

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, September 19, 2019
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

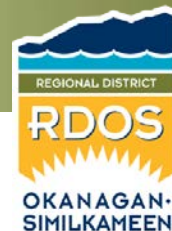
9:00 am	-	10:00 am	Corporate Services Committee (In Camera)
10:00 am	-	11:30 am	Environment and Infrastructure Committee
11:30 am	-	12:00 pm	Planning and Development Committee
12:00 pm	-	12:30 pm	Lunch
12:30 pm	-	12:45 pm	OSRHD Board
12:45 pm	-	3:00 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

Advance Notice of 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
December 5, 2019	RDOS Board/Committee Meetings
December 19, 2019	RDOS Board/OSRHD Board/Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, September 19, 2019

9:00 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Committee Meeting of September 19, 2019 be adopted.

B. BARGAINING INSTRUCTIONS

RECOMMENDATION 2

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

C. ADJOURNMENT



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, September 19, 2019

10:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of September 19, 2019 be adopted.

B. REPRESENTATIVE – Okanagan-Kootenay Sterile Insect Release, Melissa Tesche

Melissa Tesche will update the Committee regarding program changes and technological changes.

C. MOSQUITO CONTROL – Zoe Kirk, Public Works Project Coordinator and Cindy Boehm, Pest Control Assistant

Administration will provide the Committee with a mosquito control update.

D. ORGANICS COMPOSTING SITING REVIEW

To review the feasibility of the Okanagan Falls Landfill and the Campbell Mountain Landfill as suitable Organics Composting sites based on a triple bottom line review, (social impacts, environmental and economic).

RECOMMENDATION 2

THAT the Regional District pursue an Organics Composting Siting study in order to review the feasibility of an Organic Composting Site at the Campbell Mountain Landfill and the Okanagan Falls Landfill;

AND THAT \$50,000 be authorized from the Campbell Mountain Landfill/Okanagan Falls landfill consulting budget in order to undertake an Organics Composting Siting review.

E. FCM PARTNERS FOR CLIMATE PROTECTION PROGRAM**1. Board resolution to join the PCP**

To seek the Regional Board's interest in becoming a member of the FCM – ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program.

RECOMMENDATION 3

THAT the Board of Directors provide a resolution to join the FCM – ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program (Attachment No. 1).

F. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Organics Composting Siting Review

Administrative Recommendation:

THAT the Regional District pursue an Organics Composting Siting study in order to review the feasibility of an Organic Composting Site at the Campbell Mountain Landfill and the Okanagan Falls Landfill;

AND THAT \$50,000 be authorized from the Campbell Mountain Landfill/Okanagan Falls landfill consulting budget in order to undertake an Organics Composting Siting review.

Purpose:

To review the feasibility of the Okanagan Falls Landfill and the Campbell Mountain Landfill as suitable Organics Composting sites based on a triple bottom line review, (social impacts, environmental and economic)

Reference:

2010 – Regional Organic Management Strategy
2011 - Solid Waste Management Plan

Background:

The RDOS conducted an Organic Management Facilities Feasibility Study to determine the best way to divert organic materials from landfills. Food waste and other organic materials accounts for approximately 40% of waste going to landfills in the RDOS. The study reviewed capital costs, transportation cost, overall greenhouse gas emissions (GHG) and the sale of finished products.

The study found significant benefits of diverting food waste including extending the life of landfills, reducing GHG emissions by limiting methane production and creating food waste based compost for agricultural production.

The study showed that one Regional facility located within 30 minutes drive of Penticton would be the lowest overall cost for the Region. This Regional facility would be capable of composting food waste, yard waste and waste water treatment sludge from all jurisdictions within the RDOS.

The study compared this with a scenario of sub-Regional sites, dealing with waste water sludge and potentially residential food waste in Summerland, Oliver, Osoyoos and Princeton. This scenario would still require one Regional site for composting commercial food waste and the food and yard waste from the Campbell Mountain Landfill service area. The Campbell Mountain Landfill service area comprises Penticton, Keremeos and Electoral Areas 'B', 'D', 'E', 'F', 'G', and 'I'. As there was reduced trucking, this scenario had lower GHG emissions.

Two sites for an organics composting facility were reviewed with the public, Marion Valley and the District of Summerland landfill. Both of these sites were rejected, but interest in an organic composting facility remains.

The City of Penticton has recently undertaken a Biosolids management study in order to determine the most cost effective manner to manage their Biosolid. Composting was prescribed as the most beneficial and cost effective solution for the City.

Analysis:

The composting of food waste and biosolids requires an organic amendment such as wood fiber or yardwaste, both materials found at our landfills.

The Campbell Mountain Landfill Biosolids facility currently does not have odour control and will impact neighbouring properties without the creation of an enclosed system with odour treatment. The creation of an enclosed composting facility at the Campbell Mountain Landfill should be acceptable to the public as there will be a substantial reduction of odour nuisances. Further, the existing biosolids facility currently does not meet Provincial regulation for leachate management. If there is excess leachate generated from such a facility it is possible to combine this with the landfill leachate system. Because of the topography, a land purchase may be required with this option.

The Okanagan Falls Landfill site is small, is not as efficient as the Campbell Mountain Landfill and has a limited life expectancy. This site could meet some public resistance as this would be a change in the site's current use. Some infrastructure is already in place that could assist with composting, (i.e. Power, scale house). Other infrastructure such as water could be more challenging. Also, it is not clear whether the organic amendment could continue to be received and processed at this site, or if materials would need to be imported. Should a facility be located at this site, the landfill itself may be required to be closed in order to accommodate this option.

Currently there is access to grant funding for food waste composting, while there is none for biosolids composting. The combination of food waste and biosolids composting will have economies of scale by sharing land, operations and infrastructure.

Should the Board approve the aforementioned study, the RDOS will work with the City of Penticton to create a scope that investigates the triple bottom line for each option, (social Impacts, cost and the environment). Time is of the essence as the City of Penticton will need move forward with its own biosolids composting facility should a combined facility fail.

While the focus will be on the organic composting in the Campbell Mountain Landfill service area, it is expected that other areas could access the site in the future if desired.

If neither site proves to be feasible then Staff will review with the Board whether or not further site reviews are warranted.

Respectfully submitted:

Andrew Reeder, Manager of Operations

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: FCM Partners for Climate Protection Program

Administrative Recommendation:

THAT the Board of Directors provide a resolution to join the FCM – ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program (Attachment No. 1).

Purpose:

To seek the Regional Board's interest in becoming a member of the FCM – ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program.

Business Plan Objective:

KSD 3: Build a Sustainable Region;

Goal 3.3: To develop an environmentally sustainable region.

Background:

The Federation of Canadian Municipalities (FCM) and the ICLEI – Local Governments for Sustainability have established the "Partners for Climate Protection" (PCP) program to provide a forum for all local governments to share their knowledge and experience with other local governments on how to reduce GHG emissions. ICLEI – Local Governments for Sustainability is a global network of more than 1,750 local and regional governments committed to sustainable urban development.

Currently, there are 350 Canadian local government members that have signed onto the PCP program. Current RDOS members to the program include the District of Summerland and the City of Penticton. Other area signatories include the Regional Districts of Central Okanagan and Kootenay-Boundary, and the Cities of Kelowna and Vernon.

In addition, in May of 2019, Administration recently formed an internal staff committee to provide internal focus on achieving the goals of KSD No. 3 with respect to corporate environmental initiatives. This committee is referred to as the Green Environmental Initiatives Committee or 'GEIC' (pronounced "geek") and is made up of staff representatives of almost all RDOS departments.

The established Terms of Reference for the GEIC Committee provides that it's purpose is to...

*“develop, consider, and implement **Corporate initiatives** that will have environmental benefits and demonstrate corporate leadership to the public, staff, and elected officials on the Regional District’s commitment to **environmental sustainability**. Being a **good corporate steward** of the environment will provide the Regional District further social license in its pursuit of environmental goals and projects in the regional community.”*

Members of the GEIC Committee have been meeting monthly and have been working on initiatives such as: the review of the RDOS Fleet purchase policy, a staff “e” (electric) bike purchase program, bike storage locker options, and a review of municipal home solar incentive programs.

At its meeting of July 12, 2019, the GEIC Committee had a presentation from Peter Robinson, Community Energy Coordinator and PCP Program BC Regional Advisor on the benefits of becoming a member of the Partners for Climate Protection program, and as a result the GEIC Committee is recommending the RDOS becoming a member of the program.

Analysis:

For support of local governments to sign onto the program, FCM has provided the following rationale:

“It is well established that climate change is increasing the frequency of extreme weather events and posing other risks, such as drought, forest fires and rising sea levels, which present serious threats to our natural environment, our health, our jobs and our economy.

The 2016 Paris Agreement, signed by more than 190 countries, including Canada, committed to limit the global temperature increase to below two degrees Celsius and to pursue efforts to limit this increase to 1.5 degrees Celsius, in order to avoid the most severe climate change impacts.

Local governments are essential to the successful implementation of the Paris Agreement.

Canada’s cities and communities influence approximately 50 per cent of national greenhouse gas (GHG) emissions and can drive systemic low-carbon practices, including: building high-efficiency buildings, undertaking building retrofits and developing district heating; building active transit, electric vehicle infrastructure and electrified public transit; implementing near-zero GHG waste plans; and delivering high-efficiency water and wastewater services.

Investments in these types of measures also reduce operating costs, help municipalities maintain and plan for future community services, protect public health, support sustainable community development, increase community resilience and reduce a community's vulnerability to environmental, economic and social stresses.

A number of government and international and national organizations have called for greater cooperation among all stakeholders to meet reduction targets, including Canada's Big City Mayors' Caucus, which supports binding GHG emission reduction targets at the international, national and city

levels, action plans that cut emissions, identification of risks and mitigation solutions, and regular municipal GHG emissions reporting.”

Administration agrees with the rationale provided above in that the Regional District is well positioned to initiate reductions in GHG emissions at the regional, local, and corporate scale. Established regional and rural services such as regional transit, regional trails, building inspection, rural planning, and solid waste can all have a significant impact on GHG emission reductions if RDOS commits to reducing GHG emissions and follows an action plan to implement GHG reducing measures and policy changes.

Currently, the RDOS is a member of the provincial Climate Action Reporting Investment Program (CARIP), which already requires the Regional District to calculate an annual inventory of GHG emissions and report them to the province. In addition, in 2011, RDOS adopted a Community Climate Action and Corporate Climate Action Plan, which provides strategies and actions for RDOS to achieve GHG reductions for both the regional community and the corporation.

As a result, Administration feels the organization is well positioned to work towards the five-milestone PCP framework and the completion of “a GHG inventory and forecast, setting a GHG reduction target, developing a local action plan, implementing the plan, and monitoring progress and reporting results” that the resolution commitment asks for.

Alternatives:

1. Do not provide a resolution to join the FCM – ICLEI Partners for Climate Protection Program.

Communication Strategy: Administration recommends that if the Regional Board agrees to commit to this program and provides the required resolution, that an information release be provided to media outlets indicating this commitment and the Board’s dedication to fighting climate change.

Respectfully submitted:

Zoe Kirk, Public Works Projects Coordinator
(GEIC Committee member)



B. Dollevoet, Development Services General Manager
(GEIC Committee member)

Attachment No. 1: Board resolution to Join the FCM – ICLEI Partners for Climate Protection Program

Board Resolution to Join the FCM–ICLEI Partners for Climate Protection Program

WHEREAS The Federation of Canadian Municipalities (FCM) and ICLEI–Local Governments for Sustainability (ICLEI Canada) have established the Partners for Climate Protection (PCP) program to provide a forum for municipal governments to share their knowledge and experience with other municipal governments on how to reduce GHG emissions;

WHEREAS over 350 municipal governments across Canada representing more than 65 per cent of the population have already committed to reducing corporate and community GHG emissions through the PCP program since its inception in 1994;

WHEREAS the PCP program is based on a five-milestone framework that involves completing a GHG inventory and forecast, setting a GHG reduction target, developing a local action plan, implementing the plan, and monitoring progress and reporting results;

BE IT RESOLVED that the Regional District of Okanagan-Similkameen review the guidelines on PCP Member Benefits and Responsibilities and then communicate to FCM and ICLEI Canada its participation in the PCP program and its commitment to achieving the milestones set out in the PCP five-milestone framework;

BE IT FURTHER RESOLVED that the Regional District of Okanagan-Similkameen appoint the following:

a) Corporate staff person: Zoe Kirk,
Projects Coordinator
250-490-4110 (tf 1-877-610-3737)
zkirk@rdos.bc.ca

b) Elected official: (Name) _____
(Job Title) _____
(Contact number) _____
(Email address) _____

to oversee implementation of the PCP milestones and be the points of contact for the PCP program within the Regional District.

Signature
Date

PCP Member Benefits and Responsibilities

The PCP program offers you a proven approach to reducing greenhouse gas (GHG) emissions, and the support you need to achieve success. Being actively engaged in the PCP program gives your municipality the chance to become a leader by taking systematic and organized action on climate change. By participating in the PCP program, Canadian municipalities gain access to the following tools and resources:

- Support and guidance, through the PCP Milestone Framework, to help members reduce GHG emissions.
- Access via the PCP Hub to a network of over 350 local governments across Canada that are taking action on climate change and can help your community succeed by offering their experience and examples.
- Technical support tools, including the PCP Milestone Tool and PCP Protocol.
- Information and access to funding opportunities, such as those offered by FCM's Green Municipal Fund.
- Capacity-building resources, including workshops, case studies and training opportunities.
- Awards and recognition for milestone achievements and for reported measures.

Members of the PCP program have the following responsibilities:

- Move through the Milestone Framework within 10 years of joining
- Report on progress at least once every two years, with our support
- Email us if your contact information changes
- Actively participate in program activities and share your experience with other network members

If your municipality is not able to meet the PCP program requirements, you can always leave the program and rejoin it at a later date. You can also contact the PCP Secretariat anytime for help with submitting documentation to meet the requirements.

Supporting Rationale for Consideration

It is well established that climate change is increasing the frequency of extreme weather events and posing other risks, such as drought, forest fires and rising sea levels, which present serious threats to our natural environment, our health, our jobs and our economy.

The 2016 Paris Agreement, signed by more than 190 countries, including Canada, committed to limit the global temperature increase to below two degrees Celsius and to pursue efforts to limit this increase to 1.5 degrees Celsius, in order to avoid the most severe climate change impacts.

Local governments are essential to the successful implementation of the Paris Agreement.

Canada's cities and communities influence approximately 50 per cent of national greenhouse gas (GHG) emissions and can drive systemic low-carbon practices, including: building high-efficiency buildings, undertaking building retrofits and developing district heating; building active transit, electric vehicle infrastructure and electrified public transit; implementing near-zero GHG waste plans; and delivering high-efficiency water and wastewater services.

Investments in these types of measures also reduce operating costs, help municipalities maintain and plan for future community services, protect public health, support sustainable community development, increase community resilience and reduce a community's vulnerability to environmental, economic and social stresses.

A number of government and international and national organizations have called for greater cooperation among all stakeholders to meet reduction targets, including Canada's Big City Mayors' Caucus, which supports binding GHG emission reduction targets at the international, national and city levels, action plans that cut emissions, identification of risks and mitigation solutions, and regular municipal GHG emissions reporting.



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, September 19, 2019

11:30 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of September 19, 2019 be adopted.

B. HILLSIDE & STEEP SLOPE DEVELOPMENT PERMIT AREA UPDATE – ELECTORAL AREA “D”

1. Draft Bylaw No. 2603.02
2. Draft Bylaw No. 2500.03
3. Schedule 'A' of No. 2603.02

To provide an update regarding the review of the Hillside and Steep Slope Development Permit (HSSDP) Area designation so that it is only applied to subdivisions and not building permits. These changes will require amendments to the Electoral Area “D” Official Community Plan Bylaw No. 2603, 2013, and Regional District Development Procedures Bylaw No. 2500, 2011.

RECOMMENDATION 2

THAT Amendment Bylaw No. 2603.02, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2500.03, 2019, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw be brought forward for first reading.

C. ADJOURNMENT

TO: Planning and Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Hillside & Steep Slope Development Permit Area Update – Electoral Area “D”

Administrative Recommendation:

THAT Amendment Bylaw No. 2603.02, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2500.03, 2019, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw be brought forward for first reading.

Purpose:

The purpose of this report is to provide an update to the Regional District Board regarding the review of the Hillside and Steep Slope Development Permit (HSSDP) Area designation so that it is only applied to subdivisions and not building permits.

These changes will require amendments to the Electoral Area “D” Official Community Plan Bylaw No. 2603, 2013, and Regional District Development Procedures Bylaw No. 2500, 2011.

Background:

At its meeting of March 6, 2014, the Board adopted the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013. Amongst other things, this bylaw introduced the Hillside and Steep Slope Development Permit (HSSDP) Area designation. The objectives of the HSSDP are to:

- achieve environmentally sound and livable hillside neighbourhoods which are aesthetically well integrated into the hillside;
- minimize the risk of erosion, landslip or rockfall on development in steep slope areas;
- preserve native vegetation and ecosystems in steep slope areas;
- preserve significant natural features and landscapes that contribute to the positive image and identity of the community (eg. rock outcroppings, ravines, hilltops and ridgelines); and
- enhance the desirability and marketability of hillside developments, allowing flexibility and innovation in design while recognizing the importance of preserving natural features and hillside character.

Between 2014 and 2017, the Regional District issued approximately 27 Hillside Development Permits. These were largely related to the construction of single detached dwellings and accessory buildings, but have also been issued for approximately two (2) subdivisions.

This was seen to place a significant regulatory and financial obligation on property owners seeking to build on their property, with no appreciable difference in the resultant form or location of development at the building permit stage.

For instance, the HSSDP Area requires that a property owner submit an application (\$300) along with a supporting assessment prepared by a professional geotechnical engineer confirming consistency with the DP guidelines (\$1,000+) to the Regional District so that compliance can be confirmed by staff.

Administration further considered that more effective tools were available to the Regional District to regulate the development of hillside areas, such as avoiding the introduction of low density residential zonings on hillside areas with slopes in excess of 20%.

In response to this, the Planning and Development (P&D) Committee of the Board considered an Administrative Report proposing the repeal of the HSSDP Area designation from the Electoral Area "D" OCP Bylaw at its meeting of May 4, 2017. The Committee subsequently resolved to initiate:

an amendment to the Electoral Area "D-2" Official Community Plan (OCP) Bylaw in order to amend the Hillside and Steep Slope Development Permit Area to better address subdivision and neighbourhood character.

At its meeting of August 17, 2017, the P&D Committee of the Board considered an Administrative Report seeking clarification regarding its direction of May 4, 2017 (eg. using the HSSDP Area designation to regulate the form and character of single detached dwellings, which is not permitted under the *Local Government Act*). The Committee subsequently resolved to initiate:

an amendment to the Electoral Area "D-2" Official Community Plan (OCP) Bylaw in order to amend the Hillside and Steep Slope Development Permit Area to apply to subdivisions only.

At its meeting of September 7, 2017, the Board approve the "Update of Hillside / Steep Slope Development Permit Area Policy", which established that:

The Regional District of Okanagan-Similkameen will not enforce the requirement that the "construction, addition or alteration of a building or other structure", or the "alteration of land" obtain a Hillside / Steep Slope Development Permit under the Electoral Area "D-2" Official Community Plan (OCP) Bylaw No. 2603, 2013, for a period of 12 months commencing on August 17, 2017.

At its meeting of July 9, 2019, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed amendments to the Hillside & Steep Slope Development Permit Area Update be approved with the following conditions:

- . *That staff explore as a future project, regulation related to storm water management.*
- . *That RDOS develop blasting regulations and a bylaw in conjunction with the Hillside & Steep Slope Development Permit Area policy.*

Currently, the "adoption of an amendment to Electoral Area D Official Community Plan to exempt building permits from requiring a Hillside and Steep Slope Development Permit" is a Q2 deliverable in the 2019 Development Services business plan.

Analysis:

Further to the direction provided by the P&D Committee of the Board at its meeting of August 17, 2017, Administration is proposing the following amendments to the HSSDP Area in order to have it apply only to subdivisions:

Designation under the *Local Government Act*:

At present, the current HSSDP Area is designated under Section 488(a) & (b) of the *Local Government Act*, which are related to “the protection of the natural environment, its ecosystems and biological diversity” (b) and “protection of development from hazardous conditions” (a).

Of the permits issued between 2014 and 2017, few (if any) were supported by an assessment from a qualified environmental professional (QEP) regarding impacts on the natural environment, ecosystems or biological diversity. In addition, the Regional District completed an update of its Environmentally Sensitive Development Permit (ESDP) Area in 2017.

For these reasons, Administration is proposing to have the revised HSSDP Area be designated under Section 488(a) only, and to rely on ESDP's to address environmental impacts from proposed subdivisions.

Development Requiring a Permit:

At present, the requirement for an HSSDP is triggered by subdivision, construction and the clearing or altering of land. Administration is proposing to amend this so that only subdivision triggers the need for a permit.

Guidelines:

Administration is proposing to streamline the current guidelines by removing requirements related to the design of retaining walls (as this has subsequently been incorporated within the Zoning Bylaw) as well as references to environmentally sensitive lands.

The requirement to provide a suitable “useable area” on each proposed parcel at the DP stage is also being introduced and linked to a similar provision that now exists in the Zoning Bylaw (i.e. a 200 m² useable area must be provided on each proposed parcel at the time of subdivision).

Exemptions:

At present, activities such as quarrying, farm uses and buildings, construction that does not require a permit, short-term special events, and fencing are exempt from the need for an HSSDP.

With the HSSDP Area only applying to subdivisions, Administration is proposing to revise this list of exemptions to only apply to boundary adjustments and parcel consolidations.

Application Requirements:

At present, application requirements for an HSSDP are contained within the OCP Bylaw, whereas application requirements for most other types of DP's are contained within the Regional District's Development Procedures Bylaw No. 2500, 2011.

To ensure consistency, Administration is proposing to transfer all application requirements for an HSSDP — such as the need for a geotechnical report from a qualified professional engineer — into a new section of the Development Procedures Bylaw.

Mapping:

When the current Electoral Area “D” OCP Bylaw was adopted in 2013, Schedule ‘F’ (HSSDP Permit Area) of the bylaw included a superseded version of the hillside mapping.

Administration is proposing to address this by replacing Schedule ‘F’ in its entirety with the version that was supposed to have been considered at 1st reading of the OCP Bylaw.

A principal outcome of this change will be to remove the Okanagan Falls townsite as well as large sections of the surrounding area from the HSSDP Area. For reference purposes, a comparison of the current and proposed HSSDP Area mapping for this particular part of the Electoral Area is presented at Attachment Nos. 1 & 2.

Appeal of a Delegated Decision:

Under the Section 3.46 of the Regional District’s CAO Delegation Bylaw No. 2793, 2018, HSSDP’s have been delegated to staff to “approve, issue, sign, amend and cancel”.

Section 232(2) of the Act requires that when such decisions have been delegated to staff, “the board must, by bylaw, establish procedures for such a reconsideration, including how a person may apply for the reconsideration.”

To address this, Administration is proposing to include wording at Section 3.6 (Permits – Issuance and Refusal) of the Development Procedures Bylaw outlining how a delegated decision may be reconsidered by the Board. These procedures are included at Attachment No. 4.

Blasting Bylaw:

In considering the proposed amendments, the Electoral Area “D” APC recommended that the RDOS develop blasting regulations as part of the HSSDP Area Update.

Upon further investigation, Administration has determined that a blasting regulations bylaw is not an authority that is available to Regional District’s under the *Local Government Act*.

To change this would require an amendment to the Act or possibly through a request to the provincial government to have the Lieutenant Governor-in-Council make such a power available to the Regional District.

Accordingly, should the Board consider there is merit in this recommendation by the Electoral Area “D” APC, it may wish to consider putting forward a resolution requesting this authority at a future Southern Interior Local Government Association (SILGA) meeting.

Storm Water Management:

In considering the proposed amendments, the Electoral Area “D” APC recommended that the RDOS as a future planning project, consider enhanced regulations for storm water management as part of the HSSDP guidelines with respect to hillside development.

Given the Regional District has seen significant storm water events that have had a negative impact on hillside communities in recent years, Administration considers that this recommendation of the Electoral Area “D” APC has merit and perhaps this future project could also consider the expansion of the HSSDP to other Electoral Areas that are exhibiting hillside development associated storm water

impacts (i.e. West Bench, Naramata). In this regard, Administration proposes that this potential future planning project be forwarded to the 2020 Strategic Planning process for consideration of the Board on initiating in the future.

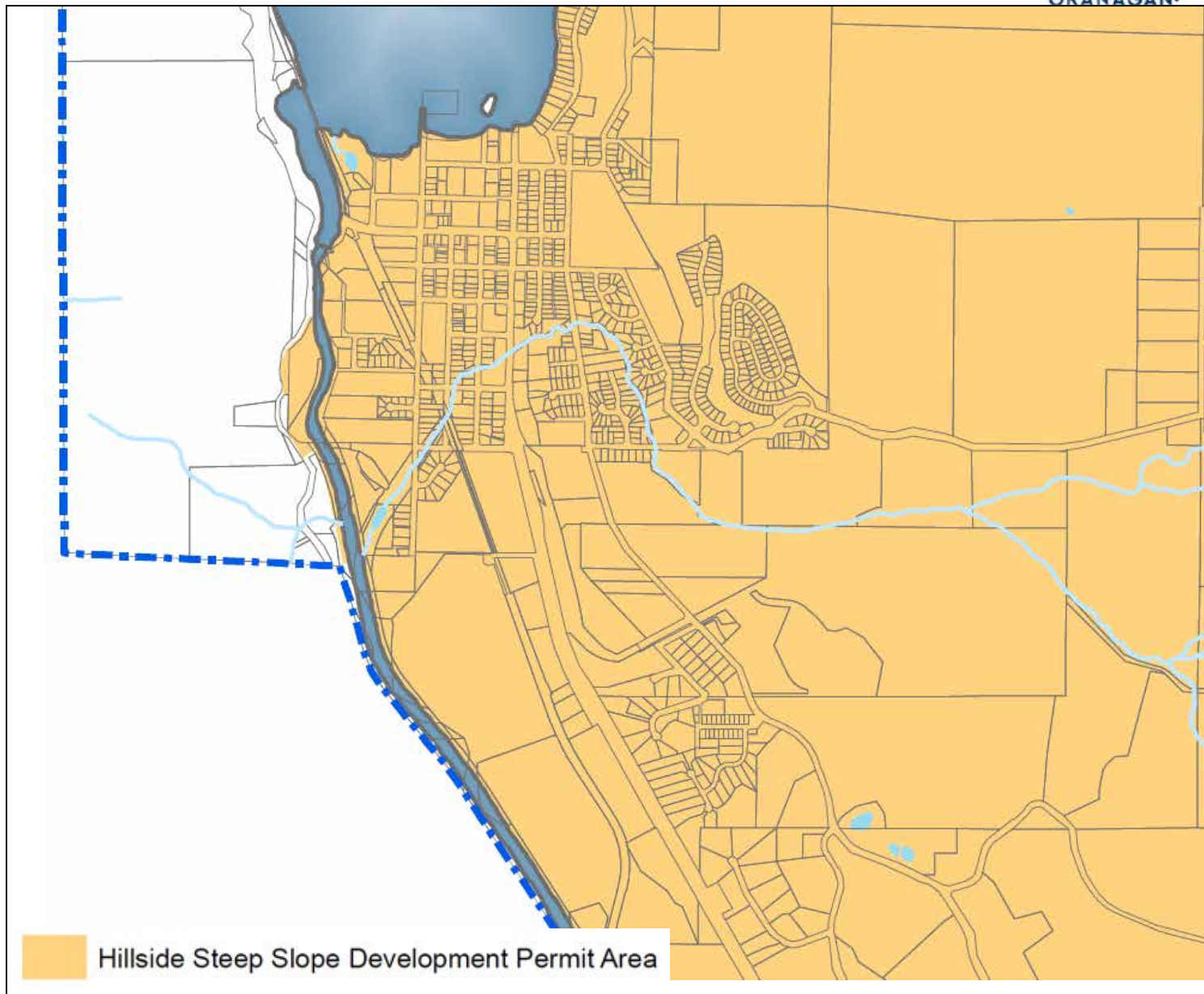
Respectfully submitted:



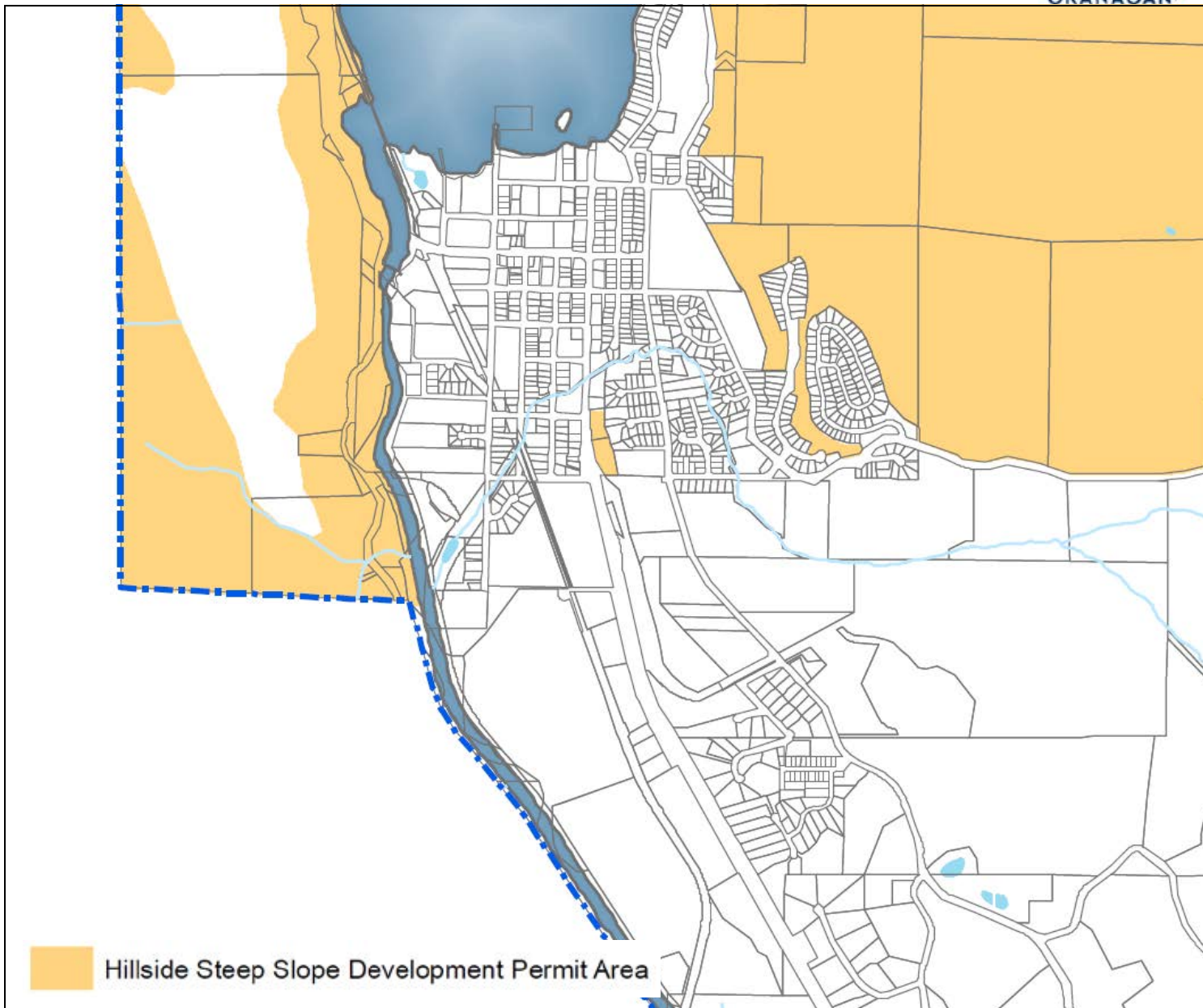
C. Garrish, Planning Manager

Attachments: No. 1 – Current Hillside and Steep Slope Development Permit Area Map (OK Falls Areas)
No. 2 – Proposed Hillside and Steep Slope Development Permit Area Map (OK Falls Areas)
No. 3 – Draft Electoral Area “D” Official Community Plan Amendment Bylaw No. 2603.02
No. 4 – Draft Development Procedures Bylaw No. 2500.03

Attachment No. 1 – Current Hillside and Steep Slope Development Permit Area Map (OK Falls Areas only)



Attachment No. 2 – Proposed Hillside and Steep Slope Development Permit Area Map (OK Falls Area only)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.02, 2019

**A Bylaw to amend the Electoral Area "D"
Official Community Plan Bylaw No. 2603, 2013**

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Official Community Plan Amendment Bylaw No. 2603.02, 2019."
2. The Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:
 - i) replacing Section 24.6 (Hillside / Steep Slope Development Permit Area) under Section 24.0 (Development Permit Areas) in its entirety with the following:

24.6 Hillside Development Permit (HDP) Area

24.6.1 Category

The Hillside Development Permit (HDP) Area is designated pursuant to Section 488(1)(b) of the *Local Government Act* for the protection of development from hazardous conditions.

24.6.2 Area

The lands shown as Hillside Development Permit Area on Schedule 'F' are designated as a Hillside Development Permit Area.

24.6.3 Justification

To regulate development activities within hillside areas in order to minimize the risk of erosion, landslide or rockfall on development in steep slope areas.

24.6.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 24.6.7 (Exemptions), for subdivision on lands within the HDP area.

24.6.5 Guidelines

- .1 A Development Permit is required for development within an HDP Area, and shall be in accordance with the following guidelines:
 - a) A Geotechnical Report, prepared in accordance with the requirements of the Regional District's Development Procedures Bylaw, must be submitted to the Regional District in respect of the proposed development by a qualified professional that is a Registered Professional Engineer in British Columbia (P.Eng) or team that shall include a P.Eng under contract to the development applicant.
 - b) Parcels to be created by subdivision shall indicate a useable area of not less than 200 m² capable of accommodating the dwelling type(s) permitted by the zoning of the land with the plan of subdivision indicating the developable area on each parcel.
 - c) Useable areas should be created as part of parcel grading so that the subsequent use of retaining walls or extensive cut and fill are avoided.
 - d) The use of panhandle parcels should be used to minimize cut and fill and provide access to developable areas not readily accessible by a public or strata road.
 - e) Roads should be aligned to follow natural site contours, conforming to topographic conditions rather than cutting across contours.
 - f) The grading or alteration of key topographic features (e.g., knolls, ridgelines, talus slopes, bedrock outcrops, cliffs, ravines, etc.) should be avoided.
 - g) The use of sharp cuts and long or wide slopes with a uniform grade should be avoided.
 - h) Areas with slopes greater than 30% should be retained in a natural state.
 - i) Storm drainage should follow natural flow paths and on-site retention and detention is encouraged.
- .2 If an area of land is subject to a Development Permit Area designation under Section 488(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

24.6.6 Expedited Development Permit

- .1 Despite sub-section 24.6.5, the Regional District may issue a development permit where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or other appropriate professional clearly indicating that the parcel to be subdivided does not comprise slopes with grades in excess of 30%.

24.6.7 Exemptions

A development permit is not required for development within land in the HDP area for:

- .1 subdivisions that propose to:
 - a) consolidate existing parcels, including the consolidation of parts of a closed road to an existing parcel; or
 - b) alter parcel lines between two or more parcels where no additional parcels are created upon completion of the alteration.
3. The Hillside and Steep Slope Development Permit Area Map, being Schedule 'F' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is replaced in its entirety with the attached Schedule 'A' (Hillside Development Permit Area Map), which forms part of this Bylaw.

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

PUBLIC HEARING held on this ____ day of _____, 2019.

READ A THIRD TIME this ____ day of _____, 2019.

ADOPTED this ____ day of _____, 2019.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

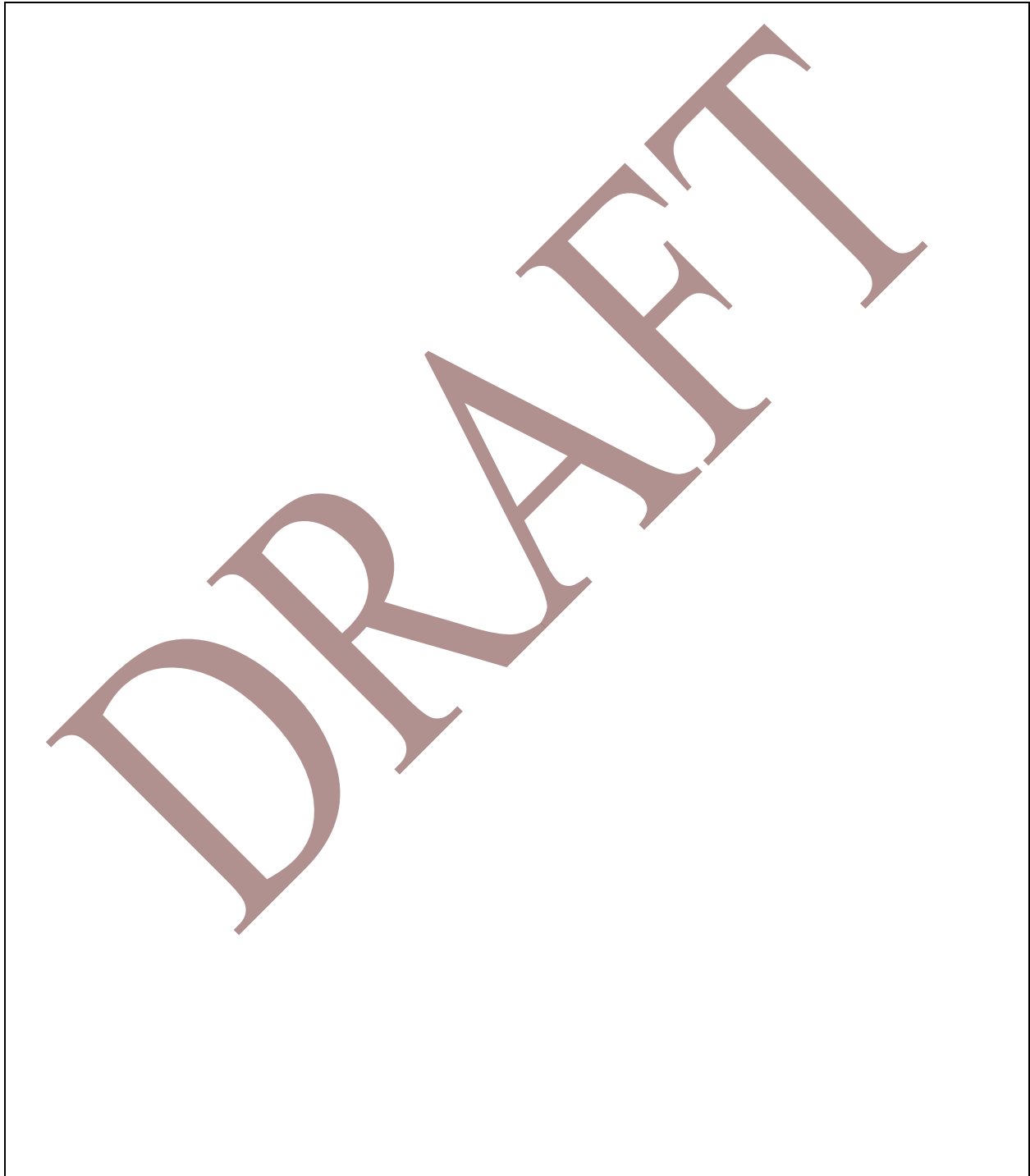
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.02, 2019

Project No: D2014.135-ZONE

Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.03, 2019

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Development Procedures Bylaw 2500, 2011**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw No. 2500.03, 2019."
2. The "Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011" is amended by:
 - (i) replacing all references to "Manager of Development Services" with "General Manager of Development Services".
 - (ii) replacing all references to "Development Services Manager" with "General Manager of Development Services".
 - (iii) adding a new sub-section 2 under Section 3.6 (Permits – Issuance and Refusal) at Section 3.0 (General Provisions) to read as follows:
 - .2 When the Chief Administrative Officer (CAO) has been delegated authority under the Regional District's *Chief Administrative Officer Delegation Bylaw No. 2793, 2018*, to approve or refuse a permit, the following applies to any such decision:
 - (a) any owner of property that is subject to a decision under the *Chief Administrative Officer Delegation Bylaw No. 2793, 2018*, who is dissatisfied with the decision is entitled to have the decision reconsidered by the Regional District Board in accordance with this section.
 - (b) An owner who wishes to have a decision reconsidered by the Regional District Board must apply for reconsideration by delivering, to the CAO, or their delegate, within 30 days after the decision is communicated in writing to:

- (i) the date and the nature of the decision;
 - (ii) the reason why the owner wishes the decision to be reconsidered by the Regional District Board;
 - (iii) the decision the owner requests be made by the Board, with brief reasons in support of the requested decision; and
 - (iv) a copy of any materials considered by the owner to be relevant to the reconsideration by the Board.
 - (c) A reconsideration application will be considered by the Regional District Board at a regular meeting of the Regional District Board.
 - (d) The CAO, or their delegate, must:
 - (i) place each reconsideration application on the agenda for a regular meeting of the Regional District Board in accordance with section 3(c);
 - (ii) give notice of each reconsideration by the Regional District Board in accordance with any notice requirements in respect of the original application that are set out in this bylaw; and
 - (iii) before each reconsideration by the Regional District Board, deliver to each Director a copy of the material that was considered by the delegate in making the decision that is to be reconsidered.
 - (e) In reconsidering a decision, the Regional District Board must consider the material that was considered by the delegate in making the decision.
 - (f) At a reconsideration of a decision, the owner and any other person who is interested in the decision are entitled to be heard by the Regional District Board.
 - (g) The Regional District Board is entitled to postpone reconsideration of a decision.
 - (h) After having reconsidered a decision, the Board may either confirm the decision or may set aside the decision and substitute the decision of the Regional District Board.
- (iv) adding a new sub-section (d) under Section 1 (Application Requirements) of Schedule 3 (Application for a Development Permit) to read as follows:

(d) Hillside Development Permit Application Requirements

- .1 In addition to the application requirements listed in Section 1(a), the following is also required for Hillside Development Permit Applications:
 - a) a Geotechnical Report prepared by a qualified professional that is a Registered Professional Engineer in British Columbia (P.Eng) or team that shall include a P.Eng under contract to the development applicant and that includes:

- i) A one page biography or *curriculum vitae* for each professional and/or technical staff that contributed to the preparation of the Geotechnical Report.
- ii) Cross sections of the property in sufficient numbers to demonstrate terrain conditions prior to the proposed development and intended terrain conditions post-development.
- iii) A topographic survey indicating natural slope contours and proposed slope contours post-development that includes the following:
 - .1 natural slope contours:
 - a) in 0.5 metre contour intervals on parcels less than 2,000 m² in area; and
 - b) in 2.0 metre contour intervals on parcels greater than 2,000 m² in area.
 - .2 spot elevations;
 - .3 swales;
 - .4 knolls;
 - .5 ridgelines;
 - .6 bedrock outcrops;
 - .7 cliffs and slope transitions;
 - .8 seasonal and permanent watercourse drainage routes;
 - .9 top of bank and break lines; and
 - .10 current and proposed road and site grading.
- iv) Adherence to the Engineers & Geoscientists British Columbia *Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC* if the subject property is proposed for residential development. The professional completing the report shall also complete Appendix D: *Landslide Assessment Assurance Statement*.
- v) An identification of potential hazards to the land proposed for development as well as surrounding properties as a result of the proposed development.
- vi) An identification of surface and subsurface conditions and design recommendations for managing storm water and groundwater seepage related to the proposed development.
- vii) Confirmation that there will be no net decrease in overall slope stability (including seismic and static stabilities) resulting from the

proposed development, and that off-site slope instabilities will be mitigated to provide for safe occupation and use of nearby lands.

viii) A professional opinion by the P.Eng. that, in the event of any land slip, landslide, rock fall, mud flow, debris flow, debris torrent, erosion, slumping, settling, groundwater seepage, surface water accumulation, or other such occurrence, which occurs after the proposed development is completed, the extent of the property damage and damage to life and limb which occurs is not likely to be in any way any greater than the damage or harm which would occur prior to the development taking place.

(v) replacing Section 3.8 under Section 3 (Processing Procedure – Watercourse Development Permit (WDP)) at Schedule 3 (Application for a Development Permit) in its entirety with the following:

.8 An owner of property may request a reconsideration of a decision by the CAO as outlined at Section 3.6.2 of this bylaw. A decision by the Board is considered final.

(vi) replacing Section 4.8 under Section 3 (Processing Procedure – Environmentally Sensitive Development Permit (ESDP)) at Schedule 3 (Application for a Development Permit) in its entirety with the following:

.8 An owner of property may request a reconsideration of a decision by the CAO as outlined at Section 3.6.2 of this bylaw. A decision by the Board is considered final.

(vii) replacing Section 5.7 under Section 5 (Processing Procedure – Protection of Farming Permit) at Schedule 3 (Application for a Development Permit) in its entirety with the following:

.7 An owner of property may request a reconsideration of a decision by the CAO as outlined at Section 3.6.2 of this bylaw. A decision by the Board is considered final.

(viii) adding a new section after Section 3.5 under Schedule 3 (Application for a Development Permit) to read as follows:

6. Processing Procedure – Hillside Development Permit (HDP)

A Development Permit application submitted in accordance with this bylaw will be processed as follows:

.1 Upon receipt of an application accompanied by the required fees and attachments, Development Services staff will open a file and issue a fee receipt to the applicant.

- .2 Development Services staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant.
- .3 Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies. Staff may conduct a site visit to view the property as part of the evaluation process.
- .4 Development Services staff will refer the application to all applicable Regional District departments or committees, as applicable. The referral comments and/or recommendations may then be incorporated into a staff memo to the CAO, and/or the Development Permit, as applicable.
- .5 When all relevant conditions and guidelines have been satisfied, the staff memo and drafted Development Permit will be considered for approval by the CAO, or their delegate.
- .6 If approval of the permit is granted by the CAO, the General Manager of Development Services will execute the Development Permit.
- .7 Development Services staff will register the Notice of Permit against the title of the property(s) at the Land Title Office.
- .8 An owner of property may request a reconsideration of a decision by the CAO as outlined at Section 3.6.2 of this bylaw. A decision by the Board is considered final.
- .9 The CAO may use discretion to forward development permits to the Board for decision and not use the delegated authority. A decision by the Board is considered final.
- .10 Development Services staff shall administer any further conditions of the Development Permit as specified within each individual permit as required. Development Services staff may conduct inspections, on an as-required basis, to ensure that the terms of the Development Permit are being satisfied.

(ix) replacing Section 2.10 under Section 2 (Processing Procedure) at Schedule 6 (Application for a Strata Title Conversion) in its entirety with the following:

- .10 An owner of property may request a reconsideration of a decision by the CAO as outlined at Section 3.6.2 of this bylaw. A decision by the Board is considered final.

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

PUBLIC HEARING held on this ____ day of _____, 2019.

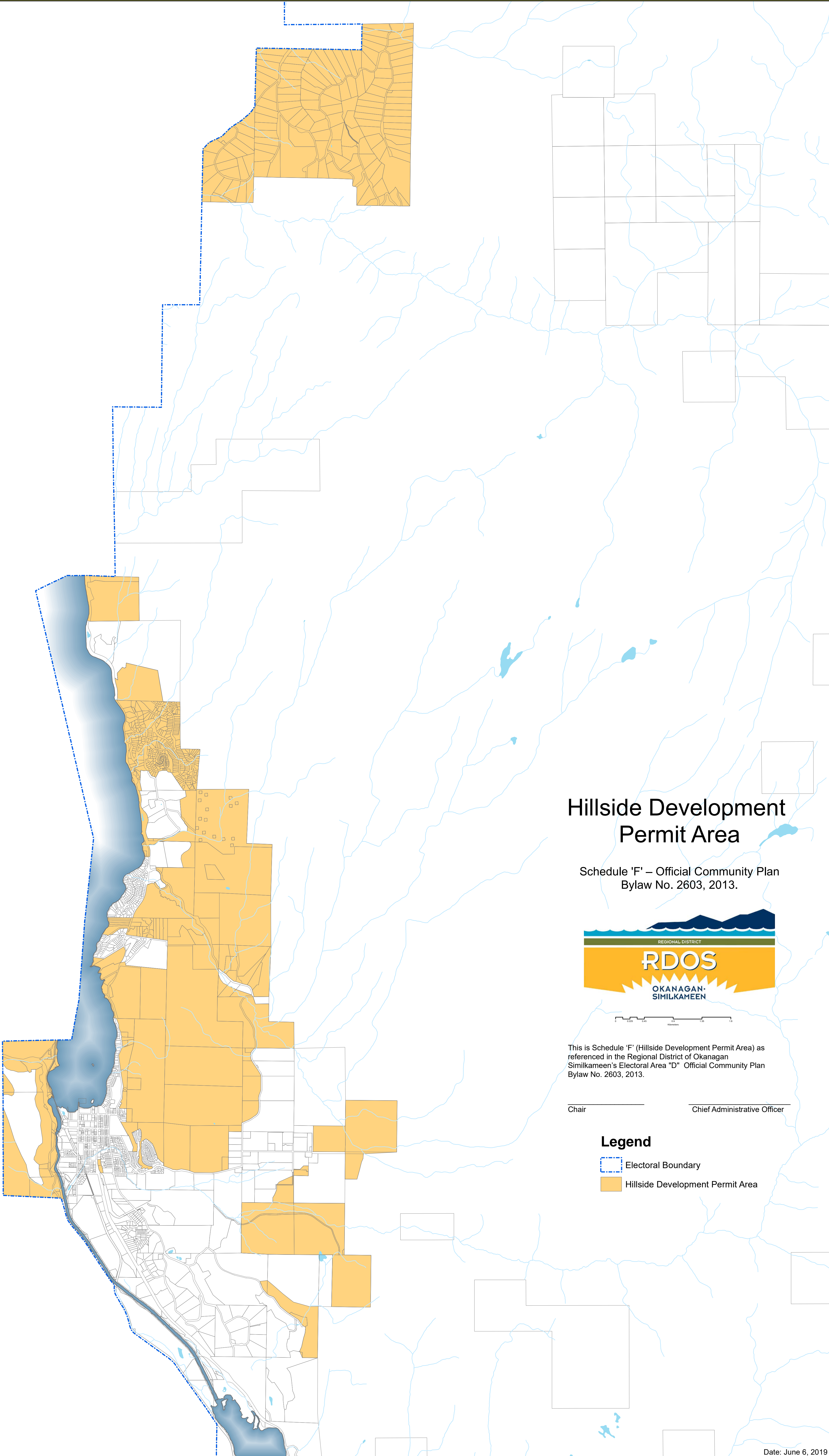
READ A THIRD TIME this ____ day of _____, 2019.

ADOPTED this ____ day of _____, 2019.

Board Chair

Corporate Officer

DRAFT



Hillside Development Permit Area

Schedule 'F' – Official Community Plan
Bylaw No. 2603, 2013.





0 2.5 5 7.5 10
Kilometers

This is Schedule 'F' (Hillside Development Permit Area) as referenced in the Regional District of Okanagan Similkameen's Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013.

Chair

Chief Administrative Officer

Legend

-  Electoral Boundary
-  Hillside Development Permit Area

BOARD of DIRECTORS MEETING

Thursday, September 19, 2019

12:30 pm

BOARD MEETING AGENDA

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of September 19, 2019 be adopted.

B. MINUTES

1. OSRHD Board Meeting – August 15, 2019

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Minutes of the August 15, 2019 Okanagan-Similkameen Regional Hospital District Board meeting be adopted.

C. UBCM DISCUSSION

1. UBCM Meeting with Susan Brown, Chief Executive Officer of Interior Health

D. ADJOURNMENT

OKANAGAN – SIMILKAMEEN

R E G I O N A L H O S P I T A L D I S T R I C T

BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Okanagan-Similkameen Regional Hospital Board (OSRHD) of Directors held at 10:18 am on Thursday, August 15, 2019, in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair P. Veintimilla, Town of Oliver
Director M. Bauer, Village of Keremeos
Director J. Bloomfield, City of Penticton
Director J. Sentes, Alt. City of Penticton
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director S. Coyne, Town of Princeton
Director R. Gettens, Electoral Area "F"
Director D. Holmes, District of Summerland
Director E. Trainer, District of Summerland

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 M. Pendergraft, Electoral Area "A"
Director R. Obirek, Electoral Area "D"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"
Director J. Vassilaki, City of Penticton

MEMBERS ABSENT:

Vice Chair T. Boot, District of Summerland
Director J. Kimberley, City of Penticton

STAFF PRESENT:

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

J. Kurvink, Manager of Finance

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of August 15, 2019 be adopted. - **CARRIED**

B. MINUTES

1. OSRHD Board Meeting – May 23, 2019

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Minutes of the May 23, 2019 Okanagan-Similkameen Regional Hospital District Board meeting be adopted. - **CARRIED**

C. FINANCE**1. 2017 & 2018 AUDITED FINANCIAL STATEMENTS**

- a. OSRHD 2017 Audited Financial Statements
- b. OSRHD 2018 Audited Financial Statements

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

THAT the 2017 Audited Financial Statements of the Okanagan-Similkameen Regional Hospital District as of December 31, 2017 be received;

THAT the RDOS Board adopts all reported 2017 transactions as amendments to the 2017 Final Budget

THAT the 2018 Audited Financial Statements of the Okanagan-Similkameen Regional Hospital District as of December 31, 2018 be received;

AND THAT the RDOS Board adopts all reported 2018 transactions as amendments to the 2018 Final Budget.

CARRIED

D. ADJOURNMENT

By consensus, the meeting adjourned at 10:23 am.

APPROVED:

CERTIFIED CORRECT:

P. Veintimilla
OSRHD Board Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, September 19, 2019

12:45 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of September 19, 2019 be adopted.

1. Consent Agenda – Corporate Issues

a. Kaleden Recreation Commission – August 14, 2019

THAT the Minutes of the August 14, 2019 Kaleden Recreation Committee meeting be received.

b. Electoral Area “H” Advisory Planning Commission – August 20, 2019

THAT the Minutes of the August 20, 2019 Electoral Area “H” Advisory Planning Commission be received.

c. Naramata Parks & Recreation Commission – August 26, 2019

THAT the Minutes of the August 26, 2019 Naramata Parks & Recreation Commission meeting be received.

d. Community Services Committee – September 5, 2019

THAT the Minutes of the September 5, 2019 Community Services Committee meeting be received.

e. Environment and Infrastructure Committee – September 5, 2019

THAT the Minutes of the September 5, 2019 Environment and Infrastructure Committee meeting be received.

f. Protective Services Committee – September 5, 2019

THAT the Minutes of the September 5, 2019 Protective Services Committee meeting be received.

THAT administration be directed to review and revise the emergency management program and bylaw.

g. RDOS Regular Board Meeting – September 5, 2019

THAT the minutes of the September 5, 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. Agricultural Land Commission Referral (ALR Exclusion) – Electoral Area “A”

To exclude a 2.35 ha portion of a 4.4 ha parcel from the Agricultural Land Reserve (ALR).

THAT the RDOS Board “authorize” the application to exclude a 2.35 ha portion of the property at 401 2nd Avenue (Part of Lot 640, on Plan KAP1950, DL 2450s, SDYD) to proceed to the Agricultural Land Commission.

b. Agricultural Land Commission Referral — “Non-Adhering Residential” Use Electoral Area “E”

To allow for an “accessory dwelling” in the Agricultural Land Reserve.

THAT the RDOS “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 2430 Naramata Road (Lot 2, Plan 4868, District Lot 206, SDYD, Except Plan H17800) in Electoral Area “E” to proceed to the Agricultural Land Commission.

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

B. DEVELOPMENT SERVICES – Building Inspection

1. Building Bylaw 2333 and No. 2805 Infraction - 8555 Road 22 Area “A”

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)
THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3, Plan KAP51250, District Lot 2450S, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333 and/or Bylaw No. 2805; and

THAT injunctive action be commenced.

2. Building Bylaw No. 2333 and No. 2805 Infraction – 137 Taggart Crescent Area “I”

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 2, Plan KAP29328, District Lot 411, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333 and/or Bylaw No. 2805; and

THAT injunctive action be commenced.

3. Building Bylaw No. 2333 and No. 2805 Infraction – 449 Sagewood Lane Area “I”

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 8 Plan KAP11043, District Lot 280 SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333 and/or Bylaw 2805; and

THAT injunctive action be commenced.

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Agricultural Land Commission Referral (ALR Exclusion) – Electoral Area “A”

a. Responses Received

To exclude a 690 m² portion of a 4.2 ha parcel from the Agricultural Land Reserve (ALR).

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT the RDOS Board “not authorize” the application to exclude a 690 m² portion of a 4.2 ha parcel located at 8111 148th Avenue (Part of Lot 459 on Plan B5895, DL 2450s, SDYD, Plan 1949 Except Plan H126) to proceed to the Agricultural Land Commission.

2. Town of Osoyoos Boundary Expansion Referral

The Town of Osoyoos has received a municipal boundary extension request involving the properties at 5017, 5037, & 5221 45th Street.

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District advise the Town of Osoyoos that they have no objection to the annexation of 5017, 5037 and 5221 45th St. into the Town of Osoyoos.

D. PUBLIC WORKS

1. Landfill Commercial Recycling Award

To authorize the award of a four year Services Agreement to collect, transport and recycle commercial cardboard and glass materials at Regional District administered Landfills.

RECOMMENDATION 9 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the contract for the provision of Landfill Commercial Cardboard & Glass Recycling Services to Waste Connections of Canada for an annual base cost of up to \$72,036 plus GST.

2. Apex Waste Transfer Station Waste Management Award

To approve the award of hauling services for the Apex Mountain Waste Transfer Station.

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the contract to haul garbage and recycling from the Apex Mountain Waste Transfer Station to EZ Bins (2018) Ltd. for \$750 and \$850 per haul for garbage and recycling respectively, estimated to be \$16,900 per Annum.

3. Award of Compaction Equipment and Bins for Apex Mountain Waste Transfer Station

To purchase a compactor and roll off container system for refuse and recycling at the Apex Mountain Waste Transfer Station.

RECOMMENDATION 11 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the purchase and installation of two stationary compaction units and four contained roll off bins to Reaction Distributing Inc. for up to \$102,000 excluding applicable taxes.

E. COMMUNITY SERVICES**1. Licence of Occupation Renewal – Okanagan Falls Trestle****a. Map**

To renew tenure over the Crown Trestle (Plan A775, DL 397s together with those parts of DL 195s and Plan A753, DL 2193) that serves as a part of the Kettle Valley Rail Trail for a duration of ten years.

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)
THAT the Board of Directors endorse an application to the Province of British Columbia for a License of Occupation renewal over a Crown Trestle in Okanagan Falls for a period of ten (10) years.

F. FINANCE**1. Electoral Area “I” Community Works Program Reserve Fund Expenditure Bylaw****a. Bylaw No. 2870**

To fund ongoing upgrade work at Pioneer Park in Kaleden.

RECOMMENDATION 13 (Weighted Corporate Vote – 2/3 Majority)
THAT Bylaw No.2870, 2019, Electoral Area “I” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$115,000 towards the completion of the Pioneer Park project be read a first, second and third time and be adopted.

G. LEGISLATIVE SERVICES**1. Naramata Water System Development Cost Charge Amendment Bylaw 1804.08, 2019****a. Bylaw No. 1804.08**

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)
THAT Bylaw 1804.08, 2019 Naramata Water System Development Cost Charge Amendment Bylaw, be read a first, second and third time.

2. Requests for Support**a. Thompson Nicola Regional District**

- i. Draft letter from the Thompson-Nicola Regional District

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District support the Thompson Nicola Regional District request to the Minister of Environment to include Industrial, Commercial, and Institutional (ICI) Recycling in the Recycling Regulation.

b. District of Summerland

- i. Letter from District of Summerland

To support the District of Summerland's request to the Ministers of Education, Health, Municipal Affairs and State for Child Care at the 2019 UBCM Conference.

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District issue a letter of support for the District of Summerland/ School District #67 engagement process for the development of a Summerland Community Health and Wellness Center.

c. CleanBC Plastics Action Plan

- i. Cover Letter
- ii. Draft Collaborative Response to Province

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District co-sign the collaborative local government response to the Province of British Columbia consultation on the CleanBC Plastics Action Plan.

3. South Okanagan Conservation Fund - Technical Advisory Committee Appointments

To appoint or re-appoint volunteer members to the South Okanagan Conservation Fund Technical Advisory Committee (TAC) to provide expertise in the review and recommendation to the Board of Directors regarding the selection of projects or recipients of the South Okanagan Conservation Funds.

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors re-appoint the following as volunteer members of the South Okanagan Conservation Fund Technical Advisory Committee:

One year term ending December 31 2020

- Adam Ford
- Eva Durance

THAT the Board of Directors appoint the following as a volunteer member of the South Okanagan Conservation Fund Technical Advisory Committee:

Three year term ending December 31, 2022

- Ellen Simmons

H. CAO REPORTS

1. Verbal Update

I. OTHER BUSINESS

1. Chair's Report

2. Board Representation

- BC Grape Growers Association and Starling Control – *Bush, Monteith (Alternate)*
- BC Rural Centre (formerly Southern Interior Beetle Action Coalition) – *Gettens, Obirek (Alternate)*
- Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
- Municipal Finance Authority – *Kozakevich (Chair), Bauer (Vice Chair, Alternate)*
- Municipal Insurance Association – *Kozakevich (Chair), Bauer (Vice Chair, Alternate)*
- Okanagan Basin Water Board - *McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff), Holmes (Alternate to Boot), Monteith (Alternate to Knodel)*
- Okanagan Film Commission – *Gettens, Holmes (Alternate)*
- Okanagan Nation Alliance Steering Committee – *Kozakevich, Monteith (Alternate)*
- Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
- Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
- South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
- South Okanagan Similkameen Rural Healthcare Community Coalition (formerly

Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*

m. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*

n. UBCO Water Research - Chair Advisory Committee – *Holmes, Bauer (Alternate)*

3. Directors Motions

4. Board Members Verbal Update

J. ADJOURNMENT



MINUTES

Kaleden Recreation Commission

Wednesday, August 14, 2019
Kaleden Community Hall



Members Present: Doug King (Chair), Jaynie Malloy, Randy Cranston, Neal Dockendorf, Jen Charlish, Wendy Busch, Gail Jeffery, Wayne Lee, Margaret O'Brien, Dave Gill

Absent:

Director Subrina Monteith

Staff: Shona Schleppe, Janet Black, Justin Shuttleworth

Recording: Margaret O'Brien

Call to Order: 6:30 pm

1. APPROVAL OF AGENDA

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Kaleden Parks and Recreation Meeting of August 14, 2019 be adopted.
CARRIED

2. APPROVAL OF MEETING MINUTES

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for the Kaleden Parks & Recreation Meeting of June 12, 2019 be adopted.
CARRIED

3. CORRESPONDENCE/DELEGATIONS

4. RECREATION Program Reports and Strategic Planning

4.1 Recreation Strategic Report – Shona Schleppe

4.1.1 Community survey – end of September/mid October timeline

4.1.2 Facility inventory – Community Church, Twin Lakes/St Andrews Golf Clubs,
Kaleden Elementary School

4.1.3 Staff requirements, service commitment, associated costs, duties

4.1.4 Trends for Recreation, delivering programs based on Sports for Life Stages
and Pathways to Wellbeing

4.1.5 Program processes and challenges



MINUTES

Kaleden Recreation Commission

Wednesday, August 14, 2019
Kaleden Community Hall



4.2 Recreation Coordinator Report – Janet Black

The Recreation Report was distributed and discussed.

- Sun and Sand Play Days – lower attendance than in 2018
- Two PAT visits in July and August
- AED serviced and first aid kits updated
- 2019 Bookings to date: Three Hall rentals and eight Kaleden Hotel rentals
- 2020 Bookings to date: none for Hall, four for Kaleden Hotel
- Grants: BCRPA Choose to Move starting in Kaleden in January 2020 and submitted final report for Canada Day Grant.
- Fall Activities
 - Recreation Guide out August 23rd
 - Adult 'at a glance' Schedule
 - Last yoga class of the summer season August 22nd, well attended this year and may switch to church for fall session

5. RDOS DIRECTOR'S REPORT

Director Monteith gave her report and updates on projects in the area.

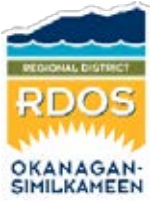
She also thanked Shona Schleppe for all her hard work over the past years and wished her well on her retirement on behalf of all the members of the Kaleden Commission.

Commission member's mandates are from January to December. If any Commission member is thinking of stepping down this year please let the Director know as there have been a few community members who have expressed interest in joining the Commission.

6. COMMISSION ORGANIZATION

The Commission spent some time brainstorming and discussing several topics:

- The purpose of the commission, how well we've achieved those purposes, what we've done well, and what we could do better.
 - The Commission was presented with some ideas about commission organization and committees. These will be discussed further after the budget process is complete.
-



MINUTES

Kaleden Recreation Commission

Wednesday, August 14, 2019
Kaleden Community Hall



7. BUSINESS ARISING

7.1 Raft Repairs

- Concern was expressed about the length of time it took to order parts for raft repairs. Staff was asked to determine the feasibility of keeping some parts on hand as recommended by the manufacturer. Staff will report back to the Commission with options.
- Staff will inspect the rafts in the off season and undertake repairs if needed.

7.2 Shoreline Plan

RECOMMENDATION

IT WAS MOVED AND SECONDED

That staff be asked, as a part of our strategic five year plan, to provide recommendations to deal with several shoreline issues that include, but are not limited to, the following:

- ways to mitigate shoreline erosion
- ways to retain sand e.g. grasses
- create safe and easy access to the water where access is desirable
- plant low bushes to form a barrier where water access is dangerous or difficult
- plant new and replacement shade trees to enhance the experience of park users and to enhance the riparian values.

CARRIED

7.3 KCA

RECOMMENDATION

IT WAS MOVED AND SECONDED

That Kal-Rec supports KCA exploring the idea of selling refreshments in Pioneer Park. A community survey will be commissioned.

CARRIED

- 7.4 Twin Lakes has a new community Bulletin Board at the intersection of Hwy 3A and Twin Lakes Road that Kal-Rec may use.
-

8. ADJOURNMENT

Hearing no objection, the Chair declared the meeting adjourned at 9:30.

NEXT REGULAR MEETING:

Wednesday, September 11, 2019 at 7:00 pm
Kaleden Community Hall

Minutes

Area H Advisory Planning Commission

Meeting of 2019 August 20, Tuesday

Riverside Centre – 148 Old Hedley Road, Princeton, BC

Present: Bob Coyne

Members: Ole Juul (Chair), Rob Miller, Lynne Smyth, Tom Rushworth

Absent: Marg Reichert, Gail Smart

Staff: JoAnn Peachey, Steven Juch

Recording Secretary: Tom Rushworth

Delegates: Darren and Michelle York

1 - Call to order

The meeting was called to order Tue 20 July 2019 19:09:00 PDT.

2 - Approval of minutes

Motion: It was moved and seconded that the minutes of the previous meeting (July) be approved.
CARRIED.

3 - Development Variance Permit Application

Lot 8, Plan KAP55476, District Lot 104, YDYD (Civic: 2884 Coalmont Road, Tulameen) was requesting to increase the maximum height for an accessory building from 4.5 metres to 6.2 metres.

There was a discussion of alternatives following which the applicants postponed the application pending a redesign.

4 - Discussion of Draft Park Land Dedication Policy

There was discussion of the Draft Park Land Dedication Policy. One suggestion was made to merge clauses 13 and 18, but no motion was made as the draft was for information only.

5 - Adjournment

Motion: It was moved and seconded that the meeting be adjourned at Tue 20 August 2019 20:20:00 PDT.

CARRIED.



MINUTES

Naramata Parks & Recreation Commission Monday August 26, 2019 at 6:30 p.m. Naramata Fire Hall

Members Present: Dennis Smith (Chair), Nicole Verpaerst, Bob Coulter, Lyle Resh, Richard Roskell, Jacqueline Duncan

Absent: Maureen Balcaen, Jeff Gagnon

Area 'E' Director: Absent

Staff & Contractors: Adrienne Fedrigo (NPR Recreation Coordinator), Heather Lemieux (Recording Secretary)

Guests: None

Delegations: None

1. Approval of Agenda — Quorum present. Added Three Blind Mice Trail to 8.1 Business Arising.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Naramata Parks & Recreation Meeting of August 26, 2019 be adopted as amended and all presentations and reports be received.

CARRIED

-
2. Approval of Last Meeting Minutes — July 29, 2019

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for the Naramata Parks & Recreation Meeting of July 29, 2019 be adopted as presented.

CARRIED

-
3. Correspondence/Delegations — None

-
4. RDOS Director Report — Karla Kozakevich absent.

-
5. RDOS Staff Reports — Staff absent.
-



MINUTES

Naramata Parks & Recreation Commission

Monday August 26, 2019 at 6:30 p.m.
Naramata Fire Hall

6. Recreation Coordinator Report — Adrienne Fedrigo (NPR Recreation Coordinator) reported:
 - 6.1. Programs and Events — Discussed Cardboard Boat Regatta event, parade and Naramata Faire. Looking into the possibility of partnering with Naramata Centre on some programs. Planning is underway for the Fall 2019 Recreation Guide.
-

7. Commission Member Reports

- 7.1. Woodwackers Report — Lyle Resh presented a verbal report. The Woodwackers have been painting picnic tables and benches along the KVR. Discussed adding more gravel.
 - 7.2. Park Contractor Liaison Report — Maureen Balcaen, absent, report submitted.

Discussed moving port-o-potties to Arawana and Little Tunnel and signage to be added to the Country Squire lot.
-

8. Business Arising

- 8.1. Three Blind Mice Trail — Discussed recreation trail use and the possibility of preparing a statement of interest to preserve access, the natural habitat and recreation potential from developments.
 - 8.2. Budget Discussion — Capital works project discussion. Will bring to next meeting, sub-committee - recycling for manitou. Solar prep for washrooms for future.
 - 8.3. Penticton and Area Cycling Association (PACA) — Dennis Smith is planning a meeting with PACA regarding Creek Park planning.
-

9. Adjournment — 7:17 p.m.

NEXT MEETING: Next NPR Meeting
 September 23, 2019 at 6:30 p.m.
 Naramata Fire Hall



MINUTES

Naramata Parks & Recreation Commission

Monday August 26, 2019 at 6:30 p.m.

Naramata Fire Hall

A handwritten signature in black ink, appearing to be "Dennis Smith", is written above a horizontal line.

Recreation Commission, Dennis Smith

A handwritten signature in black ink, appearing to be "Heather Lemieux", is written above a horizontal line.

Recording Secretary, Heather Lemieux



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, September 5, 2019
9:09 am

MINUTES

MEMBERS PRESENT:

Chair M. Bauer, Village of Keremeos	Director K. Kozakevich, Electoral Area "E"
Vice Chair R. Gettens, Electoral Area "F"	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 D. Holmes, District of Summerland	Director J. Vassilaki, City of Penticton
Director J. Kimberley, City of Penticton	Director P. Veintimilla, Town of Oliver
Director R. Knodel, Electoral Area "C"	

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer	M. Woods, General Manager of Community Services
C. Malden, Manager of Legislative Services	

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Community Services Committee Meeting of September 5, 2019 be adopted. - **CARRIED**

B. DELEGATION - Osoyoos & District Museum and Archives Mat Hassen

1. Osoyoos Museum Fact Sheet
2. PowerPoint Presentation

Mat Hassen President of Osoyoos Museum Society addressed the Committee regarding the museum project.

C. TRANSIT – For Information Only

1. Routes and Schedules
-

D. ADJOURNMENT

By consensus, the Community Services Committee meeting adjourned at 9:39 am.

APPROVED:

CERTIFIED CORRECT:

M. Bauer
Community Services Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, September 5, 2019
9:40 am

MINUTES

MEMBERS PRESENT:

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

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

MEMBERS ABSENT:

STAFF PRESENT:

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

C. Baughen, Solid Waste Management Coordinator
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 September 5, 2019 be adopted. - **CARRIED**

B. Single Use Plastics Consultation – For Information Only

To advise how RDOS Staff will be engaging with the Province on single use plastics.

C. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting adjourned at 9:54 am.

APPROVED:

CERTIFIED CORRECT:

G. Bush
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, September 5, 2019
9:55 am

MINUTES

MEMBERS PRESENT:

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

MEMBERS ABSENT:

STAFF PRESENT:

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

M. Woods, General Manager of Community Services
S. Vaisler, Manager of Emergency Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Protective Services Committee Meeting of September 5, 2019
be adopted. - **CARRIED**

B. RCMP RECRUITMENT – OC PENTICTON DETACHMENT

- i. Verbal Update
 - ii. Email Correspondence
-

C. EMERGENCY PROGRAM BYLAW REVIEW

- i. Administrative Report
- ii. Bylaw - Clean
- iii. Bylaw – V.02
- iv. Draft Contract

It was MOVED and SECONDED

That administration be directed to review and revise the emergency management program and bylaw. - **CARRIED**

D. ADJOURNMENT

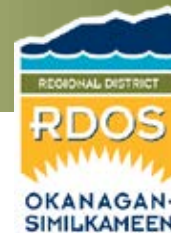
By consensus, the Protective Services Committee meeting adjourned at 10:39 am.

APPROVED:

CERTIFIED CORRECT:

D. Holmes
Protective Services 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 11:01 am. Thursday, September 5, 2019 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

Director R. Knodel, Electoral Area "C"
Director S. McKortoff, Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director M. Pendergraft, Electoral Area "A"
Director R. Obirek, Electoral Area "D"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"
Director J. Vassilaki, City of Penticton
Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

STAFF PRESENT:

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

B. Dollevoet, Gen. Manager of Development Services
J. Peachey, Planner
L. Miller, Building & Enforcement Services Manager
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 September 5, 2019 be adopted as amended by removing item B.1. OCP & Zoning Bylaw Amendments at 336 Tulameen River Road, and item F.3. Bylaw No. 1804.08. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Electoral Area "D" Advisory Planning Commission – August 13, 2019
THAT the Minutes of the August 13, 2019 Electoral Area "D" Advisory Planning Commission meeting be received.
- b. Electoral Area "E" Advisory Planning Commission – August 12, 2019
THAT the Minutes of the August 12, 2019 Electoral Area "E" Advisory Planning Commission meeting be received.
- c. Electoral Area "C" Advisory Planning Commission (APC) Appointment
THAT the Board of Directors appoint Beantjit Chahal as a member of the Electoral Area "C" Advisory Planning Commission until October 31, 2022.

- d. Naramata Parks & Recreation Commission – July 29, 2019
THAT the Minutes of the July 29, 2019 Naramata Parks & Recreation Commission meeting be received.
- e. Environment and Infrastructure Committee – August 15, 2019
THAT the Minutes of the July 29, 2019 Environment and Infrastructure Committee meeting be received.

THAT the Board endorse the letter drafted by the Thompson-Nicola Regional District regarding the implementation of an Extended Producer Responsibility program for paper and packaging produced by the Industrial, Commercial and Institutional sector;

AND THAT the Board send supporting correspondence to the Province of BC regarding issues identified with the Industrial, Commercial and Institutional sector within the RDOS to support the Province engaging in public consultation on this issue.

- f. RDOS Regular Board Meeting – August 15, 2019
THAT the minutes of the August 15, 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

- 2. Consent Agenda – Development Services
 - a. Development Variance Permit Application – 101 Chardonnay Court Electoral Area “D”
 - i. Permit
To increase the maximum parcel coverage to allow a swimming pool.

THAT the Board of Directors approve Development Variance Permit No. D2019.018-DVP.
 - b. Development Variance Permit Application – 445 Ritchie Avenue Electoral Area “E”
 - i. Permit
To allow for the development of an over-height accessory building within parcel line setbacks.

THAT the Board of Directors approve Development Variance Permit No. E2019.016-DVP.

- c. Development Variance Application – 6869 Indian Rock Road Electoral Area “E”
 - i. Permit
 - ii. Responses ReceivedTo increase the maximum height for a retaining wall to accommodate a septic field.

THAT the Board of Directors approve Development Variance Permit No. E2019.024-DVP.

- d. Development Variance Permit Application – 2630 Strathcona Avenue Electoral Area “H”
 - i. PermitTo increase the maximum height for an accessory building to allow a detached garage/office/storage.

THAT the Board of Directors approve Development Variance Permit No. H2019.023-DVP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters

- 1. Official Community Plan (OCP) & Zoning Bylaw Amendment – 336 Tulameen River Road Electoral Area “H”
 - a. Bylaw No. 2497.11
 - b. Bylaw No. 2498.18
 - c. Representations

This item was removed from the agenda.

2. Agricultural Land Commission referral (Non-Farm Use) – 5535 Highway 97 Electoral Area “C”
 - a. Responses Received

To allow an “eating and drinking establishment” (i.e. restaurant) within the Agricultural Land Reserve.

The Chair enquired whether the property owner was present to address the Board.

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS Board “authorize” the application to operate “eating and drinking establishment” as a “non-farm use” on the property at 5535 Highway 97 in Electoral Area “C” to proceed to the Agricultural Land Commission. - **CARRIED**

Opposed: Directors Bush, Roberts

C. PUBLIC WORKS

1. Kaleden Sanitary Sewer Predesign Award

To approve the award of predesign of the Kaleden sewer system around the lakeshore area to provide sufficient information to the residents for an informed referendum.

RECOMMENDATION 5 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District award the predesign phase of the “Sewer Extension to Kaleden from Okanagan Falls” project to Urban Systems Ltd. in the amount of \$194,693.50 plus applicable taxes; and

THAT the Regional District approve a contingency of \$35,000 for unexpected items during the Predesign process.

CARRIED

D. COMMUNITY SERVICES**1. Heritage Hills Park Naming**

The Vintage Views Developer proposed an amended name for a local park.

- a. Johnny Aantjes
- b. Okanagan Falls Parks & Recreation Commission
- c. Administrative Report

It was MOVED and SECONDED

THAT the Heritage Hills Park remain unnamed. - **DEFEATED**

Opposed: Directors B. Coyne, S. Coyne, Gettens, Boot, Kozakevich, Bauer, Roberts, Pendergraft, Bush, Vassilaki, Knodel

It was MOVED and SECONDED

THAT the Heritage Hills park be named “Garnett Family Park” and the trail be named “Skaha Vista Trail at Heritage Hills”. - **CARRIED**

Opposed: Directors Obirek, Regehr, Holmes, Bloomfield, McKortoff, Veintimilla, Monteith, Kimberley

E. FINANCE**1. Electoral Area “I” Community Grant in Aid**

Director Monteith declared a conflict of interest as a sitting member of various committees under the Kaleden Community Association, and left the Boardroom.

RECOMMENDATION 6 (Weighted Corporate Vote – Majority)**It was MOVED and SECONDED**

THAT the Board approve the Area I Electoral Area Grant in Aid to the Kaleden Community Association in the amount of \$4,850.00 for community projects. - **CARRIED**

Director Monteith returned to the Boardroom.

2. Electoral Area “E” Naramata Fire 2019-2023 Five Year Financial Plan Amendment**RECOMMENDATION 7 (Weighted Corporate Vote – Majority)****It was MOVED and SECONDED**

THAT the Board of Directors approve a budget amendment to transfer \$35,000 from the Naramata Satellite Hall Donation account to the 2019 Naramata Fire operating budget, Donation Revenue. - **CARRIED**

F. LEGISLATIVE SERVICES

1. Area B Untidy and Unsightly Premises Regulatory Control Service Establishment Bylaw No. 2516 and Area B Untidy and Unsightly Premises Regulatory Control Bylaw No. 2517
 - a. Bylaw No. 2516
 - b. Bylaw No. 2517

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

THAT the first, second and third readings of Area B Untidy and Unsightly Premises Regulatory Control Service Establishment Bylaw 2516, 2010 and Area B Untidy and Unsightly Premises Regulatory Control Bylaw 2517, 2010, be rescinded and the bylaws abandoned. - **CARRIED**

2. Bylaw 2059, 2001 Naramata Water System Capital Financing - Abandon
 - a. Bylaw No. 2059. 2001

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

THAT the first, second and third readings of Bylaw 2059, 2001 Naramata Water System Capital Financing, be rescinded and the bylaw be abandoned. - **CARRIED**

3. Electoral Area “E” Naramata Water System Development Cost Charge Amendment Bylaw No. 1804.08, 2019
 - a. Bylaw No. 1804.08, 2019

This item was removed from the agenda.

4. Elected Official Compensation Committee Members
 - a. Terms of Reference

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the RDOS appoint the following applicants to the Elected Officials Compensation Committee:

- Lionel Trudel
- Lanny O.C. Smith
- Bill Ross
- Timothy Hodgkinson
- Frank Armitage

CARRIED

G. CAO REPORTS

1. Verbal Update
-

H. OTHER BUSINESS

1. Chair's Report
-

2. Directors Motions

It was MOVED and SECONDED

THAT administration investigate the feasibility of entering into a Twinning Agreement (Sister Region) initiative with a wine region in France. - **CARRIED**

3. Board Members Verbal Update
-

I. ADJOURNMENT

By consensus, the meeting adjourned at 12:54 pm.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Agricultural Land Commission Referral (ALR Exclusion) – Electoral Area “A”

Administrative Recommendation:

THAT the RDOS Board “authorize” the application to exclude a 2.35 ha portion of the property at 401 2nd Avenue (Part of Lot 640, on Plan KAP1950, DL 2450s, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To exclude a 2.35 ha portion of a 4.4 ha parcel from the Agricultural Land Reserve (ALR)

Owner: Carol & Dan Scott Applicant: McElhanney Ltd. Folio: A-06350.000

Civic: 401 2nd Ave Legal: Part of Lot 640, on Plan KAP1950, DL 2450s, SDYD,

OCP: part Agriculture (AG); and Zoning: part Agriculture One (AG1); and
part Commercial Tourist (CT) part Campground Commercial (CT2)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 30 (1) of the *Agricultural Land Commission Act* (the Act) in order to have land excluded from the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission’s approval to exclude approximately 2.35 ha of land in the eastern portion of the property at 401 2nd Avenue from the reserve.

The applicant has indicated that “the east portion of the property has been a campground / RV park for over 50 years, and the area is not arable due to adverse topography, the absence of top soil and the presence of clay. This property was being used as a campground for 10 years before the ALC was created, and the owner wants to be able to exclude and subdivided the campground from the farm parcel so there are two separate and distinct entities; a farm parcel and a non-farm tourist commercial property.”

Statutory Requirements:

Under Section 34(4) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations.”

Section 30(4) of the Act grants the Board the authority to not “authorise” an application to proceed to the ALC if the land is zoned by bylaw to permit an agricultural or farm use, or an amendment to an Official Community Plan (OCP) Bylaw or Zoning Bylaw would be required for the proposal to proceed.

In this instance, the Campground Commercial (CT2) Zone that applies to a majority of the area that is proposed for exclusion does not permit for an agricultural or farm use and no amendment to the Electoral Area "A" OCP or Zoning Bylaws is required for the proposal to proceed.

However, the applicant is also proposing to exclude a small portion of the subject property that is zoned Agricultural One (AG1) and permits a number of "farm" uses. Accordingly, Section 25(3) is seen to apply as this part of the property "is zoned by bylaw to permit [an] agricultural or farm use" and "requires, in order to proceed, an amendment to a ... zoning bylaw" (i.e. the rezoning of the AG1 zoned areas to CT2 to allow for the campground use).

Site Context:

The subject property is approximately 4.4 ha in area, situated to the east of 2nd Avenue, immediately north of the Canadian-American border and approximately 3 km south of the Town of Osoyoos.

The subject parcel contains a winery and vineyards in the west, and campground/RV park in the east. The surrounding pattern of development is generally characterised by agriculture, with residential along the lakeshore to the north; immediately south of the subject property lies the Canadian-American border.

Background:

It is unknown when the current boundaries of the subject property were created, while available Regional District records indicate the following building permits have been issued: garage (1993), demolition of single family dwelling (2012), winery building (2012), and barrel storage (2013).

Under the Electoral Area "A" OCP Bylaw No. 2450, 2008, the subject property is currently designated part Agriculture (AG) and part Commercial Tourist (CT) and is also partly within the "Agricultural Protection Area" (Section 6.3.19).

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is currently split zoned Agriculture One Zone (AG1) and Campground Commercial Zone (CT2). The CT2 Zone lists "campground" as the only permitted principal use, while the AG1 Zone does not allow for campground uses.

The subject property is entirely within the Agricultural Land Reserve, and BC Assessment has classified the property as Residential (01), Light Industry (05), Business and Other (06), Recreational (08), and Farm (09).

Public Process:

Under Section 36 of the *Agricultural Land Commission Act*, a person who makes an application to excluded lands from the ALR is required to give notice of the application in accordance with Agricultural Land Reserve General Regulation 171/2002, including newspaper publications, a notification sign on the property, and notification to adjacent owners of agricultural land.

All comments submitted to the Regional District in relation to these notification requirements are included as a separate agenda item.

Analysis:

In considering this proposal, Administration notes that the Regional Growth Strategy Bylaw No. 2770, 2017, contains objectives that seek to protect the agricultural land base. The Electoral Area "A" OCP Bylaw further contains a broad goal that supports and encourages agriculture in the community through preservation of the agricultural land base (Section 3.2.1). As such, Administration is generally not supportive of proposals to subdivide or exclude ALR lands.

In this case, Administration notes that the portion of land to be excluded from the ALR is not contained within the Agricultural Protection Area of the OCP Bylaw.

Administration also notes that the portion of land that is to be excluded, is a well established campground with zoning (CT2) that supports this use. In addition, this exclusion is unlikely to have negative effects on the western portion of the property that is to remain within the ALR.

Administration notes that based on the submitted site plan, the area to be excluded does not directly reflect the zone boundary from the AG1 area to the CT2 area. Should this exclusion be approved Administration is aware that adjustment to the OCP and zoning boundaries (within the parcel) will be required.

In summary, the application to exclude a portion of the subject parcel from the ALR is consistent with the Electoral Area "A" OCP Bylaw and Zoning Bylaw. For these reasons, Administration is recommending to "authorize" the application to proceed to the Agricultural Land Commission.

Alternatives:

1. THAT the RDOS Board do not "authorize" the application to allow exclusion of land from the Agricultural Land Reserve at 401 2nd Avenue 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 "A" Advisory Planning Commission (APC).

Respectfully submitted

Jeff Thompson

J. Thompson, Planning Tech

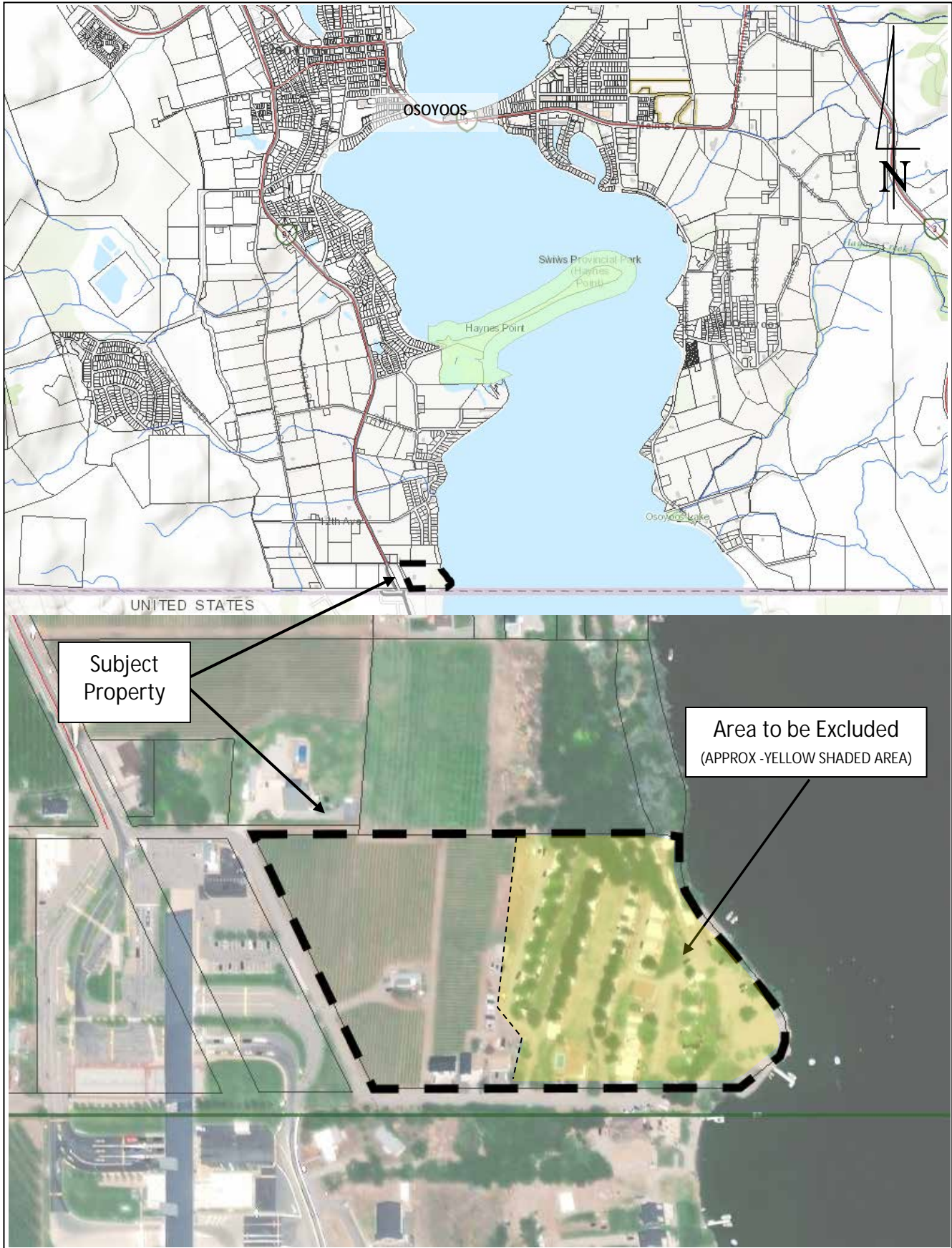
Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Context Map
No. 2 – Applicant's Site Plan
No. 3 – Aerial Photo (2007)

Attachment No. 1 — Context Maps



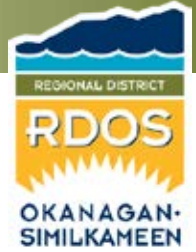
Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Aerial Photo (2007)



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Agricultural Land Commission Referral — “Non-Adhering Residential” Use Electoral Area “E”

Administrative Recommendation:

THAT the RDOS “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 2430 Naramata Road (Lot 2, Plan 4868, District Lot 206, SDYD, Except Plan H17800) in Electoral Area “E” to proceed to the Agricultural Land Commission.

Purpose: To allow for an “accessory dwelling” in the Agricultural Land Reserve.

Owner: Scott and Wendy Trusler Agent: Scott Trusler Folio: E-02027.000

Legal: Lot 2, Plan 4868, District Lot 206, SDYD, Except Plan H17800

Civic: 2430 Naramata Road, Naramata OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

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

Specifically, the applicant is seeking the Commission’s approval to use an existing building that has been brought up to code under an active building permit as an additional residence for farm use.

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

- *This is an existing building that has been used to accommodate farm help in the past;*
- *We are hopeful that we can accommodate family members to assist with farm activities in the future when required during peak levels of activity;*
- *This building also facilitates a number of other key farm functions:*
 - Ø *a covered concrete patio with an approximately 9 ft ceiling beam that allows us to hoist the large cherry tree nets off the ground on pulleys so that we can readily access areas damaged;*
 - Ø *durable and easily cleaned vinyl flooring and a large, easily cleaned work surface;*
 - Ø *a large open area that makes it ideal for a variety of farm product development/production activities*
- *This building will also be used as a point of sale for farm produce where public can come and purchase bulk cherries, and the orientation and weigh-in station for U-pick.*

Statutory Requirements:

Under Section 34 of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) applies wherein the Board has the ability to refuse to “authorise” an application.

In this instance, Section 25(3) is seen to apply as the property “is zoned by bylaw to permit [an] agricultural or farm use”.

Site Context:

The subject property is approximately 1.31 ha in area and is located on the east side of Naramata Road approximately 4 km south of the Naramata village area. The property is understood to comprise an existing principal dwelling, accessory structures, and a portion of property under agricultural production (e.g. cherry trees).

The surrounding pattern of development is characterised by agricultural operations and rural residential development.

Background:

The current boundaries of the subject property were created by a plan of subdivision deposited with the Land Titles Office in Kamloops on September 14, 1949, while available Regional District records indicate that Building Permits have previously been issued for a garage (1990).

There is an active building permit that was issued for a cherry processing building in 2017. Administration notes this ALC application is a result of an inspection on June 21, 2019 indicating residential use of the building.

Administration has determined that the building adhered to and was best defined as an “accessory dwelling”, which is defined under Electoral Area “E” Zoning Bylaw:

“means a dwelling unit which is permitted as an accessory use in conjunction with a principal use and is not located within a building containing a single detached dwelling unit. The accessory dwelling is a complete living unit and indicates a private kitchen and bath”.

As such, the owners were advised on August 8, 2019 that the RDOS is prepared to accept modification to the building permit application to reflect the change of use from “cherry processing building” to “accessory dwelling” and that ALC approval is required, prior to issuance of a building permit for an “accessory dwelling” within the ALR.

On February 22, 2019, amendments to the *Agricultural Land Commission (ALC) Act* came into effect, and made important changes to the regulations governing the construction of dwelling units on lands in the Agricultural Land Reserve (ALR). The following is a summary of key changes provided by the ALC:

- generally land in the ALR may have no more than one (1) residence per parcel;
- the Commission may approve an application for an additional residence if necessary for farm use, but the Commission is prohibited from approving an additional residence otherwise;
- the total floor area of a principal residence must be 500 m² or less in order to comply with the ALC Act;

-
- provisions facilitating the construction of additional dwellings for farm help, manufactured homes for immediate family members, accommodation above an existing farm building, or (in parts of the province) a second single family dwelling have been deleted from the ALC Act.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is designated as Agriculture (AG) and is partially within a Watercourse Development Permit Area (WDP) Area designation.

Under the Electoral Area "E" Zoning Bylaw No. 2455, 2008, the property is zoned Agriculture One (AG1), which allows for a maximum of one (1) principle dwelling and, on parcels less than 8.0 ha, a maximum of one (1) accessory dwelling with a combined gross floor area not exceeding 90 m².

The property has a predominant geotechnical hazard classification of "limited or no hazard of slumps and slides. No development problems anticipated".

Analysis:

In considering this proposal, Administration notes that the Electoral Area "E" OCP Bylaw speaks to considering "second dwelling applications within the ALR in accordance with second dwelling policies established in the implementing Zoning bylaw, and reflective of the views of the farming community (OCP Policy 9.3.14)."

In this instance, the applicant's proposal is consistent with the current density provisions contained in the Electoral Area "E" Zoning Bylaw and it is on this basis that Administration is recommending that the application be "authorised" to proceed to the ALC for their determination.

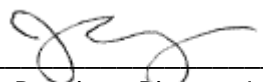
Administration further notes that the recent legislative changes limit the scope of the ALC to only "approve an application for an additional residence if necessary for farm use, but the Commission is prohibited from approving an additional residence otherwise."

Administration is concerned that the current provisions found in the Electoral Area "E" Zoning Bylaw do not reflect this new regulatory environment regarding accessory dwellings in the ALR.

Alternative:

1. THAT the RDOS "not authorize" the application for a "non-adhering residential use – additional residence for farm use" at 2430 Naramata Road (Lot 2, Plan 4868, District Lot 206, SDYD, Except Plan H17800) in Electoral Area "E" 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 "E" Advisory Planning Commission (APC).

Respectfully submitted:



J. Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

Attachments:

No. 1 – Context Maps

No. 2 – Applicant's Floor Plan

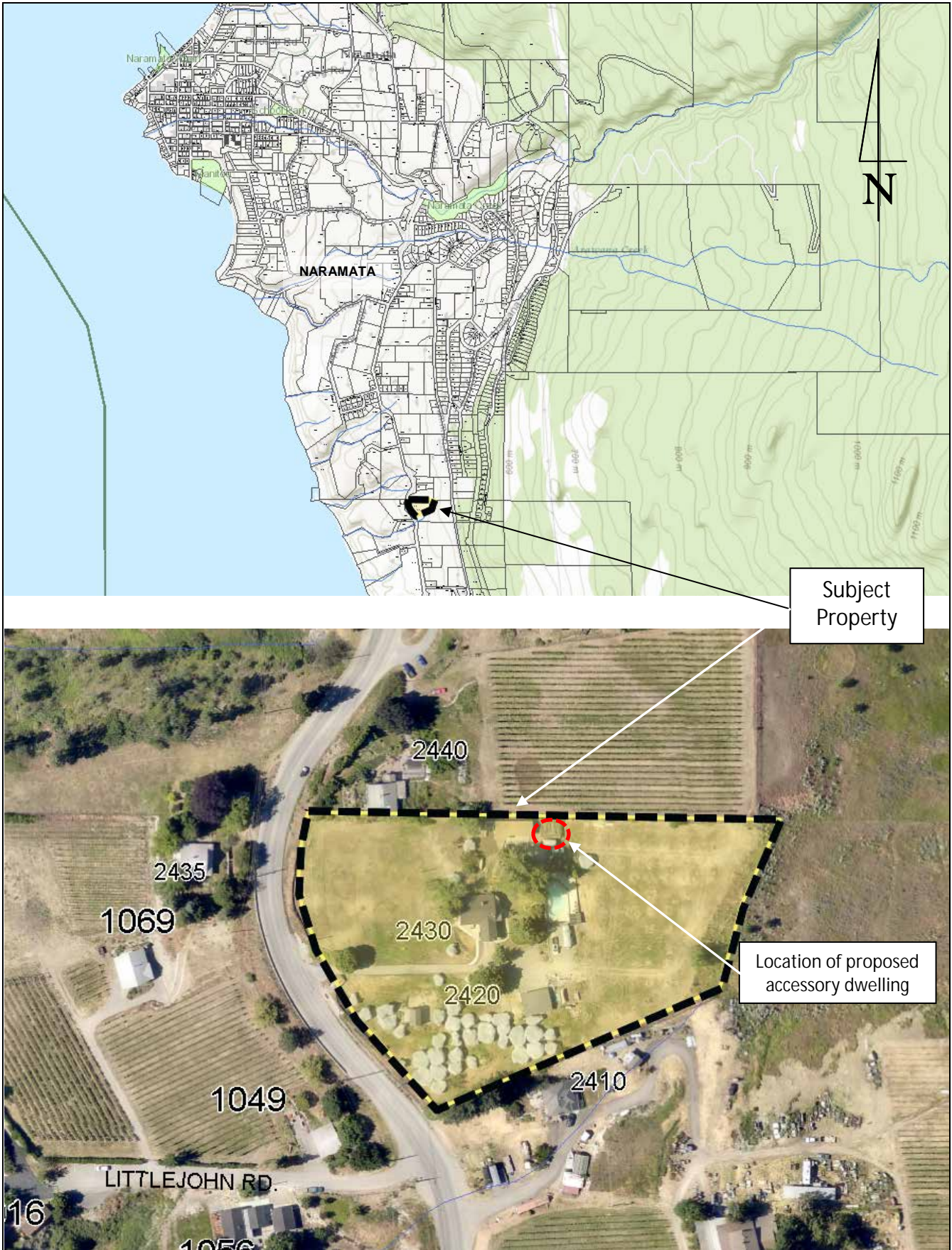
No. 3 – Applicant's Building Elevation (South)

No. 4 – Applicant's Building Elevation (North)

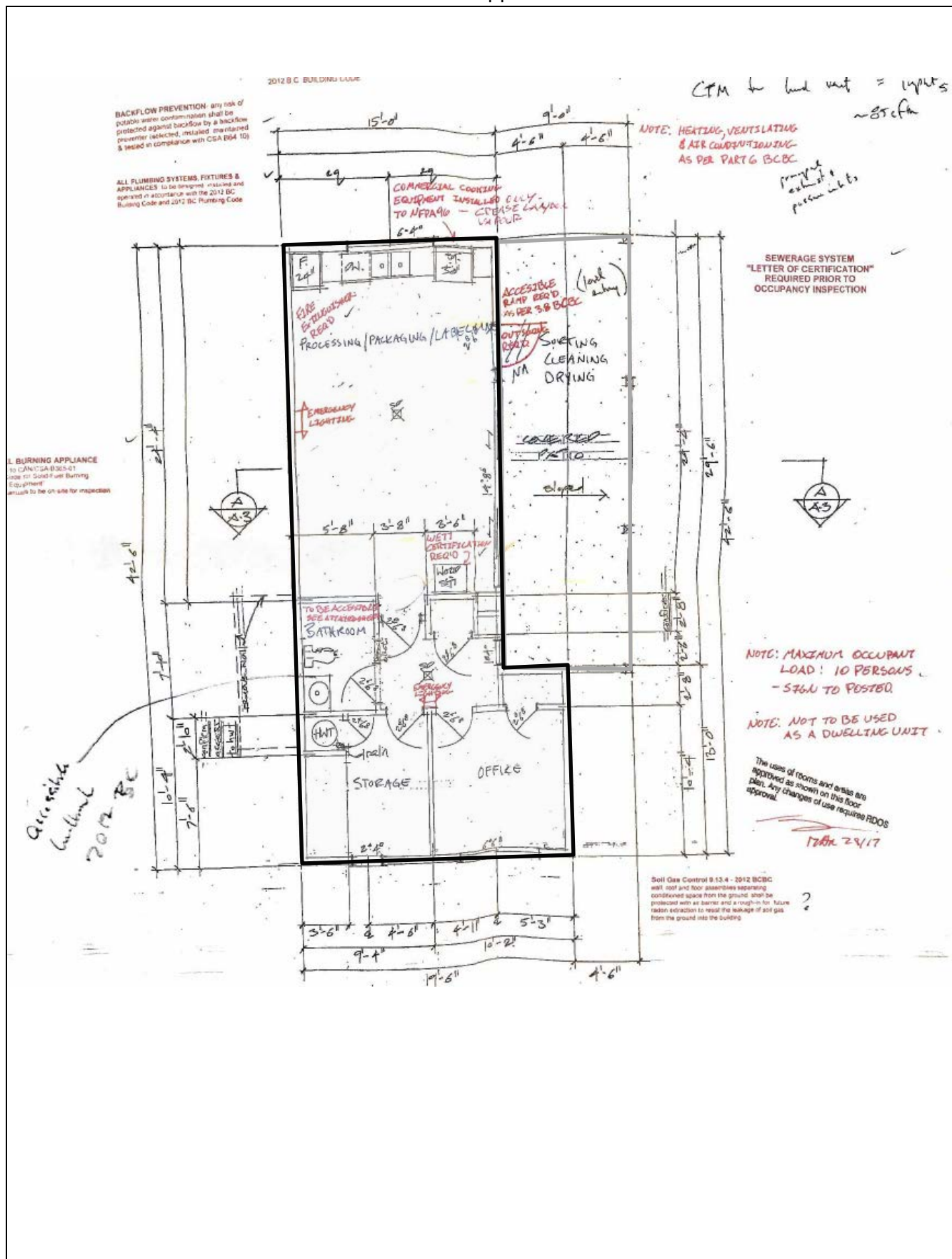
No. 5 – Applicant's Building Elevation (West and East)

No. 6 – Applicant's Photos (August 2019)

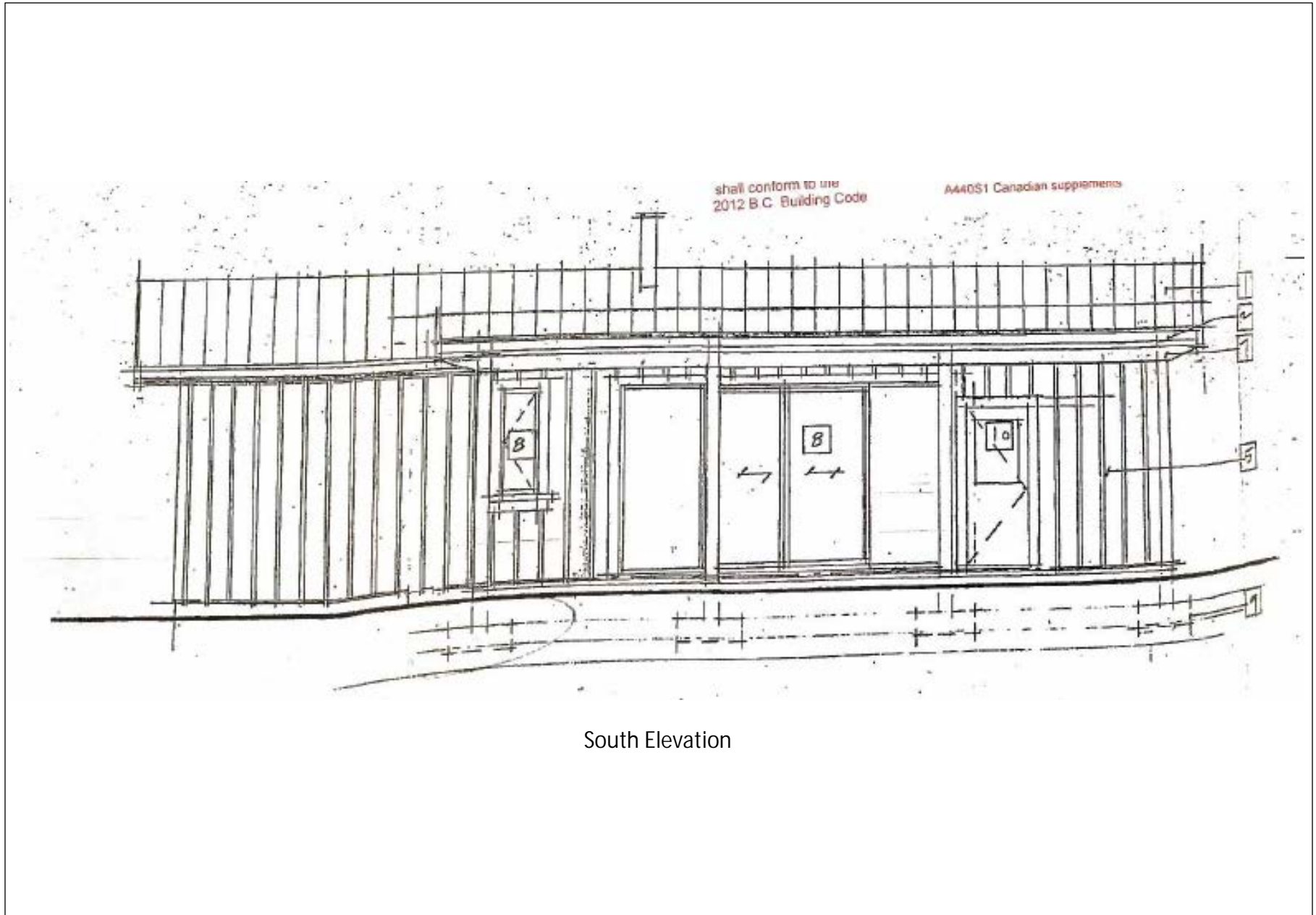
Attachment No. 1 – Context Maps



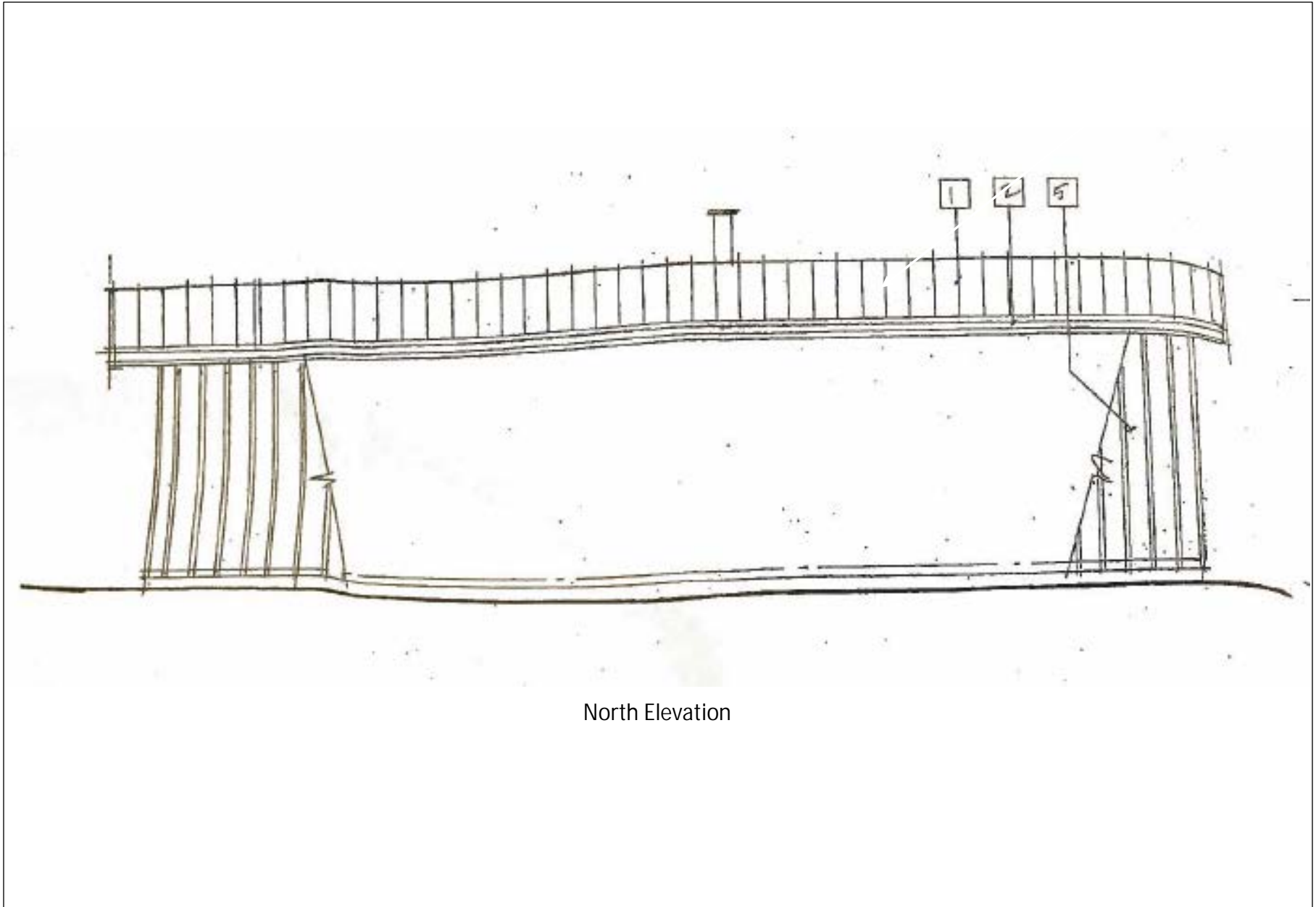
Attachment No. 2 – Applicant's Floor Plan



Attachment No. 3 – Applicant's Building Elevation (South)

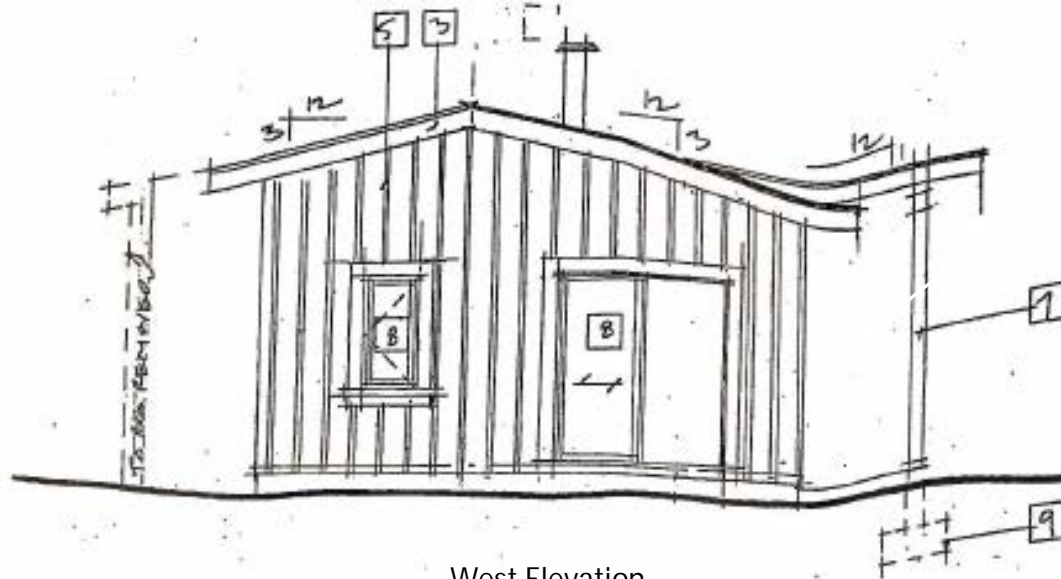


Attachment No. 4 – Applicant's Building Elevation (North)

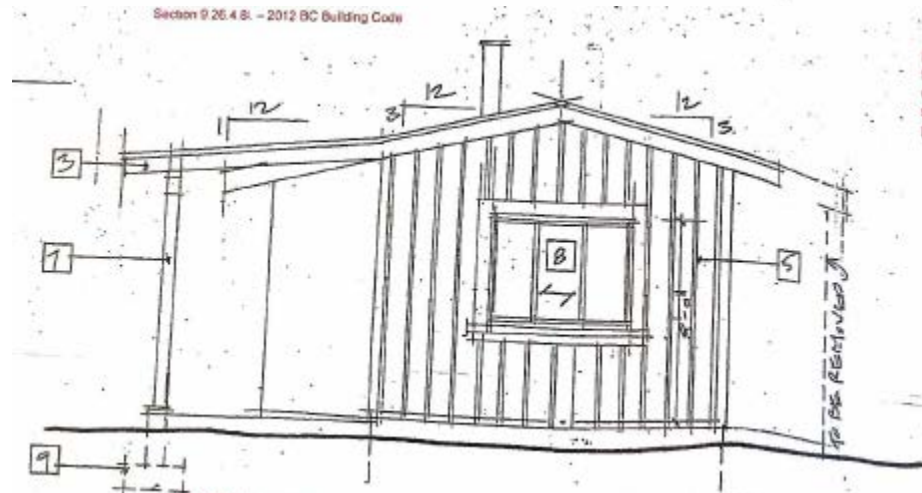


North Elevation

Attachment No. 4 – Applicant's Building Elevations (West and East)



West Elevation



East Elevation

Attachment No. 4 – Applicant's Photos (August 2019)



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Building Bylaw Infraction
Folio: A-06372.030 Lot: 3 Plan: KAP51250 DL: 2450S SDYD
PID: 018-557-252
Civic Address: 8555 Road 22

Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3, Plan KAP51250, District Lot 2450S, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333 and/or Bylaw No. 2805; and

THAT injunctive action be commenced.

Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333 and/or Bylaw No. 2805.

History:

The Contravention of Building Regulations Report dated August 15, 2019 from the Building Official indicates that Building Permit No. 15033 was issued November 9, 2005 for a dwelling with attached garage. The permit was successfully completed in May 2008.

On February 1, 2016 it was noted that the garage door had been removed and replaced with siding and windows, and the interior of the garage had been converted into habitable living space. Cupboards, closets, flooring, a sink and refrigerator were installed. The Building Official left a business card and building permit application package.

On February 2, 2016 a letter was sent to the registered owner advising of the Stop Work and requirements to obtain a permit.

An application for a building permit was made on February 15, 2016. However during the zone check, it was revealed that this property is subject to a floodplain covenant which prohibits the underside of the floor system of habitable space below 280.95m elevation.

History con't

The owners were notified of this requirement. To move forward with the building permit application they had to either provide a survey proving the floor system was higher than the required elevation or amend or remove the floodplain covenant. On November 29, 2016 the owner advised by email that he would install a garage door to return the space to vehicle accommodation.

To date, the garage door has not been replaced. We are not aware if the cupboards, sink or refrigerator have been removed. The property is currently listed for sale.

This Building Bylaw infraction is considered to be Category 3.

A map showing the location of this property and photos of the infraction are attached.

Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

Alternatives:

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

Category 1 (Minor Deficiencies) – Place notice of deficiencies on folio file.

Category 2 (Major Deficiencies) – Place Section 302 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

Respectfully submitted:

"L. Miller"

Laura Miller, Building Inspection Services Supervisor

Endorsed by:

"B. Dollevoet"

B. Dollevoet, Development Services Manager



8555 Road 22
February 1, 2016



8555 Road 22
July 19, 2019

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Building Bylaw Infraction
Folio: I5-02779.010 Lot: 2 Plan: KAP29328 DL: 411
PID: 004-358-180
Civic Address: 137 TAGGART CRES

Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 2, Plan KAP29328, District Lot 411, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333 and/or Bylaw No. 2805; and

THAT injunctive action be commenced.

Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333 and No. 2805.

Background:

The Contravention of Building Regulations Report dated September 26, 2018 from the Building Official indicates that the owners of this property constructed a secondary suite above the garage in a detached accessory building, without a building permit.

The owners were contacted by Bylaw Enforcement in September of 2016 as a result of a complaint. The Bylaw Enforcement Coordinator sent the owners a letter giving them two options. They could either decommission the suite, or apply for a rezoning to allow a suite and get a building permit.

In November 2016 the Bylaw Enforcement Officer did a site visit, toured the suite and took photos.

The owners applied to rezone the property to Small Holdings Four (SH4) to allow for a secondary suite. The rezoning was approved by the Board on July 6, 2017.

Background con't:

The Bylaw Enforcement Coordinator sent a letter to the owner on September 12, 2017 notifying that they had 14 days to initiate an application for a building permit. On October 20, 2017 a Final Notice letter was sent by Building Inspection. On December 18, 2017 an email was received from the owner stating that he would be meeting with a Registered Wastewater Practitioner to obtain a Record of Sewerage (a requirement for the building permit application).

To date, no application has been received.

It is unknown whether there are health & safety related deficiencies.

In order to close the permit file the owners would have to apply for, be issued and successfully complete a building permit for the secondary suite.

This Building Bylaw infraction is considered to be Category 3.

A map showing the location of this property and photos of the infraction are attached.

Analysis:

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

Category 1 (Minor Deficiencies) – Place notice of deficiencies on folio file.

Category 2 (Major Deficiencies) – Place Section 302 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

Alternatives:

1. Do not proceed with enforcement action
2. Place a notice of deficiencies on the folio file (Category 1)
3. Place a Section 302 Notice on title (Category 2)

Respectfully submitted:

"L. Miller"

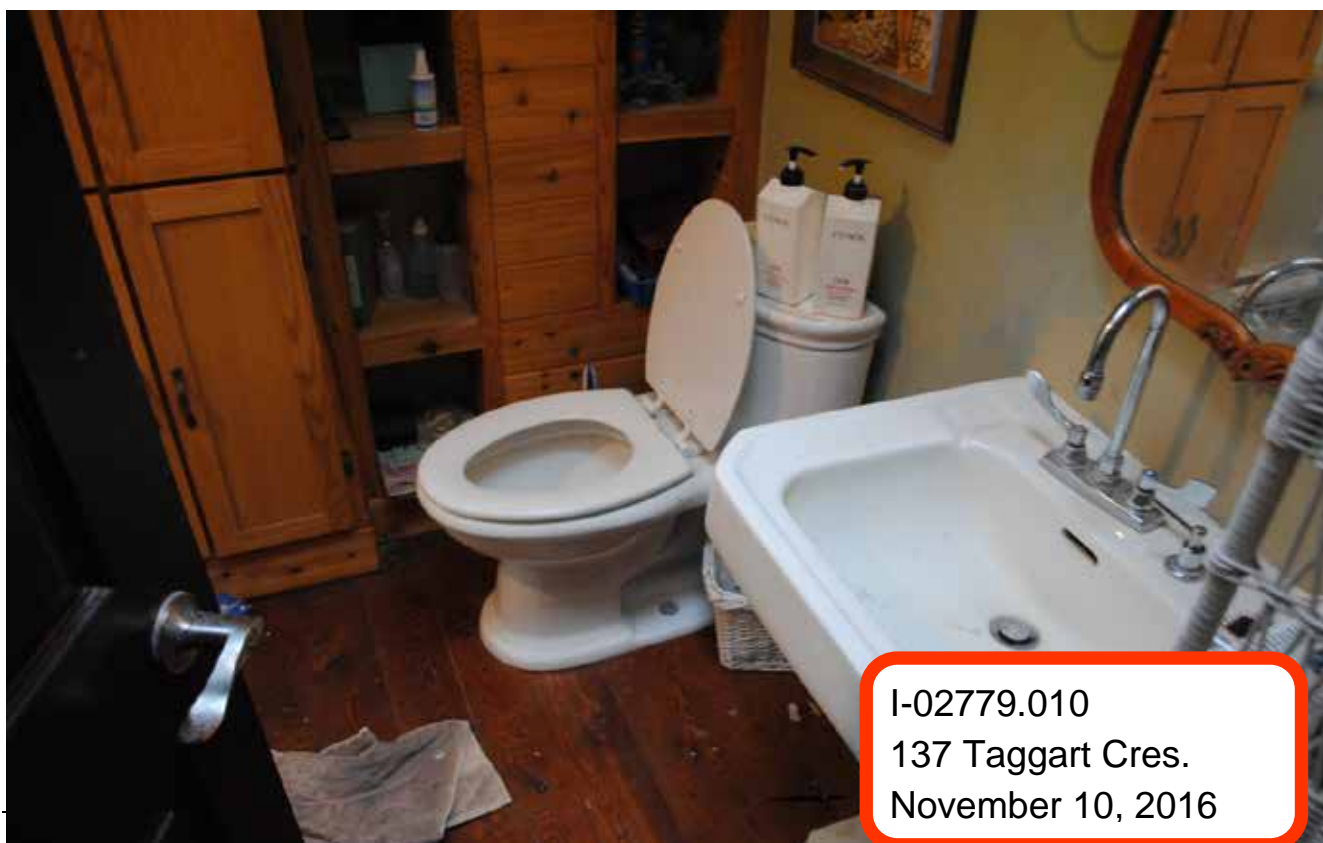
Laura Miller, Manager of Building and Enforcement Services

Endorsed by:

"B. Dollevoet"

B. Dollevoet, Development Services Manager





ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Building Bylaw Infraction
Folio: I5-02473.000 Lot: 8 Plan: KAP11043 DL: 280
PID: 009-530-410
Civic Address: 449 Sagewood Lane (Permit #18783 Deck addition)

Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 8 Plan KAP11043, District Lot 280 SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333 and/or Bylaw 2805; and

THAT injunctive action be commenced.

Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333 and Bylaw No.2805.

History:

The Contravention of Building Regulations Report dated November 7, 2018 from the Building Official indicates that a building permit has expired and the required inspections have not been completed.

On March 19, 2014 a Stop Work Notice was posted on a deck addition to the dwelling on this property. Permit #18783 was issued for the work on June 16, 2014. The permit was extended on June 9, 2016 and expired on June 16, 2017.

The permit has expired without the required inspections. It is unknown whether there are health & safety related deficiencies.

History con't:

Numerous correspondence have been sent and face to face meetings have been held with the owner over this and other issues.

In order to close the permit file a valid permit would need to be in place and all inspections completed.

This Building Bylaw infraction is considered to be Category 3.

A map showing the location of this property and a photo of the infraction are attached.

Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

Alternatives:

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

Category 1 (Minor Deficiencies) – Place notice of deficiencies on folio file.

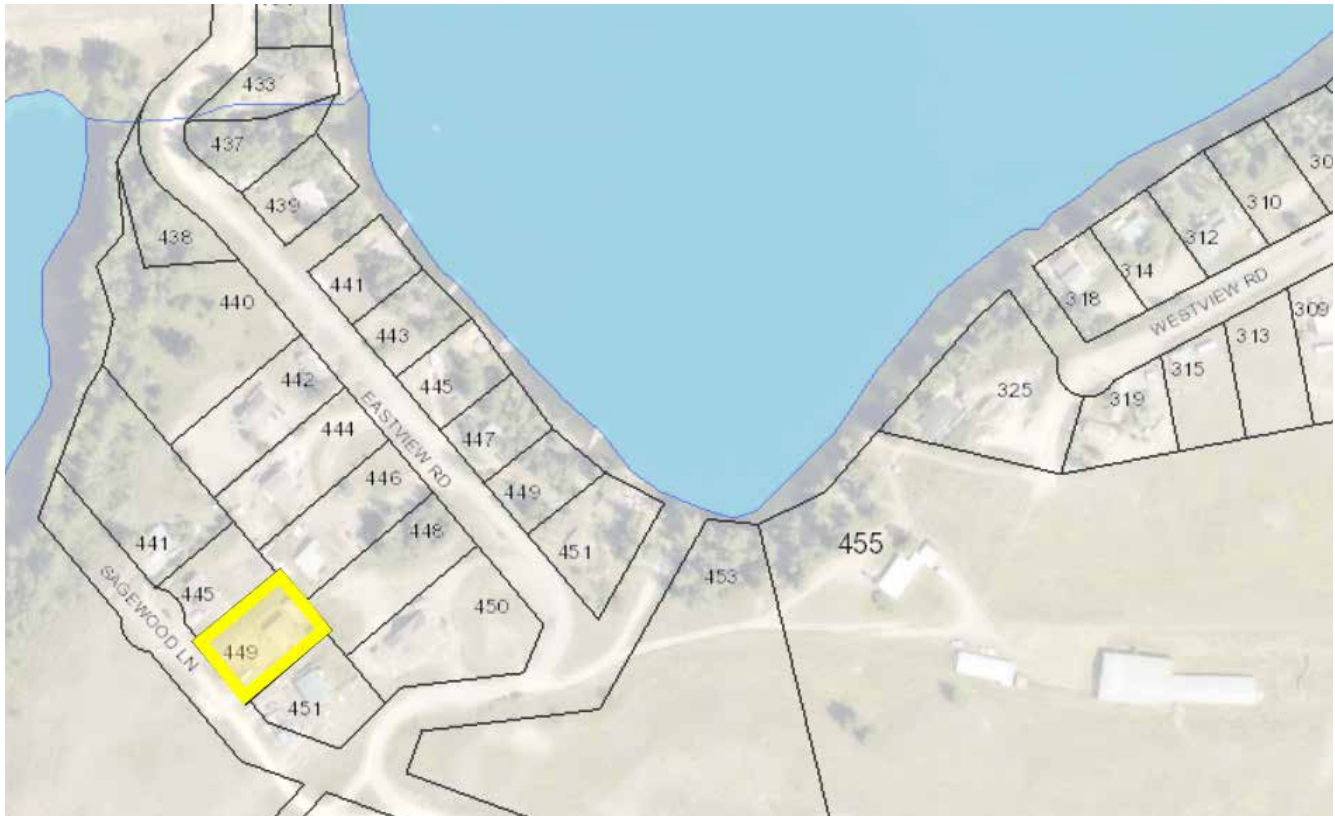
Category 2 (Major Deficiencies) – Place Section 302 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

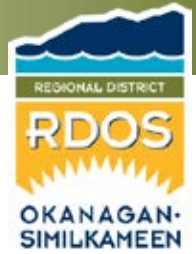
Respectfully submitted:

"L. Miller"

Laura Miller, Manager of Building and Enforcement Services



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 18, 2019

RE: Agricultural Land Commission Referral (ALR Exclusion) – Electoral Area “A”

Administrative Recommendation:

THAT the RDOS Board “not authorize” the application to exclude a 690 m² portion of a 4.2 ha parcel located at 8111 148th Avenue (Part of Lot 459 on Plan B5895, DL 2450s, SDYD, Plan 1949 Except Plan H126) to proceed to the Agricultural Land Commission.

Purpose: To exclude a 690 m² portion of a 4.2 ha parcel from the Agricultural Land Reserve (ALR)

Owner: Enotecca Wineries and Resorts Ltd. Applicant: McElhanney Ltd. Folio: A-06011.010

Civic: 8111 148th Ave Legal: Part of Lot 459, DL 2450s, SDYD, Plan 1949 Except Plan H126

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

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 30 (1) of the *Agricultural Land Commission Act* (the Act) in order to have land excluded from the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission’s approval to exclude approximately 690 m² of land along the eastern portion of the property at 8111 148th Avenue from the reserve.

The applicant has indicated that “the small exclusion amount of approximately 690 square meters will be offset by a greater amount (1,100 square meters) of inclusion of land into the ALR. The excluded area will be added by subdivision to the adjacent non-ALR waterfront parcel. The purpose for the exclusion is to increase the size of the farm parcel and make a more “buildable” building envelope on the non-ALR waterfront lot as the waterfront SPEA (setback) consumes a 15 metre wide strip of land along the lakefront, making the building envelope very narrow”.

Statutory Requirements:

Under Section 34 of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) applies wherein the Board has the ability to refuse to “authorise” an application.

Site Context:

The subject property is approximately 4.2 ha in area, situated to the south of 148th Avenue, and is located approximately 3 km north of the Town of Osoyoos. The subject parcel contains a winery and vineyards.

The surrounding pattern of development is generally characterised by agriculture, with residential along the lakeshore to the north.

Background:

It is unknown when the current boundaries of the subject property were created, while available Regional District records indicate building permits for a winery (2007), and demolition of a single detached dwelling (2006).

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, the subject property is currently designated Agriculture (AG) and is also within the "Agricultural Protection Area" in Electoral Area "A".

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is currently zoned Agriculture One Zone (AG1), which requires a minimum lot size of 4.0 ha.

The applicant has also submitted a separate application to include a portion of the abutting parcel to the east at 13821 148th Avenue. If the ALR exclusion is approved, it is the intention of the applicant to apply for a lot line adjustment with 13821 148th Avenue. Lot lines would be adjusted to exchange the 690 m² portion of 8123 148th Avenue (subject to this ALR exclusion application) with the 1,100 m² portion of 13821 148th Avenue (subject to ALR inclusion application).

Under Section 6.1.2(c) of the Zoning Bylaw, the lot line adjustment would result in reduction of the parcel area to less than that of the smallest parcel that existed prior to the alteration, and the minimum parcel size for subdivision requirements would apply. As such, a zoning bylaw amendment to minimum parcel size would be required to facilitate the lot line adjustment to reduce the minimum parcel size from 4.0 ha to 0.454 ha for 13821 148th Avenue.

The subject parcel is entirely within the Agricultural Land Reserve (ALR) and, in 2007, the neighbouring property to the east, at 13821 148th Avenue, was excluded from the ALR. The excluded neighbouring property was approved on the grounds that the land is largely unsuitable for agricultural use and potential conflicts between adjoining agricultural operations could be mitigated through fencing, buffering and set-backs.

In the discussion for approving the neighbouring parcel for ALR exclusion with conditions, it was noted that the "Commission wished to make it clear that should significant building or septic field setbacks from the lake make it difficult (or impossible) to construct residences it is not supportive of expanding the development area on the adjoining ALR land".

BC Assessment has classified the property as Residential (01), Light Industry (05) and Business and Other (06).

At its meeting August 15, 2019, the Board made a motion to defer making a decision and direct that the proposal be considered by the Electoral Area "A" Advisory Planning Commission (APC).

At its meeting September 9, 2019, the Electoral Area "A" APC resolved to recommend to the RDOS Board that the application be authorized to proceed to the ALC.

Public Process:

Under Section 36 of the *Agricultural Land Commission Act*, a person who makes an application to excluded lands from the ALR is required to give notice of the application in accordance with

Agricultural Land Reserve General Regulation 171/2002, including newspaper publications, a notification sign on the property, and notification to adjacent owners of agricultural land.

All comments submitted to the Regional District in relation to these notification requirements are included as a separate agenda item.

Analysis:

In considering this proposal, Administration notes that Agricultural Protection Area Policies under Section 6.3.19 of the Electoral Area "A" OCP Bylaw state that the Board will generally not support applications seeking to exclude land from the ALR for the purposes of future urban, recreation or amenity uses.

The Board also encourages land to be included into the ALR and the Electoral Area "A" OCP Bylaw contains a Broad Goal to support and encourage agriculture in the community through preservation of the agricultural land base (Section 3.2.1).

Further, the Regional Growth Strategy Bylaw No. 2770, 2017 contains objectives to protect the agricultural land base.

Given the use of the subject property as well as surrounding properties includes farming operations, Administration considers the ALR designation to be appropriate.

It should be noted that this application has not been supported by a capability study prepared by a qualified individual that would support the exclusion of this property on the basis of it being unsuitable for agricultural use.

Although the area of exclusion is small (690 m²), this proposal represents the erosion of the agricultural land base in favour of residential development in the Agricultural Protection Area and has the effect of facilitating non-agricultural uses in an area with active farm operations.

Conversely, this exclusion application is associated with ALC Application ID 59407 (Inclusion) to facilitate a lot line adjustment that would result in expansion of the farming areas on the subject parcel. Although a net increase of ALR land is proposed, ALR Exclusion applications must be evaluated on their own merits, in isolation, without regard for "land swapping".

Further, even if the inclusion application was to be considered, the area of inclusion was previously excluded from the ALR based on the grounds that the land is largely unsuitable for agricultural use and does not counterbalance removing a contiguous portion of land from the agricultural land base.

In summary, the application to exclude a portion of the subject parcel from the ALR is inconsistent with the Electoral Area "A" OCP Bylaw and Regional Growth Strategy policies that aim to protect agricultural land. For these reasons, it is Administration's recommendation not to authorize the application to proceed to the Agricultural Land Commission.

Alternative:

THAT the RDOS Board "authorize" the application to allow exclusion of land from the Agricultural Land Reserve at 8111 148th Avenue to proceed to the Agricultural Land Commission.

Respectfully submitted



J. Peachey, Planner I

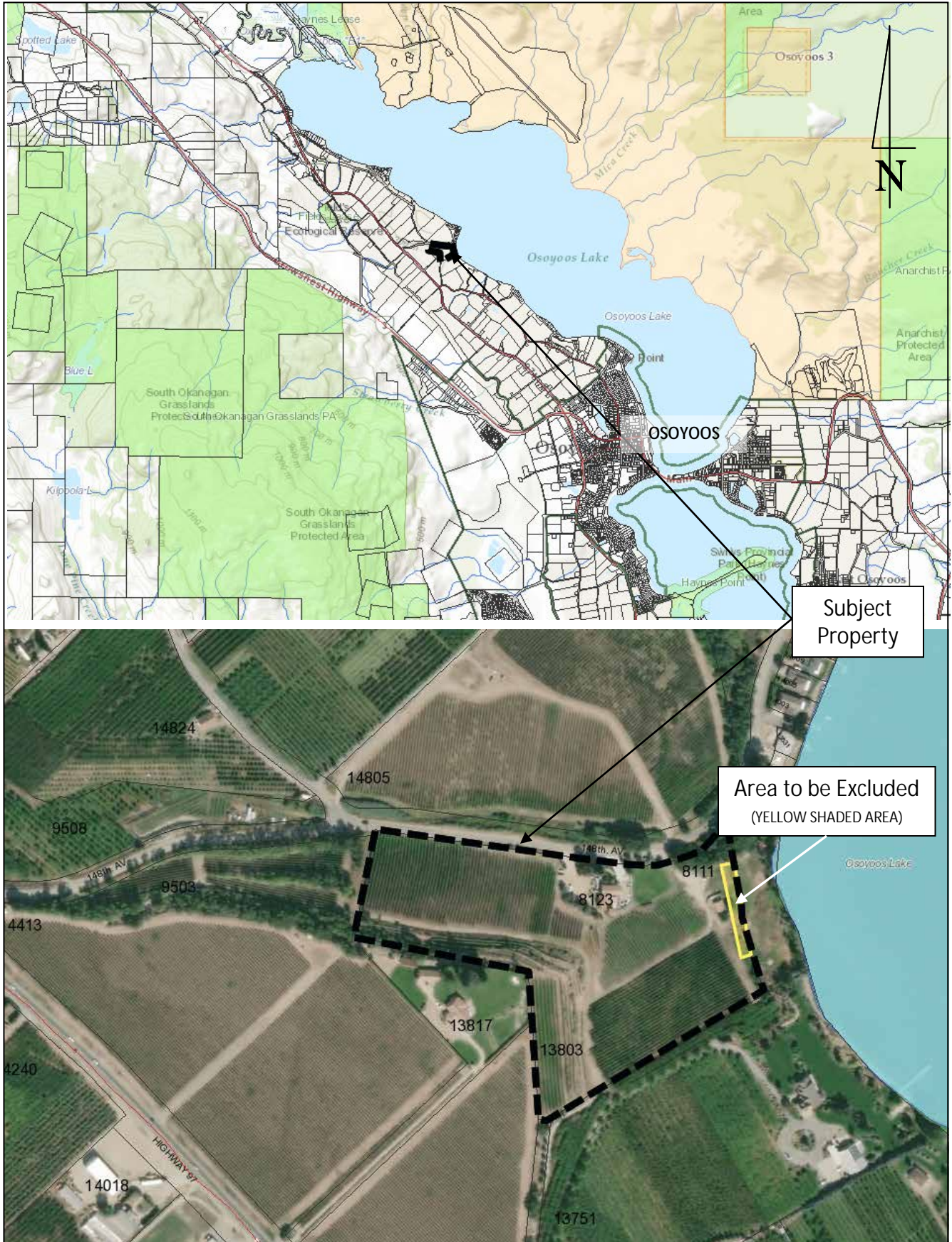
Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Context Map
No. 2 – Applicant's Site Plan
No. 3 – Aerial Photo (2007)

Attachment No. 1 — Context Maps



Attachment No. 2 — Applicant's Site Plan



Attachment No. 3 – Aerial Photo (2007)



Subject Property
(APPROX. - YELLOW DASHED LINE)

BOARD MEETING
AUGUST 15, 2019

AGENDA ITEM B.1. (A2019.014-ALC)
ENOTECCA WINERIES & RESORTS

Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, B.C.
V5G 4K6

Dear Commissioners:

Re: ALR Exclusion / Inclusion Application – 8111 148th Avenue, Osoyoos

I am aware that the owners of 8111 148th Avenue, Osoyoos (La Stella Winery property) would like to exclude from the ALR a narrow strip of land approximately 690 m² in area, adjacent to the east side of their property and add it to the adjacent east non-ALR parcel of land. We also understand the owners of the adjacent east non-ALR property would like to include into the ALR approximately 1,100 m² of their land and add it to the 8111 148th Avenue property. We understand the net result of this ALR exclusion / inclusion exercise and lot line adjustment will be a net increase in size of the 8111 148th Avenue farm parcel and will be an overall net increase in the amount of land in the ALR.

I fully support the initiative of the La Stella Winery property owners to increase their farm parcel size and increase the amount of land in the ALR through the ALR exclusion / inclusion exercise and the subsequent lot line boundary adjustment.

Lenette Charlton
Name

July 7/2019
Date

Address

Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, B.C.
V5G 4K6

Dear Commissioners:

Re: ALR Exclusion / Inclusion Application – 8111 148th Avenue, Osoyoos

I am aware that the owners of 8111 148th Avenue, Osoyoos (La Stella Winery property) would like to exclude from the ALR a narrow strip of land approximately 690 m² in area, adjacent to the east side of their property and add it to the adjacent east non-ALR parcel of land. We also understand the owners of the adjacent east non-ALR property would like to include into the ALR approximately 1,100 m² of their land and add it to the 8111 148th Avenue property. We understand the net result of this ALR exclusion / inclusion exercise and lot line adjustment will be a net increase in size of the 8111 148th Avenue farm parcel and will be an overall net increase in the amount of land in the ALR.

I fully support the initiative of the La Stella Winery property owners to increase their farm parcel size and increase the amount of land in the ALR through the ALR exclusion / inclusion exercise and the subsequent lot line boundary adjustment.

Pat Abraham
Name

July 7, 2019
Date

Address

Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, B.C.
V5G 4K6

Dear Commissioners:

Re: ALR Exclusion / Inclusion Application – 8111 148th Avenue, Osoyoos

I am aware that the owners of 8111 148th Avenue, Osoyoos (La Stella Winery property) would like to exclude from the ALR a narrow strip of land approximately 690 m² in area, adjacent to the east side of their property and add it to the adjacent east non-ALR parcel of land. We also understand the owners of the adjacent east non-ALR property would like to include into the ALR approximately 1,100 m² of their land and add it to the 8111 148th Avenue property. We understand the net result of this ALR exclusion / inclusion exercise and lot line adjustment will be a net increase in size of the 8111 148th Avenue farm parcel and will be an overall net increase in the amount of land in the ALR.

I fully support the initiative of the La Stella Winery property owners to increase their farm parcel size and increase the amount of land in the ALR through the ALR exclusion / inclusion exercise and the subsequent lot line boundary adjustment.

Allan Abraham
Name

July 7, 2019
Date

Address

Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, B.C.
V5G 4K6

Dear Commissioners:

Re: ALR Exclusion / Inclusion Application – 8111 148th Avenue, Osoyoos

I am aware that the owners of 8111 148th Avenue, Osoyoos (La Stella Winery property) would like to exclude from the ALR a narrow strip of land approximately 690 m² in area, adjacent to the east side of their property and add it to the adjacent east non-ALR parcel of land. We also understand the owners of the adjacent east non-ALR property would like to include into the ALR approximately 1,100 m² of their land and add it to the 8111 148th Avenue property. We understand the net result of this ALR exclusion / inclusion exercise and lot line adjustment will be a net increase in size of the 8111 148th Avenue farm parcel and will be an overall net increase in the amount of land in the ALR.

I fully support the initiative of the La Stella Winery property owners to increase their farm parcel size and increase the amount of land in the ALR through the ALR exclusion / inclusion exercise and the subsequent lot line boundary adjustment.

Scott Charlton
Name

July 7/19
Date

Address

Lauri Feindell

Subject: FW: ALR Application at 8111 148th Ave Osoyoos BC Expression of Interest
Attachments: IMG_20190628_2016000.jpg

From: Michael Greig
Sent: July 15, 2019 10:31 PM
To: Info <info@rdos.bc.ca>
Cc: Timothy Donegan <tdonegan@rdos.bc.ca>
Subject: FW: ALR Application at 8111 148th Ave Osoyoos BC Expression of Interest

Dear RDOS, Timothy,

We wish to express an interest in the application made presumably by the owner at 8111 148th Avenue, Osoyoos, BC to exclude land from the ALR. Please refer to the posted sign (photo attached) in front of Lastella Winery.

Unfortunately the notice did not indicate who at the RDOS to contact.

Our primary concern is that we do not wish to see any opportunity for resulting zoning changes or land use changes, or construction of anything other by the owner than its current use, growing fruit on agricultural land. We view any use other than the current use as a threat to the use and enjoyment of our property next door, which has been since the original development in the 1940s as a family oriented residential waterfront community at Roberts Point.

We most definitely do not wish to see any commercial development of an kind or any higher density development or resort or townhouse type development on the subject waterfront property in this application, and we are concerned that any change from ALR will open the door for that opportunity. It is best left in ALR as it currently is.


Thank you,

Mike and Sharon Greig

NOTICE OF EXCLUSION APPLICATION
Regarding Land in the Agricultural Land Reserve

McElhanney Ltd., of 290 Nanaimo Avenue, Penticton B.C., V2A 1N5, agent for the property owner, intend on making an application pursuant to Section 30(1) of the *Agricultural Land Commission Act* to exclude from the **Agricultural Land Reserve** approximately 690 m² of the following property which is legally described as, THAT PART LOT 459 ON PLAN B5895 DISTRICT LOT 2450S SIMILKAMEEN DIVISION YALE DISTRICT PLAN 1949 EXCEPT PLAN H126, and is located at 8111, 148th Avenue, Osoyoos, B.C.

Any person wishing to express an interest in the application may do so by forwarding their comments in writing to the Regional District of Okanagan Similkameen, 101 Martin Street, Penticton, BC, V2A 5J9, by July 18th, 2019.

 McElhanney

Jacob A. de Raadt, Esq , MBA,

Osoyoos, B.C. V0H 1V2.

2019-07-18

Regional District Okanagan-Similkameen,

101 Martin Street,

Penticton, B.C. V2A 5J9

sent by e-mail.

Dear Sir or Madam,

ALR exclusion application, ALC file number 59379 at 8111 - 148th Avenue, Electoral Area A.

This letter provides some comments about the above numbered proposal at a site that I can see straight northwest from my living room window. A request is made that your Local Government Report deny it.

Application ID: 59379

Application Status: In Progress

Applicant: ENOTECCA WINERIES AND RESORTS INC., INC.NO. BC0702258

Agent: McElhanney Ltd.

Local Government: Okanagan Similkameen Regional District

Local Government Date of Receipt: This application has not been submitted to local government yet.

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Exclusion

1. From the above, the Applicant Submission shows that this Application has not been submitted to your office yet, and has neither been submitted to the ALC yet, but it is on ALC Letterhead and shows an ALC Application ID. I find this strange, and so might you.

Proposal: The small exclusion amount of approximately 690 square meters will be offset by a greater amount (1,100 square meters) of inclusion of land into the ALR. The excluded area will be added by subdivision to the adjacent non-ALR waterfront parcel. The purpose for the exclusion is to make the non-ALR waterfront lot more developable as the waterfront SPEA (setback) consumes a 30 metre wide strip of land along the lakefront, making the building envelope very narrow. Approximately 1,100 square meters of the south portion of the waterfront non-ALR parcel is proposed to be included in the ALR and consolidate with the subject ALR parcel to create a larger farmer parcel than present. The included area will be planted with grape vines. The net result of the exclusion / inclusion applications will be a larger farm parcel with more land in the ALR.

2. From the above, this "Proposal" paragraph omits to state that the to be "excluded" area of \pm 690 square metres will clearly need to be subdivided from Rem. Lot 459 Plan B 5895. This is therefore also an implied future application to subdivide agricultural land, and not only an ALR Exclusion Application, (as the newspaper Notice in the Osoyoos Times might already have mislead some members of the public) – see the very last page.

3. This same "Proposal" paragraph above omits to state that the to be "included" area of $\pm 1\,100$ square metres will clearly need to be subdivided from Lot 1, Plan EPP 13717 and then added to Rem. Lot 459 Plan B 5895. As such, this ALR application is therefore once again an implied future application to subdivide this lakefront parcel, distinct and separate from the earlier rezoning / subdivision and land development proposal by the same Applicant and Agent.
4. The implied future subdivision, as described in (1) and (2) on the previous page, ought to be seen as a lot line adjustment between Lot 1, Plan EPP 13717 and Rem. Lot 459 Plan B 5895. By implication, such proposal would then obviously address the "triangular" land area between the ± 690 square metres area and the current right-of-way of 148th Avenue. It would appear that the existing waterfront parcel Lot 1, Plan EPP 13717 (even with the ± 690 square metres as an "access road") would not result in legal access from 148th Avenue as a result of this ALR application 59379. A simple solution might be to increase the currently "to be excluded" area, so that a "public road" will connect with the right-of-way of 148th Avenue and provide proper road access (within its curve). (See sketch below for the details.)

Assume that 148th Avenue road right-of-way meets requirements.



Minimum proposed road right-of-way width as per Bylaw 2000, 2002.

5. If the allegations in points (2) to (4) above are all true, it would follow that the RDOS Subdivision Servicing Bylaw 2000, 2002, "to regulate and require the provision of services in respect of subdivision of land" would apply, involving the Appliant's road frontage along 148th Avenue, seeing that the ± 690 square metres is to become an "access road" to serve the Owner's proposed lakefront development, but will be a "parcel" to be subdivided from Parcel Rem. Lot 459 Plan B 5895. See Bylaw quotations on the next page. This Bylaw states that a necessary road right-of-way width is 20 metres.

2.2 This Bylaw applies to all subdivisions except:

2.2.1 subdivisions involving only the consolidation of existing parcels, or the consolidation of existing parcels with closed highways; and

2.2.2 subdivisions involving only the adjustment of boundaries between existing parcels and not increasing the number of parcels; so that the level of services provided may, despite this Bylaw, conform to the level of existing services provided to any parcel abutting the parcel being adjusted at the time of approval of the subdivision.

and from Section 4.0, the following:

"PARCEL" means any lot, block or other area in which land is held or into which land is subdivided, but does not include a highway or portion thereof.

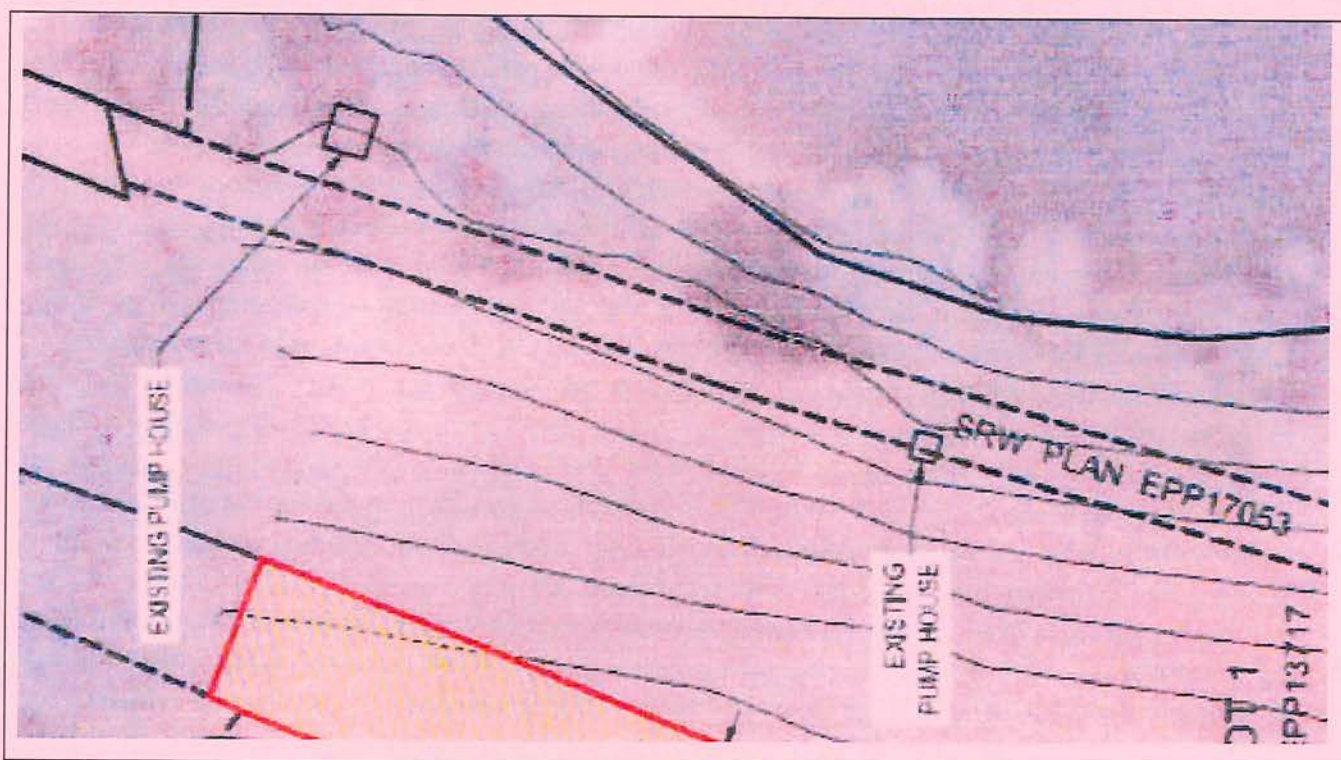
The above would seem to apply even in the case where the Owner's lakefront development would be "stratified". The Ministry of Transportation and Infrastructure is obviously to be ensured that the road access to the development meets their requirements, as per the RDOS bylaw.

6. The proposal on page 1 above indicates that this "Exclusion plus Inclusion" or "Exchange" or "Adjustment" (whatever the correct phrase, see below) "will make the non-ALR waterfront lot more developable as the waterfront SPEA (setback) consumes a 30 metre wide strip of land along the lakefront, making the building envelope very narrow." This quoted statement lets the cat out of the bag. Both the Applicant and his Agent want to ensure that adequate building envelope(s)¹ can be "squeezed in" between the existing vineyard and the SPEA. It is a pity that the "ALR Adjustment Plan" that accompanied the papers on the power pole close to (but not adjacent to) the subject property does not indicate the 30 metres wide SPEA that "consumes" the lakefront". The SPEA setback line should be shown on the Plan – which by the way, should also have a proper and usable scale. (See below what that Plan shows.)

Because showing *SCALE 1 500 @ 22" X 34"* on a 11" X 17" sheet of paper makes no sense.

7. Another important detail lacking on the "ALR Adjustment Plan" is the existing statutory right-of-way for the Town of Osoyoos' Northwest Sanitary Sewer Forcemain that crosses the lakefront property. While it may be obvious that the proposed building envelopes for the Applicant's proposed lakefront development (which status is currently unknown to me) ought to be outside the SPEA setback, and not infringe on the strip of land for the sanitary sewer force main, I believe to need to state that this can only be seen in context if those legal drawings (also prepared by Pendergraft Professional Land Surveying Inc.) are copied on the current ALR Adjustment Plan. The reference to two pumphouses and SRW Plan EPP 17053 (see next page) probably was an effort, but should have been improved upon to avoid guessing.

¹ From recollection, (when an application for a public dock was subject to public input), this proposed development was a three- (or four-?) lot subdivision, with an access consisting of a narrow and narrowing panhandle. It is unknown if this rezoning and subdivision application is still "valid", "on hold" or "pending the success of this strange ALR Adjustment application". I can only guess that the Applicant and Agent have already been advised by RDOS staff that there would not be adequate building envelopes upstream from the 30 metre wide Streamside Protection Environmental Area. If the previous rezoning and subdivision applications have lapsed, it is obvious that new ones will need to be submitted.



8. From the "Proposal" (see page 1), an assumption could be made that it is a good thing to "create a larger farmer (*sic*) parcel than present." Adding $\pm 1,100$ square metres to a large vineyard is not needed for the sake of "preserving agricultural land" which is the mandated purpose of the Provincial Agricultural Land Commission. The Applicant has not proven this need. From the property details on pages 1 and 2, the Applicant's vineyard seems to be more than 20 hectares; 0.11 hectares is nothing else than a miniscule enlargement. This argument is invalid.
9. More disturbing, however, is the statement in the "Proposal" that follows on page 1: "The included area will be planted with grape vines." Please note that for these $\pm 1,100$ square metres, a Qualified Environmental Professional has already studied the site and then established a Streamside Protection Environmental Area of 30 metres wide. (The Applicant admits that). Planting grape vines is definitely not protecting the environment; SPEAs are there to protect all kind of indigenous fauna and flora species and provide wildlife corridors – in this case along the waterfront of Osoyoos Lake. So just because of this "Inclusion" part of the "Adjustment" of the ALR, this SPEA setback requirement would fall away, and the environment would not be protected? Can you imagine grape vines down to the very edge of Osoyoos Lake? That does not make sense; in my six years at my current address, I have yet to see such blatant statement offending the natural environment.
10. So I beg you to consider that the "inclusion area" of $\pm 1,100$ square metres is just **WRONG**; (the Plan actually shows 11,820 square feet, although Canada metricated in 1975 and all ALC documents and RDOS documents have been metric for more than a generation) and that it ought not to be seen in conjunction with the "exclusion area" of ± 690 square metres. These two areas do not jive and would (1) not be advantageous for the fulfillment of the mandate of the Provincial Agricultural Land Commission, and would also (2) not result in a good land development project.
11. Additionally, I am not sure if "growing grapes for wine" – the meaning of "planting grape vines" in the Applicant Submission – is actually a valid method of "growing food". Wine is not food, while table grapes are food. The environmental pollution from fertilizers and weedkillers, very close to Osoyoos

Lake, without a buffer zone in which these detrimental effects can be mitigated or diminished, causes my eyebrows to frown. Moreover, the Provincial Legislation establishing the SPEA regulations (or the Riparian Area Regulation which preceeded them) was already in place when the Applicant purchased the property (in 2004, the Applicant Submttion states), and he cannot claim "grandfathering".

12. Perhaps the ALC should establish a "ratio" by which Adjustments (like this application, see the Plan) could be determined. [Say for a 1 square metre of ALR land to be excluded for land development purposes, a minimum of 2 or even 3 square metres of non-ALR land to be included, for valid agricultural purposes. If such a ratio would be used, the 690 square metres could be "swapped" for 1,380 square metres or even 2,070 square metres.] In this case, the area proposed to be excluded, (\pm 690 square metres), is grossly inaccurate and untrue to actual needs (see point 5 above) and the area to be included, is much too low because about 2/3 of the \pm 1,100 square metres ought not to be planted with vine grapes at all, within an established SPEA setback, for the sake of the environment. The land to be excluded is also much flatter and amenable to growing grape vines than the land to be included; this can be confirmed by closely looking on the contours on the ALR Adjustment Plan.
13. The counter-argument that could be made from point 12 *"Yes, but the SPEA does not apply for agricultural land"*, is likely invalid, because (it appears to me at least) this particular ALR Adjustment Application was made for precisely one single purpose, i.e. to enable and make some progress with a previously impossible (and already rejected?) situation with a rezoning / subdivision application.
14. I would lastly like to draw attention to a land development project somewhat closer to my home, visible from my kitchen window, (called Reflection Point Phase 1, at the bottom of 120th Avenue), where I believe that the issues of building envelope, SPEA and the very same sanitary forcemain did come up since 2007. It is my firm belief that on that project (through the same Agent as the current ALC Adjustment Application), the SPEA (which is not 30 metres wide but only 15 metres) has recently already been heavily compromised, and some building envelopes have even encroached over the SRW for the forcemain. Some photos on the next page. I stand to be corrected, but only by facts.
15. In summary, it would be appropriate if your Local Government Report (to the ALC staff) could consider these concerns and just simply recommend a "denial" of this ALC Amendment Application in its current form, due to the various substantial inconsistencies and misleading statements, as have already been pointed out above. The preservation of "farm land for food production" ought to override the Applicants's obvious "last ditch effort" (as I see it) to become greatly enriched by this strange land development proposal on lands that were (as I understand) purchased for a pittance.

Yours very truly,

Esq

On next pages: Four photos (taken on 2019-07-17, around 3 p.m.). It is trusted that a future (similar) land development project at Enotecca Winery and Resorts Inc. will not become a "repeat performance" of what is show on the photos. Denying the current ALC Adjustment Application would be a good "step 1". A copy of the Notice in the Osoyoos Times of 2019-07-04 is also shown, indicating the "misleading" text.



← Back yard lawn, a substantial embankment fill & firepit, all within the 15 metres wide SPEA setback on Lot 6, Reflection Point Phase 1. Some significant (tagged) trees have been removed, clearly violating the RDOS' Waterfront Development Permit.

(Lot 7, still vacant, and Lot 8, with brown house at right, in the foreground.)

The Statutory Right-of-Way for the existing Town of Osoyoos' Northwest Sanitary Sewer Forcemain is compromised. The force main most likely runs below the back yard "in-ground" swimming pool.



Left photo: A "house under construction", most of its area within the 15 metres wide SPEA setback on Lot 2, Reflection Point Phase 1. What will happen to the significant trees that need to be protected in terms of the RDOS' Waterfront Development Permit? Right photo: The framing is actually shaded by branches of one of the significant trees. The existing Statutory Right-of-Way for the Town of Osoyoos' Northwest Sanitary Sewer Forcemain is compromised; the sewer most likely runs below the foundation of this house.



← New lawn on backfill in back yard, virtually to the edge of Osoyoos Lake, within the 15 metres wide SPEA setback on Lot 4, Reflection Point Phase 1. Some significant (tagged) trees have been removed; these were to be protected according to the RDOS' Waterfront Development Permit.

(Lot 3, still vacant, in the foreground, also on left photo of Lot 2 above.)

The existing Statutory Right-of-Way for the Town of Osoyoos' Northwest Sanitary Sewer Forcemain is compromised, as it most likely runs underneath the foundation (back porch) of this house.

NOTICE OF EXCLUSION APPLICATION Regarding Land in the Agricultural Land Reserve

McElhanney Ltd., of 290 Nanaimo Avenue, Penticton B.C., V2A 1N5, agent for the property owner, intend on making an application pursuant to Section 30(1) of the Agricultural Land Commission Act to exclude from the Agricultural Land Reserve approximately 690 m² of the following property which is legally described as, THAT PART LOT 459 ON PLAN B5895 DISTRICT LOT 24505 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 1949 EXCEPT PLAN H126, and is located at 8111, 148th Avenue, Osoyoos, B.C.

Any person wishing to express an interest in the application may do so by forwarding their comments in writing to the Regional District of Okanagan Similkameen, 101 Martin Street, Penticton, BC, V2A 5J9, by July 18th, 2019.

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Town of Osoyoos Boundary Expansion Referral

Administrative Recommendation:

THAT the Regional District advise the Town of Osoyoos that they have no objection to the annexation of 5017, 5037 and 5221 45th St. into the Town of Osoyoos.,

Purpose:

The Town of Osoyoos has received a municipal boundary extension request involving the properties at 5017, 5037, & 5221 45th Street.

The Town has stated that it "...is in support of this request as it will annex properties which are contiguous to our existing boundaries. We have determined that it is in the best interest of the community and the neighbouring property owners to include these properties within the Town boundaries."

Attachments:

1. Location Map
2. Draft Response

Site Context:

The subject properties are situated on the northeast side of Lakeshore Drive along Osoyoos Lake, and are adjacent to Town of Osoyoos's municipal boundary and represent a land area of approximately 19.0 ha (4,075 m², 12.9ha and 5.67 ha). The properties are understood to be primarily used for agriculture, along with some ancillary structures and residences.

The surrounding pattern of development is characterised primarily as agriculture, along with an adjacent RV resort to the south-east, and some adjacent low density residential development to the north-west.

Background:

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, a stated objective includes "protect the agricultural land base" (1-D) with a supporting policy being "support urban growth boundaries that are consistent with the Agricultural Land Reserve boundaries" (1D-7).

Under Electoral Area "A" Official Community Plan (OCP) No. 2450, 2008, all of the subject properties are currently designated as Agriculture (AG), and are within the OCP's "Agricultural Protection Area".

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, all of the properties are zoned as Agriculture One (AG1), which generally limits use to agricultural and related operations.

All three properties are also within the Agricultural Land Reserve (ALR) with the properties at 5017 & 5221 45th Street currently assessed as “residential” (01) and the property at 5037 45th Street assessed as “residential” (01) and “farm” (09) by BC Assessment.

Under the Town of Osoyoos OCP Bylaw No. 1230, 2007, all of the subject properties are located outside of the Town’s Urban Growth Boundary.

Analysis:

As the subject lands are directly adjacent to, and surrounded on three sides by the Town of Osoyoos’s municipal boundary, the proposed boundary adjustment seems logical if it is the Town’s intention to provide infrastructure services to the properties.

The proposal should also be viewed through the lens of the Regional Growth Strategy, and its objective to “protect the agricultural land base” with a subsequent policy to “support urban growth boundaries that are consistent with the Agricultural Land Reserve boundaries.” Administration notes that all three properties are within the Agricultural Land Reserve (ALR), and therefore would be subject to this objective and policy.

In terms of impacts for the RDOS, it is estimated that the total reduction of tax requisitions from this boundary adjustment would be \$11,179.40 per year.

Public Works does not have any infrastructure services in the area of the property and there are no Community Services issues identified.

In summary, Administration supports the proposed boundary adjustment and recommends that the Board send to the Town a letter of support (as attached), that includes a recommendation to continue to exclude the subject lands from the Town’s urban growth boundary.

Alternatives:

1. THAT the Board of Directors resolves to sign and send the Town of Osoyoos a letter of response, as per Attachment No. 2 of this report, with the following amendments:
 - i) *TBD*
2. THAT the Board of Directors resolves to not send the Town of Osoyoos a letter of response.

Respectfully submitted

Cory Labrecque

C. Labrecque, Planner II

Endorsed by:

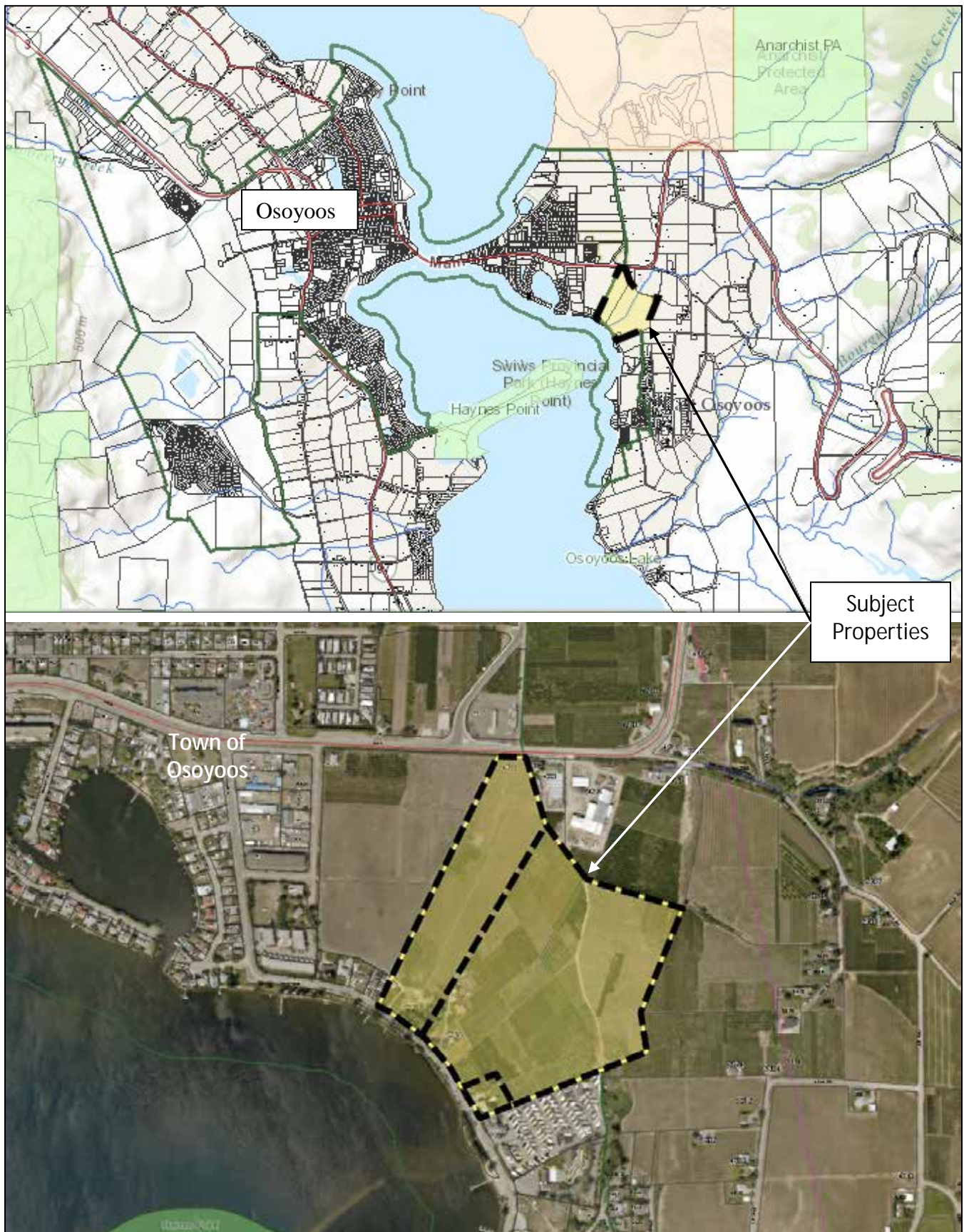


C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

No. 2 – Draft Letter of Response

Attachment No. 1 – Context Maps





September 19, 2019

Gina MacKay
Director of Planning and Development Services
Town of Osoyoos
8707 Main Street
Osoyoos, BC V0H 1V0

Dear Ms. MacKay

**Re: Proposed Town of Osoyoos boundary extension
5017, 5037, & 5221 45th Street from Electoral Area "A" into the Town of Osoyoos**

Please note that the RDOS Board has reviewed a recent referral from the Town of Osoyoos, which outlines the Town's intent to annex the above mentioned properties into its municipal boundaries from Electoral Area "A".

Given the information provided, it is the RDOS's understanding that the property owners are seeking this boundary adjustment in order to provide the lands with town services. It is also our understanding that the Town is in support of this request as it will involve annexing properties which are contiguous to its existing boundaries, and that the Town has determined that it is in the best interest of the community and the neighbouring property owners to include these properties within its boundaries.

The RDOS has noted that the subject properties are within the Agricultural Land Reserve (ALR). As such, the South Okanagan Regional Growth Strategy (RGS) does contain an objective and policy that are relevant to this particular boundary extension proposal, namely:

RGS Objective 1-D: Protect the agricultural land base.

1D-7 Support urban growth boundaries that are consistent with the Agricultural Land Reserve boundaries.

Given this information, the Regional District has no objection to this proposed boundary adjustment. At the same time, the Board recommends that the Town of Osoyoos consider excluding the subject properties from the Town's urban growth boundary, in order to align with the South Okanagan Regional Growth Strategy Bylaw objective to protect the region's agricultural land base.

Sincerely,

Karla Kozakevich
RDOS Board Chair



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Award Of The Contract Services Agreement For Landfill Commercial Cardboard & Glass Recycling Services

Administrative Recommendation:

THAT the Board of Directors award the contract for the provision of Landfill Commercial Cardboard & Glass Recycling Services to Waste Connections of Canada for an annual base cost of up to \$72,036 plus GST.

Purpose:

To authorize the award of a four year Services Agreement to collect, transport and recycle commercial cardboard and glass materials at Regional District administered Landfills.

Reference:

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

Background:

The Regional District of Okanagan-Similkameen currently provides commercial recycling service for cardboard and glass materials at the Keremeos, Oliver and Campbell Mountain transfer station and landfill sites. These materials are not currently accepted under the RecycleBC Recycling Program because of their commercial origin.

Analysis:

A Request for Proposals (RFP) was issued for aforementioned service, from which two proposal were received. One Proponent was disqualified as pricing was not provided for all components of the Service as required by the RFP. The costs within the Waste Connections proposal are comparable with our current costs, and are significantly lower than our budget of \$161,740 per annum.

Waste Connections has previously provided the aforementioned service and has performed well.

Alternatives:

That the Board of Directors reject the award of the Landfill Commercial Cardboard and Glass Recycling Services to Waste Connections and direct Staff to issue another Request for Proposals.

Respectfully submitted:

Andrew Reeder

A. Reeder, Manager of Operations

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Apex Waste Transfer Station Waste Management Award

Administrative Recommendation:

THAT the Regional District award the contract to haul garbage and recycling from the Apex Mountain Waste Transfer Station to EZ Bins (2018) Ltd for \$750 and \$850 per haul for garbage and recycling respectively, estimated to be \$16,900 per Annum.

Purpose:

To approve the award of hauling services for the Apex Mountain Waste Transfer Station.

Business Plan Objective:

Development and commissioning of Apex Waste Transfer Station.

Background:

The RDOS conducted an Expression of Interest regarding hauling of waste and recycling from Apex Mountain Resort. All three of the commercial haulers that responded to the EOI indicated concerns related to the steep and windy access road in the winter time. From these discussions the RDOS mandated a reduced size of garbage transfer bin from 40 cubic yards to 30 cubic yards for the project. This was done to increase driver and equipment safety by decreasing weight per load.

A Request for Proposal for waste hauling services, supply of transfer bins and compactors was completed in mid August.

Analysis:

EZ Bins was the only company willing to provide hauling service from the Apex Mountain Waste Transfer Station.

EZ Bins did not provide pricing for the supply of transfer bins or compactors. The RDOS has conducted a separate Request for Quotations for both supply of compactors and transfer bins and will award these components separately.

The pricing submitted by EZ Bins includes:

- the cost to transfer a garbage container to the Campbell Mountain Landfill,

- the cost to transfer a recycling container to the Kelowna area for recycling,
- the potential cost if a missed collection occurs due to a vehicle blocking access to the waste transfer station

The estimated \$16,900 per annum cost will be included within the 2020 budget for the Apex Mountain Waste Transfer Service. The contract will be subject to annual transportation CPI increases.

Respectfully submitted:

Cameron Baughen

C. Baughen, Solid Waste Management Coordinator

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Award of Compaction Equipment and Bins for Apex Mountain Waste Transfer Station

Administrative Recommendation:

THAT the Regional District award the purchase and installation of two stationary compaction units and four contained roll off bins to Reaction Distributing Inc. for up to \$102,000 excluding applicable taxes.

Purpose:

To purchase a compactor and roll off container system for refuse and recycling at the Apex Mountain Waste Transfer Station.

Background:

The compaction of refuse and recycling(card board) is necessary to reduce operational costs at the transfer station. Two of each bins for each type of material is required to allow for the continuous operation of the transfer station and efficient collection and transfer of materials.

The Regional District conducted a Request for Quotations for compaction equipment and supply of transfer bins. Two submissions were received. One other submission was received for a comparable price of \$141,044. RDOS Staff did not consider there to be major differences in the equipment in either quote and therefore recommend the significantly lower price from Reaction Distributing Inc.

Analysis:

The compaction units include a 2 year warranty for parts and labour. Reaction Distributing quoted for an annual inspection of the compaction equipment that will be considered seperately. The Regional District will develop a maintenance contract to upkeep and fix the equipment.

Reaction Distributing also included lease and rental pricing for all of the units. Staff analysis was that this would add over 10% to the final cost of the units and instead recommend purchase and local maintenance and servicing as required.

This purchase falls within the existing budget and funds from Borrowing Bylaw 2861, 2019 for the Apex Mountain Waste Transfer Station. The costs will be amortized and recovered through taxation

through the Apex Mountain Waste Transfer service area along with the overall costs to construct the transfer station.

Respectfully submitted:

Cameron Baughen

C. Baughen, Solid Waste Management Coordinator

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Provincial Licence of Occupation Renewal – Okanagan Falls Trestle

Administrative Recommendation:

THAT the Board of Directors endorse an application to the Province of British Columbia for a Licence of Occupation renewal over a Crown Trestle in Okanagan Falls for a period of ten (10) years.

Purpose:

To renew tenure over the Crown Trestle (Plan A775, DL 397s together with those parts of DL 195s and Plan A753, DL 2193) that serves as a part of the Kettle Valley Rail Trail for a duration of ten years.

Reference:

Parcel Map

Business Plan Objective:

Goal 3.1 To Develop a Socially Sustainable Region

Objective 3.1.4: By providing public recreational opportunities

Background:

The RDOS currently holds a 3 meter wide Licence of Occupation of the former KVR from Kaleden to Okanagan Falls for operation of a regional trail that includes the trestle in Okanagan Falls. Until May 21st of this year the RDOS held a second licence for only the trestle but in the entire width of the parcel. Administration did not renew the second licence for the trestle this year as it was deemed redundant.

Analysis:

The 3 meter wide Licence of Occupation that is currently in place, does not permit the RDOS to maintain and add improvements beyond the railing. At the July 4th, 2019 meeting the RDOS Board resolved to permit access through the bridge railing via a gate and replace the platform and ladders that facilitated jumping in to Skaha Lake. In order to complete the tasks as directed by the Board the second Licence of Occupation will need to be renewed.

The Crown has offered the RDOS a renewed Licence of Occupation that has a ten-year term which would expire in May of 2029. The trestle along with its associated parcels contain a cumulative land area of approximately 1.875 hectares.

Obtaining a renewed License of Occupation from the province would allow the RDOS to complete the improvements and maintain the jumping platform and ladder at the trestle.

Alternatives:






That the Board does not endorse the renewal application to the Province of British Columbia for a License of Occupation at this time.

Respectfully submitted:

Justin Shuttlesworth

J. Shuttlesworth, Parks & Facilities Manager

Legend

-  Parcels
-  Electoral Area Boundaries
-  Major Highways
-  Indian Reserve
-  Parks
-  Streams
-  Small Lake Labels
-  Major Lakes
-  Small Lakes



1:4,514



229.3 0 114.66 229.3 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Regional District Okanagan-Similkameen

This is a consolidated map compiled from representational data to be used for convenience only and has no legal sanction. The Regional District of Okanagan-Similkameen makes no warranty to the correctness or accuracy of the information on this map.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Bylaw 2870: Pioneer Park

Administrative Recommendation:

That, Bylaw No.2870, 2019, Electoral Area "I" Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$115,000 towards the completion of the Pioneer Park project be read a first, second and third time and be adopted.

Purpose:

The funding will be used for ongoing upgrade work at Pioneer Park in Kaleden.

Reference:

Bylaw 2865 Area I Community Works Gas Tax Reserve Establishment
Bylaw 2870 Area I Community Works Gas Tax Expenditure Bylaw

Business Plan Objective:

- Key Success Driver: Build a sustainable region
- Goal 3.1: To develop a socially sustainable region
- Objective 3.1.7: By providing public recreational opportunities
- Activity: Pioneer Park Upgrades

Background:

The RDOS continues work to maintain and improve park facilities and to achieve the outcomes of the 2018 Strategic Plan.

Upgrades for Kaleden's Pioneer Park include the following four phases:

1. Construction of about 100 metres of KVR trail (now complete).
2. Replacement of the existing public boat launch.
3. Construction of parking areas and associated stormwater drainage system (now complete).
4. Regrading, curbing and paving of Sixth Street.

Analysis:

After deducting the expenditures already committed in 2019, the balance in the Area I Community Facilities Reserve Fund is \$115,847.07.

Alternatives:

Status Quo: Not to approve the budget ammendment.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2870, 2019

A bylaw to authorize the expenditure of monies from the Electoral Area 'I' Community Works Program Reserve Fund to provide \$115,000 towards the Pioneer Park Project.

WHEREAS Section 377 of the Local Government Act, and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;

AND WHEREAS the 'Electoral Area 'I' Community Works Program Reserve Funds' have sufficient monies available for community capital projects;

NOW THEREFORE, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

1 Citation

1.1 This Bylaw shall be cited as the "Electoral Area 'I' Community Works Program Reserve Fund Expenditure Bylaw No. 2870, 2019"

2. The expenditure of up to \$115,000 from the Electoral Area 'I' Community Works Program Reserve Funds are hereby authorized towards the Oliver Small Wheels Playground Project

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

ADOPTED this ____ day of ____, 2019

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Naramata Water System Development Cost Charge Amendment Bylaw
1804.08, 2019

Administrative Recommendation:

THAT Bylaw 1804.08, 2019 Naramata Water System Development Cost Charge Amendment Bylaw, be read a first, second and third time.

Reference:

Administrative Report from December 15, 2016 Board Meeting for first, second and third reading of Bylaw 1804.07 which proposed to have the subject lands entered into the Naramata Water System Service Area, and Administrative Report from May 18, 2017 adopting Bylaw 1804.07, 2016.

Background:

Bylaw 1804.07, 2016 was inadvertently adopted prior to Ministry approval, therefore is not legally enforceable.

Analysis:

Staff have prepared a new Bylaw 1804.08, 2019 Naramata Water System Development Cost Charge Amendment and upon third reading of the bylaw, will be forwarded to the Ministry for approval, prior to adoption. Bylaw No. 1804.08 repeals Bylaw No. 1804.07.

Financial Implication:

There are no financial implications in relation to the adoption of the new bylaw.

Communication Strategy:

The bylaw has been reviewed by the Corporate Officer.

Alternatives:

That the Board NOT adopt the bylaw.

Respectfully submitted:

"Christy Malden"

Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1804.08, 2019

A bylaw to amend the Naramata Water System Development Cost Charge Bylaw.

WHEREAS the owners of the properties described in this bylaw have petitioned the Board of the Regional District to extend the boundaries of the Naramata Water Service Area to include the properties;

AND WHEREAS the Regional District has, pursuant to that request, extended the boundaries of the Naramata Water Service Area to include the properties;

AND WHEREAS the owners have expressly agreed that, in order for the Regional District of Okanagan Similkameen to provide water to the properties, the Regional District must impose development cost charges;

AND WHEREAS the owners have agreed to pay development cost charges;

NOW THEREFORE, the Board of the Regional District of Okanagan Similkameen, in open meeting assembled, ENACTS AS FOLLOWS:

TITLE

1. This bylaw may be cited as the "Naramata Water System Development Cost Charge Bylaw Amendment Bylaw No. 1804.08, 2019."

AMENDMENTS

2. The Naramata Water System Development Cost Charge Bylaw No. 1804, 1997, is amended by including the properties legally described as:
 - (a) Parcel Identifier No. 007-717-750
Lot 1, Plan 38207, District Lot 207,
Land District Similkameen Div of Yale,
Except Plan KAP72459 KAP84271
 - (b) Parcel Identifier No. 002-906-210
Lot C, Plan 35028, District Lot 206,
Land District Similkameen Div of Yale

The Naramata Water System Development Cost Charge Bylaw No. 1804, 1997, is further amended by altering Schedule "B" to that bylaw to include within the area shown as "Zone A" on Schedule "B" to that bylaw that portion of the lands legally described as

- (a) PID: 007-717-750, Lot 1, Plan 38207, District Lot 207, Land District Similkameen Div. of Yale, Except Plan KAP72459 KAP84271; and
- (b) PID: 002-906-210, Lot C, Plan 35028, District Lot 206, Land District Similkameen Div. of Yale,

outlined in heavy black on the plan entitled "Sketch Plan to Accompany Applications for Inclusion into the Naramata Water Service:", a reduced copy of which is attached as Schedule "A" to this bylaw.

REPEAL

- 3. Bylaw No. 1804.07, 2016 Naramata Water System Development Cost Charge Bylaw Amendment Bylaw is repealed.

READ A FIRST, SECOND AND THIRD TIME this day of , 20__.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this day of , 20__.

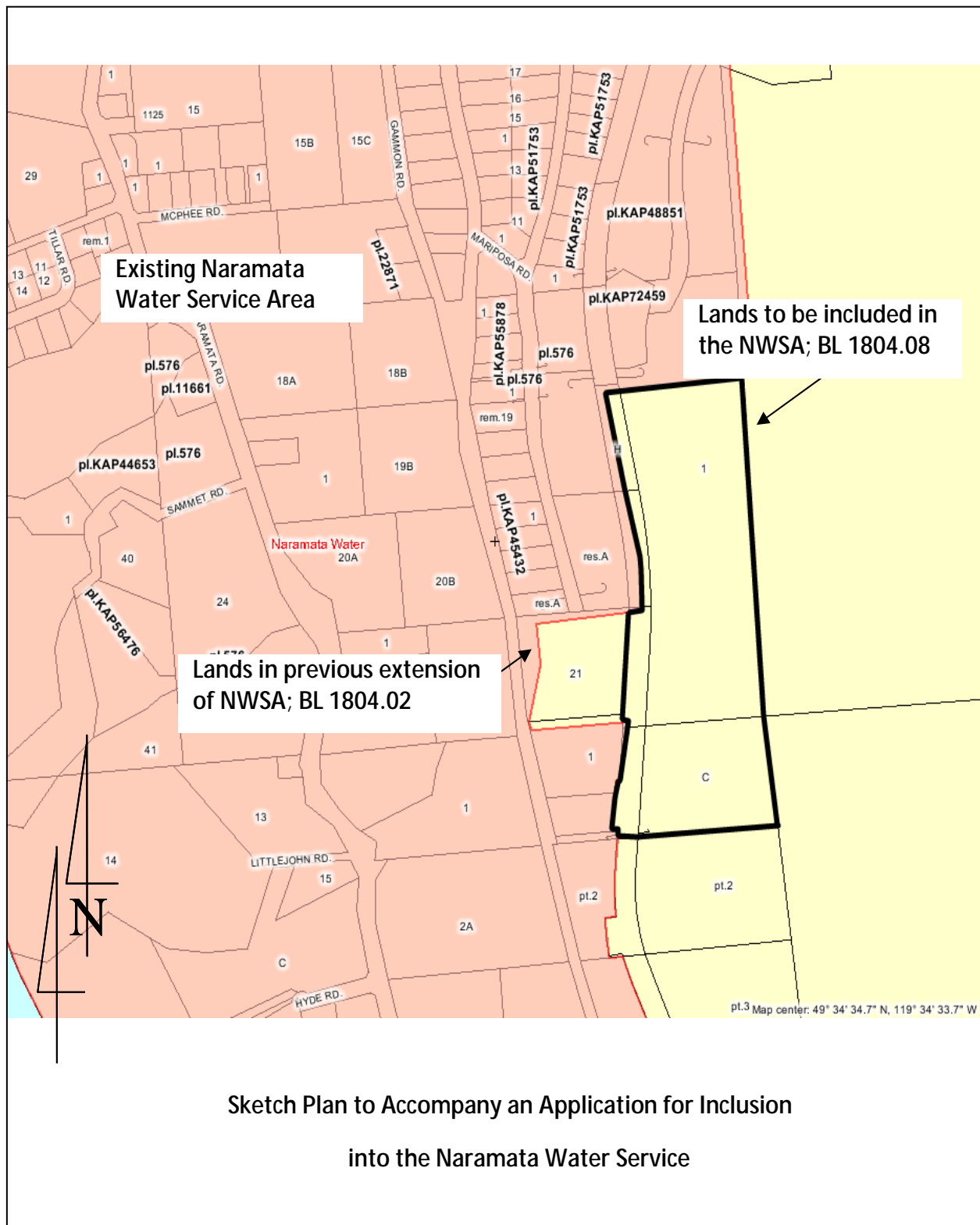
ADOPTED this day of , 20__.

Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this day of , 20__.

Schedule 'A'



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: Request for Support / TNRD

Administrative Recommendation:

THAT the Regional District support the Thompson Nicola Regional District request to the Minister of Environment to include Industrial, Commercial, and Institutional (ICI) Recycling in the Recycling Regulation

Reference:

Draft Letter from the Thompson-Nicola Regional District

July 31, 2019

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Heyman,

Subject: Request to include Industrial, Commercial, and Institutional (ICI) Recycling in the Recycling Regulation

Throughout North America, BC is recognized as a leader in Extender Producer Responsibility (EPR) programs. In particular, the addition of Packaging and Printed Paper (PPP) to the Recycling Regulation in 2014 has resulted in better access to recycling services province wide. Many small rural communities now have access to recycling, which was not economically viable prior to this change. We believe EPR programs set the framework for stable, long term end markets for recyclable material to be created here in British Columbia.

We are writing to request that the Recycling Regulation be amended to include PPP from the Industrial, Commercial, Institutional (ICI) sector. Presently there is a gap in service to many members of our communities. The ICI sector, including small businesses, schools, hospitals, municipal offices, care homes, and tourism resorts are often left with no viable option for recycling. Because PPP from the ICI sector is not included in the provincial EPR program, many of our regions have seen an increase in recyclable material ending up in landfills.

Furthermore, in many cases fees are paid into the Recycle BC program for products that are not accepted in the Recycle BC system, simply because of where the material is discarded. For example, a paper cup from a coffee shop can be recycled by a resident (either at depot or curbside), but the same paper cup can't be recycled at a school, public library, or senior's home. In our experience, trying to distinguish between ICI and residential PPP is challenging, frustrating, and arbitrary.

We recognize this challenge is heightened by the drastic changes in the global commodity market for recyclables. We also recognize that we are moving into a new reality where countries need to develop more capacity to process recyclable material locally, instead of shipping to overseas markets. As the current Recycle BC system controls a large portion of PPP in the province, there is little opportunity or incentive for competing commercial recycling companies to expand. In some cases, commercial recycling companies have reduced service because there is less material on the open market. We feel that regulating ICI recycling will give industry more confidence to invest in technology to process materials within the province.

At present, most Regional District's are in a dilemma. Do we step in to provide recycling services to the ICI sector at a significant cost to the tax payers, or do we allow recyclable materials to end up in our landfills? Each of the undersigned RD's have unique characteristics and are responding to this challenge in different ways. However, we are united in our view that adding ICI PPP to the Recycling Regulation will accomplish the following:

§ Improve the level of service to businesses and institutions in our communities;

- § Create framework for processing recycling materials in BC;
- § Remove the burden of handling ICI recycling from taxpayers; and
- § Reduce recyclables going to landfill.

We, the undersigned, urge you to give serious consideration to adding ICI generated PPP into the Recycling Regulation, enabling appropriate collection and processing of these materials. We see this as a natural and crucial next step for EPR programs, showing that BC will continue to be a leader in waste reduction policy.

Thank you for your time and attention on this matter. We look forward to hearing from you.

Sincerely,

THOMPSON-NICOLA REGIONAL DISTRICT

Chair

****Add more signatures as needed**

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE:

Administrative Recommendation:

THAT the Regional District issue a letter of support for the District of Summerland/ School District #67 engagement process for the development of a Summerland Community Health and Wellness Center.

Purpose:

To support the District of Summerland's request to the Ministers of Education, Health, Municipal Affairs and State for Child Care at the 2019 UBCM Conference.

Reference:

District of Summerland Council Report

Background:

Please see attached Report



THE CORPORATION OF THE DISTRICT OF SUMMERLAND REQUEST FOR DECISION

DATE: September 9, 2019 FILE: Master District
TO: Mayor & Council
FROM: Anthony Haddad, Chief Administrative Officer
SUBJECT: Union of British Columbia Municipalities – District of Summerland Requests

STAFF RECOMMENDATION:

That Council receive this report for information;

AND Council pass the following resolution:

THAT the District of Summerland sign a joint letter of support with School District 67; Penticton Indian Band; Regional District of Okanagan Similkameen, South Okanagan Similkameen Division of Family Practice and other potential partners to commence a community engagement process for a joint use facility for a Summerland Community Health and Wellness Center.

PURPOSE:

This report provides the community an update on Council's UBCM meeting requests for the 2019 UBCM Convention. Staff have sent in the meeting requests to UBCM and are waiting to hear confirmation of the meetings.

Required as part of this Council report is a request for a resolution from Council regarding the proposed meetings with the Ministries of Education, Health, Municipal Affairs and State for Child Care. Staff are requesting that Council pass a resolution to authorize the signing of a joint letter of support with School District 67, the Penticton Indian Band; Regional District of Okanagan Similkameen and other potential partners, that will commence a process for discussions around a joint use facility for a Summerland Community Health and Wellness Center.

BACKGROUND and DISCUSSION:

The 2019 Union of British Columbian Municipalities (UBCM) Convention will be held from September 23 to 27 this year. It is critical for Council to attend the convention to support a range of community initiatives with senior levels of Government. The UBCM Meeting requests submitted are as follows:

Ministry of Forests Lands and Natural Resource Operations

- Topic #1: Thank You

Background:

Thank you for your work to date on Eneas Creek and the improved communications between the District and provincial staff. Also thank you for the Rural Dividend Grant which will help us strengthen three key issues in the Agricultural Sector: The business case for an Agr./Food Innovation Centre; Creating an Asset Map and Exploring new tourism related opportunities.

Request:

No request

- Topic #2: Possible Partnership Eneas Creek Restoration (Coordinating private property restoration)

Background:

Many Summerland property owners along Eneas Creek experiences considerable flood damage in 2017. The District would like to explore contracting a registered professional (approved by FLNRO) that gives the contract or the authority to manage a District-wide Section 11 permit authority to work with individual property owners wanting to develop mitigation plans for their own properties. (Then, instead of each individual going to Front Counter BC with permits and then requiring other applications to meet various conditions as private property owner would come to one central person based in the community). Our role, through the consultant, would be to work one-on-one with property owners. This concept would not include funding of private works.

Request:

To see if there is any interest to move forward with a pilot partnership to help private landowners move forward with work on their properties or to see if FLNRORD has any experience dealing with similar issues in other municipalities.

Ministry of Transportation and Infrastructure

- Topic #1: Highway Safety Cycling

Background:

The Southern and Central Okanagan continues to develop as a Cycling Mecca and while communities are developing internal cycling routes there is a growing need to ensure inter municipal travel is also safe. In the past a group of Okanagan residents as part of the Okanagan Trails of the Okanagan Trails Society requested a separate bike path along Highway 97 and Lake Okanagan between Summerland and Penticton. Although the ultimate solution proved too costly to undertake the District would like the Ministry to consider how to make the route “safer” than it is today.

Request:

To request the Ministry explore ways of improving safety for cycling in the Summerland – Penticton Corridor.

- Topic #2: Highway Safety – Intersections – Bentley Road/Hwy 97 & Summerland Research and Development Centre

Background:

The District of Summerland covers a large geographic area of over 73 sq. kilometers with a provincial highway bisecting it. The District appreciates the rationalization of speed limits that occurred in the past to avoid the confusion of multiple speed zones. Unfortunately, the higher speeds which currently exist (70km/h) seem to be of concern to local residents in two particular places, the Bentley road/Hwy 97 and the Summerland Research and Development Centre intersections.

Request:

That the Ministry examine those particular intersections to see if there are ways to improve safety.

- Topic #3: Giants Head Road Upgrade/Water System Domestic Twinning (Placeholder)

Background:

In the past the District of Summerland was successful in the Garnet Valley area of upgrading the road way and domestic water systems concurrently by combining Provincial/Federal grants with Local contributions, saving money on both needed projects. The road is not scheduled for upgrading until 2021 and the District will be looking for grant funding for both projects.

Request:

That at the appropriate time the Ministry give favourable consideration to the District's grant application as the project will allow cost saving if undertaken simultaneously.

Ministry of Environment and Climate Change Strategy

- Topic #1: Climate change adaptation

Background:

Local governments hold the bulk of responsibility for addressing climate change issues but have limited resources and capacity to do so. Climate change adaptation projects continue to be an area with limited guidance and funding, as well as systemic problems such as Emergency Repair funds only being available for replacing like-for-like assets (rather than allowing communities to make infrastructure more resilient to disasters). We do, however, appreciate the support for initiatives like switching over to LED lighting, retrofitting municipal buildings, planting trees or installing electric vehicle charging stations and encourage your continued support.

Request:

Continue funding and resources, and remove barriers, for climate change adaptation initiatives.

- Topic #2: Good, defensible, locally-relevant data at the community level.

Background:

On Road Transportation data has not been released to communities since 2012, and other Community Energy and Emissions Inventory (CEEI) data is released infrequently and with changing methodology. Releasing the Community Energy and Emissions Inventory (CEEI) data in a consistent manner annually, or at least every 2 years, would greatly assist communities in measuring their success in reducing GHGs.

Request:

Release the Community Energy and Emissions Inventory (CEEI) data in a consistent manner annually, or at least every 2 years.

- Topic #3: Multiple Recycling Drop Off locations in smaller communities.

Background:

The paper and packaging recycling program is an important tool in avoiding waste-to-landfill, but needs improvement particularly in geographically dispersed communities with low population densities like Summerland. Our community also has many seniors who cannot drive to a depot but are very interested in recycling. Several people this year (after Earth Week and after a June 22nd event) have commented on how much they love the recycling days we host in our parking lot.

Request:

Allow small communities to have multiple depot drop off locations; create a curbside solution for glass, styrofoam, and soft plastics.

Ministries of: Education / Health / Municipal Affairs / State for Child Care

- Proposal for a Summerland Community Health and Wellness Center (on SD#67 land) by 2024

Background:

12,000 residents in Summerland and Penticton are without a family doctor; this number is expected to reach 22,000 within 3-5 years. Family physicians and nurse practitioners are attracted to environments where they can work as a team with nurses, allied health professionals and other service providers. Since January, the District has been working with a range of professionals from the health care industry, including the South Okanagan Similkameen Division of Family Practice, to identify opportunities to partner on community health infrastructure. All parties agree that a collaborative approach is the best way to fulfill many needs in the community, especially considering the needs around additional gymnasium space at the Summerland Secondary School and the upgrades required to the Summerland swimming pool and fitness facility. The opportunity to make efficient use of land resources in the community and respond to urgent health care needs such as childcare and health related space, would provide a long-lasting impact for our community.

Request:

Support in principle from the Ministries of Education / Health / Municipal Affairs / State for Child

Care for this collaborative proposal for a Summerland Community Health and Wellness Centre that fulfills several needs in our community.

FINANCIAL IMPLICATIONS:

There are no financial considerations resulting from the UBCM meetings at this stage. The meeting requests will seek to obtaining advice and eventual funding from provincial Ministries on the matters identifies in this report.

CONCLUSION:

As noted above, in addition to the knowledge building, learning and relationship building opportunity, the 2019 UBCM Convention will be an opportunity for Council to speak with a range of Provincial Ministries on matters related to moving the District of Summerland forward as a community and respond to issues identified by residents and businesses. With regards to the approach to meeting with a variety of Ministries around the potential for the Summerland Community Health and Wellness Center, a joint approach will show a united front to support enhancing health and wellness infrastructure in our community. A robust community engagement process will need to be undertaken before such a project forward to consider and determine community needs and financial considerations. Should support be received from the Provincial Ministries and partners, staff will work with Council and the community and all impacted stakeholders to develop and planning and design process throughout 2019 and beyond.

OPTIONS:

1. Move the motion as recommended by staff.
2. Refer to staff for other options.

Respectfully submitted,
Approved for agenda,



Anthony Haddad
Chief Administrative Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: CleanBC Plastics Action Plan

Administrative Recommendation:

THAT the Regional District co-sign the collaborative local government response to the Province of British Columbia consultation on the CleanBC Plastics Action Plan.

Reference:

Squamish/Tofino Position Paper
Draft cover letter

Background:

The Ministry of Environment & Climate Change (the Ministry) has issued a call for submissions regarding proposed amendments to the *Recycling Regulation* of the *Environmental Management Act* to address plastic waste.

In reviewing the "Plastics Action Plan Policy Consultation Paper" (Consultation Paper), the District's of Squamish and Tofino have identified five topic areas as matters requiring specific feedback from the local government sector. They have developed a position paper around the five issues and have proposed a collective response, which they are requesting other local governments consider signing onto.

Alternatives:

1. Agree to sign the joint response
2. Pass



Dear Mayors, Councillors and Regional District Board Members,

September 3, 2019

Re: Joint Local Government Submission regarding Provincial Plastics Action Plan

Municipalities and Regional Districts are often at the forefront of environmental issues that affect our citizens and local environments. As local governments who are taking steps to reduce single-use items in our communities, we write to you asking you to join us in a response to the Ministry of Environment and Climate Change Strategy's call for submissions regarding proposed amendments to the *Recycling Regulation* of the *Environmental Management Act* to address plastic waste. In this way, it is our hope that the voices of local governments will be stronger together.

In reviewing the "[Plastics Action Plan Policy Consultation Paper](#)", the following five topic areas were determined as matters requiring specific feedback from the local government sector, and they form the basis of our joint letter:

1. Prioritization of Reduction and Reuse over Recycling and Disposal
2. Clarification of Local Government Authority
3. A "Stepped" Or Phased Approach to Regulation
4. Improvement of Extended Producer Responsibility (EPR) Programs
5. Adequate Consultation (including with other Ministries)

To be clear, there is no reason why your organization cannot submit its own specific feedback to the proposals laid out in the Consultation Paper in addition to this joint submission. However, if you are in alignment with the five broad themes as outlined above, we encourage you to consider passing the following resolution at your next meeting:

"THAT the [insert jurisdiction] Council/Board supports and wishes to join the submission from the Districts of Squamish and Tofino in response to the Ministry of Environment and Climate Change Strategy's proposed amendments to the *Recycling Regulation* of the *Environmental Management Act*."

In order to jointly submit our feedback by the deadline of 4PM on September 30th, 2019, we ask that your staff please contact Elyse Goatcher-Bergmann, Manager of Corporate Services for the District of Tofino, at egoatcher-bergmann@tofino.ca by **noon on Wednesday, September 25th, 2019** in order to add your local government's name to the letter.

We understand the tight timeline for consideration of this submission, and thank you and your staff for your attention in advance. We look forward to working together on this and other important matters in the future.

Sincerely,

Karen Elliott
Mayor of Squamish

Josie Osborne
Mayor of Tofino



Ministry of Environment and Climate Change Strategy
Recycling Regulation Amendments
PO Box 9341 Stn Prov Govt
Victoria, BC V8W 9M1

Dear Minister Heyman,

September 3, 2019

Joint Local Government Response to Provincial Plastics Action Plan

As local governments who have taken steps to reduce single-use items in our communities, we write together in response to the Ministry of Environment & Climate Change Strategy's (the Ministry) call for submissions regarding proposed amendments to the *Recycling Regulation* of the *Environmental Management Act* to address plastic waste.

In reviewing the "Plastics Action Plan Policy Consultation Paper" (Consultation Paper), the following five topic areas were collectively determined as matters requiring specific feedback from the local government sector. In addition to this letter, local governments may also be submitting individual feedback relevant to their communities. We thank you for your time and consideration, and we look forward to continuing the conversation on these important matters.

1. FOCUS ON REDUCTION AND REUSE

The pollution prevention hierarchy emphasizes reduction and reuse over recycling and disposal. These priorities are also apparent in the Ministry's Consultation Paper, which discusses reducing plastic consumption through the use of Extended Producer Responsibility (EPR) programs and bans on single-use items. However, local governments feel that these programs can only be considered successful if any unintended shift to excessive consumption of damaging single use alternatives is avoided. To avoid this shift, we recommend that EPR policies be accompanied by incentives to encourage the use of sustainable, reusable options.

In addition, the Consultation Paper frames reuse in terms of recyclability, "ensuring recycled plastic is re-used effectively" through standards on recycled content. We agree that this approach can help reduce emissions and support EPR programs, but there is also an opportunity to consider reuse in terms of behaviour. We urge the Ministry to adopt a policy which supports and enables practices of reuse outside of recycling, with the ultimate goal being reduction of single-use items. This includes encouraging refillable containers (e.g. growlers, wine bottles, soap bottles, etc.), allowing patrons to bring their own container (e.g. takeout food, restaurant leftovers, bulk food shopping, etc.), enabling the right to repair (e.g. repair

cafes, requirements for the provision of spare parts and services, online publication of manuals, etc.), and promoting zero waste shopping (e.g. zero waste stores, farmers' markets, etc.). This added focus on reduction and reuse will help move the Plastics Action Plan forward in accordance with pollution prevention best practices.

2. CLARIFY LOCAL GOVERNMENT AUTHORITY

We appreciate that the Ministry has acknowledged the actions being taken by local governments to address the local impacts of single-use items in BC communities. Indeed, more than 23 communities in B.C. have been actively developing bans, fees and levies, to address single-use items. However, as noted in the Consultation Paper, the B.C. Court of Appeal ruling regarding the City of Victoria's business licence regulation bylaw is of major concern to local governments as its implications for municipal authority to adopt bylaws under sections 8 and 9 of the *Community Charter* are potentially significant.

Until the Court of Appeal decision was issued, it has been the view of many municipalities that the nature of concurrent powers expressly described by statute in sections 8 and 9 of the *Community Charter* allowed for the regulation of unsustainable business practices. To be certain, there are numerous examples of municipal business regulations which already include one or more provisions intended to protect the environment, including imposing requirements or prohibitions on the pollution of waterways, drains and sewers.

As the Province reviews the Court of Appeal's decision, we urge the Minister to consult with the Ministry of Municipal Affairs and Housing to provide clarity on the limits and intent of the general concurrent authorities shared by local governments and the Province in relation to the protection of the natural environment, and specifically as it applies to single use items. Moreover, we request that a clear, timely and uniform process be developed for local governments who choose to act on those matters which fall under section 9(1) [*spheres of concurrent authority*] of the *Community Charter*.

3. A "STEPPED" OR PHASED APPROACH

As each local government faces unique challenges with respect to recycling and solid waste management, a one-size-fits-all provincial regulation may not meet the needs or expectations of all communities. To this end, we recommend the Minister regulate single-use plastics through a "stepped" or "phased" approach akin to the *BC Energy Step Code Regulation*. A phased approach would allow local governments to move at a pace appropriate for their communities, while also providing industry with a set of consistent targets for waste reduction and recycling across British Columbia. This flexibility is particularly important for smaller rural communities while also enabling faster action to be taken by those local governments who are ready for more ambitious, multifaceted approaches to regulating waste and single-use items. In this way, communities can adopt these regulations gradually or more quickly depending on their ability and resources. Moreover, a consistent incremental framework that raises standards would ensure that, as the recycling and packaging industries innovate, we are able to avoid the current patchwork of disparate standards in each community.

The *BC Energy Step Code* is an excellent example of collaboration between the Province, local governments, industry, and other stakeholders. We encourage the Ministry to consider a similar approach to the regulation of single-use items to encourage innovation while respecting the capacity of all municipalities.

4. IMPROVING EXTENDED PRODUCER RESPONSIBILITY (EPR)

BC is a leader in implementing EPR programs and moving ahead on its commitments to the Canadian Council of Ministers of Environment Canada-wide Action Plan on EPR. As the Ministry now has experience with these programs, it is important to foster continuous improvement, address problems that have arisen and push for programs to meet their full potential.

EPR programs are designed so that producers pay for their products' end of life management, but also so that products and packaging become better designed. The *Recycling Regulation* and the work of the Ministry have focused on collection for recycling or responsible handling, however few programs are achieving success in redesign, reduction or reuse. There needs to be a focus higher up the hierarchy, which would hold the business sector accountable. This could include exploring ways to redesign products, reduce the amount of packaging, or change the materials used. There are different ways to achieve this, including mandating differential fees based on environmental-impact or waste-creation (rather than fees set by operational costs only), implementing financial penalties for non-compliance, or requiring targets for reduction or redesign.

Another area for expansion within the EPR framework is the inclusion of industrial, commercial and institutional (ICI) materials. The main driver for participation by businesses in diversion is the cost of participation relative to disposal. As changes in global markets drive down the revenue potential of these diverted materials, and with high costs of hauling to recycling markets, the segregation and recycling of materials (e.g. plastic containers, plastic film and expanded polystyrene) are challenging to justify for many businesses. Thus, the segregated collection and diversion of materials from the ICI sector is cost prohibitive to the businesses, and in many cases is substantially subsidized by local governments and taxpayers. Inclusion of ICI materials (with a focus on packaging) into the *Recycling Regulation* would create efficiencies within the transportation network from remote communities and prevent landfilling of recyclables by the ICI sector. In this way, the expansion of regulated products captured by the *Recycling Regulation* is supported, including packaging-like products, mattresses, single-use household pressurized cylinders, and new and used gypsum drywall.

EPR programs also need to be structured to ensure that they are accountable and cover the full costs related to the product disposal. Often, many of the costs associated with the collection of EPR products are not covered by the stewardship programs, which results in fees or taxpayer subsidization of the collection, transportation, and responsible disposal of the materials (e.g. tires). In addition, local governments are subsidizing the collection and management of material that escapes the stewardship collection program (through streetscapes, litter collection, illegal dumping, etc.). On a final note, EPR programs should enhance accountability and transparency. This includes local government and public representation on boards, open access to information given to boards and to their decisions, and the inclusion of financial and material management information for all programs. These changes to EPR programs would greatly enhance their effectiveness in the reduction of plastic waste.

5. ENSURING INTERNAL AND EXTERNAL CONSULTATION

Finally, it is unclear from the Consultation Paper how and when other Ministries and impacted stakeholders will be specifically consulted. When policy tools are evaluated, it is important to consider all impacts and to ensure that viable alternatives are available. To this end, we recommend that the Ministry of Health be specifically consulted regarding potential regulatory changes to allow restaurants to fill take-out orders in reusable containers brought in by customers. This measure is integral to the implementation

of bans on single-use containers and packaging, as the City of Vancouver found that nearly 50% of all garbage collected from public waste bins consists of take-out containers and disposable cups. Compostable and recyclable packaging materials often get mixed up when discarded, contaminating both streams and making them impossible to process.

In the development of exemptions, we support evidence-based policies that have been shown to be effective at reducing waste. Moreover, disability advocates, care facilities, local governments, and other provincial agencies (such as the Ministry of Social Development and Poverty) should be specifically consulted in the development of exemptions as a means to highlight and ensure accessibility.

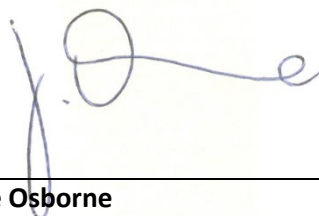
CONCLUSION

We appreciate the opportunity to provide comment and strongly encourage the Ministry to continue to consult with local governments in the upcoming regulatory process. In this letter, we have highlighted the need for a focus on reduction and reuse, clarification of local government authority, and further internal and external consultation. We have also made suggestions for the improvement of EPR programs and a community-led approach akin to the existing *BC Energy Step Code* adoption model. We hope that these concerns are taken into consideration and we look forward to further engagement with the Ministry.

Sincerely,



Karen Elliott
Mayor of Squamish



Josie Osborne
Mayor of Tofino

Additional signatories to be included upon final submission

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 19, 2019

RE: South Okanagan Conservation Fund - Technical Advisory Committee Appointments

Administrative Recommendation:

THAT the Board of Directors re-appoint the following as volunteer members of the South Okanagan Conservation Fund Technical Advisory Committee:

One year term ending December 31 2020

- Adam Ford
- Eva Durance

THAT the Board of Directors appoint the following as a volunteer member of the South Okanagan Conservation Fund Technical Advisory Committee:

Three year term ending December 31, 2022

- Ellen Simmons

Purpose:

To appoint or re-appoint volunteer members to the South Okanagan Conservation Fund Technical Advisory Committee (TAC) to provide expertise in the review and recommendation to the Board of Directors regarding the selection of projects or recipients of the South Okanagan Conservation Funds.

Reference:

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

Background:

In December 2016, the Regional District of Okanagan Similkameen, with public assent, adopted Bylaw No. 2690 to establish an Environmental Conservation Service for the Electoral Areas "A", "C", "D", "E", "F", the City of Penticton, District of Summerland, and the Town of Oliver.

The funds requisitioned are in support of undertaking and administering activities, projects, and works that include, but are not limited to, water, environment, wildlife, land and habitat conservation efforts to protect natural areas within the participating areas of the Regional District of Okanagan-Similkameen.

At the June 1, 2017 Board meeting, the Board of Directors approved a Terms of Reference for a Technical Advisory Committee (TAC), which is attached to this report for reference.

The purpose of the TAC is to:

- (a) Ensure that all proposals to the Fund receive an expert technical review based on a fair assessment of merit and project effectiveness;
- (b) Provide a high level of accountability in the review process; and
- (c) Provide recommendation on technically appropriate proposals to the Board of Directors

TAC members may serve a term of up to three years (renewable upon reappointment), with some members serving one- or two-year terms initially to ensure membership continuity.

Analysis:

In accordance with the Terms of Reference, the TAC will be comprised of five to seven volunteer members with expertise in each theme area of hydrology, ecology, conservation biology, ecosystems (sensitive terrestrial and aquatic ecosystems, management, enhancement and restoration), restoration and enhancement of habitat, fish and wildlife conservation including species at risk.

Two members, Eva Durance and Adam Ford were scheduled to complete their original terms as of September 2019; however, both have expressed an interest in continuing serving on the committee. The applications received are extremely complex in nature and these two committee members have demonstrated in-depth knowledge in many of the areas noted below on the evaluation chart. To that end, administration is recommending that these two individuals be re-appointed for an additional one year period each.

In response to advertisements in local newspapers and via social media, 2 candidates submitted resumes for the remaining vacancy. Candidates for membership were evaluated by Regional District staff Christy Malden and Neil Webb along with Bryn White of the South Okanagan Similkameen Conservation Program. Applicants were considered for recommendation based on the following criteria: expertise and qualifications in management, restoration or enhancement of fish and wildlife habitat, sensitive ecosystems, species at risk, natural resource management and qualifications in Environmental Studies, Science, Ecology, or other applicable qualification. Applicants also needed to demonstrate an understanding of stewardship, outreach, traditional ecological knowledge, acquisitions and non-profit and society sectors.

Of the two candidates, Ms. Simmons ranked extremely high against the criteria and administration is confident that a diverse balance of academic, technical and practical experience will be achieved with this candidate. A brief biography for Ms. Simmons is noted in Appendix 'A' of this document, for the Board's reference.

Next Steps:

The TAC will meet in the fall to commence the evaluation process for the 2020 applications and provide recommendation to the Board of Directors.

Alternatives:

1. THAT the Board of Directors appoint and re-appoint as additional volunteer members of the South Okanagan Conservation Fund Technical Advisory Committee, candidates as contained within this report.
2. THAT the Board of Directors defer appointment and/or reappointment of the Committee members for future considerations.
3. THAT the Board of Directors decline to appoint and/or reappoint additional members to the Technical Advisory Committee.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services