



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, June 6, 2019
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	9:30 am	Planning and Development Committee
9:30 am	-	10:30 am	Environment and Infrastructure Committee
10:30 am	-	12:00 pm	Corporate Services Committee
12:00 pm	-	12:30 pm	Lunch
12:30 pm	-	1:30 pm	Protective Services Committee
1:30 pm	-	3:00 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

Advance Notice of 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
September 5, 2019	RDOS Board/Committee Meetings
September 19, 2019	RDOS Board/OSRHD Board/Committee Meetings
October 3, 2019	RDOS Board/Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, June 6, 2019

9:00 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of June 6, 2019 be adopted.

B. Cannabis Production Facilities

1. Draft Bylaw No. 2849
2. Draft Bylaw no. 2858

RECOMMENDATION 2

THAT Amendment Bylaw Nos. 2849 & 2858 proceed to first reading;

AND THAT prior to first reading of Amendment Bylaw Nos. 2849 & 2858, public information meetings regarding the proposed amendments contained in the bylaws be held in Oliver, Naramata and Princeton.

C. ADJOURNMENT

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: OCP Bylaw & Zoning Bylaw Amendments
Electoral Areas "A", "C", "D", "E", "F", "G", "H" & "I"
Cannabis Production Facilities, Home Occupations & Home Industries

Administrative Recommendation:

THAT Amendment Bylaw Nos. 2849 & 2858 proceed to first reading;

AND THAT prior to first reading of Amendment Bylaw Nos. 2849 & 2858, public information meetings regarding the proposed amendments contained in the bylaws be held in Oliver, Naramata and Princeton.

Purpose:

The purpose of this report is to seek direction from the Board with regard to proposed amendments related to an updating the regulations related to cannabis production facilities, home occupation uses and home industry uses in the Electoral Area Official Community Plan & Zoning Bylaws.

Background:

At its meeting of September 6, 2018, the Regional District 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."

At its meeting of March 21, 2019, the Planning and Development (P&D) Committee of the Board resolved to make an allowance for cannabis production as a form of "home industry" in Draft Amendment Bylaw 2849.

On May 8, 2019, the Agricultural Land Commission (ALC) advised that it would no longer be regulating the size and design of cannabis production facilities being proposed for lands within the Agricultural Land Reserve (ALR).

On May 8, 2019, Health Canada advised that it would, henceforward, be requiring that all structures related to a proposed cannabis production facility be completed prior to the submission of an application for a production license.

At its meeting of May 9, 2019, the Board resolved to defer consideration of 1st reading of Amendment Bylaw 2849, 2019, in order to consider alternative regulations related to "home industries" (i.e. floor area for cannabis production facilities and nuisance provisions) as well as regulations governing outside production of cannabis.

At its meeting of May 23, 2019, P&D Committee resolved to defer consideration of proposed amendments to Amendment Bylaw 2849 in order that staff separate Amendment Bylaw No. 2849 into two separate bylaws regarding 1) the prohibition of cannabis production facilities in all non-Industrial

zones and 2) introducing micro cannabis production facilities as a permitted use in certain zones, and bring these bylaws forward to committee for consideration.

Analysis:

In response to the feedback provided by the P&D Committee at its meeting of May 23, 2019, Administration has separated the proposed bylaw amendments related to cannabis production into two separate bylaws.

Draft Amendment Bylaw No. 2849 now addresses the direction provided by the Board at its meeting of September 6, 2018, which was to prohibit the **indoor** [emphasis added] production of cannabis in all zones other than Industrial.

Whereas Draft Amendment Bylaw No. 2858 addresses the direction provided by the Board at its meeting of March 21, 2019, which was to accommodate smaller-scale production facilities approved by Health Canada under its “micro cultivation license” on parcels greater than 2.0 ha in area.

These bylaws will each be discussed in the following sub-sections with more detailed information contained within the draft bylaws attached to this report:

Draft Amendment Bylaw No. 2849 (prohibiting indoor cannabis production):

OCP Bylaw amendments

In support of the proposed restriction of indoor cannabis production facilities to Industrial zones, Administration is proposing a number amendments to the Electoral Area OCP Bylaws. The following being a typical example of the proposed policy statements:

[The Regional Board] *Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.*

Zoning Bylaw - definitions

To address the indoor vs outdoor production of cannabis, it is being proposed to introduce separate definitions for these uses with “cannabis production, outdoor” being considered a permitted form of “agriculture” and permitted in all zones in which “agriculture” is a permitted use. This would include the RA, AG, LH & SH Zones.

Conversely, the “cannabis production, indoor” use would be listed as a permitted use in only the Industrial Zones (i.e. I1 & I2) and, therefore, as prohibited in all other zones.

To facilitate this, supportive amendments to the definition of “agriculture” and “manufacturing” are required.

Similarly, Administration is proposing to update and make consistent across Electoral Areas the definitions of “home industry” and “home occupation” in order to facilitate the exclusion of “cannabis production” as a form of these use under the General Regulations section of the zoning bylaws.

Zoning Bylaw – ALR Exemptions for Cannabis Production

In order to address the Exemption provided in the ALR Use Regulation for cannabis production facilities with a soil based floor system, it is being proposed to articulate what this means within the Zoning Bylaw. Specifically:

For the purposes of “cannabis production, indoors”, a structure that has a base consisting entirely of soil is a structure that shall not have concrete construction, hardsurfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:

- a) a building or structure supported by a system of columns or posts, where:*
 - i) each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and*
 - ii) the maximum footprint area for each concrete footing associated with each column or post is 0.5 m².*

Zoning Bylaw – Permitted Uses

To provide for “cannabis production, indoor” as a permitted use in the Industrial Zones, it is being proposed to introduce this as a specific principal use. At present, the definition of “manufacturing” captures cannabis production, but this would change as a result of the definition amendments outlined above.

Zoning Bylaw – Setbacks

It is being proposed to replace references to “soil-less medium production” under the setback requirements for agricultural uses in the applicable zones with references to “greenhouses” and “production facilities”. This will clarify when 15.0 metre setbacks apply versus other setbacks specified in the zoning bylaw.

Zoning Bylaw – Home Industries & Occupations

To facilitate the exclusion of “cannabis production, indoor” as a permitted form of home industry and occupation, as well as to further the work being undertaken in support of a single zoning bylaw for the Okanagan Electoral Areas, it is being proposed to introduce consistent regulations in each of the zoning bylaws.

Draft Amendment Bylaw No. 2858 (permitting micro-cultivation production facilities):

Zoning Bylaw – definitions & uses

Instead of including small-scale cannabis production as a form of “home industry”, it is being proposed that a new definition of “micro cannabis production facility” be created and that this be listed as a permitted accessory use in the RA, AG, LH and SH zones.

Zoning Bylaw – regulations

It is being proposed that a new set of General Regulations be introduced into each of the zoning bylaws requiring, amongst other things, a minimum parcel size requirement of 2.0 ha and a maximum floor area of 400 m².

Public Consultation

Administration is proposing to convene public information meetings regarding both the proposed amendment bylaws in Oliver, Naramata and Princeton prior to consideration of 1st reading of Bylaw No. 2849 and Bylaw No. 2858.

In addition, Administration will refer both bylaws for comments from external agencies prior to 1st reading.

Summary

The large-scale, industrial-style facilities required to accommodate the indoor production of cannabis are not considered an appropriate use of farmland and have the potential to negatively impact the soil capability of land and limit the ability to undertake soil-based farming in the future. The negative impacts include;

- site preparation activities required prior to the construction of buildings, including the removal of existing soils and fill activities;
- the concrete slabs/footings and other infrastructure related to building construction that become permanent fixtures on farmland with no provision for removal of the structure and site remediation at the end of the buildings life-span; and
- resulting compaction of the underlying sub-soils.

For these reasons, Administration is supportive of the proposed amendments contained within the draft bylaws as they relate to cannabis production facilities.

Alternatives:

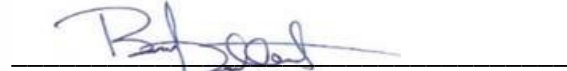
THAT the Board of Directors defer consideration of Amendment Bylaw Nos. 2849 and 2859.

Respectfully submitted:

Endorsed by:



C. Garrish, Planning Manager



B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 — Draft Amendment Bylaw No. 2849 (version 2019-05-27)
No. 2 — Draft Amendment Bylaw No. 2858 (version 2019-05-27)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2849, 2019

**A Bylaw to amend the Electoral Areas "A", "C", "D", "E", "F", "G", "H" and "I"
Regional District of Okanagan-Similkameen Official Community Plan & Zoning Bylaws**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Electoral Area Official Community Plan & Zoning Amendment Bylaw No. 2849, 2019."

Electoral Area "A"

2. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008" is amended by:
 - i) adding a new sub-section .9 under Section 5.3 (Policies) at Section 5.0 (Resource Area) to read as follows:

.9 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - ii) adding a new sub-section .18 under Section 6.3 (Policies) at Section 6.0 (Agriculture) to read as follows and re-numbering all subsequent sections:

.18 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
 - iii) adding a new sub-section .19 under Section 6.3 (Policies) at Section 6.0 (Agriculture) to read as follows and re-numbering all subsequent sections:

.19 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted "farm use" by the Agricultural Land Commission if

produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.

- iv) adding a new sub-section .9 under Section 7.3 (Policies) at Section 7.0 (Rural Holdings) to read as follows:

.9 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.

- v) adding a new sub-section .9 under Section 9.3 (Policies – General Commercial) at Section 9.0 (Commercial) to read as follows:

.9 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.

- vi) adding a new sub-section .9 under Section 10.3 (Industrial Policies) at Section 10.0 (Industrial) to read as follows:

.9 Supports the use of lands designated Industrial (I) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is considered an appropriate use of industrial lands.

- 3. The “Regional District of Okanagan-Similkameen, Electoral Area “A” Zoning Bylaw No. 2451, 2008” is amended by:

- i) replacing the definition of “agriculture” under Section 4.0 (Definitions) in its entirety with the following:

“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 and “cannabis production, indoor”. Agriculture includes “cannabis production, outdoor”, producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- ii) adding a new definition of “cannabis production, indoor” at Section 4.0 (Definition) to read as follows:

“cannabis production, indoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, outdoor”;

- iii) replacing the definition of “cannabis production” at Section 4.0 (Definition) in its entirety with the following:

“cannabis production, outdoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;

- iv) replacing the definition of “home industry” at Section 4.0 (Definition) in its entirety with the following:

“home industry” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

- v) replacing the definition of “home occupation” at Section 4.0 (Definition) in its entirety with the following:

“home occupation” means an occupation or profession that is accessory to the principal residential use of a parcel and may include home offices; studios; home workshops, and other similar uses;

- vi) replacing the definition of “manufacturing” under Section 4.0 (Definitions) in its entirety with the following:

“manufacturing” means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes.

- vii) adding a new sub-section 4 under Section 7.4 (Prohibited Uses of Land, Buildings and Structure) to read as follows:

.4 the use of any land, building or structure for “cannabis production, indoor”, is prohibited in all zones, except as follows:

- a) where expressly permitted elsewhere in this Bylaw; or
- b) inside a structure with a base consisting entirely of soil on land in the Agricultural Land Reserve (ALR). A structure with a base consisting entirely of soil shall not have concrete construction, hard-surfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:
 - i) a building or structure supported by a system of columns or posts, where:
 - .1 each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and

- .2 the maximum area of a concrete footing associated with a column or post is 0.5 m².

viii) replacing Section 7.17 (Home Occupations) under Section 7.0 (General Regulations) in its entirety with the following:

7.17 Home Occupations

The following regulations apply to home occupation uses where permitted as a use in this Bylaw:

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a home occupation, except for:
 - a) goods produced or made on the premises;
 - b) telephone or internet sales or sales where the customer does not enter the premises;
 - c) mail order sales;
 - d) direct distributors where customers do not enter the premises; and
 - e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
- .6 A home occupation will not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .7 A home occupation shall not produce a public offence or nuisance of any kind;
- .8 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;

- c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.
- ix) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

The following regulations apply to home industry uses where permitted as a use in this Bylaw:

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area.
- .8 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .9 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;

- c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:

Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:

Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Two (AG2) Zone) to read as follows:

Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 10.4.6(b) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows:

Despite Section 10.4.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiv) replacing the first sentence of sub-Section 10.5.6(c) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows:

Despite Section 10.5.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xv) adding a new sub-Section 15.1.1(a) under Section 15.1 (General Industrial (I1) Zone) to read as follows and re-numbering all subsequent sections:
 - a) cannabis production, indoor;

Electoral Area "C"

4. The "Regional District of Okanagan-Similkameen, Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008" is amended by:
 - i) adding a new sub-section .9 under Section 8.3 (Policies) at Section 8.0 (Resource Area) to read as follows:

- .9 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
- ii) adding a new sub-section .25 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:
- .25 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
- iii) adding a new sub-section .26 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:
- .26 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted “farm use” by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.
- iv) adding a new sub-section .9 under Section 10.3 (Policies) at Section 10.0 (Rural Holdings) to read as follows:
- .9 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
- v) adding a new sub-section .7 under Section 12.3 (Policies – General Commercial) at Section 12.0 (Commercial) to read as follows:
- .7 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.
- vi) adding a new sub-section .6 under Section 13.3 (Policies) at Section 13.0 (Industrial) to read as follows:
- .6 Supports the use of lands designated Industrial (I) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is considered an appropriate use of industrial lands.
5. The “Regional District of Okanagan-Similkameen, Electoral Area “C” Zoning Bylaw No. 2453, 2008” is amended by:

- i) replacing the definition of “agriculture” under Section 4.0 (Definitions) in its entirety with the following:

“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 and “cannabis production, indoor”. Agriculture includes “cannabis production, outdoor”, producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- ii) adding a new definition of “cannabis production, indoor” at Section 4.0 (Definition) to read as follows:

“cannabis production, indoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, outdoor”;

- iii) replacing the definition of “cannabis production” at Section 4.0 (Definition) in its entirety with the following:

“cannabis production, outdoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;

- iv) replacing the definition of “home industry” under Section 4.0 (Definitions) in its entirety with the following

“home industry” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

- v) replacing the definition of “manufacturing” under Section 4.0 (Definitions) in its entirety with the following:

“manufacturing” means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes.

- vi) adding a new sub-section 4 under Section 7.4 (Prohibited Uses of Land, Buildings and Structure) to read as follows:

.4 the use of any land, building or structure for “cannabis production, indoor”, is prohibited in all zones, except as follows:

- a) where expressly permitted elsewhere in this Bylaw; or

- b) inside a structure with a base consisting entirely of soil on land in the Agricultural Land Reserve (ALR). A structure with a base consisting entirely of soil shall not have concrete construction, hard-surfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:
 - i) a building or structure supported by a system of columns or posts, where:
 - .1 each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and
 - .2 the maximum area of a concrete footing associated with a column or post is 0.5 m².
- vii) replacing Section 7.17 (Home Occupations) under Section 7.0 (General Regulations) in its entirety with the following:

7.17 Home Occupations

The following regulations apply to home occupation uses where permitted as a use in this Bylaw:

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a home occupation, except for:
 - a) goods produced or made on the premises;
 - b) telephone or internet sales or sales where the customer does not enter the premises;
 - c) mail order sales;
 - d) direct distributors where customers do not enter the premises; and
 - e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.

- .6 A home occupation shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .7 A home occupation shall not produce a public offence or nuisance of any kind;
- .8 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture;
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity; and
 - g) the salvage, repair or assembly of electronic devices, motor vehicles, boats, or other machinery as a commercial venture on lands situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.

viii) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

The following regulations apply to home industry uses where permitted as a use in this Bylaw:

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.

- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area.
- .8 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .9 A home industry shall not involve:
- a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing;
 - g) the production of animal feeds; and
 - h) the salvage, repair or assembly of electronic devices, motor vehicles, boats, or other machinery as a commercial venture on lands situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.
- ix) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:
- Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- x) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:
- Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Two (AG2) Zone) to read as follows:
- Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xii) replacing the first sentence of sub-Section 10.4.6(b) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows:

Despite Section 10.4.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xiii) replacing the first sentence of sub-Section 10.5.6(c) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows:

Despite Section 10.5.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xiv) adding a new sub-Section 15.1.1(a) under Section 15.1 (General Industrial (I1) Zone) to read as follows and re-numbering all subsequent sections:

a) cannabis production, indoor;

- xv) adding a new sub-Section 15.2.1(a) under Section 15.2 (Heavy Industrial (I2) Zone) to read as follows and re-numbering all subsequent sections:

a) cannabis production, indoor;

Electoral Area "D"

6. The "Regional District of Okanagan-Similkameen, Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013" is amended by:

- i) adding a new sub-section .7 under Section 8.3 (Policies) at Section 8.0 (Resource Area) to read as follows, and renumbering all subsequent sections:

.7 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.

- ii) adding a new sub-section .24 under Section 9.2 (Policies) at Section 9.0 (Agriculture) to read as follows:

.24 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.

- iii) adding a new sub-section .25 under Section 9.2 (Policies) at Section 9.0 (Agriculture) to read as follows:

.25 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted "farm use" by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.

- iv) adding a new sub-section .11 under Section 10.3 (Policies - General) at Section 10.0 (Rural Holdings) to read as follows:
 - .11 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - v) adding a new sub-section .12 under Section 12.3 (Policies) at Section 12.0 (Town Centre) to read as follows:
 - .12 Does not support the use of lands designated Town Centre (TC) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - vi) adding a new sub-section .9 under Section 13.3 (Policies – General Commercial) at Section 13.0 (Commercial) to read as follows:
 - .9 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.
 - vii) adding a new sub-section .11 under Section 14.3 (Policies - Industrial) at Section 14.0 (Industrial) to read as follows:
 - .11 Supports the use of lands designated Industrial (I) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is considered an appropriate use of industrial lands.
7. The “Regional District of Okanagan-Similkameen, Electoral Area “D” Zoning Bylaw No. 2455, 2008” is amended by:
- i) replacing the definition of “agriculture” under Section 4.0 (Definitions) in its entirety with the following:

“**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 and “cannabis production, indoor”. Agriculture includes “cannabis production, outdoor”, producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;
 - ii) adding a new definition of “cannabis production, indoor” at Section 4.0 (Definition) to read as follows:

“cannabis production, indoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, outdoor”;

- iii) adding a new definition of “cannabis production” at Section 4.0 (Definition) to read as follows:

“cannabis production, outdoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;

- iv) replacing the definition of “home industry” at Section 4.0 (Definition) in its entirety with the following:

“home industry” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

- v) replacing the definition of “home occupation” at Section 4.0 (Definition) in its entirety with the following:

“home occupation” means an occupation or profession that is accessory to the principal residential use of a parcel and may include home offices; studios; home workshops, and other similar uses;

- vi) replacing the definition of “manufacturing” under Section 4.0 (Definitions) in its entirety with the following:

“manufacturing” means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes.

- vii) adding a new sub-section 4 under Section 7.4 (Prohibited Uses of Land, Buildings and Structure) to read as follows:

.4 the use of any land, building or structure for “cannabis production, indoor”, is prohibited in all zones, except as follows:

- a) where expressly permitted elsewhere in this Bylaw; or
- b) inside a structure with a base consisting entirely of soil on land in the Agricultural Land Reserve (ALR). A structure with a base consisting entirely of soil shall not have concrete construction, hard-surfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:

- i) a building or structure supported by a system of columns or posts, where:
 - .1 each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and
 - .2 the maximum area of a concrete footing associated with a column or post is 0.5 m².

viii) replacing Section 7.17 (Home Occupations) under Section 7.0 (General Regulations) in its entirety with the following:

7.17 Home Occupations

The following regulations apply to home occupation uses where permitted as a use in this Bylaw:

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a home occupation, except for:
 - a) goods produced or made on the premises;
 - b) telephone or internet sales or sales where the customer does not enter the premises;
 - c) mail order sales;
 - d) direct distributors where customers do not enter the premises; and
 - e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
- .6 A home occupation shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .7 A home occupation shall not produce a public offence or nuisance of any kind;

.8 A home occupation shall not involve:

- a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
- b) the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
- c) the boarding, breeding and keeping of animals;
- d) cannabis production, indoor and outdoor;
- e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
- f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.

ix) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

The following regulations apply to home industry uses where permitted as a use in this Bylaw:

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area.

- .8 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .9 A home industry shall not involve:
- a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:
- Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:
- Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows:
- Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 10.4.6(b) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows:
- Despite Section 10.4.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiv) replacing the first sentence of sub-Section 10.5.6(b) under Section 10.5 (Large Holdings Two (LH2) Zone) to read as follows:
- Despite Section 10.5.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xv) replacing the first sentence of sub-Section 10.7.6(c) under Section 10.7 (Small Holdings Two (SH2) Zone) to read as follows:

Despite Section 10.7.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xvi) adding a new sub-Section 15.1.1(a) under Section 15.1 (General Industrial (I1) Zone) to read as follows and re-numbering all subsequent sections:

- a) cannabis production, indoor;

- xvii) adding a new sub-Section 15.2.1(a) under Section 15.2 (Heavy Industrial (I2) Zone) to read as follows and re-numbering all subsequent sections:

- a) cannabis production, indoor;

Electoral Area "E"

- 8. The "Regional District of Okanagan-Similkameen, Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008" is amended by:

- i) adding a new sub-section .11 under Section 8.3 (Policies) at Section 8.0 (Resource Area) to read as follows:

- .11 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.

- ii) adding a new sub-section .17 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:

- .17 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.

- iii) adding a new sub-section .18 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:

- .18 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted "farm use" by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.

- iv) adding a new sub-section .11 under Section 10.3 (Policies - General) at Section 10.0 (Rural Holdings) to read as follows:

- .11 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style

facilities required to accommodate this type of production are not considered an appropriate use.

- v) adding a new sub-section .9 under Section 12.3 (Policies) at Section 12.0 (Naramata Village Centre) to read as follows:

.9 Does not support the use of lands designated Town Centre (TC) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.

- vi) adding a new sub-section .7 under Section 13.3 (Policies – General Commercial) at Section 13.0 (Commercial) to read as follows:

.7 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.

- 9. The “Regional District of Okanagan-Similkameen, Electoral Area “E” Zoning Bylaw No. 2459, 2008” is amended by:

- i) replacing the definition of “agriculture” under Section 4.0 (Definitions) in its entirety with the following:

“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 and “cannabis production, indoor”. Agriculture includes “cannabis production, outdoor”, producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- ii) adding a new definition of “cannabis production, indoor” at Section 4.0 (Definition) to read as follows:

“cannabis production, indoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, outdoor”;

- iii) replacing the definition of “cannabis production” at Section 4.0 (Definition) in its entirety with the following:

“cannabis production, outdoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;

- iv) replacing the definition of “home industry” at Section 4.0 (Definition) in its entirety with the following:

“home industry” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

- v) replacing the definition of “home occupation” at Section 4.0 (Definition) in its entirety with the following:

“home occupation” means an occupation or profession that is accessory to the principal residential use of a parcel and may include home offices; studios; home workshops, and other similar uses;

- vi) replacing the definition of “manufacturing” under Section 4.0 (Definitions) in its entirety with the following:

“manufacturing” means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes.

- vii) adding a new sub-section 4 under Section 7.4 (Prohibited Uses of Land, Buildings and Structure) to read as follows:

.4 the use of any land, building or structure for “cannabis production, indoor”, is prohibited in all zones, except as follows:

a) where expressly permitted elsewhere in this Bylaw; or

b) inside a structure with a base consisting entirely of soil on land in the Agricultural Land Reserve (ALR). A structure with a base consisting entirely of soil shall not have concrete construction, hard-surfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:

i) a building or structure supported by a system of columns or posts, where:

.1 each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and

.2 the maximum area of a concrete footing associated with a column or post is 0.5 m².

- viii) replacing Section 7.17 (Home Occupations) under Section 7.0 (General Regulations) in its entirety with the following:

7.17 Home Occupations

The following regulations apply to home occupation uses where permitted as a use in this Bylaw:

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a home occupation, except for:
 - a) goods produced or made on the premises;
 - b) telephone or internet sales or sales where the customer does not enter the premises;
 - c) mail order sales;
 - d) direct distributors where customers do not enter the premises; and
 - e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
- .6 A home occupation shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .7 A home occupation shall not produce a public offence or nuisance of any kind;
- .8 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and

- f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.
- ix) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

The following regulations apply to home industry uses where permitted as a use in this Bylaw:

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area.
- .8 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .9 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;

- f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:

Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:

Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Large Holdings One (LH1) Zone) to read as follows:

Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 10.5.6(c) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows:

Despite Section 10.5.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

Electoral Area "F"

10. The "Regional District of Okanagan-Similkameen, Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018" is amended by:

- i) adding a new sub-section .15 under Section 8.3 (Policies) at Section 8.0 (Resource Area) to read as follows:

.15 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
- ii) adding a new sub-section .18 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:

.18 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
- iii) adding a new sub-section .19 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:

- .19 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted "farm use" by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.
- iv) adding a new sub-section .9 under Section 10.3 (Policies - General) at Section 10.0 (Rural Holdings) to read as follows:
- .9 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
- v) adding a new sub-section .5 under Section 12.3 (Policies – General Commercial) at Section 12.0 (Commercial) to read as follows:
- .5 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.
11. The "Regional District of Okanagan-Similkameen, Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:
- i) replacing the definition of "agriculture" under Section 4.0 (Definitions) in its entirety with the following:
- "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 and "cannabis production, indoor". Agriculture includes "cannabis production, outdoor", producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;
- ii) adding a new definition of "cannabis production, indoor" at Section 4.0 (Definition) to read as follows:
- "cannabis production, indoor"** means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, but excludes the growing of cannabis by an individual for their personal use and consumption, or "cannabis production, outdoor";
- iii) replacing the definition of "cannabis production" at Section 4.0 (Definition) in its entirety with the following:
- "cannabis production, outdoor"** means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis

outside in a field, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;

- iv) replacing the definition of “home industry” at Section 4.0 (Definition) in its entirety with the following:

“home industry” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

- v) replacing the definition of “home occupation” at Section 4.0 (Definition) in its entirety with the following:

“home occupation” means an occupation or profession that is accessory to the principal residential use of a parcel and may include home offices; studios; home workshops, and other similar uses;

- vi) replacing the definition of “manufacturing” under Section 4.0 (Definitions) in its entirety with the following:

“manufacturing” means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes.

- vii) adding a new sub-section 4 under Section 7.4 (Prohibited Uses of Land, Buildings and Structure) to read as follows:

.4 the use of any land, building or structure for “cannabis production, indoor”, is prohibited in all zones, except as follows:

- a) where expressly permitted elsewhere in this Bylaw; or
- b) inside a structure with a base consisting entirely of soil on land in the Agricultural Land Reserve (ALR). A structure with a base consisting entirely of soil shall not have concrete construction, hard-surfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:
 - i) a building or structure supported by a system of columns or posts, where:
 - .1 each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and
 - .2 the maximum area of a concrete footing associated with a column or post is 0.5 m².

- viii) replacing Section 7.17 (Home Occupations) under Section 7.0 (General Regulations) in its entirety with the following:

7.17 Home Occupations

The following regulations apply to home occupation uses where permitted as a use in this Bylaw:

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a home occupation, except for:
 - a) goods produced or made on the premises;
 - b) telephone or internet sales or sales where the customer does not enter the premises;
 - c) mail order sales;
 - d) direct distributors where customers do not enter the premises; and
 - e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
- .6 A home occupation shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .7 A home occupation shall not produce a public offence or nuisance of any kind;
- .8 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;

- e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.
- ix) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

The following regulations apply to home industry uses where permitted as a use in this Bylaw:

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area.
- .8 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .9 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;

- d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.7(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:
- Despite Section 10.1.7(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture Two (AG2) Zone) to read as follows:
- Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows:
- Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 10.4.6(b) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows:
- Despite Section 10.4.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiv) replacing the first sentence of sub-Section 10.5.7(c) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows:
- Despite Section 10.5.7(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

Electoral Area "G"

12. The "Regional District of Okanagan-Similkameen, Electoral Area "G" Zoning Bylaw No. 2781, 2017" is amended by:

- i) replacing the definition of "agriculture" under Section 4.0 (Definitions) in its entirety with the following:

"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 and "cannabis production, indoor". Agriculture includes

"cannabis production, outdoor", producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- ii) adding a new definition of "cannabis" under Section 4.0 (Definitions) to read as follows:

"cannabis" means any plant of the genus *cannabis*; including:

- a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

- iii) adding a new definition of "cannabis production, indoor" under Section 4.0 (Definitions) to read as follows:

"cannabis production, indoor" means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, but excludes the growing of cannabis by an individual for their personal use and consumption, or "cannabis production, outdoor";

- iv) adding a new definition of "cannabis production, outdoor" under Section 4.0 (Definitions) to read as follows:

"cannabis production, outdoor" means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field, but excludes the growing of cannabis by an individual for their personal use and consumption, or "cannabis production, indoor";

- v) adding a new definition of "cannabis products" under Section 4.0 (Definitions) to read as follows:

"cannabis products" means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

- vi) adding a new definition of "home industry" under Section 4.0 (Definitions) to read as follows:

"home industry" means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

vii) adding a new sub-section 3 under Section 6.4 (Prohibited Uses of Land, Buildings and Structure) to read as follows:

- .3 the use of any land, building or structure for “cannabis production, indoor”, is prohibited in all zones, except as follows:
 - a) where expressly permitted elsewhere in this Bylaw; or
 - b) inside a structure with a base consisting entirely of soil on land in the Agricultural Land Reserve (ALR). A structure with a base consisting entirely of soil shall not have concrete construction, hard-surfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:
 - i) a building or structure supported by a system of columns or posts, where:
 - .1 each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and
 - .2 the maximum area of a concrete footing associated with a column or post is 0.5 m².

viii) replacing Section 6.11 (Home Occupations) under Section 6.0 (General Regulations) in its entirety with the following:

6.11 Home Occupations

The following regulations apply to home occupation uses where permitted as a use in this Bylaw:

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a home occupation, except for:
 - f) goods produced or made on the premises;
 - g) telephone or internet sales or sales where the customer does not enter the premises;
 - h) mail order sales;
 - i) direct distributors where customers do not enter the premises; and
 - j) sale of products directly related to the home occupation.

- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
- .6 A home occupation shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .7 A home occupation shall not produce a public offence or nuisance of any kind;
- .8 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.

ix) replacing Section 6.12 (Home Industries) under Section 6.0 (General Regulations) in its entirety with the following:

6.12 Home Industries

The following regulations apply to home industry uses where permitted as a use in this Bylaw:

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.

- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area.
- .8 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .9 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.5(b) under Section 10.1 (Large Holdings One (LH1) Zone) to read as follows:

Despite Section 10.1.5(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

Electoral Area "H"

13. The "Regional District of Okanagan-Similkameen, Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012" is amended by:
- i) adding a new sub-section .12 under Section 9.3 (Policies) at Section 9.0 (Resource Area) to read as follows and re-numbering all subsequent sections:
 - .12 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.

- ii) adding a new sub-section .17 under Section 10.3 (Policies) at Section 10.0 (Agriculture) to read as follows:
 - .17 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
 - iii) adding a new sub-section .18 under Section 10.3 (Policies) at Section 10.0 (Agriculture) to read as follows:
 - .18 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted "farm use" by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.
 - iv) adding a new sub-section .10 under Section 11.3 (Policies) at Section 11.0 (Rural Holdings) to read as follows:
 - .10 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - v) adding a new sub-section .10 under Section 13.3 (Policies) at Section 13.0 (Commercial) to read as follows:
 - .10 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.
 - vi) adding a new sub-section .5 under Section 14.3 (Policies) at Section 14.0 (Industrial) to read as follows:
 - .5 Supports the use of lands designated Industrial (I) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is considered an appropriate use of industrial lands.
14. The "Regional District of Okanagan-Similkameen, Electoral Area "H" Zoning Bylaw No. 2498, 2012" is amended by:
- i) replacing the definition of "agriculture" under Section 4.0 (Definitions) in its entirety with the following:

"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 and "cannabis production, indoor".

Agriculture includes “cannabis production, outdoor”, producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- ii) adding a new definition of “cannabis” under Section 4.0 (Definitions) to read as follows:

“cannabis” means any plant of the genus *cannabis*; including:

- a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

- iii) adding a new definition of “cannabis production, indoor” under Section 4.0 (Definitions) to read as follows:

“cannabis production, indoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, outdoor”;

- iv) adding a new definition of “cannabis production, outdoor” under Section 4.0 (Definitions) to read as follows:

“cannabis production, outdoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;

- v) adding a new definition of “cannabis products” under Section 4.0 (Definitions) to read as follows:

“cannabis products” means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

- vi) adding a new definition of “home industry” under Section 4.0 (Definitions) to read as follows:

“home industry” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

- vii) adding the definition of “manufacturing” under Section 4.0 (Definitions) to read as follows:

“manufacturing” means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes;

- viii) adding a new sub-section 4 under Section 7.4 (Prohibited Uses of Land, Buildings and Structure) to read as follows:

- .4 the use of any land, building or structure for “cannabis production, indoor”, is prohibited in all zones, except as follows:
- a) where expressly permitted elsewhere in this Bylaw; or
 - b) inside a structure with a base consisting entirely of soil on land in the Agricultural Land Reserve (ALR). A structure with a base consisting entirely of soil shall not have concrete construction, hard-surfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:
 - i) a building or structure supported by a system of columns or posts, where:
 - .1 each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and
 - .2 the maximum area of a concrete footing associated with a column or post is 0.5 m².

- ix) replacing Section 7.17 (Home Occupations) under Section 7.0 (General Regulations) in its entirety with the following:

7.17 Home Occupations

The following regulations apply to home occupation uses where permitted as a use in this Bylaw:

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a home occupation, except for:
 - a) goods produced or made on the premises;
 - b) telephone or internet sales or sales where the customer does not enter the premises;
 - c) mail order sales;

- d) direct distributors where customers do not enter the premises;
and
- e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
- .6 A home occupation shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .7 A home occupation shall not produce a public offence or nuisance of any kind;
- .8 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.
- x) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

The following regulations apply to home industry uses where permitted as a use in this Bylaw:

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.

- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area.
- .8 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .9 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- xii) replacing the first sentence of sub-Section 11.1.5(b) under Section 11.1 (Resource Area (RA) Zone) to read as follows:

Despite Section 11.1.5(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 11.3.5(b) under Section 11.3 (Agriculture Three (AG3) Zone) to read as follows:

Despite Section 11.3.5(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiv) replacing the first sentence of sub-Section 11.4.5(b) under Section 11.4 (Large Holdings One (LH1) Zone) to read as follows:

Despite Section 11.4.5(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xiv) replacing the first sentence of sub-Section 11.5.5(b) under Section 11.5 (Large Holdings Two (LH2) Zone) to read as follows:

Despite Section 11.5.5(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xv) replacing the first sentence of sub-Section 11.6.5(c) under Section 11.6 (Small Holdings Two (SH2) Zone) to read as follows:

Despite Section 11.6.5(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xvi) replacing a new sub-Section 14.1.1(a) under Section 14.1 (Industrial (Light) One (I1) Zone) in its entirety with the following:

- a) manufacturing;

- xvii) adding a new sub-Section 14.1.1(b) under Section 14.1 (Industrial (Light) One (I1) Zone) to read as follows and re-numbering all subsequent sections:

- b) cannabis production, indoor;

- xviii) replacing a new sub-Section 14.2.1(a) under Section 14.2 (Industrial (Heavy) Two (I2) Zone) in its entirety with the following:

- a) manufacturing;

- xix) adding a new sub-Section 14.2.1(b) under Section 14.2 (Industrial (Heavy) Two (I2) Zone) to read as follows and re-numbering all subsequent sections:

- b) cannabis production, indoor;

Electoral Area "I"

- 15. The "Regional District of Okanagan-Similkameen, Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016" is amended by:

- i) adding a new sub-section .9 under Section 8.3 (Policies) at Section 8.0 (Resource Area) to read as follows:

- .9 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.

- ii) adding a new sub-section .15 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:

- .15 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
- iii) adding a new sub-section .16 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:
- .16 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted “farm use” by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.
- iv) adding a new sub-section .11 under Section 10.3 (Policies - General) at Section 10.0 (Rural Holdings) to read as follows:
- .11 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
- v) adding a new sub-section .6 under Section 12.3 (Policies – General Commercial) at Section 12.0 (Commercial) to read as follows:
- .6 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.
16. The “Regional District of Okanagan-Similkameen, Electoral Area “I” Zoning Bylaw No. 2457, 2008” is amended by:
- i) replacing the definition of “agriculture” under Section 4.0 (Definitions) in its entirety with the following:
- “**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 and “cannabis production, indoor”. Agriculture includes “cannabis production, outdoor”, producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;
- ii) adding a new definition of “cannabis production, indoor” at Section 4.0 (Definition) to read as follows:
- “**cannabis production, indoor**” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a

structure, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, outdoor”;

- iii) replacing the definition of “cannabis production” at Section 4.0 (Definition) in its entirety with the following:

“cannabis production, outdoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;

- iv) adding a new definition of “home industry” under Section 4.0 (Definitions) to read as follows:

“home industry” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

- v) replacing the definition of “manufacturing” under Section 4.0 (Definitions) in its entirety with the following:

“manufacturing” means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes.

- vi) adding a new sub-section 4 under Section 7.4 (Prohibited Uses of Land, Buildings and Structure) to read as follows:

.4 the use of any land, building or structure for “cannabis production, indoor”, is prohibited in all zones, except as follows:

- a) where expressly permitted elsewhere in this Bylaw; or
- b) inside a structure with a base consisting entirely of soil on land in the Agricultural Land Reserve (ALR). A structure with a base consisting entirely of soil shall not have concrete construction, hard-surfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:
 - i) a building or structure supported by a system of columns or posts, where:
 - .1 each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and
 - .2 the maximum area of a concrete footing associated with a column or post is 0.5 m².

- vii) replacing Section 7.17 (Home Occupations) under Section 7.0 (General Regulations) in its entirety with the following:

7.17 Home Occupations

The following regulations apply to home occupation uses where permitted as a use in this Bylaw:

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a home occupation, except for:
 - a) goods produced or made on the premises;
 - b) telephone or internet sales or sales where the customer does not enter the premises;
 - c) mail order sales;
 - d) direct distributors where customers do not enter the premises; and
 - e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
- .6 A home occupation shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .7 A home occupation shall not produce a public offence or nuisance of any kind;
- .8 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;

- d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture;
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity; and
 - g) the salvage, repair or assembly of electronic devices, motor vehicles, boats, or other machinery as a commercial venture on lands situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.
- viii) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

The following regulations apply to home industry uses where permitted as a use in this Bylaw:

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area.
- .8 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
- .9 A home industry shall not involve:

- a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) animal or agriculture products processing;
 - f) cannabis production, indoor and outdoor;
 - g) the production of animal feeds; and
 - h) the salvage, repair or assembly of electronic devices, motor vehicles, boats, or other machinery as a commercial venture on lands situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.
- ix) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:
- Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- x) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:
- Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows:
- Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.4.6(b) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows:
- Despite Section 10.4.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 10.5.6(b) under Section 10.5 (Large Holdings Two (LH2) Zone) to read as follows:
- Despite Section 10.5.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiv) replacing the first sentence of sub-Section 10.6.6(c) under Section 10.6 (Small Holdings Two (SH2) Zone) to read as follows:

Despite Section 10.6.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

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 "Regional District of Okanagan-Similkameen Amendment Bylaw No. 2849, 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

Corporate Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2858, 2019

**A Bylaw to amend the Electoral Areas "A", "C", "D", "E", "F", "G", "H" and "I"
Regional District of Okanagan-Similkameen Zoning Bylaws**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Electoral Area Zoning Amendment Bylaw No. 2858, 2019."

Electoral Area "A"

2. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:

- i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 7.27 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.27 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.

- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
- iii) adding a new sub-Section 10.1.1(p) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - p) micro cannabis production facility, subject to Section 7.27;
 - iv) adding a new sub-Section 10.2.1(m) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.27;
 - v) adding a new sub-Section 10.3.1(m) under Section 10.3 (Agriculture Two (AG2) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.27;
 - vi) adding a new sub-Section 10.4.1(k) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.27;
 - vii) adding a new sub-Section 10.5.1(f) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - f) micro cannabis production facility, subject to Section 7.27;

Electoral Area "C"

- 3. The "Regional District of Okanagan-Similkameen, Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:
 - i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 7.28 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.28 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
 - .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
- iii) adding a new sub-Section 10.1.1(q) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - q) micro cannabis production facility, subject to Section 7.28;
 - iv) adding a new sub-Section 10.2.1(k) under Section 10.1 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.28;
 - v) adding a new sub-Section 10.3.1(k) under Section 10.3 (Agriculture Two (AG2) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.28;
 - vi) adding a new sub-Section 10.4.1(j) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - j) micro cannabis production facility, subject to Section 7.28;
 - vii) adding a new sub-Section 10.5.1(f) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - f) micro cannabis production facility, subject to Section 7.28;

Electoral Area "D"

- 4. The "Regional District of Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:

- i) adding a new definition of “micro cannabis production facility” under Section 4.0 (Definitions) to read as follows:

“micro cannabis production facility” means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 7.28 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.28 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
- .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
- .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.

- iii) adding a new sub-Section 10.1.1(r) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:

r) micro cannabis production facility, subject to Section 7.28;

- iv) adding a new sub-Section 10.2.1(n) under Section 10.1 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:

n) micro cannabis production facility, subject to Section 7.28;

- v) adding a new sub-Section 10.3.1(m) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows and re-numbering all subsequent sections:

m) micro cannabis production facility, subject to Section 7.28;

- vi) adding a new sub-Section 10.4.1(k) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:

k) micro cannabis production facility, subject to Section 7.28;

- vii) adding a new sub-Section 10.5.1(k) under Section 10.5 (Large Holdings Two (LH2) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.28;
- viii) adding a new sub-Section 10.7.1(g) under Section 10.7 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - g) micro cannabis production facility, subject to Section 7.28;

Electoral Area "E"

- 5. The "Regional District of Okanagan-Similkameen, Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:
 - i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;
 - ii) adding a new Section 7.28 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.28 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

 - .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
 - .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
 - iii) adding a new sub-Section 10.1.1(o) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - o) micro cannabis production facility, subject to Section 7.28;

- iv) adding a new sub-Section 10.2.1(m) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.28;
- v) adding a new sub-Section 10.3.1(l) under Section 10.3 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - l) micro cannabis production facility, subject to Section 7.28;
- viii) adding a new sub-Section 10.5.1(g) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - g) micro cannabis production facility, subject to Section 7.28;

Electoral Area "F"

- 6. The "Regional District of Okanagan-Similkameen, Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:
 - i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;
 - ii) adding a new Section 7.29 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.29 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
- .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
- .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.

- iii) adding a new sub-Section 10.1.1(w) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - w) micro cannabis production facility, subject to Section 7.29;
- vi) adding a new sub-Section 10.2.1(p) under Section 10.2 (Agriculture Two (AG2) Zone) to read as follows and re-numbering all subsequent sections:
 - p) micro cannabis production facility, subject to Section 7.29;
- vii) adding a new sub-Section 10.3.1(q) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows and re-numbering all subsequent sections:
 - q) micro cannabis production facility, subject to Section 7.29;
- viii) adding a new sub-Section 10.4.1(p) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - p) micro cannabis production facility, subject to Section 7.29;
- ix) adding a new sub-Section 10.5.1(k) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.29;

Electoral Area "G"

- 7. The "Regional District of Okanagan-Similkameen, Electoral Area "G" Zoning Bylaw No. 2781, 2017" is amended by:
 - i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;
 - ii) adding a new Section 6.16 (Micro Cannabis Production Facility) under Section 6.0 (General Regulations) to read as follows:

6.15 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.

- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
- iii) adding a new sub-Section 10.1.1(i) under Section 10.1 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
- i) micro cannabis production facility, subject to Section 6.15;

Electoral Area "H"

8. The "Regional District of Okanagan-Similkameen, Electoral Area "H" Zoning Bylaw No. 2498, 2012" is amended by:
- i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;
 - ii) adding a new Section 7.29 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.29 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
- .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
- .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.

- iii) adding a new sub-Section 11.1.1(o) under Section 11.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - o) micro cannabis production facility, subject to Section 7.29;
- iv) adding a new sub-Section 11.3.1(p) under Section 11.3 (Agriculture Three (AG3) Zone) to read as follows and re-numbering all subsequent sections:
 - p) micro cannabis production facility, subject to Section 7.29;
- v) adding a new sub-Section 11.4.1(l) under Section 11.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - l) micro cannabis production facility, subject to Section 7.29;
- vi) adding a new sub-Section 11.5.1(n) under Section 11.5 (Large Holdings Two (LH2) Zone) to read as follows and re-numbering all subsequent sections:
 - n) micro cannabis production facility, subject to Section 7.29;
- vii) adding a new sub-Section 10.6.1(i) under Section 10.6 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - i) micro cannabis production facility, subject to Section 7.29;

Electoral Area "I"

- 9. The "Regional District of Okanagan-Similkameen, Electoral Area "I" Zoning Bylaw No. 2457, 2008" is amended by:
 - i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;
 - ii) adding a new Section 7.31 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.31 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.

- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
- iii) adding a new sub-Section 10.1.1(s) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - s) micro cannabis production facility, subject to Section 7.31;
- iv) adding a new sub-Section 10.2.1(m) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.31;
- v) adding a new sub-Section 10.3.1(m) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.31;
- vi) adding a new sub-Section 10.4.1(n) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - n) micro cannabis production facility, subject to Section 7.31;
- vii) adding a new sub-Section 10.5.1(n) under Section 10.5 (Large Holdings Two (LH2) Zone) to read as follows and re-numbering all subsequent sections:
 - n) micro cannabis production facility, subject to Section 7.31;
- viii) adding a new sub-Section 10.6.1(g) under Section 10.6 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - g) micro cannabis production facility, subject to Section 7.31;

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 " Regional District of Okanagan-Similkameen Amendment Bylaw No. 2858, 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

Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, June 6, 2019

9:30 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of June 6, 2019 be adopted.

B. Delegation – Ministry of Transportation

Steve Sirett, District Program Manager, will provide an update on ongoing projects

C. ADJOURNMENT



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, June 6, 2019

10:30 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Committee Meeting of June 6, 2019 be adopted.

B. Delegation – Municipal Insurance Association (MIA) and Capri Insurance

Tom Barnes, Chief Executive Officer, and Sherman Chow, Director of Claims, will provide an overview of services provided by MIA

C. Board Policy Review – Community Works (Gas Tax) Funding Policy

1. Community Works Gas Tax Funding Policy (mark up)

RECOMMENDATION 2

THAT the Board resolve to amend the Community Works (Gas Tax) Funding Policy as outlined in Attachment 1 of the Administrative Report dated June 6, 2019 from B. Newell regarding Community Works (Gas Tax) Funding Policy.

D. Board Policy Review – Electoral Area Grant in Aid Policy

1. Electoral Area Grant in Aid Policy (mark up)

RECOMMENDATION 3

THAT the Board resolve to amend the Electoral Area Grant in Aid Policy as outlined in Attachment 1 of the Administrative Report dated June 6, 2019 from B. Newell regarding Electoral Area Grant in Aid Policy.

E. Board Policy Review – Regional Grant in Aid Policy

1. Regional Grant in Aid Policy (mark up)

RECOMMENDATION 4

THAT the Board resolve to amend the Regional Grant in Aid Policy as outlined in Attachment 1 of the Administrative Report dated June 6, 2019 from B. Newell regarding

Regional Grant in Aid Policy.

F. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: BOARD POLICY REVIEW - Community Works (Gas Tax) Funding Policy

Administrative Recommendation:

THAT

It be Moved and Seconded That the Board resolve to amend the Community Works (Gas Tax) Funding Policy as outlined in Attachment 1,

Reference:

Board Resolution June 4, 2015.

Business Plan Objective:

Goal 1.1 To be an Effective, Fiscally Responsible Organization

Objective 1.1.1 – By achieving a high standard of financial management and reporting

Background:

Board policies should be reviewed on a regular basis to ensure they remain relevant and consistent with the Board's intent.

Analysis:

UBCM permits projects to be funded that are not owned by the municipality provided an agreement is signed between the asset owner and the municipality requiring the owner to return funds should the asset be sold or otherwise disposed of in the first five years. The policy has been revised to account for this change.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY

POLICY: Community Works Gas Tax Funding Policy

AUTHORITY: Board Resolution June 4, 2015.

ADMINISTRATIVE REVIEW: May 31, 2019

POLICY STATEMENT

Overseeing the effective use of Community Works Gas Tax funding to ensure compliance with the Community Works Fund (CWF) Agreement and meet the needs of Regional District services is a key responsibility of the Regional District

PURPOSE

To outline that CWF funding will only be used for infrastructure projects meeting the eligibility requirements of the CWF agreement, ~~that are owned or leased by the Regional District or a member municipality. Ensuring funds are only used for assets owned or leased by the RDOS or a member municipality will aid in the consistent, equitable and accountable use of Community Works Gas Tax funding across the Electoral Areas and ensure funding for existing Regional District services is not eroded.~~

DEFINITIONS

Community Works Fund Agreement means the 2014 to 2024 Community Works Fund Agreement signed between the Regional District and the Union of BC Municipalities (UBCM).

RESPONSIBILITIES

Boards of Directors shall:

1. Adopt the Community Works Gas Tax Funding Policy
2. Approve funding of CWF projects during the annual budget approval process or by reserve expenditure bylaw

Manager of Finance shall:

1. Confirm the infrastructure ~~meets the eligibility criteria established by the UBCM~~ ~~is owned or leased by either the RDOS or a member municipality~~
2. Bring funding requests to the Board in one of the following methods:
 - a) as part of the annual budget approval process
 - b) as a separate reserve expenditure bylaw if received after the annual budget has been approved
3. Report annually to the Board a summary of all CWF projects approved during the year
4. Ensure an annual summary of all CWF projects is posted on the RDOS website to be available to the public

PROCEDURES

In consultation with Electoral Area Directors, Community Works Gas Tax Funding projects are brought forward by managers during the annual budget process.

Finance will ensure the infrastructure project ~~meets the eligibility requirements of the UBCM~~ ~~is owned or leased by the RDOS or member municipality.~~

Eligible CWF projects will be incorporated into the annual budget or, if received after budget approval, brought forward to the Board for approval as individual expenditure bylaws.

Annual reporting will be made to the Board on all projects receiving Community Works Gas Tax funding.

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: BOARD POLICY REVIEW - Electoral Area Grant in Aid Policy

Administrative Recommendation:

THAT

It be Moved and Seconded that the Board resolve to amend the Electoral Area Grant in Aid Policy as outlined in Attachment 1,

Reference:

Board Resolution dated June 4, 2015.

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

Goal 1.1 To be an Effective, Fiscally Responsible Organization

Objective 1.1.1 – By achieving a high standard of financial management and reporting

Background:

Board policies should be reviewed on a regular basis to ensure they remain relevant and consistent with the Board's intent.

Analysis:

In the past funding has been given to improvement/irrigation districts although the policy was not entirely clear on whether they were eligible. The policy has now been revised to be clear and consistent with past Board practice.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

ATTACHMENT ONE

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

POLICY: Electoral Area Grant in Aid Policy

AUTHORITY: Board Resolution dated June 4, 2015.

ADMINISTRATIVE REVIEW: May 31, 2019

POLICY STATEMENT

This policy shall apply to all grant requests from organizations serving the Regional District but whose efforts are not regional in nature but benefit one or more individual Electoral Areas. Grants to organizations that demonstrate efforts of a regional nature, may be considered under the Regional Grant in Aid Program.

PURPOSE

To support the establishment and the operations of non-profit organizations serving the residents of the Regional District of Okanagan Similkameen

DEFINITIONS

Application form means the application attached as Appendix "A" for review and as amended from time to time

Organization means a registered non-profit organization, improvement/irrigation district or a Community organizations that has an established set of working rules/regulations and a bank account in the organization's name

GENERAL

Organizations that are applying for a grant should demonstrate in their application that:

- Event or initiative fills a need in the community
- Use innovative approaches and techniques in addressing community issues
- Exercise coordination and cooperation with other groups to prevent duplication of projects, programs, services or events
- Seek funding from a variety of sources
- Apply a "user pay" philosophy, where applicable
- Have clearly defined their priorities and purpose in seeking funding

Grant recipients must:

- Provide a report detailing how the grant funds were spent within 12 months of receipt of funding. The report must include a financial accounting of how the funds were used
- If requested, provide the Regional District copies of receipts and/or satisfactory evidence regarding the disposition of grant funds

Exclusion

- Applications from individuals, industrial, commercial or business undertakings are not permitted

Reporting:

- A public report will be made available annually of all Electoral Area Grant recipients and funding amounts

RESPONSIBILITIES

Boards of Directors shall:

1. Approve the level of Electoral Area grant in aid funding annually during the annual budget process

Electoral Area Directors shall:

2. At their sole discretion, and up to the maximum funding approved in the annual budget, allocate funds to qualified applicants

Manager of Finance (or staff designate) shall:

1. Review applications to determine eligibility based on the criteria outlined in this policy.
2. Forward eligible applications to the appropriate Electoral Area Director for their review and consideration
3. Ensure an annual listing of all grant recipients is posted on the RDOS website for public review

PROCEDURES

Board approves an annual budget for Electoral Area Grant in Aid funding annually during the budget process

Applicants complete and submit application form by deadline date posted on RDOS Website

Qualifying applications are sent to the Electoral Area Director for consideration and allocation of funding

Unless specifically requested and approved by the Electoral Area Director, applicants approved will not receive funding before August 1

The following related documents are applicable:

- a) Electoral Area Community Grant Guidelines
- b) Electoral Area Community Grant Application
- c) Guidelines for Individual Electoral Area Directors for the Issuance of Community Grants

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: BOARD POLICY REVIEW - Regional Grant in Aid Policy

Administrative Recommendation:

THAT

It be Moved and Seconded That the Board resolve to amend the Regional Grant in Aid Policy as outlined in Attachment 1,

Reference:

Board Resolution dated June 4, 2015.

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

Goal 1.1 To be an Effective, Fiscally Responsible Organization

Objective 1.1.1 – By achieving a high standard of financial management and reporting

Background:

Board policies should be reviewed on a regular basis to ensure they remain relevant and consistent with the Board's intent.

Analysis:

Only minor wording changes have been made to policy.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

ATTACHMENT ONE

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

POLICY: Regional Grant in Aid Policy

AUTHORITY: Board Resolution dated June 4, 2015.

ADMINISTRATIVE REVIEW: May 31, 2019

Formatted: Underline

POLICY STATEMENT

This policy shall apply to all grant requests from organizations serving the Regional District who demonstrate their efforts are regional in nature. Grants to organizations that do not demonstrate their efforts are regional in nature may be considered under Electoral Area Community Grants in Aid Program.

PURPOSE

To provide some financial assistance to organizations providing cultural, charitable, sporting, recreational or service activities that benefit the Regional District.

DEFINITIONS

Application form means the application attached as Appendix "A" for review and as amended from time to time

Organization means a registered non-profit organization

GENERAL

Grants will not be provided to subsidize activities that are the responsibility of senior levels of government

Preference will be given to those events or initiatives that have not received assistance from other local government funding

No organization will receive more than two Regional grants in a four year period

Annual maximum grant allocation to an organization will be \$ 50,000

To be considered for a grant under this policy applicants must demonstrate:

- Organization is locally based and their efforts are regional in nature
- Benefits of event or initiative are significant in at least three Electoral Areas and/or member municipalities
- Event or initiative fills a need in the community
- Support from sources other than local, provincial or federal governments
- Alignment with at least one of the Regional District's strategic goals as identified in the annual Strategic Plan

Grant funding is not permitted to be used for the following expenses:

- Remuneration including wages and consulting fees
- Capital improvements to rented or leased premises
- Operating or capital deficits
- Tax payments

Grant recipients must:

- Acknowledge the Regional District as a funding partner in any promotional materials about the event or initiative
- Provide a report on how the grant funds were spent within 12 months of receipt of funding. The report must include a financial accounting of how the funds were used as well as information on how the community benefited.
- Return grant funding not spent within 12 months of receipt of funds

RESPONSIBILITIES

Boards of Directors shall:

1. At their sole discretion, evaluate and allocate Regional grant in aid funding ~~annually~~ during the annual budget process
2. At their sole discretion, consider Regional grant in aid funding requests during the year to be funded from discretionary regional grant in aid funds should funds be included in the annual budget.

Manager of Finance shall:

1. Review applications to determine eligibility based on the criteria outlined in this policy.
2. Bring eligible applications to the Board of Directors for consideration during the annual budget process
3. Bring forward a funding amount annually for discretionary regional grant in aid funds for consideration during the budget process
4. Ensure an annual listing of all grant recipients is posted on the RDOS website by December 31 to be available for public review

PROCEDURES

Applicants complete and submit application form by deadline posted on the RDOS website. Applications received after the deadline may be considered for funding from the discretionary regional grant in aid funds, if available

Board approves regional grant funding requests and establishes a level of funding for the discretionary grant reserve fund annually during the budget process.

Board approves discretionary regional grant funding requests as they arise throughout the year

Unless specifically requested by the applicant and approved by the Chief Administrative Officer, grant funding will not be distributed before August

All applicants will be notified in writing of the Board's decision regarding their applications.

The following related documents are applicable:
Regional Grant in Aid Application Form



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, June 6, 2019

12:30 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Protective Services Committee Meeting of June 6, 2019 be adopted.

B. Closed Session

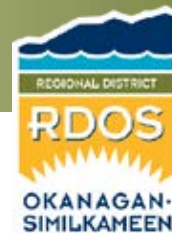
RECOMMENDATION 2

THAT in accordance with Section 90.(1)(g)&(k) and 90.(2)(b) of the Community Charter, the Committee close the meeting to the public on the basis of litigation or potential litigation affecting the Regional District; negotiations and related discussions respecting the proposed provision of a service that are at their preliminary stages and that, in the view of the committee, could reasonably be expected to harm the interests of the Regional District if they were held in public; and the consideration of information received and held in confidence relating to negotiations between the Regional District and the provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

1. Dobson Engineering Ltd/Ecora Engineering & Resource Group/Watershed Engineering Ltd

Don Dobson and Caleb Pomeroy will present an overview of the Twin Lakes and Park Rill Flood Response Feasibility Assessment.

C. ADJOURNMENT



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, June 6, 2019

1:30 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of June 6, 2019 be adopted.

1. Consent Agenda – Corporate Issues

a. Environment and Infrastructure Committee – May 23, 2019

THAT the Minutes of the May 23, 2019 Environment and Infrastructure Committee meeting be received.

b. Planning and Development Committee – May 23, 2019

THAT the Minutes of the May 23, 2019 Planning and Development Committee meeting be received.

THAT the Environmentally Sensitive Development Permit (ESDP) Area designations in the Okanagan Electoral Area Official Community Plan Bylaws be amended;

AND THAT the Development Procedures Bylaw No. 2500, 2011, be amended in order to update the requirements related to ESDPs.

THAT staff separate Amendment Bylaw No. 2849 into two separate bylaws regarding 1) the prohibition of cannabis production facilities in all non-Industrial zones and 2) introducing micro cannabis production facilities as a permitted use in certain zones, and bring these bylaws forward to committee for consideration.

c. Naramata Parks & Recreation Commission – April 29, 2019

THAT the Minutes of the April 29, 2019 Naramata Parks & Recreation Commission meeting be received.

d. Area “F” Parks and Recreation Commission – May 7, 2019

THAT the Minutes of the May 7, 2019 Area “F” Parks and Recreation Commission meeting be received.

That the Commission endorse the use of Mariposa Park for the 2019 Cyclocross Race in October.

e. Similkameen Recreation Commission – May 7, 2019

THAT the Minutes of the May 7, 2019 Similkameen Recreation Commission meeting be received.

f. Electoral Area “I” Advisory Planning Commission – May 15, 2019

THAT the Minutes of the May 15, 2019 Electoral Area “I” Advisory Planning Commission meeting be received.

Application I01674.200 / I2019.004-TUP – Temporary Use Permit Renewal Application:

THAT the APC recommends to the RDOS Board that the subject Temporary Use Permit Renewal Application be approved with the following conditions: 1) Applicant to post signage indicating the campground washrooms are available for use by trail users. 2) Applicant to ensure septic systems are properly maintained and routinely serviced with documented proof to be submitted to the RDOS on an annual basis.

g. Willowbrook Volunteer Fire Department Roster

THAT the Willowbrook Fire Department Roster be adopted as amended.

h. RDOS Regular Board Meeting – May 23, 2019

THAT the minutes of the May 23, 2019 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Consent Agenda – Corporate Issues be adopted.

2. Consent Agenda – Development Services**a. Temporary Use Permit (TUP) Renewal Application — Banbury Green Campground, Electoral Area “I”****i. Permit****ii. Representations**

THAT the Board of Directors approve Temporary Use Permit No. I2019.004-TUP

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

THAT the Consent Agenda – Development Services be adopted.

B. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Agricultural Land Commission Referral (“non-adhering residential use”) – 5526 Primrose Lane, Electoral Area “C”**

To allow for an accessory dwelling on a parcel in the Agricultural Land Reserve

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

THAT THAT the RDOS “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 5526 Primrose Lane (Lot 148, Plan KAP1728, District Lot 2450S, SDYD) in Electoral Area “C” 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 dwelling unit is restricted to farm labour only; and**
- **the dwelling unit be decommissioned once an on-going need for farm labour no longer exists.**

2. Agricultural Land Commission Referral (“non-farm” use) – 7910 Highway 97, Electoral Area “C”

To undertake an outdoor storage use within the Agricultural Land Reserve (ALR)

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors not “authorize” the application to undertake a “non-farm” use at 7910 Highway 97 (Lot 15, Plan KAP5631B, District Lot 2450S, SDYD, Portion Plan 1729, Except Plan 14334) in Electoral Area “C” to proceed to the Agricultural Land Commission.

3. **OCP & Zoning Bylaw Amendment – 793 Secrest Hill Road, Electoral Area “C”**
 - a. Bylaw No.2452.21
 - b. Bylaw No. 2453.36
 - c. Representations

To allow for the construction of a winery

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2452.21, 2019, Electoral Area “C” Official Community Plan and Bylaw No. 2453.36, 2019, Electoral Area “C” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the holding of the public hearing be delegated to Director Knodel or delegate;

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

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

C. COMMUNITY SERVICES – Rural Projects

1. **Heritage Hills Park Naming**
 - a. Corporate Donations and Naming Rights Policy

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

THAT the RDOS Board endorse the name “Ted Garnett Park” for a public park located on Lot 1, PID: 018-480-918, District Lot 2710 SDYD, Plan KAP50897; and, Lot 2, Plan EPP61041, District Lot 2710, Land District Similkameen Div. of Yale, PID: 029-841-372.

D. LEGISLATIVE SERVICES

1. **Bylaw Notice Enforcement Bylaw Amendment No. 2507.09, 2019**
 - a. Bylaw No. 2507.09

To amend the current Bylaw Notice Enforcement Bylaw (No. 2507) to include offences under Building Bylaw No. 2805, 2018, Electoral Area Official Community Plans, and the Electoral Areas “D”, “F” and “I” Fireworks Regulation and Prohibition Bylaw No. 2854, 2019, all of which have been recently amended or adopted by the Board

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

THAT Bylaw Notice Enforcement Bylaw Amendment No. 2507.09, 2019 be read a first time, a second time, a third time and be adopted.

2. Electoral Area “F” Parks and Recreation Commission Appointment

To appoint a new community volunteer member to the Electoral Area “F” Parks and Recreation Commission

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors appoint Darryl Dietrich as a member of the Electoral Area “F” Parks and Recreation Commission for a two-year term, ending December 31, 2020.

3. Declaration of State of Local Emergency Approval

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “C” due to expire 24 May 2019, at midnight for a further seven days to 31 May, 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 the area surrounding Electoral Area “C” due to expire 31 May 2019, at midnight for a further seven days to 07 June, at midnight.

4. Apex Mountain Waste Transfer Station Loan Authorization Bylaw No. 2843

a. Bylaw No. 2843, 2019

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2843, 2019 Apex Mountain Waste Transfer Station Loan Authorization Bylaw be adopted.

5. Okanagan Regional Library

- a. Letter from D. Nettleton, Chief Executive Officer, Okanagan Regional Library

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District of Okanagan Similkameen does hereby:

1. Support the Canadian Urban Libraries Council in its efforts to increase access to digital publications for library users in the Regional District of Okanagan Similkameen and across Canada;
2. Call on the Federal government to investigate barriers faced by libraries in acquiring digital publications and the problems that poses for vulnerable demographic groups in Canada; and
3. Petition the Federal government to develop a solution that increases access to digital publications across Canada and assist libraries in meeting the cost requirements to acquire digital publications

E. CAO REPORTS

1. Verbal Update

F. OTHER BUSINESS

1. Chair's Report

2. Directors Motions

- a. Legislative Structure
 - i. Administrative Report

THAT staff investigate the feasibility of an Electoral Area Committee and the creation of an administration staff position for the 2020 Budget.

-
3. Board Members Verbal Update

G. ADJOURNMENT



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN Environment and Infrastructure Committee

Thursday, May 23, 2019

9:02 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 T. Boot, District of Summerland
Director B. Coyne, Electoral Area "H"
Director S. Coyne, 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 S. McKortoff, 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. Vassilaki, City of Penticton
Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

STAFF PRESENT:

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

A. Reeder, Manager of Operation
B. Dollevoet, Gen. Manager of Development Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of May 23, 2019 be adopted. - **CARRIED**

B. Wood Stove Exchange Program

The Committee was provided an update on the cost and process to re-implement the Woodstove Exchange program.

C. Composting – Review and Options

D. Delegation

Nuisance Impact Assessment – Campbell Mountain Landfill
Wilbert Yang, Engineer, Tetra Tech

Mr. Yang addressed the Committee regarding the Nuisance Impact Assessment.

E. Draft City of Penticton Official Community Plan (OCP) Bylaw - Request for Referral

Comments from the Regional District

1. Draft response to City of Penticton
2. Nuisance Impact Assessment – Tetra Tech

RECOMMENDATION 2**It was MOVED and SECONDED**

THAT the Board of Directors resolves to sign and send the City of Penticton a formal response to the City of Penticton's draft 2019 OCP, as per the attached letter (Attachment No. 1) of the report dated May 23, 2019 from CAO Bill Newell. - **CARRIED**
Opposed: Directors Vassilaki, Bloomfield

F. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting adjourned at 11:02 a.m.

APPROVED:

CERTIFIED CORRECT:

G. Bush
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, May 23, 2019

11:12 a.m.

Minutes

MEMBERS PRESENT:

Chair M. Pendergraft, Electoral Area "A"
Vice Chair R. Knodel, Electoral Area "C"
Director M. Bauer, Village of Keremeos
Director K. Kozakevich, Electoral Area "E"
Director J. Bloomfield, City of Penticton
Director T. Boot, District of Summerland
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director S. Coyne, Town of Princeton
Director R. Gettens, Electoral Area "F"

Director D. Holmes, District of Summerland
Director J. Kimberley, City of Penticton
Director S. McKortoff, Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director R. Obirek, Electoral Area "D"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"
Director J. Vassilaki, City of Penticton
Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

STAFF PRESENT:

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

B. Dollevoet, General Manager of Development Services
C. Garrish, Manager of Planning

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of May 23, 2019
be adopted. - **CARRIED**

Brad Dollevoet, General Manager of Development Services, introduced the new Planning
staff.

Director Vassilaki vacated the Boardroom at 11:21

- B. Environmentally Sensitive Development Permit (ESDP) Area – 24 Month Review**
Bryn White, South Okanagan Similkameen Conservation Program, Program Manager
1. Representations

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Environmentally Sensitive Development Permit (ESDP) Area designations in the Okanagan Electoral Area Official Community Plan Bylaws be amended;

AND THAT the Development Procedures Bylaw No. 2500, 2011, be amended in order to update the requirements related to ESDPs.

CARRIED

-
- C. Zoning Bylaw Amendment – Electoral Areas “A”, “C”, “D”, “E”, “F”, “G”, “H” & “I” Cannabis Production Facilities, Home Occupations & Home Industries**

RECOMMENDATION 3

It was MOVED and SECONDED

THAT staff separate Amendment Bylaw No. 2849 into two separate bylaws regarding 1) the prohibition of cannabis production facilities in all non-Industrial zones and 2) introducing micro cannabis production facilities as a permitted use in certain zones, and bring these bylaws forward to committee for consideration. - **CARRIED**

D. ADJOURNMENT

By consensus, the Planning and Development Committee meeting adjourned at 12:55 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
Committee Chair

B. Newell
Chief Administrative Officer



MINUTES

Naramata Parks & Recreation Commission Monday April 29, 2019 at 6:30 p.m. Naramata Fire Hall

Members Present:	Dennis Smith (Chair), Maureen Balcaen, Nicole Verpaelst arrived at 6:37 p.m., Bob Coulter, Lyle Resh arrived at 6:58 p.m.
Absent:	Jeff Gagnon, Richard Roskell, Jacqueline Duncan
Area 'E' Director	Karla Kozakevich (RDOS Area 'E' Director)
Staff & Contractors:	Adrienne Fedrigo (NPR Recreation Coordinator), Doug Reeve (RDOS, Projects Coordinator II) left meeting at 7:46 p.m., Heather Lemieux (Recording Secretary), Shawna Schleppe (RDOS, Recreation Manager)
Guests:	None
Delegations:	None

1. Approval of Agenda — Quorum present at 6:58 p.m.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Naramata Parks & Recreation Meeting of April 29, 2019 be adopted as presented and all presentations and reports be received.

CARRIED

-
2. Approval of Last Meeting Minutes — March 25, 2019, Quorum present at 6:58 p.m.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for the Naramata Parks & Recreation Meeting of March 25, 2019 be adopted as presented.

CARRIED

-
3. Correspondence/Delegations

- 3.1. Shawna Schleppe (RDOS, Recreation Manager) presented. Discussed regional recreation initiatives, sponsorships, grants, programs and physical literacy.



MINUTES

Naramata Parks & Recreation Commission Monday April 29, 2019 at 6:30 p.m. Naramata Fire Hall

-
4. RDOS Director Report — Karla Kozakevich reported:
- 4.1. Pickleball and Tennis Court Resurfacing — Painting will start soon.
 - 4.2. Wharf Park Planning — Discussions continue with neighbours regarding concept plans, siting of trees, lighting and septic/washrooms. Public consultations will be held. Discussed future considerations, planning and MoTi.
 - 4.3. Age-friendly Recognition — ACTION — Adrienne Fedrigo to follow up on Age-Friendly certification.
 - 4.4. Park Rentals — Discussed service based rates, fee bylaws and park rentals.
-
5. RDOS Staff Reports — Doug Reeve (RDOS, Projects Coordinator II) reported:
- 5.1. Presentation - Concept drawings for new washrooms at Manitou Park — Distributed and reviewed Manitou Park Site Plan and washroom building. NPR Members requested to provide feedback.
- ACTION — Doug Reeve to check with Interior Health Authority about shower drains.
- 5.2. Wharf Park — Distributed updated concept plans. Discussed donation opportunities, solar lighting. NPR Members requested to provide feedback.
 - 5.3. KVR — Culverts and ditching repairs done in 2018 are working to redirect water.
-
6. Recreation Coordinator Report — Adrienne Fedrigo (NPR Recreation Coordinator) report submitted:
- 6.1. Pickleball — consultations continue with the pickleball league regarding schedule planning and consultation is ongoing. Discussed elementary school usage.
- ACTION — Adrienne Fedrigo to request that the pickleball league get listed on MyNaramata.com.
- 6.2. Youth Programs — Discussed summer recreation programs for youth ages 12+ and Naramata Community Fund Society support.
- ACTION — Adrienne Fedrigo to contact Hoodoo Adventure Club about youth programs.
-



MINUTES

Naramata Parks & Recreation Commission

Monday April 29, 2019 at 6:30 p.m.
Naramata Fire Hall

7. Commission Member Reports

- 7.1. Woodwackers Report — Lyle Resh presented a verbal report. Higher elevations of the KVR are still snowy. No fallen trees seen.
-

8. Business Arising

- 8.1. Discussion — Trails and Creek Park upgrades and planning. Gas Tax funds were one-time doubled in 2019.
-

9. Adjournment — 8:23 p.m.

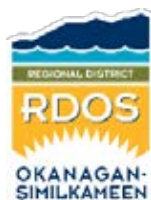
NEXT MEETING: Next NPR Meeting
 May 27, 2019 at 6:30 p.m.
 Naramata Fire Hall

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line.

Recreation Commission Chair

A handwritten signature in black ink, featuring a large, stylized 'H' and 'L'.

Recording Secretary, Heather Lemieux



MINUTES

Area "F" Parks and Recreation Commission

Tuesday May 7, 2019, 7:05 pm
RDOS Office

Members Present: Warren Everton, Ben Arcuri, Jane Windeler, Tristan Mennell
Area Director: Riley Gettens
Staff: Mark Woods
Recording Secretary: Warren Everton
Guests: Darryl Dietrich, Sue Gibbons

1. Approval of Agenda

IT WAS MOVED AND SECONDED

That the Agenda for the Area "F" Parks and Recreation Meeting of May 7, 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 Meeting of March 13, 2019 be approved. – CARRIED

3. CORRESPONDENCE/DELEGATIONS

No correspondence

4. Chair Update

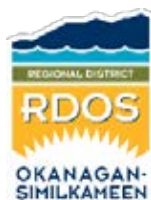
4.1. Introduction of possible new member – Darryl Dietrich

Discussion on number of Commission members. The bylaw allows for up to 11, so additional members are encouraged.

5. RDOS Staff Reports

5.1. Update on Selby Park Playground Project:

Cost of the playground equipment has increased by approximately \$5,000 since the quote was received in 2018. Staff will continue to negotiate with the supplier to bring costs down. A playground installer and excavation company have been secured for the project. Order time on equipment is about 10-12 weeks for delivery so it looks like end of summer before project is started. RDOS had applied for two grants, one for Selby and one for Mariposa Park. Awarding of grants will be announced later in the summer or early fall but staff believes the application doesn't have high probability of being funded.



MINUTES

Area "F" Parks and Recreation Commission

Tuesday May 7, 2019, 7:05 pm
RDOS Office

5.2. Recreation Report

- Active Explorers Club - Mondays – 2:50-5:00 pm
- Mindful Movements – Tuesday & Thursday – 6:00-7:15 pm
- Paint Night - Cancelled

Special Events

- West Bench Easter Egg Hunt & Potluck was a great success. The event ran from 11:00 am to 1:30 pm at Mariposa Park. We had 75+ people attend the event. 30+ Children participated in the Egg Hunt. Eight students from Pen High Volunteered for this event.
- Play Day in the Park with PAT (Physical Activity Trailer) was held on April 15 at Selby Park. 20+ people attended this event.

Upcoming Events

- Play Day in the Park – Mariposa Park – June
- Play Day in the Park – Faulder – Agur Lake Camp – June/August
- Try It Fencing – May 25 & June 1

5.3. SD67 Shared used agreement

Negotiations continue with School District 67 administration on a school use agreement or lease to provide a more structured recreation program and provide the community with a venue for public events. Meeting coming up to go line by line over the agreement. Very hopeful that an agreement can be secured that meets our needs.

5.4. Park agreement fees and charges

Historically, there haven't been charges levied in Area F to organized users of parks. Many other Commissions have fees for parks but generally this practice is not a money making venture. Basically what the charges do is allow for booking and exclusivity.

IT WAS MOVED AND SECONDED

That the Commission endorse the use of Mariposa Park for the 2019 Cyclocross Race in October. – CARRIED

5.5. Capital Reserves

Discussion on planning for replacement of assets during budget season. Suggestion by staff for the Commission to start putting money aside in reserve for replacement of assets such as the pedestrian corridor.

6. RDOS DIRECTOR REPORT



MINUTES

Area "F" Parks and Recreation Commission

Tuesday May 7, 2019, 7:05 pm
RDOS Office

- 6.1. Director met with the Fire Chief, Deputy Fire Chief and General Manager of Community Services to discuss potential proactive initiatives to decrease fire risk throughout the Greater West Bench.
- 6.2. Received and email from the new road maintenance contractor ACCIONA Infrastructure Maintenance Inc. or AIM Roads, Director inquired about road sweeping. They are playing catch up from the old contractor (Argo). The public is encouraged to raise their concerns directly to AIM via their 24 hour hotline 1-866-222-4204.
- 6.3. Met with RCMP to discuss crime in the area. We now have a liaison officer specifically for Area "F".
- 6.4. Ministry of Education – New Approach to Long Term Planning: Letter shared with the commission. Focus is for schools to participate more in communities. Robust community consultation is suggested, which aligns well with the Commission's focus. Speeding past Selby Park.
- 6.5. Although 30km Playground signs were installed, they do not seem to deter some drivers from speeding. Also many dirt bikes speeding through trails and on roads. These issues needs to be raised to the RCMP.

7. BUSINESS ARISING

8. ADJOURNMENT

NEXT MEETING:

June, 2019 via email poll

Recreation Commission Chair

Recording Secretary



MINUTES

Similkameen Recreation Commission

May 7th, 2019 @ 7:00pm

Keremeos Recreation Centre

Members Present: Tom Robins, Jennifer Roe, Duncan Baynes, Dave Cursons, Tim Austin, Selena Despres

Absent:

Area Representatives George Bush (Area B), Tim Cotrill (Area G), Jeremy Evans (Keremeos)

Staff: Shane Marsh (Similkameen Recreation)

Recording Secretary: Shane Marsh

Guests:

1. Approval of Agenda

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Similkameen Recreation Meeting of May 7th, 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 April 2nd, 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. Facility Updates discussion with S. Marsh

4.1.1 Once the pool is up and running, strategic planning for the rec centre (bowling alley, skating rink, fitness centre) will continue

4.2. Pool Updates discussion with S. Marsh

4.2.1 Head Lifeguard B. Parliament has started



MINUTES

Similkameen Recreation Commission

May 7th, 2019 @ 7:00pm

Keremeos Recreation Centre

4.2.2 Pool has been emptied and cleaned with plans to paint

4.2.3 Schedule is currently being worked on for a June start

5. Commission Member Reports

5.1 Richard Oostras has submitted his resignation from the Similkameen Recreation Commission due to work commitments.

6. RDOS Director Reports

6.1. Village of Keremeos

No report presented

6.2. Electoral Area B

6.2.1 G. Bush has expressed interest in pursuing automated scoring for the bowling alley.

6.3. Electoral Area G

No report presented

7. Business Arising

7.1 Art Committee will continue to meet and develop a plan for a mural in the bowling alley as well as potential exhibits at the rec centre.

8. Adjournment

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the May 7th, 2019 Similkameen Recreation Commission meeting be adjourned.

– **CARRIED**

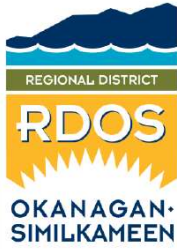
Opposed:

NEXT MEETING: June 3rd, 2019 @ 7:00pm

Similkameen Recreation Centre

Recreation Commission Chair

Recording Secretary



Minutes

Electoral Area 'I' Advisory Planning Commission

Meeting of Wednesday 15th of May, 2019

Kaleden Community Hall, 320 Lakehill Road, Kaleden, BC

Present: Subrina Monteith, Director, Electoral Area "I"

Members: Bob Handfield, Chris Struthers, Rick Defehr, Darlene Bailey (Acting Chair), Sandie Wilson, Bruce Shepherd, Mike Gain, Kim Denis, John Davis

Absent: Doreen Olson, Adele Dewar

Staff: Christopher Garrish, Planning Manager

Recording Secretary: Chris Struthers

Delegates:

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED

3. TEMPORARY USE PERMIT RENEWAL APPLICATIONS

3.1 Application I01674.200 / I2019.004-TUP – Temporary Use Permit Renewal Application:

Delegate not present.

Discussion.

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject Temporary Use Permit Renewal Application be approved with the following conditions: 1) Applicant to post signage indicating the campground washrooms are available for use by trail users. 2) Applicant to ensure septic systems are properly maintained and routinely serviced with documented proof to be submitted to the RDOS on an annual basis.

CARRIED UNANIMOUSLY

4. APPROVAL OF PREVIOUS MEETING MINUTES

NOTE:

Minutes were not provided by the acting secretary from the previous meeting; will be approved along with minutes of current meeting next scheduled APC meeting.

5. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 7:42 pm.

CARRIED


Darlene Bailey (May 16, 2019)

Advisory Planning Commission Chair


Chris Struthers (May 16, 2019)

Advisory Planning Commission Recording Secretary / minute taker.

Willowbrook Volunteer Fire Department Roster

-
1. Allen, Erin, FF, pre-exterior
 2. Allen, Graham, FF, pre-exterior
 3. Berg, Eric, FF, pre-exterior
 4. Fisher, Charlie, FF, pre-exterior
 5. Fossett, Kyle, Captain, FF, exterior
 6. Gorrie, Dennis, FF, exterior
 7. Hume, Doug, FF, pre-exterior
 8. Hume, Jarrod, PFF, pre-exterior
 9. Iannella, Erin, Lieutenant, FF, exterior
 10. Iannella, Tony, Deputy Chief, FF, exterior
 11. Lantz, Pat, Chief, FF, exterior
 12. McGeachie, Bruce, FF, pre-exterior
 13. Pellegrin, Cindy, Support staff
 14. Petrick, Sean, FF, exterior
 15. Philipps, Trent, Lieutenant, FF, exterior
 16. Ramsay, Garth, FF, pre-exterior
 17. Reynolds, June, Support staff
 18. Small, Sammy, FF, pre-exterior
 19. Smith, Carla, FF, pre-exterior
 20. Smith, Glen, FF, pre-exterior
 21. Weisheit, Gord, FF, pre-exterior
-

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 1:44 p.m. Thursday, May 23, 2019 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

Director R. Knodel, Electoral Area "C"
Director S. McKortoff, 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 T. Roberts, Electoral Area "G"
Director J. Vassilaki, City of Penticton
Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

STAFF PRESENT:

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

L. Miller, Manager of Building and Enforcement Services
C. Garrish, Manager of Planning
C. Baughen, Solid Waste Management Coordinator

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the [Agenda](#) for the RDOS Board Meeting of May 23, 2019 be adopted as amended by removing Item 1.b Protective Services Committee minutes and Item D.1 DVP application - **CARRIED**

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee – May 9, 2019

THAT the Minutes of the May 9, 2019 Corporate Services Committee meeting be received.

THAT the Board of Directors adopt the Terms of Reference for the RDOS Elected Officials Compensation Committee, amended to remove the time commitment.

THAT the matter of Elected Official Code of Conduct be postponed until after UBCM.

- b. Protective Services Committee – May 9, 2019
This item was removed from the Agenda.
- c. RDOS Regular Board Meeting – May 9, 2019
THAT the minutes of the May 9, 2019 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

- 2. Consent Agenda – Development Services
 - a. Development Variance Permit Application —6822 Leighton Crescent, Electoral Area “C”
 - i. Permit
 - ii. Representations*THAT the Board of Directors approve Development Variance Permit No. C2019.010-DVP.*

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Consent Agenda – Development Services be adopted. - **CARRIED**

B. DEVELOPMENT SERVICES – Building Inspection

- 1. Building Bylaw No. 2805, 2018
 - a. Bylaw No. 2805

The proposed bylaw applies to the design, construction or occupancy of new buildings or structures, and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures.

RECOMMENDATION 4 (Unweighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2805, 2018, being a bylaw of the Regional District of Okanagan-Similkameen for the administration of the building code and regulation of construction, be read a second and third time, as amended, and be adopted.

CARRIED

C. DEVELOPMENT SERVICES – Untidy/Unsightly Bylaw Enforcement

1. Untidy and Unsightly Property Contravention, 1879 Columbia Street, Coalmont

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS direct the owner to bring Parcel A (KH102098), Bock 14, District Lot 99, Yale Division Yale District, Plan 1003 (1879 Columbia Street) into compliance with the Regional District of Okanagan-Similkameen's Untidy and Unsightly Premises Bylaw No. 2637, 2013 within 30 days;

AND THAT if the property owners fails to comply within 30 days, injunctive action be commenced.

CARRIED

D. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Development Variance Permit Application —4090 4th Street, Naramata

This item was removed from the agenda.

E. PUBLIC WORKS

1. Grant Application for Oliver Landfill

To allow Staff to apply for funding for the design and construction of a compost site at the Oliver Landfill capable of processing residential food and yard waste in a manner that will protect the environment and not create nuisances for neighboring properties.

RECOMMENDATION 6 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT Staff submit an application for grant funding application for \$1,200,000 for the Oliver Landfill Compost Site through the B.C. Organics Infrastructure Program;

AND THAT the Board supports the project and commits \$400,000 to the project from the Oliver Landfill Reserves, contingent on grant funding;

AND FURTHER THAT the RDOS request letters of support for this grant application from the Town of Osoyoos, Town of Oliver and Osoyoos Indian Band.

CARRIED

2. City of Penticton OCP Bylaw Request for Referral Comments from RDOS

RECOMMENDATION 7 (unweighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Board of Directors resolve to sign and send the City of Penticton a formal response to the City of Penticton's draft 2019 OCP, as per the attached letter (Attachment No. 1) of the report dated May 23, 2019 from CAO Bill Newell.

CARRIED

Opposed: Directors Bloomfield, Vassilaki, Kimberley

F. FINANCE

1. Area G Community Works (Gas Tax) Reserve Expenditure Bylaw No. 2856
 - a. Bylaw No. 2856

RECOMMENDATION 8 (Weighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2856, 2019, Electoral Area "G" Community Works Program Reserve Fund Expenditure Bylaw for the expenditure of up to \$225,000 for the purchase and installation of an emergency generator for the Olalla Water System be read a first, second and third time and be adopted. - **CARRIED**

G. LEGISLATIVE SERVICES

1. Electoral Area Advisory Planning Commissions — 2019 Meeting Schedule Amendment

To amend the 2019 Advisory Planning Commission (APC) meeting schedule in order to incorporate changes for the Electoral Area "F" APC meeting date requested by the Area Director.

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors accept the amendment to the 2019 APC Meeting Schedule for the Electoral Area Advisory Planning Commissions. - **CARRIED**

2. Animal Control Officer Appointments

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors rescind the appointment of Don Lowndes, of South Okanagan Security Services Ltd., as an Animal Control Officer for the Regional District of Okanagan-Similkameen. - **CARRIED**

3. Vermilion Forks Community Forest Corporation (VFCFC)

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

1. THAT the Director for Electoral Area “H” and Chief Administrative Officer be appointed as the Regional District of Okanagan Similkameen members on the Board of Directors of the Vermilion Forks Community Forest Corporation; and,
2. THAT the Manager of Financial Services be appointed as an Alternate member to the Board of Directors of the Vermilion Forks Community Forest Corporation.

CARRIED

4. Declaration of State of Local Emergency

RECOMMENDATION 12 (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 the area surrounding Electoral Area “C” due to expire 10 May 2019, at midnight for a further seven days to 17 May, 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 the area surrounding Electoral Area “C” due to expire 17 May 2019, at midnight for a further seven days to 24 May, at midnight.

CARRIED

5. Fire Department Operational Bylaw

a. Bylaw No. 2857

Directors are to vote on adoption of Bylaw 2857, 2019 in accordance with the Local Government Act. Adopting this bylaw requires a repeal of the existing individual fire department regulatory/operational bylaws. Some fire departments have only one participant, which requires an unweighted corporate vote, and two fire departments have more than one participant; therefore a weighted participant vote is required to repeal those bylaws. Resolutions on motions below attach to and form part of Bylaw 2857, 2019 upon its adoption.

Repeal of multiple Bylaws with more than one voting type– resolutions on motions below attach to and form part of Bylaw 2857, 2019 upon its adoption.

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Anarchist Mountain Volunteer Fire Department Establishment Bylaw No. 2335, 2005 be rescinded and replaced with Fire Department Operational Bylaw No. 2857, 2019; and further,

THAT Kaleden Volunteer Fire Department Establishment No. 1572, 1995 be rescinded and replaced with Fire Department Operational Bylaw No. 2857, 2019.

THAT Naramata Fire Department Establishment Bylaw No. 1652, 1995 be rescinded and replaced with Fire Department Operational Bylaw No. 2857, 2019.

THAT Okanagan Falls Volunteer Fire Department Establishment Bylaw No. 1571, 1995 be rescinded and replaced with Fire Department Operational Bylaw No. 2857, 2019.

THAT Tulameen & District Fire Department Establishment Bylaw No. 1580, 1995 be rescinded and replaced with Fire Department Operational Bylaw No. 2857, 2019.

CARRIED

RECOMMENDATION 2 (Weighted Participant Vote – Simple Majority) Participants are Electoral Areas “C” and “I”**It was MOVED and SECONDED**

THAT Willowbrook Volunteer Fire Department Establishment Bylaw No. 1579, 1995 be rescinded and replaced with Fire Department Operational Bylaw No. 2857, 2019.

CARRIED

RECOMMENDATION 3 (Weighted Participant Vote – Simple Majority) Participants are Electoral Areas “B”, “G”, and the Village of Keremeos**It was MOVED and SECONDED**

THAT Keremeos & District Volunteer Fire Department Establishment Bylaw No. 2094, 2001 be rescinded and replaced with Fire Department Operational Bylaw No. 2857, 2019. - **CARRIED**

RECOMMENDATION 4 (Weighted Participant Vote - 2/3 Majority) Participants are Electoral Areas “A”, “B”, “C”, “D”, “E”, “G”, “H”, “I” and the Village of Keremeos**It was MOVED and SECONDED**

THAT Fire Department Operational Bylaw No. 2857, 2019 be read a first, second and third time and be adopted. - **CARRIED**

Opposed: Director B. Coyne

H. CAO REPORTS

1. Verbal Update
-

I. OTHER BUSINESS

1. Chair's Report
-

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)*
 - i. MFA Report to Members on Activities October 2018-April 2019
 - 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. South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - l. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - m. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
 - n. UBCO Water Research - Chair Advisory Committee – *Holmes, Bauer (Alternate)*
-

3. Directors Motions

- a. Notice of Motion – Director Monteith
THAT staff investigate the feasibility of an Electoral Area Committee and the creation of an administration staff position for 2020.
-

- b. National Park Stakeholder Meetings

It was MOVED and SECONDED (by 2/3 vote)

THAT the matter of National Park Stakeholder Meetings be considered today.
CARRIED

It was MOVED and SECONDED

THAT the Board of Directors send a letter to Parks Canada requesting that Electoral Areas A, B, C, and G Directors (as Electoral Areas contained within the proposed national park boundaries) be invited to stakeholder meetings. - **CARRIED**

4. Board Members Verbal Update

J. ADJOURNMENT

By consensus, the meeting adjourned at 2:46 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: Temporary Use Permit (TUP) Renewal Application — Electoral Area "I"

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. I2019.004-TUP

Purpose: To renew an existing TUP allowing an existing campground use (i.e. Banbury Green) that is encroaching onto Crown land associated with the former Canadian Pacific Railway (CPR) right-of-way

Owner: Crown land Applicant: Janis McCaffrey Folio: I-01674.200

Civic: N/A Legal: various lots, District Lot 3757, SDYD

OCP: Parks (P) Zoning: Parks and Recreation (PR)

Proposal:

This application seeks to renew an existing Temporary Use Permit (TUP) related to the operation of campground use comprising approximately 26 serviced campsites and related facilities (i.e. washroom, garbage containers, parking areas and recreation facilities) over an approximately 0.96 hectare (ha) area of Crown land.

The current permit allows for the use of an approximately 591 metre section of the former Canadian Pacific Railway (CPR) right-of-way which bisects the Banbury Green Campground property, but which excludes a 3.0 metre wide section over which the Regional District has a separate Licence of Occupation from the province for trail purposes.

In support of this use, the applicant indicated in 2016 that "we will continue to offer free access to our washrooms to Trail users as we do now, and we will continue to provide cleaning services at no charge to the government. We will continue to provide Trail maintenance as we do now. This will include any new asphalt additions" (NOTE: the applicant had paved approximately 200 metres of right-of-way in order to improve access).

Site Context:

The subject parcel is approximately 1.7 ha in area, is situated on the west side of Skaha Lake between Kaleden and Penticton. Part of the parcel is currently being utilised for trail purposes by the Regional District and has also been developed to a campground use by the adjacent property owner.

The surrounding pattern of development is characterised by agricultural operations and a campground use to the west and Skaha Lake to the east.

Background:

It is understood that the subject parcel was created by subdivision on May 12, 1932, in order to raise title to land being utilised by the CPR for the purposes of a railway line serving Okanagan Falls from Penticton. It is understood that use of this line was discontinued in 1989, that the rail was removed shortly thereafter and that the province purchased the Skaha Lake section in 1995.

A Management Strategy (2000) prepared by the Kettle Valley Railway Planning Committee identified the right of way as having a high recreational value and use and recommended that the Regional District obtain a License of Occupation for the purposes of creating a trail.

In 2013, the Regional District obtained a Licence of Occupation from the province to manage, maintain and improve a 3.0 metre wide non-motorized trail along the KVR adjacent Skaha Lake between the Penticton Indian Band reserve lands in the north and Okanagan Falls in the south.

The adjacent Banbury Green Campground is understood to have commenced operation in 1985 following the successful rezoning of the property from Agriculture Residential (AR) to Tourist Commercial (CT-1A). The more recent occupation of the former CPR right-of-way for the purposes of vehicle access and site improvements (i.e. campground spaces, washroom facilities, etc.) is thought to have occurred sometime in the past 10 to 15 years. In addition, any riparian area impacts and disturbance is believed to have occurred prior to establishment of RAR.

In 2015, Banbury Green Campground obtained a Licence of Occupation from the provincial government in order to formalise their existing use of former CPR right-of-way for campground purposes. The term of this licence is for a period of 5 years (i.e. to 2020).

At its meeting of June 16, 2016, the Regional District Board approved Temporary Use Permit No. D2016.015-TUP, which is valid for a period of three (3) years, expiring on June 16, 2019.

Land Use Bylaws:

Under the Electoral Area "I" Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject parcel is currently designated Parks (P), an objective of which is to "establish a trail network utilising the CPR right-of-way" and to "encourage the CPR right-of-way to be preserved, acquired, and utilized as a linear park and recreation corridor between Kaleden and Okanagan Falls."

The OCP Bylaw contains a number of criteria against which the Board will consider an application for a TUP. These include:

- a) *The use must be clearly temporary or seasonal in nature;*
- b) *Compatibility with adjacent uses;*
- c) *Impact on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas;*
- d) *Intensity of use;*
- e) *Opportunity to conduct the proposed use on land elsewhere in the community;*
- f) *Remedial measures to mitigate any damage as a result of the temporary use.*

Under the Electoral Area "I" Zoning Bylaw No. 2457, 2008, the subject area has been zoned Parks and Recreation (PR), which only allows for cemeteries, golf courses, open land recreation, parks, and resorts as principal permitted uses.

Public Process:

A Public Information Meeting was held on May 15, 2019, at the Old Age Pensioners (OAP) Hall in Naramata and was attended by approximately 10 members of the public.

At its meeting of May 15, 2019, the Electoral Area "I" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed temporary use be approved, subject to the following conditions:

- 1) *applicant to post signage indicating the campground washrooms are available for use by trail users; and*
- 2) *applicant to ensure septic systems are properly maintained and routinely serviced with documented proof to be submitted to the RDOS on an annual basis.*

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.

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 considering this renewal request, Administration notes that the use of this Crown land for campground purposes does not appear to have adversely impacted the public's use of the trail network that bisects the land, or resulted in the submission of any written complaints to the Regional District.

It is Administration's further understanding that the applicant will continue to offer to maintain and make available to the public the improvements they have constructed on Crown land (i.e. washrooms) as well as amenity areas on their adjacent private property (i.e. common picnic areas).

For these reasons, Administration favours the renewal of the permit. Of concern, however, is that a TUP is "to provide for temporary approval of transitional uses, or uses where uncertainty exists respecting appropriateness or viability of the use, and where it is premature to decide rezoning and long term land use patterns."

Accordingly, the applicant is encouraged to seek a long-term solution to the current situation by either commencing a transition plan during the term of the renewal period to cease the use and restore the land, or seeking a Crown grant from the province in order to obtain title to the land and consolidate it within the title for the Banbury Green Campground.

Due to the current zoning of the land, if the applicant is successful in obtaining title, a rezoning application would be required as "campground" is not a permitted use in the PR Zone.

If approved, the TUP renewal will extend beyond the 5-year term of the provincial license of occupation issued in 2016 and which is due to expire on January 1, 2021.

Alternative:

THAT the Board of Directors deny Temporary Use Permit No. I2019.004-TUP.

Respectfully submitted:


C. Garrish, Planning Manager

Endorsed by:


B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 – Agency Referral List
 No. 2 – Site Photos

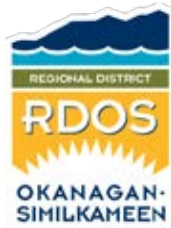
Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, prior to Board consideration of TUP No. I2019.004-TUP:

p	Agricultural Land Commission (ALC)	O	City of Penticton
p	Interior Health Authority (IHA)	O	District of Summerland
O	Ministry of Agriculture	O	Town of Oliver
O	Ministry of Community, Sport and Cultural Development	O	Town of Osoyoos
O	Ministry of Energy & Mines	O	Town of Princeton
p	Ministry of Environment	O	Village of Keremeos
p	Ministry of Forests, Lands & Natural Resource Operations	O	Okanagan Nation Alliance (ONA)
O	Archaeology Branch	p	Penticton Indian Band (PIB)
O	Ministry of Transportation and Infrastructure	O	Osoyoos Indian Band (OIB)
O	Integrated Land Management Bureau	O	Upper Similkameen Indian Bands (USIB)
O	BC Parks	O	Lower Similkameen Indian Bands (LSIB)
O	School District #53 (Okanagan Similkameen)	O	Environment Canada
O	School District #58 (Nicola Similkameen)	O	Fisheries and Oceans Canada
O	School District #67 (Okanagan Skaha)	p	Fortis
O	Canadian Wildlife Service	p	Kaleden Irrigation District

Attachment No. 3 – Site Photos





TEMPORARY USE PERMIT

FILE NO.: I2019.004-TUP

AGENT: Janis McCaffrey
930 Pineview Drive
Kaleden, BC, V0H-1C0

OWNER: Ministry of Forests, Lands & Natural
Resource Operations
c/o Keith Wier
441 Columbia Street
Kamloops, BC, V2C-2T3

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: That part of Lot 198 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that part of Lot 199 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that part of Lot 200 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that part of District Lot 3213s, SDYD as shown on Plan CG182; that part of Lot 201 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that portion of Closed Road in District Lot 3757, SDYD, shown as Parcel G3 on Plan A8775; that part of Lot 203 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that portion of Closed Road in District Lot 3757, SDYD, shown as Parcel G2 on Plan A8775; that part of Lot 204 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that part of Lot 205 shown on Plan A775, District Lot 3757, SDYD, Plan 719;

that portion of Closed Road in District Lot 3757, SDYD, shown as Parcel G1 on Plan A8775; that part of Lot 206A shown on Plan A775, District Lot 3757, SDYD, Plan 719, containing 0.96 hectares, more or less.

Civic Address: unknown, Kaleden Folio: D-01674.200

Parcel Identifier (PID): 012-203-084, 012-203-033, 012-203-955, 012-203-998, 012-203-971, 012-206-725, 012-202-975, 012-202-355, 012-202-991, 012-206-717 & 012-206-709.

TEMPORARY USE

6. In accordance with Section 20.0 of the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, the land specified in Section 5 may be used for a "campground" use as defined in the Electoral Area "I" Zoning Bylaw No. 2457, 2008, being the use of a site for the temporary accommodation of paying guests occupying the site for a period of less than 30 days.

CONDITIONS OF TEMPORARY USE

7. The campground use of the land is subject to the following conditions:
 - (a) camping units shall only be located in a camping space;
 - (b) camping spaces shall be reasonably level, properly drained and kept free from drainage from adjacent land; and
 - (c) no buildings of any type are permitted on camping spaces;
 - (d) written confirmation from a Registered Onsite Wastewater Practitioner (ROWP) to be provided to the Regional District by December 31st of each calendar year that addresses the following:
 - i) the septic system serving the campground use has been serviced;
 - ii) the septic system is operating within acceptable parameters; and
 - iii) a list of any required upgrades (if applicable).

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

10. This Permit shall expire on June 16, 2022.

Authorising resolution passed by Regional Board on ____ day of _____, 2019.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

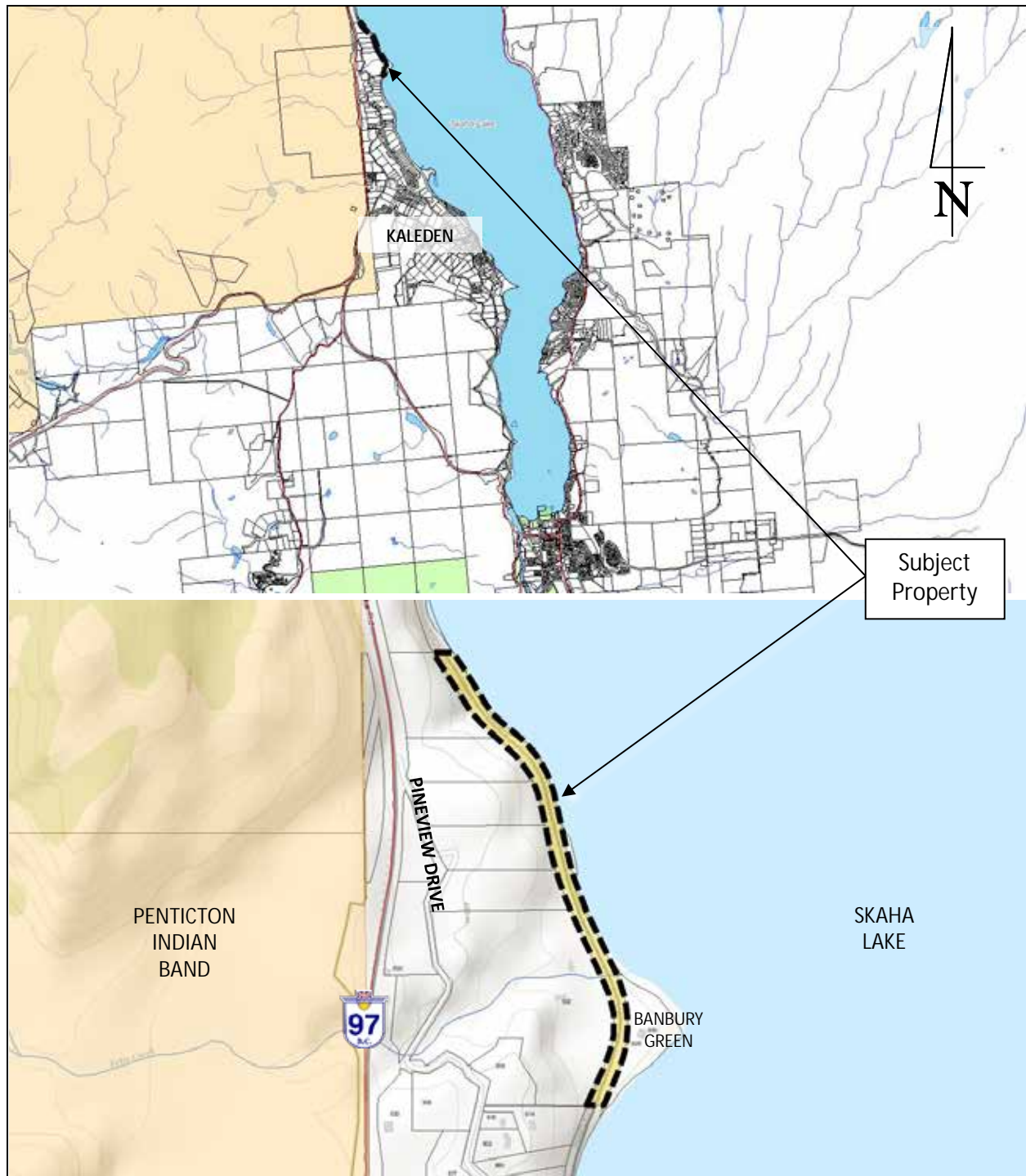
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. I2019.004-TUP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

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



Temporary Use Permit

File No. I2019.004-TUP

Schedule 'B'





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

May 27, 2019

Reply to the attention of Sara Huber
ALC Issue: 51415
Local Government File: I2019.004-TUP

Christopher Garrish
Planning Manager
Regional District of Okanagan-Similkameen
Delivered Electronically

Re: RDOS Temporary Use Permit Renewal Application No. I2019.004-TUP

Thank you for forwarding a copy of Regional District of Okanagan-Similkameen (RDOS) Temporary Use Permit (TUP) Renewal Application No. I2019.004-TUP (the "TUP Application") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP Application is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the "General Regulation"), the Agricultural Land Reserve Use Regulation (the "Use Regulation"), and any decisions of the ALC.

Current Proposal

The TUP Application applies to Crown Land Lot 205, which includes the following Parcel Identifiers (PIDs): 012-203-084, 012-203-033, 012-203-955, 012-203-998, 012-203-971, 012-206-725, 012-202-975, 012-202-355, 012-202-991, 012-206-717, and 012-206-709 (the "Property"). The Property is a former section of the Canadian Pacific Railway (CPR) line running along the western shore of Skaha Lake between Penticton and Okanagan Falls, and bisects the property at 928 Pineview Drive (PID: 004-714-067), which comprises the Banbury Green Campground.

The TUP Application seeks to renew an existing TUP related to the operation of the Banbury Green Campground on a portion of the Property for a period of three years (i.e. to June 16, 2022).

Application History

In 2016, the RDOS Regional Board approved TUP No. D2016.015-TUP, which allowed the operation of a campground on the Property. This TUP expires June 16, 2019. At this time, the proponent also received a five-year Licence of Occupation from the Crown to use the Property for the purposes of a commercial campground.



ALC Response

The ALC recognizes that the Property is not within the Agricultural Land Reserve (the "ALR") and does not adjoin ALR lands. As such, the ALC has no objection to the issuance of the TUP.

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

If you have any questions about the above comments, please contact the undersigned at 604-660-7019 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of Renewal of a Temporary Use Permit for a Campground Use

CC: Ministry of Agriculture – Attention: Greg Bartle

51415m1



RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. I2019.004-TUP

- | | |
|---|---|
| <input type="checkbox"/> Approval Recommended for Reasons Outlined Below | <input checked="" type="checkbox"/> Interests Unaffected by TUP |
| <input type="checkbox"/> Approval Recommended Subject to Conditions Below | <input type="checkbox"/> Approval Not Recommended Due to Reasons Outlined Below |

Signature: 

Signed By: Faith Kwong

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: May 10, 2019



Subject: FW: Referral Comments Requested - Renewal of a Temporary Use Permit for a campground use
Attachments: RDOS TEMPORARY USE PERMIT NO. D2016.015- TUP.pdf

From: Kaleden Irrigation District <k.i.d@shaw.ca>

Sent: May 6, 2019 11:10 AM

To: Christopher Garrish <cgarrish@rdos.bc.ca>

Subject: RE: Referral Comments Requested - Renewal of a Temporary Use Permit for a campground use

Good morning Christopher;

Please find attached the referral sheet from 2016 when the original TUP was granted. Could you please provide your maintenance records for the septic system as per the conditions outlined in our last response? The renewal for this TUP will then be placed on the agenda for the Board meeting. Thanks so much.

Cheryl



Kaleden
Irrigation District

119 Ponderosa Ave.
PO Box 107, Kaleden, BC V0H 1K0
P 250-497-5407 F 250-497-5407
Email: k.i.d@shaw.ca



RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. D2016.015-TUP

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by TUP

☒ Approval Recommended Subject to Conditions Below

☐ Approval Not Recommended Due to Reasons Outlined Below

The Kaleden Irrigation District Board of Trustees recommends approval of Temporary Use Permit No. D2016.015-TUP subject to the following condition:

Provide assurance that operation of this campground under this TUP will not adversely affect the water quality of Skaha Lake. This would include proper disposal of septic effluent and regular maintenance of their septic systems.

Signature: Cheryl E. Hanna

Signed By: CHERYL E HANNA

Agency: KALEDEN IRRIGATION DISTRICT

Title: Financial/Corporate

Date: April 14, 2016

Administrator



Lauri Feindell

Subject: FW: REFERRAL - Renewal of a Temporary Use Permit for a campground use

From: Moraes, Ryan <Ryan.Moraes@fortisbc.com>
Sent: May 6, 2019 3:24 PM
To: Planning <planning@rdos.bc.ca>
Subject: RE: REFERRAL - Renewal of a Temporary Use Permit for a campground use

Fortis Gas has no concerns with this proposal

Ryan Moraes, ASCT | Planning & Design Technologist | FortisBC
1260 Commercial Way | Penticton, BC V2A 3H5
☎ 250-490-2621 📠 778-214-0509 | ✉ ryan.moraes@fortisbc.com
including removal from your hard drive. Thank you.



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: May 17, 2019 4:53 PM
To: Planning
Subject: Pineview Dr, 928 adj Crown Land Kaleden (I2019-004-TUP)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities within the boundary of the affected area. Future applicants seeking land use changes stemming from the proposed temporary use permit are responsible for costs associated with any change to the existing service, if any, as well as the provision of appropriate land rights where required.

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

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

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

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

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

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

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

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

Best Regards

*Steven Danielson, AACI, SR/WA
Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, SR/WA
Supervisor | Property Services | FortisBC Inc.**

2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Office: 250.469.8033
Mobile: 250.718.9398
Fax: 1.866.636.6171
nicholas.mirsky@fortisbc.com



Lauri Feindell

From: Leathem, Jamie FLNR:EX <Jamie.Leathem@gov.bc.ca>
Sent: May 20, 2019 10:39 AM
To: Planning
Subject: Referral - Banubury Green Campground TUP (I2019.004-TUP)

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development has reviewed the above noted referral and has the following comments:

"No concerns as long as Temporary Use Permit conditions are consistent with recent Land Act Tenure over the area awarded to proponent in 2016."

If you have any questions, please contact me directly.

Best regards,

Jamie Leathem, M.Sc.

Ecosystems Biologist | BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development
102 Industrial Place, Penticton, BC V2A 7C8 | (250) 490-8294 | Jamie.Leathem@gov.bc.ca

Please note my regular hours are Mon-Thurs 9:00am-5:00pm.





Feedback Form

RECEIVED
Regional District

MAY 28 2019

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: I2019.004-TUP

FROM: Name: Yvonne Kennedy
(please print)

Street Address: _____

RE: **Renewal of Temporary Use Permit (TUP) – “Campground” Use.
0.96 hectares of land adjacent 922 Pineview Drive, Kaleden**

My comments / concerns are:

- ☐ I do support the proposed use.
- ☒ I do support the proposed use, subject to the comments listed below.
- ☐ I do not support the proposed use.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this renewal application.

The owners of Banbury Campground have used crown land for several years as part of their business – I understand tax free.

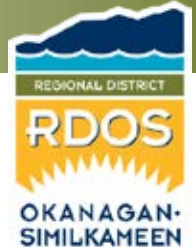
As a reciprocal agreement, I think walkers should feel free to access the KVR via the private driveway from Pineview Rd. to the KVR. I understand non business vehicle traffic not being allowed.

Perhaps a sign saying no unauthorized vehicle traffic would suffice.

Feedback Forms must be completed and returned to the Regional District
no later than **May 28, 2019**

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

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: Agricultural Land Commission Referral ("non-adhering residential use") – Electoral Area "C"

Administrative Recommendation:

THAT the RDOS "authorize" the application for a "non-adhering residential use – additional residence for farm use" at 5526 Primrose Lane (Lot 148, Plan KAP1728, District Lot 2450S, SDYD) in Electoral Area "C" 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 dwelling unit is restricted to farm labour only; and
- the dwelling unit be decommissioned once an on-going need for farm labour no longer exists.

Purpose: To allow for an accessory dwelling on a parcel in the Agricultural Land Reserve

Owner: Gurdev & Nirmaljeet Bahniwal Agent: Gurdev Bahniwal Folio: C-05451.000

Legal: Lot 148, Plan KAP1728, District Lot 2450S, SDYD

Civic: 5526 Primrose Lane OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20.1(2) of the *Agricultural Land Commission Act* (the Act) has been referred to the Regional District in order to allow the development of farm labour accommodation on a parcel of land within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission's approval "to extend the former farm building and convert it into a house for farm workers to support the increase of workforce to maintain the agricultural orchards."

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

- *this 10 acre parcel, consists of 9 acres of high density cherries and 1 acre of high density apples, the apple are in full production and 75% of the cherries are in full production. The remaining 25% of the cherry tress are new plantings and will start to come into production in the coming couple of years;*
- *the purpose of this proposal is to extend the former farm building and convert it into a house for farm workers to support the increase of workforce to maintain the agricultural orchards;*

-
- *we need additional residence on the farm due to the increase of work happening on this property and nearby properties; and*
 - *approximately 0.4 acre is dedicated for a house in which our farm workers stay and there is another building which we would like to convert into a house, also for the farm workers due to increased work on the property and nearby properties.*

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 4.3 ha in area and is located on the west side of Primrose Lane, approximately 200 metres north of its intersection with Road 3. The property is understood to comprise an existing principal dwelling and an accessory structure with the remainder of the property under agricultural production.

The surrounding pattern of development is characterised by similar agricultural operations as well as a nursery (greenhouse) operation to the east and the Okanagan Gleaners operation to the south.

Background:

The subject property was created by a plan of subdivision prepared on December 19, 1920, while available Regional District records indicate that Farm Building Exemption was previously issued for a Chemical Storage Shed (2011).

On November 21, 2017, it came to the Regional District’s attention that the Chemical Storage Shed had been altered without a building permit having been issued for work that included an addition, enclosure of overhead doors and addition of a window. It is understood that this work was related to the conversion of the Chemical Storage Shed to a dwelling unit (see Attachment No. 4).

Due to the Chemical Storage Shed having been approved through the Farm Building Exemption process, no part of the building has been inspected and its conversion to a dwelling unit *may* require an engineer approve the structural aspects of the building.

In addition, if converted to a dwelling unit, the property owner will be required to register with BC Housing New Home Licensing and confirmation from a Registered Onsite Wastewater Practitioner (ROWP) that the septic system serving the structure is capable of accommodating the flows from the farm labour will be required.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as 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 "C" Zoning Bylaw No. 2453, 2008, the property is zoned Agriculture One (AG1), which allows for a maximum of one (1) principle dwelling and, on parcels less than 8.0 ha in area to allow for either a secondary suite or accessory dwelling with a gross floor area not exceeding 90.0 m².

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 m² 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 property has been assessed as Residential (Class 01) and Farm (Class 09) by BC Assessment.

Board & APC Consideration:

At its meeting of May 9, 2019, the Regional District Board resolved to defer consideration of this "non-farm use" application and further directed that it be referred to the Electoral Area "C" Advisory Planning Commission (APC).

At its meeting of May 21, 2019, the Electoral Area "C" APC resolved to recommend to the RDOS Board that this "non-farm use" application be approved.

Analysis:

In considering this proposal, Administration notes that the Electoral Area "C" OCP Bylaw "supports establishing housing for year round farm help and seasonal farm workers."

It is also noted that the applicant is seeking to convert an existing structure to an accessory dwelling which is generally sited within the "home plate" associated with the existing dwelling unit which is consistent with the OCP policy of "maximizing productive farm activity and minimizes non-farm use on farmland by limiting the footprint of non-farm uses."

Of concern, however, is the suitability of an un-inspected structure previously used for the storage of potentially hazardous materials being converted to human habitation purposes. As outlined above (see Background), there may be significant challenges for the property owner in bringing this structure into compliance with the BC Building Code.

Administration is also concerned about the cumulative impact of dwelling development on farm land owned by the applicant. It is noted that, in their submission to the ALC, the applicant has indicated full ownership of eight (8) agricultural parcels in the surrounding area.

At present, these parcels represent a land area of approximately 32.7 ha (81 acres) and are seen to comprise 12 dwelling units (see Attachment No. 5) with an estimated floor area of 1,400 m². The current application would increase this floor area to 1,570 m².

By way of comparison, the Board recently “authorised” an application to proceed to the ALC in relation to an approximately 700 m² farm labour accommodation building for 64 persons on a property in Electoral Area “F” that has approximately 36.8 ha under cherry production.

In this regard, Administration considers that there *may* already be sufficient dwelling units on the applicant’s various parcels to accommodate the labour requirements of their farm operation.

Nevertheless, and in light of the direction provided for in the OCP Bylaw, Administration is recommending that the application be “authorised” to proceed to the ALC for their determination.

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 “C” Zoning Bylaw in order to proceed due to the size of the proposed accessory dwelling being larger than that allowed under the current AG1 Zone (i.e. 90m²).

Alternative:

1. THAT the RDOS “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 5526 Primrose Lane (Lot 148, Plan KAP1728, District Lot 2450S, SDYD) in Electoral Area “C” to proceed to the Agricultural Land Commission.
2. THAT the RDOS not “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 5526 Primrose Lane (Lot 148, Plan KAP1728, District Lot 2450S, SDYD) in Electoral Area “C” to proceed to the Agricultural Land Commission.

Respectfully submitted



C. Garrish, Planning Manager

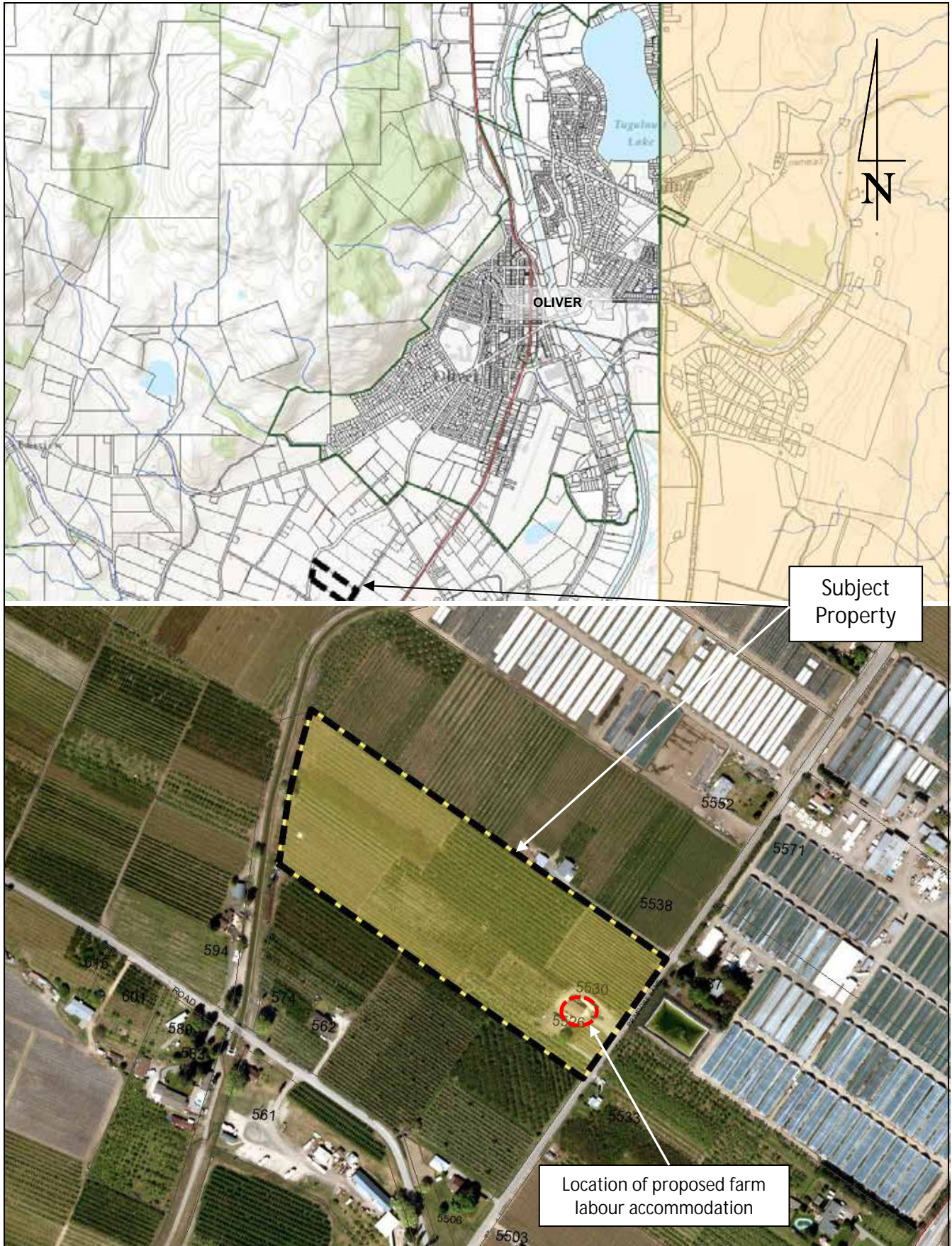
Endorsed by:



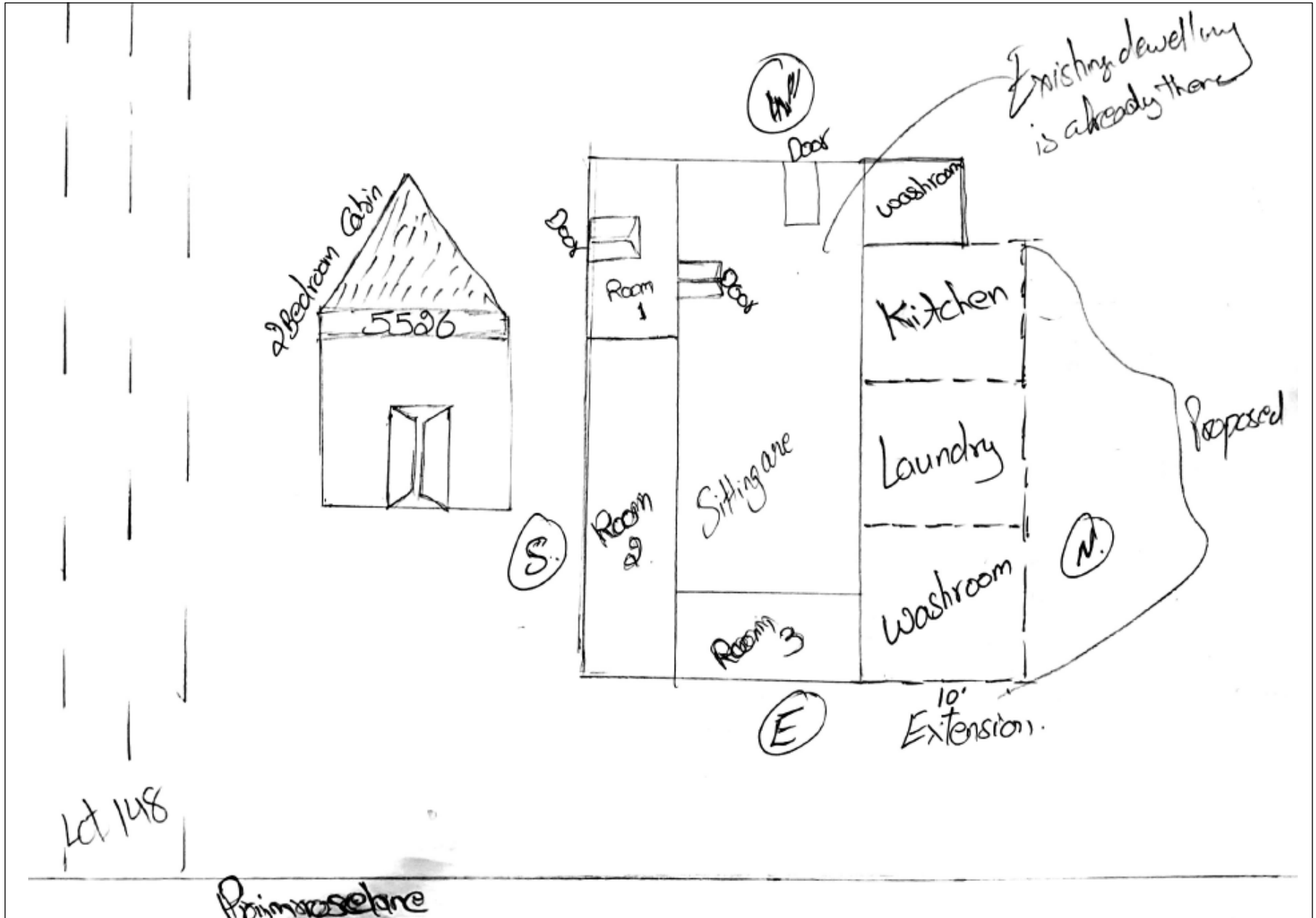
B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 – Context Maps
No. 2 – Applicant’s Site Plan
No. 3 – Site Photo
No. 4 – Building Photos (Interior of Structure – Bylaw Enforcement)
No. 5 – Location of Existing Dwellings Owned by Applicant

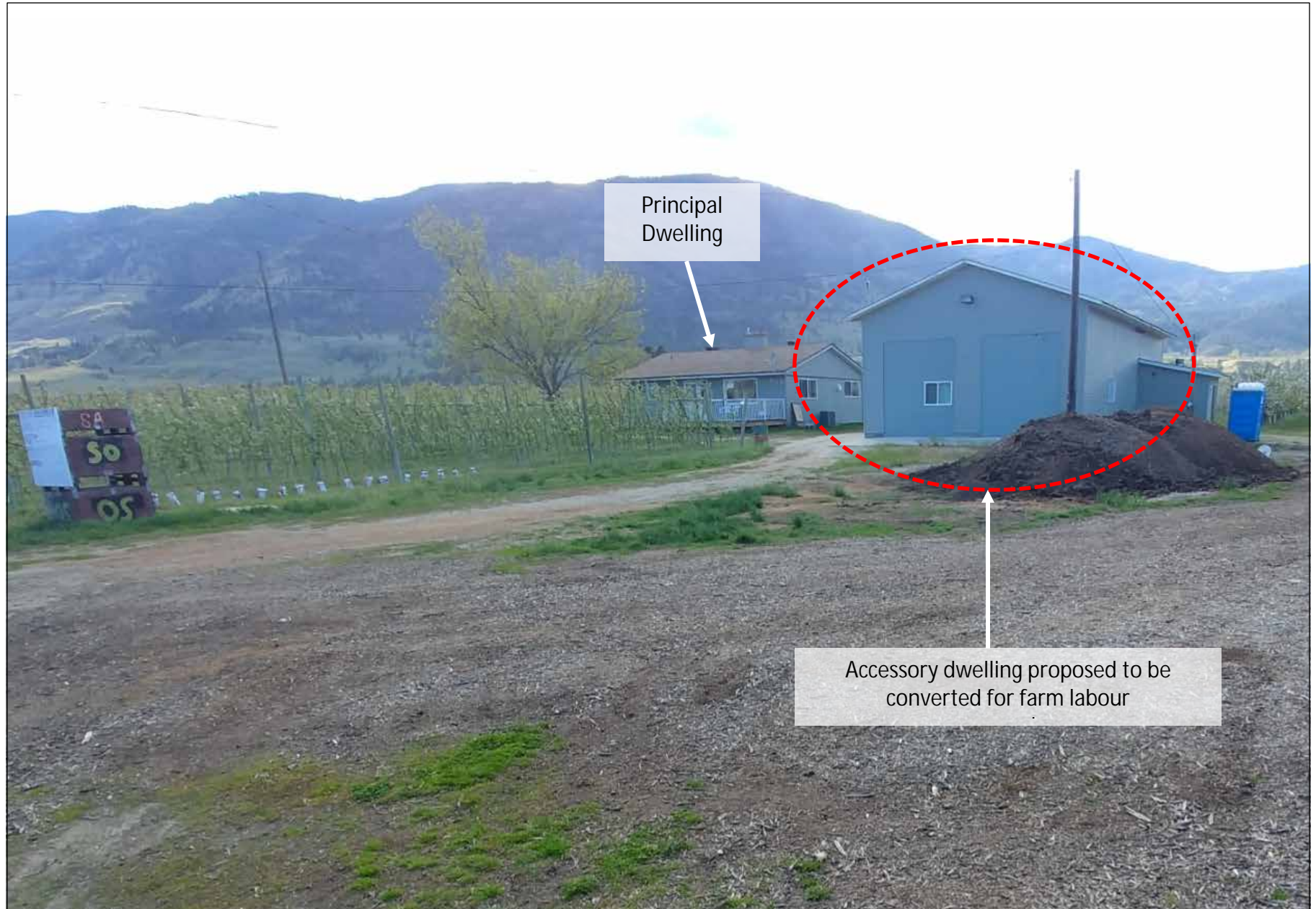
Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan



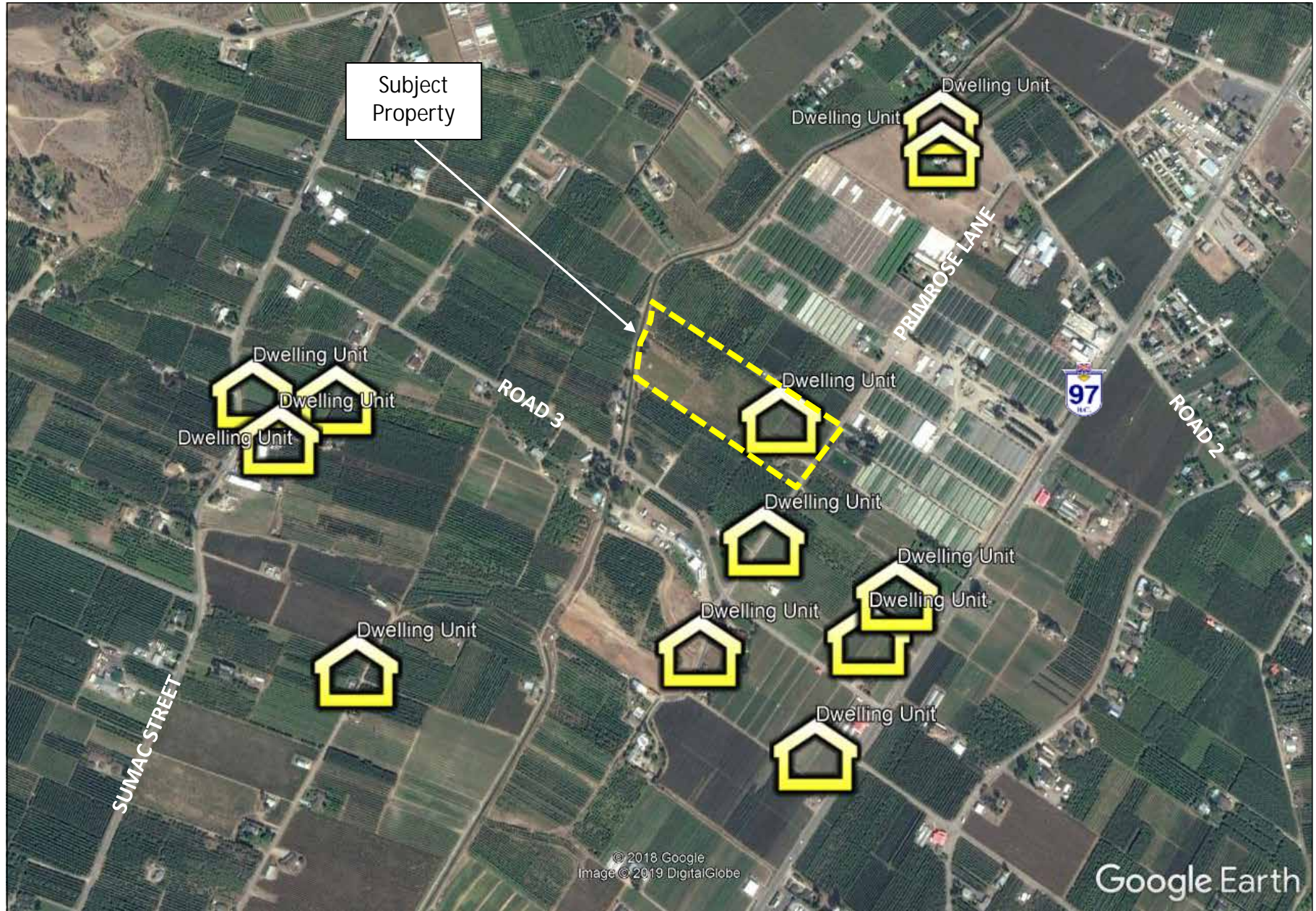
Attachment No. 3 – Site Photo



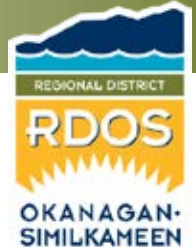
Attachment No. 4 – Building Photos (Interior of Structure – Bylaw Enforcement)



Attachment No. 5 – Location of Existing Dwellings Owned by Applicant



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: Agricultural Land Commission Referral ("non-farm" use) – Electoral Area "C"

Administrative Recommendation:

THAT the Board of Directors not "authorize" the application to undertake a "non-farm" use at 7910 Highway 97 (Lot 15, Plan KAP5631B, District Lot 2450S, SDYD, Portion Plan 1729, Except Plan 14334) in Electoral Area "C" to proceed to the Agricultural Land Commission.

Purpose: To undertake an outdoor storage use within the Agricultural Land Reserve (ALR).

Owner: Avro Oil Limited

Agent: Terry Feeny

Folio: C-05223.000

Legal: Lot 15, Plan KAP5631B, District Lot 2450S, SDYD, Portion Plan 1729, Except Plan 14334

Civic: 7910 Highway 97

OCP: Commercial (C)

Zone: General Commercial (C1)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20(2) of the *Agricultural Land Commission Act* (the Act) has been lodged with the Regional District in order to permit a Non-Farm Use to occur within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking to use the property at 7910 Highway 97 for the purposes of an "outdoor storage" facility.

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

- *No agricultural activities have taken place on this property. The property housed a mechanical shop and single residence for years. Prior to that a convenience store;*
- *No agricultural improvements have been made. There isn't water to the property; and*
- *This is a very small piece of property located in primary residential area. There is a need for outdoor storage in our area.*

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 an amendment to the Electoral Area "C" Zoning Bylaw No. 2453, 2008, will be required in order for this development to proceed.

Site Context:

The subject property is approximately 1.0 ha in area and is located at the north-east corner of the intersection of Highway 97 and Secrest Hill Road.

The property previously comprised a single detached dwelling, an automotive repair use (i.e. "Curt's Automotive") while the remainder of the land was under agricultural production based on aerial photo analysis (NOTE: available provincial mapping (1980) indicates that the property comprises Class 2-3 agricultural soils).

The surrounding pattern of development is generally characterised by a mix of rural-residential and agricultural land uses.

Background:

Development History:

The current boundaries of the subject property date to a plan of subdivision that received by the Land Titles Office on September 17, 1947, while available Regional District records indicate that Building Permits have previously been issued for a demolition (1988), change of occupancy (1993), new roof (1993) and demolition of shop and house (2018).

It is understood that the construction of a previous dwelling and service station on the property pre-date the introduction of zoning and building inspection services to Electoral Area "C" in the early 1970s. Available records also indicate that the property has been classed as Residential (01) and "Business and Other" (06) by BC Assessment since 2006.

Zoning History:

The first zoning applied to the subject property was the (then) Highway Commercial (C-2) Zone under the Electoral Area "C" Zoning Bylaw No. 117, 1973. This zoning permitted "service stations", "motels", "restaurants", "fruit stands" "accessory dwelling" and "agriculture" as principal and accessory uses.

It is Administration's understanding that zoning the whole of an agricultural property for commercial purposes, despite only small portions of such properties being used by a commercial business, was common in the early 1970s and can be seen in other communities within the Regional District, such as highway fronting properties in Kaleden and Osoyoos where fruit stands or gas stations existed.

Administration further notes that Zoning Bylaw 117, 1973, was adopted on September 20, 1973, which is *after* the introduction of the ALR on December 21, 1972.

The Highway Commercial zoning of the subject property was subsequently carried forward into the Electoral Area "C" Zoning Bylaw Nos. 1478 (1994), 1776 (1997) and 2123 (2002) and became General Commercial (C1) under Zoning Bylaw 2453 (2008).

Between May and June of 2018, and as part of consultations associated with the Okanagan Electoral Area Commercial Zone Update, Administration proposed amending the zoning on a majority of the subject property to Agriculture One (AG1) in order to formalize the existing dwelling unit and to reflect the apparent use of the land for agricultural purposes.

As part of these discussions, input from the ALC was sought regarding the relationship between zoning of the subject property and the *Agricultural Land Commission Act*. The Commission advised that, despite the C1 zoning, any new commercial use of the property would require ALC approval.

The Commission further advised that it was not bound by the Regional District's zoning bylaw to approve a commercial use.

The (then) property owner was advised of these comments from the Commission but formally requested that the C1 Zone be retained on the property.

The property was subsequently sold on September 18, 2018, and the current property owner (i.e. applicant) was verbally advised by Regional District staff in late 2018 of the requirement for ALC approval prior to commencing any commercial use of the property.

Enforcement:

In December of 2018, the Regional District began to receive complaints regarding the removal of top soil from the subject property and the placement of gravel. It is understood that similar complaints were received by the ALC.

On February 15, 2019, the ALC delivered to the property owner a "Notice of Contravention" (unauthorized commercial activity in the ALR) and required the removal of all unauthorized fill from the site as well as the submission of a "non-farm use" application if they wished to use the property for a commercial purpose.

On April 16, 2019, the Regional District received notification from the ALC regarding the submission of the current "non-farm" use application.

On April 16, 2019, and due to the C1 zoning of the property, the Regional District concluded that "no violation exists, as there is no contravention of RDOS Bylaws" (at this time) and closed the enforcement file.

Current Land Use Bylaws:

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Commercial (C), an objective of which is to "maintain the current level of local commercial sites to serve the existing communities and tourists, and expand services as future growth may dictate."

The property has also been designated under a development permit area for the purposes of the Protection of Farming (which is triggered at subdivision) and is affected by a Watercourse Development Permit (WDP) Area designation along its southern property line that relates to a number of watercourses that converge in this area and which experienced significant water flows in 2018.

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is zoned General Commercial (C1), which, amongst other things, lists "self-storage, not to exceed 250 m² in gross floor area" as a principal permitted use. The Zoning Bylaw further defines "outdoor storage" as meaning:

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.

Importantly, "outdoor storage" is considered an industrial use and is only listed in the General Industrial (I1) Zone.

Board & APC Consideration:

At its meeting of May 9, 2019, the Regional District Board resolved to defer consideration of this “non-farm use” application and further directed that it be referred to the Electoral Area “C” Advisory Planning Commission (APC).

At its meeting of May 21, 2019, the Electoral Area “C” APC resolved to recommend to the RDOS Board that this “non-farm use” application be denied.

Analysis:

In considering this proposal, Administration notes that the OCP specifically speaks to maintaining local commercial sites, to limiting commercial development along Highway 97 to parcels that are already designated for such uses and encouraging commercially designated lands be utilized “for smaller-scale, neighbourhood-serving commercial activities.”

Against this criteria, the proposed introduction of an industrial land use (i.e. “outdoor storage”) is seen to be inconsistent with the OCP and would result in the loss of commercially designated land fronting Highway 97 within the Electoral Area.

Despite the Commercial designation of this property, Administration has further concerns regarding this proposal and its consistency with the direction provided by the OCP regarding the preservation of agricultural lands. Namely, the Broad Goal to “support and encourage agriculture in the community through preservation of the land base and restrictions on uses which are not compatible with current or future agricultural activities.”

It is Administration’s understanding that the subject property has a history of being used to produce agricultural crops and that, if converted to an industrial use, this alienates viable farmland. It is for these reasons that Administration approached the former property owner in 2018 about amending the zoning on 85% of the property to AG1 in order to reflect its agricultural capabilities and apparent previous use.

In addition, the current extent of the commercial zoning is seen to be an historic anomaly and one that does not accurately reflect the permitted use of the property under the *ALC Act*, and as evidenced by the current enforcement action initiated by the ALC.

Moreover, the proposed “outdoor storage” use is one that would be more appropriately located within an industrial area, such as the Osoyoos Indian Band’s “Senkulmen” business park (which is approximately 1km to the east).

For these reasons, Administration is recommending that this application not be “authorised” to proceed to the ALC for their consideration.

Should the Board resolve to “authorise” this proposal and if it is subsequently approved by the ALC, an amendment to the Electoral Area “C” OCP & Zoning Bylaws will be required in order to facilitate the proposed use.

Alternative:

THAT the Board of Directors “authorize” the application to undertake a “non-farm” use at 7910 Highway 97 (Lot 15, Plan KAP5631B, District Lot 2450S, SDYD, Portion Plan 1729, Except Plan 14334) in Electoral Area “C” to proceed to the Agricultural Land Commission.

Respectfully submitted



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, General Manager of Dev. Services

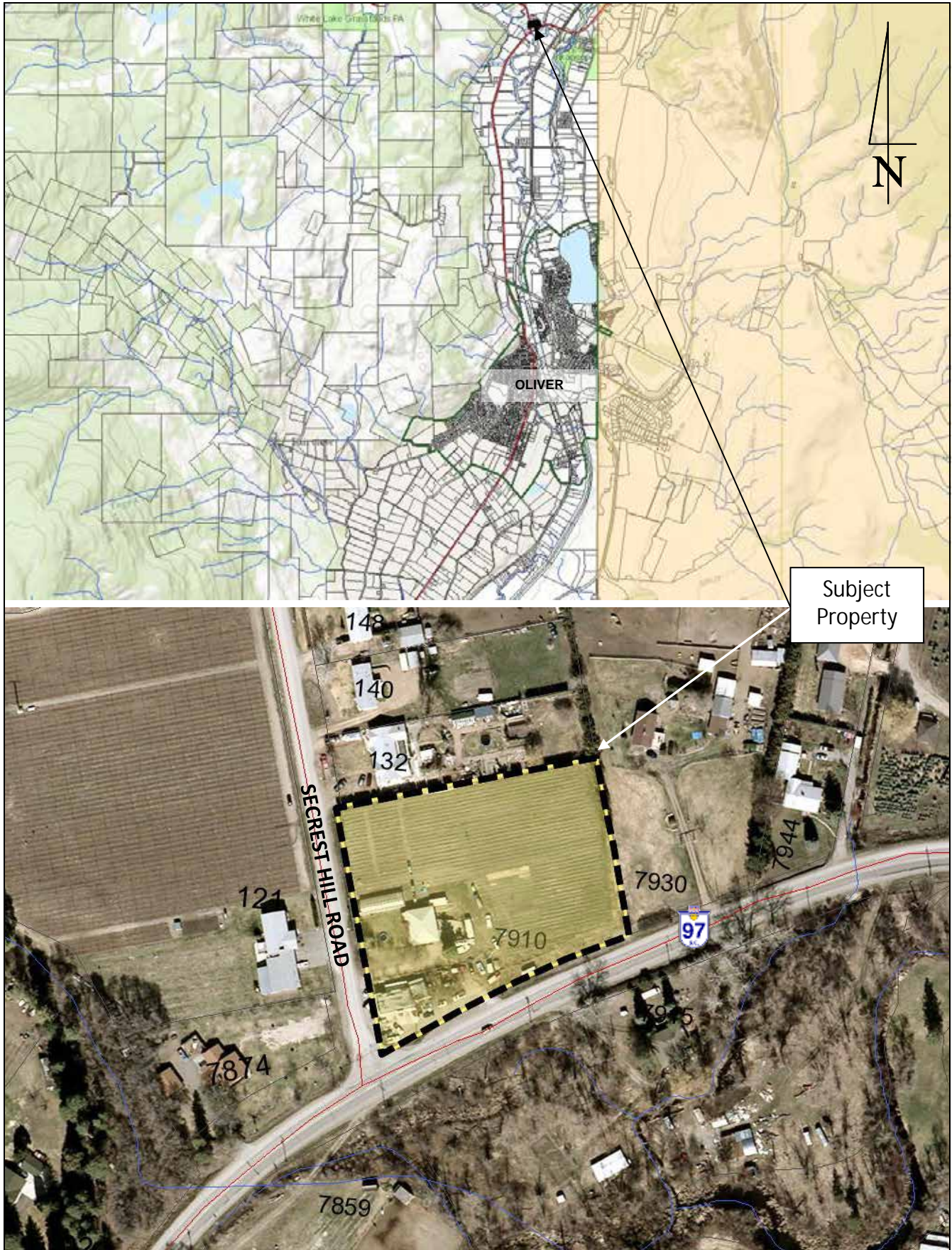
Attachments: No. 1 – Context Maps

No. 2 – Applicant's "Proposal Sketch"

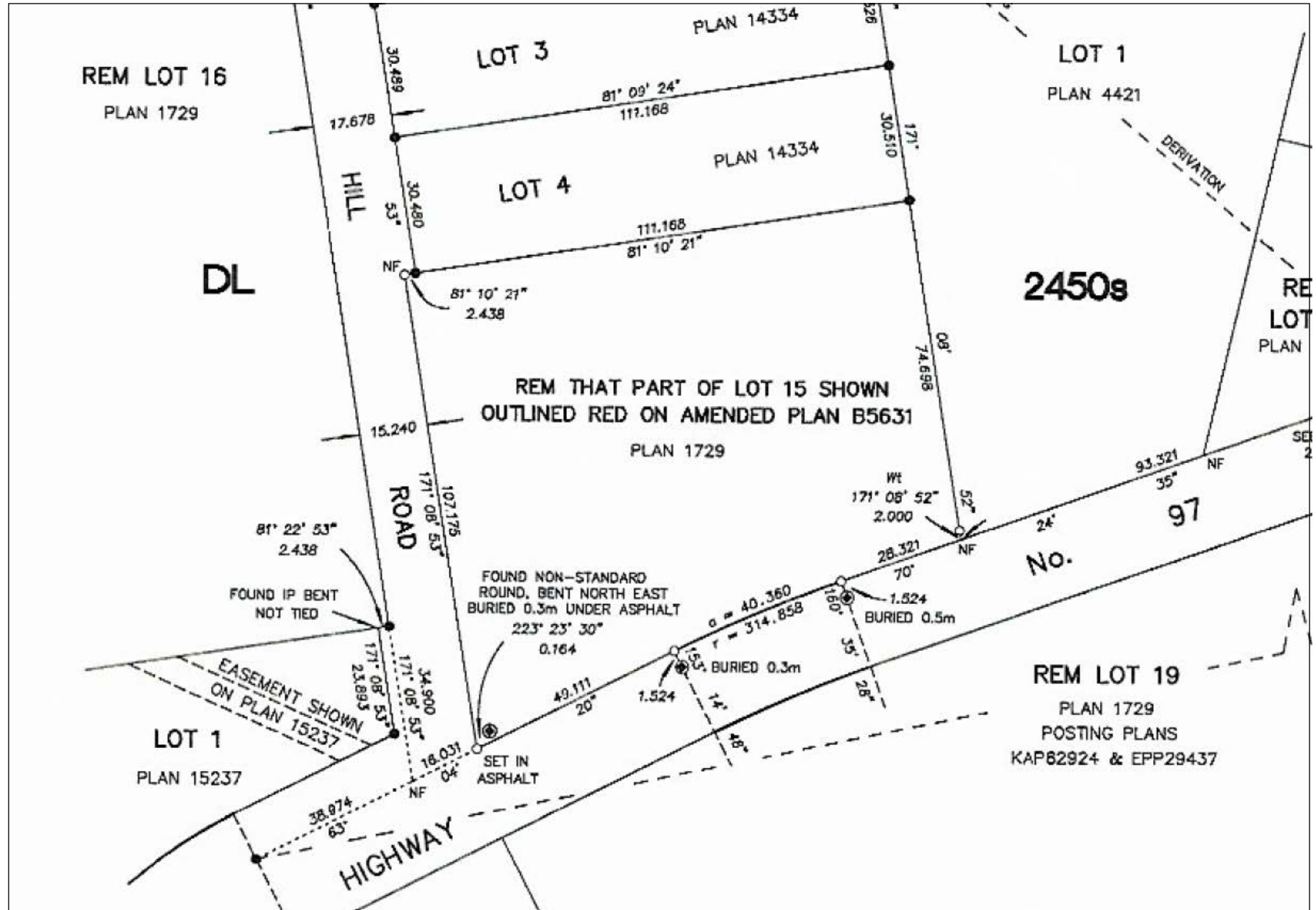
No. 3 – Site Photos (Secrest Hill Road Frontage)

No. 4 – Site Photos (Intersection of Secrest Hill Road & Highway 97)

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's "Proposal Sketch"



Attachment No. 3 – Site Photos (Secrest Hill Road Frontage)



Attachment No. 4 – Site Photos (Intersection of Secrest Hill Road & Highway 97)



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: OCP & Zoning Bylaw Amendment – Electoral Area “C”

Administrative Recommendation:

THAT Bylaw No. 2452.21, 2019, Electoral Area "C" Official Community Plan and Bylaw No. 2453.36, 2019, Electoral Area "C" Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the holding of the public hearing be delegated to Director Knodel or delegate;

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

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

Purpose: To allow for the construction of a winery.

Owner: Naomi Garrish Applicant: n/a Folio: C06475.010

Civic: 793 Secrest Hill Road Legal: Lot 1, DL 2450s, SDYD, Plan KAP31678

OCP: Small Holdings (SH) Proposed OCP: Agriculture (AG)

Zoning: Small Holdings Three (SH3) Proposed Zoning: Agriculture One (AG1)

Purpose:

This application proposes to amend the Official Community Plan and Zoning Bylaw for Electoral Area "C" in order to allow the development of a winery on the subject property. Agriculture is a permitted use within the SH3 zone; however, any "brewery, cidery, distillery, meadery or winery" [emphasis added] is only permitted within an Agriculture zone.

In support of the proposal the applicant states that:

- *In the spring of 2018 we planted our 3 acre farm with just over 2 acres of grapes;*
- *A former barn building ... we intend to upgrade and renovate to accommodate the winery production facility;*
- *We believe that this rezoning and subsequent winery development supports the official community plan as noted in Section 9.2.3 which is to encourage the agricultural sector's improvement within and adjacent to farming areas.*

Site Context:

The subject property is approximately 1.39 ha in area and is located approximately 1.5 km west of Highway 97, north of Oliver. There is a single detached dwelling and barn on the property and grapes have been planted recently.

The neighbourhood characteristics can be described as having various sized parcels all within the ALR but not necessarily zoned as Agriculture. The property immediately to the north west is another SH3 parcel of similar size and further to the southeast are smaller residential parcels. Surrounding the subject parcel are Agricultural properties and to the east is the White Lake Grassland Protected Area.

Background:

The property was created by a 1981 subdivision. Regional District records do not indicate any Building Permits have been issued on this property, although, buildings could have been built prior to inspection records being kept.

It is not known when the subject property (and the one immediately adjacent) were designated and zoned as Small Holdings; however, on reviewing the earlier Zoning Bylaw No. 1776, 1997, it is noted that the two properties were zoned as Small Holdings at that time.

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the property is designated Small Holdings (SH) therefore the proposal will require an OCP amendment.

In addition, the parcel is identified as being within the Agriculture Protection Development Permit Area.

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is zoned Small Holdings Three (SH3) within which 'agriculture' is a permitted use. However, wineries are only permitted in Agricultural zones.

The property is within the Agricultural Land Reserve (ALR) but does not appear to be classified as having 'farm' status under the Assessment Act based on Regional District mapping data.

Referrals:

The relevant agencies have been sent a referral for this proposal. Agency comments have been received from the Ministry of Forests, Lands & Natural Resource Operations & Rural Development, and the Agricultural Land Commission, and these are included as attachments to this report.

Public Process:

A Public Information Meeting was held on Tuesday, May 21, 2019, at the Oliver Community Centre and was attended by no members of the public.

At its meeting of May 21, 2019, the Electoral Area "C" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that this proposal be approved.

Administration recommends that the convening of the public information meeting, consideration by the Electoral Area "C" 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 sufficiently early and does not need to be further ongoing consultation.

Analysis:

In summary, Administration's analysis has found that this application aligns with the applicable local and regional plans in place. In terms of regulations, the application would meet most of the requirements of the Agriculture One Zone (AG1), with the exception of the minimum parcel size outlined in the applicable Zoning Bylaw.

Electoral Area "C" OCP Bylaw No. 2452:

This application aligns with the OCP objectives and policies, and in particular, is supported by OCP Objective 9.2.6 and OCP Policy 9.3.22:

- *OCP Objective 9.2.6: "To support the promotion of the benefits of agriculture in the local economy, the quality of local food products, and the farm landscape to the community."*
- *OCP 9.3.22: "The Regional Board, on existing parcels, encourage agricultural use of all farm parcels regardless of size."*

Electoral Area "C" Zoning Bylaw No. 2453:

The redistricting aligns with all but one of the regulations of the relevant sections of the Zoning Bylaw. Section 10.2 Agriculture One Zone (AG1) of the Zoning Bylaw permits one singled detached dwelling as a principle use, and a brewery, cidery, distillery, meadery or winery as a secondary use.

As per the Zoning Bylaw, the minimum parcel size for the AG1 zone is 4.0 ha. This presents a conflict with the Bylaw, as the subject property is approximately 1.39 ha. However, it should be noted that no subdivision is being proposed that would further reduce the parcel size. Furthermore, the Official Community Plan promotes agriculture in the area and encourages *"agricultural use of all farm parcels regardless of size"*. As a result, Administration sees that there are potential benefits of allowing a smaller parcel to be rezoned to agriculture, including the promotion of local agricultural production through land uses (i.e. a winery) that compliments the surrounding rural landscape.

The Agricultural Land Commission Act:

The Agricultural Land Commission Act allows for an alcohol production facility (i.e. winery) under the following conditions: as the parcel is currently less than 2 ha in area, at least 50% of the primary farm product used to make the alcohol product produced each year will need to be grown on the farm on which the alcohol production facility is located.

In summary, Administration generally supports the proposed OCP and Zoning Bylaw amendments, so long as the applicant meets all of the requirements set out in the ALC Act in their winery operations. In this regard, Administration is in receipt of a separate ALC application provided to our office to allow for a winery use on a parcel less than 2.0 Hectare. It is Administration's recommendation to provide this ALC application to the Regional Board for consideration following decision on the proposed zoning amendment.

Alternatives:

THAT Bylaw No. 2452.21, 2019, Electoral Area "C" Official Community Plan and Bylaw No. 2453.36, 2019, Electoral Area "C" Zoning Amendment Bylaw be deferred.

THAT Bylaw No. 2452.21, 2019, Electoral Area "C" Official Community Plan and Bylaw No. 2453.36, 2019, Electoral Area "C" Zoning Amendment Bylaw be denied.

Respectfully submitted:

C. Labrecque

C. Labrecque, Planner II
Services



B. Dollevoet, G.M. Development

Attachments: No. 1a & 1b – OCP & Zoning Bylaw Amendment Maps

No. 2a, 2b, 2c – Applicant's Site Plan

No. 3 – Applicant's Rationale

No. 4 – Agency Comments

Regional District of Okanagan-Similkameen

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

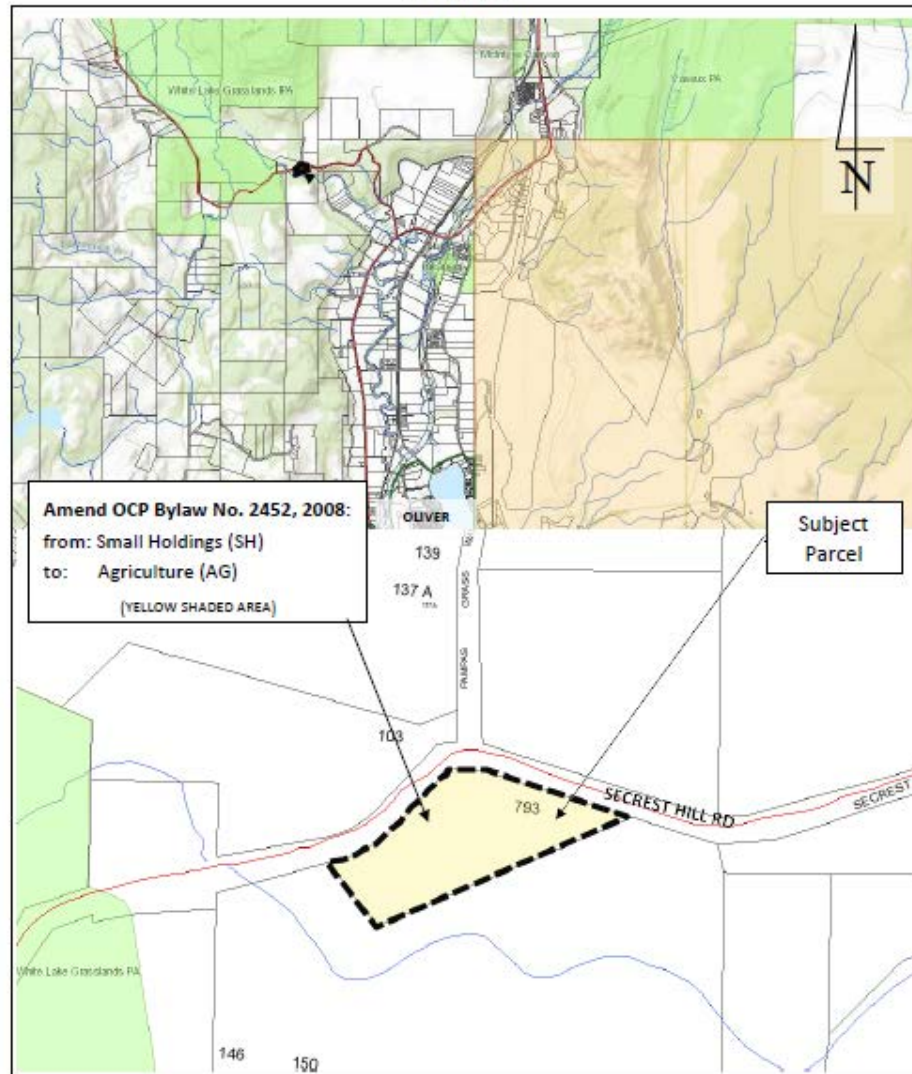
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2452.21, 2019

File No. C2019.004-ZONE

Schedule 'A'



Amendment Bylaw No. 2452.21, 2019
(C2019.004-ZONE)

Page 2 of 2

Regional District of Okanagan-Similkameen

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

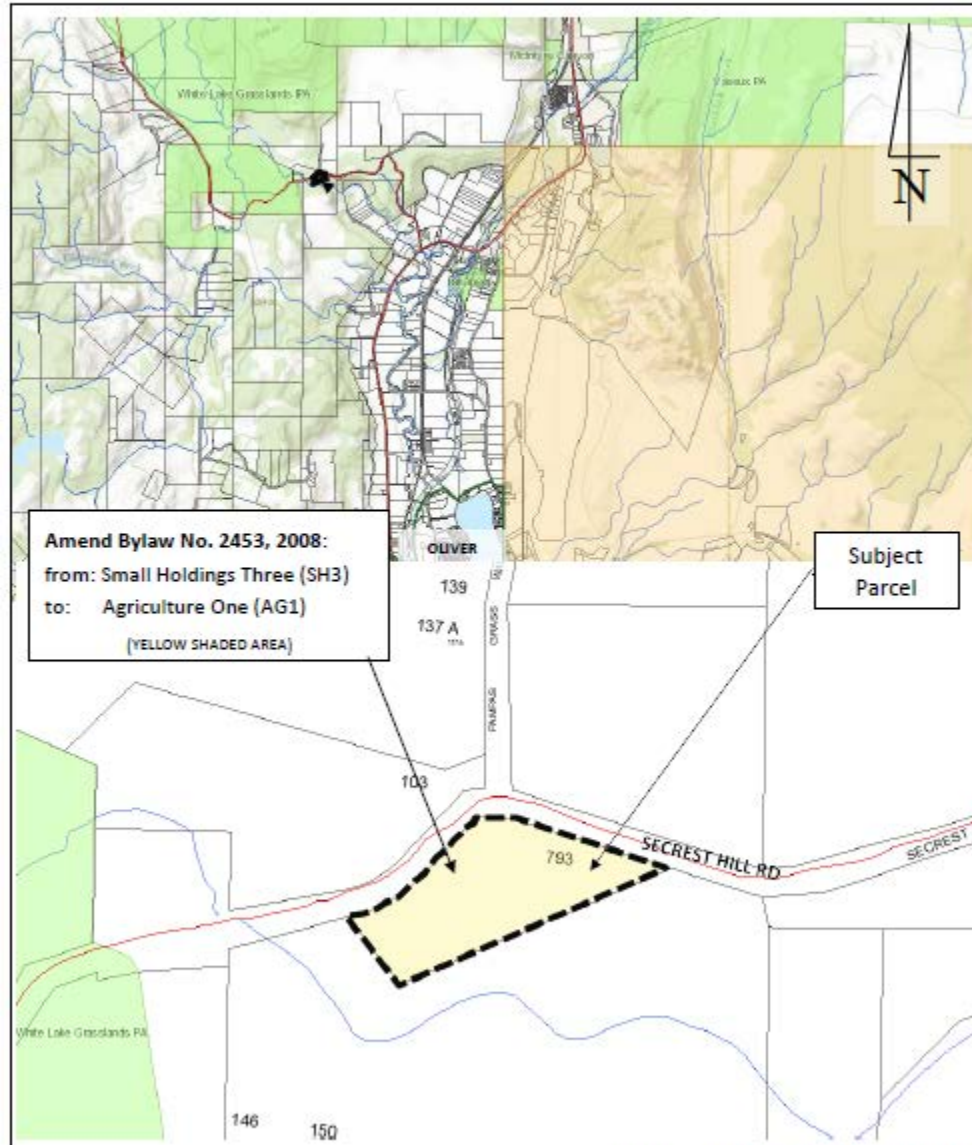
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2453.36, 2019

File No. C2019.004-ZONE

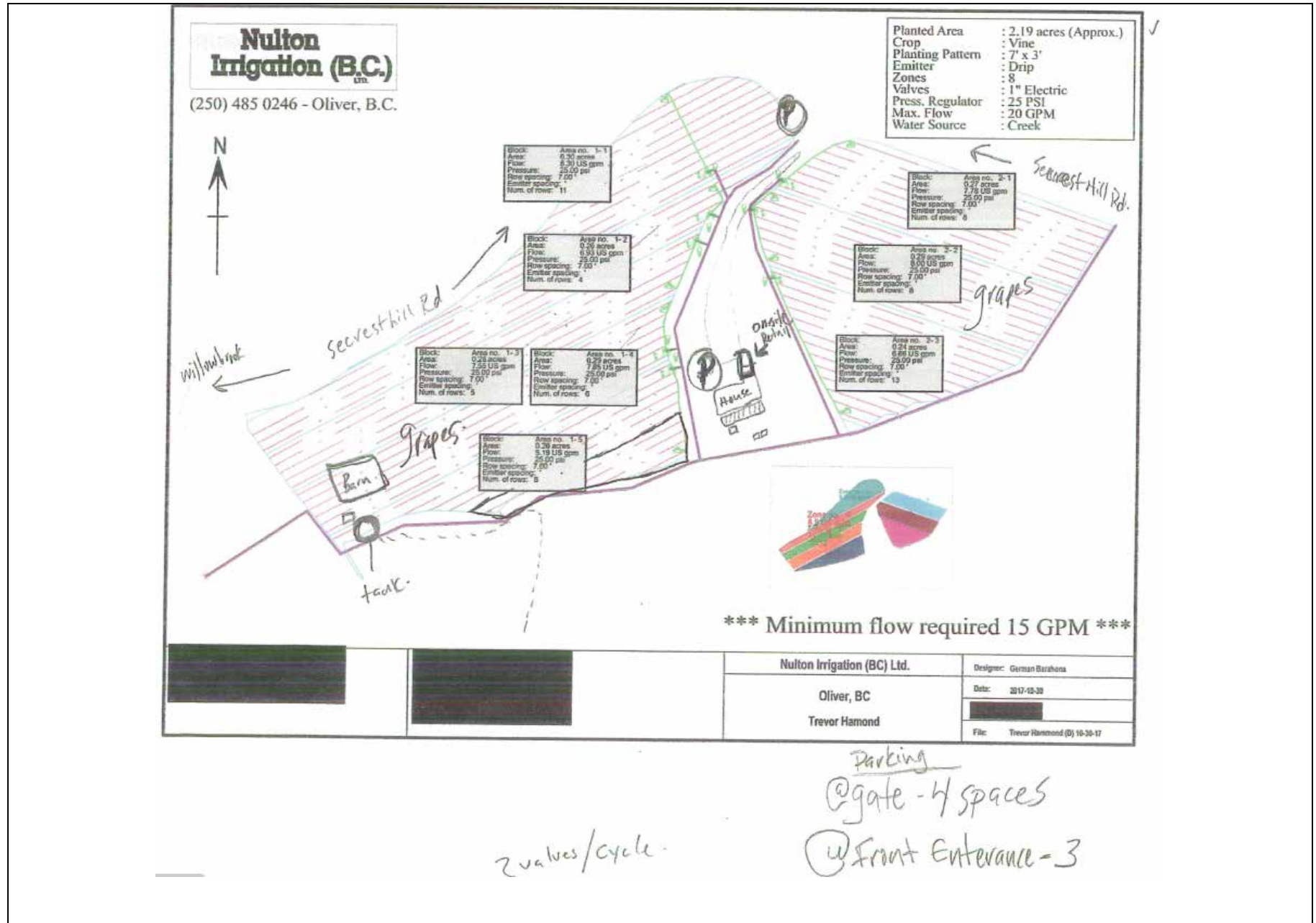
Schedule 'A'



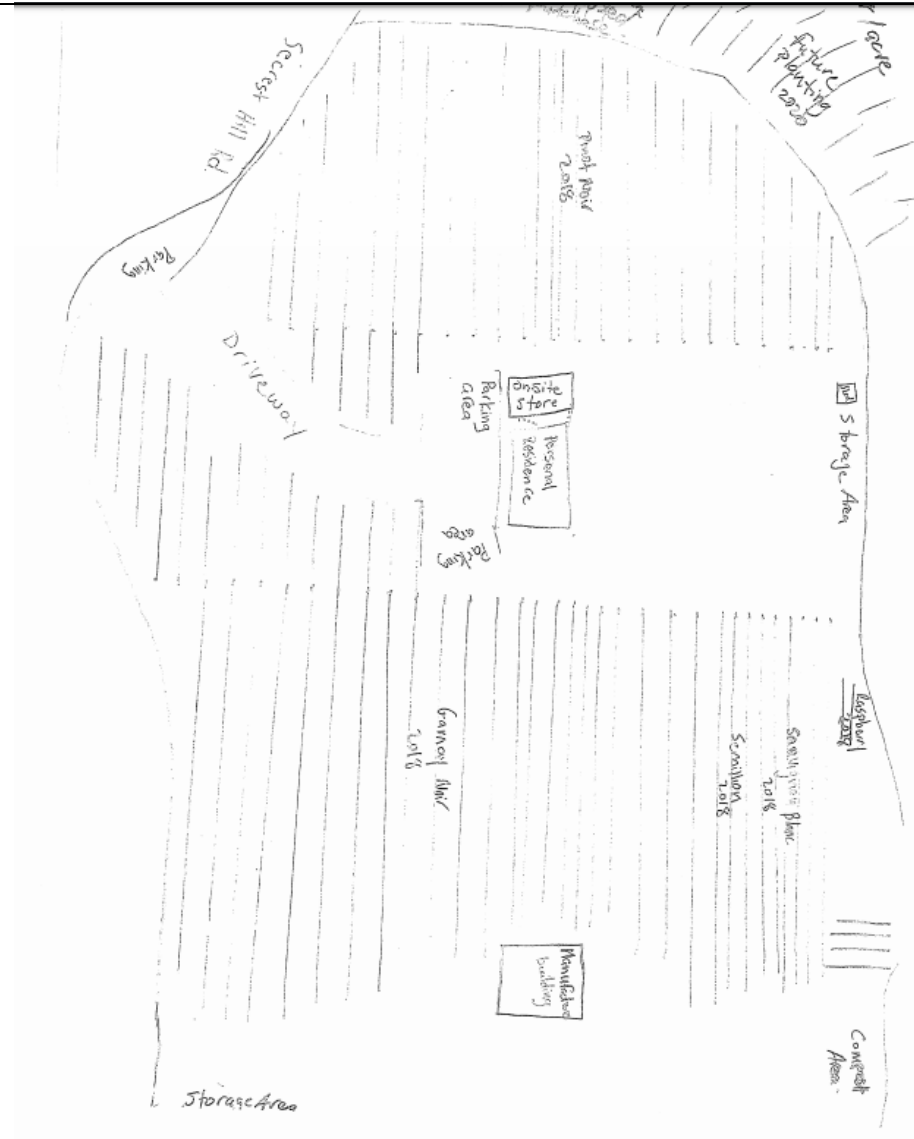
Amendment Bylaw No. 24523.36, 2019
(C2019.004-ZONE)

Page 2 of 2

Attachment No. 2a – Applicant's Site Plan



Attachment No. 2b – Applicant's Site Plan



Attachment No. 2c – Applicant's Site Plan



Attachment No. 3 - Applicant's Rationale

To Whom it may concern:

Re: Rezoning application for 793 Secrest Hill Rd from SH3 to AG1
(Lot 1, Plan KAP31678 DL 2450s, SDYD)

We are seeking a rezoning from SH3 to AG1 for the purpose of starting a small production winery on site. In the spring of 2018 we planted our 3 acre farm with just over 2 acres of grapes (the property has not recently been used for farming). In addition to the home there is a former barn building on the property that we intend to upgrade and renovate to accommodate the winery production facility.

Since the existing structures are adequate, we will not be looking to use up any more land for building purposes, thereby minimizing the impact on the land and leaving as much as possible in agricultural production adhering to the Official Community Plan Section 9.3.19 which encourages maximizing productive farm activity and minimizing non-farm use on farmland by limiting the footprint of non-farm uses.

We also believe that this re-zoning and subsequent winery development supports the official community plan as noted in Section 9.2.3 which is to encourage the agricultural sector's improvement and expansion by pursuing supportive land use policies within and adjacent to farming areas.

This use would also adhere to the intent of Section 9.3.14 which provides for home industry operations, home occupations and bed and breakfast establishments and encouraging secondary 'value added' uses such as agri-tourism for the purpose of diversifying and enhancing farm income, provided that these developments:

- are compatible with the agricultural character of the area;
- remain incidental to the primary agricultural uses;
- remain subject to the provisions of the Zoning Bylaw, the Agricultural Land Reserve Act (if in the Agricultural Land Reserve) and other Provincial standards; and
- do not present a potential land use conflict with surrounding properties.

In summary, we feel that this change in zoning will make the property more viable as an agricultural use and enhance the intended overall objectives of the zoning under the Official Community Plan.

If you have any questions or concerns, please feel to reach out at any time.

Thank you for your consideration.



Naomi Garrish



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

ALC File: 51400

May 27, 2019

Reply to the attention of Sara Huber
ALC Issue: 51400
Local Government File: C2019.004-ZONE

Brad Dollevoet
General Manager, Development Services
Regional District of Okanagan-Similkameen
Delivered Electronically

Re: RDOS Bylaw Amendment Nos. 2452.21 and 2453.36

Thank you for forwarding draft copies of Regional District of Okanagan Similkameen (RDOS) Official Community Plan (OCP) Area "C" Oliver Rural Amendment Bylaw No. 2452.21 and Electoral Area "C" Zoning Amendment Bylaw No. 2453.36 (the "Bylaws") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaws are consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve regulations (the "Regulations"), and any decisions of the ALC.

The Bylaws seek to amend the OCP designation from Small Holdings (SH) to Agriculture (AG), and rezone from Small Holdings 3 (SH3) to Agriculture One (AG1) for the property identified as PID: 003-619-052 (the "Property"). The existing zone, SH3, does not allow for winery use and the applicant wishes to establish a winery.

The Property is approximately 1.25 ha (3.1 acres) with 0.8 ha (2 acres) of grapes planted. The Property contains an existing barn that the applicant intends to renovate to accommodate the wine production facility.

The ALC generally has no objection to the proposed Bylaws, but notes that there are specific parameters in which a winery may operate within the ALR. As the Property is less than 2 ha, at least 50% of the grapes used for the production of wine must be grown on the Property. Additionally, the alcohol production facility must be of a size and scale that is commensurate with the agricultural production on the Property, including parking and ancillary uses. To that effect, the ALC recommends including a maximum processing footprint in the Bylaws to protect the cultivated area.

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

If you have any questions about the above comments, please contact the undersigned at 604-660-7019 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Sara Huber, Regional Planner

Enclosure: Bylaw Referral Sheet

CC: Ministry of Agriculture – Attention: Greg Bartle

51400m1



Cooper, Diana FLNR.EX <Diana.Cooper@gov.bc.ca>

Planning; Lauri Fendell

2019-0

RE: Bylaw Referral (C2019.004-ZONE)

Hello Christopher,

Thank you for your referral regarding proposed rezoning of 793 Secrest Hill Road, PID 003619052, LOT 1 DISTRICT LOT 2450S SIMILKAMEEN DIVISION YALE DISTRICT PLAN 31678. According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property. Also, previously recorded archaeological site DhQv-94 is located approximately 80 m NW of the property.

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 proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

Prior to any land alterations (e.g., addition to home, property redevelopment, extensive landscaping, service installation), an eligible consulting archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property 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) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

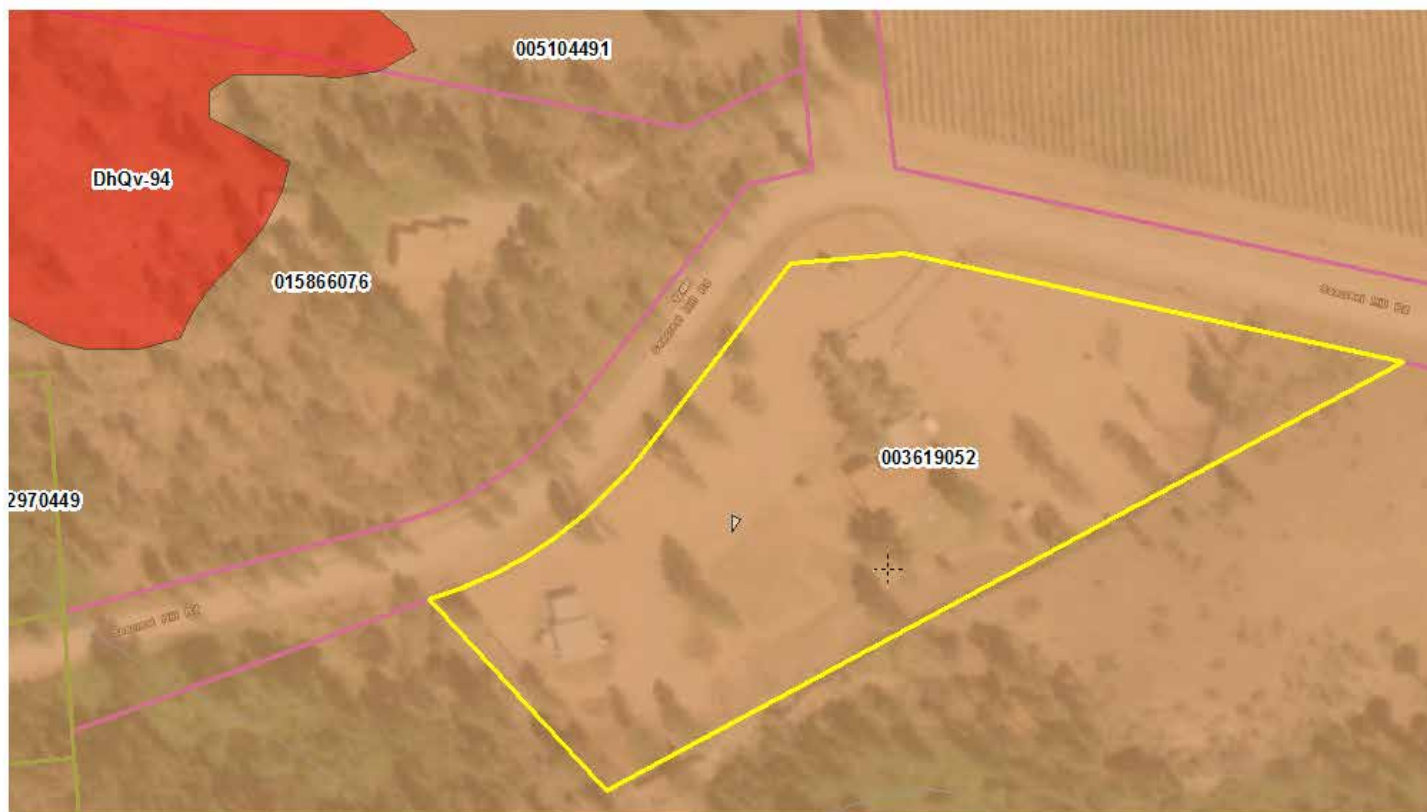
If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 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 screenshot of the property below (outlined in yellow). The brown colour of the screenshot indicates high potential for unknown/unrecorded archaeological deposits. If this does not represent the property listed in the referral, please contact me.

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

Kind regards,

Diana



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

Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3

Phone: 250-953-3343 | Fax: 250-953-3340 |

Website: <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology>

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2452.21, 2019

A Bylaw to amend the Electoral Area “C” Official Community Plan Bylaw No. 2452, 2008

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “C” Official Community Plan Amendment Bylaw No. 2452.21, 2019.”
2. The Official Community Plan Bylaw Map, being Schedule ‘B’ of the Electoral Area “C” Official Community Plan Bylaw No. 2452, 2008, is amended by changing the land use designation of the land described as Lot 1, District Lot 2450s, SDYD, Plan 31678, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Small Holdings (SH) to Agriculture (AG).

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

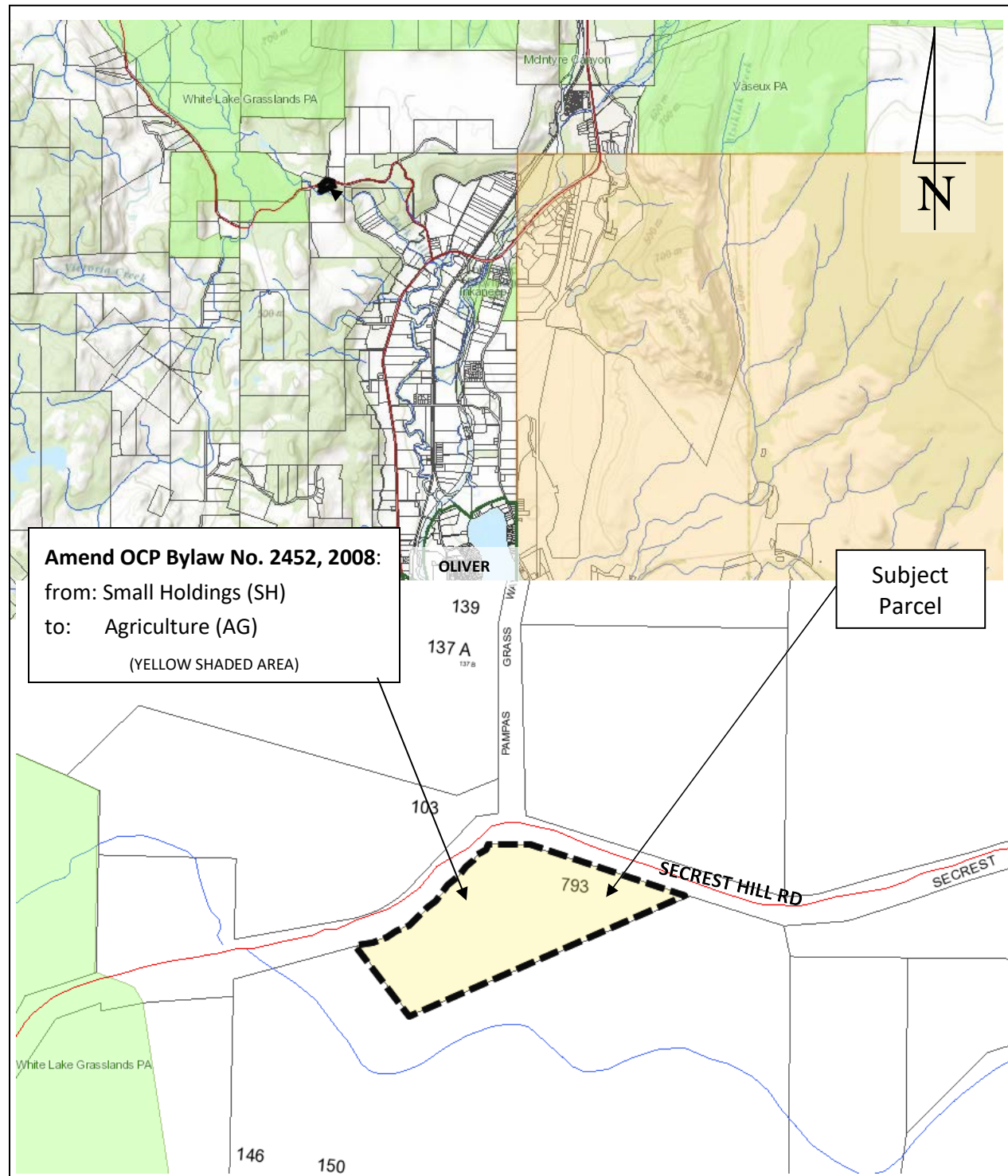
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2452.21, 2019

File No. C2019.004-ZONE

Schedule 'A'



Amendment Bylaw No. 2452.21, 2019
(C2019.004-ZONE)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2453.36, 2019

A Bylaw to amend the Electoral Area “C” Zoning Bylaw No. 2453, 2008

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “C” Zoning Amendment Bylaw No. 2453.36, 2019.”
2. The Official Zoning Map, being Schedule ‘2’ of the Electoral Area “C” Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation of the land described as Lot 1, District Lot 2450s, SDYD, Plan 31678, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Small Holdings Three(SH3) to Agriculture One (AG1).

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

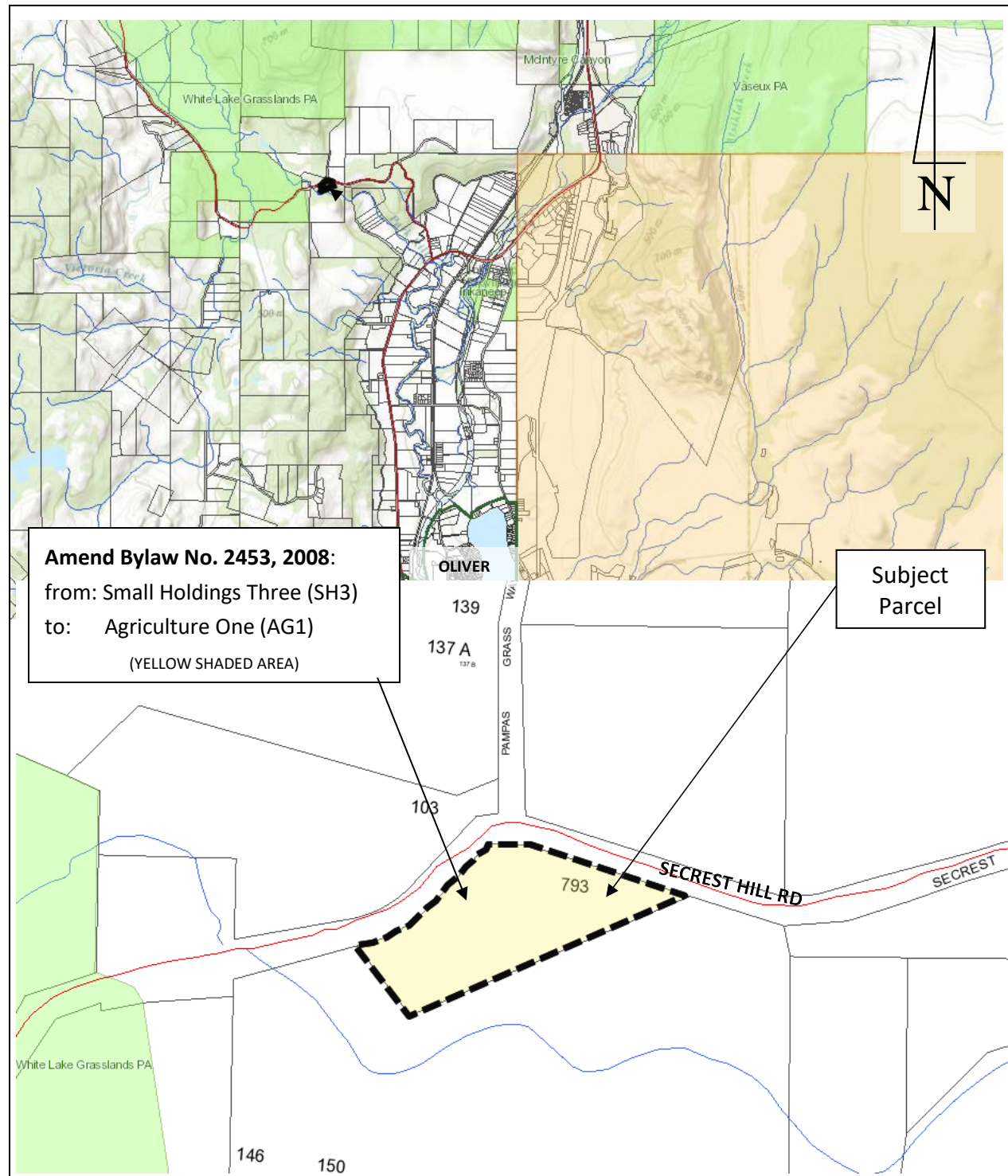
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2453.36, 2019

File No. C2019.004-ZONE

Schedule 'A'



Amendment Bylaw No. 24523.36, 2019
(C2019.004-ZONE)

Page 2 of 2



Agricultural Land Commission

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

May 27, 2019

Reply to the attention of Sara Huber
ALC Issue: 51400
Local Government File: C2019.004-ZONE

Brad Dollevoet
General Manager, Development Services
Regional District of Okanagan-Similkameen
Delivered Electronically

Re: RDOS Bylaw Amendment Nos. 2452.21 and 2453.36

Thank you for forwarding draft copies of Regional District of Okanagan Similkameen (RDOS) Official Community Plan (OCP) Area "C" Oliver Rural Amendment Bylaw No. 2452.21 and Electoral Area "C" Zoning Amendment Bylaw No. 2453.36 (the "Bylaws") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaws are consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve regulations (the "Regulations"), and any decisions of the ALC.

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The Property is approximately 1.25 ha (3.1 acres) with 0.8 ha (2 acres) of grapes planted. The Property contains an existing barn that the applicant intends to renovate to accommodate the wine production facility.

The ALC generally has no objection to the proposed Bylaws, but notes that there are specific parameters in which a winery may operate within the ALR. As the Property is less than 2 ha, at least 50% of the grapes used for the production of wine must be grown on the Property. Additionally, the alcohol production facility must be of a size and scale that is commensurate with the agricultural production on the Property, including parking and ancillary uses. To that effect, the ALC recommends including a maximum processing footprint in the Bylaws to protect the cultivated area.

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

If you have any questions about the above comments, please contact the undersigned at 604-660-7019 or by e-mail (Sara.Huber@gov.bc.ca).



Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'S. Huber', written in a cursive style.

Sara Huber, Regional Planner

Enclosure: Bylaw Referral Sheet

CC: Ministry of Agriculture – Attention: Greg Bartle

51400m1

Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: May 10, 2019 8:35 AM
To: Planning
Cc: Lauri Feindell
Subject: RE: Bylaw Referral (C2019.004-ZONE)

Hello Christopher,

Thank you for your referral regarding proposed rezoning of 793 Secrest Hill Road, PID 003619052, LOT 1 DISTRICT LOT 2450S SIMILKAMEEN DIVISION YALE DISTRICT PLAN 31678. According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property. Also, previously recorded archaeological site DhQv-94 is located approximately 80 m NW of the property.

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In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

Prior to any land alterations (*e.g.*, addition to home, property redevelopment, extensive landscaping, service installation), an eligible consulting archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials.

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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.

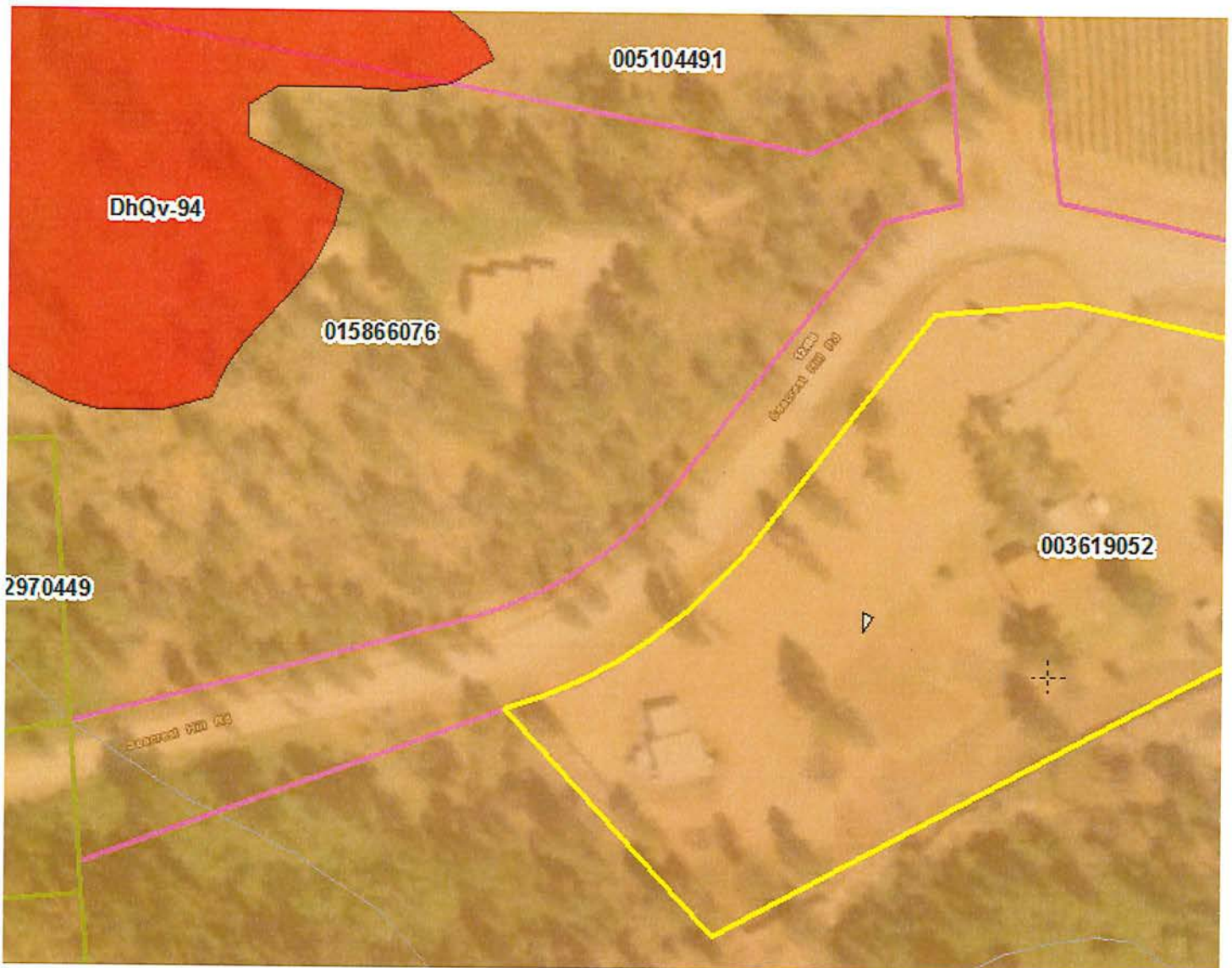
Please review the screenshot of the property below (outlined in yellow). The brown colour of the screenshot indicates high potential for unknown/unrecorded archaeological deposits. If this does not represent the property listed in the referral, please contact me.

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



Kind regards,

Diana



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

Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3

Phone: 250-953-3343 | Fax: 250-953-3340 |

Website: <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology>

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

Sent: May 2, 2019 8:10 AM

To: HBE@interiorHealth.ca; ALC Burnaby ALC:EX <ALCBurnaby@Victoria1.gov.bc.ca>; Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>; Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>; Forbes, Christina D AGRI:EX <Christina.Forbes@gov.bc.ca>; referrals@oib.ca; PIB Referrals (referrals@pib.ca) <referrals@pib.ca>

Subject: Bylaw Referral (C2019.004-ZONE)

Lauri Feindell

Subject: FW: Bylaw Referral (C2019.004-ZONE)

From: Cameron Baughen <cbaughen@rdos.bc.ca>

Sent: May 2, 2019 8:51 AM

To: Lauri Feindell <lfeindell@rdos.bc.ca>; John Kurvink <jkurvink@rdos.bc.ca>; Neil Webb <nwebb@rdos.bc.ca>

Subject: RE: Bylaw Referral (C2019.004-ZONE)

No issue related to the Solid Waste Management Plan.

Cameron Baughen, RDOS Solid Waste Management Coordinator

101 Martin Street, Penticton BC

Ph 250-490-4203 TF 1-877-610-3737

cbaughen@rdos.bc.ca www.rdos.bc.ca

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May 29, 2019

File No: C2019-.004-ZONE

Regional District of Okanagan-Similkameen

101 Martin Street

Penticton, B.C. V2A 5J9

Via E-mail: planning@rdos.bc.ca

Re: Bylaw Referral – File No. C2019.004-ZONE

To the Regional District of Okanagan Similkameen,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the proposed site specific zoning bylaw and Official Community Plan (OCP) amendment for 739 Secrest Road, Oliver. Ministry staff have reviewed the documents you have provided. From an agricultural perspective we can provide the following comments for your consideration:

- The Agricultural Land Reserve (ALR) is a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are restricted.
- Ministry staff support agricultural activities such as grape production on the ALR, as well as designated farm use activities, such as wineries, consistent with the *Agricultural Land Commission Act's* ALR Use Regulation.
- Ministry staff note that it appears the applicant intends to pursue activity as described in the ALR Use Regulation section 13(2)(b) (by referencing the parcel as less than 2 hectares), and that RDOS's Electoral Area C zoning and OCP bylaws identify this particular parcel on the ALR as 'small holdings' which do not permit winery use.
 - Given this, the ALR Use Regulation section 13(2)(a) however also identifies particular conditions for alcohol production facilities which local governments may not prohibit.
 - Ministry staff consider that the applicant, if they intend to pursue activities under section 13(2)(a), may not require an ALC non-farm use application, as well as a zoning and OCP amendment application, for its proposed winery if the conditions in section 13(2)(a) are met.
 - Ministry staff encourage RDOS contact ALC staff for more information as well as clarify with the applicant their intention. Also refer to ALC Policy L-03, 'Activities designated as farm use: Alcohol production facilities in the Agricultural Land Reserve (ALR)' available here: https://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/policies/alc_-_policy_l-03_-_alcohol_production_facilities.pdf



- The Ministry of Agriculture's 'Guide for Bylaw Development in Farming Areas' encourages local governments to adopt one single zone for land on the ALR to reflect its priority use. By extension, Ministry staff also support ALR land being designated as Agricultural in local government OCPs.

If you have any questions please contact me directly at christina.forbes@gov.bc.ca or 250-861-7201.

Sincerely,



Christina Forbes, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
Office: (250) 861-7201
E-mail: christina.forbes@gov.bc.ca



Gregory Bartle, Land Use Planner
B.C. Ministry of Agriculture
Phone: (778) 974-3836
Email: Gregory.Bartle@gov.bc.ca

Email copy: Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca

Lauri Feindell

From: Leathem, Jamie FLNR:EX <Jamie.Leathem@gov.bc.ca>
Sent: May 30, 2019 2:35 PM
To: Planning
Subject: Re: Bylaw Referral C2019.004-ZONE

This above noted referral has been reviewed by the Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development. We have no concerns with the rezoning as proposed.

Thank you,

Jamie Leathem, M.Sc.

Ecosystems Biologist | BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development
102 Industrial Place, Penticton, BC V2A 7C8 | (250) 490-8294 | Jamie.Leathem@gov.bc.ca

Please note my regular hours are Mon-Thurs 9:00am-5:00pm.



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: 6 June 2019

RE: Heritage Hills Park Naming

Administrative Recommendation:

THAT the RDOS Board endorse the name "Ted Garnett Park" for a public park located on Lot 1, PID: 018-480-918, District Lot 2710 SDYD, Plan KAP50897; and, Lot 2, Plan EPP61041, District Lot 2710, Land District Similkameen Div. of Yale, PID: 029-841-372.

Reference:

RDOS Corporate Donations and Naming Rights Policy, May 3, 2018
Minutes of the regular meeting of 18 October 2018

Background:

On July 16, 2015 the RDOS accepted a donation of parkland at Heritage Hills within Electoral Area "D". The donation was part of an agreement with Vintage Views Development Ltd. (Jasmine and John Aantjes) which resulted in a total of 3.0 acres donated and 0.7 acres purchased for \$400,000 based on a market appraisal. During discussions on the parkland acquisition, the developer indicated strongly that he wanted to hold the naming rights to the park. The subdivision was still in progress and the Developer did not have a name for submission at the time the agreement came to the Board. Naming of public assets is a responsibility of the Board of Directors and, rather than lose the deal, the following clause was inserted into the agreement.

"In the event the Regional District elects to construct a park on the Subdivided Lands and wishes to adopt a name therefor, the Regional District agrees that the Regional District and Vintage shall agree on the said naming thereof."

Further, the RDOS entered into a lease for an additional 0.5 acres for a consolidated parcel of 4.2 acres.

Since that time, Okanagan Falls Parks and Recreation Commission, supported by the Heritage Hills/Lakeshore Highlands Homeowner's Association and RDOS staff have developed a long-term park plan for the land.

On May 3, 2018 the Board passed its' Corporate Donations and Naming Rights Policy. The policy further supports a donor who has contributed towards a special project to be permitted to have input into the naming rights of the specified project. Section 14 of the Policy is dedicated to "Naming Rights".

14. NAMING RIGHTS

- a) Donors of standard amenities are permitted to have input into the text contained within the recognition plaque. The proposed text shall be expressed by the Donor at the time of application, is subject to the final approval of the RDOS, and will be finalized in writing prior to the transaction date.
- b) Donors who contribute towards a special project are permitted to have input into the naming rights of the specified project. Where multiple donors are involved, donors are encouraged to reach consensus among all donating parties prior to forwarding their input to the RDOS. The Page 5 of 7 proposed name shall be expressed by the Donor(s) prior to the transaction date, and is subject to the final approval of the RDOS.
- c) Donors are encouraged to suggest names that represent one or more of the following: the geographical location, the geological features of the landscape, persons (both living and in memoriam) who significantly contributed to the specified project or community at large, or an uplifting message, inspirational phrase or quote.
- d) The RDOS will not permit names of the following nature: names that promote or condone stereotyping of any group or discrimination, or names that are of a contentious or political nature.
- e) Names assigned to donated amenities, objects, or projects must only be associated with persons, groups or businesses in good public and moral standing. Any criminal or moral lapse may result in the revocation of the naming right at the RDOS Board's discretion.

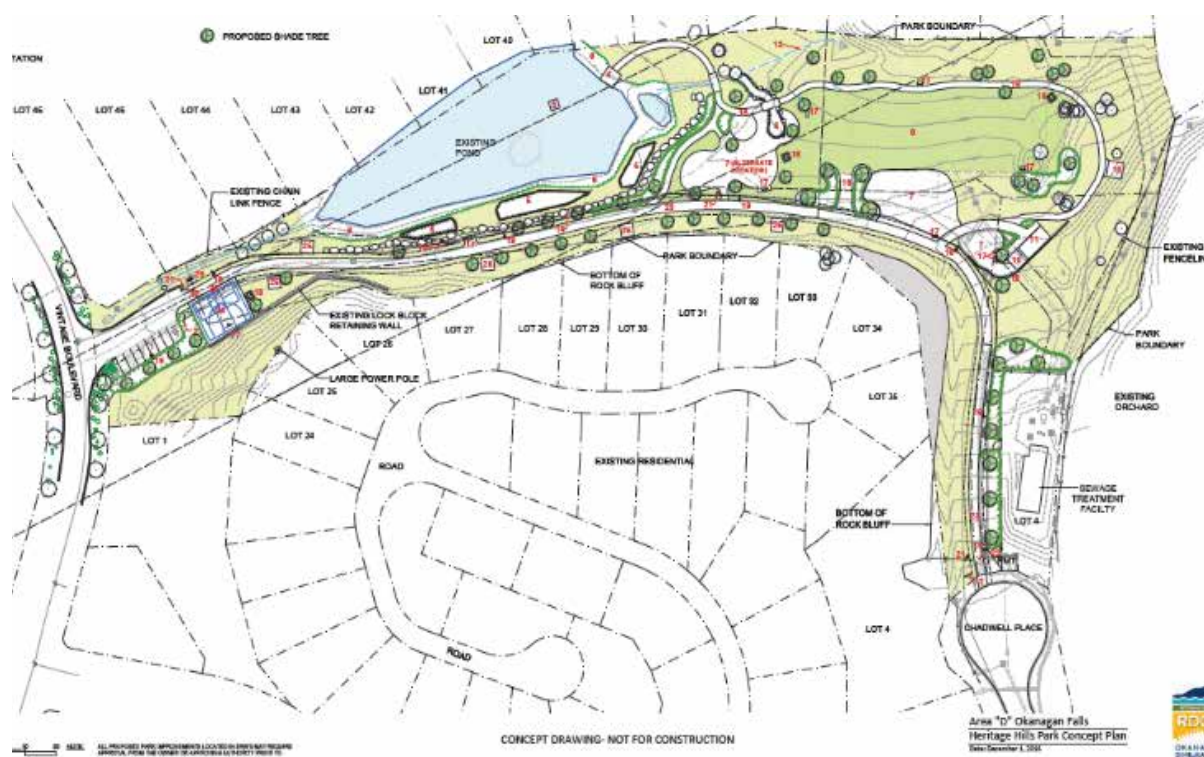
The Donor submits that Mr. Garnett was instrumental in completing the Vintage Views subdivision and that recognition of Mr. Garnett (in memoriam) meets the policy and the intent of the donation agreement.

This matter was on the agenda for the regular meeting of 18 October 2018, but the following resolution to postpone the decision was passed; hence, back to the Board for decision.

It was MOVED and SECONDED

THAT Heritage Hills Park Naming be postponed until Spring 2019 to allow time for public consultation. - **CARRIED**

Consultation has been completed and the Okanagan Falls Parks & Recreation Commission has proposed that the submission by the Donor be denied.



Analysis:

Jasmine and John Aantjes of Vintage Views Development Ltd. has submitted and strongly support the name "Ted Garnett Park" for this public space in recognition of the contributions Mr. Ted Garnett and his family have made towards the development of Vintage Views.

Additional Information regarding Ted Garnett:

<https://www.castanet.net/news/Penticton/228880/Ted-Garnett-bigger-than-life>

The Okanagan Falls Parks and Recreation Commisison and the Heritage Hills/Lakeshore Highlands Community Society have deliberated on the proposed name and would prefer to have the park named after the community, not an individual.

Alternatives:

Do not name the park.

Respectfully submitted:

"Mark Woods"

M. Woods, Manager of Community Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD POLICY

POLICY: Corporate Donations and Naming Rights Policy

AUTHORITY: Board Resolution dated May 3, 2018.

1. POLICY STATEMENT

The Regional District of Okanagan-Similkameen (RDOS) acknowledges that through donations, there is potential to expand and enhance the full spectrum of programs, services and facilities for its constituents. All donations shall be recognized in a consistent and equitable manner, ensuring that they align with the corporate strategic priorities and serve the public interest.

2. PURPOSE

This policy articulates the circumstances under which the RDOS will accept donations and outlines the program for recognizing donations.

3. SCOPE

Except as otherwise set out, this policy shall apply to donations from private citizens, organizations, and/or businesses that contribute to RDOS programs, services or facilities.

This policy shall not apply to:

- corporate sponsorship arrangements;
- advertising sales;
- funding or gifts in-kind obtained from other levels of governments through normal transfer payments or grant programs; and
- fees charged, purchase of service agreements, leasing of property, or similar revenue earned by the RDOS.
- Gifts of service (donated time, skills, or efforts) or volunteerism.

4. DEFINITIONS

Donations: For the purpose of this policy, “Donations” will refer to a one-time monetary gift or gift of property towards a specified project or improvement.

Eligible amount of the gift: The amount by which the fair market value of the gifted property exceeds the amount of an advantage, if any, received or receivable for the gift.

Advantage: The advantage is generally the total value of any property, service, compensation, use or any other benefit that the donor is entitled to as partial consideration for, or in gratitude for the gift.

Arm’s length transaction: Refers to a transaction between persons who act in their separate interests. The criteria for determining what qualifies as an arm’s length transaction are established in Canada Revenue Agency (CRA) Policy 113 (E) Rev. 16.

Tax deductible receipt: Refers to an Official Donation Receipt as defined by the Canada Revenue Agency.

5. DONATION ACCEPTANCE GUIDELINES

The donation must:

- a) be consistent with the mandate, policies and objectives of the RDOS;
- b) enhance the development, delivery, awareness or continuance of one or more RDOS programs, services, or facilities; or provide for the delivery of programs and services by the community in a manner deemed by the RDOS to be efficient, effective and in the best interests of the community at large;
- c) take into consideration the long term implications on staffing and financial resources beyond the life of the donation;
- d) be subject to any other applicable approval process mandated by legislation, regulation, bylaw or resolution;
- e) be in a form acceptable to the RDOS;
- f) take into consideration the anticipated community impact of the donation, particularly when the donor's products or public image may be deemed sensitive.

The donation must not:

- g) imply endorsement of the donor or, if the donor is a company, imply endorsement of its products and services and should prohibit corporate partners from making statements which suggest a company's products and services are endorsed by the RDOS;
- h) result in or be perceived as giving any preferential treatment outside of the donation framework;
- i) be accepted from individuals or corporations currently not in good standing with the RDOS (i.e. currently in violation of a bylaw or under litigation or delinquent on payments owing the RDOS);
- j) cause an employee or elected official to receive any product, service or asset for personal use or gain;
- k) The RDOS reserves the right to refuse any donation at any time prior to the transaction date.

6. VALUATION OF DONATIONS (this is only required if a tax deductible donation receipt is to be issued)

- a) All donations will be valued at the fair market value of the gifted item;
- b) Where the value of a potential donation is not known or uncertain, the RDOS may request an appraisal, of which the donor may be asked to cover the costs.

7. DONATION AGREEMENTS

The agreement will be in the form of a letter (for donations less than \$5,000); a memorandum of agreement (for donations of \$5,000 to \$25,000) or a contract (for donations over \$25,000). Agreements will outline the following, at a minimum:

- a) what the donor is contributing and what the value of the contribution represents;
- b) the dispositions and ownership of any assets resulting from the donation;
- c) responsibility for the maintenance, insurance and taxes of all assets associated with or resulting from the donation; and
- d) the duration of the donation (if applicable).

8. USE OF DONATED FUNDS

- a) The RDOS must retain active control over the use of donated funds..
- b) The RDOS is not required to return donations to the donor if requested.
- c) Donors can designate the funds be used for a program or project. If accepted, the RDOS is required to use the funds within that program or project. It must be a program that is currently in place or a new program that falls within the scope and mandate of the RDOS. The RDOS Board may name a project that it wants to support through donations and other sources of funding.

9. PLACEMENT, MAINTENANCE, AND RIGHT OF REMOVAL

- a) The RDOS will welcome the suggestion of the donor regarding placement and location of the amenity or special project. Final approval of location and placement will be at the discretion of and subject to the approval of the RDOS.
- b) Upon midnight of the transaction date, donated items will become the property of the RDOS, and are included within the corporate replacement and liability insurance policies.
- c) Donations of standard amenities are for a fixed duration of 10 years. Associated maintenance costs over a 10 year term are included in the cost schedule as set out in Schedule A.
- d) Upon completion of the donation term, the RDOS will give notice to the donor, and provide an opportunity to renew at 50% of the original cost for another 10 year term.
- e) In the event that a donation becomes vandalized or in need of repair, the RDOS will carry out one-time repairs to bring the amenity to its most recent standard within the donation term.
- f) The RDOS reserves the right to re-locate the item, if necessary. If a change to RDOS' infrastructure requires removal of the donated item, the RDOS will make an effort to relocate or replace the item within a reasonable proximity to the original location. If this is not achievable, the RDOS reserves the right to relocate the item to a suitable location determined by the RDOS.
- g) In the event that the condition of the donated amenity is compromised and is determined by the RDOS to be an immediate safety risk to the public, the RDOS reserves the right to remove the amenity or item.

10. CONDITION OF NON-MONETARY GIFTS

- a) All non-monetary gifts presented for donation must be in acceptable condition to the RDOS prior to the date of transaction or otherwise acknowledged within a contractual agreement;
- b) Wherein assessments of condition or rehabilitation work are required, such work must be completed prior to the transaction date, unless otherwise specified within a contractual agreement.
- c) The RDOS reserves the right to refuse any non-monetary gift deemed to be in less than acceptable condition by the RDOS.

11. INDEPENDENCE FROM UNDUE INFLUENCE

- a) To ensure that the RDOS retains an arm's length relationship with a donor and does not act subject to undue influence; donations cannot be solicited or accepted from the following:
 - A party to an application for an approval, license or permit, or
 - A bidder, proponent or applicant or any party not acting at arm's length from a bidder, proponent or applicant to an open procurement.
- b) The RDOS cannot accept donations that are conditional upon the endorsement of any product, service or supplier.

12. ISSUING TAX DEDUCTIBLE RECEIPTS

- a) Donations can be accepted without the donor requesting a tax-deductible donation receipt. This may be applicable to businesses that will claim the donation as an expense.
- b) In the event that a donor requests a tax-deductible receipt, the RDOS must verify that the receipt can be issued before the donation is accepted.
- c) Tax deductible receipts will be issued for the eligible amount of the gift. In the event that the donor requests not to receive recognition, the tax deductible receipt will be issued for the eligible amount of the gift, less the adjusted advantage received.
- d) Tax deductible receipts will only be issued for donations with a value in excess of \$20.00.
- e) Tax deductible receipts will be issued no later than January 31st of the following year.

13. DONOR RECOGNITION

- a) All donors will receive a plaque or sign of recognition in accordance with Schedule B.
- b) All donors will receive public acknowledgement of the donation in accordance with Schedule B.
- c) Donors who wish to remain anonymous must notify the RDOS in writing of their wishes prior to the transaction date. Should the donor wish to forego the recognition plaque, the plaque cost will be added to the eligible gift amount and reflected within the non-refundable tax receipt.

14. NAMING RIGHTS

- a) Donors of standard amenities are permitted to have input into the text contained within the recognition plaque. The proposed text shall be expressed by the Donor at the time of application, is subject to the final approval of the RDOS, and will be finalized in writing prior to the transaction date.
- b) Donors who contribute towards a special project are permitted to have input into the naming rights of the specified project. Where multiple donors are involved, donors are encouraged to reach consensus among all donating parties prior to forwarding their input to the RDOS. The

proposed name shall be expressed by the Donor(s) prior to the transaction date, and is subject to the final approval of the RDOS.

- c) Donors are encouraged to suggest names that represent one or more of the following: the geographical location, the geological features of the landscape, persons (both living and in memoriam) who significantly contributed to the specified project or community at large, or an uplifting message, inspirational phrase or quote.
- d) The RDOS will not permit names of the following nature: names that promote or condone stereotyping of any group or discrimination, or names that are of a contentious or political nature.
- e) Names assigned to donated amenities, objects, or projects must only be associated with persons, groups or businesses in good public and moral standing. Any criminal or moral lapse may result in the revocation of the naming right at the RDOS Board's discretion.

15. OTHER LEGISLATION

Where there is a conflict between this policy and legislation from a senior level of government (i.e. Canada Revenue Agency CRA), the more restrictive will apply.

***** END OF POLICY *****

Schedule A – List of Donation Types and Costs (*PRICES TO BE CONFIRMED).

Standard Amenities	Donation Amount (Estimate)
Tree planting	\$ 500 and up.
Bicycle Rack	\$1700
Park Benches	\$1800
Transit Benches	\$1800
Picnic Table	\$4000
Gardens	varies
Kiosks and Signs	varies
Special Projects	Donation Amount (Estimate)
Parks Improvement Projects	
Trail Development (by kilometre)	varies
Gardens and Forest Reclamations	varies
Kiosks and Signs	varies
Art Installations and Sculptures	varies
Transit Improvement Projects	
Transit Shelters	varies
Recreation, Culture and Heritage Improvement Projects	
Exercise equipment	varies
Playground Equipment	varies
Heritage Restorations of RDOS Owned Assets	varies
Kiosks and Signs	
Fire Protection Improvement Projects	
Search and Rescue Equipment	varies
Conservation Improvement Projects	
Small Scale Riparian Restoration Projects	varies
Public Works Improvement Projects	
Infrastructure Upgrades	varies
Climate Change Mitigation Initiatives	varies
Other	
Land	varies
Facilities	varies

Schedule B –Summary of Classification Terms

Classification	Amount	Term	Agreement	Recognition	Naming Right
Standard	Up to \$4,999	10 years with the option of renewal	Letter	- Annual recognition ad - Standard Donor plaque (10cmx20cm)	10 years per donation term
Silver	\$5,000 to \$24,999	In perpetuity <i>See Note A, B</i>	Memorandum of Agreement	- Annual recognition ad - Donor plaque (15cmx20cm)	In perpetuity <i>See Note B</i>
Gold	\$25,000 to \$99,999	In perpetuity <i>See Note A, B</i>	Contract	- Press release - Donor plaque or sign - Recognition Event with Area Director	In perpetuity <i>See Note B</i>
Platinum	\$100,000 and over	In perpetuity <i>See Note A, B</i>	Contract	- Press release - Donor plaque or sign - Recognition Event with RDOS Chair and Area Director	In perpetuity <i>See Note B</i>

Notes:

A = May require establishment of tax service for ongoing maintenance.

B = Perpetuity refers to the full life cycle of donated item.

**** END OF SCHEDULES****

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: Bylaw Notice Enforcement Bylaw Amendment No. 2507.09, 2019

Administrative Recommendation:

THAT Bylaw Notice Enforcement Bylaw Amendment No. 2507.09, 2019 be read a first time, a second time, a third time and be adopted.

Purpose:

The purpose of this Administrative Report is to amend the current Bylaw Notice Enforcement Bylaw (No. 2507) to include offences under Building Bylaw No. 2805, 2018, Electoral Area Official Community Plans, and the Electoral Areas "D", "F" and "I" Fireworks Regulation and Prohibition Bylaw No. 2854, 2019, all of which have been recently amended or adopted by the Board.

Reference:

[RDOS Bylaw No. 2507, 2010 – Bylaw Notice Enforcement Bylaw.](#)

Background:

As Building Bylaw #2805, 2018 was adopted on May 23, 2019 and comes into effect on July 1, 2019, it is prudent to include a schedule of offences relating to the Building Bylaw.

The current schedule relating to Building Bylaw #2333, 2005 will remain in effect until all permits and/or enforcement files commenced under Building Bylaw #2333, 2005 have been concluded.

Requirements for Development Permits are contained in the Electoral Area Official Community Plans. Previous to this proposed bylaw amendment, no enforcement notices for the failure to obtain a Development Permit have been included in the Bylaw Notice Offence Bylaw which results in limiting enforcement tools in designated Development Permit areas.

Analysis:

The proposed amendments are required in order for the Bylaw Enforcement Officer to be able to issue enforceable fines for contraventions with respect to Building Bylaw No. 2805, 2018 as well as

the failure to obtain Development Permits as required in Official Community Plans. Additionally, an Appendix has been added to provide bylaw notice enforcement for contraventions of the Fireworks Regulation and Prohibition Bylaw.

Administration has prepared an Amendment Bylaw attached to this report to reflect the proposed revised schedules.

Alternatives:

1. That the Board of Directors not adopt the Bylaw Notice Enforcement Bylaw Amendment No. 2507.09, 2019;
2. That the Board of Directors refer the Bylaw Notice Enforcement Bylaw Amendment No. 2507.09, 2019 to the Planning and Development Committee for further discussion;
3. That the Board of Directors direct that the Bylaw Notice Enforcement Bylaw Amendment No. 2507.09, 2019 be amended to include the following revisions and brought back to the RDOS Board for adoption:
 - a.

Respectfully submitted:



L. Miller, Building & Enforcement Services Manager

Endorsed by:



B. Dollevoet, Development Services General Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2507.09, 2019

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Bylaw Notice Enforcement Bylaw 2507, 2010**

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 Regional District of Okanagan-Similkameen Bylaw Notice Enforcement Amendment Bylaw No. 2507.09, 2019.
2. The "Regional District of Okanagan-Similkameen Bylaw Notice Enforcement Bylaw No. 2507, 2010" is amended by:
 - i) Adding a new "Appendix 5(A) to Schedule A" (Building Bylaw No. 2805, 2018) as attached to this bylaw.
 - ii) Adding a new "Appendix 8(a) to Schedule A" (Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008) as attached to this bylaw.
 - iii) Adding a new "Appendix 8(b) to Schedule A" (Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008) as attached to this bylaw.
 - iv) Adding a new "Appendix 8(c) to Schedule A" (Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013) as attached to this bylaw.
 - v) Adding a new "Appendix 8(d) to Schedule A" (Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008) as attached to this bylaw.
 - vi) Adding a new "Appendix 8(e) to Schedule A" (Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018) as attached to this bylaw.
 - vii) Adding a new "Appendix 8(f) to Schedule A" (Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012) as attached to this bylaw.
 - viii) Adding a new "Appendix 8(g) to Schedule A" (Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016) as attached to this bylaw.
 - ix) Adding a new "Appendix 9 to Schedule A" (Electoral Areas "D", "F" and "I" Fireworks Regulation and Prohibition Bylaw No. 2854, 2019) as attached to this bylaw.

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

ADOPTED this ____ day of _____, 2019.

RDOS Board Chair

Corporate Officer

**Appendix 5(A) to Schedule A
Building Bylaw No. 2805, 2018**

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Interference with Building Official's right of entry / Obstruct Building Official	5.7, 7.5, 8.5	\$300	\$270	\$330	No
Violation of Stop Work Order	11.42, 7.6(b), 11.46	\$500	\$450	\$550	No
Violation of Do Not Occupy Notice	5.2, 7.6(g), 11.48, 11.49	\$500	\$450	\$550	Yes
Interfere (remove/tamper) with Stop Work Order / Do Not Occupy Notice	5.5, 11.47, 11.49	\$250	\$225	\$275	Yes
Fail to Obtain Building Permit or Construction Without Approval	5.1, 8.1	\$500	\$450	\$550	Yes
Moving building without Permit	5.1, 8.1, 13.1	\$200	\$180	\$220	Yes
No Permit – Retaining Wall	5.1, 8.1, 12.1	\$200	\$180	\$220	Yes
Change of Occupancy without Permit	5.2, 5.10	\$100	\$90	\$110	Yes
Submit False or Misleading Information	5.3	\$100	\$90	\$110	Yes
Failure to post civic address	5.8, 8.5(a), 14.1	\$50	\$45	\$55	Yes
Failure to Post Permit in Conspicuous Place	8.5(b)	\$50	\$45	\$55	Yes
Failure to having permit and supporting documents on site	8.3(b)	\$100	\$90	\$110	Yes
Failure to Provide Notice for Inspection	6.4, 8.11, 11.38	\$100	\$90	\$110	Yes

**Appendix 5(A) to Schedule A
Building Bylaw No. 2805, 2018**

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Fail to Obtain Inspection	11.38	\$250	\$225	\$275	Yes
Construction at Variance with Plans / Modification of Plans without approval	5.4, 5.6	\$150	\$135	\$165	Yes
Failure to obtain building official's written acceptance prior to concealing work	7.6€, 11.40	\$250	\$225	\$275	Yes
Failure to uncover work	7.6(f)				Yes
Building Code Contravention	6.4, 8.3	\$100	\$90	\$110	Yes
Unsafe site	8.5(c)	\$50	\$45	\$55	Yes
Unsafe condition		\$100	\$90	\$110	Yes
Failure to correct unsafe condition	7.6(i)	\$300	\$270	\$330	Yes
Failure to comply with permit conditions		\$100	\$90	\$110	Yes
Failure to obtain final inspection notice / Occupy without Approval	5.2, 11.58	\$250	\$225	\$275	Yes
Failure to stop work after a registered professional's services are terminated	8.13, 11.44	\$250	\$225	\$275	No
Failure to Provide Schedule C- B from Registered Professional	11.59, 11.62	\$100	\$90	\$110	Yes

**Appendix 5(A) to Schedule A
Building Bylaw No. 2805, 2018**

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Continue work without valid permit / expired permit	5.1	\$100	\$90	\$110	Yes
Construction or swimming pool without permit	15.1	\$150	\$135	\$165	Yes
Fail to Provide Swimming Pool Fencing as Required (prior to use)	15.2	\$100	\$90	\$110	No
No Renovation or Demolition Permit	8.1, 8.8	\$200	\$180	\$220	Yes
Failure to provide Hazardous Materials Assessment / Clearance Letter	8.8(b)	\$250	\$225	\$275	Yes
Failure to contain renovation, construction or demolition waste	8.9	\$100	\$90	\$110	Yes
Failure to clear all debris and fill	8.9	\$150	\$135	\$165	Yes
Failure to maintain demolition site /allow escape of noxious & deleterious material	8.10	\$100	\$90	\$110	Yes

Appendix 8(a) to Schedule A
Electoral Area "A"
Official Community Plan Bylaw No. 2450, 2008

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	18.1	\$500	\$450	\$550	Yes
Failure to obtain an Environmentally Sensitive Development Permit (ESDP)	18.2.5	\$500	\$450	\$550	Yes
Failure to obtain a Watercourse Development Permit (WDP)	18.3.2	\$500	\$450	\$550	Yes

Appendix 8(b) to Schedule A
Electoral Area "C"
Official Community Plan Bylaw No. 2452, 2008

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	21.0	\$500	\$450	\$550	Yes
Failure to obtain an Environmentally Sensitive Development Permit (ESDP)	21.2.5	\$500	\$450	\$550	Yes
Failure to obtain a Watercourse Development Permit (WDP)	21.3.4.1	\$500	\$450	\$550	Yes

Appendix 8(c) to Schedule A
Electoral Area "D"
Official Community Plan Bylaw No. 2603, 2013

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	24.0	\$500	\$450	\$550	Yes
Failure to obtain an Environmentally Sensitive Development Permit (ESDP)	24.2.5.1	\$500	\$450	\$550	Yes
Failure to obtain a Watercourse Development Permit (WDP)	24.3.4.2	\$500	\$450	\$550	Yes
Failure to obtain Okanagan Falls Commercial Development	24.4.4	\$500	\$450	\$550	Yes
Failure to obtain a Multiple Family Residential Development Permit	24.5.4	\$500	\$450	\$550	Yes
Failure to obtain a Hillside Development Permit	24.6.4	\$500	\$450	\$550	Yes
Failure to obtain an Industrial Development Permit	24.7.3	\$500	\$450	\$550	Yes
Failure to obtain an Okanagan Falls Town Centre Development Permit	24.8.5.	\$500	\$450	\$550	Yes

Appendix 8(d) to Schedule A
Electoral Area "E"
Official Community Plan Bylaw No. 2458, 2008

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	23.0	\$500	\$450	\$550	Yes
Failure to obtain an Environmentally Sensitive Development Permit (ESDP)	23.2.5	\$500	\$450	\$550	Yes
Failure to obtain a Watercourse Development Permit (WDP)	23.3.4.2	\$500	\$450	\$550	Yes
Failure to obtain a Naramata Village Centre Development Permit	23.4.5	\$500	\$450	\$550	Yes

Appendix 8(e) to Schedule A
Electoral Area "F"
Official Community Plan Bylaw No. 2790, 2018

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	23.0	\$500	\$450	\$550	Yes
Failure to obtain an Environmentally Sensitive Development Permit (ESDP)	23.2.5	\$500	\$450	\$550	Yes
Failure to obtain a Watercourse Development Permit (WDP)	23.3.4.2	\$500	\$450	\$550	Yes

Appendix 8(f) to Schedule A
Electoral Area "H"
Official Community Plan Bylaw No. 2497, 2012

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	22.0	\$500	\$450	\$550	Yes
Failure to obtain an Environmentally Sensitive Development Permit (ESDP)	22.2.6.1	\$500	\$450	\$550	Yes
Failure to obtain a Watercourse Development Permit (WDP)	22.3.4.2	\$500	\$450	\$550	Yes

Appendix 8(g) to Schedule A
Electoral Area "I"
Official Community Plan Bylaw No. 2683, 2016

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	23.0	\$500	\$450	\$550	Yes
Failure to obtain an Environmentally Sensitive Development Permit (ESDP)	23.2.5	\$500	\$450	\$550	Yes
Failure to obtain a Watercourse Development Permit (WDP)	23.3.4.2	\$500	\$450	\$550	Yes

Appendix 9 to Schedule A
Electoral Areas "D", "F" and "I"
Fireworks Regulation and Prohibition Bylaw No. 2854, 2019

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Sale or disposal of fireworks	3.1	\$450.00	\$400.00	\$500.00	No
Discharge or setting off of fireworks	3.2	\$450.00	\$400.00	\$500.00	No

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: Electoral Area "F" Parks and Recreation Commission Appointment

Administrative Recommendation:

THAT the Board of Directors appoint Darryl Dietrich as a member of the Electoral Area "F" Parks and Recreation Commission for a two-year term, ending December 31st, 2020.

Purpose:

To appoint a new community volunteer member to the Electoral Area "F" Parks and Recreation Commission.

Reference:

Bylaw 2732, 2016 Regional District of Okanagan-Similkameen Parks and Recreation Commission Establishment Bylaw.

Background:

Commission membership is for a 2-year term. New members are staggered by one year in order to provide continuity. A call for new membership for the Parks and Recreation Commissions is typically done by advertising throughout the Region on behalf of all 6 Commissions, in the Fall. Bylaw 2732 allows for 5 to 11 members for each commission. The current Electoral Area "F" Parks and Recreation Commission has 4 members.

Alternatives:

That the Board not appoint the new members to the commission.

Respectfully submitted:

"Mark Woods"

M. Woods, General Manager of Community Services

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: Declaration of State of Local Emergency Approval

Enabling Legislation:

The Emergency Program Act provides:

12(1) A local authority or the head of the local authority, may, at any time that the local authority of the head of the local authority, as the case may be, is satisfied that an emergency exists or is imminent in the jurisdictional area for which the local authority has responsibility, declare a state of local emergency relating to all or any part of the jurisdictional area.

12(3) The head of a local authority must, before making a declaration under subsection (1), use best efforts to obtain the consent of the other members of the local authority to the declaration and must, as soon as practicable after making a declaration under subsection (1), convene a meeting of the local authority to assist in directing the response to the emergency.

Administrative Recommendation:

Electoral Area "C":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 24 May 2019, at midnight for a further seven days to 31 May, 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 the area surrounding Electoral Area "C" due to expire 31 May 2019, at midnight for a further seven days to 07 June, at midnight.

Reference:

Emergency Program Act, Section 12

Background:

2018 Spring Freshet Flooding

The State of Local Emergency for Electoral Area "B" was **cancelled** on May 28th 2018.
The State of Local Emergency for Electoral Area "E" was **cancelled** on May 28th 2018.
The State of Local Emergency for Electoral Area "H" was **cancelled** on May 28th 2018.
The State of Local Emergency for Electoral Area "F" was **cancelled** on July 13th 2018.
The State of Local Emergency for Electoral Area "G" was **cancelled** on July 18th 2018.
The State of Local Emergency for Electoral Area "A" was **cancelled** on July 23rd 2018.
The State of Local Emergency for Electoral Area "D" was **cancelled** on November 20th, 2018

Inclement weather conditions on March 22nd 2018, coupled with significant snowpack, higher than average seasonal ground water levels and rain on snow events led to extensive Freshet flooding in the RDOS. The RDOS Emergency Operations Centre (EOC) was activated on March 22nd 2018 to support emergency responders and residents dealing with issues related to the flooding. The EOC remained active on a daily basis, offering support to our partners throughout the region, until Friday June 15, 2018, when operations began scaling back and shortly after, wildfires became active. The EOC was active for support to wildfires through the summer and scaled back in mid-September. Now the EOC continues to provide support for response work and recovery efforts in the region. State of Local Emergency remains in Electoral Area "C" until emergency response works are completed that necessitate the use of SOLE authority for access onto private lands to effect the work and due to the continued imminent risk of flooding in Park Rill Creek.

Respectfully submitted:

Bill Newell

Emergency Operations Centre Director

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: Apex Mountain Waste Transfer Station Loan Authorization Bylaw No. 2843

Administrative Recommendation:

THAT Bylaw No. 2843, 2019 Apex Mountain Waste Transfer Station Loan Authorization Bylaw be adopted.

Reference:

Administrative Report dated February 7, 2019

Background:

At the February 7, 2019 meeting of the Board of Directors, the Board gave three readings to the Apex Mountain Waste Transfer Station Loan Authorization Bylaw No. 2843, 2019. The bylaw authorizes the borrowing of up to \$700,000.00 to construct a waste transfer station for Apex Mountain.

The project is part of the approved Solid Waste Management Plan governed under the *Environmental Management Act*. According to the Act, if a waste management plan has been approved by the minister, a bylaw adopted for the purpose of implementing the waste management plan does not require a petition, the assent of the electors or the approval of the electors.

Analysis:

The Inspector of Municipalities has approved the bylaw and the bylaw is now before the Board of Directors for adoption.

Alternatives:

THAT first, second and third reading of Bylaw No. 2843, 2019 Apex Mountain Waste Transfer Station Loan Authorization Bylaw be rescinded and the bylaw abandoned.

Respectfully submitted:

"Gillian Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2843, 2019

A bylaw to authorize the long term borrowing for the capital costs associated with the Apex Mountain Solid Waste Transfer Station

WHEREAS the Board of the Regional District of Okanagan Similkameen has established by Bylaw 2593, 2012 the Apex Mountain Solid Waste Transfer Station Local Service;

AND WHEREAS pursuant to the *Local Government Act* and the *Community Charter*, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

AND WHEREAS the Solid Waste Management Plan identifies the need to establish a garbage and recycling depot for Apex Alpine Ski Area;

AND WHEREAS approval of electors is not required in accordance with the *Local Government Act* and the *Environmental Management Act*;

AND WHEREAS the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

NOW THEREFORE, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

1.0 LOAN AUTHORIZATION

- 1.1 To borrow upon the credit of the Regional District a sum not exceeding seven hundred thousand (\$700,000) dollars for the establishment of a garbage and recycling depot for the Apex Mountain Solid Waste Transfer Station Local Service.

2.0 TERM OF DEBENTURE.

- 2.1 The maximum term for which debentures may be issued to secure debt created by this bylaw is twenty (20) years.

3.0 CITATION

- 3.1 This bylaw may be cited as Apex Mountain Waste Transfer Station Loan Authorization Bylaw No. 2843, 2019

READ A FIRST, SECOND, AND THIRD TIME this 7th day of February, 2019

APPROVED by the Inspector of Municipalities this 16th day of May, 2019

ADOPTED this xx day of xx

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 6, 2019

RE: Okanagan Regional Library

WHEREAS, the Regional District of Okanagan Similkameen recognizes the important role that libraries play in our region and that libraries and the early literacy programs they run are integral to developing proficient readers and ensuring that children succeed in school ; and,

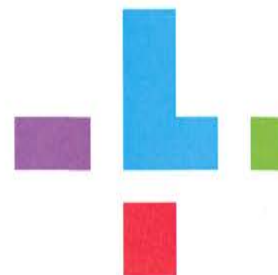
WHEREAS digital literacy programs run by libraries also help ensure that citizens can contribute to our digital world by assisting vulnerable demographic groups; including seniors, low income families, youth and new Canadians who rely on access to libraries as an important tool for their participation in the community; and,

WHEREAS, libraries in our community recognize that our users increasingly seek to access digital publications offered by multinational publishers, and that access to those publications is too often curtailed by prohibitively high licensing fees or else entirely denied to Canadian libraries, and

WHEREAS libraries must be in a position to offer digital publications to their users as part of their service offering to our community, particularly given the contemporary rapid pace of digitization or educational and cultural materials.

Now, be it resolved that the Reginal District of Okanagan Similkameen does hereby:

1. Support the Canadian Urban Libraries Council in its efforts to increase access to digital publications for library users in the Regional District of Okanagan Similkameen and across Canada;
2. Call on the Federal government to investigate barriers faced by libraries in acquiring digital publications and the problems that poses for vulnerable demographic groups in Canada; and
3. Petition the Federal government to develop a solution that increases access to digital publications across Canada and assist libraries in meeting the cost requirements to acquire digital publications.



May 24, 2019

Board Chair and Directors
Regional District Members of Okanagan Regional Library

Dear Chair and Directors:

At their meeting on May 22, the Okanagan Regional Library Board heard a report on the challenges facing Canadian public libraries regarding their inability to have affordable access to digital publications such as audiobooks and eBooks, which are currently limited. A summary of key details of that information is included on the attached memo for your information.

To generate additional support and attention for this critical issue, the Okanagan Regional Library Board agreed to ask each of its members councils to request federal government support by sending letters to your local Member of Parliament, local Federal election candidates and the Federal Minister of Canadian Heritage. Members of the Canadian Urban Libraries Council right across Canada will be bringing the same requests to their councils. A draft resolution is attached.

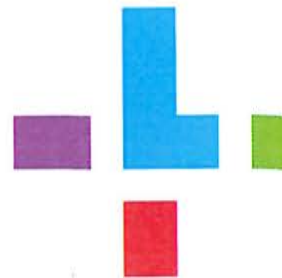
We thank you for considering our request and for your support in recognizing the important role that libraries play in our communities. If you have any questions, please do not hesitate to contact me.

Respectfully,

Don Nettleton
Chief Executive Officer
Okanagan Regional Library

Attachments (2)

Cc: Library Board Trustee



May 22, 2019

To all Municipal Councils, Regional District Boards, and Westbank First Nation Councils which are members of the Okanagan Regional Library

The Okanagan Regional Library is requesting your support and endorsement in helping to solve an issue that is impacting our ability to provide services to library users in our system and right across Canada.

- Members of the Canadian Urban Libraries Council, of which the Okanagan Regional Library is a member, spend approximately \$100 million in public funds annually on library acquisitions. Locally, the ORL is spending just over \$2.5 million on library acquisitions each year for our 31 library branches.
- Even with that significant expenditure, we increasingly struggle to obtain digital publications (things like e-books, e-audio books, etc.) from multinational publishers, due to other cost pressures and because of the often strict licensing limitations applied to digital publications.
- In order to properly service our communities, we need to ensure that we have access to and can afford digital publications.
- Multinational publishers are limiting access to digital publications by Canadian libraries, and, even when a publication is made available, are making it prohibitively expensive to acquire most digital publications.
- By way of example, Canadian author Louise Penny's book "Kingdom of the Blind" is available to libraries for \$13 as a paperback, \$22 in hard cover and \$60 in digital format. The \$60 cost allows the book to be checked out electronically 52 times or for 2 years – whichever happens first. A paper edition would be expected to last 3-4 years at a substantially reduced cost. The book is currently not available to Canadian libraries in any e-audio format.
- Those restrictions and costs make it difficult for libraries to provide important services in our communities that our customers want and need. We are integral to developing proficient readers of all ages, and to ensuring that kids succeed in school through early literacy programs. More and more, our digital literacy programs ensure that ORL citizens can contribute to our digital world.
- Additionally, for many seniors, low income families, youth and new Canadians, libraries are a crucial tool for participation in their communities – from education to searching for jobs to consuming Canadian cultural materials.
- Restrictions on libraries accessing digital publications – including both books and newspapers – hampers our capacity to provide modern, digitized services to those demographic groups and other library users. As a result we are increasingly unable to properly serve our community

What are we asking you to do to assist?

1. We are asking you to recognize the important role that libraries play our communities and, in turn, ask the Federal government to prioritize finding a solution to the barriers that face Canadian libraries accessing digital publications. Attached is a draft resolution that I would ask council to consider and support to signal your support. Approved motions should be

forwarded by you to the local Member of Parliament, local Federal election candidates, and the Federal Minister of Canadian Heritage.

2. In your conversations with senior levels of government and the public, continue to mention the access challenges being faced by Libraries and try to get their commitment to support solutions to these issues going forward

Please let us know your council/Boards decision regarding the above action steps, and copy us on any correspondence that you forward.

Thank you for considering these issues and for your support of your Okanagan Regional Library and all Canadian Libraries!

Regards,

A handwritten signature in blue ink, appearing to read 'Don Nettleton', with a long horizontal flourish extending to the left.

Don Nettleton, CEO

Okanagan Regional Library

Draft Municipal Motion

Whereas, the (name of municipality/Regional District/1st Nation) recognizes the important role that libraries play in our community. Libraries and the early literacy programs they run are integral to developing proficient readers and ensuring that children succeed in school. More and more, digital literacy programs run by libraries also help ensure that citizens can contribute to our digital world. Additionally vulnerable demographic groups, including seniors, low income families, youth and new Canadians rely on access to libraries as an important tool for their participation in the community – from education to searching for jobs to consuming Canadian cultural materials, and

WHEREAS, libraries in our community recognize that our users increasingly seek to access digital publications offered by multinational publishers, and that access to those publications is too often curtailed by prohibitively high licensing fees or else entirely denied to Canadian libraries, and

WHEREAS libraries must be in a position to offer digital publications to their users as part of their service offering to our community, particularly given the contemporary rapid pace of digitization of educational and cultural materials,

Now, be it resolved that the (name of municipality/Regional District/1st Nation) do hereby:

1. Indicate our support for the Canadian Urban Libraries Council in its efforts to increase access to digital publications for library users in (name of municipality/Regional District/1st Nation) and across Canada;
2. Call on the Federal government to investigate barriers faced by libraries in acquiring digital publications and the problems that poses for vulnerable demographic groups in Canada; and
3. Further ask the Federal government to develop a solution that increases access to digital publications across Canada and assist libraries in meeting the cost requirements to acquire digital publications

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: Subrina Monteith, Director, Electoral Area "I"

DATE: June 6, 2019

RE: Legislative Structure

MOVED by Director Monteith:

THAT staff investigate the feasibility of an Electoral Area Committee and the creation of an administrative support position for the 2020 Budget.

Reference:

1. Notice of Motion submitted at the 23 May 2019 regular meeting of the Board of Directors.
2. Local Government Act (LGA)
3. Procedure Bylaw 2620, 2013
4. Legislative Structure Policy B281/09 (consolidated)

Background:

Article 6.5 of Bylaw 2620/13 provides the following:

During discussion, members of the Regional Board may make motions, pose inquiries and make suggestions upon being recognized by the Chair. Items of new business which are not included in the agendas and are of a complex nature or that may affect existing Regional District bylaws and policies shall be introduced as a "Notice of Motion" for placement on an agenda for a future meeting. Other items of new business which are not of a complex nature, and do not require a motion may be accepted as verbal reports from any member of the Regional Board and noted under Other Business.

At the regular meeting of 23 May 2019, Director submitted notice that she would bring the motion referenced above to the next meeting of the Board, being 6 June 2019.

Analysis:

S. 218 of the LGA authorizes the creation of Committees by the Local Government; being Standing Committees by the Chair or Select Committees by the Board, to consider or inquire into any matter and report its findings and opinion to the board.

The Regional District of Okanagan Similkameen provides for the creation of Committees in S. 10.0 of Procedure Bylaw 2620.

The current Legislative Structure of the Regional District is set out in policy, most recently amended in 2015. The Policy creates 5 Select Committees, their terms of reference and meeting procedures.

It further provides that all members of the Board of Directors are members of each Committee with full powers to debate and vote on issues brought forward.

The current legislative structure has been in place since 2009 and the Board last reviewed the structure 11 November 2017. It has been their practice to review the structure in the year following an election to provide new members the opportunity to get informed on the workings of the Board and form an opinion on any amendments that would improve the efficiency of it's operation. This would typically be done in November at a Legislative Workshop, prior to the annual appointments the Board makes at their Organizational Meeting.

There is value in Director Monteith's motion to move the creation of an Electoral Area Committee up on the Board's docket to allow time to consider any organizational change in the Budget Process. It would be prudent, however, to expand the scope of the investigation to include a review of the Legislative Structure Policy B281/09 to ensure a holistic discussion.