



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, October 17, 2019
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	Noon	Corporate Services Committee
Noon	-	12:30 am	Lunch
12:30 pm	-	1:15 pm	Planning and Development Committee
1:15 pm	-	1:30 pm	Protective Services Committee
			Environment and Infrastructure Committee
1:30 pm	-	2:00 pm	Community Services Committee
2:00 pm	-	4:00 pm	RDOS Board

The Okanagan-Similkameen Regional Hospital Board (OSRHD) meeting of October 17, 2019 has been cancelled. The next scheduled meeting is November 21, 2019.

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

Advance Notice of 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, October 17, 2019

9:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Committee Meeting of October 17, 2019 be adopted.

B. EMPLOYEE RELATIONS

RECOMMENDATION 2

THAT in accordance with Section (90)(1)(c) and (i) of the Community Charter, the Committee close the meeting to the public on the basis of labour relations or other employee relations and the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

C. CORPORATE ACTION PLAN – FOR INFORMATION ONLY

1. Q3 Update

D. MD & A OPERATING RESULTS – FOR INFORMATION ONLY

1. Q3 Update

E. ACTIVITY REPORT – FOR INFORMATION ONLY

1. Q3 Update

F. COMMUNICATIONS REPORT – FOR INFORMATION ONLY

1. Q3 Update

G. ADJOURNMENT



2019 Corporate Action Plan

Q3 Report

2019 Corporate Action Plan

(Adopted 21 March 2019)

Dashboard

#	Objective	Status	Page
1.1.1	By achieving a high standard of financial management and reporting		1
1.1.2	By being an effective local government		1
1.2.1	By implementing the 2019 joint occupational health and safety action plan		1
1.3.1	By implementing an Organizational Development Program		2
2.1.1	By promoting regional district facilities and services		2
2.1.2	By engaging our citizens in the development and improvement of our programs		2
2.2.1	By continuously improving bylaws, policies and process within the organization		3
2.2.2	By implementing the regional transit future plan		3
2.3.1	By working with IHA to attract physicians to the Regional District		3
3.1.1	By reviewing and updating the emergency management program		4
3.1.2	By implementing the Regional Trails Program		4
3.1.3	By implementing the 2019 phase of the parks program		4
3.1.4	By providing public recreational opportunities		5
3.2.1	By developing an Asset Management Plan		5
3.2.2	By Reviewing Long-Range Planning Documents		5
3.3.1	By implementing the 2019 Phase of the Solid Waste Management Plan		6
3.3.2	By enhancing the Okanagan Falls Waste Water Treatment System		6
3.3.3	By enhancing Regional District Water System Delivery		6
4.1.1	By executing the Strategic Planning and Enterprise Risk Management Programs		7
4.2.1	By assisting the Board to operate in an effective manner		7
4.2.2	By improving Regional District/ Municipal Relations		7

Dashboard

Progress Colour Key:

No Issues	GREEN
Minor issue(s)	YELLOW
Significant issue(s)	RED

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

Action Plan Definitions:

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

Status Colour Key:

Q1 – Black
 Q2 – Red
 Q3 - Blue
 Q4 - Green

2019 Corporate Action Plan

Key Success Driver 1.0: High Performing Organization

Goal 1.1 To Be an Effective, Fiscally Responsible Organization

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

#	ACTION	WHO	WHEN	STATUS
1.1.1.1	Receipt of an unqualified independent audit for 2018	MFS	Q2	Complete
1.1.1.2	Adoption of an informed 2019 – 2023 Financial Plan	MFS	Q1	Complete
1.1.1.3	Successfully meeting budget in 95% of established services	SMT	Q4	In Progress
1.1.1.4	Defining enhanced financial controls; including, <ul style="list-style-type: none"> · Audit Policy · Reserves Audit and Plan 	MFS	Q4	Budget committee
1.1.1.5	Define performance indicators in every Dept. and report in MD&A	MFS	Q3	Complete
1.1.1.6	Review the Board Remuneration Bylaw and initiate discussion on CRA Changes	MLS	Q4	Comm. formulating recommendations for Dec 4

Objective 1.1.2 - By being an effective local government

#	ACTION	WHO	WHEN	STATUS
1.1.2.1	Complete phase 2 (Water Facilities) of the Business Continuity Plan	MLS	Q3	Complete Com. In Q4
1.1.2.2	Complete Phase 3 (Other RDOS Facilities) of the business Continuity Plan	MLS	Q4	2020
1.1.2.3	Develop and implement a workspace plan for RDOS facilities	GMCS	Q4	In Progress

Goal 1.2 To Be a Healthy and Safe Organization

Objective 1.2.1 By implementing the 2019 joint occupational health and safety action plan

#	ACTION	WHO	WHEN	STATUS
1.2.1.1	Complete the 2019 phase of the Safe Work Procedures Plan	MHR	Q4	
1.2.1.2	Keep the RDOS injury rate below the average for our WorkSafe BC classification unit	MHR	Q3	Complete

Goal 1.3 To Cultivate a High Performing Organizational Culture				
Objective 1.3.1 By implementing an Organizational Development Program				
#	ACTION	WHO	WHEN	STATUS
1.3.1.1	Develop and support an employee organizational development committee	CAO	Q1	Referred to 2020
1.3.1.2	Create a 2019 organizational development action plan	MHR	Q2	Implemented Org. Structure
1.3.1.3	Conduct a Staff Perception Survey	MHR	Q4	
1.3.1.4	Show improved results on the 2019 Staff Perception Survey over 2018 Survey	MHR	Q4	
1.3.1.5	Establish a mandate and commence negotiations for a revised collective agreement	CAO	Q4	

Key Success Driver 2.0: To Optimize the Customer Experience

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

Objective: 2.1.2 By engaging our citizens in the development and improvement of our programs				
#	ACTION	WHO	WHEN	STATUS
2.1.2.1	Utilization of social media tools to enhance organizational engagement	MLS	Q3	Complete – report at Oct 17
2.1.2.2	Conduct 5 service-related quality assurance surveys	MLS	Q4	

Goal 2.2 To Meet Public Needs Through the Continuous Improvement of Key Services				
Objective 2.2.1 By improving bylaws, policy and process within the organization				
#	ACTION	WHO	WHEN	STATUS
2.2.1.1	Review 8 Services to ensure compliance with requisition limits and geographic boundaries entrenched in Establishment Bylaws	MLS/ MFS	Q4	In Progress Complete
2.2.1.2	Ensure policies are current and reflect the priorities of the 2018 – 2022 Board of Directors	MLS	Q4	
2.2.1.3	Amend the CAO Delegation Bylaw to reflect the direct oversight of Fire Departments by the Board of Directors	CAO	Q2	Complete
2.2.1.4	Purchase Internal Tracking Software for tracking of Building permits as well as other Development Services process applications	GMDS	Q3	Complete
2.2.1.5	Adopt an updated Works and Servicing Bylaw	GMDS	Q3	
2.2.1.6	Adoption of Okanagan Valley Consolidated Zoning Bylaw	GMDS	Q4	
2.2.1.7	Bring 8 Regulatory Bylaws forward to the Board for discussion and updating including, but not limited to: Parks; Untidy/Unsanitary; Fireworks; Burning; Heritage; animal control	MLS	Q3	
2.2.1.8	Investigate a Service Establishment Bylaw to capture parking enforcement in unincorporated communities	GMDS/ MLS	Q3	No enabling legislation
2.2.1.9	Process Loan Authorization bylaws including, but not limited to: Oliver Arena and Willowbrook Fire Truck	MLS	Q4	Grant dependent

Objective 2.2.2 By implementing the 2019 phase of the regional transit future plan				
#	ACTION	WHO	WHEN	STATUS
2.2.2.1	Implement the Penticton – Kelowna Service	GMCS	Q3	Complete
2.2.2.2	Review and revise the West Bench Service	MLS	Q4	Complete

Goal 2.3: To Provide Adequate Access to Health Care				
Objective 2.3.1 By Working with IHA to Attract Physicians to the Regional District				
#	ACTION	WHO	WHEN	STATUS
2.3.1.1	Organize a workshop to gather information on a preferred standard of health care; including IHA, Physicians Assoc.	CAO	Q2	Complete
2.3.1.2	Determine the RDOS role in physician attraction for the 2020 Budget, including service establishment and financial support	CAO	Q4	In Progress

Key Success Driver 3.0: To Build a Sustainable Region

KSD 3: BUILDING A SUSTAINABLE REGION

Goal 3.1 To Develop a Socially Sustainable Region

Objective 3.1.1 By reviewing and updating the emergency management program

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

Objective 3.1.2: By implementing the regional trails program

#	ACTION	WHO	WHEN	STATUS
3.1.2.1	Establish a Regional Trail network connection at Hedley	GMCS	Q2	Cancelled
3.1.2.2	Install trail head signage at 4 locations throughout the Regional District	GMCS	Q3	Q4
3.1.2.3	Develop a regional parks and trails maintenance standards policy	GMCS	Q4	In progress
3.1.2.4	Review the Regional Trails Master Plan with the Board	GMCS	Q3	Q4

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

#	ACTION	WHO	WHEN	STATUS
3.1.3.1	Implement the 2019 phase of the Heritage Hills Park development plan	GMCS	Q4	Complete
3.1.3.2	Implement the 2019 phase of the Pioneer Park redevelopment plan	GMCS	Q2	Complete
3.1.3.3	Construct public boat launches in Okanagan Falls and Kaleden	GMCS	Q4	In progress

3.1.3.4	Prepare a park development plan for the Coalmont Park	GMCS	Q2	Complete
3.1.3.5	Construct a public restroom at Osoyoos lake Park	GMCS	Q3	In Progress
3.1.3.6	Construct the Mariposa Park Sports Court and Selby Park Playground	GMCS	Q2	Selby Complete Mariposa – No Grant
3.1.3.7	Implement the 2019 phase of the Manitou Park development plan	GMCS	Q4	Grant Dependent

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

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

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

Goal 3.3: To Develop an Environmentally Sustainable Region				
Objective: 3.3.1: By implementing the 2019 Phase of the Solid Waste Management Plan				

#	ACTION	WHO	WHEN	STATUS
3.3.1.1	Present a Solid Waste Orientation to the Board	GMPW	Q2	Complete
3.3.1.2	Acquire a regional organics facility site	GMPW	Q4	
3.3.1.3	Work with the City of Penticton to relocate the Penticton Compost Facility at CMLF	GMPW	Q4	In progress
3.3.1.4	Complete the leachate treatment design and construction plan for CMLF Extraction wells Treatment Design	GMPW	Q4 Q3 Q4	In progress
3.3.1.5	Proceed with approved landfill gas management system design	GMPW	Q3	MoE
3.3.1.6	Complete the closure works for the Keremeos landfill Response from MoE	GMPW	Q3 Q4	Testing underway
3.3.1.7	Commence planning for an expanded entrance to the Campbell Mountain Landfill Construction	GMPW	Q3 2020	Conceptual Design
3.3.1.8	Construct the Apex transfer station Completion	GMPW	Q3 Q4	Awarded

Objective 3.3.2 By enhancing the Okanagan Falls Waste Water Treatment System				
#	ACTION	WHO	WHEN	STATUS
3.3.2.1	Complete design and carry out construction on the Wetland Project Construction	GMPW	Q4	In progress 2020
3.3.2.2	Repurpose the Building Canada II sewer project	GMPW	Q3	Complete
3.3.2.3	Complete design of a new solids dewatering works at the WWTP	GMPW	Q2 Q3	In progress Complete

Objective: 3.3.3: By enhancing the Regional District Water System Delivery				
#	ACTION	WHO	WHEN	STATUS
3.3.3.1	Finalize the Cross-Connection Control Bylaw and the financial plan Present to Board	GMPW	Q3 2020	Legal Review
3.3.3.2	Develop a Water System Acquisition Policy and Procedure	GMPW	Q2	Complete
3.3.3.3	Review and adopt the regional Water Regulatory Bylaw	GMPW	Q2	Complete
3.3.3.4	Develop a Filtration Deferral and Source Water Protection Plan for the Naramata Water System	GMPW	2019/ 2020	Carry Forward

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

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

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

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

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

Objective: 4.2.2: By Improving Regional District/ Municipal Relations

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

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Q3 MD&A Operating Results – For Information Only

Purpose:

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

The Q3 Report is an important predictor of how the organization is may end the year since as of September 30th, we are three-quarters through the fiscal year.

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

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

Business Plan Objective:

1.1.1 By providing the Board with accurate, current financial information

Analysis:

Operations:

In the first nine months of 2019 the Regional District has spent just over \$23 million (53%) of its \$44 million dollar operating budget.

The staff compliment is forecast at 90.71 FTE's by the end of the year. Compared to Q3/2018 overtime has decreased by 18% or 115 hours.

The year-over-year rate of union sick leave in Q3 increased to 1.4 days per employee from 1.1 per employee (4.5 days per employee YTD) but remains well under the overall rate for public service of around 14 days per employee.

Managers have reviewed the actual revenues and expenditures as of September 30, 2019 and performed a forecast to year-end in order to identify significant variances to the annual budget. To the end of September all services are operating at or below budgeted levels with the following exceptions:

Invasive Species – this service has spent 88% of its operating budget but is projected to balance the budget by year-end since the bulk of its costs are incurred in the spring and summer.

West Bench Fire – this is a contracted service and will exceed budget due to contractor costs coming in over budget. Projected to have a \$7,600 deficit at year-end.

Emergency Planning – This service is exceeding its budget by 300% but these costs are more than offset by unbudgeted grant revenue. This service is forecasting a surplus of \$40K by year-end.

Fire Departments – All fire services were asked to review their financials and forecast how they expected to end the year. All departments expect to balance their budgets by year-end.

Ranking the top ten largest services by YTD Actual Expenditure, the services were:

YTD Actual	YTD Budget	%	SERVICE
2,534,908	6,511,052	39%	CAMPBELL MOUNTAIN LANDFILL
1,719,913	2,492,189	69%	GENERAL GOVERNMENT
1,222,482	1,854,594	66%	ELECTORAL AREA ADMINISTRATION
914,125	3,359,739	27%	SEWAGE DISPOSAL OK FALLS
913,728	304,558	300%	EMERGENCY PLANNING
909,421	913,483	100%	STERILE INSECT RELEASE PROGRAM
803,939	1,514,276	53%	NARAMATA WATER SYSTEM
758,751	1,286,917	59%	BUILDING INSPECTION
703,395	703,300	100%	OKANAGAN BASIN WATER BOARD
696,678	1,183,402	59%	ELECTORAL AREA PLANNING

Capital Projects Update:

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

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

Kaleden sewer – proceeding as planned; expected timetable does not have any issues with the Building Canada Fund II grant; target completion for pre-design in Q1 2020

Olalla generator – initializing the project and proceeding as planned at this time; generator is on order with expected delivery in Q1 or Q2 2020 due to a supply shortage of certain components in the generators; expected completion date before end of Q2 2020

Willowbrook chlorine contact – grant applied for but will not hear until Q1 2020; community works gas tax funds are being used for the design and will be used for construction if the grant is not received in time; project is in the design phase; anticipated completion time Q2 of 2020

Biocover pilot project – proceeding as planned as the final report is with MOE for review; will likely need to apply for an extension of FCM grant; anticipated completion of grant Q4

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

CML leachate collection – proceeding as per 2019 plan and will carry into 2020; One new extraction well has been added and piped to the pond and additional monitoring wells will be added in 2020

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

Oliver landfill scalehouse and scale replacement – proceeding as planned; expenses may be higher than expected due to purchase and installation of a new weigh scale – this will result in more funds being taken from the reserve fund; Anticipated completion will be Q4.

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

SCADA Master Plan – initiated earlier than anticipated due to ongoing concerns and issues with the current capability; draft Master Plan has been used to determine essential SCADA expenses for 2020; completion of master plan in Q2 of 2020

Pioneer Park in Kaleden, including extension of the KVR trail and development of paved car and boat trailer parking areas. Project completed in Q2, on budget.

Boat launch replacement in Kaleden and Okanagan Falls. Designs completed and permits received. Tendering is underway; anticipate construction in Q4. On budget.

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

Heritage Hills Park Upgrades – pathway, lighting, playground, washrooms. Initiated detailed design process for upgrades. Tendering process for electrical/lighting underway. Lighting and playground construction in Q4. Portions of project will carry forward to 2020. On budget.

Manitou Park washroom/pathway upgrades. Design work underway. Anticipate final designs and permitting in Q4; Tendering and construction in 2020. On budget.

Osoyoos Lake Park washrooms. Design and permitting complete. Anticipate tendering in Q4; construction in Q4. On budget.

Selby Park Playground. Design work complete. Construction underway, anticipate completion in Q4. On budget.

Balance Sheet:

At the end of Q3 the balance sheet of the Regional District is strong due to the inflow of tax revenue as of August 1st. The challenge is balancing liquidity of funds with yield.

The current investment/borrowing climate is one where the yield curve is inverted. Short term borrowing from MFA is at 2.45% but 5 year money is at 1.99% and 10 year at 2.26%. The only short term borrowing on the horizon relates to the Apex Waste Transfer station and the Keremeos Fire Truck.

We are targeting converting the short term Okanagan Similkameen Regional Hospital District debt related to the Building Patient Care Project in the Spring of 2020 since all indications are that rates are going to continue to remain stable if not trend lower.

The current deposit rate we receive from Valleyfirst is 2.2% and funds locked in for 30/60/90/120 days earn interest in the range of 1.95% up to 2.10%.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Q3 2019 Activity Report

LEGISLATIVE SERVICES

2019 Q3 Completed Activities

- Continued to look for dates for Fall C2C
- Worked with Chute Lake Dam proponents
- Recruited and supported Citizen Review Committee for board remuneration
- Investigated regulating parking and boulevard maintenance issues
- Preparation and arrangements for UBCM
- Concluded Area "D" Economic Development public engagement project
- Commencement of the annual Strategic Planning Cycle
- Review and repeal of 6 bylaws
- Commenced research on 'twinning' proposal
- Conducted transit public engagement at West Bench
- Completed Public Engagement Guidebook
- Created New Area "I" Economic Development service

2019 Q4 Planned Activities

- Amend West Bench Transit bylaw
 - Commence Willowbrook Fire Truck Loan Authorization process
 - Review Untidy/Unsightly Establishment and Regulatory bylaws
 - Review Parks Establishment and Regulatory bylaws
 - Present municipal entry into the planning service options
 - Commence transfer process for Missezula Lake Water System
 - Commence borrowing process for Oliver Parks and Recreation Society upgrades
 - Introduce public engagement philosophy to the Board
 - Present the Phase 2 Business Continuity Plan to the Board
 - Secure UBCM funding for 2020 C2C
 - Create service area for Chute Lake Dam
 - Review Shinnish Creek Diversion/Chain Lake Service
 - Present findings of Citizen Review Committee for Board remuneration
 - Administer year three tranche for applications to the South Okanagan Conservation Fund
-

2.0 INFORMATION SERVICES DEPARTMENT

2019 Q3 – Completed Activities

- Electronic Document Management System (EDMS)
 - Research methods and implications of implementing automatic declaration of records
 - Implement 2 factor authentication to expose EDMS outside network
- Start process of GIS integration and IT security for new development tracking software
- Organize Strategic Planning workshop for admin staff
- Incorporate latest flood plan mapping datasets from OBWB into RDOS GIS
- Hired IT Programmer
- Move GIS data and web servers to new virtual machine
- Update GIS and web mapping software to current version
- Create GIS field app for collecting information on park assets
- Create field survey for RDOS rec services
- Move public website to new Content Management System
- Import and quality assurance of detailed drone data for RDOS Landfills

2019 Q4 – Planned Activities

- Electronic Document Management System (EDMS)
 - Implementing automatic declaration of records
 - Implement 2 factor authentication
 - Decommission old backup machine
 - Move RDOS backup file storage to SD67
 - Import parcel map BC data from Land Titles Office into RDOS GIS
 - Start process of moving data from current development tracking software to new software
 - Organize strategic planning workshops for administration and the Board
 - Meet with staff in Oliver, Osoyoos, Keremeos and Princeton to discuss current and possible GIS services
 - Final capture of drone data for 2019
 - Create new interface for RDOS public website.
 - Purchase new physical server to host virtual servers.
 - Purchase new network switch
 - Make improvements to internal grant/agreement tracking application
-

FINANCE DEPARTMENT

2019 Q3 Completed Activities

- Signed onto Provincial program for Purchasing Cards
- Continue to convert vendors to Electronic Financial Transfer program
- Investigated functionality of Time Tracker replacement software
- Held series of budget workshops for management/staff
- Attended meeting with Fire Chiefs to discuss budget and payroll process
- Restructured Financial Services Dept. EDMS file structure
- Prepared supporting material for Board Compensation Committee
- Set up Contract/RFP Review Committee

2019 Q4 Planned Activities

- Finalize remaining 2018 EOC Reimbursement Claims
- Budget workshops for SMT and Budget Committee
- Prepare 2020 budget bylaw for 1st reading at Board
- Submit Board adopted 2020 Permissive Tax Exemptions to BC Assessment
- Fill accountant position
- Finalize Asset Management Report and present to Board
- Continue to support the work of Board Compensation Committee
- Support Fire Departments in preparation of CEP Grant applications

4.0 HUMAN RESOURCES DEPARTMENT

2019 Q3 Completed Activities

- WHMIS training undertaken for new staff
- Continued recruitment for vacant positions
- Compensation survey for exempt and union staff
- Continued to update Safe Work Procedures as per the 2019 phase of the plan
- Completed EOC training for logistics section
- Fire Department labour relations
- Training for staff on naloxone administration (previously identified high risk in Enterprise Risk Management Workshop)

2019 Q4 Planned Activities

- Preparaton for and commence Collective Bargaining
- Lead the Wellness Committee and assist with wellness initiatives to address organizational health
- Develop an ergonomics program (as required per WorkSafeBC regulations)
- Support Fire Departments in OH&S Committtee requirements
- Continue updating administrative directives (added Duty to Accommodate in 2019)
- Begin 2020 budget preparations

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Communications & Engagement Plan 2019 – Information Only

2019 Q3 Completed Activities:

- Business Continuity Phase II
For RDOS owned and operated water systems.
- Quality Assurance Surveys
The following surveys have been completed and data is currently being compiled:
 - Ø Campbell Mountain Landfill
 - Ø Similkameen Recreation Facility – ready to launch, put on hold until recruitment is complete
 - Ø Front Counter – general customer service
- Electoral Area Quarterly Newsletter - Continuation
Completed the second Area “F” Quarterly Newsletter.
- Public Engagement Guide & Toolkit
Finalized interactive guide for all departments to be able to utilize. Continuing education of Public Engagement Guide to departments in Q4.
- Area “F” Transit Engagement
Hosted open houses for the Greater West Bench Area to discuss and receive feedback on the potential to revive BC Transit Service to the area. Conducted online and handout surveys.

Various Department Updates/Factsheets Completed

- Public Works
 - Ø Sage Mesa Water System Fact Sheet
- Community Services
 - Ø EOC Info Updates re: CivicReady, Wildfire Preparedness Guide, New EOC & Trailer
 - Ø Heritage Hills Park

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

2019 Q4 Planned Activities:

- Non-digital Communication

Existing bulletin boards – identify ownership, access
Sandwich boards or signs – identify brand and process for displaying info in timely manner
Community champions – identify key points of contact in each area to post info in timely manner
- Quality Assurance Surveys

Remaining surveys to be completed:

 - Ø Online Payment System
 - Ø Completion of Building Permit process
- Enterprise Communications
 - Ø Princeton
 - Ø Osoyoos CAO Announcement
 - Ø Municipality Public Engagement
- Public Engagement Guide & Toolkit
 - Ø Next steps include: Meeting with each department to discuss the Guide and its functionality and receiving endorsement by the Board of Directors.
- Summerland Light Up Festival
 - Ø Attending the Nov. 29th Festival of Lights in Summerland. Continuing the tradition of decorating gingerbread men.

Respectfully submitted:

“Christy Malden”

C. Malden, Legislative Services Manager



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, October 17, 2019

12:30 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of October 17, 2019 be adopted.

B. ACTIVITY REPORT – FOR INFORMATION ONLY

1. Q3 Update
-

C. MICRO CANNABIS PRODUCTION FACILITIES – PUBLIC FEEDBACK

1. Bylaw No. 2858
2. Representation

RECOMMENDATION 2

THAT Bylaw No. 2858 be forwarded to the Board for consideration.

D. PARK LAND DEDICATION POLICY

1. Draft Park Land Dedication Policy
2. APC Comments
3. Park Land Dedication Policy

RECOMMENDATION 3

THAT the draft Park Land Dedication Policy be forwarded to the Board for consideration.

- E. **DEVELOPMENT PROCEDURES BYLAW UPDATED – SUBDIVISION REFERRALS**
 - 1. **Bylaw No. 2500.11**

RECOMMENDATION 4

THAT Bylaw No. 2500.11, 2019, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw be forwarded to the Board for consideration.

- F. **ADJOURNMENT**

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

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

Overview:

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

PLANNING:

Q3 Activities

Regional Growth Strategy:

- Ø RGS Technical Advisory Committee has had a couple of meetings and has provided a recommendation for Board consideration of an RGS review in 2020.
- Ø OBWB Floodplain grant management.
- Ø Climate Projections stakeholder workshop held at RDOS offices on September, 27, 2019. Consultant now working on writing draft report.

Electoral Area Planning:

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

- Ø Park Land Dedication Policy – Draft
- Ø Housing Needs Reports
- Ø Hillside & Steep Slope DP Area Update, Electoral Area “D”

The following reports were prepared for consideration by the Board:

- Ø 4 Official Community Plan and/or Zoning Bylaw Amendments*;
- Ø 12 Development Variance Permits;
- Ø 3 Temporary Use Permits;
- Ø 1 Form and Character Development Permit;
- Ø 7 Agriculture Land Commission Referrals; and
- Ø Osoyoos Boundary Adjustment

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

- Ø 17 Development Permits (i.e. Environmentally Sensitive, Watercourse, etc.) were issued under delegated authority.
- Ø 12 Advisory Planning Commission (APC) Meetings were scheduled.

- ∅ 7 Public Information Meetings for Bylaw Amendments or Temporary Use Permits were scheduled.
- ∅ 3 Public Hearings were scheduled.
- ∅ The following Development Permits were approved:

Environmentally Sensitive Development Permits

	"A"	"B"	"C"	"D"	"E"	"F"	"G"	"H"	"I"	Total
Development (i.e. construction)	2	n/a	-	5	1	1	n/a	-	-	9
Land Alteration	-	n/a	-	-	-	-	n/a	-	-	-
Subdivision	-	n/a	-	-	-	-	n/a	-	-	-
3rd Quarter Total (2019)	2	n/a	-	5	1	1	n/a	-	-	9

Watercourse Development Permits

	"A"	"B"	"C"	"D"	"E"	"F"	"G"	"H"	"I"	Total
Development (i.e. construction)	1	n/a	-	2	1	1	n/a	1	1	7
Land Alteration	-	n/a	-	-	-	-	n/a	-	-	-
Subdivision	-	n/a	-	-	-	-	n/a	-	-	-
3rd Quarter Total (2019)	1	n/a	-	2	1	1	n/a	1	1	7

- ∅ A total of 1 Non-Medical Cannabis Retail Store License Applications:
 - Interior Cannabis ("B")
- ∅ A total of 1 Cannabis Retail Store License:
 - Green Light Cannabis (Fit and Proper Assessment complete)
- ∅ The following represents the subdivision referrals (YTD) that were received from the Ministry of Transportation and Infrastructure (MoTI):

Subdivisions Referrals Received: January 1 to June 30, 2019

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

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

Planned Activities for Q4 – 2019

- Continue work in support of South Okanagan Electoral Area Zoning Bylaw No. 2800 (i.e. Apex Zones, Small Holdings & Residential zones, etc.);
- Bring forward amendments to allow Accessory Dwelling Units (i.e. “carriage houses”) in a wider range of zones;
- Adoption of amendments to the Hillside and Steep Slope Development Permit Area designation in the Electoral Area “D” Official Community Plan No. 2603, 2013;
- Bring forward amendments to the Development Procedures Bylaw related to the processing of subdivision referrals received from the Ministry of Transportation and Infrastructure (MoTI);
- Prepare amendments related to the regulation of docks through the various Electoral Area zoning bylaws;
- Bring forward amendment bylaws for Cannabis Production Facilities;
- Working with Avocette Technologies on the construction of software requirements needed for Regional District planning applications; and
- Continue to provide planning services to the Village of Keremeos and Town of Princeton.

BUILDING INSPECTION:

Q3 Activities

- Year-to-date 405 permits were issued (including 29 farm exemptions) to September 30, 2019, compared to 367 which were issued to the same date in 2018 (see Attachment No. 2 for the annual summary of issued Building Permits).
- Active enforcement of Building bylaw violations continues.
- Average timeline from application date to permit issuance is up to approximately 40 business days due to a key staff member’s family illness.
- Provision of inspection services to the Village of Keremeos and the Town of Princeton. Princeton has recently hired a Level 1 Building Official, but will still require Level 3 inspections from RDOS.
- Review of policies, procedures and forms related to adoption of Building Bylaw #2805.
- Meetings with Avocette Technologies Inc. for development of BasicGov software to be introduced for Development Services in June, 2020.

Planned Activities for Q4 – 2019

- Fee incentive program for Step Code implementation.
- Continued meetings and discussions with Avocette for implementation of BasicGov software for Building inspection modules.
- Town of Princeton has hired a full time building official and will result in reduced hours of service to the Town of Princeton.

BYLAW ENFORCEMENT:

Q3 Activities

- Execution of Dog Shelter contract with City of Penticton for next 3 years
- Appointment of additional Dog Control Officer

(see Attachment No. 3 for Summary of Bylaw Enforcement Complaints)

Planned Activities for Q4 – 2019

- Finalization of internal processes to work towards standardizing and streamlining workflows (Deliverable in the department business plan).
- Work with Legislative Services to develop processes for board hearings related to Untidy & Unsightly premises bylaw and Noise Bylaw.
- Initiation of consolidation of Untidy/Unsightly regulatory bylaws in conjunction with Legislative Services.

DEVELOPMENT ENGINEERING:

Q3 Activities

- ∅ Twin Lake Golf Course Resort development
 - Review of water and sewer infrastructure for servicing agreement. Nearing agreement on domestic water and sewer design.
- ∅ Village of Keremeos Building Permits Review:
 - Off-site infrastructure requirements for two Building Permits and one rezoning referrals
- ∅ Village of Keremeos Subdivisions:
 - Issued Preliminary Layout Review for S-2018-02
 - DVP application review for S-2018-02
- ∅ Town of Princeton
 - Review of development engineering for five subdivision applications and two rezoning referrals.
- ∅ Works and Services Bylaw Project
 - Finalizing draft of Sanitary Section
 - Reviewing Levels of Service
 - External agency consultation ongoing and project will continue into early 2020.
- ∅ Greater West Bench Geotechnical RFP
 - RFP closed in September. Planning to award to consultant in Q4
- ∅ Works and Services for Subdivisions
 - Grace Estates (Area E)

-
- Naramata Benchlands (Area E)
 - Patterson and Hayman (Area E)

Planned Activities for Q4 – 2019

- Okanagan Falls sanitary sewer extension servicing agreement for Cannabis production facility building permit.
- Twin Lakes Golf Course Resort
 - Finalize concept of the water and sewer infrastructure
 - Draft Servicing Agreement(s) prior to scheduling public hearing for rezoning.
- Continue Works and Services Bylaw and Schedules preparation.
- Continue to provide development engineering services to the Village of Keremeos.
- Continue to provide development engineering services to the Town of Princeton.
- Completing works and services reviews for Planning Services applications.

AREA "D" ECONOMIC DEVELOPMENT:

Q3 Activities

- Posted for two part-time positions: Economic Development Coordinator and Clerk.
- Working on small upgrades to office environment prior to staff coming online.
- Engaged with Visitors Centre society and attended Skaha Housing Society Grand Opening

Planned Activities for Q4 – 2019

- Soft opening of Okanagan Falls office in early November.
- Planning on a office "Grand Opening" event later in 2019.
- Develop 2020 Business Plan with Area Director.

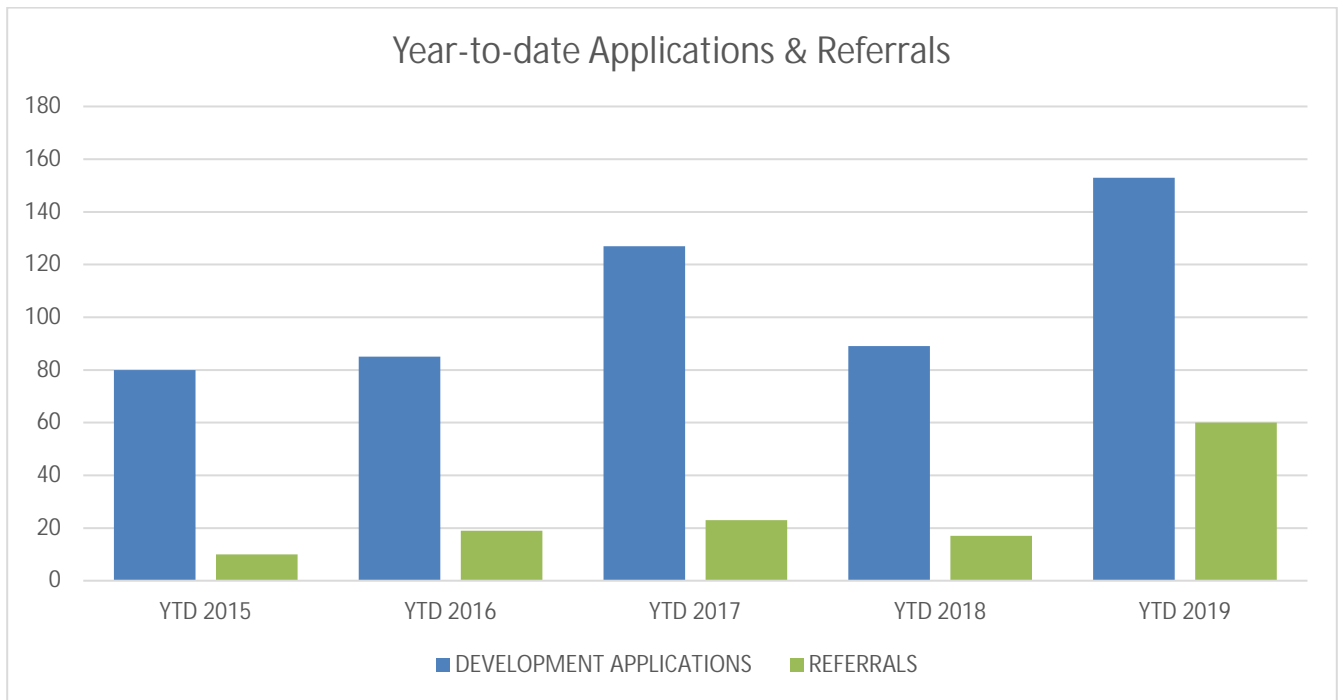
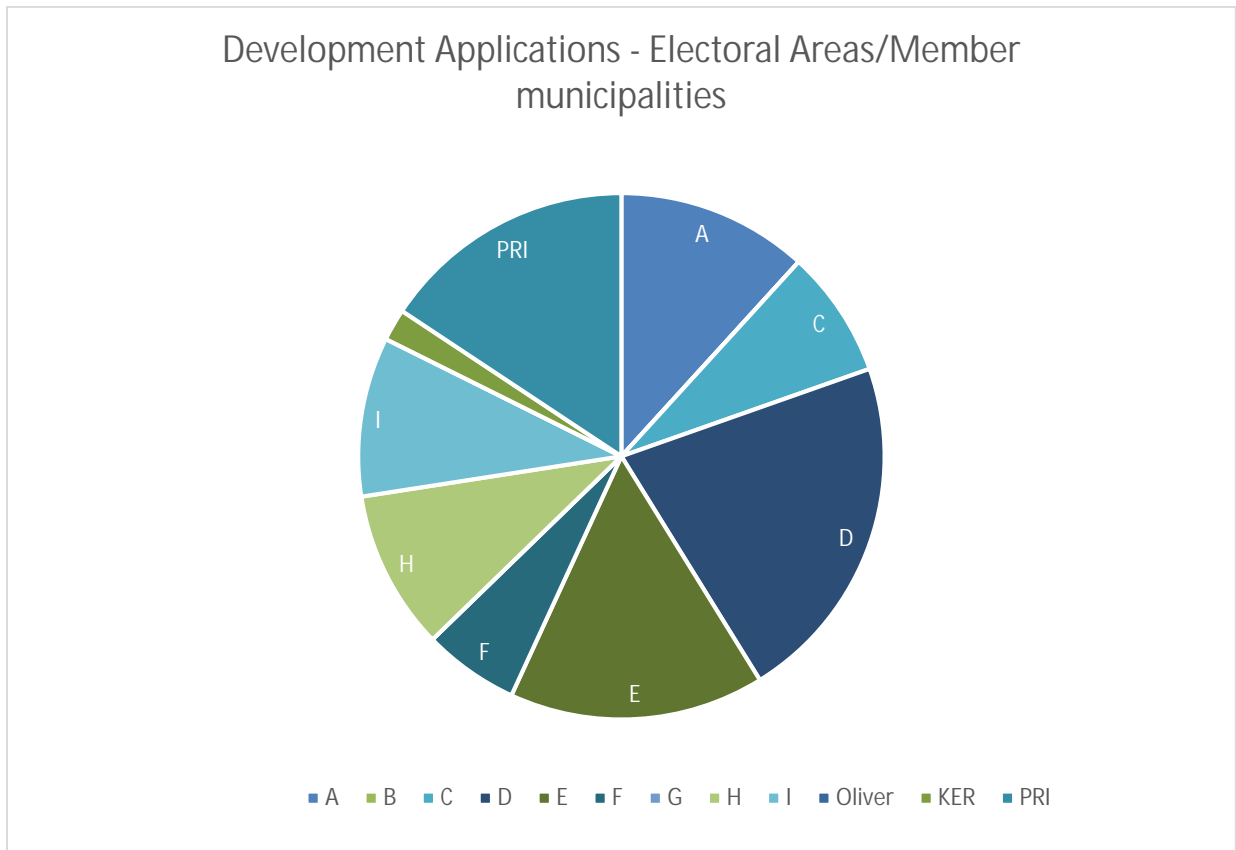
Respectfully Submitted



B. Dollevoet, General Manager, Development Services

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

Attachment No. 1 - Number of Development Applications / Referrals, 3rd Quarter, 2019



Attachment No. 2 – Summary of Building Permits Issued, 3rd Quarter 2019

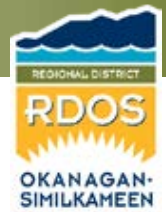
**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
SUMMARY OF BUILDING PERMITS FOR THE MONTH OF SEPTEMBER 2019**

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN SUMMARY OF BUILDING PERMITS FOR THE MONTH OF SEPTEMBER 2019										
NUMBER OF PERMITS ISSUED										
DESCRIPTION	A	C	D	E	F	H	I	TOTAL	2019	2018
RENEWAL/DEFICIENCY						2		2	25	34
S.F.D.				1		1	1	3	58	67
MOBILE/MANU HOMES			2					2	28	26
CABINS/REC SEMI-DETACHED, DUPLEX, MULTI								0	12	1
DEMOLITION / MOVE	1	1	1			1		4	23	18
ACCESSORY USES	1		1	2			2	6	110	86
ADDITIONS / REPAIRS / PLUMBING	1		2		1	1	1	6	85	87
COMMERCIAL							1	1	14	21
INDUSTRIAL								0	1	2
FARM BUILDINGS		1		1				2	29	16
INSTITUTIONAL								0	1	1
SOLID FUEL APPLIANCE								0	18	6
MONTHLY TOTAL	3	2	6	4	1	5	5	26	405	367
YEAR TO DATE 2019	41	62	42	59	21	97	83	405		
<i>SAME MONTH 2018</i>	<i>9</i>	<i>3</i>	<i>9</i>	<i>8</i>	<i>4</i>	<i>10</i>	<i>0</i>	<i>43</i>		
<i>YEAR TO DATE 2018</i>	<i>56</i>	<i>52</i>	<i>105</i>	<i>64</i>	<i>22</i>	<i>68</i>	<i>0</i>	<i>367</i>		
DOLLAR VALUE OF PERMITS										
DESCRIPTION	A	C	D	E	F	H	I	TOTAL	TOTAL YEAR	
RENEWAL/DEFICIENCY						\$11,000		\$11,000	\$212,000	
S.F.D.				\$454,975		\$195,600	\$150,015	\$800,590	\$16,578,860	
MOBILE/MANU HOMES			\$436,210					\$436,210	\$3,491,107	
CABINS/REC SEMI-DETACHED, DUPLEX, MULTI								\$0	\$1,573,135	
DEMOLITION / MOVE	\$1,000	\$1,000	\$1,000			\$1,000		\$4,000	\$23,000	
ACCESSORY USES	\$12,400		\$29,970	\$153,889			\$104,320	\$300,579	\$4,121,778	
ADDITIONS / REPAIRS / PLUMBING	\$36,000		\$5,520		\$193,853	\$21,820	\$187,920	\$445,113	\$4,744,550	
COMMERCIAL							\$600,000	\$600,000	\$5,590,019	
INDUSTRIAL								\$0	\$217,858	
FARM BUILDINGS				\$10,000				\$10,000	\$13,000	
INSTITUTIONAL								\$0	\$500,000	
SOLID FUEL APPLIANCE								\$0	\$18,000	
MONTHLY TOTAL	\$49,400	\$1,000	\$472,700	\$618,864	\$193,853	\$229,420	\$1,042,255	\$2,607,492	\$37,381,686	
YEAR TO DATE 2019	\$3,480,860	\$7,071,684	\$6,021,591	\$5,575,605	\$956,787	\$6,454,360	\$7,820,799	\$37,381,686		
<i>SAME MONTH 2018</i>	<i>\$1,075,655</i>	<i>\$121,800</i>	<i>\$152,380</i>	<i>\$1,370,020</i>	<i>\$91,000</i>	<i>\$1,146,070</i>	<i>\$0</i>	<i>\$3,956,925</i>		
<i>YEAR TO DATE 2018</i>	<i>\$7,093,635</i>	<i>\$6,905,150</i>	<i>\$15,899,718</i>	<i>\$9,267,350</i>	<i>\$1,313,630</i>	<i>\$5,308,740</i>	<i>\$0</i>	<i>\$45,788,223</i>		
BUILDING INSPECTION REVENUE										
MONTH	2013	2014	2015	2016	2017	2018	2019			
JANUARY	\$15,847.48	\$8,965.60	\$17,905.98	\$38,090.55	\$39,602.01	\$55,887.27	\$30,704.46			
FEBRUARY	\$18,055.76	\$25,842.00	\$19,575.32	\$29,419.02	\$44,897.41	\$37,396.10	\$86,493.92			
MARCH	\$28,007.02	\$30,397.81	\$32,251.07	\$41,406.24	\$62,053.58	\$72,804.20	\$51,199.20			
APRIL	\$20,973.73	\$28,055.24	\$47,883.66	\$15,209.80	\$35,550.35	\$41,018.96	\$42,268.02			
MAY	\$43,054.17	\$47,678.54	\$34,819.01	\$88,336.89	\$335,459.36	\$61,771.86	\$47,130.81			
JUNE	\$42,069.21	\$78,964.49	\$62,473.80	\$105,215.54	\$66,954.09	\$70,972.42	\$46,253.49			
JULY	\$46,889.56	\$48,610.54	\$93,218.43	\$70,891.24	\$95,394.43	\$71,463.33	\$70,064.71			
AUGUST	\$35,669.63	\$41,182.51	\$59,620.80	\$73,568.01	\$47,165.53	\$42,822.93	\$25,798.34			
SEPTEMBER	\$24,607.81	\$68,044.72	\$121,384.59	\$102,226.37	\$90,566.53	\$45,924.16	\$30,728.49			
OCTOBER	\$28,791.57	\$36,694.11	\$39,069.81	\$44,894.56	\$43,695.30	\$84,294.81				
NOVEMBER	\$25,620.64	\$40,766.83	\$58,845.97	\$32,663.33	\$58,442.60	\$43,348.80				
DECEMBER	\$16,484.32	\$39,792.14	\$40,132.41	\$29,147.95	\$41,432.10	\$32,698.12				
TOTAL	\$346,070.90	\$494,994.53	\$627,180.85	\$671,069.50	\$961,213.29	\$660,402.96	\$430,641.44			

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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN													
SUMMARY OF BYLAW INFRACTIONS													
3RD QUARTER (July-September 2019)													
COMPLAINTS RECEIVED July - September 2019													
DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD	2018	2018 YTD
LAND USE	0	0	4	2	0	4	0	1	3	14	33	11	28
ESDP	0	0	1	0	0	1	0	0	0	2	5	0	2
WDP	0	0	1	0	0	0	0	0	1	2	3	4	9
MULTIPLE	0	0	0	0	0	0	0	0	0	0	1	1	2
UNTIDY/UNSIGHTLY	0	0	1	1	1	1	0	0	1	5	13	4	12
BUILDING BYLAW	0	0	1	0	0	2	0	0	0	3	9	6	10
ANIMAL CONTROL	1	1	10	3	2	4	2	0	3	26	65	37	96
NOISE CONTROL	0	0	5	2	9	7	0	1	17	41	78	75	94
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals	1	1	23	8	12	19	2	2	25	93	207	138	253
COMPLAINTS RESOLVED July - September 2019													
DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD	2018	2018 YTD
LAND USE	1	0	1	4	2	7	0	1	2	18	31	7	58
ESDP	0	0	0	1	0	0	0	0	0	1	2	2	2
WDP	1	0	0	0	0	0	0	0	0	1	1	2	8
MULTIPLE	0	0	0	0	0	0	0	1	0	1	3	0	0
UNTIDY/UNSIGHTLY	0	0	3	2	3	0	1	1	0	10	14	4	24
BUILDING BYLAW	0	0	0	0	1	0	0	2	1	4	10	1	6
ANIMAL CONTROL	1	1	10	3	2	4	2	0	3	26	60	5	32
NOISE CONTROL	0	0	5	2	9	7	0	1	17	41	76	75	82
BURNING BYLAW	0	0	0	0	0	0	0	0	1	1	1	0	0
Totals	3	1	19	12	17	18	3	6	24	103	198	96	212
TOTAL ACTIVE COMPLAINTS													
DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL			
LAND USE	6	0	19	6	5	6	1	3	9	55			
ESDP	0	0	1	0	1	0	0	0	2	4			
WDP	2	0	0	2	0	0	0	0	2	6			
MULTIPLE	0	0	2	0	0	0	0	1	1	4			
UNTIDY/UNSIGHTLY	0	0	3	6	2	3	3	5	3	25			
BUILDING BYLAW	0	0	1	1	0	0	0	1	2	5			
ANIMAL CONTROL	0	0	2	1	1	2	1	0	0	7			
NOISE CONTROL	0	0	1	0	1	2	0	0	1	5			
BURNING BYLAW	0	0	0	1	0	0	0	0	0	1			
Totals	8	0	29	17	10	13	5	10	20	112			
Previous Quarter	10	0	27	24	12	16	6	16	22	133			
MILEAGE													
DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD		
LAND USE	176	0	67	0	18	101	0	207	48	617	1756		
ESDP	0	0	0	0	0	0	0	0	0	0	0		
WDP	0	0	83	4	0	0	0	0	17	104	104		
MULTIPLE	0	0	0	0	0	0	0	0	0	0	0		
UNTIDY/UNSIGHTLY	0	0	182	160	102	26	308	299	236	1313	2161		
ANIMAL CONTROL	268	214	453	2233	2449	653.5	294		3000	9563.5	16956		
NOISE CONTROL	0	0	5281	84	162	167	0	230	629	6553	7301		
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0		
Totals	444	214	6066	2481	2731	947.5	602	736	3930	18151	28278		
YTD	1365	214	7185	5889	4155	2405	1066	2338	6399	31015			

ADMINISTRATIVE REPORT



TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Micro Cannabis Production Facilities – Public Feedback

Administrative Recommendation:

That Amendment Bylaw No. 2858 proceed to 1st reading.

Purpose:

The purpose of this report is to provide the Regional District Board with an overview of the feedback received on the proposed introduction of micro cannabis production facilities as a permitted use in the Resource Area (RA), Agriculture (AG1, AG2 & AG3), Large Holdings (LH1 & LH2) and Small Holdings Two (SH2) zones.

Background:

At its meeting of May 23, 2019, the Planning and Development (P&D) Committee resolved to direct staff to separate Amendment Bylaw 2849 into two separate bylaws to deal with the following issues:

- 1) the prohibition of cannabis production facilities in all non-Industrial zones (Bylaw No. 2849); and
- 2) the introduction of micro cannabis production facilities as a permitted use in specified zones as well as new general regulations governing the use (Bylaw No. 2858).

At its meeting of June 6, 2019, the P&D Committee resolved that prior to consideration of first reading of Amendment Bylaw No. 2858, public information meetings regarding the proposed amendments be held in Oliver, Naramata, Kaleden and Princeton.

Public information meetings were subsequently held on July 31st (Kaleden), August 1st (Princeton), August 19th (Oliver) and August 21st (Naramata). Attendance at these meetings consisted of four (4) persons in Kaleden, two (2) persons in Princeton, four (4) persons in Oliver and approximately 37 persons in Naramata.

All representations received to date on the proposed amendment bylaws are included as a separate Agenda item.

Analysis:

In reviewing the representations received as a result of the public information meetings, it appears that a majority of those related to Bylaw No. 2858 have been submitted by residents of Electoral Area "E", with a majority of these opposed to introducing micro cannabis production facilities as a permitted use.

Many of the representations express concern about the potential for adverse impacts on residential amenity and property values resulting from the development of micro cannabis production facilities, including:

-
- noise, odour, light, fire and security;
 - visual impact of production facilities in an agricultural landscape; and
 - increased water and energy consumption by production facilities in comparison to other agricultural uses.

While generally opposed to such facilities, some representations contained suggestions related to requiring a larger minimum parcel size requirement to qualify for a production facility (i.e. 10 ha) and the need for greater minimum parcel line setback requirement for production facilities (i.e. 200 metres).

In light of these comments from residents of Electoral Area "E", the Board may wish to provide additional direction to Administration regarding the treatment of micro cannabis production facilities in this community.

This could be in the form of revised minimum parcel size requirements, floor area allowance, setbacks or zones in which they will be permitted.

Alternatives:

1. That prior to first reading of Amendment Bylaw No. 2858, the bylaw be amended to:
 - i) *TBD*
2. That Amendment Bylaw No. 2858 not proceed to 1st reading and be abandoned.

Respectfully submitted:

Endorsed by:



C. Garrish, Planning Manager



B. Dollevoet, General Manager of Dev. Services

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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2858, 2019

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

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

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

Electoral Area "A"

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

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

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

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

7.27 Micro Cannabis Production Facility

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

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

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

Electoral Area "C"

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

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

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

7.28 Micro Cannabis Production Facility

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

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

Electoral Area "D"

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

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

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

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

7.28 Micro Cannabis Production Facility

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

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

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

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

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

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

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

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

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

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

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

Electoral Area "E"

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

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

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

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

7.28 Micro Cannabis Production Facility

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

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

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

- o) micro cannabis production facility, subject to Section 7.28;

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

Electoral Area "F"

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

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

7.29 Micro Cannabis Production Facility

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

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

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

Electoral Area "G"

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

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

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

- ii) adding a new Section 6.16 (Micro Cannabis Production Facility) under Section 6.0 (General Regulations) to read as follows:

6.15 Micro Cannabis Production Facility

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

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

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

Electoral Area "H"

8. The "Regional District of Okanagan-Similkameen, Electoral Area "H" Zoning Bylaw No. 2498, 2012" is amended by:

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

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

7.29 Micro Cannabis Production Facility

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

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

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

Electoral Area "I"

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

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

7.31 Micro Cannabis Production Facility

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

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

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

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

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

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

I hereby certify the foregoing to be a true and correct copy of the " Regional District of Okanagan-Similkameen Amendment Bylaw No. 2858, 2019" as read a Third time by the Regional Board on this __ day of __, 2019.

Dated at Penticton, BC this __ day of __, 2019.

Corporate Officer

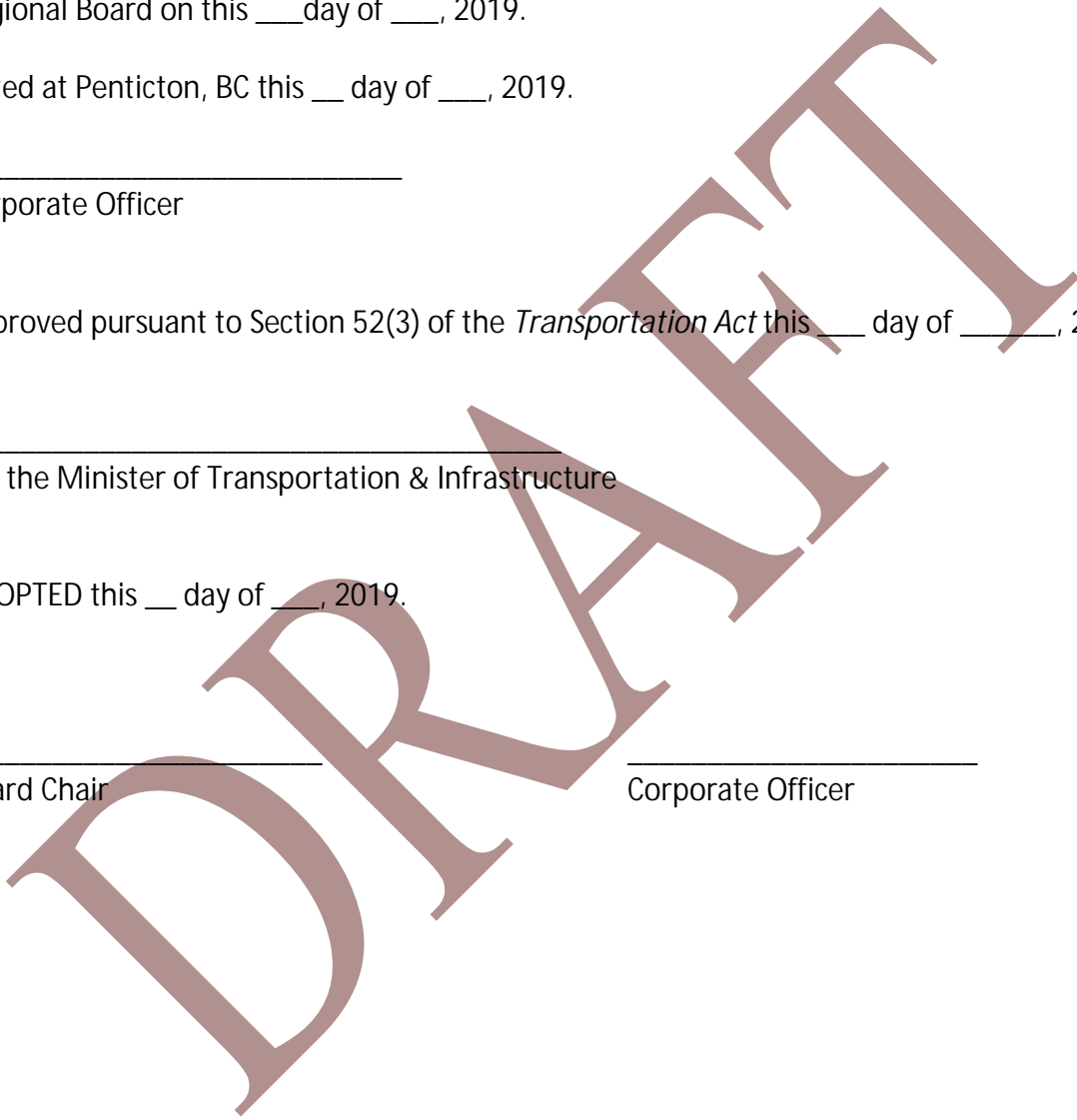
Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2019.

For the Minister of Transportation & Infrastructure

ADOPTED this __ day of __, 2019.

Board Chair

Corporate Officer





Your File #: X2019.005-
ZONE
(Amendment
Bylaw No. 2849)

eDAS File #: 2019-01666

Date: April 2, 2019

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

Attention: Lauri Feindell, Planning Secretary

Re: **Proposed Text Amendment Bylaw 2849, 2019 for:**
Electoral Areas, A, C, D, E, F, G, H, and I

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

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

Yours truly,

Rob Bitte
District Development Technician

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





April 29, 2019

File No: X2019.005-Zone

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

Re: Bylaw Referral – File No. X2019.005-ZONE

Dear Christopher Garrish,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the bylaw referral X2019.005-ZONE (Home Occupation Industry & Cannabis Zoning) regarding Bylaw No. 2849, 2918 for Electoral Areas A, C, D, E, F, G, H and I. I have reviewed the documentation you have provided. From an agricultural perspective I can offer the following comments:

- Part 2 of the ALR Use Regulation lists farm uses that local governments may not prohibit; including cannabis production criteria in Section 8.
- Ministry staff recognise that the proposed zoning bylaw text on 'Prohibited Uses of Land, Buildings and Structure' specifically excludes cannabis production as described in the old ALR USP Regulation.
- For clarity and consistency Ministry staff encourage keeping cannabis production in the definition of agriculture with reference that it must be done in accordance with Section 8 of the new ALR Land Use Regulations.
- It appears that the only zoning bylaw provisions that will permit cannabis production on the ALR will be as a 'home industry'. While Ministry staff acknowledge a local government's authority to regulate use on the ALR, there are concerns that this zoning bylaw doesn't clearly identify where on the ALR cannabis production as described in section 8 of the ALR Use Regulation is permitted.
- For example, as currently drafted, the proposed Electoral Area A zoning bylaw section 7.18.3 (for home industry) appears to not permit the growing of cannabis outdoors in a field. This would appear to be inconsistent with the ALR Use Regulation.
- Ministry staff also suggest confirming with Health Canada that if the intent is to provide a path forward for micro cultivation licenses, the provisions as described for 'home industry' allow for this type of cannabis production at the federal level.
- Ministry staff support the proposed inclusion of cannabis production as a permitted use in the Regional District's Electoral Area General Industrial Zones.

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



Sincerely,



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



Gregory Bartle, Land Use Planner
B.C. Ministry of Agriculture
Phone: (778) 974-3836
Email: Gregory.Bartle@gov.bc.ca

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



From: Collins, Martin J ALC:EX <Martin.Collins@gov.bc.ca>
Sent: March 25, 2019 11:17 AM
To: Planning <planning@rdos.bc.ca>
Subject: FW: Bylaw Referral X2019.005-ZONE

Lauri

Thank you for the referral.

The ALC has no objection to the proposed bylaw as noted on the attached.

Regards

Martin Collins
Director of Policy and Planning
Agricultural Land Commission
#201, 4940 Canada Way, Burnaby, BC V5G 4K6
Phone: 604-660-2554
martin.collins@gov.bc.ca



RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2849

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Signature: Cheryl E. Walla

Signed By: Cheryl Walla

Agency: Kaladan Irrigation District

Title: Administrator

Date: April 24, 2019.





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

July 4, 2019

Reply to the attention of Sara Huber
ALC Planning Review: 46671
Local Government File: X2019.005-ZONE

Christopher Garrish
Regional District of Okanagan-Similkameen
cgarrish@rdos.bc.ca

Delivered Electronically

Re: **RDOS Electoral Area Official Community Plan and Zoning Amendment Bylaw Nos. 2840 and 2858 (Home-Industry Occupation and Cannabis Production)**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area Official Community Plan (OCP) and Zoning Amendment Bylaw Nos. 2840 and 2858 (the "Bylaws") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaws is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the "General Regulation"), the Agricultural Land Reserve Use Regulation (the "Use Regulation"), and any decisions of the ALC.

The Bylaws seek to update the regulations related to "home industry" and "home occupation" uses as well as those related to the production of cannabis, specifically:

Bylaw No. 2849

- Introduces policies into the Electoral Area OCP Bylaws that support the development of large-scale cannabis production facilities on lands designated Industrial (I), and not in other land use designations;
- Introduces new definitions of "cannabis production, indoor" and permit this as a use in the General Industrial (I1) and Heavy Industrial (I2) zones;
- Introduces a new regulation prohibiting "cannabis production, indoor" in all other zones unless occurring outside in a field or in a structure in the ALR with a base consisting entirely of soil (with certain exceptions for columns or posts supported by a concrete footing);
- Clarifies that the setbacks for greenhouses and cannabis production facilities from a parcel line are to be 15.0 metres;
- Introduces a new definition of "cannabis production, outdoor" and amend the definition of "agriculture" to include this use as a form of "agriculture";
- Amends the definitions of "home industry" and "home occupation" to make these consistent across Electoral Area zoning bylaws;

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'Sara Huber', written in a cursive style.

Sara Huber, Regional Planner

Enclosure: Bylaw Referral Sheet (Home Occupation Industry Cannabis)

CC: Ministry of Agriculture – Attention: Christina Forbes

46671m1



June 25, 2019

File No: X2019.005-ZONE

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

Re: Bylaw Referral – File No. X2019.005-ZONE

Dear Christopher Garrish,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the bylaw referral X2019.005-ZONE (Home Occupation Industry & Cannabis Zoning) regarding Bylaw No. 2849 and 2858 for the South Okanagan Electoral Areas. I have reviewed the documentation you have provided. From an agricultural perspective I can offer the following comments:

- Ministry staff note that as per our previous recommendation that “cannabis production, outdoor” has been added to the definition of agriculture.
- The Strengthening Farming team has identified the definition of agriculture to be problematic with respect to processing as it prohibits processing of farm products in the Agricultural Land Reserve (ALR). As per Section 11(2) of the *ALR Use Regulation*, processing is a permitted farm use in the ALR if at least 50% of the farm product is produced on the agricultural land on which the farm product is produced.
- Ministry staff support the proposed inclusion of cannabis production as a permitted use in the Regional District’s Electoral Area General Industrial Zones.
- It appears the proposed changes with respect to cannabis are partially consistent with the *ALR Use Regulations*. The proposed changes are consistent with Section 8(1) but by banning the indoor cannabis production in the ALR (notably, the concrete bottomed industrial style) the RDOS may have also inadvertently banned the production methods as listed in Section 8(2) of the ALR Regulations with respect to grandfathering of existing structures.
- The Ministry’s Guide for Bylaw Development in Farming Areas provides a maximum setback for greenhouses as 4.5m from interior side and rear lot lines and 7.5m from front and exterior side lot lines. The proposed bylaw has a 15.0m setback to lot lines. Given that this bylaw appears to be driven towards cannabis production these setbacks may be overly restrictive to greenhouses used in production of other crops that may not have the same odour concerns.



RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2849 & 2858

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Signature: P. S. Subramanian

Signed By: SUBRA PALIAPPA

Agency: SD 53

Title: SECRETARY TREASURER

Date: 4th JUNE 2019





Interior Health
Every person matters

June 18, 2019

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

RE: File No. X2019.005-ZONE; Bylaw: 2849 & 2858

Thank you for the opportunity to provide comments for consideration regarding the above referenced application. It is our understanding that amendments are to be made to the Electoral Area Official Community Plan and Zoning Bylaw, to allow for the production of cannabis within specific areas. We have reviewed the application with a Healthy Communities Development and Healthy Food Systems lens. The following comments are noted and should be given consideration regarding cannabis production facilities:

Healthy Communities Development

1. Location:

Industrial operations are expected to follow best practices for protecting the environment and public health. Best practices, however, may not be adequate to contain all odors from the operation. As such, proximity and impact on adjacent land uses need to be considered:

- proximity to residences and schools
- The size and configuration of the property, including access to the property
- Proposed scale of the production facility and accessory usage
- Potential noise, glare and vibration issues
- Air quality – prevailing winds, ventilation, odors

If development is NOT on a Community Drinking Water System and/or Community Waste Water Disposal (Sewer):

2. Drinking Water Supply:

The water supply system that services the facility may be subject to the approval and permitting requirements of the BC Drinking Water Protection Act and Regulation.

3. Waste Water Disposal:

Waste water generated by these operations is not considered “domestic sewage.” Domestic Sewage would include washroom, food preparation, dishwashing and showering waste. Interior Health enforces the BC Sewerage System Regulation.

Industrial Waste is managed by the Ministry of Environment, under the Environmental Waste Management Act, Municipal Sewage Regulation.

Healthy Food System

Interior Health has an interest in protecting agricultural land for food production and increasing the capacity of local food systems to support food security. Food security is vital to the health and well-being of a community and is the foundation for healthy eating. Farmland preservation helps to maintain a level of food production that

Bus: 250-469-7070 x12287
tanya.osborne@interiorhealth.ca
www.interiorhealth.ca

POPULATION HEALTH
505 Doyle Avenue
Kelowna BC V1Y 0C5



contributes to food self-sufficiency, and food self-sufficiency supports healthy eating. Food self-sufficiency in BC is increasingly important as extreme weather will affect production in California, which is currently where 40%–50% of BC's supply of fruits and vegetables comes from.

The proposed amendment to bylaw No. 2849 appears to support food security and has the potential to preserve agriculture land for future food production by:

- prohibiting large-scale and indoor cannabis production facilities in all zones other than industrial
- not supporting the use of lands designated Agriculture (AG) for indoor cannabis production
- prohibiting indoor cannabis production in the ALR, unless the structure has a base consisting entirely of soil

The proposed amendment to Bylaw No. 2858 introducing "micro cannabis production facilities" as a permitted use in AG1, AG2 and AG3 zones does not appear to support preservation of agriculture land as per the specification that "a micro cannabis production facility shall be conducted within an enclosed building or structure". Therefore, it appears this amendment does not support capacity for future local food production nor food security.

Consider food security in cannabis production on Agricultural Land Reserve (ALR) lands. See the [Agricultural Land Commission](#) website for further information on regulatory requirements.

The legalization of cannabis presents both an opportunity and challenge for local governments in the development of healthy, vibrant communities. Interior Health – Healthy Communities welcomes the opportunity to collaborate with the Regional District of Okanagan-Similkameen around education and awareness efforts.

Thank you for the opportunity to comment on this application. If you have any questions or concerns, please feel free to contact me at 250-469-7070 x12287.

Sincerely,



Tanya Osborne, BAHS
Community Health Facilitator
Healthy Communities
Interior Health Authority



Kristi Estergaard, RD
Public Health Dietitian
Healthy Communities
Interior Health Authority

Lauri Feindell

From: Judy Morris <ofid@telus.net>
Sent: June 13, 2019 1:57 PM
To: Planning
Subject: Bylaw Referral - X2019.005-ZONE - Bylaw 2849&2858

Good afternoon, the Board of Trustees have reviewed the Bylaw Referral and offer the following comments.

1/ The RDOS provide a map to the Okanagan Falls Irrigation District outlining the potential properties that could be effected by this bylaw

2/ Anyone requiring a water service/or change in existing water service be directed to our office

Thank you.



Judy Morris
Office Administrator
OKANAGAN FALLS IRRIGATION DISTRICT
PO Box 110 – 1109 Willow Street
Okanagan Falls, BC
VOH 1R0
Phone: 250.497.8541
Fax: 250.497.5817
Email: ofid@telus.net
www.okanaganfallsirrigationdistrict.ca



RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2849 & 2858

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Signature: Cheryl E. Paska

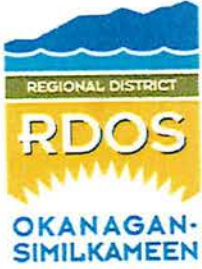
Signed By: Cheryl E. Paska

Agency: KAREN IRRIGATION DISTRICT

Title: Financial Administrator

Date: July 1, 2019.





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2019.005-ZONE

FROM: Name:

LINDA SEARS

(please print)

Street Address:



RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

The production facility has been increased to 400m² from the draft bylaw 2849. No explanation is given for the proposed increase. I think that area is too large.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: GORDON + CINDY RASMUSON
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

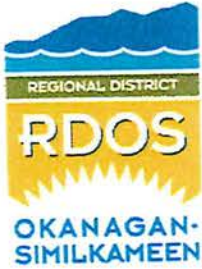
- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

WE ARE CONCERNED WITH LIGHTS, NOISE
AND SMELL OF A MICRO GROW OP.
THERE NEEDS TO BE CHECKS AND BALANCES IN PLACE
TO KEEP THE ABOVE AT REASONABLE LEVELS AND A WAY
TO ENFORCE THEM.

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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



Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: Lidra Devoushrie
(please print)

Street Address: [Redacted]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

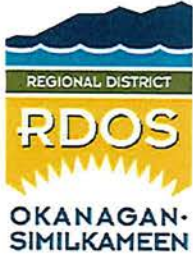
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

1 must limit lumens (light pollution)
 2 must limit odor pollution
 3 must limit noise pollution
 and
 wherever properties are surrounded by residential areas, such production is not allowed unless the above limitations are incorporated into master plan
 Naramata should be able to pass a law prohibiting large growing facilities.
 My property is in the ALR but I think cannabis should be confined to area where not visible to neighborhoods

Feedback Forms must be completed and returned to the Regional District no later than September 6, 2019

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





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: Row BRAUN
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

... Regarding regulations applying to micro-cannabis production facilities ...

add ".5 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced, ... shall not adversely affect the character of the adjoining properties"

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





Feedback Form

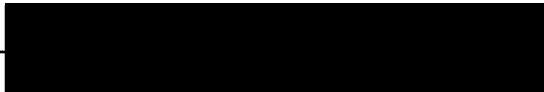
Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: CRYSTAL COULOMBE
(please print)

Street Address: 

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

I believe indoor micro cultivation is best suited in UH1
zones. Growing indoors is less of an eyesore
than growing in rural communities.

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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





RDOS

OKANAGAN-SIMILKAMEEN

Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: DUSTIN JACKSON
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

I BELIEVE INDOOR MICRO CULTIVATION SHOULD BE ALLOWED IN LHI ZONING FOR A NUMBER OF REASONS LISTED BELOW.

- LESS OF AN EYESORE TO THE COMMUNITY.
- THE SMELL CAN BE MORE EASILY CONTROLLED
- IT'S MORE DISCREET SO CRIMINALS WOAN'T SEE WHAT YOU'RE DOING.
- IT CAN BE MORE EASILY SECURED, OPPOSED TO AN OPEN FIELD
- AN INDOOR ENVIRONMENT IS EASILY CONTROLLED IN REGARDS TO TEMP, HUMIDITY AND PEST/FUNGUS CONTROL.
- THIS WOULD ALLOW PEOPLE WHO DO NOT HAVE MILLIONS OF DOLLARS TO PROVIDE SMALL BATCH, HIGH QUALITY PRODUCTS.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2019.005-ZONE

FROM: Name: Bob Parsons
(please print)

Street Address: [REDACTED]

RE: **Draft Zoning Amendment Bylaw No. 2858**
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

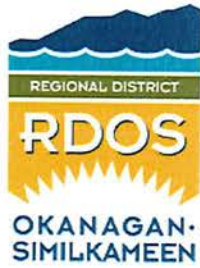
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

1. Inadequate Setbacks. In fact those don't appear to be written in the Draft legislation. Other communities have adopted a 60 metre setback to residential properties.
2. No protection of surrounding neighbours on residential land from odour, lights, noise is written into the By-law although it is written into the Home Occupation By-law.
3. Security has not been addressed in the By-law.
4. Highly volatile chemicals are used in the processing. Have the RDOS Board considered the implications of this in terms of a high risk fire area.
5. Public consultation. This is important legislation. Other communities have sent feedback forms to each household. These forms could go out with other information which RDOS mails regularly about garbage, Bears etc. Take the time to get this legislation right from the outset!

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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





Feedback Form

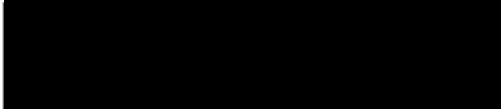
Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: Libby Parsons
(please print)

Street Address: 

RE: **Draft Zoning Amendment Bylaw No. 2858**
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

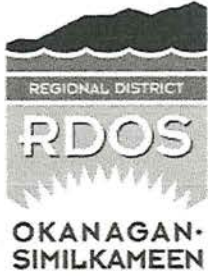
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

1. Inadequate Setbacks. In fact those don't appear to be written in the Draft legislation. Other communities have adopted a 60 metre setback to residential properties.
2. No protection of surrounding neighbours on residential land from odour, lights, noise is written into the By-law although it is written into the Home Occupation By-law.
3. Security has not been addressed in the By-law.
4. Highly volatile chemicals are used in the processing. Have the RDOS Board considered the implications of this in terms of a high risk fire area.
5. Public consultation. This is important legislation. Other communities have sent feedback forms to each household. These forms could go out with other information which RDOS mails regularly about garbage, Bears etc. Take the time to get this legislation right from the outset!

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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





Feedback Form

RECEIVED
Regional District

AUG 23 2019

Regional District of Okanagan Similkameen

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

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

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen

FILE NO.: X2019.005-ZONE

FROM: Name:



Mr. Michael Coton



(please print)

Street Address:

**RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities**

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

Canabis production must only occur on industrial properties (enclosed) NOT in residential neighbourhoods. My house faces two ALR properties and canabis production there is totally unacceptable.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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



September 5, 2019

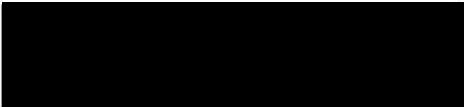

Members of RDOS,

I cannot and will not support any amendment to this bylaw that does not include wording to protect neighbors from harmful and unwanted light, noise, and odours.

On your draft amendment for bylaw 2848 under section 7.18.7 you use the wording "No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance, shall be produced by the home industry, and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area." It is disturbing and irresponsible for you to not have similar protections for neighbours of potential cannabis micro grow ops listed within bylaw 2858.

There is some opportunity to restrict Cannabis production, even on ALR land, as evidenced in the attached ALR Bulletin (May 2019 revision). With small parcels of ALR land scattered throughout the Okanagan Similkameen it is incumbent upon RDOS to look for every opportunity to prohibit Cannabis production in residential neighborhoods and where they cannot do this then they must protect all residents and wildlife from the negative impact any Cannabis production will have on all of us by enacting rigorous bylaw protections.

Sincere thanks for your consideration of the above,


Angela Verigin


Mark & Angela Verigin

August 20, 2019

To Whom it May Concern,

We are writing in regard to the bylaw regarding Home Industry/Occupation & Cannabis Production in Naramata, BC. We would like to have our opinion heard on this matter as we are the owners of a property at [REDACTED] in Naramata

With this writing, we hereby advise that we oppose the construction and operation of cannabis production facilities/greenhouses in any residential neighborhood, regardless of the size or zoning of these properties.

That said, should RDOS permit the construction of some micro cannabis facilities within residential neighborhoods we feel that the bylaw **MUST** be strictly regulated and monitored to ensure that neighboring properties are protected from the potentially damaging effects of this industry. These concerns include but are not limited to the following:

- Regulations surrounding safety and trespassing as these facilities are often targeted by criminals and/or criminal behavior
- Regulations to protect from fire risk – especially from butane which is a common source of fuel used for these facilities.
- Regulations to eliminate noise, smell and pollution from diesel generators that are a common power source for this type of facility
- Regulations to eliminate the impact that light pollution from the greenhouse will have on the quality of life of nearby residents, local wildlife, especially nocturnal wildlife, and the environment in general.
- Regulations to eliminate the smell and odorous emissions given off as a byproduct of cannabis production.
- Regulations to ensure air “freshening” products are not used as the solution to address the smell and odorous emissions of cannabis production facilities.
- Regulations against noisy air scrubbers which can be used to try and mitigate the odour resulting from cannabis production facilities.

If cannabis facilities are approved in residential neighborhoods, they could have a significantly negative impact to the surrounding properties. The approval of such facilities may create safety concerns such as air pollution and increased green house gases, toxic exhaust from diesel generators, potential fire hazards, and the lure of criminals and criminal behaviour. RDOS must ensure that these facilities do not create unwanted light pollution, odour and noise that will adversely affect humans, the environment and other the creatures that inhabit Naramata.

Thank-you for your consideration.
Sincerely,

[REDACTED]

Mark & Angela Verigin

[REDACTED]



From: [Stefanie Gale](#)
To: [Planning](#)
Cc: [Stefanie Gale](#)
Subject: File No: X2019.005-Zone
Date: September 6, 2019 2:03:54 PM

Re: Feedback regarding the proposed Zoning Amendments on Cannabis Micro Production Facilities in Naramata.

Given that the federal government allows for cannabis production, and assuming as a result, that the RDOS cannot *prevent* cannabis production in Area "E", I am in strongly in favour of amending the RDOS bylaws so as to provide clear parameters for cannabis production in Area "E", subject to the comments listed below:

A. I do not see any language addressing:

1. odour/air quality
2. light pollution
3. effluent pollutants

There have been many complaints and concerns voiced by residents/communities in other jurisdictions regarding the above.

B. New research has documented various environmental concerns with cannabis production that the RDOS should consider:
(www.sciencedaily.com/releases/2017/02/170221081736.htm; <https://daily.jstor.org/the-environmental-downside-of-cannabis-cultivation/>)

For example:

1. cannabis plants are 'water-hungry'; they need double the water required by grapevines.
2. cannabis facilities require excessive energy to run:
"Controlling the indoor growing environment requires considerable energy with power requirements estimated to be similar to that of Google's massive data centers": www.sciencedaily.com/releases/2017/02/170221081736.htm would suggest the minimum setback distance be 200 meters or more.

C. I would like to see the amended bylaws include a minimum distance between any cannabis production and residential homes. I would suggest that the minimum distance be 200 meters.

D. I was concerned to see the request for feedback occur over such a short timeframe (August 21 - Sept. 6); during a busy holiday/return to school time for many residents, and; that the request was not sent out to every mailbox as is often the case with messages from the RDOS. This is an important issue which has been raising significant concern over the past few months.

Sincerely,
Stefanie Gale (Forsyth)





INFORMATION BULLETIN 04

CANNABIS PRODUCTION IN THE ALR

Revised: May 8, 2019
Issued: August 15, 2018

1. SCOPE OF THIS INFORMATION BULLETIN

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (ALCA) and regulations in relation to cannabis production in the Agricultural Land Reserve (ALR). The ALCA and regulations will govern if inconsistent with this bulletin.

This information bulletin is directed only to interpretation of the ALCA and regulations. Compliance with the ALCA and regulations in relation to cannabis does not relieve persons from the need to comply with all other applicable laws, regulations and bylaws at the federal, provincial and local government levels.

2. RECENT CHANGES TO STATUTE AND REGULATIONS

Effective February 22, 2019, the ALCA and the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (now the ALR General Regulation) were amended and the Agricultural Land Reserve Use Regulation (the ALR Use Regulation) was created. Though many concepts contained in the ALCA and regulations remain unchanged, there have been changes related to the use of ALR land for cannabis production. All references in this information bulletin to the ALCA and regulations are as of February 22, 2019, unless otherwise stated.

3. WHETHER CANNABIS PRODUCTION IS A FARM USE

In the past, certain forms of cannabis production, but not others, had been “designated” as farm use by regulation. This was the practice followed when s. 2(2.5) of the former regulation was introduced in July 2018. The fact that certain production required “designation” to be a farm use suggested that non-designated forms of cannabis production:

- were not a farm use; and
- as such, could only be engaged in if the Agricultural Land Commission (the Commission) approved a non-farm use application specific to that use.

On February 22, 2019, s. 2(2.5) of the former regulation was repealed and the ALR Use Regulation was created. The ALR Use Regulation addresses cannabis production in s. 8, in a part of the ALR Use Regulation that is entitled “Farm Uses”, and no longer “designates” a



subset of cannabis production as farm use. This regulatory change clarifies that all forms of cannabis production are a “farm use”.

Because all forms of cannabis production are a “farm use”, cannabis production in the ALR does not contravene the ALCA even if engaged in without the Commission’s approval.

However:

- the ALR Use Regulation specifically allows local governments to prohibit cannabis production in certain forms (see section A of this bulletin); **AND**
- certain other activities associated with cannabis production, such as fill placement or soil removal, may still require proponents to engage with the Commission (see section B of this bulletin).

A. Local Government Authority To Prohibit

Local governments play a significant role in determining what kind of cannabis production occurs in their community.

Local governments may regulate or prohibit certain kinds of cannabis production, though may not prohibit all forms of cannabis production.

Section 8 of the ALR Use Regulation provides:

- (1) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced
 - (a) outdoors in a field, or
 - (b) inside a structure that, subject to subsection (2), has a base consisting entirely of soil.
- (2) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced inside a structure that meets both of the following conditions:
 - (a) the structure was, before July 13, 2018,
 - (i) constructed for the purpose of growing crops inside it, including but not limited to producing cannabis lawfully, or
 - (ii) under construction for the purpose referred to in subparagraph (i), if that construction
 - (A) was being conducted in accordance with all applicable authorizations and enactments, and

- (B) continues without interruption from the date it began until the date the structure is completed, other than work stoppages considered reasonable in the building industry;
- (b) the structure has not been altered since July 13, 2018 to increase the size of its base or to change the material used as its base.

Section 4 of the ALR Use Regulation provides:

The farm uses referred to in this Part [which includes s. 8] may not be prohibited

- (a) by a local government enactment except a bylaw under section 552 [farming area bylaws] of the *Local Government Act*, or
- (b) by a first nation government law, if the activity is conducted on settlement lands.

B. Placing Fill In, And Removing Soil From, The ALR

There are strict rules regarding placement of fill in the ALR and removal of soil from the ALR, even when necessary for a farm use, unless limited exceptions are met.

- Q. *Do the rules on placement of fill in the ALR and removal of soil from the ALR apply to the construction of structures intended to be used for the production of cannabis?*
- A. *Yes. These rules are found in ss. 35-36 of the ALR Use Regulation and apply generally, to the construction of structures for the production of cannabis, subject only to the limited exceptions summarized below.*

Typically even where the fill placement or soil removal is for cannabis production, successful completion of a notice of intent and/or use application process is required before the activity can proceed. This is so unless all of the following conditions are met:

- the fill placement or soil removal are for the purpose of constructing a structure for farm use; AND
- the total area from which the soil is removed or on which fill is placed is 1,000 m² or less; AND
- if the area from which the soil is removed or on which the fill is placed is in a floodplain, the resulting elevation level is consistent with the minimum elevation level established under all applicable local government enactments and first nation government laws, if any, respecting flood protection in the floodplain; AND
- the fill is not, and does not contain, construction or demolition waste (including masonry rubble, concrete, cement, rebar, drywall and wood waste), asphalt, glass,



synthetic polymers, treated wood, or unchipped lumber, as none of these may be used as fill in the ALR: ALR Use Regulation, ss. 35-36.

See the Commission's Information Bulletin #7 – Soil or Fill Use in the ALR for more information.

4. CONSTRUCTION, MAINTENANCE AND OPERATION OF STRUCTURES NECESSARY FOR FARM USE

Subject to any limits and conditions set out in Part 2 of the ALR Use Regulation, the use of land in the ALR to construct, maintain or operate a structure (including a greenhouse), driveway or utility that is necessary for a farm use is designated as a farm use: ALR Use Regulation, s. 5. A designated farm use may be undertaken without making a use application to the Commission.

Q. What does "subject to any limits and conditions set out in Part 2 of the ALR Use Regulation" mean for the construction of structures intended to be used for cannabis production?

A. The construction of structures for cannabis production are limited by the specific limitations for cannabis production set out at s. 8 of the ALR Use Regulation.

In determining whether an activity is "necessary" for a farm use, consideration must be given to whether the nature and size of the activity is proportionate to the farm use. If a landowner claims that an activity is "necessary" for a farm use that has not yet commenced, issues may arise in respect of whether the proposed use is in fact going to occur, and whether the nature and size of activity characterized as "necessary" will in fact be necessary to that use.

5. STORING, PACKING, PREPARING AND PROCESSING FARM PRODUCTS

The ALR Use Regulation refers to certain other activities potentially related to cannabis that local governments may not prohibit, but may regulate, as described in s. 4 of the ALR Use Regulation, such as certain storing, packing, preparing and processing uses set out in s. 11.

The use of land in the ALR for storing, packing, preparing and processing farm products is designated as a farm use, and as such may be undertaken without application to the Commission, if at least 50% of the farm product is (a) produced either on that agricultural land or by an association (as that term is used in the *Cooperative Association Act*) to which the owner of the agricultural land belongs, or (b) feed required for farm use on that agricultural land: ALR Use Regulation, s. 11(2).



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: L. MARK VERIGIN
(please print)

Street Address: [Redacted]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

I cannot support these bylaws without attention to the items listed in the attached letter.

**Feedback Forms must be completed and returned to the Regional District
no later than September 6, 2019**

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



September 6, 2019

Attention: Members of the RDOS

I do not support the proposed textual amendments to Bylaw No. 2858 as they are currently written.

Bylaw No. 2858 has not addressed any of the issues that have been brought to the attention of the RDOS by concerned neighbors and the residents of Naramata, namely:

- Odours, light pollution and noise emitted from the facility operation
- Security and/or crime prevention measures
- Limitations/restrictions/safety measures relating to fuels used to power the facility

As currently written, Bylaw No. 2858 contains no meaningful and/or measurable guidelines governing the operation of this facility nor are there any mechanisms in place that can be utilized to reduce and/or mitigate nuisance concerns relating to cannabis production facilities.

Bylaw No. 2858 is precedent setting. With essentially zero guidelines governing the actual operation of the proposed facility, and no mechanisms in place to hold facility owners accountable, how does the RDOS intend to mitigate not only the concerns raised previously and highlighted above, but also the potential for new issues going forward?

Thank you for considering the above commentary and feedback.


Mark Verigin


Lauri Feindell

From: elizabeth rushton [REDACTED]
Sent: September 6, 2019 2:08 PM
To: Planning
Cc: Matthew Stephenson
Subject: Draft zoning amendment byelaw no. 2849

RE: File No: X2019.005-Zone. Cannabis Micro Production Facilities

We have been unable to add any text to the feedback form so please consider this our official feedback form.

We are not in favour of the amendments allowing a micro cannabis production plant in area E as we do not see any impact assessment report that would address concerns re odour, excessive water requirements and airborne pollutants or water/soil contamination, nor is there anything in the byelaw amendment to ensure safety around air and water issues. There have been concerns re these issues raised in scientific journals.

eg <https://www.sciencedaily.com/releases/2017/02/170221081736.htm>.

In an area that suffers from regular water restrictions, any responsible planner should consider the impact on the current water supply as we understand that cannabis cultivation and production requires high water usage, at least double that of grapes for example.

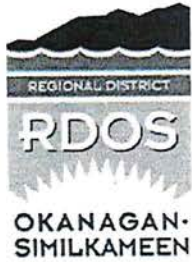
We also would note that the main and significant attraction in the area is the vineyards and associated wineries. It is a unique characteristic of the region, akin to heritage status. If RDOS allows this to be replaced by processing plants, micro or not, this will destroy that characteristic and the revenue it brings to the whole area. We would suggest that manufacturing is not appropriate in this region.

Finally, we note that communities with micro production facilities have made a number of complaints re the strong and unpleasant odour emitting from these industrial sites. Although the minimum size of the land and maximum size of the facility seems appropriate (if the above concerns have been addressed) we are concerned that no byelaw has been made for setbacks from residential properties which seems an oversight by RDOS. We would suggest a setback of at least 200 metres to mitigate the issue of odour to nearby properties.

yours faithfully

Elizabeth Rushton





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: Oliver Robinson
(please print)

Street Address: 

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

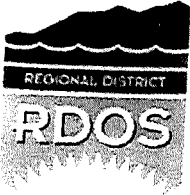
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

I would like to see more regulations with regards to noise/light/odour pollution and security. Minimum lot size should be 4 hectares with setbacks of 60 metres.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





Feedback Form

OKANAGAN-SIMILKAMEEN

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen

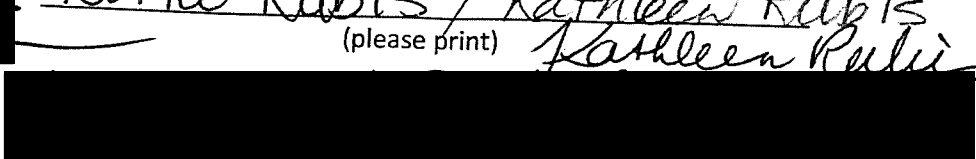
FILE NO.: X2019.005-ZONE

FROM:

Name:

Lorne Rubis / Kathleen Rubis
(please print) Kathleen Rubis

Street Address:



RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

I do support the proposed textual amendments to the zoning bylaws.



I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.



I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

We do not support the amendments which facilitate the operation of marijuana production for the following reasons:

- 1) Constant lights on will impact the rural night sky affect.
- 2) Equipment running 24/7 will impact noise pollution in a rural environment, disrupting nocturnal wildlife habits as well as daytime bird and wildlife populations.

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

(over)

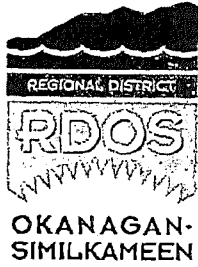
Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the Freedom of Information and Protection of Privacy Act (British Columbia) ("FIPPA"). Any personal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



(2)

- 3) Having experienced the horrible smell from production facilities in the Colorado area, we know that we will be impacted every time a wind comes from the hill areas above our area.
- 4) Yaramata Road is already heavily impacted by industrial traffic and these amendments will facilitate even more such traffic in residential areas (Arawana Rd for example).
- 5) This is simply not a good fit for a residential neighborhood.





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: H. JON MILLIGAN
(please print)

Street Address: 

RE: Draft Zoning Amendment Bylaw No. 2849 + 2858
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities
+ Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849 + 2858

- I believe the minimum lot size should be 4 hectares, the setback from residential properties should be at least 60 meters. There should be something in the bylaw limiting light + odour pollution, and noise after 10 pm. The facilities should also be required to have 24hr monitored alarm systems with security cameras.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

Janie Gingell & Dave Watson

FROM: Name: _____
(please print)

Street Address: _____

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

I have real concern about the impact on a residential neighbourhood. Agreed that if ALR the land should used be for productive use - however cannabis production is indoor not outdoor farming and more akin to manufacturing production than agriculture as envisaged when the ALR was created. I feel there is need for the bylaw changes to move with the times and protect the interests of residents in the light of a shift in type of agriculture.

My specific concerns are

- a) Distance is setback from residential property. I would have thought it should be at least 200 metres.*
- b) Odour - this should be continually monitored and reported not just set at construction or checked annually*
- c) One of the touristic appeals of Naramata is its rural quality and the fact visitors can see the stars without light pollution. Nor should homeowners be subjected to intrusive light throughout the night.*
- d) Noise - we know from living close to a winery that cooling and other mechanical noise can be 24 hours. Both this noise and that of vehicles accessing the plant must be kept to low levels*
- e) Risk of explosion with residential property damage and fire on an already tinder-dry hillside in summer months.*

It is again disappointing that as with Kettle Ridge and Outlook Development impacts on the community, the RDOS has totally failed to consult with its tax payers and citizens. We elect and employ you and we expect more consultation.

Feedback Forms must be completed and returned to the Regional District

no later than **September 6, 2019**

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



Lauri Feindell

From: Stefanie Gale [REDACTED]
Sent: September 6, 2019 2:04 PM
To: Planning
Cc: Stefanie Gale
Subject: File No: X2019.005-Zone

Re: Feedback regarding the proposed Zoning Amendments on Cannabis Micro Production Facilities in Naramata.

Given that the federal government allows for cannabis production, and assuming as a result, that the RDOS cannot *prevent* cannabis production in Area "E", I am in strongly in favour of amending the RDOS bylaws so as to provide clear parameters for cannabis production in Area "E", subject to the comments listed below:

A. I do not see any language addressing:

1. odour/air quality
2. light pollution
3. effluent pollutants

There have been many complaints and concerns voiced by residents/communities in other jurisdictions regarding the above.

B. New research has documented various environmental concerns with cannabis production that the RDOS should consider:
(www.sciencedaily.com/releases/2017/02/170221081736.htm; <https://daily.jstor.org/the-environmental-downside-of-cannabis-cultivation/>)

For example:

1. cannabis plants are 'water-hungry'; they need double the water required by grapevines.
2. cannabis facilities require excessive energy to run:
"Controlling the indoor growing environment requires considerable energy with power requirements estimated to be similar to that of Google's massive data centers": www.sciencedaily.com/releases/2017/02/170221081736.htm would suggest the minimum setback distance be 200 meters or more.

C. I would like to see the amended bylaws include a minimum distance between any cannabis production and residential homes. I would suggest that the minimum distance be 200 meters.

D. I was concerned to see the request for feedback occur over such a short timeframe (August 21 - Sept. 6); during a busy holiday/return to school time for many residents, and; that the request was not sent out to every mailbox as is often the case with messages from the RDOS. This is an important issue which has been raising significant concern over the past few months.

Sincerely,



Lauri Feindell

From: Renee Chamberland [REDACTED]
Sent: September 5, 2019 7:35 PM
To: Planning
Subject: File No: X2019.005-Zone

To whom it may concern,

Following the public information meeting here is our feedback regarding the proposed Zoning Amendments on Cannabis Micro Production Facilities in Naramata.

I am in favour of amending the bylaws to limit the size/location of new Cannabis 'plantations'. However I am asking you to make sure to protect the quality environment (air, noise, smell, etc.) of our prestine region which makes money with wine production.

If being FireSmart is a real concern, Cannabis plantations add numerous risks to our already vulnerable environment. Ref.: article in February 2015 of the Fire Engeeniring magazine.

Do we want our area to be known for its Cannabis plantations (instead of its fruits and wine business)in 5/10 years from now?

Thank you for giving us the opportunity to provide you some feedbacks.

Renée Chamberland

[REDACTED]



Lauri Feindell

From: Roger Mutimer [REDACTED]
Sent: September 6, 2019 10:34 PM
To: Planning
Subject: Draft Zoning Amendment ByLaw #2858 - Microcannabis Production Facilities

Arleigh Anderson and Roger Mutimer
[REDACTED]

We DO NOT support the proposed textual amendments to the zoning bylaws

While we appreciate that the RDOS has to act expeditiously following the legalization of cannabis in Canada and that its powers are limited given the policies of Health Canada and the Agricultural Land Commission, we do not believe that the Bylaws as laid out for Electoral Area E are appropriate given the extraordinary circumstances that exist in the Arawana/Debeck/Juniper area of Naramata.

We are one of the 19 residences that directly border the proposed plant at 2860 Arawana Road. Our concerns centre around setbacks from boundaries with other properties and the allowable size of the size of the processing facilities. Our view is that they should be 60 metres and 200 square metres respectively.

Given the concerns raised at the public meeting in Naramata and the subsequent feedback you have received, our hope is that you will reconsider the proposed bylaw and reopen the amendment process.

Kindest regards,

Arleigh Anderson and Roger Mutimer





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: BRENDA Wozniak + Doug Gibson
(please print)

Street Address: [Redacted]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

Feedback Forms must be completed and returned to the Regional District no later than September 6, 2019

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





Feedback Form

COPY

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: JAMES TAPP
(please print)

Street Address: [Redacted]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

RECEIVED
Regional District

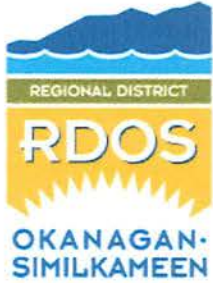
SEP - 3 2019

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

101 Martin Street
Penticton BC V2A 5J9

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





Feedback Form

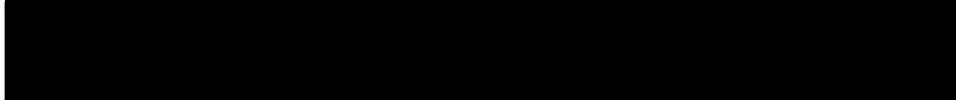
Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: Nicholas + Berna Gammer
(please print)

Street Address: 

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

• See attached Nicholas + Berna Gammer Submission

RECEIVED
Regional District

SEP - 6 2019

01 Martin Street
Penticton BC V2A 5J9

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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



RDOS Feedback Form -Zoning Amendment Bylaw No.2858,
Micro Cannabis Production Facilities

We do not support the proposed textual amendments to the zoning bylaws.

Written Submission

In broad terms we are opposed to the proposed textual amendments because they are inadequate and not nearly as stringent as they should be given the gravity of the Josey application and the negative impact it is likely to have on our neighbourhood and community. We are entering uncharted waters and the proposed bylaw amendments do not take into account the complexity and long-term impact of the Josey application.

In more specific terms:

- There is little protection for neighbours.
- More substantial setbacks are required (far more than 15 meters) given the serious problems with odours and bright lights (already experienced in other jurisdictions.) More research needs to be done to better establish proper and effective setbacks.
- 2-4 hectare requirements are not adequate to protect our neighbourhood. The minimum requirement should be at



least 5 hectares which many other jurisdictions have adopted.

- The other weakness of the amendment is that the RDOS amendment has increased the 200 square meter maximum of the production facility to 400 square meters. Where is the empirical data that supports and allows such an expansion? One would think that given that the RDOS is entering the uncharted waters of micro processing cannabis production, it would err on the side of caution to better protect the community and strengthen its regulatory effectiveness, especially in the event of yet unforeseen problems associated with the Josey application and others like it.

The Federal Government’s “Municipal Guide to Cannabis Legislation – A Roadmap for Local Governments” highlights some of my concerns when it notes:

*As local governments anticipate an increase in nuisance complaints with legalized cannabis, odour issues rank among their top concerns—and these are notoriously difficult to regulate and remediate. Because odours are hard to quantify objectively in terms of strength or character, setting regulatory standards is challenging. While some odour testing labs exist in Canada, their usefulness for regulatory purposes is questionable, and testing can be onerous and expensive. Even if and when the quantification of odour can be satisfactorily addressed, an odour’s source can be challenging to prove to the standard needed in court. **Proactive approaches to cannabis-related odour and nuisance abatement are therefore preferable.***

*For example, odour impact assessments and control plans might be included in requirements for rezoning applications or development approvals in circumstances where these are authorized and warranted. **Zoning setbacks, landscaping, buffer or similar requirements may be considered for certain types of facilities that are anticipated to cause odour or other nuisances.** This is in addition to the basic locational criteria that have traditionally restricted problem activities to their own special zones. Municipalities may also want to set business licence conditions that could reduce nuisance concerns around cannabis production and retail facilities.*

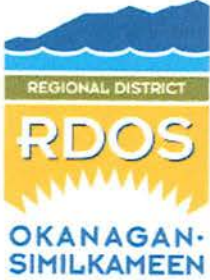


We live in a quiet residential neighbourhood that is highly prized for its serenity and beauty. Should Mr. Josey's production facility be allowed to go ahead it will mean a significant reduction in our property values upon which we depend.

I believe the RDOS is capable and obligated to do a better job of strengthening its bylaws to safeguard the integrity of our community and others like it.

Thank you.





Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: CLAUDE & MERLE DIOT
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

RECEIVED
Regional District

AUG 30 2019

101 Martin Street
Penticton BC V2A 5J9

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

This proposed bylaw does not address the consensus of the entire residential community surrounding this particular property on Argus Road.

This area has been developed with RDOS blessings into a residential area, and at no time should a small home occupation business take over and dictate the established lifestyle that we enjoy at one time, should be regarded as a minority. And to call this business "farming" is absolutely a farce.

Regarding your bylaw, it is weak, there is no backbone, and inappropriate.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

cont. on page 2





Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: CLAUDE *MERLE DIOT
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. ~~2849~~ 2858
~~Update of Home Occupation/Industry Regulations and Cannabis Production Facilities~~
MICRO CANNABIS PRODUCTION FACILITIES

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

(from page 1) - no setback comparable to other jurisdictions
- no lighting consideration
- odour is a major issue in established grove industrial area
- absolutely no security for nearby residents (never seen a RCMP patrol car in 13 years since we've been here)
- fire possibility is totally understated (we personally spend over \$2500.00 a year to trim & cut grasses on Aramona Road around our property, as the RDOS is not capable of doing so.) Are we nervous about fire or not.
- we are totally fed up with the representation of this area by our

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

cont. page 3

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



(cont. from page 2)

lected official and it is time that this person started looking after the well being of all the taxpayers, not just a few.

- we receive absolutely no value whatsoever for our taxes that we pay.
- and this is not even talking about decrease in property value and lifestyle.

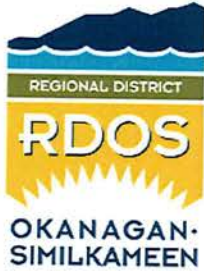
So in conclusion, before we even talk about creating new by laws, let me assure you we are TOTALLY AGAINST this possible location of this so called "farming business".

~~The~~ Business belongs in a business area where business taxes are applicable and properly controlled, and not hiding ~~top~~ behind "everything goes" in ALR.

Yours truly

Claude + Mark Duf





Feedback Form

RECEIVED
Regional District

AUG 28 2019

101 Martin Street
Penticton BC V2A 5J9

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: HELEN COWDELL
(please print)

Street Address: 

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

OUR EXPERIENCE WITH THE RDOS IS THAT THEY HAVE MANY SO-CALLED BY LAWS THAT THEY DON'T ENFORCE. THIS PROPOSED ZONING CHANGE WILL BE NO DIFFERENT.

WE DON'T WANT THE SMELL-LIGHT POLLUTION- AND NEED FOR EXTRA SECURITY FOR A FACILITY THAT DOES NOT BELONG IN A RESIDENTIAL NEIGHBORHOOD.

*WE ARE TOTALLY AGAINST THIS AMENDMENT!!

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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





Feedback Form

RECEIVED
Regional District

SEP - 6 2019

101 Martin Street
Penticton BC V2A 5J9

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: David / Donna ANDREW
(please print)

Street Address: 

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

We are primarily concerned about the possibility of pervasive and obnoxious odors in the nightly downdraft that we have enjoyed in the thirty-one years that we have lived here. We use this downdraft to freshen our house nightly through all seasons. The building will be directly above our house.

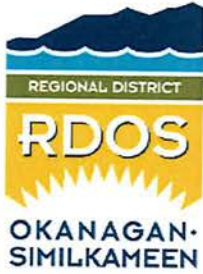
Your by-law appears to deal only with tangibles such as building size, setbacks etc., but what about prevailing winds, downdrafts, odor, light pollution, aesthetics or waste-water drainage?

Have you thought of the effects of an operation which possibly can go over and under the farm fence?

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2019.005-ZONE

FROM: Name:

Row BROWN

(please print)

Street Address:



RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

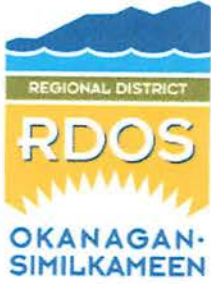
... Regarding regulations applying to micro-cannabis production facilities ...

add ".5 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced..... shall not adversely affect the character of the adjoining properties"

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: Lidia Devoushnie
(please print)

Street Address: [Redacted]

RE: **Draft Zoning Amendment Bylaw No. 2858**
Micro Cannabis Production Facilities

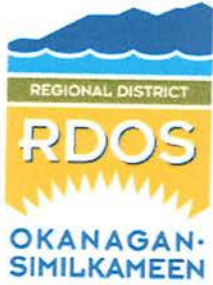
My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

1 must limit lumens (light pollution)
 2 must limit odor pollution
 3 must limit noise pollution
 and
 wherever properties are surrounded by residential areas, such production is not allowed unless the above limitations are incorporated into master plan
 Naramata should be able to pass a law prohibiting large growing facilities.
 My property is in the ALR but I think cannabis should be confined to area where not visible to neighborhoods

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: GORDON + CINDY RASMUSON
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

WE ARE CONCERNED WITH LIGHTS, NOISE
AND SMELL OF A MICRO GROW OP.
THERE NEEDS TO BE CHECKS AND BALANCES IN PLACE
TO KEEP THE ABOVE AT REASONABLE LEVELS AND A WAY
TO ENFORCE THEM

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2019.005-ZONE

FROM: Name:

Cheryl + Ed Bingley

(please print)

Street Address:



**RE: Draft Zoning Amendment Bylaw No. 2858
Micro Cannabis Production Facilities**

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2858.

- Minimum parcel size should be larger than the 2 hectares proposed. Other local governments have proposed or implemented larger min. parcel sizes ie the RDCCO - min 8 hectares. What happened with your recommendation to increase the min parcel size from 2 to 4 hectares as noted in your Admin Report dated May 23, 2019 ???

- A building setback is not noted in the Draft. This is a very important consideration to maintain the quality of life for surrounding residents. The RDND has implemented a 60m setback from adjacent residential zoned properties.

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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



ADMINISTRATIVE REPORT



TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Park Land Dedication Policy

Administrative Recommendation:

THAT the draft Park Land Dedication Policy be forwarded to the Board for adoption.

Purpose:

To present a revised and updated Park Land Dedication policy for the Board's consideration.

References:

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

Background:

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

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

At its meeting of July 8, 2010, the Regional District adopted a "Park Land Dedication Policy", which establishes the administrative procedures to be followed by Regional District when dealing with park land dedication proposals.

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

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

At the Board's Planning and Development Committee meeting of July 18, 2019, the Board provided the following resolution:

"THAT the Parkland Dedication policy be referred to the Advisory Planning Commissions for comment."

Administration has now concluded engaging with all the Advisory Planning Commissions (APC) for comment. Attachment No. 2 provides a summary of comments received from each respective APC. In general, all APCs were in favour of the proposed policy and recommended that the Board move forward with adoption.

Analysis:

In the review of the current Park Land Dedication Policy (Attachment No. 3), Committee should note that policies and principles included are more procedural in nature, which is not typical of most of the Board's other corporate policies. For example, some of the step-by-step responsibilities of staff and principles under the heading "Acquisition of Park Land" may be more conducive for inclusion in an Administrative Procedure as to how the Park Land Dedication process will be carried out.

In addition, Administration feels discretionary policy decisions have been omitted or left vacant by the current policy. Examples of these gaps includes:

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

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

Alternatives:

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

Communication Strategy:

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

Respectfully submitted:



B. Dollevoet, General Manager, Development Services

Attachments: No. 1 - Draft Park Land Dedication Policy

No. 2 – Advisory Planning Commission Comments

No. 3 - Park Land Dedication Policy (adopted July 8, 2010)

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

BOARD POLICY

POLICY: PARK LAND DEDICATION POLICY

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

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

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

POLICY STATEMENT

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

DEFINITIONS

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

REFERENCES

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

BACKGROUND

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

EXEMPTIONS

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

PROCEDURE FOR PARK LAND DEDICATION

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

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

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

LANDS THE REGIONAL DISTRICT MAY REQUIRE TO BE INCLUDED

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

ADDITIONAL LANDS THAT MAY BE TAKEN

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

CASH IN LIEU OF LAND DEDICATION

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

DISPOSAL OF PARK LAND

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

REPLACEMENT OF PREVIOUS POLICY

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

DRAFT

Attachment No. 2: Parkland Dedication Policy – APC Comments

Area "E" APC:

- Section 19 "Disposal of Parkland": Happy to see the inclusion of the disposal of parkland process included in the policy, and that Elector approval is required prior to disposal of these parcels.
- Would like to see Section 19 expanded to include policy on the "changing of use" of park areas (example provided of recent City of Penticton, Skaha Park proposed change of use to a public marina). A long-term lease would not necessarily be considered a "disposal" of park land, and therefore a future Board of Directors would not be bound from considering a change of use. Prefer policy to be included to ensure the public consultation/Elector approval is granted before a "change of use" of Park land to be grant by the Regional Board.
- Proposed park land areas as part of subdivision application should be presented to both the Area Planning Commission and Parks and Recreation Commission for comment (current policy just indicates APC).

Area "D" APC:

- Recommends the Regional Board adopts a policy/bylaw to take Development Cost Charges (DCCs) OR 5% cash-in-lieu of Parkland Dedication. It was discussed that the Parkland Acquisition Best Practices Guide provides that local governments in good faith, should not be 'double-dipping' with requiring both 5% Cash-in-lieu AND DCCs for parkland purposes. However, the APC felt there are some cases where the mechanism to collect DCCs or 5% cash-in-lieu made be preferable based on the context. An example would be a new large apartment building in the Town Centre area, which would not be subject to 5% cash-in-lieu, but could be subject to a parkland DCC.
- Administration mentioned that to determine a DCC bylaw for parkland purposes, a Parks Master Plan would be required and then future costs would need to be calculated to determine an appropriate and justifiable charge. APC members were in support of the development of Parks Master Plan and indicated that this is currently being discussed at the Okanagan Falls Parks & Recreation Commission.
- The APC provided a formal recommendation to consider a DCC Bylaw in its minutes to the Regional Board.
- The APC was in favour of the added elements and changes in the proposed draft policy.

Area "A" APC:

- There was discussion about when the cash in lieu option was/wasn't available, with the comment that under 10(a) "no park service" was vague.
- There was a comment that the Board should have the discretion to decide on whether it wants cash in lieu or parkland dedication for each application.
- There was confusion around the 11(c)ii and asked that the provision be clarified. There was a suggestion to re-work the wording to make it more clear what the intent was.
- There was concern about parkland dedication applying on larger parcels.
- There was comment that there are many areas where environmentally sensitive lands cover the property and if excluded from the calculation it doesn't leave much land.

Area "I" APC:

- Suggests that the RDOS Board adopts a policy to have a preference for taking land for park purposes for larger subdivisions instead of cash-in-lieu.
- No other concerns with the proposed policy.

Area "C" APC:

- Cash-in-lieu that is taken from the park land dedication process should stay in the Electoral Area of where the subdivision occurred, and also in the Park service area of where the subdivision was located (i.e. it was mentioned that Willowbrook has a park, and cash-in-lieu taken from that community should stay there).
- Concerns over low water in aquifers in upland areas where future subdivisions are being proposed.

Area "H" APC:

- The "park service" requirement (LGA S. 510(2)(a)) was discussed. If there is no park service for the Electoral Area, then only land can be provided as park land dedication. The land has to be acceptable to the Electoral Area Director and the Regional Board.

Area "F" APC:

- The funds collected within an Electoral Area should be used within that Electoral Area.
- Supportive of the changes to the process for getting a second opinion on the full narrative market appraisal and the process for dispute of appraisals.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD POLICY

POLICY: PARK LAND DEDICATION POLICY

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

POLICY STATEMENT

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

PURPOSE

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

DEFINITIONS

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

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

RESPONSIBILITIES

Board of Directors shall:

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

The Chief Administrative Officer shall:

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

The Staff shall:

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

PRINCIPLES

Acquisition of Park Land

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

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

Cash In-Lieu of Land Dedication

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

Waiving of Park Land Dedication Requirements

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

Use of Cash In-Lieu Funds

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

ADMINISTRATIVE REPORT



TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Development Procedures Bylaw Updated – Subdivision Referrals

Administrative Recommendation:

THAT Amendment Bylaw No. 2500.11, 2019, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be brought forward for consideration of 1st reading.

Purpose:

The purpose of Amendment Bylaw 2500.11, 2019, is to introduce application requirements and processing procedures related to subdivision proposals referred by the Ministry of Transportation and Infrastructure (MoTI) to the Regional District for review against applicable bylaws.

Background:

Under Section 77.1 of the *Land Title Act*, the Lieutenant Governor in Council may authorize a regional district board to appoint a person as an Approving Officer for the rural area of the regional district for the purpose of approving subdivisions.

If an Approving Officer is not appointed under section 77.1 for a rural area, the Approving Officer(s) for the area is to be appointed by the Lieutenant Governor in Council.

For the rural areas within the Regional District of Okanagan-Similkameen (RDOS), the Lieutenant Governor in Council has appointed an Approving Officer, and all applications for subdivision within the RDOS are to be submitted to the Ministry of Transportation and Infrastructure (MoTI) for processing and consideration by this Approving Officer.

Under Section 87 (Local government matters to be considered) of the Act, the Approving Officer must consider a plan of subdivision against all applicable regional district bylaws that regulate the subdivision of land, including zoning bylaws.

To facilitate this consideration, MoTI refers subdivision applications involving lands within the rural area to the RDOS for review against all applicable bylaws.

In turn, the RDOS provides an assessment to MoTI advising if a proposed subdivision complies with the applicable bylaws and, if not, what an applicant is required to do in order to achieve compliance.

At present, the RDOS's Development Procedures Bylaw is silent on the matter of subdivision referrals received from MoTI.

In the Spring of 2018, the RDOS underwent an organization review which resulted in the subdivision service being transferred from the department of Public Works to Development Services.

At its meeting of October 18, 2018, the Planning and Development (P&D) Committee of the Board considered a report that provided an update on implementation of the recommendations from a subdivision "Kaizen" completed by the organization in 2017.

An outstanding recommendation highlighted in this report was the need to draft new procedures to be included in the Development Procedure Bylaw for processing Subdivision referrals.

Development Services staff formally begun to process subdivision referrals from MoTI in September of 2018, and have handled approximately 20 files in that time. It is this experience that has informed the recommended amendments to the Development Procedures Bylaw contained within this report.

Analysis:

The purpose of the proposed amendments to the Development Procedures Bylaw are to establish clear and identifiable requirements that will facilitate the assessment of subdivision referrals by Administration.

This includes requiring the preparation of plans by a British Columbia Land Surveyor (BCLS), including the provision of digital Computer-Aided Design (CAD) files to facilitate, amongst other things, the calculation of minimum parcel width and depth requirements and minimum useable area and cross-referencing against floodplain, development permit and other Regional District mapping layers.

The notification to the applicable Electoral Area Director(s) is also being formalized as a step in the processing procedures.

In order to ensure that referral comments are generally provided to MoTI within 4 weeks of receipt of a referral by the Regional District, the previous practice of requiring payment by an applicant of applicable RDOS fees prior to the commencement of a review has been removed.

In its place, Administration is proposing that applicant's be advised of all required fees as part of the assessment process with the issuance of a "Letter of Compliance" being dependent upon these fees being paid.

It is also being proposed that any comments provided by the Regional District to MoTI in the form of a "Subdivision Review Report" be valid for an 18 month period from the date of issuance (with an option for a renewal of the comments in the Report for a further 12 months).

This provision is being proposed as the comments contained in a Subdivision Review Report are a snapshot in time and are subject to becoming outdated as a result of amendments being undertaken to the Regional District's various land use bylaws.


Alternatives:

THAT Bylaw No. 2500.11, 2019, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, not be initiated.

Respectfully submitted:


C. Garrish, Planning Manager

Endorsed by:


B. Dollevoet, G.M. of Development Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.11, 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. 2500.11, 2019."
2. The "Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011" is amended by:
 - (i) adding a new Section 1.2.7 under Section 1.0 (Title and Scope) to read as follows:
 - .7 an application to the Ministry of Transportation and Infrastructure (MoTI) to subdivide land or buildings.
 - (ii) adding a new Section 3.2.9 under Section 3.0 (General Regulations) to read as follows:
 - .9 An application to the Ministry of Transportation and Infrastructure (MoTI) to subdivide land or buildings requiring review for compliance with Regional District bylaws and policies shall be made and processed substantially as outlined in Schedule '10' of the bylaw.
 - (iii) adding a new Schedule 10 (Referral of a Ministry of Transportation and Infrastructure Subdivision Application) following Schedule 9 (Referral of a Liquor and Cannabis Regulations Branch Application) to read as follows:

SCHEDULE 10	REFERRAL OF A MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE SUBDIVISION APPLICATION
------------------------------	--

This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed.

1. Review Requirements

.1 State of Title Certificate

- (a) a copy of the Land Title Office search print, issued not more than thirty (30) calendar days prior to the application date for any parcel of land subject to the application; and
- (b) a copy of all non-financial charges (i.e. covenants, easements and rights-of-way, etc.) registered on the subject property(s).

.2 Proposed Subdivision Plan

- (a) a proposed subdivision plan prepared by a BC Land Surveyor and drawn to scale shall be submitted to the Regional District and include the following (as applicable):
 - (i) north arrow and scale;
 - (ii) dimensions and area of all proposed parcels, including any areas of lands to be considered as dedicated parkland;
 - (iii) location of existing and proposed access roads and driveways;
 - (iv) location and dimensions of existing structures and setbacks (including projections and overhangs) to parcel lines and proposed road dedications;
 - (v) location and dimensions of existing rights-of-way, covenant areas and other easements;
 - (vi) location and dimensions of proposed rights-of-way, covenant areas and other easements (if any);
 - (vii) location of all existing community water and/or sewer lines and utilities;
 - (viii) minimum useable parcel area or not less than 200.0 m² on each proposed parcel as defined by the applicable Electoral Area zoning bylaw;
 - (ix) floodplain elevations as specified in the applicable Electoral Area zoning bylaw; and
 - (x) development permit area designations for the protection of the natural environment and for the protection of development from hazardous conditions.

.3 Digital Files

- (a) a digital file of the proposed subdivision plan prepared by a BC Land Surveyor shall be submitted to the Regional District in the form of a "shape", ".dwg" or similar Computer-Aided Design (CAD) format.

2. Processing Procedure

A Subdivision application referred to the Regional District of Okanagan-Similkameen (RDOS) by the Ministry of Transportation and Infrastructure (MoTI) will be processed as follows:

- .1 Upon receipt of an application referral from MoTI, the Regional District will open a file and Development Services staff will review the application referral to determine whether it is complete and, if incomplete, will request the required information from the applicant.
- .2 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.
- .3 Development Services staff will refer the application to all applicable Regional District departments for comment.
- .4 Development Services staff will notify the relevant Area Director(s) of an application.
- .5 The referral comments will then be incorporated into a Subdivision Review Report to the Chief Administrative Officer, or their delegate, identifying any outstanding requirements, areas of the application that may conflict with applicable bylaws and/or any required amendment(s).
- .6 The Regional District will forward copies of the Subdivision Review Report to MoTI and the applicant. The Subdivision Review Report will outline the results of the evaluation identifying any outstanding requirements, areas of the application that may conflict with applicable bylaws, and/or required amendment(s) and any required fees in accordance with the Regional District's Fees and Charges Bylaw.
- .7 Comments contained in the Subdivision Review Report are valid for 18 months from the date of issue. Renewal of comments contained in a Subdivision Review Report for up to an additional 12 month period is subject to the submission of a written request to the Regional District by the applicant and the payment of applicable renewal fees.
- .8 As any outstanding requirements are submitted by the applicant, the Regional District will verify that the conditions of the Subdivision Review Report have been satisfied.
- .9 If a Ministry condition of approval of a subdivision includes the requirement for the registration of a statutory covenant on title in which the Regional District is to be a named party, this document shall be prepared by the Regional District's solicitor, at the applicant's cost, and formally endorsed by the Regional District prior to registration.
- .10 Once all the requirements defined by the Regional District in the Subdivision Review Report have been satisfied by the applicant, the Regional District will

notify MoTI and the applicant through the issuance of a Letter of Compliance (LoC) that there are no outstanding issues within the scope of the RDOS review.

READ A FIRST TIME on the __ day of _____, 2019.

READ A SECOND TIME on the __ day of _____, 2019.

READ A THIRD TIME on the __ day of _____, 2019.

ADOPTED on the __ day of _____, 2019.

Board Chair

Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, October 17, 2019

1:15 pm

REGULAR AGENDA

- A. APPROVAL OF AGENDA
RECOMMENDATION 1
THAT the Agenda for the Protective Services Committee Meeting of October 17, 2019 be adopted.
-
- B. ACTIVITY REPORT – FOR INFORMATION ONLY
1. Q3 Update
-
- C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Protective Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Third Quarter Activity Report – For Information Only

Emergency Management, Policing, E-911, FireSmart

Activities Completed in Q3 2019:

- Continued to implement 2018 EOC after Action Report recommendations.
- Carried out upgrades to the E-911 emergency telecommunications network.
- Activated and tested the recently upgraded RDOS Emergency Operations Centre.
- Presented at various community emergency preparedness events (5)
- Hosted 5 Emergency Management training seminars to RDOS and municipal partners.
- Conducted various Emergency Operations Centre tours and open houses.
- Received and commenced 2 CEPF flood mitigation grants.
- Completed hiring process for Emergency Program Coordinator.
- Continued enhancement of community partnerships (contractors, businesses, emergency services) for business continuity and EOC support during emergencies.
- Continue work on FireSmart activities under UBCM's Community Resiliency Investment program. Tender and award projects for Community FireSmart Assessments in Areas D and E.
- Developed and tested Emergency Evacuation Application for RCMP, SAR and Fire.
- Conducted Emergency Evacuation Application Training to SAR and RCMP.
- Commence work on the Regional Emergency Program Bylaw amendments.
- Commence work on the RDOS Emergency Response Plan.
- Continue updating Emergency Support Services procedures for ESS volunteers.
- Continue to update Kelowna Fire Dispatch Operational Guidelines and procedures.

Planned Activities for Q4 2019:

- Complete 2020 capital project planning, work plan and budget planning process.
- Continue to support the communities effected by flooding through the Regional EOC.
- Continue to support emergency planning efforts within the Regional District.
- Develop the 2019-2020 Regional Emergency Preparedness training schedule.
- Re-establish E-911 faults mapping system with Inter-mapper.
- Re-establish Emergency Communications Committee with Fire Departments.

-
- Finalise Emergency Program Bylaw amendments.
 - Implementation the Regional Emergency Preparedness Committee.
 - Continued enhancement of community partnerships (contractors, businesses, emergency services) for business continuity and EOC support during emergencies.
 - Continue work on FireSmart activities under UBCM's Community Resiliency Investment program.
 - Continue planning and training with Emergency Support Services (ESS) volunteers.
 - Coordinate After-Action meeting in fall 2019.

Respectfully submitted:

Mark Woods

M. Woods, General Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, October 17, 2019

1:22 pm

REGULAR AGENDA

- A. APPROVAL OF AGENDA
RECOMMENDATION 1
THAT the Agenda for the Environment and Infrastructure Committee Meeting of October 17, 2019 be adopted.
-
- B. ACTIVITY REPORT – FOR INFORMATION ONLY
1. Q3 Update
-
- C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Third Quarter Activity Report – For Information Only

ACTIVITIES COMPLETED IN Q3 2019:

SOLID WASTE

- Campbell Mountain Landfill Biocover Pilot – Final report was submitted to Ministry of Environment.
- Campbell Mountain Landfill Drainage and Leachate – Leachate extraction well has been undergoing pump tests to observe the well yield and any impact on the surrounding monitoring wells. Additional extraction wells have been installed. Data is being collected from the extraction wells to be used in the Phase 2 of the overall project to determine treatment needs and any additional extraction well requirements.
- Campbell Mountain Landfill Entrance/Exit review – Consultant has been evaluating different entrance and exit options for the landfill. Draft design was provided in late Q3 for review.
- Campbell Mountain Landfill Spiller Road Drainage – Reviewed revised report from consultant and provided comments on the draft to the City of Penticton.
- Keremeos Landfill Closure Plan – Additional work completed on the closure plan as required by the MOE. Meeting is scheduled to discuss the plan and determine if any additional information or studies are required before the closure works could be approved.
- Oliver Landfill scale house and scale replacement – Consultant is preparing designs for the foundation work to the Oliver landfill scale house and scale. Scale house has been procured and is in production. RFP has been released for the purchase of the scale for the landfill.
- Keremeos Transfer Station scale house replacement – Consultant has been retained for coordination of this work in conjunction with the Oliver scale house works.
- Apex Waste Transfer Station – Civil site work and building construction has been underway and project is on-track for Q4 completion. Compactors have been ordered and will be installed in Q4. Maintenance and hauling contracts are being prepared. Stationary compactors and bins have been purchased. Grand Opening is schedule for early December.

WATER

- Cross Connection Control Bylaw – The second draft has been provided to staff for review and a workshop will be held in Q4 to discuss the draft bylaw.
- Willowbrook Water System Chlorine Contact System – Consultant has been retained and design is underway for the addition of a system to increase the chlorine contact time.

-
- Olalla Water System Generator – Contractor has been retained and project is underway with civil design and procuring the generator. Generator is on order and may be delayed due to industry shortages on specific components required for the generator.
 - Source Water Protection Plan – RFP was released and Consultant has been retained to assess water source risks for Naramata water system. The study is scheduled to be completed in the fall of 2020
 - Willowbrook GARP study RFP was released and a Consultant was retained. The study is scheduled to take one year to complete.

SEWER

- Skaha Estates Sewer Expansion – Waiting for another infrastructure grant program to prepare an application.
- Kaleden Sewer Expansion – RFQ concluded and four consultants were shortlisted to receive the RFP document. The RFP document was released and four proposals were received. Significant review and evaluation was carried out by five RDOS staff members to select a preferred proponent. The Consultant has now been retained to complete the predesign work. Kick off meeting was held.
- OK Falls Constructed Wetland Project – Project awarded and construction planned to begin in October 2019. Full commissioning of the system will take two years to complete beginning in March 2020.
- OK Falls Waste Water Treatment Plant Solids Dewatering Project – Detailed design underway. An RFP for the pre-purchase of the centrifuge was released and cancelled due to compliant submissions greatly exceeding the available budget. The RFP is being modified and will be put out for a second RFP period in Q4. The complete tender for the construction is expected to be released in early Q4.

OTHER PROJECTS/PROGRAMS

- Utility Acquisition Policy was presented and adopted by the board and is now being used.
- Asset Management – Continue providing a supporting role to Finance. Review of draft report and comments were provided.
- Mosquito program – Continued with treatments and aerial treatments through Q3. Program ramped down in September but weekly treatments were still required for some areas.
- Unpacking the Guidebook – Building Climate Resilience in the Okanagan was initiated and will consist of continuing education and workshops.
- Follow the Water K-5 Curriculum Project – work has started with the En'owkin Centre to prepare the new learning materials and presentations for classroom deliveries.

ACTIVITIES PLANNED FOR Q4 2019:

SOLID WASTE

- Campbell Mountain Landfill Biocover Pilot – Waiting for the response from the BC Ministry of Environment. If no additional requirements for the report are required the application for Substituted Requirements will be completed and submitted.
- Campbell Mountain Landfill Leachate – Extraction wells and pond levels will continue to be monitored. Samples will analyse the composition of the leachate.
- Campbell Mountain Landfill Spiller Road Drainage – Continue to work the City over the next year on implementing improvements to the drainage issues.
- Campbell Mountain Landfill Entrance/Exit review – Consultant will prepare detailed designs on the selected option for access/egress for traffic within the landfill for construction and scale replacement in 2020.
- Keremeos Landfill Closure Plan – Upon MOE approval, the final closure plan to be detailed out and prepared for construction. Meeting to be held with MOE to discuss the updated closure report.
- Apex Waste Transfer Station – Construction will be completed and the transfer station will open to the public. Contracts will all be completed for maintenance, operation and hauling services.
- Oliver Landfill scale house and scale replacement – Contractor will be retained to complete install of equipment scalehouse and scale. Construction will begin.
- Keremeos Transfer Station scale house replacement – Contractor will be retained to complete install of equipment. Construction will begin with timing based on the Oliver scalehouse replacement.
- Composting siting study will commence to look at two locations, Campbell Mountain Landfill area or Okanagan Falls Landfill, for a food waste and biosolids combined site.
- Implement new Princeton Landfill Agreement.

WATER

- Cross Connection Control Bylaw – The draft of the bylaw will complete legal review and be brought to the Board for initial readings.
- Missezula Lake Water Works District. - Conversion process begins with Province through Legislative Services once Order in Council is received.
- Source Water Protection Plan – Work will continue on the project by the consultant.
- Willowbrook GARP study – Work will continue on the project by the consultant.
- Chlorine contact tank design will be completed and construction tender will be released. Construction will be started with final landscaping work planned for the spring 2020.
- A new operations contract with the Province for Sage Mesa will be completed.

SEWER

- Kaleden Sewer Expansion – Consultant continuing on pre-design work. Geotechnical survey will be completed. Discussion on alignments for forcemain will be carried out. Penticton Indian Band will work on the Preliminary Field Reconnaissance component of the

archaeological review for the project. Meetings with the Sewer Committee and major Stakeholders will be held.

- OK Falls Constructed Wetland Project – Contractor will start construction work.
- OK Falls Waste Water Treatment Plant Solids Dewatering Project – Contractor to start construction work. Centrifuge will be ordered.

OTHER PROJECTS/PROGRAMS

- Asset Management – Continue to provide a supporting role to Finance with discussion of software needs and review of spreadsheet provided by consultant. Unpacking the Guidebook – Building Climate Resilience in the Okanagan was initiated and will consist of continuing education and workshops.
- Follow the Water K-5 Curriculum Project – work will continue with the En'owkin Centre to prepare the new learning materials and presentations for classroom deliveries.

Respectfully submitted:

Neil Webb

N. Webb, General Manager of Public Works



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, October 17, 2019

1:30 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Community Services Committee Meeting of October 17, 2019 be adopted.

B. KALEDEN RECREATION – RESTORATION OF KALEDEN HOTEL

Chris Scott, Gail Jeffery and Mike Gane, Kaleden Hotel Preservation Society

1. Presentation

C. ACTIVITY REPORT – FOR INFORMATION ONLY

1. Q3 Update

D. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Community Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Third Quarter Activity Report – For Information Only

COMMUNITY SERVICES DEPARTMENT

Parks, Recreation, Transit, Cemeteries and Rural Projects

Activities Completed for Q3 2019

Parks, Recreation and Trails

- Capital and budget planning with Parks and Recreation Commissions.
- Engaged Tulameen and Coalmont Communities regarding Coalmont Park Development.
- Completed bike track renovation at Tulameen Park.
- Installation of Selby Park playground at West Bench.
- Continued design process for Manitou Park (Naramata) upgrades and obtained grant for lighting.
- Design/tendering for playgrounds, washrooms at Heritage Hills Park.
- Lions Park Pond (Okanagan Falls) aeration research and Section 11 application.
- Design/tendering for Osoyoos Lake Park washroom.
- Completed design of new irrigation zones at Kobau Park in Cawston.
- Installed gate and applied for License of Occupation for the Okanagan Falls KVR Trestle.
- Renewed License of Occupation for Okanagan Falls boat launch.
- Completed designs and Section 11 approval for Kaleden and Okanagan Falls boat launches.
- Completed parking lot at Pioneer Park in Kaleden.
- Revised lease and proposed management agreement for lease of Kaleden Community Hall.
- Swim Lesson, programs and public swimming at the Similkameen Pool in Keremeos.
- 7 day a week park maintenance for July and August.
- Applied for Rural Dividend funding for Similkameen Rail Trail.
- Worked with FLNRO and BCTFA regarding trespass on abandoned rail corridor in Cawston.
- Researched options for updated gym pass and security system at Similkameen Recreation Center.
- Coordinated Summer recreation programs and special events. New offerings include Swim Lessons in Naramata and Children’s Camp in Okanagan Falls.
- Closed and winterized Similkameen Pool.
- Completed internal space needs assessment for Community Services and Public Works operational units.
- Begin development of Fall Recreation Guides.
- Implement PLAY OS milestones and from Community Action Teams.
- Choose to Move and ActivAge Program (via BCRPA) will be have a Fall offering in Keremeos and Okanagan Falls.

- Coordinating Summer Programs for LSIB and USIB.
- Complete PAT scheduled visits (approximately 62).

Transit

- Implemented the first phase of the Penticton – Kelowna Regional Transit service.
- Hosted open house to confirm interest in an introductory transit service into West Bench.
- Presented transit service expansion Memorandum of Understanding and the Annual Performance Summary to Board.
- Signed commercial vendor agreement in Okanagan Falls for sale of bus passes in the community.
- Undertook analysis of existing services to improve transit efficiency.
- Finalized the 2019 Transit marketing plan.
- Updated RDOS Transit webpage.

Rural Projects

- Complete hydraulic assessment for Alison Creek trail sediment removal.

Planned Activities for Q4 2019

Parks, Recreation and Trails

- Continue 2020 budget planning process with Parks and Recreation Commissions.
- Assist Recreation Sites and Trails B.C. with the repairs to damaged sections of the KVR in Faulder and Tulameen.
- Fall brushing and clearing of the KVR trail.
- Re-decking of White Sands Trestle on the KVR trail (Coalmont).
- Install new irrigation zones in Kobau Park (Cawston).
- Initiate tree planting program in Okanagan Falls, Naramata, and Kaleden Parks.
- Concept designs and naming for Coalmont Park development.
- Continue design process for Manitou Park upgrades in Naramata.
- Complete the Selby Park playground installation (West Bench).
- Continue with design/consultation for expansion of Wharf Park in Naramata.
- Complete design and tendering of Heritage Hills Park Washrooms.
- Install Heritage Hills Park Playground.
- Award and begin construction of Osoyoos Lake Park washroom.
- Determine scope and costs for Okanagan Falls KVR trail trestle jumping amenities.
- Award and construct Kaleden and Okanagan Falls boat launches.
- Winterization of parks washrooms and irrigation systems.
- Tree pruning contract for Kobau, Area A, West Bench, OK Falls and Naramata Parks.
- Finalize lease for Kaleden Community Hall.
- Explore space and facility options for RDOS operations staff (Water, Parks, Facilities).
- Coordinate Fall recreation programs and special events.
- Implement PLAY OS milestones and form Community Action Teams.
- Launch Choose To Move and ActivAge Program (via BCRPA) Okanagan Falls.
- Complete PAT scheduled visits.

Transit

- Work with the Transit working group and BC Transit to finalize the 2020 expansion of the Penticton – Kelowna Regional transit service.
- Work with BC Transit for implementation planning process for West Bench Transit service.
- Develop service change plan to improve existing transit services.
- Present marketing initiatives for 2020 to Board, informed by the Transit Marketing Plan.
- Update on-site transit materials (schedules and maps) at existing bus stops.
- Analyze options of online platforms for transit pass sales.

Rural Projects

- Submit Section 11 for Alison Creek sediment removal
- Begin RDOS building assessments in Naramata.

Respectfully submitted:

Mark Woods

M. Woods, General Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, October 17, 2019
2:00 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of October 17, 2019 be adopted.

1. Consent Agenda – Corporate Issues

a. **Electoral Area “A” Advisory Planning Commission – September 9, 2019**

THAT the Minutes of the September 9, 2019 Electoral Area “A” Advisory Planning Commission meeting be received.

b. **Electoral Area “D” Advisory Planning Commission – September 10, 2019**

THAT the Minutes of the September 9, 2019 Electoral Area “D” Advisory Planning Commission meeting be received.

c. **Electoral Area “C” Advisory Planning Commission – September 17, 2019**

THAT the Minutes of the September 17, 2019 Electoral Area “C” Advisory Planning Commission meeting be received.

d. **Electoral Area “I” Advisory Planning Commission – September 18, 2019**

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

e. **Naramata Parks & Recreation Commission – September 23, 2019**

THAT the Minutes of the September 23, 2019 Naramata Parks & Recreation minutes be received.

f. **Okanagan Falls Parks & Recreation – September 26, 2019**

THAT the Minutes of the September 26, 2019 Okanagan Falls Parks & Recreation minutes be received.

g. **Similkameen Recreation Commission – October 1, 2019**

THAT the Minutes of the October 1, 2019 Similkameen Recreation minutes be received.

h. **Community Services Committee – October 3, 2019**

THAT the Minutes of the October 3, 2019 Community Services Committee meeting be received.

i. Environment and Infrastructure Committee – October 3, 2019

THAT the Minutes of the October 3, 2019 Environment and Infrastructure Committee meeting be received.

THAT the matter of the Penticton Indian Band request for waiver of tipping fees be postponed until all parties have met and discussed all options.

j. Planning and Development Committee – October 3, 2019

THAT the Minutes of the October 3, 2019 Planning and Development Committee meeting be received.

THAT the RDOS submit an application to the Province to initiate a Rural Housing Needs Report in 2020; but including the District of Summerland, the Village of Keremeos and the City of Penticton.

THAT Amendment Bylaw No. 2873 (Administrative and Institutional (AI) Zone review) proceed to first reading.

k. RDOS Regular Board Meeting – October 3, 2019

THAT the minutes of the October 3, 2019 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Consent Agenda – Corporate Issues be adopted.

B. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Development Variance Permit Application – Electoral Area “C”**

- a. Permit
- b. Representation

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors deny Development Variance Permit No. C2019.012-DVP.

2. **Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “D”**
 - a. Bylaw No. 2603.19
 - b. Bylaw No. 2455.41
 - c. Representation

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2603.19 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.41, 2019, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing; and

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated October 17, 2019 to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.19, 2019, in conjunction with its Financial and applicable Waste Management Plans; and

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

THAT the holding of the public hearing be delegated to Director Obirek, or their delegate; and

THAT administration schedule the date, time, and place of the public hearing in consultation with Director Obirek; and

THAT administration give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

3. **Zoning Bylaw Amendment – Electoral Area “E”**
 - a. Bylaw No.2459.36
 - b. Representation

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2459.36, 2019, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of November 21, 2019;

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

4. **Early Termination of Land Use Contract No. LU-1-F – Electoral Area “F” Title**
 - a. Bylaw No. 2790.01
 - b. Bylaw No. 2461.12
 - c. Representation

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2790.01, 2019, Electoral Area “F” Official Community Plan Amendment Bylaw and Bylaw No. 2461.12, 2019, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing; and

THAT the Board considers the process, as outlined in the report from the Chief Administrative Officer dated October 17, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and

THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2790.01, 2019, in conjunction with its Financial and applicable Waste Management Plans; and

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

THAT the holding of a public hearing be delegated to Director Gettens, or delegate; and

THAT administration schedule the date, time and place of the public hearing with Director Gettens, or delegate; and

THAT administration give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

5. **Official Community Plan Bylaw and Zoning Bylaw Amendments Electoral Areas “A”, “C”, “D”, “E”, “F”, “G”, “H” & “I” Home Industries, Home Occupations & Cannabis Production Facilities**
 - a. Bylaw No. 2849
 - b. Representation

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2849, 2019, Electoral Area Official Community Plan and Zoning Amendment Bylaw be read a first and second time and proceed to public hearing; and

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated October 17, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2849, 2019, in conjunction with its Financial and applicable Waste Management Plans; and

THAT the holding of a public hearing be scheduled for the RDOS Board meeting of November 21, 2019; and

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

6. **Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D”**
 - a. Bylaw No. 2603.17
 - b. Bylaw No. 2455.40
 - c. Representation

RECOMMENDATION 10 (Unweighted Rural Vote – Simple Majority)

THAT first and second reading of the Electoral Area “D” Official Community Plan (OCP) Amendment Bylaw No. 2603.17, 2019, and the Electoral Area “D” Zoning Amendment Bylaw No. 2455.40, 2019, be rescinded and the bylaws be abandoned.

7. **Greater West Bench Geotechnical Review Award**

RECOMMENDATION 11 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the geotechnical review for the Greater West Bench Area project to Ecora Engineering & Resource Group Ltd. in association with Clarke Geoscience Ltd. in the amount of \$55,510.00 + applicable taxes.

8. Electoral Area “A” Official Community Plan (OCP) Bylaw Review — Contract Award

RECOMMENDATION 12 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the Electoral Area “A” Official Community Plan (OCP) Bylaw Review contract to EcoPlan International Inc. in the amount of \$104,918.00 (plus taxes).

9. Early Termination of Land Use Contract No. LU-9-D – Electoral Area “I”

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)

THAT the holding of a public hearing for Amendment Bylaw Nos. 2683.03, 2457.28 and 2457.29, 2019, be scheduled for the RDOS Board meeting of November 21, 2019; and

THAT administration give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

10. Hillside & Steep Slope Development Permit Area Update – Electoral Area “D”

RECOMMENDATION 14 (Unweighted Rural Vote – Simple Majority)

THAT the holding of a public hearing for Amendment Bylaw No. 2603.02, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw be scheduled for the RDOS Board meeting of November 21, 2019; and

THAT administration give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

C. PUBLIC WORKS**1. Purchase of 80’ Steel Weigh Scale for Oliver Landfill Infrastructure Upgrades Project**
a. Letter

RECOMMENDATION 15 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the supply and services contract for an 80’ steel weigh scale for the Oliver Landfill Infrastructure Upgrades Project to Avery Weigh-Tronix Canada in the amount of \$66,903.00 + applicable taxes.

D. COMMUNITY SERVICES

1. Lease Agreement - Osoyoos Museum Society
 - a. Agreement

RECOMMENDATION 16 (Weighted Corporate Vote – Majority)

THAT the Board enter into a lease agreement with the Osoyoos Museum Society commencing on January 1, 2020 for an RDOS owned property at 8702 Main Street, Osoyoos (Lots 1 - 4 and 19, Block 733, DL 24505, SDYD, Plan 2450, PID 011-088-869) for a duration of twenty years.

E. FINANCE

1. Bylaw No. 2875 Erris Volunteer Fire Department
 - a. Bylaw No. 2875
 - b. Grant Application – Electoral Area “H” Vermillion Forks Community Forest Corporation

RECOMMENDATION 17 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No.2875, 2019, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw authorizing the expenditure of \$36,146 to the Erris Volunteer Fire Department for the installation of a certified Exhaust Extraction system to be read a first, second and third time and be adopted.

2. Community Emergency Preparedness Fund Application on behalf of RDOS Volunteer Fire Departments
 - a. Community Preparedness Application

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District hereby resolve to support the proposed activities as outlined in the application submitted to UBCM under the Community Emergency Preparedness Fund.

THAT the Regional District hereby resolve to provide overall grant oversight and management of the activities proposed in the application; and

THAT the Regional District submit one application under the Community Emergency Preparedness Fund covering each of the Okanagan Falls, Kaleden, Willowbrook, Keremeos, Anarchist and Tulameen Fire Departments for a total grant request of \$143,751.00.

F. LEGISLATIVE SERVICES**1. Repeal Bylaw – Noise by Motorboats**

- a. Bylaw No. 367
- b. Bylaw No. 2836

RECOMMENDATION 19 (Unweighted Corporate Vote – 2/3 Majority)
THAT Regional District of Okanagan-Similkameen Noise by Motorboats Repeal Bylaw No. 2836, 2019, be read a first, second and third time and be adopted.

2. Bylaw No. 2447 Electoral Area “D” Economic Development Service

- a. Bylaw No. 2447.02

RECOMMENDATION 20 (Unweighted Corporate Vote – Simple Majority)
THAT Bylaw No. 2447.02, 2019 Electoral Area “D” Economic Development Service Establishment Bylaw be adopted.

3. Faulder Community Water System Service Establishment Amendment Bylaw

- a. Bylaw No. 1177.04

RECOMMENDATION 21 (Unweighted Corporate Vote – Majority)
THAT Faulder Community Water System Service Establishment Amendment Bylaw No. 1177.04, 2018 be read a first, second and third time.

G. CAO REPORTS**1. Verbal Update**

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

2. Board Representation

- a. BC Grape Growers Association and Starling Control – *Bush, Monteith (Alternate)*
- b. BC Rural Centre (formerly Southern Interior Beetle Action Coalition) – *Gettens, Obirek (Alternate)*
- c. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
- d. Municipal Finance Authority – *Kozakevich (Chair), Bauer (Vice Chair, Alternate)*
- e. Municipal Insurance Association – *Kozakevich (Chair), Bauer (Vice Chair, Alternate)*
- f. Okanagan Basin Water Board - *McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff), Holmes (Alternate to Boot), Monteith (Alternate to Knodel)*
- g. Okanagan Film Commission – *Gettens, Holmes (Alternate)*
- h. Okanagan Nation Alliance Steering Committee – *Kozakevich, Monteith (Alternate)*

- i. Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
 - j. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
 - k. South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - l. Okanagan-Similkameen Regional Hospital District – *Veintimilla, Boot (Alternate)*
 - m. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - n. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
 - o. UBCO Water Research - Chair Advisory Committee – *Holmes, Bauer (Alternate)*
-

3. Directors Motions

- a. Motions - Director Gettens

RECOMMENDATION 22 (Unweighted Corporate Vote – Simple Majority)
THAT administration put forward a grant application to the *UBCM Community Child Care Planning Fund*. The grant is to be used to collect data on local childcare needs, to create an inventory of existing childcare spaces, establish childcare space targets for the next 10 years and the actions required to meet those targets.

RECOMMENDATION 23 (Unweighted Corporate Vote – Simple Majority)
THAT administration connect with Capital RD, Albern Clayoquot RD and/or Central Coast RD administration to gather lessons learnt on their approach and confirm resources required to support the implementation of Truth and Reconciliation Calls to Action and the UNDRIP.

RECOMMENDATION 24 (Unweighted Corporate Vote – Simple Majority)
THAT administration develop a report for board discussion around best practices to regulate deposition and removal of soil for non-ALR lands in the RDOS.

- i. Administrative Report Soil Removal and Deposition Bylaw – FOR INFORMATION ONLY
-

4. Board Members Verbal Update

I. CLOSED SESSION

RECOMMENDATION 25 (Unweighted Corporate Vote – Simple Majority)
THAT in accordance with Section 90 of the *Community Charter*, the Board close the meeting to the public to receive minutes of previous In-Camera meetings.

J. ADJOURNMENT

Minutes

Electoral Area “A” Advisory Planning Commission

Meeting of Monday, September 9, 2019

Sonora Centre

8505 – 68th Avenue, Osoyoos, BC

Present: Mark Pendergraft, Director, Electoral Area “A”
Members: Peter Beckett, Bill Plaskett, Manfred Freese, Grant Montgomery, Gerald Hesketh
Absent: Mark McKenney, Dwayne Svendsen
Staff: JoAnn Peachey, Planner

Delegates: Elenko, Brad for Enotecca Wineries and Resorts Inc. for Agricultural Land
Commission Application
Subotin, Jody

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED

3. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of July 8, 2019 be approved.

The Chair called for errors or omissions and there were none.

CARRIED

4. REFERRALS

4.1 A06011.010 / (A2019.014-ALC) – Agricultural Land Commission Application

Delegates: Elenko, Brad, Agent for Enotecca Wineries and Resorts Inc.

Discussion

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors to “authorize” the subject application to proceed to the Agricultural Land Commission.

CARRIED

5. OTHER

5.1 Parkland Dedication Policy – Draft

Administrative Report submitted by Brad Dollevoet, General Manager of Development Services

Discussion

Suggestions

10(a) of the Draft Parkland Dedication Policy may be preventing the Electoral Area from accumulating funds to purchase lands that are desired rather than just accepting land.

6. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 8:05 pm.

CARRIED

Advisory Planning Commission Chair

Advisory Planning Commission Recording Secretary

Minutes

Electoral Area "D" Advisory Planning Commission

Meeting of Tuesday, September 10, 2019

Okanagan Falls Community Centre (Gymnasium)

1141 Cedar Street, Okanagan Falls, BC

-
- Present: Ron Obirek, Director, Electoral Area "D"
- Members: Kurtis Hiebert, Jill Adamson, Alf Hartviksen, Kelvin Hall, Navid Chaudry, Almira Nunes, Don Allbright, Malcolm Paterson
- Absent: Doug Lychak, Norm Gaumont, Jerry Stewart, Tom Styffe
- Staff: JoAnn Peachey, Planner
Jeff Thompson, Recording Secretary
- Delegates: Ferguson, Brett & MacGillivray, Beverley for DVP application
Elenko, Brad for Pearce, Bob & Heather for Zoning Bylaw Amendment application

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED

3. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of August 13, 2019 be approved.

The Chair called for errors or omissions and there were none.

CARRIED

4. DEVELOPMENT APPLICATIONS

4.1 D06800.810 / (D2019.022-DVP) – Development Variance Permit Application

Delegates: Ferguson, Brett & MacGillivray, Beverley

Discussion

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors that the subject development application be approved.

CARRIED

4.2 D01109.150 (D2019.006-ZONE) – Zoning Bylaw Amendment Application

Delegates: Elenko, Brad, Agent

Discussion

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors that the subject development application be approved.

CARRIED

5. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 7:27 pm.

CARRIED (UNANIMOUSLY)

Advisory Planning Commission Chair

Advisory Planning Commission Recording Secretary



Minutes

Electoral Area 'C' Advisory Planning Commission

Meeting of: *Tuesday, September 17, 2019*

Community Centre, Oliver BC

Present: Rick Knodel, Director, Electoral Area 'C'

Members: Sara Bunge, Chair Jack Bennest
 Ed Machial, Vice-Chair Beantjit Chahal

Absent: Jessica Murphy Louise Conant
 David Janzen
 Terry Schafer, Alternate Director, Electoral Area "C"

Staff: Brad Dollevoet, General Manager of Development Services
 Sofia Cerqueira, Recording Secretary

1.	CALL TO ORDER
	<p>The meeting was called to order at 7:10p.m.</p> <p>ADOPTION OF AGENDA</p> <p><u>MOTION</u></p> <p>It was Moved and Seconded that the Agenda be adopted.</p> <p style="text-align: right;"><u>CARRIED</u></p>
2.	APPROVAL OF PREVIOUS MEETING MINUTES
	<p><u>MOTION</u></p> <p>It was Moved and Seconded by the APC that the Minutes of July 16, 2019 be approved.</p> <p style="text-align: right;"><u>CARRIED</u></p>

3.	OTHER
	<p>3.1 <u>Parkland Dedication Policy – Draft</u> Administrative Report submitted by Brad Dollevoet, General Manager of Development Services <u>Attachment No. 1 – Draft Parkland Dedication Policy</u> <u>Attachment No. 2 – Previous Parkland Dedication Policy</u></p> <p><u>MOTION</u></p> <p>That the APC recommends to the RDOS Board of Directors that the draft Parkland Dedication Policy be supported.</p> <p style="text-align: right;"><u>CARRIED</u></p>
4.	ADJOURNMENT
	<p><u>MOTION</u></p> <p>It was Moved and Seconded that the meeting be adjourned at 7:45pm.</p> <p style="text-align: right;"><u>CARRIED</u></p>

Sara Bunge

Advisory Planning Commission Chair

Sofia Cerqueira

Recording Secretary



Minutes

Electoral Area 'I' Advisory Planning Commission

Meeting of Wednesday 18th of September, 2019

Kaleden Community Hall, 320 Lakehill Road, Kaleden, BC

- Present:** Subrina Monteith, Director, Electoral Area "I"
- Members:** Adele Dewar - Chair, Darlene Bailey – Vice Chair, Chris Struthers – Secretary, Doreen Olson, Sandie Wilson, Bruce Shepherd, Mike Gain, Kim Denis, Bob Handfield
- Absent:** John Davis
- Staff:** Brad Dollevoet – General Manager, Development Services
JoAnn Peachey - Planner
- Recording Secretary:** Chris Struthers
- Delegates:** None

1. CALL TO ORDER

The meeting was called to order at 5:33 p.m.

2. ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED UNANIMOUSLY

3. AGENDA ITEMS - OTHER

3.1 Early Termination of Land Use Contract No. LU-9-D – Electoral Area "I" I2018.174-ZONE

No delegates present.

Discussion.

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors that the "voluntary discharge" and "early termination" of Land Use Contract No. LU-9-D be approved.

CARRIED

3.2 Parkland Dedication Policy - DRAFT

Discussion.

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors that draft Parkland Dedication Policy be supported.

CARRIED UNANIMOUSLY

3.3 For Information Only – File I2019.016-CROWN

Crown Land Referral – Notice of Work for Mineral Exploration, Mt Riordan / Apex area.

Discussion.

4. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of June 19th 2019 be approved.

CARRIED UNANIMOUSLY

5. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 6:13 pm.

CARRIED


Adele R Dewar (Sep 24, 2019)

Advisory Planning Commission Chair


Chris Struthers (Sep 24, 2019)

Advisory Planning Commission Recording Secretary / minute taker.



MINUTES

Naramata Parks & Recreation Commission

Monday September 23, 2019 at 6:30 p.m.
Naramata Fire Hall

- Members Present:** Dennis Smith (Chair), Maureen Balcaen, Nicole Verpaelst, Bob Coulter, Lyle Resh, Richard Roskell, Jeff Gagnon
- Absent:** Jacqueline Duncan
- Area 'E' Director:** Absent
- Staff & Contractors:** Adrienne Fedrigo (NPR Recreation Coordinator), Heather Lemieux (Recording Secretary), Justin Shuttleworth (RDOS Parks and Facilities Manager)
- Guests:** None
- Delegations:** Harvest Sutherland, (President, Naramata Playschool Society)

1. **Approval of Agenda** – Switched 5. RDOS Staff Reports with 6. Recreation Coordinator Report.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Naramata Parks & Recreation Meeting of September 23, 2019 be adopted as amended and all presentations and reports be received.

CARRIED

-
2. **Approval of Last Meeting Minutes** – August 26, 2019

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for the Naramata Parks & Recreation Meeting of August 26, 2019 be adopted as presented.

CARRIED

-
3. **Correspondence/Delegations**

- 3.1. **Naramata Playschool Society** – Harvest Sutherland, (President, NPS) extended thanks for support received by the NPR. The NPS requested a \$4,000 NPR Grant for recreational uses. The NPS program has doubled over the past year and running at full capacity of 40 children. Discussed the increased need for sports equipment, recreational materials and equipment. Recreational supplies and equipment will be shared with RDOS programs.



MINUTES

Naramata Parks & Recreation Commission

Monday September 23, 2019 at 6:30 p.m.
Naramata Fire Hall

- 3.2. **Age-Friendly Recognition** – The Provincial Government announced that Naramata has been awarded age-friendly status.
- 3.3. **Old Age Pensioners Society** – The NPR received a letter regarding the Narmata Faire.

4. **RDOS Director Report** – Karla Kozakevich absent, report submitted:

- 4.1. First Street Closure – Awaiting response from MOTi. **ONGOING**

5. **Recreation Coordinator Report** – Adrienne Fedrigo (NPR Recreation Coordinator) reported:

- 5.1. **Programs and Events** – Discussed after school programs, yoga, music classes, Pickleball and new events.
- 5.2. **Park Fees and Bylaw** – Draft *Fees and Charges Suggestions - Naramata* distributed. Requested NPR feedback. Discussed park rental fees, instructed programs and summer programs.

ACTION – Adrienne Fedrigo to send the draft *Fees and Charges Suggestions - Naramata* to NPR members in spreadsheet format including current fees, suggested fees and donation policy.

6. **RDOS Staff Reports** – Justin Shuttleworth (RDOS Parks and Facilities Manager) reported:

- 6.1. **2020 Budget Discussion & Project Priorities** – Presented and discussed the *Summary, Detailed and Projects & Changes - 2020 Naramata Parks and Rec Draft Budget*.

Discussion: KVR projects, Manitou Park project timelines, boat storage, irrigation and park planning. Fire Smart designation, potential future projects and funding opportunities.

- 6.2. **2019 Tree Planting** – Discussed tree varieties, budget and planting.

ACTION – Jeff Gagnon and Nicole Verpaelst to recommend tree planting locations.

7. **Commission Member Reports**

- 7.1. **Woodwackers Report** – Lyle Resh presented a verbal report. Work has been slow due to frequent rainfall. Trees near the KVR have been removed by private land owners.



MINUTES

Naramata Parks & Recreation Commission

Monday September 23, 2019 at 6:30 p.m.
Naramata Fire Hall

- 7.2. **Park Contractor Liaison Report** – Maureen Balcaen, reported that a port-o-potty is in place on the KVR at Arawana Road, but not at the Little Tunnel which is too far out of the service area.
-

8. Business Arising

- 8.1. **Naramata Playschool Society** – Grant request. Discussed grant process and supporting parks and recreation in the community.

RECOMMENDATION

IT WAS MOVED AND SECONDED

THAT subject to final approval of the 2020 Budget, the Naramata Parks & Recreation grant the Naramata Playschool Society \$4,000 from the 2020 Budget.

CARRIED

- 8.2. **Christmas Lights**

RECOMMENDATION

IT WAS MOVED AND SECONDED

THAT the Naramata Parks & Recreation approve the purchase of new Christmas lights to be installed along Robinson Road.

CARRIED

- 8.3. **Three Blind Mice Trail** – Discussed zoning, land ownership and recreational value, retaining and possibly expanding the trail's access points.

- 8.4. **KVR Bell or Yell Signs**– A trail head sign is being built.
-

9. Adjournment – 9:08 p.m.

NEXT MEETING: Next NPR Meeting
October 28, 2019 at 6:30 p.m.
Naramata Fire Hall

Recreation Commission, Dennis Smith

Recording Secretary, Heather Lemieux



Minutes

Okanagan Falls Parks & Recreation Commission
"Special" Meeting of *Thursday, September 26, 2019*
Okanagan Falls Community Centre, 1141 Cedar Street



Present:

Members: Alf Hartviksen, Chair, Doug Lychak, Matt Taylor, Kelvin Hall, , Daniela Fehr, Carole Barker, Jim Lamond

Absent: Barbara Shanks, Director Ron Obirek

Staff: Bill Newell, Chief Administrative Officer
Justin Shuttleworth, Manager of Parks & Facilities

Recording Secretary: Sue Gibbons

Delegates:

1. CALL TO ORDER

The meeting was called to order at 6:32 p.m.

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of September 26, 2019 be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for Okanagan Falls Parks and Recreation Commission of September 12, 2019 be approved with corrections.

CARRIED

3. RDOS STAFF REPORTS

3.1 2020 Budget – J. Shuttleworth

Discussion.

J. Shuttleworth discussed updates to the budget from last meeting.

Discussed capital projects over the next five years.

Parks Master plan for 2020 fiscal year.

Alf Hartviksen – are there any DCC charges presently – potential of DCC's for parks

M. Taylor – would like to work on the beachfront first, then look at the big picture for a master plan.

Heritage Hills park development

Keogan ball diamonds – the option last discussed is still viable with a non-farm use application to the ALC.

RECOMMENDATION

It was Moved and Seconded that the RDOS apply to the ALC for approval of both the southeast and southwest Keogan ball diamonds for non-farm use.

CARRIED

J. Shuttleworth identified some issues with the washrooms and flooring in the Community Centre that may require immediate attention.

Dock update – tender went out Monday night. An award will be forthcoming soon.

Trail identification and upgrades for the Heritage Hills area to tie it in to McLean Creek Road and OK Falls.

Operations:

J. Shuttleworth spoke to a \$6,500 budget for beach grooming five times a year. This would be an increase in service levels.

J. Lamond suggested a maintenance program for the park benches.

M. Taylor spoke to replenishing trees and also a bylaw around no smoking & garbage cans.

J. Shuttleworth asked for commission members to let him know what species of trees they would like to see planted and where they would like them.

The Chair has asked that the \$39,900 for park improvements be itemized so that they can see what those line items are.

Add cuttings for the park lawns in April, June, July and less later on in the summer.

B. Newell asked if more enforcement is required – next year carry on as this year and start early.

4. NEW BUSINESS

4.1 Looking Forward – B. Newell / J. Shuttleworth

Discussion.

B. Newell spoke to a Strategic Plan Discussion Paper and wanting an indication on whether the commission would like a longer range plan or continue with year to year.

It was discussed that the Strategic Plan and Parks Master Plan could be completed together.

4.2 Parks Master Plan – J. Shuttleworth

n/a

4.3 Aster

The society was formed and they shared their draft plan with the RDOS. They are asking the RDOS to collaborate with the society. The RDOS is a charitable society so donations should be paid to the RDOS.

5. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 8:30 pm.

CARRIED

Chair, Parks and Recreation Commission – Electoral Area “D”

Recording Secretary



MINUTES

Similkameen Recreation Commission

October 1 2019 @ 7:00 pm
Keremeos Recreation Centre

Members Present: Tom Robins, Duncan Baynes, Tim Austin, Dave Cursons,
Absent: Selena Despres, Jennifer Roe
Area Representatives Tim Roberts(Area G), George Bush(Area B)
Staff: Justin Shuttleworth
Recording Secretary: Justin Shuttleworth
Guests: Janet Lehtonen, Donna Bartlett

1. Approval of Agenda

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Similkameen Recreation Meeting of October 1, 2019 be adopted and all presentations and reports be accepted.

– **CARRIED**

Opposed:

2. Approval of Last Meeting Minutes, September 19, 2019

– **CARRIED**

Opposed:

3. Correspondence/Delegations/Public Questions

3.1. Special Olympics Group Bowling – Janet Lehtonen

3.2. Friends of Keremeos Rink – Donna Bartlett

4. RDOS Staff Report

4.1. Facilities Updates – J. Shuttleworth

4.1.2 Fees and Charges

4.1.3 Special Olympics Rates1 Review

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Similkameen Recreation Commission recommend that the Keremeos Special Olympics Bowling group receive a reduction of rates from the 2019 Fees and Charges Bylaw from October 2019 to April 2020 as follows:



MINUTES

Similkameen Recreation Commission

October 1 2019 @ 7:00 pm
Keremeos Recreation Centre

50% (\$40) per 3 hour rental of the bowling alley.

No charge for the rental of the bowling alley when scheduled simultaneously with skating.

And that a fee schedule be added to the 2020 Fees and Charges bylaw for use of Similkameen Recreation facilities for service clubs.

– **CARRIED**

Opposed:

5. Commission Member Reports

No report presented

6. RDOS Director Reports

6.1. Village of Keremeos

No report presented

6.2. Electoral Area B

No report presented

6.3. Electoral Area G

No report presented

7. Business Arising

7.1. NONE

8. Adjournment

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the October 1, 2019 Similkameen Recreation Commission meeting be adjourned.

– **CARRIED**



MINUTES

Similkameen Recreation Commission

October 1 2019 @ 7:00 pm
Keremeos Recreation Centre

NEXT MEETING: November 5, 2019 @ 6:30pm
Similkameen Recreation Centre

Recreation Commission Chair

Recording Secretary



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, October 3, 2019
9:30 am

MINUTES

MEMBERS PRESENT:

Chair M. Bauer, Village of Keremeos	Director K. Kozakevich, Electoral Area "E"
Vice Chair R. Gettens, Electoral Area "F"	Director C. Rhodes, Alt. Town of Osoyoos
Director J. Bloomfield, City of Penticton	Director S. Monteith, Electoral Area "I"
Director 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 M. Johansen, Alt. Town of Oliver
Director R. Knodel, Electoral Area "C"	

MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos
Director P. Veintimilla, Town of Oliver

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Community Services Committee Meeting of October 3, 2019 be adopted. - CARRIED

B. DELEGATION – BC Transit

1. [Summary](#)

Chris Fudge, Government Relations Senior Manager at BC Transit updated Committee on Annual Performance Summaries.

C. ADJOURNMENT

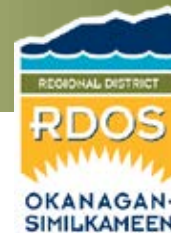
By consensus, the Community Services Committee meeting adjourned at 10:18 am.

APPROVED:

CERTIFIED CORRECT:

M. Bauer
Community Services Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, October 3, 2019
10:28 am

MINUTES

MEMBERS PRESENT:

Chair G. Bush, Electoral Area "B"	Director K. Kozakevich, Electoral Area "E"
Vice Chair R. Gettens, Electoral Area "F"	Director C. Rhodes, Alt. Town of Osoyoos
Director M. Bauer, Village of Keremeos	Director S. Monteith, Electoral Area "I"
Director J. Bloomfield, City of Penticton	Director R. Obirek, Electoral Area "D"
Director T. Boot, District of Summerland	Director M. Pendergraft, Electoral Area "A"
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 M. Johansen, Alt. Town of Oliver
Director R. Knodel, Electoral Area "C"	

MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos
Director P. Veintimilla, Town of Oliver

STAFF PRESENT:

B. Newell, Chief Administrative Officer	A. Reeder, Manager of Operations
C. Malden, Manager of Legislative Services	Z. Kirk, Public Works Coordinator

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of October 3, 2019 be adopted. - **CARRIED**

B. PENTICTON INDIAN BAND REQUEST FOR TIPPING FEE WAIVER

1. Presentation
 - a. Request for Tipping Fee Waiver
 - b. Sperling Hansen Associates Waste Assessment
 - c. Volume Calculation Sketch

RECOMMENDATION 2**It was MOVED and SECONDED**

THAT the matter of the Penticton Indian Band request for waiver of tipping fees be postponed until all parties have met and discussed all options. - **CARRIED**

C. WILDSAFEBC - Zoe Kirk, Public Works Project Coordinator

1. [Presentation](#)

Administration updated Committee on Naramata Bear Smart program.

D. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting adjourned at 11:18 am.

APPROVED:

CERTIFIED CORRECT:

G. Bush
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, October 3, 2019
9:07 am

MINUTES

MEMBERS PRESENT:

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

Director D. Holmes, District of Summerland
Director J. Kimberley, City of Penticton
Director C. Rhodes, Alt. Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director R. Obirek, Electoral Area "D"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"
Director J. Vassilaki, City of Penticton
Director M. Johansen, Alt. Town of Oliver

MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos
Director P. Veintimilla, Town of Oliver

STAFF PRESENT:

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

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of October 3, 2019 be adopted. - **CARRIED**

B. HOUSING NEEDS REPORTS1. [Presentation](#)**RECOMMENDATION 2****It was MOVED and SECONDED**

THAT the RDOS submit an application to the Province to initiate a Rural Housing Needs Report in 2020; but including the District of Summerland, the Village of Keremeos and the City of Penticton. - **CARRIED**

C. ADMINISTRATIVE AND INSTITUTIONAL (AI) ZONE REVIEW

1. Bylaw No. 2873 - Draft

RECOMMENDATION 3**It was MOVED and SECONDED**

THAT Amendment Bylaw No. 2873 (Administrative and Institutional (AI) Zone review) proceed to first reading. - **CARRIED**

D. ADJOURNMENT

By consensus, the Planning and Development Committee meeting adjourned at 9:29 am.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
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 11:15 am Thursday, October 3, 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 C. Rhodes, Alt. Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director M. Pendergraft, Electoral Area "A"
Director R. Obirek, Electoral Area "D"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"
Director J. Vassilaki, City of Penticton
Director M. Johansen, Alt. Town of Oliver

MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos
Director P. Veintimilla, Town of Oliver

STAFF PRESENT:

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

M. Woods, Gen. Manager of Community Services
B. Dollevoet, Gen. Manager of Development Services
A. Reeder, Manager of Operations

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 October 3, 2019 be adopted. -

CARRIED

1. Consent Agenda – Corporate Issues

- a. Naramata Water Advisory Committee – July 9, 2019
THAT the Minutes of the July 9, 2019 Naramata Water Advisory Committee meeting be received.
- b. Okanagan Falls Parks and Recreation Commission – July 11, 2019
 - i. *THAT the Minutes of the July 11, 2019 Okanagan Falls Parks and Recreation Commission meeting be received.*
 - ii. *That the RDOS Board review the park donation program with a view to make it an inviting program and have staff review best practices from other municipalities.*
- c. Okanagan Falls Parks and Recreation Commission – September 12, 2019
THAT the Minutes of the September 12, 2019 Okanagan Falls Parks and Recreation Commission meeting be received.
- d. Similkameen Recreation Commission – September 10, 2019
THAT the Minutes of the September 10, 2019 Similkameen Recreation Committee meeting be received.
- e. Kaleden Recreation Commission – September 11, 2019
THAT the Minutes of the September 11, 2019 Kaleden Recreation Commission meeting be received.
- f. Corporate Services Committee – September 19, 2019
THAT the Minutes of the September 19, 2019 Corporate Services Committee meeting be received.
- g. Environment and Infrastructure Committee – September 19, 2019
THAT the Minutes of the September 19, 2019 Environment and Infrastructure Committee be received.

THAT the Board of Directors provide a resolution to join the FCM – ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program
- h. Planning and Development Committee – September 19, 2019
THAT the Minutes of the September 19, 2019 Planning and Development Committee meeting be received.
- i. RDOS Regular Board Meeting – September 19, 2019
THAT the minutes of the September 19, 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 – 125 Christie Mountain Lane, Electoral Area “D”
 - i. Permit
 - ii. [Representation](#)

THAT the Board of Directors approve Development Variance Permit No. D2019.022-DVP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)**It was MOVED and SECONDED**

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

B. DEVELOPMENT SERVICES – Building Inspection

1. Building Bylaw No. 2333 and 2805 Infraction – 186 Trout Main Forest Service Road, Electoral Area “H”

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

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 A, Plan KAP56515, District Lot 4171, KDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333 and/or No. 2805; and,

THAT injunctive action be commenced. - **CARRIED**

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Early Termination of Land Use Contract No. LU-9-D – Electoral Area “I”
 - a. Bylaw No. 2457.28
 - b. Bylaw No. 2457.29
 - c. Bylaw No. 2683.03
 - d. Representation

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

THAT the following bylaws be read a first and second time and proceed to a public hearing:

- Bylaw No. 2683.03, 2019, Electoral Area “I” Official Community Plan Amendment Bylaw;
- Bylaw No. 2457.28, 2019, Electoral Area “I” Land Use Contract LU-9-D Termination and Zoning Amendment Bylaw;
- Bylaw No. 2457.29, 2019, Electoral Area “I” Land Use Contract LU-9-D Discharge and Zoning Amendment Bylaw; and

THAT the Board considers the process, as outlined in the report from the Chief Administrative Officer dated October 3, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2683.03, 2019, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of November 7, 2019; and,

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

CARRIED

2. Hillside & Steep Slope Development Permit Area Update – Electoral Area “D”
 - a. Bylaw No. 2500.03
 - b. Bylaw No. 2603.02
 - i. Bylaw No. 2603.02 Schedule ‘A’
 - c. Representation

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Amendment Bylaw No. 2500.03, 2019, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw be read a first and second time; and,

THAT Amendment Bylaw 2603.02, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated October 3, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.02, 2019, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of November 7, 2019; and,

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

CARRIED

3. Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “H”
 - a. Bylaw No. 2497.11
 - b. Bylaw No. 2498.18
 - c. [Representation](#)

RECOMMENDATION 7 (Unweighted Rural Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2497.11, 2019, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.18, 2019, Electoral Area “H” Zoning Amendment Bylaw be read a third time, as amended, and adopted. -

CARRIED

D. PUBLIC WORKS

1. Organics Composting Siting Review

Although this item was supported at the September 19, 2019 Environment and Infrastructure Committee, this item is not suitable for the Consent Agenda due to the financial voting requirements.

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

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.

CARRIED

E. COMMUNITY SERVICES

1. Emergency Services 9-1-1 Call Answer Centre Service Agreement

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

THAT the Board of Directors authorize a (14) month extension to the Emergency Services Communication agreement with the Regional District of Central Okanagan (RDCO). - **CARRIED**

2. Similkameen Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning Award of Contract

RECOMMENDATION 10 (Weighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors award the Similkameen Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning contract to Ecora for \$95,029.98 plus applicable taxes. - **CARRIED**

3. BC Transit - Memorandum of Understanding
 - a. Route 70 Penticton/Kelowna Transit Service Expansion

RECOMMENDATION 11 (Weighted Corporate Vote – Simple Majority)
It was MOVED and SECONDED

THAT the Board endorse signing the Memorandum of Understanding for the service expansion of the Route 70 Penticton/Kelowna transit service for an additional 2000 service hours with a local (RD) cost share of \$95,838, enabling BC Transit to procure provincial funding on behalf of the RDOS. - **CARRIED**

- b. West Bench Transit Service

RECOMMENDATION 12 (Weighted Corporate Vote – Simple Majority)
It was MOVED and SECONDED

THAT the board endorse signing the Memorandum of Understanding for the service implementation of an introductory transit service to West Bench with 400 service hours carrying a local (RD) cost share of \$15,507, enabling BC Transit to procure provincial funding on behalf of the RDOS. - **CARRIED**

F. FINANCE

1. Bylaw No. 2871 – Area “H” Community Works Gas Tax Expenditure
 - a. Bylaw No. 2871

RECOMMENDATION 13 (Weighted Corporate Vote – 2/3 Majority)
It was MOVED and SECONDED

THAT Bylaw No. 2871, 2019, Electoral Area “H” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$40,000 towards the replacements of roofs at the Princeton Museum and Curling Club be given first, second, third reading and adopted. - **CARRIED**

2. Property Tax Exemption Bylaw No. 2872, 2019
 - a. Bylaw No. 2872

RECOMMENDATION 14 (Weighted Corporate Vote – 2/3 Majority)
It was MOVED and SECONDED

THAT Bylaw No. 2872, 2019 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted. - **CARRIED**

G. LEGISLATIVE SERVICES

1. Willowbrook Fire Truck Acquisition
 - a. Bylaw No. 1388.02
 - b. Bylaw No. 2874

RECOMMENDATION 15 (Weighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.02, 2019, with consent of the Director for Electoral Area “C”; be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval, and,

THAT Willowbrook Fire Truck Acquisition Loan Authorization Bylaw No. 2874, 2019 be read a first, second and third time and be forwarded to the Inspector of Municipalities for Ministry approval prior to electoral approval; and,

THAT the Board of Directors authorize that elector approval for the adoption of Willowbrook Fire Truck Acquisition Loan Authorization Bylaw No. 2874, 2019 be obtained through an assent vote in accordance with Part 4 of the *Local Government Act* to be conducted on Saturday April 25, 2020; and

THAT Christy Malden be appointed as Chief Election Officer and Gillian Cramm be appointed as Deputy Chief Election Officer for the Willowbrook Fire Truck Assent Vote in Electoral Area “C”; and,

THAT the question on the assent vote ballot be “Are you in favour of the Regional District of Okanagan-Similkameen adopting Bylaw No. 2874, 2019, a bylaw to authorize the long-term borrowing of Five Hundred Thousand dollars (\$500,000) for the acquisition of a fire truck for the Willowbrook Fire Protection Service Area?”

CARRIED

-
2. Area “F” Transit
 - a. Bylaw No. 1440
 - b. Bylaw No. 1440.01

To reactivate the existing transit service bylaw to serve the residents in Electoral Area “F” and to commence a public engagement process to determine whether expansion of the service is supported by the residents.

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors give three readings to Electoral Area “F” Transit System Local Service Establishment Amendment Bylaw No. 1440.01, 2019. - **CARRIED**

Director Vassilaki vacated the RDOS Board meeting at 11:45 am.

H. CAO REPORTS

1. Verbal Update
-

I. OTHER BUSINESS

1. Chair's Report
-

2. Directors Motions

Notices of Motion - Director Gettens

1. That staff put forward a grant application to the *UBCM Community Child Care Planning Fund*. The grant is to be used to collect data on local childcare needs, to create an inventory of existing childcare spaces, establish childcare space targets for the next 10 years and the actions required to meet those targets.
 2. That RDOS staff connect with Capital RD, Alberni Clayoquot RD and/or Central Coast RD staff to gather lessons learnt on their approach and confirm resources required to support the implementation of Truth and Reconciliation Calls to Action and the UNDRIP.
 3. That RDOS staff develop a report for board discussion around best practices to regulate deposition and removal of soil for non-ALR lands in the RDOS.
-

3. Board Members Verbal Update
-

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

THAT in accordance with Section 90(1)(e) of the *Community Charter*, the Board close the meeting to the public on the basis of the acquisition, disposition or expropriation of land or improvements, if the Board considers that disclosure could reasonably be expected to harm the interests of the Regional District. - **CARRIED**

1. South Okanagan Conservation Fund - Technical Advisory Recommendations for Funding

The meeting was closed to the public at 12:23 pm.

The meeting was opened to the public at 12:34 pm.

K. ITEMS COMING OUT OF CLOSED SESSION

The following resolution was passed at the September 19, 2019 Corporate Services Committee Closed Session and is before the Board for ratification:

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

1. THAT the Board adopt the 2019 Bargaining Committee Terms of Reference setting out the purpose, authority, appointments, roles, objectives and reporting requirements, attached as Appendix A to the Administrative Report dated September 19, 2019 from B. Newell, CAO; and,
2. THAT the Board appoint Bill Newell, Chief Administrative Officer, as the Bargaining Agent for the Regional District, with authority to enter into a Memorandum of Settlement with British Columbia Government and Service Employees' Union based on terms and concepts within the 2019 Bargaining Strategy approved by the Board; and,
3. THAT the Board adopt the 2019 Bargaining Committee Strategy attached as Appendix B to the Administrative Report dated September 19, 2019 from B. Newell, CAO; and the Bargaining Strategy be kept confidential in accordance with Section 90 (1) of the *Community Charter*.

CARRIED

L. ADJOURNMENT

By consensus, the meeting adjourned at 12:35 pm.

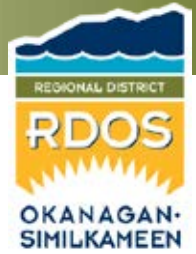
APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Development Variance Permit Application – Electoral Area “C”

Administrative Recommendation:

THAT the Board of Directors deny Development Variance Permit No. C2019.012-DVP

Purpose: To allow for a new sign on a winery building.

Owners: Mark Anthony Group Inc. Agent: Matt Lebedoff Folio: C-06577.100

Civic: 4797 & 4799 Wild Rose St. Legal: Lot 978, Plan 17033 Except Plan 28958, DL 2450S, SDYD

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

Variance Request: to increase the maximum sign area for advertising the sale of product produced on a farm from 3 m² to 23 m².

Purpose:

This application is seeking a variance to construct a new sign for Checkmate winery at 4799 Wild Rose Street, Oliver.

Specifically, it is being proposed to increase the maximum size area permitted to advertise the sale of product produced on a farm from 3.0 m² to 23 m².

In support of this request, the applicant has stated, that “we are planning on following the height requirement of 3.0 m and feel that a wine production facility could be considered a commercial use as per 7.20.1.g and would therefore have an allowable area of 23 square metres.”

In addition, the applicant has noted that “the sign would be 524 metres to the property line and 830 m to the closest neighbour and Highway 97. The changes in elevation and isolation would only essentially allow the sign to be visible to visitors on the driveway of Checkmate Winery”.

Site Context:

The subject property is approximately 23.7 ha in area and is situated on the east side of Highway 97, with access to Wild Rose Street from Road 13. The property is currently developed as a vineyard, winery, and single detached dwelling.

The surrounding pattern of development is characterised by agricultural uses, including other wineries and vineyards.

Background:

The subject property was created by a plan of subdivision on January 16, 1967, and available Regional District records indicate that building permits have previously been issued for an estate winery and store (1993), placement of a temporary manufactured tasting room (2017), and renovation and expansion of a winery (2018).

Under Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG).

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is zoned Agriculture One (AG1), which lists "winery" as a permitted secondary use.

Under Section 7.20 of the Electoral Area "C" Zoning Bylaw, signs advertising the sale of agricultural produce, livestock or product grown, raised or produced on the farm, in an Agricultural zone, one non-illuminated sign up to 3.0 m² in area and 3.0 metres in height is permitted.

At its meeting of June 19, 2014, the Regional District Board deferred consideration of Amendment Bylaw No. 2663, 2014, which proposed, amongst other things, to increase the amount of signage permitted for agricultural uses (i.e. increase sign area from 3.0 m² to 6.0 m²). This project was subsequently abandoned by the Board in 2015.

The property has been assessed as Residential (Class 01), Light Industry (05), and Other (06) by BC Assessment.

At its meeting June 18, 2019, the Electoral Area "C" Advisory Planning Commission reviewed a proposal for a 43 m² illuminated sign and made a motion to recommend to the Board to deny the subject application.

In response to the Electoral Area "C" Advisory Planning Commission's comments, the applicant has since revised the application by reducing the size from 43 m² to 23 m², and proposing an un-lit sign.

Public Process:

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

Analysis:

The regulation of signs through zoning is meant to ensure public safety and minimize the negative visual impacts of signs in a community as the character of an area can be directly impacted by the prominence of signage.

In considering this proposal, Administration notes that large signs have the potential to detract from the rural setting by emphasizing the commercial nature of winery operations.

This is supported by Section 5.0 of the Electoral Area "C" OCP Bylaw, which states that it is a goal of the Regional District Board to "maintain and enhance the rural character of the Plan area". As such, the general appearance of winery signs should reflect their rural, agricultural setting.

Administration further notes that the proposed signage is significantly larger than the maximum sign area allowed under Electoral Area "C" Zoning Bylaw, and larger than signage associated with other wineries in the area.

The sign area of 23 m² is aligned with the maximum sign area for commercial signage that would be allowed in a commercial zone; however, the proposed signage remains over seven times the allowable sign area for farm products.

Administration has concerns with approving over-sized signage in an ad-hoc manner as it creates expectations for what is considered appropriate signage and may create disparity between signage advertising similar uses.

Conversely, wineries have commercial components, and frequent visitors, to their operations. As such, wayfinding in isolated areas can be beneficial to visitors and the overall visual impact is limited, given the isolated location of the winery. Wineries could be considered to be more of a commercial use than agricultural use, which would warrant the need for larger signage.

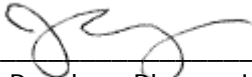
Further, the applicant has made significant efforts to address previous concerns regarding the prominence of the signage in a rural setting by removing illumination and significantly reducing the size.

However, for these reasons listed above, Administration does not support the requested variance and is recommending denial.

Alternatives:

1. THAT the Board approve Development Variance Permit No. C2019.012-DVP.

Respectfully submitted:




J. Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, G.M. Dev. Services

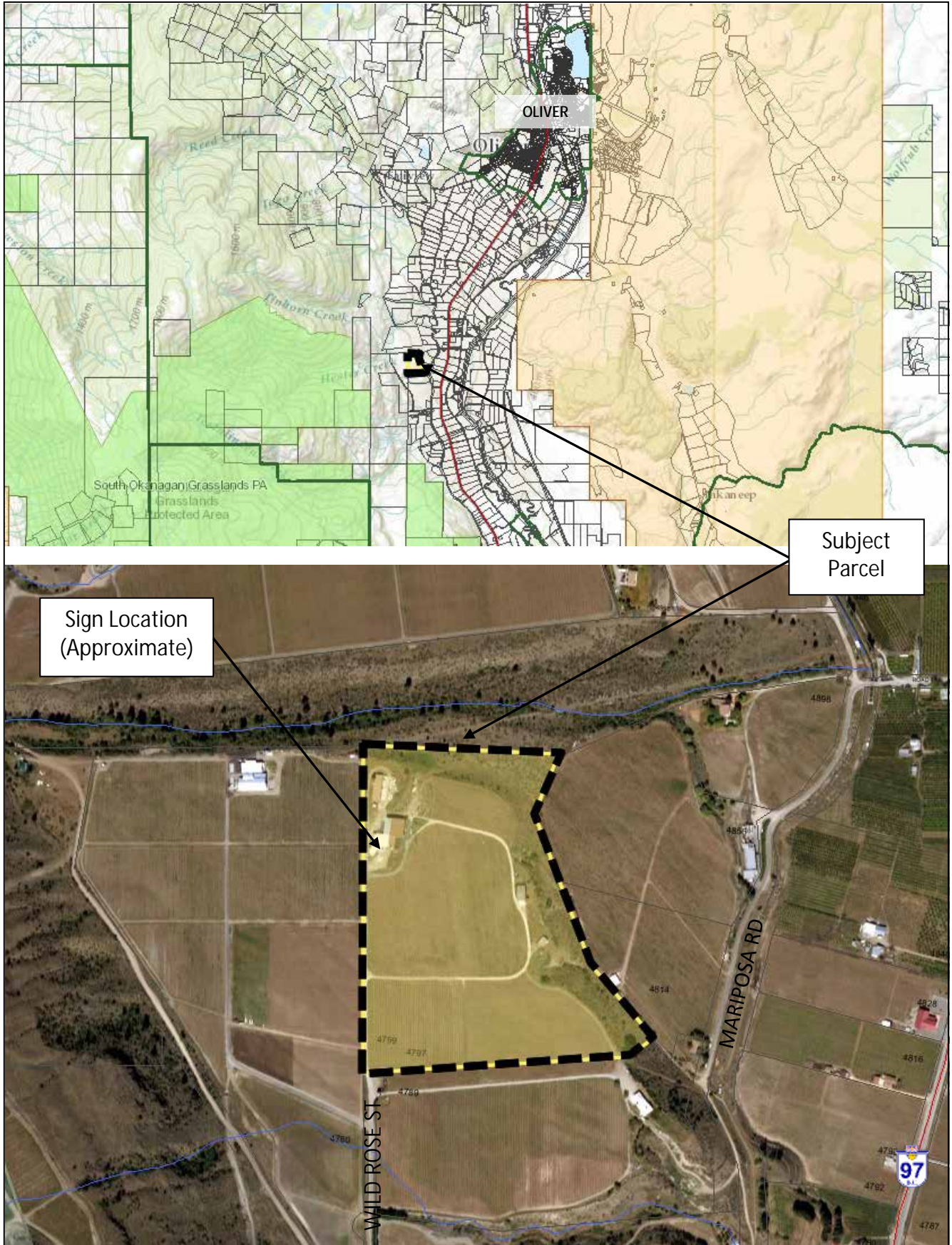
Attachments: No. 1 – Context Map

No. 2 – Applicant's Site Plan

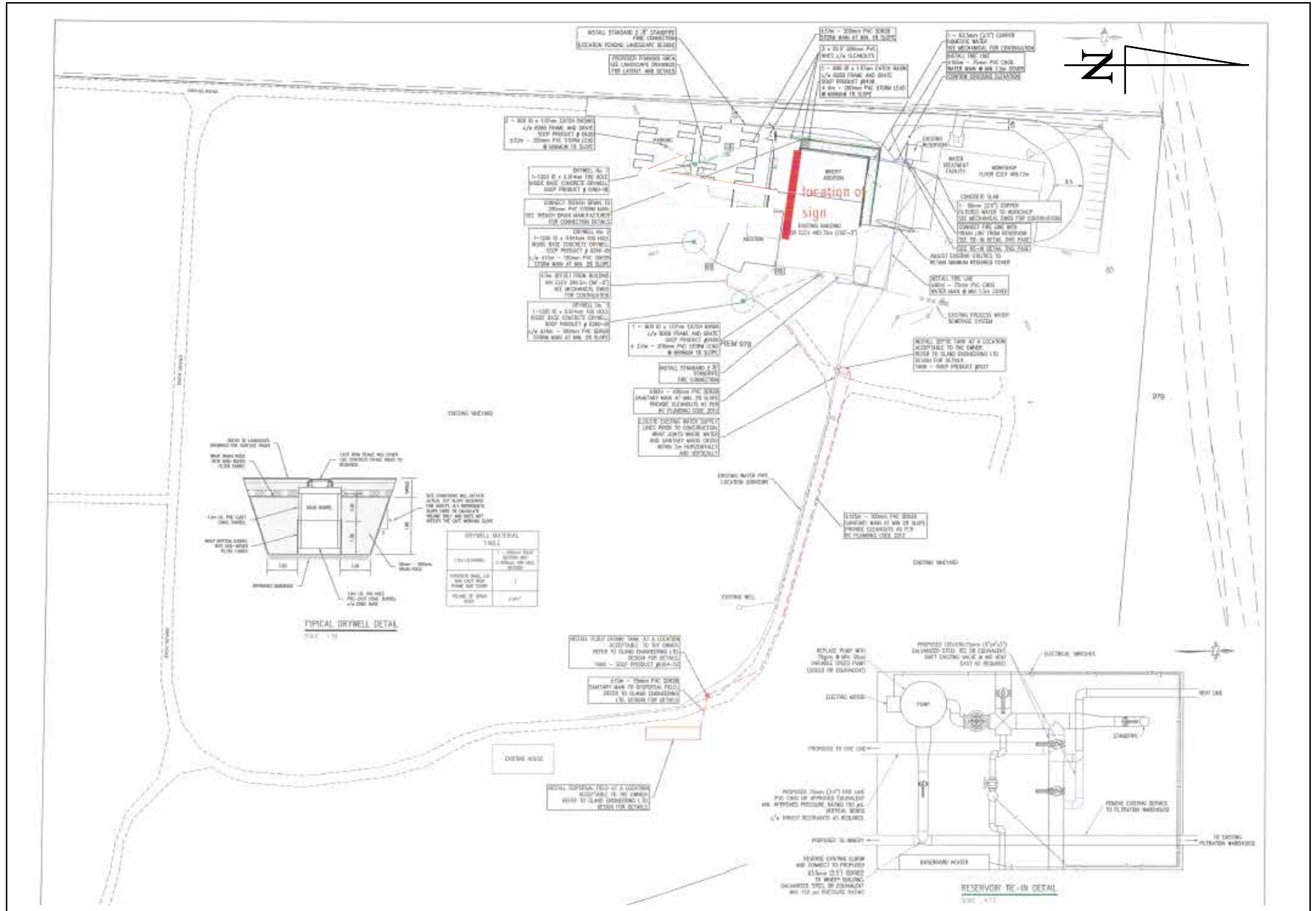
No. 3– Applicant's Sign Rendering

No. 4 – Site photo (Google streetview)

Attachment No. 1 – Context Map



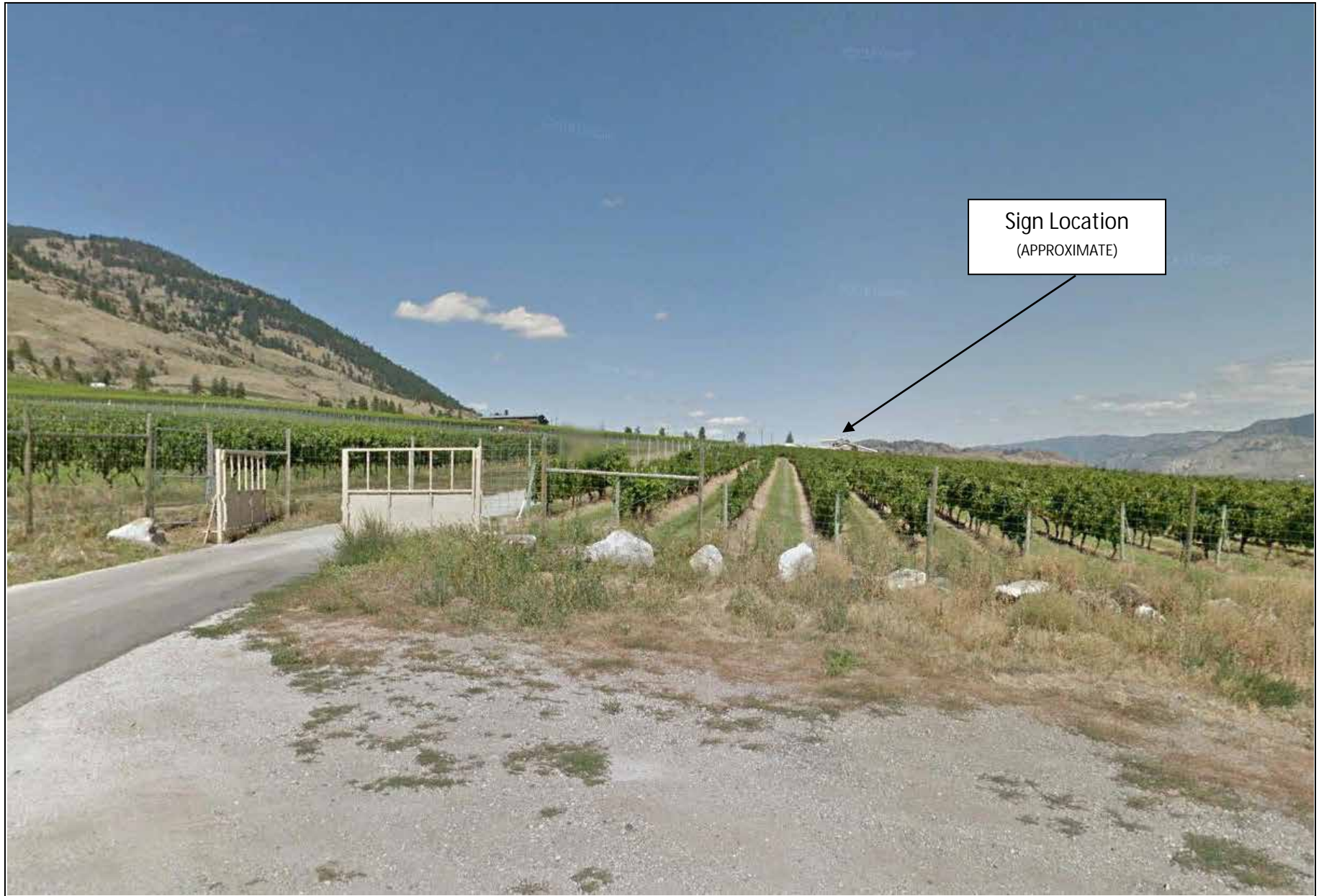
Attachment No. 2 – Applicant's Site Plan

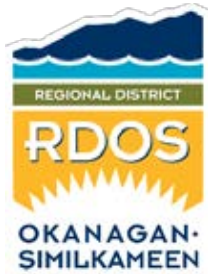


Attachment No. 3 – Applicant's Sign Rendering



Attachment No. 4 – Site Photo (Google Streetview)





Development Variance Permit

FILE NO.: C2019.012-DVP

Owner: Mark Anthony Group Inc.,
Inc.No. BC1202243
500-887 Great Northern Way
Vancouver, BC, V5T 4T5

Agent: Matt Lebedoff
500-887 Great Northern Way
Vancouver, BC V5T 4T5

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 978, Plan 17033 Except Plan 28958, District Lot 2450S, SDYD

Civic Address: 4797 and 4799 Wild Road Street

Parcel Identifier (PID): 008-472-653 Folio: C-06577.100

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "C" Zoning Bylaw No. 2453, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the total sign area for signs advertising the sale of agricultural produce, livestock or product grown, raised or produced on the farm as prescribed in Section 7.20.3 is varied:
 - i) from: 3.0 square metres

to: 23.0 square metres as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

a) Not Applicable

8. **SECURITY REQUIREMENTS**

a) Not applicable

9. **EXPIRY OF PERMIT**

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

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

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

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

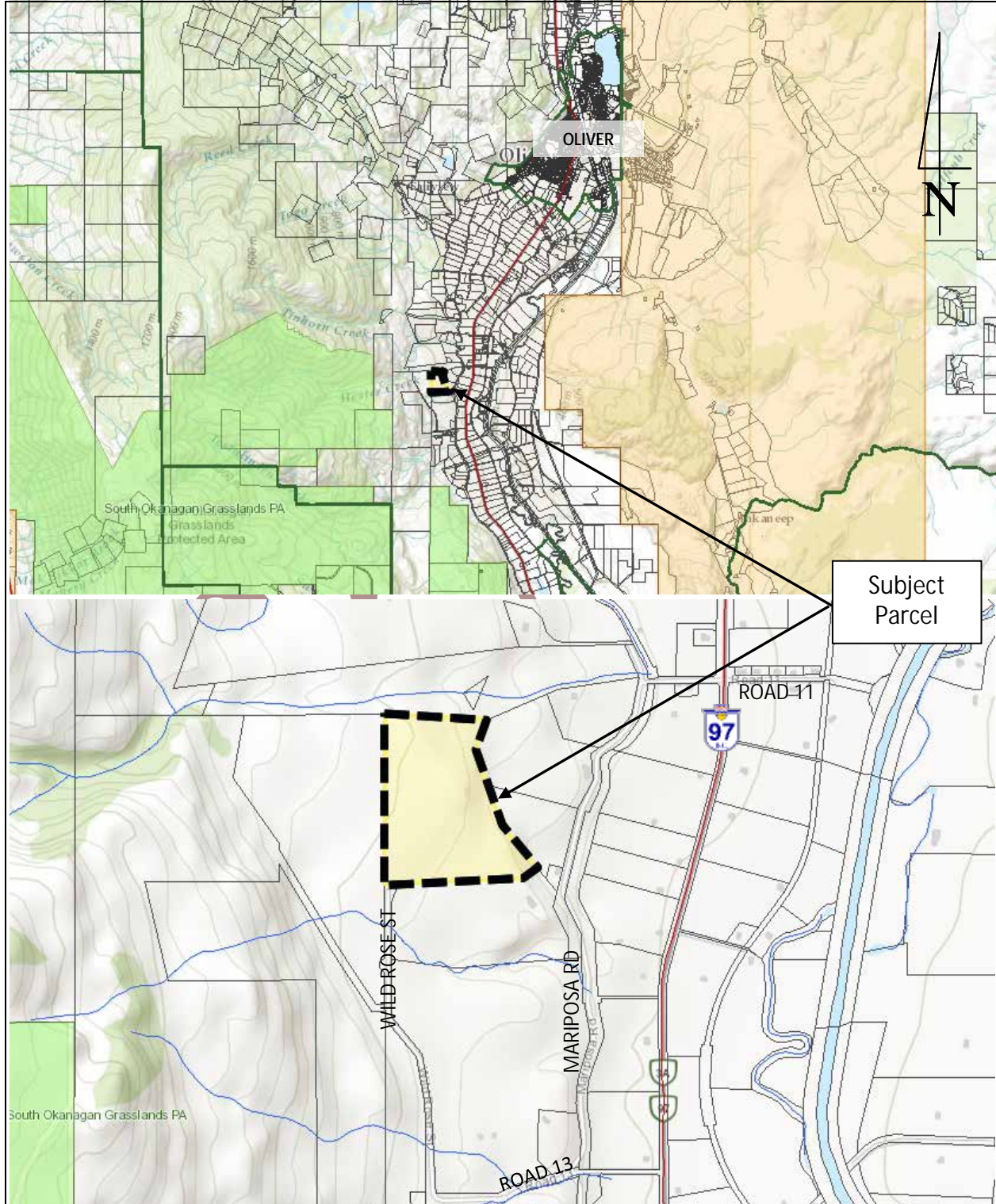
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. C2019.012-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

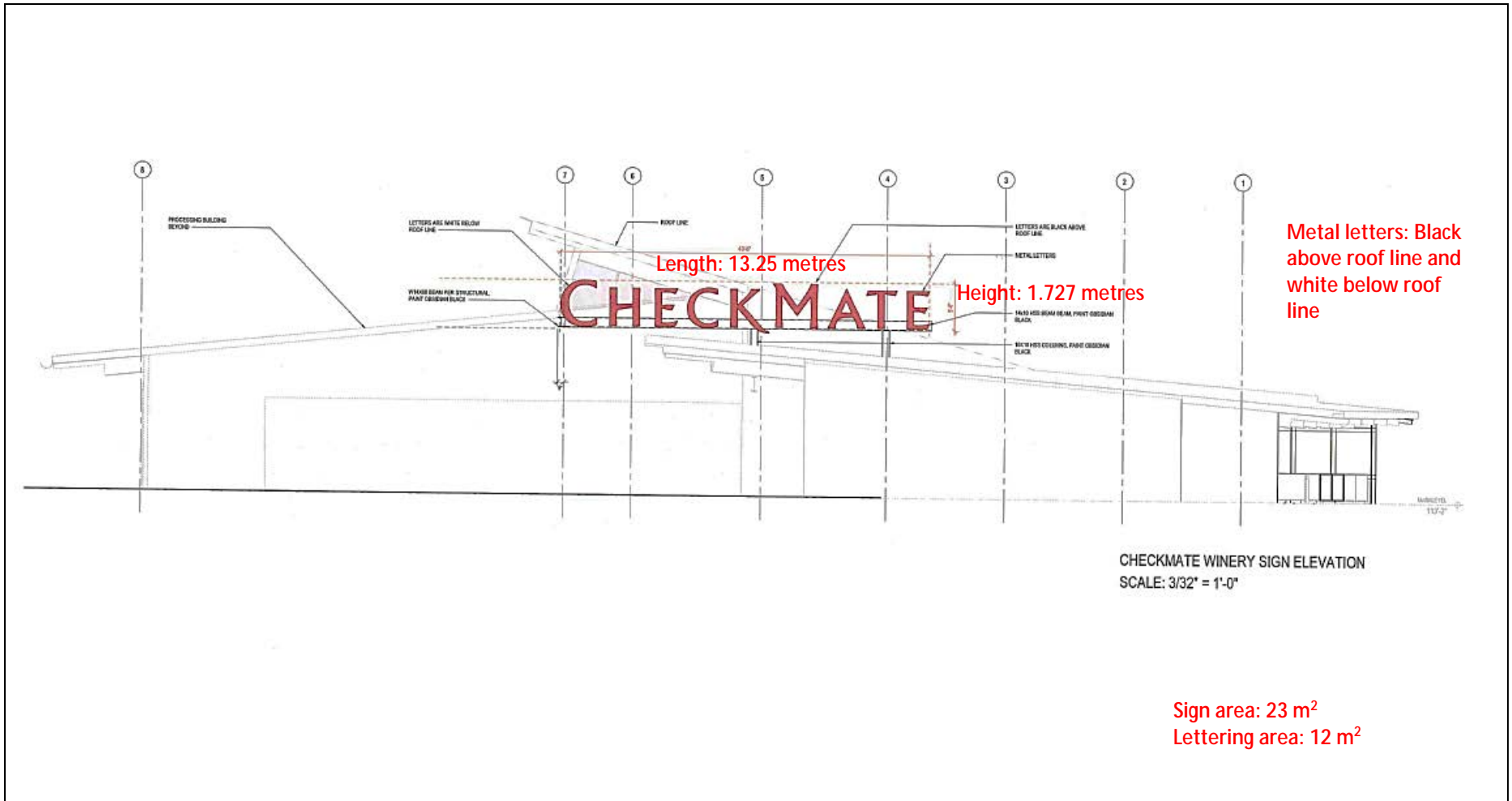
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. C2019.012-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

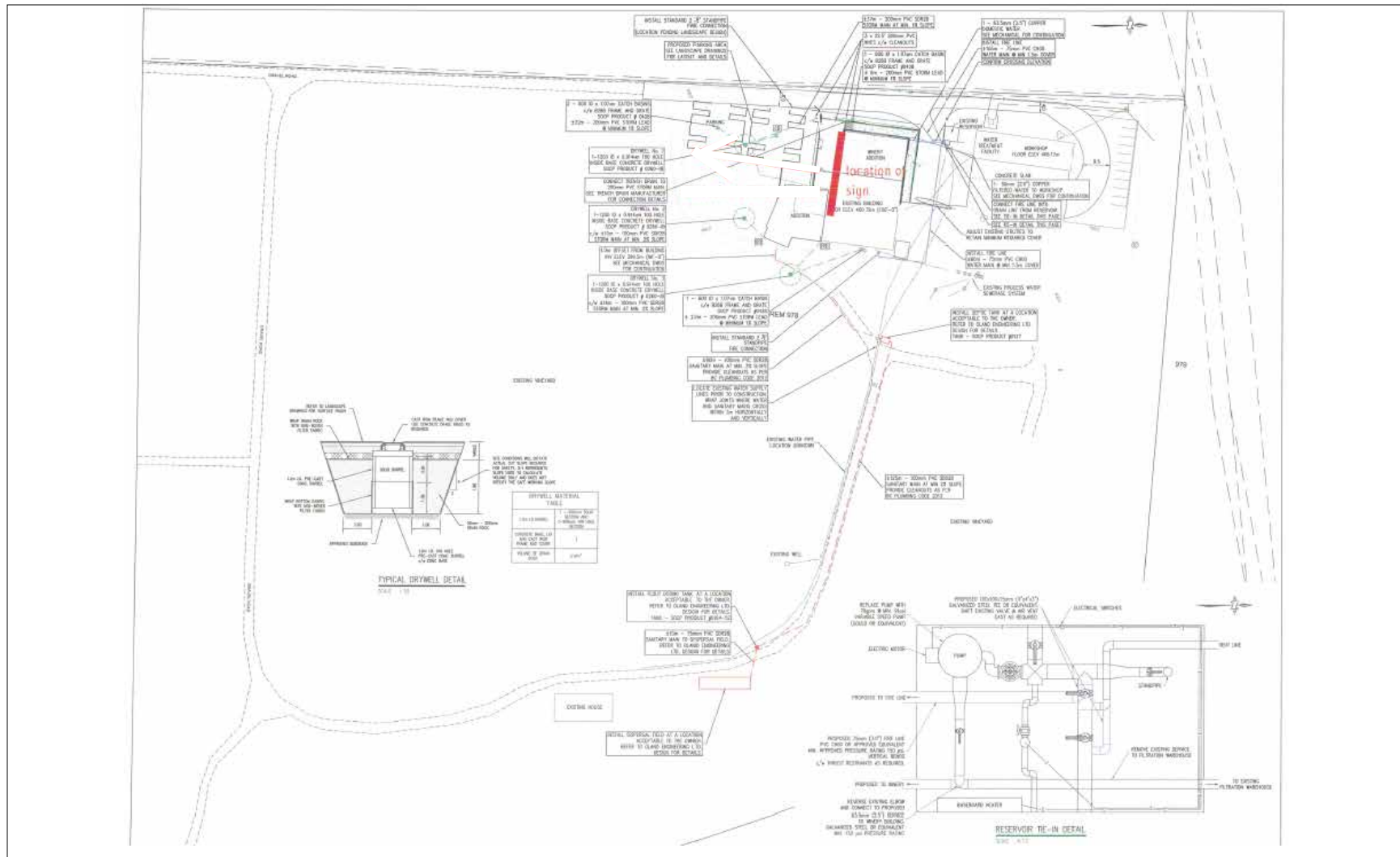
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. C2019.012-DVP

Schedule 'C'



Lauri Feindell

Subject: FW: Referral Comments Requested - DVP (Mark Anthony Group) - Signage Variance - 4797/4799 Wild Road Street (C2019.012-DVP)

From: Bob Graham <OFDChief@oliver.ca>

Sent: May 28, 2019 10:52 AM

To: JoAnn Peachey <jpeachey@rdos.bc.ca>

Subject: RE: Referral Comments Requested - DVP (Mark Anthony Group) - Signage Variance - 4797/4799 Wild Road Street (C2019.012-DVP)

The Oliver Fire Dept. has no issues with this

Bob Graham

Fire Chief



Cell: 250.498.9992

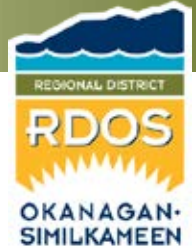
ofdchief@oliver.ca

www.oliverfiredepartment.com

Follow us on:



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “D”

Administrative Recommendation:

THAT Bylaw No. 2603.19 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.41, 2019, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated October 17, 2019 to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.19, 2019, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of the public hearing be delegated to Director Obirek, or their delegate;

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

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

Purpose: To allow for a service commercial business

Owners: Robert and Heather Pearce Agent: Brad Elenko (McElhanney) Folio: D-01109.150

Legal: Lot A, Plan 21205, DL 10, SDYD Civic: 1612 Highway 97

OCP: Small Holdings (SH) Proposed OCP: General Commercial (C)

Zone: Small Holdings Five (SH5) Proposed Zoning: Site Specific Service Commercial One (CS1s)

Proposed Development:

This application is seeking to amend the Official Community Plan land use designation and zoning of the subject property in order to allow the existing service commercial business, and other uses, to operate.

In order to accomplish this, the following land use bylaw amendments are being proposed by the applicant:

-
- amend the land use designation under Schedule 'B' (OCP Map) of the Electoral Area "D" Official Community Plan (OCP) Bylaw No., 2603, 2013, from Small Holdings (SH) to General Commercial (C);
 - amend the zoning under Schedule '2' (Zoning Map) of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, from Small Holdings Five (SH5) to Site Specific Service Commercial One (CS1s); and
 - add site specific regulation to permit only the following principal uses: contractor's office, service industry establishment and single detached dwelling; and only the following secondary uses: agriculture, and accessory buildings/structures; and
 - reduce the minimum rear parcel line setback in the CS1 zone from 7.5 m to 1.5 m for an agricultural accessory buildings/structures.
 - Limit the permitted signage to two non-illuminated signs not to exceed 8 m² nor a height of 3 m.

In support of the application, the applicant has stated that "the purpose of the OCP and rezoning request is to allow the existing business and other current uses to continue to operate from the property...nothing will change with the operation of the business as a result of the zoning change to Service Commercial 1 site-specific.

"The only change that will occur is the ownership and operation of the business will over time be transferred to the owner's son. The proposed change in the zoning of the property would allow the existing business to continue to operate on the property as permitted uses and would allow the owner to retire in his home and be accessible to help in the family business when needed. This would mean the business would not have to incur the expense of acquiring land elsewhere to relocate their business, and they wouldn't have to worry about potential staff loss that may occur from a business relocation."

The applicant has also noted intent to remove the storage tents and construct a 275 m² storage building to provide secured storage for the service trucks and business inventory, if the rezoning is approved.

Site Context:

The subject property is approximately 1.03 ha in area and is situated on the west side of Highway 97, abutting Rail Road to the north, and the Kettle Valley Railway trail to the west. It is understood that the parcel is comprised of a single detached dwelling, pole barn, hay pasture, and a contractor's office for a well pump company utilizing two temporary storage structures.

The surrounding pattern of development is generally characterised by agriculture to the north and west, industrial to the east, rural residential to the south and proximity to Keogan Park.

Background:

Parcel information

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on March 11, 1971, while available Regional District records indicate that building permits for a single family dwelling (2009), hay barn (2009), garage (1992), fireplace (2001), and an addition (1989) were issued.

The existing contractor's office for a well pump company currently employs 13 people and utilizes an office within the dwelling, two storage tents (189 m²), and a shop (108 m²) on the subject parcel.

The subject property is within the Okanagan Falls Fire District and is outside the community water and sewer servicing area and has on-site serving from a private septic system and well.

BC Assessment has classified the property as "Residential" (Class 01).

RDOS Regional Growth Strategy (RGS):

Under the Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, the subject parcel is within the Okanagan Falls Primary Growth Area. The RGS includes objectives and policies to coordinate and cooperate to support regional economic diversification (Objective 5-A) and to encourage business retention, expansion and attraction activities with special focus on green, sustainable businesses (Supporting Policy 5A-4).

Electoral Area "D" OCP Bylaw:

Under the Electoral Area "D" Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Small Holdings (SH).

The Electoral Area "D" OCP Bylaw contains the following objectives and policies for commercial development:

- Direct major commercial development to Primary Growth Areas (Section 13.2.2);
- To ensure the scale of all commercial developments harmonize with the natural surroundings and rural character of the Plan Area (Section 13.2.5);
- Limits highway commercial development along Highway 97 to parcels already zoned accordingly, or designated as Commercial (C) or Commercial Tourist (CT) (Section 13.3.3); and
- Directs major office, service and general business commercial uses to Primary Growth Areas such as Okanagan Falls, which have the necessary infrastructure and support services (Section 13.3.5).

Electoral Area "D" Zoning Bylaw No. 2455, 2008:

Under the Electoral Area "D" Zoning Bylaw No. 2455, 2008, the property is currently zoned Small Holdings Five (SH5) which, among other uses, permits single detached dwellings and agriculture, as well as home industries on parcels greater than 2.0 ha.

Home industry use includes contractor's offices, subject to several limitations including a maximum of two non-resident employees, a total floor area of no more than 100 m² and a screened area for external storage of no more than 200 m².

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 67 have been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural lands. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaws.

Public Process:

On September 10, 2019, a Public Information Meeting (PIM) was held at the Okanagan Falls Community Centre at 1141 Cedar Street in Okanagan Falls and was attended by no members of the public.

At its meeting of September 10, 2019, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

Administration recommends that the written notification of affected property owners, the public meetings as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, the consultation process undertaken is seen to be sufficiently early and does not need to ongoing further.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

In considering this proposal, Administration notes that the application aligns with the goals and objectives of the Regional Growth Strategy (RGS) and Electoral Area "D" OCP Bylaw.

It is acknowledged that the existing contractor's office provides employment opportunities to local residents and positively contributes to the local economy (RGS Supporting Policy 5A-4).

The subject parcel is within the Okanagan Falls Primary Growth area, and is therefore identified as an appropriate area to direct office, service and general business commercial uses (OCP Policy 13.3.5).

The proposed uses are limited to office and service commercial uses under the site specific CS1 zone and does not allow for any highway commercial uses to be introduced on the subject parcel (OCP Policy 13.3.3).

To harmonize with the natural surroundings and the rural character of the Plan area (OCP Objective 13.2.5), the commercial uses in the proposed Site Specific CS1 zone are limited to a service industry establishment (e.g. businesses providing non-personal goods and services) and a contractor's office, which have lower volume of customer visits compared to highway commercial/retail traffic. Further, signage is limited to balance advertising a commercial business and align with the rural character of the area.

Further, the subject parcel does not contain any physical site constraints, such as environmentally sensitive areas, floodplain, or steep slopes.

In addition, the parcel does not directly abut agricultural lands, as Rail Road and the KVR trail right of ways provide additional distance of more than 15 metres between the subject parcel and neighbouring properties within the Agricultural Land Reserve to the north and west.

It is also noted that a service commercial business has operated at this location as a non-conforming home industry for over two decades.

Conversely, Administration recognises that it is not generally considered good planning practice to allow "spot zoning". "Spot zoning" is a non-comprehensive approach to zoning that introduces discrepancies between permitted uses within a specific area. The proposed zoning would introduce a commercially-zoned parcel next to agricultural and rural residential lands in perpetuity. It may introduce competing interests between commercial businesses, residential use and agriculture.

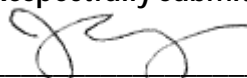
However, the subject parcel is considered to be more appropriate for small-scale service industry commercial development than existing CS1 properties that are within or close to the Okanagan Falls Town Centre that are generally encouraged to contain retail and tourist-oriented uses, and I1 properties in the Industrial Park that generally are encouraged to have more intensive manufacturing uses.

In summary, Administration generally supports the proposed OCP and Zoning Bylaw amendments, as there are supportive policies in the RGS and Electoral Area "D" OCP bylaw for limited commercial use at this location.

Alternatives:


1. THAT Bylaw No. 2603.19, 2019, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.41, 2019, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;
AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated October 17, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;
AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.19, 2019, in conjunction with its Financial and applicable Waste Management Plans;
AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of November 21, 2019;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT Bylaw No. 2603.19, 2019 Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.41, 2019, Electoral Area "D" Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2603.19, 2019, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.41, 2019, Electoral Area "D" Zoning Amendment Bylaw be, be denied.

Respectfully submitted:




JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

Endorsed By:



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

Attachments: No. 1 – Agency Referral List
No. 2 – Applicant’s Site Plan
No. 3 – Aerial Photo (2014)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, regarding Amendment Bylaw No. 2603.19 and 2455.41:

p	Agricultural Land Commission (ALC)	p	Fortis
p	Interior Health Authority (IHA)	o	City of Penticton
p	Ministry of Agriculture	o	District of Summerland
o	Ministry of Energy, Mines & Petroleum Resources	o	Town of Oliver
o	Ministry of Municipal Affairs & Housing	o	Town of Osoyoos
o	Ministry of Environment & Climate Change Strategy	o	Town of Princeton
o	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	o	Village of Keremeos
o	Ministry of Jobs, Trade & Technology	o	Okanagan Nation Alliance (ONA)
p	Ministry of Transportation and Infrastructure	p	Penticton Indian Band (PIB)
o	Integrated Land Management Bureau	p	Osoyoos Indian Band (OIB)
o	BC Parks	o	Upper Similkameen Indian Band (USIB)
o	School District #53 (Areas A, B, C, D & G)	o	Lower Similkameen Indian Band (LSIB)
o	School District #58 (Area H)	o	Environment Canada
p	School District #67 (Areas D, E, F, I)	o	Fisheries and Oceans Canada
o	Central Okanagan Regional District	o	Canadian Wildlife Services
o	Kootenay Boundary Regional District	o	OK Falls Irrigation District
o	Thompson Nicola Regional District	o	Kaleden Irrigation District
o	Fraser Valley Regional District	o	X Irrigation District / improvement Districts / etc.
p	Okanagan Falls Fire Department		

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Aerial Photo (2014)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.19, 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" East-Skaha Vaseux Official Community Plan Amendment Bylaw No. 2603.19, 2019."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by changing land use designation on the land described as Lot A, Plan 21205, District Lot 10, SDYD and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings (SH) to General Commercial (C).

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

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

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

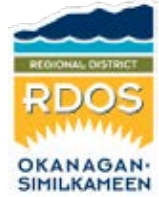
ADOPTED this this ____ day of _____, 2019.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

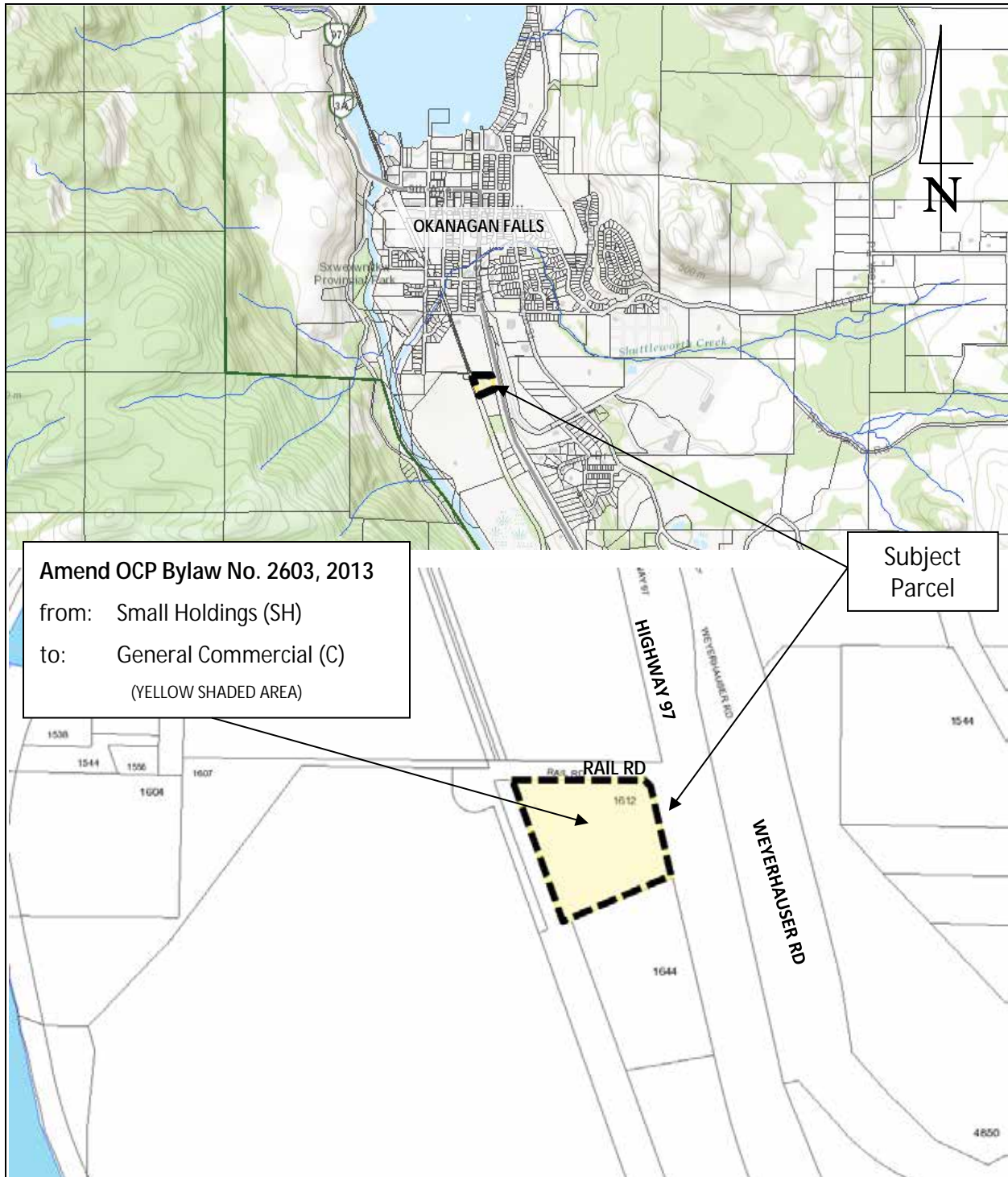
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.19, 2019

File No. D2019.006-ZONE

Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.41, 2019

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 2008

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.41, 2019."
2. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by adding a new Section 19.31.1 (Site Specific Service Commercial Provisions) under Section 19.0 Site Specific Designations to read as follows:
 - .1 in the case of the land described as Lot A, Plan 21205, District Lot 10, SDYD (1612 Highway 97), and shown shaded yellow on Figure 19.31.1:
 - a) the following principal uses and no others shall be permitted on the land:
 - i) contractor's office;
 - ii) service industry establishment;
 - ii) single detached dwelling.
 - b) the following secondary uses and no others shall be permitted on the land:
 - i) agriculture, subject to Section 7.23; and
 - ii) accessory buildings and structures, subject to Section 7.13.
 - c) Despite Section 14.9.6 (a), the minimum rear parcel line setback for an accessory building or structure in association with agriculture shall be 1.5 metres.
 - d) Despite Section 7.20.5, signs permitted are limited to two per parcel and must not exceed a total sign area of 8 m² nor a height of 3.0 metres.
 - e) Despite, Section 7.20.7, illuminated signs are not permitted.

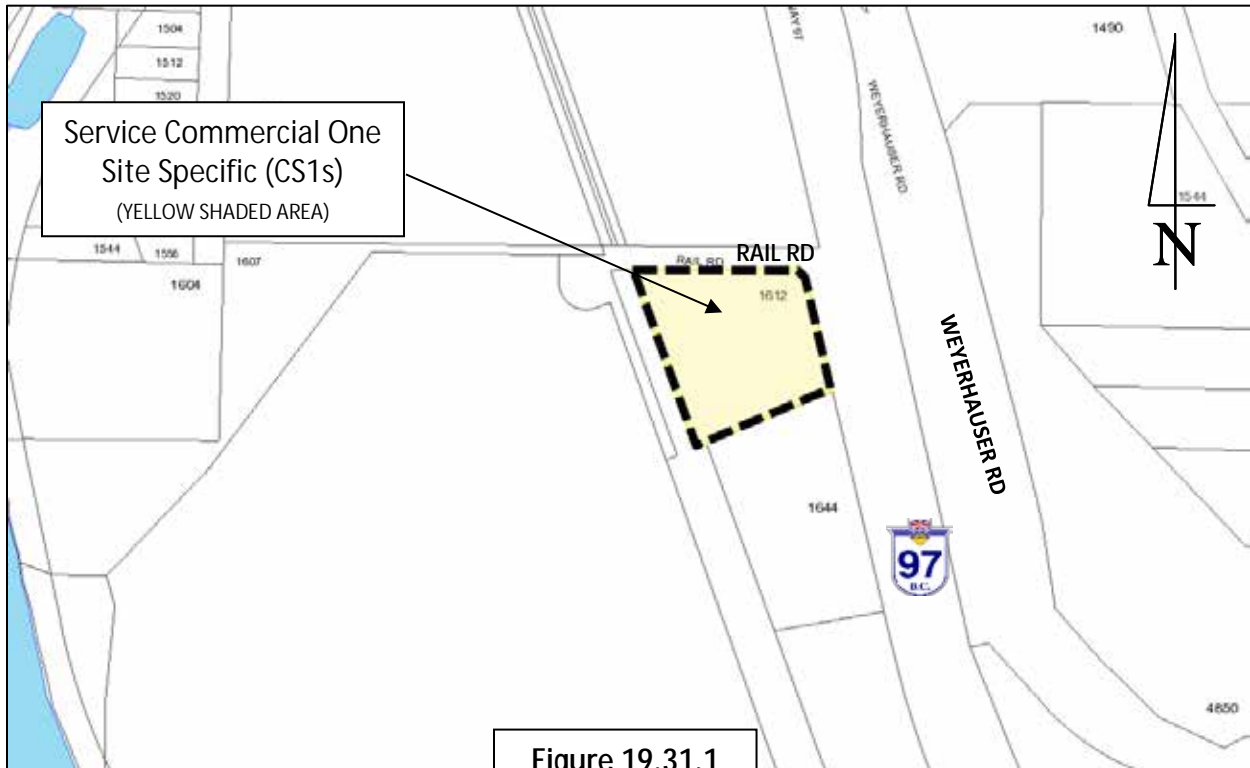


Figure 19.31.1

3. The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation on the land described Lot A, Plan 21205, District Lot 10, SDYD and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Five Zone (SH5) to Site Specific Service Commercial One Zone (CS1s).

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

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

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

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.41, 2019" as read a Third time by the Regional Board on this ____ day of _____, 2019.

Dated at Penticton, BC this ____ day of _____, 2019.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2019.

For the Minister of Transportation & Infrastructure

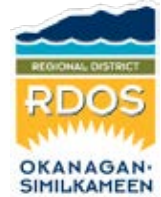
ADOPTED this ____ day of _____, 2019.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

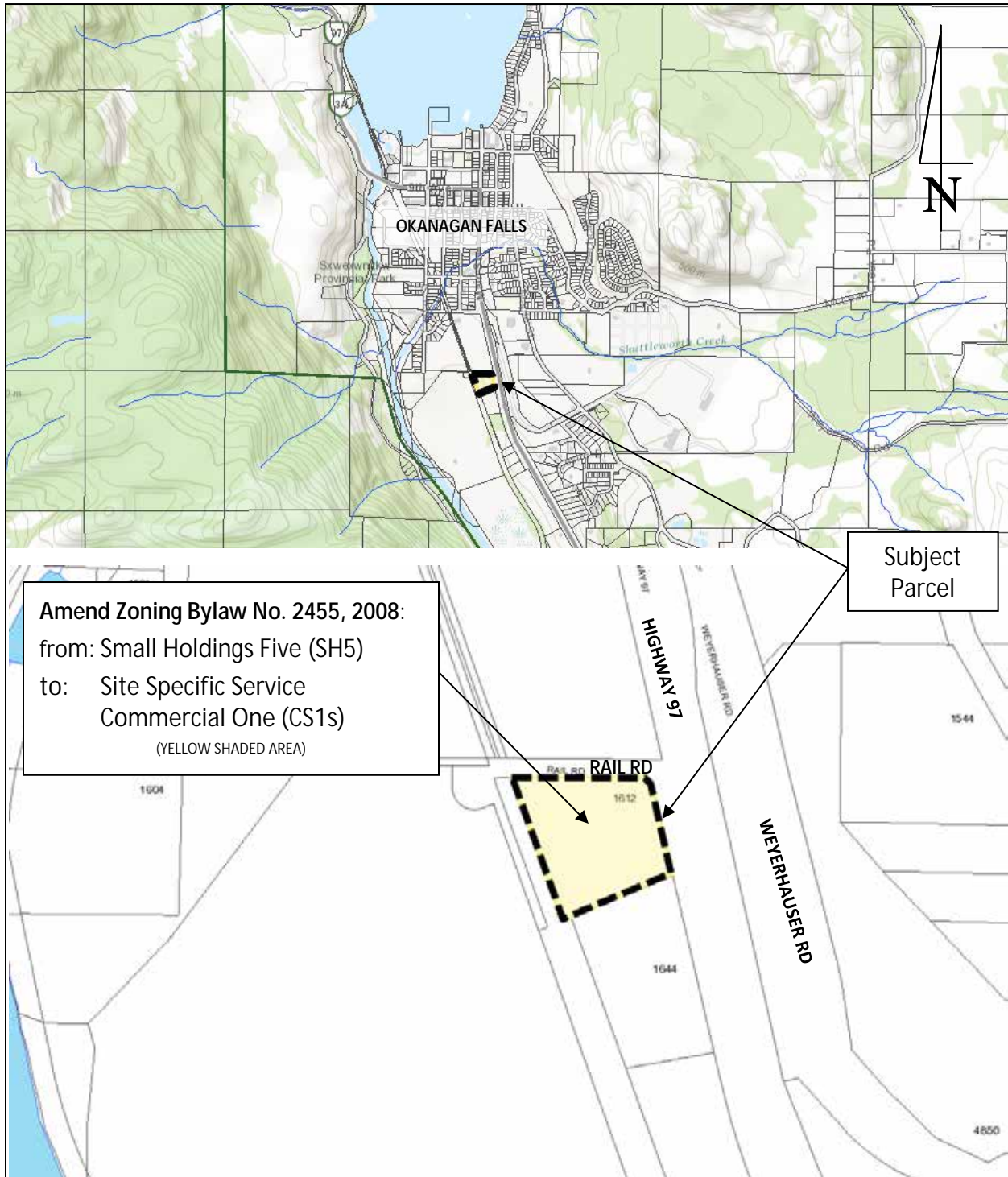
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.41, 2019

File No. D2019.006-ZONE

Schedule 'A'





BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

**DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION**

Your File #: D2019.006-
ZONE (Pearce)
2455.41
eDAS File #: 2019-05090
Date: Sep 10, 2019

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw 2455.41, 2019 for:
Lot A, District Lot 10, SDYD, Plan 21205
1612 Highway 97, Okanagan Falls, BC**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

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

Yours truly,

Rob Bitte
Development Officer



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

September 4, 2019

Reply to the attention of Sara Huber
ALC Issue: 51456
Local Government File: D2019.006-ZONE

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

Delivered Electronically

Re: Regional District of Okanagan Similkameen Official Community Plan and Zoning Amendment Bylaw Nos. 2603.19 and 2455.41 *RE-REFERRAL*

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Official Community Plan (OCP) and Zoning Amendment Bylaw Nos. 2603.19 and 2455.41 (the “Bylaws”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaws are consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the “General Regulation”), the Agricultural Land Reserve Use Regulation (the “Use Regulation”), and any decisions of the ALC.

In July 2019, the ALC reviewed a draft copy of Zoning Amendment Bylaw No. 2455.41 which proposed to rezone the property identified as 1612 Highway 97, PID: 004-642-074 (the “Property”) from Small Holdings 5 (SH5) to Small Holdings 5 – Site Specific (SH5s) in order to allow the existing home industry to continue to operate on the Property. The Property currently contains a residence, a shop, pole barn and two storage tents. The business, Value Contracting, is a well pump company that provides well drilling and well and pumps service and installation. The business has operated on the Property for 27 years and since that time has expanded to the present operation which employs 11-15 people depending on the season and has up to 10 service vehicles stored on site. Due to this growth, the scale of the business exceeds the home industry regulations in the SH5 zone.

In order to better reflect the scale and nature of the commercial business, Bylaw No. 2455.41 has been amended to rezone the Property to Site Specific Commercial 1 (CS1s), rather than Small Holdings 5 – Site Specific (SH5s). The CS1s zone would allow for principal commercial uses (service industry establishment and contractor’s office) and residential use (single-detached dwelling). As a result, the proposal requires an amendment to the OCP. Bylaw No. 2603.19 proposes to amend the OCP from Small Holdings (SH) to General Commercial (C).

ALC staff confirms that the Property is not within the Agricultural Land Reserve (the “ALR”) and that the north and west Property boundaries, which lie closest to the ALR boundary, are buffered from the ALR by gravel roads. For this reason, ALC staff has no objection to the proposed Bylaw.



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

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'Sara Huber', written in a cursive style.

Sara Huber, Regional Planner

Enclosure: Bylaw Referral Sheet (Pearce) D2019.006-ZONE

CC: Ministry of Agriculture – Attention: Christina Forbes

51456m2



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

July 4, 2019

Reply to the attention of Sara Huber
ALC Issue: 51456
Local Government File: D2019.006-ZONE

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

Delivered Electronically

Re: RDOS Zoning Amendment Bylaw No. 2455.41

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Zoning Amendment Bylaw No. 2455.41 (the "Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the "General Regulation"), the Agricultural Land Reserve Use Regulation (the "Use Regulation"), and any decisions of the ALC.

The Bylaw proposes to rezone the property identified as PID: 004-642-074 (the "Property") from Small Holdings 5 (SH5) to Small Holdings 5 – Site Specific (SH5s) in order to allow the existing home industry to continue to operate on the property. The business, Value Contracting, has operated on the Property for 27 years and since that time has expanded to the present operation which employs 11-15 people depending on the season and has up to 10 service vehicles stored on site. Due to this growth, the scale of the business exceeds the home industry regulations in the SH5 zone.

The ALC recognizes that the Property is not within the Agricultural Land Reserve (the "ALR") and that the north and west Property boundaries, which lie closest to the ALR boundary, are buffered from the ALR by gravel roads. For this reason, ALC staff has no objection to the proposed Bylaw.

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

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

CC Agent - July 8, 2019
Page 1 of 2



A handwritten signature in black ink, appearing to be 'Sara Huber', written in a cursive style.

Sara Huber, Regional Planner

Enclosure: Bylaw Referral Sheet (Pearce) D2019.006-ZONE

CC: Ministry of Agriculture – Attention: Christina Forbes

51456m1



Sept 5/19

File No: D2019.006-ZONE

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

Re: Bylaw Referral – File No. D2019.006-ZONE

To the Regional District of Okanagan Similkameen,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the proposed site specific zoning bylaw for 1612 Highway 97 to allow an existing home industry to continue operating. Ministry staff have reviewed the documents you have provided and our comments have not changed from our previous submission. From an agricultural perspective we can provide the following comments for your consideration:

- The property is not located in the ALR but does appear to have some agricultural activity in the form of hay production.
- The siting of the buildings has maximized the amount of land available for agriculture.
- Ministry staff note that there is ALR land bordering the property and recommend these properties be contacted to determine if there are any impacts of allowing the site specific zoning.
- Ministry staff also note that the road on the north and west sides of the property does appear to provide at least 15 metres of separation between the subject property and the adjacent ALR land. While the Ministry's Guide to Edge Planning does recommend a minimum 30 metre setback and 15 metre vegetative buffer to provide separation between residential zones and the ALR boundary, the use of this property is more of a hybrid of residential and light industrial type use.
- The recommended setback for industrial use in the Guide to Edge Planning is 15 metres, which in this case is met by the road. The minimum recommended vegetative buffer is 8 metres. In this case, we note that it may be difficult to put in a vegetative buffer due to the road and that this may curtail the use of the subject property for agriculture.
- While this appears to be a family run business with a long term succession plan Ministry staff are unclear the implications of the site specific zoning should this property be sold in the future. Residential lands in particular are not very compatible with agricultural lands and therefore it would be expedient to require some sort of edge planning in conjunction with the rezoning, to mitigate any future impacts. There are a number of options outlined in the Guide to Edge Planning that may be of assistance in this case.



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

Sincerely,

A handwritten signature in blue ink, appearing to be 'CF', with a large loop and a horizontal stroke extending to the right.

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

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



June 17 2019

File No: D2019.006-ZONE

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

Re: Bylaw Referral – File No. D2019.006-ZONE

To the Regional District of Okanagan Similkameen,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the proposed site specific zoning bylaw for 1612 Highway 97 to allow an existing home industry to continue operating. Ministry staff have reviewed the documents you have provided. From an agricultural perspective we can provide the following comments for your consideration:

- The property is not located in the ALR but does appear to have some agricultural activity in the form of hay production.
- The siting of the buildings has maximized the amount of land available for agriculture.
- Ministry staff note that there is ALR land bordering the property and recommend these properties be contacted to determine if there are any impacts of allowing the site specific zoning.
- Ministry staff also note that the road on the north and west sides of the property does appear to provide at least 15 metres of separation between the subject property and the adjacent ALR land. While the Ministry's Guide to Edge Planning does recommend a minimum 30 metre setback and 15 metre vegetative buffer to provide separation between residential zones and the ALR boundary, the use of this property is more of a hybrid of residential and light industrial type use.
- The recommended setback for industrial use in the Guide to Edge Planning is 15 metres, which in this case is met by the road. The minimum recommended vegetative buffer is 8 metres. In this case, we note that it may be difficult to put in a vegetative buffer due to the road and that this may curtail the use of the subject property for agriculture.
- While this appears to be a family run business with a long term succession plan Ministry staff are unclear the implications of the site specific zoning should this property be sold in the future. Residential lands in particular are not very compatible with agricultural lands and therefore it would be expedient to require some sort of edge planning in conjunction with the rezoning, to mitigate any future impacts. There are a number of options outlined in the Guide to Edge Planning that may be of assistance in this case.

cc Agent June 25/19



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

Sincerely,



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

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



Interior Health
Every person matters

September 5, 2019

JoAnn Peachey, Planner I
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton BC V2A 5J9

Email: planning@rdos.bc.ca

Dear Ms. Peachey:

RE: File #: D2019.006-ZONE
Our interests are unaffected

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority



Interior Health
Every person matters

June 11, 2019

JoAnn Peachey, Planner I
Regional District of Okanagan-Similkameen
Planning Department
101 Martin Street
Penticton BC V2A 5J9

<mailto:planning@rdos.bc.ca>

Dear Ms. Peachey:

**RE: File #: D2019.006-Zone BL 2455.41 (Lot A, DL 10, SDYD, Plan 21205)
Our interests are unaffected**

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority

Bus: 1-855-744-6328, Option 4
Email: hbe@interiorhealth.ca
Web: interiorhealth.ca

cc: Agent - June 25/19

Kamloops Health Unit
519 Columbia Street
Kamloops, BC V2C2T8



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: June 26, 2019 2:28 PM
To: Planning
Subject: Highway 97, 1612 (D2019_006-Zone)

Categories: Pending Info

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Highway 97. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

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

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

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

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

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

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

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

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

Best Regards,

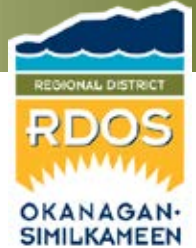
Steven Danielson, AACI, SR/WA
Contract Land Agent for:

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

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



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Zoning Bylaw Amendment – Electoral Area “E”

Administrative Recommendation:

THAT Bylaw No. 2459.36, 2019, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of November 21, 2019;

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

Purpose: To amend the front and rear parcel line setbacks for 18 parcels on the west side of Workman Place
Owners: [various] Agent: Not applicable Folio: [various]
Civic: Workman Place, Naramata Legal: [various]
Zoning: Residential Single Family One (RS1) Proposed Zoning: Residential Single Family One Site Specific (RS1s)

Purpose:

The purpose of the proposed amendment to the zoning bylaw is to adjust the front and rear setbacks applied to 18 parcels situated on the west side of Workman Place in Naramata.

At issue is the design of the parcels, which were created by subdivision in 2017, and the presence of significant fill as well as a slope on a majority of the lots which has prompted previous requests to the Board to reduce the front setback in order to allow for a suitable building envelope for new construction.

Rather than continue to deal with such requests on an ad hoc basis, and to ensure a consistent and equitable building line is provided on each parcel, the Board previously directed that the zoning applied to this area be changed to allow each parcel to have a reduced front setback of 4.5 metres.

Site Context:

The subject properties are situated on the west side of Workman Place in Naramata, are bounded by the former Kettle Valley Railway right-of-way along their rear (western) parcel line and are approximately 1,000 m² in area.

Background:

Under the initial 1972 Electoral Area "E" Zoning Bylaw (No. 122) the subject area was zoned Forestry Grazing (F-G) and was not contemplated for residential development.

Under the 1982 Official Settlement Plan for Electoral Area "E" (Bylaw No. 723), the subject area was designated as being suitable for Low Density Residential (LR) development. This designation was subsequently carried forward into the first Electoral Area "E" Official Community Plan (OCP) Bylaw No. 957, 1987, and has been maintained in all subsequent OCP Bylaws.

It is unknown when the zoning of the subject was changed to RS1, but it appears in the Zoning Map associated with the introduction of the Electoral Area "E" Zoning Bylaw No. 1566, 1995 (and which repealed the 1972 Zoning Bylaw). The RS1 Zone established a minimum parcel size of 1,010 m², with community water and sewer.

The subject land was subsequently subdivided into 18 lots by a Subdivision Plan deposited with the Land Titles Office in Kamloops on August 3, 2017.

Under the current Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, an objective of the LR designation is to "encourage high standards that maintain and enhance rural character for subdivision design, site development, building design and landscaping for various types of residential developments."

Under the current Electoral Area "E" Zoning Bylaw No. 2459, 2008, the RS1 Zone specifies a front parcel line setback of 7.5 metres for principal and accessory structures and a rear parcel line setback of 7.5 metres for principal structures and 3.0 metres for accessory structures.

At its meeting of March 21, 2018, the Board resolved to approve a Development Variances Permit (DVP) that reduced the front setback for a dwelling at 2439 Workman Place from 7.5 metres to 4.1 metres.

At its meeting of October 18, 2018, the Board resolved to approve a DVP that reduced the front setback for a dwelling at 2431 Workman Place from 7.5 metres to 4.4 metres. At this same meeting, the Board further resolved to direct staff to create:

a site specific zone for Workman Place that would reduce the front parcel line setback and accordingly, increase the rear parcel line setback and bring this proposed zone to the Board, after consultation with owners.

Affected property owners and adjacent residents were notified in writing of the proposed amendments on September 13, 2019, and, on October 2, 2019, a public information meeting was at the Old Age Pensioners Hall in Naramata and was attended by approximately six (6) persons.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97).

All agency comments that have been received are included as a separate item on the Board Agenda.

Analysis:

Further to the direction provided by the Board at its meeting of October 18, 2019, the proposed site specific provision will provide a reduced front parcel line setback of 4.5 metres and increased rear parcel line setback of 10.5 metres for 18 properties on the west side of Workman Place in Naramata.

Alternatives:

1. THAT Bylaw No. 2459.36, 2019, Electoral Area "E" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;
AND THAT the holding of a public hearing be delegated to Director Kozakevich, or delegate;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT first reading of the Electoral Area "E" Zoning Amendment Bylaw No. 2459.36, 2019, be deferred.
3. THAT first reading of the Electoral Area "E" Zoning Amendment Bylaw No. 2459.36, 2019, be denied.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed By:



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

Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo (Realtor.ca)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2459.36, 2019

A Bylaw to amend the Electoral Area "E" Zoning Bylaw No. 2459, 2008

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "E" Zoning Amendment Bylaw No. 2459.36, 2019."
2. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
 - i) adding a new Section 17.8.9 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows:
 - .1 In the case of land shown shaded yellow on Figure 17.8.9:
 - a) despite Section 11.1.6(a)(i), the minimum front parcel line setback for a principal building shall be 4.5 metres.
 - b) despite Section 11.1.6(a)(ii), the minimum rear parcel line setback for a principal building shall be 10.5 metres.
 - c) despite Section 11.1.6(b)(i), the minimum front parcel line setback for an accessory building or structure shall be 4.5 metres.
 - d) despite Section 11.1.6(b)(ii), the minimum front parcel line setback for an accessory building or structure shall be 10.5 metres.

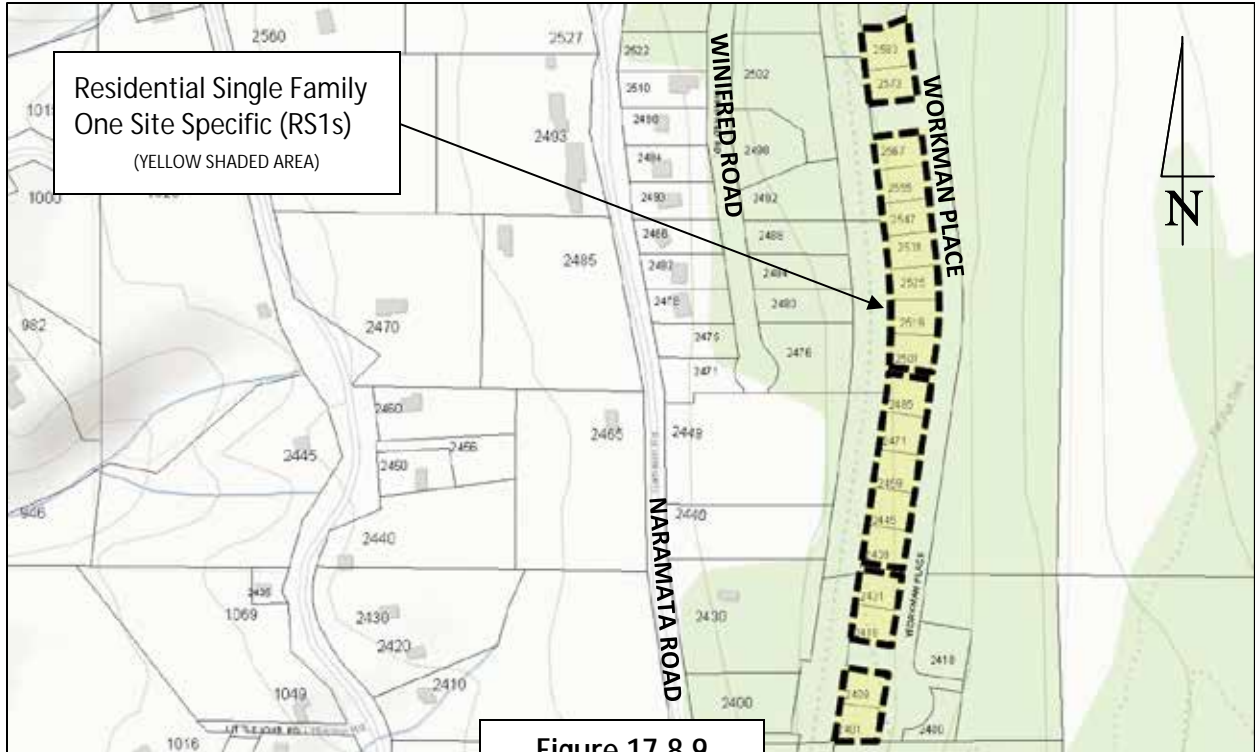


Figure 17.8.9

- The Official Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family One (RS1) to Residential Single Family One Site Specific (RS1s).

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

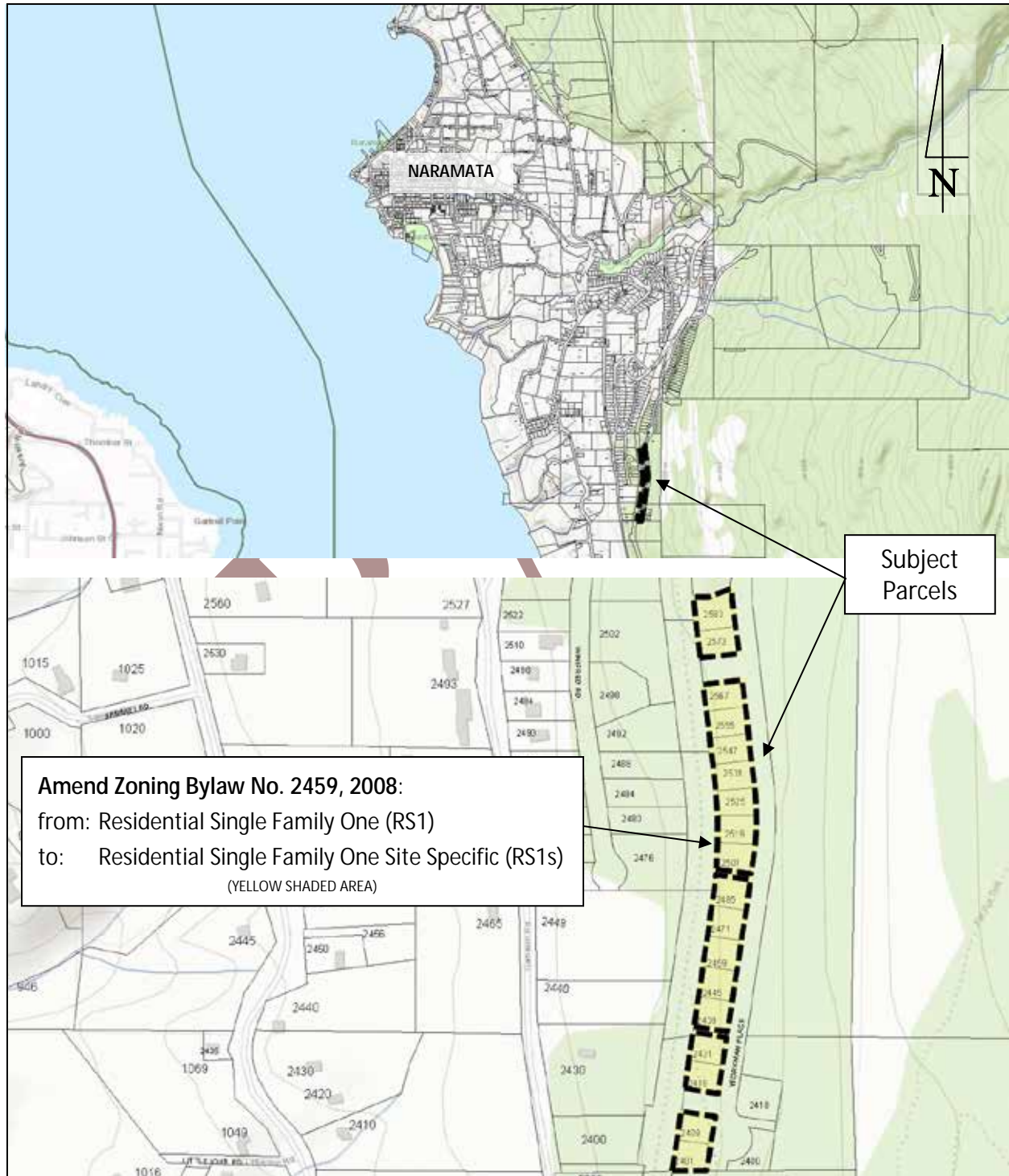
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2459.36, 2019

File No. E2019.012-ZONE

Schedule 'A'



Amendment Bylaw No. 2459.36, 2019
(E2019.012-ZONE)

DRAFT VERSION — 2019-08-28

Page 3 of 3

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: September 17, 2019 5:35 PM
To: Planning
Subject: Workman PI, 2401-2583 (E2019_012-Zone)

With respect to the above noted file,

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

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

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

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

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

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

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

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

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

Best Regards,

Steve Danielson, AACI, SR/WA

Contract Land Agent | Property Services | FortisBC Inc.

2850 Benvoulin Rd

Kelowna, BC V1W 2E3

Mobile: 250.681.3365

Fax: 1.866.636.6171

FBCLands@fortisbc.com



Lauri Feindell

Subject: FW: Response - Doppler (2019-09-28)
Attachments: Response - Bernd Doppler (2019-09-28).pdf

From: Bernd Doppler <bernd.doppler@rdos.bc.ca>
Sent: September 28, 2019 12:10 AM
To: Christopher Garrish <cgarrish@rdos.bc.ca>
Subject: Workman - Place Proposed Rezoning

Dear Mr. Garrish,

After receiving your letter of 13 September 2009 on 23 September 2009, I would like to inform you that I welcome the change and agree with the decision.

I am in Austria and can not attend an announced public information meeting.

I would be pleased to receive written information about the results of the meeting.
Would it be possible for you to send a 1: 100 plan on my property (Phase 2, Lot 5) or tell me from which authority I could get such a plan?

Sincerely and thank you in advance
Bernd Doppler



Lauri Feindell

Subject: FW: Response Schmid (2019-09-30)
Attachments: Grundbucheintrag State of Title Certificate.pdf

From: Christian Schmid <
Sent: September 27, 2019 5:56 AM
To: Christopher Garrish <cgarrish@rdos.bc.ca>
Subject: Workman Place

Dear Mr. Garrish,

having received your letter of September 13,2019 on September 23,2019, I want to send you my comment:

I enclose the first two pages of the „state of title certificate“ of the land title office in order to prove my legitimation for Lots 8 and 9.

I can not join the announced public information meeting. Nevertheless I am pleased to express a positiv comment to the planned rezoning project. Reducing the building setbacks will allow me to build much closer to my property line.

I would be glad getting informed about the results of the meeting.

Greetings from the Lake of Constance, Austria to Lake Okanagan

Mag. Christian Schmid



Lauri Feindell

Subject: FW: Response Bischoff-Fuchs (2019-09-30)
Attachments: S22C-6e19092708070.pdf

From: Bischof-Fuchs Mag. Christine <
Sent: September 27, 2019 12:02 AM
To: Christopher Garrish <cgarrish@rdos.bc.ca>
Subject: Workman Place

Dear Mr. Garrish,

having received your letter of September 13,2019 on September 23,2019, I want to send you my comment:

I enclose the first two pages of the „state of title certificate“ of the land title office in order to prove my legitimation.

I live too far away to join the announced public information meeting. Nevertheless I am pleased to express a positiv comment to the planned rezoning project. Reducing the building setbacks will allow me to build much closer to my property line.

I would be glad getting informed about the results of the meeting.

Sincerely
Christine Bischof-Fuchs

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Early Termination of Land Use Contract No. LU-1-F – Electoral Area “F”

Administrative Recommendation:

THAT Bylaw No. 2790.01, 2019, Electoral Area “F” Official Community Plan Amendment Bylaw and Bylaw No. 2461.12, 2019, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board considers the process, as outlined in the report from the Chief Administrative Officer dated October 17, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2790.01, 2019, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be delegated to Director Gettens, or delegate;

AND THAT staff schedule the date, time and place of the public hearing with Director Gettens, or delegate;

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

Purpose: To replace Land Use Contract No. LU-1-F with a Comprehensive Development (CD7) Zone.

Owners: Lombardy Bay Estates Agent: Not applicable Folio: F-06703.000

Civic: 461 North Beach Road Legal: Lot 14, Plan KAP11635, DL 2694, ODYD, Except Plan 12498

Zone: Not applicable (Land Use Contract) Proposed Zoning: Lombardy Bay Estates Comprehensive Development Zone (CD7)

Purpose:

It is being proposed that the Regional District Board initiate an “Early Termination” of Land Use Contract No. LU-1-F (being Bylaw No. 223) that applies to the property at 461 North Beach Road (“Lombardy Bay Estates”).

Specifically, it is being proposed that LUC No. LU-1-F be replaced by a new “Lombardy Bay Estates Comprehensive Development (CD7) Zone” under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, as such a zone will best reflect the “share lot” nature of the property (i.e. allowance for 9 dwellings on one legal parcel).

It is being further proposed to amend the Electoral Area "F" Official Community Plan (OCP) Bylaw No. 2790, 2018, in order to introduce a policy statement related to any future subdivision of this property being dependent upon infrastructure servicing (i.e. community sewer).

Site Context:

The subject property is bounded by North Beach Road to the west and Okanagan Lake to the east and is approximately 2.0 km north of the boundary between Electoral Area "F" and the District of Summerland and approximately 2.5 km south of Okanagan Lake Provincial Park. The property represents a land area of approximately 1.2 hectares (ha).

Statutory Requirements:

In 2014, the provincial government amended the *Local Government Act* in order that all remaining land use contracts will automatically be terminated, and shall be deemed to be discharged from the title of the applicable parcel by June 30, 2024.

Section (547) of the Act allows the Regional District to terminate, by bylaw, a Land Use Contract prior to 2024 provided it does so by June 30, 2022, and in accordance with the standard procedures for amending a land use bylaw (i.e. public hearing).

Importantly, the provisions of any new zoning applied to a property as a result of an "Early Termination" of an LUC will not come into effect for one (1) year and a day following adoption of the amending bylaw.

Background:

At its meeting of September 18, 1975, the Regional District Board adopted Amendment Bylaw No. 223, which authorised Land Use Contract No. LU-1-F, the purpose of which was to facilitate the development of four additional dwellings on sites at Lombardy Bay Estates that had been created in 1968, and no longer complied with the zoning introduced to the area in 1971. The LUC permitted the development of nine (9) total dwelling units on the property.

Under the Electoral Area "F" OCP Bylaw No. 2790, 2018, the subject property is designated Comprehensive Development (CD), and is subject to a Watercourse Development Permit (WDP) Area and Environmentally Sensitive Development Permit (ESDP) Area designations and is also likely affected by the floodplain associated with Okanagan Lake.

The property is currently classified as "Residential" (Class 01) by BC Assessment.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposal is situated within 800 metres of a controlled area (i.e. Highway 97).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 67 has been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and

waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Public Process:

On September 30, 2019, a Public Information Meeting (PIM) was held with affected property owners at the RDOS office at 101 Martin Street, Penticton, and was attended by approximately 2 members of the public as well as a number of members of the Advisory Planning Commission (APC).

At its meeting of September 30, 2019, the Electoral Area "F" APC resolved to recommend to the RDOS Board that the proposed discharge and termination of part of LUC No. LU-1-F be approved.

Administration recommends that the proposed consideration by the APC, the public information meeting as well as formal referral to the agencies listed at Attachment No.1 should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, this process is seen to be sufficiently early and does not need to be further ongoing consultation.

All comments received to date on these amendment bylaws are included as a separate item on the Board Agenda.

Analysis:

Administration considers that the principal challenge associated with the termination of a Land Use Contract is going to be the transition of a parcel into the zoning bylaw, given its use under the provisions of the LUC may be completely incongruous with available zonings.

In resolving this, two options are seen to be available and these include:

1. recreating the provisions of the LUC in the form of a new zone; or
2. applying an existing zone, which may result in the use of the land becoming lawfully nonconforming use under Section 528 of the *Local Government Act*.

In this instance, Administration considers that the zoning of the subject property can best be accommodated through the introduction of a new "Lombardy Bay Estates Comprehensive Development" (CD7) Zone.

The Regional District has previously applied CD zones to similar "share lots" at North Beach Estates (Electoral Area "F"), Sunset Acres (Electoral Area "E") and Twin Lakes Resort (Electoral Area "I") in order to formalise multiple detached dwelling units on a single legal parcel.

In order to address any future proposal to subdivide this parcel so that individual titles can be raised for each existing dwelling unit, it is being proposed that a new policy statement be included in the OCP Bylaw that speaks to any rezoning be dependent upon the provision of community water & sewer system connections being available.

For reference purposes, a summary comparison of LU-1-F versus the proposed CD7 Zone is included at Attachment No. 3.

Alternative:

-
- .1 THAT Bylaw No. 2790.01, 2019, Electoral Area "F" Official Community Plan Amendment Bylaw and Bylaw No. 2461.12, 2019, Electoral Area "F" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board considers the process, as outlined in the report from the Chief Administrative Officer dated October 17, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2790.01, 2019, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of November 21, 2019;

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

- .2 THAT first reading of the Electoral Area "F" Official Community Plan (OCP) Amendment Bylaw No. 2790.01, 2019, and the Electoral Area "F" Zoning Amendment Bylaw No. 2461.12, 2019, be deferred.
- .3 THAT first reading of the Electoral Area "F" Official Community Plan (OCP) Amendment Bylaw No. 2790.01, 2019, and the Electoral Area "F" Zoning Amendment Bylaw No. 2461.12, 2019, be denied.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, G.M. of Development Services

Attachments: No. 1 – Agency Referral List
No. 2 – Summary Comparison of LU-1-F vs. CD7 Zone
No. 3 – Aerial Photo (2017)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, regarding Amendment Bylaw No. 2790.01:

<input type="radio"/>	Agricultural Land Commission (ALC)	<input type="radio"/>	Fortis
p	Interior Health Authority (IHA)	<input type="radio"/>	City of Penticton
<input type="radio"/>	Ministry of Agriculture	<input type="radio"/>	District of Summerland
<input type="radio"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="radio"/>	Town of Oliver
<input type="radio"/>	Ministry of Municipal Affairs & Housing	<input type="radio"/>	Town of Osoyoos
p	Ministry of Environment & Climate Change Strategy	<input type="radio"/>	Town of Princeton
<input type="radio"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="radio"/>	Village of Keremeos
<input type="radio"/>	Ministry of Jobs, Trade & Technology	<input type="radio"/>	Okanagan Nation Alliance (ONA)
p	Ministry of Transportation and Infrastructure	p	Penticton Indian Band (PIB)
<input type="radio"/>	Integrated Land Management Bureau	p	Osoyoos Indian Band (OIB)
<input type="radio"/>	BC Parks	<input type="radio"/>	Upper Similkameen Indian Band (USIB)
<input type="radio"/>	School District #53	<input type="radio"/>	Lower Similkameen Indian Band (LSIB)
<input type="radio"/>	School District #58	<input type="radio"/>	Environment Canada
p	School District #67	<input type="radio"/>	Fisheries and Oceans Canada
<input type="radio"/>	Central Okanagan Regional District	<input type="radio"/>	Canadian Wildlife Services
<input type="radio"/>	Kootenay Boundary Regional District	<input type="radio"/>	OK Falls Irrigation District
<input type="radio"/>	Thompson Nicola Regional District	<input type="radio"/>	Kaleden Irrigation District
<input type="radio"/>	Fraser Valley Regional District		

Attachment No. 2 – Summary Comparison of LU-9-D vs. SH5 Zone

Land Use Contract No. LU-1-F	CD7 Zone
<p>Permitted Uses: Principal uses: a) single family dwellings; Secondary uses: b) public open-land recreational institutional uses, including parks, playgrounds, golf courses and public recreation areas; c) public service or utility buildings and structures, with no exterior storage of any kind and no garages for the repair and maintenance of equipment; d) buildings and structures accessory to the uses permitted under clauses (a) to (e) inclusive.</p>	<p>Permitted Uses: Principal uses: a) single detached dwelling; Secondary uses: b) bed and breakfast operation; c) home occupation; d) accessory buildings and structures.</p>
<p>Minimum Parcel Size for Subdivision: Not applicable</p>	<p>Minimum Parcel Size for Subdivision: 1.5 ha</p>
<p>Minimum Parcel Width for Subdivision: Not applicable</p>	<p>Minimum Parcel Width for Subdivision: Not less than 25% of the parcel depth</p>
<p>Maximum Number of Dwellings Per Parcel: 9 dwelling units.</p>	<p>Maximum Number of Dwellings Per Parcel: 9 principal dwelling units.</p>
<p>Minimum Floor Area: 500 ft²</p>	<p>Minimum Floor Area: N/A</p>
<p>Minimum Setbacks: No building shall be constructed on ground surface with an elevation below 1127.5 feet.</p>	<p>Minimum Setbacks: Principal buildings: i) Front parcel line: 7.5 m ii) Rear parcel line: 7.5 m iii) Interior side parcel line: 1.5 m iv) Exterior side parcel line: 4.5 m Accessory buildings: i) Front parcel line: 7.5 m ii) Rear parcel line: 7.5 m iii) Interior side parcel line: 1.5 m iv) Exterior side parcel line: 4.5 m</p>
<p>Maximum Building Height: 9.14 metres (principal buildings & structures); 4.57 metres (accessory buildings & structures)</p>	<p>Maximum Building Height: 10.0 metres (principal buildings & structures); 4.5 metres (accessory buildings & structures)</p>
<p>Maximum Parcel Coverage: 35%</p>	<p>Maximum Parcel Coverage: 35%</p>
<p>Minimum Building Width: Not applicable</p>	<p>Minimum Building Width: Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.</p>

Attachment No. 3 – Aerial Photo (2017)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2790.01, 2019

A Bylaw to amend the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018

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 "F" Official Community Plan Amendment Bylaw No. 2790.01, 2019."
2. The Electoral Area "I" Official Community Plan Bylaw No. 2790, 2018, is amended by:
 - i) adding a new sub-section 4 under Section 10.5 (Policies – Small Holdings) to read as follows:
 - .4 Requires that any proposal seeking to amend the land use designation or zoning of the parcel described as Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498 (461 North Beach Road) in order to facilitate subdivision demonstrate an ability to connect to a community water and sewer system.

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

Chief Administrative Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2461.12, 2019

**A Bylaw to terminate Land Use Contract No. LU-1-F and to amend the
Electoral Area "F" Zoning Bylaw No. 2461, 2008**

WHEREAS pursuant to s. 548 of the *Local Government Act*, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "F" Land Use Contract LU-1-F Termination and Zoning Amendment Bylaw No. 2461.12, 2019."
2. The Land Use Contract No. LU-1-F, registered in the Kamloops Land Title Office under charge number K51497 against title to the land described as Lot 14, Plan KAP11635, District Lot 2649, ODYD, Except Plan 12498, and shown shaded yellow on the attached Schedule 'A' (which forms part of this Bylaw), is terminated.
3. The "Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:
 - i) adding a reference to "Comprehensive Development Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Lombardy Bay Estates Comprehensive Development Zone CD7
 - ii) adding a new Section 17.2 (Lombardy Estates Comprehensive Development (CD7) Zone) under Section 17.0 (Comprehensive Development Zones) to read as follows and renumbering all subsequent sub-sections:

**17.2 LOMBARDY BAY ESTATES COMPREHENSIVE DEVELOPMENT (CD7)
 ZONE**

17.2.1 Purpose

The purpose of the Lombardy Bay Estates Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for the parcel located at 461 North Beach Road, which is legally described as Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498, in order to reconcile the historical land use pattern on the lands with the regulations of the Zoning Bylaw.

17.2.2 Location

The property is bounded by North Beach Road to the west and Okanagan Lake to the east approximately 2.0 km north of the boundary between Electoral Area "F" and the District of Summerland.



17.2.3 Background:

At its meeting of September 18, 1975, the Regional District Board adopted Amendment Bylaw No. 223, which authorised Land Use Contract No. LU-1-F, the purpose of which was to facilitate the development of four additional dwellings on sites at Lombardy Bay Estates that had been created in 1968, and no longer complied with the zoning introduced to the area in 1971. The LUC permitted the development of nine (9) total dwelling units on the property.

In 2019, the Regional District initiated the "Early Termination" of LUC No. LU-1-F. Due to the "share-lot" nature of development at 461 North Beach Road, a comprehensive development zone was created to replace the LUC.

This zone limits density to that which was previously permitted under the LUC (i.e. 9 dwelling units, and no accessory dwelling units such as secondary suites or carriage houses) due to the “share-lot” nature of the property. Similarly, the zone does not contemplate subdivision due to the absence of a community sewer system at Lombardy Bay Estates.

17.2.4 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Accessory Uses:

- b) bed and breakfast operation, subject to Section 7.19;
- c) home occupation, subject to Section 7.17; and
- d) accessory buildings and structures, subject to Section 7.13.

17.2.5 Minimum Parcel Size for Subdivision:

- a) 1.5 ha

17.2.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

17.2.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) nine (9) principal dwelling units.

17.2.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

17.2.9 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

17.2.10 Maximum Parcel Coverage:

- a) 35%

17.2.11 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

- 4. The land described as Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498, and shown shaded yellow on the attached Schedule 'A' (which forms part of this Bylaw) is zoned Lombardy Bay Estates Comprehensive Development (CD7) in the Regional District of Okanagan-Similkameen, Electoral Area "F" Zoning Bylaw No. 2461, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended accordingly.
- 5. Sections 2, 4 & 5 of this Bylaw shall come into force on the day that is one year and one day after the date this Bylaw is adopted.

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

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

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

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "F" Land Use Contract LU-1-F Termination and Zoning Amendment Bylaw No. 2461.12, 2019" as read a Third time by the Regional Board on this ____ day of ____, 2019.

Dated at Penticton, BC this __ day of ____, 2019.

Corporate Officer

Approved pursuant to section 52(3)(a) of the *Transportation Act* this ____ day of _____, 2019.

For Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2019.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

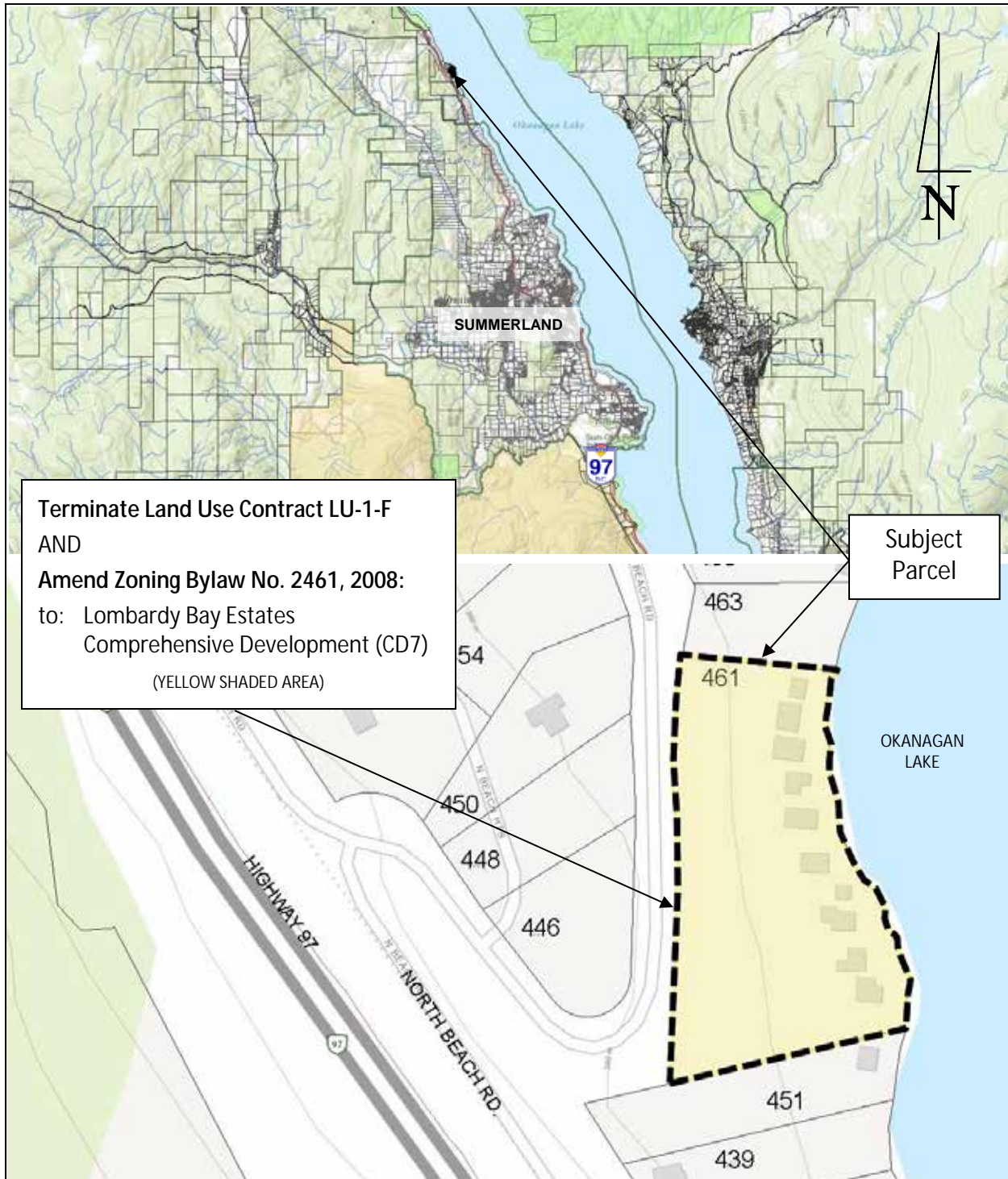
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2461.12, 2019

File No. F2019.013-ZONE

Schedule 'A'





BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

**DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION**

Your File #: F2019.013-
ZONE LU-1-F
BL2461.12
eDAS File #: 2019-05214
Date: Sep.16, 2019

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw 2461.12, 2019 for:
Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

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

Yours truly,

Rob Bitte
Development Officer

Local District Address

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





Interior Health
Every person matters

September 23, 2019

Christopher Garrish, MCIP, RPP
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton BC V2A 5J9

Email: planning@rdos.bc.ca

Dear Mr. Garrish:

RE: File #: F2019.013-ZONE
Our interests are unaffected

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority



Lauri Feindell

From: Cameron Baughen
Sent: September 16, 2019 12:07 PM
To: Lauri Feindell; John Kurvink
Cc: Christopher Garrish
Subject: RE: F2019.013-ZONE Bylaw Referral

It would not impact any solid waste services and does not affect the RDOS Solid Waste Management Plan.

Cameron Baughen, RDOS Solid Waste Management Coordinator

101 Martin Street, Penticton BC
Ph 250-490-4203 TF 1-877-610-3737
cbaughen@rdos.bc.ca www.rdos.bc.ca

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

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: September 16, 2019 9:52 AM
To: John Kurvink <jkurvink@rdos.bc.ca>; Cameron Baughen <cbaughen@rdos.bc.ca>
Cc: Christopher Garrish <cgarrish@rdos.bc.ca>
Subject: FW: F2019.013-ZONE Bylaw Referral

Good Morning John and Cam, please review attached OCP Bylaw and forward any comments you have,

Attached is an OCP amendment bylaw for your review – please forward any comments you may have.

Under the *Local Government Act*, when considering an amendment to an OCP, the Regional District must:

After first reading of a bylaw under subsection (1), the local government must, in sequence, do the following:

- (a) consider the plan in conjunction with
 - (i) its financial plan, and*
 - (ii) any waste management plan that is applicable in the municipality or regional district;**

If you could please review the proposed amendment in the context of the RDOS Financial Plan or Waste Management Plan and advise of any concerns or if the amendment bylaw is considered to be consistent.

Thank you,

Lauri



Lauri Feindell

From: John Kurvink
Sent: September 16, 2019 10:25 AM
To: Lauri Feindell; Cameron Baughen
Cc: Christopher Garrish
Subject: RE: F2019.013-ZONE Bylaw Referral

No impacts to the current financial plan.

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: September 16, 2019 9:52 AM
To: John Kurvink <jkurvink@rdos.bc.ca>; Cameron Baughen <cbaughen@rdos.bc.ca>
Cc: Christopher Garrish <cgarrish@rdos.bc.ca>
Subject: FW: F2019.013-ZONE Bylaw Referral

Good Morning John and Cam, please review attached OCP Bylaw and forward any comments you have,

Attached is an OCP amendment bylaw for your review – please forward any comments you may have.

Under the *Local Government Act*, when considering an amendment to an OCP, the Regional District must:

After first reading of a bylaw under subsection (1), the local government must, in sequence, do the following:

- (a) consider the plan in conjunction with
 - (i) its financial plan, and*
 - (ii) any waste management plan that is applicable in the municipality or regional district;**

If you could please review the proposed amendment in the context of the RDOS Financial Plan or Waste Management Plan and advise of any concerns or if the amendment bylaw is considered to be consistent.

Thank you,

Lauri



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

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

Administrative Recommendation:

THAT Bylaw No. 2849, 2019, Electoral Area Official Community Plan and Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated October 17, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2849, 2019, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of November 21, 2019;

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

Purpose:

The purpose of Amendment Bylaw 2849 is to update the policies and regulations related to home industry and home occupation and cannabis production facility uses in the Electoral Area Official Community Plan Bylaws and Zoning Bylaws.

With regard to cannabis production facility uses, it is specifically being proposed to prohibit these in all non-Industrial zones except where permitted by the Agricultural Land Commission (ALC) on lands in the Agricultural Land Reserve (i.e. outdoors in a field, or indoors in a structure with a soil based floor system).

Background:

At its meeting of September 6, 2018, the Board resolved to "direct staff to prepare a zoning bylaw amendment for all applicable Electoral Areas to prohibit the non-farm use of Cannabis production within all zones where 'agriculture' is listed."

At its meeting of May 9, 2019, the Board resolved to defer consideration of 1st reading of Amendment Bylaw 2849, 2019, in order to consider alternate cannabis production facility regulations.

At its meeting of May 23, 2019, P&D Committee resolved to defer consideration of proposed amendments to Amendment Bylaw 2849 in order that proposed amendments introducing micro

cannabis production facilities as a permitted use in certain zones be placed in a separate bylaw (No. 2858).

At its meeting of June 6, 2019, P&D Committee directed that Bylaw No. 2849 proceed to first reading, subject to public information meetings being convened in Oliver, Naramata, Kaleden and Princeton.

The Board will consider Bylaw No. 2858, which deals with micro cannabis production facilities, and the representations received on this amendment bylaw separately at Planning and Development Committee.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as Amendment Bylaw No. 2849, 2019, involves land within 800 metres of a controlled access highway (i.e. Highways 3 & 97).

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District Nos. 53, 58 & 67 have been made aware of the proposed amendment bylaw.

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaw.

Public Process:

Public information meetings were subsequently held on July 31, 2019 (Kaleden), August 1, 2019 (Princeton), August 19, 2019 (Oliver) and August 21, 2019 (Naramata). Attendance at these meetings consisted of four (4) persons in Kaleden, two (2) persons in Princeton, four (4) persons in Oliver and approximately 37 persons in Naramata.

In reviewing the representations received at these meetings, it appears that all of them have been submitted by residents of Electoral Area "E", with many of the comments overlapping the matters contained in Bylaw Nos. 2849 & 2858. As a result, there appears to be a disconnect between some of the representations and the matters contained within Bylaw No. 2849.

For example, a number of the representations express concern about the potential for adverse impacts on residential amenity and property values resulting from the development of cannabis production facilities. This includes concerns about:

- noise, odour, light, fire and security;
- visual impact of production facilities in an agricultural landscape;

-
- increased water and energy consumption by production facilities in comparison to other agricultural uses.

Whereas, the effect of Bylaw 2849 will be to prohibit indoor cannabis production facilities in Electoral Area "E", except for when a facility complies with the ALC's exception for a "soil based floor system" on lands in the ALR.

While the Regional District cannot prohibit the outdoor growing of cannabis on lands in the ALR, in light of the comments received, the Board may wish to consider whether this should be allowed to occur on non-ALR lands in which the zoning allows for "agriculture" (i.e. RA, AG, LH & SH Zones).

All representations received to date that are seen to be related to Bylaw No. 2849, including those from external agencies, are included as a separate item on the Board agenda.

Administration recommends that the convening of the public information meeting as well as formal referral to the agencies listed at Attachment No.1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, this process is seen to be sufficiently early and does not need to further ongoing consultation.

Analysis:

Further to the direction provided by the P&D Committee at its meeting of May 23, 2019, Bylaw No. 2849 now addresses the direction provided by the Board at its meeting of September 6, 2018, which was to prohibit the indoor production of cannabis in all zones other than Industrial. In support of this, the following amendments to the Electoral Area land use bylaws are being proposed:

OCP Bylaw amendments

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

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

Zoning Bylaw amendments - definitions

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

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

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

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

Zoning Bylaw amendments – ALR Exemptions for Cannabis Production

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

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

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

Zoning Bylaw amendments – Permitted Uses

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

Zoning Bylaw amendments – Setbacks

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

Zoning Bylaw amendments – Home Industries & Occupations

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

It is further being proposed to make the definitions and general regulations governing “home occupations” and “home industries” consistent across Electoral Areas, which will further the on-going work related to the preparation of a single zoning bylaw for the Okanagan Electoral Areas.

The Board is asked to be aware that this will result in, amongst other things, consistent regulations related to parcel size (i.e. 2.0 ha minimum required for a “home industry”), floor area requirements (i.e. 200 m² for a “home industry”) and outdoor storage of equipment (i.e. not permitted as a “home occupation”), provision of on-site vehicle parking requirements and removal of references to nuisances.

Summary

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

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

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

Alternatives:

- .1 THAT first reading of Zoning Amendment Bylaw No. 2849, 2019, be deferred.
- .2 THAT first reading of Zoning Amendment Bylaw No. 2849, 2019, be denied.

Respectfully submitted:

Endorsed by:



C. Garrish, Planning Manager

B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 — Agency Referral List

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, regarding Amendment Bylaws No. 2849:

p	Agricultural Land Commission (ALC)	o	Fortis
p	Interior Health Authority (IHA)	o	City of Penticton
p	Ministry of Agriculture	o	District of Summerland
o	Ministry of Energy, Mines & Petroleum Resources	o	Town of Oliver
o	Ministry of Municipal Affairs & Housing	o	Town of Osoyoos
o	Ministry of Environment & Climate Change Strategy	o	Town of Princeton
o	Ministry of Forest, Lands, Natural Resource Operations & Rural Development	o	Village of Keremeos
o	Ministry of Tourism, Arts & Culture	o	Okanagan Nation Alliance (ONA)
p	Ministry of Transportation and Infrastructure	p	Penticton Indian Band (PIB)
o	Integrated Land Management Bureau	p	Osoyoos Indian Band (OIB)
o	BC Parks	p	Upper Similkameen Indian Bands (USIB)
p	School District #53 (Okanagan Similkameen)	p	Lower Similkameen Indian Bands (LSIB)
p	School District #58 (Nicola Similkameen)	o	Environment Canada
p	School District #67 (Okanagan Skaha)	o	Fisheries and Oceans Canada
o	Central Okanagan Regional District	o	Archaeology Branch
o	Kootenay Boundary Regional District	o	Dominion Radio Astrophysical Observatory
o	Thompson Nicola Regional District	o	Canadian Wildlife Services
o	Fraser Valley Regional District	p	Tulameen Fire District
p	Okanagan Falls Irrigation District	p	Anarchist Mountain Volunteer Fire Dept
p	Kaleden Irrigation District	p	Kaleden Volunteer Fire Dept
p	Naramata Volunteer Fire Dept	p	OK Falls Volunteer Fire Dept
p	Willowbrook Volunteer Fire Dept		

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2849, 2019

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

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Electoral Area Official Community Plan & Zoning Amendment Bylaw No. 2849, 2019."
2. Subject to subsection 3, this bylaw comes into force on the date of adoption.
3. This bylaw does not apply in respect of any parcel that is the subject of a complete building permit application made prior to the date of first reading of the bylaw, to the extent that the bylaw would prevent the issuance of a building permit authorizing the development described in the application, provided that the application fully complies with the applicable Electoral Area zoning bylaw as of the date of first reading of this bylaw and any relevant variance and the building permit is issued within 12 months of the date of adoption of this bylaw. For these purposes, a building permit application is complete only if it includes all of the information that the Regional District requires to determine whether the development described in the application complies with the B.C. Building Code, Building Bylaw No. 2805, 2018, the applicable Electoral Area zoning bylaw and all other applicable enactments, and the permit application fee has been paid.

Electoral Area "A"

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

- .9 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - ii) adding a new sub-section .18 under Section 6.3 (Policies) at Section 6.0 (Agriculture) to read as follows and re-numbering all subsequent sections:
 - .18 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
 - iii) adding a new sub-section .19 under Section 6.3 (Policies) at Section 6.0 (Agriculture) to read as follows and re-numbering all subsequent sections:
 - .19 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted “farm use” by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.
 - iv) adding a new sub-section .9 under Section 7.3 (Policies) at Section 7.0 (Rural Holdings) to read as follows:
 - .9 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - v) adding a new sub-section .9 under Section 9.3 (Policies – General Commercial) at Section 9.0 (Commercial) to read as follows:
 - .9 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.
 - vi) adding a new sub-section .9 under Section 10.3 (Industrial Policies) at Section 10.0 (Industrial) to read as follows:
 - .9 Supports the use of lands designated Industrial (I) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is considered an appropriate use of industrial lands.
5. The “Regional District of Okanagan-Similkameen, Electoral Area “A” Zoning Bylaw No. 2451, 2008” is amended by:

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

“**agriculture**” means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, but excludes processing and retail sales of farm products and “cannabis production, indoor”. Agriculture includes “cannabis production, outdoor”, producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;
- ii) adding a new definition of “cannabis production, indoor” at Section 4.0 (Definition) to read as follows:

“**cannabis production, indoor**” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, outdoor”;
- iii) replacing the definition of “cannabis production” at Section 4.0 (Definition) in its entirety with the following:

“**cannabis production, outdoor**” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field, as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;
- iv) replacing the definition of “home industry” at Section 4.0 (Definition) in its entirety with the following:

“**home industry**” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;
- v) replacing the definition of “home occupation” at Section 4.0 (Definition) in its entirety with the following:

“**home occupation**” means an occupation or profession that is accessory to the principal residential use of a parcel and may include home offices; studios; home workshops, and other similar uses;
- vi) replacing the definition of “manufacturing” under Section 4.0 (Definitions) in its entirety with the following:

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

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

.4 “cannabis production, indoor”, except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

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

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

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

7.17 Home Occupations

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

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

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

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

7.18 Home Industries

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

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

- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
 - .7 One (1) vehicle parking space per each non-resident employee of a home industry use is required in addition to those required for the principal dwelling unit.
 - .8 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:

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

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

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

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

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

- xv) adding a new sub-Section 15.1.1(a) under Section 15.1 (General Industrial (I1) Zone) to read as follows and re-numbering all subsequent sections:
 - a) cannabis production, indoor;

Electoral Area "C"

- 6. The "Regional District of Okanagan-Similkameen, Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008" is amended by:
 - i) adding a new sub-section .9 under Section 8.3 (Policies) at Section 8.0 (Resource Area) to read as follows:
 - .9 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - ii) adding a new sub-section .25 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:
 - .25 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
 - iii) adding a new sub-section .26 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:
 - .26 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted "farm use" by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.
 - iv) adding a new sub-section .9 under Section 10.3 (Policies) at Section 10.0 (Rural Holdings) to read as follows:
 - .9 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - v) adding a new sub-section .7 under Section 12.3 (Policies – General Commercial) at Section 12.0 (Commercial) to read as follows:
 - .7 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to

accommodate this type of production are not considered an appropriate use of commercial lands.

vi) adding a new sub-section .6 under Section 13.3 (Policies) at Section 13.0 (Industrial) to read as follows:

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

7. The "Regional District of Okanagan-Similkameen, Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:

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

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

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

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

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

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

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

"home industry" means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods

or materials including vehicle repair, maintenance and auto body shops and other similar uses;

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

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

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

.4 “cannabis production, indoor”, except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

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

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

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

7.17 Home Occupations

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

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

- c) mail order sales;
 - d) direct distributors where customers do not enter the premises;
and
 - e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
 - .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
 - .6 One (1) vehicle parking space is required in addition to those required for the principal single detached dwelling.
 - .7 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials, vehicles and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture;
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity; and
 - g) the salvage, repair or assembly of electronic devices, motor vehicles, boats, or other machinery as a commercial venture on lands situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.

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

7.18 Home Industries

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

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

- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 One (1) vehicle parking space per each non-resident employee of a home industry use is required in addition to those required for the principal dwelling unit.
- .8 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing;
 - g) the production of animal feeds; and
 - h) the salvage, repair or assembly of electronic devices, motor vehicles, boats, or other machinery as a commercial venture on lands situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.

- ix) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:

Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- x) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:

Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xi) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Two (AG2) Zone) to read as follows:

Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

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

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

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

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

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

- a) cannabis production, indoor;

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

- a) cannabis production, indoor;

Electoral Area "D"

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

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

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

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

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

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

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

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

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

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

- v) adding a new sub-section .12 under Section 12.3 (Policies) at Section 12.0 (Town Centre) to read as follows:

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

- vi) adding a new sub-section .9 under Section 13.3 (Policies – General Commercial) at Section 13.0 (Commercial) to read as follows:

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

- vii) adding a new sub-section .11 under Section 14.3 (Policies - Industrial) at Section 14.0 (Industrial) to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

.4 “cannabis production, indoor”, except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

For the purposes of “cannabis production, indoor”, a structure that has a base consisting entirely of soil is a structure that shall not have concrete

construction, hardsurfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:

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

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

7.17 Home Occupations

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

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

- a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials, vehicles and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.
- ix) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

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

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 One (1) vehicle parking space per each non-resident employee of a home industry use is required in addition to those required for the principal dwelling unit.
- .8 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;

- c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:
- Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:
- Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows:
- Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 10.4.6(b) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows:
- Despite Section 10.4.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiv) replacing the first sentence of sub-Section 10.5.6(b) under Section 10.5 (Large Holdings Two (LH2) Zone) to read as follows:
- Despite Section 10.5.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xv) replacing the first sentence of sub-Section 10.7.6(c) under Section 10.7 (Small Holdings Two (SH2) Zone) to read as follows:
- Despite Section 10.7.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xvi) adding a new sub-Section 15.1.1(a) under Section 15.1 (General Industrial (I1) Zone) to read as follows and re-numbering all subsequent sections:
- a) cannabis production, indoor;

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

- a) cannabis production, indoor;

Electoral Area "E"

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

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

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

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

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

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

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

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

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

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

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

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

- .7 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.
11. The “Regional District of Okanagan-Similkameen, Electoral Area “E” Zoning Bylaw No. 2459, 2008” is amended by:
- i) replacing the definition of “agriculture” under Section 4.0 (Definitions) in its entirety with the following:

“**agriculture**” means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, but excludes processing and retail sales of farm products and “cannabis production, indoor”. Agriculture includes “cannabis production, outdoor”, producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;
 - ii) adding a new definition of “cannabis production, indoor” at Section 4.0 (Definition) to read as follows:

“**cannabis production, indoor**” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis inside a structure, as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, outdoor”;
 - iii) replacing the definition of “cannabis production” at Section 4.0 (Definition) in its entirety with the following:

“**cannabis production, outdoor**” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of cannabis outside in a field, as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption, or “cannabis production, indoor”;
 - iv) replacing the definition of “home industry” at Section 4.0 (Definition) in its entirety with the following:

“**home industry**” means an occupation or a commercial use that is accessory to the principal residential use of the parcel and may include manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;
 - v) replacing the definition of “home occupation” at Section 4.0 (Definition) in its entirety with the following:

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

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

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

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

.4 “cannabis production, indoor”, except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

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

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

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

7.17 Home Occupations

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

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

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

7.18 Home Industries

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

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

- .3 A home industry shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
 - .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
 - .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
 - .7 A home industry shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the area within which it is located.
 - .8 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:
- Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:
- Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Large Holdings One (LH1) Zone) to read as follows:
- Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

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

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

Electoral Area "F"

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

- i) adding a new sub-section .15 under Section 8.3 (Policies) at Section 8.0 (Resource Area) to read as follows:
 - .15 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
- ii) adding a new sub-section .18 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:
 - .18 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.
- iii) adding a new sub-section .19 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:
 - .19 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted "farm use" by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.
- iv) adding a new sub-section .9 under Section 10.3 (Policies - General) at Section 10.0 (Rural Holdings) to read as follows:
 - .9 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
- v) adding a new sub-section .5 under Section 12.3 (Policies – General Commercial) at Section 12.0 (Commercial) to read as follows:
 - .5 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use of commercial lands.

13. The "Regional District of Okanagan-Similkameen, Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:

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

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

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

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

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

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

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

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

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

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

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

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

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

.4 “cannabis production, indoor”, except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

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

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

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

7.17 Home Occupations

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

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

- e) sale of products directly related to the home occupation.
 - .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
 - .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
 - .6 One (1) vehicle parking space is required in addition to those required for the principal single detached dwelling.
 - .7 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials, vehicles and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.
- ix) replacing Section 7.18 (Home Industries) under Section 7.0 (General Regulations) in its entirety with the following:

7.18 Home Industries

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

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

- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
 - .7 One (1) vehicle parking space per each non-resident employee of a home industry use is required in addition to those required for the principal dwelling unit.
 - .8 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.
- x) replacing the first sentence of sub-Section 10.1.7(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:
- Despite Section 10.1.7(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture Two (AG2) Zone) to read as follows:
- Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows:
- Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 10.4.6(b) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows:
- Despite Section 10.4.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiv) replacing the first sentence of sub-Section 10.5.7(c) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows:

Despite Section 10.5.7(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

Electoral Area "G"

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

.3 “cannabis production, indoor”, except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

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

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

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

6.11 Home Occupations

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

- .1 A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m².
- .2 A home occupation shall be carried out within the principal dwelling unit, or in an accessory building where permitted in the particular

zone, with no external storage of materials, containers or finished products.

- .3 No retail sales shall be permitted in a home occupation, except for:
 - f) goods produced or made on the premises;
 - g) telephone or internet sales or sales where the customer does not enter the premises;
 - h) mail order sales;
 - i) direct distributors where customers do not enter the premises; and
 - j) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a home occupation shall be parked or otherwise located outside of an unenclosed building.
- .5 Only persons residing in the principal dwelling unit may carry on the home occupation located on the parcel occupied by the principal dwelling unit.
- .6 One (1) vehicle parking space is required in addition to those required for the principal single detached dwelling.
- .7 A home occupation shall not involve:
 - a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
 - b) the outdoor storage of materials, vehicles and equipment associated with a contractor, trade or mobile service;
 - c) the boarding, breeding and keeping of animals;
 - d) cannabis production, indoor and outdoor;
 - e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
 - f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.

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

6.12 Home Industries

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

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.

- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 One (1) vehicle parking space per each non-resident employee of a home industry use is required in addition to those required for the principal dwelling unit.
- .8 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.

- x) replacing the first sentence of sub-Section 10.1.5(b) under Section 10.1 (Large Holdings One (LH1) Zone) to read as follows:

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

Electoral Area "H"

- 15. The "Regional District of Okanagan-Similkameen, Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012" is amended by:
 - i) adding a new sub-section .12 under Section 9.3 (Policies) at Section 9.0 (Resource Area) to read as follows and re-numbering all subsequent sections:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

.4 “cannabis production, indoor”, except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

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

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

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

7.17 Home Occupations

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

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

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

7.18 Home Industries

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

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

- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 One (1) vehicle parking space per each non-resident employee of a home industry use is required in addition to those required for the principal dwelling unit.
- .8 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) cannabis production, indoor and outdoor;
 - f) animal or agriculture products processing; and
 - g) the production of animal feeds.

- xi) replacing the first sentence of sub-Section 11.1.5(b) under Section 11.1 (Resource Area (RA) Zone) to read as follows:

Despite Section 11.1.5(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xii) replacing the first sentence of sub-Section 11.3.5(b) under Section 11.3 (Agriculture Three (AG3) Zone) to read as follows:

Despite Section 11.3.5(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

- xiii) replacing the first sentence of sub-Section 11.4.5(b) under Section 11.4 (Large Holdings One (LH1) Zone) to read as follows:

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

- xiv) replacing the first sentence of sub-Section 11.5.5(b) under Section 11.5 (Large Holdings Two (LH2) Zone) to read as follows:
 - Despite Section 11.5.5(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xv) replacing the first sentence of sub-Section 11.6.5(c) under Section 11.6 (Small Holdings Two (SH2) Zone) to read as follows:
 - Despite Section 11.6.5(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xvi) replacing a new sub-Section 14.1.1(a) under Section 14.1 (Industrial (Light) One (I1) Zone) in its entirety with the following:
 - a) manufacturing;
- xvii) adding a new sub-Section 14.1.1(b) under Section 14.1 (Industrial (Light) One (I1) Zone) to read as follows and re-numbering all subsequent sections:
 - b) cannabis production, indoor;
- xviii) replacing a new sub-Section 14.2.1(a) under Section 14.2 (Industrial (Heavy) Two (I2) Zone) in its entirety with the following:
 - a) manufacturing;
- xix) adding a new sub-Section 14.2.1(b) under Section 14.2 (Industrial (Heavy) Two (I2) Zone) to read as follows and re-numbering all subsequent sections:
 - b) cannabis production, indoor;

Electoral Area "I"

- 17. The "Regional District of Okanagan-Similkameen, Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016" is amended by:
 - i) adding a new sub-section .9 under Section 8.3 (Policies) at Section 8.0 (Resource Area) to read as follows:
 - .9 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.
 - ii) adding a new sub-section .15 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:
 - .15 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.

iii) adding a new sub-section .16 under Section 9.3 (Policies) at Section 9.0 (Agriculture) to read as follows:

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

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

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

v) adding a new sub-section .6 under Section 12.3 (Policies – General Commercial) at Section 12.0 (Commercial) to read as follows:

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

18. The “Regional District of Okanagan-Similkameen, Electoral Area “I” Zoning Bylaw No. 2457, 2008” is amended by:

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

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

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

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

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

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

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

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

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

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

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

.4 “cannabis production, indoor”, except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

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

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

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

7.17 Home Occupations

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

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

lands situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.

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

7.18 Home Industries

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

- .1 No home industry shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m².
- .3 A home industry shall be conducted within an enclosed building or structure.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the parcel shall be permitted.
- .5 Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.
- .6 A home industry shall not be located on a parcel unless a principal dwelling unit already exists or is being constructed simultaneously, on the same parcel.
- .7 One (1) vehicle parking space per each non-resident employee of a home industry use is required in addition to those required for the principal dwelling unit.
- .8 A home industry shall not involve:
 - a) wrecking, salvage or storage of derelict vehicles and equipment;
 - b) salvage or storage of used building or domestic products and similar discarded materials;
 - c) manufacture of concrete products;
 - d) bulk fuel or chemical storage or refining depots;
 - e) animal or agriculture products processing;
 - f) cannabis production, indoor and outdoor;
 - g) the production of animal feeds; and
 - h) the salvage, repair or assembly of electronic devices, motor vehicles, boats, or other machinery as a commercial venture on

lands situated within the "Radio Frequency Interference Area" as shown on Schedule '3' to this bylaw.

- ix) replacing the first sentence of sub-Section 10.1.6(b) under Section 10.1 (Resource Area (RA) Zone) to read as follows:
Despite Section 10.1.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- x) replacing the first sentence of sub-Section 10.2.6(b) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows:
Despite Section 10.2.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xi) replacing the first sentence of sub-Section 10.3.6(b) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows:
Despite Section 10.3.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xii) replacing the first sentence of sub-Section 10.4.6(b) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows:
Despite Section 10.4.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiii) replacing the first sentence of sub-Section 10.5.6(b) under Section 10.5 (Large Holdings Two (LH2) Zone) to read as follows:
Despite Section 10.5.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:
- xiv) replacing the first sentence of sub-Section 10.6.6(c) under Section 10.6 (Small Holdings Two (SH2) Zone) to read as follows:
Despite Section 10.6.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, greenhouses and cannabis production facilities:

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

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

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

I hereby certify the foregoing to be a true and correct copy of the "Regional District of Okanagan-Similkameen Amendment Bylaw No. 2849, 2019" as read a Third time by the Regional Board on this ___ day of ___, 2019.

Dated at Penticton, BC this __ day of ___, 2019.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2019.

For the Minister of Transportation & Infrastructure

ADOPTED this __ day of ___, 2019.

Board Chair

Corporate Officer



June 25, 2019

File No: X2019.005-ZONE

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

Re: Bylaw Referral – File No. X2019.005-ZONE

Dear Christopher Garrish,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the bylaw referral X2019.005-ZONE (Home Occupation Industry & Cannabis Zoning) regarding Bylaw No. 2849 and 2858 for the South Okanagan Electoral Areas. I have reviewed the documentation you have provided. From an agricultural perspective I can offer the following comments:

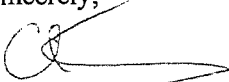
- Ministry staff note that as per our previous recommendation that “cannabis production, outdoor” has been added to the definition of agriculture.
- The Strengthening Farming team has identified the definition of agriculture to be problematic with respect to processing as it prohibits processing of farm products in the Agricultural Land Reserve (ALR). As per Section 11(2) of the *ALR Use Regulation*, processing is a permitted farm use in the ALR if at least 50% of the farm product is produced on the agricultural land on which the farm product is produced.
- Ministry staff support the proposed inclusion of cannabis production as a permitted use in the Regional District’s Electoral Area General Industrial Zones.
- It appears the proposed changes with respect to cannabis are partially consistent with the *ALR Use Regulations*. The proposed changes are consistent with Section 8(1) but by banning the indoor cannabis production in the ALR (notably, the concrete bottomed industrial style) the RDOS may have also inadvertently banned the production methods as listed in Section 8(2) of the ALR Regulations with respect to grandfathering of existing structures.
- The Ministry’s Guide for Bylaw Development in Farming Areas provides a maximum setback for greenhouses as 4.5m from interior side and rear lot lines and 7.5m from front and exterior side lot lines. The proposed bylaw has a 15.0m setback to lot lines. Given that this bylaw appears to be driven towards cannabis production these setbacks may be overly restrictive to greenhouses used in production of other crops that may not have the same odour concerns.



- Ministry staff also noted that there appears to be inconsistencies in the messaging between the RDOS website and the bylaw referral document. The website states: “to allow cannabis production as a form of “home industry” use but clarifying that it is not a permitted form of “home occupation” use”. The bylaw referral document states: “amend the general regulations of “home industry” and “home occupation” to make these consistent across Electoral Area zoning bylaws and, amongst other things, to:
 - Specifically exclude “cannabis production” as a type of these uses;”

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

Sincerely,



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

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



Your File #: X2019.005-
ZONE
(Amendment
Bylaw No. 2849)
eDAS File #: 2019-01666
Date: April 2, 2019

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw 2849, 2019 for:
Electoral Areas, A, C, D, E, F, G, H, and I**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

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

Yours truly,

Rob Bitte
District Development Technician

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





April 29, 2019

File No: X2019.005-Zone

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

Re: Bylaw Referral – File No. X2019.005-ZONE

Dear Christopher Garrish,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the bylaw referral X2019.005-ZONE (Home Occupation Industry & Cannabis Zoning) regarding Bylaw No. 2849, 2918 for Electoral Areas A, C, D, E, F, G, H and I. I have reviewed the documentation you have provided. From an agricultural perspective I can offer the following comments:

- Part 2 of the ALR Use Regulation lists farm uses that local governments may not prohibit; including cannabis production criteria in Section 8.
- Ministry staff recognise that the proposed zoning bylaw text on ‘Prohibited Uses of Land, Buildings and Structure’ specifically excludes cannabis production as described in the old ALR USP Regulation.
- For clarity and consistency Ministry staff encourage keeping cannabis production in the definition of agriculture with reference that it must be done in accordance with Section 8 of the new ALR Land Use Regulations.
- It appears that the only zoning bylaw provisions that will permit cannabis production on the ALR will be as a ‘home industry’. While Ministry staff acknowledge a local government’s authority to regulate use on the ALR, there are concerns that this zoning bylaw doesn’t clearly identify where on the ALR cannabis production as described in section 8 of the ALR Use Regulation is permitted.
- For example, as currently drafted, the proposed Electoral Area A zoning bylaw section 7.18.3 (for home industry) appears to not permit the growing of cannabis outdoors in a field. This would appear to be inconsistent with the ALR Use Regulation.
- Ministry staff also suggest confirming with Health Canada that if the intent is to provide a path forward for micro cultivation licenses, the provisions as described for ‘home industry’ allow for this type of cannabis production at the federal level.
- Ministry staff support the proposed inclusion of cannabis production as a permitted use in the Regional District’s Electoral Area General Industrial Zones.

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



Sincerely,



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



Gregory Bartle, Land Use Planner
B.C. Ministry of Agriculture
Phone: (778) 974-3836
Email: Gregory.Bartle@gov.bc.ca

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



From: Collins, Martin J ALC:EX <Martin.Collins@gov.bc.ca>
Sent: March 25, 2019 11:17 AM
To: Planning <planning@rdos.bc.ca>
Subject: FW: Bylaw Referral X2019.005-ZONE

Lauri

Thank you for the referral.

The ALC has no objection to the proposed bylaw as noted on the attached.

Regards

Martin Collins
Director of Policy and Planning
Agricultural Land Commission
#201, 4940 Canada Way, Burnaby, BC V5G 4K6
Phone: 604-660-2554
martin.collins@gov.bc.ca



RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2849

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Signature: Cheryl E. Palle

Signed By: GERYU NALLA

Agency: Kaleden Irrigation District

Title: Administrator

Date: April 24, 2019.





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

July 4, 2019

Reply to the attention of Sara Huber
ALC Planning Review: 46671
Local Government File: X2019.005-ZONE

Christopher Garrish
Regional District of Okanagan-Similkameen
cgarrish@rdos.bc.ca

Delivered Electronically

Re: **RDOS Electoral Area Official Community Plan and Zoning Amendment Bylaw Nos. 2840 and 2858 (Home-Industry Occupation and Cannabis Production)**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area Official Community Plan (OCP) and Zoning Amendment Bylaw Nos. 2840 and 2858 (the “Bylaws”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaws is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the “General Regulation”), the Agricultural Land Reserve Use Regulation (the “Use Regulation”), and any decisions of the ALC.

The Bylaws seek to update the regulations related to “home industry” and “home occupation” uses as well as those related to the production of cannabis, specifically:

Bylaw No. 2849

- Introduces policies into the Electoral Area OCP Bylaws that support the development of large-scale cannabis production facilities on lands designated Industrial (I), and not in other land use designations;
- Introduces new definitions of “cannabis production, indoor” and permit this as a use in the General Industrial (I1) and Heavy Industrial (I2) zones;
- Introduces a new regulation prohibiting “cannabis production, indoor” in all other zones unless occurring outside in a field or in a structure in the ALR with a base consisting entirely of soil (with certain exceptions for columns or posts supported by a concrete footing);
- Clarifies that the setbacks for greenhouses and cannabis production facilities from a parcel line are to be 15.0 metres;
- Introduces a new definition of “cannabis production, outdoor” and amend the definition of “agriculture” to include this use as a form of “agriculture”;
- Amends the definitions of “home industry” and “home occupation” to make these consistent across Electoral Area zoning bylaws;

- Amends the general regulations of “home industry” and “home occupation” to make these consistent across Electoral Area zoning bylaws and, amongst other things, to:
 - Specifically exclude “cannabis production” as a type of “home industry” or “home occupation”;
 - a home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m²;
 - a home occupation shall not involve the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
 - no home industry shall be permitted on a parcel less than 2.0 hectares in size;
 - the maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m²; and
 - only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.

Bylaw No. 2858

- Proposes to introduce a new definition of “micro cannabis production facility”;
- Proposes to introduce new general regulations for “micro cannabis production facility” that will, amongst other things:
 - Require a minimum parcel area of 2.0 ha; and,
 - Establish a maximum floor area of 400 m².
- Proposes to introduce “micro cannabis production facility” as a permitted use in the Resource Area (RA), Agriculture (AG1, AG2, and AG3), Large Holdings (LH1 and LH2), and Small Holdings Two (SH2) Zones.

ALC Response

ALC staff considers the proposed Bylaws to be consistent with the ALCA and its regulations and has no objection to the adoption of the above referenced Bylaws.

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

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'Sara Huber', written in a cursive style.

Sara Huber, Regional Planner

Enclosure: Bylaw Referral Sheet (Home Occupation Industry Cannabis)

CC: Ministry of Agriculture – Attention: Christina Forbes

46671m1

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2849 & 2858

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Signature: P. S. Abrahamian

Signed By: SUBRA PALIAPPA

Agency: SD 53

Title: SECRETARY TREASURER

Date: 4th June 2019





Interior Health

Every person matters

June 18, 2019

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

RE: File No. X2019.005-ZONE; Bylaw: 2849 & 2858

Thank you for the opportunity to provide comments for consideration regarding the above referenced application. It is our understanding that amendments are to be made to the Electoral Area Official Community Plan and Zoning Bylaw, to allow for the production of cannabis within specific areas. We have reviewed the application with a Healthy Communities Development and Healthy Food Systems lens. The following comments are noted and should be given consideration regarding cannabis production facilities:

Healthy Communities Development

1. Location:

Industrial operations are expected to follow best practices for protecting the environment and public health. Best practices, however, may not be adequate to contain all odors from the operation. As such, proximity and impact on adjacent land uses need to be considered:

- proximity to residences and schools
- The size and configuration of the property, including access to the property
- Proposed scale of the production facility and accessory usage
- Potential noise, glare and vibration issues
- Air quality – prevailing winds, ventilation, odors

If development is NOT on a Community Drinking Water System and/or Community Waste Water Disposal (Sewer):

2. Drinking Water Supply:

The water supply system that services the facility may be subject to the approval and permitting requirements of the BC Drinking Water Protection Act and Regulation.

3. Waste Water Disposal:

Waste water generated by these operations is not considered “domestic sewage.” Domestic Sewage would include washroom, food preparation, dishwashing and showering waste. Interior Health enforces the BC Sewerage System Regulation.

Industrial Waste is managed by the Ministry of Environment, under the Environmental Waste Management Act, Municipal Sewage Regulation.

Healthy Food System

Interior Health has an interest in protecting agricultural land for food production and increasing the capacity of local food systems to support food security. Food security is vital to the health and well-being of a community and is the foundation for healthy eating. Farmland preservation helps to maintain a level of food production that

Bus: 250-469-7070 x12287
tanya.osborne@interiorhealth.ca
www.interiorhealth.ca

POPULATION HEALTH
505 Doyle Avenue
Kelowna BC V1Y 0C5



contributes to food self-sufficiency, and food self-sufficiency supports healthy eating. Food self-sufficiency in BC is increasingly important as extreme weather will affect production in California, which is currently where 40%–50% of BC's supply of fruits and vegetables comes from.

The proposed amendment to bylaw No. 2849 appears to support food security and has the potential to preserve agriculture land for future food production by:

- prohibiting large-scale and indoor cannabis production facilities in all zones other than industrial
- not supporting the use of lands designated Agriculture (AG) for indoor cannabis production
- prohibiting indoor cannabis production in the ALR, unless the structure has a base consisting entirely of soil

The proposed amendment to Bylaw No. 2858 introducing "micro cannabis production facilities" as a permitted use in AG1, AG2 and AG3 zones does not appear to support preservation of agriculture land as per the specification that "a micro cannabis production facility shall be conducted within an enclosed building or structure". Therefore, it appears this amendment does not support capacity for future local food production nor food security.

Consider food security in cannabis production on Agricultural Land Reserve (ALR) lands. See the [Agricultural Land Commission](#) website for further information on regulatory requirements.

The legalization of cannabis presents both an opportunity and challenge for local governments in the development of healthy, vibrant communities. Interior Health – Healthy Communities welcomes the opportunity to collaborate with the Regional District of Okanagan-Similkameen around education and awareness efforts.

Thank you for the opportunity to comment on this application. If you have any questions or concerns, please feel free to contact me at 250-469-7070 x12287.

Sincerely,



Tanya Osborne, BAHS
Community Health Facilitator
Healthy Communities
Interior Health Authority



Kristi Estergaard, RD
Public Health Dietitian
Healthy Communities
Interior Health Authority

Lauri Feindell

From: Judy Morris <ofid@telus.net>
Sent: June 13, 2019 1:57 PM
To: Planning
Subject: Bylaw Referral - X2019.005-ZONE - Bylaw 2849&2858

Good afternoon, the Board of Trustees have reviewed the Bylaw Referral and offer the following comments.

1/ The RDOS provide a map to the Okanagan Falls Irrigation District outlining the potential properties that could be effected by this bylaw

2/ Anyone requiring a water service/or change in existing water service be directed to our office

Thank you.



Judy Morris
Office Administrator
OKANAGAN FALLS IRRIGATION DISTRICT
PO Box 110 – 1109 Willow Street
Okanagan Falls, BC
VOH 1R0
Phone: 250.497.8541
Fax: 250.497.5817
Email: ofid@telus.net
www.okanaganfallsirrigationdistrict.ca



RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2849 & 2858

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

Signature: Cheryl E. Palka

Signed By: Cheryl E. Palka

Agency: KANEDEN IRRIGATION DISTRICT

Title: Financial Administrator

Date: July 1, 2019.





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: India Devonshire
(please print)

Street Address: 

RE: **Draft Zoning Amendment Bylaw No. 2849**
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

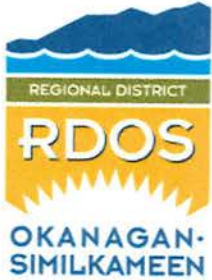
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

limit light noise and smell pollution
in residential areas

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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





Feedback Form

RECEIVED
Regional District
SEP - 6 2019

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

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: LEO ASTORINO
(please print)



RE: Draft Zoning Amendment Bylaw No. 2849
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

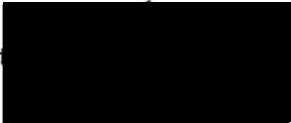
- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

PLEASE PUT A "HOLD" ON EVERYTHING.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

FROM MY RESEARCH, I SEE THERE IS NO LEGAL WAY THAT THE R.D.O.S. CAN MAKE ANY ZONING BYLAW CHANGES WITHOUT A LEGAL OPINION FROM THE PROVINCIAL GOVERNMENT. THE WAY IT STANDS NOW THERE IS NO CLEAR DIRECTION REGARDING STANDARD SETBACKS FOR ALL ALR LANDS, WHAT USES, HEALTH STANDARDS, ENVIRONMENTAL EMISSIONS, IE FILTERING SYSTEM. THE RDOS IS TOTALLY OUT OF THEIR LEGAL AND RESPONSIBILITY ZONE, THEY HAVE TO GET LEGAL COUNSEL BEFORE PROCEEDING FURTHER. THANK YOU

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**





Feedback Form

RECEIVED
Regional District

SEP - 6 2019

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

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: CHARLES SWYDER
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2849
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

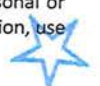
My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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



27th August 2019

Cannabis Regulation for Naramata

Libby Parsons

As many residents have heard there is concern in the Arawana neighbourhood about a proposed Cannabis Microprocessing Operation very close to a number of residential properties. The Draft By-law recommends 2 hectares of land and a 400 square metre building (although Health Canada only allows 200 square metres of growth area).

The recommended setbacks from residential property, we were told at the recent meeting, would be only 15 metres however this does not seem to be specifically written into the Draft legislation. In addition, there is no protection written into the By-law to protect surrounding property owners from odour, lights and noise.

2 COMMENTS

READER TOOLS

EMAIL IT

SHARE ON FACEBOOK

TWEET

COMMENT

PRINT

SUBSCRIBE

AUTHOR TOOLS

EDIT · DEL

Local residents have many concerns about this Draft By-law and feel that this is an important topic for all residents of Naramata especially those with residential properties adjoining ALR land. It is important to be careful about creating By-laws and take time to get them right from the outset. It is important to protect and represent the residents of Naramata rather than the rights of only a few individuals who want to grow cannabis.

These are some of the concerns of residents:

1. Setbacks. It appears that many other communities are adopting a 60 metre setback from residential property.
2. Odour, lights and noise. There are no provisions in the Draft legislation to protect surrounding residents. Interestingly these provisions are included the Draft By-law for Home Occupation/Industry.
3. Security. A high value crop is a security risk and the RCMP in Penticton do not patrol Naramata regularly. It would be much easier to patrol industrial areas.
4. Highly volatile chemicals used in processing. Butane is one of these products and with the high fire risk in this area, it is of great concern. These would be better used in industrial areas.
5. Lack of public consultation in developing these By-laws. Other communities have sent a feedback form to each household, conducted workshops or public consultations in developing their regulations. Some communities require public consultation when an application is made to grow cannabis.

Please complete the attached Feedback Form (see below under pdf) and return to the RDOS before Sep 6, 2019.

ATTACHMENTS





Feedback Form

RECEIVED
Regional District

AUG 28 2019

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

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: ROGER COLDELL
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2849
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

THE RDOS SHOULD HAVE MORE CONTROL OVER
WHAT ACTIVITIES ARE ALLOWED HERE.
IT SEEMS BUSINESS ARE MORE IMPORTANT THAN
RESIDENTS INTERESTS

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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





Feedback Form

RECEIVED
Regional District

SEP - 6 2019

101 Martin Street
Penticton BC V2A 5J9

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Kare S. MARTIN + Gudrun MARTIN
(please print)
[Redacted address]

RE: Draft Zoning Amendment Bylaw No. 2849

My comments / concerns are:

- I do not support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

We ask the RDB to be very careful, as it sets the tone for the future landscape.

On our property we already experience loud ventilation noise and floodlighting from a nearby winery and how would look those sealed buildings on Norawata Beach for example. Business people max everything out and don't stick to their proposals, as we experienced in our neighborhood. Please keep that in mind!

Thank you!

no later than September 6, 2019

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure that any proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of your information, please contact us at 250-492-0237.

Sorry, we ran out of pink ink!





Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: BOB & PATTY PIPARS
(please print)

Street Address: 


RE: Draft Zoning Amendment Bylaw No. 2849
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

Look at other Regional District Bylaws that have more stringent rules, such as Central Okanagan for example. Study as many other districts as possible and take the best ideas of those surveying. This is a serious matter that has to be done once and done right.

Feedback Forms must be completed and returned to the Regional District  no later than September 6, 2019

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

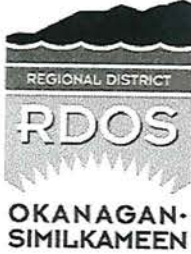


RECEIVED
Regional District

SEP - 5 2019

101 Martin Street
Penticton BC V2A 5J9





Feedback Form

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

RECEIVED
Regional District

SEP - 3 2019

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: LINDA SEARS
(please print)

Street Address: [REDACTED]

RE: **Draft Zoning Amendment Bylaw No. 2849**
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

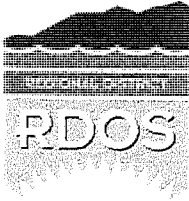
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

- Proposed bylaw amendments to permit cannabis production under Home Industry do not protect neighbouring residential properties.
- Health Canada decrees a maximum growth area of 200m². No rationale is given for why RDOS suggests 400m². A greenhouse that large will be an eyesore in a residential area.
- Proposed setback of 15m is far less than many other jurisdictions, viz. 60m.
- Bylaw 7.18.7 states there should be no nuisance from noise... odours, glare, etc. Odours and glare (security lights) will be a problem. By what means will the

RDOS monitor and regulate? no later than September 6, 2019

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





OKANAGAN-SIMILKAMEEN

Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: Brenda Wozniak + Doug Gibson
(please print)

Street Address: 

RE: **Draft Zoning Amendment Bylaw No. 2849**
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019**

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



Comments for Feedback form for Bylaw 2858 and 2849:

- The minimum size of 2.0 hectares is too small if the region properly takes into account necessary setbacks, landscaping, buffers or other requirements to mitigate the impact of anticipated odour and any other nuisances. The original draft indicated 4 hectares so we do not understand why this has been reduced. We are seeing other regions with larger minimum land requirements in ALR – Regional District Central Okanagan has a minimum of 8 hectares when it abuts residential properties, with 30 metre setbacks; Regional District North Okanagan is considering no minimum land size but requires a 60 metre setback from residential properties. Squamish-Lillooet has a minimum of 5 hectares and is not considered in residential zones. Our bylaws do not address the impact to residential properties in any way and this needs to be seriously reconsidered. We believe that there should be no industrial manufacturing facilities allowed in SH2 zoned areas.
- Setback of 15 metres are not big enough to mitigate the concerns around nuisances likely coming from the facility – noise, odour and traffic. Other districts are adopting a much higher setback – Kelowna 60 metres from residential properties, Abbotsford has 60 metres to non ALR land and Nanaimo has 60 metres from lot lines of non ALR land. Increased setback MUST be considered.
- The odour that is anticipated from these facilities are a concern. While there may be work done on the building to manage the odour, when you have extremely hot lights in the facility, that heat needs to be released and with it will come the odour – this will be a significant nuisance and an impact not just for those residents living close by, but throughout the community, depending on the wind.
- Issue concerning electricity/lights. The owner of the Arawana property has specified in an article in MyNaramata that there will be no windows in his facility. This may not be the case for other facilities looking for approval and unless these buildings are concrete with no windows, the impact of lighting being on 24/7 will be significant to residents in the immediate area – nothing has been indicated to ensure that this can be managed. If these building are concrete then the appearance of the community changes to an industrial view rather than the current farm/vineyard/residential community, which has so much appeal for both residents and tourists.
- Traffic will be an issue if the property size is not big enough. There will be employees with parking required – this has not been addressed. The facility on Arawana has indicated that they would have at least 6 employees – so where will they park? Is there room on the property after the facility has been built to accommodate that without any impact to the community?
- At the Public Information meeting it was indicated that the region does not have the resources to oversee the mandate for Cannabis facilities to ensure they are running according to the bylaws – if there are no resources, why isn't the region coming up with more stringent bylaws that work within the Region's economy/resources?
- We trust that the RDOS will not approve any facilities while the community is going through the amendment process.
- RDOS Mission is to initiate and implement policies which preserve and enhance the quality of life and serve the broader public interest in an effective, equitable, environmental and fiscally responsible manner.
- As presented, the current by-law proposals for Cannabis Micro-Processing do not serve the broader public and need to be better thought out with more due-diligence.



Lauri Feindell

From: Michel Martel
Sent: September 5, 2019 4:07 PM
To: Planning
Cc: Renee Chamberland
Subject: File No: X2019.005-Zone

Hi,

Following the public information meeting here is our feedback regarding the proposed Zoning Amendments on Cannabis Micro Production Facilities in Naramata.

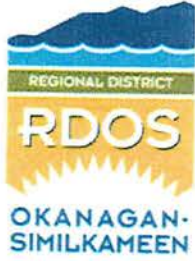
I am in favour of amending the bylaws, however, I think they should include a minimum distance between any cannabis production and residential homes. I would suggest that the minimum distance be 200 meters.

Thank you for giving us the opportunity to provide you some feedbacks.

Best regards,

Michel Martel





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: LEE CHANIN
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2849
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

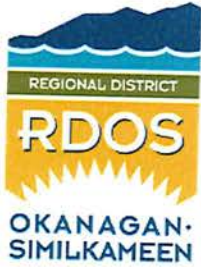
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

- I would like to know what discussion and consultation was undertaken prior to drafting this bylaw and whether the board reviewed any other jurisdictions bylaws relative to Cannabis production. If not, why didn't the board review other bylaws. It appears to me that rather than take the view of protecting the existing home owners rights, the RDOS merely went along with the municipalities and didn't give any thought to the effect this will have on the community.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: Janice Drganc
(please print)

Street Address: [REDACTED]

RE: **Draft Zoning Amendment Bylaw No. 2849**
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

**Feedback Forms must be completed and returned to the Regional District
no later than **September 6, 2019****

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



Lauri Feindell

From: Stefanie Gale [REDACTED]
Sent: September 6, 2019 2:36 PM
To: Planning
Cc: don mancell; Roger Houle; Lee Chanin; Lyle Armour
Subject: Cannabis

Planning Department;

Please note that in May of 2019, I wrote to the Chair of the RDOS outlining the Naramata Society for Responsible Infrastructure concerns regarding Cannabis operations in Area "E".

I am forwarding our concerns to you so that they may be included in the feedback requested of area residents to recently proposed bylaws.

In April of 2019, the Board of the NSRI met and discussed the cannabis issue.

The NSRI is of the opinion that like other Regional Districts, bylaws can and should be put in place to mitigate possible negative impacts of cannabis production. It is important that everyone living in RDOS Area "E" may feel assured that steps are being taken to ensure a healthy environment and community relationships.

The NSRI requests the RDOS take action through the creation/amendment of bylaws to ensure that cannabis production effluent is properly handled; that the air quality is preserved and odours frequently associated with cannabis production are prevented (cannabis farms be required to have effective and sufficient number of 'air scrubbers' or similar filtration systems to mitigate smells), and; that there are controls on the potential light pollution which typically occurs with cannabis production.

We further highlight recent research which has raised significant concern with water and energy consumption utilized by cannabis operations. We should all be trying to be responsible in reducing, not increasing our impact on the environment.

Thank you for including the feedback of the NSRI.

Sincerely,

Stefanie Gale,

NSRI President



Lauri Feindell

From: STACEY HANNA [REDACTED]
Sent: September 5, 2019 11:21 AM
To: Planning
Subject: Feedback Draft Zoning Amendment Bylaw No. 2849/File no: X2019.005-ZONE

To Whom it may concern,

Please include this feedback with regards to the proposed zoning amendments regarding Cannabis Production Facilities in Naramata/RDOS.

I do not support proposed amendments to the zoning bylaws.

While we all agree that we live in an agricultural area and that there are certain activities that we can expect to happen at certain times of year/day, it would be wise to take a closer look with regards to a new agricultural crop.

This is the opportunity to set strict bylaws. Exceptions can be applied for, but we should set the high standard now so we aren't dealing with uncooperative property owners down the road.

While these are properties in the ALR, they do often border residential properties. At the time that those properties were sold off as residential, there was no way of knowing that 30+ years later owners would have to deal with a new type of agriculture. Cannabis has only been made legal in the last year, it is unreasonable to brush aside property owners very real concerns with regards to light, odour, etc...

I'm sure, the collective property taxes paid by all the surrounding residential properties far exceeds the taxes the RDOS receive from one agricultural property. I'm confused as to why these concerns have not been more closely respected.

The surrounding property owners are not looking to restrict the possibility of cannabis growing facilities but are looking to set strict bylaws that all owners would have to abide by: building sizes, setbacks, light, sound, smell. This seems reasonable.

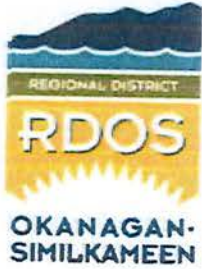
In the end, I think it serves all residents of the RDOS to set strict bylaws for cannabis facilities. It does not take away the possibility of using agriculture/ALR land for this crop but sets the high standard for possible growers.

Respectfully,

Stacey Hanna
[REDACTED]

Sent from my iPad





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name: VICTORIA ROGERS & JO INGRAHAM
(please print)

Street Address: [REDACTED]

RE: Draft Zoning Amendment Bylaw No. 2849
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

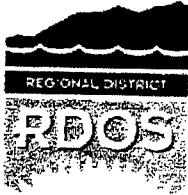
WE DO, HOWEVER, SUPPORT THE DEVELOPMENT OF NEW BYLAWS CONCERNING THE CANNABIS MICRO-PRODUCTION CATEGORY. WE JUST DON'T FEEL THAT THE PROPOSED AS CURRENTLY WRITTEN WILL ADEQUATELY PROTECT SURROUNDING RESIDENTIAL NEIGHBORHOODS

THE MINIMUM PARCEL SIZE FOR THIS CATEGORY NEEDS TO BE INCREASED, AS DO SETBACK REQUIREMENTS; AND SPECIFICS OF ODOR, LIGHT, NOISE, FIRE AND CRIME DANGER NEED TO BE ADDRESSED.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





OKANAGAN-SIMILKAMEEN

Feedback Form

1/2

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2019.005-ZONE

FROM: Name:

JOHN N. SHASKE

Street Address:



Co-owner

AREA E

RE: Draft Zoning Amendment Bylaw No. 2849

Update of Home Occupation/Industry Regulations and Cannabis Production Facilities



My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

Too much, too late, too fast.
 Not well considered (not thought out well)
 in greater scheme of community
 + what land uses pay a lot of taxes
 currently. Your RDOS proposal risks,
 devaluing land values + long time owner

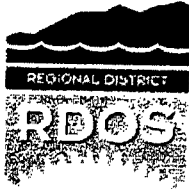
Feedback Forms must be completed and returned to the Regional District no later than September 6, 2019

So, stop pushing. please

enjoyment of their property

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





OKANAGAN-SIMILKAMEEN

Feedback Form

2/2

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2019.005-ZONE

FROM: Name:

SHEILA M KITSON

Street Address:



Nanamota BC (RDOS-E)

RE:

Draft Zoning Amendment Bylaw No. 2849

Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

#2849

My comments / concerns are:

I do support the proposed textual amendments to the zoning bylaws.

I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.

I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

Back when established, the ARK was intended for food crops/farming. How will viable land covered by concrete slabs & huge sheds ever be recovered into viable farm land again? What about pollution - light, noise, prison like fencing? etc.

Feedback Forms must be completed and returned to the Regional District no later than September 6, 2019

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



Cannabis Microprocessing Feedback Forms

Libby Parsons

This is just a reminder that the Feedback Forms on Cannabis Microprocessing are due no later than Sep 6th.

I would like to draw your attention to this document which has been recently sent to me by a neighbour: Federal document "Municipal Guide to Cannabis Legalization- A roadmap for local governments." In particular, this part: As local governments anticipate an increase in nuisance complaints with legalized cannabis, odour issues rank among their top concerns—and these are notoriously difficult to regulate and remediate. Because odours are hard to quantify objectively in terms of strength or character, setting regulatory standards is challenging. While some odour testing labs exist in Canada, their usefulness for regulatory purposes is questionable, and testing can be onerous and expensive. Even if and when the quantification of odour can be satisfactorily addressed, an odour's source can be challenging to prove to the standard needed in court. Proactive approaches to cannabis-related odour and nuisance abatement are therefore preferable. For example, odour impact assessments and control plans might be included in requirements for rezoning applications or development approvals in circumstances where these are authorized and warranted. Zoning setbacks, landscaping, buffer or similar requirements may be considered for certain types of facilities that are anticipated to cause odour or other nuisances. This is in addition to the basic locational criteria that have traditionally restricted problem activities to their own special zones. Municipalities may also want to set business licence conditions that could reduce nuisance concerns around cannabis production and retail facilities.

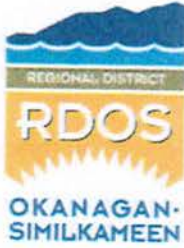
In addition another neighbour has gone to the effort of calling Regional District for Central Okanagan and Regional District for North Okanagan Planners to find out what policies and by-laws they are developing.
 Regional District Central Okanagan: For ALR - Min 8 hectares when it abuts residential properties, 30 metre setbacks.
 Regional District North Okanagan: For ALR - no min hectares set but has a 60 metre setback from residential. Things are in flux, in 1st reading & he didn't know if min hectares would be implemented.

I have also researched other communities which are a mix of rural agricultural land and residential and found:
 Squamish-Lillooet: 5 hectares minimum and not considered in residential zones and 200 sq m greenhouse.
 Vernon: 50 metres from any property where residential is the principal use.
 Nanaimo: 60 metres from lot lines of non-ALR land
 Kelowna: 60 metre setback from residential property
 Abbotsford: 60 metres to non-agriculture land

RDOS Mission: To initiate and implement policies which preserve and enhance the quality of life and serve the broader public interest in an effective, equitable, environmental and fiscally responsible manner.

The current By-law proposals for Cannabis Microprocessing do not serve the broader public nor do they appear well thought out!





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: Norbert Lacia & Patti Lacia
(please print)

Street Address:  Naramata

RE: Draft Zoning Amendment Bylaw No. 2849
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

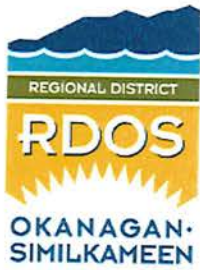
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

Cannabis production and processing has the potential for significant odour + other impacts on neighbours. In Naramata, A/R properties are often close to residential areas. As a result, setbacks, building sizes + land sizes must be very conservative. Other BC communities have setbacks of 60 metres. We should as well. I also believe building size should be less than 400 m² + properties should be at least 4 hectares. Please be careful you don't create problems for residents.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: Harvey King (please print)

Street Address: [Redacted] Naramata BC

RE: **Draft Zoning Amendment Bylaw No. 2849**
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

~~I am not opposed to the concept of having Cannabis operations in the RDOS, but I have some concerns that the specific regulations are not strict enough in controlling potential issues, especially around odour, lights and noise. I know that we are an agricultural area, that agriculture is a crucial industry and part of our overall "charm." However, we are also an area that crucially depends on new residential developments, and especially on the charm of our vineyards and wineries in attracting new residents AND tourists. If we have problematic Cannabis operations, then we will lose our future residential buyers, and our tourists. I would suggest that the RDOS strengthen the following aspects of the regulations, similar to what other BC Regional Districts have done:~~

- ~~1. Create stronger and larger setbacks from residential property.~~
- ~~2. Set regulations on odour, lights and noise for not just Home Occupation/Industry, but also for the Microprocessing Industry.~~
- ~~3. Ensure that the industry has sufficient security (especially if their crop is prone to theft) in place, or is taxed to increase the amount of RCMP presence in the community.~~

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

Thanks for your consideration.

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



From: [Tracy Kuhtz](#)
To: [Christopher Garrish](#)
Subject: Proposed By-law Amendments
Date: April 26, 2019 4:11:55 PM

Dear Mr. Garrish:

We understand from the RDOS website, that the deadline to make comment on the proposed by-law amendments regarding Home Industry and Cannabis Growth is April 26 (tomorrow).

We have read your proposals and these are our objections or changes we would like to see proposed:

1. We do not believe Cannabis Growth should occur in a residential neighbourhood and be categorized as a "home industry". It should occur in an Industrial area. (*Please see the SLRD by-law amendments restricting Cannabis Growth to non-residential areas).
2. If Cannabis Growth should occur on Agricultural Land, there should be a restriction of land size to 10 hectares rather than 2 hectares.
3. On page 13 Section 7. of your Amendments, it states that *"No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area."* Added to this should be the glare of lights and the smell/odour produced by Cannabis Growth.
4. On page 13, Section 7. This section is really a contradiction of terms as a Cannabis Growth Operation in a mostly residential neighbourhood will obviously disturb *"the privacy and enjoyment of adjacent dwellings"* and will *"adversely affect the character of the area"*. Cannabis Growth should occur either on larger land parcels or in an industrial area. It should not occur close to residential properties.

These are the concerns we have listed in our previous email to you:

1. The smell from cannabis growth can be quite a nuisance to surrounding neighbours. As RDOS does not have by-laws in place governing this, neighbours will have little recourse, once this operation is in place, to have the odours monitored and controlled.
2. Security issues - this is a high value crop with all the associated security issues. This neighbourhood has families with children within metres of this property and this poses a security risk to these families and all residents.
3. As we are in an area of high fire risk, this operation poses an additional threat during fire season. If this operation processes and uses butane in the processing, it is highly explosive.
4. Cannabis growth generally uses round the clock lighting - this will be an




additional nuisance to residents - the RDOS has no by-law in place to control this.

5. Cannabis growth uses more water and hydro than other agricultural crops - this is another burden on the community.

6. A Cannabis operation in a residential neighbourhood stigmatizes the properties and will negatively affect their values.

Sincerely
Tracy Kutzt and Harvey King


Naramata

From

Sent: April 26, 2019 2:57 PM

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

Subject: Arowana Proposed By-law Amendments

Hello Christopher. I understand you are the individual residents of Naramata are to correspond with regarding proposed by-law amendments being considered for Home Industry & Cannabis Growth.

My wife and I just recently heard the proposed shocking change to our beautiful residential area mixed with vineyards and orchards.

- 1) Can you comment on the possibility our property values will be negatively effected? If so, I am presuming our taxes will correspondingly reduce too. If not, why not? **I cannot comment.**
- 2) When the Federal Government first proposed changes to the Cannabis licensing and such, I recall reading the home Gro-ops would be a thing of the past and operations would be located in Industrial Park and similar locations away from residential areas. Has it changed? **I don't believe this was the case as the Agricultural Land Commission (ALC) advised in 2013, following the legalisation of medical cannabis production, that they considered this to be a "farm" use and something that local governments could not prohibit from occurring within the Agricultural Land Reserve (ALR).**
- 3) Can a cannabis operation be set up on the size of land currently being proposed? **Yes.**
- 4) Can I ask what assurances will be put in place to not have the odors which come from a Gro-op? There is or was a residential Gro-op just off Naramata Road and often when driving along, you could smell this awful odour which we suspected originated from this Cannabis gro-op. **This is something that is regulated by Health Canada as part of their approval process.**
- 5) Can I ask what assurances there will be for lighting pollution? **I am not sure what would constitute light pollution, but as you may be aware, agricultural producers in the ALR or on parcels zoned to allow for "agriculture" enjoy protection under the [Farm Practices Protection \(Right to Farm\) Act](#) for what are considered "normal farm practices".**
- 6) Will there be traffic all hours of the night? **Unknown.**
- 7) Will this be a sales outlet with increased traffic to our quiet community? **Unknown, however, such a use would require the approval of the provincial government through the LCRB. The AG1 Zoning that applies to most properties in the ALR in Electoral Area "E" does allow for retail sales of farm products.**
- 8) Is there the potential for increased theft or burglary in our community with there being another reason to attract the criminal element to our community? **Unknown.**
- 9) What sort of building and size is being proposed? What kind of lighting will be on 24 hours a day? Will it stick out like a sore thumb and not blend into our desirable residential community? **I am assuming that you are referring to the property at 2860 Arawana Road? If so, the applicant is applying for a "Micro-Cultivation" license through Health Canada, so will be limited to a growing area not exceeding 200 m². Please be advised that this property is not considered residential, but is zoned for Agriculture and is in the ALR.**



I rarely if ever have put my concerns and/or question as they pen to paper. So for me to write shows the high concern I have. My wife shares the same concerns, though respect I cannot speak for her.

Was there an open community meeting to hear what is being proposed and get feedback? If so, I am now beating myself up for missing out on hearing more facts and what my neighbours think how our community could be negatively changed for ever. There will no going back if this Cannabis operation is approved and goes forward. Actually I am shocked the Provincial and Regional governments would allow.

Looking forward to your response to my questions. I will agree, I have hastily put this email together after hearing today is the deadline to get comments in. I am not a religious person, but praying this proposal does not go forward.

Cheers, Colin Ballance

Naramata, BC



From: [REDACTED]
To: [Christopher Garrish](#)
Cc: [Anarcanna MJ](#)
Subject: Home Industry/Occupation & Cannabis Production
Date: April 26, 2019 12:14:20 PM

Hello Christopher,

My name is Jonathan Fernandes and I am with Green Amber Canada. We are a company that performs consulting for micro cannabis cultivation applications and also are close to receiving our own standard cannabis cultivation licence here in the Okanagan.

I was following up with you for one of our clients Terry Meyers, who is about to submit a micro application for a site in Osoyoos.

Terry highlighted me to the amendments proposed to your home industry by-law which would limit the use to only 200 square meters.

I wanted to provide you with some information to highlight why it is limiting for a micro cannabis cultivator to operate in this size space.

In addition to the space(area) allowed for micro cultivation found in Part 2 of the Cannabis regulations made under the Cannabis Act, Part 5 Good Production Practices (GPP) highlights many other applicable requirements to obtain a licence. Sections 80-88 highlight these other requirements that must be followed to receive a licence from Health Canada. They focus on storage, equipment, distribution, contamination, sanitation, processing, pest control and quality assurance. These other requirements need additional or ancillary space to conduct the necessary work.

The 200 square metres that is described in Part 2 of the regulation only applies to canopy space for cultivation. Our team has submitted many applications and know from experience that if you limit the building size to what you are proposing, applicants will not be able to maximize the capacity of their allowable 200 square metres for cultivation. To maximize this space and to meet these requirements you would need at least an additional 1500-2000 square feet.

It would be beneficial if we could speak with those in the RDOS who are working on this by-law to show them that additional space is needed for these requirements. Some of these requirements could almost take up the original 200 square metres alone.

Please let me know if you or relevant staff have time to discuss.

Thank you for your time,



From: [Martin Au-Yeung](#)
To: [Christopher Garrish](#); alc.okanagan@gov.bc.ca; riccardo.peggi@gov.bc.ca; martin.collins@gov.bc.ca
Subject: Cannabis Operations at Arawana Road
Date: April 26, 2019 1:51:10 PM

I am going to provide my feedback on the proposed by-law amendments regarding Home Industry and Cannabis Grown in the RDOS (the District) based on my first-hand experience as an insurance professional. Like most residents in the community, I do not support the proposal. The risk is too big for the community to manage - just to name a few:

- Depending on the facility layout, cannabis growing operations are very hard to protect from the fire protection standpoint due to complex storage arrangement and intensive use of plastics in construction. Sometimes there is no practical way to protect such operations, but if solutions do exist, they would be complex and require strong water supply that is not available in a residential area. Large cannabis growing operations are mainly in industrial areas where infrastructures are available to handle associated fire protection.
- Extraction of active ingredients requires use of flammable solvents and present a significant fire hazard to a residential neighborhood.
- If the operation caught on fire in a hot, dry summer day, ambers could ignite forested areas nearby and pose a major forest fire exposure to the community.
- Fires at cannabis operations could happen as we learned from the incident in Squamish in a few months ago.

Cannabis business is not insurable by most commercial insurance carriers because of the above reasons. It makes no sense to me to have the entire community accept a risk that is not even acceptable to most insurance professionals.

Please consider our position.

Regards,

Martin Au-Yeung
[REDACTED]



Lauri Feindell

Subject: FW: Cannabis Operation Update

To Whom It May Concern and also Karla Kozakevich,

Please see attached emails,

Bud and Brenda Van Iderstine

[REDACTED]

- > To Whom It May Concern,
- >
- > We are Bud and Brenda Van Iderstine
- > living on the Naramata Bench at [REDACTED] Naramata BC
- > V0H1N1.
- >
- > We are very concerned about the
- > potential of a Cannabis Gro-Op being approved for operation in our
- > residential neighbourhood along Arawana Road. In Mr Bob Parsons
- > attached email numerous very good reasons are well presented for why
- > any Cannabis operation SHOULD NOT be approved for our residential
- > area, or indeed for any residential area.
- >
- > Please DO NOT APPROVE this type of
- > enterprise that can only lead to severe community problems!
- >
- > Respectfully submitted,
- > Bud and Brenda van Iderstine
- [REDACTED]
- >
- >



From: [Libby and Bob Parsons](#)
To: [Christopher Garrish](#)
Subject: Re: Proposed By-law Amendments
Date: April 25, 2019 10:18:41 AM

Hello Mr. Garrish:

We understand from the RDOS website, that the deadline to make comment on the proposed by-law amendments regarding Home Industry and Cannabis Growth is April 26 (tomorrow).

We have read your proposals and these are our objections or changes we would like to see proposed:

1. We do not believe Cannabis Growth should occur in a residential neighbourhood and be categorized as a "home industry". It should occur in an Industrial area. (*Please see the SLRD by-law amendments restricting Cannabis Growth to non-residential areas).
2. If Cannabis Growth should occur on Agricultural Land, there should be a restriction of land size to 10 hectares rather than 2 hectares.
3. On page 13 Section 7. of your Amendments, it states that *"No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area."* Added to this should be the glare of lights and the smell/odour produced by Cannabis Growth.
4. On page 13, Section 7. This section is really a contradiction of terms as a Cannabis Growth Operation in a mostly residential neighbourhood will obviously disturb *"the privacy and enjoyment of adjacent dwellings"* and will *"adversely affect the character of the area"*. Cannabis Growth should occur either on larger land parcels or in an industrial area. It should not occur close to residential properties.

These are the concerns we have listed in our previous email to you:

1. The smell from cannabis growth can be quite a nuisance to surrounding neighbours. As RDOS does not have by-laws in place governing this, neighbours will have little recourse, once this operation is in place, to have the odours monitored and controlled.
2. Security issues - this is a high value crop with all the associated security issues. This neighbourhood has families with children within metres of this property and this poses a security risk to these families and all residents.
3. As we are in an area of high fire risk, this operation poses an additional threat during fire season. If this operation processes and uses butane in the processing, it is highly explosive.
4. Cannabis growth generally uses round the clock lighting - this will be an additional nuisance to residents - the RDOS has no by-law in place to control this.
5. Cannabis growth uses more water and hydro than other agricultural crops - this is another burden on the community.
6. A Cannabis operation in a residential neighbourhood stigmatizes the properties and will negatively affect their values.

Sincerely
Libby and Bob Parsons



From: [Deb Green](#)
To: cannabis@canada.ca; ALC.Okanagan@gov.bc.ca; Riccardo.Peggi@gov.bc.ca; Martin.Collins@gov.bc.ca; Christopher.Garrish; Dan.Ashton.MLA@leg.bc.ca
Subject: Cannabis Building Proposal in Naramata
Date: April 26, 2019 5:43:11 PM

Hello —

Today is Friday April 26. We have just been sent the information below. Is this a joke? Today is the deadline to report concerns on a cannabis greenhouse proposal that could directly affect our right to peaceful comfort in our homes, yet we have not been informed or “consulted” in any way until now? Despite the proposed development being “in the ALR”, it is ONE STREET AWAY where we will be directly affected by light, noise and air quality. This is also an extremely high fire risk area — the use of metal fans, butanes, propanes and other potentially incendiary materials should have made this proposal an absolute non-starter to begin with. We are not opposed to cannabis production generally, but this is a heavily residential neighborhood and has been so for the past 30 years. IT IS NOT AN INDUSTRIAL LOCATION FOR A FACTORY. There has been ZERO consultation on this matter with the taxpayers who live in the area.

As a taxpayer, this is unacceptable and I expect to be consulted in a proper, designated forum before any further decisions are made.

Deb Green, CSA, CDC

CEO, Earthwave Entertainment Inc.

From: Libby and Bob Parsons
Subject: **IMPORTANT: Please send your letters to RDOS and ALC**
Date: April 25, 2019 at 9:15:53 AM PDT

Hello All:

Please read the attached articles. The RDOS by-law amendments have just come to light today and it is interesting that in spite of all our letters of concern, no one at RDOS brought this to our attention! Please send in your objections today to meet the deadline of April 26th. Ask that the minimum lot size be 5 hectares (SLRD, another municipality has been able to state that limit in their by-laws). These by-laws amendments look as though they were written specifically for the applicant in our neighbourhood to allow him to grow Cannabis as the outlined restrictions in the by-laws are exactly what he is proposing. The



second article is about the Cannabis stink at Edmonton airport - it is a much larger operation but they cannot seem to control the smell in spite of numerous filters and HVACs. Do we want this in our neighbourhood?

Please also write to the ALC who seem to also have a deadline of April 26th for complaints. Reference File no.ALC Application 58440 (Josey)

These are the concerns we have listed in our letters:

1. The smell from cannabis growth can be quite a nuisance to surrounding neighbours. As RDOS does not have by-laws in place governing this, neighbours will have little recourse, once this operation is in place, to have the odours monitored and controlled.
2. Security issues - this is a high value crop with all the associated security issues. This neighbourhood has families with children within metres of this property and this poses a security risk to these families and all residents.
3. As we are in an area of high fire risk, this operation poses an additional threat during fire season. If this operation processes and uses butane in the processing, it is highly explosive.
4. Cannabis growth generally uses round the clock lighting - this will be an additional nuisance to residents - the RDOS has no by-law in place to control this.
5. Cannabis growth uses more water and hydro than other agricultural crops - this is another burden on the community.
6. A Cannabis operation in a residential neighbourhood stigmatizes the properties and will negatively affect their values.

In conclusion, Cannabis Growth should take place in an industrial area and NOT in a residential neighbourhood.

Please be proactive and send emails to be part of the process to prevent this operation in our residential neighbourhood.

Health Canada: cannabis@canada.ca
Agricultural Land Commission:
ALC.Okanagan@gov.bc.ca

Riccardo.Peggi@gov.bc.ca

Martin.Collins@gov.bc.ca

1. <https://www.rdos.bc.ca/departments/development-services/planning/strategic-projects/home-industryoccupation-cannabis-production-update/>

Home Industry/Occupation & Cannabis Production Update Background

The Regional District is proposing a series of amendments to the Electoral Area Zoning Bylaws in order to update the regulations related to "home industry" and "home occupation" uses.

It is further proposed to prohibit cannabis production in all zones, other than



Industrial, with exceptions being provided for parcels in the Agricultural Land Reserve (ALR) where cannabis production complies with the requirements of the *Agricultural Land Commission (ALC) Act & Regulations* and to allow cannabis production as a form of “home industry” use but clarifying that it is not a permitted form of “home occupation” use.

With regard to the update of “home industry” and “home occupation” regulations, it is being proposed to, amongst other things, introduce standardized wording related to:

- A home occupation shall not occupy more than 50% of the floor area of a principal dwelling unit or accessory building to a maximum of 50.0 m²
- A home occupation shall not involve the outdoor storage of materials and equipment associated with a contractor, trade or mobile service;
- No home industry shall be permitted on a parcel less than 2.0 hectares in size;
- The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 200.0 m²; and
- Only persons residing in the principal dwelling unit may carry on the home industry located on the parcel, and up to two (2) non-resident employees may be on the parcel.

Contact Us!

For additional information, or to submit comments, please contact:

Christopher Garrish
Planning Manager
cgarrish@rdos.bc.ca
[250-490-4101](tel:250-490-4101)

2. Pot plant stink at airport

<https://www.castanet.net/news/Canada/254597/Pot-plant-stink-at-airport>



From: [REDACTED]
To: [Christopher Garrish](#)
Subject: Naramata Grow Op
Date: April 27, 2019 6:36:52 PM

Hello Chris,

As a resident of Naramata, I would like to add my concerns to the Marijuana grow facility that has been proposed on Arawana Road.

I am hopeful that the applicants desire to put in a concrete floor is enough to stop this proposal. The regulations seem to allow for the use on a soil base and that a cement pad requires a variance. Will there be an opportunity for the public to speak to this matter when it come up for approval?

I want to add my voice to the overwhelming support of Naramata residents to stop this development.

Thank You
Ken & Susan Keir



From: [Dawn Lennie](#)
To: [Christopher Garrish](#)
Cc: [Karla Kozakevich](#)
Subject: Cannabis Production in residential neighbourhood
Date: April 29, 2019 9:51:32 AM

Hi Christopher,

I understand we may have missed an April 26th deadline to voice concerns on this topic, however, unfortunately, we weren't aware of this until this past weekend so I hope that our comments will still be considered.

As business owners and residents of Naramata, we would like to voice our opposition to having this type of production or manufacturing that is proposed currently up Arawana Road in a residential neighbourhood. Whether it's on ALR property or not, it does not seem fair to devalue people's property with a business like this operating right next door given all the concerns surrounding it - particularly the smell. I don't think anyone would want a Money's mushroom plant coming in and setting up shop right in the middle of a residential neighbourhood either for the same reason.

We have experienced this type of business (illegally) for years in our neighbourhood and the smell at certain times is very strong and difficult to explain to our kids. We just always say that someone must have run over a skunk when we're on the way to school for lack of a better explanation for a child under 10:)

We understand that there are also concerns about 24 lighting, fire safety, security and so on, which are concerns we have had with at least two illegal operations right around our home for years. This does not seem like the type of business that should be allowed to operate legally on a residential property with immediate neighbours in a residential neighbourhood.

As for proposed changes to what is allowed regarding operating a business on a residential property, as business owners of a commercial property, we have just recently voiced our opinion on that subject. Our concerns were voiced to both you and Karla as it related to another residential property wanting to operate a business so I'm sure our feelings on that are clear.

Thanks for reading our letter.

Dawn & Doug Lennie



Lauri Feindell

From: Christopher Garrish
Sent: May 23, 2019 9:04 AM
To: Tracy Kuhtz
Cc: Karla Kozakevich; [REDACTED]
Subject: RE: Cannabis bylaw

Hi Tracey,

Thanks for the feedback. To clarify, we are proposing that the reference in the zoning bylaw to setbacks for "soil-less medium production facilities" be changed to "greenhouses" and "production facilities". While the setback itself is not changing, we think this will make it clearer that the 15.0 metre setback for these types of uses apply and not the 7.5/4.5 metre setbacks for accessory structures.

Is this the doubling of setbacks that you were referencing below, or were you looking for them to be increased to 30.0 metres?

Chris.



Christopher Garrish MA, MSS, MCIP, RPP • Planning Manager
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4101 | tf. 1.877.610.3737 | f. 250.492.0063

www.rdos.bc.ca | cgarrish@rdos.bc.ca | [FACEBOOK](#) | [YOUTUBE](#) | Sign up for [REGIONAL CONNECTIONS](#)

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

-----Original Message-----

From: Tracy Kuhtz [REDACTED]
Sent: May 22, 2019 4:36 PM
To: Christopher Garrish <cgarrish@rdos.bc.ca>; Karla Kozakevich <kkozakevich@rdos.bc.ca>
[REDACTED]
Subject: Cannabis bylaw

Good afternoon. I have read the report on proposed revisions to bylaws micro production being considered tomorrow.

I am disappointed that the recommendation re nuisances (smell from these production facilities) are not being considered in these bylaws as they may be difficult to monitor or enforce. Many good public policies or laws that protect people have been enacted even though they are not simple to enforce. Public space smoking comes to mind. I would expect more concern for this issue for the residents that within winds (up to 5 km reported in other jurisdictions). If I was visiting a winery and this blew past me. I would likely question whether or not to return to the area.

Your proposed solution of increasing the size of the land from 2 to 4 hectares without changing the set back from property boundaries does little to effect a greater barrier in the transmission of the smell. I would expect a doubling of the setbacks if you truly want to make a change that may improve the smell nuisance.

I look forward to a public hearing where more information can be provided to all residents re the issues.



13 August 2019

Christopher Garrish
cc Karla Kozakevich

Dear Mr. Garrish,

We wish to express concerns about the proposed changes in the bylaws affecting Electoral Area "E", specifically to create a new "micro cannabis production facility" use. This change in the bylaws is especially salient at this time, because one of our neighbors in Naramata is planning such a facility on his property, which directly adjoins many residential properties in the Naramata hillside area.


We understand that public information sessions are being held this month, but we will be out of town and unable to attend. Therefore, we wish to make our concerns known via this letter in advance of the meeting. I sincerely hope that minutes of the meeting will be publicly available and that further commentary will be welcomed.

We, along with many of our neighbors, have serious concerns about light, noise, and particularly odor that could affect the quality of life and property values in our area. Thus, we have attempted to glean as much information as possible about the newly proposed bylaw. We searched the RDOS website under "update of home industry and home occupation regulations and cannabis production" but found mostly the same information that is contained in the advert page. The lack of detail about the regulation of these facilities is concerning, especially given the fact that, in other parts of the country, mitigation efforts have, in many cases, proven to be inadequate or even noxious in themselves. Especially worrisome is the lack of any specifics about setbacks from lot lines. With regard to the proposed facility in Naramata, site preparation is occurring very close to the lot line, which backs directly up to neighbors' houses. We feel that there is simply not enough detail provided to provide assurance that the surrounding neighborhoods can be protected.

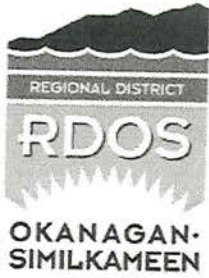
For example, the text of the proposed bylaw states that the micro-Cannabis facilities may be placed on parcels 2.0 ha and above, and that the maximum size of such facilities is 400 square meters in size. What is the reasoning behind these particular numbers? Why, for example, is the maximum size of these facilities double the allowable size of other home industry? What is the rationale behind the minimum lot size of 2.0 ha? Why not 3.0 ha or 4.0 ha? These are all questions that need to be answered prior to placing this new bylaw in effect.

Given these crucial questions and the need for additional detail, it is our view that these sorts of facilities should be prohibited in residential areas until concerns such as these and others can be addressed.

Sincerely,

Victoria Rogers and Jo Ingraham






Feedback Form



RECEIVED
Regional District

AUG 23 2019

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

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: X2019.005-ZONE

FROM: Name:  Mr. Michael Coton (please print)
Street Address: 

RE: Draft Zoning Amendment Bylaw No. 2849
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

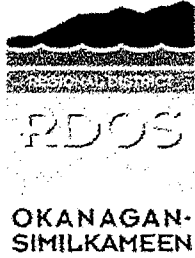
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

Please inform ALR that their regulations permitting cannabis on ALR land in ANY fashion is unacceptable to Naramata citizens.

Feedback Forms must be completed and returned to the Regional District no later than **September 6, 2019**

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





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2019.005-ZONE

FROM: Name: Cheryl + Ed Bingley
(please print)

Street Address: _____

RE: **Proposed Electoral Area Zoning Bylaw Amendments**
Update of Home Occupation/Industry Regulations and Cannabis Production Facilities

My comments / concerns are:

- I do support the proposed textual amendments to the zoning bylaws.
- I do support the proposed textual amendments to the zoning bylaws, subject to the comments listed below.
- I do not support the proposed textual amendments to the zoning bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2849.

We do not support it at this time simply because
we haven't had the opportunity to ask questions to
fully understand.

We look forward to doing so at an information mtg
and/or public hearing.

Feedback Forms must be completed and returned to the Regional District
no later than **April 26, 2019**

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



From: ""
Sent: April 26, 2019 12:14 PM
To: Christopher Garrish <cgarrish@rdos.bc.ca>
Cc: Anarcanna MJ
Subject: Home Industry/Occupation & Cannabis Production

Hello Christopher,

My name is Jonathan Fernandes and I am with Green Amber Canada. We are a company that performs consulting for micro cannabis cultivation applications and also are close to receiving our own standard cannabis cultivation licence here in the Okanagan.

I was following up with you for one of our clients Terry Meyers, who is about to submit a micro application for a site in Osoyoos.

Terry highlighted me to the amendments proposed to your home industry by-law which would limit the use to only 200 square meters.

I wanted to provide you with some information to highlight why it is limiting for a micro cannabis cultivator to operate in this size space.

In addition to the space(area) allowed for micro cultivation found in Part 2 of the Cannabis regulations made under the Cannabis Act, Part 5 Good Production Practices (GPP) highlights many other applicable requirements to obtain a licence. Sections 80-88 highlight these other requirements that must be followed to receive a licence from Health Canada. They focus on storage, equipment, distribution, contamination, sanitation, processing, pest control and quality assurance. These other requirements need additional or ancillary space to conduct the necessary work.

The 200 square metres that is described in Part 2 of the regulation only applies to canopy space for cultivation. Our team has submitted many applications and know from experience that if you limit the building size to what you are proposing, applicants will not be able to maximize the capacity of their allowable 200 square metres for cultivation. To maximize this space and to meet these requirements you would need at least an additional 1500-2000 square feet.

It would be beneficial if we could speak with those in the RDOS who are working on this by-law to show them that additional space is needed for these requirements. Some of these requirements could almost take up the original 200 square metres alone.

Please let me know if you or relevant staff have time to discuss.

Thank you for your time,
Jonathan Fernandes
Green Amber Canada



From: [Tracy Kultz](#)
To: [Christopher Garrish](#)
Subject: Proposed By-law Amendments
Date: April 26, 2019 4:11:55 PM

Dear Mr. Garrish:

We understand from the RDOS website, that the deadline to make comment on the proposed by-law amendments regarding Home Industry and Cannabis Growth is April 26 (tomorrow).

We have read your proposals and these are our objections or changes we would like to see proposed:

1. We do not believe Cannabis Growth should occur in a residential neighbourhood and be categorized as a "home industry". It should occur in an Industrial area. (*Please see the SLRD by-law amendments restricting Cannabis Growth to non-residential areas).
2. If Cannabis Growth should occur on Agricultural Land, there should be a restriction of land size to 10 hectares rather than 2 hectares.
3. On page 13 Section 7. of your Amendments, it states that *"No nuisance from noise, vibration, smoke, dust, odours, heat, glare, disturbance shall be produced by the home industry and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home industry shall not adversely affect the character of the area."* Added to this should be the glare of lights and the smell/odour produced by Cannabis Growth.
4. On page 13, Section 7. This section is really a contradiction of terms as a Cannabis Growth Operation in a mostly residential neighbourhood will obviously disturb *"the privacy and enjoyment of adjacent dwellings"* and will *"adversely affect the character of the area"*. Cannabis Growth should occur either on larger land parcels or in an industrial area. It should not occur close to residential properties.

These are the concerns we have listed in our previous email to you:

1. The smell from cannabis growth can be quite a nuisance to surrounding neighbours. As RDOS does not have by-laws in place governing this, neighbours will have little recourse, once this operation is in place, to have the odours monitored and controlled.
2. Security issues - this is a high value crop with all the associated security issues. This neighbourhood has families with children within metres of this property and this poses a security risk to these families and all residents.
3. As we are in an area of high fire risk, this operation poses an additional threat during fire season. If this operation processes and uses butane in the processing, it is highly explosive.
4. Cannabis growth generally uses round the clock lighting - this will be an



additional nuisance to residents - the RDOS has no by-law in place to control this.

5. Cannabis growth uses more water and hydro than other agricultural crops - this is another burden on the community.

6. A Cannabis operation in a residential neighbourhood stigmatizes the properties and will negatively affect their values.

Sincerely

Tracy Kultz and Harvey King

Naramata



From:
To: [Christopher Garrish](#)
Subject: Naramata Grow Op
Date: April 27, 2019 6:36:52 PM

Hello Chris,

As a resident of Naramata, I would like to add my concerns to the Marijuana grow facility that has been proposed on Arawana Road.

I am hopeful that the applicants desire to put in a concrete floor is enough to stop this proposal. The regulations seem to allow for the use on a soil base and that a cement pad requires a variance. Will there be an opportunity for the public to speak to this matter when it come up for approval?

I want to add my voice to the overwhelming support of Naramata residents to stop this development.

Thank You
Ken & Susan Keir

Naramata
Sent from my iPad



From: [Dawn Lennie](#)
To: [Christopher Garrish](#)
Cc: [Karla Kozakevich](#)
Subject: Cannabis Production in residential neighbourhood
Date: April 29, 2019 9:51:32 AM

Hi Christopher,

I understand we may have missed an April 26th deadline to voice concerns on this topic, however, unfortunately, we weren't aware of this until this past weekend so I hope that our comments will still be considered.

As business owners and residents of Naramata, we would like to voice our opposition to having this type of production or manufacturing that is proposed currently up Arawana Road in a residential neighbourhood. Whether it's on ALR property or not, it does not seem fair to devalue people's property with a business like this operating right next door given all the concerns surrounding it - particularly the smell. I don't think anyone would want a Money's mushroom plant coming in and setting up shop right in the middle of a residential neighbourhood either for the same reason.

We have experienced this type of business (illegally) for years in our neighbourhood and the smell at certain times is very strong and difficult to explain to our kids. We just always say that someone must have run over a skunk when we're on the way to school for lack of a better explanation for a child under 10:)

We understand that there are also concerns about 24 lighting, fire safety, security and so on, which are concerns we have had with at least two illegal operations right around our home for years. This does not seem like the type of business that should be allowed to operate legally on a residential property with immediate neighbours in a residential neighbourhood.

As for proposed changes to what is allowed regarding operating a business on a residential property, as business owners of a commercial property, we have just recently voiced our opinion on that subject. Our concerns were voiced to both you and Karla as it related to another residential property wanting to operate a business so I'm sure our feelings on that are clear.

Thanks for reading our letter.

Dawn & Doug Lennie



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D”

Administrative Recommendation:

THAT first and second reading of the Electoral Area “D” Official Community Plan (OCP) Amendment Bylaw No. 2603.17, 2019, and the Electoral Area “D” Zoning Amendment Bylaw No. 2455.40, 2019, be rescinded and the bylaws be abandoned.

Purpose:

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

Background:

In 2015, the Regional District:

- approved up to \$200,000 from reserve funding for parkland acquisition with the adoption of the Heritage Hills Parkland Acquisition Reserve Expenditure Bylaw.
- utilized \$400,000 to purchase 0.7 ha. of land at 176 Chadwell Place in Heritage Hills for park.
- Acquired an additional 0.5 ha. of land by way of a 20 year lease, with an option to purchase. A condition of the purchase is that price will be based on the appraised value of the land. Down-zoning from residential to park would artificially decrease the value of the land.

At its meeting of March 21, 2019, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of April 18, 2019.

All comments received through the public process are compiled and included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97).

At its meeting of April 18, 2019, following a public representation made by the current landowner at the public hearing scheduled the same day, the Regional District Board resolved that 3rd reading of the amendment bylaws “be postponed for six months.”

Analysis:

The Regional District has no plan in place at the current time to purchase the property. Placing a park zone designation on privately owned land would make the land worthless to the owner, as there would be no market for sale, other than the Regional District. Rezoning would diminish the value of a future sale price.

Alternatives:

1. THAT Bylaw No. 2603.17, 2019, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.40, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a third time and adopted.
2. THAT third reading of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.17, 2019, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.40, 2019, be deferred.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed by



B. Dollevoet, General Manager of Dev. Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.17, 2019

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

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Official Community Plan Amendment Bylaw No. 2603.17, 2019."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by changing land use designation on the land described as Lot 3, Plan EPP61041, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Low Density Residential (LR) to Parks, Recreation and Trails (PR).

READ A FIRST AND SECOND TIME this 21st day of March, 2019.

PUBLIC HEARING held on this 18th day of April, 2019.

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

ADOPTED this ____ day of _____, 2019.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

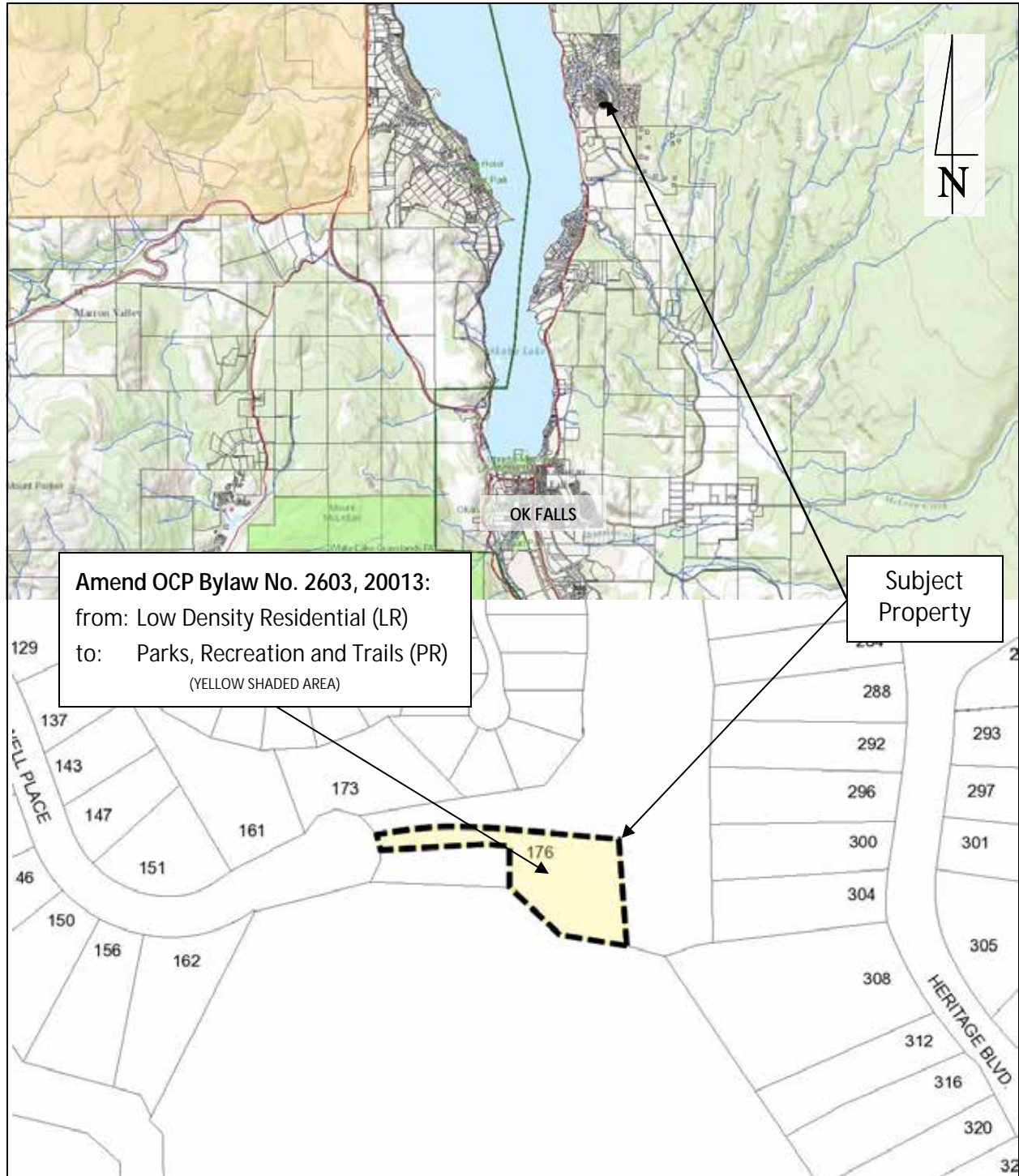
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.17, 2019

Project No: D2019.001-ZONE

Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.40, 2019

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 2008

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.40, 2019."
2. The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation of the land described as Lot 3, Plan EPP61041, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family One (RS1) to Parks and Recreation (PR).

READ A FIRST AND SECOND TIME this 21st day of March, 2019.

PUBLIC HEARING held on this 18th day of April, 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

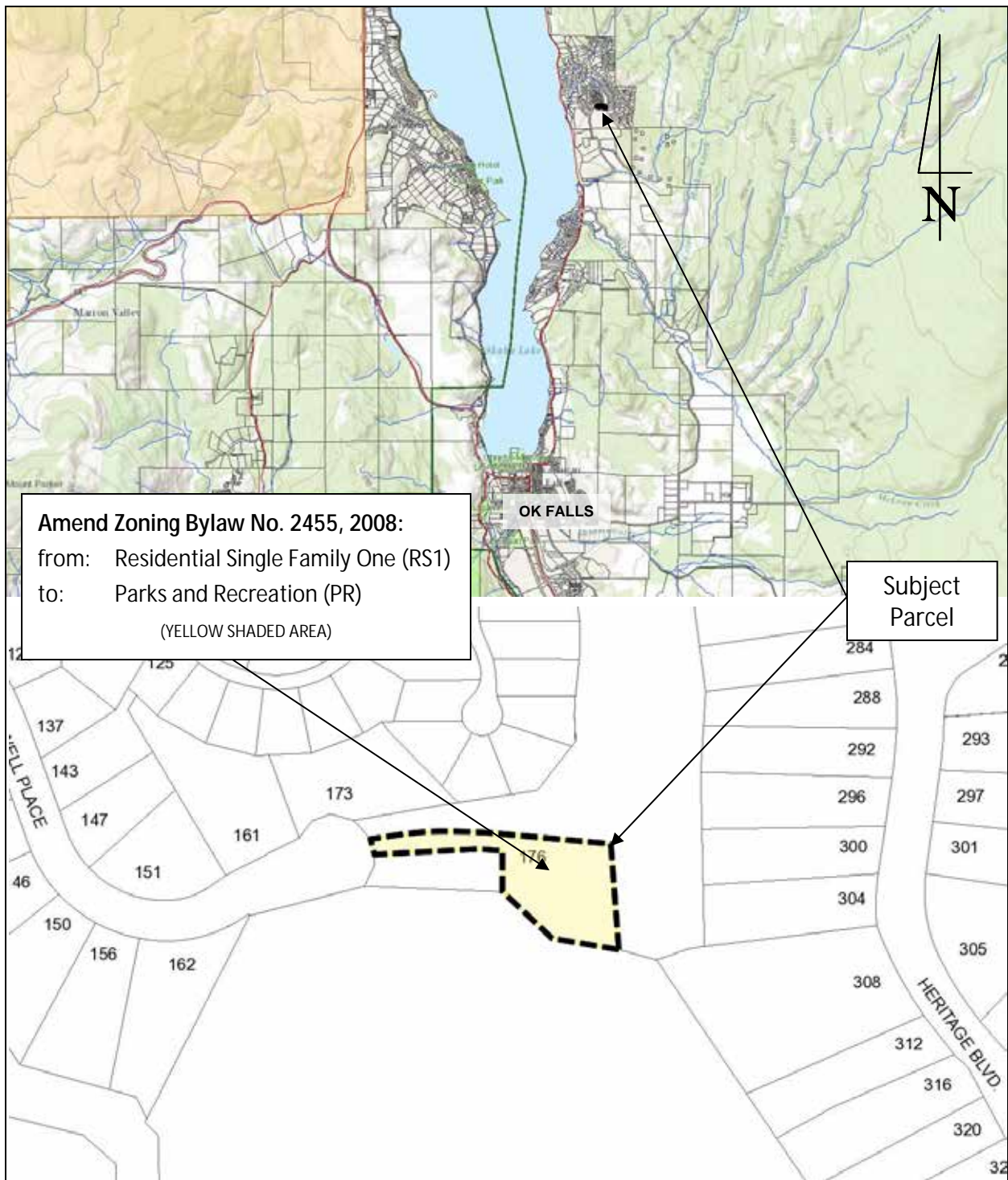
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.40, 2019

File No. D2019.001-ZONE

Schedule 'A'



KarITO: Regional Board of Directors

FROM: Chair Karla Kozakevich

DATE: April 18, 2019

RE: Public Hearing Report - Amendment Bylaw Nos. 2603.17, 2019 and 2455.40, 2019

Purpose of Bylaws:

The proposed amendments to the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, and Zoning Bylaw No. 2455, 2008, are related to the introduction of a parks designation and zoning over the parcel at 176 Chadwell Place in the “Heritage Hills” community of Electoral Area “D”.

Public Hearing Overview:

The Public Hearing for Bylaw No. 2603.17 and 2455.40, 2019 was convened on Thursday, April 18th, 2019 at 9:01 am, at the RDOS Board Room, 101 Martin Street.

Present

Chair Karla Kozakevich
Vice Chair M. Bauer
Director Spencer Coyne
Director Ron Obirek
Director Subrina Monteith
Director Susan McKortoff
Director Tony Boot
Director Doug Holmes
Director Mark Pendergraft
Director John Vassilaki
Alternate Director Judy Sentes
Director Tim Roberts
Director Frank Regehr
Director Julius Bloomfield
Director Riley Gettens
Director Bob Coyne
Director Rick Knodel

Representing

RDOS, Electoral Area “E”
RDOS, Village of Keremeos
RDOS, Town of Princeton
RDOS, Electoral Area “D”
RDOS, Electoral Area “I”
RDOS, Town of Osoyoos
RDOS, District of Summerland
RDOS, District of Summerland
RDOS, Electoral Area “A”
RDOS, City of Penticton
RDOS, City of Penticton
RDOS, Electoral Area “G”
RDOS, City of Penticton
RDOS, City of Penticton
RDOS, Electoral Area “F”
RDOS, Electoral Area “H”
RDOS, Electoral Area “C”

Members of the Regional District staff present were:

- Bill Newell, Chief Administrative Officer
- Brad Dollevoet, General Manager, Development Services

-
- Christopher Garrish, Planning Manager

There were eight (8) members of the public present.

Chair Kozakevich called the Public Hearing to order at 9:01 a.m. at the Regional District of Okanagan Similkameen Board Room, 101 Martin Street, Penticton, pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Bylaw No. 2603.17 and 2455.40, 2019.

In accordance with Section 466, the time and place of the public hearing was advertised in the April 3rd and April 10th editions of the Penticton Western.

Copies of reports and correspondence received related to Bylaw No. 2603.17 and 2455.40, 2019, were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There were no written briefs submitted at the public hearing.

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

C. Garrish, Planning Manager, outlined the proposed Bylaw.

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

Johnny Aantjes, property owner, stated that he does not support the rezoning application. His main concern was that the value of the property will be much less if the zoning designation was changed to Parks. He stated that the RDOS may purchase the lot now and then change the zoning designation.

Director Obirek spoke to the yearly tax savings if the property were rezoned.

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

Chair Kozakevich asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 9:05 am.

Recorded by:

Sue Gibbons

Sue Gibbons
Recording Secretary

Confirmed:

CG

Christopher Garrish
Planning Manager

Confirmed:

Karla Kozakevich

Karla Kozakevich
Chair



DEVELOPMENT APPROVALS
PRELIMINARY BYLAW
COMMUNICATION

Your File #: D2019.001-
ZONE Park
Rezone
2603.17-
2455.40

eDAS File #: 2019-00603

Date: February 5, 2019

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

Attention: Lauri Feindell Planning Secretary

**Re: Proposed Zoning Amendment Bylaw 2455.40 for:
Lot 3, District Lot 2710, SDYD, Plan EPP61041
176 Chadwell Place and
Lot A, District Lot 337, SDYD, Plan EPP42481
605 Willow Street, OK Falls, BC**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

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

Yours truly,

Rob Bitte
District Development Technician

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





Penticton Indian Band

Natural Resources Department
841 Westhills Drive | R.R. #2, Site 80, Comp.19
Penticton, B.C. CAN
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411 Fax: 250-493-2882

**WITHOUT PREJUDICE AND NOT TO
BE CONSTRUED AS CONSULTATION**

February 5, 2019

Regional District of Okanagan Similkameen
101 Martin Street
PentictonBC V2A 5J9

RTS ID: 3648

Referral Date: February 4, 2019

Referral ID: D2019.001-ZONE

Reference ID: BL 2603.17 and 2455.40

Summary: A Bylaw to amend the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, from Low Density Residential to Parks, Recreation and Trails.

Attention: Lauri Feindell

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on February 4, 2019. This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economically from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

Limlɛmt,
Natasha Slack
Referrals Administrator

RTS ID: 3648 CC: Osoyoos Indian Band (Referrals@oib.ca), ONA (nrmanager@syilx.org)



From: [Cooper, Diana FLNR:EX](#)
To: [Planning](#)
Cc: [Lauri Feindell](#)
Subject: RE: Bylaw Referral (D2019.001-ZONE)
Date: February 4, 2019 4:29:39 PM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)

Greetings RDOS Planners,

Thank you for your referral regarding D2019.001-ZONE, involving the re-zoning of two parcels of land acquired by the RDOS so that they become park land.

605 Willow Street, Okanagan Falls, PID 029506433, LOT A DISTRICT LOT 337 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP42481, has no known archaeological sites recorded on it.

176 Chadwell Place, Heritage Hills, PID 029841381, LOT 3 DISTRICT LOT 2710 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP61041, has no known archaeological sites recorded on it.

Both properties are located in areas with high potential to contain unknown/unrecorded archaeological deposits. Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the RDOS to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision.

Prior to any land alterations (e.g., addition to home, property redevelopment, extensive landscaping, service installation), the Archaeology Branch recommends contacting an eligible consulting archaeologist to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the properties to determine whether the work may impact protected archaeological materials.

An eligible consulting archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required.

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



Please review the screenshots of the properties below (outlined in yellow). The brown colouration in the screenshots is the high potential for unknown/unrecorded archaeological deposits.

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

Kind regards,

Diana

605 Willow Street, Okanagan Falls



176 Chadwell Place, Heritage Hills



From: [Jody Cvitko](#)
To: [Planning](#)
Cc: [Debbv Sansome](#); [Subramanian Paliappa](#)
Subject: FW: Bylaw Referral (D2019.001-ZONE)
Date: February 12, 2019 3:35:48 PM
Attachments: [image001.png](#)
[image003.png](#)

Good afternoon,

The subject Bylaw does not affect School District No. 53 (Okanagan Similkameen).

Thank you.

Jody Cvitko
Executive Assistant
to the Secretary Treasurer
School District No. 53 (Okanagan Similkameen)
E. jcvitko@sd53.bc.ca
T. 250-498-3481 ext. 80111
F. 250-498-4070





OSOYOOS INDIAN BAND

1155, SEN*POK*CHIN BOULEVARD, OLIVER BC, V0H 1T8
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

February-27-19

Invoice: 5100-77-682

Referral ID: D2019.001-ZONE/2455.40 Lot 605

Reference #: R-77-001279

RTS #1596

Date: February-04-19

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

Attention: Christopher Garrish,

We are in receipt of the above referral. This proposed activity is within the Osoyoos Indian Bands Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that aboriginal Title includes the exclusive right to indigenous people to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the crown allocates resources on Aboriginal title lands without the indigenous peoples consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

The Osoyoos Indian Band has specific referral processing requirements for both government and proponents, which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management right. According to this policy, proponents are required to pay a \$500.00 processing fee for each referral. This fee must be paid within 30 days. Please make the cheque payable to the Osoyoos Indian Band re: RTS invoice: 5100-77-682. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, the Osoyoos Indian Band will notify you and all parties will negotiate a Memorandum of Agreement regarding a process for review of the proposed activity.



Regional District of Okanagan-Similkameen
February-27-19
Page 2

Please note that our participation in the referral and consultation process does not define or amend the Osoyoos Indian Band's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

limlɛmt

A handwritten signature in black ink that reads "Amanda Anderson". The signature is written in a cursive style with a large, looped initial 'A'.

Amanda Anderson
Referrals Officer
Osoyoos Indian Band
cc:



OSOYOOS INDIAN BAND

1155, SEN*POK*CHIN BOULEVARD, OLIVER BC, V0H 1T8
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

February-27-19

Referral ID: D2019.001-ZONE/2455.40 Lot 605
RTS #: 1596
Date: February-04-19
Reference#: R-77-001279

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

RE: 60 (sixty) day extension

Thank you for the above application that was received on February-08-19.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the *Tsilquot'in* case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title. Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

Please note that *not* receiving a response regarding a referral from the Osoyoos Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

We appreciate your co-operation.

lilmlømt,

Amanda Anderson
Referrals Officer
Osoyoos Indian Band
cc:





OSOYOOS INDIAN BAND

1155, SEN*POK*CHIN BOULEVARD, OLIVER BC, V0H 1T8
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

February-27-19

Referral ID: D2019.001-ZONE/2455.40 Lot 605

RTS #: 1596

Date: February-04-19

Reference#: **R-77-001279**

Regional District of Okanagan-Similkameen

101 Martin ST.

Penticton, BC V2A 5J9

RE: 60 (sixty) day extension

Thank you for the above application that was received on February-08-19.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the *Tsilquot'in* case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title. Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

Please note that *not* receiving a response regarding a referral from the Osoyoos Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

We appreciate your co-operation.

limlɛmt,

Amanda Anderson
Referrals Officer
Osoyoos Indian Band
cc:



Lauri Feindell

To: Judy Morris
Subject: RE: Bylaw Referral (D2019.001-ZONE)

From: Judy Morris <ofid@telus.net>
Sent: February 28, 2019 10:56 AM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: RE: Bylaw Referral (D2019.001-ZONE)

Hi Lauri, sorry for not getting back to you, I only had one of five Trustees reply stating he supported the bylaw.

Judy



Judy Morris
Manager
OKANAGAN FALLS IRRIGATION DISTRICT
PO Box 110 – 1109 Willow Street
Okanagan Falls, BC
VOH 1R0
Phone: 250.497.8541
Fax: 250.497.5817
Email: ofid@telus.net
www.okanaganfallsirrigationdistrict.ca



February 26, 2019

File: 58000-20/2019011

Okanagan Regional District
101 Martin Street
Penticton BC V2A 5J9

Attention: Christopher Garrish

Re: OCP and Zoning Bylaw Amendment for Electoral Area "D" OCP Bylaw No. 2603, 2013, and Zoning Bylaw No. 2455, 2008, located at 605 Willow Street, OK Falls and 176 Chadwell Place, Heritage Hills

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations & Rural Development has reviewed the above noted referral. We understand that the application is for zoning amendment of two parcels to reflect their new use for Parks and Recreation (PR) purposes.

According to our records, the proposed development area at 605 Willow Street, OK Falls contains the following known values:

- Critical Habitat for Federally-listed Species at Risk:
 - Short-rayed Aster (*Symphotrichum frondosum*)
 - American Badger (*Taxidea taxus jeffersonii*)
 - Pallid Bat (*Antrozous pallidus*)
 - Behr's Hairstreak (*Antrozous pallidus*)
 - Rattlesnake (*Crotalus oreganus*)

And the proposed development area at 176 Chadwell Place, Heritage Hills contains the following known values:

- Conservation Ranking, Okanagan
 - High
- Critical Habitat for Federally-listed Species at Risk:
 - American Badger (*Taxidea taxus jeffersonii*)
 - Pallid Bat (*Antrozous pallidus*)
 - Rattlesnake (*Crotalus oreganus*); within 2km of a known den site
 - Lewis's Woodpecker (*Melanerpes lewis*)
- Species and Ecosystems at Risk
 - Antelope-brush/ Needle-and-Thread Grass (red listed in BC)

Ministry of
Forests, Lands,
Natural Resource Operations
and Rural Development

Resource Management
Thompson Okanagan Region
102 Industrial Place
Penticton, BC V2A 7C8

Telephone: (250) 490-8200
Facsimile: (250) 490-2231

We have assessed this referral to be a known and potential risk to wildlife, fish or their habitats based on the information available. Based on critical habitat mapping, and the proximity of the first location to Skaha Lake, there exists the potential for impacts to species and ecosystems at risk, depending on the plans for development of park or recreation facilities. It is therefore recommended that prior to any development at either site, a QP conduct site-assessments using the attached QP checklist and evaluate the environmental values present. The QP will also be able to determine the potential for adverse effects to environmental values as a result of any future site alterations, and develop value-specific mitigation measures to avoid or limit adverse effects.

The results of this assessment should be submitted to the undersigned for review, and the submitted checklist must be based on the final development proposal. QPs are encouraged to contact the undersigned directly for further information if necessary. We will notify the referring agency of any outstanding recommendations for consideration in approving the application following review of the Checklist. In rare instances, a more detailed assessment (e.g., environmental impact assessment (EIA)) may be required based on our review of the completed Checklist. It is also the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Sustainability Act* and the *Wildlife Act*.

The undersigned may be reached at Dan.Denesiuk@gov.bc.ca or 250-490-8246 if you have any questions or require additional information.

Sincerely,



Dan Denesiuk, MSc, RPBio
Ecosystems Biologist
Thompson Okanagan Region
Penticton, BC

DD/cl

Attachment: Thompson Okanagan Region Qualified Professional Checklist for Environmental Values

Thompson Okanagan Region Qualified Professional Checklist for Environmental Values

Foreword

The following Qualified Professional Checklist for Environmental Values (the Checklist) is to be submitted by a Qualified Professional (QP) when requested by the approving agency. The Checklist is required to provide additional information to Thompson Okanagan Region (TOR) Ecosystems biologists who have reviewed a proposal and determined that there are known or potential environmental values present that could be impacted by the proposed activities. The Checklist provides a clear summary of the environmental values present at the proposed project location and the potential for direct and/or indirect impacts to those values. TOR Ecosystems biologists require this information to provide inclusive recommendations for a proposed project.

The submitted checklist must be based on the final development proposal. Ecosystems biologists may have discussion with the QP in order to fully understand the values present and/or potential impacts. In rare instances a more detailed environmental impact assessment (EIA) may be required based on the Ecosystems biologists' review of the completed checklist.

Environmental Values provided by TOR Ecosystems Biologists

Known (i.e., mapped) environmental values identified by Ecosystems biologists that should be considered in the completed checklist:	
Note: The completed checklist should include <u>all environmental values</u> that could occur within the proposed project footprint (See Part B #2 below)	

Checklist

Part A: General Project Information

Approving Agency				
Approving Agency File #				
Project Name				
Proponent Name and Contact	Name: E-mail: Telephone:			
Location	Zone	NAD	Easting	Northing

Location Description			
Property Description	PID Number	Legal Description (if no PID #) <input type="checkbox"/> private <input type="checkbox"/> crown	
BEC Subzone and Variant			
Size of Project Footprint (ha)			
Time to Complete Works			
Project Description Included with Application (Yes/No). If no, provide here			

Part B: Biological Assessment Information

The Qualified Professional Confirms that:	Yes, No, or N/A	Explanation
General/Background Information		
1) The proposal conforms to all Federal and Provincial legislation and regulation (e.g., <i>Migratory Birds Convention Act</i> , <i>Wildlife Act</i> , <i>Water Sustainability Act</i>)		
2) The QP has a general knowledge of local environmental values including Species and Ecosystems at Risk (SEAR) in project footprint (e.g., Develop with Care Sec. 5.7, Land and Resource Management Plans, etc.)		
3) A review of known /potential environmental values within the project footprint has occurred (See Table 1 for data sources). Provide a list of all values identified.		
4) Local "fact sheets" and Best Management Practices (BMPs) were used if applicable (See Table 2 for BMP sources)		
Biological Field Assessment		
5) A biological field assessment occurred within the project footprint. Provide dates.		

6) Inventories were conducted following provincial standards (e.g., RISC) to confirm presence/absence of environmental values identified above in #3. List any deviations. Provide list of all values inventoried for.		
7) Have any of the following been identified within or adjacent to (within 200 m) the project footprint.	Federal or Provincial SEAR (list all identified)	
	Habitat Features: (e.g., burrow, den, nest, lek, mineral lick, wildlife tree)	
	Sensitive Ecosystems (SEI Inventory)	
	Rocky Outcrops or Talus Slopes	
	Cottonwood /Aspen Stands	
	Riparian communities (List all communities identified)	
	Streams, lakes, wetlands (including ephemeral wetlands)	
8) SEAR findings have been provided to the WSI and CDC in an appropriate data submission format.		
Impact Assessment		
9) A map is provided showing all environmental values identified in #6 and #7. The map depicts the location of all proposed activities relative to the values.		
10) Pictures are provided of all environmental values found in #6 and #7.		
11) Can direct and/or indirect impacts to environmental values be avoided? Provide brief explanation.		
12) Can direct or indirect impacts to environmental values be minimized, mitigated, or restored on-site? If yes, provide suggested mitigation below		

(Part C). Use hierarchy and procedures from the Environmental Mitigation Policy (See Table 2 for source)		
--	--	--

Part C: Proposed Mitigation

Please provide the measures that in the QP’s professional opinion will contribute to the avoidance, mitigation, or restoration of direct and/or indirect impacts from the proposed activities on environmental values identified in Part B. Ecosystems biologists will determine which mitigation measures are provided to the decision maker and may provide additional measures if deemed applicable.

Part D: Risk Assessment on Final Submission

This assessment requires the professional judgment of the QP. It requires a complete understanding of the environmental values and the project scope. The risk assessment as determined by the QP will provide valuable environmental information necessary to provide inclusive recommendations to the decision maker.

The Qualified Professional Confirms that:	Yes, No, or N/A	Explanation
In the QP’s professional opinion, will the proposed mitigation maintain the integrity of the environmental value?		
Are there residual impacts after avoidance, mitigation, and restoration have been applied as in the Environmental Mitigation Policy? If yes, provide details.		

In the QP's professional opinion, is the mitigation not sufficient or likelihood of success unclear?		
--	--	--

- All information provided in this checklist is to the best of my professional knowledge true and complete.

Name of Qualified Professional: _____

Professional Association and Number: _____

Date: _____

Data Sources for SEAR and BMPs

Table 1. Data sources for Environmental Values

Environmental Values	Available Data Sources
Conservation Data Centre (CDC) Species at Risk	BC Species and Ecosystems Explorer: http://www.env.gov.bc.ca/atrisk/toolintro.html Habitat Wizard: http://www.env.gov.bc.ca/habwiz/ DataBC Catalogue: http://catalogue.data.gov.bc.ca/dataset?download_audience=Public DataBC iMapBC: http://www.data.gov.bc.ca/dbc/geographic/view_and_analyze/imapbc/index.page
Wildlife Species Inventory (WSI) Species at Risk Data	WSI Homepage: http://www.env.gov.bc.ca/wildlife/wsi/index.html Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Conservation Lands	Information Page and Maps: http://www.env.gov.bc.ca/fw/habitat/conservation-lands/ Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Kamloops, Lillooet and Okanagan Land and Resource Management Plans (LRMP)	Kamloops: https://www.for.gov.bc.ca/tasb/slrp/plan46.html Okanagan: https://www.for.gov.bc.ca/tasb/slrp/plan70.html Lillooet: https://www.for.gov.bc.ca/tasb/slrp/plan58.html Spatial Layers: DataBC Catalogue, DataBC iMapBC: See links above
Approved Ungulate Winter Ranges (UWR)	Orders and Maps: http://www.env.gov.bc.ca/wld/frpa/uwr/index.html Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Approved Wildlife Habitat Areas (WHA)	Orders and Maps: http://www.env.gov.bc.ca/wld/frpa/iwms/wha.html Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Old Growth Management Areas (OGMA)	Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Environment and Climate Change Canada: Critical Habitat in BC	http://donnees.ec.gc.ca/data/species/developplans/critical-habitat-for-species-at-risk-british-columbia/?lang=en
Fisheries and Aquatic Species Information	Fisheries Information Summary System: http://www.env.gov.bc.ca/fish/fiss/index.html Flood Plain Mapping: http://www.env.gov.bc.ca/wsd/data_searches/fpm/reports/region3.html Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Terrestrial Ecosystem Mapping (TEM)	Information Page: http://www.env.gov.bc.ca/ecology/tem/manuals.html Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above
Sensitive Ecosystems Inventory (SEI)	http://www.env.gov.bc.ca/sei/ Spatial Layers: Habitat Wizard, DataBC Catalogue, DataBC iMapBC: See links above

	links above
Other Resources for All Values:	Ecological Reports Catalogue: Ecocat http://www.env.gov.bc.ca/ecocat/ Biogeoclimatic Ecosystem Classification: https://www.for.gov.bc.ca/hre/becweb/ E-fauna: http://ibis.geog.ubc.ca/biodiversity/efauna/ E-flora: http://ibis.geog.ubc.ca/biodiversity/eflora/

Table 2. Sources of Provincial BMPs and Guidance Documents

Provincial BMPs & Guidance Documents	Source
Provincial guidelines and BMP documents.	http://www.env.gov.bc.ca/wld/BMP/bmpintro.html#first
RISC Standards	https://www.for.gov.bc.ca/hts/risc/pubs/
Develop with Care Environmental Guidelines	http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/index.html
Environmental Mitigation Policy for BC	http://www.env.gov.bc.ca/emop
Riparian Area Regulation	http://www2.gov.bc.ca/gov/content/environment/plant-s-animals-ecosystems/fish/riparian-areas-regulation
Working Around Water	http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/working-around-water
Standards & Best Practices for Instream Works	http://www.env.gov.bc.ca/wld/documents/bmp/iswstdsbpsmarch2004.pdf
Shoreline Management Guidelines for Shuswap Lake Area	http://www.fraserbasin.bc.ca/Library/TR_SLIPP/SLIPP_Shoreline_Mgmt_Guidelines_Shuswap_Mara_Lakes.pdf
Instream Works Timing Windows	http://www.env.gov.bc.ca/wld/instreamworks/regionaltimingwindows.htm

Table 3. Sources for Local Government Guidelines

Guidance Document	Source
TNRD Lakeshore Development Guidelines	https://tnrd.civicweb.net/document/17913/Lakeshore%20Development%20Guidelines.pdf
Shuswap Watershed Mapping	http://www.csr.bc.ca/services/development-planning/maps

Table 4. DFO and other Federal Resources

Guidance Description	Source
Fisheries & Oceans Canada - projects near water	http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html
Environment and Climate Change Canada: Critical Habitat in BC	http://donnees.ec.gc.ca/data/species/developplans/critical-habitat-for-species-at-risk-british-columbia/?lang=en

Water Survey Canada - hydrometric data	http://www.ec.gc.ca/rhc-wsc/default.asp?lang=En
Species at Risk Public Registry	https://www.registrelep-sararegistry.gc.ca/default.asp?lang=En&n=24F7211B-1
Incidental Take of Migratory Birds	https://www.ec.gc.ca/paom-itmb/

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Greater West Bench Geotechnical Review Award

Administrative Recommendation:

THAT the Regional District award the geotechnical review for the Greater West Bench Area project to Ecora Engineering & Resource Group Ltd. in association with Clarke Geoscience Ltd. in the amount of \$55,510.00 + applicable taxes.

Purpose:

To complete a geotechnical review for the Greater West Bench Area to accurately define existing hazardous areas and determine the application of appropriate Planning land uses within the area.

Reference:

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

Background:

The Greater West Bench (GWB) area is a collection of residential neighbourhoods located north-west of Penticton and includes the communities of West Bench, Sage Mesa, Husula Highlands and Westwood properties and is located within Electoral Area "F". Development of available lands within the GWB started in the early 1950's and has proceeded to present day. During the development of GWB, geological hazards such as landslides, sinkholes and gulley erosion became more evident. Subsequent technical studies, initiated to characterize these hazards and trigger mechanisms, identified that frequency of hazard events increased substantially from pre development conditions. Water released onto the land from various sources including on-site residential septic fields, roof drains, road storm-water run-off, and irrigation were considered key factors in triggering hazard events.

There has been many geotechnical studies over the years for the area. The most recent comprehensive study of the West Bench/ Sage Mesa area was completed by the company Klohn-Leonoff Ltd (K-L) in 1992. It provided a geological characterization of the area and provided a guide to administrative decisions. In addition, a proposed matrix format was suggested in order to apply the results of the study to bylaw preparation related to future development in the study area.

Present day development pressures combined with the goals and policies in the recently adopted Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018 have generated a motivation of

[Click here to enter text.](#)

the RDOS to initiate an updated study building on the previous K-L report.

The Requests for Proposals (RFP): "Greater West Bench Geotechnical Review" was released on September 6, 2019, which closed on September 27, 2019.

Analysis:

The RFP process generated receipt of two geotechnical consultants submitting qualified proposals. A team of two RDOS staff along with a third-party geotechnical engineering consultant analyzed and scored the proposals based on the established scoring in the RFP. The analysis focused on proponent qualifications, experience and past relevant projects and references and a understanding of the requirements of the project.

The following table provides the fee breakdown for the received proposals:

Supplier	Cost
Ecora Engineering & Resource Group Ltd. With Clarke Geoscience Ltd.	\$55,510.00
Thurber Engineering LTD.	\$89,600.00

The project schedule is proposed to continue through to the end of 2019 and completion with presentation of the completed report to the Regional Board and a public open house in Spring 2020.

Alternatives:

1. Do not award the Greater West Bench Geotechnical Review project to Ecora Engineering & Resource Group Ltd. with Clarke Geoscience Ltd.

Respectfully submitted:

Stephen Juch

S. Juch, Development Engineering Supervisor

Endorsed:



B. Dollevoet, General Manager of Development Services

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Electoral Area "A" Official Community Plan (OCP) Bylaw Review — Contract Award

Administrative Recommendation:

THAT the Regional District award the Electoral Area "A" Official Community Plan (OCP) Bylaw Review contract to EcoPlan International Inc. in the amount of \$104,918.00 (plus taxes).

Purpose:

The purpose of this report is to seek direction from the Board with regard to the awarding of a consulting contract for the review of the Electoral Area "A" Official Community Plan (OCP) Bylaw.

Background:

The current Electoral Area "A" Official Community Plan (OCP) Bylaw was prepared between 2002 and 2004 and adopted by the Regional District Board at its meeting of February 3, 2005 (as Bylaw No. 2260).

In 2008, the Regional District completed a "Repeal and Re-enactment" (R&R) of all its Electoral Area OCP & Zoning Bylaws, including Electoral Area "A". As a result, the current OCP Bylaw No. 2450, 2008, was adopted by the Board but existing goals, objectives or policies were not comprehensively reviewed.

Since the adoption of the 2004 Electoral Area "A" OCP Bylaw, there have been approximately 40 (+/-) amendment bylaws adopted by the Regional District Board that have affected various aspects of the bylaw.

The review and update of the Electoral Area "A" OCP Bylaw is a strategic Board priority noted in the Regional District's 2019 Business Plan (i.e. initiation of the project by Q3 and award of contract by Q4).

On September 6, 2019, the Regional District posted a Request for Proposals (RFP) from consultant teams with proven experience in rural land use planning in support of reviewing the Electoral Area "A" OCP Bylaw. The scope of work outlined in the RFP included preparation of the following:

- . Background Report (i.e. land inventory and trend research);
- . Community engagement strategy;
- . Technical Information (i.e. infrastructure capacity and fire risk assessment); and
- . Draft Bylaw (i.e. mapping and documentation, and aligning the RGS with OCP policies).

The proposed schedule for completing the OCP Bylaw Review contained within the RFP has adoption tentatively scheduled for March of 2021 (i.e. 16 months after awarding of contract), and is as follows:

Task	Completion Date
Award to Consultant	November, 2019
Start-up meetings with RDOS staff	December, 2019
Background Report, Land Inventory, and Research	January 30, 2020
Community Engagement strategy finalized	December 31, 2019
Initial Community Engagement process, training and workshop materials completed	January 30, 2020
Technical Reports completed	February 28, 2020
Draft OCP, including ongoing community dialogue	July 30, 2020
Public consultation	December 2020
Finalize draft OCP Bylaw	March 2021

In comparison, the Electoral Area "I" OCP Bylaw Review was completed within 27 months and the Electoral Area "F" OCP Bylaw Review was completed within 21 months.

In response to the RFP, two (2) submissions were received by the October 3, 2019, deadline, these being from Urban Systems and EcoPlan International Inc.

In accordance with the terms of the RFP, an evaluation team of three (3) internal staff reviewed and ranked each proposal independently and then met to discuss results:

Proponent	Price	Score
Urban Systems	\$108,400.00 + gst	83.18
EcoPlan International Inc.	\$104,918.00 + gst	91.40

In accordance with the Regional District's "Purchasing and Sales Policy", the Board shall approve all purchases over \$50,000.00.

Analysis:

The successful proponent, EcoPlan International Inc., showed comparatively greater strengths in the categories of relevant experience, community engagement strategies and partners with a full team of subcontractors experienced in infrastructure, mapping and fire risk. Overall, the evaluation team believes that the EcoPlan International Inc. team provides the best value and experience for the project. There are adequate consulting funds available to cover this project.

Alternative:

THAT the Board not award the contract to EcoPlan International Inc.

Respectfully submitted:

Endorsed by:



C. Garrish, Planning Manager



B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 – RFP Evaluation Form

Attachment No. 1 – RFP Evaluation Form

		Assigned Points	Points
Proponent (15-30 points)	Qualifications of firm and project team members	5	
	Experience of firm and project team members	10	
	Past Performance / References	5	
	Resources	5	
	Local Knowledge	10	
Proposal (30-50 points)	Scope	5	
	Methodology	10	
	Environmental Performance	5	
	Scheduling	10	
	Project Team - Level of Effort	10	
	Clarity of Proposal	10	
Price (20-50 points)	Points for Price = (lowest cost Proposal divided by Proposal being evaluated) x (20% weight)	20	
Total Score	Proponent + Proposal + Price Scores	100	

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 3, 2019
RE: Early Termination of Land Use Contract No. LU-9-D – Electoral Area “I”

Administrative Recommendation:

THAT the holding of a public hearing for Amendment Bylaw Nos. 2683.03, 2457.28 and 2457.29, 2019, be scheduled for the Regional District Board meeting of November 21, 2019;

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

Purpose:

Amendment Bylaw Nos. 2683.03, 2457.28 and 2457.29, 2019, are related to the “Voluntary Discharge” & “Early Termination” of part of Land Use Contract No. LU-9-D (being Bylaw No. 206) that applies to the properties that comprise the western part of the former “Twin Lakes Resort”.

Background:

At its meeting of October 7, 2019, the Board resolved to approve first and second reading of Amendment Bylaw 2603.02, 2457.28 and 2457.29, 2019, and further directed that a public hearing be scheduled for the Board meeting of November 7, 2019.

The Board meeting of November 7, 2019, however, is to be the “Inaugural” meeting for the coming year and consideration planning applications and public hearings are not being scheduled for this date.

Analysis:

The recommendation to schedule the public hearing for Amendment Bylaw Nos. 2603.02, 2457.28 and 2457.29, 2019, on November 7, 2019, was an administrative oversight. As this amendment bylaw is being initiated by the Regional District, re-scheduling the public hearing to November 21, 2019, will not result in delays to a development proposal.

Alternative:

THAT the Board not reschedule the public hearing for Amendment Bylaw Nos. 2603.02, 2457.28 and 2457.29, 2019.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read "C. Garrish", is written over a horizontal line.

C. Garrish, Planning Manager

Endorsed by:

A handwritten signature in blue ink, appearing to read "B. Dollevoet", is written over a horizontal line.

B. Dollevoet, G.M. of Development Services

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Hillside & Steep Slope Development Permit Area Update – Electoral Area “D”

Administrative Recommendation:

THAT the holding of a public hearing for Amendment Bylaw No. 2603.02, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw be scheduled for the Regional District Board meeting of November 21, 2019;

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

Purpose:

Amendment Bylaw No. 2603.02 proposes to amend the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, in order to update the Hillside Development Permit (HDP) Area designation so that it is only applied to subdivisions and not building permits and so that the supporting guidelines reflect this proposed focus on subdivisions.

Background:

At its meeting of October 7, 2019, the Board resolved to approve first and second reading of Amendment Bylaw No. 2603.02, 2019, and further directed that a public hearing be scheduled for the Board meeting of November 7, 2019.

The Board meeting of November 7, 2019, however, is to be the “Inaugural” meeting for the coming year and consideration of planning applications and public hearings are not being scheduled for this date.

Analysis:

The recommendation to schedule the public hearing for Amendment Bylaw No. 2603.02, 2019, on November 7, 2019, was an administrative oversight. As this amendment bylaw is being initiated by the Regional District, re-scheduling the public hearing to November 21, 2019, will not result in delays to a development proposal.

Alternative:

THAT the Board not reschedule the public hearing for Amendment Bylaw No. 2603.02, 2019.

Respectfully submitted:

Endorsed By:

A blue ink signature of C. Garrish, Planning Manager, written over a horizontal line.

C. Garrish, Planning Manager

A blue ink signature of B. Dollevoet, G.M. of Development Services, written over a horizontal line.

B. Dollevoet, G.M. of Development Services

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Purchase of 80' Steel Weigh Scale for Oliver Landfill Infrastructure Upgrades Project

Administrative Recommendation:

THAT the Regional District award the supply and services contract for an 80' steel weigh scale for the Oliver Landfill Infrastructure Upgrades Project to Avery Weigh-Tronix Canada in the amount of \$66,903.00 + applicable taxes.

Purpose:

Pre-purchase of the 80' steel weigh scale necessary for the Oliver Landfill Infrastructure Upgrades project.

Reference:

AECOM Canada Ltd. Letter of Recommendation dated October 7, 2019

Background:

The existing 40' scale has required increasing repairs in recent years and service technicians are not able to effectively perform further repairs due to the age and condition of the scale. Currently, the scale weight read-outs are sometimes reporting inconsistent weights resulting in the over and under charging of customers resulting in several customer complaints. The current 40' scale has reached its functional end of life and must be replaced. A new 80' scale will need to be installed to report accurate and reliable weights and to accommodate anticipated increases in truck and trailer traffic in the future.

The weigh scale is an important component of the landfill and rather than leave the scale purchase to the General Contractor, the RDOS intends to pre-purchase the weigh scale equipment. By opting for pre-purchasing, the RDOS will avoid paying the contractor mark-up on the equipment, procure the best value option for the RDOS, reduce construction risk by providing a better defined scope for the construction tender and help keep the construction schedule by getting the fabrication started early.

Analysis:

The Request for Proposals (RFP) generated receipt of 2 manufacturers submitting proposals by the closing time. A team of 2 RDOS staff along with the consultant AECOM analyzed the

proposals. The analysis focused on proponent qualifications, experience and past service performance. The specific details on how the points were awarded for each category was included within the RFP document released.

Avery Weigh-Tronix Canada currently provides excellent products and services to other existing RDOS landfill facilities.

Construction and commissioning of the Oliver Landfill infrastructure upgrades is expected to occur by late 2019 or early 2020, weather dependent.

The following table provides the fee breakdown for the received proposals:

Supplier	Cost
Avery Weigh-Tronix Canada	\$66,903.00
Mettler Toledo Inc.	\$85,197.00

The recommendation is to pre-purchase the weigh scale equipment for the Oliver Landfill from Avery Weigh-Tronix Canada for \$66,903.00.

Funding for Project:

In the 2019 budget, the amount allocated for the new scale house and scale along with any entranceway upgrades was \$105,000 in 2019 and \$80,000 in 2020. The deterioration of the scale in 2019 has made the full replacement work a higher urgency with more being expensed in 2019 than originally anticipated.

The cost of the scale is within the estimated project budget. All of the funds are currently available in the Capital Reserve for the Oliver Landfill for the entire project.

Respectfully submitted:

Liisa Bloomfield

L. Bloomfield, Manager of Engineering

Approved:

Neil Webb

N. Webb, General Manager of Public Works

October 7 2019

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

DRAFT

Dear Laure,

AECOM Canada Ltd. (AECOM) has reviewed the bids received for the truck weigh scale supply for the Oliver Landfill Scalehouse and Scale Upgrades project. Two bids were received from Mettler Toledo and Avery Weigh Tronix. An evaluation was completed for both bids per the request for proposal specification Section 00200 – Form of Proposal. From the evaluation, Mettler Toledo received a score of 89.4 out of 100, and Avery Weigh Tronix received a score of 98.0 out of 100.

Based on the scoring criteria, an award to Avery Weigh Tronix for the truck weigh scale is recommended.

Yours sincerely,

John MacKenzie, P.Eng.
Project Engineer
AECOM Canada Ltd.
E: john.mackenzie@aecom.com

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Lease Agreement - Osoyoos Museum Society

Administrative Recommendation:

THAT the Regional District enter into a lease agreement with the Osoyoos Museum Society commencing on January 1, 2020 for an RDOS owned property at 8702 Main Street, Osoyoos (Lots 1 - 4 and 19, Block 733, DL 24505, SDYD, Plan 2450, PID 011-088-869) for a duration of twenty years.

Purpose:

Entering into a lease agreement with the Osoyoos Museum Society for the purpose of operating a museum in Osoyoos. This will enable the organization to complete works on the facility fit for a museum, providing the community with an institution of historical, educational and cultural value.

Reference:

Osoyoos Museum Society Lease Agreement

Business Plan Objective:

Goal 3.1 To Develop a Socially Sustainable Region

Background:

The prior lease agreement with the current tenant, Home Hardware Stores Ltd., expires on December 31st 2019. The Osoyoos Museum Society would like to enter in to a lease agreement for the RDOS owned property at 8702 Main Street, Osoyoos in order to operate the Osoyoos Museum as their existing facility at 19 Park Place, Osoyoos is no longer suitable for their needs.

On June 6th 2011, the Chief Election Officer declared that the Osoyoos Museum Service Establishment Bylaw No. 2553, 2011 for the purposes of operating a museum in the Town of Osoyoos, and the Osoyoos Museum Acquisition Loan Authorization Bylaw No. 2554, 2011 to acquire lands and improvements for the Osoyoos Museum did receive the assent of the electorate. The RDOS Board received the official results of the Osoyoos Museum Referendum at the July 7th 2011 meeting, and voted that Bylaw No. 2553, 2011 Osoyoos Museum Service Establishment Bylaw and Bylaw No. 2554, 2011 Osoyoos Museum Acquisition Loan Authorization be adopted.

The lands subject to the lease agreement are:

P.I.D. 011-088-869, Lot 1, BI 733, DL 2450S, SDYD, Plan 2450;
P.I.D. 011-088-877, Lot 2, BI 733, DL 2450S, SDYD, Plan 2450;
P.I.D. 011-088-885, Lot 3, BI 733, DL 2450S, SDYD, Plan 2450;
P.I.D. 011-088-893, Lot 4, BI 733, DL 2450S, SDYD, Plan 2450; and
P.I.D. 011-088-966, Lot 19, BI 733, DL 2450S, SDYD, Plan 2450.

Analysis:

The twenty year term of the lease would begin on the date of possession for the Osoyoos Museum Society commencing on January 1st 2020 and would terminate on December 31st 2039. Works and improvements are to be made on the facility in order to meet the requirements of the Osoyoos Museum with the tentative opening date of the museum being June 2020. A renewal of the lease agreement will be explored upon expiry of the term if both parties desire an extension on the agreement.

Financial:

The Osoyoos Museum Capital Reserve equaled \$460,000 on December 31st 2018. Balance of debt owed of the original principal amount borrowed equaled \$950,296.84 on December 31st 2018.

The 2019 budget contemplates another transfer to reserve of \$108,000. The 2019 budget also has \$100,000 of gas tax grant allocated to renovation expense, which will need to carry into 2020.

Bylaw 2553, 2011 establishes the Osoyoos Museum Service. Financial contributors to the service include Electoral Area "A" and the Town of Osoyoos.

Alternatives:

THAT the Board does not endorse entering into the lease agreement with the Osoyoos Museum Society commencing on January 1, 2020 for a RDOS owned property at 8702 Main Street, Osoyoos for a duration of twenty years.

Respectfully submitted:

Mark Woods

M. Woods, Community Services General Manager

L E A S E

THIS LEASE dated for reference the 1st day of January, 2020

BETWEEN: **REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**
101 Martin Street
Penticton, BC, V2A 5J9
(the “**Landlord**”)

OF THE FIRST PART

AND: **OSOYOOS MUSEUM SOCIETY** (Inc. No. S-0013729)
a British Columbia Society having its registered office
address at 19 Park Place, P.O. Box 791, Osoyoos, BC
V0H 1V0
(the “**Tenant**”)

OF THE SECOND PART

WITNESSES that in consideration of the mutual covenants, conditions and agreements herein contained, the Landlord and the Tenant covenant and agree as follows:

1. DEFINITIONS

1.1 Definitions

In this lease, unless there is something in the context inconsistent therewith, the Landlord and the Tenant agree that:

- (a) “**Commencement Date**” means the 1st day of January, 2020;
- (b) “**Environmental Laws**” means all applicable federal, provincial, municipal or local laws, statutes or ordinances, as they may be amended from time to time after the Commencement Date of the Term including, without limitation, all relevant federal, provincial laws and other applicable laws relating to the health, environment, occupational safety, transportation or regulation of Hazardous Substances;
- (c) “**Governmental Requirement**” means any Environmental Laws, regulations, orders or notices.
- (d) “**Hazardous Substance**” includes, but is not limited to, any waste, contaminants, pollutants, dangerous substances, industrial waste, special waste, toxic substances, waste from any human activity, hazardous waste, hazardous material or hazardous substance whether or not defined as such or pursuant to any law, regulation or order;
- (e) “**Lands**” means, collectively:
P.I.D. 011-088-869, Lot 1, BI 733, DL 2450S, SDYD, Plan 2450;
P.I.D. 011-088-877, Lot 2, BI 733, DL 2450S, SDYD, Plan 2450;
P.I.D. 011-088-885, Lot 3, BI 733, DL 2450S, SDYD, Plan 2450;
P.I.D. 011-088-893, Lot 4, BI 733, DL 2450S, SDYD, Plan 2450; and
P.I.D. 011-088-966, Lot 19, BI 733, DL 2450S, SDYD, Plan 2450,

including any improvements thereon;
- (f) “**Lease**” means this lease and all attached schedules;

- (g) **“Tenant”** means Osoyoos Museum Society a Society incorporated pursuant to the laws of the Province of British Columbia
- (h) **“Tenant’s Fixtures”** means any article of the Tenant affixed as an accessory to the Lands or any improvement thereof which does not form a part of any structure on the Lands; and
- (i) **“Term”** means the term of Twenty (20) years commencing on January 1, 2020 and terminating on December 31, 2039;

2. **DEMISE AND TERM**

2.1 **Demise**

The Landlord, in consideration of the rents, covenants, agreements and conditions herein to be paid, observed and performed by the Tenant, does hereby demise and lease to the Tenant the Lands for the Term.

2.2 **Term**

Subject to the terms and conditions of this Lease, the Tenant shall have and hold the Lands for the Term from and including the Commencement Date.

2.3 **Extension**

On the Nineteenth (19th) anniversary date of this Lease the Tenant may within Ninety (90) days thereafter, by notice in writing to the Landlord request the Landlord to extend the Term on such terms and conditions as the Tenant may consider appropriate provided however it shall be at the sole discretion of the Landlord as to whether or not to consider the said request.

3. **RENT, TAXES AND OTHER CHARGES**

3.1 **Basic Rent**

The Tenant shall pay as basic rent for the Term the aggregate sum of Twenty Dollars (\$20.00) payable on the Commencement Date.

3.2 **Additional Rent**

Save and except for basic rent all monies from time to time may be owing by the Tenant to the Landlord pursuant to this Lease, are hereby deemed to be additional rent. The Tenant will pay any such money to the Landlord upon demand by the Landlord unless other terms for payment are expressly stipulated in this Lease. If the Tenant fails to pay any additional rent, as and when due, the Landlord will have the same remedies for the collection thereof as it has for the recovery of basic rent in arrears. If the Tenant at any time or from time to time fails to pay to any person any sum which the Tenant is obliged to pay pursuant to this Lease, the Landlord may pay any such sum on behalf of the Tenant and same will then be a debt owing by the Tenant to the Landlord from and including the date of payment by the Landlord.

3.3 **Interest on amounts in arrears**

When basic rent or additional rent, including any interest accrued thereon, payable hereunder by the Tenant to the Landlord is in arrears, the same will bear interest at a rate equal to two percent (2%) per month from the date the said rent became due to and including the date of payment.

3.4 **Tenant’s taxes and other charges**

The Tenant will pay, as and when due, to the authority or person to which the same are owing:

- (a) all taxes (including without limitation all goods and services tax), licence fees, rates, duties and assessments imposed, assessed or levied by any lawful authority relating to:
 - (i) the business carried on in and the use and occupancy of the Lands;
 - (ii) rent payable by the Tenant for the Lands;
 - (iii) personal property and business and trade fixtures and other improvements owned or installed by or on behalf of the Tenant in, on or pertaining to the Lands, and
 - (iv) real property taxes assessed against the Lands including, without limitation, local improvement charges, frontage taxes and all other special or extraordinary chargeswhether any such taxes, licence fees, rate, duties and assessments are payable by law by the Tenant or by the Landlord; and
- (b) all charges, rates, levies and assessments imposed, assessed or levied by any lawful authority including electricity, light, heat, power, water, telephone and utilities of whatsoever nature or kind (including works and services in connection therewith) used in or supplied to the Lands.

Upon request by the Landlord, the Tenant will deliver promptly to the Landlord, for inspection, receipts for payment of all charges payable by the Tenant pursuant to this Article 3.4.

3.5 No set-off

The Tenant will pay to the Landlord duly and punctually all basic rent and additional rent required to be paid by the Tenant pursuant to this Lease without any deduction, abatement or set-off whatsoever.

3.6 Irregular periods

If, for any reason, it becomes necessary to calculate basic rent or additional rent for irregular periods an appropriate pro rata adjustment will be made on a daily basis in order to compute such rent for such irregular periods, unless otherwise expressly set out in this Lease.

3.7 Place of Payment

Basic rent and any additional rent shall be payable at the address of the Landlord first above written or such other place as the Landlord may specify from time to time.

3.8 Dispute as to costs

Notwithstanding anything herein to the contrary if the Tenant disputes the amount of any monies to be paid by the Tenant to the Landlord pursuant to this Lease, the certificate of an accountant having a nationally recognized accreditation appointed by the Landlord to determine such amount will be conclusive and binding on the Landlord and Tenant. The cost of obtaining such certificate will be for the account of the Tenant if the amount of money to be paid by the Tenant, as established in the certificate, is not more than five percent (5%) less than the amount claimed by the Landlord.

4. QUALITY AND USE OF THE LANDS

4.1 Examinations of Lands

The Tenant will examine the Lands before taking possession under this Lease. Such taking of possession will be, in the absence of agreement in writing to the contrary, conclusive evidence as against the Tenant that at the time thereof the

Lands were in good order and satisfactory condition, acceptable to the Tenant. No promise of the Landlord to alter, remodel or improve the Lands and no representation respecting the condition of the Lands have been made by the Landlord except as may be expressly stated herein.

4.2 Use

The Tenant will not use the Lands and all improvements thereon, other than for the purpose of operating a museum, without the prior written consent in writing from the Landlord, which consent may be arbitrarily withheld. The Tenant shall occupy the Lands from and after the Commencement Date. The Tenant shall conduct continuously and actively the operation of a museum on the whole of the Lands.

4.3 No nuisance or waste

At no time during the Term will the Tenant carry on or permit or suffer to be carried on the Lands anything which is obnoxious or offensive or which would constitute a public nuisance. The Tenant will not cause any waste or damage to the Lands or adjacent properties.

4.4 Signs

The Tenant will not erect, paint, display, place, affix or maintain or permit to be erected, painted, displayed, placed, affixed or maintained any sign, decoration, picture, lettering, symbol or notice of any nature or kind whatsoever (herein called "Signs") on the Lands without first obtaining the Landlord's written consent, such consent not to be unreasonably withheld. The Tenant will cause any Signs to be maintained in a proper state of repair and will indemnify and save harmless the Landlord from all personal injuries or property damage or loss to any person caused by the existence of any such Signs.

4.5 Conditions of Lands

The Tenant will not permit the Lands to become untidy or unsightly and will not permit waste or refuse to accumulate thereon.

4.6 Insurance

The Tenant shall not do, omit or permit to be done or omitted to be done anything in any part of the Lands which may cause any policy of insurance to be cancelled.

4.7 Preventing cancellation

The Landlord, by its representatives, may at any time enter upon the Lands to remove any article or remedy any condition which, in the reasonable opinion of the Landlord, would be likely to lead to cancellation of any insurance policy. Such entry by the Landlord will not be deemed to be a re-entry or a trespass.

5. ASSIGNING AND SUB-LETTING

5.1 Assigning and sub-letting by Tenant

The Tenant will not assign this lease or sub-let or part with possession of the whole or any part of the Lands for the whole or any part of the Term, without the consent of the Landlord, which consent may be arbitrarily withheld.

6. COMPLIANCE WITH LAWS, BUILDER'S LIENS

6.1 Compliance with laws

The Tenant, at its own expense, will promptly comply with all applicable requirements of government or administrative authorities which relate, directly or indirectly to the use and occupation of the Lands including, without limitation, all those relating to environmental matters.

6.2 **Notice of Non-compliance**

The Tenant will deliver promptly to the Landlord a copy of any notice, request, order, demand or claim of any person, and any documentation ancillary thereto, pertaining to any actual or alleged failure to comply with any laws relating to environmental matters or any common law obligations relating to environmental matters or any actual or alleged presence or discharge of any Hazardous Substance on, under or affecting the Lands.

6.3 **Builders' Liens**

The Tenant will not suffer or permit any lien under the *Builders' Lien Act* or like statute to be registered against title to the Tenant's interest in the Lands by reason of labour, services or materials supplied or claimed to have been supplied to the Tenant or anyone holding any interest through or under the Tenant. If any such lien is registered, the Tenant will procure registration of its discharge forthwith after the lien has come to the notice of the Tenant. The Landlord may, but will not be obliged to, discharge any such lien at any time together with all reasonable costs and expenses of the Landlord, which will be reimbursed to the Landlord by the Tenant forthwith on demand.

7. **MAINTENANCE AND ALTERATIONS**

7.1 **Repair and Maintenance**

The Tenant, at its own expense, will repair and maintain in good order and condition the Lands and all improvements, appurtenances and equipment therein and thereon (including, without limitation, repairing and maintaining all plumbing, heating, air conditioning and electrical systems, repairing and maintaining the roof, floors, foundations, holding tank(s), bearing beams and the internal and external walls including all structural aspects thereof, replacing all broken windows and maintaining the landscaping of all buildings located on the Lands excepting from such standard of repair and maintenance damage by fire and other risks against which the Landlord or the Tenant is insured, reasonable wear and tear to the extent only that such reasonable wear and tear is not inconsistent with maintenance in good order and condition of the Lands and the structures located thereon generally. In this Article 7, "repairs" will include replacement and renewals when necessary. The Tenant will be responsible for all damage or destruction to the improvements appurtenances and equipment located on the Lands resulting from the negligence of the Tenant or those for whom it is in law responsible, for complying with all requests or orders of any applicable government authority with respect to upgrading of thereof and for the investigation and remediation of any Hazardous Substance in, under or affecting the Lands.

7.2 **Inspection and Emergencies**

The Landlord, by its representatives may enter upon the Lands at all reasonable times and the Landlord shall exercise its best efforts to provide the Tenant with Twenty-four (24) hours prior notice thereof, it being understood and agreed that no notice will be required in the event there is an emergency to inspect the state of repair and maintenance thereof.

7.3 **Repair According to Notice**

The Tenant, promptly upon notice by the Landlord, will make and do all repairs and maintenance for which it is responsible in a good and workmanlike manner. If the Tenant fails to repair or maintain within what the Landlord considers to be a reasonable time, then the Landlord may cause such repairs and maintenance to be undertaken (and may cause its representatives to enter on the Lands for such purpose). Should the Landlord deem it necessary to undertake such repairs or maintenance, then the Tenant will pay to the Landlord a fee for supervision for

carrying out the Tenant's obligations an amount equal to ten percent (10%) of the cost of repairs or maintenance carried out by the Landlord, which amount will be in addition to the cost of such repairs or maintenance.

7.4 Construction

For initial major construction to commence on or after January 1, 2020 on the Lands, the Tenant will undertake the said work only in accordance with approved plans and specifications as presented to the Landlord, after which all work may commence in a good and workmanlike manner and will proceed diligently to completion. The Tenant will pay for all expenses incurred for labour performed upon, and materials incorporated into the Lands for which it is responsible as same fall due.

7.5 Alterations

After completion of initial major construction as referred to in Article 7.4 herein, the Tenant will be responsible to ensure that any installations, alterations, additions and partitions are undertaken in accordance with any statutory requirements required by governments or governmental agencies having jurisdiction therefor.

7.6 Construction and Alteration

The Tenant will construct any such installations, alterations, additions and partitions only in accordance with the approved plans and specifications and in a good and workmanlike manner and will proceed diligently to completion. All such construction will be done only by contractors, sub-contractors and trades people approved in writing by the Landlord, such approval not to be unreasonably withheld, and will be done in accordance with requirements which the Landlord may reasonably impose (including contractor's public liability insurance in reasonable amounts). The Tenant will pay for all expenses incurred for labour performed upon, and materials incorporated into, the Lands for which it is responsible as same fall due.

7.7 Repair and Maintenance by Landlord

The Landlord shall not be obliged to furnish any services or facilities or to make repairs, replacements or alterations in or to the Lands, the Tenant hereby assuming the full and sole responsibility for the condition, operation, repair, replacement and maintenance of the Lands.

7.8 Damage to the Lands by Tenant

The Tenant shall reimburse the Landlord for costs incurred by the Landlord in making good any damage caused to the Lands or any improvements thereon, including the furnishings and amenities thereof, as a result of the negligence or willful act of the Tenant, its invitees, licencees, agents, servants or other persons from time to time in or about the Lands.

7.9 Notice of Accidents and Defects

The Tenant shall give to the Landlord prompt written notice of any damage to or defect in the heating, ventilating or air conditioning system, water pipes, gas pipes, telephone lines, electrical lighting and wiring and other mechanical, electrical and utility systems and apparatus on the Lands.

8. SURRENDER OF LANDS AND REMOVAL OF FIXTURES

8.1 Surrender of Lands

Upon the expiration or earlier termination of this Lease and the Term and any period of permitted overholding, the Tenant will surrender to the Landlord possession of the Lands and fixtures and improvements therein (subject to this Article 8), all of which will become the property of the Landlord without any claim

by or compensation to the Tenant, all in good order, condition and repair in accordance with the Tenant's obligation to repair and maintain, and free and clear of all encumbrances and all claims of the Tenant or of any person claiming by or through or under the Tenant and all the rights of the Tenant under this Lease will terminate save as herein expressly set out.

8.2 **Removal of fixtures**

The Tenant will not remove unless so requested by the Landlord at the expiration of the Term any Tenant's Fixtures from the Lands. If the Landlord requests the Tenant to remove from the Lands Tenant's Fixtures and if the Tenant damages the Lands during such removal the Tenant will make good such damage at its expense. In no event will the Tenant remove from the Lands any fixtures of the Landlord nor any partitions, floor coverings, draperies, local wiring, including floor ducts, telephone conduits or plumbing, heating, air conditioning, electrical or ventilating plant or equipment or other building services.

9. **LIABILITY AND INDEMNIFICATION**

9.1 **Non-Liability of Landlord**

The Landlord will not be liable or responsible in any way for any personal injury that may be sustained by the Tenant or any invitee or licensee of the Tenant, or of any other person who may be upon the Lands or for any loss of or damage or injury to, property belonging to or in the possession of the Tenant or any invitee or licensee of the Tenant or any other person, unless caused by gross negligence of the Landlord or those for whom it is in law responsible.

9.2 **Indemnification**

The Tenant will indemnify and save harmless the Landlord its elected and appointed officials and employees from and against any and all liabilities, damages, costs, expenses, causes of actions, actions, claims, suits and judgments which the Landlord may incur or suffer or be put to by reason of or in connection with or arising from:

- (a) any breach, violation or non-performance by the Tenant of any obligation contained in this Lease to be observed or performed by the Tenant;
- (b) any damage to the property by the Tenant, or any person claiming through or under the Tenant, or damage to any other property howsoever occasioned by the condition, use, occupation, repair or maintenance of the Lands, unless caused by the gross negligence of the Landlord or those for whom it is in law responsible;
- (c) any injury to any person, including death resulting at any time therefrom, occurring in or about the Lands unless caused by the gross negligence of the Landlord or those for whom it is in law responsible;
- (d) any wrongful act or neglect of the Tenant, its invitees and licensees, in and about the Lands; or
- (e) any request or order made by any government authority requiring investigation or remediation of any Hazardous Substance on, under or affecting the Lands unless caused by the gross negligence of the Landlord or those for whom it is in law responsible.

Such indemnification will survive any termination or expiration of this Lease.

9.3 **No Liability for Indirect Damages**

Under no circumstances shall the Landlord be liable for indirect or consequential damages or damages for personal discomfort or illness by reason of the non-

performance or partial performance of any covenants of the Landlord contained in this Lease.

10. **INSURANCE**

10.1 **Tenant's Insurance**

The Tenant, at its cost, will obtain and keep in force throughout the Term:

- (a) fire insurance of all improvements located on the Lands with extended coverage endorsement and water damage insurance (including, if applicable, sprinkler leakage) as well as all the Tenant's property in the Lands, including, without limitation, its improvements, furniture, equipment, fittings, fixtures and stock-in-trade, in an amount adequate to cover fully any loss that the Tenant could sustain;
- (b) comprehensive general liability insurance (including, without limitation, tenant's fire, legal liability and contractual liability to cover the responsibilities assumed under Article 9.2 hereof) against claims for personal injury, death or property damage occurring upon or in or about the Lands, in an amount of not less than Three Million Dollars (\$3,000,000.00) or such greater amount as the Landlord may reasonably require from time to time;
- (c) tenant's legal liability insurance in such amount as would a prudent tenant; and
- (d) such other insurance as the Landlord might reasonably require.

10.2 **Policies**

All insurance required to be maintained by the Tenant hereunder shall be on terms and with insurers to which the Landlord has no reasonable objection. The Tenant shall furnish to the Landlord certificates or other evidence acceptable to the Landlord as to the insurance from time to time required to be effective by the Tenant and its renewal or continuation in force, either by means of a certified copy of the policy or policies of insurance with all amendments and endorsements or a certificate from the Tenant's insurer which, in the case of comprehensive general liability insurance, shall provide such information as the Landlord reasonably requires. If the Tenant fails to take out, renew and keep in force such insurance the Landlord may do so as the agent of the Tenant and the Tenant shall repay to the Landlord any amounts paid by the Landlord as premiums forthwith upon demand.

10.3 **Terms of Insurance**

The Tenant will cause each of the policies for the insurance referred to in Article 10.1 which specifically relates to the Lands to contain an undertaking by the insurer(s) to notify the Landlord at least thirty (30) days prior to cancellation or any other change material to the Landlord's interests. The liability policy will include the Landlord as an additional named insured with a cross-liability clause and shall protect the Landlord in respect of claims by the Tenant as if the Landlord were separately insured. The Tenant will cause any insurance policy obtained by it pursuant to this Lease to contain a waiver of subrogation clause in favour of the Landlord.

In regards to the insurance required pursuant to paragraph 10.1(a) herein as it relates to the Lands such insurance shall provide that any proceeds recoverable in the event of loss shall be payable to the Landlord, provided however the Landlord agrees to make available such proceeds towards the repair or replacement of the insured property if this Lease is not terminated under any other provision hereof.

If any of the policies to be obtained by the Tenant pursuant to its obligations herein contain any co-insurance clauses, the Tenant shall maintain at all times a sufficient amount of insurance to meet the requirements of such co-insurance clause so as to prevent the Landlord or the Tenant from becoming a co-insurer under the terms of such policy or policies and to permit full recovery from the insurance in the event of loss.

The Tenant agrees that for any insurance policies which the Landlord is not named as an additional insured that any proceeds received by the Tenant in the event of loss shall be payable to the Landlord, provided however the Landlord agrees to make available such proceeds towards the repair or replacement of the insured property if this Lease is not terminated under any other provision hereof.

10.4 Release of Landlord from Liability for Insured Loss or Damage

The Tenant hereby releases the Landlord, its elected and appointed officials and employees from any and all liability for loss or damage caused by any of the perils against which the Tenant shall have insured or pursuant to the terms of this Lease is obligated to insure as provided herein.

10.5 Workers' Compensation Coverage

At all times during the Term, the Tenant shall at its own expense procure and carry, or cause to be procured and carried and paid for, full workers' compensation coverage in respect of all workmen, employees, servants, and others engaged in or upon any work, non-payment of which would create a lien on the Lands.

11. DAMAGE OR DESTRUCTION

11.1 Damage to Lands

Without qualification for the amount of insurance proceeds the Tenant covenants and agrees with the Landlord that in the event of damage to or partial destruction of any improvements on the Lands the Tenant, subject to the regulations and requirements of any governmental authority having jurisdiction, shall repair, replace or restore any part of the improvements thereon so destroyed.

11.2 Reconstruct

Without qualification for the amount of insurance proceeds the Tenant covenants and agrees with the Landlord that in the event of complete or substantially complete destruction of improvements including any buildings on the Lands the Tenant, subject to the regulations and requirements of any governmental authority having jurisdiction, shall reconstruct or replace the said improvements including buildings with replacements and structures comparable to those being replaced.

11.3 Quiet Enjoyment

If the Tenant duly and punctually pays the basic and additional rent and complies with its obligations under this Lease the Tenant will be entitled to peaceably enjoy the Lands as provided herein during the Term without any interruption or disturbance from the Landlord or any person or persons claiming by, through or under the Landlord.

12. PERFORMANCE OF TENANT'S COVENANTS, DEFAULT AND BANKRUPTCY

12.1 Landlord may Perform Covenants

If the Tenant is in default of any of its obligations under this Lease then the Landlord without limiting any other remedy which it may have, will have the right to remedy any such default and for such purpose may at any time enter upon the Lands. No entry on the Lands for such purpose shall be deemed to cause a forfeiture or termination of this Lease. In order to cure such default, the Landlord

may do such things as are necessary to cure the default and such things as may be incidental thereto (including without limitation, the right to make repairs and to expend monies). The Tenant will reimburse the Landlord for the aggregate of all expenses incurred by the Landlord in remedying any such default. The Landlord will be under no obligation to remedy any default of the Tenant and will not incur any liability to the Tenant for any action or omission in the course of its remedying or attempting to remedy any such default unless such act amounts to intentional misconduct or gross negligence on the part of the Landlord.

12.2 **Rights of termination**

If and whenever:

- (a) the Lands become vacant or remain unoccupied for Thirty (30) days or more or the Tenant fails to operate a museum on the Lands for any period exceeding Thirty (30) days;
- (b) any basic rent or additional rent remains unpaid after any of the days on which the same ought to have been paid and following Thirty (30) days written notice of non-payment by the Landlord to the Tenant;
- (c) the Tenant has on more than one occasion in any calendar year of the Term not paid basic rent or additional rent on the day on which same is due;
- (d) there is a breach of any of the Tenant's obligations hereunder (other than as set out in the other clauses of this Article) which is not cured within Thirty (30) days after delivery of written notice by the Landlord to the Tenant specifying such breach provided that if any default of the Tenant can only be cured by the performance of work or the furnishing of materials and if such work cannot reasonably be completed or such materials reasonably obtained and utilized within said Thirty (30) days, then such default will not be deemed to continue if the Tenant proceeds promptly with such work as may be necessary to cure the default and continues diligently to complete such work;
- (e) the Term or any goods and chattels on the Lands are at any time seized or taken in execution or attachment;
- (f) the Tenant assigns, sub-lets or parts with possession of the Lands without the Landlord's consent as required herein; or
- (g) the Landlord discovers that the Tenant in its application for this Lease or otherwise, in the opinion of the Landlord has misrepresented or withheld any material fact to the said application;

then in any of the said cases (and notwithstanding any prior waiver of breach of covenant) the Landlord, at its option, may (and without prejudice to any other right or remedy it may then have or be entitled to) immediately or at any time thereafter and without notice or any form of legal process take possession of the Lands or any part thereof in the name of the whole and expel the Tenant and those claiming through or under it and remove its or their effects (forcibly if necessary) without being deemed guilty of any manner of trespass, any statute or law to the contrary notwithstanding.

12.3 **Bankruptcy**

If and whenever:

- (a) a receiver, guardian, trustee in bankruptcy or any other similar officer is appointed to take charge of all or any substantial part of the Tenant's property by a court of competent jurisdiction;

- (b) a petition is filed for the re-organization of the Tenant under any provision of the *Bankruptcy Act* or any law of Canada or any province thereof or of the jurisdiction in which the Tenant is incorporated relating to bankruptcy or insolvency, then in force;
- (c) the Tenant becomes insolvent;
- (d) the Tenant files a petition for such re-organization or for arrangements under any provision of the *Bankruptcy Act* or any law of Canada or any province thereof or of the jurisdiction in which the Tenant is incorporated relating to bankruptcy or insolvency then in force and providing a plan for a debtor to settle, satisfy or to extend the time for the payment of debts; or
- (e) if any application or petition or certificate or order is made or granted for the winding up or dissolution of the Tenant voluntarily or otherwise;

and where such actions are taken by third parties and the same continues for more than Thirty (30) days thereafter then in any of the said cases, and notwithstanding any prior waiver of breach of covenant, the Landlord, at its option may (and without prejudice to any other right or remedy it may have or be entitled to) with Five (5) days written notice take possession of the Lands or any part thereof and expel the Tenant and those claiming through or under it and remove its or their effects (forcibly if necessary) without being guilty of any manner of trespass, any statute or law to the contrary notwithstanding.

12.4 **Waiver with Respect to Re-entry**

The Tenant hereby waives any present or future requirement that notice of the Landlord's intention to re-enter be served or that the Landlord commence legal proceedings in order to re-enter.

12.5 **Waiver of Benefit of Legislation and Seizure**

The Tenant irrevocably waives and renounces the benefit of any present or future law taking away or diminishing the Landlord's privilege on the property of the Tenant and right of distress and agrees with the Landlord, notwithstanding any such law, that the Landlord may seize and sell all the Tenant's goods and property, whether within the Lands or not, and apply the proceeds of such sale upon basic rent and additional rent and upon the cost of the seizure and sale in the same manner as might have been done if such law had not been passed. If the Tenant vacates the Lands leaving any basic rent or additional rent unpaid, the Landlord, in addition to any remedy otherwise provided at law or in equity, may seize and sell the goods and chattels of the Tenant at any place to which the Tenant or any other person may have removed them in the same manner as if such goods and chattels had remained on the Lands. If the Landlord, being entitled to do so, levies distress against the Tenant's goods and chattels, the Landlord may use such force as the Landlord may deem necessary for the purpose and for gaining admission to the Lands without the Landlord being liable for any loss or damage caused thereby.

12.6 **Re-entry and Damages**

If and whenever the Landlord is entitled to re-enter the Lands, or does re-enter the Lands, the Landlord may either terminate this Lease by giving written notice of termination to the Tenant, or by posting notice of termination on the Lands, and in such event the Tenant will forthwith vacate and surrender the Lands, or alternatively, the Landlord may from time to time without terminating the Tenant's obligations under this Lease make alterations and repairs considered by the Landlord necessary to facilitate a subletting including changing the door locks (without this being deemed to be a termination of the Lease), and sublet the Lands or any part thereof as agent of the Tenant for such term or terms and at such rental

or rentals and upon such other terms and conditions as the Landlord in its reasonable discretion considers advisable. Upon each subletting all rent and other monies received by the Landlord from the subletting will be applied first to the payment of costs and expenses of the subletting including brokerage fees and solicitors' fees and costs of the alterations and repairs, second to the payment of indebtedness other than basic rent due hereunder from the Tenant to the Landlord and third to the payment of basic rent due and unpaid hereunder. The residue, if any, will be held by the Landlord and applied in payment of future rent as it becomes due and payable. If the rent received from the subletting during a month is less than the rent to be paid during that month by the Tenant, the Tenant will pay the deficiency to the Landlord. The deficiency will be calculated and paid monthly. No re-entry by the Landlord will be construed as an election on its part to terminate this Lease unless a written notice of that intention is given to the Tenant. Despite a subletting without termination, the Landlord may elect at any time to terminate this Lease for a previous breach. If the Landlord terminates this Lease for any breach and elects to claim damages for such breach, the Tenant will pay to the Landlord on demand therefor:

- (a) basic rent to the date of termination;
- (b) all additional charges and additional rent payable by the Tenant pursuant to the provisions hereof to the date of termination; and
- (c) such expenses as the Landlord may incur or have incurred in connection with reentering or terminating and reletting, collecting sums due or payable by the Tenant and realizing upon assets seized, including brokerage expense, legal fees and disbursements determined on a solicitor-client basis, keeping the Lands in good order and repairing and maintaining the same, and preparing the Lands for re-letting.

12.7 Remedies of Landlord are Cumulative

The remedies of the Landlord in this Lease are cumulative and are in addition to any remedies of the Landlord at law or in equity. No remedy will be deemed to be exclusive and the Landlord may from time to time have recourse to one or more of all the available remedies specified herein or at law or in equity.

12.8 Payment of Landlord Expenses

If at any time an action is brought where the Landlord is otherwise required to employ the services of a bailiff, an agent, or its solicitors because of the breach by an act or omission of any covenant herein contained on the part of the Tenant, the Tenant shall pay to the Landlord all expenses incurred by the Landlord in the enforcement of its rights and remedies hereunder, including the Landlord's administrative costs and legal fees on a solicitor and his own client basis in connection therewith.

13. IMPOSSIBILITY OF PERFORMANCE

13.1 Non-performance by Tenant

Whenever the Landlord is unable to fulfill any obligation hereunder in respect of the provision of any service, utility, work or repair by reason of being unable to obtain the materials, goods, equipment, service, utility or labour required to enable it to fulfill such obligation or by reason of any law or regulation or by reason of any other cause beyond its reasonable control, the Landlord will be entitled to extend the time for fulfillment of such obligation by a time equal to the duration of the delay or restriction. The Tenant will not be entitled to any compensation for any inconvenience, nuisance or discomfort thereby occasioned or to cancel this Lease and no such interruption will be deemed to be a disturbance of the Tenant's

enjoyment of the Lands. The Landlord, in the event of such interruption, will proceed to overcome same with all reasonable diligence.

13.2 **Extension of Time**

Whenever the Tenant is unable to fulfill any of its obligations hereunder in respect of the provision of any service, utility, work or repair by reason of being unable to obtain the materials, goods, equipment service, utility or labour required to enable it to fulfill such obligation or by reason of any law or regulation or by reason of any other cause beyond its reasonable control, the Tenant will be entitled to extend the time for fulfillment of such obligation by a time equal to the duration of the delay or restriction. The Landlord will not be entitled to any compensation for any inconvenience, nuisance or discomfort thereby occasioned or to cancel this Lease.

14. **OVERHOLDING**

14.1 If the Tenant remains in possession of the Lands after the expiration of the Term and without the execution and delivery of a new lease, the Landlord may re-enter and take possession of the Lands and remove the Tenant therefrom and the Landlord may use such force as it may deem necessary for that purpose without being liable in respect thereof or for any loss or damage occasioned thereby. While the Tenant remains in possession of the Lands after the expiration of the Term, the tenancy, in the absence of written agreement, will be from month to month only and the Tenant will be subject to all terms of this Lease, except that the tenancy will be from month to month only and a tenancy from year to year will not be created by implication of law or otherwise.

15. **MISCELLANEOUS**

15.1 **Tenant's Mortgage**

The Tenant will not grant security or a charge of any kind of the Tenant's interest in this Lease without the prior written consent of the Landlord, which consent may be arbitrarily withheld.

15.2 **Rules and Regulations**

The Landlord from time to time may establish, modify and enforce reasonable rules and regulations regarding the use and occupancy of the Lands and the Tenant shall comply therewith. All rules and regulations and modifications, whether made under this article or otherwise under this Lease, will become part of this Lease and bind the Tenant provided no rule, regulation or modification shall contradict the provisions of this Lease. In the event, in the Tenant's opinion, the aforesaid rules and regulations established or as modified by the Landlord are unreasonable the Tenant may refer the matter to arbitration as provided herein.

15.3 **Arbitration**

Any dispute between the parties hereto, whether arising during the Term of this Lease or during any renewal thereof or any time thereafter which touches upon the validity, construction, meaning, performance, or effect of this Lease or the rights and liabilities of the parties or any matter arising out of or connected with this Lease shall be referred to a single arbitrator pursuant to the provisions of the *Arbitration Act* of British Columbia or successor act then in force. The cost of any arbitration shall be borne equally by the parties.

15.4 **Waiver**

No waiver of any default will be binding unless acknowledged in writing by the Landlord.

15.5 Condoning

Any condoning, excusing or overlooking by the Landlord of any default by the Tenant will not operate as a waiver of the Landlord's rights hereunder in respect of any subsequent default.

15.6 Severability

If any provision of this Lease is found to be illegal or invalid or unenforceable at law it will be deemed to be severed from this Lease and the remaining provisions will continue to have full force and effect.

15.7 Headings and Schedules

All headings in this Lease are inserted for convenience of reference only and will not affect the construction and interpretation of this Lease and any schedules hereto shall form an integral part of this Lease.

15.8 Representations and entire agreement

The Tenant acknowledges and agrees that the Landlord has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Tenant other than those contained in this Lease that no agreement collateral hereto will be binding upon the Landlord unless made in writing and signed by the Landlord and that this Lease constitutes the entire agreement between the Landlord and Tenant.

15.9 Notices

Any notice in writing required or permitted to be given to any party hereunder will be deemed to have been well and sufficiently given if mailed by prepaid registered mail, or delivered or sent by electronic mail or facsimile to the address of the parties set forth on the first page of this Lease, or such other address as any party may from time to time direct in writing, and any such notice will be deemed to have been received, if mailed, five business days after the date of mailing and, if delivered or sent by facsimile or electronic mail, upon the date of delivery or facsimile transmission. If normal mail service is interrupted by strike, slow down, force majeure or other cause, a notice sent by mail will not be deemed to be received until actually received, and the party sending the notice will deliver such notice in order to ensure receipt thereof.

15.10 Time of essence

Time will be of the essence of this Lease.

15.11 Governing Law

This Lease will be construed and governed by the laws of British Columbia.

15.12 Interpretation

Unless the context otherwise requires, the word "Landlord" wherever it is used herein shall be construed to include and shall mean the Landlord, its successors and/or assigns, and the word "Tenant" shall be construed to include and mean the Tenant and its successors and/or assigns; and when there are two or more Tenants or two or more persons bound by the Tenant's covenants herein contained, their obligations hereunder shall be joint and several; the words "Tenant" and the personal pronoun "it" relating thereto and used therewith shall be read and construed as Tenants and "his", "her" or "its" or "their" respectively, as the number and gender of the party or parties referred to each require and the number of the verb agreeing therewith, shall be construed and agreed with the said word pronoun so substituted.

15.13 Triple Net Lease

The Tenant acknowledges and covenants that this Lease shall be a completely carefree triple net lease for the Landlord, except as shall be otherwise provided, and that the Landlord shall be not responsible during the Term or any renewal thereof for any costs, charges, expenses and outlays of any nature whatsoever, arising from or related to the Lands or in the contents thereof. Except as otherwise provided, the Tenant shall pay, in the manner more particularly described in this Lease, and all reasonable charges, and positions and costs of every nature and kind related to the Lands whether or not referred to in the Lease and whether or not of a kind now existing or contemplated by the parties.

15.14 Registration

The Landlord shall not be obliged to deliver this Lease in a form that is registerable under the *Land Title Act* of British Columbia. Tenant agrees not to apply for registration of the Lease, or any interest therein, in the Land Title Office.

15.15 Access or Services

The Tenant acknowledges that the Landlord is under no obligation to provide access or services to the Lands other than those in existence at the time of execution of this Lease or to maintain or improve existing access thereto.

16 ENVIRONMENTAL MATTERS

16.1 Hazardous Substances

Subject to the limitation that the Tenant will not have any responsibility or obligation with respect to the release of any Hazardous Substance in or on the Lands or below the surface of the Lands that may have occurred prior to the commencement of the Term, the Tenant covenants with the Landlord that if, as a consequence of any release of a Hazardous Substance in or on the Lands or below the surfaces of the Lands resulting from the construction or the operation of the Lands or any other activity carried out, on or in the vicinity of the Lands by the Tenant or its servants, agents, or contractors or any person for whom the Tenant is in law responsible, any actions required to be taken in order to comply with any Governmental Requirement applicable to the presence or removal of any Hazardous Substance on or from the Lands (including any Governmental Requirement relating to testing for or identification of Hazardous Substances), and if the Tenant has received notice in writing of such Governmental Requirement from the relevant authority or from the Landlord, then the Tenant shall at its expense take such action as required by the Governmental Requirement (of alternatively such other action as may be acceptable to the relevant authority after discussions with the Tenant).

16.2 Tenant's Failure

If the Tenant fails to take any action required to be taken by the Tenant pursuant to this Article 16, the Landlord may (but shall not be obligated to) take such action after giving Thirty (30) days written notice to the Tenant of its intention to do so, unless within such Thirty (30) day period the Tenant has taken the required action or has commenced in and is continuing diligently to carry out such action, and the Landlord shall, for that purpose, be permitted to enter the Lands with appropriate equipment. The Tenant covenants to reimburse the Landlord for all reasonable costs incurred by the Landlord in taking such required action pursuant to this Article 16 within Thirty (30) days after receiving from the Landlord an invoice and reasonable supporting details relating to such costs.

16.3 Indemnity

The Tenant covenants with the Landlord to indemnify and save harmless the Landlord, the Landlord's elected officials and employees from and against any and all liabilities, claims, damages, costs, loss, suits, or actions of any nature whatsoever (including legal fees incurred by the Landlord in any relating proceedings on a solicitor and own client basis) arising out of any release of a Hazardous Substance in the Lands or on or below the surface of the Lands as a result of the construction or operation of the Lands or any other activity carried out, on or in the Lands by the Tenant or its servants, or contractors or any person for whom the Tenant is in law responsible.

16.4 Survival of Indemnity

The obligations of the Tenant under the indemnity in this Article 16, shall with respect to liability arising for any matter during the Term and prior to the expiration or any termination of the Lease, survive the expiration or any termination of this Lease.

17. LANDLORD AND TENANT ONLY

It is understood and agreed that nothing contained in this Lease nor any acts of the parties hereto shall be deemed to create any relationship between the said parties, other than the relationship of Landlord and Tenant.

18. COUNTERPARTS

This document may be executed in any number of counterparts, each of which so executed shall be deemed an original and the counterparts together form a valid and binding document which may be sufficient evidence by any one such original counterpart.

19. INDEPENDENT LEGAL ADVICE

This Lease has been prepared by Gilchrist & Company as solicitors for the Landlord and the Tenant acknowledges before their execution of this Lease that the Tenant should obtain independent legal advice and that the Tenant has obtained independent legal advice with regard to this Lease or the Tenant, has of their own free will, declined to obtain such advice, as the case may be.

20. TELECOPY / ELECTRONIC MAIL

This Lease may be executed by the parties and transmitted by telecopy or electronic mail and if so executed and transmitted, this Lease will be for all purposes as effective as if the parties hereto had delivered an executed original of this Lease.

21. BINDING NATURE

Enuring Effect

This Lease and everything herein contained will enure to the benefit of and be binding upon the parties hereto and each of their respective heirs, executors, administrators, successors and permitted assigns as the case may be.

IN WITNESS WHEREOF the parties hereto have executed this Lease as of the day and year first above written.

**REGIONAL DISTRICT OF
OKANANGAN-SIMILKAMEEN**
by its authorized signatories:

OSOYOOS MUSEUM SOCIETY
by its authorized signatory(ies):

FILE 52006(205) / (37)

L:\W5\RDOS\LEASE\Osoyoos Museum 2015\Draft 3 June 5 2019 Clean.docx/hn

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: BL2875 Erris Volunteer Fire Department

Administrative Recommendation:

THAT Bylaw No.2875, 2019, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw authorizing the expenditure of \$36,146 to the Erris Volunteer Fire Department for the installation of a certified Exhaust Extraction system to be read a first, second and third time and be adopted.

Reference:

Bylaw 2653, 2014 - Regional District Okanagan Similkameen Electoral Area “H” Community Facilities Capital Reserve Fund Establishment Bylaw.

Bylaw 2875, 2019 – Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw

Background:

In 2009, The Board approved the formation of the Vermillion Forks Community Forest Corporation (VFCFC) for the purpose of acquiring and managing a Community Forest Agreement. The Upper Similkameen Indian Band, the Town of Princeton and the Regional District are 1/3 shareholders in the Corporation. The Electoral Area “H” Director and the CAO were appointed as the Regional District’s Board Members on the Corporation.

In 2014, the RDOS Board created the Electoral Area “H” Community Facilities Capital Reserve Fund for the purpose of expenditures for or in respect of capital projects within Electoral Area “H”. Annual dividends received from the Vermillion Forks Community Forest Corporation (VFCFC) are transferred into the reserve.

Analysis:

In an effort to comply with WorkSafe BC. requirements, the Erris Volunteer Fire Department is wanting to install a certified Exhaust Extraction system to collect the carcinogenic gasses in our 5 bay fire hall. The total cost of the project is \$54,595.00+tax (including installation)

They have secured \$25,000 of funding from BC Lottery Corp's Capital Gaming Grant specifically to put towards this project.

The Erris Volunteer Fire Department has requested a \$36,146 contribution towards the installation of a certified Exhaust Extraction system.

After deducting the expenditures already committed in 2019, the balance in the Area H Community Facilities Reserve Fund is \$741,717.

Alternatives:

Status quo – Expenditure does not occur. Erris Volunteer Fire Department would need to source funds elsewhere to complete the project.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2875, 2019

A bylaw to authorize the expenditure of monies from the Electoral Area 'H' Community Facilities Reserve Fund for the Erris Volunteer Fire Department to install a certified Exhaust Extraction system.

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 'H' Community Facilities Capital Reserve Fund' has sufficient monies available for community capital projects;

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

1 Citation

1.1 This Bylaw shall be cited as the "Electoral Area 'H' Community Facilities Capital Reserve Fund Expenditure Bylaw No. 2875, 2019"

2. The expenditure of \$36,146 from the Electoral Area 'H' Community Facilities Reserve Fund is hereby authorized for the installation of a certified Exhaust Extraction system at the Erris fire hall.

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

ADOPTED this ___ day of ___, 2019

RDOS Board Chair

Corporate Officer



VERMILLION FORKS COMMUNITY FOREST CORPORATION (VFCFC) GRANT APPLICATION FORM – AREA 'H' ONLY

****PLEASE READ THE ELECTORAL AREA COMMUNITY GRANTS GUIDELINES PRIOR TO SUBMITTING APPLICATION****

NAME OF ORGANIZATION Erris Volunteer Fire Dept.		AMOUNT REQUESTED \$36,146.00
MAILING ADDRESS 2254 Princeton-summerland Rd. Princeton B.C.		
POSTAL CODE V0X 1W0	CONTACT PERSON (NAME AND TITLE) Dave Stringfellow (Fire Chief)	
TELEPHONE NUMBER 250-295-3603	EMAIL ADDRESS firechief@evfa.ca	

INFORMATION REGARDING THE APPLICANT ORGANIZATION:

IS YOUR ORGANIZATION A REGISTERED NOT FOR PROFIT SOCIETY IN BC? YES NO

IF "YES" PROVIDE REGISTERED SOCIETY NUMBER S-55877

IF "NO" PROVIDE PROOF OF BANK ACCOUNT IN ORGANIZATION'S NAME (as an attachment to application)

HAS YOUR ORGANIZATION RECEIVED FUNDING FROM VFCFC BEFORE? YES NO

IF "YES"; WHEN 2016 AND AMOUNT RECEIVED: \$33,500

DETAILS OF GRANT REQUEST

Please provide the following information in a brief narrative in the **following order**. (maximum 2 pages)

1. Project/Program Abstract

Brief summary of the proposed project/program including:

Total estimated costs;

The amount requested from the VFCFC and how the funds will be used;

Other principal sources of support. Note – preference will be given to projects able to demonstrate funding support from other sources;

2. Project/Program Description

Specify how the project impacts the residents/communities in Electoral Area 'H'

Specify project/program outcomes that you plan to achieve.

Who and how many will be served and why are you serving them? Why would they use your particular services? What geographic area does this project/program target?

How will you reach the population you plan to serve?

What strategies will be used to achieve the proposed outcomes?
 How will you know if you have achieved the outcomes proposed?

3. Funding Considerations

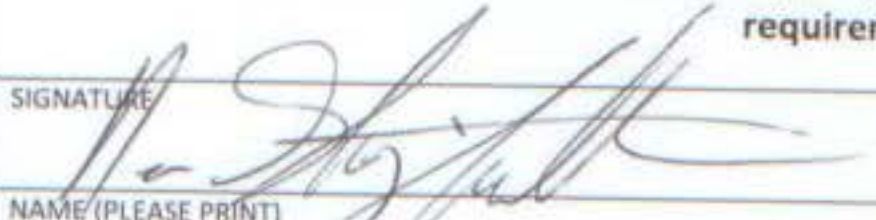
Describe plans for obtaining other funding needed to carry out the project/program, including amounts requested of other funders and any volunteer labour and/or in-kind donations.
 If the project/program is expected to continue beyond the grant period describe plans for ensuring continued funding after the grant period.

CHECKLIST - DOCUMENTS TO SUBMIT WITH YOUR APPLICATION

- Copy of Project Budget – A detailed budget (see attached template) including costs, revenues and fees charged. Where possible please provide copies of cost estimates obtained
- Details of your Organization's structure (include Directors names and Phone numbers)
- For Community Organizations without a Registered Society number, proof of bank account in Organizations name
- Copy of Organization minutes indicating Committee/Board approval of proposed project

Please ensure you have answered all sections of this form and provided all the requested documents.

Please note a 10% holdback of funding may be applied. Holdbacks will be released when final reporting requirements are met

SIGNATURE 	DATE 08/30/2019
NAME (PLEASE PRINT) Dave Stringfellow	TITLE Fire Chief

SUBMIT TO:

Regional District of Okanagan Similkameen
 101 Martin Street
 Penticton, BC V2A 5J9
 Email: info@rdos.bc.ca
 Attention: Finance Manager

FOR OFFICE USE ONLY

AMOUNT OF GRANT REQUESTED	\$
AMOUNT OF GRANT APPROVED (enter 0 if grant is denied)	\$
ELECTORAL AREA "H" DIRECTOR SIGNATURE	

VERMILLION FORKS COMMUNITY FOREST CORPORATION GRANT BUDGET TEMPLATE

Organization Name:

Erris Volunteer Fire Association

For period

From Sept 2019 to DEC 2019.

REVENUE

Grants (provide Names of grantors)

from Government

\$25,000 (Capital Gaming Grant)

from Foundations

from Corporations

\$36,146 (VFCFC)

Earned Income (ie interest)

Individual contributions.

Fundraising events and product sales.

Membership income

Additional revenue (please specify)

TOTAL INCOME

\$61,146

EXPENSES

Salaries and wages

Consultant and professional fees (e.g. accounting, legal, etc.)

Travel

Equipment

\$61,146 (see attached quotes)

Supplies

Advertising and printing

Rent

Utilities (ie electric, gas, telephone, cable)

Other expenses (please specify)

TOTAL EXPENSES

\$61,146

IN KIND SUPPORT (PLEASE PROVIDE DETAILS)

\$93,760.00 (2018 see attached)

\$70,880.00 (2019 see attached)

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Community Emergency Preparedness Fund (CEPF) Application on behalf of RDOS Volunteer Fire Departments

Administrative Recommendation:

THAT the Regional District hereby resolve to support the proposed activities as outlined in the application submitted to UBCM under the Community Emergency Preparedness Fund.

THAT the Regional District hereby resolve to provide overall grant oversight and management of the activities proposed in the application.

AND THAT the Regional District submit one application under the Community Emergency Preparedness Fund covering each of the Okanagan Falls, Kaleden, Willowbrook, Keremeos, Anarchist and Tulameen Fire Departments for a total grant request of \$143,751.00.

Purpose:

The CEPF program has three parts:

Part 1 – Support the purchase and establishment of specific props and equipment used in Structural Firefighter training

Part 2. – Support the purchase of Wildland Firefighting equipment

Part 3 – Enable RDOS Volunteer Fire Departments to expand training to members for Wildland Fires and target support for our mutual aid partners

Business Plan Objective:

Objective 1.1.2 - By being an effective local government

Background:

The Community Emergency Preparedness Fund (CEPF) is a suite of funding streams intended to enhance the resiliency of local governments, First Nations and communities in responding to emergencies. Funding is provided by the Province of BC and is administered by UBCM.

The intent of this funding stream is to build the resiliency of volunteer and composite fire departments through the purchase of new or replacement equipment, and to facilitate the delivery of training and exercises.

Eligible applicants are all local governments (municipalities and regional districts), First Nations (bands and Treaty First Nations), legally incorporated society-run fire departments that are in good standing, and improvement districts in BC.

Analysis:

Grants up to \$25,000 per each volunteer fire department are available. Only one application will be accepted from each regional district and it must include a Board resolution of support to be considered. The application deadline is November 15, 2019

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

**Community Emergency Preparedness Fund
Volunteer & Composite Fire Departments
Equipment & Training
2019 Application Form (Updated October 2019)**

Please complete and return the application form by **November 15, 2019**. All questions are required to be answered by typing directly in this form. If you have any questions, contact cepf@ubcm.ca or (250) 387-4470.

SECTION 1: Applicant Information	AP <i>(for administrative use only)</i>
Name of Primary Applicant: Regional District of Okanagan-Similkameen	Date of Application: October 10, 2019
Contact Person*: John Kurvink	Position: Manager of Finance/CFO
Phone: 250-490-4230	E-mail: jkurvink@rdos.bc.ca

* Contact person must be an authorized representative of the applicant.

SECTION 2: For <u>Regional Projects Only</u>
<p>1. Identification of Partnering Applicants. For all regional projects, please list all of the partnering applicants included in this application. Refer to Sections 2 and 3 in the Program & Application Guide for eligibility.</p> <ul style="list-style-type: none"> A - Okanagan Falls Volunteer Fire Department B - Tulameen & District Fire Department C - Willbrook Volunteer Fire Department D - Keremeos Volunteer Fire Department E - Kaleden Volunteer Fire Department F - Anarchist Mountain Volunteer Fire Department
<p>2. Rationale for Regional Projects. Please provide a rationale for submitting a regional application and describe how this approach will support cost-efficiencies in the total grant request.</p> <p>There are applications for funding from 6 of our Fire Departments within the Regional District of Okanagan-Similkameen (RDOS) . By submitting a regional application, the RDOS will be able negotiate for better procurement of equipment as there are 6 fire departments that are applying for funding. In addition, as the RDOS will be managing the grant funding, this will ensure proper fiscal management and accurate accounting</p>

record retention. This will reduce the administration costs at the fire departments level further reducing the impact on their budget.

SECTION 3: Project Summary

3. Name of the Project:

- A - Okanagan Falls Volunteer Fire Department - Initial Attack Rapid Reponse
- B - Tulameen & District Fire Department - Personal Protective Equipment Project
- C - Willowbrook Volunteer Fire Department - Fire Hoses and Turnout Gear
- D - Keremeos & District Volunteer Fire Department - Forestry/Wildland Firefighting Equipment
- E - Kaleden Volunteer Fire Department - Department Training Props/Equipment and Training
- F Anarchist Mountain Fire Department Equipment and Cancer Reduction Strategy

4. Project Cost & Grant Request:

Total Project Cost: Total Grant Request:

Updated September 2019 - Have you applied for, or received funding for, this project from other sources? If yes, please indicate the source and the amount of funding received or applied for.

PLEASE SEE ATTACHED APPENDIX 1

5. Project Summary. Provide a summary of your project in 150 words or less.

PLEASE SEE ATTACHED APPENDIX 2.

SECTION 4: Detailed Project Information

6. Requirement to be Volunteer or Composite Fire Department. Please list the name and location of each eligible fire department that is included in this application and describe the composition (volunteer or composite) of each.

- A - Okanagan Falls Volunteer Fire Department (Volunteer) Okanagan Falls, BC
- B - Tulameen & District Fire Department (Volunteer) Tulameen, BC
- C - Willowbrook Volunteer Fire Department (Volunteer) Oliver, BC
- D - Keremeos & District Volunteer Fire Department (Volunteer) Keremeos, BC
- E - Kaleden Volunteer Fire Department (Volunteer) - Kaleden, BC

F - Anarchist Mountain Volunteer Fire Department (Volunteer) - Osoyoos, BC

7. Operating Budget(s).

- a. Please indicate the annual operating budgets of each fire department included in this application.

A - Okanagan Falls - \$400,368

B - Tulameen - \$312,308

C - Willowbrook - \$677,235

D - Keremeos - \$1,118,568

E - Kaleden - \$392,027

F - Anarchist Mountain - \$201,092

- b. Describe the extent to which that budget enables each fire department to purchase essential equipment and/or provide training.

A - Okanagan Falls - Please see attached Appendix 3. The grant funds would enable this Fire Department to purchase equipment that it would otherwise be unable to afford.

B - Tulameen - Please see attached Appendix 3. The grant funds would enable this Fire Department to purchase needed Turnout Gear that it would otherwise be unable to afford.

C - Willowbrook - Please see attached Appendix 3. The grant funds would enable this Fire Department to purchase equipment and Turnout Gear that it would otherwise be unable to afford.

D - Keremeos - Please see attached Appendix 3. The grant funds would enable this Fire Department to purchase Wildland Fire Equipment that it would otherwise be unable to afford.

E - Kaleden - Please see attached Appendix 3. The grant funds would enable this Fire Department to purchase equipment, develop training grounds and purchase Wildland Fire Equipment and Wildland Fire training that it would otherwise be unable to afford.

F - Anarchist Mountain - Please see attached Appendix 3. The grant funds would enable this Fire Department to purchase equipment that it would otherwise be unable to afford.

- 8. Proposed Activities.** What specific activities will be undertaken as part of the proposed project? Refer to Sections 3 and 4 of the Program & Application Guide for eligibility. *Note: training is for fire department members only and not community members. All proposed training activities must include the name of course and the instructor and/or agency who will provide the training.*

A - Okanagan Falls - The purchase of a Firelite Transport Deluxe Skid Unit that would be used for the initial attack at interface fires.

B - Tulameen - Purchase of new equipment to enhance the ability of our fire department to meet the needs of the community and Playbook standards. This will help to combat structure fires, wildfires and to keep the members safe in a response.

C - Willowbrook - Purchase of new hoses and replacement equipment to enhance the ability of our fire department to meet the needs of the community and Playbook standards. This will help us combat structure fires, wildfires, and to keep our members safe in an incident.

D - Keremeos - Wildland Fire equipment is specifically targeted at Wildland Fire Response in areas not covered by a Hydrant water system within our Fire District as well as to support mutual aid requests within the Lower Similkameen Indian Band lands, the Regional District of Okanagan-Similkameen (RDOS) and potentially throughout the Province. Our directly adjacent Fire Departments include Penticton, Naramata, Summerland, Okanagan Falls, Willowbrook, Kaleden, Oliver, Osoyoos, Anarchist Mountain, Hedley, Tulameen and Princeton. This equipment includes portable tanks, pump, hoses, nozzles, valves as well as miscellaneous tools to properly rig out a Wildland vehicle.

E - Kaleden - Training Grounds/Structure Fire Equipment is dedicated towards achieving the Provincial Playbook standards for training as Exterior and Interior attack as well as advancing our equipment to fight structure fires. With the training ground within our community we will maintain our response capacity during such training as we are not leaving our community.

Wildland Fire Equipment is specifically targeted at Wildland Fire Response in the areas not covered by a Hydrant water system in our Fire District and to support mutual aid requests within the RDOS. Our directly adjacent Fire Departments include- Okanagan Falls, Willowbrook, Keremeos, Penticton Indian Band and Penticton city.

Wildland Fire Training is specifically targeted at improving our capacity. This is particularly important given we are located in a high risk interface zone and given the historical fire regime in the South Okanagan

F - Anarchist Mountain - Cancer reduction strategy is necessary for the ongoing health and wellbeing of our members. Proper training in decontamination procedures will go along with the ability to properly wash a firefighters gear after any exposures. Wildland Fire Equipment is specifically targeted at Wildland Fire Response in the areas not covered by a Hydrant water system in our Fire District and to support mutual aid requests within the RDOS.

9. Resiliency. Describe how the proposed project will build the resiliency of volunteer or composite fire departments in your community.

A - Okanagan Falls - The applied for funds will assist with equipment purchase and the department's ability to fight a fire in an efficient, timely manner.

B - Tulameen - This will provide the firefighters with up to date gear for use during floods, avalanches, wildfires, training, and fire department callouts.

C - Willowbrook - This equipment would allow us to be Playbook compliant and keep our members safe in the event of a structure or other fire.

D - Keremeos - With additional Wildland Fire suppression equipment we will be able to provide better protection to our vast coverage area by allowing us to deploy to multiple locations either on the same or different actioned responses.

E - Kaleden - The requested funds will directly improve our safety requirements and capacity as trained volunteers. The equipment support will allow more gear on the ground needed to fight fire.

F - Anarchist Mountain - The requested funds will directly improve our health and safety requirements and capacity as trained volunteers. Any efforts to promote firefighter health and well being will go towards developing mental resiliency. The equipment support will allow more gear on the ground needed to fight fire.

10. Mental Well-Being. Describe the extent to which proposed training will specifically address the mental wellbeing of eligible fire department staff and volunteers.

A - Okanagan Falls - This unit will eliminate the stress of trying to get a larger vehicle into certain areas, firefighters will arrive at the scene with more confidence in their abilities to fight fires.

B - Tulameen - This will improve the safety and mental wellbeing of everyone on the department.

C - Willowbrook - This equipment would allow our members to train and attend fires safely. Currently, with outdated gear and a lack of hose, some of our members have serious concerns.

D - Keremeos - The acquisition of suitable equipment for Wildland fire fighting will enable and support the confidence of our firefighters to be more effective when fighting wildland fires.

E - Kaleden - The training will directly support safe execution of our resources. All firefighters will have improved training, and more advanced training in these emergencies if funds are provided. This applies from Command Staff through to the firefighter on the ground

F - Anarchist Mountain - The addition of an improved Cancer Reduction Strategy will go towards increased firefighter health and wellbeing by providing the necessary resources to do our best at removing carcinogens from our gear after exposure.

11. Transferability. Describe the extent to which the proposed project may offer transferable resources and supplies to other communities (e.g. trained staff and/or equipment that will be made available to other communities, training resources other communities will be invited to utilize, etc.).

A - Okanagan Falls - Through the Regional District of Okanagan-Similkameen, a mutual aid agreement is in place, the Okanagan Falls Volunteer Fire Department could send this unit and a group of firefighters to assist one of the other volunteer fire departments in fighting an interface fire.

B - Tulameen - The RDOS has a mutual aid agreement in place. The Firefighters from Tulameen could be utilized to assist during mutual aid calls and emergencies.

C - Willowbrook - The RDOS has an active mutual aid agreement and with this equipment, we would be better able to assist neighbouring departments in responding to mutual aid calls.

D - Keremeos - The RDOS has an active mutual aid agreement and this increase support will allow us not only to provide more manpower and equipment outside our district but to help us protect our district when others are gone. The past 2 summers have seen Keremeos respond to requests for wildland apparatus and personnel on multiple wildfires of note outside of our protection area.

E - Kaleden - The RDOS has an active mutual aid agreement and this increase support will allow us not only to provide more manpower and equipment outside our district but help us protect our district when others are gone. In the past 18 months all our structure firefighting has been in support of our neighbouring departments.

F - Anarchist Mountain - The RDOS has an active mutual aid agreement and this increased support will allow us to not only provide more manpower and equipment outside our district but help us protect our district when others are gone.

12. Partnerships. Identify any other organizations or stakeholders you will collaborate with on the proposed project and specifically outline how you intend to work together.

A - Okanagan Falls - The Okanagan Falls Volunteer Fire Department will be available to provide assistance to other fire departments within the Regional District. These departments include: Penticton, Naramata, Summerland, Willowbrook, Kaleden, Oliver, Osoyoos, Anarchist Mountain, Hedley, Tulameen and Princeton.

B - Tulameen - The Tulameen Fire Department will be available to provide assistance to the other fire departments within the Regional District. These departments include: Penticton, Naramata, Summerland, Okanagan Falls, Willowbrook, Kaleden, Oliver, Osoyoos, Anarchist Mountain, Hedley and Princeton.

C - Willowbrook - The Willowbrook Volunteer Fire Department will be available to provide assistance to other fire departments within the Regional District. These departments include: Penticton, Naramata, Summerland, Okanagan Falls, Kaleden, Oliver, Osoyoos, Anarchist Mountain, Hedley and Princeton.

D - Keremeos - Through our mutual aid agreement between all local fire departments, this could effectively support all fire departments, First Nation's lands, and BC Wildfire Branch within our area. Our directly adjacent Fire Departments include - Penticton, Naramata, Summerland, Okanagan Falls, Willowbrook, Kaleden, Oliver, Osoyoos, Anarchist Mountain, Hedley, Tulameen and Princeton.

E - Kaleden - Through RDOS mutual aid agreement between all fire departments this could effectively support all Fire departments and BC Wildfire Branch within the RDOS. Our directly adjacent Fire Departments include- Okanagan Falls, Willowbrook, Keremeos, Penticton Indian Band and Penticton.

F - Anarchist Mountain - Through RDOS mutual aid agreement between all fire departments this could effectively support all Fire departments and BC Wildfire Branch within the RDOS.

13. Evaluation. How will the project be evaluated? How will performance measures and/or benchmarks be used to measure outcomes (e.g. tracking number of training events and exercises, external evaluators, etc.)?

A - Okanagan Falls - This unit will provide initial rapid response with a qualified group of firefighters; resulting in an expedited response time.

B - Tulameen - Reports will be submitted to the Board of Directors of the Regional District of Okanagan-Similkameen.

C - Willowbrook - We have set minimum equipment requirements per fire fighter and for hoses as outlined in the Playbook. This would allow us to meet those requirements.

D - Keremeos - Wildland Structure Protection equipment will be evaluated as soon as it is put to service by facilitating our current resources.

E - Kaleden - Training evaluation will be evaluated by completing simulated structure fire scenarios and achieving Playbook standards as defined by OFC. Equipment evaluations will be evaluated when we put them in service and upon completion of the Wildland Structure Protection purchase and training of members.

F - Anarchist Mountain - Training evaluation will be evaluated by completing simulated scenarios and achieving Playbook standards as defined by OFC. Equipment evaluations will be evaluated when we put them into service and during training exercises of members. Gear cleanliness will be evaluated on an ongoing basis to ensure proper cleaning protocols are followed.

14. Additional Information. Please share any other information you think may help support your submission.

A - Okanagan Falls - The Okanagan Falls Volunteer Fire Department is a very busy fire department, the purchase of additional equipment will aid the firefighters in response time and assist fire fighting; which will result in the firefighters returning to the hall prepared for the next incident.

B - Tulameen - We are a small but dedicated fire department and want to improve our safety, training and service within our community.

C - Willowbrook - Being such a small community, our tax base is highly burdened. With the introduction of the Playbook, our budget was necessarily increased from \$69,000 annually to \$177,800 currently. This has created an extreme financial burden on our residents who are mostly on fixed incomes and our community simply cannot afford any additional increases to allow us to become fully Playbook compliant. Your assistance would be invaluable to us.

D - Keremeos - Keremeos & District Volunteer Fire Department and its' members are very proud of the successful protection of our interface properties over the last couple of wildfire seasons. A quick and efficient initial reponse when a brush fire is called in can contain the source before it becomes a wildfire. Global Warming is forcing all of us in arid climates to be better prepared for the inevitable summer fire season. Having the proper tools at hand affords our department the best chance for a successful outcome.

E - Kaleden - KVFD society is hoping to re-apply for a gaming grant to help support the delivery of a water line and Fortis power to our site. At this time, it is not determined what this cost will be.

Additionally, the KVFD training ground may be used as a central “Firesmart Debris” receiving site where through Kaleden Firesmart debris chipping may occur. Kaleden obtained Firesmart status for 2018 and hopefully this will occur for the work we did in 2019.

F - Anarchist Mountain - AMFD is predominantly a Wildland Urban Interface area prone to lightening strikes. The area has a major highway (Highway 3) going through the middle of it. The highway has significant winding sections that result in numerous incidents within the area. This highway is travelled by substantial commercial traffic which may result in catastrophic scenario should an incident occur. We endeavour to meet all requirements for keeping our members, residents and those passing through the area safe. The request for grant funding will aid us in carrying out this endeavour.

SECTION 5: Required Application Materials

Only complete applications will be considered for funding. The following separate attachments are required to be submitted as part of the application.

All applicants are required to submit:

- Completed application form
- Detailed project budget

Local government, First Nation or improvement district applicants must submit:

- Council or Board resolution, Band Council Resolution or Treaty First Nation Resolution, or improvement district Trustee resolution indicating support for the current proposed activities and willingness to provide overall grant management

Regional project applicants are required to submit:

- Resolution or motion from each partnering applicant clearly stating their approval for the primary applicant to apply for, receive and manage the grant funding on their behalf

Legally incorporated society-run fire department applicants must submit:

- Board of Directors motion indicating support for the current proposed activities and willingness to provide overall grant management
- Current Certificate of Good Standing
- Up to 3 letters of support from local organizations or agencies (local government, Band office, Chamber of Commerce, etc.)

SECTION 6: Signature

I certify that: (1) to the best of my knowledge, all information is accurate and (2) the area covered by the proposed project is within our jurisdiction (or appropriate approvals are in place).

Name: John Kurvink	Title: Manager of Finance/CFO
Signature: <i>An electronic or original signature is required.</i>	Date:

Submit applications to:

Local Government Program Services, Union of BC Municipalities

E-mail: cepf@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8



**Community Emergency Preparedness Fund
Volunteer & Composite Fire Departments Equipment & Training
2019 Application Form**

Appendix 1

4. Project Cost & Grant Request

A - Okanagan Falls

Total Project Cost - \$19,821.60 (\$14,895.00 USD) Total Grant Request - \$19,821.60 (\$14,895.00 USD)

Have you applied for, or received funding for this project from other sources? No

B - Tulameen

Total Project Cost \$ 24,284.82 Total Grant Request - \$24,284.82

Have you applied for, or received funding for this project from other sources? No

C - Willowbrook

Total Project Cost - \$24,954.25 Total Grant Request - \$24,954.25

Have you applied for, or received funding for this project from other sources? No

D - Keremeos

Total Project Cost - \$25,461.14 Total Grant Request - \$25,000

Have you applied for, or received funding for this project from other sources? No.

E - Kaleden

Total Project Cost - \$85,000 over 5 years Total Grant Request - \$24,919.93

Have you applied for, or received funding for this project from other sources? Yes

The Kaleden Volunteer Fire Department applied for a Gaming Grant through our FireFighter Society for the Training Ground but this application was denied.

F - Anarchist Mountain

Total Project Cost \$24,770.40 Total Grant Request \$24,770.40

Have you applied for, or received funding for this project from other sources? No





**Community Emergency Preparedness Fund
Volunteer & Composite Fire Departments Equipment & Training
2019 Application Form**

Appendix 2

5. Project Summary – Provide a summary of your project in 150 words or less.

A - Okanagan Falls – Initial Attack Rapid Response Project. The Okanagan Falls Volunteer Fire Department is requesting funding for the purchase of a Firelite Transport Deluxe Skid Unit. This unit would be used for the initial attack at interface fires in our District or if required would be available for State of Emergency calls. This is a portable unit that slides into the back of a pick up truck, fastened and then ready for use. Response time would be greatly improved due to accessibility of different terrain as larger trucks would not be initially used. Each year the department prioritizes the purchase of new equipment; if the grant is approved it will enable the department to purchase additional equipment that this fire department would otherwise be unable to purchase and this equipment will improve response time and improve accessibility within the different terrains that exist within the Southern Okanagan.

B - Tulameen – The Tulameen & District Fire Department Personal Protective Equipment Project is for the purchase of new Turnout Gear for the firefighters to train and work in. The current 12 sets of gear are out of date and need to be replaced. With this new equipment, it will build resiliency amongst the team by allowing them to work effectively and safely when responding to fires. Equipment budget is \$15,000 per year. The existing turnout gear that is currently being used was fundraised for, but these 12 sets have now become out of date and need to be replaced to comply with the Playbook requirements. Our 2020 equipment budget is able to cover the replacement of 6 sets of turnout gear. This grant will cover the other 6 sets that are required. The Tulameen & District Fire Department has completed wildfire structure protection training and S-100 training, but do not have the proper wildfire gear to enable the firefighters to work safely. The current training budget is \$20,000 and the remainder of the budget is taken up by insurance, servicing of trucks and equipment, fuel, administration, power, phone, truck payment and wages. This grant will allow us to purchase the remainder of the required replacement of turnout gear that we would otherwise be unable to afford.

C - Willowbrook – The Willowbrook Volunteer Fire Department Fire Hoses and Turnout Gear project is requesting funds in order to purchase new Turnout clothing for our members and hose in order to comply with Playbook requirements and to help protect structures and combat wildfires. Some Turnout clothing has expired and the department is short on a hose. We are in a small community of 180 homes and do not have the taxation base to fund these requirements. We cannot afford updated Turnout gear or the additional hose that is required and this grant will assist this volunteer fire department to obtain the required resources that it would otherwise be unable to afford.

D - Keremeos - Wildland Fire Equipment Project – The Keremeos and District Volunteer Fire Department is a small fire department tasked with covering a large area of diverse terrain. The arid summer months combined with the effects of global warming have seen our wildland protection equipment taxed to the limit over the last few years, and conditions are forecast to

Community Emergency Preparedness Fund Volunteer & Composite Fire Departments Equipment & Training 2019 Application Form

Appendix 2

only get worse. The effectiveness of a wildland truck with its low volume/high pressure pump best utilize the scarce water supply in our rural protection area where fire hydrants are scarce. Being proactive now in supplementing the current wildland fire suppression apparatus not only better protects the Village of Keremeos and surrounding areas, but will allow for mutual aid to our neighbouring towns as well as BC forestry without fully removing local protection. Out of the budget, approximately \$100,000 is transferred to Fire Hall and Fire Truck replacement resources and \$45,000 to playbook training standards, auto extrication, and wildfire operations training. We have approximately \$155,000 remaining for vehicle maintenance, repair, insurance and certification. Turnout gear repair and replacement, firefighting equipment maintenance, repair and replacement, contract services, property insurance, firefighter liability and medical insurances, legal fees, utilities and OH&S expenses. The grant funds would enable the Fire Department to purchase wildland fire equipment we need but currently do not have and cannot afford as the budget only supports the replacement of current equipment.

E – Kaleden - Training Grounds/Structure Fire Equipment- In 2017 Kaleden Irrigation District donated to Kaleden Volunteer Fire Department (KVFD) approximately 2 hectares through Regional District Okanagan Similkameen. The sole purpose is for Fire Department Training. KVFD has fenced the area designated for training, obtained a free mobile home to use for training prop and commenced prop site preparation and landscaping. KVFD has minimal money set aside within our budget to develop proper props. The request will allow us to develop the mobile home to a point where we can use it for training to meet the BC Playbook standards providing simulated Structure Fire attack. The Structure Fire Equipment listed in this submission will help the KVFD achieve the requirement of annual hose pressure testing and replace some aging accessories such as Valves, Adapters and Nozzles.

Wildland Fire Equipment- Kaleden has a substantial area of Wildland Urban Interface. The part of the area is not serviced by fire hydrants. The request for equipment will allow KVFD to improve our Wildland Equipment complement and will help prepare us with a very basic Structure Protection Unit for instant deployment should it be required.

Wildland Fire Training – KVFD members are trained to SPP-WFF1 Wildfire Firefighter level 1. This request will enable KVFD to train to a higher level in Command and Operations and prepare us to assist in Structure Protection within our district and to support our neighbors via mutual aid. This funding will allow us to conduct a 2 day (weekend) multi-fire department training for those Regional District mutual aid partners in the South Okanagan. Target training will be SPP-115 and ICS 200. In 2019 our Operating budget is \$253,415.00. KVFD has an additional \$132,612 targeted to reserve funds for the purchase of a new Primary Engine which is required in 2021 and saving for an upgrade to our fire hall. KVFD is in the process of seeking an extension to the life of our Engine from Fire Underwriters. KVFD is hopeful to extend up to 5 years

**Community Emergency Preparedness Fund
Volunteer & Composite Fire Departments Equipment & Training
2019 Application Form**

Appendix 2

F – Anarchist Mountain – Wildland Fire Equipment & Cancer Reduction Strategy

Wildland Fire Equipment - Anarchist Mountain Fire Department's (AMFD) service area is predominantly Wildland Urban Interface (WUI). Members of AMFD are trained in BC Forest Service tactics with S100 Wildland Suppression, S185 Wildland Behavior, WSP115 Structure Protection. The addition of more wildland equipment as listed will aid in bettering AMFD's ability to provide structure protection should a WUI fire occur. This equipment can also benefit other departments within the region should a mutual aid response be required.

Cancer Reduction Strategy – NFPA 1851 covers the requirements for proper cleaning of firefighter gear following response to any fires or training (where smoke exposure may occur). AMFD understands the need for cancer preventative strategies to be put in place include proper washing of gear on a regular basis as well as when needed as a result of exposures. AMFD can benefit other fire departments within the region by allowing access to this equipment on our site as required.

FIVE YEAR FINANCIAL PLAN

2019 - 2023

Service: FIRE OKANAGAN FALLS

Dept Number: 1200

Service Participants: Specified Service Areas J714 and J715



5 Year Forecast	2019	2020	2021	2022	2023
Revenues					
Prior Surplus	1,421	30,000	30,000	30,000	30,675
Taxes	398,947	350,561	348,580	361,516	369,650
Total Revenues:	400,368	380,561	378,580	391,516	400,325
Expenditures					
Administration	9,384	9,672	9,897	19,146	19,577
Capital and Equipment	52,564	43,245	43,941	44,650	45,655
Contracts and Agreements	11,500	5,750	0	0	0
Insurance	13,503	13,739	13,979	13,807	14,118
Maintenance and Repairs	38,637	32,269	32,915	33,573	34,328
Operations	15,814	16,005	16,200	16,398	16,767
Other Expense	4,034	4,114	4,197	4,281	4,378
Supplies	4,780	4,876	4,974	5,073	5,187
Transfers	45,000	50,000	50,800	50,000	51,125
Utilities	18,190	18,554	18,925	19,303	19,737
Wages and benefits	186,962	182,337	182,752	185,285	189,453
Total Expenditures:	400,368	380,561	378,580	391,516	400,325
Net Total	0	0	0	0	0

FIVE YEAR FINANCIAL PLAN

2019 - 2023

Service: FIRE COALMONT/TULAMEEN
 Dept Number: 1400
 Service Participants: Specified Service Area C717



5 Year Forecast	2019	2020	2021	2022	2023
Revenues					
Debt Proceeds	0	200,000	0	0	0
Grants	8,000	0	0	0	0
Prior Surplus	57,063	0	0	0	0
Taxes	229,069	245,524	246,730	254,355	260,073
Transfers from Reserve	18,176	0	0	0	0
Total Revenues:	312,308	445,524	246,730	254,355	260,073
Expenditures					
Administration	3,109	5,075	5,178	7,646	7,815
Capital and Equipment	48,000	233,000	33,000	33,660	34,417
Consultants	0	0	0	0	0
Contracts and Agreements	0	0	0	0	0
Financing	19,611	19,611	19,611	19,611	20,052
Insurance	9,416	9,594	9,775	10,455	10,687
Maintenance and Repairs	17,365	17,532	17,702	18,286	18,697
Operations	4,050	4,071	4,092	4,174	4,268
Supplies	3,875	3,953	4,032	4,113	4,206
Transfers	76,810	20,000	20,000	20,400	20,860
Travel	2,100	2,142	2,185	2,229	2,279
Utilities	9,700	9,894	10,091	10,294	10,526
Wages and benefits	117,272	120,652	121,064	123,487	126,266
Uncategorized Expenses	1,000	0	0	0	0
Total Expenditures:	312,308	445,524	246,730	254,355	260,073
Net Total	0	0	0	0	0

FIVE YEAR FINANCIAL PLAN

2019 - 2023

Service: FIRE WILLOWBROOK
 Dept Number: 1500
 Service Participants: Specified Service Area K714



5 Year Forecast	2019	2020	2021	2022	2023
Revenues					
Contract Revenue	0	0	0	0	0
Debt Proceeds	500,000	0	0	0	0
Prior Surplus	15,690	0	0	0	0
Taxes	161,545	173,058	168,315	170,044	173,720
Total Revenues:	677,235	173,058	168,315	170,044	173,720
Expenditures					
Administration	4,537	4,707	4,831	4,761	4,868
Capital and Equipment	518,537	18,537	18,537	18,537	18,954
Contracts and Agreements	11,500	5,750	5,750	5,750	5,879
Financing	33,607	33,607	33,607	33,607	34,364
Insurance	7,558	7,690	7,824	8,272	8,459
Maintenance and Repairs	15,365	15,628	15,868	16,147	16,593
Other Expense	0	0	0	0	0
Supplies	2,800	2,800	2,800	2,800	2,863
Transfers	10,000	10,000	10,000	10,000	10,000
Utilities	6,050	6,114	6,150	6,246	6,378
Wages and benefits	67,281	68,225	62,948	63,924	65,362
Total Expenditures:	677,235	173,058	168,315	170,044	173,720
Net Total	0	0	0	0	0

FIVE YEAR FINANCIAL PLAN

2019 - 2023

Service: FIRE B-G KEREMEOS

Dept Number: 1100

Service Participants: Specified Service Area C716 SRVA 39 and Village of Keremeos



5 Year Forecast	2019	2020	2021	2022	2023
Revenues					
Contract Revenue	8,150	8,313	8,479	8,649	8,844
Debt Proceeds	350,000	0	0	0	450,000
Grants	4,000	4,000	4,000	4,080	4,162
Prior Surplus	79,521	0	0	0	0
Taxes	451,897	524,310	537,690	544,210	606,244
Transfers from Reserve	225,000	48,726	49,701	50,000	51,525
Total Revenues:	1,118,568	585,349	599,870	606,939	1,120,775
Expenditures					
Administration	9,231	9,404	9,604	8,981	9,183
Capital and Equipment	630,750	83,926	85,901	86,924	588,755
Contracts and Agreements	5,922	6,100	6,283	6,472	6,665
Financing	46,838	46,838	46,838	42,533	43,384
Insurance	16,614	16,906	17,203	17,241	17,628
Legal	2,000	2,000	2,040	2,081	2,128
Maintenance and Repairs	52,852	52,719	53,854	54,931	56,127
Other Expense	8,271	8,468	8,667	8,868	9,067
Transfers	100,000	105,000	108,380	110,548	113,035
Travel	6,712	6,846	6,983	7,123	7,283
Utilities	15,416	15,820	16,216	16,540	16,912
Wages and benefits	223,962	231,322	237,901	244,697	250,608
Total Expenditures:	1,118,568	585,349	599,870	606,939	1,120,775
Net Total	0	0	0	0	0

FIVE YEAR FINANCIAL PLAN

2019 - 2023

Service: FIRE KALEDEN

Dept Number: 1600

Service Participants: Specified Service Areas H714 and H715



5 Year Forecast	2019	2020	2021	2022	2023
Revenues					
Debt Proceeds	0	0	0	900,000	920,250
Prior Surplus	56,107	535	527	1,000	1,023
Taxes	335,920	381,265	383,747	392,322	397,665
Transfers from Reserve	0	0	900,000	0	0
Total Revenues:	392,027	381,800	1,284,274	1,293,322	1,318,938
Expenditures					
Administration	6,584	6,713	6,872	13,830	14,141
Capital and Equipment	27,400	25,000	925,000	925,000	945,813
Contracts and Agreements	11,500	0	0	0	0
Insurance	10,962	11,154	11,676	11,842	12,109
Maintenance and Repairs	19,700	21,691	22,403	23,217	23,742
Operations	2,500	2,151	2,212	2,273	2,324
Supplies	6,000	6,632	6,781	6,931	7,087
Transfers	138,612	90,000	90,000	90,000	92,025
Travel	2,600	3,000	3,200	3,400	3,477
Utilities	9,000	9,915	10,169	10,426	10,661
Wages and benefits	157,169	205,544	205,961	206,403	207,559
Total Expenditures:	392,027	381,800	1,284,274	1,293,322	1,318,938
Net Total	0	0	0	0	0

FIVE YEAR FINANCIAL PLAN

2019 - 2023

Service: FIRE ANARCHIST MOUNTAIN
 Dept Number: 1800
 Service Participants: Defined Service Area V714



5 Year Forecast	2019	2020	2021	2022	2023
Revenues					
Prior Surplus	(24,079)	0	0	0	0
Taxes	225,171	229,240	233,687	238,363	243,132
Total Revenues:	201,092	229,240	233,687	238,363	243,132
Expenditures					
Administration	5,820	5,587	5,698	5,812	5,929
Capital and Equipment	17,500	42,330	43,177	44,040	44,921
Contracts and Agreements	3,500	3,570	3,641	3,714	3,789
Financing	16,155	16,478	16,808	17,144	17,487
Insurance	7,573	7,722	7,742	7,897	8,056
Legal	1,000	1,020	1,040	1,061	1,082
Maintenance and Repairs	16,500	16,830	17,166	17,510	17,860
Operations	1,000	1,020	1,040	1,061	1,082
Other Expense	1,000	1,020	1,040	1,061	1,082
Supplies	1,250	1,275	1,300	1,327	1,353
Transfers	27,540	28,091	28,652	29,225	29,810
Travel	5,800	5,916	6,034	6,155	6,278
Utilities	6,500	6,630	6,763	6,898	7,036
Wages and benefits	89,954	91,751	93,586	95,458	97,367
Total Expenditures:	201,092	229,240	233,687	238,363	243,132
Net Total	0	0	0	0	0

KIMTEK CORPORATION

QUOTE

"HOME OF THE AFFORDABLE SKID UNIT!"

326 INDUSTRIAL PARK LANE
 ORLEANS, VT 05860
 Phone 1-888-546-8358 Fax 1-802-754-2300

DATE: September 18, 2019
 QUOTE #: OF-091819
 FOR: FIRELITE Transport
 FDHP-303-200-9

Quote To:

Okanagan Falls VFD
 5013 11th Ave
 Okanagan Falls, BC V0H 1R0
 Canada
 Chief Rob Oliver
 (250) 490-5969



Build lead time is 4-7 weeks from date of PO

DESCRIPTION	AMOUNT
1- FIRELITE Transport Deluxe Skid Unit FDHP-303-200/ Darley-Davey Pump 9 HP Electric Start* Hannay Electric 4000 Reel with 100' of 3/4" Boostlite Hose/ Rescue Area/ Hose Storage Area w. Tailgate/ 200 Gallon Baffled Tank w/ Integrated 5 Gallon Foam Cell/ Water & Foam Tank Sight Gauges/ Scotty Through the Pump Class A Foam System/ Reinforced Skid Plate Bottom / Includes four mounting plates / 10- 24" Velcro D loop straps for securing long board or stokes basket / all stainless steel piping and brass 1/4 turn valves Mercedes Drafflite Kit: includes hose, foot valve with strainer and hand primer /*Man. backup	\$ 10,900.00
1- Add a cross lay tray (dead lay) to hold approx. 150' of 1-1/2" line length of the unit.	1,095.00
One long tool holder box length of the skid unit with doors opening to the side of the unit (off pass. side) for easy access with approx. dimensions 18" W x 94" L x 12" H	
1- Add lower roller off driver's side of truck, high roller off passenger side.	550.00
1- Crating & Shipping	1,750.00
1- Shipping Discount (to offset high shipping cost)	(202.25)
1- Broker fees	175.00
1- Canada GST Tax 5%	627.25
1- US Funds	
<p><i>Shipping charges quoted do not include accessorial charges such as but not limited to:</i></p> <p><i>Liftgate service \$65, call prior to delivery \$25, etc.</i></p> <p><i>Please add these charges to your budget as you see fit.</i></p> <p><i>For any additional services, please call for a quote.</i></p>	
TOTAL	\$ 14,895.00

Make all checks payable to KIMTEK CORPORATION

If you have any questions concerning this quote, contact:

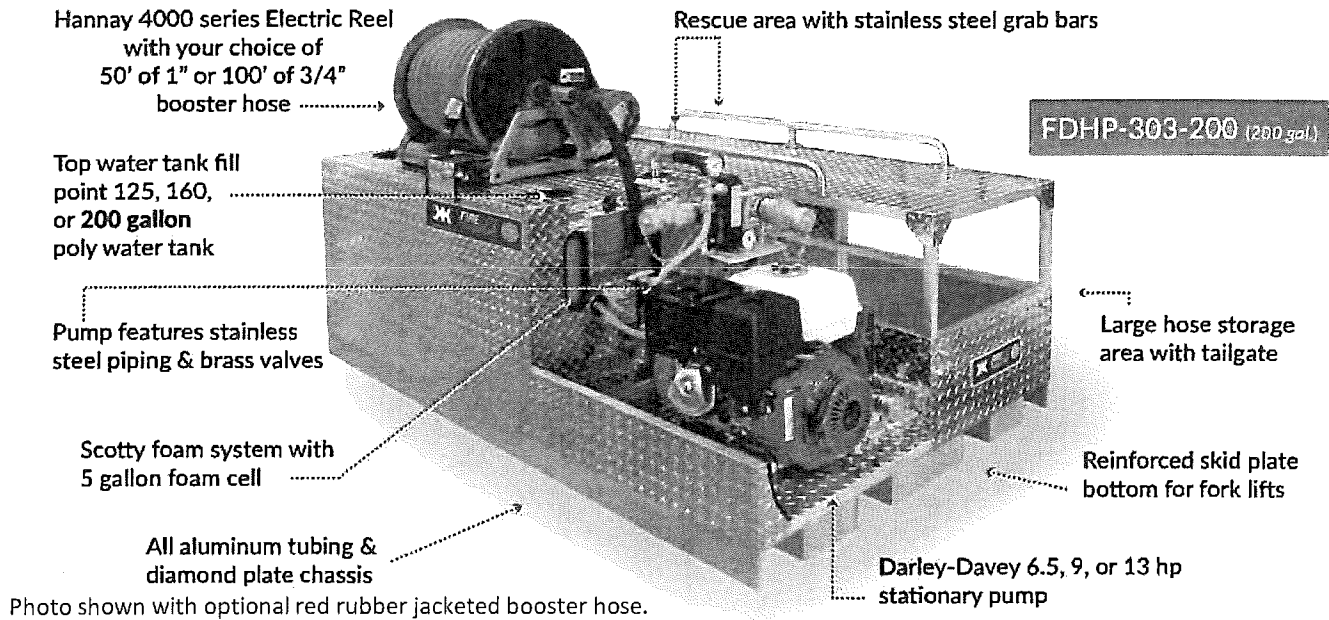
Kimball Johnson, President 1-888-546-8358 or email sales@kimtekresearch.com

A Finance Charge of 1.5% (18 Annum) Will Be Charged To Invoice Past Due 30 Days.

Prices subject to change without notice. All quotes good for up to 30 days.

THANK YOU FOR YOUR BUSINESS!

FIRELITE TRANSPORT FDHP-303-200



BASE PRICE STARTS AT: \$9,700.00 + SHIPPING

UPGRADED TO VIPER NOZZLE	\$300	UPGRADE TO 6.5HP ELEC START	\$550
UPGRADE TO 9HP ELEC START	\$1,200	UPGRADE TO 13HP ELECT START	\$1,500

Darley Davey Pump GPM/PSI		
Pump	GPM	PSI
AK315 6.5 HP	65	48
	50	81
	20	120
AK308 9 HP	120	36
	60	118
	20	144
AK 306 13 HP	120	40
	60	133
	20	146

- All of these standard features included in base price above**
- 200 gallon baffled poly water tank with 5 gallon foam cell
 - Scotty Around The Pump, Class A Foam System
 - 4000 series Hannay Electric Rewind Reel
 - 100' of 3/4" or 50' of 1" Boostlite booster hose
 - Self-priming up to 19' with initial prime
 - Stokes basket area with stainless steel grab rails
 - Hose storage area with tailgate
 - Fork liftable to standard pickup bed
 - 1.5" gated auxiliary suction
 - 1" gated tank recirculation
 - 1" gated to booster reel
 - 2- 1.5" gated discharges
 - CS 105/15 1" NST nozzle
 - Mercedes Draflite Kit – includes Hydro-Wick Hand Primer installed on skid; 20' of 1.5" suction hose; Foot Valve / Strainer

Dimensions	Dry Weight	Wet Weight + foam	Crated Weight
6.5 HP 48"W x 94"L x 45"H	824	2465	1104
9 HP 48"W x 94"L x 45"H	855	2495	1135
13 HP 48"W x 94"L x 45"H	870	2510	1150

*weights & dimensions are approximate only
Add 30 lbs to weights if going with optional red rubber jacketed booster hose



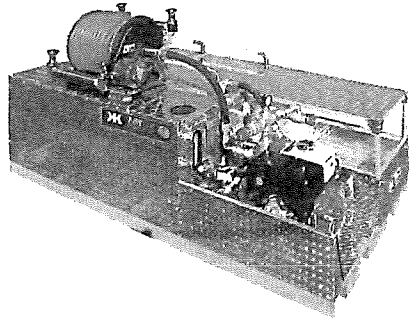
ALL UNITS SHIP FULLY ASSEMBLED



KIMTEK CORPORATION

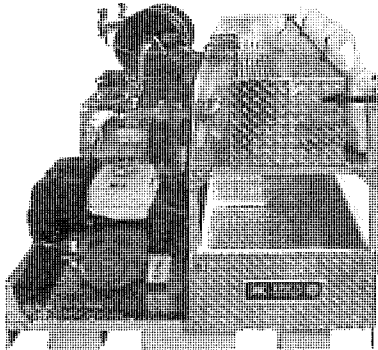
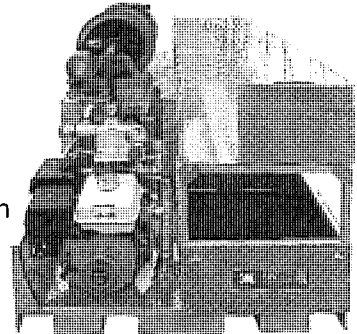


FIRELITE TRANSPORT FDHP-303-200 PICK-UP TRUCK SERIES OPTIONS



Add lower roller off driver's side of truck, high roller off passenger side

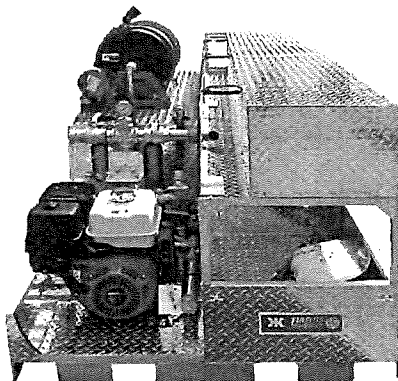
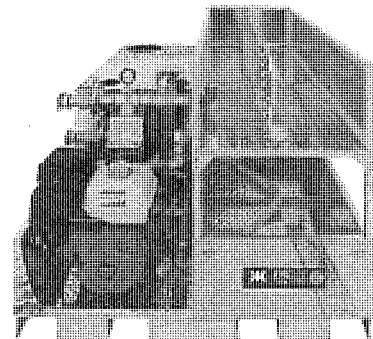
Add cross lay tray (dead lay) to hold approximately 150' of 1.5" line for the length of the unit. One long tool holder box length of skid unit with a full length door opening to the side of the unit (off passenger side) for easy access.



Add a 4' cross lay tray (pre-connect) to hold booster line and one open toolbox holder to carry long tools with holder for long board on passenger side of skid unit

**Optional high roller also shown*

Add custom built cross lay tray (pre-connect) the length of the skid unit to hold approximately 150' of 1.5" line. Second cross lay tray (dead lay) length of the bed to hold approximately 150' of 2.5" line.



Add cross lay tray (pre-connect) to hold approximately 150' of 1.5" line for the length of the unit. One long tool holder box length of skid unit with a full length door opening to the side of the unit (off passenger side) for easy access.

Other options include:

Increase length of hose to 100' of 1" or 150' of 3/4" – will be red jacketed booster hose (requires larger reel at additional cost)

**Dead lay or pre-connect available for area adjacent to pump only.

**ALL UNITS SHIP
FULLY ASSEMBLED**



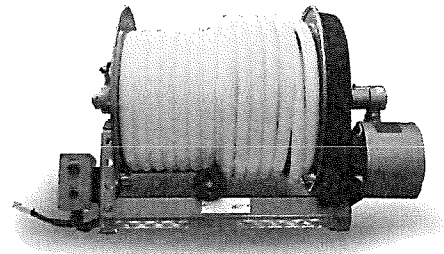
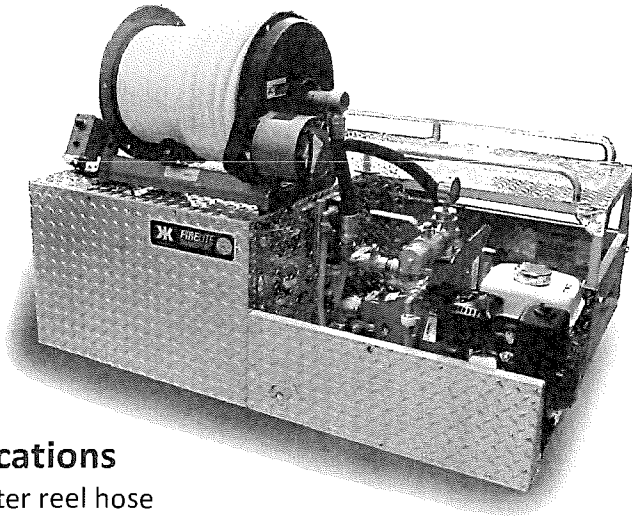
**KIMTEK
CORPORATION**



BOOSTLITE®



A non-collapsible reel hose designed to meet a variety of fire attack requirements.



Applications

- Booster reel hose
- Range control attack hose
- Wildland brush fire truck attack hose
- Compressed Air Foam System (CAFS) applications

Features and Benefits

- Extremely kink resistant, even at low pressure
- Bend radius is less than 3 ½"/8.9cm for a ¾"/19mm hose; 4 ½"/11.4cm for a 1.0"/25mm hose; and 9.0"/23cm for a 1 ½"/38mm hose
- Non-Collapsible and fits standard hose reels
- Heavy duty spun yarn construction
- Unique Mertex® lining
- Premium all synthetic single jacket
- Standard Strobe Yellow Permatek HP™

treatment against abrasion, moisture pick up and mildew

- Resistant to most chemicals, petrol products, ozone and U.V. exposure, and hydrolysis
- Temperature range of -60° F to 160° F (-50° C to 71° C)
- Available with expansion ring and field repairable couplings, field repairable splice, factory installed compression splice and compression couplings



**KIMTEK
CORPORATION**

326 INDUSTRIAL PARK LANE ORLEANS VT 05860 | 888.546.8358 KIMTEKRESEARCH.com

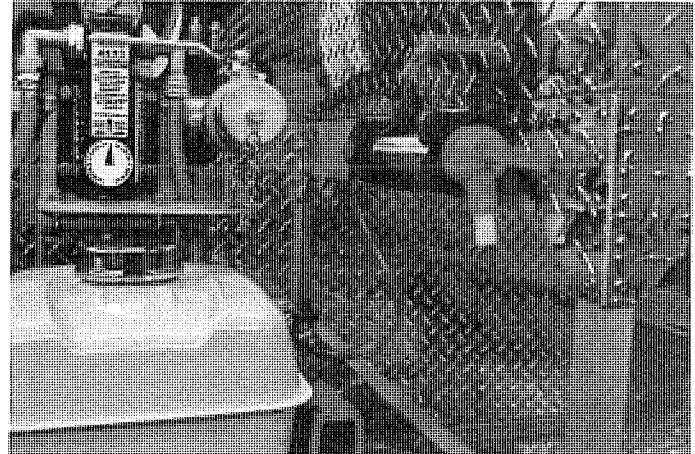
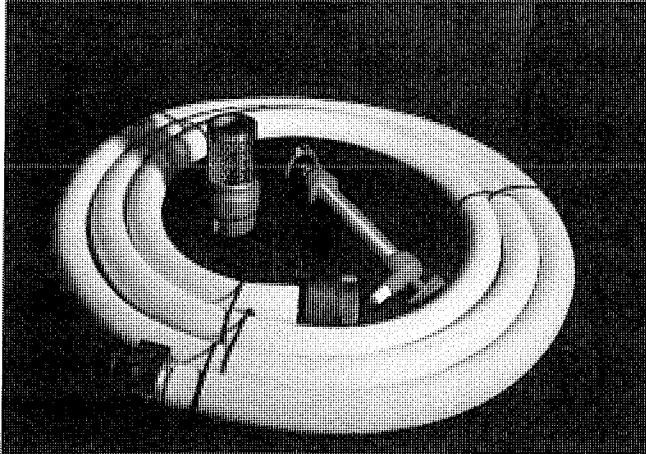


DRAFTLITE®



MERCEDES TEXTILES LIMITED

A crush resistant draft hose where light weight and high pressure resistance are critical.



FDHP-300 SERIES DRAFTLITE KIT INCLUDES:

- 20' of 1.5" Draftlite hose
- HydroWick foot valve with strainer 1.5" NH (NST) Female
- HydroWick hand primer with valve pre-installed on skid unit

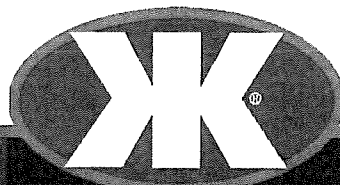
Comes standard on all FDHP-300 SERIES skid units

Applications

- Suction /Supply Line
- Increased Drafting/Priming Capability

Features and Benefits

- Extremely kink resistant
- Heavy duty spun yarn construction
- Fits perfectly in FIRELITE storage area
- Unique Mertex® lining
- Premium all synthetic single jacket
- Standard Strobe Yellow Permatek HP™ treatment against abrasion, moisture pick up and mildew
- Resistant to most chemicals, petrol products, ozone and U.V. exposure, hydrolysis, rot and mildew
- Temperature range of -60° F to 160° F (-50° C to 71° C)



KIMTEK

CORPORATION



326 INDUSTRIAL PARK LANE ORLEANS VT 05860 | 888.546.8358 KIMTEKRESEARCH.com

Tulameen PPE Project

7 sets of RDG50 Turnout Gear (Coat & Pant)	\$15,834.00
24 sets FF Coveralls Navy	\$4,610.64
24 sets ESS Wildfire Goggles	\$1,740.00
5 Wildfire Helmet plus shroud	<u>\$511.45</u>
Subtotal	\$22,696.09
PST 7%	<u>\$1,588.73</u>
<u>Total</u>	<u>\$24,284.82</u>



Quotation

Date Sep 19, 2019	Page 1
Quote Number QT0037369	

EMERGENCY VEHICLES, EQUIPMENT & SERVICE
 #103 - 2285 Queen Street
 Abbotsford, BC V2T 6J3
 Phone: (888) 815 - 0500
 Fax: (604) 864 - 4938

Customer:

REG.DIST.OKANAGAN SIMILKAMEEN
 finance@rdos.bc.ca
 101 MARTIN STREET
 PENTICTON, BC V2A 5J9
 CANADA

Quote To:

TULAMEEN & DISTRICT FIRE DEPARTMENT
 132 FIRST STREET
 ATTN: JODY WOODFORD
 TEL: 250-295-6688
 TULAMEEN, BC, VOX 2L0

Reference	PO Number	Customer No. OKA001	Salesperson Brian Hoeght - Lower Mainland/Okanagon/Kootenays	Ship Via
-----------	-----------	------------------------	---	----------

Qty. Ord.	Item Number	Description	Unit Price	UOM	Extended Price
6	ITX-RDG50COAT	RDG50 COAT ENERGY BLACK ARMOR W/ FLAG	1,310.00	EA	7,860.00
6	ITX-RDG50PANT	RDG50 PANT ENERGY BLACK ARMOR	952.00	EA	5,712.00
24	CRN-10068733	ESS STRIKETEAM XTO GOGGLE	95.00	EA	2,280.00

Comments: RETURNED GOODS SUBJECT TO A 20% RESTOCKING FEE Quote valid until 10/19/2019.	Tax Summary:		Less	
	GST	792.60	Included Tax	0.00
	PSTBC	0.00	Order Discount	0.00
			Subtotal	15,852.00
			Total sales tax	792.60
			Total order	16,644.60



Keeping Industry in Motion

Quote

MOTION CANADA
 2714 5TH STREET
 NISKU, AB T9E 0H1
 PHONE : 7809557494
 FAX : 7809553411

Date: 09/19/19

Note: Due to recent volatility of raw materials, price and delivery are subject to change based on availability at time of order.

To:
 TULAMEEN & DISTRICT FIRE
 BOX 1C, COMP 7
 TULAMEEN, BC VOX 2L0
 PO: QUOTE - WILDLAND

Quote Number: AB77 - 108346
Customer RFQ: QUOTE - WILDLAND
FOB: FOB ORG,FRT PP&ADD
Quote Sent By: TRISTIN
Payment Terms: . NET 30

COURIER

Description	Manufacturer	Quantity	Unit	Unit Price	Amount
FREIGHT TO BE DETERMINED UPON RECEIPT OF ORDER					
LINE ITEM: 001					
C08613SM FF COVR ALL HOOK&LOOP NAVY		1	EA	\$178.720	\$178.72
MINO: 06591 X 00195					
ITEM NO: 06081394					
DELIVERY DATE: 10/30/19					
PRICING FOR ALL REGULAR SIZES SM - XL					
LINE ITEM: 003					
C08613SS,COVERALL 911 FYRBAN SM SHORT BL		1	EA	\$187.640	\$187.64
MINO: 06591 X 48000					
ITEM NO: 08468143					
DELIVERY DATE: 10/30/19					
PRICING FOR ALL SHORT OR TALL SZ. SM - XL					

BUYER UNDERSTANDS AND AGREES THAT GOODS PRESENTED TO BUYER PURSUANT TO THIS INVOICE ARE BEING TENDERED CONTINGENT UPON BUYER'S AGREEMENT TO ALL OF MOTION'S TERMS AND CONDITIONS RELATED TO SALES. MOTION'S TERMS AND CONDITIONS ARE AVAILABLE AT THE MOTION BRANCH OR AT WWW.MOTIONINDUSTRIES.COM. BUYER'S ACCEPTANCE OF THE DELIVERY OF THE GOODS SHALL CONFIRM BUYER'S AGREEMENT TO ALL OF MOTION'S TERMS AND CONDITIONS.

Description	Manufacturer	Quantity	Unit	Unit Price	Amount
LINE ITEM: 004					
C08613XXXL,COVERALL 911 FYRBAN 3XL BL		1	EA	\$192.110	\$192.11
MINO: 06591 Z 81000					
ITEM NO: 99999999					
			DELIVERY DATE:	10/30/19	
PRICES KEEP INCREASING WITH EVERY SIZE					
SHORT & TALL SIZES AVAILABLE, PLEASE ASK FOR PRICING					
LINE ITEM: 006					
228-WFB, ESS WILDFIRE GOGGLE		24	EA	\$72.500	\$1,740.00
MINO: 00111 Z 81000					
ITEM NO: 99999999					
			DELIVERY DATE:	10/30/19	
LINE ITEM: 007					
228-FH911HR, WILDFIRE HELMET, YELLOW		5	EA	\$102.290	\$511.45
MINO: 02746 X 45211					
ITEM NO: 07648102					
			DELIVERY DATE:	10/30/19	
			SUB TOTAL:		\$2,809.92
			GST.....10398 7889 RT0001		\$140.50
			PST.....BC# 1001-2397		\$196.69
			TOTAL: CAD		\$3,147.11

BUYER UNDERSTANDS AND AGREES THAT GOODS PRESENTED TO BUYER PURSUANT TO THIS INVOICE ARE BEING TENDERED CONTINGENT UPON BUYER'S AGREEMENT TO ALL OF MOTION'S TERMS AND CONDITIONS RELATED TO SALES. MOTION'S TERMS AND CONDITIONS ARE AVAILABLE AT THE MOTION BRANCH OR AT WWW.MOTIONINDUSTRIES.COM. BUYER'S ACCEPTANCE OF THE DELIVERY OF THE GOODS SHALL CONFIRM BUYER'S AGREEMENT TO ALL OF MOTION'S TERMS AND CONDITIONS.

Equipment Request Breakdown

Please find below the breakdown of requested equipment and costs associated with them:

Turn-out clothing (AKA bunker gear) consisting of 1 pair of pants and 1 coat:

"FlameFighter" turn-out-gear,

Cost per set \$2100.00 x 6 sets requested for a total of \$12,600.00

Gloves for firefighting:

Vanguard - MK-1 Gauntlet Structural Glove,

Cost per pair \$115 x 11 sets requested for a total of \$1265.00

2.5" hose for firefighting:

Poly Tuff 800 WHITE 2.5" x 50 ft Ultra Shield Coated c/w ALBCT Cplg,

Cost per length \$325.69 x 17 lengths for a total of \$5536.73

1.5" hose for firefighting:

Hi-Tech 600 1.5" x 50ft Yellow Nitrile Rubber Covered w/ ALNPSH Cplgs.

Cost per length \$245.00 x 16 lengths for a total of \$3920.00

Total cost requested: \$23,321.73 plus PST for a total of \$24954.25.

Thank you for your consideration,

Tony Iannella

DC, WVFD

250-498-2033



ASSOCIATED FIRE SAFETY
EQUIPMENT

106 - 3070 Norland Ave.
Burnaby, BC V5B 3A6

Quotation

Date	Estimate #
2019-09-18	9063

P: (604) 320 3303 | info@associatedfiresafety.com
F: (604) 320 3360 | www.associatedfiresafety.com

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

Ship To
Willowbrook Vol Fire Dept c/o 150 Parkway Place Penticton, BC V2A 8G8

P.O. No.	Shipping Via	Rep
Sean Patrick		GL

Item	Description	Qty	Unit Price	Total
VGD-MK-1-76W-L	Vanguard - MK-1 Gauntlet Structural Glove - LARGE	1	115.00	115.00
NAFH-PT25X50...	Poly Tuff 800 WHITE 2.5" x 50 ft Ultra Shield Coated c/w ALBCT Cplgs	1	325.67	325.67
NAFH-HT15X50...	Hi-Tech 600 1.5" x 50ft Yellow Nitrile Rubber Covered w/ ALNPSH Cplgs. Attached	1	245.00	245.00
	GST on sales		5.00%	34.28
	PST (BC) on sales		7.00%	39.95

Freight FOB Burnaby	Total CAD 759.90
Return of Standard Stocking Items will incur a 25% charge Non-Stocking Items are Non-Returnable	



QUOTE

Quote #	SFLQ2930
Sales Rep.	Gabe Lavoie
Prepared By	Devony Evans
Prep Date	09/10/19
Start	
Expiration	

Department:
 Willowbrook Fire Department
 (Associated Fire Safety House Spec)

Dealer (If Any) / Ship To:
 Associated Fire Safety
 Gabe Lavoie
 106-3070 Norland Ave
 Burnaby, BC V5B 3A6
 Canada

To Whom it May Concern,

Please find below the requested quotation for the "FlameFighter" turn-out-gear built to our house specifications. Be assured that this specification is fully compliant NFPA 1971 (2018 Ed.) standards.

Please let me know if you have any questions!

Price locked until December 31, 2019.

Kind Regards,
 AFSE Team

Pricing Page: 1

Ln #	Qty	Description	Unit Price	Ext. Price
1	1	Flame Fighter Coat	\$1,175.00	\$1,175.00
2		Turnout Coat Coat Standard Features: Certified to NFPA 1971 Made in Canada Drag Rescue Device Removable Liner Thermashield back/shoulder enhancement K/NX Dri Cuff Wristlets Stay Rite system sleeve cuffs Water Wells on Sleeves Coat Liner Pocket Handi-Pouch on Liner to hold a cell phone, keys, or small item Medical Glove Pocket in Right Coat Pocket Sweep Liner Tabs Lite N Dri Elbow Padding Coat Liner Inspection System Triple lock stitching on all Major A seams Twin rows lock stitch or box stitch on all Velcro Twin rows lock stitch on all reflective trim Ventilated trim is standard on Flame Fighter model YKK brand hook and loop All major stress points bartacked No charge for oversize on coats below 5XL Leather reinforcements standard Embroidered Canadian flag left shoulder Bellowed under arm construction. Kevlar knitted cuffs with neoprene thumbhole Coat pockets reinforced with Twaron Mandarin collar		

Ln #	Qty	Description	Unit Price	Ext. Price
3		Turnout Coat Flame Fighter Coat - Standard Construction		
4		Turnout Coat Collar Height 3"		
5		Nomex Canadian Flag Nomex Canadian Flag on Left Shoulder		
6		*** ALL ACCENTS TO BE BLACK - ALL STITCHING & VELCRO BLACK IF GEAR IS BLACK OR GOLD. IF KHAKI WHITE STITCHING ETC. ***		
7		Coat Closure Coat Closure Vislon Zipper for Non-isodri Bunker Suit		
8		Removable Coat Liner Removable Coat Liner with Snaps - STANDARD FEATURE		
9		Wristlets Standard K/NX Dri Cuff Wristlets with Thumbloops		
10		****"NAME/INFO LABEL" PATCH POCKET TO BE ABLE TO FIT iPhone 7 PLUS (7" x 5")***		
11		Turnout Coat Flame Fighter Coat - 6.5 oz Armor AP with 7.5 oz Glide Ice Pure Thermal Liner and 4.6oz RT7100 Moisture Barrier - THL 227.7 TPP 42.0		
12		Coat Length 32" Coat Length Standard 32"		
13		Fabric Color Khaki, Gold, or Black Outer Shell		
14		Handwarmer Pocket Combo 9.5"(L) x 9.5"(W) Coat 2 in 1 Bellow & Handwarmer Pocket Combo (pair) - 6.5 oz Armor AP		
15		Liner Pocket Twaron liner on 5" high all sides and the bottom of the pocket.		
16		Location Pocket Flap Edge Grip-(pair) on Coat Pockets		
17		Radio Pocket 7.25"(L) x 4"(W) x 2"(D) Radio Pocket Neoprene Lined with Double Notched Flap - 6.5 oz Armor AP		
18		Location Location: Left Chest		
19		Wrist Cuffs Reinforcement (Std) Wrist Cuffs (pair) - Black or Gray Leather		

Ln #	Qty	Description	Unit Price	Ext. Price
20		Flashlight Clip and Strap Flashlight Clip and velcro strap 8.5" Standard Length system		
21		Location Location: Stormflap		
22		MIC Loop MIC Loop		
23		MIC Loop MIC Loop Material - Self		
24		Location Location: Standard 2" Above Radio Pocket		
25		MIC Loop MIC Loop ****DOUBLE MIC LOOP BAR TACKED IN THE MIDDLE***		
26		MIC Loop MIC Loop Material - Self		
27		Location Location: Right Chest		
28		Removable Name Plate Port-A-Plate (Removable Name Plate) Low Profile - 6.5 oz Armor AP (20" x 18" x 4.5") w/ Velcro & Snap at Bottom Back of Coat		
29		Lettering 3M Scotchlite 3" lettering - Surname or Department Name		
30		Trim Colour Letter Colour Lime/Yellow		
31		Action Back Bi-Swing Back		
32		Trim Standard NFPA - Ventilated 3" 3M Scotchlite Triple Trim		
33		Trim Colour Reflective Trim Colour Yellow with Silver		
34		Flame Fighter Pant	\$925.00	\$925.00
35		Pant Standard Features Pant Standard Features: Certified to NFPA 1971 Made in Canada Traditional Low-Rise Pant H-Style Parachute High Viz padded suspenders with colour to match reflective trim Stepped up cuffs Flex Knee Move N Hance Crotch		

Ln #	Qty	Description	Unit Price	Ext. Price
		Removable Liner with Snaps Stay Rite Ankle Storm Wells 3.5" x 3" Kickshields same fabric and colour as the Ankle Cuffs Reinforcements Snap Hook Waist Siderstraps 2 Layers Lite N Dri Knee Padding Pant Liner Inspection System Semper Dri thermal liner lower legs Inseams adjusted in 1" increments Twaron Pocket Lining Triple lock stitching on all Major A seams Twin rows lock stitch or box stitch on all Velcro Twin rows lock stitch on all reflective trim Ventilated trim is standard on Flame Fighter model YKK brand hook and loop All major stress points bartacked Leather reinforcements standard No charge for oversize on pants below 5XL		
36		Pant Closure Pant Closure - Hook and Dee		
37		Pant Liner Removable Pant Liner with Snaps - STANDARD FEATURE		
38		Other Pant Options Standard Waist Tool Snap Hook		
39		Ankle Storm Wells Pant Stay-Rite Ankle Storm Wells (Standard Feature)		
40		Turnout Pant Flame Fighter Pant - 6.5 oz Armor AP with 7.5 oz Glide Ice Pure Thermal Liner and 4.6oz RT7100 Moisture Barrier - THL TPP		
41		Fabric Color Khaki, Gold, or Black Outer Shell		
42		*** ALL ACCENTS TO BE BLACK - ALL STITCHING & VELCRO BLACK IF GEAR IS BLACK OR GOLD. IF KHAKI WHITE STITCHING ETC. ***		
43		Pant Full-Bellows Pocket 9.5"(L) x 9"(W) x 2"(D) Pant Full-Bellows Pocket (pair) - 6.5 oz Armor AP		
44		Turnout Pocket with Divider Divider Panel for 1 Full-Bellow Pant Pocket - 6.5 oz Armor AP		
45		Location Location: Right Full-Bellow Pant Pocket		
46		Location Full-Bellow Pant Pocket Flaps to be Divided		

Ln #	Qty	Description	Unit Price	Ext. Price
47		Liner Pocket Twaron liner on 5" high all sides and the bottom of the pocket.		
48		Latex Glove Pocket Medical Glove Pocket		
49		Location Location: Left Pant Pocket		
50		Location Pocket Flap Edge Grip-(pair) on Pant Pockets		
51		Knee Padding (Std) Knee Reinforcement (pair) - Padding 1st Ply		
52		Knee Padding Knee Reinforcement (pair) - Padding 2nd Ply		
53		Knee Padding Knee Reinforcement (pair) - Padding 3rd Ply		
54		Knee Reinforcement Knee Reinforcement (pair) - Black, Gray, or Gold Polymer Coated Kevlar		
55		Ankle Cuffs Reinforcement (Std) Ankle Cuffs (pair) - Black or Gray Leather		
56		Trim Standard NFPA - Ventilated 3" 3M Scotchlite Triple Trim		
57		Trim Colour Reflective Trim Colour Yellow with Silver		
58		OPTIONS:		
59		- Upgrade Thermal Liner to isodri system with Glide Ice 2L Araflo- \$225.00 per suit		
60		- Upgrade Outer Shell to Pioneer Black - \$40.00		
61		- Upgrade to Starfield Lion Particulate Blocking Ensemble Package - \$325.00		
62		- Add Stormflap Slash Pocket - \$25.00		
63		- Add NX Fleece to Pocket - \$35.00 All Sides		
64		- Second Radio Pocket - \$35.00		

Ln #	Qty	Description	Unit Price	Ext. Price
65		- Quickdraw Knife Pocket - \$15.00		
66		- Trim Colour (Red/Silver) - NO CHARGE		
67		- Outer Shell Colour (Khaki, Gold, or Black) - NO CHARGE		



SubTotal	\$2,100.00
Sales Tax	
Total	\$2,100.00

106 - 3070 Norland Ave.
 Burnaby, BC
 V5B 3A6
 Canada

Phone: (604) 320-3303
 Toll-Free: 1 (888) 320-3303
 Fax: (604) 320-3303

www.associatedfiresafety.com

2019 - 2023 Five Year Financial Plan

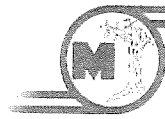
FIRE WILLOWBROOK

GL Account	GL Account Description	2019 Amount	2018 Amount
Revenues			
1-1500-1000	TAX REQUISITION	161,545	236,897
1-1500-2920	GAS TAX FUNDING	0	13,000
1-1500-3000	CONTRACT FEE	0	1,542
1-1500-7200	DEBENTURE PROCEEDS	600,000	0
1-1500-0990	PRIOR YEARS SURPLUS	15,890	(40,000)
	Total Revenues:	677,235	191,349
Expenditures			
2-1500-1230	HONORARIUMS - FIREFIGHTERS	47,000	48,891
2-1500-1301	BENEFITS - FIREFIGHTERS	4,100	4,100
2-1500-1400	ADMINISTRATION CHARGES	1,336	1,158
2-1500-1500	IS	3,198	3,187
2-1500-2000	BUILDING MAINTENANCE	1,217	1,193
2-1500-2200	EQUIPMENT MAINTENANCE	1,000	1,000
2-1500-2221	VEHICLE EXPENSE - TRUCK #1	2,255	2,211
2-1500-2222	VEHICLE EXPENSES - TRUCK #2	2,731	1,697
2-1500-2223	VEHICLE EXPENSES - TRUCK #4	1,207	1,183
2-1500-2224	VEHICLE EXPENSES - TRUCK #5	2,255	2,211
2-1500-2225	VEHICLE EXPENSE - FUEL	2,500	1,950
2-1500-2232	EQPT MTNCE - FF - RADIO & PAGERS	1,000	1,000
2-1500-2233	EQPT MTNCE - FF - SCBA	1,200	1,200
2-1500-2820	GRANT EXPENDITURE	0	13,000
2-1500-3520	CONTRACT SERVICES	11,500	5,750
2-1500-4000	EDUCATION & TRAINING	18,000	18,000
2-1500-5500	CAPITAL EXPENDITURES	600,000	27,000
2-1500-5800	EQUIPMENT	18,537	18,537
2-1500-5630	EQUIPMENT - FIREFIGHTING	2,000	1,800
2-1500-8000	INSURANCE - PROPERTY	997	950
2-1500-8050	INSURANCE - LIABILITY	282	160
2-1500-8090	INSURANCE - FIREFIGHTERS ACCIDENT	2,239	2,200
2-1500-9100	INSURANCE - VEHICLE	4,070	4,000
2-1500-7000	SUPPLIES - OFFICE	300	300
2-1500-7100	SUPPLIES - HALL	2,500	2,500
2-1500-9310	UTILITIES - POWER	3,200	2,200
2-1500-8520	UTILITIES - TELEPHONE	2,850	2,850
2-1500-9010	DEBT INTEREST	15,000	0
2-1500-9020	DEBT PRINCIPAL	19,807	0
2-1500-9200	TRANSFER TO RESERVE CAPITAL	10,000	10,000
2-1500-9600	OTHER EXPENSES - MISCELLANEOUS	0	1,163
2-xxxx-1090	SALARIES & WAGES	181	18,100
	Total Expenditures:	677,235	191,349

	Product	Quantity	price	total	Supplier
1	264 Gal Pillow tank	1	\$431.50	\$431.50	Guillevin
2	Munckhof Pump and hose reels	1		\$16,245.00	Munckhof
3	1200 us gal pumpkin tank	1		\$1,436.67	WFR
4	1.5" x 100' forestry hose	18	\$122.46	\$2,204.28	Guillevin
5	1.5" x 3/4" Water thief	20	\$14.10	\$282.00	Guillevin
6	Fog nozzle	10	\$9.55	\$95.50	Guillevin
7	Adjustable nozzle	2	70.35	\$140.70	Guillevin
8	1.5" forestry x Male fire hose adapter	20	\$6.47	\$129.40	Guillevin
9	1.5" forestry x female fire hose adapte	20	\$6.47	\$129.40	Guillevin
10	5/8" x 50' hose	16	49.23	\$787.68	WFR
11	5/8" Brass twist nozzle	23	\$4.46	\$102.58	Guillevin
12	1.5" forestry gated Y	5	\$43.12	\$215.60	Guillevin
13	1.5" forestry Y	3	\$38.35	\$115.05	Guillevin
14	3/4" gated Y brass	10	\$18.24	\$182.40	WFR
15	5 gal pee can	3	\$175.00	\$525.00	Guillevin
16	5 gal bag pee can	3	\$134.80	\$404.40	Guillevin
17	Mcleod tool	2	\$74.05	\$148.10	Guillevin
18	Pulaski	4	\$23.45	\$93.80	Guillevin
19	Hazel hoe	2	\$63.20	\$126.40	Guillevin
				\$23,795.46	
	PST			\$1,665.68	
	Total			\$25,461.14	

Munckhof Manufacturing

Box 308,
5943 Hemlock Street
Oliver, BC V0H 1T0



MUNCKHOF

Phone: 1.250.498.4426
Fax: 1.250.498.4460

E-mail: office@munckhof.com
Web: www.munckhof.com

②

Aug 30, 2019

Mr. Jordy Bosscha,

We are pleased to provide you with a quote for a First Out single or double reel unit. Pump and reel station minus tank assembly;

Single reel	\$11,150
Double reel	\$16,150

We are also pleased to provide pricing on the following parts for the refit of an existing tank with a venturi filling system

Bulkheads, fittings and siphon	\$95.00
--------------------------------	---------

Above pricing does not include installation to or any required tank modifications.

This quote does not include applicable duties taxes or levies, shipping costs or installation. Products are FOB our facility location in Oliver B.C.

Thank you for the opportunity to provide you with this quote.

Dennis van den Munckhof
Sales and marketing,



WFR Wholesale Fire & Rescue Ltd - Fax 403-279-0549/Ph 403-279-0400
 240136 Frontier Crescent Rocky View County AB T1X 0R4 CANADA

Serving Western Canada Since 1986

Quote
 111748-MC

Prices firm for 30 days

Bill To: Keremeos Fire Dept
 Box 292
 Keremeos, BC
 V0X 1N0

Attention: Jordy Bosscha 250-499-6009

Date	Written By	Territory Mgr	FOB	Account #
Sep 17, 2019	Mat Conte	Alan Beres	Calgary	FKER02

Qty	Part No.	Description	Unit Price	Total
1	482010141	Wickman-375 (Mercury Connection) 4-stage 10HP Solo, 2-cycle forestry pump, 53.5lbs, 2" inlet/38mm outlet No fuel tank or fuel line	4,355.69	\$4,355.69
1	710000166	Attack 400-38mm (1.5in) x 50ft (15M) Yellow coated with (3) red stripes double jacket fire hose with NPSH 38mm couplings NFPA	135.11	\$135.11
1	③ 710003514	1200 US gallons free standing low profile drafting tank with foam collar, specify color - self supporting 28oz - supplied with 77mm NPT inlet with plug and repair kit.	1,436.67	\$1,436.67
1	590001411	Hose Forestry 38mm (1.5in) x 100ft w/38mm quick connect forestry cplgs, Guardian Forestry hose, Frontier, non-weeping	151.25	\$151.25
1	262033103	Wye gated forestry 38mm (1.5in) QC x (2) 38mm (1.5in) QC - Mercedes	319.41	\$319.41
1	710001677	Water Thief, plastic w/ shut-off, 38mm (1.5in) Forestry QC x 38mm (1.5in) Forestry QC x 19mm (0.75in) GHT M - Scotty 4040-QC-SO -	17.75	\$17.75
1	462815120	Forestry adjustable multi orifice nozzle w/quick-connect inlet connection, 38mm (1.5in)	90.83	\$90.83
1	710002660	38mm (1.5") NPSH red lexan adjustable spray nozzle with large rubber bumper - Frontier	12.71	\$12.71
1	306512100	Adapter 38mm (1.5in) male NPSH x 38mm (1.5in) forestry quick-connect, w/gasket	9.53	\$9.53
1	306512120	Adapter 38mm (1.5in) female NPSH x 38mm (1.5in) forestry quick-connect, w/gaskets	8.72	\$8.72
1	⑩ 710003251	Patrol Hose forestry 16mm (5/8in) x 50ft (15M) w/Brass Garden Hose Threads Blue with urethane coating, 300psi service test, Frontier	49.23	\$49.23
1	710003250	Patrol Hose forestry 16mm (5/8in) x 100ft (30M) w/Brass Garden Hose Threads Yellow with urethane coating, 300psi service test, Frontier	97.71	\$97.71
1	⑭ 710002538	Wye gated only - Brass w/2-shutoffs w/rubber female GHT swivel inlet & 2-male GHT outlets	18.24	\$18.24
1	710003536	Nozzle forestry adjustable straight stream to fog pattern,	9.38	\$9.38

Kaleden Volunteer Fire Department
Community Emergency Preparedness Fund- 2019

STRUCTURE FIRE PROPS/EQUIPMENT SUMMARY

Description	Units	Unit Cost	Total Cost	Remarks
Ultratec Show Pro Fogger	1	\$ 1,199.00	\$ 1,199.00	Playbook Interior Attack
Long lasting fog fluid	1	\$ 269.99	\$ 269.99	For Fog Machine
Supervent Chimney	3	\$ 119.00	\$ 357.00	Chimney Fire Prop
Supervent Ceiling Kit	1	\$ 209.00	\$ 209.00	Chimney Fire Prop
Supervent Support kit	1	\$ 59.98	\$ 59.98	Chimney Fire Prop
Supervent Locking Band	3	\$ 15.98	\$ 47.94	Chimney Fire Prop
Cap and petcock-1.5inch	4	\$ 38.95	\$ 155.80	Pressure test cap structure hose
Cap and petcock-2.5inch	4	\$ 48.95	\$ 195.80	Pressure test cap structure hose
Fire Hydrant Gate Valve	1	\$ 265.44	\$ 265.44	For Hydrant connection
Fire Hydrant Wrench	1	\$ 56.56	\$ 56.56	For Hydrant connection
Adapter - Structure hose	4	\$ 27.54	\$ 110.16	For Structure hose
Handline nozzle	2	\$ 1,165.62	\$ 2,331.24	For Structure hose
		Subtotal	\$ 5,257.91	
		PST Tax	\$ 368.05	
		Total	\$ 5,625.96	

WILDLAND FIRE SUMMARY

Description	Units	Unit Cost	Total Cost	Remarks
Mark 3 High pressure pump	1	\$ 5,850.00	\$ 5,850.00	For Wildfires
2 inch Suction Hose-Pump	2	\$ 150.00	\$ 300.00	For Wildfires
Foot Valve/Strain-suction Hose	1	\$ 146.00	\$ 146.00	For Wildfires
Pump Tool Kit	1	\$ 207.00	\$ 207.00	For Wildfires
Back Check Valve-Forged	1	\$ 137.68	\$ 137.68	For Wildfires
Drip Torch	1	\$ 222.00	\$ 222.00	For Wildfires
Wildland hose 1.5"-100 feet	20	\$ 151.25	\$ 3,025.00	For Wildfires
Wildland hose 1.5" -50 feet	10	\$ 90.69	\$ 906.90	For Wildfires
Patrol Hose 5/8" - 50 feet	10	\$ 49.23	\$ 492.30	For Wildfires
Patrol Hose 5/8" - 30 feet	10	\$ 36.53	\$ 365.30	For Wildfires
Wye -gated 1.5 inch	10	\$ 52.05	\$ 520.50	For Wildfires
Water Thief -1.5 inch	20	\$ 17.02	\$ 340.40	For Wildfires
Nozzle -1.5 inch	5	\$ 30.00	\$ 150.00	For Wildfires
Nozzle -5/8 inch	5	\$ 15.00	\$ 75.00	For Wildfires
Sprinkler -pulsating on tripod	5	\$ 111.70	\$ 558.50	For Wildfires
Sprinkler -step peg	5	\$ 62.92	\$ 314.60	For Wildfires
		Subtotal	\$ 13,611.18	
		PST Tax	\$ 952.78	
		Total	\$ 14,563.96	

Anarchist Mountain Fire Department
Community Emergency Preparedness Fund- 2019

FIREFIGHTER CANCER REDUCTION STRATEGY

Description	Units	Unit Cost	Total Cost	Remarks
NFPA 1851 Compliant Washer/Extractor	1	\$ 7,500.00	\$ 7,500.00	Cancer prevention
		Subtotal	\$ 7,500.00	
		PST Tax	\$ 525.00	
		Total	\$ 8,025.00	

WILDLAND FIRE EQUIPMENT SUMMARY

Description	Units	Unit Cost	Total Cost	Remarks
Mark 3 High pressure pump	2	\$ 5,850.00	\$ 11,700.00	For Wildfires
2 inch Suction Hose-Pump	2	\$ 150.00	\$ 300.00	For Wildfires
Foot Valve/Strain-suction Hose	2	\$ 146.00	\$ 292.00	For Wildfires
Pump Tool Kit	1	\$ 207.00	\$ 207.00	For Wildfires
Back Check Valve-Forged	2	\$ 137.68	\$ 275.36	For Wildfires
Wildland hose 1.5"-100 feet	10	\$ 151.25	\$ 1,512.50	For Wildfires
Patrol Hose 5/8" - 50 feet	10	\$ 49.23	\$ 492.30	For Wildfires
Patrol Hose 5/8" - 30 feet	10	\$ 36.53	\$ 365.30	For Wildfires
Wye -gated 1.5 inch	5	\$ 52.05	\$ 260.25	For Wildfires
Water Thief -1.5 inch	10	\$ 17.02	\$ 170.20	For Wildfires
Nozzle -5/8 inch	5	\$ 15.00	\$ 75.00	For Wildfires
		Subtotal	\$ 15,649.91	
		PST Tax	\$ 1,095.49	
		Total	\$ 16,745.40	

Anarchist Mountain Fire Department
Community Emergency Preparedness Fund- 2019

Additional information

Quote both from suppliers and on line searches used to establish cost are on file at KVFD.

Total Grant request **\$ 24,770.40**

Urs Grob
 Fire Chief
 Anarchist Mountain Fire Department
 Sept 20,2019

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Repeal Bylaw – Noise by Motorboats

Administrative Recommendation:

THAT Regional District of Okanagan-Similkameen Noise by Motorboats Repeal Bylaw No. 2836, 2019, be read a first, second and third time and be adopted.

Purpose:

To repeal an unenforceable bylaw.

Reference:

Local Government Act section 324

Constitution Act section 91(10)

Business Plan Objective:

Objective 2.2.1 Continuously improving bylaws, policy and process within the organization

Background:

Pursuant to Section 324 of the *Local Government Act*, a Regional District may, by bylaw, prevent or prohibit noise at or on streets, wharves, docks, piers or other public places. However, a local government does not have jurisdiction to legislate on navigable water covered by federal legislation. Therefore noise originating from a noisy boat on water, cannot be subject of a prosecution under an adjacent local government bylaw.

Analysis:

Bylaw No. 367, 1977 is a complaint driven bylaw and if this bylaw remains active, the public has an expectation that a bylaw officer will be able to enforce it. Should the Regional District receive a complaint of excessive boat noise at or near a dock or wharf, the boat would be, in all likelihood, in the water and therefore beyond the enforceability of the bylaw. Therefore, Bylaw No. 367 has no purpose and should be repealed.

Alternatives:

THAT Bylaw No. 2836 be abandoned and Bylaw No. 367 remain active.

Respectfully submitted:

"Christy Malden"

C. Malden, Legislative Services Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 367

A Bylaw of Regional District of Okanagan-Similkameen to prohibit the making of objectionable noise by motorboats.

WHEREAS it is deemed necessary and expedient to prohibit the making of objectionable noise by motorboats within Regional District of Okanagan-Similkameen;

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

1. In this Bylaw, unless the context otherwise requires:

"motorboat" means a vessel which is propelled by an internal combustion engine but does not include a vessel which is propelled by sail or oars and employs an auxiliary internal combustion engine, or a vessel which employs a diesel engine.

2. No person shall launch a motorboat from any lands within Electoral Areas A, D, E, F, of Regional District of Okanagan-Similkameen, if that motorboat is equipped with an exhaust system that permits the exhaust gases from the engine to be expelled directly into the air and without first passing through water, unless the motorboat is equipped with a muffling device which ensures that the exhaust gases from the engine are cooled and expelled without excessive noise.
3. No person shall use or operate a motorboat within Electoral Areas A, D, E, F, of Regional District of Okanagan-Similkameen if that motorboat is equipped with an exhaust system that permits the exhaustive gases from the engine to be expelled directly into the air and without first passing through water, unless that motorboat is equipped with a muffling device which ensures that the exhaust gases from the engine are cooled and expelled without excessive noise.
4. No person shall use or operate a motorboat with excessive noise which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of the persons in the vicinity.
5. Notwithstanding anything contained in this Bylaw to the contrary, Board may, by resolution, grant a permit for a race or regatta and in such event any motorboat competing in such race or regatta may be exempted from the provisions of this Bylaw.
6. Any person contravening or committing any breach against any of the provisions of this Bylaw is liable, upon summary conviction, to a fine of not more than \$500.00 or to a term of imprisonment not exceeding three (3) months.
7. This Bylaw may be cited for all purposes as "Regional District of Okanagan-Similkameen Bylaw No. 367, 1977, to prohibit the making of objectionable noise by motorboats".

READ a FIRST, SECOND and THIRD TIME this 23 day of June , 1977.

I hereby certify that the foregoing is a true and correct copy of "Regional District of Okanagan-Similkameen Bylaw No. 367, 1977" as read a third time by the Regional Board at a meeting held on the 23 day of June , 1977.

Approved by Minister of Municipal Affairs ^{and Housing} this 10 day of November, 1977. W. Crockett
Secretary-Treasurer

RECONSIDERED, PASSED, and FINALLY ADOPTED this 17 day of November, 1977.

W. Crockett
Chairman

W. Crockett
Secretary-Treasurer

APPROVED pursuant to the provisions of section 203 of the Municipalities Enabling and Validating Act this 10th day of Nov, 1977.

W. Crockett
Minister of Municipal Affairs and Housing

APPROVAL NO. 77 208

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2836, 2019

A bylaw to repeal Regional District of Okanagan-Similkameen Bylaw No. 367, 1977 prohibiting the making of objectionable noise by motorboats.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wishes to repeal Regional District of Okanagan-Similkameen Bylaw No. 367, 1977, to prohibit the making of objectionable noise by motorboats.

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

1.0 CITATION

1.1 This bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen Noise by Motorboats Repeal Bylaw No. 2836, 2019”.

2.0 REPEAL OF BYLAWS

2.1 “Regional District of Okanagan-Similkameen Bylaw No. 367, 1977 to Prohibit the Making of Objectionable Noise by Motorboats”, and any amendments thereto, is hereby repealed.

READ A FIRST, SECOND and THIRD TIME this __ day of _____, 2019.

ADOPTED this ____ day of _____, 2019.

Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Bylaw No. 2447 Electoral Area "D" Economic Development Service

Administrative Recommendation:

THAT Bylaw No. 2447.02, 2019 Electoral Area "D" Economic Development Service Establishment Bylaw be adopted.

Purpose:

To remove Electoral Area "I" parcels from the Electoral Area "D" Economic Development Service.

Reference:

Bylaw No. 2447, 2008

Background:

Bylaw No. 2447, 2008 established an economic development service for Electoral Area D.

Analysis:

Director Monteith indicated intent to withdraw from the Electoral Area "D" Economic Development Service and establish a separate Economic Development service for Electoral Area "I". Bylaw No. 2869 Electoral Area "I" Economic Development Service Establishment Bylaw is still awaiting Ministry approval.

Bylaw No. 2447.02 has been approved by the Ministry and may now be adopted.

Alternatives:

1. THAT Bylaw No. 2447.02, 2019 Electoral Area "D" Economic Development Service Establishment Amendment Bylaw be adopted.
2. THAT the Board of Directors rescind readings for Bylaw No. 2447.02 and abandon the bylaw.

Respectfully submitted:

"Gillian Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

BYLAW NO. 2447.02, 2019

A bylaw to amend the service for the promotion of economic development in the Electoral Area 'D' of the Regional District of Okanagan-Similkameen by removing Electoral Area "I" properties.

WHEREAS the Regional District of Okanagan Similkameen established a service to promote economic development in Electoral Area 'D' of the Regional District by Bylaw cited as Electoral Area 'D' Economic Development Service Establishment Bylaw No. 2447, 2008.

AND WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wishes to proceed under Sections 349 and 350 of the *Local Government Act*, to amend the service for the promotion of economic development by changing the boundary of the service area;

AND WHEREAS the directors for Electoral Area D and Electoral Area "I" of the Regional District have consented in writing to the amendment of Electoral Area 'D' Economic Development Service Establishment Bylaw No. 2447, 2008 pursuant to Section 347 of the *Local Government Act*,

NOW THEREFORE the Board of the Regional District, in open meeting assembled **ENACTS** as follows:

CITATION

1. This bylaw may be cited for all purposes as the Electoral Area 'D' Economic Development Service Establishment Amendment Bylaw No. 2447.02, 2019.

AMENDMENT OF SERVICE

2. The boundaries of the service area established by Electoral Area 'D' Economic Development Service Establishment Bylaw No. 2447. 2008 are amended by removing all parcels within Electoral Area "I".
 - 2.1. Schedule A, attached to and forming part of this bylaw, is the map of the service area as amended by this bylaw.
 - 2.2. Schedule B, attached to and forming part of this bylaw, is the map of the parcels removed from the service area pursuant to this bylaw.

READ A FIRST, SECOND, AND THIRD TIME this 1st day of August, 2019.

ELECTORAL AREA D DIRECTOR CONSENT OBTAINED this 1st day of August, 2019.

ELECTORAL AREA I DIRECTOR CONSENT OBTAINED this 1st day of August, 2019.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 11th day of September, 2019.

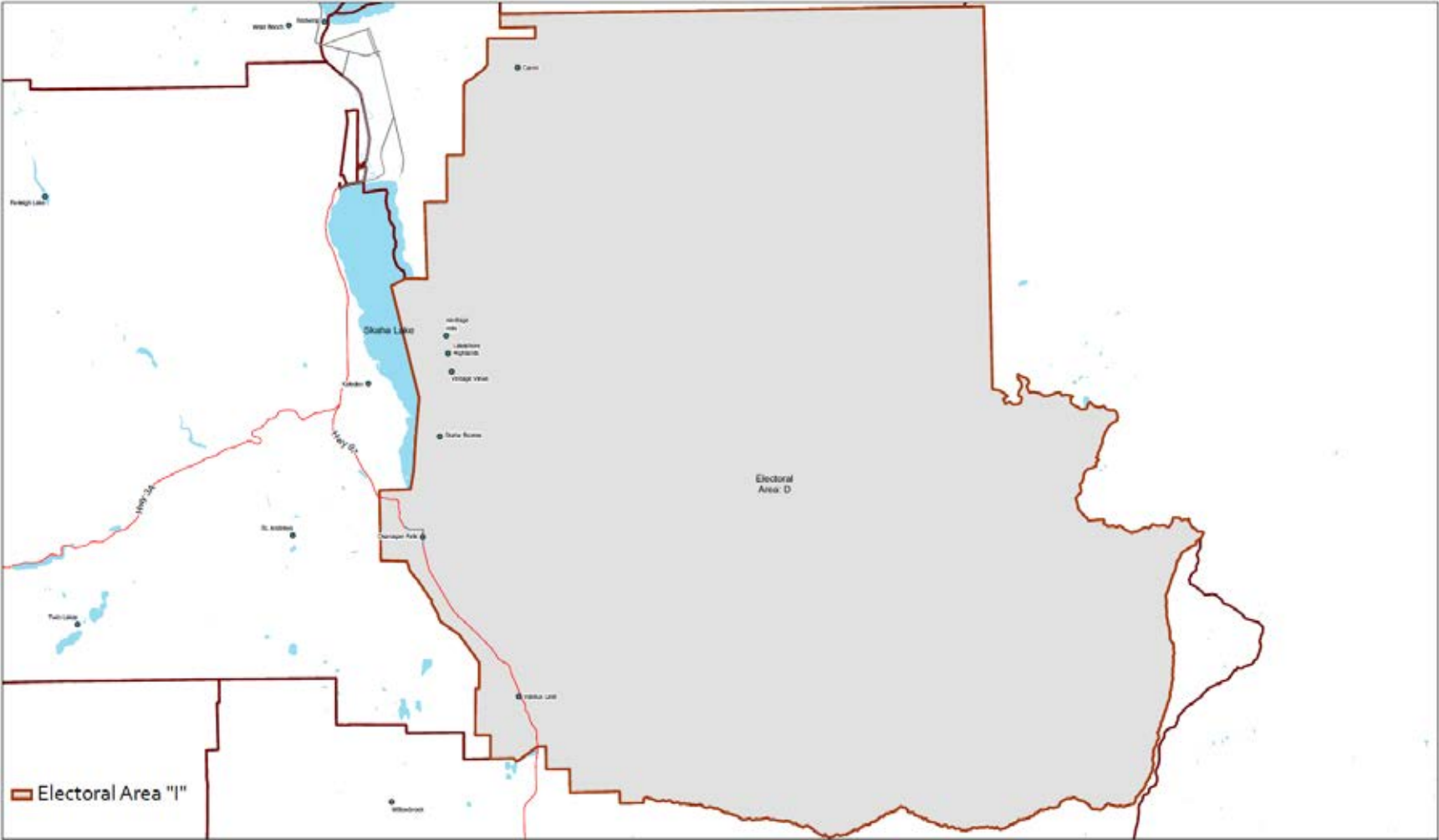
ADOPTED this ___ day of ___.

Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ___ day of _____.

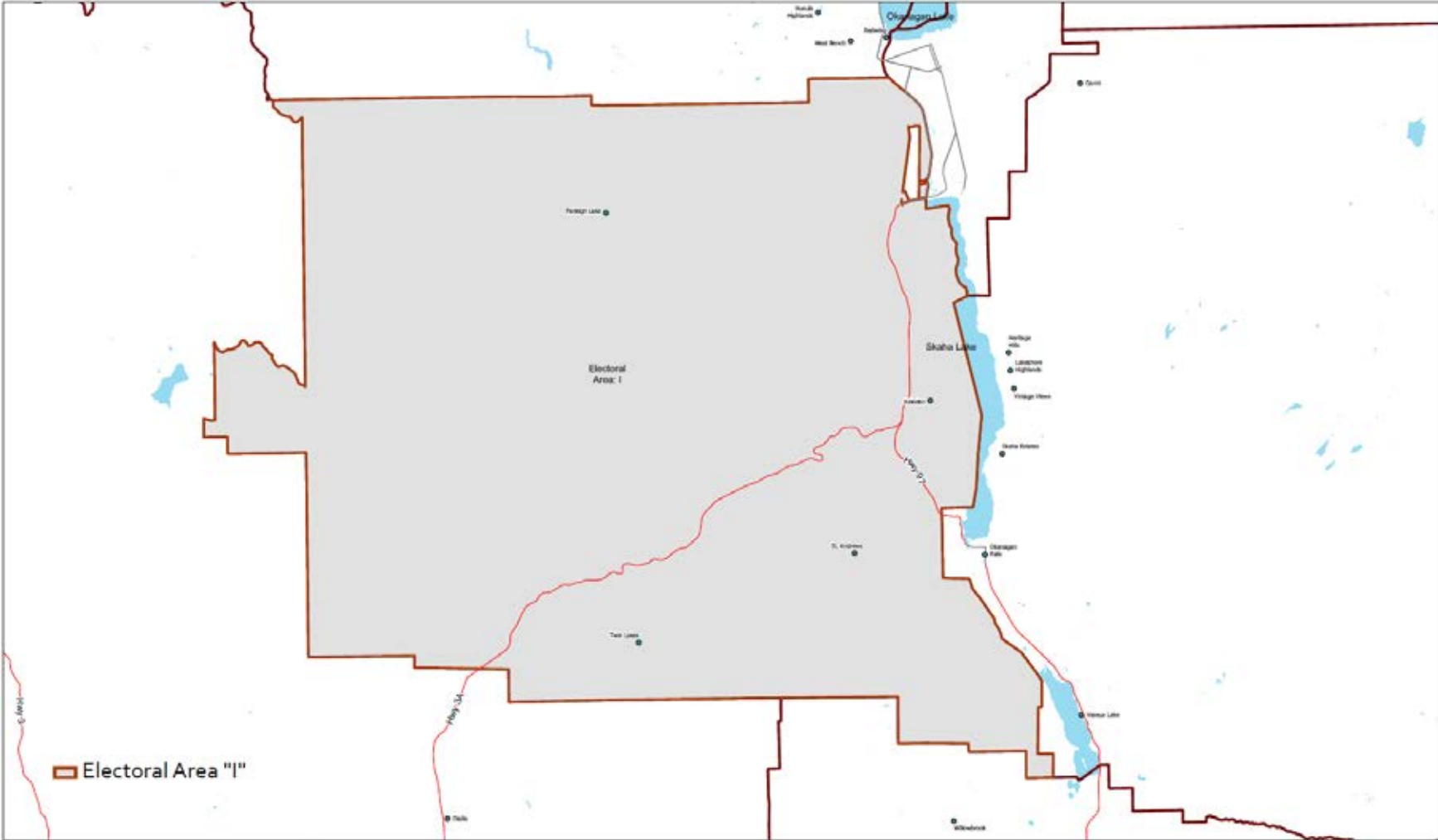
Schedule A



Schedule A to Bylaw No. 2447.02 showing the whole of Electoral Area "D", entitled "Electoral Area "D" Economic Development Service Area as amended by Bylaw No. 2447.02."



Schedule B



Schedule B to Bylaw No. 2447.02 showing the whole of Electoral Area "I", entitled "Properties removed from Electoral Area "D" Economic Development Service Area."



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Faulder Community Water System Service Establishment Amendment Bylaw

Administrative Recommendation:

THAT Faulder Community Water System Service Establishment Amendment Bylaw No. 1177.04, 2018 be read a first, second and third time.

Reference:

Local Government Act
B.C. Reg.113/2007

Background:

Bylaw No. 1177 Faulder Community Water System Service Establishment Bylaw as amended states that the maximum annual amount that may be requisitioned for the water system service is \$133,731. In 2019, \$149,036 was requisitioned to provide the service.

Analysis:

The Regional District Establishing Bylaw Approval Exemption Regulation (BC 113/2007), allows regional district service establishing bylaws to be amended without Inspector of Municipalities' approval if the amount of the increase to the maximum requisition is less than or equal to 25% of the requisition amount on the date the original bylaw was adopted or the date five years before the date of the third reading of the amendment bylaw (whichever is the later). Bylaw No. 1177.03, 2010 set the requisition limit as \$133,731; under the Regulation, the requisition limit may be increased to \$167,163.75. Staff is requesting that the maximum requisition amount be increased to \$167,000 in the bylaw in order to be in compliance.

Respectfully submitted:

Endorsed by:

"Gillian Cramm"

G. Cramm, Legislative Services Coordinator

C. Malden, Manager of Legislative Services

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 1177.04, 2018**

A Bylaw to amend the Faulder Community Water System Service Establishment Bylaw No.
1177, 1990

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wishes to proceed under Section 349 of the *Local Government Act*, to amend the bylaw to increase the requisition limit;

AND WHEREAS the Director of Electoral Area 'F' has consented in writing to the amendment of the Faulder Community Water System Service Establishment Bylaw No. 1177, 1990 pursuant to Section 347 of the *Local Government Act*;

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

CITATION

1. This bylaw may be cited for all purposes as the "Faulder Community Water System Service Establishment Amendment Bylaw No. 1177.04, 2018."

AMENDMENT OF SERVICE

2. 'Faulder Community Water System Service Establishment Bylaw No. 1177, 1990' is amended by deleting Section 5(b) in its entirety and replacing it with:

5. Limits

- b) The maximum annual amount that may be requisitioned under Section 4 of this bylaw for the Faulder Community Water System Service is \$167,000.

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

ELECTORAL AREA 'F' DIRECTOR CONSENT OBTAINED this day of , 2019.

ADOPTED this day of , 2019.

RDOS Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this day of , 2019.

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 17, 2019
RE: Soil Removal and Deposition Bylaw – FOR INFORMATION ONLY

Purpose:

The purpose of this report is to provide context for a proposed Notice of Motion pertaining to best practices regarding the regulation of soil removal and deposition within the Regional District.

Background:

Under Section 327 (Removal and deposit of sand, gravel and other soil) of the *Local Government Act*, a regional district may, subject to the creation of a service area, regulate or prohibit the removal of soil or the deposit of soil and other materials on “any land in the regional district or in any area of the regional district.”

This authority is, however, subject to Section 9 [spheres of concurrent authority] of the *Community Charter* and may require provincial approval if the bylaw proposes to prohibit the removal or deposit of soil or “makes reference to quality of the soil or material or to contamination” to be deposited.

At its meeting of December 11, 1997, the Regional District Board adopted the “Soil Deposit Prohibition Bylaw 1818, 1997”, which prohibits “the deposit of soil which originates from outside the boundaries of Area B [Cawston] & G [Keremeos Rural]”, subject to a number of exemptions (e.g. when used for agricultural or road construction purposes).

Analysis:

Soil removal and deposit bylaws are used by local governments for, amongst other things:

- protection of topsoil, watercourses (drainage), and agricultural lands in the ALR;
- prevention of the spread of invasive species;
- dumping of contaminated soils and other similar materials;
- prevention of damage to community infrastructure; and
- maintaining rural and residential character/neighbourhoods (particularly around nuisance, noise and truck traffic).

These bylaws achieve this by requiring of a landowner proposing to undertake the removal or placement of soil/fill that they provide basic information in support of the proposed works. This can include information regarding the material to be deposited or removed and, depending on volume, a management plan dealing with grading, erosion and revegetation.

Other considerations related to a soil removal and deposit bylaw include the following:

Service Area Creation:

A service area needs to be created prior to the adoption of a Soil Removal and Deposit Bylaw and Elector approval is not required for such a service establishment bylaw as the *Local Government Act*

authorizes participating area approval to be obtained via written consent of each of the affected Electoral Area Directors if:

- 1) the participating area includes all of the electoral area; and
- 2) the service is being established without borrowing.

It is understood that such a service area could be applied to the whole of the Regional District, the whole of an Electoral Area or part of an Electoral Area.

Permitting Fees and Processes:

The *Local Government Act* allows for the Regional District to impose fees for the issuance of a permit for soil removal or deposition and that such fees “may vary according to the quantity of soil removed or the quantity of soil or other material deposited, and ... may be different for different areas of the regional district.”

Examples of the fees charged by other local governments in the South Okanagan and surrounding regional districts is provided at Attachment No. 1. Where multiple fees are indicated, the applicable local government has opted to charge variable fees based upon the quantity of materials.

Administration considers that, along with robust application requirements and processing procedures, an application fee is an integral component of such a bylaw.

At present, the Regional District’s “Soil Deposit Prohibition Bylaw 1818, 1997” does not contemplate the issuance of a permit in relation to the proposed placement of soil in Electoral Areas “B” & “G”, which makes the proactive enforcement of this bylaw’s provisions difficult.

Departmental Resources:

While it is unknown what the potential workload implications of such a bylaw would be on Regional District departmental operations (as this would be determined by the scope of the bylaw), member municipalities of the Regional District with soil removal and deposit bylaws were canvassed on their experiences.

Staff at the City of Penticton advise that they have been issuing 6-7 permits per year, mostly for works in the rural parts of the municipality or for initial earthworks (foundation prep and site grading) for major construction.

Staff at the District of Summerland advise that they issue between 5-10 permits per year and that these are also generally for site preparation related to subdivisions or major construction projects and also the terracing of agriculturally zoned lands.

Staff at the Town of Osoyoos advise that they issue 1-2 permits per year and that these are ...

Support of Development Permit Area Designations:

A soil removal and deposit bylaw could assist in the enforcement of a development permit (DP) area guidelines as it would be a regulatory bylaw that would allow for enforcement ticketing.

Under Section 488 (Designation of development permit areas) of the *Local Government Act*, an official community plan (OCP) bylaw may designate development permit areas for, amongst other things, the “protection of the natural environment, its ecosystems and biological diversity” or the “protection of development from hazardous conditions”.

While the Regional District has previously designated development permit (DP) areas under these sections (i.e. Watercourse, Environmentally Sensitive and Hillside & Steep Slope), and the disturbance of soils has been listed as a trigger for a permit, the objectives of these DP Areas are primarily related to other matters (i.e. hazard lands) and not the impacts of soil deposition or removal.

In addition, enforcing development permits has proven challenging as they are not regulatory and do not authorize penalizing property owners who do not adhere to a DP condition(s). The only recourse available to the Regional District in these situation is appealing to the BC Supreme Court for injunctive action – which is both costly and time consuming.

Enforcement:

Further to the comments above, amendments to the Regional District’s “Bylaw Notice Enforcement Bylaw 2507, 2010” would be required in order to include any bylaw adopted for soil removal and deposit to aid with enforcement.

This could include provisions related to undertaking activities without a permit, in contravention of a permit, if involving contaminated soils or failure to display a permit.

Respectfully submitted:

Endorsed by:



C. Garrish, Planning Manager



B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 – Overview of Local Government Soil Removal & Deposit Bylaws

Attachment No. 1 – Overview of Local Government Soil Removal & Deposit Bylaws

Jurisdiction	Bylaw	Permit Fee	Area Application
City of Penticton	Earthworks Control Bylaw No. 2006-65	\$250.00	Whole of municipality
District of Summerland	Earth Control Bylaw No. 2000-290	\$200.00	Whole of municipality
Town of Oliver	[Not applicable]	—	—
Town of Osoyoos	Soil Deposit & Removal Bylaw No. 1275	\$150-350.00	Whole of municipality
Town of Princeton	[Not applicable]	—	—
Village of Keremeos	[Not applicable]	—	—
District of Peachland	Soil Deposit and Removal Bylaw No. 1934	\$200-1,500.00	Whole of municipality
City of West Kelowna	Soil Removal and Deposit Bylaw No. 0127	\$250-500.00	Whole of municipality
Central Okanagan (RD)	[Not applicable]	—	—
North Okanagan (RD)	Soil Removal and Deposit Bylaw No. 2647	\$1,100.00	Electoral Areas "B" & "C"
Thompson Nicola (RD)	[Not applicable]	—	—
Fraser Valley (RD)	Commercial Gravel Operations Bylaw No. 1181	\$1,250-2,500.00	All Electoral Areas
Kootenay Boundary (RD)	[Not applicable]	—	—
Central Kootenay (RD)	Soil Removal and Deposit Permit Bylaw No. 1183	\$300.00	Electoral Areas "I" & "J"
Columbia Shuswap (RD)	[Not applicable]	—	—
Squamish Lillooet (RD)	Soil Deposit & Removal Bylaw No. 1423-2015	\$100-500.00	All Electoral Areas