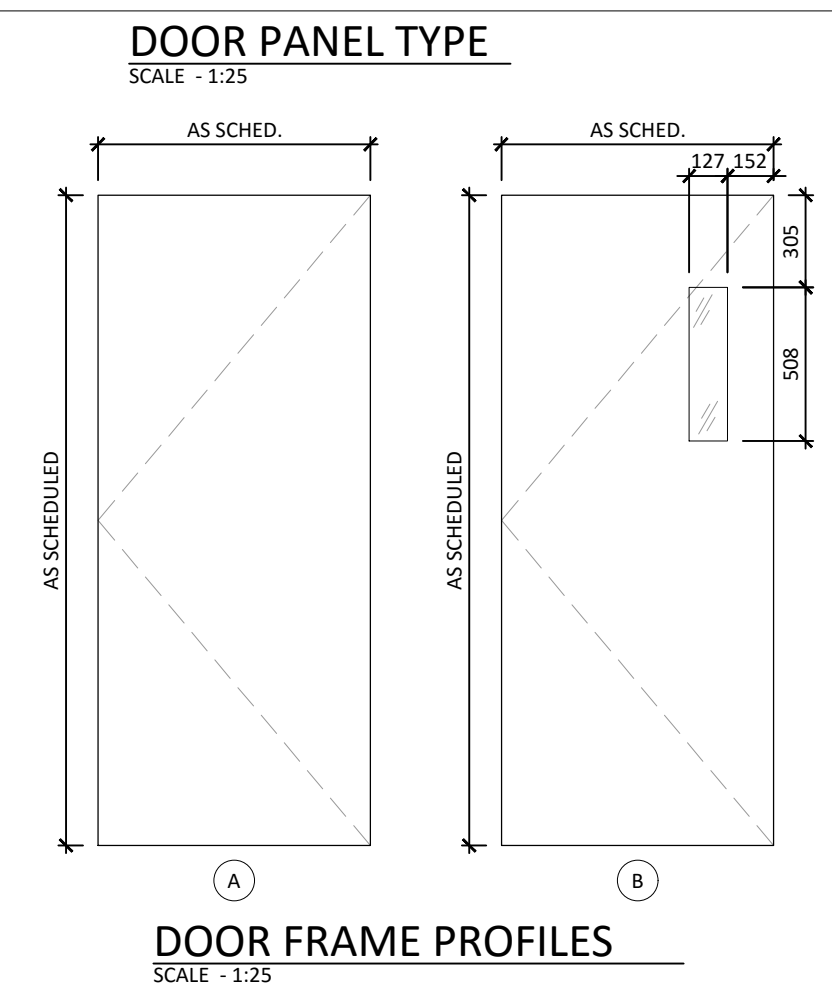
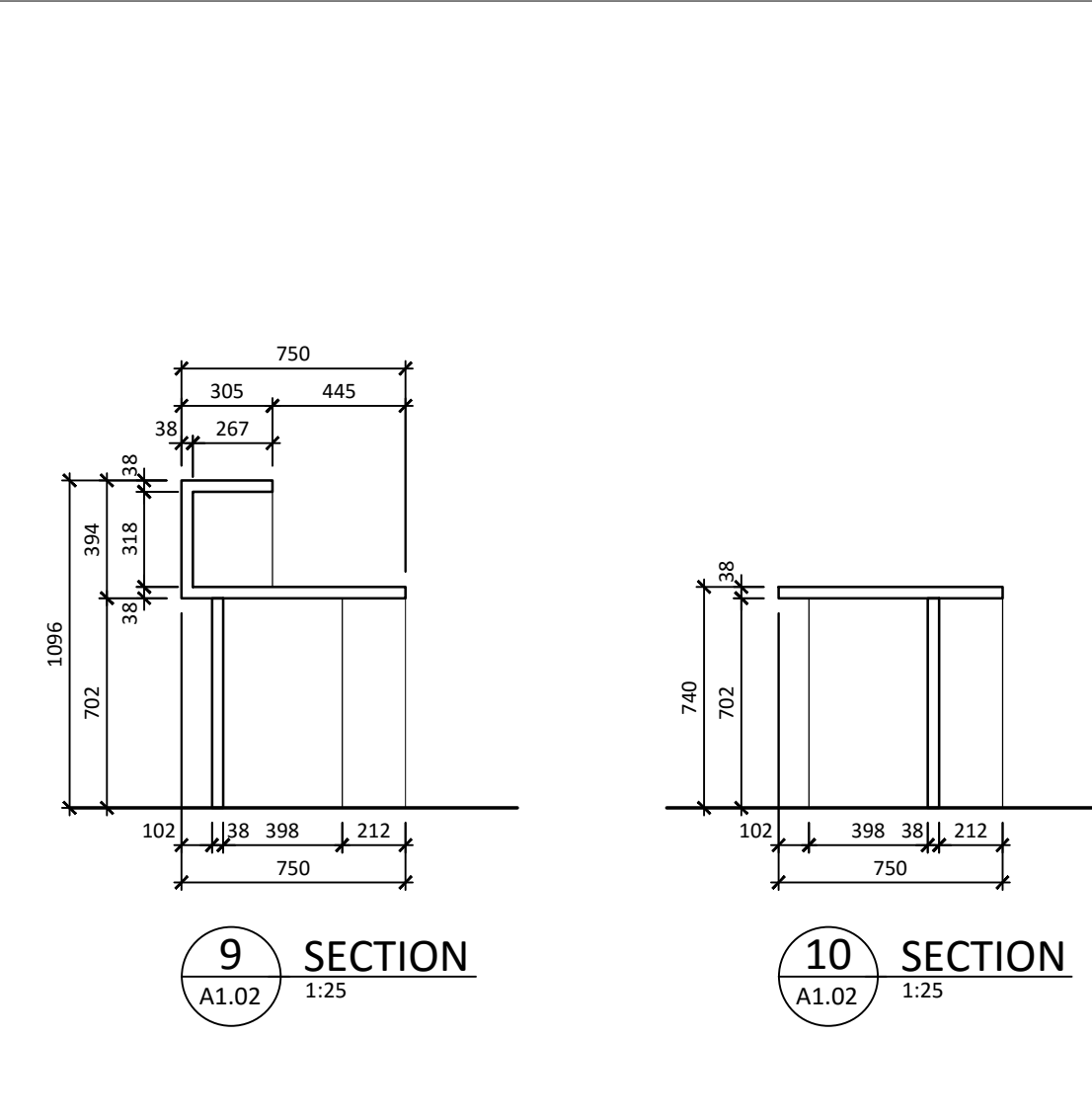
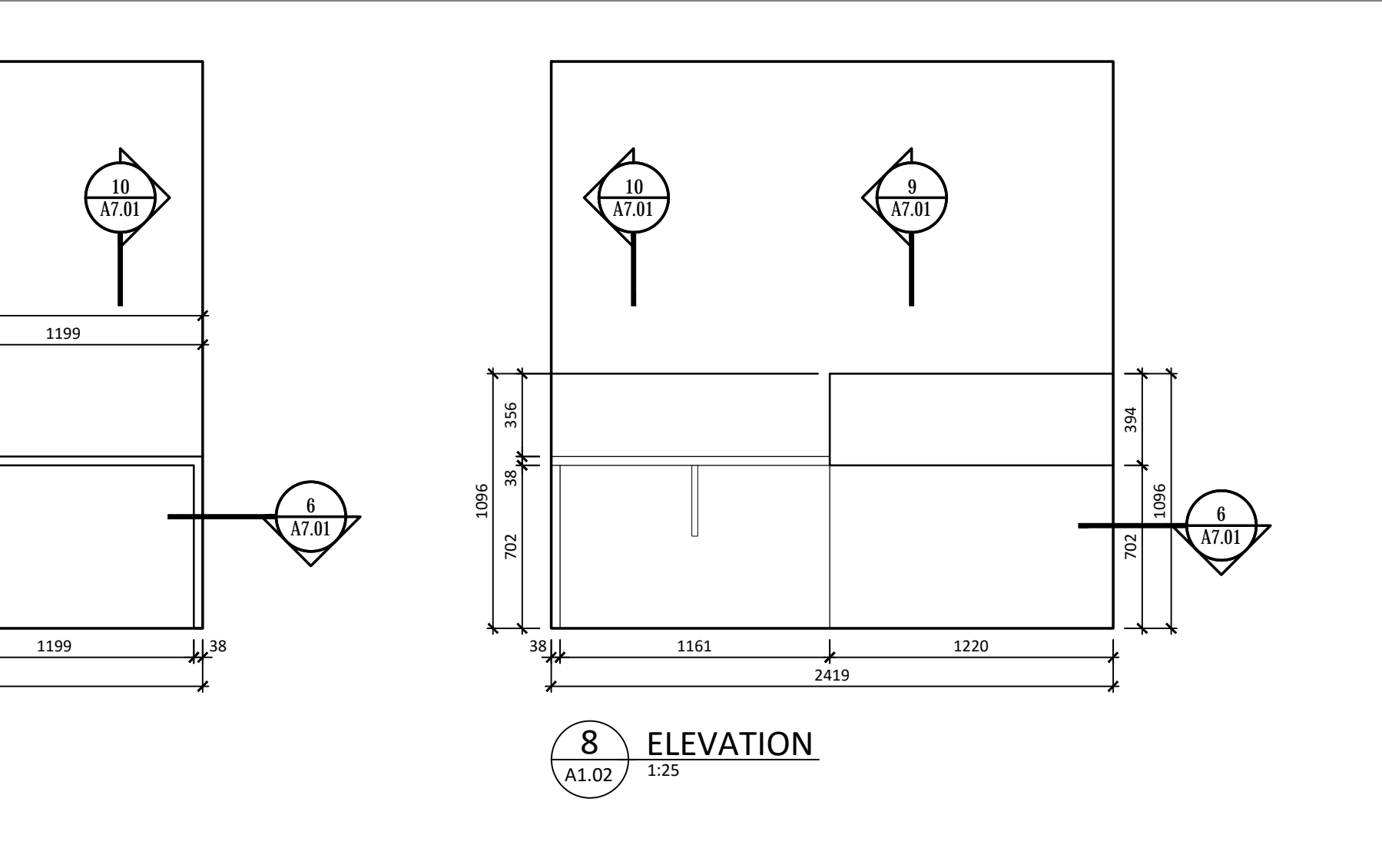
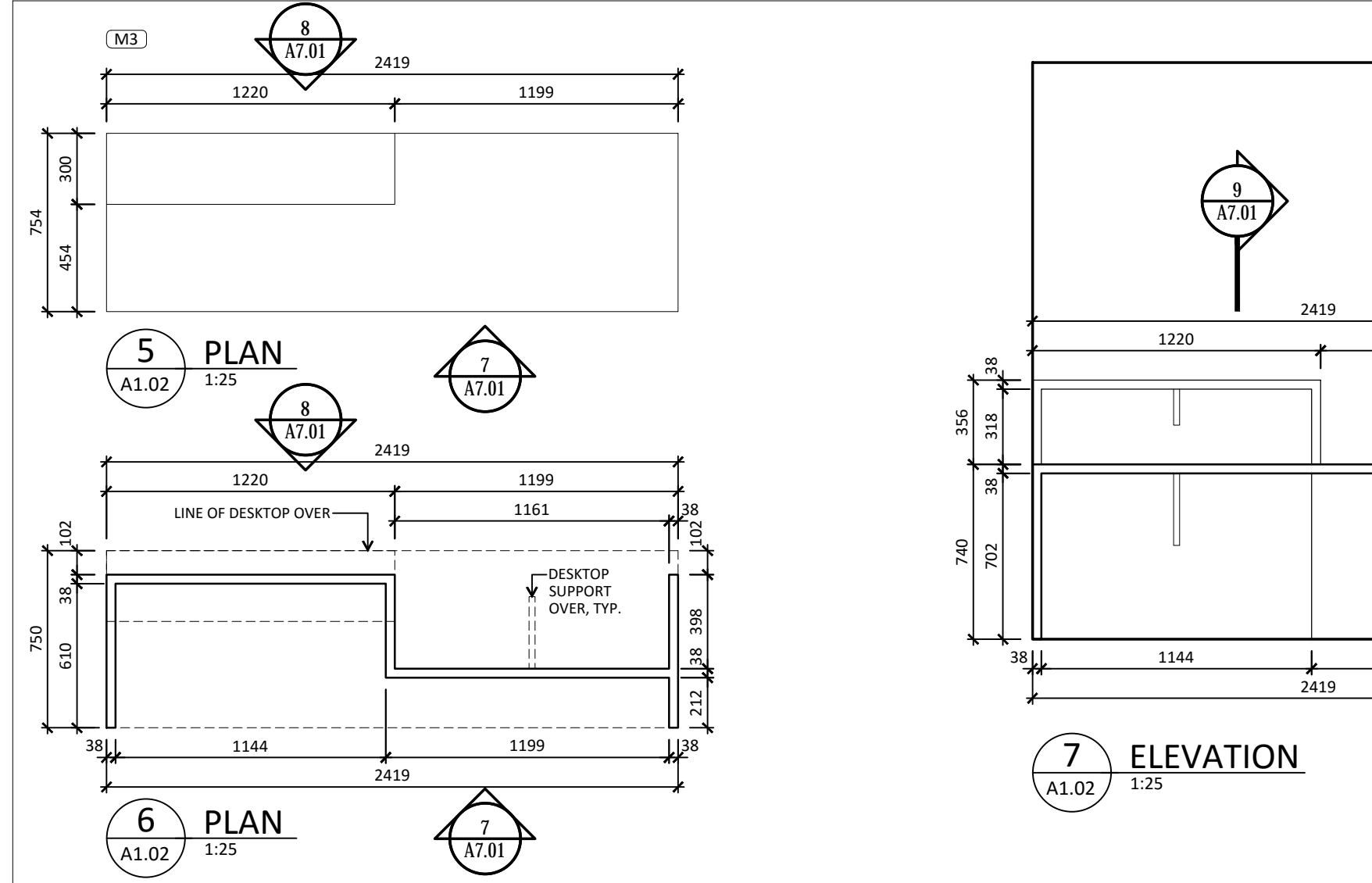
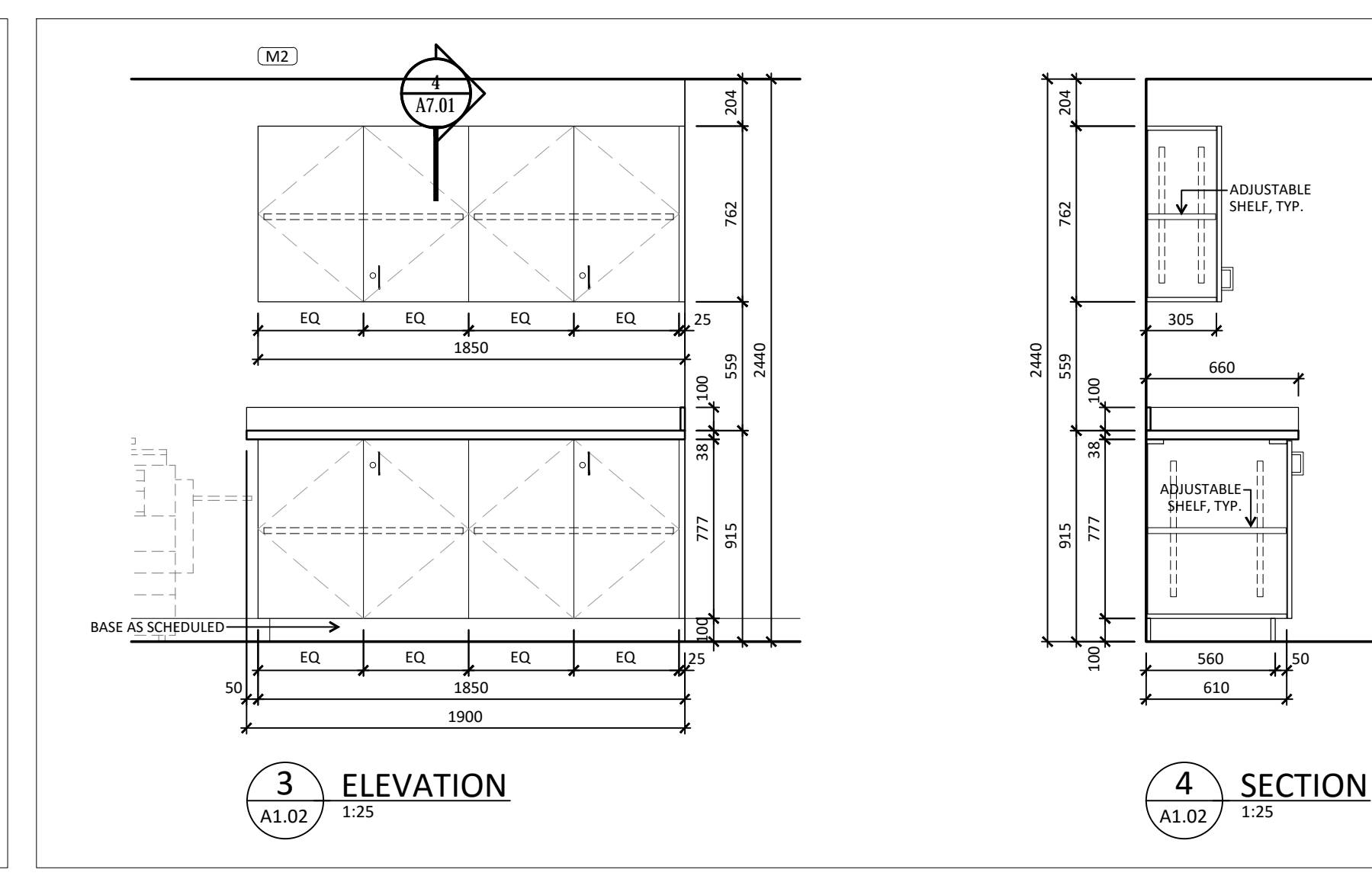
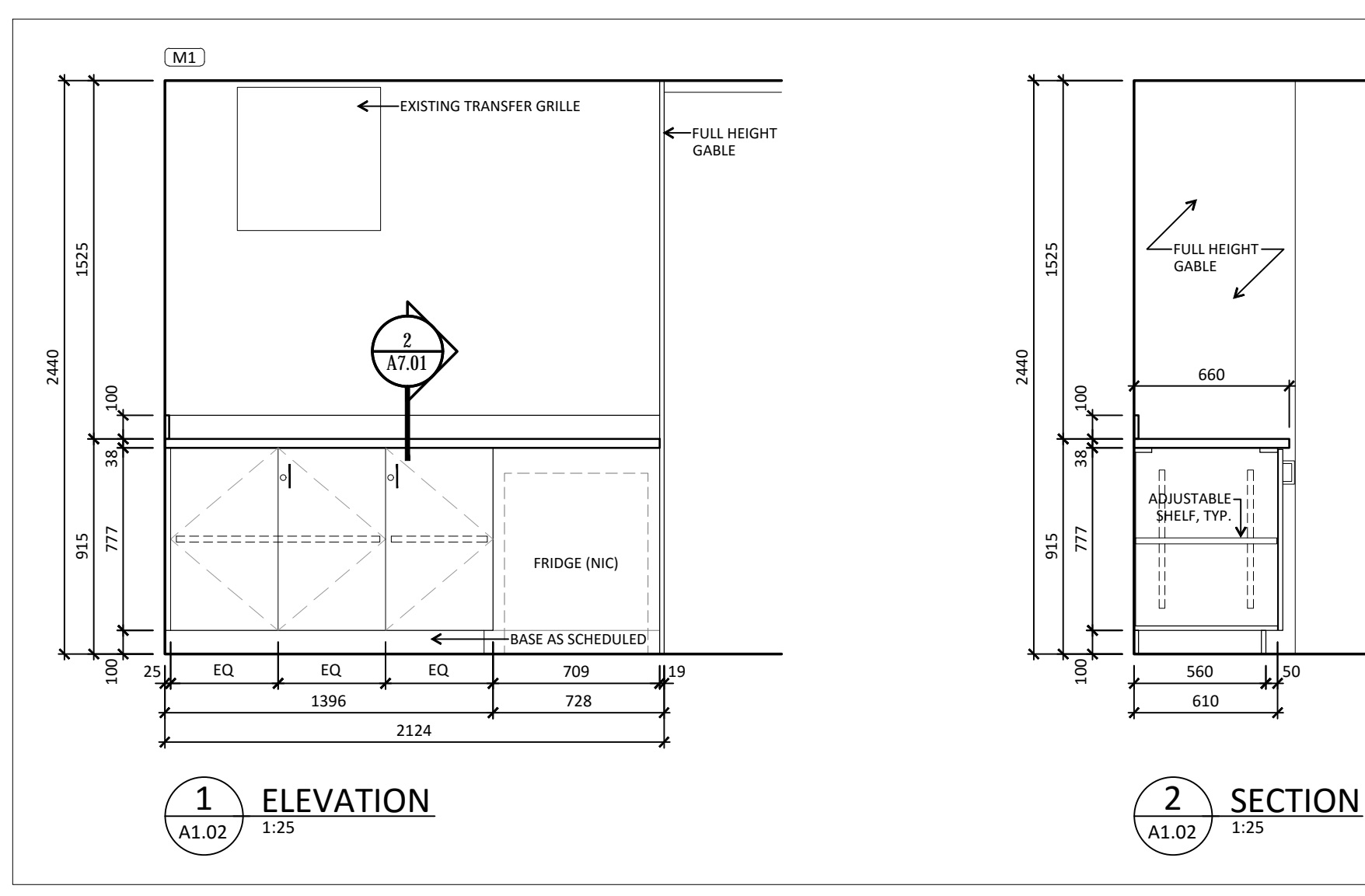
Drawing  
**ROOF PLAN & ELECTRICAL SCHEMATIC**

Scale  
SCALE: 1:50

Plot Date: 2018-10-09

File Path: I:\18688 oliver parks rec. office\2.0 drawings\2.1 current drawings\01.1 architectural\01.1.1.1 ca\18688-a1.03 - roof plan.dwg

**A1.03**



**DOOR & HARDWARE SCHEDULE**

NO.	LOCATION	SIZE	DOOR TYPE	FRAME TYPE	WALL TYPE	HARDWARE ITEMS	ALL ITEMS ARE PER DOOR UNLESS NOTED OTHERWISE	COMMENTS
<p>DOOR NUMBER MATCHES IN-SWING ROOM NUMBER, MULTIPLE DOORS ARE NOTED WITH SUFFIX A,B,C. EXTERIOR DOORS MATCH TO OUTSWING ROOM NUMBER (IE: S1.2)</p> <p><b>PREFIX LEGEND</b></p> <p>AL - ALUMINUM AC - ACOUSTIC HM - HOLLOW METAL HMI - HOLLOW METAL INSULATED SCW - SOLID CORE WOOD HCW - HOLLOW CORE WOOD PSF - PRESSED STEEL STI - INSULATED STEEL EXST. - EXISTING</p> <p><b>REFER TO DOOR, FRAME AND WINDOW ELEVATIONS FOR SUFFIX TYPE</b></p> <p><b>REFER TO FLOOR PLAN</b></p>								
<p><b>HARDWARE ITEMS</b></p> <p>ELEPHANT'S FOOT MOTION DETECTOR AUTOMATED DOOR OPENER PROXIMITY READER BUTT HINGES PIVOT HINGE OFFICE LOCKSET STORE ROOM LOCKSET LATCHSET PRIVATE LOCK DEAD LOCK ELECTRIC STRIKE EXIT/COMMUNICATING LOCKSET PANIC (EXIT ONLY C/W FALL) PANIC (TP) (ENTER/EXIT) VERTICAL ROD DEVICE RFID DEVICE KEYPADS DOOR PULL ACCESS DOOR PUSH &amp; PULL FLUSH BOLTS DOOR CLOSERS FRAME PROTECTION ASTRAGAL (P/R P/B) EDGE PROTECTION KICKPLATES DOOR STOP (FLOOR TYPE) MAGNETIC HOLD OPENS (WALL) MAGNETIC HOLD OPEN (FLOOR) DOOR PLATE OVERHEAD STOP UNIT DOOR BOTTOM THRESHOLD GASKETING RAIN STRIP &amp; DOOR TOP DOOR C/W HARDWARE SOUND SEAL PACKAGE EMERGENCY STRIKE RELEASE</p>								
<p><b>COMMENTS</b></p> <p>REFER TO LISTING BELOW FOR ADDITIONAL THRESHOLDS. A- POWER OPERATOR LHR, CLOSER OTHER LEAF B- POWER OPERATOR BOTH LEAFS C- CLOSER C/W STOP ARM D- CLOSURE C/W STOP'S HOLD OPEN E- ELECTRONIC HOLD OPEN CLOSURES F- ELECTRIC LATCH RETRACTION ON PANIC DEVICE G- ELECTRICAL TRANSFER HINGES</p> <p><b>REMARKS</b></p> <p>1- ELECTRIC RETRACTION VERTICAL RODS 2- NEW DOOR FRAME TO FIT EXISTING DOOR PANEL 3- LEAD LINED DOOR 4- PUSH BUTTON 5- CARD READER W/ MOTION SENSOR</p> <p>U.L.C. RATING (MINUTES) 0'-NON RATED FIRE SEPARATION</p>								
D1A	TEAM SPACE TO OFFICE	914 X 2134	SCW - B	PSF - 1				
D2A	TEAM SPACE TO OFFICE	914 X 2134	SCW - B	PSF - 1				
D3A	TEAM SPACE TO EXISTING SPACE	914 X 2134	SCW - B	PSF - 1				
D6A	TEAM SPACE TO WAITING	914 X 2134	SCW - B	PSF - 1				
D6B	WAITING TO EXTERIOR	914 X 2134	AL - A	AL - 1				
D7A	WASHROOM TO FURNACE	2 X 914 X 2134	SCW - A	PSF - 1				
D12A	CORRIDOR TO GYM	914 X 2134	SCW - B	PSF - 1				45 MIN

**ROOM FINISH SCHEDULE**

NO.	NAME	FLOOR	BASE	NORTH	EAST	SOUTH	WEST	CEILING	GENERAL NOTES
		F1 VINYL COMP. TILE (RE & RE EXST.) VINYL SHEET FLOORING CARPET (RE & RE EXSTING)	B1 RUBBER BASE WOODEN BASE (MATCH EXSTING) CONCRETE EXISTING	P1 CERAMIC TILE BIRCH PANEL - CLEAR FINISH CONCRETE EXISTING	P1 CERAMIC TILE BIRCH PANEL - CLEAR FINISH CONCRETE EXISTING	P1 CERAMIC TILE BIRCH PANEL - CLEAR FINISH CONCRETE EXISTING	P1 CERAMIC TILE BIRCH PANEL - CLEAR FINISH CONCRETE EXISTING	C1 GYPSSUM BOARD EXISTING GYPSSUM BOARD EXPOSED ACOUSTIC METAL DECK	A) RE & RE ALL EXISTING CEILINGS AS REQUIRED. B) BASE TO MATCH EXISTING IN ROOMS/AREAS WITH NEW AND EXISTING.
1	OFFICE								
2	OFFICE								
3	TEAM SPACE								
4	WORKSTATION								PAINT EXISTING CEILING
5	RECEPTION								
6	WAITING								
7	WASHROOM								PAINT @ NEW GYPSSUM BOARD
8	FURNACE								PAINT @ NEW GYPSSUM BOARD
9	CORRIDOR								
11	MEETING								
12	GYM								

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1 2018-10-09 2018-10-09

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Project: **OLIVER PARKS & RECREATION COMMUNITY CENTRE - OFFICE RENOVATION**  
Drawing: **MILLWORK DETAILS AND SCHEDULES**  
Scale: AS NOTED

Project Number: **18688**  
Sheet Number: **A7.01**

File Path: I:\18688 oliver parks rec. office\2.0 drawings\2.1 current drawings\A7.01 architectural\A7.01.1.1.mxd  
PLOT Date: 2018-10-09

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** April 18, 2019

**RE:** Sun Valley Water System Borrowing Bylaw No. 2837, 2018

---

### **Administrative Recommendation:**

**THAT first, second and third readings of Bylaw No. 2837, 2018 Sun Valley Water System Borrowing Bylaw be rescinded and the bylaw abandoned.**

### **Purpose:**

To abandon a bylaw that no longer has a purpose.

### **Reference:**

Staff report dated December 20, 2018  
Bylaw No. 2837 at third reading

### **Background:**

In the summer of 2018, Administration submitted an grant application to the Investing in Canada Infrastructure Program (ICIP) for the addition of a back-up generator and installation of water meters for the Sun Valley Water Service. The project was to have a cost sharing arrangement with the Government of Canada (40%) and the Province of British Columbia (33.33%) with the service area residents be responsible for the remaining 26.66% or \$157,619. The RDOS was requested to submit a loan authorization bylaw at third reading to accompany the grant application to demonstrate the commitment of \$157,619 from the RDOS on behalf of the residents. The loan authorization bylaw would require approval of the electorate in the Sun Valley Water service area. Because of the tight timeline of the grant application, there was no time prior to the submission of the grant application to survey the residents to determine if they would be willing to fund the 26.66% share of the costs.

Bylaw No. 2837 Sun Valley Water System Borrowing bylaw received three readings December 20, 2018.

### **Analysis:**

On January 10, the RDOS hosted a Sun Valley Water System public meeting. Service area residents indicated that they were not interested in either the back-up generator or metering, and would not support adoption of the loan authorization bylaw.

**Survey Results:**

The following question was asked. "Do you support any of the following projects that 2/3rds or more of the capital costs will be paid for by an infrastructure grant?"

		Votes in favour
Option 1	Purchase and Install a back up generator –est. cost \$282/yr	4
Option 2	Purchase and Install water meters- est cost \$339/yr	1
Option 3	Purchase and install water meters and a back up generator – est. cost \$621/yr	1
Option 4	I don't support any of the above	13

The grant application was subsequently withdrawn, and letter was sent to residents informing them of the survey results.

**Respectfully submitted:**

**Endorsed by:**

*"Gillian Cramm"*

---

G. Cramm, Administrative Assistant

---

Christy Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2837, 2018

---

A bylaw to authorize the long-term borrowing for improvements to the Sun Valley Water System

---

**WHEREAS** pursuant to the Local Government Act and the Community Charter, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

**AND WHEREAS** the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No. 2764 the Sun Valley Water Service Conversion and Continuation 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 (20) years;

**AND WHEREAS** the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

**AND WHEREAS** the Regional Board of the Regional District of Okanagan-Similkameen has obtained the approval of electors in accordance with the *Local Government Act*;

**NOW THEREFORE**, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

1. **CITATION**

1.1 This Bylaw shall be cited as Sun Valley Water System Borrowing Bylaw No. 2837, 2018

2. **LOAN AUTHORIZATION**

To borrow upon the credit of the Regional District a sum not more than one hundred fifty-eight dollars (\$158,000)

3. **TERM OF DEBENTURE**

The maximum term for which debentures may be issued to secure debt created by this bylaw is twenty (20) years.



**READ A FIRST, SECOND, AND THIRD TIME** this 20<sup>th</sup> day of December, 2018

**APPROVED** by the Inspector of Municipalities this \_\_\_ day of \_\_\_, \_\_\_

**RECEIVED ASSENT OF THE ELECTOR THIS** \_\_\_ day of \_\_\_, \_\_\_

**ADOPTED** this \_\_\_ day of \_\_\_, \_\_\_

---

RDOS Board Chair

---

Corporate Officer

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 18, 2019  
**RE:** Fireworks Regulation and Prohibition Bylaw No. 2854

---

### Administrative Recommendation:

**THAT Bylaw No. 2854, 2019 Electoral Areas "D", "F" and "I" Fireworks Regulation and Prohibition Bylaw be read a first, second and third time and be adopted.**

### Purpose:

To bring forward a bylaw prohibiting the sale or disposal of fireworks in Electoral Areas "D", "F" and "I" before the expected fire season begins.

### Reference:

*Local Government Act*, Section 326

Bylaw No. 1127, 1990 Fireworks Prohibition and Regulation Extended Service Bylaw

### Business Plan Objective:

Objective 2.2.1 By continuously improving bylaws, policy and process within the organization

### Background:

Bylaw No. 1127 Fireworks Prohibition and Regulation Bylaw was adopted September 13, 1990. The bylaw established an extended service within Electoral Areas "D" and "F". The bylaw has been difficult to enforce because of the lack of definitions for the words "disposal" and "fireworks". Administration has received numerous complaints from both Directors and the public about the sale of fireworks.

### Analysis:

Under the previous provincial legislation (*Municipal Act*), the Regional District established an extended service to regulate fireworks. Under current provincial legislation (*Local Government Act* section 323), a regional district may regulate the sale of fireworks only if it provides a service in relation to control of pollution, nuisances, pests, noxious weeds, noise, unsightly premises, unwholesome or noxious materials, odours and disturbances. Electoral Areas "D", "F" and "I", the current participants in the extended service under Bylaw No. 1127, have noise control bylaws.

Bylaw No. 2854 provides for the following:

- Updated reference to current provincial legislation
- Reference to Electoral Area "I"

- Definitions for “disposal” and “fireworks” as contained in the *Interpretation Act* and *Fireworks Act*, respectively

Administration intends to bring forward a broader bylaw, including other electoral areas and the ability to issue permit for fireworks, to a future meeting.

Bylaw No. 2854 will repeal Bylaw No. 1127.

**Alternatives:**

1. Adopt Bylaw No. 2854.
2. Amend bylaw No. 2854 to include the following:
3. Abandon Bylaw No. 2854 and continue to operate with Bylaw No. 1127.
4. Direct Administration to prepare a repeal bylaw to repeal Bylaw No. 1127, and not bring forward any other bylaw for regulation and prohibition of fireworks at this time.

**Communication Strategy:**

Upon adoption of Bylaw No. 2854, residents will be advised through the bi-weekly ad. Fire Chiefs and bylaw enforcement contractors will be provided a copy of the adopted bylaw.

**Respectfully submitted:**

*“Gillian Cramm”*

---

G. Cramm, Administrative Assistant

**Endorsed by:**

---

Christy Malden, Manager of Legislative Services

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN  
BYLAW NO. 2854, 2019**

---

**A bylaw to prohibit the sale or disposal of fireworks  
within Electoral Areas "D", "F", and "I"**

---

**WHEREAS** the Board of the Regional District of Okanagan-Similkameen has adopted "Noise Control Extended Service Establishment Bylaw No. 1129" and "Noise Control Extended Service Establishment Bylaw No. 1436";

**AND WHEREAS** the Local Government Act authorizes the Regional District of Okanagan-Similkameen to regulate or prohibit by bylaw the sale or disposal to any person of firecrackers and other fireworks of every nature or kind;

**NOW THEREFORE** the Board of Directors of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

**Section 1 - Citation**

- 1.1 This Bylaw shall be cited as the Electoral Areas "D", "F" and "I" Fireworks Regulation and Prohibition Bylaw No. 2854, 2019.

**Section 2 - Definitions**

- 2.1 "Disposal" means transferring by any method and includes assigning, giving, selling, granting, charging, conveying, bequeathing, devising, leasing, divesting, releasing, and agreeing to do any of those things;.
- 2.2 "Fireworks" means cannon crackers, fireballs, firecrackers, mines, Roman candles, skyrockets, squibs, torpedoes and any other explosive designated as a firework by regulation.

**Section 3 - Regulation**

- 3.1 The sale, or disposal to any person of fireworks of every nature or kind is hereby prohibited within Electoral Areas "D", "F" and "I".
- 3.2 The discharge or setting off of fireworks of every nature or kind is hereby prohibited with Electoral Areas "D", "F" and "I".

**Section 4 - Penalty**

4.1 Every person who violates any provision of this bylaw commits an offence and is liable to a penalty of not more than \$2,000. Each date that a violation occurs constitutes a separate offence.

**Section 5 - Repeal**

5.1 Fireworks Prohibition and Regulation Extended Service Bylaw No. 1127, 1990 and all amendments thereto are hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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

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