



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

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

SCHEDULE OF MEETINGS

9:00 am	-	9:45 am	Planning and Development Committee
9:45 am	-	10:15 am	Community Services Committee
10:15 am	-	11:00 am	Corporate Services Committee
11:00 am	-	12:15 pm	Protective Services Committee
12:15 pm	-	12:30 pm	Environment and Infrastructure Committee
12:30 pm	-	1:00 pm	Lunch
1:00 pm	-	3:00 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

Advance Notice of 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
October 17, 2019	RDOS Board/OSRHD Board/Committee Meetings
November 7, 2019	RDOS Board/Committee Meetings
November 21, 2019	RDOS Board/OSRHD Board/Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, July 18, 2019

9:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

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

B. Second Quarter Activity Report

C. PARKLAND DEDICATION POLICY

1. Proposed Policy
 2. Current Policy
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D. ADJOURNMENT

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Second Quarter, 2019 Activity Report – Development Services Department
For Information Only

Overview:

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

PLANNING:

Q2 Activities

Regional Growth Strategy:

- July meeting of RGS Technical Advisory Committee scheduled. Questions for municipal planning staff on the degree of changes required for the RGS in 2020 (i.e. minor vs. major update).
- OBWB Floodplain grant management.
- Climate Projections Report writing RFP awarded by RDNO (RDOS a partner).

Electoral Area Planning:

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

- Agricultural Land Commission Act – Recent Amendments;
- Environmentally Sensitive Development Permits (ESDP) 24 month review; and
- Cannabis Production Facilities, Home Occupations & Home Industries (x 2).

The following reports were prepared for consideration by the Environmental Committee:

- City of Penticton – Official Community Plan Bylaw Referral

The following reports were prepared for consideration by the Board:

- 7 Official Community Plan and/or Zoning Bylaw Amendments*;
- 7 Development Variance Permits;
- 2 Temporary Use Permits; and
- 4 Agriculture Land Commission Referrals;
- Development of an Okanagan Lake Protection Strategy – Request for Letter of Support

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

- 31 Development Permits (i.e. Environmentally Sensitive, Watercourse, etc.) were issued under delegated authority.
- 6 Advisory Planning Commission (APC) Meetings were scheduled.

- 3 Public Information Meetings for Bylaw Amendments or Temporary Use Permits were scheduled.
- 1 Public Hearing was scheduled.
- The following Development Permits were approved:

Environmentally Sensitive Development Permits

	"A"	"B"	"C"	"D"	"E"	"F"	"G"	"H"	"I"	Total
Development (i.e. construction)	8	n/a	1	1	1	1	n/a		4	16
Land Alteration		n/a					n/a			
Subdivision	1	n/a			1		n/a			2
2nd Quarter Total (2019)	9	n/a	1	1	2	1	n/a		4	18

Watercourse Development Permits

	"A"	"B"	"C"	"D"	"E"	"F"	"G"	"H"	"I"	Total
Development (i.e. construction)		n/a		3	1	1	n/a	2	2	9
Land Alteration		n/a					n/a			
Subdivision		n/a		1	1		n/a	1	1	4
2nd Quarter Total (2019)		n/a		4	2	1	n/a	3	3	13

- A total of 5 Liquor License referral for Lounge and Special Event Area Applications:
 - Desert Hills Estate Winery ("C");
 - Ye Olde Welcome Inn ("C");
 - Therapy Vineyards Ltd. ("E");
 - Here's the Thing Vineyards ("C"); and
 - Ricco Bambino Wines Inc. ("C")
- The following represents the subdivision referrals (YTD) that were received from the Ministry of Transportation and Infrastructure (MoTI):

Subdivisions Referrals Received: January 1 to June 30, 2019

	A	B	C	D	E	F	G	H	I	Total
Fee Simple										
Bare Land Strata									1	1
Conventional			1		2		2	3		8
Road Closure								1		1
Year to Date			1		2		2	4	1	10

- Provision of planning services to the Town of Oliver on a month-to-month basis.

NOTE: The Town has recently hired a new Director of Development Services and it is anticipated that the Regional District will cease providing planning services to the Town by the end of Q3.

- Provision of planning services to the Village of Keremeos
- Provision of planning services to the Town of Princeton

Planned Activities for Q3 – 2019

- Continue work in support of South Okanagan Electoral Area Zoning Bylaw No. 2800 (i.e. Apex Zones, Small Holdings & Residential zones, etc.);
- Bring forward amendments to allow Accessory Dwelling Units (i.e. “carriage houses”) in a wider range of zones;
- Bring forward amendments to the Hillside and Steep Slope Development Permit Area designation in the Electoral Area “D” Official Community Plan No. 2603, 2013;
- Bring forward amendments to the Development Procedures Bylaw related to the processing of subdivision referrals received from the Ministry of Transportation and Infrastructure (MoTI);
- Prepare amendments related to the regulation of docks through the various Electoral Area zoning bylaws;
- Bring forward amendments related to the Environmentally Sensitive Development Permit Area Designation, Guidelines & Mapping;
- Public consultation and adoption of amendment bylaw for Cannabis Production Facilities; and
- Continue to provide planning services to the Village of Keremeos and Town of Princeton and wind down planning services provided to the Town of Oliver.

BUILDING INSPECTION:

Q2 Activities

- Year-to-date 248 permits were issued (264 including farm exemptions) to June 30, 2019, compared to 211 which were issued to the same date in 2018 (see Attachment No. 2 for the annual summary of issued Building Permits).
- Active enforcement of Building bylaw violations continues.
- Average timeline from application date to permit issuance is 32 days.
- Provision of inspection services to the Village of Keremeos and the Town of Princeton.
- Adoption of Building Bylaw #2805, 2018.
- Review of policies, procedures and forms related to adoption of Building Bylaw #2805.

Planned Activities for Q3 – 2019

- Fee incentive program for Step Code implementation.
- Ongoing review of policies, procedures and forms related to Building Bylaw #2805.
- Start of implementation of BasicGov software for Building inspection modules.

BYLAW ENFORCEMENT:

Q2 Activities

- Schedules updated for the Bylaw Notice Enforcement Bylaw
- Review of the Animal Control level of Service for contributing Electoral Areas. Implementation of revised Animal Control service based on rural and more urban-orientated Electoral Areas.
- Direct action clean up of a property in contravention of the Untidy and Unsightly Premises Bylaw (see attachment 4)
- Two Untidy/Unsightly bylaw contravention Board reports presented – one for Electoral Area “D” and the other for Electoral Area “H”.

Planned Activities for Q3 – 2019

- Continue to review internal processes to work towards standardizing and streamlining workflows (Deliverable in the department business plan).
- Work with Legislative Services to develop processes for board hearings related to Untidy & Unsightly premises bylaw and Noise Bylaw.
- Initiation of consolidation of Untidy/Unsightly bylaws in conjunction with Legislative Services. (see Attachment No. 3 for Summary of Bylaw Enforcement Complaints)

DEVELOPMENT ENGINEERING:

Q2 Activities

- Twin Lake Golf Course Resort development
 - Review of sewer infrastructure
- Keremeos Building Permits Review:
 - Off-site infrastructure requirements for two Building Permits
- Keremeos Subdivisions:
 - Issued Preliminary Layout Review for S-2018-02
 - DVP application review for S-2018-02
- Works and Services Bylaw Project
 - Finalizing draft of Water Section
 - Reviewing Sanitary Section
 - Start external agency consultation

Planned Activities for Q3 – 2019

- Twin Lakes Golf Course Resort

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- Review of sewer infrastructure
 - Draft Servicing Agreement(s) prior to scheduling public hearing for rezoning.
 - Continue Works and Services Bylaw and Schedules preparation.
 - Continue to provide development engineering services to the Village of Keremeos.
 - Completing works and services reviews for land use applications from Planning Services.

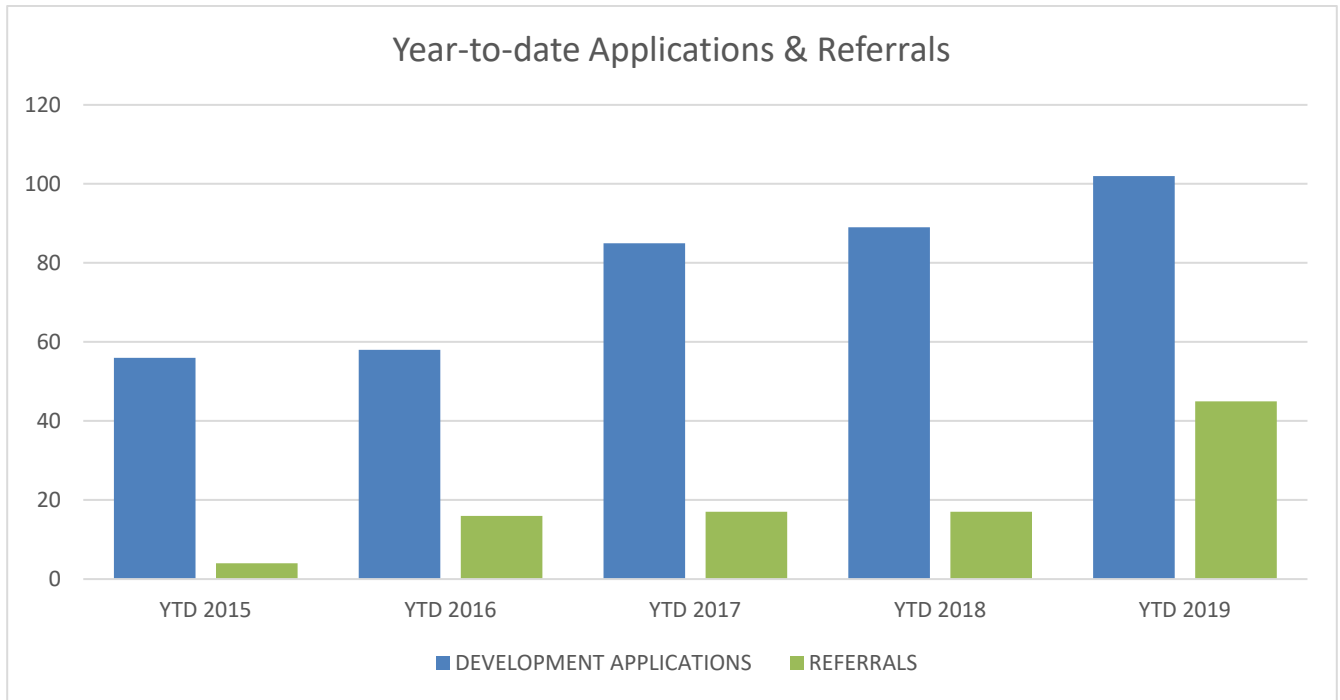
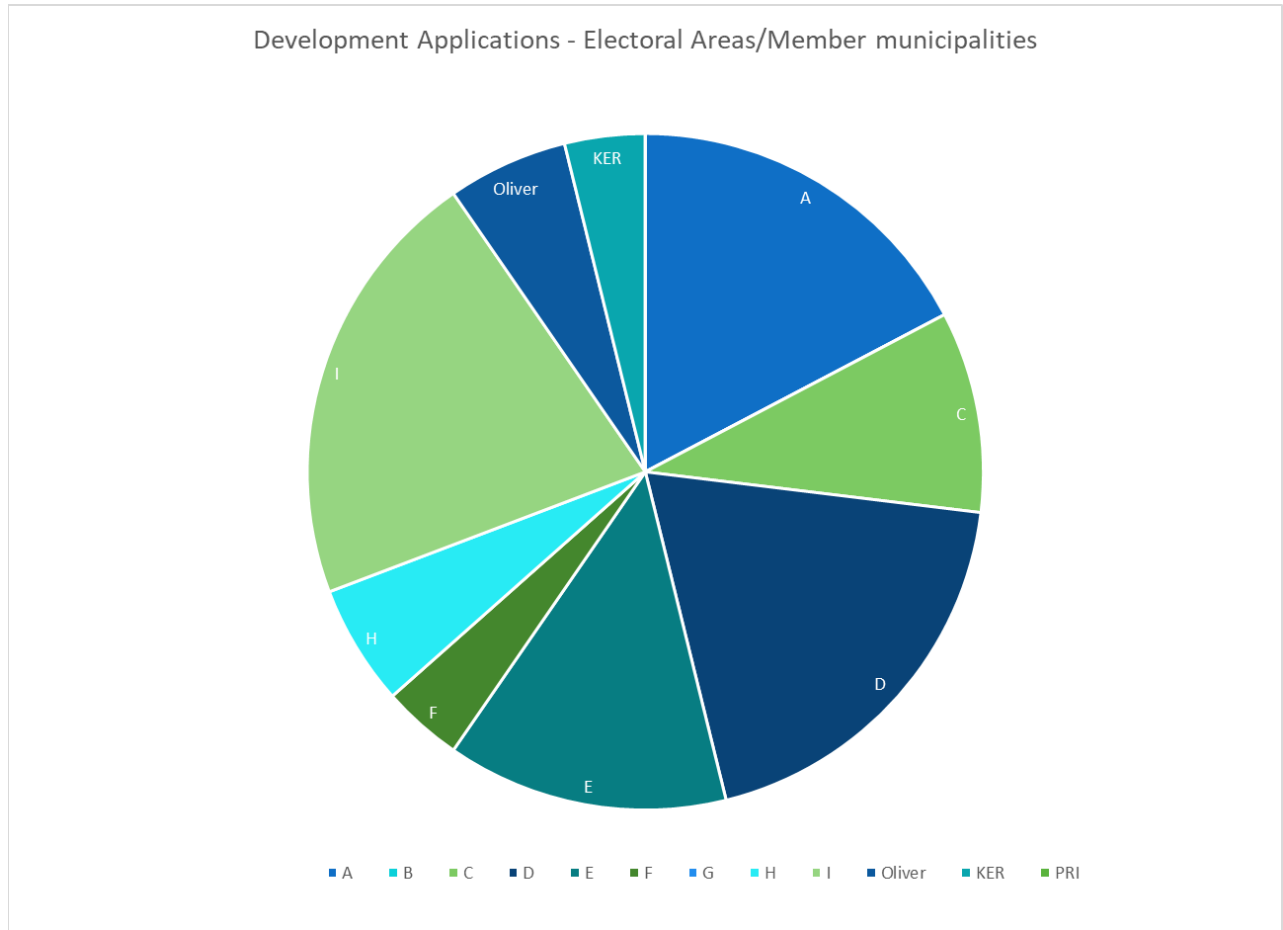
Respectfully Submitted



B. Dollevoet, General Manager, Development Services

Attachments: No. 1 – Number of Development Applications / Referrals (2nd Quarter)
No. 2 – Summary of Building Permits (2nd Quarter)
No. 3 – Summary of Bylaw Enforcement Complaints (2nd Quarter)
No. 4 – Photo of remediated unsightly property

Attachment No. 1 - Number of Development Applications / Referrals, 2nd Quarter, 2019



Attachment No. 2 – Summary of Building Permits Issued, 2nd Quarter 2019

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

NUMBER OF PERMITS ISSUED										
DESCRIPTION	A	C	D	E	F	H	I	TOTAL	2019	2018
RENEWAL/DEFICIENCY		1				1		2	15	17
S.F.D.	1			4		3	1	9	44	43
MOBILE/MANU HOMES	1						1	2	16	17
CABINS/REC SEMI-DETACHED, DUPLEX, MULTI						1		1	12	1
DEMOLITION / MOVE					1			1	17	12
ACCESSORY USES ADDITIONS / REPAIRS / PLUMBING	1			1	1	5	1	9	56	47
COMMERCIAL	2	1	1	2		2	3	11	59	47
INDUSTRIAL FARM BUILDING		2						2	8	17
EXEMPTION	2	2				8		12	18	12
INSTITUTIONAL								0	1	0
SOLID FUEL APPLIANCE								0	17	6
MONTHLY TOTAL	7	6	1	7	2	20	6	49	264	221
YEAR TO DATE 2019	25	40	25	40	15	74	45	264		
SAME MONTH 2018	9	5	15	6	0	9	0	54		
YEAR TO DATE 2018	33	37	62	42	10	37	0	221		
DOLLAR VALUE OF PERMITS										
DESCRIPTION	A	C	D	E	F	H	I	TOTAL	TOTAL YEAR	
RENEWAL/DEFICIENCY		\$10,000				\$1,000		\$11,000	\$159,500	
S.F.D.	\$117,960			\$1,156,195		\$435,790	\$313,555	\$2,023,500	\$12,541,555	
MOBILE/MANU HOMES	\$168,480						\$277,500	\$445,980	\$1,871,285	
CABINS/REC SEMI-DETACHED, DUPLEX, MULTI						\$72,960		\$72,960	\$1,573,135	
DEMOLITION / MOVE					\$1,000			\$1,000	\$17,000	
ACCESSORY USES ADDITIONS / REPAIRS / PLUMBING	\$19,200			\$22,680	\$6,000	\$290,305	\$24,000	\$362,185	\$2,585,019	
COMMERCIAL	\$39,880	\$20,000	\$12,000	\$136,605		\$129,185	\$386,170	\$723,840	\$3,538,395	
INDUSTRIAL FARM BUILDING		\$333,150						\$333,150	\$2,884,590	
EXEMPTION								\$0	\$217,858	
INSTITUTIONAL								\$0	\$0	
SOLID FUEL APPLIANCE								\$0	\$500,000	
MONTHLY TOTAL	\$345,520	\$363,150	\$12,000	\$1,315,480	\$7,000	\$929,240	\$1,001,225	\$3,973,615	\$25,905,336	
YEAR TO DATE 2019	\$2,185,280	\$3,961,738	\$3,976,441	\$4,568,852	\$661,534	\$5,051,355	\$5,500,136	\$25,905,336		
SAME MONTH 2018	\$1,294,670	\$269,960	\$6,425,215	\$451,510	\$0	\$236,660	\$0	\$5,451,250		
YEAR TO DATE 2018	\$4,721,480	\$5,858,665	\$12,300,411	\$5,921,590	\$911,205	\$2,563,750	\$0	\$55,738,113		
BUILDING INSPECTION REVENUE										
MONTH	2013	2014	2015	2016	2017	2018	2019			
JANUARY	\$15,847.48	\$8,965.60	\$17,905.98	\$38,090.55	\$39,602.01	\$55,887.27	\$30,704.46			
FEBRUARY	\$18,055.76	\$25,842.00	\$19,575.32	\$29,419.02	\$44,897.41	\$37,396.10	\$86,493.92			
MARCH	\$28,007.02	\$30,397.81	\$32,251.07	\$41,406.24	\$62,053.58	\$72,804.20	\$51,199.20			
APRIL	\$20,973.73	\$28,055.24	\$47,883.66	\$15,209.80	\$35,550.35	\$41,018.96	\$42,268.02			
MAY	\$43,054.17	\$47,678.54	\$34,819.01	\$88,336.89	\$335,459.36	\$61,771.86	\$47,130.81			
JUNE	\$42,069.21	\$78,964.49	\$62,473.80	\$105,215.54	\$66,954.09	\$70,972.42	\$46,253.49			
JULY	\$46,889.56	\$48,610.54	\$93,218.43	\$70,891.24	\$95,394.43	\$71,463.33				
AUGUST	\$35,669.63	\$41,182.51	\$59,620.80	\$73,568.01	\$47,165.53	\$42,822.93				
SEPTEMBER	\$24,607.81	\$68,044.72	\$121,384.59	\$102,226.37	\$90,566.53	\$45,924.16				
OCTOBER	\$28,791.57	\$36,694.11	\$39,069.81	\$44,894.56	\$43,695.30	\$84,294.81				
NOVEMBER	\$25,620.64	\$40,766.83	\$58,845.97	\$32,663.33	\$58,442.60	\$43,348.80				
DECEMBER	\$16,484.32	\$39,792.14	\$40,132.41	\$29,147.95	\$41,432.10	\$32,698.12				
TOTAL	\$346,070.90	\$494,994.53	\$627,180.85	\$671,069.50	\$961,213.29	\$660,402.96	\$304,049.90			

Attachment No. 3 – Summary of Bylaw Enforcement Complaints, 2nd Quarter

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN													
SUMMARY OF BYLAW INFRACTIONS													
2ND QUARTER (APR-JUN 2019)													
COMPLAINTS RECEIVED April - June 2019													
DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD	2018	2018 YTD
LAND USE	0	0	4	1	3	2	0	2	3	15	19	15	17
ESDP	0	0	0	1	0	0	0	0	2	3	3	2	2
WDP	0	0	0	1	0	0	0	0	0	1	1	1	5
MULTIPLE	0	0	1	0	0	0	0	0	0	1	1	1	1
UNTIDY/UNSIGHTLY	0	0	0	1	1	0	2	1	1	6	8	8	8
BUILDING BYLAW	0	0	0	0	0	0	0	1	1	2	6	0	4
ANIMAL CONTROL	3	0	3	11	2	2	3	0	2	26	39	40	59
NOISE CONTROL	0	0	1	8	5	3	0	0	8	25	37	17	19
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals	3	0	9	23	11	7	5	4	17	79	114	84	115
COMPLAINTS RESOLVED April - June 2019													
DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD	2018	2018 YTD
LAND USE	0	0	0	2	0	0	0	2	1	5	13	4	51
ESDP	0	0	0	0	0	0	0	0	0	0	1	0	0
WDP	0	0	0	0	0	0	0	0	0	0	0	2	6
MULTIPLE	0	0	0	0	0	0	0	0	1	1	2	0	0
UNTIDY/UNSIGHTLY	0	0	2	0	1	0	0	0	0	3	4	1	20
BUILDING BYLAW	0	0	0	1	1	0	0	0	1	3	6	0	5
ANIMAL CONTROL	3	0	3	11	2	2	3	0	2	26	34	23	27
NOISE CONTROL	0	0	1	8	5	3	0	0	8	25	35	3	7
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals	3	0	6	22	9	5	3	2	13	63	95	33	116
TOTAL ACTIVE COMPLAINTS													
DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL			
LAND USE	5	0	17	8	7	11	1	4	8	61			
ESDP	0	0	0	2	1	0	0	0	2	5			
WDP	4	0	0	2	0	0	0	0	1	7			
MULTIPLE	0	0	2	0	0	0	0	1	1	4			
UNTIDY/UNSIGHTLY	0	0	5	7	4	2	5	7	2	32			
BUILDING BYLAW	0	0	1	1	0	1	0	4	3	10			
ANIMAL CONTROL	1	0	2	1	0	1	0	0	0	5			
NOISE CONTROL	0	0	0	2	0	1	0	0	5	8			
BURNING BYLAW	0	0	0	1	0	0	0	0	0	1			
Totals	10	0	27	24	12	16	6	16	22	133			
Previous Quarter	10	3	28	27	9	12	6	12	19	126			
MILEAGE													
DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD		
LAND USE	123	0	79	23	72	298	0	14	37	646	1139		
ESDP	0	0	0	0	0	0	0	0	0	0	0		
WDP	0	0	0	0	0	0	0	0	0	0	0		
MULTIPLE	0	0	0	0	0	0	0	0	0	0	0		
UNTIDY/UNSIGHTLY	0	0	100	182	0	0	153	1376	0	1811	2659		
ANIMAL CONTROL	404	0	98	1599	841	758.5	190		1037	4928	7392.5		
NOISE CONTROL	0	0	62	238	210	74	0	0	342	926	1674		
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0		
Totals	527	0	339	2042	1123	1131	343	1390	1416	8311	12865		
YTD	920.5	0	1119	3408	1424	1458	464	1602	2470	12865			

Attachment No. 4 – Remediated unsightly property



ADMINISTRATIVE REPORT



TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: July 18, 2019
RE: Park Land Dedication Policy - Draft

Administrative Recommendation:

THAT the Board of Directors recommends that the draft Park Land Dedication Policy as provided for in Attachment No. 1 be forwarded to the Board for adoption.

Purpose:

The purpose of this report is to present a revised and updated Park Land Dedication policy for the Board's consideration and to seek direction to provide the draft policy to the Board for adoption.

References:

- [Local Government Act Section 510: Requirement for provision of park land or payment for park purposes.](#)
- [Parkland Acquisition Best Practices Guide](#), Spring 2006, Development Finance Review Committee, Ministry of Community Services, Province of B.C.

Background:

Section 510 of the *Local Government Act* requires an owner of land that is being subdivided to either:

- (a) provide, without comensation, park land of an amount and location acceptable to the local government; or
- (b) pay the local government an amount equal to the market value of the land that may be required for park land purposes.

The Electoral Area Official Community Plan (OCP) Bylaws establish the Board's policies with regard to the dediction of park land, such as proximity to settlement areas, other parks and trails, bodies of water, slope (i.e. less than 10%), accessibility, community benefit and being in an undisturbed state.

At its meeting of July 8, 2010, the Regional District Board adopted a "Park Land Dedication Policy", which establishes the administrative procedures to be followed by Regional District staff when dealing with park land dedication proposals (i.e. preparing reports for Board consideration, obtaining "Full Narative Appraisals" for cash in lieu proposals, etc.). For reference purposes, a copy of the current Board Policy is included at Attachment No. 2.

Approaching the 10 year mark of a Board policy is a prudent time period to review the policy for any inconsistencies, any changes required due to legislation change, and to determine if the policy still meets the policy intention of the Regional Board.

Administration has reviewed the previous Park Land Dedication policy and is recommending that the Board consider a new Park Land Dedication Policy (provided for in draft form in Attachment No. 1) for consideration and adoption.

Analysis:

In the review of the current Park Land Dedication Policy (Attachment No. 2), Administration notes that the policies and principles included are more procedural in nature, which is not typical of most of the Board’s other corporate policies. For example, some of the step-by-step responsibilities of staff and principles under the heading “Acquisition of Park Land” are more conducive for inclusion in an Administrative Procedure as to how the Park Land Dedication process will be carried out.

In addition, with the inclusion of more process-orientated procedural elements in the current policy, Administration feels discretionary policy decisions have been omitted or left vacant by the current policy. Examples of these gaps includes:

- The consideration of Official Community Plan policy prior to acceptance of land for Park Land Dedication purposes.
- Preference for land adjacent to a body of water (i.e. lake) for Park Land purposes.
- The option for the Regional District to retain a second opinion, at the applicant’s expense, on the full narrative appraisal to determine the value of land for cash-in-lieu purposes.
- A dispute process if there is a discrepancy between the valuation provided by the developer’s appraisal and the Regional District’s appraisal.
- The requirement to retain cash-in-lieu monies within a reserve dedicated to the applicable park service area only for the future development of parks within that service area.

The updated draft Park Land Dedication policy (Attachment No. 1) provides new policies that address the above items. In addition, the updated policy reiterates legislation for the public and developer’s benefit on topics such as the disposal of park land, the Provincial Approval Officer’s authority to take additional public lands, exemptions from the park land dedication requirement (*LGA S. 510.3*), and the Regional District retaining the option to require land or cash-in-lieu when there exists policy with respect to parks in an Official Community Plan (*LGA S. 510.2.b*).

Administration proposes that if the Regional Board agrees with this more higher-level policy approach to Park Land Dedication, that a next step would be to develop an internal Park Land Dedication Administrative Procedure to set out the parkland dedication process with staff responsibilities assigned from both the Development Services and Community Services department.

Alternatives:

1. Make proposed revisions to the draft Park Land Dedication policy and provide back to Administration to complete and provide back to Committee for discussion.
2. Do not adopt a new Park Land Dedication policy and retain the current Park Land Dedication policy (adopted July 8, 2010) in its current form.

Communication Strategy:

If a new Park Land Dedication policy is adopted by the Board, the updated policy will be uploaded to the Regional District's website and included in the policy master index with Legislative Services.

Respectfully submitted:



B. Dollevoet, General Manager, Development Services

Attachments: No. 1 - Draft Park Land Dedication Policy

No. 2 - Park Land Dedication Policy (adopted July 8, 2010)

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

BOARD POLICY

POLICY: PARK LAND DEDICATION POLICY

PURPOSE: To establish conditions for the dedication of lands for park land set out in Section 510, of the *Local Government Act* for the subdivision process which will advance the orderly development of land in accordance with sound planning principles and in tandem with the provision and availability of local government services.

WHEREAS section 510 of the *Local Government Act (2015)* provides the legislated framework for local government to acquire park land from an owner of land being subdivided without compensation.

NOW THEREFORE, the Board of Directors for the Regional District of Okanagan Similkameen hereby establishes the following policy and procedures in respect to Park Land Dedication in the Regional District:

POLICY STATEMENT

1. It shall be the Policy of the Regional District of Okanagan Similkameen to exercise their right to require the full five percent (5%) of land proposed for subdivision for Park Land Dedication, or payment in lieu thereof, within the constraints of the enabling legislation.

DEFINITIONS

2. "Park Land Dedication" means that land, or payment in lieu of land, taken by the Regional District during subdivision of land in accordance with section 510 of the *Local Government Act (2015)*.
3. "Full Narrative Appraisal" means a report completed by an accredited appraiser and is an in depth report which typically consists of a letter of transmittal; summary of important conclusions, regional and neighborhood analysis; description of the site and any improvements; highest and best use analysis; zoning analysis; tax analysis; statement of ownership; property rights appraised; scope of the appraisal; cost approach; income approach; direct sales comparison approach utilizing comparable sales on the comparison grid; reconciliation; description of the appraisal process, definition of market value; certification; contingent & limiting conditions; photos of the subject property; photos of all comparable sales used; comparable sales location map; sketch of subject property showing layout; flood map if in print and qualifications of the appraiser and reviewer.

REFERENCES

4. [*Parkland Acquisition Best Practices Guide*](#), Spring 2006, Development Finance Review Committee, Ministry of Community Services

BACKGROUND

5. In the Regional District, subdivision approval is a responsibility of the Province of British Columbia, administered by the Ministry of Transportation and Infrastructure (MoTI). The Regional District of Okanagan Similkameen uses the subdivision approval process as an instrument for regulating the detailed land use requirements established by bylaw, and determining levels of infrastructure services standards for parcels proposed to be subdivided.
6. The Regional District serves as a referral agency to MoTI for subdivision applications within the RDOS. An important part of the subdivision process is the determination of the location and amount of land to be conveyed for park land purposes. Land dedication is typically reflective of the need for parks, recreation opportunities, service infrastructure, and protection of environmental features. The *Parkland Acquisition Best Practices Guide* speaks to principles of fairness and equity in the development of best practices. These principles speak to the need for consistency in how parkland acquisition is applied, for openness and transparency, and for predictability in actions. These principles are fundamental to the development of good relationships involving local governments, land owners and developers. The kind of development that benefits communities and helps them to achieve their economic, social and environmental goals.

EXEMPTIONS

7. This policy's Parkland Dedication requirements shall not apply to subdivision applications identified in section 510 (3) of the *Local Government Act* :
 - a) a subdivision by which fewer than 3 additional lots would be created unless the parcel proposed for subdivision was created within the previous five years;
 - b) a subdivision by which the smallest lot being created is larger than 2 hectares;
 - c) a consolidation of existing parcels.

PROCEDURE FOR PARK LAND DEDICATION

8. Each applicant proposing a subdivision of land for any use is required to dedicate five percent (5%) of the total land under subdivision, or cash in lieu of land, for park land purposes, without compensation. Any environmentally sensitive land that is considered non-useable (i.e. non-developable) or non-accessible to the public will be excluded from the calculation of the 5% land. The Regional District prefers that any

Park Land Dedication

June, 2019

non-useable environmentally sensitive land be donated to the Regional District, in addition to the 5% parkland dedication requirement, for the purposes of conservation.

9. The location and suitability of land within the proposed subdivision to be dedicated to park land is subject to RDOS approval (LGA S. 510 (1)(a)). In this regard, the land dedicated should be free from structures (unless agreed upon by RDOS), maintained in a safe and well-kept and/or in its natural state prior to dedication.
10. The *Local Government Act* section 510.1 provides that the owner of land being subdivided has the option to provide land or cash in lieu of land. However, despite S.510.1:
 - (a) if there is no park service in the Electoral Area where the subdivision is located then land dedication is the only option (LGA S. 510 (2)(a)).
 - (b) if the RDOS has policies and designations respecting the location and type of future parks contained in the Official Community Plan, the RDOS may determine whether the owner must provide land or an equivalent cash in lieu amount (LGA S. 510 (2)(b)).

LANDS THE REGIONAL DISTRICT MAY REQUIRE TO BE INCLUDED

11. The Regional District may require that the following lands be included in the five percent land dedication:
 - (a) Any part of land being subdivided as deemed appropriate by the Board of Directors.
 - (b) The Regional District will consider all relevant policies within an Official Community Plan specific to Parks and Parkland Dedication, and any other relating park bylaws or Park Master plans, prior to the acceptance of an identified land parcel.
 - (c) Where land adjacent to surface water or any other body of water is to be subdivided for purposes other than public recreational uses, the following dedication of park land may be required:
 - i. A parcel of land, of such width as may be determined by the Regional District, lying between the bank of the land containing water and the land to be retained by the owner, for the preservation of the bank and the protection of the land retained by the owner against flooding and to provide public access to the water, unless the land being proposed for subdivision is intended for public recreational uses.

ADDITIONAL LANDS THAT MAY BE TAKEN

12. The Provincial Approving Officer (PAO) has legislated authority to attain additional land for various reasons: roads, access to bodies of water and land not suitable for public use or access. Park land dedication is excluded for the PAO's authority but both authorities may work cooperatively for a mutual public park benefit.

CASH IN LIEU OF LAND DEDICATION

13. Section 510 of the *Local Government Act* provides the option to the owner of property proposed for subdivision to provide cash-in-lieu of land dedication. All monies received in lieu of land dedication will be deposited into park reserve and expended only for the acquisition of lands for Park purposes (LGA S. 510.14) within the Electoral Area or the established park service area of which the subdivision is proposed.
14. When cash is determined to be provided in lieu of land, it is to be provided in either of following manners (LGA S. 510.6):
 - (a) if the Board and the owner agree on a value for the land, the value on which they have agreed, or
 - (b) the average fair market value of all the land in the proposed subdivision identified for the purpose of calculating the parkland dedication requirement.
15. The average fair market value of a parcel of land shall be determined on the basis of a "Full Narrative Appraisal" completed by an accredited appraiser provided by the developer.
16. The Regional District retains the right to hire its own accredited appraiser, at the applicant's expense, in the event that the average fair market value determined by the developers' appraiser is perceived to be insufficient. In the event of a discrepancy in the developer's appraisal and the Regional District's appraisal, the following process of mediation shall occur:
 - (a) If the developer's appraisal falls within 10% of the Regional District's appraisal, the two parties agree to split the difference;
 - (b) If the values vary by more than 10%, the two parties agree to obtain a third appraisal at the applicant's expense, and the third appraisal will be binding on both parties.
17. In cases where the identified dedication of land for park purposes do not total 5% of the subdivision land area, the remaining percentage difference shall be required in a cash-in-lieu payment to the Regional District. The cash-in-lieu payment shall be determined in a manner similar to section 14 of this policy for the percentage difference remaining.
18. Cash-in-lieu payments shall be deposited in a reserve account for the specific Electoral Area in which the subdivision occurred and shall be used only for purchase or development of park land. Further, if a subdivision occurs within a specific park service area, the cash-in-lieu monies collected from that subdivision should only be used for purchase or development of park land within that specific park service area.

DISPOSAL OF PARK LAND

Park Land Dedication

June, 2019

19. Local governments have the authority to acquire and dispose of real property. However, due to the significance of parks to community values, there are two limitations on local governments' ability to dispose of park land:
 - (a) Disposal of park land dedicated on subdivision: Elector approval is required for disposal of these parklands. All proceeds from sale must be placed in a park land acquisition reserve fund.
 - (b) Removing park land dedicated by bylaw: Elector approval is required to remove the dedication. Once a dedication is removed, the local government can dispose of the property under regular land disposal rules.

REPLACEMENT OF PREVIOUS POLICY

20. This Policy Statement shall replace the previous "Park Land Dedication Policy" adopted by Board of Directors on July 8, 2010 by Resolution No. B319/10.

DRAFT

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD POLICY

POLICY: PARK LAND DEDICATION POLICY

AUTHORITY: Board Resolution No. B319/10 dated July 8, 2010

POLICY STATEMENT

It shall be the Policy of the Regional District Board to exercise the right to require either up to 5% land dedication for park, up to 5% payment in lieu thereof, or a combination of land and payment, for each subdivision referral received as defined in Section 941 of the *Local Government Act* for parkland acquisition purposes.

PURPOSE

To establish conditions for the dedication of park lands within the process of a subdivision of land which will advance the orderly development of land in accordance with sound planning principles and in tandem with the provision and availability of regional services.

DEFINITIONS

“Park Land Dedication” means that land, or cash payment in lieu of land, taken by the Regional District during subdivision of land in accordance with section 941 of the Local Government Act.

“Full Narrative Appraisal” means a report completed by an accredited appraiser and is an in depth report which typically consists of a letter of transmittal; summary of important conclusions, regional and neighborhood analysis; description of the site and any improvements; highest and best use analysis; zoning analysis; tax analysis; statement of ownership; property rights appraised; scope of the appraisal; cost approach; income approach; direct sales comparison approach utilizing comparable sales on the comparison grid; reconciliation; description of the appraisal process, definition of market value; certification; contingent & limiting conditions; photos of the subject property; photos of all comparable sales used; comparable sales location map; sketch of subject property showing layout; flood map if in print and qualifications of the appraiser and reviewer.

RESPONSIBILITIES

Board of Directors shall:

1. Adopt the Park Land Dedication policy and any amendments thereto.
2. Review the Staff report brought forward with recommendation toward park land dedication or payment in lieu of land.
3. Adopts a recommendation for the park land dedication requirement for proposed subdivision.

The Chief Administrative Officer shall:

1. Review reports being prepared for an agenda and ensure that they present fairly the spectrum of information necessary for the Board to make a decision.

The Staff shall:

1. Determine requirements for park dedication under the *Local Government Act*, Section 941 for proposed subdivision.
2. Inform MoTI and Applicant of park land requirement within the subdivision referral response ('Letter of Requirement').
3. Review background information from :
 - a. Review of Official Community Plans;
 - b. Development Cost Charge Bylaws; and,
 - c. Electoral Area Park Plans
 - d. *Parkland Acquisition Best Practices Guide*, Ministry of Community and Rural Development.
4. Refer park land requirements internally to:
 - a. Planning Services
 - b. Community Services
 - c. Electoral Area Director – may forward it onto recreation commission
5. Compile responses from internal referrals and determine a course of action (park land dedication or cash in lieu). Inform applicant of the direction set by the RDOS. Contact the Applicant and allow an opportunity to formulate a solution.
6. Draft a report to the Electoral Area Advisory Planning Commission (APC) with recommendation. Applicant is invited to the APC meeting and given the option to present a proposal for park land. This STEP may be waived in writing by the Electoral Area Director if the cash in option is used rather than accepting land.
7. Incorporate any APC recommendation into a Staff report to be brought forward to the Board.
8. Give recommendation for either park land dedication or cash in lieu option to the Regional Board.
9. Follow-up the RDOS Board resolution and complete the subdivision requirement of park land dedication.
 - a. If cash in lieu is required then a 'Full Narrative' appraisal needs to be completed to assess the value of the subdivided land. This appraisal may be undertaken by the RDOS Staff on behalf of the subdivision applicant and the applicant will pay full cost of the appraisal. An estimate to complete the appraisal will be obtained and 120% of the estimate will be held as security from the subdivision applicant prior to commencement of the appraisal.
 - b. If park land is required then RDOS Staff will acquire the land as part of the process to complete the proposed subdivision.

PRINCIPLES

Acquisition of Park Land

1. Any Electoral Area that does not have a 'Community Parks Service' does not have the option for cash in lieu and therefore can only accept land as dedication. As of January 2010 Electoral Areas 'B' and 'G' do not have Park Services and the cash in lieu is not available at this time.
2. Subject to the requirements set out in the *Local Government Act S.941*, each applicant proposing a subdivision of land for any use is required to dedicate up to 5% of the total land to be subdivided or cash in-lieu equivalency of up to 5% land.
3. General guidelines for park land acquisition will be set out in an Electoral Area Official Community Plan.
4. Electoral Area parks plans adopted by the Board shall be considered when determining specific properties for park land.

5. Lands considered for active parks (e.g. playing/sports fields) shall be generally flat with slopes of no more than 5% and in locations useable for the general public without any encumbrances on the land.
6. Land considered for passive parks (e.g. walking trails) is permitted to have slopes greater than 5% but must be accessible to the general public.
7. When a subdivision's required parkland contribution (up to 5% of the proposed subdivision area) is calculated, environmentally sensitive areas not intended for public access should be excluded from the equation. If trails or other public features are planned for environmentally sensitive lands, these areas effectively represent passive parks; at least a portion should therefore be included in the total subdivision area for purposes of calculating the required 5% park dedication. Publicly accessed environmental areas should also be accepted by Regional District toward the required 5% dedication.
8. Any environmentally sensitive land that is considered non-useable or non-accessible to the public will be excluded from the calculation of the 5% land. The Regional District will approve any exclusion prior to calculating the park land.
9. The location and dimension of proposed park land dedication must be shown a sketch plan of the proposed subdivision and labeled as 'park'.
10. The location and suitability of park land within the proposed subdivision to be dedicated to the public use is subject to the approval of Regional Board.
11. The approved park land will be properly identified on the final survey plan prior to signing of the plan by the Provincial Approving Officer.

Cash In-Lieu of Land Dedication

1. In cases where it has been identified that land dedication is not acceptable then the option for cash in lieu payment to the pertaining Electoral Area will be required.
2. In cases where the identified dedications of land do not total up to 5% of the total subdivision land area, the remaining difference may be required in a cash-in lieu payment to the pertaining Electoral Area.
3. The cash in lieu of land dedication shall be provided at a rate equivalent to the fair market value of the subdivided land(s) at the date of whichever is closer to finalizing the subdivision:
 - a. the Preliminary Layout Approval issued by the Ministry of Transportation and Infrastructure; or,
 - b. if the subdivision process is delayed then 90 days prior to the Provincial Approving Officer signing the legal survey plan.
4. The value of the land shall be determined on the basis of a "Full Narrative Appraisal" completed by an accredited appraiser.
5. Upon RDOS approval of the appraisal, up to 5% of the appraised value of the subject lands shall be paid to the Regional District prior to approval of the subdivision referral.
6. Cash-in-lieu payments shall be deposited in a reserve account and shall be used only for purchase of park land or capital development of the particular purchased park land.

Waiving of Park Land Dedication Requirements

1. The requirement for park land dedication shall be waived for lot-line adjustments between parcels and where there is no creation of additional parcels.
2. The *Local Government Act* allows the acquisition to either up to 5% land or up to 5% equivalency in the form of money or combination of both. Therefore this process is a negotiation of what is an acceptable requirement. In certain cases the waiving or accepting 0% of the may be deemed suitable option. This waiving of park land dedication should only be used in extraordinary circumstances.

Use of Cash In-Lieu Funds

1. The use of park land dedication funds shall be set out generally in the Official Community Plan as to the general areas in the community(s) in which park land is desirable.
2. Given that some Electoral Areas within the Regional District are quite large, it is recommended that the acquired park land funding be used in the general area in which it has been generated. In so far that any specific community or area generating the park land funds shall benefit from the acquisition of park land.
3. Funding generated for park land dedication is meant for the acquisition of park land. Some of the funding can be used for capital works to make the acquired park land useable for public use.
4. Funding generated for park land dedication is not intended for the cost of operating or maintaining park land.



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, July 18, 2019

9:45 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

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

B. Delegation - Penticton and Area Cycling Association (PACA)

Terry McWhirter, President will provide an overview of the programs, projects and benefits to the community provided by PACA, a non-profit cycling association.

C. Second Quarter Activity Report

D. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Community Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Second Quarter Activity Report – For Information Only

COMMUNITY SERVICES DEPARTMENT

Parks, Recreation, Transit, Cemeteries and Rural Projects

Activities Completed for Q2 2019

Parks, Recreation and Trails

- Began capital planning for Parks and Recreation Commissions.
- Completed design of trail head signs.
- Completed initial spring clean-up and inspection of 250km of regional trails.
 - 237 km
 - 4 tunnels
 - 21 Bridges/boardwalks
 - 181 Culverts
 - 52 Trail Heads
- Parks spring clean-up, amenities inspections and system startups.
 - 15 Parks
 - 1 cemetery
 - 18 beach accesses
 - 6 beaches
 - 14 irrigation systems
 - 6 washrooms
 - 5 playgrounds
 - 1 spray park
- Hosted Trails BC AGM
- Similkameen Pool star up and repairs.
- Began 5 year parks planning project.
- Completed Area E facility assessments
- 5 cemetery internments
- Started the 2020 planning process with Parks and Recreation Commissions.
- Completed construction at Pioneer Park in Kaleden, including extension of the KVR trail and development of paved car and boat trailer parking areas.

- Completed final designs and submitted permit applications (under the Water Protection Act) for replacing boat launches at Kaleden and OK Falls.
- Completed acrylic surfacing of the new tennis and pickleball courts in Naramata.
- Initiated design process and ordered equipment for a new playground at Selby Park.
- Initiated detailed design process for upgrades to Heritage Hills Park; tendering process for electrical/lighting started.
- Initiated design work for upgraded washrooms for Manitou Park in Naramata.
- Developed conceptual plans for expansion of Wharf Park in Naramata, and held an initial community consultation session.
- Proposed a new Use Agreement for the Kaleden Community Hall.
- Completed the Provincial well registration process for RDOS parks.
- Applied for and received:
 - CSJ Grants - \$9,148 (hired two lifeguards and one recreation coordinator)
 - BCRPA Grants – BC 55 Plus Games Try it Grants - \$1,500 shared with City of Penticton
 - Lighting Grant for Manitou Park - \$15,000
- Moved Beach volleyball courts at Christie Memorial Park.
- Install temporary dock at Okanagan Falls Boat Launch.
- Negotiated funding memorandum of understanding with Community Association for Heritage Hills park development.
- Completed Spring Recreation programs and held Special Events in Naramata, Area F, Okanagan Falls, Kaleden and Similkameen.
- Developed Summer Guides and distributed to the public via print, social media, website and civic ready.
- Compiled 2018 Q1 – Q4 Recreation Program Charters for Okanagan Falls and Kaleden.
- Completed 2019 -Q1 Recreation Program Charters for Okanagan Falls and Kaleden.
- Physical Activity Trailer (PAT) had 20 community visits throughout the Region.
- Inserted Recreation Brochures in Utility Billing.
- Completed RDOS Park/Facility Request Form and Agreement.
- Hired Recreation Program Leader (CSJ position) for region programs and PAT.

Transit

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

Rural Projects

- Submitted permit applications for Alison Creek trail sediment removal.

Planned Activities for Q3 2019

Parks, Recreation and Trails

- Continue 2020 planning process with Parks and Recreation commissions.
- Seven day a week parks summer coverage.

- Assist Recreation Sites and Trails B.C. with the repairs to damaged sections of the KVR in Faulder and Tulameen.
- Engage Tulameen and Coalmont Communities regarding Coalmont Park Development
- Continue design process for Manitou Park upgrades.
- Continue design process for Selby Park playground.
- Continue with design/consultation for expansion of Wharf Park in Naramata.
- Continue with design/tendering for upgrades to Heritage Hills Park.
- Proceed with tendering for Osoyoos Lake Park washroom.
- Complete design and install new irrigation zones at Kobau Park in Cawston.
- Okanagan Falls Trestle jumping amenities and licence of occupation.
- Renew Licence of Occupation for Okanagan Falls boat launch and Lions Park.
- Coordinate Summer recreation programs and special events. New offerings include Swim Lessons in Naramata and Children's Camp in Okanagan Falls.
- Begin development of Fall Recreation Guides.
- Implement PLAY OS milestones and from Community Action Teams.
- Choose to Move and ActivAge Program (via BCRPA) will be have a Fall offering in Keremeos and Okanagan Falls.
- Coordinating Summer Programs for LSIB and USIB.
- Complete PAT scheduled visits (approximately 62).

Transit

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

Rural Projects

- Begin RDOS building assessments in Naramata.

Respectfully submitted:

Mark Woods

M. Woods, General Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, July 18, 2019

10:15 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Committee Meeting of July 18, 2019 be adopted.

B. Corporate Action Plan – Second Quarter

C. MD & A Operating Results – Second Quarter

D. Second Quarter Activity Report

E. Second Quarter Communications Report

F. ADJOURNMENT



2019 Corporate Action Plan

Q2 Report

2019 Corporate Action Plan

(Adopted 21 March 2019)

Dashboard

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

Dashboard

Progress Colour Key:

No Issues

GREEN

Minor issue(s)

YELLOW

Significant issue(s)

RED

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

Action Plan Definitions:

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

Status Colour Key:

Q1 – Black

Q2 – Red

Q3 - Blue

Q4 - Green

2019 Corporate Action Plan

Key Success Driver 1.0: High Performing Organization

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

Objective 1.1.2 - By being an effective local government				
#	ACTION	WHO	WHEN	STATUS
1.1.2.1	Complete phase 2 (Water Facilities) of the Business Continuity Plan	MLS	Q3	
1.1.2.2	Complete Phase 3 (Other RDOS Facilities) of the business Continuity Plan	MLS	Q4	
1.1.2.3	Develop and implement a workspace plan for RDOS facilities	GMCS	Q1	Complete

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

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

Key Success Driver 2.0: To Optimize the Customer Experience

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

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

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

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

Goal 2.3: To Provide Adequate Access to Health Care				
Objective 2.3.1 By Working with IHA to Attract Physicians to the Regional District				
#	ACTION	WHO	WHEN	STATUS
2.3.1.1	Organize a workshop to gather information on a preferred standard of health care; including IHA, Physicians Assoc.	CAO	Q2	Complete
2.3.1.2	Determine the RDOS role in physician attraction for the 2020 Budget, including service establishment and financial support	CAO	Q3	

Key Success Driver 3.0: To Build a Sustainable Region

KSD 3: BUILDING A SUSTAINABLE REGION

Goal 3.1 To Develop a Socially Sustainable Region

Objective 3.1.1 By reviewing and updating the emergency management program

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

Objective 3.1.2: By implementing the regional trails program

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

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

#	ACTION	WHO	WHEN	STATUS
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3.1.3.1	Implement the 2019 phase of the Heritage Hills Park development plan	GMCS	Q4	In progress
3.1.3.2	Implement the 2019 phase of the Pioneer Park redevelopment plan	GMCS	Q2	In progress
3.1.3.3	Construct public boat launches in Okanagan Falls and Kaleden	GMCS	Q4	In progress
3.1.3.4	Prepare a park development plan for the Coalmont Park	GMCS	Q2	
3.1.3.5	Construct a public restroom at Osoyoos lake Park	GMCS	Q3	
3.1.3.6	Construct the Mariposa Park Sports Court and Selby Park Playground	GMCS	Q2	
3.1.3.7	Implement the 2019 phase of the Manitou Park development plan	GMCS	Q4	

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

Goal 3.2 To Develop an Economically Sustainable Region				
Objective: 3.2.1: By Developing an Asset Management Plan				
#	ACTION	WHO	WHEN	STATUS
3.2.1.1	Implement Phase 3 of the Asset Management Plan	MFS	Q4	In progress

Objective: 3.2.2: By Reviewing Long-Range Planning Documents to keep Current with Best Practice				
#	ACTION	WHO	WHEN	STATUS
3.2.2.1	Review the allowance of Carriage Homes and Accessory Dwellings in Residential Zones	GMDS	Q1	Committee presentation complete.
3.2.2.2	Update the Geotechnical Hazard area study for the Greater West Bench community	GMDS	Q3	
3.2.2.3	Commence the Electoral Area "A" Official Community Plan review process	GMDS	Q4	

Goal 3.3: To Develop an Environmentally Sustainable Region

Objective: 3.3.1: By implementing the 2019 Phase of the Solid Waste Management Plan

#	ACTION	WHO	WHEN	STATUS
3.3.1.1	Present a Solid Waste Orientation to the Board	GMPW	Q2	Complete
3.3.1.2	Acquire a regional organics facility site	GMPW	Q4	
3.3.1.3	Work with the City of Penticton to relocate the Penticton Compost Facility at CMLF	GMPW	Q4	In progress
3.3.1.4	Complete the leachate treatment design and construction plan for CMLF	GMPW	Q4	In progress
3.3.1.5	Proceed with approved landfill gas management system design	GMPW	Q4	In progress
3.3.1.6	Complete the closure works for the Keremeos landfill	GMPW	Q4	Waiting for plan approval
3.3.1.7	Commence planning for an expanded entrance to the Campbell Mountain Landfill	GMPW	Q3	In progress
3.3.1.8	Construct the Apex transfer station	GMPW	Q3	awarded

Objective 3.3.2 By enhancing the Okanagan Falls Waste Water Treatment System

#	ACTION	WHO	WHEN	STATUS
3.3.2.1	Complete design and carry out construction on the Wetland Project	GMPW	Q4	In progress
3.3.2.2	Repurpose the Building Canada II sewer project	GMPW	Q3	Complete
3.3.2.3	Complete design of a new solids dewatering works at the WWTP	GMPW	Q2	In progress

Objective: 3.3.3: By enhancing the Regional District Water System Delivery

#	ACTION	WHO	WHEN	STATUS
3.3.3.1	Finalize the Cross-Connection Control Bylaw and the financial plan	GMPW	Q3	
3.3.3.2	Develop a Water System Acquisition Policy and Procedure	GMPW	Q2	In progress
3.3.3.3	Review and adopt the regional Water Regulatory Bylaw	GMPW	Q2	Complete
3.3.3.4	Develop a Filtration Deferral and Source Water Protection Plan for the Naramata Water System	GMPW	Q3	

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

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

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

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

#	ACTION	WHO	WHEN	
4.2.1.1	Plan and implement a Board orientation program for the 2018 – 2022 Board-elect	MLS	Q4 2018	Complete
4.2.1.2	Develop and present an accountability framework to the Board to assist with oversight responsibilities	CAO	Q3	
4.2.1.3	Develop a report on Board evaluation as part of the Governance discussions for the Board	CAO	Q3	
4.2.1.4	Review the Legislative Structure	CAO	Q3	Complete
4.2.1.5	Present governance sessions for Area Planning, Recreation and Water Commissions	SMT	Q2	Complete

Objective: 4.2.2: By Improving Regional District/ Municipal Relations

#	ACTION	WHO	WHEN	
4.2.2.1	Identify relationship success factors	CAO	Q3	
4.2.2.2	Organize a workshop with member municipalities to discuss relationship-building	CAO	Q3	
4.2.2.3	Re-establish the CAO Group Working Committee	CAO	Q3	

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Q2 MD&A Operating Results – For Information Only

Purpose:

A key responsibility for the Board of Directors is to provide oversight on the financial position of the corporation. In addition to the development and approval of the annual business plan and budget, is a quarterly review of the variance between the Income Statement and the Budget. Administration provides this to the Board in a narrative format with forecasts for year-end.

The Q2 Report is an indicator of how the organization is tracking to the end of June as we half way through the fiscal year. Certain services will have a higher level of spending in the second half of the year due to weather and timing of projects.

Each manager reviews the services they are accountable for and provides explanations for any variance between expected and actual expense.

Where actuals are higher than budget, they should either be explainable or corrections will be made to bring them back within estimates.

Business Plan Objective:

1.1.1 By providing the Board with accurate, current financial information

Analysis:

In the first six months of 2019 the Regional District has spent just under \$13 million (29%) of its \$44 million dollar operating budget.

Managers have reviewed the actual revenues and expenditures as of June 30, 2019 and performed a forecast to year-end in order to identify significant variances to the annual budget.

To the end of June all services are operating at or below budgeted levels with the following exceptions:

Animal Control (Area A,B,C,D,E,F,G,I) – although this service has spent 31% of its budget it is projecting a \$3,000 deficit due to unbudgeted mileage costs offset by higher licensing revenue.

Rural Projects (Area B) – this service has spent 73% of its budget due to costs for the 510 Beecroft River Road flood mitigation work coming in over the amount budgeted. This service is presently projecting a \$5,495 deficit to year-end.

Unsightly/Untidy (Area D&I) – This service has exceeded its annual budget by 87% due to a large cleanup in the White Lake area. These costs will be recovered from the homeowner so they are projecting a balanced budget by year-end.

Emergency Planning – This service is exceeding its budget by 73% but these costs are more than offset by unbudgeted grant revenue. This service is forecasting a surplus of \$40K by year-end.

Okanagan Regional Library – This service is projecting a slight deficit to year-end due to the actual 2018 surplus being lower than what was budgeted.

Electoral Area Administration – This service is projecting a modest surplus to year-end.

Fire Departments – All fire services were asked to review their financials and forecast how they expected to end the year. Naramata, Tulameen, Kaleden and Anarchist Mountain all expect to balance their budgets by December 31st. Although no response was received from either Willowbrook or OK Falls those budgets look to be tracking to budget.

Ranking expenditures by service, the top ten services were:

SERVICE	YTD ACTUAL	ANNUAL BUDGET	% OF BUDGET SPENT
REFUSE DISPOSAL - PENTICTON/D3	1,610,390	6,511,052	25%
GENERAL GOVERNMENT	1,184,483	2,492,189	48%
ELECTORAL AREA ADMINISTRATION	947,074	1,854,594	51%
SEWAGE DISPOSAL - OK FALLS	683,985	3,359,739	20%
WATER SYSTEM - NARAMATA	546,776	1,514,276	36%
EMERGENCY PLANNING	525,897	304,558	173%
ELECTORAL AREA PLANNING	508,963	1,183,402	43%

BUILDING INSPECTION	495,958	1,286,917	39%
OKANAGAN REGIONAL LIBRARY	450,768	889,697	51%
INFORMATION SERVICES	353,660	720,348	49%

Capital Projects Update:

Wetlands construction – on time and on budget; no issues with Gas Tax grant dates; target completion dates Q1 2020 for construction and Q1 2022 for full commissioning.

Solids Processing at OKF WWTP – on time and on budget; no issues with infrastructure grant dates; target completion Q1 of 2020

Kaleden sewer – proceeding as planned; expected timetable does not have any issues with the BCF grant; target completion for pre-design in Q4

Olalla generator – initializing the project and proceeding as planned at this time; expected completion date before end of Q4

Willowbrook chlorine contact – grant applied for but have not heard result; Director to use community works gas tax if grant not received; project is being initialized; no anticipated completion time other than Q4

Biocover pilot project – proceeding as planned; may need to apply for an extension of FCM grant but it will depend on how long the MOE takes to respond to the updated report on the pilot study to be submitted before the end of June; anticipated completion of grant Q4

Apex transfer station – proceeding on time and on budget; Completion expected in Q4

CML leachate collection – proceeding as per 2019 plan and will carry into 2020; this will include installation of additional monitoring wells to be started in Q3

CML access upgrades design – proceeding with design to ensure have capital expense numbers available for the budget cycle; construction expected in 2020

Oliver landfill scalehouse and scale replacement – proceeding as planned; expenses may be higher than expected for purchase and installation of a new scale – this would result in more funds being taken from the reserve fund; the actual expenses will not be known until completed in Q4.

Keremeos transfer station scalehouse replacement – proceeding as planned and expected to be within budget at this time; completion in Q4

SCADA Master Plan – initiated earlier than anticipated due to ongoing concerns and issues with the current setup; expenses may end up being higher than anticipated due to the earlier start however this will not be known until Q4; completion of master plan in Q2 of 2020

Pioneer Park in Kaleden, including extension of the KVR trail and development of paved car and boat trailer parking areas. Project completed in Q2; anticipate final invoicing in Q3. On budget. Boat launch replacement in Kaleden. Designs completed; permitting under way. Anticipate tendering in Q3; construction in Q3/4. On budget.

Boat launch replacement in OK Falls. Designs completed; permitting under way. Anticipate tendering in Q3; construction in Q3/4. On budget.

Tennis and pickleball courts in Naramata. Completed acrylic surfacing of the new courts. Project completed in Q2. On budget.

Heritage Hills Park Upgrades – pathway, lighting, playground, washrooms. Initiated detailed design process for upgrades. Tendering process for electrical/lighting underway. Anticipate some construction Q3/4. Portions of project will carry forward to 2020. On budget.

Manitou Park washroom/pathway upgrades. Design work underway. Anticipate permitting/tendering in Q3; construction in Q3/4. On budget.

Osoyoos Lake Park washrooms. Design and permitting complete. Anticipate tendering in Q3; construction in Q3/4. On budget.

Selby Park Playground. Design work complete. Anticipate construction in Q3/4. On budget.

Respectfully submitted:

“John Kurvink, Manager of Finance/CFO”

J. Kurvink, Finance Manager

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Q2 2019 Activity Report

LEGISLATIVE SERVICES

2019 Q2 Completed Activities

- Administered survey of Area “D” / “I” Economic Development Service
- Concluded Area “D” Economic Development Service Review
- Developed Terms of Reference for Citizen Review Committee for Remuneration
- Coordinated 2019 Local Government Awareness Week
- Coordinate 2019 SILGA conference
- Reviewed Heritage and Fireworks bylaws
- Commenced planning and sought funding for C2C
- See Communications Update!

2019 Q3 Planned Activities

- Create service area for Chute Lake Dam
 - Amend West Bench Transit bylaw
 - Commence Willowbrook Fire Truck Loan Authorization process
 - Recruit and Administer Citizen Review Committee for remuneration
 - Review Shinnish Creek Diversion/Chain Lakes Service
 - Conduct Borrowing process for Oliver Parks and Recreation Society upgrades
 - Review Untidy/Unsightly Establishment and Regulatory bylaws
 - Review Parks Establishment and Regulatory bylaws
 - Commence transfer process for Missezula Lake Water System
 - Investigate obtaining permits from MOTI for parking and boulevard maintenance issues
 - Commence review of Planning service structure.
-

2.0 INFORMATION SERVICES DEPARTMENT

2019 Q2 – Completed Activities

- Electronic Document Management System (EDMS)
 - Research methods and implications of implementing automatic declaration of records
 - Implement 2 factor authentication to expose EDMS outside network
- Complete RFP for collecting drone data at the landfills to more accurately plan heights and volume growth
- Participate in RFP for new development tracking software
- Fulfill IT requirements (phone, internet, computers) for office reorg at 101 Martin St
- Negotiate new agreement for phone and internet services with SD67
- Organize Enterprise Risk Management workshop for admin staff and present to Board
- Incorporate latest flood plan mapping datasets from OBWB into RDOS GIS
- Setup new physical server to host virtual servers
- Expanded backup server capacity to accomodate more volume
- Hired IT Systems technician as part of organization review

2019 Q3 – Planned Activities

- Electronic Document Management System (EDMS)
 - Implementing automatic declaration of records
 - Implement 2 factor authentication
- Decommission old backup machine
- Move GIS data and web servers to new virtual machine
- Update GIS and web mapping software to current version
- Import parcel map BC data from Land Titles Office into RDOS GIS
- Move public website to new Content Management System
- Import and quality assurance of detailed drone data for RDOS Landfills
- Start process of moving data from current development tracking software to new software
- Add water service information to field GIS apps for PW's field staff
- Update EOC equipment with latest software and datasets
- Organize strategic planning workshops for administration
- Hire IT Programmer

FINANCE DEPARTMENT

2019 Q2 Completed Activities

- Generated and distributed annual utility billings
- SOFI report submitted
- UBCM Gas Tax report submitted
- Filled finance clerk role
- Tax requisitions submitted to Surveyor of Taxes and member municipalities
- New cost centres created for 2020 budget
- Models created for allocation of overhead costs

2019 Q3 Planned Activities

- Release Expression of Interest for Purchasing Cards
- Continue to convert vendors to EFT
- File ongoing 2018 EOC Reimbursement Claims
- Investigate functionality Time Tracker replacement software
- Recruit for Accountant role
- Launch 2020 Budget Process

4.0 HUMAN RESOURCES DEPARTMENT

2019 Q2 Completed Activities

- WHMIS training undertaken for new staff
- Continue recruitment for 2018/2019 program changes
- Compensation survey for exempt and union staff is in progress
- Assisted with Osoyoos CAO recruitment
- Continued to update Safe Work Procedures as per the 2019 phase of the plan
- Identified a need for traffic control training and provided a training opportunity for public works staff
- Completed EOC training for logistics section

2019 Q3 Planned Activities

- Salary Survey and preparation for Collective Bargaining
- Lead the Wellness Committee and assist with wellness initiatives to address organizational health
- Address opioid crisis by providing training for staff on naloxone administration (previously identified high risk in Enterprise Risk Management Workshop)
- Develop an ergonomics program (as required per WorkSafeBC regulations)
- Support Fire Departments in OH&S Committee requirements
- Continue updating administrative directives (added Duty to Accommodate in 2019)
- Begin 2020 budget preparations

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Communications & Engagement Plan 2019 – Information Only

2019 Q2 Completed Activities:

- SILGA Tradeshow Booth – May 1-2
Showcased the Emergency Management’s Drone and Mobile Quagga and Zebra Mussel Prevention Trailer though SILGA’s tradeshow on May 1 & 2.
- Local Government Awareness Week – May 20-26
Although we were unable to secure students to attend the board meetings this year, LGAW was still a success. The RDOS and City of Penticton took part in the tree planting ceremony to commemorate the work of local government professionals. The LGMA plaque and tree can be found in the green space beside Penticton’s City Hall. The RDOS celebrated LGAW with an information table in the lobby, which was frequently perused by customers visiting the office, and by sharing RDOS history on the Facebook Page. The stories shared on Facebook were regarding the Origins of the RDOS, Regional Planning Board to Regional District, The Significance of the Gavel and the Blackwell Stores in the mid 90’s. These stories together reached more than 2,700 Facebook users and engaged 151 people.
- Electoral Area Quarterly Newsletter
Developed an Electoral Area Quarterly Newsletter for Area F which will provide a template for a quarterly newsletter for all Electoral Areas if desired. This newsletter will be a way for the Area Director and RDOS staff to communicate to residents on a quarterly basis.

2019 Q3 Planned Activities:

- Fall C2C – October
Topics of discussion: Reconciliation and Governance
Proposed Invitees: PIB, OIB, LSIB, USIB, ONA, Municipalities, MLA’s, MP’s, Premier
- Non-digital Communication
Existing bulletin boards – identify ownership, access
Sandwich boards or signs – identify brand and process for displaying info in timely manner
Community champions – identify key points of contact in each area to post info in timely manner

- Quality Assurance Surveys

One of the goals on the 2019 Communication and Marketing Work Plan is to conduct 5 service-related quality assurance surveys, including the following. These surveys will take place at various times throughout 2019 and results reported to the Board upon completion.

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

- Enterprise Communications
 - Princeton
 - Osoyoos CAO Announcement
 - Municipality Public Engagement

- Public Engagement Guide
 - Reworking template from District of North Vancouver

- Various Department Updates

- Public Works
 - Sage Mesa Water System Fact Sheet
 - Kaleden Sewer System Letter

- Community Services
 - EOC Info Updates re: CivicReady, Wildfire Preparedness Guide, New EOC & Trailer
 - Pioneer Park
 - Heritage Hills Park

- Ongoing Communications
 - Internal Information – Staff and Directors
 - External Information – Public and Municipalities

- Emergency Services
 - Providing information to the public and managing public relations
 - Providing information to the media and managing media enquiries
 - Providing information to internal staff and maintaining staff relations

Respectfully submitted:

“Christy Malden”

C. Malden, Legislative Services Manager



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, July 18, 2019

11:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Protective Services Committee Meeting of July 18, 2019 be adopted.

B. DELEGATION – Superintendent Ted De Jager

i. First/Second Quarter Report

C. CLOSED SESSION

RECOMMENDATION 2

THAT in accordance with Section 90(1)(f) of the *Community Charter*, the Board close the meeting to the public on the basis of law enforcement, if the Board considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.

D. FireSmart Presentation

E. Second Quarter Activity Report

F. ADJOURNMENT

RCMP·GRC



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

**PENTICTON SOUTH OKANAGAN
SIMILKAMEEN
REGIONAL DETACHMENT**

QUARTERLY REPORT

January – July 2019

Open Report



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Canada

PSOSRD QUARTERLY REPORT

January to July 2019 Open

Message from the Officer in Charge

Thank you for taking the time to read this report. In January 2019, statistical reporting using the Uniform Crime Reporting methodology has changed. In essence, 2019 is year one for the new system and will provide a new, more accurate baseline for crime reporting to our communities. Although 2018 data is still attached to this report, I urge caution when trying to make any direct comparison without a detailed analysis of each crime type.

The Community Active Support Table (CAST) is up and running and has already dealt with over 50 situations where members of our communities were at an acutely elevated risk. CAST is supported by the Community Support and Enforcement Team which includes a Mental Health Liaison Officer and a Downtown/Youth Officer. This team, along with our community partners in CAST have been instrumental in reaching out to vulnerable or street entrenched persons and connecting them to supports such as housing and treatment. This produces real change in our communities by ensuring these people are not on the street and is one more step towards solving the root causes of crime and social disorder. Mental health calls for service, in concert with addictions related calls are on the rise. People suffering from mental illness and addiction are not criminals simply because of these afflictions, although they, like all of us, are accountable for their actions. Criminal intervention may be effective in terms of an initial exposure to support, however, enforcement activities alone cannot solve homelessness and addictions, only a community can, especially through initiatives such as CAST and supportive housing.



The reality is that most of the visible street entrenched population are not major crime drivers in our communities. I realize that is the perception, but not really accurate. People are understandably troubled when they see a “sketchy” looking person in their area and I encourage them to call the police if they feel uncomfortable. At the end of the day, the majority of crime is committed by a very small group of prolific offenders who we actively target. Using police resources to target health issues belies the fact that the majority of criminals in this community hide in the shadows and are rarely seen downtown or on the library lawn. This is not to say that street entrenched people do not commit crime, for which they will be held to account, it is simply that the facts and evidence point to the drug dealers and full-time criminals as the real crime drivers, who should therefore be the focus of the police.

We do have a significant concern over theft and property crime, which again falls into the realm of the prolific offender. Violent crime, however, continues to be the lowest percentage of our calls for service, but certainly the events of April 15 point to the fact that tragedy can occur in any community. I would love to see our crime rates go down, however, social conditions continue to drive police response, meaning we cannot spend as much time as we would like targeting those who commit the majority of crime. Over 70 percent of our calls for service are not criminal and will never result in

Open Report| 7/8/2019



Royal Canadian Gendarmerie royale
Mounted Police du Canada

Canada

charges but that is not to say there has not been significant progress on other fronts. The Target Enforcement Unit continues to take down prolific offender after prolific offender. The Street Enforcement Unit has already put a significant dent in the flow of drugs into the community after only several weeks of operation. The people who have made it their aim to prey on our communities are being targeted, while those who are a visible manifestation of the dealers and criminals are being exposed to supports to get them off the street.

Over half of Penticton Detachment, and all five of our other detachments in the South Okanagan are dedicated to front line General Duty patrol. They are the first response to every file that is dispatched and they are busy. Each watch of seven members in Penticton will often respond to over 50 calls for service in a 12-hour shift, day and night. Even the most basic file will take at least an hour of a police officer's shift. Basic math will reveal that most of the shift is covered by call response, and that is assuming all seven members are working, which is often not the case when you factor in training, injuries, leave and court time. Throw in an impaired or serious crime such as an assault and the member is off the road for hours, and the calls stack up, unfortunately leaving little time for proactive patrols.

At the recent community forum in Penticton, several members of the public expressed frustration with how much time is spent in the office. They demanded increased patrols and visibility. They were preaching to the choir. The members of this detachment would like nothing better than to hit the road and look for the bad guys and they do so every chance they get. The reality, however, is quite different. It requires a great deal of articulation, evidence and witness account to take away the liberty of a Canadian citizen and that is how it should be in our democratic society. As police we have a duty to gather all the facts and present biased free policing. Indeed, the rule of law and the Charter of Rights and Freedoms holds all people equal before the law, regardless of their station, each and every time we deal with them.

Recently, the Province of BC released the "Police Resources in British Columbia, 2017" report. It outlines how much each community pays for policing, resourcing levels, crime statistics and work load by police officer. Penticton detachment is rated at 106 criminal cases per member, which is the highest in the province and twice the provincial average. To say the members of this detachment are busy is an understatement. Independent municipal departments are much lower than the average case burden, however, their cost per capita for policing is much higher.

Some may say that high case burden only points to the need for police to work even harder to prevent crime and do even more with our current resources. In fact, there are only two realistic ways to reduce the case burden in Penticton, either by increasing resources or by decreasing the overall calls for service from the outset. That requires commitment from our whole community which includes protecting your property by removing valuables, locking doors and looking after your neighbors. I am not blaming victims; I am trying to prevent any of us from being victims in the first place. Vigilante type activity will never be a solution to lowering incidents of crime, but Block Watch will. So will security systems that allow our members to identify culprits and charge them, since we already know who they are. Citizens on Patrol and "Project Penticton" are examples of volunteers with a passion for helping our community. One is police led, while one is grassroots, but both produce measurable results by increasing the safety of our community.

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At the end of the day, very few of the people we see on the street are free from trauma which either occurred early in their life or later through tragedy. While that often places them on the street or in a life of addiction, it does not necessarily make them criminals. The facts would indicate that they are a relatively minor part of our actual crime picture, but a major part of the social concerns and perception of public safety in the community. That is understandable and we will continue to work with all of our partners to seek solutions to these social issues while at the same time, targeting those who are committed to a criminal lifestyle in our community.

Penticton Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	35	84	140%	55	84	53%	72	139	93%
BREAK & ENTER-BUS	35	74	111%	71	74	4%	70	145	107%
BREAK & ENTER-OTH	23	40	74%	36	40	11%	47	76	62%
BREAK & ENTER-RES	24	52	117%	46	52	13%	57	98	72%
MENTAL HEALTH ACT	209	194	-7%	184	194	5%	383	378	-1%
THEFT FROM VEHICLE	196	232	18%	153	232	52%	389	385	-1%
CAUSE DISTURBANCE	241	364	51%	200	364	82%	384	564	47%
MISCHIEF-LOSS ENJOYMENT PROP	149	257	72%	145	257	77%	211	402	91%
PERSONS VIOLENT CRIME (DV)	22	40	82%	51	40	-22%	36	91	153%
PERSONS VIOLENT CRIME	142	285	101%	226	285	26%	212	511	141%
PROPERTY CRIME	867	1471	70%	979	1471	50%	1566	2450	56%

Penticton Top Ten Calls for Service (1)

Top 10 Calls for Service (YTD) - Penticton Detachment	
Initial Call Type	# of Calls
THEFT	909
ABANDONED 911	578
UNWANTED PERSON	534
TRAFFIC INCIDENT	529
DISTURBANCE	519
SUSPICIOUS CIRCUMSTANCES	491
SUSPICIOUS PERSON	478
ALARM	439
ASSIST OTHER AGENCY	438
PROPERTY	353

Total Calls for Service (YTD) - 10352

1. Calls for service data excludes duplicate files and files created in error. Initial call type does not reflect any changes in scoring/file type that may have occurred since the call was made or whether or not the call resulted in a founded file.
2. Top 10 Criminal Code/CDSA offences includes only founded, primary scored files that occurred within the Penticton detachment area (excluding Okanagan Falls, Kaleden & Naramata).



Kaleden Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	1	1	0%	1	1	0%	2	2	0%
BREAK & ENTER-BUS	0	0	N/C	0	0	N/C	0	0	N/C
BREAK & ENTER-OTH	1	1	0%	1	1	0%	1	2	100%
BREAK & ENTER-RES	1		-100%	6	0	-100%	1	6	500%
MENTAL HEALTH ACT	1	1	0%	2	1	-50%	2	3	50%
THEFT FROM VEHICLE	3	3	0%	3	3	0%	4	6	50%
CAUSE DISTURBANCE	0	0	N/C	1	0	-100%	0	1	N/C
MISCHIEF-LOSS ENJOYMENT PROP	1	1	0%	0	1	N/C	1	1	0%
PERSONS VIOLENT CRIME (DV)	0	1	N/C	0	1	N/C	0	1	N/C
PERSONS VIOLENT CRIME	0	3	N/C	2	3	50%	0	5	N/C
PROPERTY CRIME	9	11	22%	15	11	-27%	15	26	73%

Naramata Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	1	4	300%	0	4	N/C	1	4	300%
BREAK & ENTER-BUS	0	0	N/C	1	0	-100%	0	1	N/C
BREAK & ENTER-OTH	0	1	N/C	0	1	N/C	3	1	-67%
BREAK & ENTER-RES	0	1	N/C	2	1	-50%	2	3	50%
MENTAL HEALTH ACT	0	4	N/C	2	4	100%	1	6	500%
THEFT FROM VEHICLE	3	10	233%	3	10	233%	7	13	86%
CAUSE DISTURBANCE	0	1	N/C	0	1	N/C	0	1	N/C
MISCHIEF-LOSS ENJOYMENT PROP	1	0	-100%	1	0	-100%	1	1	0%
PERSONS VIOLENT CRIME (DV)	0	0	N/C	0	0	N/C	0	0	N/C
PERSONS VIOLENT CRIME	2	3	50%	2	3	50%	2	5	150%
PROPERTY CRIME	10	26	160%	12	26	117%	24	38	58%

Okanagan Falls Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	3	4	33%	3	4	33%	4	7	75%
BREAK & ENTER-BUS	0	0	N/C	0	0	N/C	0	0	N/C
BREAK & ENTER-OTH	2	0	-100%	1	0	-100%	2	1	-50%
BREAK & ENTER-RES	1	1	0%	2	1	-50%	1	3	200%
MENTAL HEALTH ACT	4	6	50%	2	6	200%	5	8	60%
THEFT FROM VEHICLE	4	5	25%	4	5	25%	13	9	-31%
CAUSE DISTURBANCE	2	7	250%	1	7	600%	4	8	100%
MISCHIEF-LOSS ENJOYMENT PROP	4	3	-25%	1	3	200%	7	4	-43%
PERSONS VIOLENT CRIME (DV)	0	4	N/C	2	4	100%	0	6	N/C
PERSONS VIOLENT CRIME	3	13	333%	12	13	8%	4	25	525%
PROPERTY CRIME	27	34	26%	16	34	113%	47	50	6%

Open Report: 7/8/2019



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada

Summerland Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	10	19	90%	3	19	533%	12	22	83%
BREAK & ENTER-BUS	13	4	-69%	4	4	0%	21	8	-62%
BREAK & ENTER-OTH	3	0	-100%	2	0	-100%	9	2	-78%
BREAK & ENTER-RES	3	5	67%	1	5	400%	9	6	-33%
MENTAL HEALTH ACT	36	33	-8%	27	33	22%	58	60	3%
THEFT FROM VEHICLE	32	21	-34%	26	21	-19%	49	47	-4%
CAUSE DISTURBANCE	12	22	83%	8	22	175%	29	30	3%
MISCHIEF-LOSS ENJOYMENT PROP	2	14	600%	7	14	100%	5	21	320%
PERSONS VIOLENT CRIME (DV)	7	8	14%	7	8	14%	12	15	25%
PERSONS VIOLENT CRIME	35	32	-9%	24	32	33%	53	56	6%
PROPERTY CRIME	136	120	-12%	85	120	41%	227	205	-10%

Summerland Top Ten Calls for Service (YTD)

Top 10 Calls for Service (YTD) - Summerland Detachment	
Initial Call Type	# of Calls
TRAFFIC INCIDENT	164
THEFT	97
ABANDONED 911	77
ASSIST GENERAL PUBLIC	76
ALARM	73
SUSPICIOUS CIRCUMSTANCES	70
ASSIST OTHER AGENCY	62
DISTURBANCE	62
PROPERTY	62
MISCHIEF	41
SUSPICIOUS PERSON	38

Data Qualifiers

Offence data extracted from the Police Records Information Management Environment (PRIME) between 2019-07-08 and 2019-07-10. PRIME data is live and subject to change. All numbers accurate as of the date they were pulled and may not match StatsCanada data that is released annually due to the potential of changes in scoring of files. Dashboards include only founded, primary scored files (except in the case of Mental Health Act files). Data was exported to Excel and collated.

Calls for service data was extracted from the IBM Cognos Calls for Service Dashboard on 2019-07-10. Calls for service data only reflects the initial call type and does not reflect any changes in scoring that may have occurred upon police attendance. Calls for service data excludes duplicate files and files created in error.



Oliver Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	13	26	100%	15	26	73%	30	41	37%
BREAK & ENTER-BUS	6	13	117%	15	13	-13%	12	28	133%
BREAK & ENTER-OTH	5	18	260%	18	18	0%	12	36	200%
BREAK & ENTER-RES	7	9	29%	9	9	0%	24	18	-25%
MENTAL HEALTH ACT	43	40	-7%	22	40	82%	77	62	-19%
THEFT FROM VEHICLE	63	21	-67%	18	21	17%	78	39	-50%
CAUSE DISTURBANCE	21	30	43%	15	30	100%	30	45	50%
MISCHIEF-LOSS ENJOYMENT PROP	2	5	150%	6	5	-17%	3	11	267%
PERSONS VIOLENT CRIME (DV)	3	6	100%	9	6	-33%	7	15	114%
PERSONS VIOLENT CRIME	41	59	44%	84	59	-30%	76	143	88%
PERSONS VIOLENT CRIME (OCC ONLY)	13	19	46%	35	19	-46%	22	54	145%
PROPERTY CRIME	204	188	-8%	145	188	30%	326	333	2%

Oliver Top Ten Calls for Service

Top 10 Calls for Service - Oliver Detachment	
Initial Call Type	# of Calls
ASSIST POLICE/FIRE/AMBULANCE	94
TRAFFIC INCIDENT	79
THEFT	67
ALARM	56
ASSAULT	49
SUSPICIOUS CIRCUMSTANCES	42
ABANDONED 911	41
ASSIST GENERAL PUBLIC	36
PROPERTY	36
SUSPICIOUS PERSON	32

Data Qualifiers

Offence data extracted from the Police Records Information Management Environment (PRIME) between 2019-07-08 and 2019-07-10. PRIME data is live and subject to change. All numbers accurate as of the date they were pulled and may not match StatsCanada data that is released annually due to the potential of changes in scoring of files. Dashboards include only founded, primary scored files (except in the case of Mental Health Act files). Data was exported to Excel and collated.

Calls for service data was extracted from the IBM Cognos Calls for Service Dashboard on 2019-07-10. Calls for service data only reflects the initial call type and does not reflect any changes in scoring that may have occurred upon police attendance. Calls for service data excludes duplicate files and files created in error.



Osoyoos Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	23	12	-48%	11	12	9%	24	23	-4%
BREAK & ENTER-BUS	5	6	20%	10	6	-40%	8	16	100%
BREAK & ENTER-OTH	27	3	-89%	13	3	-77%	40	16	-60%
BREAK & ENTER-RES	7	6	-14%	7	6	-14%	12	13	8%
MENTAL HEALTH ACT	15	12	-20%	13	12	-8%	34	25	-26%
THEFT FROM VEHICLE	18	9	-50%	9	9	0%	26	18	-31%
CAUSE DISTURBANCE	19	17	-11%	18	17	-6%	24	35	46%
MISCHIEF-LOSS ENJOYMENT PROP	7	8	14%	3	8	167%	12	11	-8%
PERSONS VIOLENT CRIME (DV)	2	12	500%	3	12	300%	5	15	200%
PERSONS VIOLENT CRIME	20	28	40%	25	28	12%	31	53	71%
PROPERTY CRIME	176	91	-48%	100	91	-9%	246	191	-22%

Osoyoos Top Ten Calls for Service

Top 10 Calls for Service (YTD) - Osoyoos Detachment	
Initial Call Type	# of Calls
ABANDONED 911	92
TRAFFIC INCIDENT	92
ALARM	89
PROPERTY	76
ASSIST GENERAL PUBLIC	56
THEFT	50
DISTURBANCE	42
SUSPICIOUS CIRCUMSTANCES	42
ASSIST OTHER AGENCY	39
BREAK AND ENTER	39

Data Qualifiers

Offence data extracted from the Police Records Information Management Environment (PRIME) between 2019-07-08 and 2019-07-10. PRIME data is live and subject to change. All numbers accurate as of the date they were pulled and may not match StatsCanada data that is released annually due to the potential of changes in scoring of files. Dashboards include only founded, primary scored files (except in the case of Mental Health Act files). Data was exported to Excel and collated.

Calls for service data was extracted from the IBM Cognos Calls for Service Dashboard on 2019-07-10. Calls for service data only reflects the initial call type and does not reflect any changes in scoring that may have occurred upon police attendance. Calls for service data excludes duplicate files and files created in error.



Keremeos Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	9	5	-44%	3	5	67%	11	8	-27%
BREAK & ENTER-BUS	2	0	-100%	0	0	N/C	3	0	-100%
BREAK & ENTER-OTH	3	1	-67%	0	1	N/C	5	1	-80%
BREAK & ENTER-RES	2	3	50%	2	3	50%	5	5	0%
MENTAL HEALTH ACT	24	13	-46%	27	13	-52%	38	40	5%
THEFT FROM VEHICLE	1	7	600%	3	7	133%	2	10	400%
CAUSE DISTURBANCE	11	9	-18%	4	9	125%	17	13	-24%
MISCHIEF-LOSS ENJOYMENT PROP	3	1	-67%	0	1	N/C	3	1	-67%
PERSONS VIOLENT CRIME (DV)	2	3	50%	3	3	0%	6	6	0%
PERSONS VIOLENT CRIME	16	13	-19%	21	13	-38%	26	34	31%
PROPERTY CRIME	49	50	2%	28	50	79%	81	78	-4%

Keremeos Top Ten Calls for Service

Top 10 Calls for Service (YTD) - Keremeos Detachment	
Initial Call Type	# of Calls
TRAFFIC INCIDENT	84
ABANDONED 911	73
ASSIST GENERAL PUBLIC	70
THEFT	39
ASSIST POLICE/FIRE/AMBULANCE	34
SUSPICIOUS CIRCUMSTANCES	30
ALARM	25
MVI	24
PROPERTY	24
ASSIST OTHER AGENCY	23

Data Qualifiers

Offence data extracted from the Police Records Information Management Environment (PRIME) between 2019-07-08 and 2019-07-10. PRIME data is live and subject to change. All numbers accurate as of the date they were pulled and may not match StatsCanada data that is released annually due to the potential of changes in scoring of files. Dashboards include only founded, primary scored files (except in the case of Mental Health Act files). Data was exported to Excel and collated.

Calls for service data was extracted from the IBM Cognos Calls for Service Dashboard on 2019-07-10. Calls for service data only reflects the initial call type and does not reflect any changes in scoring that may have occurred upon police attendance. Calls for service data excludes duplicate files and files created in error.



Princeton Overall Dash Board (Compstat Tracking)

Offence Type	Q2 2018	Q2 2019	%Change Q2 2018 to Q2 2019	Q1 2019	Q2 2019	% Change Q1 2019 - Q2 2019	Q2 YTD 2018	Q2 YTD 2019	% Change YTD Q2 2018 - YTD Q2 2019
AUTO THEFT	5	2	-60%	2	2	0%	6	4	-33%
BREAK & ENTER-BUS	4	4	0%	3	4	33%	6	7	17%
BREAK & ENTER-OTH	3	3	0%	3	3	0%	11	6	-45%
BREAK & ENTER-RES	9	4	-56%	0	4	#DIV/0!	12	4	-67%
MENTAL HEALTH ACT	34	20	-41%	31	20	-35%	50	51	2%
THEFT FROM VEHICLE	2	11	450%	2	11	450%	6	14	133%
CAUSE DISTURBANCE	18	17	-6%	11	17	55%	22	28	27%
MISCHIEF-LOSS ENJOYMENT PROP	2	1	-50%	0	1	#DIV/0!	3	1	-67%
PERSONS VIOLENT CRIME (DV)	3	5	67%	8	5	-38%	4	13	225%
PERSONS VIOLENT CRIME	17	29	71%	34	29	-15%	28	63	125%
PROPERTY CRIME	67	76	13%	36	76	111%	117	113	-3%

Princeton Top Ten Calls for Service

Top 10 Calls for Service YTD) - Princeton Detachment	
Initial Call Type	# of Calls
MVI	61
ABANDONED 911	57
THEFT	53
DISTURBANCE	49
ASSIST GENERAL PUBLIC	39
ALARM	37
CHECK WELLBEING	37
ASSIST POLICE/FIRE/AMBULANCE	33
HAZARDOUS SITUATION	30
DOMESTIC IN PROGRESS	26
PROPERTY	26

Data Qualifiers

Offence data extracted from the Police Records Information Management Environment (PRIME) between 2019-07-08 and 2019-07-10. PRIME data is live and subject to change. All numbers accurate as of the date they were pulled and may not match StatsCanada data that is released annually due to the potential of changes in scoring of files. Dashboards include only founded, primary scored files (except in the case of Mental Health Act files). Data was exported to Excel and collated.

Calls for service data was extracted from the IBM Cognos Calls for Service Dashboard on 2019-07-10. Calls for service data only reflects the initial call type and does not reflect any changes in scoring that may have occurred upon police attendance. Calls for service data excludes duplicate files and files created in error.

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Operational Statistics

Category	Penticton	Summerland	Oliver	Osoyoos	Keremeos	Princeton	Total
<i>Calls for Service</i>	10352	527	2029	1251	416	1050	15625
<i>Charges Forwarded</i>	153	27	91	25	14	23	333
<i>Federal tickets</i>	0	0	0	0	0	0	0
<i>Total Prisoners</i>	813	0	76	48	12	26	975
<i>PDS Interventions</i>	83	5	18	3	2	3	114
<i>Forensic Identification</i>	82	6	16	7	6	2	119
<i>Operational Overtime</i>	3242.75	412	1022.25	389.25	419.5	533.5	6019.3

Note 1 - Penticton Prisoner count includes Summerland and 50 from Keremeos

Note 2 - PDS files for Penticton include non PSD use and do not include 13 files out of PSOSRD area.

Note 3 - Penticton OT hours do not include provincial hours

Traffic Enforcement

Category	Penticton	Summerland	Oliver	Osoyoos	Keremeos	Princeton	Total
<i>Impaired Operation</i>							
<i>IRP 90 Day</i>	35	9	10	4	2	2	62
<i>IRP Refusal</i>	5	1	0	2	0	0	8
<i>IRP 7 Day Warn</i>	0	0	0	0	0	0	0
<i>IRP 3 Day Warn</i>	10	0	5	1	3	0	19
<i>24 Hour Prohib (alcohol)</i>	6	0	3	2	0	1	12
<i>24 Hour Prohib (drug)</i>	3	0	1	1	0	0	5
<i>Criminal Code</i>	0	0	0	4	1	0	5
<i>Distraacted Driving</i>	13	1	0	0	1	0	15
<i>Violation Ticket</i>	188	69	49	24	36	79	445

Note 1 - Violation Tickets include written warnings and Notice and Orders.

Community Support

Category	Penticton	Summerland	Oliver	Osoyoos	Keremeos	Princeton	Total
<i>Community Forums</i>	17	0	0	0	0	0	17
<i>School Talks</i>	11	5	6	3	10	4	39
<i>Community Events</i>	11	2	14	5	5	3	40
<i>CPTED</i>	9	0	0	0	0	0	9
<i>Restorative Justice</i>	11	0	0	1	0	0	12
<i>RJ Meetings</i>	6	0	0	0	0	0	7
<i>Citizens on Patrol (Hrs)</i>	634	100	677	0	0	0	1411
<i>Speed Watch(Hrs)</i>	46	50	105	0	0	0	201
<i>Lock Out Auto Crime(Hrs)</i>	40	0	0	0	0	0	40
<i>Ambassador Program(Hrs)</i>	36	0	0	0	0	0	36

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Royal Canadian Mounted Police Gendarmerie royale du Canada

Major Investigations

The policing model for PSOSRD is to respond in the first instance to calls for service using General Duty (GD) patrol officers with support from specialized sections as required. Over half of Penticton detachment positions are dedicated to first response, 24 hours a day through a four watch system of six municipal members. All other positions are assigned to operational support roles, although many of these are still front line duties such as Police Dog Services and TEU, who actively engage prolific offenders.

After a file is received, GD patrol members are dispatched for an initial assessment, followed at times by a request for additional support from the Regional General Investigation Section, who handle complex and multi-jurisdictional files. RGIS is currently engaged in the following investigations, each of which takes significant and full time investigation to bring the charge forward to court:

- Three Separate Sudden Death investigations – Police are called to all sudden deaths which occur outside of a hospital or long term care facility. While most of these are determined to be from natural causes, overdose or accident, in some cases the death may appear suspicious to the responding member. In these cases, RGIS will assist. These investigations are handled in every way like a homicide and require that full level of support. In these three investigations, the causal factors were deemed not suspicious, but only after weeks of dedicated work
- Assist Neighboring Jurisdiction – Following a string of violent crimes, three members of RGIS were deployed in mutual support to ensure “front end loading” of their investigations for over two weeks
- Quadruple Homicide, Penticton – On April 15, 2019, John Brittain shot and killed four people in the largest mass shooting in Penticton’s history. This investigation has fully consumed the RGIS section in preparation for court requirements such as disclosure. The investigation was initially front end loaded by over 25 major crime investigators, but is now solely handled by Penticton Detachment
- Child Porn & Exploitation – RGIS is assisting Summerland with a major child exploitation case. Although arried by Summerland, the investigations expertise of RGIS is required
- Eight Child Pornography Investigations - RGIS is actively investigating eight child pornography investigations. These horrific files are incredibly complex and require judicial authorizations, extensive technical forensic study and often require cooperation with international law enforcement. The investigator is often required to review hundreds of shocking photos, so they are closely monitored
- Support Extreme Prolific Offender Investigations – the majority of crime is committed by prolific offenders in our community. In some cases, these offenders have over forty convictions and are extremely violent or prone to flee police, thereby putting the public in danger. Their apprehension often requires days or weeks of surveillance to locate them, as well as judicial authorizations
- Support Drug Investigations – RGIS assists with the development of judicial authorizations to enter drug houses and interdict drug dealing in the community. Each warrant takes days of preparation including surveillance
- RGIS is currently working on three high level fraud investigations. These are complex financial investigations requiring judicial authorizations and significant forensic review



RDOS Community Wildfire Preparedness Program



July 2019

Wildfire Preparedness Program – Provincial History

- Provincially-funded Wildfire Mitigation programs were initiated following the 2003 fire season, when over 334 homes were burned and more than 45,000 people were evacuated.
- The Filmon Report set out measures to prevent a repeat of the extensive damage.
- Key among the measures was to clear out fuel sources that would pose a threat to homes and businesses if set alight.



Wildfire Preparedness Program - Funding

- Planning & educational activities are funded via UBCM's Community Resiliency Investment (CRI) Program (previously SWPI). This work is done by external consultants.
- Operational activities are generally funded via the CRI Program and/or the BC Forest Enhancement Society (FESBC). Again, this work is done by external consultants/contractors.
- Administration of the program is done by RDOS Community Services Dept.





Wildfire Preparedness Program – RDOS History

- **Community Wildfire Protection Plan**
 - Original CWPP prepared in 2005; last update was 2011.
 - Covers all RDOS Electoral Areas.
 - Due to age of CWPP (>5yrs), prescription and treatment funds have not recently been available to RDOS.
- **Mitigation Prescriptions and Treatments: 2010-2018**
 - Prescriptions >\$175k
 - Treatments >\$1.75m
- **Community FireSmart Assessments**
 - 2016 St Andrews
 - 2017 Faulder, Husula Highlands
 - 2018 Kaleden, Twin Lakes, Missezula Lake.



Program Categories - 2019

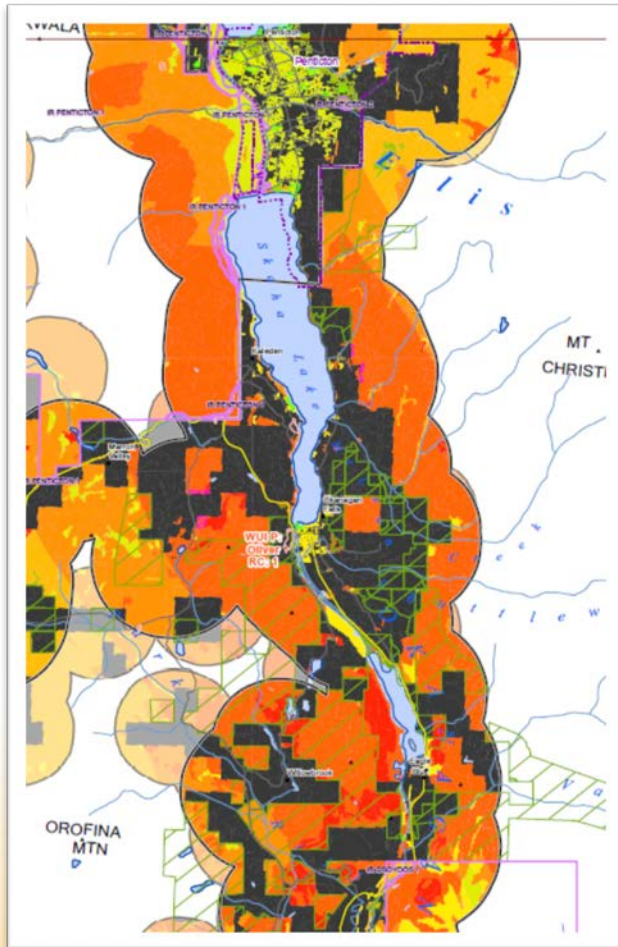
- Available UBCM funding for 2019 - \$100k.
 - Available to municipalities, regional districts and First Nations.
 - Covers consultant costs, incremental staff costs and communications.
 - Does not cover purchase of tools, equipment or machinery.
- UBCM Program Categories Include:
 - Education (i.e. FireSmart)
 - Planning (i.e. CWPP)
 - Development Considerations (i.e. revise OCPs, establish DPAs)
 - Inter-Agency Cooperation
 - Training (local FD and other emergency mgt staff)
 - FireSmart Demo Projects and Activities for Residential Areas
 - Fuel Management (prescriptions and treatments)



RDOS Programs - 2019

- CWPP Update \$60k.
 - Project is being open-tendered (BC Bid).
 - RFP Process; some or all of RDOS Electoral Areas to be updated.
 - Once complete (2020), we will again have access to UBCM funds for mitigation activities (prescriptions and treatments).
- FireSmart Community Assessments \$20k.
 - Heritage Hills/Lakeshore Highlands (Area D, OK Falls).
 - Arawana Subdivision (Area E, Naramata).
 - Tendering completed in June; awarded to BA Blackwell & Associates.
 - Project scheduling under development.
- Interagency Cooperation Initiative. \$20k.
 - Awarded to Frontline Operations Group (Davies Wildfire).
 - The project seeks to establish a Wildfire Protection Planning Table to develop district-level wildfire management goals and objectives.

CWPP: A Risk-Based Approach



- Risk-based planning approach.
- Considers:
 - Values at risk
 - Proximity to WUI
 - Forest Fuel type
 - Fire History
 - Weather
 - Ignition Potential
 - Suppression capability
- Mitigation programs are targeted at areas of highest risk.

FireSmart Community Assessments



Kaleden Fire District

FIRESMART COMMUNITY ASSESSMENT REPORT

Prepared for

KALEDEN FIRESMART BOARD

&

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

January 2019

- Neighborhoods selected based on risk and community interest.
- Professional assessment/evaluation of neighborhoods.
- A local FireSmart Board is typically established.
- Area-specific solutions developed for homes/neighborhoods.
- Potential to be recognized as a FireSmart Community by FireSmart Canada.



RDOS Programs - 2019

Questions?

ADMINISTRATIVE REPORT

TO: Protective Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Second Quarter Activity Report – For Information Only

Emergency Management, Policing, E-911

Activities Completed in Q2 2019:

- Continued to implement 2018 EOC after Action Report recommendations.
- Maintained activation of the RDOS Emergency Operations Centre (EOC) to support the recovery process for widespread flooding throughout the District from 2018.
- Continued discussions with the Province on flood relief for residents.
- Carried out upgrades to the E-911 emergency telecommunications network.
- Completed the construction of the Emergency Operations Centre Trailer
- Completed the construction of the new RDOS Emergency Operations Centre
- Presented at various community emergency preparedness events (8)
- Hosted over 10 Emergency Management training seminars to RDOS and municipal partners
- Conducted 6 community emergency preparedness presentations.
- Participated in the Southern Interior Local Government Association annual conference– Emergency Preparedness booth.
- Conducted EOC Lunch and Learns for RDOS Staff.
- Conducted various Emergency Operations Centre tours and open houses
- Received CEPF and NDMP flood mitigation grants
- Audit of excess emergency telecommunications equipment
- Completed the development of a EOC contractor/supplier list within communities.
- Continued enhancement of community partnerships (contractors, businesses, emergency services) for business continuity and EOC support during emergencies.
- Continue work on FireSmart activities under UBCM’s Community Resiliency Investment program. Tender and award projects for Community FireSmart Assessments in Areas D and E.
- Developed Emergency Evacuation Application for RCMP, SAR, Fire

Planned Activities for Q3 2019:

- Continue to support the communities effected by flooding through the Regional EOC.
- Continue to support emergency planning efforts within the Regional District.
- Maintain activation of the RDOS Emergency Operations Centre (EOC) to support responses
- Finalize the 2019 Regional Emergency Preparedness training schedule.
- Re-establish E-911 faults mapping system with Inter-mapper.
- Commence work on the Emergency Program Bylaw amendments.
- Implementation of the Regional Emergency Preparedness Committee
- Continued enhancement of community partnerships (contractors, businesses, emergency services) for business continuity and EOC support during emergencies.
- Continue work on FireSmart activities under UBCM's Community Resiliency Investment program. Tender and award project for updates to the RDOS Community Wildfire Protection Plan.
- Update Emergency Support Services procedures for ESS volunteers
- Update Kelowna Fire Dispatch Operational Guidelines and procedures
- Re-establish Emergency Communications Committee
- Test and implement Emergency Evacuation system with Penticton Search And Rescue and Oliver Osoyoos Search and Rescue, RCMP and Fire Departments during 2019 wildfire season
- Coordinate After Action meeting in September 2019

Respectfully submitted:

Mark Woods

M. Woods, General Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, July 18, 2019

12:15 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

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

B. Second Quarter Activity Report

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Second Quarter Activity Report – For Information Only

ACTIVITIES COMPLETED IN Q2 2019:

SOLID WASTE

- Campbell Mountain Landfill Bio cover Pilot – Final report was reviewed by the Ministry of Environment and have requested additional content to the report. This work is currently underway with a completion of the updated report expected in Q2 when it will be resubmitted to the Province.
- Campbell Mountain Landfill Drainage and Leachate – Leachate extraction well pump has been undergoing pump tests to observe the well yield and any impact on the surrounding monitoring wells. Data is being collected to be used in the Phase 2 of the overall project to determine treatment needs and any additional extraction well requirements.
- Campbell Mountain Landfill Entrance/Exit review – RFP was completed and consultant has been selected to look at the current configuration of the entrance and exit of the landfill.
- Campbell Mountain Landfill Spiller Road Drainage – Reviewed initial report prepared by the City of Penticton and requested scope changes to incorporate missing sections for drainage planning. Waiting for revised report.
- Keremeos Landfill Closure Plan – Closure plan not approved by the Ministry of Environment. The MoE requires additional studies before issuing approval, which are underway and will be completed in Q2.
- Oliver Landfill scale house and scale replacement – RFP was released and selection of consultant is completed.
- Keremeos Transfer Station scale house replacement – RFP was released and selection of consultant is completed.
- Apex Waste Transfer Station – Building acquisition occurred during Q1. The tendering for all the civil site work and building construction is completed and construction has commenced. Tendering of maintenance and hauling contracts will commence in Q3.
- A large chipping tender for the Campbell Mountain, Oliver, Okanagan Falls Landfills and Keremeos Transfer station has been completed.
- Nuisance study at the Campbell Mountain Landfill was completed and presented to the Board. The study determine impacts of the landfill and the Penticton Bio solid composting facility on neighbouring properties.
- Staff have completed the first in a series of presentations on composting in order to pursue a direction. The first presentation, was designed to be informational and introduce a series

of option. The next presentation will be designed to focus on these options with the intent of setting a direction.

WATER

- Regional Water Regulation Bylaw – The bylaw was passed and adopted. Educational materials are being produced and distributed to the communities and our website.
- Cross Connection Control Bylaw – The draft was reviewed and revisions are being made after first review by staff. Draft bylaw has been sent out for a legal review.
- Missezula Lake Water Works District – resolution from the waterworks district received. Water system technical assessment report completed. A financial plan was developed and presented at the AGM on May 19th. Residents voted on whether they wished to become part of the RDOS and to borrow up to \$1.5M to build upgrades required to meet Provincial regulation. The vote passed with 81% in favour.
- Willowbrook Water System. Environmental Quality Program was submitted for a chlorine contact system.
- Loose Bay water system has been declassified as a water system reducing costs, the level of testing, the number of water reports required, and level of effort requirement to manage the system.

SEWER

- Skaha Estates Sewer Expansion – Waiting for another infrastructure grant program to prepare an application.
- Kaleden Sewer Expansion – reallocation of \$6.6M grant funds was confirmed. EOI/RFQ was released to provide a shortlist of consultants to prepare the full proposal for the project. Proposals are currently being developed by the shortlisted consultants.
- OK Falls Constructed Wetland Project –Tender and specification package compilation completed and released. Project will be awarded in early Q3. Construction is anticipated to occur October – December 2019.
- OK Falls Waste Water Treatment Plant Solids Dewatering Project – Detailed design underway. Construction expected to begin in Q3.

OTHER PROJECTS/PROGRAMS

- Utility Acquisition Policy is nearing completion. A series of workshops with staff and then the Board will be scheduled shortly.
- Asset Management – Providing a supporting role to Finance. Workshops with staff were carried out and information was provided to the consultant.
- Chute Lake Dam. A method of transferring water licenses to the Regional District will need to be determined.
- Mosquito program – continuing with treatments and aerial flights

-
- CARIP reporting completed and submitted to the Province to meet the BC Climate Action Plan.
 - Building Climate Resilience in the Okanagan book was completed and presented to the public. It has received extremely positive feedback.

ACTIVITIES PLANNED FOR Q3 2019:

SOLID WASTE

- Campbell Mountain Landfill Bio cover Pilot – Wait for response from Ministry of Environment from the revised report and then submit the formal substituted requirements application of the Landfill Gas Regulation.
- Campbell Mountain Landfill Leachate – Leachate extraction well pump data will be analysed and determination of additional extraction well locations will be determined. Additional wells will be installed.
- Campbell Mountain Landfill Spiller Road Drainage – Review revised report and discuss options with the City for proceeding with detailed design of upgrades.
- Campbell Mountain Landfill Entrance/Exit review – Consultant will prepare different access/egress options for traffic at and within the landfill for consideration.
- Keremeos Landfill Closure Plan – Meeting with the MOE to be carried out. Upon MOE approval, the final closure plan to be detailed out and prepared for construction.
- Apex Waste Transfer Station – Construction will occur and be carried into Q4. The transfer station will open to the public in Q4. RFPs for maintenance, operation and hauling services will be issued and awarded.
- Oliver Landfill scale house and scale replacement – Consultant will prepare documents for acquisition of the scale and scalehouse as well as retaining a general contractor. Acquisition of equipment will begin and contractor will be retained.
- Keremeos Transfer Station scale house replacement – Requirements will be detailed out as part of the Oliver landfill scale house and scale replacement project for relocating the existing Oliver scale house to the transfer station. Contractor will be retained.
- A composting siting study will commence if approved by the Board.
- Renew Princeton Landfill Agreement.

WATER

- Cross Connection Control Bylaw – The draft of the bylaw will undergo legal review and be brought to the Board for initial readings.
- Missezula Lake Water Works District. Conversion process begins with Province through Legislative Services.
- Utility Acquisition Policy – Bring forward to board in Q3 in a draft to the Environmental Committee, then to the Board for Approval
- RFP will be issued for Source Water Protection Plan – IHA requirement to assess water source risks for Naramata water system.

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

SEWER

- Kaleden Sewer Expansion – Receive proposals from shortlisted consultants. Prepare for and award to a consultant to complete this work.
- OK Falls Constructed Wetland Project – Release tender and award contract in preparation for Q4 construction.
- OK Falls Waste Water Treatment Plant Solids Dewatering Project – Complete detailed design and release tender package.

OTHER PROJECTS/PROGRAMS

- Asset Management – Continue to provide a supporting role to Finance.
- Mosquito Program – Continuing treatments and inspections as waters rise and stagnate

Respectfully submitted:

Neil Webb

N. Webb, General Manager of Public Works



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, July 18, 2019

1:00 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

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

1. Consent Agenda – Corporate Issues

a. Electoral Area “C” Advisory Planning Commission – June 18, 2019

THAT the Minutes of the June 18, 2019 Electoral Area “C” Advisory Planning Commission meeting be received.

b. Electoral Area “I” Advisory Planning Commission – June 19, 2019

THAT the Minutes of the June 19, 2019 Electoral Area “I” Advisory Planning Commission meeting be received.

c. Naramata Parks & Recreation Commission – June 24, 2019

THAT the Minutes of the June 24, 2019 Naramata Parks & Recreation Commission meeting be received.

d. Corporate Services Committee – July 4, 2019

THAT the Minutes of the July 4, 2019 Corporate Services Committee meeting be received.

THAT the RDOS support the Private Member’s Bill C-447.

e. Environment and Infrastructure Committee – July 4, 2019

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

THAT Committee move the Water and Sewer Utility Acquisition Policy forward to

f. RDOS Regular Board Meeting – July 4, 2019

THAT the minutes of the July 4, 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 Application — Electoral Area “C”
 - i. Permit
 - ii. Representations

THAT the Board of Directors approve Temporary Use Permit No. C2019.002-TUP.

- b. Development Variance Permit Application — Electoral Area “E”.
 - i. Permit
 - ii. Representations

THAT the Board of Directors approve Development Variance Permit No. E2019.005-DVP.

- c. Development Variance Permit Application — Electoral Area “I”
 - i. Permit

THAT the Board of Directors approve Development Variance Permit No. I2019.011-DVP.

- d. Electoral Area Advisory Planning Commissions — 2019 Meeting Schedule Amendment

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

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

B. DELEGATIONS

1. **South Okanagan Performing Arts Centre Society (SOPAC)**
 - a. Request to Appear as a Delegation Form

RECOMMENDATION 4 (Weighted Corporate Vote –Majority)

THAT the Regional District of Okanagan-Similkameen provide funding in the amount of \$5,000 to SOPAC for a visioning workshop to be held in the Fall of 2019.

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. **Agricultural Land Commission Referral (Non-Farm Use) – Electoral Area “C”**
 - a. Petition

To allow a vehicle rental business as a permitted use on part of the subject property

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

THAT the Regional District not “authorize” the application to operate a vehicle rental business as a “non-farm use” on part of the property at 5693 Sawmill Road in Electoral Area “C” to proceed to the Agricultural Land Commission.

2. Development Variance Permit Application — Electoral Area “I”

a. Permit

To allow for a lot line adjustment between three existing parcels.

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors deny Development Variance Permit No. I2019.014-DVP

3. OCP & Zoning Bylaw Amendment and ALC Application – Electoral Area “C”

a. Bylaw No. 2451.21

b. Bylaw No. 2453.36

c. Public Hearing Report – July 3, 2019

d. Responses Received

To allow for the construction of a winery.

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

THAT the public hearing report of July 3, 2019 be received; and

THAT the Board considers the public process, as outlined in the report from the Chief Administrative Officer dated July 18th, 2019, to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*.

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

THAT, in accordance with Section 882 of the *Local Government Act*, the Board has considered Bylaw No. No. 2452.21, 2019, in conjunction with its Financial and applicable Waste Management Plans.

RECOMMENDATION 9 (Unweighted Rural Vote – 2/3)

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 third time and adopted; and further,

THAT the RDOS Board “authorize” the application to allow a Non-Farm Use to allow for a winery on a 1.39 hectare parcel of land located at 793 Serest Hill Road, Oliver, (Lot 1, DL 2450s, SDYD, Plan KAP31678), to proceed to the Agricultural Land Commission

D. PUBLIC WORKS**1. Award of Business Waste Education Provider**

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

THAT the Board of Directors enter into a consulting services agreement with GreenStep Solutions for \$70,000 for Business Waste Education Provider for 2019 and 2020.

2. Net Zero Waste Grant Application Agreement

RECOMMENDATION 11 (Weighted Corporate Vote - Majority)

THAT the Board of Directors enter into agreement with Net Zero Waste for the RDOS application for \$4,000,000 in grant funds from the Organics Infrastructure Program.

3. Apex Mountain Waste Transfer Station Regulation Bylaw No. 2864,2019 and Bylaw Notice Enforcement Amendment Bylaw 2507.10, 2019

- a. Bylaw No. 2864, 2019
- b. Bylaw No. 2507.10, 2019

RECOMMENDATION 12 (Unweighted Corporate Vote – 2/3)

THAT Bylaw No. 2864, 2019 Apex Mountain Waste Transfer Station Regulation Bylaw be read a first, second and third time and adopted;

AND THAT Bylaw No. 2507.10, 2019 Bylaw Notice Enforcement Amendment Bylaw be read a first, second and third time and adopted

E. LEGISLATIVE SERVICES

1. Osoyoos Rural Water District Service Extraterritorial Agreement

- a. Extraterritorial Agreement
- b. Bylaw No. 1353
- c. July 2, 2019 Town of Osoyoos staff report

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors consent to the provisions contained within Town of Osoyoos Rural Water District Service Authorization Bylaw No. 1353, 2019 and enter into an extraterritorial agreement with the Town of Osoyoos for the provision of water services to those properties within the Electoral Area “A” boundaries of Water Systems 8 and 9.

2. Electoral Area “D” Economic Development Service / Areas “D” and “I” Community Office Public Engagement

- a. Consultant Report

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors support the withdrawal of Electoral Area “I” from Economic Development Service Establishment Bylaw No. 2447, 2008.

3. Declaration of State of Local Emergency Approval

RECOMMENDATION 15 (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 14 June 2019, at midnight for a further seven days to 21 June, at midnight; and further,

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 21 June 2019, at midnight for a further seven days to 28 June, at midnight; and further,

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 28 June 2019, at midnight for a further seven days to 05 July, at midnight; and further,

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 05 July 2019, at midnight for a further seven days to 12 July, at midnight; and further,

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 12 July 2019, at midnight for a further seven days to 19 July, at midnight.

4. RDOS Fees and Charges Bylaw No. 2848, 2019

- a. Bylaw No. 2848.01

RECOMMENDATION 16 (Unweighted Corporate Vote – 2/3)

THAT Bylaw No. 2848.01, 2019 Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw be read a first, second and third time and be adopted.

5. RDOS Policy

- a. Landfill Customer Accounts Policy
- b. Water & Sewer Utility Acquisition Policy

These policies were introduced and reviewed at the Corporate and Environment Committees on July 4, 2019. Both committees resolved to advance the policies to the Board for adoption.

RECOMMENDATION 17 (Unweighted Corporate Vote)**THAT the Landfill Customer Accounts Policy and the Utility Acquisition Policy be adopted.**

F. CAO REPORTS**1. Verbal Update**

G. 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)*
 - 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. Okanagan-Similkameen Regional Hospital District – *Veintimilla, Boot (Alternate)*
 - m. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - n. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
 - o. UBCO Water Research - Chair Advisory Committee – *Holmes, Bauer (Alternate)*
-

3. Directors Motions

4. Board Members Verbal Update

H. ADJOURNMENT



Minutes

Electoral Area 'C' Advisory Planning Commission

Meeting of: *Tuesday, June 18, 2019*

Community Centre, Oliver BC

Present:

Members:

Rick Knodel, Director, Electoral Area 'C'

Sara Bunge, Chair

Jessica Murphy

Ed Machial

Jack Bennest

Absent:

Terry Schafer, Alternate Director, Electoral Area "C"

Randy Houle, Vice-Chair (Resigned)

Louise Conant

David Janzen

Staff:

JoAnn Peachey – RDOS Planner I

Cory Labreque, RDOS Planner II

Sofia Cerqueira, Recording Secretary

Delegates:

John & Maria Ferreira

Matt Lebedoff & Slava

1. CALL TO ORDER

The meeting was called to order at 7:05p.m.

ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the elections for a new vice-chair be conducted be added to the Agenda. Agenda was adopted with amendments.

CARRIED

2. DELEGATIONS

- 2.1 Ferreira, John and Maria for Temporary Use Permit Application
C06575.100/ C2019.0002-TUP
- 2.2 Mark Anthony Group Inc. for Development Variance Permit Application
Agent: Lebedoff, Matt
C06577.100/ C2019.012- DVP

3. DEVELOPMENT APPLICATIONS

- 3.1 C06575.100 / C2019.002 – TUP – Temporary Use Permit Application
Administrative Report submitted by JoAnn Peachey, Planner I

MOTION

THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved

CARRIED

- 3.2 C06577.100/ C2019.012- DVP – Development Variance Permit Application
Administrative Report submitted by JoAnn Peachy, Planner I

MOTION

That the APC recommends to the RDOS Board of Directors that the subject development application be denied.

CARRIED

4. Administration

- 4.1 Due to the resignation of the current Vice-Chair Randy Houle, a new election was held to fill the vacant position.

MOTION

THAT the APC board appointed Ed Machial to the position of APC Area C Vice-Chair

CARRIED

5. Adjournment

MOTION

It was Moved and Seconded that the meeting be adjourned at 8:35pm.

CARRIED

Sara Bunge

Advisory Planning Commission Chair

Sofia Cerqueira

Recording Secretary



MINUTES

Naramata Parks & Recreation Commission

Monday June 24, 2019 at 6:30 p.m.
Naramata Fire Hall

Members Present:	Dennis Smith (Chair), Jeff Gagnon, Maureen Balcaen, Nicole Verpaelst, Bob Coulter, Jacqueline Duncan, Lyle Resh, Richard Roskell
Absent:	Adrienne Fedrigo (NPR Recreation Coordinator)
Area 'E' Director	Karla Kozakevich (RDOS Area 'E' Director)
Staff & Contractors:	Heather Lemieux (Recording Secretary)
Guests:	None
Delegations:	Anna Wolleben (Naramata Parent Advisory Council)

1. Approval of Agenda – Quorum present

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Naramata Parks & Recreation Meeting of June 24, 2019 be adopted as presented and all presentations and reports be received.

CARRIED

2. Approval of Last Meeting Minutes – May 27, 2019

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for the Naramata Parks & Recreation Meeting of May 27, 2019 be adopted as presented.

CARRIED

3. Correspondence/Delegations

- 3.1. Anna Wolleben, Treasurer, Naramata Parent Advisory Council – Grant report distributed, discussed grant expenditures. The PAC is requesting a \$7,000 recreation grant for 2020, which is the same amount that was approved in 2019.



MINUTES

Naramata Parks & Recreation Commission

Monday June 24, 2019 at 6:30 p.m.
Naramata Fire Hall

4. RDOS Director Report – Karla Kozakevich reported:

- 4.1. **Spirit Park** – A thank you event is being planned to honour volunteers and community members who have contributed to Spirit Park.
- 4.2. **Septic System Proposal** – A value comparison is being prepared. Engineer plans will be reviewed. A public meeting is being planned in summer 2019.
- 4.3. **Boat Storage** – Planning is ongoing. A meeting will be held soon. Site clean-up planning is ongoing.
- 4.4. **Regional Trails** – Discussed a study by TOTA on regional trail connectivity, Chute Lake Lodge bypass and a recommendation to repair Chute Lake Road at the lodge.

ACTION – Justin Shuttleworth requested to provide an update about Trail Consultant for Creek Park.

ACTION – Doug Reeve requested to provide an update on the Manitou Park walking path and washroom project.

5. RDOS Staff Reports – Staff absent. Discussed Wharf Park and Spirit Park irrigation repairs needed. Water fountain in Manitou Park needs to be fixed.

ACTION – Justin Shuttleworth to fix the water fountain at Manitou Park and the irrigation at Spirit and Wharf Parks.

6. Recreation Coordinator Report – Adrienne Fedrigo (NPR Recreation Coordinator) report submitted.

- 6.1. Summer Recreation Guide has been released. Canada Day Street Party being held.
-

7. Commission Member Reports

- 7.1. **Woodwackers Report** – Lyle Resh presented a verbal report. A few areas along the KVR have sand traps. Trail usage is very good. Brush clearing is ongoing.

Discussed moving a few port-o-potties from Manitou Park for relocation to the Little Tunnel and at the Arawana staging area. Discussed “bell or yell” signs to increase safety.



MINUTES

Naramata Parks & Recreation Commission

Monday June 24, 2019 at 6:30 p.m.
Naramata Fire Hall

8. Business Arising

8.1. **Farm Workers Dinner** – The annual farm workers dinner will be held on July 13, 2019 at the Naramata Church.

8.2. **Goose Management** – Discussed floats, spinners and preventive measures in partnership with the Yacht Club. There has been less geese this year.

ACTION – Maureen Balcaen to contact the Yacht Club about goose management partnership.

8.3. **Parks Contractor Liaison** – NPR members asked to volunteer for the liaison position with the Parks Contractor. Maureen Balcaen volunteered.

ACTION – Maureen Balcaen to check with Jordan Taylor, Parks Maintenance Contractor, for goose management kites etc.

8.4. **Year to Date Budget Analysis** – A budget analysis was sent to NPR members to review.

9. Adjournment – 8:03 p.m.

NEXT MEETING: Next NPR Meeting
Last Monday of July – July 29, 2019 at 6:30 p.m.
Naramata Fire Hall

Recreation Commission, Dennis Smith

Recording Secretary, Heather Lemieux



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, July 4, 2019
9:49 a.m.

MINUTES

MEMBERS PRESENT:

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

MEMBERS ABSENT:

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Corporate Services Committee Meeting of July 4, 2019 be adopted. - **CARRIED**

-
- B. Delegation – Capri Insurance
Paula Garrecht, Partner and Commercial Risk Advisor, provided an overview of services provided to the Regional District by Capri Insurance.

-
- C. Legislative Structure – For Information Only
1. Administrative Report

Director Veintimilla entered the Boardroom at 10:39 a.m.

-
- D.** Enterprise Risk Management Report – For Information Only
1. Enterprise Risk Management Plan
 2. Registry
-

- E.** Request for Support for Bill C-447
1. Letter from MP Albas

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the RDOS support the Private Member's Bill C-447. - **CARRIED**

- F.** Landfill Customer Accounts Policy
1. Draft Landfill Customer Accounts Policy

RECOMMENDATION 3

It was MOVED and SECONDED

THAT the Committee send the Landfill Customer Accounts Policy to the Board of Directors for adoption. - **CARRIED**

Director Vassilaki entered the Boardroom at 11:30 a.m.

- G.** UBCM 2019 – Minister Appointments
1. Proposed Resolution – Rural Practice Subsidy Formula

To identify the issues the Board of Directors would like to pursue with Ministers of the Crown at the UBCM Conference September 23 – 27, 2019 at the Vancouver Convention Centre.

The Province has advised local governments that the Premier and his cabinet will be available at the 2019 UBCM Conference for meetings. The deadline for submitting meeting requests is identified as July 17th. The following suggestions have been submitted for the Board's consideration and a recommendation should be submitted directly to the Board Agenda for later this afternoon to make the deadline.

The opportunities for meetings directly with Ministers is used typically by a local government to advocate for a Board-endorsed position on a specific issue. The Minister will expect a pre-meeting briefing note to be submitted, that the presentations will be well organized and an efficient use of the Ministers time. Not all meeting requests are granted.

Suggestions Received

Minister Robinson - Municipal Affairs and Housing	<ul style="list-style-type: none"> • Irrigation/Improvement District funding (SM) • Options on new funding streams <ul style="list-style-type: none"> - Housing for OK Falls • Incorporation for Okanagan Falls
Minister Donaldson - Forests, Lands & Natural Resources	<ul style="list-style-type: none"> • OBWB Milfoil Program Milfoil vs mussels - Min • Chain Lake Dam • Aster on Christie Memorial • FLNRO permits for the restoration creek bed depth and culverts change to regulatory • Forestry around Apex • Conservation and mixed use – modify cutting practices in mixed use, watershed, consultation with user groups – request for review of FMP/A - Staff
Minister Heyman - Environment	<ul style="list-style-type: none"> • Single Use Plastics • National Park consultation and negotiations to include Areas A, B, C, and G
Minister Dix - Health	<ul style="list-style-type: none"> • Physician Recruitment & Retention • Rural Practice Subsidy Formula (RG) staff • Princeton, Okanagan Falls Space
Minister Beare - Tourism, Arts & Culture	<ul style="list-style-type: none"> • Support for local rural economic development - support towards Tourist info (SM)
Minister Trevena - Transportation & Infrastructure	<ul style="list-style-type: none"> • funding for updates Infrastructure at Hwy 3A/97 junction (SM) • sport bicycles on narrow agricultural roads Signage, license fees and penalty fines. Potential bans – (RK) • road right of way maintenance – (RK) • safety access for emergency vehicles – • 77 of LTA Delegation of Subdivision • Safety on highway between Penticton / Summerland - staff
Minister Mungall - Energy, Mines & Petroleum	<ul style="list-style-type: none"> • Garnet Mine (SM) inclusion in consultation - staff
Minister Fleming - Education	<ul style="list-style-type: none"> • Libraries / homeless, free access to resources • Disability outreach, peer support Roberts to be part of
Minister Farnworth – Public Safety and Solicitor	<ul style="list-style-type: none"> • community gas tax for rural volunteer/on call fire department • funding rural fire departments (SM)

It was MOVED and SECONDED

THAT the UBCM meeting requests be supported. - **CARRIED**

H. ADJOURNMENT

By consensus, the Corporate Services Committee meeting adjourned at 12:52 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN Environment and Infrastructure Committee

Thursday, July 4, 2019
902 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

MEMBERS ABSENT:

Director P. Veintimilla, Town of Oliver

STAFF PRESENT:

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

A. Reeder, Manager of Operations

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

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

Director Vassilaki vacated the Boardroom at 9:15 a.m.

B. Water and Sewer Utility Acquisition Policy

1. Water and Sewer Utility Acquisition Policy and Agreement

RECOMMENDATION 2

It was MOVED and SECONDED

THAT Committee move the Water and Sewer Utility Acquisition Policy forward to the Board at their meeting of 18 July 2019. - **CARRIED**

C. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting adjourned at 9:48 a.m.

APPROVED:

CERTIFIED CORRECT:

G. Bush
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 1:03 p.m. Thursday, July 4, 2019 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer	B. Dollevoet, Gen. Manager of Development Services
C. Malden, Manager of Legislative Services	J. Kurvink, Manager of Finance
J. Shuttleworth, Manager of Parks and Facilities	L. Bloomfield, Manager of Engineering

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 July 4, 2019 be adopted. - **CARRIED**

1. Consent Agenda – Corporate Issues

a. Okanagan Falls Parks and Recreation Commission – April 11, 2019

THAT the Minutes of the April 11, 2019 Okanagan Falls Parks and Recreation Commission meeting be received.

The Commission would like staff to look into the following matters:

- Okanagan Falls Park Master Plan
- License of Occupation for Boat launch

b. Okanagan Falls Parks and Recreation Commission – May 9, 2019

THAT the Minutes of the May 9, 2019 Okanagan Falls Parks and Recreation Commission meeting be received.

The Commission would like staff to look into the following matters:

- KVR trestle signage

- Temporary park vendors
- c. Okanagan Falls Parks and Recreation Commission – June 13, 2019
THAT the Minutes of the June 13, 2019 Okanagan Falls Parks and Recreation Commission meeting be received.
- d. Similkameen Recreation Commission – June 4, 2019
THAT the Minutes of the June 4, 2019 Similkameen Recreation Commission meeting be received.
- e. Kaleden Parks and Recreation Commission – June 12, 2019
THAT the Minutes of the June 12, 2019 Similkameen Recreation Commission meeting be received.
- f. Electoral Area “F” Advisory Planning Commission – May 8, 2019
THAT the Minutes of the May 8, 2019 Electoral Area “F” Advisory Planning Commission meeting be received.
- g. Electoral Area “F” Advisory Planning Commission – June 5, 2019
THAT the Minutes of the June 5, 2019 Electoral Area “F” Advisory Planning Commission meeting be received.
- h. Community Services Committee – June 20, 2019
THAT the Minutes of the June 20, 2019 Community Services Committee meeting be received.

THAT the Board of Directors refer the 2019 Thompson Okanagan Tourism Association’s Kettle Valley Rail Trail Master Plan to administration for report and recommendation to the Board.
- i. Environment and Infrastructure Committee – June 20, 2019
THAT the Minutes of the June 20, 2019 Environment and Infrastructure Committee meeting be received.

THAT the RDOS Board of Directors express their support to the Province and Federal governments for a single use plastics ban.
- j. Protective Services Committee – May 9, 2019
THAT the Minutes of the May 9, 2019 Protective Services Committee meeting be received.
- k. Protective Services Committee – June 20, 2019
THAT the Minutes of the June 20, 2019 Protective Services Committee meeting be received.
- l. RDOS Regular Board Meeting – June 20, 2019
THAT the minutes of the June 20, 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. - **CARRIED**

B. DEVELOPMENT SERVICES**1. Development Services Process Tracking Software**

To seek the Board's approval of the award of the Development Services Tracking Software.

RECOMMENDATION 3 (Weighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the RDOS award the contract to supply Process Tracking Software and consulting services for the Development Services Dept. to Avocette Technologies Inc. for up to \$292,651.00. - **CARRIED**

C. PUBLIC WORKS**1. Okanagan Falls Wastewater Treatment Plant Constructed Wetland Tender Award**
a. Tender Award Recommendation

To approve the award of construction to a contractor to complete the Constructed Wetland at the Okanagan Falls Wastewater Treatment Plant.

RECOMMENDATION 4 (Weighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors receive the June 21, 2019 Award Recommendation Report for the "Okanagan Falls Constructed Wetland" tender from Native Plant Solutions – Ducks Unlimited Canada; and

THAT the Regional District award the "Okanagan Falls Constructed Wetland" project to H&M Excavating Ltd. in the amount of \$383,701 plus applicable taxes.

CARRIED

D. COMMUNITY SERVICES – Recreation Services**1. Okanagan Falls KVR Trail Trestle**

[Email received](#)

The Okanagan Falls Trestle was closed for jumping/diving following an assessment by Risk Management Services (RMS) commissioned by MIABC. Subsequent to that, at their meeting of May 9, 2019 the Okanagan Falls Parks and Recreation Commission adopted the following recommendation to the Board:

"That the RDOS change signage to permit walking on or jumping off at your own risk, that the ladders be upgraded possibly by community members and that a proper self closing gate be added" to the KVR trail trestle in Okanagan Falls".

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

That the RDOS support the May 9, 2019 Okanagan Falls Parks and Recreation Commission motion to re-open the trestle for jumping/diving; that being as amended

"That the RDOS change signage to permit walking on or jumping off at your own risk, that the ladders be upgraded and that a proper self closing gate be added" to the KVR trail trestle in Okanagan Falls".

It was MOVED and SECONDED

THAT the motion be amended to change "jumping/diving" to "public recreation" in the first paragraph - **CARRIED**

Opposed: Directors B. Coyne, S. Coyne, Veintimilla

QUESTION ON THE MAIN

That the RDOS support the May 9, 2019 Okanagan Falls Parks and Recreation Commission motion to re-open the trestle for public recreation; that being as amended

"That the RDOS change signage to permit walking on or jumping off at your own risk, that the ladders be upgraded and that a proper self closing gate be added" to the KVR trail trestle in Okanagan Falls".

CARRIED

Opposed: Directors B. Coyne, S. Coyne, McKortoff

E. FINANCE

1. Area I Community Works (Gas Tax) Reserve Bylaws
 - a. Bylaw No. 2865
 - b. Bylaw No. 2860

RECOMMENDATION 6 (Unweighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Regional District Okanagan-Similkameen Electoral Area “I” Community Works Program (Gas Tax) Reserve Fund Establishment Bylaw No. 2865, 2019 be read a first, second and third time and be adopted. - **CARRIED**

RECOMMENDATION 7 (Weighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT “Electoral Area “I” Community Works Program Reserve Fund Expenditure Bylaw No. 2860, 2019 being a bylaw of the Regional District of Okanagan Similkameen to authorize the expenditure of up to \$20,000 from the Electoral Area “I” Community Works Program Reserve Fund for the completion of the KVR trail project be read a first, second and third time and be adopted. - **CARRIED**

-
2. 2018 Statement of Financial Information
 - a. Statement of Financial Information

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors approve the Regional District of Okanagan-Similkameen Statement of Financial Information for the year ended December 31, 2018 pursuant to the *Financial Information Act* Financial Information Regulation Schedule 1, subsection 9(2). - **CARRIED**

F. LEGISLATIVE SERVICES

1. Kaleden Parks and Recreation Commission Appointments

To appoint two new community volunteer members to the Kaleden Parks and Recreation Commission

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

THAT the Board of Directors appoint Margaret O’Brien and Dave Gill as members of the Kaleden Parks and Recreation Commission for a two year term, ending December 31, 2020. - **CARRIED**

2. C2C Forum in October 2019

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors support the proposal to host a Community to Community (C2C) forum in October 2019 with the Penticton Indian Band (PIB), Osoyoos Indian Band (OIB), Lower Similkameen Indian Band (LSIB) and Upper Similkameen Indian Band (USIB). - **CARRIED**

3. Appointment of Animal Control Officer

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District of Okanagan-Similkameen Board appoint Wayne Belleville, of South Okanagan Security Services Ltd., as an Animal Control Officer for the purposes of enforcing the RDOS Animal Control Bylaw 2763 and the RDOS Dog Control Bylaw No. 2671. - **CARRIED**

4. Request for Letter of Support – Okanagan Falls Legion

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District offer their support to Royal Canadian Legion, Branch 227, for a New Horizons Grant to upgrade the patio. - **CARRIED**

G. CAO REPORTS

1. Verbal Update

H. OTHER BUSINESS

1. Chair's Report

2. Directors Motions

Director Knodel – Park Rill Study

It was MOVED and SECONDED

THAT the Park Rill study be released. - **CARRIED**

Sustainability Coordinator

Director Roberts requested that Administration explore the feasibility of a Sustainability Coordinator position at 2020 budget.

3. Board Members Verbal Update

I. ADJOURNMENT

By consensus, the meeting adjourned at 2:37 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: July 18, 2019
RE: Temporary Use Permit Application — Electoral Area “C”

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. C2019.002-TUP.

Purpose: To allow for the operation of a tourist accommodation use.

Owners: John and Maria Ferreira Agent: N/A Folio: C-06575.100

Civic: 7315 Tuc-el-Nuit Drive Legal: Lot 2, Plan 32084, District Lot 2450S, SDYD

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

Proposed Development:

This application seeks approval for a Temporary Use Permit (TUP) for the operation of a tourist accommodation use at the subject property.

Specifically, short-term rentals of two dwelling units, located above a winery at 7315 Tuc-el-nuit Drive, would be permitted year-round.

Site Context:

The subject parcel is approximately 19,660 m² in area and is located on the east side of Tuc-el-Nuit Drive approximately 500 metres north of the Town of Oliver boundary and directly abuts the Osoyoos Indian Band boundary to the east.

The property is seen to contain a vineyard, winery, single detached dwelling, secondary suite and an accessory farm storage building. The winery, single family dwelling and secondary suite are contained within one building, with the winery on the ground floor and two dwelling units above. The surrounding pattern of development is characterised by agriculture and associated residential uses.

Background:

The subject property was created by a subdivision plan prepared in June 1981. Available Regional District records indicate that a building permit was issued in September of 2017 for a new single family dwelling with secondary suite and winery.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the property is designated Agriculture (AG), an objective of which includes protecting such lands from uses which are incompatible with existing agricultural uses.

In support of this, the OCP speaks to preserving and protecting the existing agricultural land base in rural Oliver but also to supporting property owners being able to diversify and enhance uses

secondary to agricultural uses (i.e. “bed and breakfast operations” and other “value-added” uses such as agri-tourism).

When considering such secondary uses, the Plan further speaks to ensuring that such 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* and other Provincial standards; and
- do not present a potential land use conflict with surrounding properties.

When being considered in the form of a TUP application, the Plan provides further criteria, namely:

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

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One (AG1) which allows for agriculture and a single detached dwelling as principal uses, and secondary uses such as winery, secondary suite, bed and breakfast operations and other uses related to agriculture.

The zoning bylaw does not, however, allow agri-tourism accommodation or vacation rentals as permitted uses in the AG1 Zone. A “vacation rental” is premised on a residential use of a dwelling unit for a majority of the calendar year whereas “bed and breakfast operations” are the use of rooms within a residence where the resident is present for the duration of a visitor’s stay.

By comparison, “tourist accommodation” is an alternate commercial use listed in the zoning bylaw that allows short-term accommodation unrelated to a residential use of a structure.

The property is also situated within the Agricultural Land Reserve (ALR) and, under Section 34 (Tourist Accommodation) of the *Agricultural Land Reserve Use Regulation*, “the use of agricultural land for providing accommodation for tourists is permitted in a principal residence that is a pre-existing residential structure”, if the number of bedrooms does not exceed 4 and accommodation is provided on a short-term basis only.

Public Process:

A Public Information Meeting was held on June 18, 2019, at the Oliver Community Centre and was attended by the applicant and no members of the public.

At its meeting on June 18, 2019, the Electoral Area “C” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed temporary use be approved.

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

In accordance with Section 2.3 of Schedule '5' of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed in Attachment No. 1. All comments received from this referral are included as a separate item on the Board's Agenda.

Analysis:

In response to the criteria contained in Section 9.3.14 of the Electoral Area "C" OCP Bylaw, Administration noted that the proposed use is above an existing winery and does not remove any land from agricultural production. The property is surrounded by vineyards and the dwelling units are located in the middle of the parcel partially screened by landscaping and vineyards. There is a sufficient area for vehicle parking, which is easily accessed by an existing driveway.

In response to the criteria contained in Section 20.3 of the Electoral Area "C" OCP bylaw, the proposed use is not intensive in scale and is contained within an existing building. As such, the impact on the natural environment is minimized. The use is intended to be secondary to the vineyard/winery on site and use of land elsewhere in the community would require use of a commercial property for small-scale tourist accommodation.

The applicant has provided a statement from Osoyoos Aggregates that "the sewer system designed and already installed for this property was designed to accommodate two fulltime suites above the tasting room, the tasting room public requirements and one additional bathroom from production building". The building is new construction and, therefore, has had recent inspections as part of the building permit process.

As the primary use of the property remains agricultural, and the proposed use is compatible with the commercial traffic and daily visitors to the existing winery, tourist accommodation use at this scale does not detract from the primary use of the site.

Conversely, the addition of uses within an agricultural area that are more commercial in nature can pose potential land use conflicts with agricultural operations. By allowing additional uses to occur, the primary use of the property or surrounding properties as agricultural land can become threatened through the introduction of competing interests.

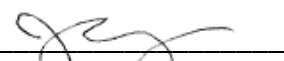
However, changing the duration of stay within two existing dwelling units is not anticipated to introduce any land use conflicts that would not be present if the units were used for residential purposes.

For the reasons listed above, Administration supports the requested temporary use permit and is recommending approval.

Alternative:

That the Board deny Temporary Use Permit No. C2019.002-DVP.

Respectfully submitted




J. Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, G.M. of Dev. Services

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo (Google Streetview)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , prior to Board consideration of TUP No. C2019.002-TUP:

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

Attachment No. 2 – Site Photo (Google Streetview)



View of Subject Property Looking East from Tuc-el-nuit Drive



TEMPORARY USE PERMIT

FILE NO.: C2019.002-TUP

AGENT: John Ferreria
7315 Tucelnuit Drive
Oliver, BC, V0H-1T2

OWNER: John Ferreria and Maria Ferreria
7315 Tucelnuit Drive
Oliver, BC, V0H-1T2

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.
5. It is noted that Interior Health Authority requires a valid Operating Permit for the water supply, in accordance with the *BC Drinking Water Protection Act*.

APPLICABILITY

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

Legal Description: Lot 2, Plan 32084, District Lot 2450S, SDYD,

Civic Address: 7315 Tuc-el-nuit Drive Folio: C-06575.100

Parcel Identifier (PID): 003-539-628

TEMPORARY USE

7. In accordance with Section 20.0 of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, the land specified in Section 5 may be used for a "tourist accommodation" use which is defined as meaning "a portion of a building providing

temporary accommodation for the travelling public”, being the use of two dwelling units for “tourist accommodation”.

CONDITIONS OF TEMPORARY USE

- 7. The “tourist accommodation” use of the land is subject to the following conditions:
 - (a) The use of the two dwelling units for providing temporary accommodation for the travelling public may occur year-round;
 - (b) The maximum number of buildings that may be occupied by paying guests is one (1);
 - (c) The maximum number of dwelling units that may be occupied by paying guests is two (2);
 - (d) The maximum number of bedrooms shall be three (3) as shown in Schedule ‘B’;
 - (e) The number of paying guests that may be accommodated at any time shall not exceed eight (8); and
 - (f) A minimum of two (2) on-site vehicle parking spaces shall be provided for paying guests, in accordance with Schedule ‘C’.

COVENANT REQUIREMENTS

- 8. Not applicable.

SECURITY REQUIREMENTS

- 9. Not applicable.

EXPIRY OF PERMIT

- 10. This Permit shall expire on July 18, 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

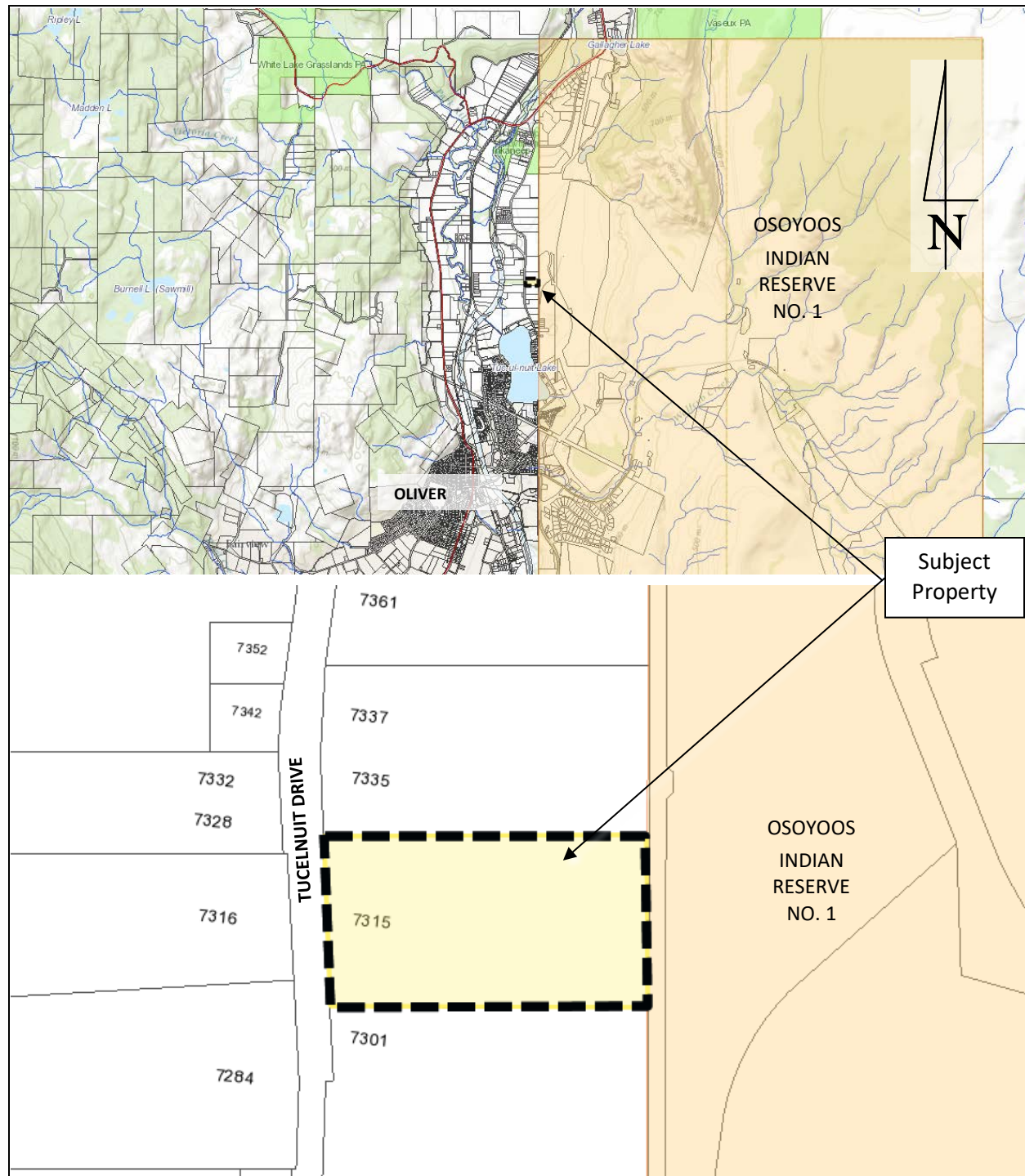
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. C2019.002-TUP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

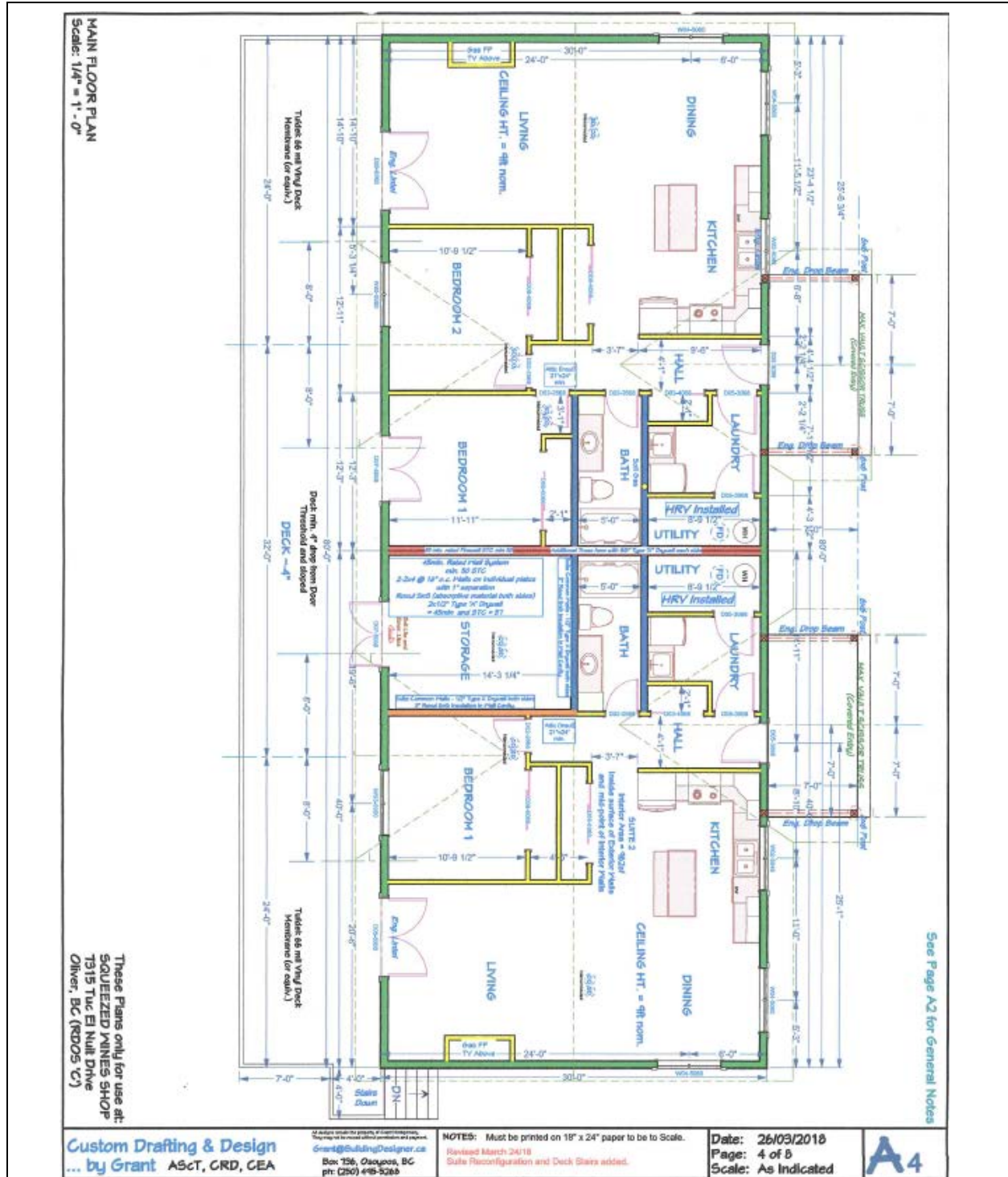
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. C2019.002-TUP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

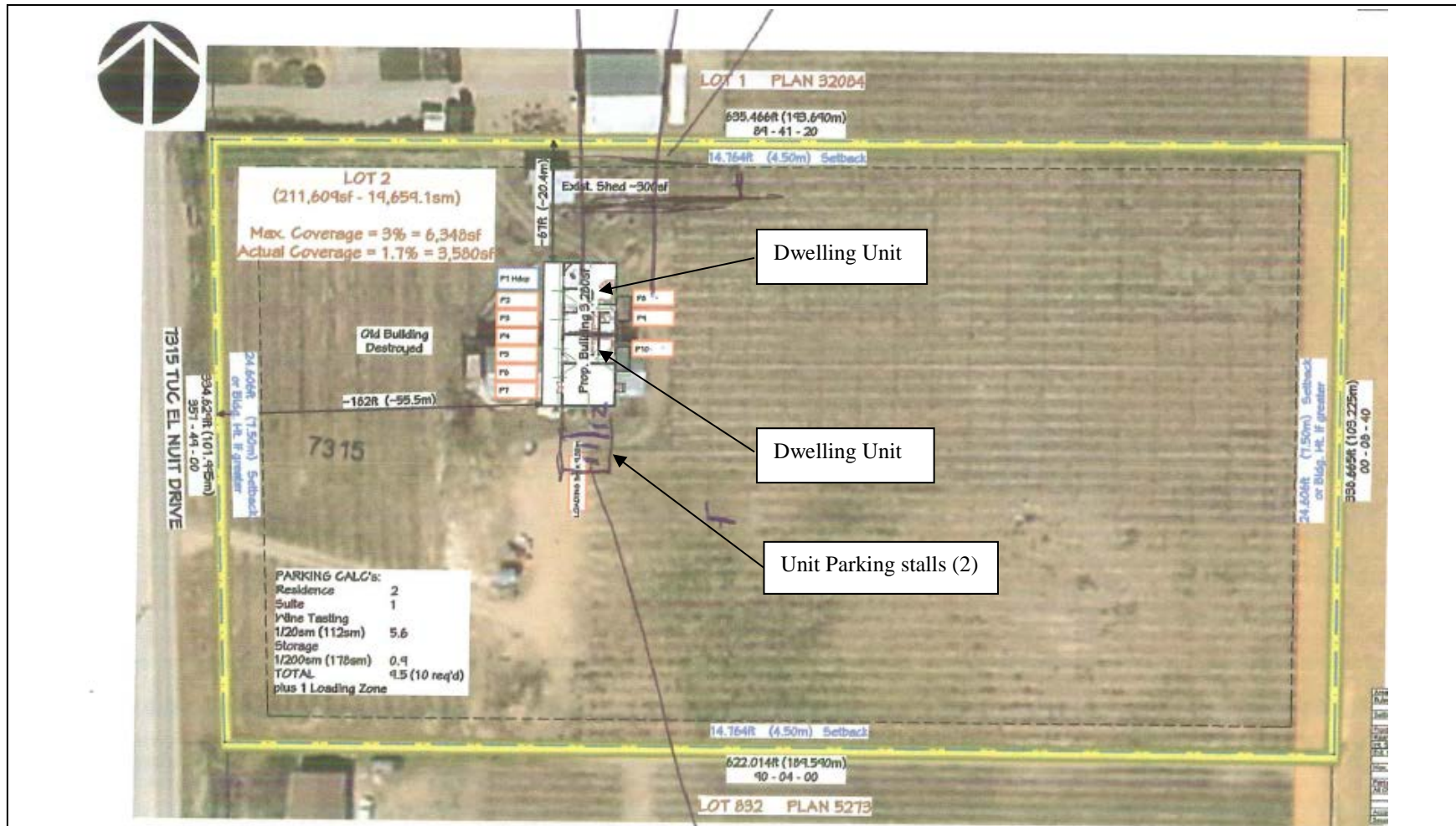
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. C2019.002-TUP

Schedule 'C'





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

July 4, 2019

Reply to the attention of Sara Huber
ALC Issue: 51452
Local Government File: C2019.002-TUP

JoAnn Peachey
Planner 1, Regional District of Okanagan Similkameen
jpeachey@rdos.bc.ca

Delivered Electronically

Re: Regional District of Okanagan Similkameen Temporary Use Permit C2019.002

Thank you for forwarding a copy of Regional District of Okanagan Similkameen (RDOS) Temporary Use Permit (TUP) C2019.002 (the “TUP”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP 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.

The TUP is being pursued in order to operate two short-term rental units above a winery on the property identified as 7315 Tuc-el-Nuit Drive (the “Property”). The property currently contains a vineyard, winery, single-family dwelling, secondary suite and an accessory farm storage building. The winery, single family dwelling and secondary suite are contained within one building, with the winery on the ground floor and the two dwelling units above. The winery/dwelling units are located in the middle of the Property partially screened by landscaping and vineyards with sufficient area for vehicle parking accessed by an existing driveway.

In 2017, a building permit was issued for the single-family dwelling with secondary suite and winery. The building has a footprint of approximately 298 m² and is used for the accommodation as well as a tasting room and production space for Squeezed Wines.

The ALC recognizes that the dwelling units were constructed lawfully under a building permit. The ALC does not regulate the tenure of principal residences and their associated secondary suites and thus, the ALC has no objection to the proposed TUP.

As a side note, the ALC advises 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.

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 'Sara Huber', written in a cursive style.

Sara Huber, Regional Planner

Enclosure: C2019.002-TUP-Referral Sheet

CC: Ministry of Agriculture – Attention: Christina Forbes

51451m1



June 10, 2019

File No: C2019.002-TUP

Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Re: Temporary Use Permit at 7315 Tuc-el-nuit Drive

To the Regional District of Okanagan Similkameen,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the Temporary Use Permit application for 7315 Tuc-el-nuit Drive near 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 the use of accommodation in relation to agri-tourism activities following the ALR Use Regulations which detail the conditions. Ministry staff encourage the RDOS to request additional information on the agri-tourism activities to be conducted on site. A list of categories can be found under section 12(2) of the ALR Use Regulation.
- With respect to the additional parking to be added, in order to maximize the greatest long term potential for agriculture in the area, it is important to maintain the most optimal configuration of contiguous, productive land.

If you have any questions please contact me directly at christina.forbes@gov.bc.ca or 250-861-7201.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christina Forbes".

Christina Forbes, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
Office: (250) 861-7201
E-mail: christina.forbes@gov.bc.ca

Email copy: Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: June 20, 2019 4:17 PM
To: Planning
Subject: Tucelnuit Dr, 7315 (C2019_002-TUP)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Tucelnuit Drive. The applicant is responsible for costs associated with any change to the subject property's 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:

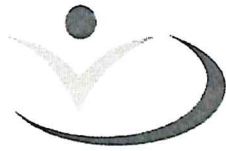


Ferreira

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





Interior Health
Every person matters

17 June 2019

Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
Attention: JoAnn Peachey, File Manager, Planning

Dear Ms. Peachey

**Re: Your Referral file number C2019.002 – TUP
Temporary Use Permit (Vacation Rental) application dated 01 March 2019
7315 Tuc-el-Nuit Drive Oliver BC
Lot 2, District Lot 2450S, SDYD, Plan 32084**

This letter is in response to the above captioned referral sent to our office on 03 June 2019 for comment. Our comments are:

The on-site sewerage disposal system servicing the building is approved and designed to accommodate the effluent generated by the vacation rental suites.

The water supply system servicing the parcel is subject to the requirements of the BC *Drinking Water Protection Act*, does not hold a valid Operating Permit, and does not comply with the requirements of the *Act*. Information on how to obtain approval and permits for water supply systems in accordance with the *Act* can be found at this link:

<https://www.interiorhealth.ca/YourEnvironment/DrinkingWater/Pages/Permits.aspx>

Sincerely,

Cynthia Watson CPHI(C)
Environmental Health Officer
Cynthia.Watson@interiorhealth.ca

Bus: (250) 770-5540 Fax: (250) 493-0041

POPULATION HEALTH
3090 Skaha Lake Rd.
Penticton BC V2A 7H2





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

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. E2019.005-DVP

Purpose: To allow for the construction of a dwelling addition within a front parcel line setback area

Owners: Victoria Rogers & Jo Ingraham Agent: C Allen (Landform Architecture) Folio: E-06834.170

Civic: 3280 Juniper Drive Legal: Lot 5, Plan KAP46231, Sublot 14, District Lot 2711, SDYD

OCP: Low Density Residential (LR) Zone: Single Family Residential One (RS1)

Variance Request: to reduce the front parcel line setback from 7.5 metres to 1.5 metres

Proposed Development:

This application seeks a variance in order to permit a dwelling addition in the form of a garage and secondary suite to be sited within the front parcel line setback area of the property at 3280 Juniper Drive, Naramata.

Specifically, it is being proposed to reduce the minimum front parcel line setback from 7.5 metres for a principle building to 1.5 metres.

In support of the proposal the applicant has stated that:

- *a house that followed the current zoning bylaw would severely block lake views from lots across the street;*
- *as the bulk of the property is a steep, heavily forested slope ... reducing the front yard setback, the addition can avoid these steeper areas of the site;*
- *the western portion of the site is steep, with large mature ponderosa pine that provide important habitat to wildlife in the area ... [and] the proposed variance allows this to be preserved;*
- *by locating the addition against an existing clump of trees, impacts to the neighbours are minimized. By re-using the existing driveway and single access point, disruption to the natural topography is avoided.*

Site Context:

The subject property is approximately 1,887 m² in area and is located on the west side of Juniper Drive and is approximately 3.2 km east of the Naramata village. The property is currently developed with a single detached dwelling and also comprises fairly steep terrain.

The surrounding pattern of development on this section of Juniper Drive is residential dwellings on similarly sized parcels that have generally been developed outside of the front setback area.

Background:

The subject parcel was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on November 28, 1991, while available Regional District records indicate Building Permits have previously been issued for a modular home (1992) and an addition to a single detached dwelling (2015).

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Low Density Residential (LR), and has a geological hazard rating of “limited or no hazard of slumps and slides. No development problems anticipated.”

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is zoned Residential Single Family One (RS1), which permits single detached dwellings as a principle use and secondary suite as an accessory use.

The Ministry of Transportation and Infrastructure (MoTI) requires a building setback of not less than 4.5 metres from a property line fronting a provincial public highway. On January 30, 2019, MoTI granted a permit to reduce the setback to 0.0 metres for a 49.0 m² garage.

At its meeting of April 5, 2001, the Regional District Board approved a development variance permit for the property at 3304 Juniper Drive which reduced the front parcel line setback for an accessory building from 7.5 metres to 3.0 metres.

At its meeting of August 10, 2004, the Regional District’s Board of Variance (BoV) approved a variance permit for the property at 3320 Juniper Drive to reduce the front parcel line setback for an accessory building from 7.5 metres to 1.5 metres (measured to the wall).

At its meeting of April 8, 2019, the Electoral Area “E” Advisory Planning Commission (APC) considered an Administrative Report that recommended the applicant’s request for a (then) 0.0 metre setback be denied and resolved to recommend to the RDOS Board that the subject development application be denied.

In response to these recommendations, the applicant submitted amended plans to the Regional District on May 29, 2019, which reduced the setback variance from 0.0 metres to 1.5 metres. In discussion with the Area Director, it was determined to bring the application forward for Board consideration without returning to the APC.

Public Process:

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

Analysis:

The use of setbacks in a zoning bylaw are generally to provide a physical separation between the road and residential dwellings, to improve traffic and pedestrian safety, to maintain an attractive streetscape, to discourage overshadowing and loss of privacy on adjacent parcels, and to provide opportunities for openness and landscaping.

When assessing variance requests, staff will also take into consideration the intent of the zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and the impact upon the amenity of the area and/or adjoining uses.

Where staff have supported reducing a front setback in the past, this is generally in relation to a significant difference in elevation between the road and the proposed building footprint, or where a neighbourhood was developed before the introduction of zoning and adherence to the prescribed setback would be inconsistent with an established building line on a street.

While not as pronounced as on the other properties on Juniper Drive that have been granted variances in the past, there is seen to be a minor elevation difference between the road and the proposed development site. A more pronounced elevation change also exists with the adjacent parcel to the north and that a reduced variance in this instance is unlikely to adversely impact on the amenity of adjoining uses.

Administration also recognises that despite development on Juniper Drive generally conforming to the front setbacks requirements of the RS1 Zone, however, variances have been granted to other property owners on this street to allow for development within 1.5 metres of the front parcel line. While this does not establish a precedent, it does result in other buildings being proposed within the front setback being characteristic of the established streetscape.

Conversely, it is considered to be poor urban design to place garages into a front setback area, particularly when doing so will also result in the structure being forward of the building line for the principle dwelling.

It is also noted that the road reserve for Juniper Drive is undersized at 17.0 metres as MoTI standards otherwise require 20.0 metres, that the property has not been designated under the OCP Bylaw as possessing any environmental values requiring reduction of a setback to preserve, and that it is a long-standing legal principle that no one is entitled to a view.

It is further noted that other options are available to the property owner such as constructing the garage outside of the required setbacks and that, with a land area of 1,887 m², there is sufficient space available to do this, including immediately to the north of the existing dwelling. Granted, Administration recognises that this option will likely require the use of retaining walls in order to create a building pad and the removal of mature vegetation.

Nevertheless, in light of the changes the applicant has made to the plans following consideration by the APC and for these reasons outlined above, staff are recommending in support of the requested variance.

Alternative:

That the Board deny Development Variance Permit No. E2019.005-DVP.

Respectfully submitted



C. Garrish, Planning Manager

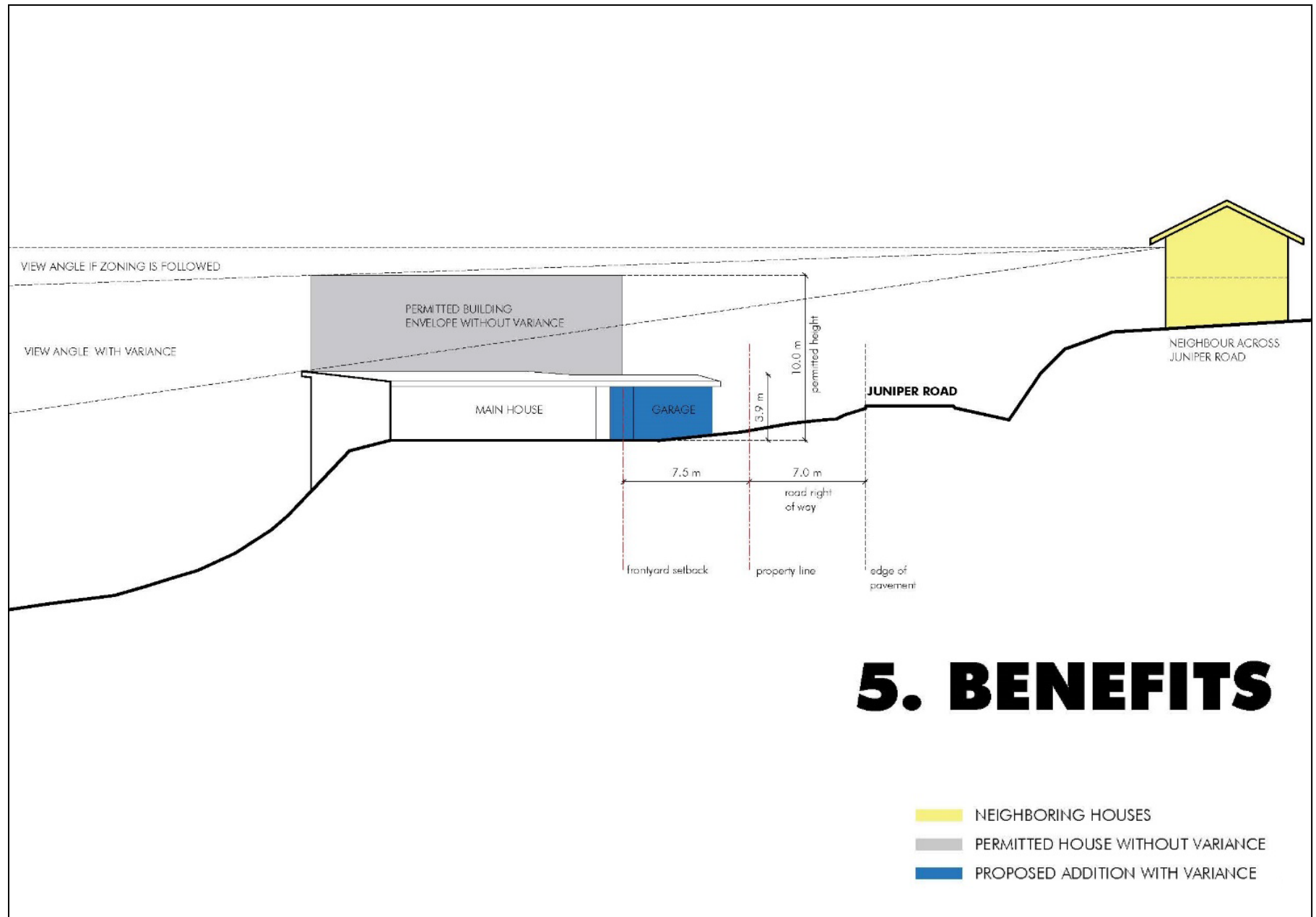
Endorsed by:

B. Dollevoet, G.M. of Development Services

Attachments: No. 1 – Applicant’s Visual Impact Assessment

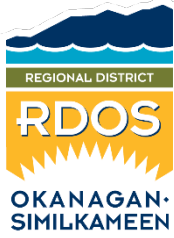
No. 2 – Site Photos

Attachment No. 1 – Applicant’s Visual Impact Assessment



Attachment No. 2 – Site Photos





Development Variance Permit

FILE NO.: E2019.005-DVP

Owner: Victoria Rogers & Jo Ingraham
3280 Juniper Road
Naramata, BC, V0H-1N1

Agent: Chris Allen
Landform Architects Ltd
205-301 Main Street
Penticton, BC, V2A-5B7

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 5, Plan KAP46231, Sublot 14, District Lot 2711, SDYD

Civic Address: 3280 Juniper Drive, Naramata

Parcel Identifier (PID): 017-553-202 Folio: E-06834.170

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the minimum front parcel line setback for a principle building in the Residential Single Family One (RS1) Zone, as prescribed in Section 11.1.6(a)(i), is varied:

- i) from: 7.5 metres
to: 1.5 metres, as measured to the outermost projection as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

- a) Not Applicable

8. **SECURITY REQUIREMENTS**

- a) Not applicable

9. **EXPIRY OF PERMIT**

The development shall be carried out according to the following schedule:

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2019.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

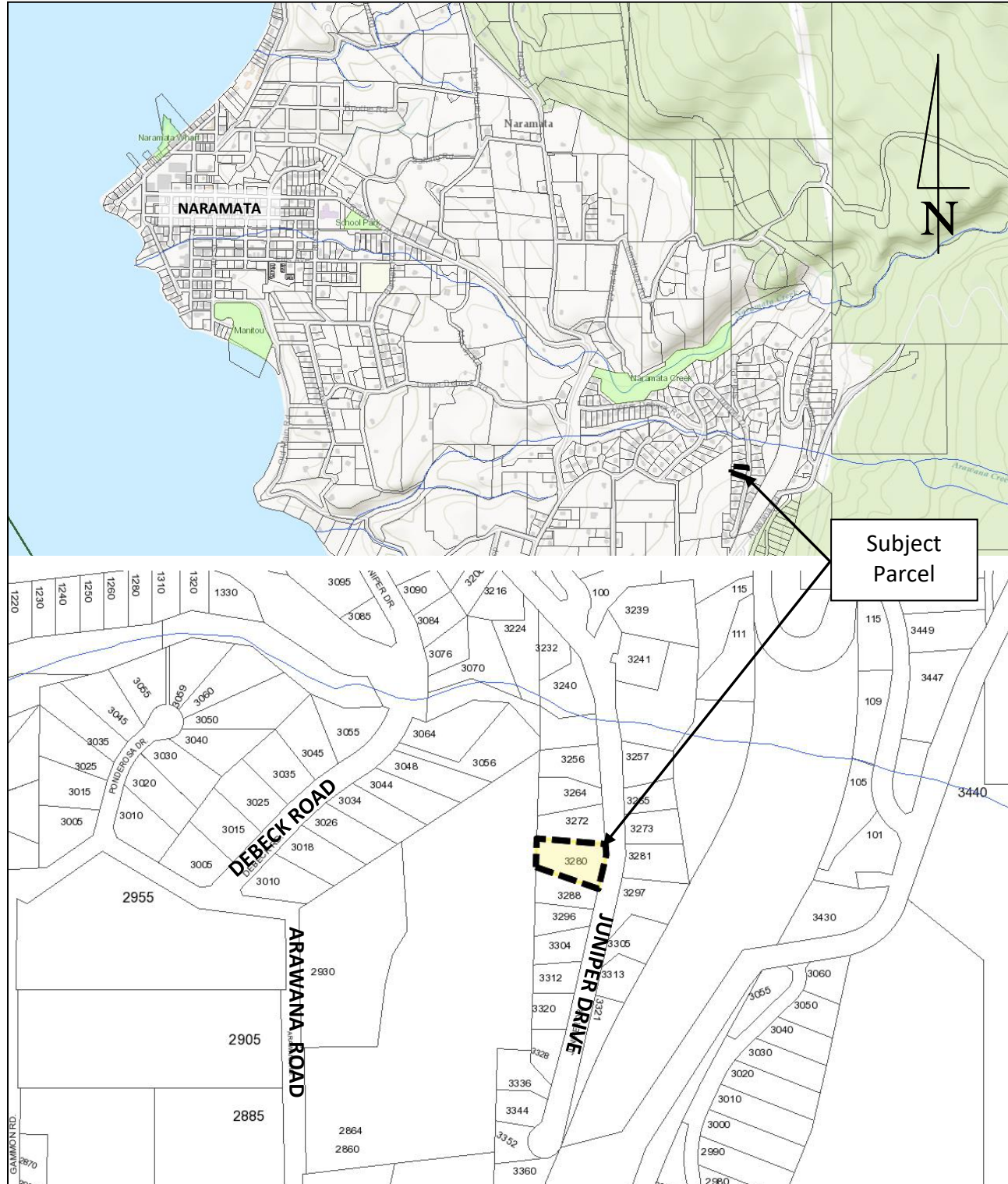
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. E2019.005-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

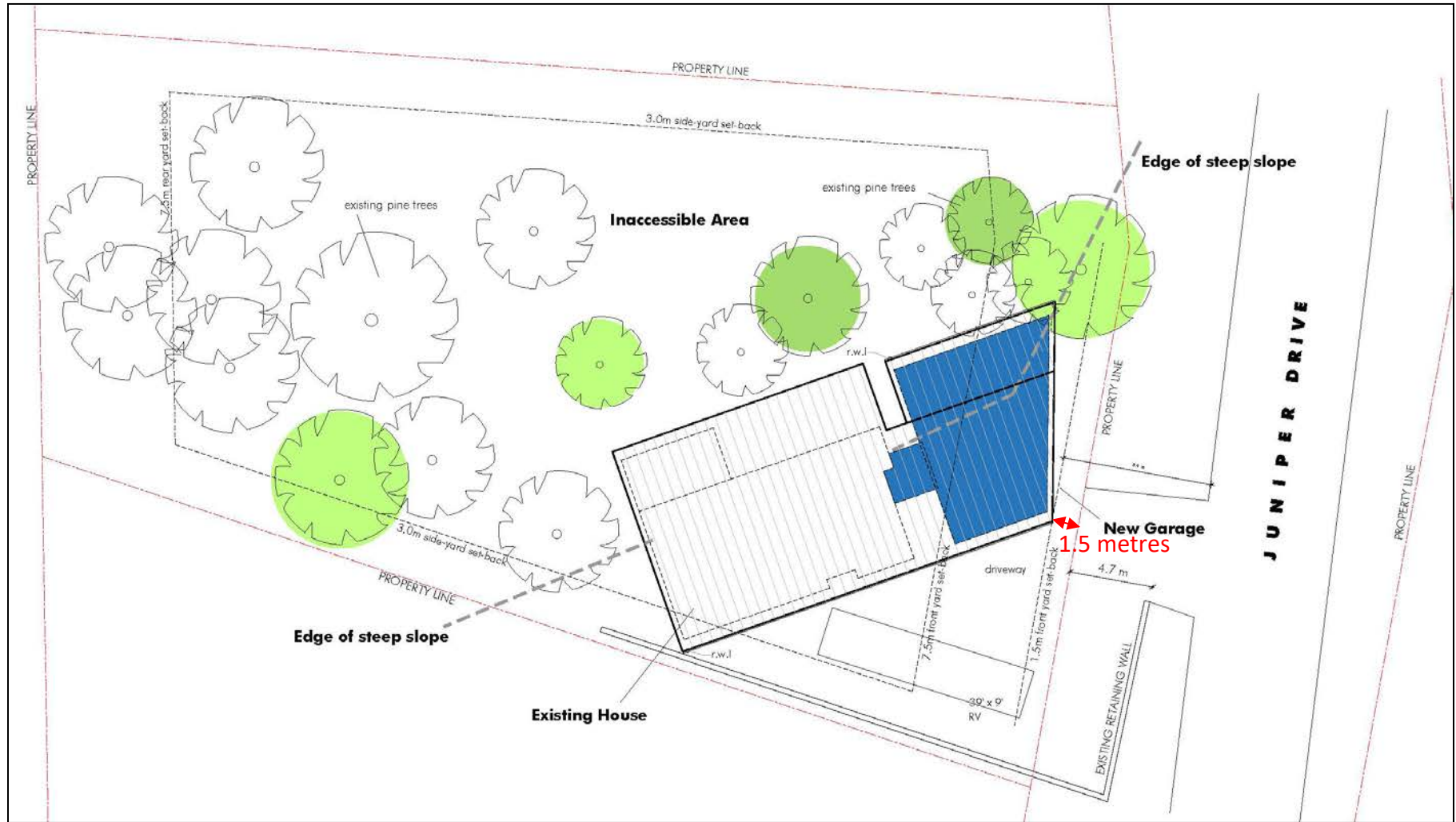
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. E2019.005-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

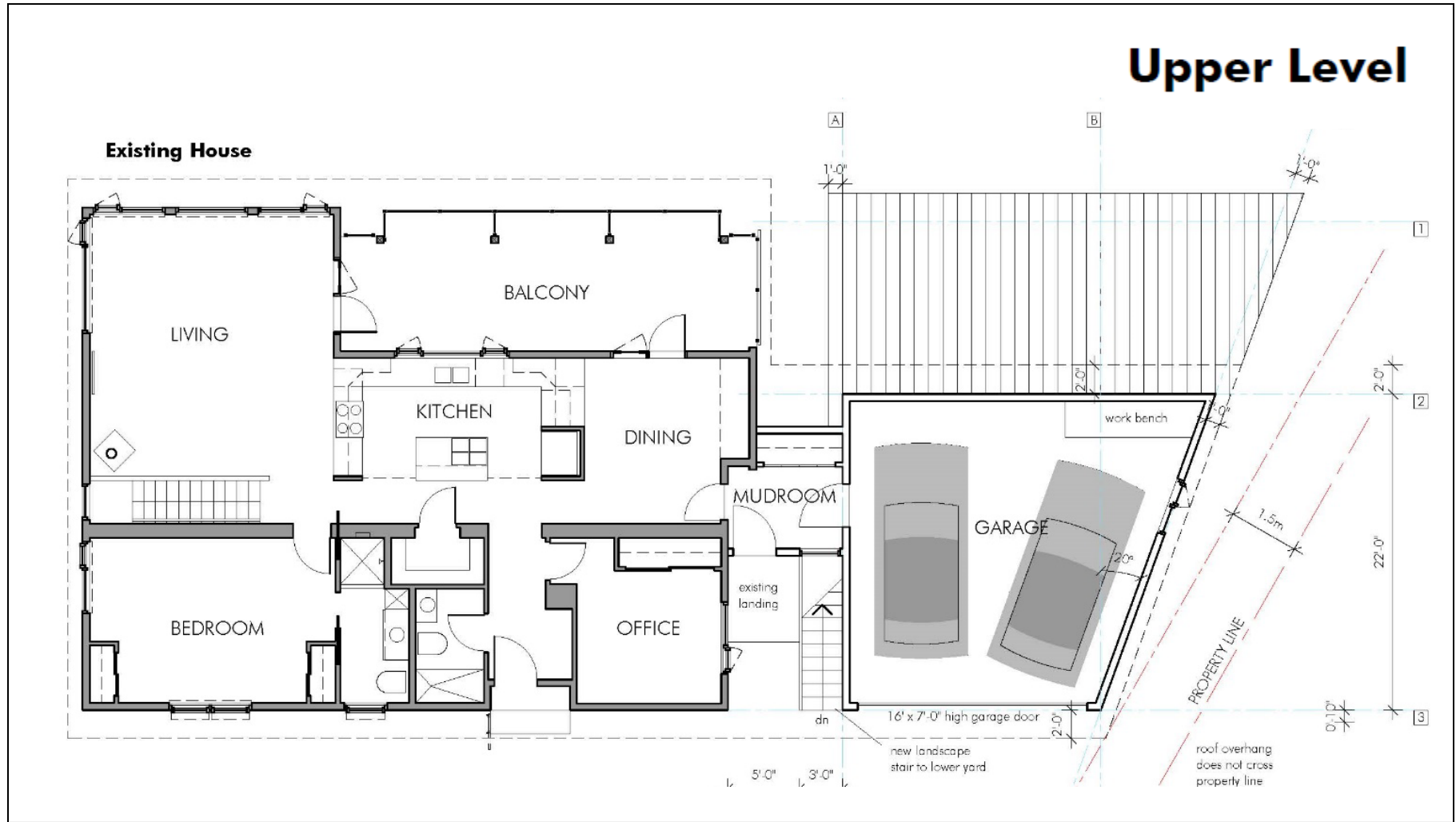
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. E2019.005-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

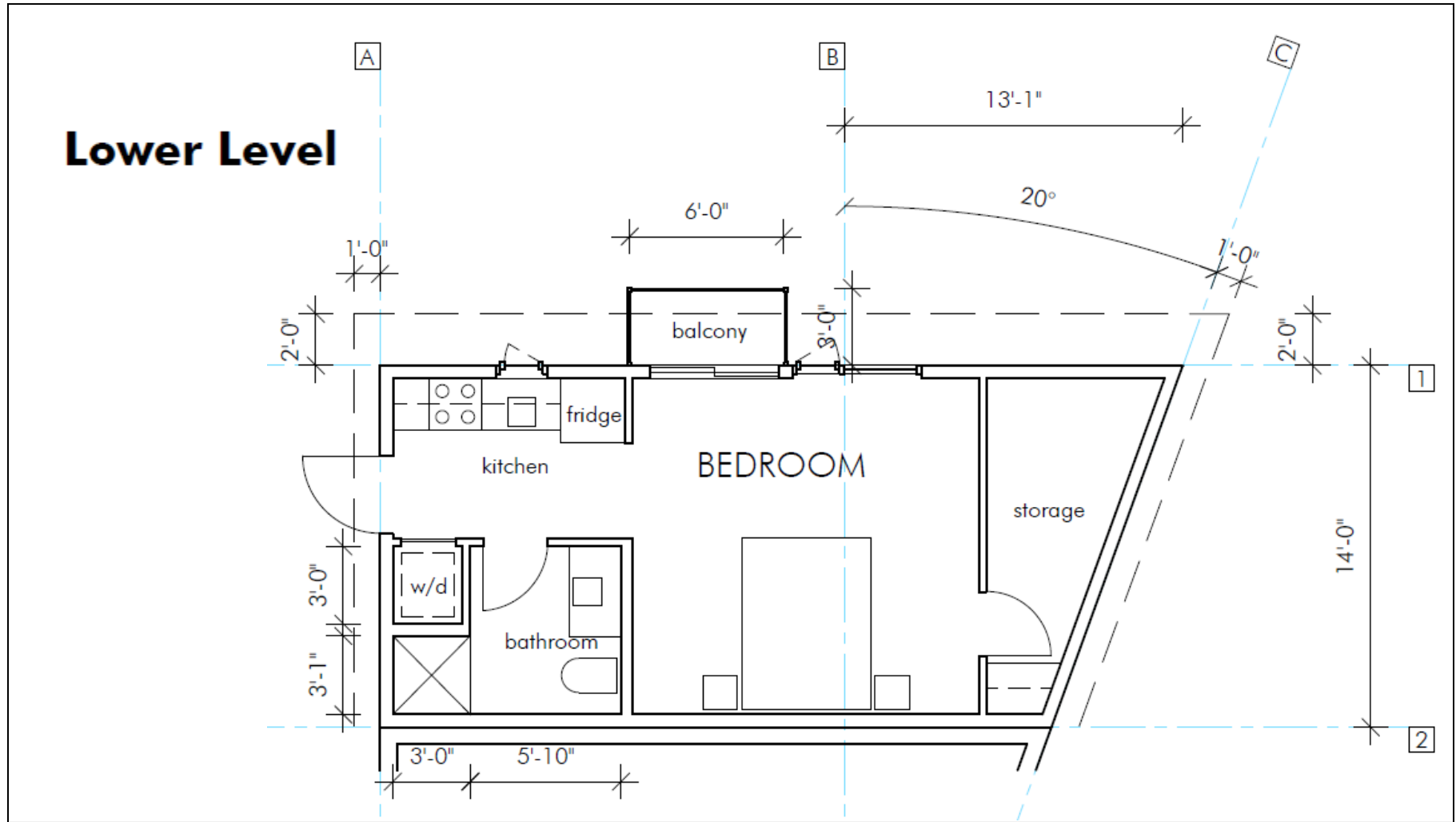
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. E2019.005-DVP

Schedule 'D'



Regional District of Okanagan-Similkameen

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

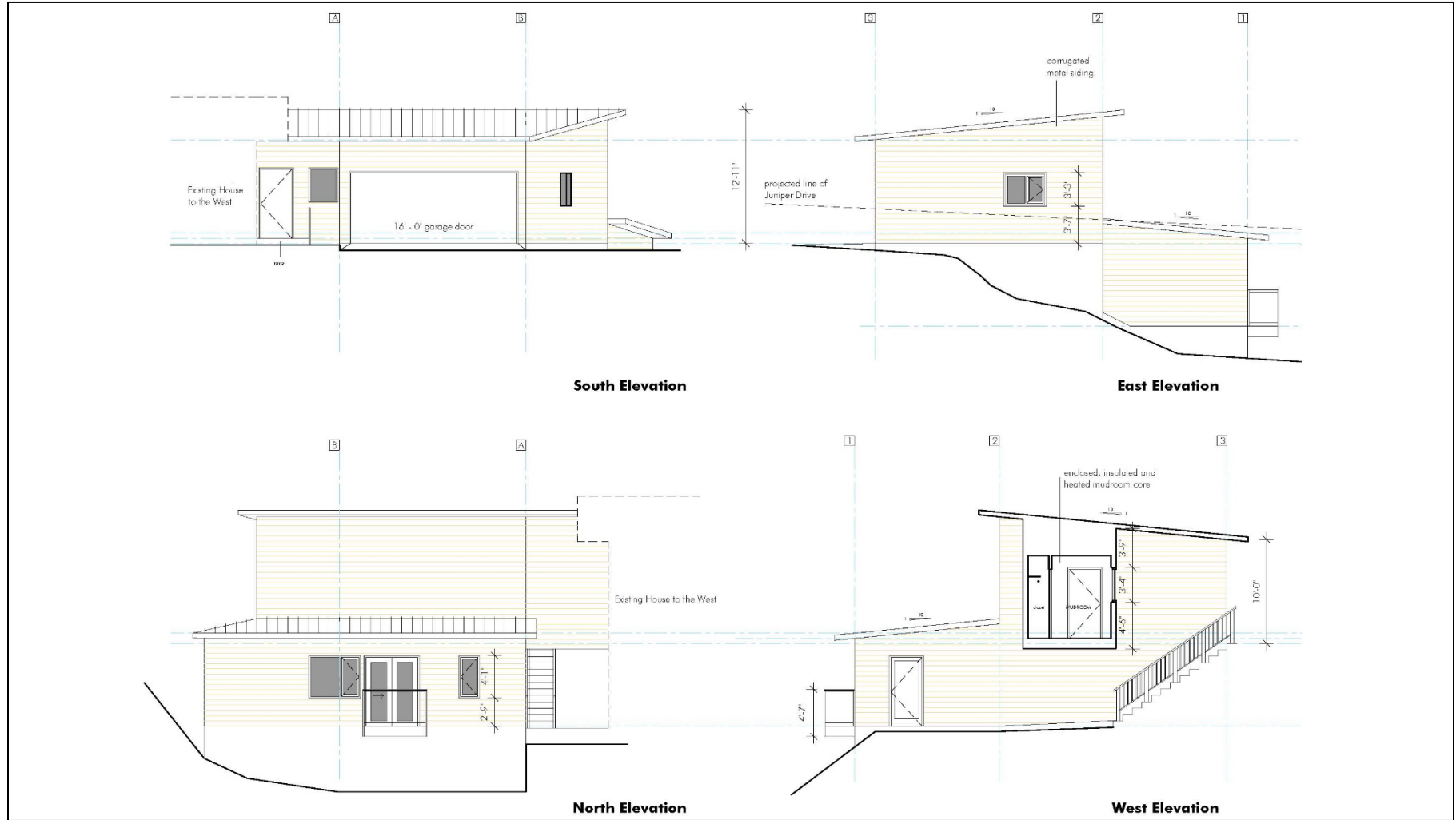
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. E2019.005-DVP

Schedule 'E'



26 May 2019

Karla Kozakevich

Hi Karla,

This letter is intended to accompany our application for a front setback variance at 3280 Juniper Rd. Naramata. It is intended to explain our reasons for requesting the variance and chronicle our experience-to-date in seeking it.

We bought our house in 2013 and set out to transform it. As a retired architect, I knew what kind of design I wanted to achieve, so I hired Penticton architect Chris Allen to help bring it about. Our house was a small manufactured house built over a full basement, so there was plenty of potential. We substantially renovated it in 2015, and have received a great deal of positive feedback from our neighbors on the end result. One of the aspects of this remodel was removing a pre-existing non-conforming carport that was encroaching on our side yard setback (we did this of our own volition; we were not required to do it). This left us without any covered parking and we intended from the beginning to pursue building a garage at a later date.

This last year, as we began planning on the garage, we decided that it would be prudent to include with our project a small suite. We are not doing this for rental or supplemental income purposes. Rather, we have realized that some of the aging people on our street were beginning to have difficulty caring for their homes and properties. As we have put a lot of time, effort and money into this house, we want to be able to stay here as far into the future as possible. We are now both in our sixties – my wife will be 70 next year, and I have recently developed a chronic pain condition, so we can certainly envision a time when we might need to bring a caretaker onto our property to help us maintain it. In the interim, this suite will serve as my wife's home office, as she doesn't currently have an adequate space.

We asked Chris Allen to prepare a package for a variance application, with plans, site plans and justifications. We distributed copies of this package to all of our neighbors (all houses on our section of Juniper Rd) and personally knocked on every door and discussed the project with everyone who was available. Our neighborhood is a very friendly one, and we highly value our relationships with our neighbors. We sincerely want to ensure that we are being sensitive to our neighbors' interests.

In December of 2018 I took that package to the RDOS planning department in Penticton to submit it. I had a protracted discussion with the counter staff at that time, who raised a number of questions and objections to what we were proposing. He suggested that Chris Allen and I speak to his boss, Chris Garrish for further direction. We were unable to reach Mr. Garrish for approximately a month, at which time we did have an impromptu, but rather lengthy meeting at the RDOS office, with myself, Mr. Garrish and Chris Allen present. The meeting seemed to go very well, and Chris Allen and I left the office with a positive outlook and a sense that we were clearly on the "right track." I was allowed to officially submit the package at that time, with an agreement that Chris Allen would provide some additional materials as follow-up.

Two months later, I received an email communication from Mr. Garrish indicating that due to reasons that were somewhat unclear, vaguely stated as "changes in the direction of the department" he was withdrawing support for our project and would be writing a negative report. At the subsequent committee meeting, it was unclear what the primary issues were, and what we needed to do in order to obtain approval.

It was at this point that we first contacted you, and we are grateful that you were willing to come to our site and discuss options with us. After that meeting and your subsequent meetings with the planning staff, you advised us to hold the front corner of our addition 1.5 meters back from the property line. At that point, we asked Chris Allen to revise the package to reflect that change, and in addition, we decided to change the design of the structure, placing the suite at a lower level from the garage, instead of above it (which was one of the options we had discussed when we met with you). In this new scheme, the suite will actually be fully below street level. We felt this design would be more sensitive to the streetscape on Juniper, and our neighbor directly across the street (Ed Schlenker) had indicated a concern about the overall height of the addition, so this addressed his concern. Those revised drawings were transmitted to Mr. Garrish of RDO's, and I believe he is in the process of preparing a new report, which we very much hope will be more positive.

You also asked us to try to obtain letters of support from our most immediate neighbors: the neighbors on each side of us, the Smiths and Lockwoods Mr. Schlenker across the street and the Clarks diagonally across and above us. We provided copies of the new scheme to each of these people and discussed the details with each of them. At this time, I am enclosing letters from the Lockwoods, the Smiths, and Ed Schlenker directly across the street. We discussed the drawings with Sherry Clark (her husband Matt was not available to speak with us), and she had a very positive reaction to the new design. I don't know if they will write a letter of support, but I feel quite confident that they will not oppose the project. In addition, you already have on file letters from Anne French, Ron Marsh and Deb Green, and Audrey Coates and Craig Dusel, who are not directly adjacent, but do live in the immediate neighborhood.

~~I feel that the project as currently conceived, will be in keeping with the Juniper streetscape and will be a positive addition to the neighborhood.~~

Thank you once again for all your help.

Victoria Rogers

Mr. and Mrs. Matt Clark

Naramata, BC
V2A 3K6

RDOS
101 Martin Street
Penticton, BC
V2A 3K6

June 10, 2019

Attention: Karla Kozakevich

Re: Application for Variance at 3280 Juniper Drive, Naramata, BC

This letter is to affirm support for Victoria Rogers and Jo Ingram's request for variance at 3280 Juniper Rd. They have shown us their design plan which shows a garage at the same level as the house and a suite at a lower level.

Sincerely,

Matt and Sheri Clark

May 17 2019

To: Karla Kozakevich

From: Ted and Carroll Smith

We support our next-door neighbor's project: Victoria Rogers and Jo Ingraham at 3280 Juniper Dr. to put a garage and suite on their property. They have given us a copy of the plan. They have also staked out the front corner of the addition and it is a ways from the side of the road and the suite will be below road level, so it should be compatible with the rest of the neighborhood.

3272 Juniper Dr, Naramata BC

To whomever this may concern:

MAY 26/2019

This letter is in regards to the proposed project on 3280 Juniper Drive in Naramata. Consisting of an add on garage with a lower level addition. Roofline height is maintained with existing house structure as per proposal drawings dated May 10/2019. As a neighbour located directly across the road from this property I believe it would not have an impact on any view obstruction or appearance issues. I would be willing to support this project as per preliminary drwgs.

Regards
Ed Schlenker

RDOS Planning Dept
Board of Variance

December 12, 2018

Variance Committee,

We support the variance application submitted by Victoria Rogers and Jo Ingraham as it applies to their property 3280 Juniper Drive.

As the level area of the yard readily accessible from the street is limited in size and vehicle storage space it makes sense to build the garage at the chosen location. This location maximizes the remaining space.

There would be no obstruction of traffic sight lines from either direction nor obstruction of sight lines from the elevated location of the homes on the opposite side of Juniper Drive.

Sincerely,

Ron Marsh
Deb Green

May 22, 2019

Attn: Karla Kozakevich

From: Kerri & Trevor Lockwood

Owners c Juniper Drive (Road), Naramata, BC
(directly to the left of 3280 Juniper Drive)

Hi Karla,

We are in receipt of the proposed building drawings that are being considered at 3280 Juniper Drive, including a garage and small suite / home office.

As the immediate neighbor to this property, we are in full support of this development.

Should you have any questions, please contact the undersigned.

Thanks,

Kerri Lockwood (on behalf of the Lockwood Family)



[Back](#) [Compose](#) [Reply](#) [Reply all](#) [Forward](#) [Delete](#) [Move](#) [Print](#) [Junk](#) [Mark](#) [More](#)

Inbox 301

Drafts

Sent

Junk

Trash

2018-12-14- RDOS Zoning Variance - Your Proposed Garage

Message 7 of 1090

From **Craig Dusel**

Date **Today 11:07**

Hello Victoria and Jo.

Referencing the four Landform drawings of 27 November, 2018, we support the variance.

Please feel free to attach this with your application to RDOS.

Craig Dusel Audrey Coates

Attention
(RDOS)

Anne E. French

Naramata BC.
VOH-1N1

To whom it may concern:

I have reviewed proposed building plan and particulars for the property at (3280 Juniper Rd.).

I am in full support of the residents to continue with this project and feel that it will enhance their present building and give their property a beautiful curb and street appeal.

Sincerely,

ADMINISTRATIVE REPORT



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

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. I2019.011-DVP

Purpose: To allow for an addition to a single detached dwelling

Owners: MJVO Holdings Ltd., Inc. No. BC0727360 Agent: Mario Iorio Folio: I-01378.500

Civic: 120 5th Street Legal: Parcel A (See KT140320), Block 9, Plan 763, District Lot 105S, SDYD

OCP: Low Density Residential (LR) Zone: Residential Single Family One (RS1)

Variance to reduce minimum setback for an interior side parcel line from 1.5 metres to 1.27 metres; and

Request: to reduce minimum setback for a rear parcel line from 7.5 metres to 4.77 metres.

Proposed Development:

This application is seeking a variance to undertake an addition to an existing two-storey single detached dwelling at 120 5th Street, Kaleden.

Specifically, it is being proposed to reduce the minimum setback for an interior side parcel line from 1.5 metres to 1.27 metres and rear parcel line from 7.5 metres to 4.77 metres, in order to facilitate a two-storey addition and exterior stairs.

In support of this request, the applicant has stated, in reference to the side yard setback, that “the current deck encroachment that was permitted by the last board of variance was approved and we interpreted that would be acceptable for the new set of stairs.” The encroachment into the rear parcel line setback is consistent with the existing single detached dwelling.

Site Context:

The subject property is approximately 836 m² in area and is situated on the south side of Fifth Street, abutting two lanes. The property is currently developed containing a single detached dwelling and an accessory building.

The surrounding pattern of development is characterised by residential and Pioneer Park is located in close proximity to the subject property.

Background:

The subject property was created by a plan of subdivision registered as part of the plan of townsite of Kaleden in May 9, 1910. There are no available Regional District records to indicate that Building Permits have previously been issued for a single detached dwelling.

Under Electoral Area “I” Official Community Plan No. 2683, 2016, the subject property is designated as Low Density Residential (LR).

Under the Electoral Area “I” Zoning Bylaw No. 2457, 2008, the property is zoned as Residential Single Family One (RS1), which requires a minimum setback for principal buildings of 1.5 metres from interior side parcel line and 7.5 metres from rear parcel line.

In 2003, the Regional District’s Board of Variance (BoV) approved a variance to the interior side parcel line setback from 1.5 metres to 1.15 metres in order to permit stairs to an existing deck attached to the single detached dwelling.

As the proposal is within 4.5 metres of a road reserve, and Ministry of Transportation and Infrastructure has issued a permit (No. 2019-03596) for the requested setbacks.

The existing single detached dwelling is situated within the rear parcel line setback and is considered to be legally non-conforming (i.e. grandfathered) under Section 529 of the *Local Government Act*. The property has been assessed as Residential (Class 01) by BC Assessment.

At its meeting June 19, 2019, the Electoral Area “I” Advisory Planning Commission made a motion to recommend to the Board that the subject development application be approved.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments submitted to the Regional District will be included as a separate item on the Board’s Agenda.

Analysis:

There are several purposes of parcel line setbacks, which act to maintain separation between buildings and neighbouring properties, establish the rhythm of the streetscape, ensure visual sightlines to roadways, and promote orderly development within a parcel.

In this instance, the location of the proposed dwelling addition is adjacent to laneways that are largely un-made but provide access to a limited number of properties.

Due to the presence of these laneways, there is additional distance between the proposed addition and neighbouring properties.

The proposed two-storey addition is in line with the existing encroachment at the rear of the property and the previous decision by the Board of Variance to allow stairs into the interior side parcel line setback. Accordingly, Administration considers the proposal to be in keeping with the existing scale and character of the neighbourhood.

Conversely, it could be argued that the proposal is not required for use and enjoyment of the parcel, and that an addition to the existing single detached dwelling could be located elsewhere. However, the variances would enable a reasonable extension that is complementary to the siting and design of the existing dwelling.

For the reasons listed above, Administration supports the requested variances and is recommending approval.

Alternative:

That the Regional District Board deny Development Variance Permit No. I2019.011-DVP.

Respectfully submitted



J. Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, G.M. of Dev. Services

Attachments: No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)





Development Variance Permit

FILE NO.: I2019.011-DVP

Owner: MJVO Holdings Ltd., Inc. No.
BC0727360
772 Sproule Avenue
Coquitlam, BC, V3J 4L5

Agent: Mario Iorio
772 Sproule Avenue
Coquitlam, BC, V3J 4L5

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Parcel A (See KT140320), Block 9, Plan 763, District Lot 105S, SDYD

Civic Address: 120 5th Street, Kaleden

Parcel Identifier (PID): 025-546-198 Folio: I-01378.500

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "I" Zoning Bylaw No. 2457, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the minimum rear parcel line setback for a principal building in the the Residential Single Family One (RS1) Zone, as prescribed in Section 11.1.6(a)(ii), is varied:

- i) from: 7.5 metres
to: 4.77 metres to the outermost projection as shown on Schedule 'B'; and
- b) the minimum interior side parcel line setback for a principal building in the Residential Single Family One (RS1) Zone, as prescribed in Section 11.1.6(a)(iii), is varied:
 - i) from: 1.5 metres
to: 1.27 metres to the outermost projection as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

- a) Not Applicable

8. **SECURITY REQUIREMENTS**

- a) Not applicable

9. **EXPIRY OF PERMIT**

The development shall be carried out according to the following schedule:

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2019.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

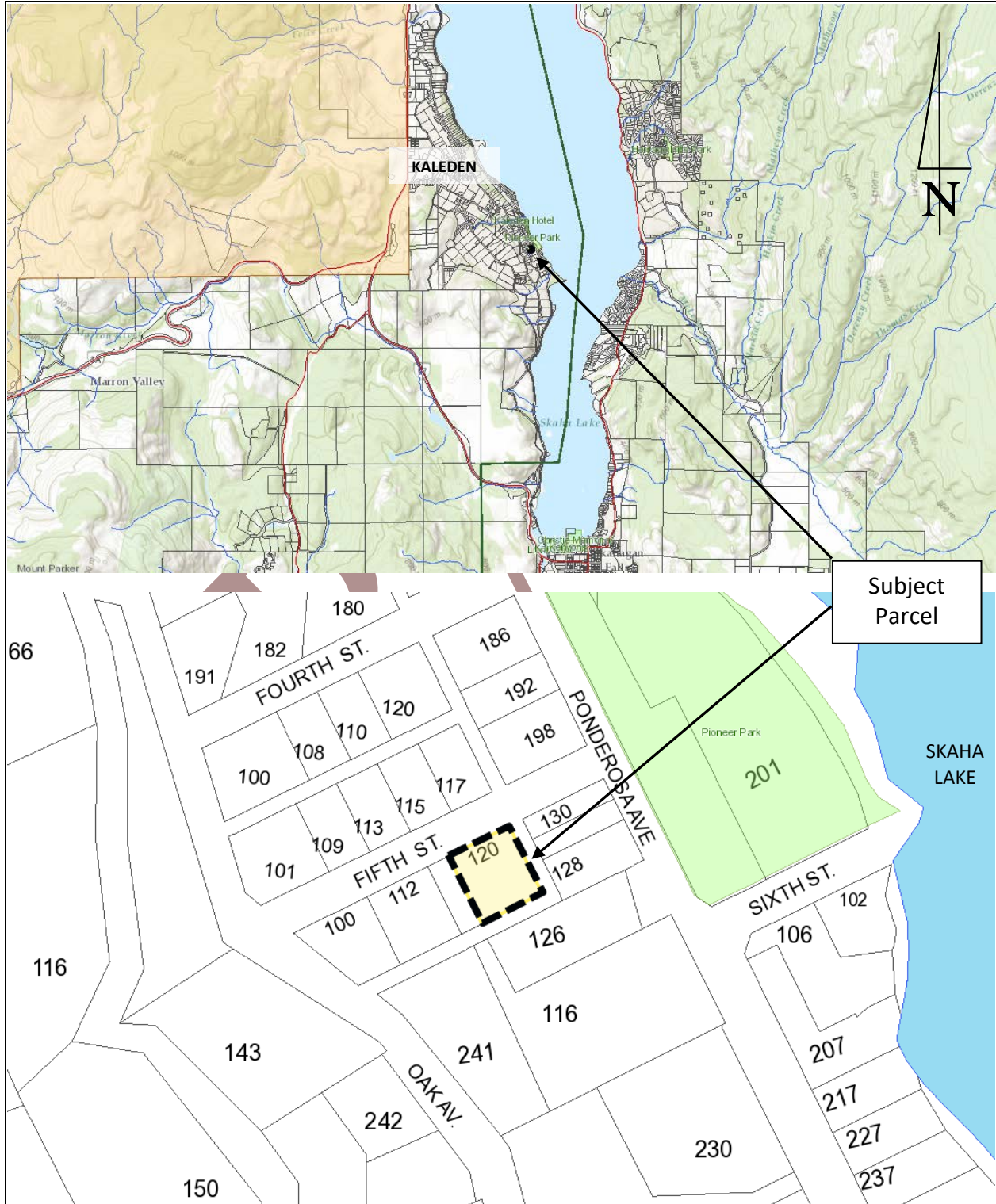
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. I2019.011-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

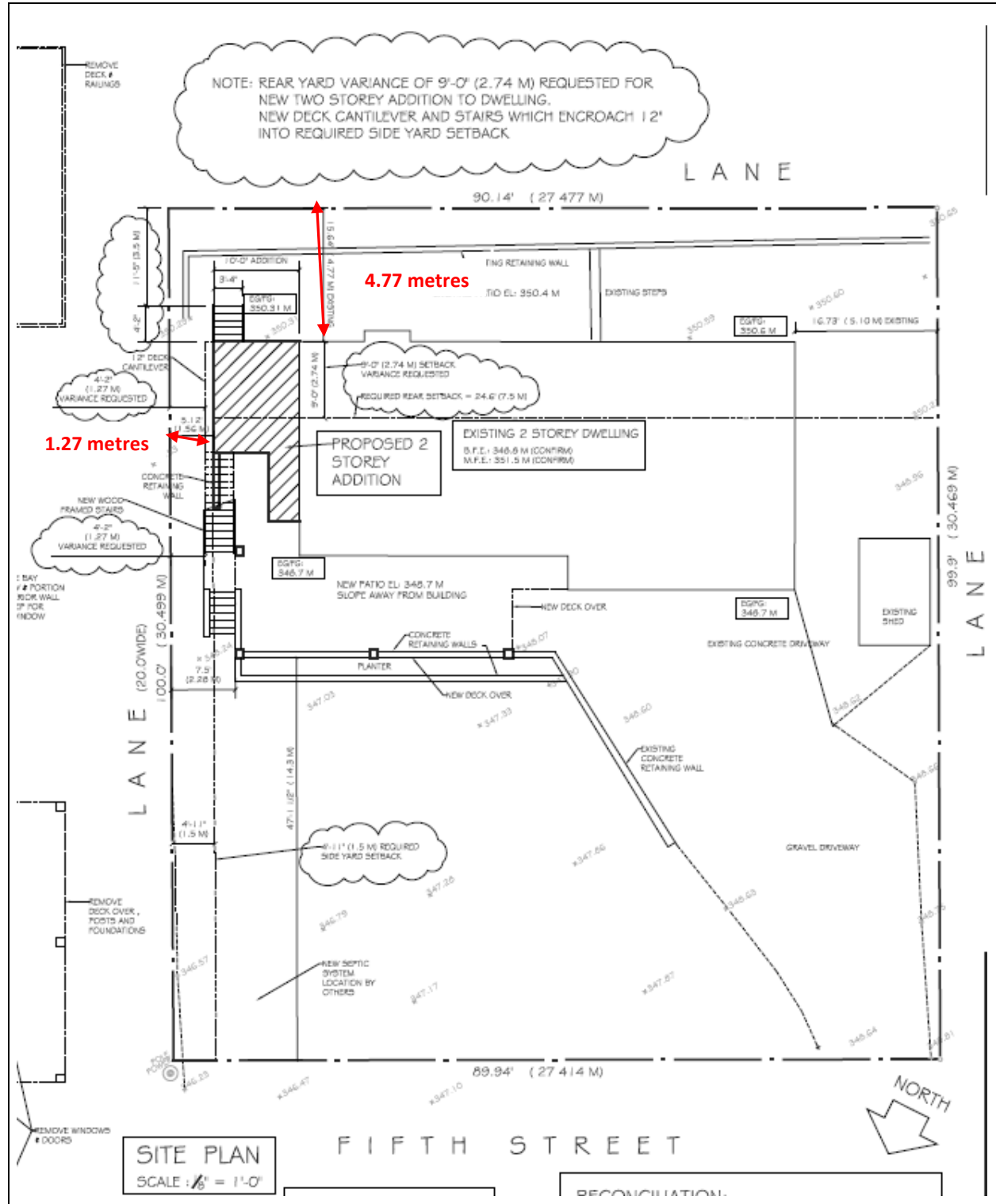
101 Martin St, Penticton, BC, V2A-5J9
 Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. I2019.011-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

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



Development Variance Permit

File No. I2019.011-DVP

Schedule 'C'



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Electoral Area Advisory Planning Commissions — 2019 Meeting Schedule Amendment

Administrative Recommendation:

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

Purpose:

It is being proposed 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. As well, it is proposed to amend the APC Meeting Schedule to update the meeting locations for Electoral Area “C” and “D” and the meeting time for Electoral Area “I”.

Background:

Under Section 6.3 of the Regional District’s Advisory Planning Commission (APC) Bylaw No. 2339, 2006, “a schedule of regular Commission meetings including time, date and place shall be arranged by each Commission in consultation with the Regional District and shall be forwarded to the Board at the first meeting of each new year.”

At its meeting of November 15, 2018, the Board resolved to “accept the 2019 APC Meeting Schedule for the Electoral Area Advisory Planning Commissions, as amended by changing the meeting dates for Electoral Area “I”.

At its meeting on May 23, 2019, the Board resolved to amend the 2019 APC Meeting Schedule to change the meeting dates for Electoral Area “F”.

Analysis:

The Electoral Area “F” APC has requested that their meeting schedule be changed from the first Wednesday of each month to the fourth Monday of each month.

The Electoral Area “C” APC has requested that the address of their meeting location be amended from 36063 79th Street, Oliver to 6359 Park Drive (Oliver Community Centre, Room #1), Oliver, B.C.

The Electoral Area “D” APC has requested that the address of their meeting location be amended from 5013 – 11th Avenue (Okanagan Falls Firehall), Okanagan Falls, B.C. to 1141 Cedar Street (Okanagan Falls Community Centre), Okanagan Falls, B.C.

The Electoral Area “I” APC has requested to amend their meeting time from 7:00 pm to 5:30 pm.

The APC meeting schedule contained at Attachment No. 1 to this report has been amended to reflect the change requests outlined above.

Alternatives:

THAT the Board of Directors not accept the amendments to the 2019 Meeting Schedule for the Electoral Area Advisory Planning Commissions.

Respectfully submitted:



F. Titley, Planning Student

Endorsed by:



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, G.M. of Development Services

Attachments: No. 1 – Revised 2019 APC Meeting Schedule

Attachment No. 1 – Revised 2019 APC Meeting Schedule

AREA "A"	AREA "B"	AREA "C"	AREA "D"	AREA "E"	AREA "F"	AREA "G"	AREA "H"	AREA "I"
January 14	N/A	January 15	January 8	January 14	January 3	January 16	January 15	January 16
February 11	N/A	February 19	February 12	February 11	February 7	February 20	February 19	February 20
March 11	N/A	March 19	March 12	March 11	March 7	March 20	March 19	March 20
April 8	N/A	April 16	April 9	April 8	April 4	April 17	April 16	April 17
May 13	N/A	May 21	May 14	May 13	May 2	May 15	May 21	May 15
June 10	N/A	June 18	June 11	June 10	June 5	June 19	June 18	June 19
July 8	N/A	July 16	July 9	July 8	July 22	July 17	July 16	July 17
August 12	N/A	August 20	August 13	August 12	August 26	August 21	August 20	August 21
September 9	N/A	September 17	September 10	September 9	September 23	September 18	September 17	September 18
October 15	N/A	October 15	October 8	October 15	October 28	October 16	October 15	October 16
November 12	N/A	November 19	November 12	November 12	November 25	November 20	November 19	November 20
December 9	N/A	December 17	December 10	December 9	December 23	December 18	December 17	December 18

Electoral Area "A": 8505 – 68th Avenue (Sonora Centre), Osoyoos, B.C. at 7:00 P.M.

Electoral Area "B": N/A

Electoral Area "C": 6359 Park Drive (Oliver Community Centre, Room #1), Oliver, B.C. at 7:00 P.M.

Electoral Area "D": 1141 Cedar Street (Okanagan Falls Community Centre), Okanagan Falls, B.C. at 7:00 P.M.

Electoral Area "E": 3rd & Ritchie Avenue (Naramata Old Age Pensioners Hall), Naramata, B.C. at 7:30 P.M.

Electoral Area "F": 101 Martin Street (RDOS Boardroom), Penticton, B.C. at 7:00 P.M.

Electoral Area "G": 700 – 3rd Street (Keremeos Health Centre), Keremeos, B.C. at 7:30 P.M.

Electoral Area "H": 148 Old Hedley Road (Riverside Centre), Princeton, B.C. at 7:00 P.M.

Electoral Area "I": 320 Lakehill Road (Kaleden Community Hall), Kaleden, B.C. at 5:30 P.M.



Regional District of Okanagan-Similkameen REQUEST TO APPEAR AS A DELEGATION

Preferred Meeting Date: July 18, 2019

Name(s) of person(s) making presentation: Leighton McCarthy
Cal Meiklejohn, Glenn Sinclair, John Archer

What organization are you representing (if any): SOPAC II

Contact information:

Phone: Email:

Details of Presentation:

Proposed Visioning Workshop dealing with Cultural Future of South Okanagan

Will you be presenting a PowerPoint presentation? Yes No

Will you be providing handouts (24 copies required)? Yes No

PowerPoint presentations must be provided to the Manager of Legislative Services 1 week in advance of the meeting and will be distributed to the Directors (and public) when the agenda is published. If this is a concern, please contact the Manager of Legislative Services cmalden@rdos.bc.ca or 250-490-4146.

Desired action of the Board/Committee:

Requesting for matching funds to stage and complete the visioning workshop

Are you seeking funding from the RDOS? Yes No

With whom (if anyone) have you been in contact at the Regional District regarding this matter?

KARLA KOZAKEVIC (chair)

Further information:

- Your request will be reviewed by the Corporate Officer and Board Chair, and you will be notified as to how your request will proceed. Submission of your request does not constitute approval to appear.
- Please be aware that meeting day schedules and agendas are set well in advance of the meeting day. As well, the Board Chair may limit the number of delegations to be heard at any particular meeting.
- Presentations are usually limited to 10 minutes. Directors may wish to ask questions of the presenters. This is in addition to the 10 minutes allotted.
- If the presenter has further information to distribute to Board members after the meeting, please do so through Christy Malden, Manager of Legislative Services (250-490-4146 or cmalden@rdos.bc.ca). She will ensure that the information is distributed to all Board members.
- Please refer to our [Board and Committee Delegation Policy](#) for further information.



Presentation - SOPAC II Workshop

Date: July 16, 2019 (Penticton) and July 18, 2019 (RDOS)

Overview and Pertinent Background Information:

- The South Okanagan Performing Arts Centre Society (aka SOPAC) has been in existence since 1993. It was the re-incarnation of an earlier group working to establish a performing arts venue in Penticton.
- There have been many studies and proposals posited since the idea of establishing a cultural centre in Penticton was begun. Many of these are resident with the city administration and are easily available for reference.
- In 2017, Penticton City Council granted SOPAC partial funding in support of conducting a symposium related to a centre for the performing arts in downtown Penticton. The symposium was specifically related to a building on the designated site on Ellis Avenue but was cancelled due to lack of matching private funds and an insufficient time frame to organize the event in the fall of 2018.
- The current Board of Directors (BoD) was elected in January of 2019 and began working to re-energize the efforts of previous boards and set a new direction and vision for “SOPAC II.”
- On March 16 2019, the City of Penticton Council passed a motion in response to an early January request from SOPAC to renew the covenant on the Ellis Ave site. The motion that was passed by Council included the following actions to be undertaken through 2020:
 1. THAT Council direct staff to prepare an Area Redevelopment Plan for the 100, 200 & 300 Blocks of Ellis Street that will look at the future use of City lands and public infrastructure;
 2. AND THAT staff be directed to bring forward budget requests for this project as part of the 2020 Budget process;
 3. AND THAT the subject lands not be redeveloped until the completion of the Area Redevelopment Plan for the 100, 200 & 300 Blocks of Ellis Street.

Request for Support:

- The current Board of Directors (BoD) of SOPAC II has determined that prior to holding a symposium to investigate a vision for a building, it is essential to determine a “grass roots” vision for the future of culture in the South Okanagan and Similkameen region.
- To that end, SOPAC II is prepared to conduct a workshop to hear from specific organizations to examine the nature of the existing cultural assets and to establish what these representative groups foresee as appropriate cultural development for at least the next ten years.
- A budget for this workshop to be held in Oct/Nov 2019 has been established at \$15,000.00. It is the BoD’s intention to carry out the workshop over a Friday evening to Sunday morning period and to involve representatives from not only the arts groups but from related sectors of the economy and throughout the Southern Okanagan territory from Summerland to Osoyoos and including the Similkameen to Princeton.
- The SOPAC BoD is requesting a total of \$5,000.00 each from both the City of Penticton Council and the Regional District of Okanagan-Similkameen and will provide a \$5,000 contribution from the SOPAC reserve funds.
- The tentative program for the workshop, the proposed attendees and a budget are included with the reference documents provided in support of this request.
- A report summarizing the results of the workshop will be provided to the City of Penticton and the Regional District of Okanagan-Similkameen.
- The SOPAC II Board of Directors believes that the proposed workshop will provide the necessary basis for further deliberations relative to any cultural advancement in the South Okanagan and Similkameen.

Respectfully Submitted:

Appendices

I Proposed Workshop Program

place to be determined

FRIDAY EVENING (25/10/19)

- 6:45 p.m. Registration & Meet/Greet (additional background material provided)
- 7:30 p.m. Introductions of SOS Arts Board + any luminaries
- 7:45 p.m. Keynote: Special Guest (TBA – from world of Canadian Performing Arts)
The Values and Purposes of the Arts
- 8:15 p.m. Q&A (moderated by Board)
- 8:45 p.m. Reception (opportunity to meet with Guest & Board members)
- 9:30 P.M. {official end of the day}

SATURDAY (26/10/19)

- 8:00 a.m. Continental Style breakfast
- 9:00 a.m. Intro to the Process (led by gws)...
{Everyone would be re-assigned to tables to ensure every grouping is a cross-section of the attendees: both age-wise and geographically}
- 10:00 a.m. Preliminary Round One of Strategic Visioning Process
{coffee/juices, etc would constantly be available thus only a minimal break}
- 11:00 a.m. Preliminary Round Two of Strategic Visioning Process

- 11:50 p.m. Preliminary Round Three of Strategic Visioning Process
- 12:45 noon Luncheon
- 2:30 p.m. Interim Wrap-Up and Explanation of the various preliminary outcomes and next steps
- {coffee/juices, etc would constantly be available thus only a minimal break}
- 3:00 p.m. Final Small Group Analysis/Consolidation of Round 1
- {this process would offer all groups an opportunity to reflect on the emerging directions, refine recommendations and/or add clarifications}
- 3:30 p.m. Final Small Group Analysis/Consolidation of Round 2
- 4:00 p.m. Final Small Group Analysis/Consolidation of Round 3
- 4:30 p.m. Reporting to Full Group: Prioritization Process
- {lists of potential questions/possibilities would be assigned for reporting back in the morning – in writing!!}
- 5:30 p.m. Adjournment

SUNDAY (27/10/19)

- 8:00 a.m. Continental breakfast
- {All written responses would be submitted for photocopying}
- 9:30 a.m. Circulation of highlights of compilation effort for review/revisions
- {new small groups review & prioritize}
- 10:45 a.m. Final Presentations/Consensus Moment
- {by process of collaboration, major recommendations would be proposed}
- 11:15 a.m. Summary Session (led by Special Guest)
- {recommended next step(s) for the Board to initiate would be determined}
- 12:00 noon Concluding Luncheon To be inserted when available (Glenn to provide)

II Proposed Attendees to Workshop

Princeton:

- High School – drama/music/leadership teacher + student
- (2) Music Festival rep

Keremeos/Cawston:

- Fruit Growers/Wineries Assoc'n
- (3) Old Grist Mill operator
- Keremeos Actors

Osoyoos:

- Chamber of Commerce
- (3) High school drama/music teacher + student
- Nk'Mip Cultural Centre

Oliver:

- Winery association (Burrowing Owl)
- (5) Arts Council
- high school drama/music/English teacher + student
- Concert Society
- Osoyoos Indian Band

Okanagan Falls/Kaleden:

- Winery association
- (2) St. Andrew's-by-the-lake Golf Club

Summerland:

- Chamber of Commerce (Leighton)
- (4) Bottleneck wineries (Leighton)
- Arts Council (Leighton)
- High school drama/music teacher + student

Naramata:

Naramata Centre

(2) Naramata Bench wineries

RDOS:

political rep

(2) Okanagan Regional Library rep

Penticton:

Chamber of Commerce

(15) Downtown Business Association

Hospitality Group

Craft Breweries

Theatre rep (Many Hats)

Princess Margaret – drama/music/English teacher + student

PenHi – drama/music/leadership teacher + student

Arts Council

Penticton Indian Band

Penticton Art Gallery

Academy of Music

Trade & Convention Centre/SOEC

Penticton Library rep

Media rep

Service clubs rep (Rotary)

Total: 38 + Board + Guests

III Proposed Workshop Budget

Total: 45 (including Board + Guests)

Workshop Fundamentals:

1. Friday evening reception: @\$25/person {= \$1,125}
2. Food/Refreshments – (total approximately \$4,950)
Saturday morning – (continental style) including coffee, juices and water which will remain available all day @ \$25/p {= \$1,125}
Saturday mid-day – luncheon meal @ \$30/person {= \$1,350}
Sunday morning – bkft (as above) {= \$1,125}
Sunday mid-day – luncheon meal at which there will be the wrap-up summary observations by Thom @ \$30/person {= \$1,350}
3. Space Rental – 3 days @ \$150/d = {\$450}
4. Overnight Rooms – perhaps as many as 10 @ \$125 = {\$1,250}
5. Audio/Visual Equipment, Website Assistance re pre/post info sharing = {\$1,125}
6. Workshop Materials (including photocopying) = {\$685}
7. Guests: (travel, accommodation, honoraria, etc.) \$2,651
Weekend observer + keynote & wrap-up speaker – Thom Marriott
8. Contingency (@ 15%) = {\$1,835.40}

Total: \$14071.40 1/3 share = \$4,690.47

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: July 18, 2019
RE: Agricultural Land Commission Referral (Non-Farm Use) – Electoral Area “C”

Administrative Recommendation:

THAT the Regional District Board not “authorize” the application to operate a vehicle rental business as a “non-farm use” on part of the property at 5693 Sawmill Road in Electoral Area “C” to proceed to the Agricultural Land Commission.

Purpose: To allow a vehicle rental business as a permitted use on part of the subject property

Owner: Raghvir Dhaliwal Agent: Bill Ross Folio: C-05385.150

Civic: 5693 Sawmill Road Legal: Lot 2, Plan KAP21818, DL 2450S, SDYD, Portion L 112

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

Proposed Development:

The applicant is seeking approval from the Agricultural Land Commission (ALC) to legalise a vehicle and trailer rental business (i.e. “Oliver Rental Centre”) that was commenced within the Agricultural Land Reserve (ALR) without the prior approval of the Commission.

In support of this proposal, the applicant has stated that conducting the business on the subject property allows the operator to “provide more farm and commercial equipment” for rent and that “there is not” any other non-ALR properties available in the area on which to conduct the business. The applicant has further stated that “by farming on the property, and by supplying farm rental equipment to the surrounding area which is enhancing the agriculture community.”

Statutory Requirements:

Under Section 25(3) of the *Agricultural Land Commission Act*, an application for a non-farm use that applies to land that is zoned by bylaw to permit a farm use or requires an amendment to a land use bylaw in order to proceed may only be considered by the ALC if it is “authorized” by a resolution of the applicable local government.

In this instance, the Agriculture One (AG1) Zone of the subject property permits “agriculture” as a use, and an amendment to the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008 and Zoning Bylaw No. 2453, 2008, will be required in for the proposed use to proceed.

Site Context:

The subject property is 1.21 ha in area and is situated on the east side of Sawmill Road approximately 80 metres south of its intersection with Oak Avenue, which also forms the boundary between the Town of Oliver and Electoral Area “C”. It is understood that the property currently comprises a single

detached dwelling, shop and double garage with approximately 8,000 m² of land under agricultural production.

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

Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on September 24, 1971. Available Regional District records indicate the issuance of a building permit for an “accessory building to single family dwelling” (i.e. garage) in 1996.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG), and is also subject to a Watercourse Development Permit (WDP) Area designation at the rear of the property associated with a remnant oxbow.

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is zoned Agriculture One (AG1). The bylaw defines “vehicle sales and rentals” as meaning a “premises used for the sale, lease or hire of new or used vehicles ...” and this use is permitted in the General Commercial (C1), Service Commercial (CS1) and General Industrial (I1) zones, but not the AG1 Zone.

The Oliver Rental Centre previously operated at 5851 Main Street within the Town of Oliver and under the Town’s Service Commercial One (CS1) Zone, which permits “service industry establishment” (i.e. automobile sales, rental and repair) as a principal use.

It is Administration’s understanding that the Oliver Rental Centre re-located to the subject property in April of 2018 despite previously being advised by Regional District Bylaw Enforcement staff that zoning did not allow for the use and without seeking the approval of the ALC.

At its meeting of December 6, 2018, the Regional District resolved to not “authorize” a “non-farm use” application for a vehicle rental business (i.e. Oliver Rental Centre) to proceed to the ALC.

At that time, the applicant had advised that “this proposal cannot be carried out on lands outside the ALR because it is too expensive to buy parcels that fit the criteria of this operation. Moreover, lots of money would have to be invested on land improvements to even accompany the business. This parcel we purchased already had everything in place and no land improvements were made besides putting up a fence around the business perimeter.”

On February 5, 2019, the Regional District received a letter from the property owner of 5693 Sawmill Road requesting that the Board consider allowing the re-submission of the application that was refused at its meeting of December 6, 2018 (and which would not otherwise be able to be re-submitted until December 6, 2019). This request was approved by the Board at its meeting of February 21, 2019.

The property is within the floodplain associated with the Okanagan River Channel, is also within the Agricultural Land Reserve (ALR) and has been classed as Residential (01) and Business (06) by BC Assessment.

Analysis:

Administration considers this proposal to be inconsistent with the OCP and to represent the type of “leapfrog” development that the Plan seeks to prevent from occurring near the Town of Oliver’s boundaries.

It is noted that the OCP supports the Town as the primary growth area for the community due to its existing community infrastructure, services and economic and employment opportunities and speaks to existing and new commercial uses remaining in, or locating to the Town.

The Plan accomplishes this objective by seeking to limit commercial uses in Electoral Area “C” to parcels that are either already zoned Commercial or that are being developed “in conjunction with [a] future residential or commercial tourism development” — neither of which apply in this instance.

Administration considers that options exist within the Town of Oliver on parcels already zoned to accommodate the Oliver Rental Centre and that this include parcels in the Maple Avenue industrial subdivision situated approximately 300 metres to north of the subject property.

While it is understood that the applicant acquired the subject property because it was previously occupied by “Woody’s Glass”, Administration is concerned that “Woody’s Glass” was not lawfully established on the site, and was inconsistent with the AG1 Zone. Moreover, the commercial footprint of the Oliver Rental Centre is significantly greater than that of Woody’s Glass and will result in the alienation of agricultural land.

On this latter point, Administration notes that a central tenet of the Electoral Area “C” OCP is the preservation of agricultural land and its protection from uses that are inconsistent with farming. This is supported by policies that speak to preserving the existing land base, minimizing the footprint of non-agricultural uses and only supporting secondary “value added” uses that are compatible with the agricultural character of an area, are incidental to the primary agricultural use and do not conflict with surrounding properties.

Against these criteria, Administration notes that this use will result in an expanded non-farm footprint at the expense of agricultural land that is not characteristic of surrounding land uses.

Finally, Administration is concerned that the spot zoning required to formalise the Oliver Rental Centre – should it be approved by the ALC – will formalise a commercial land use on this section of Sawmill Road that, individually, may seem harmless, but will change the pattern of development and the existing character of this area.

Conversely, Administration recognises that the applicant is seeking to utilise an existing building and parking area and that the alienation of agricultural land will largely be the result of an additional vehicle parking area and not the result of permanent structures.

It is also noted that industrial uses occur on Sawmill Road approximately 1 km to the south (but that these are seen to predate the introduction of zoning in the early 1970s).

Nevertheless, for the reasons outlined previously, Administration is recommending that this proposal not be authorised to proceed to the ALC.

Alternatives:

1. THAT the Regional District Board “authorize” the application to operate a vehicle rental business as a “non-farm use” on part of the property at 5693 Sawmill Road in Electoral Area “C” to proceed to the Agricultural Land Commission.
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “C” Advisory Planning Commission (APC).

Respectfully submitted



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, G.M. of Development Services

Attachments: No. 1 – Context Maps

No. 2 – Applicant’s Site Plan

No. 3 – Site Photo (6693 Sawmill Road)

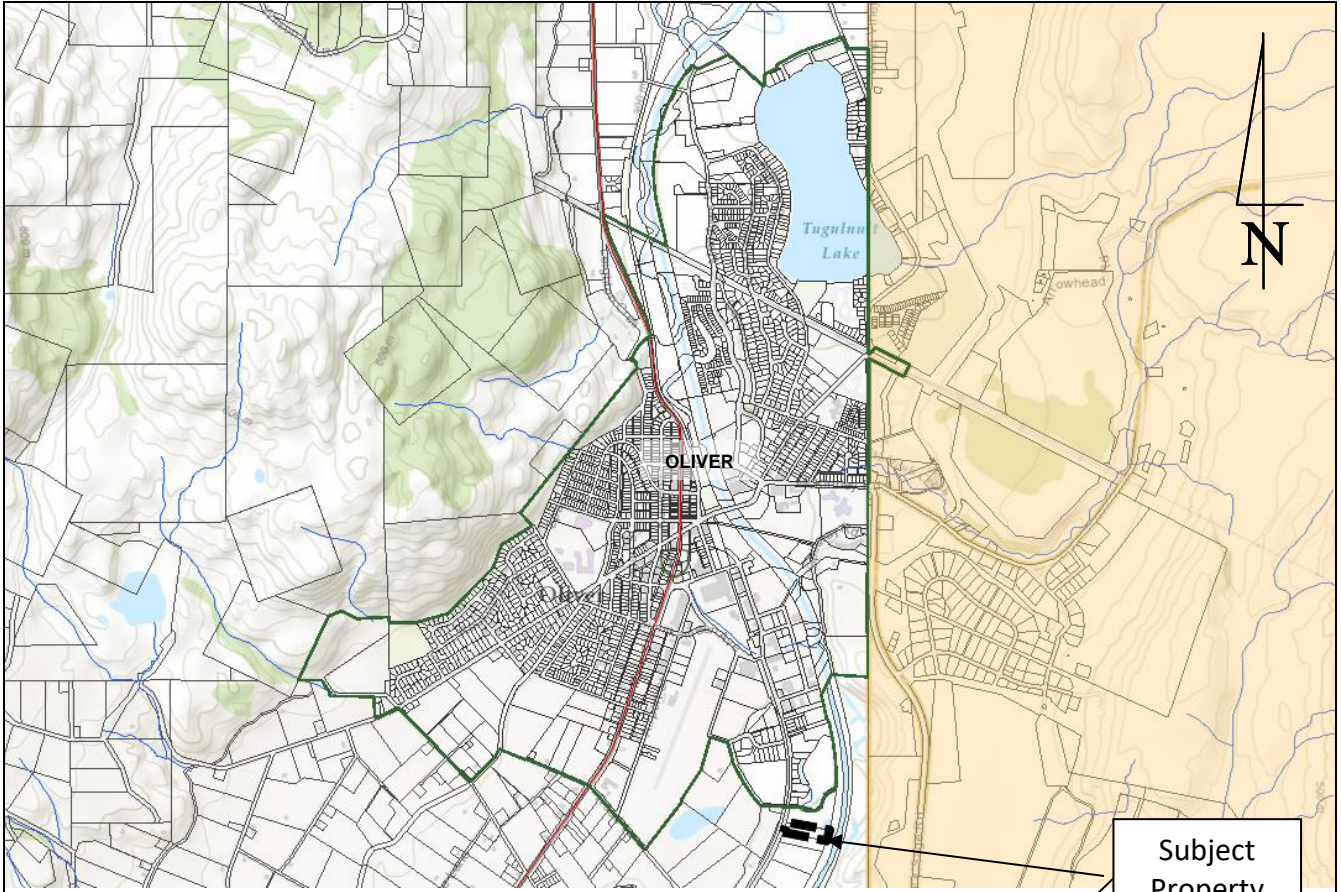
No. 4 – Applicant’s Site Photo (Vehicle Rental Business Use)

No. 5 - Applicant’s Site Photo (Areas under Agricultural Production)

No. 6 - Former location of Oliver Rental Centre at 5851 Main Street, Oliver (Site Photo)

No. 7 – Applicant’s Petition

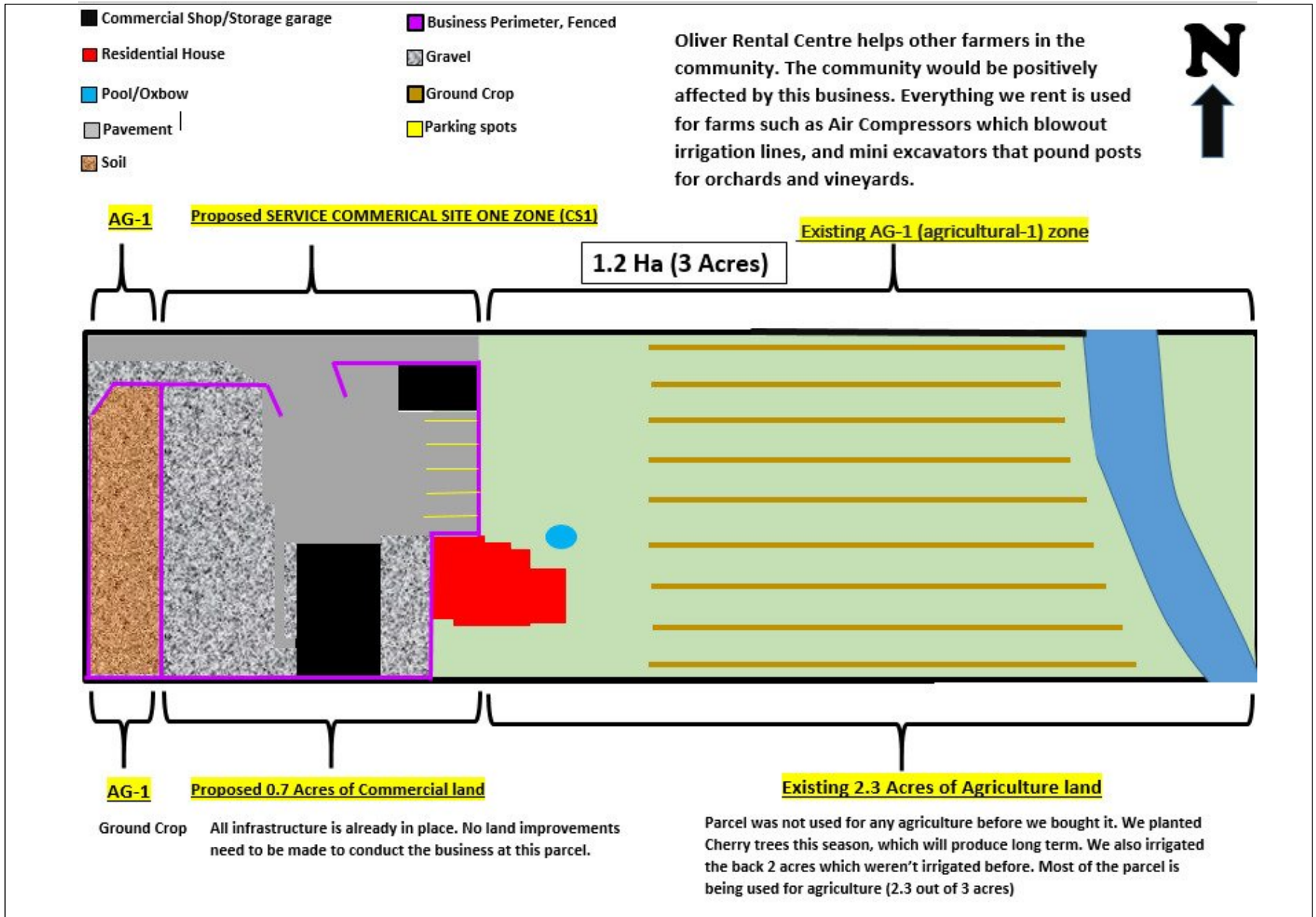
Attachment No. 1 – Context Maps



Subject Property



Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Applicant’s Site Photo (6693 Sawmill Road)



Attachment No. 4 – Applicant’s Site Photo (Vehicle Rental Business Use)



Attachment No. 5 – Applicant’s Site Photo (Areas under Agricultural Production)



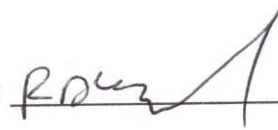
Attachment No. 6 – Former location of Oliver Rental Centre at 5851 Main Street, Oliver (Site Photo)



To the Members of the Regional District of Okanagan-Similkameen

This petition of the farmers in the Okanagan-Similkameen area, draws attention to the RDOS that Oliver Rental Centre, location at 5693 Sawmill Road, helps us farmers blowout our irrigation lines with their rentable Air Compressors. They also support our vineyards and orchard's, with their post pounding equipment. We therefore ask the RDOS to allow Oliver Rental Centre to continue to operate at 5693 Sawmill Road, Oliver BC.

Oliver Rental Centre Owner

Name: Raghvir Dhaliwal Signature: 

Address: 5778 main st, Oliver BC

Email: Oliverrentalcentre@gmail.com Phone Number: 250-498-7539

Name	Signature	Phone Number
Darshan Buttar	D. Buttar	250-495-9333
DARSHAN-GILL	D Gill	250-498-2335
Fateh farm	Kishu Kumar	778-708-0381
Kulwinder S. Dhillon	Kulwinder	250-498-1836
Sukdeep S. Bhan	Sukdeep	1306-261-1515
HARINDER S BRAR	Har Brar	250 485-2525
SURINDER DHALIWA	Surinder	250-498-1102
Ranjit Singh	RST	250 498 3638
Rohinder S Gill	R S Gill	250-498-1572
Steven Schmidt	S. S. H	250-498-9920
Swaran Singh	Swaran	250 485-2317
KULDEEP - MALLHI	Kuldeep	204-905-0035
Samt Gill	Samt	250-498-7643
G. Gill	G Gill	250-498-7268
Sushwinder Gill	Sushwinder	250-495-7006
JASVIR-GILL	Jasvir Gill	250-498-9172
PAL-DHALIWA	Pal	250-408-9600
Harjeet Gill	Harjeet Gill	250-498-7484
MONHAN GILL	Monhan	250-498-9976
LAKHVIK-GILL-	Lakhvir	250-498-1651

2

Name	Signature	Phone Number
Okanagan Shire Farm	Jagdeep	250-2198-9641
Riverside Orchards	B. Cur	250-689-5544
RHAWAL Farm	Harbhaj Singh	250-498-3274
Indes Dhalwal	Indes Dhalwal	(250) 490-7198
HARPREET SIDHU	Harpreet Sidhu	250-408-4393
Summer Hill Orchards	Rod	250-689-0375
Northern Cherries	M. Khan	604-315-6157
BAZ FARM	Baz	250-498-1285
KULBIR SALL	Kulbir	250-498-0038
MANJINDER	M. Kheter	604-715-1624
Baljit Dhalwal	Baljit	778-237-3348
Kizandeep Sekhon	Kiz	604-368-6766
GURTEJ S. KANG	Gurtej	250-689-1158
Keher Singh Khair	K. K. H. A. B.	250-498-6575
HARBHAGW	Harbhagwan Singh	250-498-7210
BRAR RAJINDER SINGH	Brar	250-535-0786
Kulwant Dhalwal	K. D.	250-485-7552 250-535-0711
Baljit Gill	Baljit	250-408-9757
Chamkaur Gill	C. Gill	250-408-8800
Rand D orchard	R	250-448-6687

Name	Signature	Phone Number
Mandeep Gill		250-535-0094
Gurmeet Brar		950-485-7931
Jasbir Surtow		250 408 5291
Lakeside Cellars		250 535 0642
KULDEEP DHAULAK		250-498-0915
Sekhon Orchards/str.		208-535-0479
Mahinder Sekhon	Mahinder S. Sekhon	200-55-0979
Paven Sekhon		778 378 7018
MANPREET AULIA		778-879-8989
JASWANT KAILAY	Jaswant Kailay	250-498-1966
DIOLINDIA FURNITURE		250 689-0728
JOSE SOUTO		250 498 2954
Manjot Aujla		250-498-0537
Kuldeep Aujla	Kuldeep Aujla	250-485-8617
Russ KLATT		250 498 - 9425
Yadwinder Brar		250-535-0938
Darbara Brar		250-498-1561
KEWAL		250 408 4600
SAWRAN Soti	S.S.	250-498-6045
Simerjit Mann	S.M.	250-408-8624

Name	Signature	Phone Number
Triple T Farms		250-328-3838
KJ P FARM		250-535-0714
BALSIT Anjla		250 535-0099
Rama Ridge Estate Winery		(250) 809-1975
SM Produce Ltd		250-485-8205
HILLTOP FARM	S. D. L.	250-408-9999
OLIVER Gardens & Fruit	K. B. H.	250-498-1143
Season's Best Produce		250-498-9188
KRAZY CHERRY Fruit Co		250-498-9606
Sunview Market Ltd		250-498-5155
GIAN WANDER	Gian Wander	250-498-7379
Ajmar Sandhu	Ajmer Sandhu	250 498 1192
Balwants S. Gill	B. S. Gill	250-495-8058
SUKHMANDER GILL	S. Gill	250-689-1450
Kalla S. Sidhu	Kalla S. Sidhu	250-485-2012
Gurdeep Gill	Gurdeep Gill	250-498-7921
NANAK SINGH	Nank Singh	250-498-7169
Valley Best Produce	Balday S. Gill	250 809 7134
KAMALJIT Gill		250 498 9462
PRESHAM BRAR		250-689-2727
Jagjit Singh	J.S. Brar	250-498-9029
Jagmeet Patel	Jagmeet R	250 408 9486



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

Administrative Recommendation:

THAT the Board of Directors deny Development Variance Permit No. I2019.014-DVP

Purpose: To allow for a lot line adjustment between three existing parcels.

Owners: D. & V. King Agent: David Sereda (McElhanney) Folio: I-01373.100

Civic: 207 Ponderosa Avenue Legal: Lot B, Plan KAP88083, District Lot 105S, SDYD

OCP: Low Density Residential (LR) Zone: Residential Single Family One (RS1)

Variance Request: to reduce the minimum parcel area requirements for each portion of a hooked parcel from 500 m²

to 376.7 m² for a portion of proposed Lot 3.

Proposed Development:

This application is seeking a variance to facilitate a lot line adjustment between three existing parcels at 102 6th Street, 106 6th Street, and 207 Ponderosa Avenue that will have parcel sizes of 1,180 m² (Lot 1), 1,310 m² (Lot 2), and 1,260 m² (Lot 3).

Specifically, it is being proposed to reduce the minimum parcel area requirements for a hooked parcel that applies to proposed Lot 3 at 207 Ponderosa Avenue from 500 m² to 376.7 m².

In support of this request, the applicant has stated that “the purpose of the lot line adjustment is to better reflect the access driveway configuration and required secondary septic field locations and Interior Health Authority Covenant areas.”

Site Context:

The subject property is approximately 1,400 m² (0.140 ha) in area and is situated on the east side of Ponderosa Avenue and the eastern property line abuts Skaha Lake. The property is currently developed containing a single detached dwelling.

The surrounding pattern of development is characterised by residential and Pioneer Park is located in close proximity to the subject property.

Background:

The subject property was created by a plan of subdivision registered with the Land Titles Office in Kamloops on December 10, 2008, while available Regional District records indicate that Building Permits have previously been issued for a new single detached dwelling (2010).

Under Electoral Area “I” Official Community Plan (OCP) No. 2683, 2016, the subject property is designated as Low Density Residential (LR) and is the subject of a Environmentally Sensitive Development Permit (ESDP) Area and Watercourse Development Permit Area (WDP) designation.

Under the Electoral Area “I” Zoning Bylaw No. 2457, 2008, the property is zoned as Residential Single Family One (RS1), which requires a minimum parcel size of 500 m², subject to servicing requirements. In addition, Section 6.5 of the Electoral Area “I” Zoning Bylaw requires that hooked parcels require each portion to satisfy the minimum parcel area requirements for the applicable zone.

The property is also situated within the floodplain associated with Skaha Lake and is assessed as Residential (Class 01) by BC Assessment.

In 2015, the applicants received approval from Ministry of Transportation and Infrastructure (MoTI) for a three lot boundary adjustment subdivision (reapproval in 2017), however, the subdivision was not registered on title and approvals subsequently lapsed.

At its meeting of June 19, 2019, the Electoral Area “I” Advisory Planning Commission resolved to recommend to the RDOS Board that the application be approved with the following condition:

- *the RDOS apply a covenant to the land title that prohibits development of any buildings on the substandard hooked section.*

Public Process:

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

Analysis:

In considering this proposal, Administration notes that the regulation of hooked parcels through the zoning bylaw is to discourage the use of such parcels to circumvent the intent of zoning approved by the Board. For example, in a rural-residential zone (i.e. Small Holdings) hooked lots have been used to cluster housing sites at a location with desirable attributes, such as views or water access, but at a density that is more reflective of a low density residential zoning.

In other instances, hooked parcels have been used to facilitate development of a site to a density that may not otherwise have been feasible due to topographical constraints (i.e. by “hooking” multiple areas into a parcel to meet minimum parcel size requirement).

A further concern is that the creation of new hooked parcels is likely to result in future subdivision pressure from property owners who no longer wish to maintain physically discontinuous parts of their property. It is not uncommon for the Regional District Board to be asked to approve the “un-hooking” of parcels.

In this instance, Administration is concerned that there are no physical or other site constraints that would appear to warrant a variance to create a sub-minimal “hook”.

While it is recognised that the proposed hook is encumbered by an Interior Health Authority (IHA) covenant registered on title that prevents development, the Regional District is currently exploring the extension of community sewer services to Kaleden.

Administration is concerned that allowing a hooked portion of a parcel may create pressure to sever the hooked portion of the property in future, when sewer servicing be made available and the IHA covenant becomes redundant.

In response to the Advisory Planning Commission's recommendation to include a "no build" covenant on title for the sub-standard portion, there is the same concern of pressure to remove the "no build" covenant at a later date when sewer is available and an owner wishes to "unhook" the parcel.

It is further noted that the intent of the bylaw has not been met, as there are alternatives to avoid creating a sub-standard portion of the hooked parcel, such as increasing the hooked portion area with the land to the north of the hooked portion to create an area of not less than 500 m².

Another option is to include this area in Lot 2, place an easement agreement to benefit Lot 3 for the septic area, and to not hook the parcel.

Further to alternative subdivision layouts, another alternative is to not pursue the lot line adjustment, as formalizing agreements between property owners regarding preferred access onto existing parcels or septic field locations can be resolved through other mechanisms, such as easement agreements.

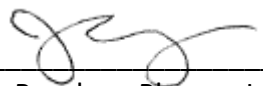
Conversely, the applicants have invested considerable resources and time in preparing the surveys and legal agreements to the proposed subdivision, and the subdivision had been approved previously. Any alterations to the proposed lot layout would require further negotiations with all involved parties and the owners would incur additional survey and legal expenses. However, from a planning perspective, there are viable options available to modify their proposal to meet the intent of the bylaw and avoid a sub-standard hooked parcel.

For these reasons, Administration does not support the requested variance and is recommending denial.

Alternatives:

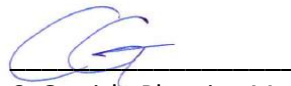
1. That the Board approve Development Variance Permit No. I2019.014-DVP.
2. That the Board approve Development Variance Permit No. I2019.014-DVP, subject to the following condition:
 - i) The RDOS apply a covenant to the land title that prohibits development of any buildings on the substandard hooked section.

Respectfully submitted



J. Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

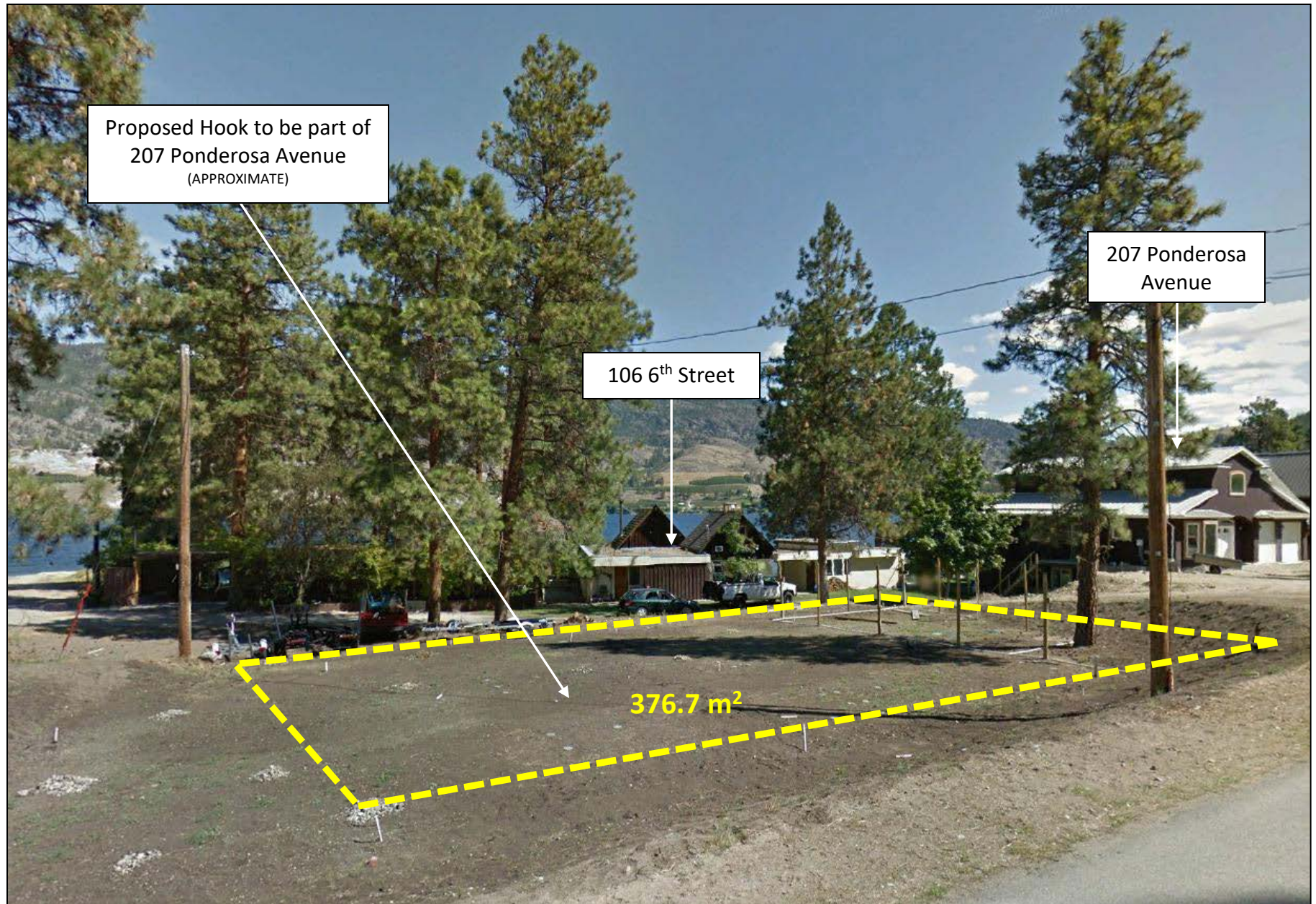
Endorsed by:



B. Dollevoet, G.M. of Dev. Services

Attachments: No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)





Development Variance Permit

FILE NO.: I2019.014 –DVP

Owner: Douglas and Vivian King
207 Ponderosa Ave
Site 10B Comp 11, RR 1
Kaleden, BC, V0H-1K0

Agent: McEhanney & Associates
c/o David Sereda
290 Nanaimo Ave W
Penticton, BC, V2A-1N5

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot B, Plan KAP88083, District Lot 105S, SDYD
Civic Address:	207 Ponderosa Avenue
Parcel Identifier (PID):	027-764-168 Folio: I-01373.100

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "I" Zoning Bylaw No. 2457, 2008, in the Regional District of Okanagan-Similkameen:

- a) the minimum parcel area requirements for each portion of a hooked parcel of the applicable zone, as required in Section 6.5.1, and as prescribed in Section 11.1.3(a), is varied:
 - i) from: 500 m², subject to servicing requirements
 - to: 376.5 m² for a portion of Lot 3 as shown on Schedule 'B'.

7. COVENANT REQUIREMENTS

- a) Not Applicable

8. SECURITY REQUIREMENTS

- a) Not applicable

9. EXPIRY OF PERMIT

The development shall be carried out according to the following schedule:

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2019.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

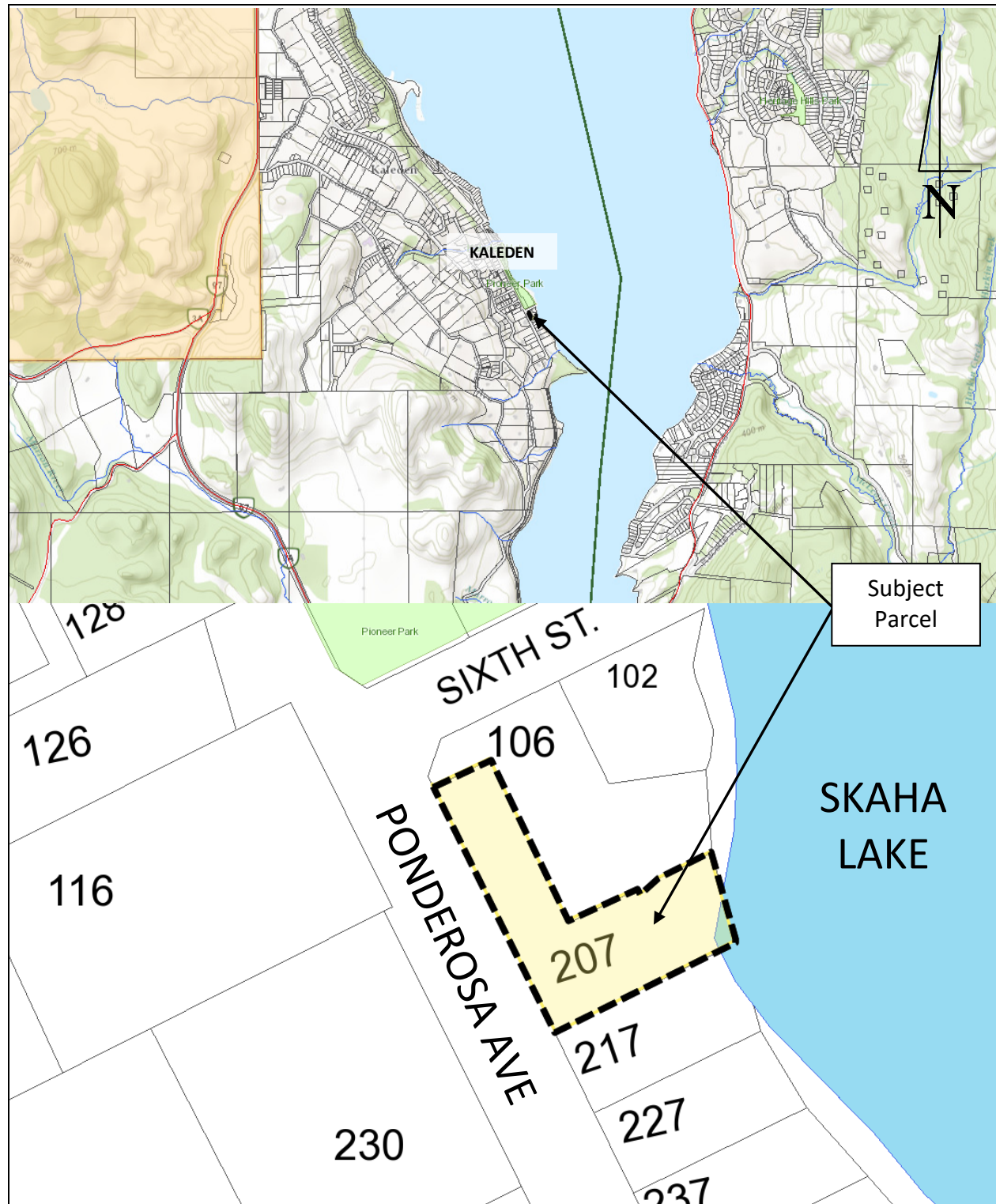
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. I2019.014-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

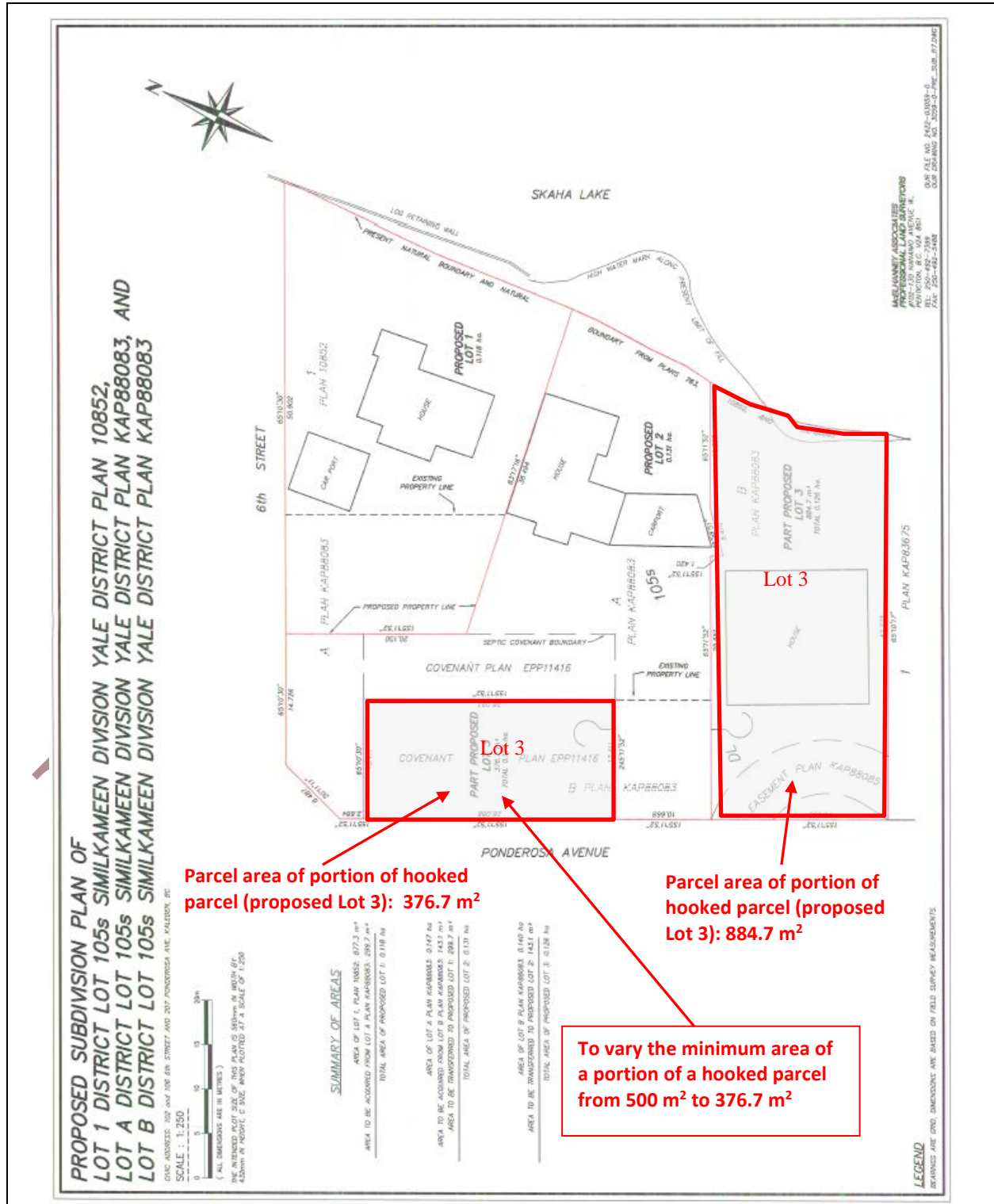
101 Martin St, Penticton, BC, V2A-5J9
 Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. I2019.014-DVP

Schedule 'B'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: July 18th, 2019
RE: OCP & Zoning Bylaw Amendment and ALC Application – Electoral Area “C”

Administrative Recommendation:

THAT the Board of Directors accept the Public Hearing report of July 3rd, 2019 for Amendment Bylaw No. 2452.21 and No. 2453.36;

AND THAT the Board considers the public process, as outlined in the report from the Chief Administrative Officer dated July 18th, 2019, to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*;

AND THAT, in accordance with Section 882 of the *Local Government Act*, the Board has considered Bylaw No. 2452.21, 2019, in conjunction with its Financial and applicable Waste Management Plans;

AND 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 third time and adopted;

AND THAT the RDOS Board “authorize” the application to allow a Non-Farm Use to allow for a winery on a 1.39 hectare parcel of land located at 793 Serest Hill Road, Oliver, (Lot 1, DL 2450s, SDYD, Plan KAP31678), to proceed to the Agricultural Land Commission.

Purpose: To allow for the construction of a winery.

Owner: Naomi Garrish Applicant: Naomi Garrish Folio: C06475.010

Civic: 793 Serest 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:

The first purpose of this report is to amend the Electoral Area “C” Official Community Plan and Zoning Bylaw in order to allow the development of a winery on the subject property.

Agriculture is a permitted use within the SH3 Zone; however, a “brewery, cidery, distillery, meadery or **winery**” [emphasis added] is only permitted within an Agriculture zone.

The second purpose is to “authorize” the related ALC application to allow a winery (considered a “Non-Farm Use” due to the smaller relative size of the parcel) on the same parcel of land, despite it being less than 2.0 ha in area. 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, in 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) and 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:

Pursuant to Section 882 of the *Local Government Act*, after first reading the regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed in conjunction with RDOS's current waste management plan and financial plan, and it has been determined that the proposed bylaw is consistent with both of those plans.

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, the Agricultural Land Commission, and the Ministry of Agriculture, and these are included within the Board agenda package.

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.

At its meeting of June 6, 2019, the Regional District Board approved first and second reading of Amendment Bylaw No. 2452.21, 2019, and 2453.36, 2019, and delegated the scheduling of a public hearing to Director Knodel.

On July 3rd, 2019, a public hearing was held at the Oliver Community Centre at which one member of the public was present. Administration recommends that the process outlined above, including a Public Information Meeting, Public Hearing, APC consideration and formal referral to the relevant agencies, should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*. As such, this process is seen to be sufficiently early and does not need to be further ongoing.

Analysis:

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.

Rezoning - 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 Policy 9.3.22: “The Regional Board, on existing parcels, encourage agricultural use of all farm parcels regardless of size.”*

The Official Community Plan promotes agriculture in the area and encourages the “*agricultural use of all farm parcels **regardless of size***” [emphasis added]. 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 that compliment the surrounding rural landscape.

Rezoning - Electoral Area “C” Zoning Bylaw No. 2453:

The rezoning 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 would present a conflict with the Bylaw if a subdivision were being undertaken, as the subject property is approximately 1.39 ha. However, no subdivision is being proposed that would further reduce the parcel’s size.

Agricultural Land Commission (ALC) Application:

The ALC 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 would need to be grown on the farm on which the alcohol production facility is located.

In this case, the property being utilized by the winery is below the 2.0 hectare size required by the legislation as the property is 1.39 ha in size, and the applicant may not be able to meet the ALC's 50% product requirement at the present time. Therefore, the applicant is pursuing a "non-farm use" approval from the ALC to proceed.

The winery production facility is to be located within an existing barn structure that would be repurposed. Administration views this repurposing as an efficient use of land, as the proposal does not require additional lands to be taken out of production for the wine production. In addition, the applicant has demonstrated their commitment to utilizing the suitable areas of the property as a vineyard, which is a farm use by definition.

In summary, Administration generally supports the proposed OCP and Zoning Bylaw amendments. In addition, due to having similar merits to the support for the rezoning and OCP amendment, Administration also recommends the "authorization" of forwarding the non-farm use application to the ALC.

Alternatives:

1. THAT Bylaw No. 2452.21, 2019, Electoral Area "C" Official Community Plan and Bylaw No. 2453.36, 2019, Electoral Area "C" Zoning Amendment Bylaw, and "authorization" of the related ALC application be deferred.
2. THAT Bylaw No. 2452.21, 2019, Electoral Area "C" Official Community Plan, Bylaw No. 2453.36, 2019, Electoral Area "C" Zoning Amendment Bylaw and "authorization" of the related ALC application be denied.

Respectfully submitted:

C. Labrecque

C. Labrecque, Planner II

Endorsed:

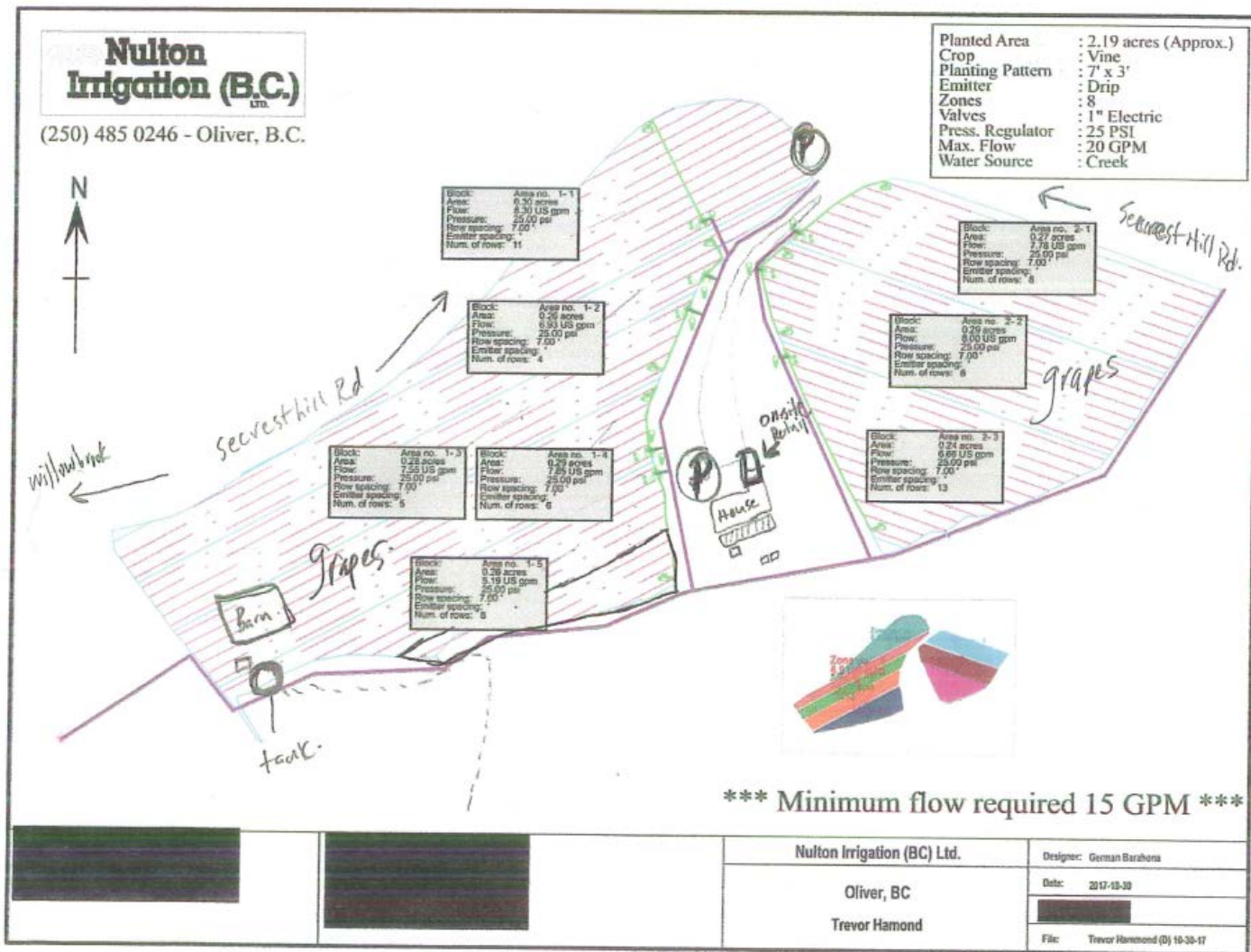


B. Dollevoet, G.M. of Development Services

Attachments: No. 1 – Applicant's Site Plan

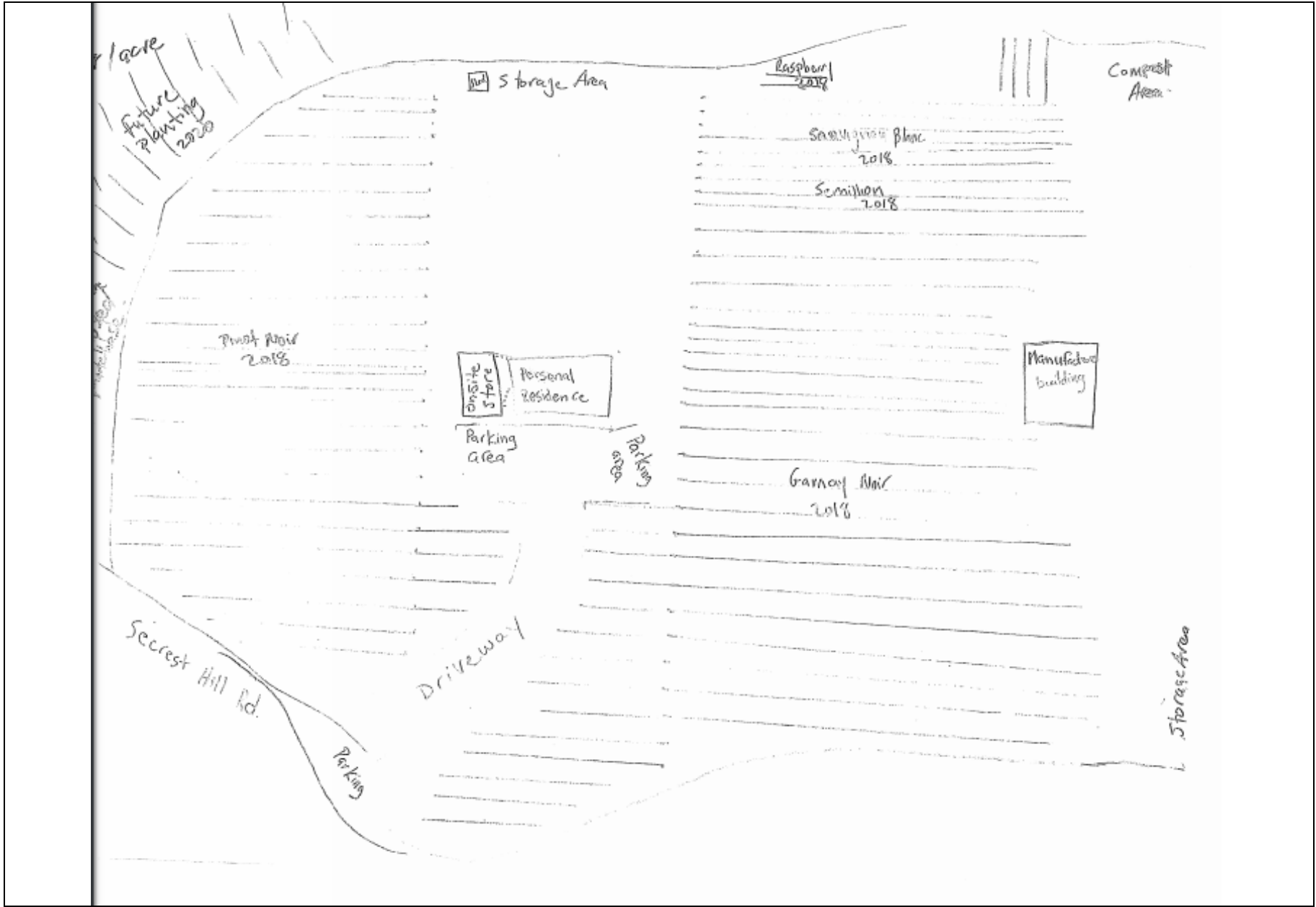
No. 2 – Applicant's Site Plan

Attachment No. 1 – Applicant's Site Plan



Handwritten notes:
 Parking @ gate - 4 spaces
 @ Front Entrance - 3
 2 valves/cycle.

Attachment No. 2 – Applicant's Site Plan



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 6th day of June, 2019.

PUBLIC HEARING held on this 3rd day of July, 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

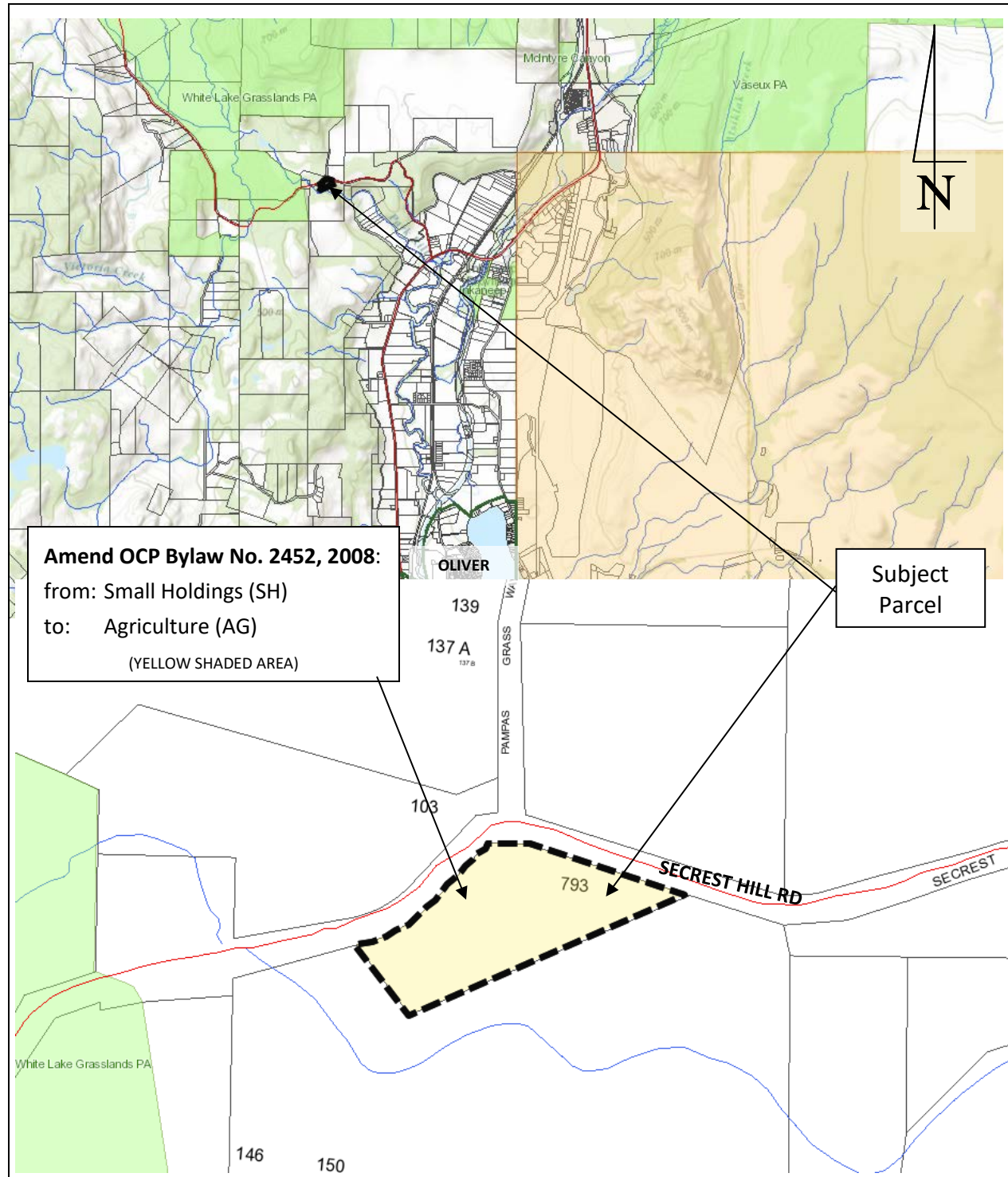
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2452.21, 2019

File No. C2019.004-ZONE

Schedule 'A'



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 6th day of June, 2019.

PUBLIC HEARING held on this 3rd day of July, 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

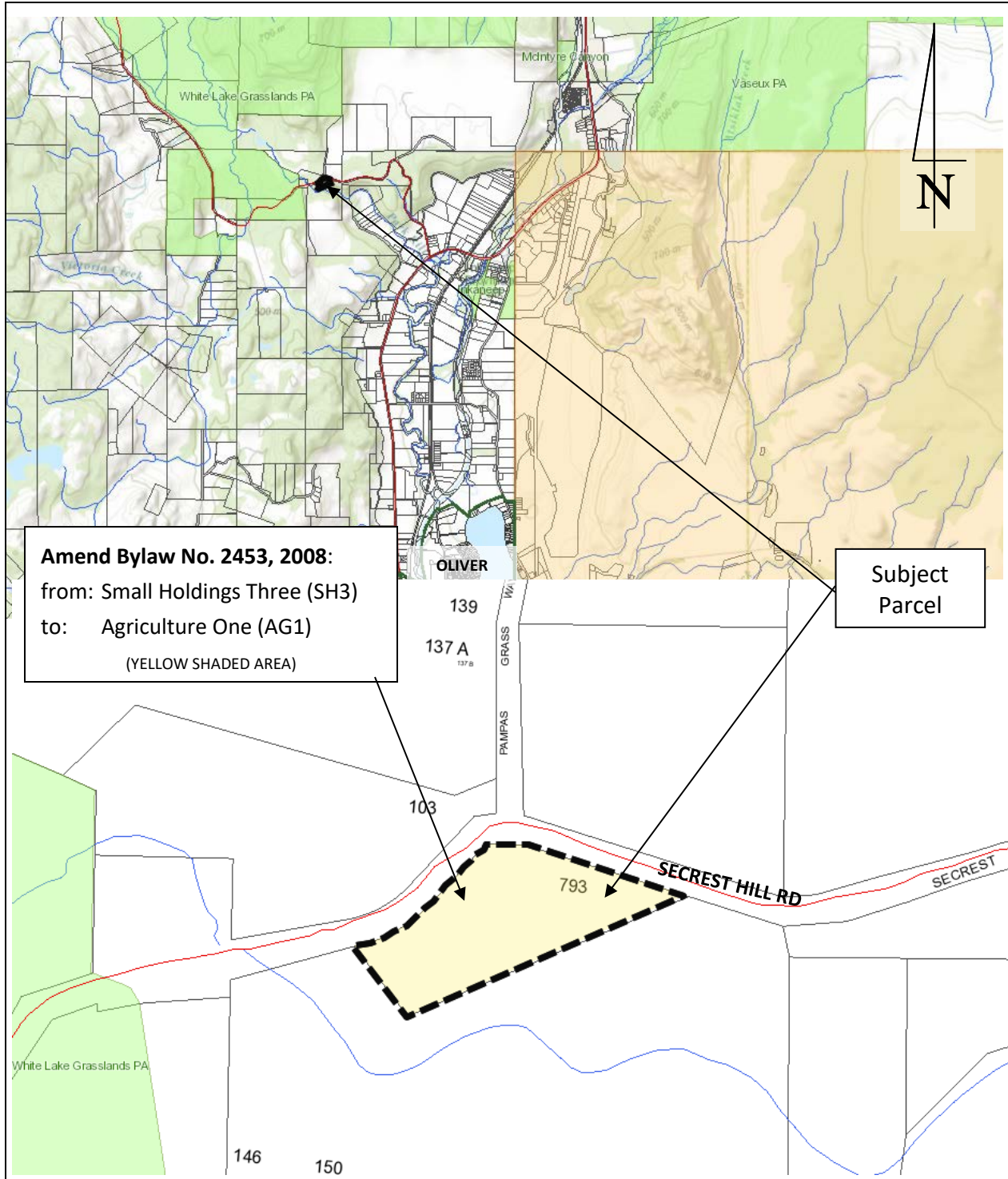
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2453.36, 2019

File No. C2019.004-ZONE

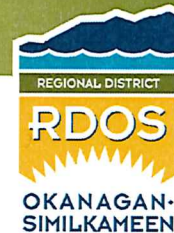
Schedule 'A'



Amendment Bylaw No. 24523.36, 2019

(C2019.004-ZONE)

Page 2 of 2



TO: Regional Board of Directors

FROM: Director Rick Knodel, Electoral Area "C"

DATE: July 3, 2019

RE: Public Hearing Report - Amendment Bylaw No.(s) 2452.21 and 2453.36, 2019

Purpose of Bylaw:

The purpose of Amendment Bylaw No. 2452.21 and 2453.36, 2019, is to allow for the construction of a winery specifically by amending Electoral Area "C" OCP Bylaw No. 2452, 2008 by changing the land use designation from Small Holdings (SH) to Agriculture (AG) and amending Electoral Area "C" Zoning Bylaw No. 2453, 2008 by changing the land use designation from Small Holdings Three (SH3) to Agriculture One (AG1).

Public Hearing Overview:

The Public Hearing for Bylaw No.(s) 2452.21 and 2453.36, 2019, was convened on Wednesday, July 3, 2019 7:50 p.m., at the Oliver Community Centre, 6359 Park Drive, Oliver.

Members of the Regional District staff present were:

- Cory Labrecque, Planner II

There was one (1) member of the public present.

Chair Knodel called the Public Hearing to order at 7:50 p.m. at the Oliver Community Centre, 6359 Park Drive, Oliver, pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Bylaw No. 2452.21 and 2453.36, 2019.

In accordance with Section 466, the time and place of the public hearing was advertised in the June 20th and June 27th editions of the Oliver Chronicle.

Copies of reports and correspondence received related to Bylaw No. 2452.21 and 2453.36, 2019 were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There were no written briefs submitted at the public hearing.

Chair Knodel called a first time for briefs and comments from the floor and noted that a binder is available which includes all written comments received to date and anyone wishing to review the comments could do so.

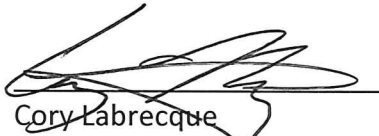
C. Labrecque, Planner, outlined the proposed bylaw.

Chair Knodel asked if anyone wished to speak to the proposed bylaw.

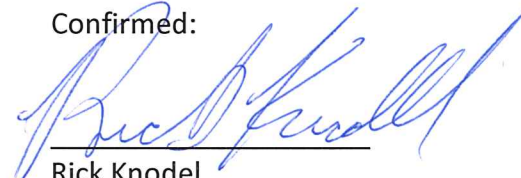
Chair Knodel asked a second time if there was anyone who wished to speak further to the proposed bylaw.

Chair Knodel asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 8:00 p.m.

Recorded by:


Cory Labrecque
Planner II

Confirmed:


Rick Knodel
Chair



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](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



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.

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

A handwritten signature in black ink, appearing to be 'Sara 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.

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 stallation), 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.

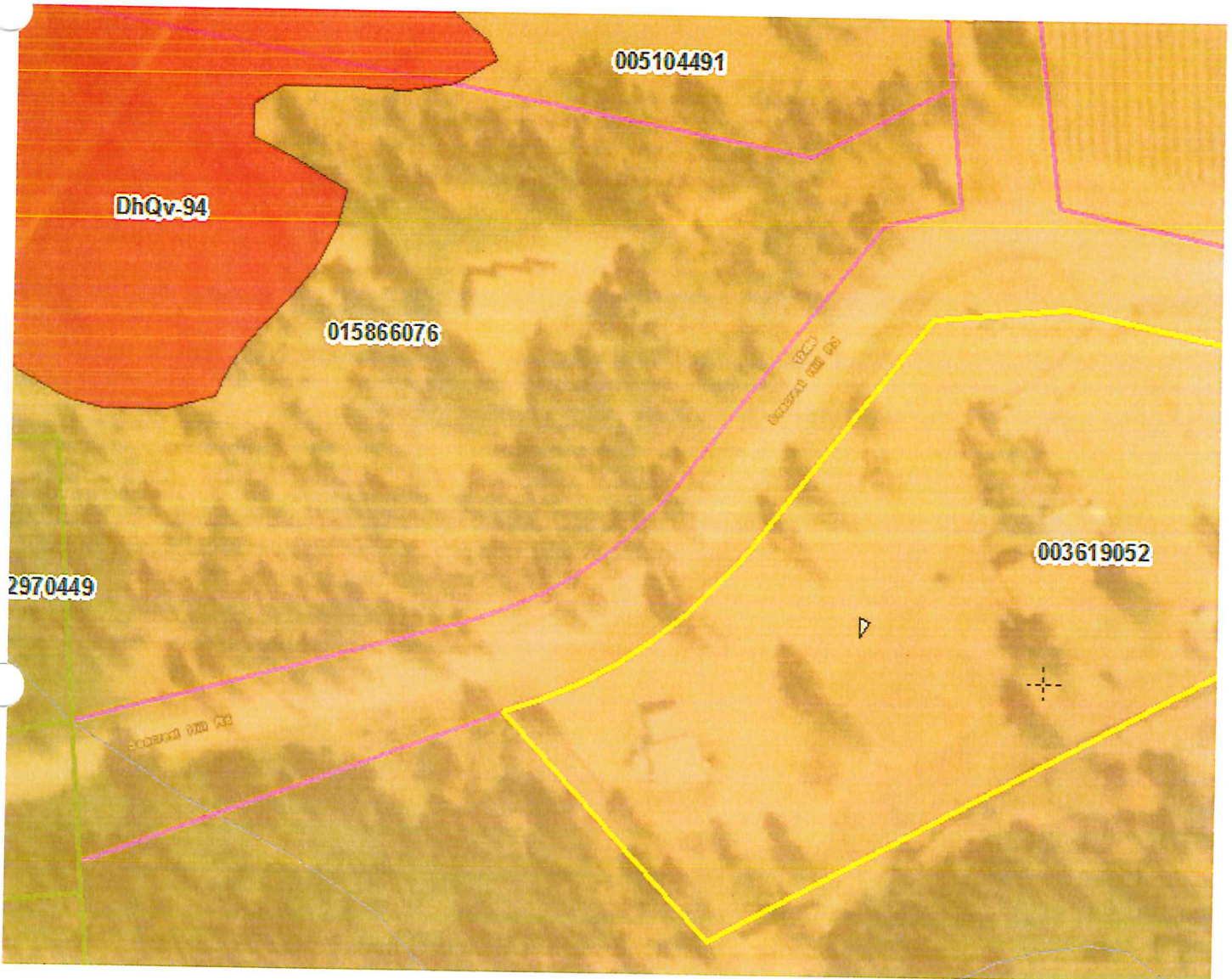
Please review the screenshot of the property below (outlined in yellow). The brown colour of the screenshot indicates high potential for unknown/unrecorded archaeological deposits. If this does not represent the property listed in the referral, please contact me.

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>

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

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



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: July 18, 2019

RE: Award of Business Waste Education Provider

Administrative Recommendation:

THAT the Board of Directors enter into a consulting services agreement with GreenStep Solutions for \$70,000 for Business Waste Education Provider for 2019 and 2020.

Purpose:

To authorize the award of a consulting services agreement for a Business Waste Education Provider for 2019 and 2020.

Reference:

In accordance with the purchasing and Sales Policy, the Regional Board of Directors shall approve all purchases over \$50,000.

[Business and Multi-Family Recycling Webpage](#)

Background:

The Regional District Solid Waste Management Plan recognizes the need for improvements to business and multi-family recycling. Recyclable materials such as paper, cardboard, wood and metal continue to be found in commercial and multifamily garbage.

In 2017, the RDOS hired GreenStep Solutions to undertake public consultation with businesses, multi-family and hauler groups across the RDOS. GreenStep Solutions conducted a series of waste audits at businesses to identify levels of recycling and contamination. They produced a series of best practices guides for businesses, events and multi-family units.

Funding for the project comes from 4300 - Solid Waste Management Plan. \$35,000 was allocated in 2019 and another \$35,000 in 2020 for Business Waste Education.

Analysis:

A Request for Proposals was used and two Proponents submitted. The price of services was set at \$70,000 and the Proposals were considered solely in terms of value of service. In review of the Proposals, the evaluation team concluded that GreenStep Solutions offered the best value for the allocated budget.

Following the results of surveys and audits conducted, GreenStep proposes to develop and deliver a comprehensive Business Waste Education and Technical Assistance Program. This program will focus on directly working with individual businesses to increase recycling. This has been found to be the best way to increase recycling rates. Passive advertising and newsletters often do not lead to behavior change.

Event recycling will be another priority. The RDOS hosts dozens of smaller and larger events. Developing best practices and a consistent approach for handling waste will make it easier for event organizers to divert waste.

Updated waste audits at selected businesses will be used to assess the ongoing success of recycling programs.

GreenStep Solutions has also offered to work with Planning Departments to implement regulations or guidelines for new construction recycling areas.

Respectfully submitted:

Cameron Baughen

C. Baughen, Solid Waste Management Coordinator

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Net Zero Waste Grant Application Agreement

Administrative Recommendation:

THAT the Board of Directors enter into agreement with Net Zero Waste for the RDOS application for \$4,000,000 in grant funds from the Organics Infrastructure Program.

Purpose:

To allow for the authorization of an agreement to allow the RDOS to apply to the Organics Infrastructure Program on behalf of Net Zero Waste in a manner that indemnifies the RDOS from potential harm.

Reference:

RDOS Board Minutes D.3. - Net Zero Waste Organics Infrastructure Program Funding

Business Plan Objective:

Not applicable.

Background:

On October 4th, 2018, the company Net Zero Waste requested that the RDOS support their application for an Expression of Interest for the Organics Infrastructure Program for capital upgrades to an existing mushroom composting facility near Eastgate, BC. The Organics Infrastructure Program is only available for local governments and First Nations. Private businesses must partner with a local government or First Nation to apply.

On October 18th, 2018, the RDOS Board resolved “THAT the Regional District of Okanagan Similkameen provide their support to Net Zero Waste for their submission for organics infrastructure program funding to upgrade their composting facility between Eastgate and Princeton.”

The RDOS submitted an Expression of Interest on behalf of Net Zero Waste. Initially the RDOS was unable to submit a grant application for Net Zero Waste but the Province has extended the deadline for submissions several times. The Province has required that the RDOS either provide a Board Resolution that the RDOS will be responsible for all associated costs or submit an agreement showing that Net Zero Waste will be responsible for all associated costs. This Board Resolution or agreement must be submitted by the end of July, 2019.

Analysis:

Benefits:

- Traditionally the Board has supported the development of businesses and capital investment within the RDOS.
- The operation of Net Zero Waste at the Eastgate site has the potential to provide potential backup for existing or future food waste or biosolids composting operations located in the RDOS. The site is already zoned for a compost operation.
- Net Zero Waste has conducted significant consultation including receiving letters of support from the RDOS Board, Town of Princeton, Upper Similkameen Indian Band and Lower Similkameen Band.
- Net Zero Waste has worked with RDOS Staff and local politicians to tour their Abbotsford operation. RDOS Staff research shows that similar compost operations Net Zero Waste have operated have had minimal complaints against them.

Concerns:

RDOS Staff have a number of technical concerns with the grant submitted. Key concerns include:

- Assumed tonnages from RDOS or member municipality operations despite requests from the RDOS staff to not assume any organic waste coming from these areas in their grant application.
 - Staff's concern is in regards to potential hinderance or rejection for the RDOS, Town of Princeton or other local government or Band when a future grant application references and includes the same tonnages assumed by Net Zero Waste in this application.
 - Our research shows that a Regional compost site near Penticton and an optimized turned windrows for food waste and yard waste in Princeton may be more cost effective as compared to shipping all materials to a relatively remote site.
 - The support letters from the Town of Princeton, Upper Similkameen Indian Band and Lower Similkameen Indian Band letters do not authorize the use of waste tonnages from their communities in this grant.
 - The Campbell Mountain Landfill has not committed to sending food waste to Eastgate prior to developing a compost site.
 - Princeton Landfill has also not committed to sending materials to the facility.
- A requirement of the grant is that the proponent must use funds to increase capacity for food waste composting.
 - The RDOS cannot ensure that Net Zero Waste will deal primarily with food waste and not shift its business plan to other organics such as biosolids compost.
 - In the past, the proposed feedstocks for the Eastgate site have included biosolids. The Province may require that the RDOS guarantee that Net Zero Waste comply with the grant provisions. Even with an agreement with Net Zero Waste, the RDOS cannot provide this guarantee.
 - As a result, the RDOS may be liable for any failure to meet grant provisions by Net Zero Waste.

The agreement with Net Zero Waste may reduce but not eliminate the concerns raised.

The application has been submitted to the Province and the final component is the letter of support and agreement with Net Zero Waste to detail the funding arrangement.

Alternatives:

THAT the Regional District of Okanagan-Similkameen rescind its support to Net Zero Waste for their submission for organics infrastructure program funding.

Communication Strategy:

Not applicable.

Respectfully submitted:

Cameron Baughen

C. Baughen, Solid Waste Management Coordinator

Respectfully submitted:

Liisa Bloomfield

L. Bloomfield, Engineering Manager

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Apex Mountain Waste Transfer Station Regulation Bylaw No. 2864,2019 and Bylaw Notice Enforcement Amendment Bylaw 2507.10, 2019

Administrative Recommendation:

THAT Bylaw No. 2864, 2019 Apex Mountain Waste Transfer Station Regulation Bylaw be read a first, second and third time and adopted;

AND THAT Bylaw No. 2507.10, 2019 Bylaw Notice Enforcement Amendment Bylaw be read a first, second and third time and adopted;

Purpose:

To regulate the service and allow for fines at the Apex Mountain Waste Transfer Station

Reference:

[Apex Mountain Waste Transfer Station Webpage](#)

Business Plan Objective:

Implement Solid Waste Management Plan

Background:

The development of the Apex Mountain Waste Transfer Station is part of the 2012 Solid Waste Management Plan. It has been reviewed several times through public consultation. Public consultation allowed the Solid Waste Management Plan to be updated in 2019 due to the increased cost to construct the building for the transfer station.

Public consultation surveys and open houses showed that Apex property owners are concerned that illegal dumping will increase the costs on all rate payers. Presently dumping of construction waste and bulky items is a problem at the Apex Mountain Ski Resort waste area. These materials block access and potentially expose residents to asbestos containing materials. At all public open houses held by the RDOS, property owners stressed the need for cameras and fines to dissuade a few property owners or contractors raising the costs of the service.

Analysis:

Construction on the Apex Mountain Waste Transfer Station is proceeding. The intention is to open the Apex Mountain Waste Transfer Station as of November, 2019. As a RDOS Facility, a Regulatory Bylaw is required to manage operations. The Bylaw Notice Enforcement Bylaws will allow the RDOS to fine individuals that improperly dump materials.

Communication Strategy:

An education campaign is being developed and will be released prior to the opening of the Transfer Station.

Respectfully submitted:

Cameron Baughen

C. Baughen, Solid Waste Management Coordinator

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2864, 2019

A bylaw to regulate the use of the Apex Mountain Waste Transfer Station

WHEREAS by Apex Mountain Solid Waste Transfer Station Local Service Establishment Bylaw No. 2593, 2012 the Regional District provided for the establishment and continuation as a service of the Regional District of Okanagan-Similkameen the construction and operation of a waste transfer station for the Apex Mountain ski resort area;

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

NOW THEREFORE the Board of the Regional District of Okanagan-Similkameen, in open meeting assembled, enacts as follows:

1. Citation

This Bylaw may be cited as "Apex Mountain Waste Transfer Station Regulation Bylaw No. 2864, 2019".

2. Interpretation

In this bylaw, unless the context otherwise requires:

"Board" means the Board of Directors of the Regional District of Okanagan-Similkameen;

"Commercial" means any property or portion of property defined Business Other by BC Assessment;

"Regional District" means the Regional District of Okanagan-Similkameen and all duly authorized Regional District Employees, Consultants, Contractors and Operators working on the Regional District's behalf;

"Facility" means the Apex Mountain Waste Transfer Station;

"Garbage" means materials defined as REFUSE under Waste Management Service Regulatory Bylaw No. 2796, 2018 and any amendments thereto for the Campbell Mountain Landfill;

"Person" means as defined in the *Interpretation Act* R.S.B.C. 1996 c.238 and any amendments thereto;

"Premises" means any real property and any buildings on it;

“Prohibited Materials” includes and is not limited to any individual item over 95 litres in volume, furniture, appliances, mattresses, demolition waste, land clearing debris, construction waste, yard waste, wood, metal items, tires, other materials defined as recyclable or compostable at the Campbell Mountain Sanitary Landfill not collected at the Facility or items deemed by the Regional District as being hazardous;

“Recreational” means any property or portion of property defined as Recreational Property, Non-profit Organization by BC Assessment;

“Recycling” means recyclable printed paper and packaging materials authorized for collection by the Regional District at the Facility;

“Residential” means any property or portion of property defined residential by BC Assessment;

“Service Area” means the service area at the Apex Mountain Resort as defined by Apex Mountain Solid Waste Transfer Station Local Service Establishment Bylaw No. 2593, 2012 and any amendments thereto;

"User" means any Person or Persons who is authorized to deposit materials at the Facility.

3. General Provisions and Restrictions on Use

- 3.1 No User may dispose of household garbage or recyclable materials except in accordance with this section.
- 3.2 Only Garbage and Recycling generated from Residential, Commercial or Recreational properties within the Service Area or authorized by the Regional District may be deposited at the Facility.
- 3.3 Users in the Service area must transport and deposit their Garbage and Recyclable materials to the Facility and place materials in the appropriate receptacle or designated area as indicated by signage or as directed by the Regional District.
- 3.4 Users may deposit accepted materials at the Facility at any time unless the Facility is closed by the Regional District or by contractors of the Regional District.
- 3.5 No Prohibited Materials shall be deposited at the Facility without the permission of the Regional District.
- 3.6 Any vehicles found to be parked at the Facility may be towed at the discretion of the Regional District.
- 3.7 Video surveillance of the Facility shall be in accordance with Regional District policies.

4. Receiving Garbage and Recycling

- 4.1 Garbage must be placed in specified receptacles loose or in plastic bags.
- 4.2 Recycling must be placed in specified receptacles as directed by the Regional District.
- 4.3 The Regional District may change the methods of receiving Garbage or Recycling as required to maintain the service by placing clear signage at the Facility.
- 4.4 From time to time, the Regional District may provide other receptacles or designated areas for placement of specified items or materials for disposal or recycling and require that Users follow all signed instructions on placing these items or materials at the Facility.

5. Penalties

- 5.1 Contraventions of this Bylaw will be enforceable under the Regional District's Bylaw Notice Enforcement Bylaw.
- 5.2 Any Person who:
 - a) causes or permits any act to be done in contravention or violation of any of the provisions of this Bylaw; or
 - b) neglects or omits to do anything required under this Bylaw; or
 - c) carries out, causes, or permits to be carried out any use, or construction in a manner prohibited by or contrary to any of the provisions of this Bylaw; or
 - d) fails to comply with an order, direction or notice given under this Bylaw;shall be guilty, upon summary conviction, of an Offence under this Bylaw.
- 5.3 Except as otherwise provided in this Bylaw, a person who is guilty of an Offence under this Bylaw for which a penalty is not otherwise provided, shall be liable to a fine of not less than \$100.00 and not more than \$10,000.00.

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

ADOPTED this ____ day of _____, 2019.

RDOS Board Chair

Chief Administrative Officer

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 2507.10, 2019**

A bylaw to amend the service for enforcement of bylaw notices.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen adopted the Apex Mountain Waste Transfer Station Regulation Bylaw No. 2864, 2019;

AND WHEREAS the Regional Board wishes to amend the Bylaw Notice Enforcement Bylaw No. 2507, 2010;

NOW THEREFORE the Board of Directors of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

CITATION

1. This bylaw may be cited for all purposes as Bylaw Notice Enforcement Amendment Bylaw No. 2507.10, 2019.

AMENDMENT OF SERVICE

1. Bylaw Notice Enforcement Bylaw No. 2507, 2010 is amended by:
 - (a) Adding Appendix 10 to Schedule A as attached to Bylaw 2507.10, 2019.

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

ADOPTED this ____ day of _____, 2019.

RDOS Board Chair

Corporate Officer

SCHEDULE 'A'

Appendix 10 to Schedule A

Apex Mountain Waste Transfer Station Regulation Bylaw No. 2864, 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>
Any User who deposits Recycling anywhere other than within the bins provided including on the ground or walkways	3.3	\$110.00	\$100.00	\$120.00	No
Any User who deposits any materials at a Facility other than as directed by the District or as directed by on-site signage placed by the District	3.3	\$110.00	\$100.00	\$112.00	No
Any User who deposits any materials in any container, on the ground or on the walkways that is not acceptable at the Facility	3.3	\$200.00	\$180.00	\$220.00	No
Any User who deposits Prohibited Materials at a Facility	3.5	\$450.00	\$400.00	\$500.00	No
Anyone who removes any materials from the Facility without the express written approval of the District	3.3	\$200.00	\$180.00	\$220.00	No
Anyone who enters the Facility at any time when the Facility has been closed to the public as dictated by signage at the Facility or verbal instructions given by the District	3.4	\$450.00	\$400.00	\$500.00	No

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Osoyoos Rural Water District Service Extraterritorial Agreement

Administrative Recommendation:

THAT the Board of Directors consent to the provisions contained within Town of Osoyoos Rural Water District Service Authorization Bylaw No. 1353, 2019 and enter into an extraterritorial agreement with the Town of Osoyoos for the provision of water services to those properties within the Electoral Area “A” boundaries of Water Systems 8 and 9.

Purpose:

To amend OIC 1870 to remove the requirement for Water Councillors, and to introduce a Town of Osoyoos service bylaw and an extraterritorial agreement between the Town of Osoyoos and the Regional District of Okanagan – Similkameen to ensure the continuation of water to those properties in Electoral Area “A” which currently receive the service; and to enable additional rural properties meeting the criteria, to petition into the service area.

Reference:

- Community Charter s.13
- Order in Council 1870
- Extraterritorial Agreement and Bylaw No.1353 Attached
- July 2, 2019 Town of Osoyoos staff report

Business Plan Objective:

- By meeting public needs through the development and implementation of key services
- By encouraging all member municipalities, electoral areas and Indian Bands to work together.

Background:

In 1989, the Southern Okanagan Lands Irrigation District, a district representing users of the irrigation systems 1 through 9 in the rural areas was dissolved by the Province through Order in Council (OIC) 1870.

The OIC saw 60% of the assets, along with Systems 1 - 7 going to the Town of Oliver and 40% of assets along with Systems 8 and 9 to the Town of Osoyoos. Both municipalities were then to create two Water Councillor positions to represent the users of the systems and to sit at the Council table to vote on water related matters only. At the time OIC 1870 was created, extraterritorial agreements were not an option under legislation, making the creation of Water Councillors the only option to provide representation to the rural water systems.

Over time, the Water Councillor roles became much different between the two municipalities with Oliver Water Councillors responsible for all water (including the in-Town water system) and Osoyoos Water Councillors only responsible for the Rural Water Districts Systems 8 and 9. For Osoyoos, this meant those

representatives only having to attend one meeting a month and generally only to approve the Water Accounts, as well as approval of the water district bylaws, as required.

There are challenges with finding individuals to run for the position of Water Councillor for Osoyoos with extension of nomination periods and acclamations resulting. Those nominated must be be users of Systems 8 or 9 in order to be eligible.

On June 17, 2019, one of the Town of Osoyoos' Water Councillors was disqualified from holding office after missing 4 consecutive meeting without leave of council. Under the existing OIC, Osoyoos is then required to hold a bi-election to find another water councillor to fill the vacancy.

Osoyoos staff brought forward five options to council regarding the future of the Water Councillors and the OIC. Upon consideration of the options, Council resolved *'THAT the Regional District of Okanagan Similkameen be requested to give consent to a extraterritorial service area for water districts 8 and 9 and that an extraterritorial service agreement be entered into between the Town of Osoyoos and the RDOS for the service of water (as permitted under Section 13 of the Community Charter)'*.

Analysis:

This approach would enable the Town of Osoyoos to request that the Province amend OIC 1870 to eliminate the need for Water Councillors and enter into an extraterritorial agreement and bylaw. The Town of Osoyoos would then bill directly those properties in the rural water service area and the users in that area would have representation through the Electoral Area "A" Director.

The Regional District would not be expected to also create a service area. Any borrowing or incurring of debt would be initiated, approved and requisitioned solely by the Town of Osoyoos and in accordance with the extraterritorial agreement.

The proposed bylaw outlines how water fees will be imposed, how new properties may connect to the water service, and an option for the Regional District to appoint advisory members, should they so choose.

It is unknown as to how long the process will take with RDOS and Ministerial approvals being required and whether a bi-election will still be required if this approach is approved by the Regional District.

Alternatives:

THAT the Board of Directors decline the request to enter into an extraterritorial agreement with the Town of Osoyoos.

Communication Strategy:

RDOS Administration will work with Town of Osoyoos staff to distribute a fact sheet to those residents in Water System areas 8 and 9 to provide information on the continued provision of service and any impacts expected.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

MEMORANDUM OF AGREEMENT

BETWEEN:

Town of Osoyoos

AND:

Regional District of Okanagan Similkameen

1. The Region District of Okanagan Simikameen (RDOS) has, pursuant to Section 13 of the Community Charter, consented to the Town of Osoyoos (Osoyoos) providing a water service in an area forming part of Electoral Area "A" of the RDOS know of Rural Water Districts 8 and 9, which area (Water District Area) is delineated in heavy black on the map attached to the Rural Water District Authorization Bylaw No. 2019. Adopted by Osoyoos on _____, 2019 (the Bylaw).
2. Osoyoos has agreed to provide the water service in the Water District Area pursuant to the Bylaw.
3. This Memorandum sets out the terms and conditions agreed forming part of the RDOS's consent, pursuant to Section 13 of the Community Charter, and the Town is in agreement with such terms and conditions on which the water service is to be provided in the Water District Area.
4. Osoyoos shall own, operate, maintain, repair, replace, and administer the water district service within the water district area and annually establish, charge to, and collect user fees, from all parcels connected to the Water Service and shall apply its Water District Regulation Bylaw as amended from time to time to the residents and users of the water district area.
5. The undersigned representatives of the RDOS and Osoyoos acknowledge that they have read this Memorandum and that they have discussed and agree upon the intent and the meaning of all of the provisions of this Memorandum. Both representatives acknowledge and agree that there is no basis for misunderstanding or disagreement as to the meaning of the provisions based on the wording of the provisions of this Memorandum.
6. In the event any dispute relating to the provision of the water service, the RDOS and Osoyoos agree that either party may refer such dispute to final proposal arbitration by a single arbitrator on written proposals only. The arbitrator shall be selected by agreement of the parties, and failing agreement on choice of arbitrator within 21 days of one party giving written notice of intention to arbitrate to the other the arbitrator shall be appointed pursuant to the provisions of the Commercial Arbitration Act of British Columbia. The arbitrator's decision on process and on substance shall be final and binding. The arbitrator shall not give reasons, and the cost of arbitration shall be born solely by the part whose final proposal is not selected by the arbitrator.

7. This agreement forms the whole of the agreement between Osoyoos and RDOS; however, in the event that during the implementation and continuing operation of this Memorandum, the parties wish to add terms and conditions or otherwise modify this Memorandum, it is understood that each party will act in good faith in considering such matters.

This memorandum has been agreed to by each of the parties by resolutions respectively adopted by the Council of the Town of Osoyoos and the Board of the Regional District of Okanagan Similkameen, and the execution of this Memorandum by the authorized signing officers of Osoyoos and RDOS is made this day of , 2019.

**TOWN OF OSOYOOS
BYLAW 1353, 2019**

***A Bylaw to authorize the provision of Water Service outside of the Town of Osoyoos
municipal boundaries.***

WHEREAS it is provided by Section 13 of the Community Charter that Council may provide a service in an area outside the municipality;

AND WHEREAS before providing service outside the municipality, consent must first be obtained from the regional district board for the area;

AND WHEREAS in giving consent the regional district board may establish terms and conditions including terms and conditions regarding limits on the service to be provided in its area, and the process for terminating provision of the service in its area;

NOW THEREFORE the Council of the Town of Osoyoos in open Meeting assembled enacts the following:

1. This Bylaw may be cited for all purposes as "**Osoyoos Rural Water District Service Authorization Bylaw No. 1353, 2019**".
2. Council shall be and is hereby empowered and authorized to provide water to the service area described as Osoyoos Rural Water District and shown on the map attached to this bylaw as Schedule A.
3. Council will supply water service to the properties shown on Schedules "A" and "B". Any development other than 1 single family residence on a property within the specified area must receive approval from the Town.
4. User fees for water services shall be fixed yearly under separate bylaw by Council and sent out as a yearly utility billing to each property and residential unit receiving water service.
5. Any property connecting to the water service shall be subject to all terms and conditions of the Osoyoos Water District Regulations bylaw and amendments thereto.
6. Notwithstanding section 5, any property not within the service area shown in Schedules "A" and "B" must apply for inclusion into the service area and consent must be received by the Board of the RDOS for inclusion and if consent is received, this bylaw shall be amended to include such property.

Read a first and second time this day of , 20 .

Consent received by the Board of the Regional District of Okanagan Similkameen by authorizing resolution on the day of , 20 .

Read a third time this day of , 20

Approved by the Inspector of Municipalities on the day of , 20 .

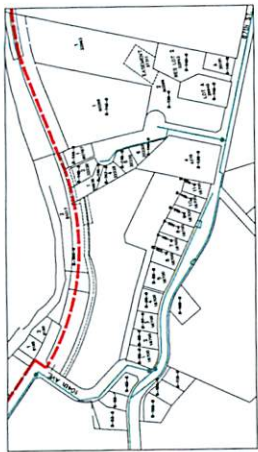
Adopted this day of , 20.

MAYOR

CORPORATE ADMINISTRATION OFFICER



SCHEDULE 'A' BYLAW NO. 1353



OSOYOOS LAKE



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TOWN OF OSOYOOS
WATER SYSTEM COMPOSITE



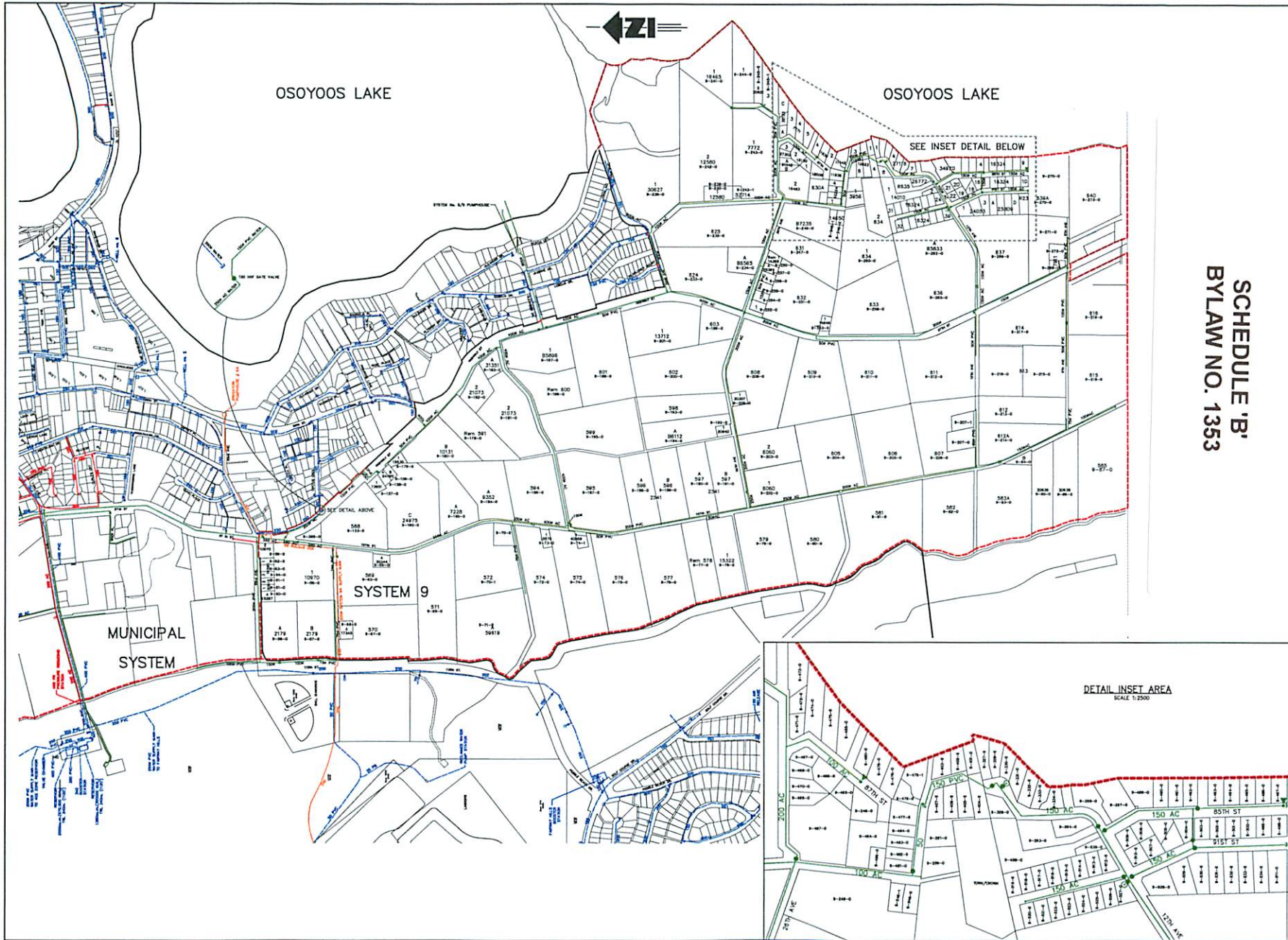
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L. 915

L. 2115



- LEGEND**
- FIRE HYDRANT ASSEMBLY
 - GATE VALVE
 - CAP
 - ▲ BLOWOFF/STANOFF
 - 150# PIPE DIAMETER
 - WATERMAIN
 - SYSTEM 9 IRRIGATION MAIN
 - MUNICIPAL BOUNDARY
 - IRRIGATION SYSTEM SERVICE AREA BOUNDARY
- (HYDRANT VALVES ARE NOT SHOWN FOR CLARITY)

SCHEDULE 'B'
BYLAW NO. 1353

NO.	DATE	DESCRIPTION	BY
1	2013	ISSUED FOR PERMIT	DL
2	2013	REVISION	DL

ISSUE 2 / REVISIONS

TRUE CONSULTING
 SUITE 201, 2079 FALCON RD
 KAMOOFS, B.C., V0C 4J2
 PHONE: (250) 828-0881
 info@trueconsulting.ca

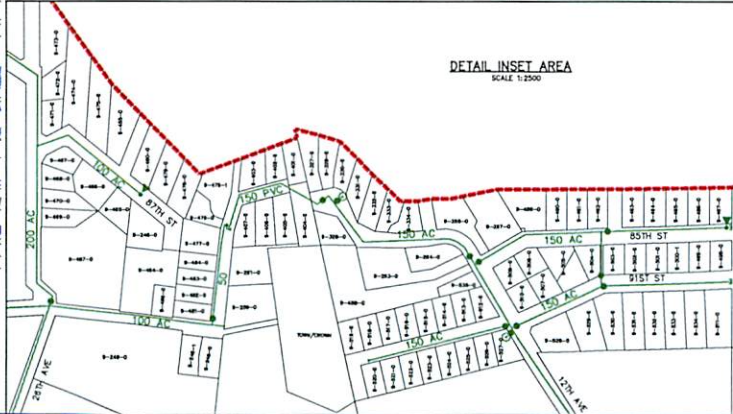
TOWN OF OSOYOOS

WATER SYSTEM COMPOSITE

SYSTEM 9

SCALE	1:5000 (24"x36")
REVISION	1982
DESIGNER	DL
DATE	Nov 2003
PROJECT NUMBER	302-441
DATE	

302-551-04 1



REPORT



Council

MEETING DATE: July 2, 2019 – Regular Open

TO: Mayor and Council

CC: Barry Romanko, CAO

FROM: Janette Van Vianen, Director of Corporate Services

SUBJECT: **Water Councillors**

TRACKING NO.: OTH-122

BACKGROUND

In 1989, the Southern Okanagan Lands Irrigation District was dissolved by the Province. In doing so, an Order in Council was enacted by the Minister establishing Water Councillor positions for the Towns of Oliver and Osoyoos.

OVERVIEW

Kuldeep Dhaliwal was elected by acclamation in 2018 for the position of Water Councillor for a 4 year term and was sworn into office on November 5, 2018. After missing a couple council meetings, Mr. Dhaliwal was provided a letter from the Director of Corporate Services dated January 15, 2019, advising of his responsibility and duty to attend council meetings and providing the meeting dates.

Section 125 of the Community Charter requires council members to attend meetings regularly. If a council member is absent from Council meetings for a period of 60 consecutive days or 4 consecutive regularly scheduled council meetings (whichever is longer) they are disqualified from holding office. This information was also provided to Mr. Dhaliwal in the January 15, 2019 letter.

The last meeting Mr. Dhaliwal attended was on March 4, 2019. Since Water Councillors only attend 1 meeting per month, and regularly scheduled meetings are the 1st and 3rd Monday of each month, the four meetings started to accumulate from the first regularly scheduled meeting thereafter which was March 18. Therefore Mr. Dhaliwal has missed 4 regularly scheduled meetings being March 18, April 15, May 21, and June 17. He was provided a letter on June 17, 2019 from the Director of Corporate Services disqualifying him from holding office of Water Councillor.

Since there is still more than 3 years left in his term, the Town must now hold a bi-election for the position of Water Councillor. Further information on the bi-election dates and appointment of Chief and Deputy Chief Election Officers will be coming forward to the July 15 Council meeting. Mr. Dhaliwal will be unable to be nominated for Water Councillor in the bi-election pursuant to Section 81 of the Local Government Act as he has been disqualified from office.

In the meantime, discussions have taken place with the Ministry as to how the rural water district may be represented in the future. Order in Council 1870 which established the position of Water Councillor

was developed in 1989 and is outdated in every way including reference to the Municipal Act where we are now governed by the Community Charter and Local Government Act, and the election section is no longer in compliance with the Local Government Act.

There are five options that can be considered by Council relative to the Water Councillor positions:

1. Request the Ministry review Order in Council 1870 and make amendments to it to align it with the Community Charter and Local Government Acts which have been updated several times since 1989. This would include election information and a request to include a disqualification clause.
2. In the review of the Order in Council, request the Ministry consider these positions appointed rather than elected to act as advisory body. This would remove the voting right at the table but leave representation for the rural water district (this option is currently awaiting more information from the Ministry as to its possibility).
3. Begin the process for District Municipality. This would require incorporating Area A, or only the areas serviced by the rural water district, into the town boundaries. If the Town took those sections into its boundaries, there would no longer be a need for Water Councillors. The Province will not legislate those areas to come into the Town boundaries and therefore a referendum would have to be held.
4. Ask the Minister to amend OIC 1870 and allow the town to bill for water in the rural area without representation. This option is not preferred as it is felt that the users of the water system should have some representation at the table.
5. Approach the RDOS and request they create a service area for water district users. This would be much the same as the Northwest Sector Sewer service that is currently provided through an extraterritorial service bylaw. If the RDOS is in agreement, the Town could approach the Province to amend OIC 1870 as it relates to the Town of Osoyoos to eliminate Osoyoos' need to continue with Water Councillors and if approved, the Town develop an extraterritorial service bylaw for Water Districts 8 and 9. In this scenario, the Town would bill for water in the rural water district area and the users in that area will have representation through the Area A Director. It is unknown as to how long the process will take with RDOS and Ministerial approvals being required.

At this time, these options are being provided for council consideration and recommendation only. As stated previously a bi-election is still required. Any of these options will take a considerable amount of time and discussions with the Ministry to put in place.

IMPLICATIONS

a) Community

Representation for Water District Users

b) Organizational

Discussions with the Province and RDOS and required documentation.

c) Budget

None.

d) Significant Dates

None at this time.

e) Sustainability

Continuing to be the purveyor of water to Rural Water Districts 8 and 9

OPTIONS

1. That Staff be directed to approach the Province to amend Order in Council 1870 to make amendments to align it with the Community Charter and Local Government Acts to include updated election information and a request to include a disqualification clause.
2. In the review of the Order in Council, request the Ministry consider the water representative positions be appointed rather than elected to act as advisory body.
3. That staff be directed to begin the process to create District Municipality by including the incorporation of Water Districts 8 and 9 and remaining RDOS Area A.
4. That staff be directed to ask the Minister to amend OIC 1870 to remove reference to the Town of Osoyoos and allow the Town to bill for water in the rural area without representation.
5. That staff send a letter to the RDOS asking them to consider creating a service area for water district users and further that if the RDOS is in agreement, that staff approach the Province with a request to amend OIC 1870 as it relates to the Town of Osoyoos to eliminate Osoyoos' need to continue with Water Councillors and instead permit the Town to offer the Water District services through an extraterritorial agreement with the RDOS.

RECOMMENDATION

Staff recommend option 5. This option provides for representation through the RDOS Area A Director yet streamlines the water district process. If council is not in agreement with changing the water councillor positions, it should, at the very least, consider option 1 as OIC 1870 is in great need of updating.



Janette Van Vianen
Director of Corporate Services



Barry Romanko
Chief Administrative Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Electoral Area “D” Economic Development Service / Areas “D” and “I” Community Office Public Engagement.

Administrative Recommendation:

THAT the Board of Directors support the withdrawal of Electoral Area “I” from Economic Development Service Establishment Bylaw No. 2447, 2008.

Reference:

Electoral Area “D” Economic Development Service Establishment Bylaw No. 2447, 2008
Economic Development Service/Community Services Office Public Engagement report – G. Rose

Business Plan Objective:

KSD 2 To foster dynamic, credible and effective community relationships and to meet public need through the provision and enhancement of key services.

KSD 3 To develop a socially and economically sustainable region.

Background:

On election day October 20, 2018, Electoral Area “D” divided in accordance with order in council 216, and became two separate electoral areas.

Each of the service bylaws which reflect Area “D”, of which there are over 60, are to be amended to reflect the correct service areas; however, many of them can be done with Director and Ministry approval.

The Economic Development Service was flagged as one which required a service review, as it was determined that it may no longer be logical for both electoral areas to remain in a service which could offer little value to one of the electoral areas.

In order to determine what the citizens in the two electoral areas thought of the service and to gauge their interest in moving forward, administration presented a terms of reference to the Board which would enable the procurement of a public engagement contractor Gregory Rose, whose responsibilities included engaging and consulting with the citizens in both Electoral Areas “D” and “I” to conduct a needs assessment for community office services in one or both of those Electoral Areas and to make recommendation as to the type of services desired in that office.

Mr. Rose’s initial approach included a comprehensive document review and understanding of the current state of the service after the 2018 Electoral Area “D” boundary change.

At that point, the strategy developed to include:

- Engaging with Area “D” and “I” Directors to determine their end goals regarding the evolution of the Economic Development Service/Community Services Office (CSO) and facilitating formulation of a direction for the engagement project.
- Conducting a review and compiling an inventory of services provided through the CSO 2012-2019.
- Compiling contact information of key stakeholders, community groups, organizations and committees in Areas “D” and “I” and initiating preliminary contact with stakeholders.
- Establishing approach, methodology, goals, engagement venues and timetable to guide the community engagement process in Areas “D” and “I”.
- Developing plans, communiqués and information gathering methods, including the following:
 - Area “D” and “I” Communication Plans
 - Area “D” and “I” Calendar of Engagement of Events
 - Information Release
 - Areas “D” and “I” Communiqués
 - Area “D” and “I” online and printable survey for residents

The process commenced in March 2019 and was expected to continue into the Fall of the same year; however, a request to discontinue the process early resulted in a Board resolution to finalize all work and report out effective June 30.

Analysis:

Prior to June 30, some face to face public engagement had been complete, and a survey was distributed via ad mail to residents of both Electoral Areas. The survey was also accessible online, and was heavily advertised, resulting in 282 responses. The results of the survey are contained within the report provided by Mr. Rose.

The public engagement conducted to this point is sufficient to meet the Ministry of Municipal Affairs requirements to initiate a service bylaw change which would see the withdrawal of Electoral Area “I”.

Communication Strategy:

The report, including the results of the survey, will be posted on the RDOS Area D/I Economic Development Service Review webpage <http://www.rdos.bc.ca/departments/legislative-services/area-d-i-community-service-office/>

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

Final Report

Economic Development Service/Community Services Office Areas D & I Public Engagement Project 2019

Bylaws 2447, 2008 & 2447.01, 2009



Prepared by Gregory Rose PhD, CPHI(C)

June 28, 2019

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1.0 Executive Summary

The Regional District of Okanagan-Similkameen's (RDOS) Economic Development Service/Community Services Office was established in 2008 in Okanagan Falls to serve electoral Area "D". The 2018 Area "D" boundary change which divided the Area and resulted in the creation Areas "D" and "I" necessitates this Service (among other minor services) is reviewed and the Directors determine whether the Service will be continue to be shared, separated into two distinct services or eliminated. In order to inform the Director's decisions, a public engagement process was initiated March 15 through June 15 2019 to engage with citizens and determine public opinion regarding the utility and benefits of the existing Service.

The main data collection tool used in this engagement process was a survey distributed through both print and online media. There were 282 combined surveys returned from Area "D" and "I" during this project. This is 1.8 % greater than all returns collected in two separate surveys conducted during the 2015 electoral Area "D" Governance Study. This response demonstrates continued engagement by residents after the 2018 Area "D" boundary change.

Electoral Area "D" Summary

The existence of the Community Services Office in Okanagan Falls is recognised by 87% of Areas "D" residents responding to this survey; however, 79% don't use the Service. A majority 67% of survey respondents identified themselves as residing in Okanagan Falls; however, in spite of this proximity 74% of them don't use the Service. This figure increases to 90% of respondents not using the Service when they lived outside of Okanagan Falls. Only 18% of Area "D" respondents "Agreed" and "Strongly Agreed" that the Service offered direct benefits to their households. Seventy-one percent (71%) "Agreed" and "Strongly Agreed" they could access all services required at the main RDOS office in Penticton. As part of an economic development strategy, Area "D" support for the Okanagan Falls Visitors Information Centre was somewhat nuanced indicating no definitive support nor opposition to providing "storefront" space for the Visitors Centre. Responses to questions regarding the Community Services Office where residents could provide open-ended responses provide insight into resident's "unfiltered" opinions regarding the Service.

Electoral Area "I" Summary

Notably, 60% of respondents to the Area "I" survey lived outside of Kaleden proper. Sixty-nine percent of respondents living outside of Kaleden recognize the Community Services Office in Okanagan Falls exists, but only 8% of these residents use the Service. Of the 62 survey respondents living in Kaleden, only 6 use the Service with 90% of respondents from Kaleden not using the service. As a whole, 91% of all Area "I" residents don't use the Okanagan Falls Service. Regarding the Tourist Information Centre currently hosted at the Okanagan Falls office which also serves Area "I", only 24% of Area "I" respondents "Agreed"

and “Strongly Agreed” this service was important to the Area “I” economy. There was little support for funding a new service in Kaleden with 77% “Disagreeing” and “Strongly Disagreeing” with the hypothetical proposal of a tax increase to this end. Seventy-nine percent (79%) of Area “I” residents “Agreed” and “Strongly Agreed” they can access all the RDOS services they require at the main RDOS office in Penticton. Open-ended responses to questions indicate little support from Area “I” residents to continue sharing the cost of the Community Services Office in Okanagan Falls.

Key Recommendations

The key recommendations stemming from this engagement project suggest:

- 1) The limited number of RDOS administrative services available at the Okanagan Falls Community Services Office are not used by the majority of residents in electoral Areas “D” and “I”:

The recommendation is to close the Okanagan Falls Community Services Office. The Service is underused and not generally supported by residents in either electoral area.

- 2) Several groups and associations (serving Area “D” exclusively) do benefit from the support of staff/human resources at the Okanagan Falls Community Services Office and alternate funding arrangements to support the beneficial community initiatives these groups undertake should be explored.

The recommendation is to strengthen the capacity of various Area “D” groups and organisations to a level that allows them to function autonomously and not require support from staff at the RDOS Community Services Office.

- 3) The level of community support for the Okanagan Falls Visitor Information Centre is not definitive based on survey results although less support appears to exist in Area “I” than Area “D” which may confound a co-funding agreement for the Centre, which is under discussion between the two Directors.

Further explore and determine the level of support Area “D” and “I” citizens and the larger business community have to potentially fund the Okanagan Falls Visitor Information Centre and explore alternative collaboration agreements and funding models for its continued operation– possibly in a different location.

2.0 Background

The public engagement project described in this report is the third phase of an electoral area boundary change that began in 2016.

- Phase One: the 2016 Governance Study¹ to identify feasible Area “D” boundary change options².
- Phase Two: the implementation of the 2018 boundary change that resulted in the current boundary defining Area “D” and Area “I”.
- Phase Three: consists of a public engagement project to define support for various options in considering division of the Okanagan Falls Economic Development Service/Community Services Office which is currently a shared service since the November 2018 boundary change creating Area “D” and Area “I”.

The RDOS Economic Development Service in Okanagan Falls was established in 2008 with bylaws 2447, 2008 and 2447.01, 2009 to serve electoral Area “D”. The initial intent of the Service was to develop new uses for the Weyerhaeuser site after the Okanagan Falls plant closed. In 2015 the Service was re-branded as the Community Services Office. The Community Services Office provides a limited number of RDOS administrative services, acts as a clearinghouse for community level information, supports community projects and initiatives and provides –at no cost- office space for the dedicated volunteer staff who operate the Okanagan Falls Visitor Information Centre.

Currently the Community Services Office continues to be funded by electoral Areas “D” and “I” through tax assessments levied on property and improvements³. Area “I” is expected to withdraw from the service at the end of 2019.

The public engagement process described in this report was undertaken between March 15 and June 15, 2019. The intent of the project was to engage with residents in Areas “D” and “I” to: determine level of use and support for the existing satellite RDOS Community Services Office in Okanagan Falls; determine if Area “D” and “I” residents want to continue sharing the Service; elicit ideas from residents regarding new services or service configurations they desired; and, to gauge the willingness of residents to pay for existing and/or new services.

¹ Regional District for Okanagan-Similkameen Area "D" Governance Study Final Report. Leftside Partners Inc. August 2016.

² Regional District of Okanagan-Similkameen – Electoral Area “D” Division. Public Consultation Summary. Juliet Anderton Consulting Inc. September 2017.

³ The 2019 operating budget for the Community Services Office is \$156,620 split approximately 60-40 percent between Area “D” and “I”.

3.0 Challenges and Constraints

Multiple “pinch points” arose during the initial weeks of the contract⁴. Neither Director was able to provide a cogent plan for potential service(s) or service delivery options to present to the administration, the consultant or the public. This lack of clarity by the Directors presented challenges and obstacles during the initial design of the project.

There was a level of contention in the community around hiring a consultant to undertake a public consultation to determine the level of support for the Community Services Office^{5,6}. Ultimately the engagement process was curtailed which precluded a robust face-to-face component that could have allowed a deeper exploration of service options under consideration by the Directors and to develop support in the community for any options.

In spite of an abbreviated public engagement period, there is no indication the survey results reflected in this report or sentiments of the community concerning the Okanagan Falls Economic Development Service/Rural Community Services Office would be significantly different in either electoral Area studied.

4.0 Methods

The original methodology consisted of a blended approach employing face-to-face community-based engagement opportunities and a combination of online mailed surveys as well as telephone/email engagement. Multiple opportunities for public engagement were planned, identified and scheduled during the design phase of the project. These included use of the RDOS kiosk at seasonally scheduled community events in Area “D” and Area “I” during June to August as well as pop-up kiosk opportunities in locations such as the Okanagan Falls IGA and the Kaleden Pioneer Park. Open House meetings were scheduled in early July in both Okanagan Falls and Kaleden.

When the Directors resolved to end the public engagement process early, all face-to-face engagement opportunities were cancelled and the consultant’s efforts directed solely toward designing and publishing a survey to achieve a minimum level of community engagement. The survey was designed individually for each electoral Area to gain information about resident’s willingness to continue supporting the Community Services Office in Okanagan Falls and the potential creation of a new service in Area “I”.

⁴ May 9, 2018 Administrative Report to RDOS Board of Directors.

⁵ Penticton Info News. February 27 2019. Available: <https://infotel.ca/newsitem/cost-no-issue-for-south-okanagan-politicians-seeking-cost-savings/it59969>.

⁶ Penticton Herald. Feb 21 2019. Available: http://www.pentictonherald.ca/news/article_86f4394c-3638-11e9-bf2e-4396f7410066.html

Electronic Survey

The electronic online survey was accessible to Area “D” and “I” residents from May 2 through June 15 through accessing the RDOS homepage. Four responses were permitted for each Internet Protocol address (IP Address) used to submit the online survey. Submissions of four surveys per IP Address were allowed. Submissions beyond four were not considered in the analysis. In total the online survey was accessed 381 times online through the RDOS homepage with 191 completed surveys submitted between Areas “D” and “I”.

Printed Survey

Printed surveys were distributed to Areas “D” and “I” through three methods: 1) Ad-Mail through Canada Post circulated on May 24; 2) published in the May 30 issue of Skaha Matters delivered to all addresses in both the V0H 1K0 and V0H 1R0 series postal codes; and, 3) loose surveys distributed to various locations in both Areas “D” and “I” from May 20 to June 15. Table 1.0 details the distribution. The Skaha Mattes circulation of 4,920 was the largest circulation method for the survey. In total, 91 print surveys were submitted between Areas “D” and “I”.

Table 1: Survey Distribution

Distribution	Area D	Area I
Online	May 2 - June 15	May 2 - June 15
Total Print	3,285	1,635
Total Returns	151	131

Sampling Error: Area “I” Question #9

Due to a transcription error on the Area “I” survey this question was published only in the Ad-Mail and loose print run and not in the electronic online version or the Skaha Matters circulation. For this reason, the question was omitted from the analysis. The question posed was: *I support establishing a Community Services Office in Kaleden to serve Area “I”.* Elimination of this question does not affect other results.

First Nations Involvement

Communication with First Nations was suspended when it became apparent the Directors where not committed to a robust public engagement process.

5.0 Findings: Area “D” Skaha East/Okanagan Falls

The electronic online survey was accessible to Area “D” and “I” residents for 44-days, May 2 through June 15. During this period, 95 electronic surveys were submitted and 56 printed surveys were received from Area “D” for a total of 151 respondents.

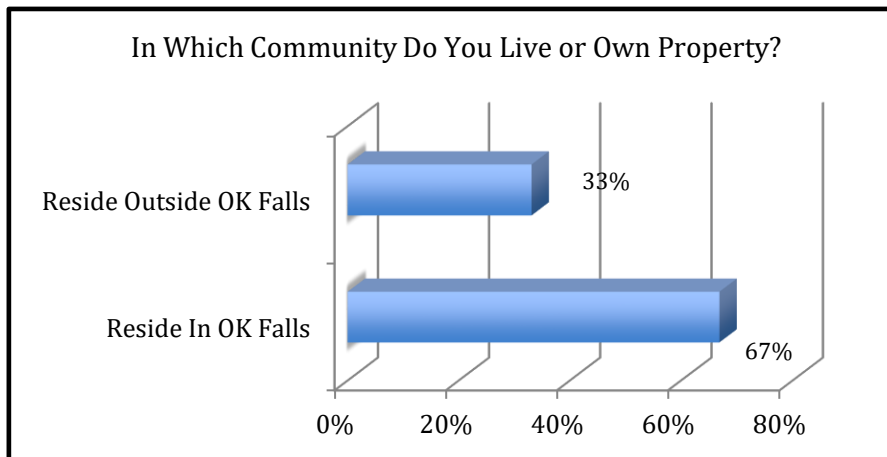
Question #1 captured information about where respondents lived – either inside or outside of Okanagan Falls. Questions #2, #3 and #5 were intended to capture information about current (2019) relevance of the Community Service Office and determine how residents of electoral Area “D” use the service in its current configuration. Likert scale statements used in questions #7-13 were designed to elicit respondent’s attitudes and opinions in relation to the Service.

Qualitative responses provided for questions #4, #6, #14 and #15 can be found transcribed verbatim in Appendix 3.0 (Tables 16-20). These tables contain a rich discourse and diversity of suggestions and opinions regarding the Service.

Area “D” Survey Question #1

Survey Question #1 provides insight into where respondents live. Data is summarized by respondents self-identifying as living either outside Okanagan Falls (*i.e.* Upper Carmi, Vintage Views, Heritage Hills, Lakeshore Highlands, Skaha Estates, Vaseux Lake) or inside Okanagan Falls, which includes Bighorn Mountain and Peachland Estates. Sixty-seven percent (76%) of those responding to this survey lived inside Okanagan Falls. The question posed was: *In Which Community Do You Live or Own Property?*

Table 2: Question #1 Area “D”

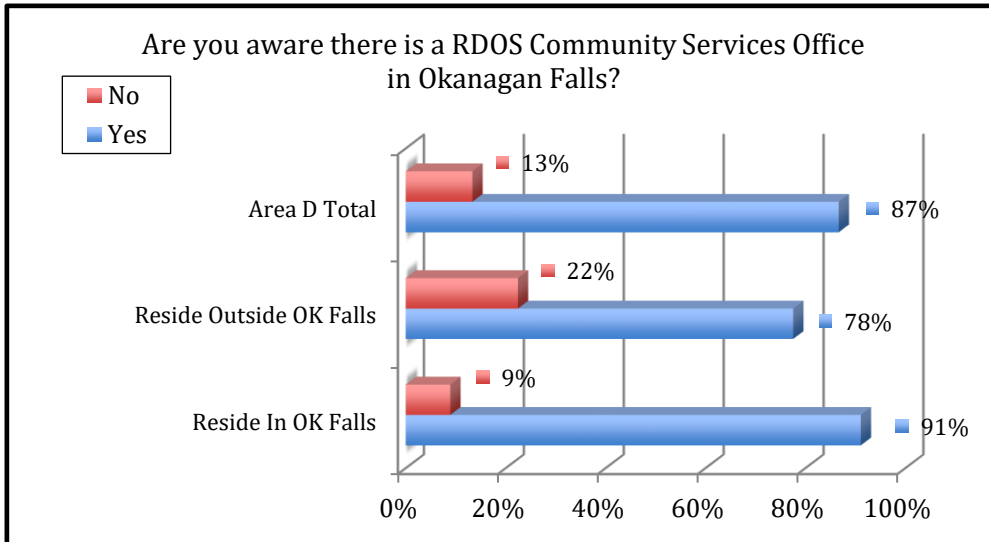


Area “D” Survey Question #2

Question #2 gauged awareness around the existence of the Community Services Office in Okanagan Falls. Notable is that 87% of Area “D” residents and 91% of respondents living in

Okanagan Falls recognise the office exists. The question posed was: *Are you aware there is a RDOS Community Services Office in Okanagan Falls?*

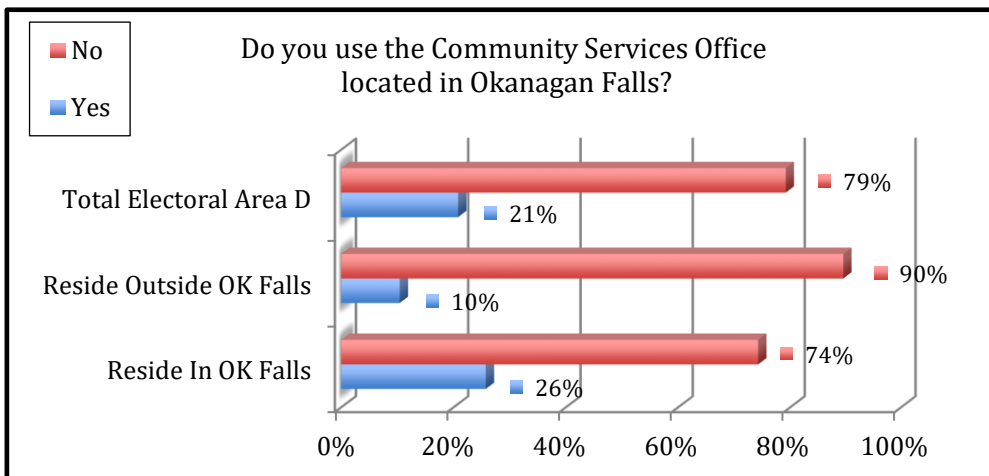
Table 3: Question #2 Area “D”



Area “D” Survey Question #3

Question #3 aimed to understand actual use of the Community Services Office by residents living both in and outside the community of Okanagan Falls. The responses from the previous question inform the responses to this question. Although question #2 found that 87% of Area “D” respondents are aware the office exists, 79% of them do not use the office. Also notable is that 74% of respondents living inside Okanagan Falls do not use the office and 90% of those living outside of Okanagan Falls never use the office. The question posed was: *Do you use the Community Services Office located in Okanagan Falls?*

Table 4: Question #3 Area “D”



Area “D” Survey Question #4

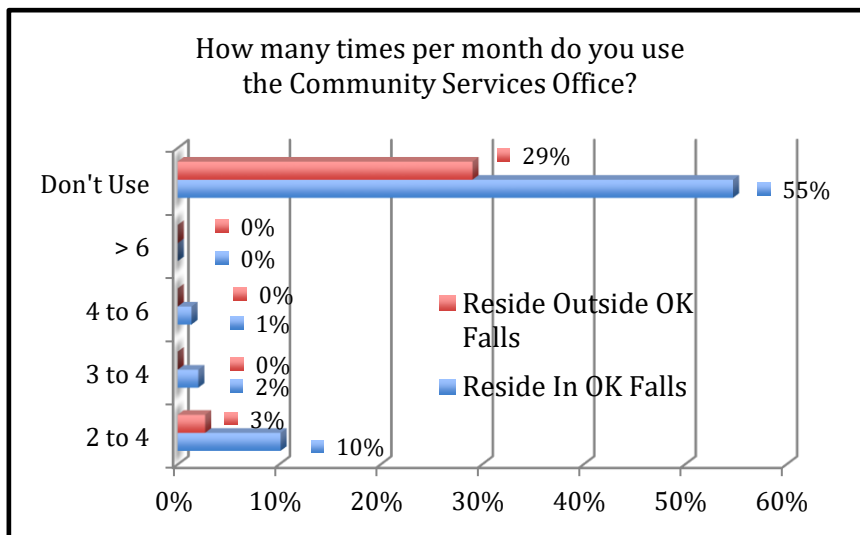
Question #4 elicited open-ended responses to determine which services the community was accessing at the office. The question posed was: *Which services do you access at the Community Services Office?*

Appendix 3.0 (Table 16) provides a full list of responses to this question.

Area “D” Survey Question #5

Respondents were asked about the frequency they use the Community Services Office in Okanagan Falls. In total, 84% of all Area “D” respondents do not use the office with the minority (<10%) using the office anywhere from 2-4 times monthly. This was confirmed during the 8-weeks the consultant worked onsite at the Okanagan Falls office when it was observed that a core group of people from local community groups and associations used the office. However, consistent with responses to question #3, outside this core group, it was not apparent there was significant use by the larger community. The question posed was: *How many times per month do you use the Community Services Office?*

Table 5: Question #5 Area “D”



Area “D” Survey Question #6

Question #6 elicited open-ended responses to determine the benefits respondents believed their households or the larger community accrued from the Community Services Office.

The question posed was: *Please list the ways you or your community has benefitted from the Community Services Office.*

Appendix 3.0 (Table 17) provides a list of responses to this question.

Area “D” Questions #7-13

Questions #7-13 offer valuable insight into respondent’s opinions regarding the Community Services Office. Likert scale statements offering a range of attitude options (*e.g.* strongly disagree, disagree, neutral, agree, strongly agree) were used to elicit responses. The questions were formulated to understand: the overall value and utility of the service to the community; the importance of economic development as an aspect of the service; the importance of the Okanagan Falls Visitors Centre and opinions regarding access to services at the Okanagan Falls location versus the RDOS main office in Penticton.

Responses to Likert statements presented in Table 6 provide combined responses from Area “D”. Responses to these questions broken down by those living inside and those living outside of Okanagan Falls are found in Appendix 1.0 (Table 12-13).

Table 6: Questions #7-13 Area "D" Likert Statement Responses

Statement #7

The services and resources accessible through the Community Services Office directly benefit my household				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
8%	10%	28%	12%	41%

Statement #8

The services and resources accessible through the Community Services Office directly benefit the Area “D” economy				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
11%	13%	35%	13%	28%

Statement #9

I support more staffing resources dedicated to economic development in Area “D”				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
9%	15%	20%	13%	43%

Statement #10

Providing space for the Visitors Information Centre in the Community Services Office is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
13%	29%	23%	14%	21%

Statement #11

Identifying funding sources and grants for community initiatives in Area “D” is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
28%	34%	21%	5%	13%

Statement #12

I would support a property tax increase to fund the Community Services Office				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
5%	14%	16%	7%	57%

Statement #13

I can access all of the RDOS services I require at the main RDOS office in Penticton				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
47%	24%	15%	5%	8%

Area “D” Survey Question #14

Survey question #14 aimed to gather information from residents regarding ideas they have for services that could be offered in the community. The question posed was: *Do you have an idea for a new community service that could be offered through the RDOS Community Services Office?*

Appendix 3.0 (Table 18) provides a full list of responses to this question.

Area “D” Survey Question #15

Survey question #15 aimed to any additional comments from residents. The question posed was: *Do you have any additional comments related to the RDOS Community Services Office you would like noted during the review of the existing service?*

Appendix 3.0 (Table 19) provides a full list of responses to this question.

6.0 Findings: Area “I” Skaha West/Kaleden/Apex

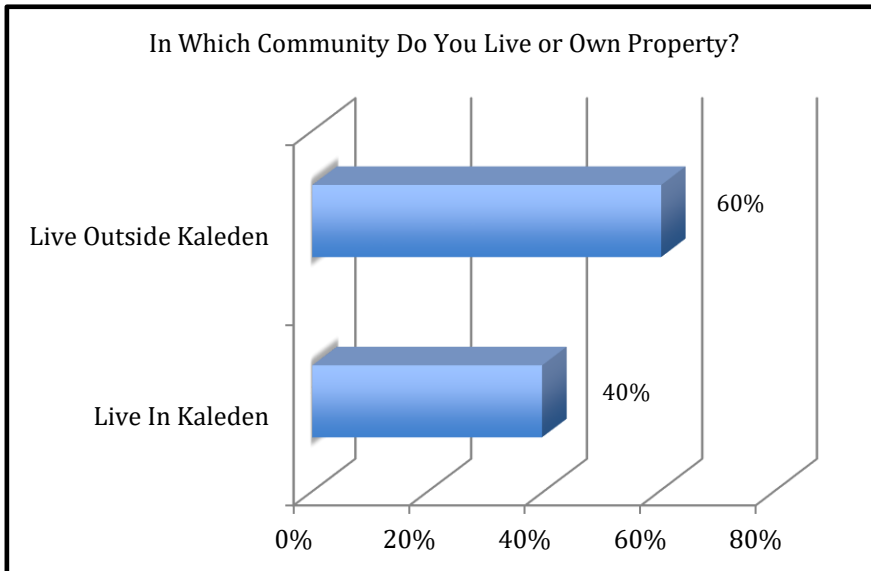
The electronic online survey was accessible to electoral Area “I” residents for 44-days, May 2 through June 15. During this period, 96 electronic surveys were submitted and 35 printed surveys received for a total of 131 respondents.

Question #1 captured information about where respondents lived – either inside or outside the Kaleden proper. Questions #2, #3 and #5 captured information about current (2019) relevance and use of the Community Service Office located in Okanagan Falls to Area “I” residents (NB. it is important to note Area “I” still shares the Service bylaw and cost with Area” D”). Likert scale statements used in questions #7-14 were designed to elicit opinions regarding the office. Lists of responses to the open-ended questions for survey questions #4, #6, #15 and #16 can be found transcribed verbatim in Appendix 4.0 (Tables 20-24). These tables contain a rich discourse and diversity of suggestions and opinions regarding the Service.

Area “I” Survey Question #1

Survey Question #1 provides insight into where respondents live. This data is summarized by where respondents self-identified as living - either inside or outside Kaleden proper. Sixty percent (60%) of Area “I” respondents lived outside of Kaleden (*i.e.* Farleigh Lake, Apex, St. Andrews, Twin Lakes, Marron Valley). The question posed was: *In Which Community Do You Live or Own Property?*

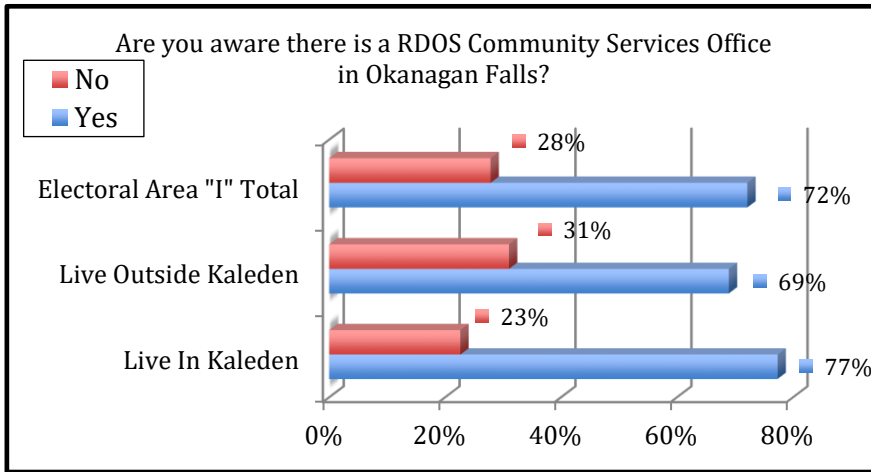
Table 7: Question #1 Area “I”



Area "I" Survey Question #2

Question #2 gauged awareness of the existence of the Community Services Office in Okanagan Falls. Notable is that 72% of Area "I" residents were aware the office exists. The question posed was: *Are you aware there is a RDOS Community Services Office in Okanagan Falls?*

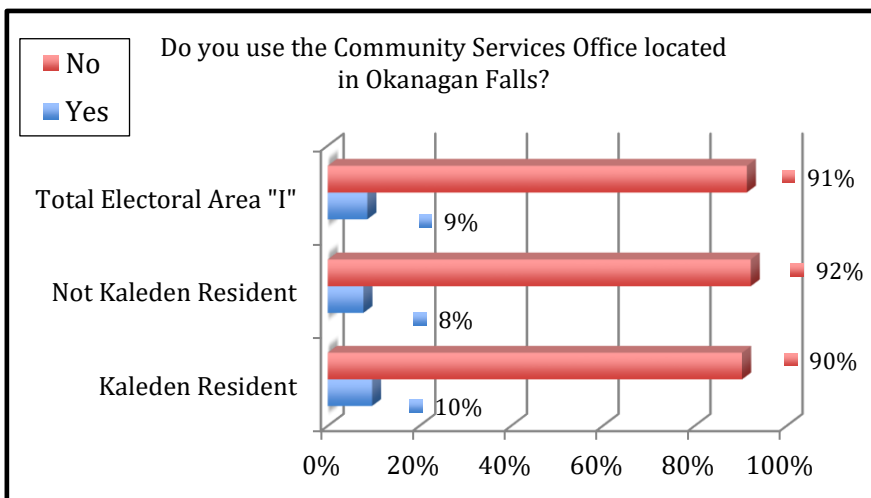
Table 8: Question #2 Area "I"



Area "I" Survey Question #3

Responses to question #3 provide information about how Area "I" residents use the Community Services Office in Okanagan Falls. Although 72% of Area "I" respondents recognise the office exists, less than 10% actually use the service. The question posed was: *Do you use the Community Services Office located in Okanagan Falls?*

Table 9: Question #3 Area "I"



Area "I" Survey Question #4

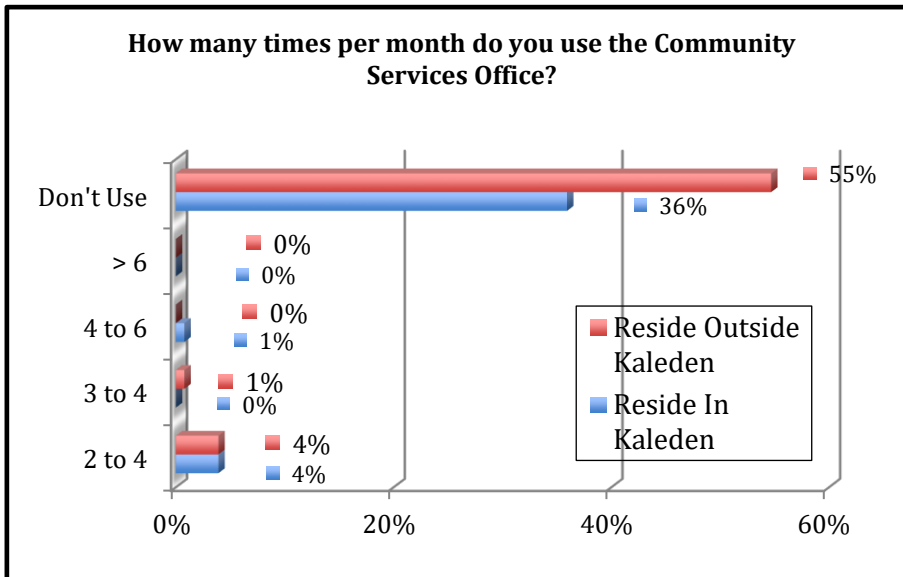
Survey question #4 elicited open-ended responses to determine which services the community was accessing at the office. The question posed was: *Which services do you access at the Community Services Office?*

Appendix 4.0 (Table 20) provides a full list of responses to this question.

Area "I" Survey Question #5

Respondents were asked about the frequency with which they use the Community Services Office in Okanagan Falls. In total, 91% of all Area "I" respondents do not use the office with the minority (<5%) using the office anywhere from 2-4 times monthly. This was confirmed during the 8-weeks the consultant worked onsite at the Okanagan Falls office and met very few residents from Area "I" who were visiting the office. The question posed was: *How many times per month do you use the Community Services Office?*

Table 10: Question #5 Area "I"



Area "I" Survey Question #6

Question #6 elicited open-ended responses to determine the benefits respondents believed their households or the larger community accrued from the Community Services Office. The question posed was: *Please list the ways you or your community has benefitted from the Community Services Office.*

Appendix 4.0 (Table 21) provides a list of responses to this question.

Area "I" Likert Scale Response Statements, Questions #7-14

Questions #7-14 offer valuable insight into respondent's opinions regarding the Community Services Office and other potential Kaleden-based services being considered by the Director after Area "I" withdraws from the existing service at the end of 2019. Likert scale statements offering a range of attitude options (*e.g.* strongly disagree, disagree, neutral, agree, strongly agree) were used to elicit responses. The questions were formulated to understand: the overall value and utility of the service to Area "I"; the importance of economic develop as an aspect of the Service; the importance of the Okanagan Falls Visitors Centre and having it continue to serve the business interests of Area "I"; and, to understand opinions regarding access to services at the Okanagan Falls location versus the RDOS main office in Penticton.

Responses to Likert statements presented in Table 11 include combined responses from Area "I". Responses to these questions broken down by those living inside and those living outside of Kaleden are found in Appendix 2.0 (Table 14-15).

Table 11: Questions #7-14 Area "I" Likert Statement Responses

Statement #7

The services and resources accessible through the Okanagan Falls Community Services Office directly benefit my household				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
4%	5%	23%	22%	46%

Statement #8

The services and resources accessible through the Okanagan Falls Community Services Office benefit Electoral Area "I" in general				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
4%	9%	34%	21%	32%

Statement #10

Providing space for the Visitors Information Centre in the Okanagan Falls Community Office is important to the Area "I" economy				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
7%	17%	32%	14%	30%

Statement #11

I can access all of the RDOS services I require at the main RDOS office in Penticton				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
43%	36%	13%	4%	3%

Statement #12

I support more services dedicated to preserving the unique history of Kaleden				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
11%	24%	33%	15%	16%

Statement #13

Identifying funding sources and grants for community initiatives in Area "I" is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
25%	42%	22%	4%	7%

Statement #14

I would support a property tax increase to fund establishing a new service in Kaleden				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
2%	6%	15%	23%	54%

Area "I" Survey Question #15

Survey question #15 aimed to gather information from residents regarding ideas they might have for services that could be offered if a Community Service Office was established in Kaleden. The question posed was: *Do you have an idea for a new community service that could be offered through a satellite RDOS Community Service Office in Kaleden?*

Appendix 4.0 (Table 22) provides a full list of responses to this question.

Area "I" Survey Question #16

Survey question #16 aimed to gather additional information from residents about possibly establishing an community services office in Kaleden. The question posed was: *Do you have any additional comments related to establishing a satellite RDOS Community Services Office in Kaleden that you would like noted during the review of the existing service?*

Appendix 4.0 (Table 23) provides a full list of responses to this question.

7.0 Conclusions and Recommendations

The findings arising from this public engagement project indicate that residents from both electoral Areas “D” and “I” underuse the Okanagan Falls Economic Development Service/Community Services Office. Electoral Area “D” respondents indicate 79% do not use the Service and for Area “I” this result increases to 91%. The majority of Area “D” and “I” respondents do not view the Service as beneficial to their individual households or their larger electoral area. Recommendations resulting from this public engagement process are presented here for consideration:

- Close the Okanagan Falls Community Services Office. The Service is underused and not generally supported by residents in either electoral area.
- Strengthen the capacity of various Area “D” groups and organisations to a level allowing them to function autonomously and not require support from staff at the RDOS Community Services Office.
- Further explore and determine the level of support Area “D” and “I” citizens and the larger business community have to potentially fund the Okanagan Falls Visitor Information Centre and explore alternative collaboration agreements and funding models for its continued operation– possibly in a different location.
- Continue to provide and expand the ability of RDOS constituents to access services online.
- As a line item of his “20-Point” economic development plan for Area “D”, the Director has proposed eradicating the native Starry Aster plant from the Okanagan Falls Christie Memorial Park beach for aesthetic concerns. This would be unwise. An alternative strategy would use the Starry Aster as a cornerstone species (a rallying call) of a riparian zone restoration plan and component of a larger integrated flood mitigation strategy for the Okanagan Falls beachfront community.
- Elected officials benefit from having a good understanding of the public’s views, ideas, and needs when sound public engagement is conducted⁷. Understanding public opinion and taking those views into consideration can also result in “buy-in” from citizens and move projects forward with less adversity. It is strongly recommended that policy and procedures are developed to ensure public engagement projects undertaken by the RDOS proceed independently without interference or obstruction from elected officials.

⁷ Rural Municipalities of Alberta, Public Engagement Guide 2018: https://rmalberta.com/wp-content/uploads/2018/09/Public-Engagement-Guide_final.pdf

Appendix 1.0: Area “D” Likert Scale Responses

Table 12: Area “D” Likert Statements – Reside in Okanagan Falls

Statement #7: The services and resources accessible through the Community Services Office directly benefit my household				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
9%	13%	29%	11%	37%
Statement #8: The services and resources accessible through the Community Services Office directly benefit the Area “D” economy				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
14%	19%	29%	14%	25%
Statement #9: I support more staffing resources dedicated to economic development in Area “D”				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
9%	20%	22%	13%	36%
Statement #10: Providing space for the Visitors Information Centre in the Community Services Office is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
17%	34%	20%	12%	16%
Statement #11: Identifying funding sources and grants for community initiatives in Area “D” is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
35%	32%	16%	5%	11%
Statement #12: I would support a property tax increase to fund the Community Services Office				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
7%	18%	17%	8%	50%
Statement #13: I can access all of the RDOS services I require at the main RDOS office in Penticton				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
36%	28%	19%	7%	10%

Table 13: Area “D” Likert Statements – Reside Outside Okanagan Falls

Statement #7: The services and resources accessible through the Community Services Office directly benefit my household				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
4%	4%	27%	15%	50%
Statement #8: The services and resources accessible through the Community Services Office directly benefit the Area “D” economy				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
6%	2%	46%	13%	33%
Statement #9: I support more staffing resources dedicated to economic development in Area “D”				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
10%	4%	17%	13%	56%
Statement #10: Providing space for the Visitors Information Centre in the Community Services Office is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
4%	19%	29%	17%	31%
Statement #11: Identifying funding sources and grants for community initiatives in Area “D” is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
13%	38%	29%	4%	17%
Statement #12: I would support a property tax increase to fund the Community Services Office				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
2%	4%	15%	6%	73%
Statement #13: I can access all of the RDOS services I require at the main RDOS office in Penticton				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
71%	17%	6%	2%	4%

Appendix 2.0: Area "I" Likert Scale Responses

Table 14: Area "I" Likert Statements – Reside In Kaleden

Statement #7: The services and resources accessible through the Community Services Office directly benefit my household				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
4%	8%	25%	20%	43%

Statement #8: The services and resources accessible through the Okanagan Falls Community Services Office benefit Electoral Area "I" in general				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
6%	12%	35%	22%	25%

Statement #10: Providing space for the Visitors Information Centre in the Okanagan Falls Community Office is important to the Area "I" economy				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
10%	14%	32%	16%	28%

Statement #11: I can access all of the RDOS services I require at the main RDOS office in Penticton				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
38%	40%	12%	6%	4%

Statement #12: I support more services dedicated to preserving the unique history of Kaleden				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
24%	42%	18%	8%	8%

Statement #13: Identifying funding sources and grants for community initiatives in Area "I" is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
29%	39%	20%	4%	8%

Statement #14: I would support a property tax increase to fund establishing a new service in Kaleden				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
4%	15%	17%	25%	38%

Table 15: Area "I" Likert Statements – Reside Outside Kaleden

Statement #7: The services and resources accessible through the Community Services Office directly benefit my household				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
4%	3%	22%	23%	48%
Statement #8: The services and resources accessible through the Okanagan Falls Community Services Office benefit Electoral Area "I" in general				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
3%	7%	33%	21%	37%
Statement #10: Providing space for the Visitors Information Centre in the Okanagan Falls Community Office is important to the Area "I" economy				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
5%	19%	32%	12%	31%
Statement #11: I can access all of the RDOS services I require at the main RDOS office in Penticton				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
47%	33%	15%	3%	3%
Statement #12: I support more services dedicated to preserving the unique history of Kaleden				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
3%	12%	43%	20%	22%
Statement #13: Identifying funding sources and grants for community initiatives in Area "I" is important				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
21%	44%	24%	4%	7%
Statement #14: I would support a property tax increase to fund establishing a new service in Kaleden				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1%	0%	13%	21%	64%

Appendix 3.0: Area “D” Open Ended Responses

Area “D” - Skaha East/Okanagan Falls: The following tables provide results from open-ended questions collected during the survey. They are not theme categorized.

Table 16: Area “D” Open Ended Responses, Question #4

QUESTION #4
Which services do you access at the Community Services Office?
RESPONSES
I benefit indirectly from the staff supporting community groups and projects - Also dog license and bylaw issues
Visitor Information Center
I have attended meetings of the Beautification Committee when it was in existence, which was in Bill Schwartz’s and Tom Sidden’s terms as Directors of Area D. It was used at that time as the ‘hub’ for volunteer initiatives like cleaning up the community. It was also, the ‘go-to’ office for any of my concerns that arose about issues in the Falls. I feel the Tourist Information Centre is wonderfully placed there as well and its’ service is invaluable to the area
In response to the next question, I have not had a need to use the services in the past months
NONE!
I have a business and use the visitor’s centre to hold rack cards
Have not had a reason to need the Community Services Office as of yet
Skaha Housing Society
None at all
Parks, licenses, general information, news about Area D and what’s happening in the RDOS
Parks & Rec registration
Permits questions
Bylaws
Parks
Community services
Parks & Rec
Checking building codes, fire and recycling information
Have them post posters of upcoming events. Discuss concerns about the community. Discuss ideas for new initiatives for community. Discuss communications for the director. Deliver items to be passed on to the director
Just to vote
Visitor information
Register for adult fitness/yoga classes, pick up maps at Visitor Info Centre
I use this office occasionally when there is an issue or matter on which I need information.

Support for community Market
None. Been a resident of OK Falls for 38-years. If there is something of concern, I use the internet. Don't need the expense
Parks and Recreation & General Information and community connections
Register for Parks and Rec programs/inquired about fixing major pot holes
Had more contact with re: community activities, eg. Museum Heritage Society, Sr Centre, Recreation etc.
Questions re Sewer upgrades, utility billing, voting

Table 17: Area “D” Open Ended Responses, Question #6

<p>QUESTION #6</p> <p>Please list the ways you or your community have benefitted from the Community Services Office:</p>
<p>RESPONSES</p>
<p>They help all the service and volunteers groups I believe they bring in money by grants</p>
<p>The office is a hub for community events and newcomers benefit from all the info</p>
<p>Visitor Information Service</p>
<p>I truly feel that the community, and therefore my household, has benefited by having the Community Services Office in Ok Falls in the following ways: easy access to find out information about Area D issues; with many seniors and low income families in our area, many without formal transportation (busing doesn't always work for them), it provides an office to inquire about community issues or to register concerns locally; Tourist Information Office and the CSO staff, have provided newcomers or potential newcomers with information regarding the resources in our area such as schools, businesses and potential business opportunities, etc. having staff locally is far more warm and welcoming and they take a personal interest and pride in their little community that is not possible to generate from a central office in Penticton—they live in the area, therefore, they have a vested interest in what is developed and happens in the area—nearer you are to the problem, the more passion and intensity you feel about resolving or promoting something. The taxpayers of Area D pay for this office, therefore, it should be kept where it is as it was established to generate more attention and interest in local affairs; local petty crime issues (ie. graffiti, vandalism. Dog off leases, campers parked on the side of roads for periods of time) are dealt with faster when the people know where they can register their complaints locally without involving the RCMP or other agencies</p>
<p>Easy access to find out information about Area D issues</p>
<p>With many seniors and low income families in our area, many without formal transportation (busing doesn't always work for them), it provides an office to inquire about community issues or to register concerns locally</p>
<p>Tourist Information Office and the CSO staff, have provided newcomers or potential newcomers with information regarding the resources in our area such as schools, businesses and potential business opportunities, etc.</p>
<p>Having staff locally is far more warm and welcoming and they take a personal interest and pride in their little community that is not possible to generate from a central office in Penticton—they live in the area, therefore, they have a vested interest in what is developed and happens in the area—nearer you are to the problem, the more passion and intensity you feel about resolving or promoting something</p>
<p>The taxpayers of Area D pay for this office, therefore, it should be kept where it is as it was established to generate more attention and interest in local affairs</p>
<p>Local petty crime issues (ie. graffiti, vandalism. Dog off leases, campers parked on the side of roads for periods of time) are dealt with faster when the people know where they can register their complaints locally without involving the RCMP or other agencies</p>
<p>Info on what is happening in area D</p>

None that I am aware of
None
Can not see any benefits to date
NONE!
None. Do not use and it's an unwanted expense
There is no benefit
Face to face contact and opportunity to have a conversation with employees
Source for information
Employment for community members
Offering space for Visitors Info Centre
Another community service office that has little or no value is just extra cost to the taxpayer that's not required
Rods workers have place to have coffee
None
Economic development, housing, parks and rec programs
It's better to have here in ok falls than running into Penticton, pay for parking etc.
Pre-election vote
Other than costing taxpayer money the office has no value added
Other than an increase in taxes no services are value added
OK Falls office offers no benefit to Upper Carmi Residents. I use the downtown Penticton office 1-2 times per month
There are none, unless you count a waste of taxpayer's money as a benefit
Employment for local people. Easier access to director. There is a presence in our community
Nil
None
easy to drop in and ask questions. Fitness programming suitable to residents, Visitor Info Centre.
It does assist our elected Director by providing him/her with a local office base. It provides information and communication with other community services and NGO'S
Unknown
Not aware of any
The office has helped with advertising and has also supported the weekly Market by allowing ""Play in the Park"" to join us
Having a Visitor Information Office is essential to our town and area
Don't know
We get to Waste more of our TAX Dollars on RDOS! We only need 1 office in Penticton. There are other buildings we as tax payers pay for that can be used in OK Falls without renting office space in shopping center. Ie school. The economic office is not adding any new industry other than wine. Move the Visitor Center back to Heritage House
OK Falls without renting office space in shopping center. Ie school. The economic office is not adding any new industry other than wine. Move the Visitor Center back to Heritage House.
I see no direct benefit whatsoever
The ability to view something online then go meet "Face-Face" is of major importance. It gives me the ability to quickly get answers
No idea
Didn't know it existed
Coordination of activities, help with grant applications re: local initiatives

There doesn't appear to be much community development. OK Falls has been the same for 15-years.
Office for the Director
I don't think it is used enough, should not be a separate office
Always nice to have a person to chat with actual knowledge regarding the regional district an programs offered. A sense of connection. It has been a place that people could meet. When the tourist office was closed in the winter the SSHA (housing association) used the space for meeting as well where residents can find out information about various projects. Keeping in mind many of our residents are seniors and have limited access/expertise in the online world
The office is a vital link between the community and RDOS. It is also a point of contact between our community and our Director.
Local knowledge for recreational and economic development proposals

Table 18: Area “D” Open Ended Responses, Question #14

<p>QUESTION #14</p> <p>Do you have an idea for a new community service that could be offered through the RDOS Community Services Office?</p>
<p>RESPONSES</p>
<p>As I have not been active in the community due to extended family issues in the past few years, I cannot add anything on this question at the moment</p>
<p>Our community is too small to fund so many services</p>
<p>ABSOLUTELY NO SERVICE OFFERED WOULD JUSTIFY KEEPING THIS OFFICE OPEN!</p>
<p>More policing</p>
<p>Being in Upper Carmi , the Penticton office is more convenient</p>
<p>Please no more programs, maybe a deduction in services would be better</p>
<p>None</p>
<p>For a number of people getting into the main office is difficult, having a local office that can provide services is good for the local community</p>
<p>Building permits</p>
<p>Wildlife concerns</p>
<p>Bike concerns</p>
<p>All community affairs</p>
<p>Solar street lights would be a start</p>
<p>There should be a general information centre in Okanagan Falls for residents and visitors</p>
<p>List of monthly events for residents</p>
<p>New business opportunities for investors and residents</p>
<p>Updated downtown revitalization plan for residents and investors</p>
<p>Nothing that couldn't be provided in Penticton</p>
<p>Suggestion Box</p>
<p>Map of wineries in Area D</p>
<p>List of services available locally</p>
<p>Localized bylaw</p>
<p>None, not feasible to have a satellite office especially for separate electoral districts.</p>
<p>Our youth have no facility to “hangout” at which has caused juvenile petty misdemeanours due to boredom. The very young have the water park in the summer and since the seniors took the building away from the teens many years ago, the seniors have a facility. What do expect the 10-15 years old to do? Their skateboard platform is so well hidden that most of the residents I have spoken with don't even know it's existence. With this in mind, we truly need OK Falls “promoted” to young families as a safe affordable community to raise their family</p>
<p>With this in mind, we truly need OK Falls “promoted” to young families as a safe affordable community to raise their family</p>
<p>More publicity on pending changes to the local recycling program. A list of items that can/cannot be placed in the blue bag and in the new bins (assuming that new bins are going</p>

to be provided next year).
Be able to pay taxes at office
Nothing that can't be done in Penticton office
Housing. I have been a part of Social Housing for years and that is one of the most major important factors in many lives
I'm not sure if I can pay for my services at the OK Falls office or not but I would use that to save a trip to Penticton. If the office is for anything other than saving a trip to Penticton it is a waste of taxpayer money
Get rid of office
This office was supposed to be temporary. How come it isn't relocated back to Penticton?
This office is a waste of taxpayer money. We own a business in OK Falls and pay Approx.. \$18,000 in property taxes. Since John left not a person from that office has reached out or even come up to our business. The office is a joke!!!
We as a community in Okanagan Falls would like RDOS to remain small and have less excessive A spending = job creation
The office could serve as an emergency headquarters during disasters such as fire and floods.
Put out more word that this office exists.
We have many activities and services for the elderly - little to encourage young families.
More services offered please. Dog Licenses/ burn permits ect .
Bylaw enforcement. Road and street maintenance, not to give phone numbers. Contacts or individuals to handle complaints.
Recreation, bylaws, road concerns
To answer questions about Area D concerns
The office should serve as a RDOS hub for all government activity directly affecting Area D taxpayers
Services offered by Service BC: drivers licence renewal, blood donor drives, property tax

Table 19: Area “D” Open Ended Responses, Question #15

<p>QUESTION #15</p> <p>Do you have any additional comments related to the RDOS Community Services Office you would like noted during the review of the existing service?</p>
<p>RESPONSES</p>
<p>Why should Upper Carmi residents be subsidizing OK Falls residents? Why should OK Falls residents be receiving services not available to Upper Carmi residents? We can all equally come into Penticton and have equal access to the same services. Come on already, Penticton isn't that far away! Stop wasting our tax dollars on useless things!</p>
<p>I have in past years contacted RDOS/parks/tourism, locally with community issues, parking, boat launch, and property owners installing Illegal No parking Signs. There has been little to no enforcement or appetite for engagement from anyone. Unless the local office can provide all the services that I get in Penticton, I do not support maintaining a high expense information center to refer me to Penticton.</p>
<p>Unless the local office can provide all the services that I get in Penticton, I do not support maintaining a high expense information center to refer me to Penticton</p>
<p>I STRONGLY DISAGREE WITH PAYING TO KEEP THIS OFFICE OPEN WHEN THE RDOS MAIN OFFICE IS SUCH A SHORT COMMUTE AWAY!!! Heritage Hills is literally half way between Okanagan Falls and Penticton – so if I have any RDOS business to conduct – I will go into Penticton so I can run other errands. But the reality is that aside from paying my annual utility bill (which I do online) and getting dog licenses (again – something that only happens once a year), I have no other dealings with the RDOS. And the reality is that both utility bills and dog tags can be done online so why would I pay for an office that I will never use!!!</p>
<p>It really is a waste of taxpayer money. Nothing done there can't be done better & cheaper at the Penticton office</p>
<p>Okanagan Falls is a central location for communities funded and supported by RDOS</p>
<p>Another community service office that has little or no value is just extra cost to the taxpayer that's not required</p>
<p>Excellent staff looking after the needs of local seniors and low income families</p>
<p>This office was for economic development. Economic development is a non-starter in Okanagan Falls. The office I should be closed and the staff are reassigned</p>
<p>The enthusiasm and drive of the staff of our RDOS Community Services Office in the past years has made a marked difference to the programs and services offered locally. Why would you tamper with a successful situation? Perhaps the Economic part should be generated/handled from a central office for our little community but the other community services and programs should be handled locally where the staff are constantly aware of what the community needs from hearing about it first hand by being directly in touch with the citizens of the area. Leave what is working successfully alone!</p>
<p>Nothing his ever done in Skaha Estates, Other than our Water board, and park board does</p>

Have lived here for over 40 Years. Carmel Crescent. The street has NEVER been paved, it is rock with far poured, and years and years of hole patch.. It is hard to walk on as stones pop up. The street sweeper is a Waste of Time and Money!! And never done till MID summer,with no water ,and major DUST. (Devon drive was repaved , many years ago,but Never Carmel Crescent.)
Please NO more taxes increases
Now is the time for consolidation of facilities and resources, not for expansion, in light of global and regional economic downturns and lack of provincial government and social desire for economic development.
The disrepair at the end of 10 th is a horrible sight. True that it ends at private property, but, can't the district maintain was is OK Falls roadway. This has been requested at least a half dozen times by varying persons, without any plausible "excuse" as to why it's left this way
Publish a list of actual services provided through this office
Dear Sir. I have lived in OK Falls for over three years now and I have had no need to visit the local office in the community. It takes less than 15 minutes to go to Penticton should I have a need. Phone calls or internet connections give me the information I need regarding this service
Didn't know we had one. Lived here 7 years
You would be able to lower taxes if you closed the office and the library and got rid of the OK Falls to Penticton bus route
When Keogan Park was sold to the tax payers in OK Falls There was plans shown for , Picnic tables and benches. We seem to have lost the plans for this for it seems that the beach area is more important. We also have By Laws regarding parking of unlicensed vehicles on RDOS property . Several on Cedar St. between Main and Thomas Place. Including 1 Camper at Shuttleworth Creek that is being lived in. RDOS had it moved from area in front of School. It has no septic ,no power or water. Move IT !
We also have By Laws regarding parking of unlicensed vehicles on RDOS property . Several on Cedar St. between Main and Thomas Place. Including 1 Camper at Shuttleworth Creek that is being lived in. RDOS had it moved from area in front of School . it has no septic ,no power or water. Move IT !
The Visitor Information Centre should be moved back to the Okanagan Falls Museum next to Tickleberry's. The office space should be permanently closed and locals should be directed to the Penticton office or to the website for any questions or needs they have.
Our taxes are extremely high and we need to find ways to reduce not increase!!!!
You pay people to do business then don't help them do it. Too many roadblocks
Please more Info
Tourism services need to be more accessible. My suggestion is the Bassett House.
The tourists need somewhere to get information
I don't understand why Area I can't remain somewhat associated with the OK Falls office; it doesn't make fiscal sense to change
Total waste. Get rid of it
Close the office and lower property tax. The tax here in Heritage hills is beyond bearable and may need to move. Need to lower taxes
This town continues to lose key players like the IGA, Suniva development, and the pub. I would hate to lose more "community" opportunities . Please keep an office of some sort
I don't see how any of the initiatives done in area D office cannot be done in the Penticton head office. I would rather those tax dollars be spent on infrastructure upgrades so our

future children won't have to suffer or employing people that fabulous qualifications and using those funds to pay them competitive wages so they can be retained and really make a difference in the community
Staff is not friendly. Visitors Info should be open Saturday when it is needed. Many times visitors helped by IGA staff.
I think tourists need somewhere to get info!
It would be nice to be able to pay bills ect. There or somewhere else in OK Falls
People don't have to run to town
Would like them to be more prepared Re: flooding and fires
Everything could be done out of Penticton but the loss of employment s unacceptable
Get info from Penticton. I've just been going to Penticton, I've been here 29 yrs.
The Visitors Centre should stay where it is.
Been here for 7-years with no knowledge of office! Utility and bill paying etc. would be beneficial

Appendix 4.0: Area “I” Open Ended Responses

Area “I” - Skaha West/Kaleden/Apex: The following tables provide results from open-ended questions collected during the survey. They are not theme categorized.

Table 20: Area “I” Open Ended Responses, Question #4

QUESTION #4
Which services do you use at Community Services Office in Okanagan Falls?
RESPONSES
None. Why it is even there is the question
None
I assisted our local soccer club in arranging gym time in OK Falls to encourage kids from Oliver to come up and learn about Pinnacle soccer
None
None
I both own property and operate a business at apex for the past 9 years
Have never had any need to use ok falls office
We don't need this
So far only the tourist office
Never used any
Community meetings and event staff
Kal Rec staff
Grant applications
Staff connect for services and communication
Nil
Renew Dog Licences
None, use Penticton
Zero
This has no impact on Apex”
I haven't yet used the services for my Apex Property
Only a few times to obtain rental event license for Kaleden Hall
None. This has no impact on Apex
Dog tags. The recreation programs - I attend the yoga classes in Kaleden
Meeting room, answering initial questions, recreation registration

Table 21: Area “I” Open Ended Responses, Question #6

<p>QUESTION #6</p> <p>Please list the ways you or your community have benefitted from the Community Services Office in Okanagan Falls:</p>
<p>RESPONSES</p>
Having less money
I had hoped to bridge the South Okanagan with Penticton sports associations
The Apex community has not benefited at all from this OK Falls office.
I don't see any value in this office
Have not benefited
None that are obvious to me.
It needs to be closed. It's not necessary. Any services can be delivered in Penticton, by internet or phone. I'd rather see tax dollars going to more red programs or better digital services
Not much benefit for me personally but I have an interest in several organizations in OK Falls which has or could benefit immensely if the office only offered the services that would be useful to them.
It's closer and less busy
None that I know of
Just knowing it was there and I could, if necessary, use it was enough
No benefit to me or my community
Area I doesn't. Director Monteith is correct in removing from the service. I agree with her that we need to support the tourist info service and need a grant writer
Don't use it
Attended meetings; Worked with residents; Provided above standard customer service - better than Martin street; staff were visible in my community
Some people may go there for licenses I suppose or information on programs
As far as I am concerned, I have had no benefit from the office
We have not benefitted
I don't really see any benefit to Apex property owners from this OK Falls office. So I am not willing to support it with my tax dollars
Not aware of any benefit
In my knowledge, the community has not benefitted for the service. There may however be ways that Apex could benefit in the future
Very little benefit compared to going to RDOS [Penticton]
I attend the yoga classes in Kaleden that -as far as I understand it- are organized by RDOS staff out of OK Falls
I wasn't aware there was a community services office in OK Falls, I may use it now that I know
Ability to answer initial questions and redirect to appropriate RDOS staff person, who to contact, available services

Table 22: Area "I" Open Ended Responses, Question #15

<p>QUESTION #15</p> <p>Do you have an idea for a new community service that could be offered through an RDOS Community Service Office in Kaleden?</p>
<p>RESPONSES</p>
<p>Nope. Maybe talking about the mining at Riordan...that seems to be more important to me right now than getting a new office in Kaleden when Penticton is so close</p>
<p>The last thing we need is another RDOS branch office in Kaleden (at great cost and little benefit).</p>
<p>No pls go digital. The use for physical locations is limited. With working people they can't be staffed to cover hours when people are in the community like evenings and weekends. They are often not accessible for disabled people. Collaboration with a more fulsome service delivery in Penticton</p>
<p>I do not believe that Kaleden needs an office</p>
<p>The proposal to have a grant writer to seek funding for Area I projects sounds worthwhile.</p>
<p>The same person could assist with co-ordination and promotion of events and projects in our communities. Building awareness of the rich natural diversity of Area I and the culture of First Nations along with the history of settlement would encourage pride in our area. Preserving heritage sites like the Hotel Kaleden and signage of other sites like Mahoney Lake, Allen Grove, mines, transportation routes etc is important</p>
<p>I don't agree that we need to staff an office in Kaleden, we don't need to engage in economic development, just community infrastructure as needed and this can be done through our director and RDOS staff</p>
<p>We absolutely DO NOT NEED THIS SERVICE!!!!</p>
<p>I don't support a community service office in Kaleden</p>
<p>Use the Irrigation district office as a pick up spot for garbage tags</p>
<p>Grant writing. Recreational program registration. Access to the museum for visitors</p>
<p>I do not believe it should be necessary to create new ways to make this office viable</p>
<p>Not Needed</p>
<p>Not until hours of operation can be accessed by working people.</p>
<p>A further tax cost.</p>
<p>Expand recreation programs to include children as well as adult programming (i.e. dance lessons, music, gardening, art, etc.)</p>
<p>Talking with the office regarding issues to do with the park/boat launch</p>
<p>Grant writing, recreation staff onsite, contact person for RDOS system questions, front line counter person</p>
<p>Recreation Services at Apex ... i.e. Signage for trails outside the area of Apex Mountain Resort and Nickel Plate Nordic Centre - like a kiosk in the village where trail heads for hiking, biking, snowshoeing and snowmobiling could be displayed, along with public washrooms available year round. It would be nice to have some special events for the community year round, especially in the summer</p>
<p>Would like to see a museum established, and eventually a sewage collection system.</p>

However, I don't believe either of these would necessitate the expense of an office. There are residents who wish to maintain a stronger "independent" community and chafe under the regional government system. The provincial government used to insist that communities incorporate in order to receive funding for major services such as sewer. Okanagan Falls was an exception because the need for sewage collection was dire. The District of Sicamous with a similar commercial base and population under 4000, did incorporate carrying a heavy burden to cover costs of staff services and council. The division of Area D allows more independence along with the Community Service Office to co-ordinate with long-standing organizations such as irrigation districts, fire departments, and recreation commission to ensure compliance with the municipal act. I don't believe communities in Area I require the same presence of staff

Table 23: Area “I” Open Ended Responses, Question #16

<p>QUESTION #16</p> <p>Do you have any additional comments relating to establishing an RDOS Community Services Office in Kaleden that you would like noted during the review of the existing service?</p>
<p>RESPONSES</p>
<p>How about spending some money on Apex. Rec centre would be nice. Safety gear for our fire fighters. Bylaw enforcement, Policing. Help stop logging in our area</p>
<p>No need for another office</p>
<p>Again, I would like to see community services be focused in Apex where there is a strong need for community to develop both local and tourist opportunities that could benefit the entire area</p>
<p>There is absolutely NO need for a satellite office in Kaleden. Penticton is so close and everyone in Kaleden goes to Penticton for everything anyways. This would be a huge waste of tax payers' money</p>
<p>Not necessary — all can be achieved via website with main office in Penticton, 3 minutes away</p>
<p>I do not support increasing my property taxes to benefit Kaleden, we don't access services that are currently offered in Kaleden, our household is more aligned with Penticton & Keremeos. I do support keeping the visitor information open in OK Falls as I believe that does benefit the entire area. Kaleden is off the highway & closer to Penticton, I'm not sure we would get the same benefit from a visitors centre there. Thank you for the opportunity to comment</p>
<p>I do support keeping the visitor information open in OK Falls as I believe that does benefit the entire area. Kaleden is off the highway & closer to Penticton, I'm not sure we would get the same benefit from a visitors centre there</p>
<p>The money that would be spent opening yet another office could be better spent on delivering existing services and not increasing the property taxes</p>
<p>Most people go into Penticton for other purposes and stop in at RDOS at that time. Many services can be dealt with by a phone call, on line or by mail if not able to attend in person</p>
<p>No. Move services online</p>
<p>How can a separate office and the associated expensive staffing be justified for Kaleden's level of activity???? Just like when the RDOS took over maintenance of the park and the questionable costs and capital projects which have transformed the park in a negative way</p>
<p>Please don't waste money on this. Contribute some if money needed to Penticton or stop it altogether. If you have to go here and want an office for some reason use the community hall or irrigation district offices or sublease fr Linden Gardens for part time peak season services. Spend wisely by invest in some upgrades or using our facilities more often vs starting something new. But really don't do it at all</p>
<p>I do not want to pay anymore taxes for a vacation property that I do not rent out and only use on a very part time basis</p>
<p>I don't believe a service office is necessary in Kaleden. It is too small</p>

I have no problem calling Penticton
I do not believe it is needed and therefore would not support it. It is important to me to keep our taxes affordable and we live in rural areas... keep it this way
I don't see the need for a Community Services Office in Kaleden any more than at Apex. Sharing space in an existing facility such as the Community Hall, Fire Hall or KID Office could be viable
We absolutely do not need this in Kaleden. Come on people, we are less than 10k from the Penticton and OK Falls office. Does everyone in Vancouver live within 10k of their community services office? Talk about big gov't and duplication of services. We are a bedroom community! Don't make me choose this as the hill on which to die
Most Kaleden residents go into Penticton regularly and can easily access the main RDOS office. Also, many services are available online. An office in Kaleden would be a waste of money
The building at the corner of Lakehill Rd and Dogwood I believe is commercial. Perhaps if it is decided to set up an office in Kaleden it might be a good building. Also a place where the director could meet with residents if need be. Visitor info could also be here
Makes sense that Kaleden would have their own office I myself do not even know what services are available are the services now posted any where so we can see what they are
Today's world is ONLINE; so much information is available online that community offices are no longer viable. An office, just for the sake of an office, is not economically feasible as the Penticton office is not far away if needed. Take the money and spend it on actual things that benefit those living here.....ensuring the old hotel remains in good condition. Where are the string lights that used to be on it at night and made it such an amazing landmark? How about purchasing solar string led lights for it? Ideas like Attracting some real business...restaurant, pub. KVR stops. We don't need an office here; just some legitimate investment
Travelling to Penticton is working perfectly fine for our family
There simply is not enough need for a community services office to justify the expense. It makes no sense
There is no need for a service office in Kaleden it would have zero benefit to any property owner at apex. We can access all services we require in Penticton. I strongly do not support opening an office for services we already do not use from ok falls to Kaleden. It would be a terrible waste of money. Even Kaleden property owners can easily access services in Penticton
Stop taxing residents of apex for the needs of the other communities
Not from my tax money
Not required
Having this in Kaleden doesn't benefit Apex property owners.
Apex properties are mostly secondary residents that receive no benefit from a community resource office in Okanagan Falls. Further, the build and maintain something like this at Apex does not seem to be a wise use of funds. I get that there are a number of car round residents at the mountain and they wish for more of a year round community — as do we all — but I cannot see how the community space would generate enough funds to cover the ongoing maintenance given that there are other options for meeting space et al in the area if needed for short term use. Further, this is using tax dollars for all owners to create a space that very few will benefit from, if at all. The year round dream for Apex starts with developers, not local government.

I do not believe that a Community office in Kaleden is much more convenient to Apex than Okanagan Falls.
If you add resources for the community of Kaleden then you must do so for Apex as well
Since my property is at Apex at this time any grants etc. would come for projects that would in fact be handles by the RDOS. At this time we could not work independently to access and use grant facilities.
Apex is already a recreation area with unrivalled amenities—at least in the ski season. Most of these amenities are provided by the private sector (and especially the resort) or not-for-profit groups. There is no requirement (or, in my discussions with many seasonal residents, desire) for RDOS-provided amenities or services at Apex. I understand some full-time residents would like to see more off-season activity at Apex. However, these residents are, I think, a significant minority. The rest of us have little interest in subsidizing off-season services for a handful of people in such a remote area. Seasonal residents already pay for many services and amenities through our primary residences. Moreover, we pay indirectly for the private-sector provision of winter amenities at Apex through significant user fees (seasons passes, etc.). Given our already significant tax and user fee burden, I do not think this “no to everything” attitude is unreasonable.
I don't think that Apex benefits from an office in Kaleden
As an Apex property owner, I can't see there be an advantage to using an office in Kaleden.
Not Needed
Penticton should be sufficient
Waste of tax money. We are pensioners and money is scarce.
Sharing resources with Area D, providing services closer to the constituent
I support establishing a Community Services Office in Kaleden, to serve area 'I'

Appendix 5.0: Area “D” Printable Survey

There are 6 pages in the Area “D” Survey.

Electoral Area “D” Community Services Office Review (Skaha East/Okanagan Falls)

?

In November 2018 the Regional District of Okanagan-Similkameen (RDOS) Electoral Area “D” underwent boundary change resulting in the creation of two new Electoral Areas: Electoral Area “D” (Skaha East/Okanagan Falls) and Electoral Area “I” (Skaha West/Kaleden/Apex). The boundary change provides an opportunity to review the RDOS Community Services Office located in Okanagan Falls. Currently, the office provides access to various RDOS services, assistance for executing community projects and initiatives as well as providing office space to the Okanagan Falls Visitors Information Centre. At this time, residents of Areas “D” and “I” share and jointly fund this service through property taxes.

Area “D” residents are being asked to complete this survey to assist in understanding how the Community Services Office in Okanagan Falls is currently used and to gain feedback and suggestions about which services and initiatives are important.

There are 9 questions in this survey.

In which community do you live or own property? *

Please choose **all** that apply:

- Heritage Hills
- Lakeshore Highlands
- Okanagan Falls
- Skaha Estates
- Upper Carmi
- Vaseux Lake
- Vintage Views

Other:

check the box beside your community

Are you aware there is a RDOS Community Services Office in Okanagan Falls? *

Please choose **all** that apply:

- Yes
 - No
-
-

Do you use the Community Services Office located in Okanagan Falls? *

Please choose **all** that apply:

- Yes
 - No
-

Which services do you access at the Community Services Office?

(Please list below)

Please write your answer here:

How many times per month do you use the Community Services Office? *

Please choose **all** that apply:

- 1-2 times per month
 - 3-4 times per month
 - 5-6 times per month
 - 6 or more
 - I don't use the service
-

Please list the ways you or your community have benefitted from the Community Services Office:

Please write your answer here:

Please indicate your level of agreement with the following statements:

*

Please choose the appropriate response for each item:

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
The services and resources accessible through the Community Services Office directly benefit my household	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The services and resources accessible through the Community Services Office directly benefit the Area "D" economy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I support more staffing resources dedicated to economic development in Area "D"	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Providing space for the Visitors Information Centre in the Community Services Office is important	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identifying funding sources and grants for community initiatives in Area "D" is important	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would support a property tax increase to fund the Community Services Office	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I can access all of the RDOS services I require at the main RDOS office in Penticton	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do you have an idea for a new community service that could be offered through the RDOS Community Services Office? Please list your suggestions below:

Please write your answer here:

**Do you have any additional comments related to the RDOS Community Services Office you would like noted during the review of the existing service?
Please list your comments below:**

Please write your answer here:

Submit your survey.

Thank you for completing this survey.

Appendix 6.0: Area “I” Printable Survey

There are 6 pages in the Area “I” Survey.

Electoral Area “I” Community Services Office Review (Skaha West/Kaleden/Apex)

In November 2018 the Regional District of Okanagan-Similkameen (RDOS) Electoral Area “D” underwent boundary change resulting in the creation of two new Electoral Areas: Electoral Area “D” (Skaha East/Okanagan Falls) and Electoral Area “I” (Skaha West/Kaleden/Apex). The boundary change provides an opportunity to review the RDOS Community Services Office located in Okanagan Falls. Currently, the office provides access to various RDOS services, assistance in executing community projects and initiatives as well as providing office space to the Okanagan Falls Visitors Information Centre. At this time, residents of Areas “D” and “I” share and jointly fund this service through property taxes.

Area “I” residents are being asked to complete this survey to assist in understanding how the Okanagan Falls Community Services Office is used, which services are important and to gain feedback and suggestions regarding the creation of any new services in Electoral Area “I”.

There are 6 questions in this survey.

In which community do you live or own property? *

❗ Please select at most one answer

Please choose **all** that apply:

Apex

Farleigh Lake

Kaleden

Marron Valley

St. Andrews

Twin Lakes

Other:

check the box beside your community

Are you aware there is a RDOS Community Service Office in Okanagan Falls? *

❗ Please select at most one answer

Please choose **all** that apply:

Yes

No

Do you use the Community Services Office located in Okanagan Falls? *

❗ Please select at most one answer

Please choose **all** that apply:

Yes

No

Which services do you use at Community Services Office in Okanagan Falls? (Please list below)

Please write your answer here:

How many times per month do you use the Community Services Office in Okanagan Falls? *

❗ Please select at most one answer

Please choose **all** that apply:

- 1-2 times per month
 - 3-4 times per month
 - 5-6 times per month
 - 6 or more
 - I don't use the service
-

Please list the ways you or your community have benefitted from the Community Services Office in Okanagan Falls:

Please write your answer here:

Please indicate your level of agreement with the following statements:

*

Please choose the appropriate response for each item:

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
The services and resources accessible through the Okanagan Falls Community Services Office directly benefit my household	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The services and resources accessible through the Okanagan Falls Community Services Office benefit Electoral Area "I" in general	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing space for the Visitors Information Centre in the Okanagan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Falls Community Office is important to the Area "I" economy					
I can access all of the RDOS services I require at the main RDOS office in Penticton	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I support more services dedicated to preserving the unique history of Kaleden	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The identifying funding sources and grants for community initiatives in Area "I" is important	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would support a property tax increase to fund establishing a new service in Kaleden	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Do you have an idea for a new community service that could be offered through an RDOS Community Service Office in Kaleden?
Please list your suggestions below:**

Please write your answer here:

Do you have any additional comments relating to establishing an RDOS Community Services Office in Kaleden that you would like noted during the review of the existing service? Please list your comments below:

Please write your answer here:

Submit your survey.

Thank you for completing this survey.

Do you have any additional comments relating to establishing an RDOS Community Services Office in Kaleden that you would like noted during the review of the existing service? Please list your comments below:

Please write your answer here:

Submit your survey.

Thank you for completing this survey.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: Declaration of State of Local Emergency Approval

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 14 June 2019, at midnight for a further seven days to 21 June, 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 21 June 2019, at midnight for a further seven days to 28 June, 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 28 June 2019, at midnight for a further seven days to 05 July, 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 05 July 2019, at midnight for a further seven days to 12 July, 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 12 July 2019, at midnight for a further seven days to 19 July, at midnight.

Reference:

Emergency Program Act, Section 12

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 or 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.R

History:

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:

Endorsed by:

S. Vaisler, Emergency Services Manager

Bill Newell, CAO

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 18, 2019

RE: RDOS Fees and Charges Bylaw No. 2848, 2019

Administrative Recommendation:

THAT Bylaw No. 2848.01, 2019 Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw be read a first, second and third time and be adopted.

Purpose:

To amend the Fees and Charges bylaw to include an administration fee for collection of third party fees, and transit fees for the Kelowna-Penticton route.

Reference:

Bylaw No. 2848, 2019 RDOS Fees and Charges Bylaw

Background:

Through the *Local Government Act*, the Regional District has the authority, by bylaw, to impose fees and charges for services that are provided.

Analysis:

Bylaw No. 2848.01 provided for the following additions to the Fees and Charges Bylaw:

Schedule 1 – Corporate Services Fees

This schedule is amended to provide for administration fees for the collection of funds on behalf of member municipalities or other third parties. The administration fee offsets costs incurred by the Regional District in providing the collection of third-party fees. Other municipalities charges administration fees similar or higher.

Schedule 7 – Transit Fees

This schedule is amended to provide for the fees for Route 70, the Kelowna –Penticton transit route scheduled to begin service in September 2019.

Alternatives:

1. THAT Bylaw No. 2848.01, 2019 Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw be read a first, second and third time and be adopted.
2. THAT Bylaw No. 2848.01 returned to administration for the following changes:
3. THAT Bylaw No. 2848.01 not receive any readings and be abandoned.

Communication Strategy:

The Regional District Fees and Charges bylaw is posted on the RDOS website and will include these amendments.

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. 2848.01, 2019

A bylaw amend Regional District of Okanagan-Similkameen Fees and Charges
Bylaw No. 2848, 2019

The Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

1.0 CITATION

- 1.1 This Bylaw shall be cited as the **Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2848.01, 2019.**

2.0 INTERPRETATION

- 2.1 Schedule 1 – Corporate Services Fees is amended by adding the following:

2.4 Administration Fee:

The Regional District shall deduct an administration fee of 12% on funds collected by the Regional District on behalf of a member municipality related to sales activity managed by the Regional District

The Regional District shall add an administration fee of 12% on actual costs when invoicing third parties.

- 2.2 Schedule 7 – Transit Fees is amended by adding the following:

3.0 Regional Route 70 Kelowna/Penticton

- | | | |
|-----|---------------------|----------|
| 3.1 | Single Fair Ticket | \$5.00 |
| 3.2 | Sheet of 10 tickets | \$45.00 |
| 3.3 | Day Pass | n/a |
| 3.4 | Adult Monthly Pass | \$100.00 |
| 3.5 | Senior/Student Pass | \$85.00 |

- 2.3 Section 2.2 of this bylaw [Schedule 7 Transit Fees] shall come into effect September 1, 2019

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

ADOPTED this ___ day of ____, 2019.

RDOS Board Chair

Corporate Officer

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY**

POLICY: Landfill Customer Accounts Policy

AUTHORITY: Board Resolution dated _____.

POLICY STATEMENT

Good financial stewardship requires that credit privileges be extended to customers using a risk-based approach and obligations owed to the Regional District are collected fully and in a timely manner.

PURPOSE

To formalize the process for granting of credit to landfill customers and managing any outstanding balances.

PROCEDURES

1. Organizations that incur User Fees in excess of \$50 per month or per load may apply to the Regional District for a credit account by completing a Regional District Landfill Credit Application.
2. Exemptions from the requirement in item 1. Above will be limited to:
 - a. Province of British Columbia, departments or agencies clearly identified
 - b. Government of Canada, departments or agencies clearly identified
 - c. Other Municipalities, Towns, Villages, Districts and First Nations Bands
3. Completed Application Forms to be forwarded to the Regional District Finance Department
4. Approved customers are required to sign a Charge Account Contract Agreement
5. Customer invoices will be generated monthly and due within 30 days of invoice date
6. Customers with accounts in arrears will be subject to a service charge at the rate set out in the charge account contract agreement.
7. Customers with accounts in arrears after 45 days will be contacted and requesting payment with 15 days. Customers who fail to remit after 60 days will be contacted and advised that they will not be permitted to dispose Municipal Solid Waste or Recyclable material at any Regional District facility pending payment of arrears.
8. If an account holder fails to pay the Regional District all fees owing in full within 60 days of invoice date, the Regional District may withhold monies equivalent to those charges, plus interest, from the account holder under a separate contract, agreement or offer between the Regional District and the account holder. Failure to pay after 60 days will result in cancellation of disposal privileges.
9. Upon full payment of the outstanding balance, including service charges, disposal privileges will be reinstated on a C.O.D basis.
10. Credit privileges may be reinstated to a customer account that is on C.O.D. basis after a three month period without incident, at the discretion of the Manager of Finance or designate.
11. Customer accounts falling 60 days past due a second time will be placed on C.O.D. for a period of three years, once the outstanding balance has been paid in full. After three years, the credit account will be reconsidered at the discretion of the Manager of Finance or designate.
12. At the discretion of the Manager of Finance or designate, accounts that are 180 days in arrears will be sent to external collection agencies.



Water and Sewer Utility Acquisition Policy

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD POLICY

POLICY: Water and Sewer Utility Acquisition Policy

AUTHORITY: Board Resolution _____.

POLICY STATEMENT

The Regional District of Okanagan Similkameen (RDOS) believes that essential services are best provided by government, where citizens can elect representatives interested in their well-being and will operate the service in the most effective and efficient manner possible. Further, potable water and sanitary sewerage systems are determined to be essential to a high quality of life and citizens should expect their local government to assist in acquiring and operating those systems where ratepayers to the system concur.

PURPOSE

To establish the policy and procedure for the acquisition of utilities.

APPLICATION

This Policy applies to Water and Sanitary Sewer systems in an electoral area of the RDOS operated by public or private owners serving citizens within the Regional District of Okanagan Similkameen geographic boundaries.

DEFINITIONS

“BOARD” means the BOARD of Directors for the Regional District of Okanagan Similkameen;

“CAO” means the Chief Administrative Officer for the RDOS, or a designated representative;

“IMPROVEMENT DISTRICT” means

- (a) the corporation into which the residents of an area are incorporated as an improvement or irrigation district under the *Local Government Act* or a former Act, or
- (b) the geographic area of the improvement or irrigation district corporation;

“RDOS” means the Regional District of Okanagan Similkameen.

“SCADA” means Supervisory Control and Data Acquisition

“STAFF” means an employee(s) of the RDOS

“UTILITY” means a water or wastewater system **RESPONSIBILITIES**

The Board shall:

- (1) Make such revisions, additions or deletions to the Water and Sewer Utility Acquisition Policy as may be required.
- (2) Approve any system acquisition

The CAO shall:

- (1) Review the Policy periodically and, if appropriate, make recommendations to the Board for amendments.
- (2) Implement the Policy
- (3) Make recommendations to the Board on the acquisition of a Utility meeting the terms and conditions herein.

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1.0 Guiding Principles

Water:

The RDOS wishes to enhance the safety and delivery of clean drinking water to all of its citizens at equitable rates while ensuring affordable, reliable supply to all of its agriculturists. Access to clean safe drinking water is a foundational component of a sustainable healthy community.

Sewer:

There is a benefit to treating human waste to an acceptable standard before we discharge them into our watersheds. The RDOS chooses to improve the protection of the environment and ensure public safety by collecting and treating sewage in a cost effective and environmentally superior manner.

Purpose of Adopting a Policy of Acquisition:

There are a number of existing water and sewer systems within the RDOS that are struggling to meet environmental and public health standards. Many of these systems are old and do not meet increasing minimum provincial regulation or standard municipal design. System owners often find that they no longer have the financial ability or technical expertise required to meet current regulation. Further, these Utilities can have difficulty obtaining volunteers, expertise, insurance and are ineligible for provincial and federal grants.

In order to assist communities with these existing systems this policy has been developed to create process in which the RDOS can acquire these systems while enhancing the protection of public health, the public purse and the environment. The purpose of this policy is also to ensure that the RDOS does not accept undue liability and has the resources to assist. This policy and any standards herein are not applicable to new development.

Benefits:

The RDOS offers numerous benefits to residents wishing to transfer ownership of their Utility. These include:

- Grants: Access to provincial and federal grants for capital improvements to the Utility are available to local governments. Grants can vary in value depending on the program and availability.
- Insurance. The RDOS carries up to \$40 million in liability insurance. This cost is shared amongst all of its various functions and is very affordable.
- Borrowing rates. The RDOS is part of the Municipal Finance Authority and typically has long term borrowing rates lower than any bank.
- Professional work force. The RDOS has a work force with professional engineers, engineering technologists, certified professional accountants, and Level 1 to 4 water and sewer operators. Because we own and operate a large number of water and sewer systems we can provide professional services and advice that would otherwise require the hire of consultants and/or contractors.
- Economies of scale. RDOS equipment, resources, telemetry and systems in place allow the shared use of common resources. This has the affect of reducing costs for any new users.
- 24/7/365 coverage. The RDOS has Staff available during normal office hours, but also has Staff on standby during weekends, holidays and at night. This means we are able to deliver service to any emergency 24 hours a day, seven days a week.

2.0 Process

Use of this document:

A process has been outlined within this policy with each section described in more detail later within the body of the policy. It is expected that the applicant has read each section of the policy before any application is made. This policy and any standards herein are not applicable to new development.

Process:

1. Before a Utility owner makes an application to the RDOS to transfer ownership of the Utility assets they should ensure that the *minimum eligibility criteria* have been met.
2. A Utility meeting the minimum eligibility criteria can apply to the RDOS by a simple resolution from the governing body or the shareholders of the Utility indicating desire to consider being transferred to the RDOS. This does not commit either the RDOS or the Utility owner to a transfer at this point. A *sample resolution* has been identified in section 3.0. As part of the application the proponent should confirm that they have met the eligibility criteria.
3. The RDOS will confirm that the eligibility criteria have been met, the expected timing for the following processes, the inclusion into any current work plan, and any mitigating circumstances concerning the urgency for a transfer. Depending on available funding and Staff availability, an application may not start within the calendar year in which the application has been made. As part of the report, *the* method of funding for an engineering assessment and financial, liability and asset report options shall be confirmed. Further, the method of public assent will be identified and the required levels of effort and costs, (see section 10.0). It is expected that a Staff capacity assessment, financial plan, public review process, transition plan and transfer agreement can be completed in-house with the results presented to the Board at the end of the process.
4. An *Engineering Assessment* of all works. An assessment of all infrastructure the RDOS is expected to own, operate and maintain shall take place in order to determine any required capital costs and additional operating costs.
5. A *Financial, Liability and Asset Report*. In order to understand any existing debt, reserves, assets, and any potential liabilities, an audit is required.
6. *Staff Capacity Impact Assessment*. With a finite number of employees, every Utility that the RDOS acquires will impact the capacity of Staff to respond to other existing systems. As part of the final report to the Board, an assessment will be provided that outlines the impacts that an acquisition will have on our ability to deliver current levels of service.
7. A *Financial Plan*. Financial plan(s) will be developed that will show the expected costs for the RDOS to operate and maintain the Utility proposed to be transferred and to provide any upgrades required to meet provincial and federal regulation/law.
8. A *Transition Plan* (if necessary). The governance, Staffing and transfer of the Utility assets over a set period of time will be developed if deemed necessary. The intent is to ensure a transition that is respectful of the existing systems, Staffing and the wishes of local residents.

9. *A Public Review Process.* A plan to review the findings from our engineering assessment, audit, potential costs, and benefits of becoming an RDOS function will be shared with the public. The plan will include a public assent process for the creation of an establishment bylaw and borrowing (if needed) that is acceptable to the province.
10. *Transfer Agreement.* A transfer agreement must be signed by the owners of the Utility if the Utility is not an Improvement District. In the case of an Improvement District assets are transferred to the RDOS by an Order in Council. Within any transfer agreement all assets will be transferred to the RDOS for \$1 and will not be contingent on any development rights or considerations. A sample agreement has been provided in Appendix A.
11. *Final Board Approval.* Once all of the above plans, assessments and agreements are in place. Staff will review the above information with the Board to confirm whether or not they wish to proceed with the transfer of the Utility. The Board will have the final approval on any Utility acquisition.

3.0 Minimum Eligibility Criteria

Before an application to transfer a Utility is made the following criteria must be met:

1. An applicant must not have any fines or law suits pending or underway against the Utility. Any liability that is assumed by the RDOS with the transfer may affect the entire RDOS, so the applicant must declare and confirm that they are not aware of any potential or current legal action against the Utility.
2. The RDOS must be able to respond to an emergency within 1 1/2 hrs after the call out. Failure to respond to an emergency call out within a timely fashion is a risk to the residents of the Utility and a liability to the RDOS.
3. The governing body or owner of the Utility must be willing to agree to transfer all assets, reserves and water rights to the RDOS at the end of the application process. The applicant is expected to sign a transfer agreement similar to the attached for a cost of \$1 and will not be contingent on any development rights or considerations.
4. The Utility must have all of the valid licenses and permits in place required for the RDOS to own, operate and maintain the system. For example, a water system must have all ground water or surface water permits before the RDOS will take on the ownership of a Utility. These licenses must be transferable to the RDOS.
5. Due to the effort, resources and expense the process, assessment, audits and studies required to review an application, should an application for Utility transfer be rejected either by the RDOS or the public, the owner of the Utility must not reapply within five years of the date of the original application.
6. This policy is for existing Utilities only. Any transfer of Utilities for new development will have a different process and standards to follow.

Sample Application Resolution

Therefore, be it Resolved:

THAT the (Name of the Utility) intends to dissolve the (Name of the Utility) and transfer the assets of the utility to the RDOS, on such a date that it is appropriate to transfer all operations, assets and any liabilities to be assumed by the RDOS.

4.0 Method of Funding an Application

Funding will be required to pay for an Engineering Assessment, a Financial Audit, Staff time, a public assent/ public review process and any costs to transfer assets, rights of way, bylaws and files to the RDOS. Options to pay for the above include: the Electoral Area Rural Projects Funds, the applicant applying for the Utility transfer provides funding, a provincial governance review grant up to \$20K that the RDOS will apply for (not available for privately owned utilities). Should a public assent process be approved by the ratepayers, costs may be recovered by the RDOS in future budget years depending on available funds. The grant from the Province is only available if the transfer is successful and the application is for the transfer of an Improvement District. A provincial grant application is not automatically approved nor is there a set amount available.

5.0 Engineering Assessment

As part of the Water and Sewer Utility acquisition policy the RDOS will hire a consultant to assess all of the Utility's existing infrastructure in order to determine compliance with federal and provincial legislation and engineering design norms. The engineering assessment shall determine the capital and operational costs required to meet the aforementioned minimum requirements. The study will also determine the longer term capital and operational cost required to meet municipal standards and those of the RDOS's development and regulatory bylaws. Any infrastructure encroachments or trespasses will also be identified and included in the longer term capital plan. These longer term costs should include asset replacement and be consistent with the RDOS asset management plan. Infrastructure that has reached the end of its serviceable life should be included in the works identified as the minimum upgrades or requirements.

The RDOS recognizes that older Utility systems may have been designed and constructed to previous, lower standards, may not meet current municipal and fire protection standards, and may be nearing the end of their serviceable life. Over time, as funding becomes available, the RDOS will bring all existing Utility systems it acquires into compliance with the design standards and construction specifications outlined in the appropriate RDOS bylaws and prioritize the works through future master plans and asset management plans.

All Utility systems will have SCADA telemetry systems installed on all of its core infrastructure. This is to ensure responses to emergencies are in a timely, safe and efficient manner. These include structures such as wells, chlorination stations, pump stations, lift stations, booster stations, and water and waste water treatment facilities.

The minimum requirements used to create a financial plan will be those requirements needed to meet all provincial and federal regulation, operating certificate, health, safety, and environmental standards. Further, it will include any upgrades required to meet the minimum operational standards. These include SCADA, telemetry, alarms, failed infrastructure and reasonable operating conditions. These

upgrades will form the basis of a financial plan and borrowing bylaws that will be presented to the public. Further, the RDOS will review the potential for grant funding for any required upgrades.

The RDOS will discourage point-of-use or point-of-entry (to an individual dwelling) devices as a means of treating water supplied by a water supply system. The RDOS will not take on responsibility for existing point-of-use or point-of-entry systems in a candidate water system. These will need to be decommissioned or looked after by the property owner. Boiling water is not deemed acceptable as a long term water treatment solution for any system.

Any existing sewage system must be compliant with the existing Liquid Waste Management Plan, if any.

The RDOS will discourage pump-and-haul as an approach to removing sanitary sewerage from community Utility systems for treatment and disposal at another location.

The Utility must have all of the valid licenses and permits in place required for the RDOS to own, operate and maintain the system. The review will confirm that all appropriate licenses are in place required to operate the Utility. For example, a water system must have all ground water or surface water licenses in place and any dam or water system structure must have appropriate licenses. These licenses must be transferable to the RDOS.

6.0 Financial, Liability and Asset Report

In order to understand existing debt, reserves, assets and any potential liabilities, specified procedures will be undertaken by an audit firm resulting in a special report the RDOS can rely on. Regional Districts have service areas for all of their functions. This means that the assets and reserves will be used for the service and service area. It also means that any liabilities, fines and debts that are to be assumed by the RDOS will also remain with any newly created service area.

It is expected that there will be no material change in assets, debts or liabilities from the last audited year-end financial statements of the Utility to the time that the Utility assets are transferred to the RDOS.

The RDOS or their agent will review working papers, audits, bank statements, etc. required to provide the financial position of the Utility. The applicant is expected to cooperate to this end. Further, the applicant will permit the RDOS or their agent to contact the Utility's insurer to confirm that there are no existing or pending lawsuits. The RDOS may also conduct court registry searches in this regard.

A list of physical assets to compliment the Engineering Assessment shall be provided and roughly estimated in replacement value. These may include lands and investments that are owned by the Utility but are not directly tied to the Utility infrastructure (i.e. public works building/ office).

7.0 Staff Capacity Impact Assessment

While any Utility is expected to have full cost recovery, the addition of any Utility to the RDOS will have an impact on the workload of existing Staff and the capacity of the organization. Depending on the size and complexity of the Utility, the increase in workload may or may not require additional Staff. In some cases, alternative service delivery mechanisms may be considered. In order to assess the impacts to the organizational capacity of the RDOS, Staff will estimate the additional Staff hours required to operate, maintain, and administer the newly acquired Utility and then convert these hours to Full Time Equivalent (FTEs). While the FTE may be fractional, it will be very difficult if not impossible to hire

professional part time Staff and any additional workload may trigger the need to increase Staffing levels or decrease existing workload in other areas. Any FTE amount over one should result in the hire of Staff upon the transfer of the Utility to the RDOS. All costs attributable to a Utility will be charged to that Utility service area.

8.0 A Financial Plan (with and without grants)

A financial plan will be developed that identifies expected operational and capital costs required to meet standard operating procedures and the minimum upgrades stipulated in the engineering assessment and address debts, assets and reserves identified in the financial assessment. The budget will consider existing reserves and debt. Should upgrades be required, an option with senior government grants will be developed if grant funding is applicable. Further, a borrowing bylaw will be prepared for any required upgrades as part of any public assent process. All expected costs will be provided to the public as part of the public review/assent process.

9.0 Transition Plan (Optional)

A Transition Plan may be needed if the transfer of the Utility to the RDOS is controversial, complex or needs to consider existing Staff.

Depending on the size of the system and the circumstances surrounding the transfer of ownership to the RDOS, a transition plan may or may not be needed. Such a plan could include a user fee rates review if there was a concern with the equity and apportionment of water system costs. Utility management and operation is technical in nature and resources such as labour and equipment are shared between systems. Advisory committees are labour intensive to support and are not recommended.

10.0 Public Review Process

Depending on the type of water system, the method and formality of public assent may vary. The RDOS will contact the province to confirm the method that will be acceptable. Once the public assent has been obtained, it may take several months until the provincial government approves any transfer of a Utility depending on the type of Utility system. If it is determined through the engineering or financial assessment that a borrowing bylaw is advantageous then this can be integrated into the public assent process.

The RDOS will work with the existing governing body or owner of a water system to host a public meeting or open house in which residents will have an opportunity to review the results of the engineering assessment, financial audit, financial plan and a transition plan (if desired). The intent of an open house is to ensure that residents understand any existing safety, debt, risk, environmental or operational issues with their Utility, and understand the costs required to fix their system to meet minimum standards. Benefits as well as any expected taxes or fee increase will be clearly identified.

The following are examples of water system types and acceptable methods of public assent.

Improvement District: A resolution by the Improvement District Board of Directors that affirms the dissolution of the Improvement District and the transfer of all assets to the RDOS is required. As part of the financial plan described above a borrowing bylaw may be required. If borrowing is required, authorization will be required by public vote.

Once resolved and agreed to by the RDOS, provincial approval is required.

A private water system: The owner of a private water system must sign the transfer agreement and the ratepayers must agree to the creation of a service establishment bylaw and possibly a borrowing bylaw through a formal public assent process.

A Water Users Community: a water users' community is a public corporate body created under the Water Users' Communities Act. All owners must agree to the transfer agreement, sign over all water rights and agree to the creation of a service establishment bylaw and possibly a borrowing bylaw through a formal public assent process.

Private utilities, regulated under the Water Utilities Act and Utilities Commission Act, require authorization from the Comptroller of Water Rights prior to finalizing the sale of assets to RDOS. Any sale to the RDOS must be subject to B.C. Water Comptroller approval. Improvement Districts are transferred by an Order-in-Council and do not require Comptroller approval or a transfer agreement.

Formal public assent process:

Once the contents of the engineering report and the overall financial picture have been discussed, residents will be asked if they wish to go to the next step, a formal public assent process. A public assent process basically asks, —Are you in favour of the RDOS taking over the system and charging you for the capital and maintenance costs? This can be accomplished by referendum, formal petition, or through an alternative approval process. A public assent process may include the transfer of any required water licenses. For example, a petition process may include a formal transfer of a water licence. Further, it will include an establishment bylaw and may include a borrowing bylaw.

Sample Resolution upon Completion of the Public Assent Process:

THAT the (Name of the Utility) transfer its assets to the RDOS and dissolve the (Name of the Utility) and that the (Elected President Chair or Chief Executive Officer) be authorized to sign all agreements, proclamations and other documents required to effect such transfer and dissolution .

If the public assent process is successful, the RDOS will prepare the necessary bylaws and paperwork to establish a service area, legally transfer ownership of the Utility, and will develop operational criteria.

11.0 Final Board Approval

In order to adopt service establishment and borrowing bylaws, public assent must be obtained. The Board will receive a report that summarizes the results of the above plans and the public assent process. Should there be sufficient public support through the public assent process for a borrowing bylaw, if needed, and a service establishment bylaw, the RDOS will proceed with the readings of the bylaw(s). Should there be significant risk to the RDOS, or be insufficient public support for the bylaws, then Staff will recommend that the utilities application be rejected. Significant risk shall include, but not be limited to, pending or existing lawsuits, unresolved Utility encroachments, an inability to meet existing regulation through a rejection of the borrowing bylaw or the inability of the RDOS to operate the Utility through the lack of existing licenses or the ability to transfer these licenses to the RDOS.

UTILITY SYSTEM TRANSFER AGREEMENT

THIS AGREEMENT dated for reference _____,

BETWEEN:

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Address for Delivery: 101 Martin Street, Penticton, B.C., V2A 5J9

Contact Person:

Email Address:

(“RDOS”)

AND:

[insert name and address of Utility owner/operator]

Address for Delivery:

Contact Person:

Email Address:

(“Operator”)

GIVEN THAT:

The Operator owns and operates a domestic _____ system located within the boundaries of the RDOS, as shown generally on the map attached as Schedule A, (collectively, the “Utility System”).

The RDOS wishes to acquire certain Utility System assets and incorporate those assets as part of an RDOS _____ service and the Operator and the RDOS wish to enter into this Agreement to provide for the transfer of the Utility System to the RDOS.

THIS AGREEMENT IS EVIDENCE THAT in consideration of the promises exchanged below, and of the payment of \$1.00 by the RDOS to the Operator (the receipt and sufficiency of which the Operator acknowledges), the Operator and the RDOS covenant as follows:

Sale & Transfer of Utility System

1. On the terms and conditions of this Agreement, the Operator shall sell, assign, transfer and set over to the RDOS, and the RDOS shall purchase from the Operator, all of the Operator’s rights, title and interest in and to the following property and assets:

- (a) all buildings, improvements, works, machinery and equipment in any way related to or associated with the Utility System, including as described in Schedule B;
- (b) all land, easements, rights of way, licenses, permits, railway crossing agreements, encroachment agreements and other interests and agreements under which any part of the Utility System is permitted to be located or operated or as is otherwise necessary for the operation of the Utility System, including as listed in Schedule C;
- (c) all funds held in the reserve funds, if any, listed in Schedule D (the “Reserve Funds”);
- (d) the additional property and assets listed in Schedule E; and
- (e) any property of any kind whatsoever, real or personal, wheresoever located, pertaining to or in any way related to or associated with the Utility System that is identified for acquisition by the RDOS pursuant to the terms of this Agreement;

but specifically excluding the assets and property listed in Schedule F (the “**Excluded Assets and Interests**”).

In this Agreement, the term “**Assets**” refers to the assets and property to be transferred as identified under this section, excluding, for clarity, the Excluded Assets and Interests.

Purchase Price

- 2. On the Completion Date, the RDOS shall pay \$1.00 (the “**Purchase Price**”) to the Operator as consideration for the sale, transfer and assignment of the Utility System under this Agreement.
- 3. If the Assets include any land owned in fee simple by the Operator, adjustments to the Purchase Price in respect of such land, both incoming and outgoing, usually the subject of adjustment between a vendor and a purchaser in connection with the purchase and sale of land, including adjustments of property taxes, utilities and rents, shall be made up to and including the Completion Date.

Operator Obligations Before Completion

- 4. From and after the execution of this Agreement until the Completion Date, the Operator covenants to:
 - (a) take all reasonable care to protect and safeguard the Assets and operate and otherwise deal with the Assets as a careful and prudent owner and operator would do and in such a manner that the Operator’s representations and warranties under this Agreement remain true and correct;
 - (b) maintain in full force and effect insurance coverage in respect of the Assets against such risk and to such limits as are in accordance with prudent business practice and suitable to the Assets and the Utility System;
 - (c) not sell, transfer, dispose of, or mortgage, pledge, charge, subject to lien, grant a security interest in or otherwise encumber, the Utility System or the Assets in whole or in part;

- (d) use and expend monies held in any of the reserve funds in the normal operation of the Utility System and only for the purposes which the applicable reserve fund is established and in accordance with any trusts upon which such monies are held and to provide notice to the RDOS of any such expenditure as soon as possible;
 - (e) use all reasonable best efforts to obtain any third-party consent or approval necessary for the transfer and assignment to of the Assets to the RDOS;
 - (f) permit the RDOS, its employees, agents and contractors, to have access during normal business hours to the Utility System and the Assets and to all plans, drawings, specifications, operating manuals, books, accounts, data, records and other documents and material pertaining to the Utility System or the Assets and the operation, maintenance and repair thereof; and
 - (g) permit the RDOS, its employees, agents and contractors to make inspections, surveys, tests and studies of the Assets.
5. Within 21 days following the date of execution of this Agreement, and from time to time following notice from the RDOS, the Operator shall deliver to the RDOS copies, in electronic format where available, of all plans, drawings, specifications, operating manuals, books, accounts, data, records and other documents and material pertaining to the Utility System or the Assets.

Timing of Transfer

6. The date for completion of the transfer of the Assets to the RDOS (the “**Completion Date**”) shall be the day that is 28 days following the date that all of the conditions precedent under this Agreement are satisfied or waived or, if that day is not a business day, the next following business day.

Free and Clear Transfer

7. On the Completion Date, the Operator shall transfer, convey, assign and set over to the RDOS all of the Operator’s rights, title and interest in and to the Assets, free and clear of all liens, claims, charges and encumbrances and if the Assets include any lands owned in fee simple by the Operator, the Operator shall convey title to such lands to the RDOS free and clear of all liens, claims, charges and encumbrances other than those in favour of the RDOS or that have been approved in writing by the RDOS.

Closing Documents

8. On or before the Completion Date:
- (a) The Operator shall, as directed by the RDOS, deliver to the RDOS or the solicitors for the RDOS, the following documents, each executed by the Operator and, where applicable, in a form registrable in the land title office:
 - i. one or more Form A Transfers for lands owned by the Operator that are included in the Assets (the “**Transfers**”);

- ii. an assignment or assignments registrable in the land title office with respect to any Assets that are interests in land registered in the land title office (the "LTO Assignments");
- iii. a general conveyance, assignment and transfer of all Assets;
- iv. a certified cheque payable to the RDOS in an amount equal to the amount of funds held in the Reserve Funds;
- v. a statutory declaration of a senior officer of the Operator certifying that the Operator is not a "non-resident" within the meaning of the Income Tax Act;
- vi. certified copies of resolutions of the shareholders and directors of the Operator authorizing the execution, delivery and implementation of this Agreement and of all documents to be delivered by the Operator under this Agreement;
- vii. a certificate of the president of the Operator certifying that all of the Operator's representations and warranties in this Agreement are true as at the Completion Date and
- viii. such further deeds, acts, things, bills of sale, transfers, assignments, certificates and assurances as may be requisite in the reasonable opinion of the RDOS' solicitor for more perfectly and absolutely assigning, transferring, conveying and assuring to and vesting in the RDOS, good and marketable title to the Assets, free and clear of all liens, claims, charges and encumbrances, immediately registerable in all places where registration of such instruments is required; and

- (b) The Operator shall deliver to the RDOS all manuals, records, accounts and other documents pertaining to the Utility System.

The RDOS shall cause its solicitors to prepare the above documents, which shall be in such form as may be determined by the RDOS and its solicitor.

Completion

- 9. On the Completion Date, after receipt of all of the documents and things to be delivered by the Operator to the RDOS on the Completion Date pursuant to this Agreement, the RDOS shall cause all Transfers and LTO Assignments to be submitted for registration in the Land Title Office and upon receipt of a satisfactory post application land title office title search indicating such that in the normal course the RDOS shall be (i) the registered owner in fee simple of all of the lands identified in any Transfers, free and clear of all liens, charges and encumbrances except those in favour of or approved in writing by the RDOS, and (ii) registered owner of all of the interests identified in the LTO Assignments, the RDOS shall deliver a cheque to the Operator in an amount equal to the Purchase Price, as adjusted pursuant to the terms of this Agreement.

Possession and Risk

- 10. On the Completion Date, the RDOS shall be entitled to possession of all of the Assets and, if any lands or buildings are included in the Assets, the Operator shall give vacant possession of such lands and buildings to the RDOS. The Assets are at the Operator's risk until application is made to register the Transfers and LTO Assignments in the Land Title Office on the Completion Date and thereafter are at the risk of the RDOS.

Fees and Taxes

11. The RDOS shall pay, as and when, due and payable:
- (a) any property transfer tax payable under the *Property Transfer Tax Act* (British Columbia) with respect to its acquisition of any of the Assets;
 - (b) any Land Title Office fees in connection with the registration, filing or deposit with the LTO of any document or plan to be deposited, filed or registered pursuant to this Agreement;
 - (c) any provincial sales tax payable in respect of the RDOS's acquisition of the Assets; and
 - (d) any GST payable in respect of RDOS's acquisition of the Assets.

Each party shall be responsible for its own legal fees and disbursements incurred in respect of this Agreement.

Operator Representations and Warranties

12. The Operator represents and warrants to the RDOS that the following are true, and shall be true on the Completion Date, acknowledging that the RDOS is relying on the following representations and warranties in connection with its acquisition of the Assets, which representations and warranties shall survive the completion of the transaction under this Agreement:
- (a) the Operator is the legal and beneficial owner of, and has good and marketable title to, Assets free and clear of all liens, charges, security interests, encumbrances and claims of any kind;
 - (b) the Operator has operated the Utility System and the Assets in compliance with all applicable enactments and all orders, directives, rulings, decisions, requirements and approvals of any government authority having jurisdiction with respect to their operation, including under the Water Act, Water Users Communities Act, Utilities Commission Act, Water Sustainability Act, Environmental Management Act or otherwise; and
 - (c) If the Operator is a corporation, the Operator identity duly incorporated, validly existing and in good standing under the Business Corporations Act, has made all necessary filings required by that Act and has never been struck from the Registrar of Companies maintained by the office of the Registrar of Companies for British Columbia;
 - (d) the Operator has the legal capacity, power and authority to own the Utility System and the Assets and to enter into this Agreement and perform all of its obligations under this Agreement;
 - (e) all necessary actions, steps and other proceedings have been taken to approve and authorize, validly and effectively, the entering into, and the execution, delivery and performance of this Agreement and the transfer of the Assets to the RDOS;
 - (f) there is no action, suit, claim, litigation or proceeding pending or to the Operator's knowledge threatened against the Operator or in respect of the Utility System or the

Assets before any court, arbitrator, arbitration panel or administrative tribunal or agency that might affect the Operator's ability to perform any of its obligations under this Agreement and no state of facts exist that could constitute the basis of any such action, suit, claim, litigation or proceeding;

- (g) neither the Operator entering into this Agreement nor the performance by the Operator of the terms of this Agreement shall result in the breach of or constitute a default under any term or provision of any instrument, mortgage, deed of trust, lease, document or agreement to which the Operator is bound or subject;
- (h) the Operator has complied with all Environmental Laws in its operation of the Utility System and the Assets, during the period that the Operator has owned the Utility System, the Operator has not caused or permitted any Contaminants to be introduced, and is not aware of any Contaminants having been introduced into, onto or under, or migrating to or from, any land comprised in the Utility System or the Assets;
- (i) to the best of the Operator's knowledge, the land comprised in the Assets contains no active or inactive above ground or below ground storage tanks;
- (j) to the best of the Operator's knowledge, there is not now and has not been in the past any action, proceeding, investigation, prosecution or claim, pending or threatened under Environmental Laws in respect of, or related to the presence of Contaminants in, on or under any land comprised in the Assets, whether relating to the presence of Contaminants in the soils or ground water or migrating thereto or therefrom or otherwise;
- (k) to the best of the Operator's knowledge, there are no reports, soil test reports, assessments, audits, studies, permits, licenses or records with respect to the lands comprised in the Assets concerning or relating to Contaminants or compliance with Environmental Laws, whether or not prepared for the Operator or any other person, including any predecessors in title or tenants;
- (l) to the best of the Operator's knowledge, there are no Contaminants in, on or under the lands comprised in the Assets or migrating or having migrated to or from the lands comprised in the Assets;
- (m) there is no liability, contingent or otherwise, for any Governmental Charges in respect Utility System or the Assets;
- (n) the Operator is not a "non-resident" of Canada within the meaning of the Income Tax Act (Canada) and is not acting as agent, trustee or nominee for any person in connection with the transaction contemplated by this Agreement; and
- (o) there are no debts due or owing for any work, labour, service or materials provided to or performed on any land comprised in the Utility System or the Assets under which a lien or charge has arisen or could arise under the Builders Lien Act (British Columbia).

In this section,

“Contaminants” means

- (i) as defined in the *Environmental Management Act*, any biomedical waste, contamination, contaminant, effluent, pollution, recyclable material, refuse, hazardous or special waste or waste;
- (ii) matter of any kind which is or may be harmful to safety or health or to the environment; or
- (iii) matter of any kind the storage, manufacture, disposal, emission, discharge, treatment, generation, use, transport, release, remediation, mitigation or removal of which is now or is at any time required, prohibited, controlled, regulated or licensed under any Environmental Laws;

“Environmental Law” means any past, present or future, common law or principle, enactment, statute, regulation, order, bylaw or permit, and any requirement, standard or guideline of any federal, provincial or local government authority or agency having jurisdiction, relating to the environment, environmental protection, pollution or public or occupational safety or health; and

“Governmental Charges” includes all taxes, customs, duties, rates, levies, assessments, re-assessments and other charges, together with all penalties, interests and fines with respect thereto, payable to any federal, provincial, local or other government or governmental agency, authority, board, bureau or commission, domestic or foreign.

Operator Default

- 13 If on the Completion Date any of the representations or warranties made by the Operator under this Agreement are untrue, or the Operator is in default under any of the covenants and obligations to be observed or performed by the Operator under this Agreement, the RDOS may elect not to complete the purchase of the Assets under this Agreement or to complete the purchase of the Assets under this Agreement, in either case without prejudice to any rights or remedies the RDOS may have in respect of the Operator’s breach or default.

Conditions Precedent

- 14 The obligation of the RDOS to complete the transaction provided for in this Agreement is subject to the satisfaction of the following conditions precedent being satisfied or waived on or before the applicable date specified, each of which is for the exclusive benefit of the RDOS and may be waived in whole or in part by the RDOS in writing at any time on or before the applicable date specified:
- (a) On or before the date that is 365 days following the date of execution of this Agreement by the parties, the RDOS will be satisfied in its sole discretion with the results of any due diligence investigations it undertakes with respect to the Utility System and the Assets.
 - (b) On or before the date that is 365 days following the date of execution of this Agreement by the parties, the RDOS will, in its sole and unfettered discretion, have enacted such bylaws as may be necessary in order to establish a new RDOS service or extend an existing RDOS service so as to provide services to the properties serviced by Assets

- (c) On the Completion Date, the representations and warranties of the Operator under this Agreement shall be true in all material respects, with the same effect as though the representations and warranties had been made on the Completion Date.
- (d) On or before the Completion Date, the RDOS shall have received all required consents of all government authorities and third parties necessary to permit any of the Assets to be transferred and assigned to the RDOS pursuant to this Agreement.

The Operator shall execute and deliver to the RDOS or to any governmental authority or other third party as directed by the RDOS such consents, authorizations and directions as may be necessary to enable the RDOS to conduct such due diligence investigations it chooses to undertake under paragraph (a) of this section and to enable the RDOS to receive the consents referred to in paragraph (d) of this section.

If any of the conditions precedent under this section is not satisfied or waived within the applicable time provided under this Agreement, this Agreement shall terminate and the parties shall have no further obligations to, nor rights against, each other in respect of this Agreement. In consideration of \$1.00 non-refundable paid by the RDOS to the Operator and other good and valuable consideration, the receipt and sufficiency of which the Operator acknowledges, the Operator agrees to remain bound by the terms and conditions of this Agreement while it remains subject to the conditions precedent under this section.

- 15. If the Utility System is a domestic water system or includes works for the supply of domestic water, the parties' obligations to complete the transfer of the Assets are subject to, and conditional upon, the satisfaction of the following condition precedent:

On or before the date that is 365 days following the date of execution of this Agreement by the parties and the Comptroller of Water Rights shall have approved, of the disposition of the Utility System under this Agreement on conditions, if any, acceptable to the RDOS exercising its sole discretion.

The conditions precedent created by this section may not be waived and if such condition is not satisfied on or before the date set out above, this Agreement shall terminate and the parties shall have no further obligations to, nor rights against, each other in respect of this Agreement.

For clarity, if the Utility System is not a domestic water system and does not include works for the supply of domestic water, the condition precedent under this section shall not apply.

Additional Assets and Property

- 16. If during the course of any due diligence investigations the RDOS undertakes with respect to the Utility System and the Assets, the RDOS determines it necessary or desirable to include in the acquisition under this Agreement additional assets or property, of any kind whatsoever, real or personal (including contracts and intellectual property of any kind), wheresoever located, associated with or related to the Utility System that are not currently included as part of the Assets, the RDOS may provide notice of that determination to the Operator identifying such additional property and assets and upon such notice such property and assets shall be included as "Assets" and the transfer and assignment to the RDOS under this Agreement.

Post Completion Operator Obligations

17. If after the Completion Date any of the Assets remain in the name of the Operator, the Operator shall hold such Assets in trust for the RDOS until such time as those Assets are in the name of the RDOS and during that period the RDOS shall have a license to use such Assets to the same extent as if such Assets were held in the name of the RDOS.

No RDOS Assumption of Utility System Liabilities

18. For clarity:
- (a) Except as provided for under paragraph (c) of this section and for any debts or other liabilities expressly assumed by the RDOS pursuant to a separate written agreement between the RDOS and the Operator, the RDOS is acquiring the Assets only and does not assume in any way responsibility or liability for any liabilities, debts or other obligations of the Operator in any way relating to or associated with the Utility System or the Assets.
 - (b) Without limiting paragraph (a) of this section and for any debts or other liabilities expressly assumed by the RDOS pursuant to a separate written agreement between the RDOS and the Operator, the Operator will be solely responsible for any continuing obligations under any contracts or agreements not included in the Assets and transferred and assigned to the RDOS under this Agreement and for taking such steps as the Operator considers necessary or desirable to terminate such contracts and agreements.
 - (c) From and after closing on the Completion Date, the RDOS shall be responsible for performing all obligations arising after closing under the terms of any rights of way, easements, crossing agreements, contracts and agreements that are Assets transferred and assigned to the RDOS under this Agreement.

Operator Indemnity of RDOS

19. The Operator hereby indemnifies and saves harmless the RDOS and its elected and appointed officials, officers, employees and agents from and against:
- (a) any and all liabilities and debts, whether accrued, absolute, contingent or otherwise, existing at closing on the Completion Date;
 - (b) any and all losses, damage and deficiencies resulting from any misrepresentation, breach of warranty or non-fulfilment of any covenant on the part of the Operator under this Agreement or from any misrepresentation in or omission from any certificate or other instrument furnished or to be furnished to the RDOS under this Agreement; and
 - (c) any and all claims, actions, suits, demands, proceedings, assessments, judgments, costs and legal and other expenses incident or related to any of the foregoing.

General Provisions

20. Further Assurances – The Operator shall promptly execute and deliver all such further documents, deeds and instruments, and do and perform such other acts, as the RDOS may consider necessary or desirable to give full effect to the intent and meaning of this Agreement.
21. Operator Performance – The Operator shall perform its obligations, including under any covenants, under this Agreement at its own expense and without compensation or reimbursement from the RDOS.
22. Notice – Any notice which may be or is required to be given under this Agreement will be in writing and be delivered or sent by email to the applicable address set out above, or to such other address notice of which is given in accordance with this section. Any notice that is delivered or sent by email is to be considered given on the day it is delivered or sent, except that if that day is not a Business day, the notice is to be considered given on the next Business day after it is sent.
23. No Effect on Powers – This Agreement does not, and nothing herein will:
 - (a) affect or limit the discretion, rights, duties or powers of the RDOS or the approving officer for the RDOS under the common law or any statute, bylaw or other enactment;
 - (b) affect or limit the common law or any statute, bylaw or other enactment applying to the Operator Lands; or
 - (c) relieve the Operator from complying with any common law or any statute, regulation, bylaw or other enactment.

Without limiting the foregoing, the Operator acknowledges and agrees that where fulfillment of a condition precedent under this Agreement requires that the RDOS adopt bylaws or pass resolutions, the adoption of such bylaws and passage of such resolutions is within the absolute and unfettered discretion of the Board and the provisions of this Agreement will not in anyway obligate the Board to adopt such bylaws or pass such resolutions or affect the Boards' discretion with respect thereto.

24. Time of Essence – Time is of essence of this Agreement.
25. Interpretation – In this Agreement:
 - (a) all dollar amounts referred to in this Agreement are Canadian dollars;
 - (b) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
 - (c) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
 - (d) the term “enactment” has the meaning given to it under the Interpretation Act (British Columbia) on the reference date of this Agreement;

- (e) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
 - (f) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced from time to time, unless otherwise expressly provided;
 - (g) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement and any Schedules to this Agreement form part of this Agreement;
 - (h) where the word "including" is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word "including"; and
 - (i) "Business Day" means a day other than a Saturday, Sunday or statutory holiday in British Columbia.
26. Tender – Any tender of documents or money to be made upon a party may be made at that party's address set out in this Agreement or upon their solicitor.
27. No Other Agreements – This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other representations, warranties, promises and agreements regarding its subject.
28. Assignment – The Operator may not assign all or any part of this Agreement, or the benefit hereof, without the prior written consent of the RDOS, which may be withheld arbitrarily and without reason.
29. Schedules – The following are Schedules to this Agreement and form an integral part of this Agreement:
- Schedule A** – Drawing or Map of Utility System
- Schedule B** – Buildings, Improvements, Works, Machinery and Equipment
- Schedule C** – Land, Easements, Rights of Way, Licenses, Permits, Railway Crossing Agreements, Encroachment Agreements and Other Interests and Agreements
- Schedule D** – Reserve Funds and Amounts (if any)
- Schedule E** – Additional Property and Assets to be Purchased (if any)
- Schedule F** – Excluded Assets and Interests (if any)
30. Modification – This Agreement may not be modified except by an instrument signed in writing by the parties, except that the Completion Date may be changed by their agreement through their respective solicitors upon instructions to their solicitors as evidenced promptly thereafter in writing by their solicitors.

31. Governing Law – This Agreement will be governed by and construed in accordance with the laws of British Columbia.
32. Non-Merger – None of the provisions of this Agreement will merge in the transfer of the Assets or any other documents delivered on the Completion Date and the provisions of this Agreement will survive the completion of the purchase and sale transaction under this Agreement.

Counterparts and Electronic Execution & Delivery - This Agreement may be executed in any number of counterparts and delivered by e-mail, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument, provided that any party delivering this Agreement by e-mail shall also deliver to the other party an originally executed copy of this Agreement.

As evidence of their agreement to be bound by this Agreement, the RDOS and the Operator have executed this Agreement below.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

by its authorized signatories:

Chair:

Corporate Officer:

[insert name of Utility corporation] by its authorized signatories:

Name:

Name:

List of Schedules:

Schedule A – Drawing or Map of Utility System

Schedule B – Buildings, Improvements, Works, Machinery and Equipment

Schedule C – Land, Easements, Rights of Way, Licenses, Permits, Railway Crossing Agreements, Encroachment Agreements and Other Interests and Agreements

Schedule D – Reserve Funds and Amounts (if any)

Schedule E – Additional Property and Assets to be Purchased (if any)

Schedule F – Excluded Assets and Interests (if any)

APPENDIX B – APPLICATION FORM

RDOS UTILITY SYSTEM ACQUISITION

APPLICATION FORM

Name of Organization:			
Contact Name (s):			
Contact Mailing Address:			
Email(s):			
Phone(s):			
UTILITY INFORMATION			
Location:			
Description:			
Number of Connections:			
Does your Utility have all surface and well water Licenses & Permits necessary for the RDOS to own, operate and maintain the Utility? Is anything missing?		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
Are you willing to transfer all assets (including reserves) to the RDOS at the end of this process for \$1 subject to public and provincial approval? (See policy)		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
Have you applied to the RDOS within the last 5 years to have the Utility transferred?		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
Are you aware of any lawsuits liabilities pending or underway that the RDOS might inherit should the Utility be transferred to the RDOS?		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
Have you read the RDOS Utility Acquisition Policy?		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
Has your Board resolved to apply to the RDOS for transfer? (See Section 3 of the Utility Acquisition Policy) Include a copy of the Resolution.		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
DECLARATION:			
I _____ declare that the statements made above are truthful to the (Print Name) best of my knowledge.			
_____		_____	
Signature		Date	