

Regional District of Okanagan-Similkameen

**SCHEDULE OF MEETINGS**

**THURSDAY, OCTOBER 1, 2015**  
**RDOS BOARDROOM**

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9:00 am	-	9:30 am	Environment & Infrastructure Committee
9:30 am	-	11:00 am	RDOS Regular Board Meeting

*"Mark Pendergraft"*

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Mark Pendergraft  
RDOS Board Chair

Advance Notice of Meetings:

October 15	RDOS/OSRHD Board/Committee Meetings
November 5	RDOS Board/Committee Meetings
November 19	RDOS/OSRHD Board/Committee Meetings
December 3	RDOS/OSRHD Inaugural Board Meetings
December 17	RDOS/OSRHD Board/Committee Meetings



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Environment and Infrastructure Committee

Thursday, October 1, 2015

9:00am

## REGULAR AGENDA

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### A. APPROVAL OF AGENDA

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### B. DELEGATION

Lise Ecclestone, Okanagan Upcycle Resource Society

1. Presentation
2. Budget
3. Letter of Understanding

Ms. Ecclestone will address the committee regarding the progress of the Okanagan Upcycling Resource Society and the OUR Upcycling Centre

Ms. Ecclestone will also be asking the Board for support in relocating the upcycling centre and promoting its services

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### C. ADJOURNMENT



180 W Industrial Ave  
Penticton, BC

[www.ours\\_Penticton.ca](http://www.ours_Penticton.ca)

# ***OURS BOARD OF DIRECTORS***

***Lise Ecclestone  
John Kornelsen  
Edward Ecclestone  
Laurel Burnham  
Arnd Zschocke  
Rick Hatch  
Daryl O'Neill  
Jenny-Anne Knibbecke  
Angela Hook***



# ***OUR MISSION***

***To empower our communities  
by repurposing materials  
into useful commodities  
thereby reducing the impact  
on local landfills.***

# ***OUR VISION***

***Reduce regional carbon footprint***

***Reduce landfill waste***

***Create employment, education  
& skill development***

***Contribute to community  
economic development***

## ***OUR PURPOSE - Environment***

***To divert useful materials from landfills***

***Repurpose these materials into value added products***

***Encourage a sustainable flow of community resources***

# ***OUR PURPOSE-Community***

***Employ marginalized citizens***

***Be inclusive, forward thinking,  
and innovative***

***Educate and reskill our community***



# ***OUR UPCYCLING CENTRE***

***Accepts and sells***

***WOOD PRODUCTS***

***USED BUILDING MATERIALS***

***PLUMBING & ELECTRICAL***

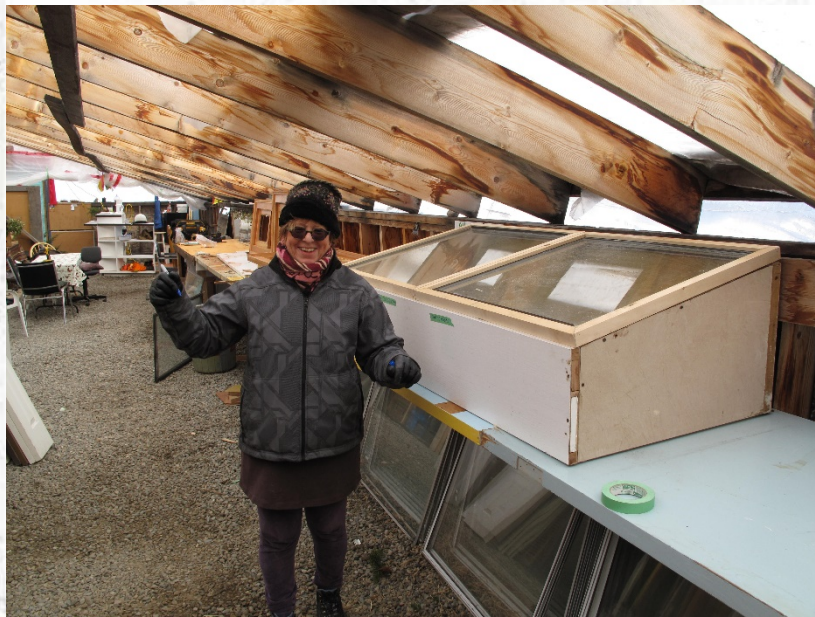
***CABINETS, SINKS, TUBS***

***HARDWARE & TOOLS***

***DOORS & WINDOWS***









# ***OUR UPCYCLING CENTRE***

***A social enterprise***

***to collect, redistribute and create  
value added products from wood &  
building materials.***



# **Objectives**

***Collaborate with the RDOS to achieve waste management goals***

***Divert materials from landfill sites***

***Provide employment and training for marginalized and unemployed citizens***

# ***Wood Resources***

***RDOS Landfills***

***Local mills, contractors & manufacturers***

***Community donations***

***Deconstruction and salvaging initiatives***

# ***Income***

***Store sales***

***Value added manufacturing***

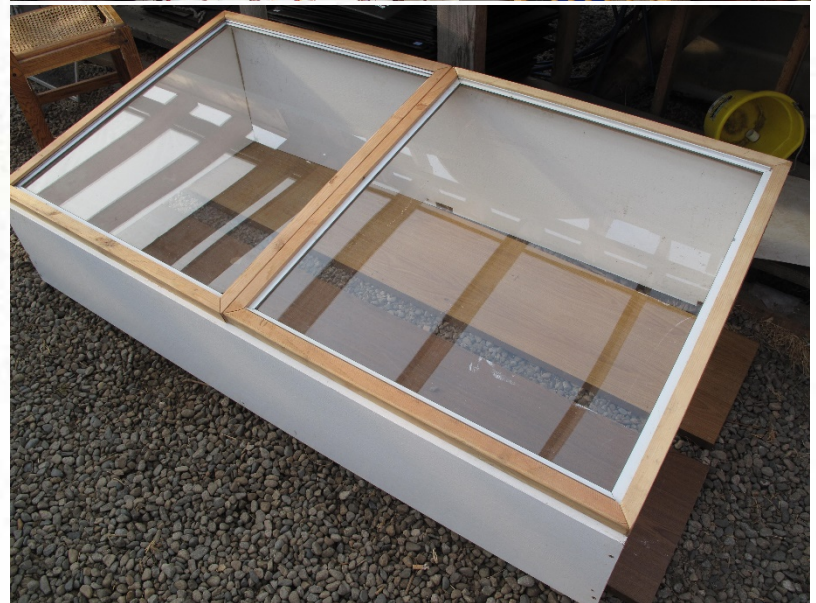
***Pick up and deconstruction services***

***Grants, donations & in kind contributions***

***OURS Sponsored Events***

***Membership Fees***







# ***Expenses***

***Insurance – liability, vehicle***

***Rent on Store Space***

***Employee Wages***

***Materials & Equipment – Safety gear, tools***

***Capital Assets – Vehicle, Inventory***

***Administration Costs – MERCs, retail office***

***Marketing & Advertising***

# ***Fall & Winter 2015/16***

***Relocate the OUR Upcycling Centre***

***Consolidate Inventory***

***Improve & Build Working Relationships  
with Contractors & Partners***

***Promote, market & advertise***

***Establish an Improved Cash Sales System***

***Secure Funding/Grants***

# ***Winter & Spring 2016***

***Prepare to Open Store @ New Location***

***Employ & Train 2 New Staff***

***Build Inventory***

***Establish Scheduled Pick-Up of Materials  
with Contractors & RDOS Landfill Sites***

***Plan for Sponsored Spring Events  
(Seedy Saturday, Repair Café)***



# ***Summer & Fall 2016***

***Focus on Improving Retail Sales & Store***

***Build on Community Partnerships***

***Diversify by Hiring & Training Crew for  
Deconstruction Work in Community***

***Securing Deconstruction Contracts***

***Plan for Sponsored Fall Events***

***(Make It Okanagan, Repair Café)***

## ***Accomplishments Oct 2014 to Oct 2015***

Saved \$11,000 and maintained an operational budget of \$2,000;

Employed an Operations Manager & Bookkeeper in May 2015;

Diverted over 8,500 kgs of wood from Landfill Site;

Diverted doors, windows, sinks, counters, flooring;

Increased our Membership to 78 active members;

Successfully sponsored special events: Make It Okanagan, Seedy Saturday and Repair Cafe.;

Purchased a one ton cube van for pick-up & deliveries;



10th ANNUAL  
**SEEDY**  
**SATURDAY**  
**FEB. 28, 2015**

Supporting Seeds of Diversity



**10 am - 2 pm**

**Okanagan College Community Room**

Organic & heritage seeds, bedding plants,  
perennials, soil amendments, honey, juice,  
eggs, produce... and more!

Email [laburnham@shaw.ca](mailto:laburnham@shaw.ca) or  
call (250) 492-7717 for more info

# Repair Café

an initiative of the  
Okanagan Upcycle  
Resource Society

PENTICTON

Chair with a loose leg?  
Bicycle with a flat tire?  
Toaster not working?

Toss it? No way!

We can repair it at Repair Café!

Clothing mended. Furniture repaired. Electrical appliances fixed.  
Toys repaired. Tools sharpened!

**APRIL 25**

10 am - 2 pm

at OURS Restore

180 Industrial Ave West

In honor of Earth Day, help reduce our carbon footprint by reducing waste





**18th Annual  
CHRISTMAS  
Craft Faire**  
and  
**Sustainable Living Show**  
(formerly known as "Santa Presents")

**November 1<sup>st</sup> & 2<sup>nd</sup>**  
Penticton Trade and Convention Centre  
237 Power Street, Penticton, BC

Sat. 9 am - 5 pm & Sun. 10 am - 4 pm

This is the largest craft show in the South Okanagan...  
with Crafters from all over BC and Alberta!

**Music • Door Prizes • Free Parking**

**Admission \$4** (children under 10 - FREE)

Proceeds supporting: Okanagan Upcycle Resource Society  
The Penticton Fruit Tree Project  
as well as other community building projects

[www.MakeitOkanagan.com](http://www.MakeitOkanagan.com)



# ***OUR Skills***

***Environmental Project Management***

***Training & Employment Skills Development***

***Community Building***

***Marketing, Networking & Fundraising***

***Recycling Engineering***

***Building Design & Architecture***

***Construction & Building Material Salvage***

***Administration & Accounting***

***Proposal and Grant Writing***



# ***We Are Seeking***

- 1. Assistance with securing a new store location;***
- 2. Permission to advertise at local landfill sites;***
- 3. Inclusion of OUR Upcycling Center in RDOS circulations and annual calendar;***
- 4. Support with special events such as Repair Café & Make It Okanagan.***

# ***OUR Commitment to Partnership***

***To adhere to safety and liability regulations;***

***To respect operational directions from RDOS;***

***To divert material destined for the landfills;***

***To harvest reusable wood dropped off at landfills;***

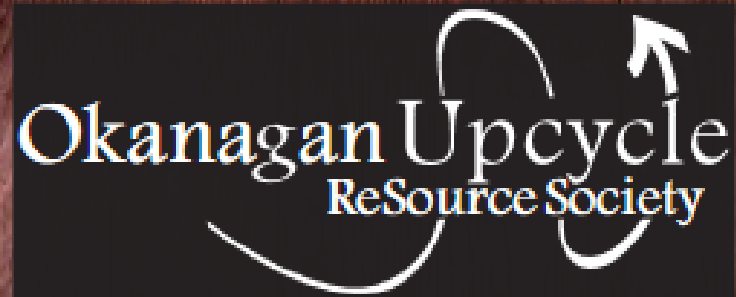
***To meet with RDOS Environment Committee as needed to review & evaluate operations.***



# ***OUR Partners***

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN  
PENTICTON & DISTRICT SOCIETY OF COMMUNITY LIVING  
HOME HARDWARE  
WINDSOR PLYWOOD  
RONA  
GREYBACK CONSTRUCTION LTD  
CAPITAL GLASS LTD  
SKYVIEW BLINDS & CLOSETS  
DARFIELD EARTHSHIP KALEDEN  
Repair Café International





**Building Community Resilience**

**We accept donations of, and sell:**

- Dimensional lumber
- Doors (interior/exterior)
- Cabinets
- Wood furniture
- Lighting/plumbing fixtures
- Sinks, toilets & vanities
- Glass/windows
- Value added wood products
- Hand/garden tools

# OURS      Income/Expenses      June - Aug 2015

## Sales Summary by Category

June 1-30/2015

	Lumber	Doors/ Windows	Other Bldng Mat	Plumbing	Electrical/ Lighting	Tools	General Hardware	Seasonal	Furniture/ Accessories	Misc	Membership	Total
June 1-6	7.00	124.00	86.00	40.50	49.50	49.00	26.50	26.70	330.00	1.50	0.00	740.70
June 7-13	5.00	100.00	58.00	25.00	82.50	1.00	5.00	4.00	29.50	0.00	0.00	310.00
June 14-20	41.50	205.00	41.50	15.00	37.00	28.00	12.00	13.75	53.00	0.00	0.00	446.75
June 21-30	13.00	165.00	72.50	10.00	12.00	0.00	5.00	17.00	17.50	0.00	0.00	312.00

66.50	594.00	258.00	90.50	181.00	78.00	48.50	61.45	430.00	1.50	0.00	1809.45
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			office	
	Wages	Rent	supplies	Maint
	2108.41	178.45	10	10.2
				2307.06

income/expenses      -497.61

## Sales Summary by Category

July 1-Aug 1/2015

	Lumber	Doors/ Windows	Other Bldng Mat	Plbing	Electrical/ Lighting	Tools	General Hardware	Seasonal	Furniture/ Accessories	Misc	Member ships	Total	PDSC
July 1-4	0	0	20	30	6	0	7	11	9.8	6	0	89.8	0
July 5-11	9	20	86	77	35	2	10	16.8	91	0	0	346.8	0
July 12-18	4	355	45	0	29	0	13	0	33	0	0	479	0
July 19- 25	15	30	21	170	12.5	19	12.5	3	15.5	1	0	299.5	5
July 26 - Aug 1	3	147	93	0	19	14	11.5	1.5	84.5	0	0	373.5	7

31	552	265	277	101.5	35	54	32.3	233.8	7	0	1588.6	12
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## Expenses

			Equip/	
	Salaries	Promo	Maint	Banking
	1840.95	110.74	83.7	5
				misc
				2672.6
				4712.99

income/expenses      -3124.39

Sales Summary by Category

Aug-15

.	Lumber	Doors/ Windows	Other Bding Mat	Plbing	Electrical/ Lighting	Tools	General Hardware	Seasonal	Furniture/ Accessories	Misc	Member ships	Total	PDSC
Aug 2-8	25	120	38	40	18	0	1.5	5	11	0	0	258.5	10
Aug 9-15	12	82	65	1	0	2	7	24	87	0	0	280	0
Aug 16-22	2	155	132	0	0	10	0	0	15	5	0	319	0
Aug 23-29	0	180	53	70	0	0	10	40	9	0	0	362	0
	0	0	0	0	0	0	0	0	0	0	0	0	0
	39	537	288	111	18	12	18.5	69	122	5	0	1219.5	10

Expenses

	Equip/ Maint	Banking	
Salaries			
1430.54	36.75	5	1472.29
		income/expenses	-252.79

Bank Balance	Sept 1/2015
Chequing	4137.59
Savings	6256.77

## Letter of Understanding

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THIS AGREEMENT made in triplicate this 20<sup>th</sup> day of November, 2014

**BETWEEN:**

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

101 Martin Street  
PENTICTON, B.C.  
V2A 5J9

(hereinafter called the "Regional District")

**OF THE FIRST PART**

**AND:**

**OKANAGAN UPCYCLING RESOURCE SOCIETY**

100 - 861 Main St  
Penticton, B.C.  
V2A 5E3

(hereinafter called the "Contractor")

**OF THE SECOND PART**

The REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN, located at 101 Martin Street, Penticton, B.C., V2A 5J9 hereby acknowledges that OKANAGAN UPCYCLING RESOURCE SOCIETY (OURS) (the "Contractor") has been granted the right of access to the Regional District-operated Sanitary Landfills - Penticton Campbell Mountain, Keremeos, Oliver and Okanagan Falls Sanitary Landfill Sites for the *non-exclusive* purpose of salvaging quantities of "WOOD WASTE"

WOOD WASTE means clean, organic material including, but not necessarily limited to:

- (a) kiln dried dimensional lumber such as wood pallets, and demolition wood waste;
- (b) branches greater than 12.5 millimetres (1/2 inch) in diameter and a maximum of 1.8 metres (6 feet) in length;
- (c) plywood;
- (d) particle board;
- (e) pressed board or MDF (Medium Density Fibreboard);
- (f) tree stumps; and,
- (g) any wood based post-consumer product.

provided such material is free of creosote, rocks, metals other than nails and screws, heavy coats of paint, wire, fibreglass, asphalt roofing material, and other non-wood materials;

The right of access and permission to salvage quantities of "WOOD WASTE" is granted by the Regional District Okanagan-Similkameen under the following conditions:



A. The Contractor shall:

1. perform all work during regularly scheduled landfill hours;
2. identify themselves to the gate attendant upon each visit for site security and safety reasons;
3. *only* salvage identified "WOOD WASTE";
4. salvage materials from designated areas only;
5. provide Contractors own WCB approved and required PPE, including but not limited to, footwear, safety vest, and gloves;
6. allow the gate attendant to weigh, screen and record all salvaged materials that leave the site;
7. NOT dispose of any solid waste at the landfill, unless such waste originates off-site within the specified landfill service area and the applicable tipping fees are paid to the gate attendant;
8. comply with all directions and requests of the gate attendant and/or site operator;
9. stage all salvaged materials in a designated area and remove from the site in a timely manner;
10. conduct all transactions involving salvaged materials off site RDOS Landfill sites.

B. Term of Letter of Understanding

The Letter of Understanding shall be in effect for five years commencing October 30, 2014 and expiring October 30, 2019 with an annual review. The Regional District of Okanagan-Similkameen may cancel or amend this arrangement by providing 30 days written notice to the Contractor.

C. Payment

There shall be no payment for the duties performed under this Letter of Understanding.

D. Assignment of Contract

The Contractor shall not sublet, sell, transfer, assign, or otherwise dispose of the Letter of Understanding or any portions thereof, or his right, title or interest therein, or his obligations thereunder without the written consent of the Regional District.

E. Indemnity

The Contractor shall indemnify and save harmless the Regional District from and against all losses and all claims, demands, payments, suits, actions, recoveries, and judgements of every nature and description brought or recovered against him, and/or the Regional District, by reason of any act or omission or alleged act or omission of the said Contractor, his agents, employees, or sub-contractors in the execution of the work.

F. Permits and Regulations

The Contractor shall, at his own expense, procure all permits, certificates and licenses required by law for the execution of the work and shall comply with all federal, territorial, provincial, and local laws and regulations, affecting the execution of the work.

G. Injury or Damage

The Contractor shall use due care and take all necessary precautions to ensure the protection of persons and property and shall comply with the provisions of the Workers' Compensation Act of the Province of British Columbia. The Contractor shall be liable for any and all injury or damage which may occur to persons or to property due to any act, omission, neglect or default of the Contractor, or of his employees, workmen, or agents.

H. Comprehensive General Liability Insurance

The Contractor shall provide Comprehensive General Liability Insurance with limits of not less than five million dollars (\$5,000,000) inclusive per occurrence for personal injury, death, and damage to property including the loss of use thereof and shall include coverage for:

- (i) premises, activities and operations
- (ii) blanket contractual liability
- (iii) cross liability
- (iv) contingent employer's liability
- (v) owners and contractors protective
- (vi) occurrence basis property damage
- (vii) broad form property damage
- (viii) employees as insureds
- (ix) personal injury
- (x) broad form loss of use

Comprehensive General Liability Insurance (Cont.)

The policy shall cover as unnamed insureds, anyone employed directly or indirectly by the Contractor to perform a part or parts of the work;

The policy shall include the Regional District of Okanagan-Similkameen as an Additional Insured.

The form of this insurance shall be acceptable to the Regional District and shall be maintained continuously during the term of the Contract Agreement. The policy shall be endorsed to provide the Regional District with not less than fifteen (15) days notice in advance of cancellation or termination.

I. Notice

If either party desires to give notice to the other party, under or in connection with the Letter of Understanding, such notice will be effectively given upon by prepaid registered post or personally delivered to the address of such party stated, and any such notice shall be deemed to have been



given or received by the party to whom it was addressed on delivery, if delivered personally, and if mailed, on the second day following the mailing thereof.

**REGIONAL DISTRICT at:**

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

101 Martin Street

Penticton, B.C.

V2A 5J9

**CONTRACTOR at:**

**OKANAGAN UPCYCLING RESOURCE SOCIETY**


#100, 861 Main St

Penticton B.C.

V2A 5E3

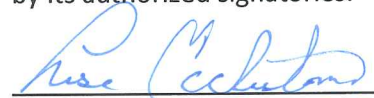

The Contractor hereby acknowledges and agrees to the terms and conditions as set out in this Letter of Understanding.

The signatures of the Signing  
Authority of the  
**REGIONAL DISTRICT OF  
OKANAGAN - SIMILKAMEEN**  
was hereto affixed:

  
\_\_\_\_\_  
Mark Pendergraft, Chair  
\_\_\_\_\_  
Bill Newell, Chief Administrative Officer

**OKANAGAN UPCYCLING RESOURCE SOCIETY**

by its authorized signatories:

  
\_\_\_\_\_  
Authorized Signatory *Lise Ecclestone Secretary OURS*  
\_\_\_\_\_  
Authorized Signatory *Laurel Burnham Vice chairperson*

**Assessment Department Location****Mailing Address**

PO Box 5350  
Station Terminal  
Vancouver BC V6B 5L5

6951 Westminster Highway  
Richmond BC  
V7C 1C6  
www.worksafebc.com

**Clearance Section**

Telephone 604 244 6380  
Toll Free within Canada  
1 888 922 2768  
Fax 604 244 6390

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

November 20, 2014

**Person/Business : OKANAGAN UPCYCLING RESOURCE SOCIETY  
OURS  
939415 AA(054)**

We confirm that the above-mentioned account is currently active.

Our records indicated that this firm has **not reported** its most recent annual assessment reconciliation on an Employer Payroll and Contract Labour Report, as required. Therefore, we are unable to comment at this time on its current assessment remittance status.

Contractor liability is outlined in Section 51 of the *Workers Compensation Act*.

Employer Service Centre  
Assessment Department

**Clearance Reference # : C128076140  
CLRA8**

**Now you can report payroll and pay premiums online.**

**Visit [www.worksafebc.com](http://www.worksafebc.com)**

*Please refer to your account number in your correspondence or when contacting the Assessment Department.*

**To alter this document constitutes fraud.**



**JOHNSTON MEIER INSURANCE AGENCIES LTD.**

267 Martin Street, Penticton, B.C. V2A 5K2

Phone: (250) 492-0017 Fax: (250) 493-4617

**MEMORANDUM OF INSURANCE**

**INSURED(S): OKANAGAN UPCYCLING RESOURCE SOCIETY**

**ADDRESS: 861 MAIN STREET UNIT 100, PENTICTON, BC V2A 5e3**

**POLICY TERM: NOVEMBER 3, 2014 to NOVEMBER 3, 2015 – 12:01 AM Standard Time**

**SUBSCRIBING UNDERWRITERS: INTACT INSURANCE COMPANY**

**OPERATIONS OF INSURED: NON-PROFIT SOCIETY – WOOD RECYCLING FROM LANDFILL SITES**

COVERAGE	DEDUCTIBLE \$1,000.00	LIMIT OF INSURANCE
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**LIABILITY**

Commercial General Liability

Bodily Injury		\$5,000,000
Property Damage		\$5,000,000
Products and Completed Operations	AGGREGATE	\$5,000,000
Personal Injury Liability		\$1,000,000
Advertising Injury		\$1,000,000
Aggregate Limit		\$5,000,000
Medical Payments		
Each Person		\$ 10,000
Tenants' Legal Liability		\$ 500,000
Non-owned Automobile Liability		\$1,000,000

Additional Insured with respect to Commercial General Liability arising vicariously out of the negligent operations of the named insured, to: Regional District of Okanagan-Similkameen, 101 Martin Street, Penticton, BC, V2A 5J9

It is understood and agreed this Memorandum of Insurance is issued in accordance with the Underwriter's standard policy wordings and will automatically terminate upon receipt of the insurance policies covering the aforementioned risk or the expiration date, whichever first occurs. Errors & Omissions Excepted.

**COUNTERSIGNED ON October 22, 2014 AT PENTICTON, BRITISH COLUMBIA**

Per: 

**JOHNSTON MEIER INSURANCE AGENCIES LTD.**

Earl Lawrence

**RECEIVED**  
Regional District

OCT 23 2014

101 Martin Street  
Penticton BC V2A 5J9



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BOARD of DIRECTORS MEETING

Thursday, October 1, 2015

9:30am

## REGULAR AGENDA

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### A. APPROVAL OF AGENDA

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

**That the Agenda for the RDOS Board Meeting of 1<sup>st</sup> October 2015 be adopted.**

#### 1. Consent Agenda – Corporate Issues

##### a. Planning and Development Committee – 17 September 2015

*THAT the Minutes of the 17 September 2015 Planning and Development Committee be received.*

*THAT the Board of Directors direct staff to undertake the following consultation in relation to proposed amendments to the Okanagan Electoral Area Official Community Plan (OCP) Bylaws:*

- *Referral to the Electoral Area “A”, “C”, “D”, “E” & “F” Advisory Planning Commissions (APCs);*
- *Public Information Meetings occur in Summerland, Naramata, Okanagan Falls, Oliver and Osoyoos;*
- *Referral to external agencies such as Interior Health, Agricultural Land Commission, Ministry of Transportation and Infrastructure, Ministry of Environment, School Boards, etc.; and*
- *Confer with the Penticton Indian Band (PIB) and Osoyoos Indian Band (OIB).*

##### b. Community Services Committee – 17 September 2015

*THAT the Minutes of the 17 September 2015 Community Services Committee be received.*

##### c. Corporate Services Committee – 17 September 2015

*THAT the Minutes of the 17 September 2015 Corporate Services Committee be received.*

*THAT the Corporate Services Committee recommend that Board of Directors approve the proposed changes to the Issuing a Corporate Purchasing Card Policy as presented to the Corporate Services Committee on September 17, 2015; and,*

*THAT the following policies be rescinded:*

- *Use of Regional District Vehicles policy*
- *Call for Audit Proposals policy*
- *Gaming Facility Request for Proposals policy*
- *Addition to Reserves – First Nations Land policy*
- *Covenants policy*

*THAT the request from the Similkameen Improvement District for a Community Works Program grant for the Nickel Plate Dam be supported.*

**d. RDOS Regular Board Meeting – 17 September 2015**

*THAT the minutes of the 17 September 2015 RDOS Regular Board meeting be adopted.*

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

**That the Consent Agenda – Corporate Issues be adopted.**

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

1. Development Variance Permit Application — Electoral Area “A”; David & Deborah Klassen, 2415 89 Street, Osoyoos
  - a. Permit

This application seeks to increase the maximum height of an accessory building from 4.5 metres to 7.0 metres to allow for the construction of a detached RV garage.

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

**THAT the Board of Directors deny Development Variance Permit No. A2015.092-DVP**

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2. Official Community Plan and Zoning Bylaw Amendment — Electoral Area “C” – Richard and Carol Lawton, 5463 Highway 97
  - a. Bylaw: 2453.25, 2015
  - b. Bylaw: 2452.15, 2015

This proposal is seeking to amend the zoning of the subject property in order to formalise the use of an existing dwelling which has existed on the property since 1961.

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

**THAT Bylaw No. 2452.15, 2015, Electoral Area “C” Official Community Plan Amendment Bylaw and Bylaw No. 2453.25, 2015, Electoral Area “C” Zoning Amendment Bylaw be adopted.**



3. Zoning Bylaw Amendment — Electoral Area “E”, Sharon and Bradley Paulson, 4035 First Street, Naramata
  - a. Bylaw No. 2459.17, 2015
  - b. Public Hearing for Amendment Bylaw No. 2459.17, September 16, 2015
  - c. Responses Received

This proposal is seeking to amend the zoning of the subject property in order to formalize the use of an existing structure for commercial purpose associated with an adjacent motel use (Royal Anchor Resort) in a residential zoning.

**RECOMMENDATION 5** (Unweighted Rural Vote – Simple Majority)

**THAT Bylaw No. 2459.17, 2015, Electoral Area “E” Zoning Amendment Bylaw be read a third time and adopted.**

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#### C. PUBLIC WORKS

1. Award of Organics Consultant

Implementation of Solid Waste Management Plan

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

**THAT the Board of Directors award the consulting work for the “Request for Proposal Organics Consultant” to SLR Consulting (Canada) Ltd. In the amount of \$108, 420 exclusive of taxes;**

**AND THAT the Board of Directors authorize the Chair and Chief Administrative Officer to execute the consulting services agreement with SLR Consulting (Canada) Ltd.**

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#### D. FINANCE

1. Regional District of Okanagan-Similkameen Property Exemption Bylaw No. 2713, 2015

Annually, the RDOS invites qualifying non-profit organizations to apply for a Property Tax Exemption

- a. Bylaw No. 2713, 2015

**RECOMMENDATION 9**

**THAT Bylaw No. 2713, 2015 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted.**

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**E. OFFICE OF THE CAO**

1. Faulder Water System – Loan Authorization Bylaw 2712, 2015
  - a. Bylaw No. 2712, 2015
  - b. Interior Health Authority Hazard Abatement or Prevention Order dated May 31, 2010;

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

**THAT Bylaw No. 2712, 2015, Faulder Community Water System Loan Authorization Bylaw be read a first, second and third time and forwarded to the Inspector of Municipalities for approval.**

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**2. Board Policy Review**

- a. Administrative Report to Corporate Services September 3, 2015 regarding Director and Alternate Director Accident Insurance Policy
- b. Administrative report to Corporate Services September 17, 2015 regarding the Issuing a Corporate Purchasing Card, Use of Regional District Vehicles, and Call for Audit Proposals, Gaming Facility Request for Proposals, Addition to Reserves, and Covenant policies

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

**THAT the Board of Directors amend the Director and Alternate Director Accident Insurance policy as presented at Corporate Services Committee on September 3, 2015; and further,**

**THAT the Board of Directors amend the Issuing a Corporate Purchasing Card Policy as presented to the Corporate Services Committee on September 17, 2015;**

**THAT the follow policies be rescinded:**

- Use of Regional District Vehicles policy
  - Call for Audit Proposals policy
  - Gaming Facility Request for Proposals
  - Addition to Reserves – First Nations Land
  - Covenants
-

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**3. Naramata Water System Back-Up Power Loan Authorization Bylaw No .2696, 2015 and Naramata Fire Truck Acquisition Loan Authorization Bylaw No .2698, 2015**

The September 21, 2015 deadline for receipt of elector response has passed and the results below confirm that elector approval through an AAP has been obtained for both bylaws.

- a. June 6, 2015 Report
- b. Bylaw No. 2696 and 2698, 2015

**RECOMMENDATION 10** (Unweighted Corporate Vote – Simple Majority)  
**THAT Naramata Water System Back-Up Power Loan Authorization Bylaw No .2696, 2015 and Naramata Fire Truck Acquisition Loan Authorization Bylaw No .2698, 2015 be adopted.**

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**4. Regional Heritage Conservation Service Establishment**

- a. Bylaw No. 2706, 2015

A bylaw to establish Heritage Conservation as a regional service in the Regional District Okanagan-Similkameen.

**RECOMMENDATION 11** (Unweighted Corporate Vote – Simple Majority)  
**THAT the Regional District of Okanagan-Similkameen Regional Heritage Conservation Service Establishment Bylaw No. 2706, 2015 be read a first, second and third time; AND,**

**THAT the Board of Directors authorize participating area approval for Regional Heritage Contribution Service Establishment Bylaw No. 2706, 2015 be obtained by consent on behalf of municipal participating areas and consent on behalf of electoral area electors; AND,**

**THAT upon receipt of consent from all jurisdictions, the bylaw be forwarded to the Inspector of Municipalities for approval and returned to the Board for adoption.**

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**5. Okanagan Falls Parks & Recreation Commission Rescinding Appointment**

As the Regional District Board appoints members to the Recreation Commission, a resolution is required to rescind the appointment of members.

**RECOMMENDATION 12** (Unweighted Corporate Vote – Simple Majority)

**THAT the Board rescind the appointment Shona Schleppe from the Okanagan Falls Parks & Recreation Commission; AND,**

**THAT a letter is forwarded to Ms. Schleppe thanking her for her contribution to the Okanagan Falls Parks & Recreation Commission.**

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**F. CAO REPORTS**

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**G. OTHER BUSINESS****1. Chair's Report**

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**2. Directors Motions**

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**3. Board Members Verbal Update**

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**H. ADJOURNMENT**



**Minutes are in DRAFT form and are subject  
to change pending approval by Regional District Board**

## **REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

### **Planning and Development Committee**

Thursday, September 17, 2015

9:00 am

## **MINUTES**

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#### **MEMBERS PRESENT:**

Chair M. Brydon, Electoral Area "F"  
Vice Chair G. Bush, Electoral Area "B"  
Director F. Armitage, Town of Princeton  
Director M. Bauer, Village of Keremeos  
Director E. Christensen, Electoral Area "G"  
Director R. Hovanes, Town of Oliver  
Director A. Jakubeit, City of Penticton  
Director K. Kozakevich, Electoral Area "E"

Director H. Konanz, City of Penticton  
Director A. Martin, City of Penticton  
Director S. McKortoff, Town of Osoyoos  
Director M. Pendergraft, Electoral Area "A"  
Director T. Schafer, Electoral Area "C"  
Director J. Sentes, City of Penticton  
Director T. Siddon, Electoral Area "D"  
Director P. Waterman, District of Summerland

#### **MEMBERS ABSENT:**

Director B. Coyne, Electoral Area "H"  
Director T. Boot, District of Summerland

#### **STAFF PRESENT:**

B. Newell, Chief Administrative Officer  
C. Malden, Manager of Legislative Services  
C. Garrish, Planning Supervisor  
L. Bourque, Rural Projects Coordinator

E. Riechert, Planner  
S. Juch, Subdivision Supervisor  
M. Woods, Manager of Community Services

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#### **A. APPROVAL OF AGENDA**

##### **It was MOVED and SECONDED**

THAT the agenda of the Planning and Development Committee meeting of September 17, 2015 be adopted. - **CARRIED**

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Director Jakubeit entered the Boardroom at 9:15 a.m.

#### **B. Update of Environmentally Sensitive Development Permit Areas Okanagan Electoral Area Official Community Plan (OCP) Bylaws**

##### **a. Map**

To provide an overview of proposed textual and mapping amendments to the Environmentally Sensitive Development Permit (ESDP) Area designation in the Okanagan Electoral Area Official Community Plan (OCP) Bylaws and to seek direction from the Regional District Board regarding public consultation.

**RECOMMENDATION 1****It was MOVED and SECONDED**

THAT the Board of Directors direct staff to undertake the following consultation in relation to proposed amendments to the Okanagan Electoral Area Official Community Plan (OCP) Bylaws:

- referral to the Electoral Area “A”, “C”, “D”, “E” & “F” Advisory Planning Commissions (APCs);
- Public Information Meetings occur in Summerland, Naramata, Okanagan Falls, Oliver and Osoyoos;
- referral to external agencies such as Interior Health, Agricultural Land Commission, Ministry of Transportation and Infrastructure, Ministry of Environment, School Boards, etc.; and
- confer with the Penticton Indian Band (PIB) and Osoyoos Indian Band (OIB).

**CARRIED**

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**C. ADJOURNMENT**

By consensus, the Planning and Development Committee meeting of September 17, 2015 adjourned at 9:23 a.m.

APPROVED:

CERTIFIED CORRECT:

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M. Brydon  
Planning and Development Committee Chair

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B. Newell  
Corporate Officer





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## **REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

### **Community Services Committee**

Thursday, September 17, 2015

9:24 am

## **MINUTES**

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### **MEMBERS PRESENT:**

Chair K. Kozakevich, Electoral Area "E"  
Vice Chair R. Hovanes, Town of Oliver  
Director F. Armitage, Town of Princeton  
Director M. Bauer, Village of Keremeos  
Director M. Brydon, Electoral Area "F"  
Director G. Bush, Electoral Area "B"  
Director E. Christensen, Electoral Area "G"  
Director A. Jakubeit, City of Penticton

Director H. Konanz, City of Penticton  
Director A. Martin, City of Penticton  
Director S. McKortoff, Town of Osoyoos  
Director M. Pendergraft, Electoral Area "A"  
Director T. Schafer, Electoral Area "C"  
Director J. Sentes, City of Penticton  
Director T. Siddon, Electoral Area "D"  
Director P. Waterman, District of Summerland

### **MEMBERS ABSENT:**

Director T. Boot, District of Summerland

Director B. Coyne, Electoral Area "H"

### **STAFF PRESENT:**

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

M. Woods, Manager of Community Services  
L. Bourque, Rural Projects Coordinator

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### **A. APPROVAL OF AGENDA**

By Consensus, the agenda of the Community Services Committee meeting of September 17, 2015 was adopted as amended by removing Item B Delegation.

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### **C. REGIONAL HERITAGE STRATEGIC PLAN**

Lindsay Bourque, Special Projects Coordinator presented the final Regional Heritage Strategic Plan to the committee. A recommendation to adopt the plan will be considered at the Board meeting in the afternoon of September 17.

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### **D. ADJOURNMENT**

By consensus, the Community Services Committee meeting of September 17, 2015 adjourned at 9:48 a.m.

APPROVED:

CERTIFIED CORRECT:

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K. Kozakevich  
Community Services Committee Chair

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B. Newell  
Chief Administrative Officer



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## **REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

### **Corporate Services Committee**

Thursday, September 17, 2015

10:00 am

## **MINUTES**

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### **MEMBERS PRESENT:**

Chair M. Pendergraft, Electoral Area "A"  
Director F. Armitage, Town of Princeton  
Director M. Bauer, Village of Keremeos  
Director M. Brydon, Electoral Area "F"  
Director G. Bush, Electoral Area "B"  
Director E. Christensen, Electoral Area "G"  
Director R. Hovanes, Town of Oliver  
Director H. Konanz, City of Penticton

Director K. Kozakevich, Electoral Area "E"  
Director A. Martin, City of Penticton  
Director S. McKortoff, Town of Osoyoos  
Director T. Schafer, Electoral Area "C"  
Director J. Sentes, City of Penticton  
Director T. Siddon, Electoral Area "D"  
Director P. Waterman, District of Summerland

### **MEMBERS ABSENT:**

Director T. Boot, District of Summerland  
Director B. Coyne, Electoral Area "H"

Vice Chair A. Jakubeit, City of Penticton

### **STAFF PRESENT:**

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

S. Croteau, Manager of Finance

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### **A. APPROVAL OF AGENDA**

#### **It was MOVED and SECONDED**

THAT the agenda for the Corporate Services Committee Meeting of September 17, 2015 be adopted. - **CARRIED**

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By consensus, the Committee brought forward Item C Board Policies Review, and Item D UBCM Ministry Meetings.

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### **C. BOARD POLICIES REVIEW**

1. Issuing a Corporate Purchasing Card policy – marked up
  - a. Issuing a Corporate Purchasing Card policy – CLEAN
2. Use of Regional District Vehicles policy – to be rescinded
3. Call for Audit Proposals policy - to be rescinded
4. Variances to Subdivision Servicing Bylaw Requirements
5. Gaming Facility Request for Proposals – to be rescinded
6. Additions to First Nations Reserves Lands – to be rescinded
7. Covenants – to be rescinded

**RECOMMENDATION 1****It was MOVED and SECONDED**

THAT the Corporate Services Committee recommend that Board of Directors approve the proposed changes to the Issuing a Corporate Purchasing Card Policy as presented to the Corporate Services Committee on September 17, 2015; and further,

THAT the following policies be rescinded:

- Use of Regional District Vehicles policy
- Call for Audit Proposals policy
- Gaming Facility Request for Proposals policy
- Addition to Reserves – First Nations Land policy
- Covenants policy

**CARRIED**

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**D. UBCM 2015 Ministry Meetings**

- a. Meeting Schedule

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**B. DELEGATION**

Roger Mayer, Nickel Plate Dam/ Application for Grants

- a. Letter of Request  
b. Nickel Plate Dam Safety Review Report

[Kootenay Boundary Gas Tax Funding Policy](#)

[Thompson Nicola Gas Tax Funding Policy](#)

[Sun Peaks Independent News article](#)

[Similkameen Improvement District memo](#)

**RECOMMENDATION 2****It was MOVED and SECONDED**

THAT the request from the Similkameen Improvement District for a Community Works Program grant for the Nickel Plate Dam be supported. - **CARRIED**

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**C. ADJOURNMENT**

By consensus, the meeting adjourned at 11:30 a.m.

APPROVED:

CERTIFIED CORRECT:

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M. Pendergraft  
RDOS Board Chair

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B. Newell  
Corporate Officer





**Minutes are in DRAFT form and are subject  
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## **REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

### **BOARD of DIRECTORS MEETING**

Minutes of the Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 1:00 p.m. Thursday, September 17, 2015 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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#### **MEMBERS PRESENT:**

Chair M. Pendergraft, Electoral Area "A"  
Vice Chair A. Jakubeit, City of Penticton  
Director F. Armitage, Town of Princeton  
Director M. Bauer, Village of Keremeos  
Director M. Brydon, Electoral Area "F"  
Director G. Bush, Electoral Area "B"  
Director E. Christensen, Electoral Area "G"

Director R. Hovanes, Town of Oliver  
Director H. Konanz, City of Penticton  
Director K. Kozakevich, Electoral Area "E"  
Director A. Martin, City of Penticton  
Director S. McKortoff, Town of Osoyoos  
Director T. Schafer, Electoral Area "C"  
Director J. Sentes, City of Penticton  
Director T. Siddon, Electoral Area "D"  
Director P. Waterman, District of Summerland

#### **MEMBERS ABSENT:**

Director T. Boot, District of Summerland

Director B. Coyne, Electoral Area "H"

#### **STAFF PRESENT:**

B. Newell, Chief Administrative Officer  
C. Malden, Manager of Legislative Services  
D. Butler, Manager of Development Services  
L. Walton, Building Inspection Services Supervisor

C. Garrish, Planning Supervisor  
E. Riechert, Planner  
L. Bourque, Rural Projects Coordinator

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#### **A. APPROVAL OF AGENDA**

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

##### **It was MOVED and SECONDED**

THAT the [Agenda](#) for the RDOS Board Meeting of 17<sup>th</sup> September 2015 be adopted.

##### **CARRIED**

---

#### **1. Consent Agenda – Corporate Issues**

- a. Corporate Services Committee – 3<sup>rd</sup> September 2015  
*THAT the Minutes of the 3<sup>rd</sup> September 2015 Corporate Services Committee be received.*
- b. RDOS Regular Board Meeting – 3<sup>rd</sup> September 2015  
*THAT the minutes of the 3<sup>rd</sup> September 2015 RDOS Regular Board meeting be adopted.*

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

##### **It was MOVED and SECONDED**

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

---

**B. DEVELOPMENT SERVICES – Building Inspection**

1. West Bench Geotechnical Assessment
  - a. Policy No. P3740-00.02 – Building Permit Issuance West Bench, Sage Mesa, Husula Highlands, West Bench Estates Area

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

THAT Board Policy P3740-00.02 be waived in the building permit application for a small entry addition at 3630 Pine Hills Drive to allow the building permit application to proceed without the required geotechnical assessment. - **CARRIED**

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

1. Zoning Bylaw Amendment – Electoral Area “C” G. & L. Klassen, 303 Road 17, Oliver
  - a. Bylaw No. 2453.27, 2015
  - b. Responses Received

To amend the zoning of the subject property in order to permit the use of an additional dwelling for farm labour on a parcel less than 3.5 ha in size

**RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)****It was MOVED and SECONDED**

THAT Bylaw No. 2453.25, 2015, Electoral Area “C” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing. – **CARRIED**

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

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

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

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

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2. Official Community Plan and Zoning Bylaw Amendment — Electoral Area “C” R. & C. Lawton
  - a. Bylaw No. 2452.15, 2015
  - b. Bylaw No. 2453.25, 2015
  - c. Public Hearing Report – September 8, 2015
  - d. Responses Received

To rezone the property from commercial to residential in order to formalise the existing use

Director Schafer stated that the public hearing report reflects an accurate account of what took place at the public hearing held on September 8, 2015.

**RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the public hearing report be received. - **CARRIED**

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2452.15, 2015, Electoral Area “C” Official Community Plan Amendment Bylaw and Bylaw No. 2453.25, 2015, Electoral Area “C” Zoning Amendment Bylaw be read a third time. - **CARRIED**

---

3. Development Variance Permit Application, E. Hollaus, 492 Nettle Road, Oliver
  - a. Permit
  - b. Responses Received

To allow for the replacement of a small storage shed

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

**It was MOVED and SECONDED**

THAT the Board of Directors approve Development Variance Permit No. C2015.087-DVP. - **CARRIED**

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**D. PUBLIC WORKS**

1. RDOS Office Building Renovation – Project Award
  - a. Invitation to Tender

To award the contract for the RDOS renovation project

The Directors requested that the Administrative Recommendation be split into two motions.

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

THAT the RDOS Board award the “RDOS Building Renovation Project” as tendered to Greyback Construction Ltd. for \$365,800 plus applicable taxes; and,

THAT the Board authorize the Chair and Chief Administrative Officer to execute the tender agreement. - **CARRIED**

**RECOMMENDATION 10****It was MOVED and SECONDED**

THAT the Board approve proceeding with the projects identified for energy efficiency for the Regionally Significant Gas Tax funding Grant up to a maximum of \$174,000. – **CARRIED**

Opposed: Directors Konanz, Martin, Christensen

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**E. COMMUNITY SERVICES**

1. Regional Heritage Strategic Plan

**RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the Board of Directors adopt the Regional Heritage Strategic Plan as presented at the Community Services Committee meeting of September 17, 2015.

**CARRIED**

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**F. CAO REPORTS**

1. Verbal Update
- 

**G. OTHER BUSINESS**

1. Chair’s Report
-



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**2. Board Representation**

- a. Municipal Finance Authority (MFA) - *Pendergraft*
  - b. Okanagan Basin Water Board (OBWB) – *McKortoff, Martin, Waterman*
  - c. Okanagan-Kootenay Sterile Insect Release Board (SIR) - *Bush*
  - d. Okanagan Regional Library (ORL) - *Kozakevich*
  - e. Okanagan Film Commission (OFC) - *Jakubeit*
  - f. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
  - g. Southern Interior Municipal Employers Association (SIMEA) - *Kozakevich*
  - h. Southern Interior Local Government Association (SILGA) – *Konanz*
  - i. Starling Control - *Bush*
  - j. UBC Water Chair Advisory Committee - *Bauer*
- 

**3. Directors Motions**

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**4. Board Members Verbal Update**

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**H. ADJOURNMENT**

By consensus, the meeting adjourned at 1:47 p.m.

APPROVED:

CERTIFIED CORRECT:

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M. Pendergraft  
RDOS Board Chair

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B. Newell  
Corporate Officer

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**RE:** Development Variance Permit Application — Electoral Area “A”

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### **Administrative Recommendation:**

**THAT the Board of Directors deny Development Variance Permit No. A2015.092-DVP**

---

Purpose: To allow for the construction of a detached RV garage.

Owner: David & Deborah Klassen      Agent: N/A      Folio: A-06326.005

Civic: 2415 89 Street, Osoyoos      Legal: Lot 2, District Lot 2450S, SDYD, Plan 16483

Zone: Residential Single Family One (RS1)

Requested Variance: To vary the maximum height of an accessory building from 4.5 metres to 7.0 metres

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### **Proposed Development:**

This application seeks to increase the maximum height of an accessory building from 4.5 metres to 7.0 metres to allow for the construction of a detached RV garage.

The applicant has indicated that “the RV garage will be situated within the required setbacks”, that “RV garage storage requires more than the allowed 4.5 metres for a secondary building”, and that “there are no other options as we currently do not have RV storage”.

### **Site Context:**

The subject parcel is 8,153 m<sup>2</sup> in area. It is located on the south east corner of 89<sup>th</sup> Street at 26<sup>th</sup> Avenue. Surrounding uses are similar low density residential to the south and east, and agricultural to the north and west.

### **Background:**

The subject property was created by a subdivision deposited in the Land Title office on July 29, 1966, and currently contains a single family dwelling, barn, shed and swimming pool. The pool was constructed in 1977.

Under the Electoral Area “A” Zoning Bylaw No. 2451, 2008, the subject property is zoned Residential Single Family One (RS1), which permits “accessory buildings and structures” as a permitted use.

At Section 11.1.7(b) of the Zoning Bylaw, the maximum permitted height of an accessory building or structure is 4.5 metres, while Section 4.0 (Definitions) states that “height” is defined as meaning “the vertical distance from average finished grade for at least four building-elevations to the highest point of the roof or structure”.

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**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until 12:00 noon on Thursday September 24, 2015.

**Alternative:**

1. THAT the Board of Directors approve Development Permit No. A2015.092-DVP; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "A" Advisory Planning Commission (APC).

**Analysis:**

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

In considering this proposal, a garage is seen to be an accessory structure related to the residential use of the property and is therefore consistent with the zoning. However, given the size of the property, Administration considers that the applicant could construct the proposed structure as an attached garage to the dwelling unit and take advantage of the 10.0 metre height allowance for the principal building. While there do not appear to be any limiting site constraints on the subject property that would preclude this option, the applicant has indicated that "if we were to add a 7 to 10m structure to our house it would be the most unsightly structure in the neighbourhood".

Administration is concerned that this structure would look incongruous with the streetscape of 89<sup>th</sup> Street, despite not being within the setback. Increasing the maximum height of an accessory structure in this instance could create an expectation and/or perception that the Board will support other over-height accessory structures being developed on this street in the future.

This proposal, then, is seen to express a preference, rather than a need, to develop the structure as proposed. The applicant has not provided sufficient rationale to justify that compliance with the current bylaw requirements is unreasonable. Given this, and the fact that the proposal is generally not characteristic of other developments found on 89<sup>th</sup> Street, Administration does not support the proposed variance.

**Respectfully submitted:**

S. Lightfoot, Planning Technician

**Endorsed by:**

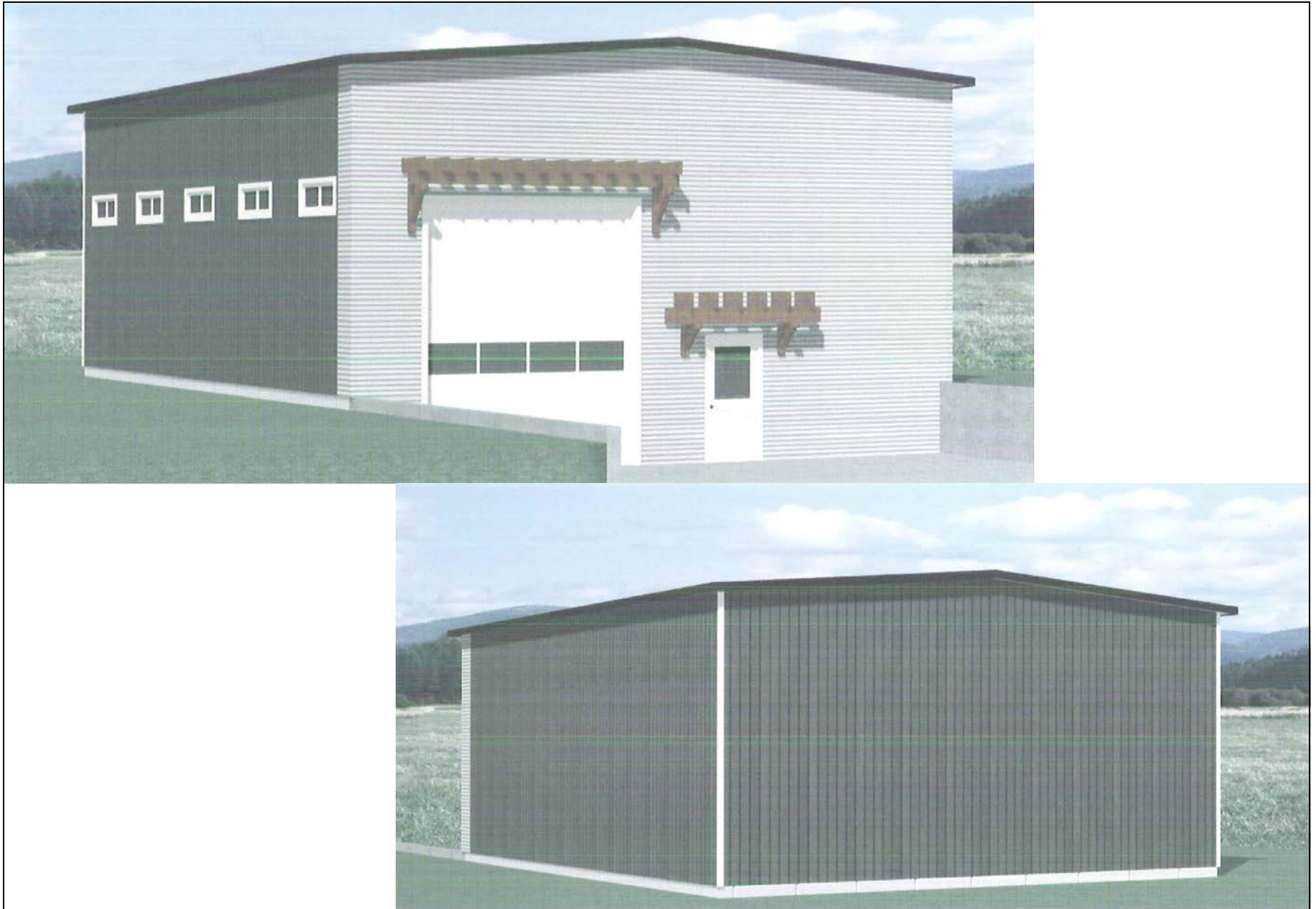
C. Garrish, Planning Supervisor

**Endorsed by:**

D. Butler, Development Services Manager

**Attachments:** No. 1 – Applicant's 3D Rendering  
No. 2 – Site Photos (Google Street View)

Attachment No. 1 – Applicant's 3D Rendering





Attachment No. 2 – Site Photos (Google Street View)





# Development Variance Permit

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FILE NO.: A2015.092-DVP

TO: David & Deborah Klassen

## GENERAL CONDITIONS

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

## APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A', 'B', 'C', 'D', 'E', and 'F' 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 2, District Lot 2450S, SDYD, Plan 16483

Civic Address: 2415 89th Street, Osoyoos, BC

Parcel Identifier (PID): 008-598-177 Folio: A-06326.005

## CONDITIONS OF DEVELOPMENT

6. The maximum height of an accessory building in the Residential Single Family One (RS1) Zone, and as prescribed at Section 11.1.7(b) of the Electoral Area "A" Osoyoos Rural Zoning Bylaw No. 2451, 2008, in the Regional District of Okanagan-Similkameen, is varied as follows:
  - i) from: 4.5 metres  
to: 7.0 metres as measured to the outermost projection, and as shown on Schedules 'B', 'C', 'D', 'E', & 'F'.

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 926 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 \_\_\_\_\_, 2015.

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



# Regional District of Okanagan-Similkameen

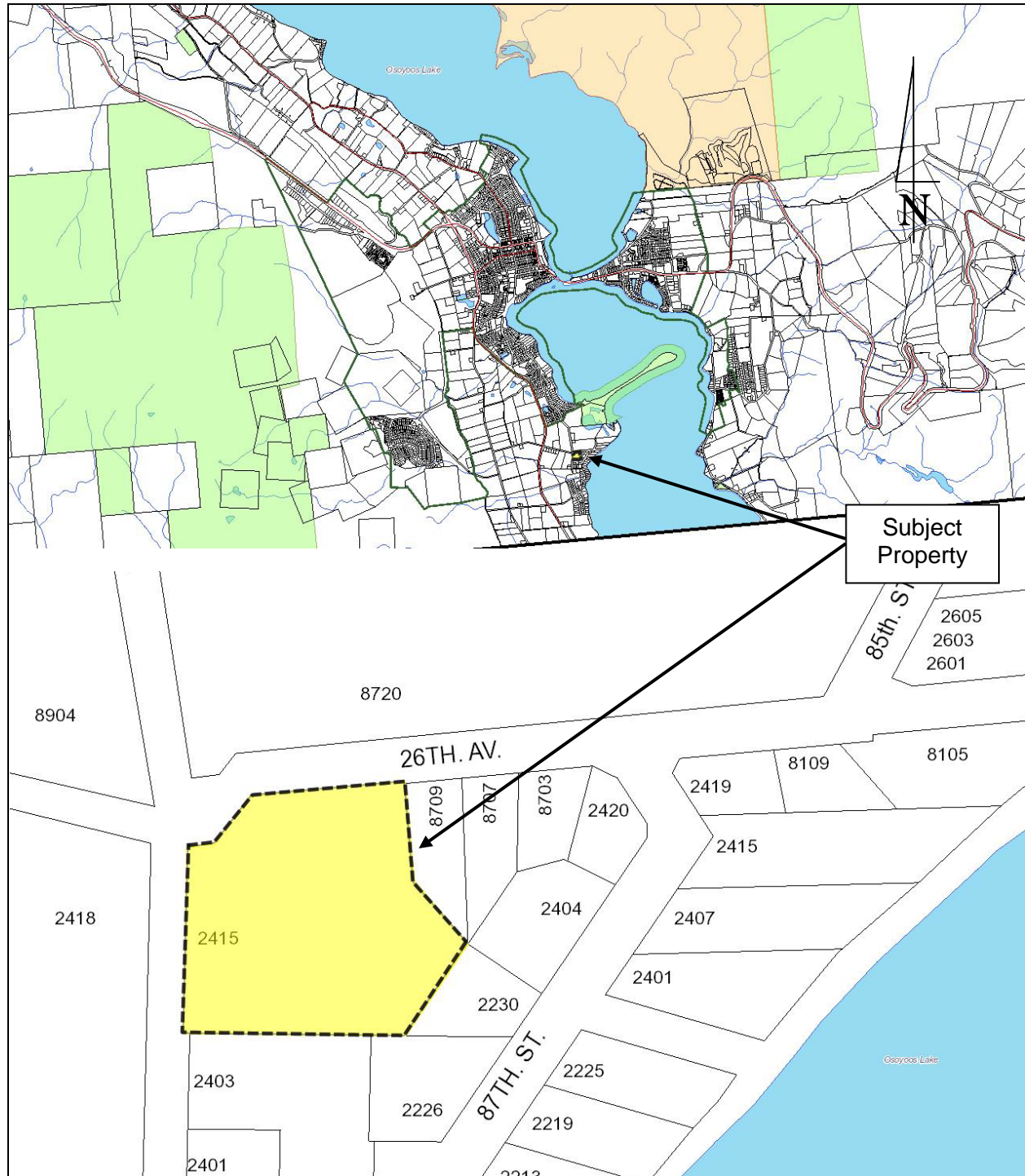
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

## Schedule 'A'



Development Variance Permit No. A2015.092-DVP

Page 3 of 8



# Regional District of Okanagan-Similkameen

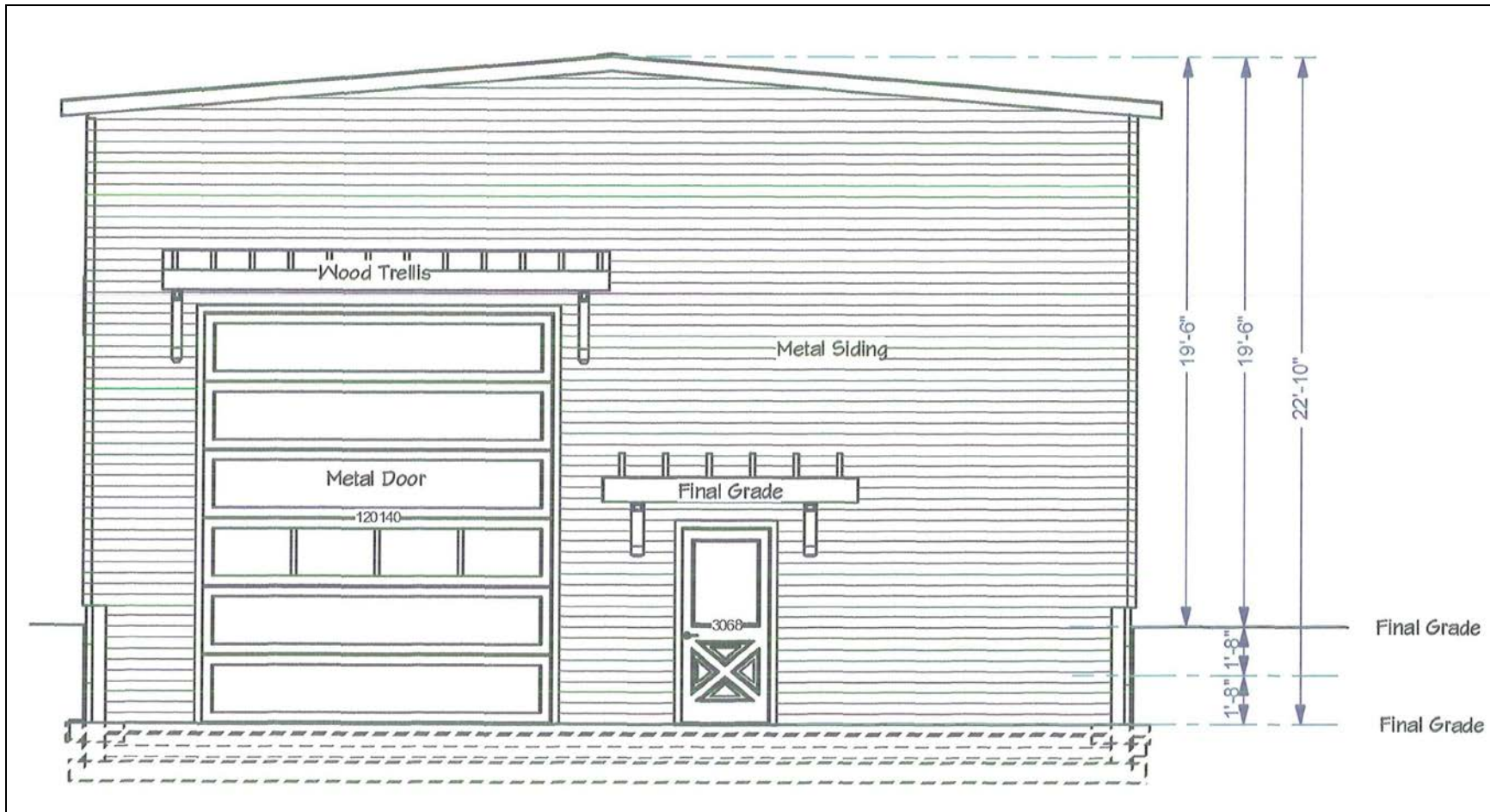
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'B'



Development Variance Permit No. A2015.092-DVP

Page 4 of 8

# Regional District of Okanagan-Similkameen

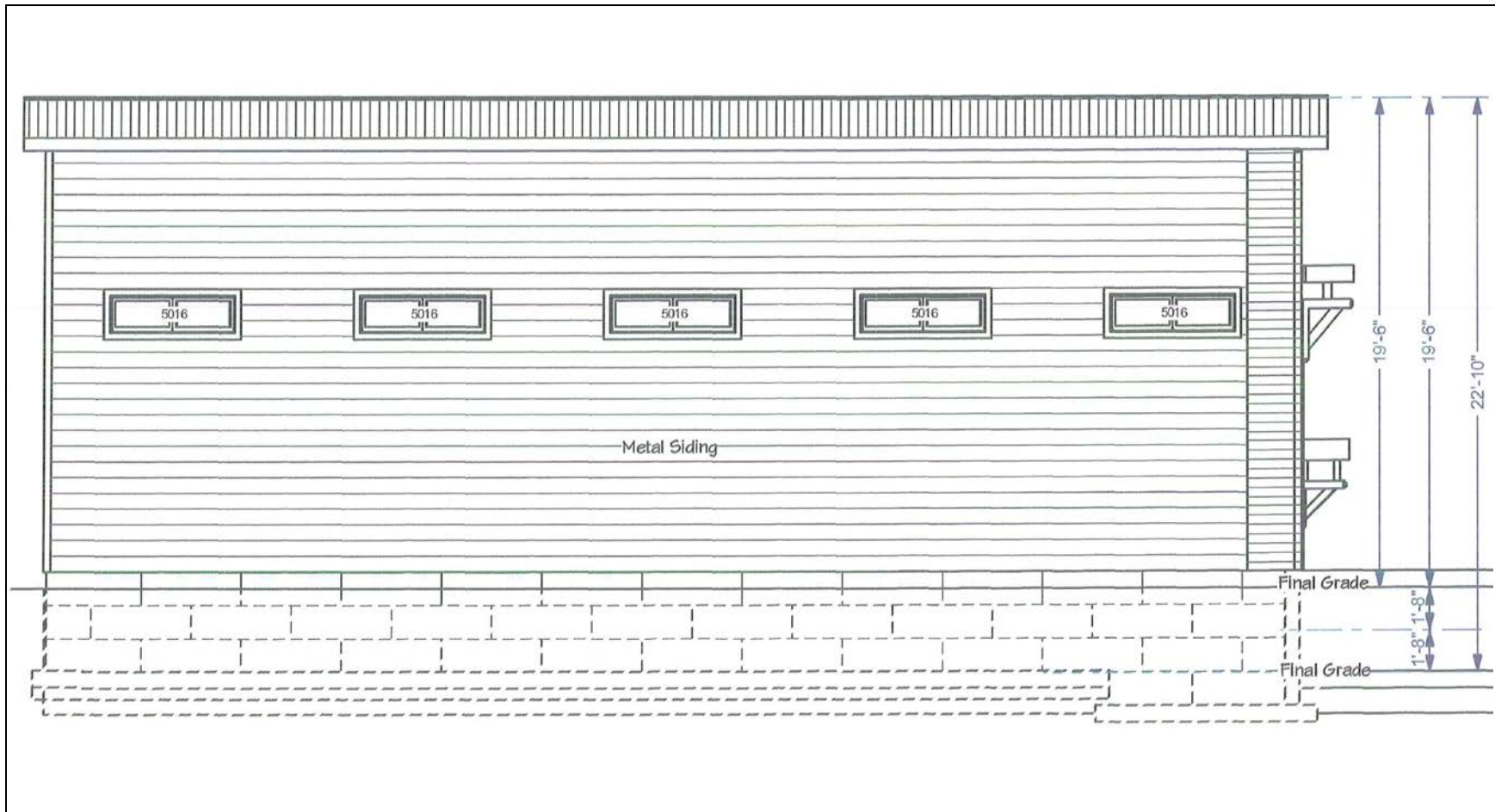
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'C'



# Regional District of Okanagan-Similkameen

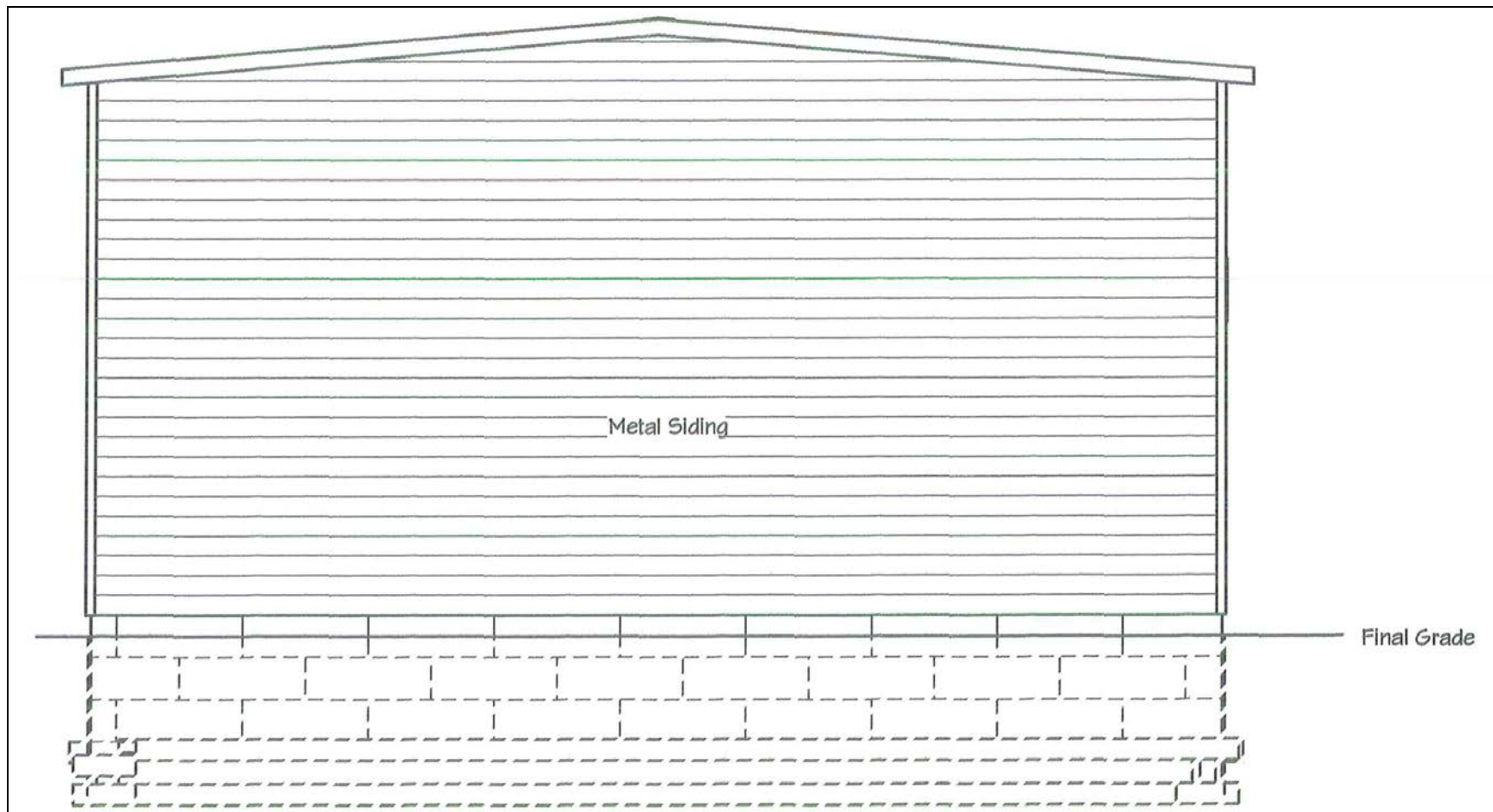
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'D'



# Regional District of Okanagan-Similkameen

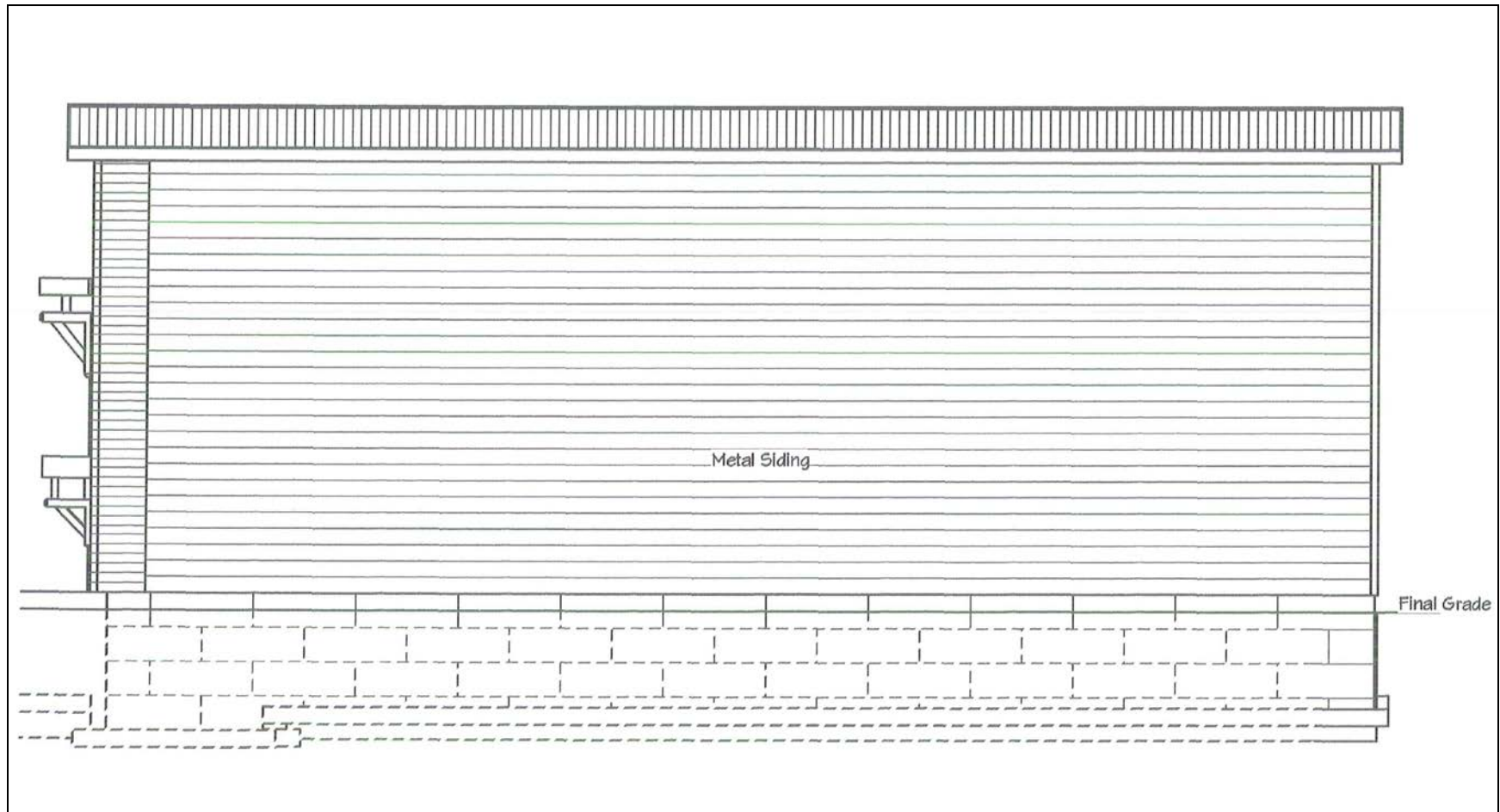
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'E'





# Regional District of Okanagan-Similkameen

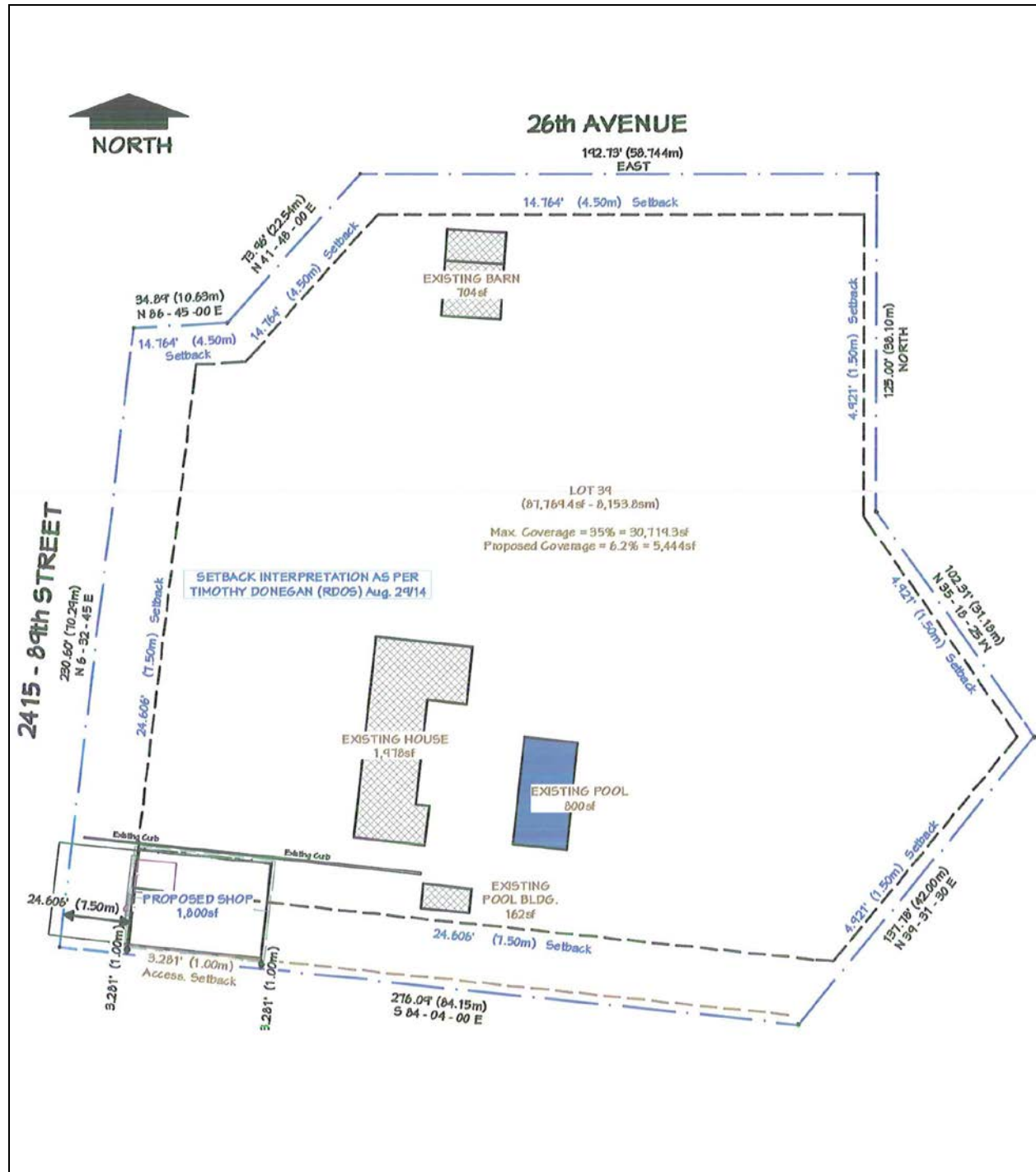
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'F'



Development Variance Permit No. A2015.092-DVP

Page 8 of 8

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**TYPE:** Official Community Plan and Zoning Bylaw Amendment — Electoral Area “C”

---

### Administrative Recommendation:

**THAT Bylaw No. 2452.15, 2015, Electoral Area “C” Official Community Plan Amendment Bylaw and Bylaw No. 2453.25, 2015, Electoral Area “C” Zoning Amendment Bylaw be adopted.**

---

Purpose: To rezone the property from commercial to residential in order to formalise the existing use.

Owners: Richard and Carol Lawton      Agent: Richard and Carol Lawton      Folio: C-05492.015

Legal: Lot A, Plan KAP16769, District Lot 2450S, SDYD, Portion Lot 176      Civic: 5463 Highway 97

OCP: Commercial (C)      Proposed OCP: Small Holdings (SH)

Zoning: Tourist Commercial One (CT1)      Proposed Zoning: Small Holdings Five (SH5)

---

### Proposal:

This proposal is seeking to amend the zoning of the subject property in order to formalise the use of an existing dwelling which has existed on the property since 1961.

Specifically, it is being proposed to amend the land use designation under the Official Community Plan (OCP) Bylaw from Commercial (C) to Small Holdings (SH) and to amend the zoning under the Zoning Bylaw from Tourist Commercial One (CT1) to Small Holdings Five (SH5).

### Background:

At its meeting of July 21, 2015, the Electoral Area “C” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed rezoning be approved.

At its meeting of August 6, 2015, the Regional District Board approved first and second reading of Amendment Bylaw Nos. 2452.15, 2015 & 2453.25, 2015, and delegated the holding of a Public Hearing.

A Public Hearing was held on September 8, 2015, where approximately one (1) members of the public attended.

At its meeting of September 17, 2015, the Regional District Board approved third reading of Amendment Bylaw Nos. 2452.15, 2015 & 2453.25, 2015.

Approval from the Ministry of Transportation and Infrastructure (MoTI), as the proposal is situated within 800 metres of a controlled area (i.e. Highway 97), was obtained on September 23, 2015.

### Alternative:

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THAT the Board of Directors rescind first, second and third reading of Bylaw No. 2452.15, 2015, Electoral Area "C" Official Community Plan Amendment Bylaw and Bylaw No. 2453.25, 2015, Electoral Area "C" Zoning Amendment Bylaw, and abandon the bylaws.

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed by:**

---

D. Butler, Development Services Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2453.25, 2015**

---

**A Bylaw to amend the Electoral Area “C” Zoning Bylaw No. 2453, 2008**

---

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “C” Oliver Rural Zoning Amendment Bylaw No. 2453.25, 2015.”
2. The Official Zoning Map, being Schedule ‘2’ of the Electoral Area “C” Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation on the land described as Lot A, Plan KAP16769, District Lot 2450S, SDYD, Portion Lot 176, and shown shaded yellow on Schedule ‘Y’, which forms part of this Bylaw, from Tourist Commercial One (CT1) to Small Holdings Five (SH5).
3. The Electoral Area “C” Zoning Bylaw No. 2453, 2008, is amended by:
  - a) adding the following the following zoning district under Section 6.1 under Section 6.0 (Creation of Zones):

Small Holdings Five Zone	SH5
--------------------------	-----
  - b) amending Section 7.8.2(a) under Section 7.0 (General Regulations) to read as follows:
    - a) except in the RA, AG1, AG2, LH, SH2, SH3, SH4 and SH5 zones where all fences may be up to 1.8 metres in height, and in Industrial designations where all fences may be up to 2.4 metres in height;



- c) amending Section 7.25.1(e) under Section 7.0 (General Regulations) to read as follows:
  - e) the minimum parcel size for cluster development in the SH2, SH3, SH4 and SH5 Zone is 500 m<sup>2</sup>, subject to servicing requirements;
- d) adding the following as a new Section 10.8 under Section 10.0 (Rural) to read as follows:

## **10.8 SMALL HOLDINGS FIVE ZONE (SH5)**

### **10.8.1 Permitted Uses:**

#### Principal Uses:

- a) single detached dwellings;

#### Secondary Uses:

- b) secondary suites, subject to Section 7.12;
- c) home occupation, subject to Section 7.17;
- d) bed and breakfast operations, subject to Section 7.19;
- e) accessory buildings and structures, subject to Section 7.13.

### **10.8.2 Site Specific Small Holdings Five (SH5s) Provisions:**

- a) see Section 16.27

### **10.8.3 Minimum Parcel Size:**

- a) 2,000 m<sup>2</sup>, subject to servicing requirements.

### **10.8.4 Minimum Parcel Width:**

- a) Not less than 25% of the parcel depth.

### **10.8.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling.

#### **10.8.6 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 3.0 metres
  - iii) Interior side parcel line 1.5 metres
  - iv) Exterior side parcel line 4.5 metres

#### **10.8.7 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.

#### **10.8.8 Maximum Parcel Coverage:**

- a) 35%

#### **10.8.9 Minimum Building Width and Width-to-Length Ratio:**

- a) Principal dwellings: 5.0 metres width, as originally designed and constructed, or 100 m<sup>2</sup>, whichever is greater.

- e) adding the following as a new Section 16.27 under Section 16.0 (Site Specific Provisions) to read as follows:

#### **16.27 Site Specific Small Holdings Five (SH5s) Provisions:**

- .1 *blank*

READ A FIRST AND SECOND TIME this 6<sup>th</sup> day of August, 2015.

PUBLIC HEARING held on this 8<sup>th</sup> day of September, 2015.

Approved pursuant to Section 52(3) of the *Transportation Act* this 23<sup>rd</sup> day of September, 2015.

ADOPTED this \_\_ day of \_\_\_\_, 2015.

---

Board Chair

---

Corporate Officer

# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

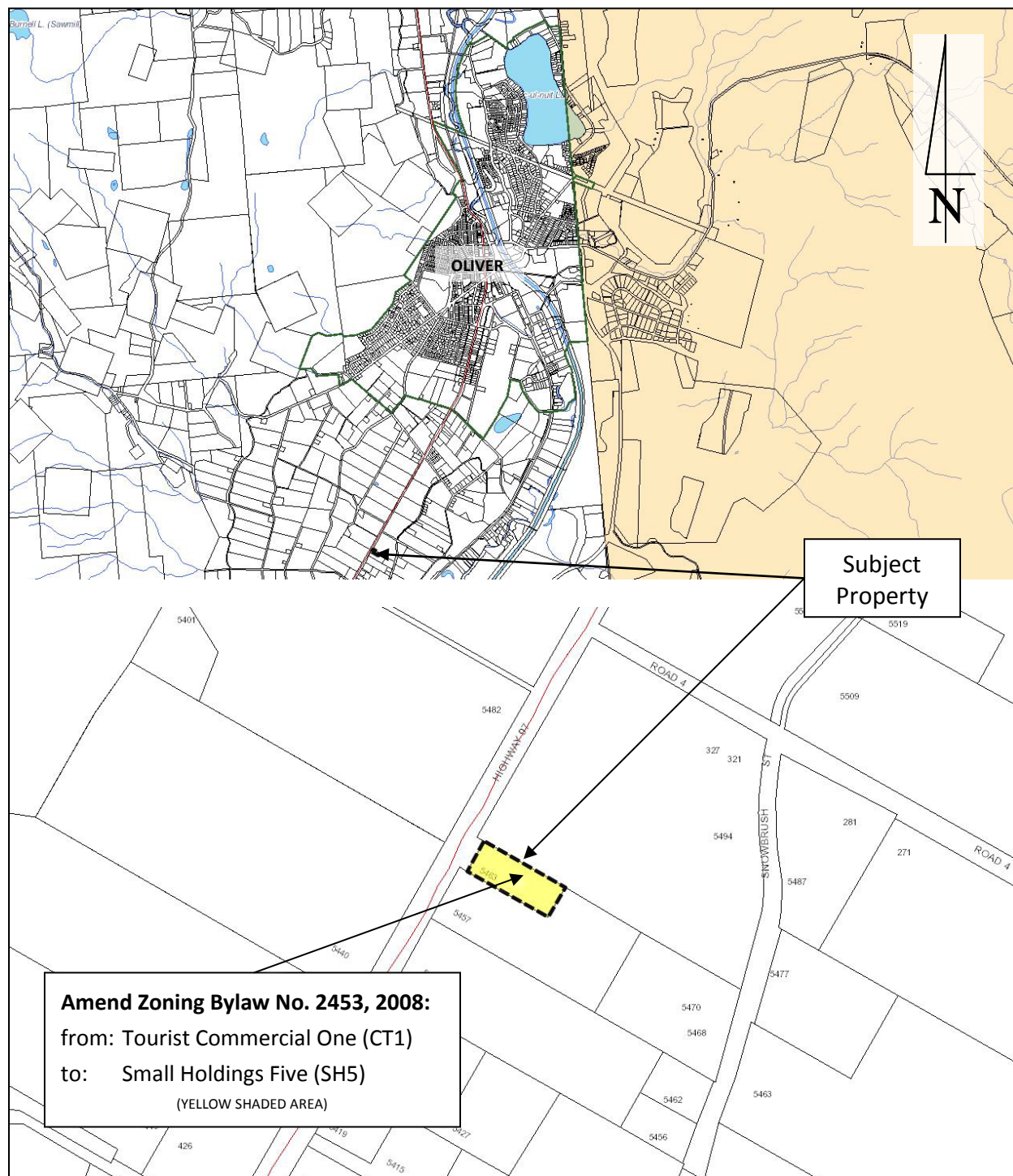
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2453.25, 2015

Project No: C2015.070-ZONE

## Schedule 'Y'



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2452.15, 2015**

---

**A Bylaw to amend the Electoral Area “C”  
Official Community Plan Bylaw No. 2452, 2008**

---

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “C” Oliver Rural Official Community Plan Amendment Bylaw No. 2452.15, 2015.”
2. The Official Community Plan Bylaw Map, being Schedule ‘B’ of the Electoral Area “C” Official Community Plan Bylaw No. 2452, 2008, is amended by changing land use designation on the land described as Lot A, Plan KAP16769, District Lot 2450S, SDYD, Portion Lot 176, and shown shaded yellow on Schedule ‘X’, which forms part of this Bylaw, from Commercial (C) to Small Holdings (SH).
3. The “Electoral Area “C” Official Community Plan Bylaw No. 2452, 2008” is amended by:
  - a) amending Section 7.3.2 to read as follows:
    - .2 Has established a range of densities and parcel sizes for areas designated as Small Holdings to provide for a rural or semi-rural, country residential lifestyle.



READ A FIRST AND SECOND TIME this 6<sup>th</sup> day of August, 2015.

PUBLIC HEARING held on this 8<sup>th</sup> day of September, 2015.

READ A THIRD TIME this 17<sup>th</sup> day of September, 2015.

ADOPTED this \_\_ day of \_\_\_\_, 2015.

---

Board Chair

---

Corporate Officer

# Regional District of Okanagan-Similkameen

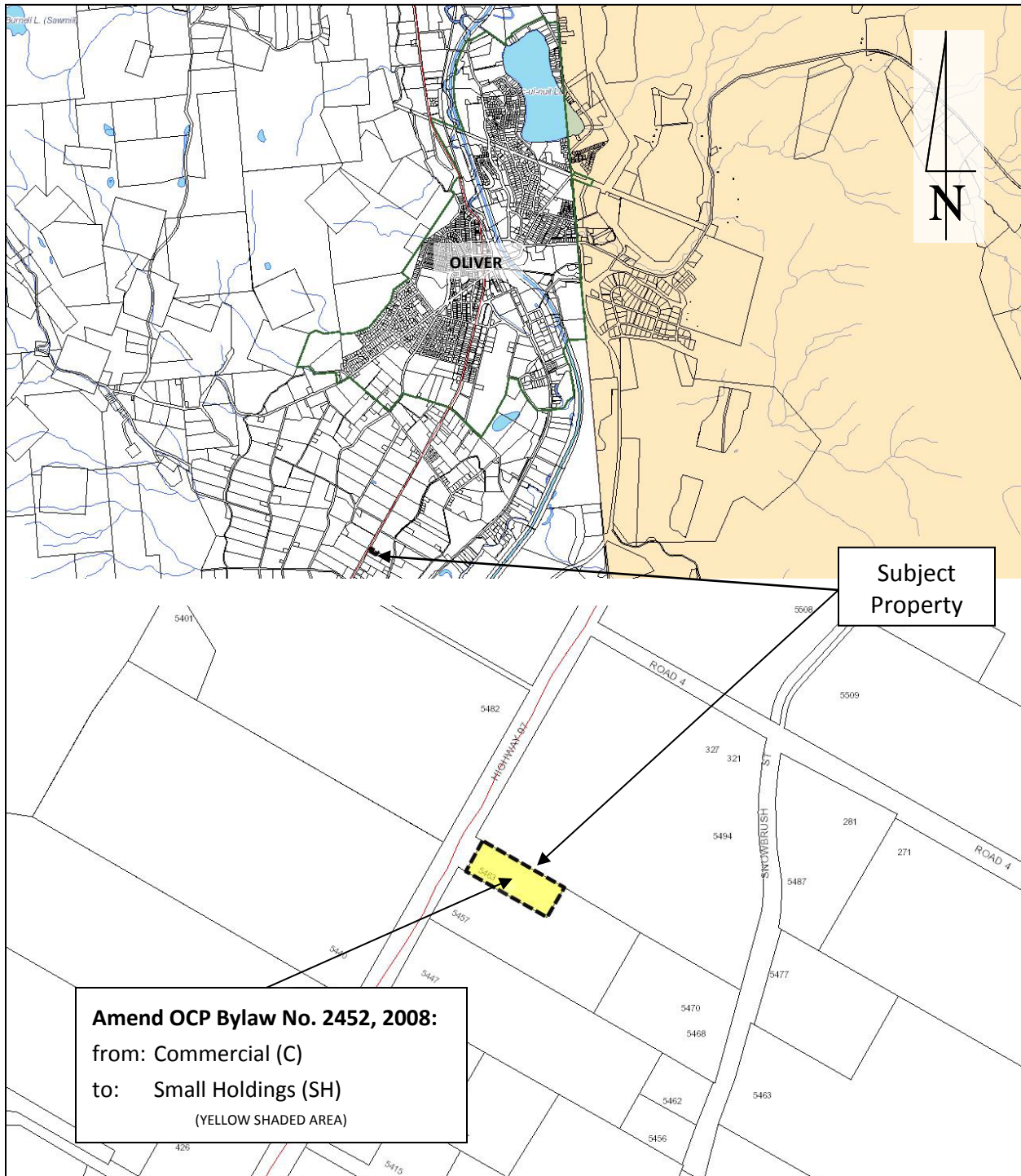
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2452.15, 2015

Project No: C2015.070-ZONE

## Schedule 'X'



**Amend OCP Bylaw No. 2452, 2008:**

from: Commercial (C)

to: Small Holdings (SH)

(YELLOW SHADED AREA)

Amendment Bylaw No. 2452.15, 2015  
(C2015.070-ZONE)

Page 3 of 3

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**TYPE:** Zoning Bylaw Amendment — Electoral Area “E”

---

### Administrative Recommendation:

**THAT Bylaw No. 2459.17, 2015, Electoral Area “E” Zoning Amendment Bylaw be read a third time and adopted.**

---

Purpose: To rezone the property from commercial to residential in order to formalise the existing use.

Owners: Sharon and Bradley Paulson      Agent: Bradley Paulson      Folio: E-00645.000

Legal: Lot 30 & 31, Plan KAP3352, District Lot 210, SDYD      Civic: 4035 First Street

Proposed Zoning: Residential Single Family One Site Specific (RS1s)

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### Purpose:

This proposal is seeking to amend the zoning of the subject property in order to formalise the use of an existing structure for commercial purpose associated with an adjacent motel use (Royal Anchor Resort) in a residential zoning.

Specifically, it is being proposed to amend the zoning by adding a site specific provision to the existing Residential Single Family One (RS1) that would allow for an accessory commercial structure.

In support of this proposal, the applicant has stated that this structure “was updated in 2012, replacing an original one circa 1960’s. The previous building was deemed to have been a non-conforming but legal one, and we were hoping since this new structure is just replacing the old one, in size and location, that it could be deemed a replacement. This structure is used for storage of beach toys, life preserves, kayaks, etc. along with chairs, benches, lounges and tables. Thus not contributing to a clutter on this property. Since this lot has been used for beach access for our guests for fifty years, give or take, it would not have a new impact on the neighbours.”

### Site Context:

The subject property is approximately 408 m<sup>2</sup> in area and is situated on the west side of First Street and is bounded by Okanagan Lake along its rear boundary. The property is seen to vacant apart from an accessory structure which has been erected for storage purposes by the Royal Anchor Resort.

The surrounding pattern of development is generally characterised by low density residential uses interspersed by commercial and agricultural operations.

### Background:

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At their meeting of August 10, 2015, the Electoral Area “E” Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this proposal be approved subject to the following condition:

*That the owner applies for a Building Permit including WDP with special regard to the firewall prior to the Board adopting the zoning amendment.*

At its meeting of August 20, 2015, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing.

A Public Hearing is to be held prior to the Board’s regular meeting of September 16, 2015.

All comments received through the public process, including APC minutes are compiled and included as a separate item on the Board Agenda.

**Referrals:**

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the proposal is situated beyond 800 metres of a controlled area.

**Alternative:**

THAT the Board of Directors rescind first and second reading of Bylaw No. 2459.17, 2015, Electoral Area “E” Zoning Amendment Bylaw, and abandon the bylaw.

**Analysis:**

Administration does not generally support the creation of ad hoc or spot zonings where they are divorced from broader strategic land use objectives. In such instances, spot zonings grant privileges to a single parcel which are not granted or extended to other parcels in the vicinity.

In this instance, the long-standing preferred future land use of the subject property is for residential purposes as evidenced by the OCP designation of “Low Density Residential” (LR) first applied to this site under the 1982 Naramata Official Settlement Plan Bylaw (No. 723) — a designation which has been confirmed and carried forward under every subsequent review of the OCP for Naramata.

Moreover, when a non-conforming use is ceased, or a non-conforming structure removed, that this is the point in time when compliance with the land use bylaws should be sought and the site brought into conformity.

Against this, it is recognised that this site has been continuously used for commercial purposes in association with the Royal Anchor Resort since the 1960s and that limited non-conforming use rights likely still exist under the *Local Government Act*. As such, the purpose of this application is merely to determine the suitability of allowing an accessory commercial structure to be re-established on the site and not the merits of the commercial use itself.

When considering this question, Administration notes that the OCP Bylaw speaks to providing for small scale commercial activities that service the needs of tourists, enhancing existing commercial uses “so that a broader employment base may be achieved”, and ensuring commercial development is of a scale that is appropriate to the character of an area.

While the subject property is adjoined on either side by established residential dwellings, development of an accessory commercial structure is unlikely to increase any adverse impacts on these uses or detract from the existing streetscape of First Street. The proposed structure is also seen

---

to be minor in nature and unlikely to adversely affect the long-term transition of the property to residential uses.

Finally, Administration notes that tourist commercial operations in residential zones (as evidenced by the recent approval of a number of vacation rental Temporary Use Permits) are characteristic of this neighbourhood.

On this basis, Administration supports the introduction of a site specific provision allowing for the commercial accessory structure as this will preserve the preferred future land use direction of residential. In addition, it is also proposed to limit the footprint of the accessory structure to no more than 20 m<sup>2</sup> (as this existing zoning allows for a parcel coverage of 35%) and the height to 3.5 metres.

Of concern, the Building Inspector has advised that due to the siting of the structure to within 0.6 metres of the interior side parcel boundary, the wall will be required to meet a 1 hour fire rating and be constructed of non-combustible material (i.e. concrete or masonry wall). In addition, no soffit projections are permitted within 0.45 metres of the property line and any existing ones would need to be sealed.

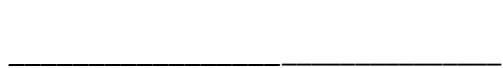
The applicant has also been advised of the need for a WDP prior to the issuance of any building permit, and, while an application has been submitted, a permit has not yet been issued.

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed by:**



D. Butler, Development Services Manager

Attachments: No. 1 – Applicant's Site Plan

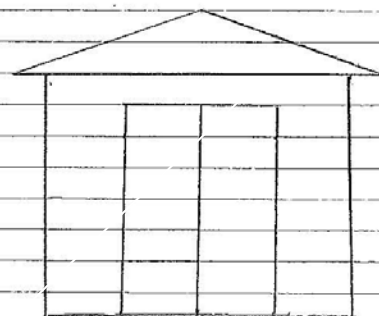
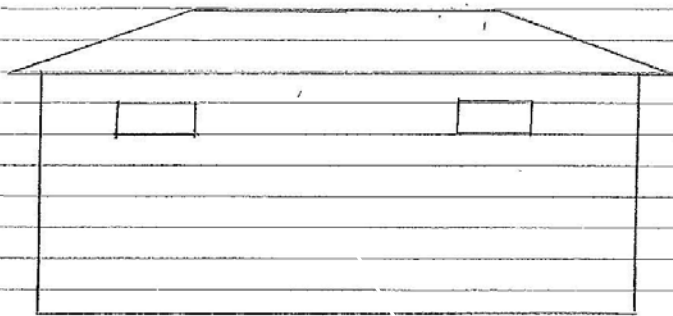
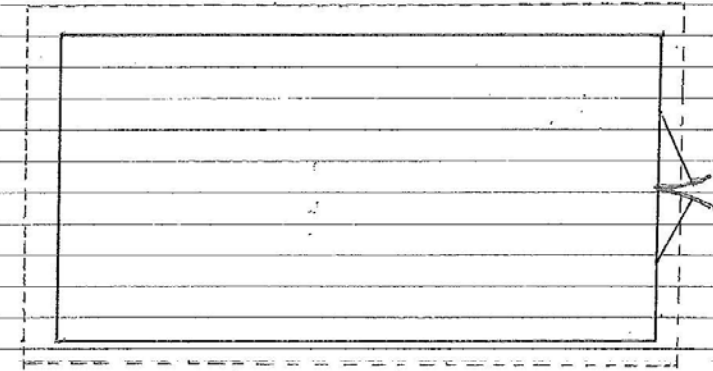
No. 2 – Site Photos (Google Streetview)



Attachment No. 1 — Applicant's Site Plan

BRANDY SHARON PAULSON  
4035-1st STREET  
NARAHATA

LOTS 30 & 31, DL 210, SDYD  
PLAN 3332



10' x 20' on CONCRETE PAD

10' to ROOF PEAK

3/8" SIDING 2x4 16" OC WALLS 8 FT

1/2" SHEATHING 2x6 16" OC ROOF 4-12 PITCH

1/2" SHEATHING INTERIOR WALL / CEILING

11' 2" SEPARATION FROM NEIGHBORING HOUSE.

Attachment No. 2 — Site Photo (Google Streetview)



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2459.17, 2015**

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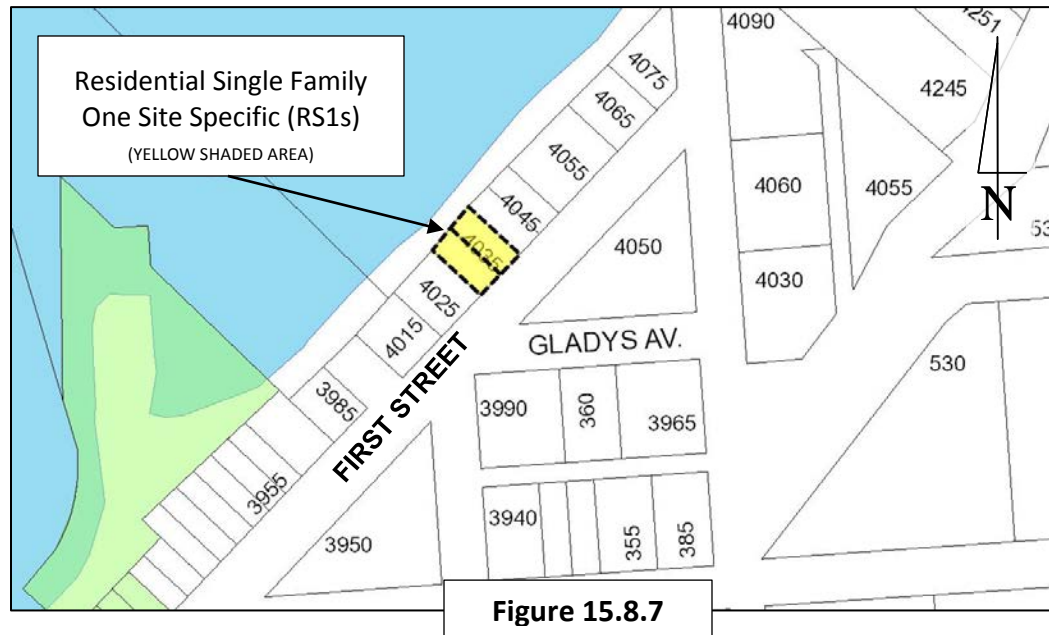
**A Bylaw to amend the Electoral Area “E”  
Zoning Bylaw No. 2459, 2008**

---

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. 2459.17, 2015.”
2. The Zoning Bylaw Map, being Schedule ‘2’ of the Electoral Area “E” Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation for the land described as Lots 30 & 31, Plan KAP3352, District Lot 210, SDYD, and shown shaded yellow on the attached Schedule ‘Y’ (which forms part of this Bylaw) from Residential Single Family One (RS1) to Residential Single Family One Site Specific (RS1s).
3. The Electoral Area “E” Zoning Bylaw No. 2459, 2008, is amended by adding a new subsection following Section 15.8.6, under “Site Specific Residential Single Family One (RS1s) Provisions” to read as follows:
  - .7 In the case of land described as Lots 30 & 31, Plan KAP3352, District Lot 210, SDYD (4035 First Street), and shown shaded yellow on Figure 15.8.7:
    - i) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 11.1.1:
      - a) “storage building”, which is defined as meaning a structure used or intended to be used for sheltering items such as beach toys, life preserves, kayaks, chairs, benches, lounges and tables.
    - ii) the gross floor area of a “storage building” occurring on the land shall not exceed 20 m<sup>2</sup>.

- iii) Despite Section 11.1.7, the maximum building height of a “storage building” occurring on the land shall not exceed 3.5 metres.



READ A FIRST AND SECOND TIME this \_\_\_ day of \_\_\_\_, 2015.

PUBLIC HEARING held on this \_\_\_ day of \_\_\_\_, 2015.

READ A THIRD TIME this \_\_\_ day of \_\_\_\_, 2015.

ADOPTED this \_\_\_ day of \_\_\_\_, 2015.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Corporate Officer



# Regional District of Okanagan-Similkameen

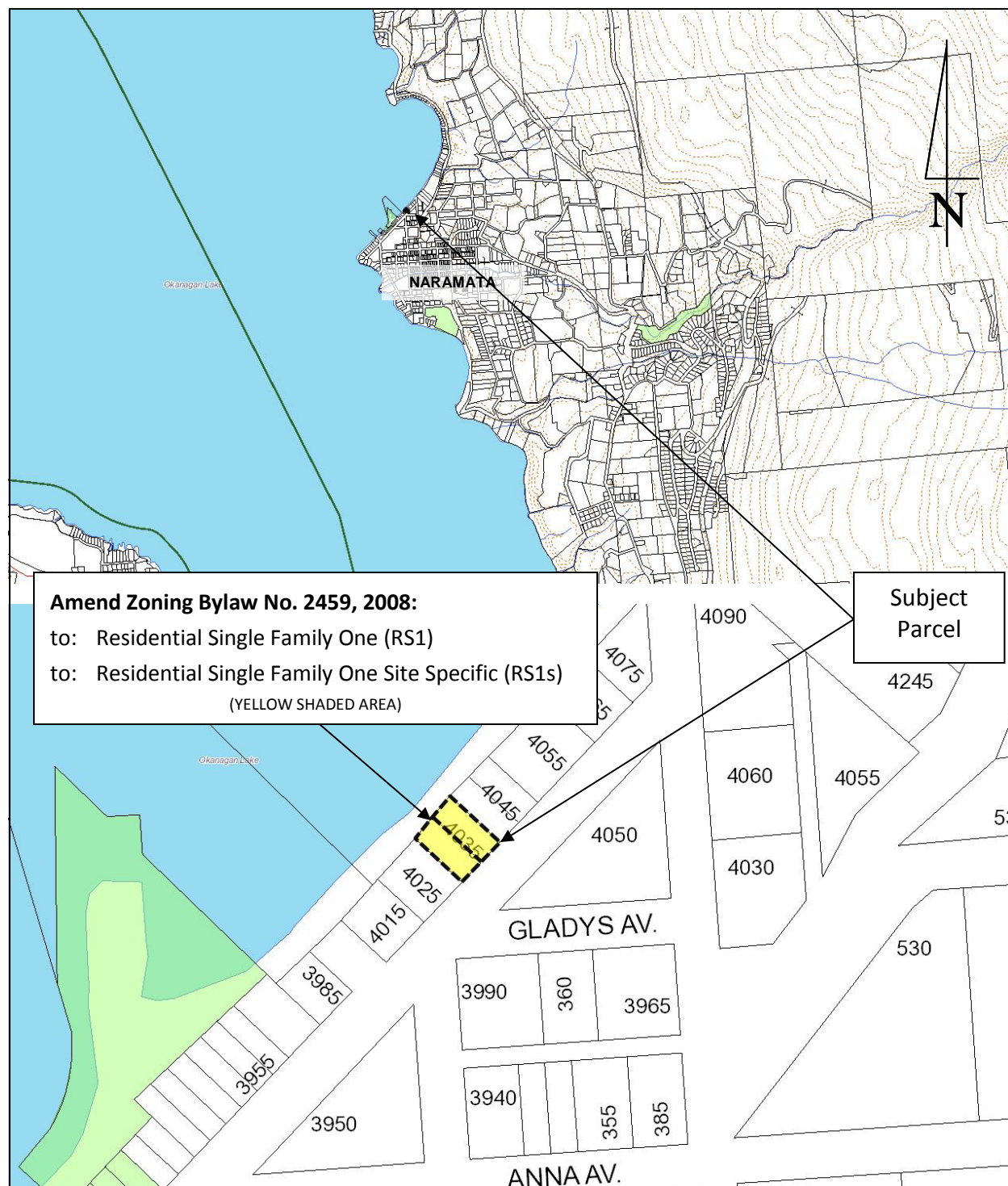
101 Martin St, Penticton, BC V2A 5J9  
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2459.17, 2015

File No. E2015.074-ZONE

Schedule 'Y'





## PUBLIC HEARING REPORT



**TO:** Board of Directors

**FROM:** Chair Karla Kozakevich, Electoral Area "E"

**DATE:** September 16, 2015

**RE:** Public Hearing Report on Amendment Bylaw No. 2459.17

---

### **Purpose of Amendment Bylaw:**

The purpose of the amendment bylaw is to rezone the subject property from Residential Single Family One (RS1) to Residential Single Family One site Specific (RS1s), with the site specific regulation allowing for the development of an accessory structure for commercial use on a vacant parcel.

### **Public Hearing Overview:**

The Public Hearing for Amendment Bylaw No. 2459.17

- convened on Wednesday, September 16, 2015, at 7:00 pm, at the Naramata Old Age Pensioners Hall, located at the 330 – 3<sup>rd</sup> Street, Naramata, BC;

There were four (4) members of the public present.

Members of the Regional District Board present were:

- Chair Karla Kozakevich

Members of the Regional District staff present were:

- Christopher Garrish, Planning Supervisor
- Gillian Cramm, Recording Secretary

Chair Kozakevich called the Public Hearing to order at 7:00 pm at the Naramata Old Age Pensioners Hall, Naramata, BC.

The hearing was convened pursuant to Section 890 and 892 of the *Local Government Act* in order to consider Amendment Bylaw No. 2459.17.

In accordance with subsections 1 and 2 of Section 892, the time and place of the public hearing was advertised in the September 4 and 9th, editions of the Penticton Western News newspaper.

Copies of reports and correspondence received related to Amendment Bylaw Nos. 2459.17, 2015, were available for viewing at the Regional District office during the required posting period.

### **Summary of Representations:**

There was one written brief 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.

**Christopher Garrish**, Planning Supervisor, outlined the proposed amendment bylaw.

**Chair Kozakevich** asked if anyone wished to speak to the proposed bylaw.

**Tom Turner** stated that he has no problem with the application. He asked about what the setbacks are. The applicant's structure is 19 cm away from the property line, which he is not happy with.

**Chair Kozakevich** noted that the APC recommended certain conditions before adoption of the bylaw. The Planner stated that the zoning issue must be dealt with before permits are issued.

**Skylar Lighthall** stated that she is opposed to the application. She read from some notes which she submitted. She is concerned about road encroachment by the Royal Anchor motel. She believes the building was erected without a building permit.

**Chair Kozakevich** cautioned Ms. Lighthall that her comments needed to relate to the subject bylaw. Complaints about encroachment should be directed to MOTI.

**Skylar Lighthall** stated that the building was constructed without proper procedure. She is therefore against the application. The building doesn't meet setbacks. It has an impact on neighbours.

**Christopher Garrish** explained that zoning pertains to the use of the parcel.

**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 **7:27** p.m.

Recorded by:

Gillian Cramm

Gillian Cramm  
Recording Secretary

Confirmed:



Christopher Garrish  
Planning Supervisor

Confirmed:

Karla Kozakevich

Karla Kozakevich  
Chair

**Lauri Feindell**

---

**From:** Beaupre, John <John.Beaupre@interiorhealth.ca>  
**Sent:** July-30-15 10:46 AM  
**To:** Planning  
**Subject:** Zoning Amendment - RDOS File: E2015.074-ZONE

Attention Christopher Garrish MA, MSS, MCIP, RPP Planning Supervisor  
Regional District of Okanagan-Similkameen  
101 Martin Street, Penticton, BC  
V2A 5J9

Dear Mr. Garrish:

**Re: Zoning Amendment to Formalise Use of Existing Storage Structure for Commercial Use**  
**Lots 30 & 31, Plan KAP3352, District Lot 210, SDYD**  
**4035 First Street, Naramata**

Thank you for the opportunity to provide comment on the above referenced Zoning Bylaw Amendment.

This offices interests are unaffected by the proposed amendment and subsequently we have no comment.

Please contact me with any questions you may have.

Thank you.

John C. Beaupre, C.P.H.I.(C)  
Environmental Health Officer  
Interior Health Authority  
Penticton Health Protection  
105 – 550 Carmi Avenue, Penticton, BC, V2A 3G6  
Bus: (250) 770-5540  
Direct: (250) 492-4000 Ext: 2744  
Cell: (250) 809-7356  
Fax: (250) 770-5541  
Email: [john.beaupre@interiorhealth.ca](mailto:john.beaupre@interiorhealth.ca)  
Web: [www.interiorhealth.ca](http://www.interiorhealth.ca)

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July 27, 2015

File: 58000-20/104034  
Your File: E2015.074-ZONE

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

Attention: Christopher Garrish

Re: Amend zoning to formalize use of an existing structure at  
4035 First Street, Narmata, B.C.

The Ecosystems Section of the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) provides the following response to the above noted referral.

To ensure proposed activities are planned and carried out with minimal impacts to the environment and in compliance with all relevant legislation, the proponent and approving agency are advised to adhere to guidelines in the provincial best management practices (BMP's) document: Develop with Care: Environmental Guidelines for Urban & Rural Land Development (<http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>) .

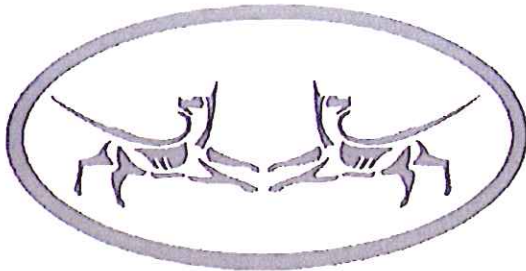
It is the proponent's responsibility to ensure their activities are in compliance with all relevant legislation.

If you have any other questions or require further information please feel free to contact me.

Yours truly,

Robert Stewart  
Ecosystems Biologist

RS/cl



## Penticton Indian Band

R.R. #2, Site 80, Comp.19  
Penticton, British Columbia  
Canada V2A 6J7  
Telephone: 250-493-0048 Fax: 250-493-2882

WITHOUT PREJUDICE AND NOT TO  
BE CONSTRUED AS CONSULTATION

July-21-15

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

RTS#: 1112  
Referral ID: 2015-07-021 ZON 1112  
Reference #: Bylaw2459.17 FileE2015.074-Zone  
Date: July-21-15

Attention: Christopher Garrish

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on July-21-15.

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 economical from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

Limlæmt,

Lavonda Nelson  
Data Management Clerk



**Lauri Feindell**

---

**From:** Danielson, Steven <Steven.Danielson@fortisbc.com>  
**Sent:** August-19-15 4:30 PM  
**To:** Planning; Christopher Garrish  
**Cc:** Mirsky, Nicholas; McLaren, Christine  
**Subject:** First Street, 4035 Naramata (E2015.074-Zone)

With respect to the above noted file,

There are primary distribution facilities along First Street. 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.

Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

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

Best Regards,

*Steven Danielson,  
Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, P.App.  
Land Agent | Lands & Planning | 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](mailto:nicholas.mirsky@fortisbc.com)

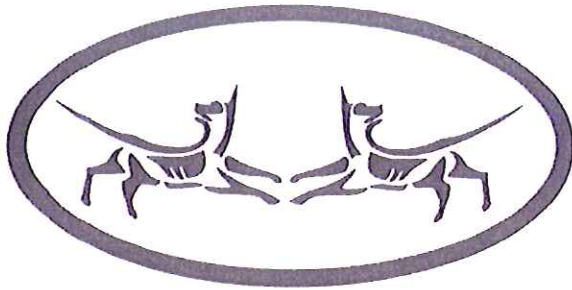


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## Penticton Indian Band

Natural Resource Department  
R.R. #2, Site 80, Comp.19  
Penticton, B.C. CAN  
V2A 6J7

Telephone: 250-493-0048 Fax: 250-493-2882

**WITHOUT PREJUDICE AND NOT TO  
BE CONSTRUED AS CONSULTATION**

August-20-15

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

RTS #: 1112  
Referral ID: 2015-07-021 ZON 1112  
Ref #: Bylaw2459.17 FileE2015.074-Zone  
Date: July-21-15

**Attention:** Christopher Garrish

**Re: Regional District of Okanagan Similkameen RTS #1112, Invoice #265**

We write regarding your failure to pay invoice #265 to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated July-21-15.

**Please make cheque payable to Penticton Indian Band. re: P.C. 132 RTS #1112**

The Okanagan Nation holds unextinguished aboriginal title to the land and resources within our traditional territory. The above-noted activity / development is within PIB's Area of Responsibility within Okanagan territory and as such, is subject to Okanagan title, jurisdiction, rights and interests, and PIB decision making and responsibility.

Over the last two decades, the Supreme Court of Canada has clarified the law respecting the rights of aboriginal people in British Columbia, which includes the Penticton Indian Band, Okanagan Nation. The Court has clarified that Aboriginal title continues to exist in British Columbia, and is protected by s. 35 of the *Constitution Act, 1982*.

Most recently, in June 2014, the Supreme Court of Canada in the *Tsilhqot'in* case set out the following characteristics and implications of Aboriginal title:

- ◆ Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.
- ◆ The Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in Aboriginal title lands and resources; the



beneficial interest is held by the Aboriginal title holding group. Allocations of Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.

- ♦ Aboriginal title includes the right to proactively use and manage the resources.
- ♦ Once Aboriginal title is "established", the constitution prohibits incursions without the consent of the Aboriginal title holders unless the Crown can justify the infringement, which in turn requires a compelling and substantial public purpose as well as consistency with the Crown's fiduciary duty to the Aboriginal title holders, requiring the involvement of the Aboriginal title holding group in decisions.
- ♦ Before Aboriginal title is "established", the only way to ensure certainty is to obtain consent; in the absence of consent, the Crown must consult and accommodate. If consultation or accommodation is inadequate, the Crown decision can be suspended or quashed. Moreover, fulfilling the duty to consult and accommodate does not provide the certainty that consent provides; once Aboriginal title is established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co-existence or accommodation of our jurisdiction and title. The Province continues to act as though we have no beneficial interest or authority, and it takes for itself the revenues derived from our lands and resources. The payment of the referral fee is necessary in order for us to assess your proposal, assess potential impacts and determine whether it should be approved and if so, on what conditions. Because we are unable to undertake such an assessment, we must at this time advise you that we are opposed to your proposed development/activity.

If you require further information or clarification, please do not hesitate to contact me.

limlæmt,

Lavonda Nelson  
Data Management Clerk

cc:



## Lauri Feindell

---

**From:** Christopher Garrish  
**Sent:** August-21-15 12:09 PM  
**To:** Lauri Feindell  
**Subject:** FW: Royal Anchor application

---

**From:** Lynda Partone  
**Sent:** August-21-15 11:54 AM  
**To:** Christopher Garrish  
**Subject:** Royal Anchor application

Dear Mr. Garrish: I would like to respond to the sign posted by Royal Anchor regarding their shed on the beach access on First Street, Naramata BC. It says they wish to formalize the shed on the property. First of all, that shed should be at least 5 feet from their property lines and I don't know how many feet from the middle of the road and the beach frontage. It is clearly non-conforming, and is not placed as required. Second, are they planning to introduce washrooms or other facilities into that shed? The Royal Anchor makes land grabs all the time. Witness their cedar trees, which they planted down Gladys Avenue in Naramata, thereby extending their property right onto that roadway. They've got swings and their trash on the inside of the cedars, also on public land. The Royal Anchor grass and rock work at their frontage on First Street has taken away the road right of way, and they are using part of the actual roadway as their parking lot for more than 10 cars. Their rocks and "beautification" encompass the telephone pole and the fire hydrant into their parking area. The extension of their lots onto the First Street right-of-way has caused all the rainwater runoff from their property to gather in a huge puddle in front of my property at 4055 1st street, which sometimes floods my property to the foundation wall. Since they sloped their land and the roadway parking away from their property, and covered over a drainage ditch illegally without providing for an underground waterway and grates, there is no drainage of the water except in the direction of the properties directly across from them. And there is no drainage on our side of the road to functionally take that water runoff from their property away. We have to live with 6 inch puddles the length of the property until it evaporates and in the winter it forms a treacherous ice patch. I have concerns, and I would like RDOS to now provide drainage for the runoff, which apparently was not considered when Royal Anchor did the work. Thank you for your time. I am appending three pictures for your understanding of the severity of the problem,



Water runoff from Royal Anchor flooding First Street. Notice fire hydrant in middle picture.  
Royal Anchor filled in a drainage ditch on their side of First Street, thereby taking away all the drainage. This  
puddle never used to happen until they re-sculpted their frontage.

Yours sincerely,

Lynda Partone





- Legend**
- ☐ Parcels
  - ☐ Electoral Area Boundary
  - ☐ Zoning
  - ☒ RDOS Boundary
  - ☐ BCGS 1:20,000
  - ☐ Major Highways
  - ☐ Indian Reserve
  - ☐ Parks
  - ☐ Contour - 100m
  - ☐ Contour - 20m
  - ☐ Streams
  - ☐ Lakes

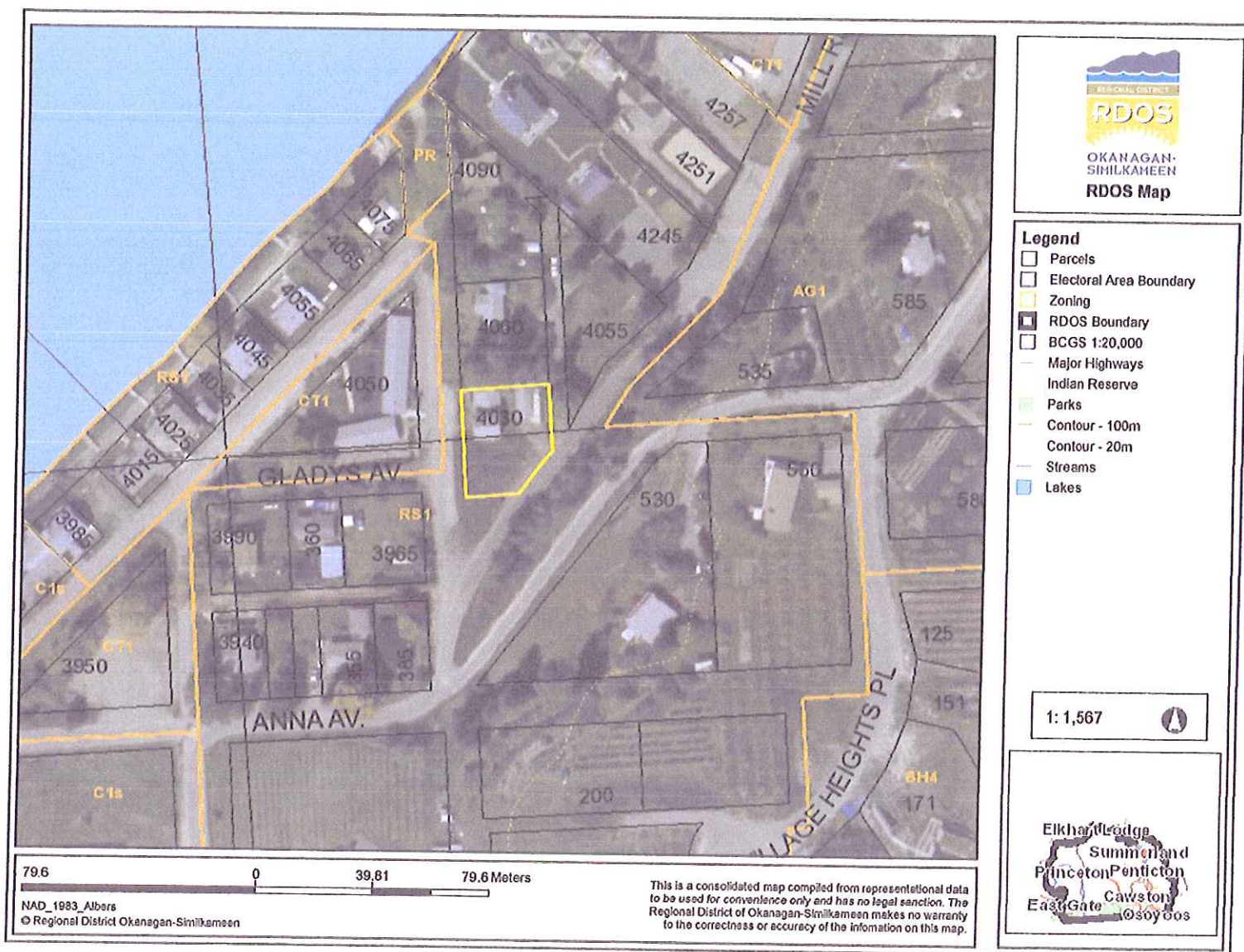
1:1,084



55.1 0 27.54 55.1 Meters

NAD\_1983\_Albers  
© Regional District Okanagan-Similkameen

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





property boundary looking ~~east~~ west  
Diagram #1



3



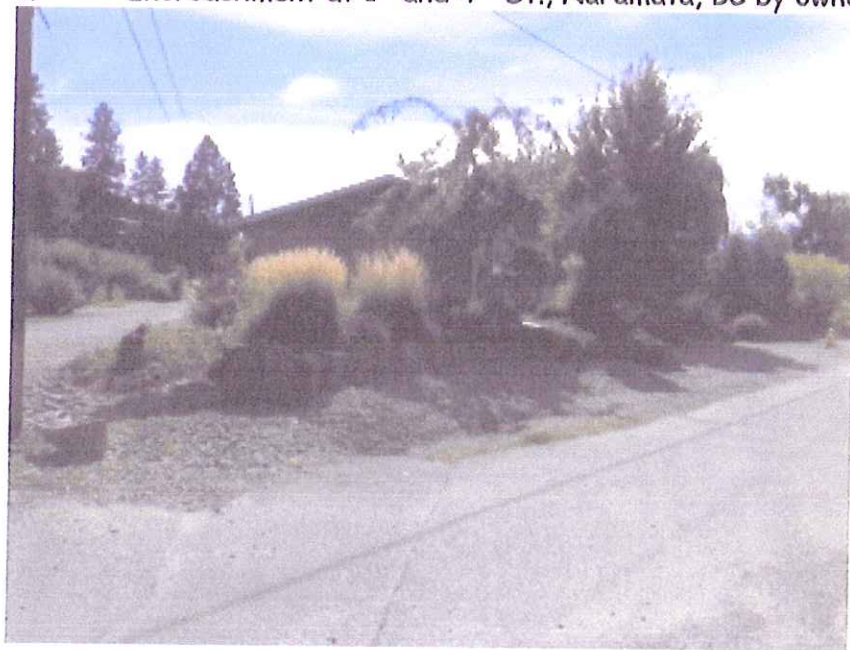
Property boundary to west  
(looking eastward)  
Diagram #2.





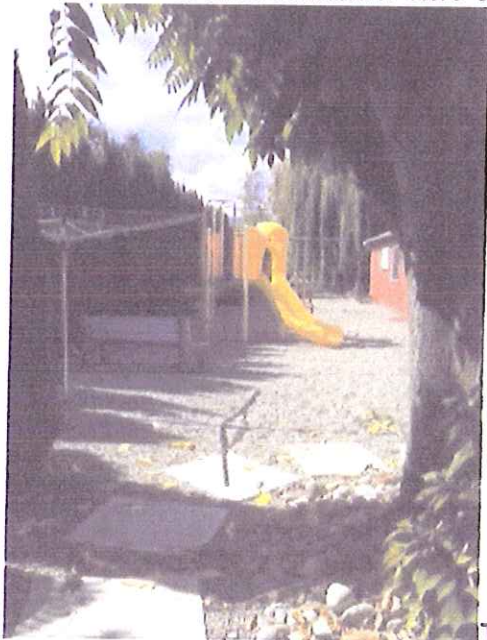
Encroachment on public lands & road allowances - 4050 1<sup>st</sup> St / 4035 1<sup>st</sup> st / 4030 4<sup>th</sup> Ave – aka The Royal Anchor Motel

1. Encroachment at 1<sup>st</sup> and 4<sup>th</sup> St., Naramata, BC by owners of the Royal Anchor Motel



- causes a tight corner - only one way traffic now
- reduces access to public beach at end of 4<sup>th</sup> st - when vehicles are parked on the road in front of the homes on 1st St there is very little room to maneuver around this corner because of the gardens planted by The Royal Anchor Motel on the road allowance at this corner. Filling in the culvert also now causes the flooding of 1<sup>st</sup> ave when it rains.

2. Encroachment onto Gladys Ave by owners of The Royal Anchor Motel



The property line of the royal anchor motel is from the left edge of the tree to the corner of the red building in the background (see pin placement on diagram 1, pg 3 and diagram 2, pg 4) These pins were placed by Gary Dickens of Naramata Excavating when working on the

septic system of The Royal Anchor Motel in approximately 2013, as required by law). Everything to the left of this line is on the public road allowance of Gladys Ave.

Below - View from east end of Gladys Ave. All of the cedar trees are approximately 10 - 30 ft south of The Royal Anchor's actual property line, encroaching on the Gladys Ave road allowance.



Below - View of west end of Gladys Ave - new plantings by the Royal anchor motel on the road allowance



These rocks and trees are up to 40 ft. beyond the actual Royal Anchor property lines.

Because of this road encroachment by the Royal Anchor Motel residents of Gladys Ave receive

- a) no parking in front of our homes on the road. (Can't use my front door to access my house)



- b) no garbage pick up at my home (the row of cedar trees planted and the playground on the public road allowance causes Gladys Avenue to be too narrow for the garbage truck to come down the lane.)
- c) no snow removal on Gladys Ave.
- d) no ambulance service in winter to Gladys Ave. because with no snow removal the ambulance wont come down the lane

These are services for which I pay but have never received.

3. Encroachment by Royal Anchor motel at 4<sup>th</sup> St and Mill Rd. - gardens planted in 2014



Another example of a recent development by the Royal Anchor Motel that encroaches on the road allowance and dangerously restricts the flow of traffic at a tight corner at Mill Rd and 4<sup>th</sup> st. and severely restricts access to the lot at 3965 Gladys ave.

### Summary

I do not support the granting of a variance to the owners of the lot at 4035 1<sup>st</sup> St. as they are also the owners of the Royal Anchor Motel property and they have shown that time and time again they have grabbed property that is not theirs and tried to make it seem as if it's their own. They've done this by planting trees and installing infrastructure on what should be public property for all to enjoy and/or road allowances that are needed for parking, the safe passage of traffic and community service vehicles, and public green space.

By erecting this building without following proper procedures they have once again, encroached on property outside of their property lines and since this practice by them in the past is well documented I do not believe that this was done naively and therefore should not be allowed.

In addition, I'm requesting assistance from the RDOS to ensure that all trees, rocks and other encumbrances on Gladys ave, 1<sup>st</sup> 3<sup>rd</sup> and 4<sup>th</sup> Streets be ordered removed by the RDOS in order for residents to receive services for which they pay and are thus entitled to. Services which the Royal Anchor Motel itself enjoys. This would greatly enhance the safety and enjoyment of the public and neighbouring residents.

In the past the RDOS has sent us to the Ministry of Highways in regards to this matter and we have tried for years to get them to assist us only to be met with no response whatsoever. No returned calls or emails. They completely ignore us. I know for a fact that at least 4 neighbours of the royal anchor Motel have contacted them at various times regarding the encroachment problem and we've all had no response whatsoever.

The RDOS administers this area and they have spear headed a campaign to clear all the laneways of Naramata recently and so it is time for them to focus on the particular problems created by the gross encroachments of road allowances and public green space by The Royal Anchor Motel for their own use and enjoyment.

We greatly appreciate your assistance with this matter.

Sincerely

Schuyler Lighthall



## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**RE:** Award of Organics Consultant

---

### Administrative Recommendation:

**THAT the Regional Board award the consulting work for the “Request for Proposal Organics Consultant” to SLR Consulting (Canada) Ltd. In the amount of \$108, 420 exclusive of taxes;**

**AND THAT the Regional Board authorize the Chair and Chief Administrative Officer to execute the consulting services agreement with SLR Consulting (Canada) Ltd.**

### Reference:

Website – [Organic Management Facilities Feasibility Study](#)

### Business Plan Objective:

Implementation of Solid Waste Management Plan

### History:

The Regional District adopted a revised Solid Waste Management Plan in 2012 calling for the development of infrastructure to divert food waste from landfilling.

To achieve that goal the Organic Management Facilities Feasibility Study was implemented in 2013. The study will look at the potential costs of enhancing and creating new local composting facilities in three phases:

- Phase 1: Cost of Composting at Publicly owned sites
- Phase 2: Consultation with Private Sector to develop proposals for organic management facilities on private land
- Phase 3: Obtaining costs and benefits for sending waste to potential private compost facilities, comparing public and private sector options and preparing a recommendation on how to proceed

Phase 1 and 2 are near completion. This award provides the technical expertise to complete Phase 3.

### Analysis:

Five excellent proposals were received from qualified professionals. Regional District Staff reviewed the options as per the Regional Purchasing Policy. SLR Consulting came highly recommended from local governments that had used their services for similar projects.

<b>Proponent</b>	<b>Total Score</b>
SLR Consulting	96
CH2M Hill	95
Sylvis	95
Tetra Tech	92
Morrison Hershfield	89

**Budget:**

The funds for this consulting work are within the budgeted amount set by the 2015 Five Year Financial Plan for the Compost Siting Study Project as shown in 4300 - Solid Waste Management Planning function. The Federation of Canadian Municipalities (FCM) is funding 50% of the cost of this feasibility study project through a Green Municipal Fund Grant.

**Communication Strategy:**

The Regional District has invited members of local Municipalities to form a Steering Committee to oversee Phase 3 of this project. The Municipal partners will advise the Regional District and be a liaison to Municipal Councils.

Staff at the Regional District of Central Okanagan (CORD) have also been invited to provide their expertise to the Steering Committee. CORD is partially funding this feasibility study to allow better understanding of potential partnerships regarding an organics management facility within the RDOS.

**Respectfully submitted:**

*“insert digital signature; or name in italics”*

---

C. Baughen, Solid Waste Management Coordinator

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**RE:** Regional District of Okanagan-Similkameen Property Exemption Bylaw No. 2713, 2015

---

### **Administrative Recommendation:**

**THAT Bylaw No. 2713, 2015 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted.**

### **Reference:**

Local Government Act Section 809

### **History:**

The Board, at its discretion, may grant an exemption to eligible organizations from taxes payable to the RDOS for the upcoming tax year. Organizations within a member municipality's taxing jurisdiction make application for property tax exemption directly to the member municipality.

The Act provides that certain properties that meet specific criteria can be exempted in whole or in part of property taxation. The following is an excerpt of the Act: Section 809 :

*...( 1) Land and improvements owned or held by a regional district are exempt from taxation when used for its own purposes, but otherwise are subject to taxation, as applicable....*

*... (3) On or before October 31 in any year, a board may, by bylaw adopted by at least 2/3 of the votes cast, exempt the property described in subsection (4) from taxation under this Part for*

*(a) the next calendar year, or*

*(b) with the assent of the electors, a specified period not longer than 10 years.*

*(4) The following property that is in an electoral area may be exempted from taxation under subsection (3):*

*(a) land or improvements, or both, owned or held by, or held in trust by the owner for, an athletic or service organization and used principally for public athletic or recreation purposes;*

*(b) land or improvements, or both, used or occupied by a church as tenant or licensee for the purpose of public worship or for the purposes of a church hall that the board considers necessary to the church;*

*(c) an interest held by a non-profit organization in school buildings that the organization uses or occupies as tenant or licensee of a board of school trustees;*

*(d) land that is owned and used exclusively by an agricultural or horticultural society and that is in excess of the area exemption under section 15 (1) (j) of the Taxation (Rural Area) Act;*

*(e) an interest held by a francophone education authority in school buildings that the francophone education authority uses or occupies as licensee of a board of school trustees;*

*(f) an interest held by a non-profit organization in school buildings that the organization uses or occupies as tenant or licensee of a francophone education authority;*

*(g) land or improvements that*

- (i) are owned or held by a municipality, regional district or other local authority, and
- (ii) the board considers are used for a purpose of the local authority.....

#### Alternatives:

To not adopt Bylaw 2713,2015 and not grant property tax exemptions for 2016

#### Analysis:

Annually, the RDOS invites qualifying non-profit organizations to apply for a Property Tax Exemption.

Notifications of the exemption application process and July 31 deadline are advertised in local area newspapers in early June and again in early July.

There are no new applicants for the 2016 exemption and all 2015 applicants have reapplied for the 2016 exemption. Estimated 2016 taxes are based on 2015 assessment data and tax rates.

2016 exemption: Estimated 2016 taxes are based on 2015 assessment data and tax rates:

		2016 RDOS Estimated Taxes		2016 RDOS Est taxes Reduction (not collected)
	Area	Without	with exemption	
<b>Previous Exemptions, No New Application in 2015</b>				
Osoyoos Wildlife Federation	A	\$ 564	\$0	\$ 564
Keremeos-Cawston Sportsmen Association	G	\$ 960	\$0	\$ 960
South Okanagan Sportsmen Association	C	\$ 195	\$0	\$ 195
South Okanagan Sportsmen Association	C	\$ 1,215	\$0	\$ 1,215
Fairview Mountain Golf Club Society	C	\$12,475	\$ 1,187	\$11,288
OK Falls Heritage & Museum Society	D	\$ 2,556	\$0	\$ 2,556
City of Penticton - golf course	D	\$ 820	\$0	\$ 820
Nickel Plate X-Country Ski Club	G	\$ 404	\$0	\$ 404
Princeton Golf Club	H	\$ 4,191	\$ 128	\$ 4,063
Hedley Sports Association	G	\$ 494	\$0	\$ 494
Keremeos Elks Lodge	G	\$ 1,643	\$0	\$ 1,643
Okanagan Falls United Church	D	\$ 640	\$0	\$ 640
Naramata Museum Society (RDOS Ownership)	E	\$ 1,530	\$0	\$ 1,530
Penticton Shooting Sports Association	F	\$ 1,250	\$0	\$ 1,250
The Natures Trust	C	\$ 600	\$0	\$ 600
Total				\$18,062

The above table is the approximate amount of property taxes foregone by exemption.

Historically the Board has relied upon the amount of demonstrative benefits each exempted group provides to the community. For example, due to the vast amount of land that a cross-country ski club uses, the amount of taxes on the land would make the fees for cross-country skiing too expensive for everyone wishing to participate in this activity. The golf courses are partial exemptions to offset the public access portions of the fees.

#### Respectfully submitted:

*"Sandy Croteau"*

---

S. Croteau, Finance Manager





## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### BYLAW NO. 2713, 2015

---

A bylaw to exempt property tax assessments

---

**WHEREAS** the Board of the Regional District of Okanagan-Similkameen is empowered by the Local Government Act to exempt certain land and improvements;;

**AND WHEREAS** it is deemed desirable and expedient to exempt specific properties from property taxation;;

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

- 1.1 This Bylaw shall be cited as the "Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw No 2713, 2015".
- 2.1 Pursuant to Section 809 (1) of the Local Government Act, the following parcels of land shall be exempt from taxation with respect to land and improvements for the year 2016;

**Owners Name**

**Legal Description**

Naramata Museum Society

Parcel A, BI 3, DL210 SDYD  
PI 519 714-00565.105

- 2.2 Pursuant to Section 809 (4) of the Local Government Act, the following parcels of land shall be exempt from taxation with respect to land and improvements for the year 2016;

**Owners Name**

**Legal Description**

Osoyoos Wildlife Federation

DL 2450S, SDYD 714-9060.000

Keremeos-Cawston Sportsmen Association

Lot A, PI B6949, DL 319, SDYD 716-2752.000

South Okanagan Sportsmen Association

Lot 3, PI 4041, DL 2450S, SDYD Portion L 727  
714-6485.000 and Lot 1, PI 13268, DL 2450S,  
SDYD Portion L 727 714-6485.100

Fairview Mountain Golf Club Society  
(to the extent of an 80% exemption for  
improvements for clubhouse excluding  
residential portion of facility)

Lot 1, PI KAP62023, DL 2450S SDYD  
714-6476.020

OK Falls Heritage & Museum Society

Lot 9, PI 34520, DL 374, SDYD 714-796.090

City of Penticton (leased to golf course)

Lot A, PI 40972, DL 2 366 367, ODYD (Portion  
outside Municipal Boundary) 715-2713.010

Nickel Plate X-Country Ski Club

SDYD, SUP 11350 716-10308.000

Princeton Golf Club  
(to the extent of an 80% exemption for  
improvements for clubhouse facility)

Block B, DL 1091 OS, SDYD 717-895.600

Hedley Sports Association

Lot 13-15, Block 8, PI 2565, DL 2482, SDYD  
716-9035.000, 716-9035.002

Keremeos Elks Lodge

Parcel A, DL 0457 , SDYD 716-02837.000

Okanagan Falls United Church

Parcel Y, DL 0374 , SDYD 714-00819.081

Penticton Shooting Sports Association

DL 2499 Except Plan H397 41847,  
For Mobile Folio C/REF 89000.100

The Natures Trust

Lot B, PL KAP89970, DL 2450S  
714-05353.070

**READ A FIRST, SECOND, AND THIRD TIME** this \_\_\_\_day of\_\_\_\_, 20\_\_

**ADOPTED** this \_\_\_\_ day of \_\_\_\_, 20\_\_

---

RDOS Board Chair

---

Corporate Officer

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**RE:** Faulder Water System – Loan Authorization Bylaw 2712, 2015

---

### **Administrative Recommendation:**

**THAT Bylaw No. 2712, 2015 Faulder Community Water System Loan Authorization Bylaw be read a first, second and third time and forwarded to the Inspector of Municipalities for approval.**

### **Reference:**

Interior Health Authority Hazard Abatement or Prevention Order dated May 31, 2010

Bylaw No 2526, 2010 Faulder Community Water System Loan Authorization Bylaw (expired)

### **History:**

In May 2010, the Interior Health Authority (IHA) issued a Hazard Abatement or Prevention Order under Section 25 of the Drinking Water Protection Act.

To respond to the Order and move forward with an alternative to address the water issues, Loan Authorization Bylaw 2526 was adopted by the RDOS Board on September 16, 2010.

Under Section 819 of the Local Government act and Section 179(4)(b) of the Community Charter, Loan Authorization Bylaws are only valid for five years from the date of adoption. Delays in starting the project resulted in the bylaw expiring before any temporary or long term borrowing was required. As a result, a new loan authorization bylaw is needed to ensure borrowing mechanisms are in place when the project requires funding.

### **Analysis:**

Under Section 4 of the Regional district Liabilities Regulation 261/2004 Drinking Water Protection Orders, approval of the electors is not required for this Loan Authorization Bylaw. However, the new bylaw will still require Ministry approval before being brought forward for adoption.

Grants in the amounts of \$332,000 and \$610,000 have been secured for this project. In addition, reserve funding in the amount of approximately \$250,000 is available for the project.

The estimated total project cost is approximately \$1.4M. With the above noted funding sources, it is estimated the required borrowing will be approximately \$250,000.

The loan authorization bylaw amount outlines a maximum borrowing amount of \$600,000 to ensure sufficient funds are available should any unexpected costs arise before the project is complete.



Only the amount needed to fund final actual project costs will be drawn under the loan authorization and subsequent security issuing bylaws.

**Respectfully submitted:**

*"Sandy Croteau"*

---

S. Croteau, Finance Manager

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### BYLAW NO. 2712, 2015

---

A bylaw to authorize the long term borrowing of the monies to provide for capital upgrades to the Faulder Community Water System.

---

**WHEREAS** pursuant to Section 819 of the *Local Government Act* and Section 179 of the *Community Charter*, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

**AND WHEREAS** the Regional Board of the Regional District Okanagan-Similkameen established, by Bylaw No.1177, 1990, a service for the purpose of providing a community water system to a portion of Electoral Area 'F';

**AND WHEREAS** the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

**AND WHEREAS** under section 4 of the Regional District Liabilities Regulation 261/2004 *Drinking Water Protection Orders* approval of the electors is not required;

**AND WHEREAS** the Regional District has received a Faulder Water System Hazard Abatement and Prevention Order dated May 31, 2010 from Interior Health Authority;

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

#### **1. Authorization of Purchase**

The Regional Board is hereby empowered and authorized under Bylaw No. 1177, 1990 to provide a Community Water System Service in the Faulder Local Service Area and do all things necessary in connection therewith and without limiting the generality of the foregoing:

#### **2. Loan Authorization**

The Regional Board is hereby empowered and authorized to borrow an amount or amounts not exceeding six hundred thousand dollars (\$600,000) for capital system upgrades to the Faulder Community Water System;

#### **3. Term of Debenture**

The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty (20) years.

#### **4. Citation**

This bylaw may be cited as the 'Faulder Community Water Loan Authorization Bylaw No. 2712, 2015.

**READ A FIRST, SECOND, AND THIRD TIME** this \_\_\_\_ day of \_\_\_\_, 20\_\_

**APPROVED** by the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_, 20\_\_

**ADOPTED** this \_\_\_\_ day of \_\_\_\_, 20\_\_

---

RDOS Board Chair

---

Corporate Officer



# Interior Health

## HAZARD ABATEMENT AND PREVENTION ORDER

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May 31, 2010  
Dan Ashton, Board Chair  
Regional District of the Okanagan Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9

Dear Mr. Ashton:

**Re: Hazard Abatement or Prevention Order regarding the  
Faulder Water System**

---

This letter constitutes an Order under section 25 of the *Drinking Water Protection Act* (the "Act"). For your ease of reference, I enclose a copy of the Act.

### **Action required**

The action that I am ordering the Regional District of the Okanagan-Similkameen to take is as follows:

- Submit engineering drawings and an application for construction to Interior Health's Public Health Engineering Department for the provision of an adequate potable water supply by October 1<sup>st</sup>, 2010.
- Provide water to the residences served by the Faulder Water System via water hauling or other acceptable method as an interim measure should the current water supply cease to operate.

### **Reasons for this Order**

I am issuing this Order because I have reason to believe there is a **drinking water health hazard**. I have formed this belief in the circumstances of this case for the following reasons:

- **The current water supply contains uranium exceeding the Maximum Acceptable Concentration of Uranium (Revised 1999) as per Health Canada's Guidelines for Canadian Drinking Water Quality.**
- **Testing Dates**
  - Dec 5<sup>th</sup>, 2006 Uranium sample by IHA staff. Result 0.0296 mg/L.
  - April 18, 2007 Uranium sample by IHA staff. Result 0.0264 mg/L.

Bus: (250) 770-3530 Fax: (250) 770-3470  
Email: [robert.birtles@interiorhealth.ca](mailto:robert.birtles@interiorhealth.ca)  
Web: [interiorhealth.ca](http://interiorhealth.ca)

**HEALTH PROTECTION**  
Less Risk ~ Better Health

Penticton Health Centre  
740 Carmi Avenue, 2<sup>nd</sup> Floor  
Penticton, BC V2A 8P9



- June 15, 2007 Uranium Sampled by IHA staff. Result 0.0210 mg/L.

- **Reports**

- Associated Engineering Report "Regional District of Okanagan-Similkameen Uranium Treatability Study, October 2007".
- Associated Engineering Conceptual Report "Regional District of Okanagan-Similkameen Faulder Well Water Treatment Plant Conceptual Design, April 2008".

**Authority to issue this Order**

I have issued this Order as a person who has been delegated the powers and duties of a Drinking Water Officer, under section 3(4) of the Act. Delegation of these powers under the Drinking Water Protection Act have been delegated by the Appointed Drinking Water Officer, Dr. Andrew Larder on July 10, 2009.

**Duration of this Order**

This Order remains in effect unless and until the Regional District of the Okanagan-Similkameen is notified in writing by me or another Drinking Water Officer that the Order is amended or rescinded.

**Right for review or reconsideration**

You may request that I reconsider this decision if you believe that there is sufficient new evidence for this purpose. You may also request that this decision be reviewed by the Provincial Health Officer or a Medical Health Officer nominated by him.

If you wish to make a request for reconsideration or review, please review section 39.1 of the *Drinking Water Protection Act*. I can also provide you with forms if you wish, but there is no requirement to use a specific form.

Please note however that a request for reconsideration or review does not put the Order into abeyance while any such request is considered. If you believe that the Order should be deferred while a review or reconsideration is requested, please advise me accordingly and I will consider whether to amend the Order accordingly. Unless I do so, the Order remains in force during any period of review or reconsideration.

**Consequences of failure to comply**

It is an offence under the *Drinking Water Protection Act* to fail to comply with an Order under section 25. Penalties upon conviction for an offence may be up to \$200,000 per day and up to 12 months imprisonment. In addition, if you fail to

comply with the Order, a Drinking Water Officer may take or authorize actions to be taken as necessary, at your expense (see sections 27 and 28).

Please do not hesitate to contact me if you have any questions respecting this Order.

Yours truly,

A handwritten signature in black ink, appearing to read 'R. Birtles', with a stylized flourish at the end.

**Robert Birtles, C.P.H.I.(C)**  
**Environmental Health Officer / Water Specialist (Penticton)**

RB/sd

Enclosure

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**RE:** Board Policy Review

---

### **Administrative Recommendation:**

**THAT the Board of Directors amend the Director and Alternate Director Accident Insurance policy as presented at Corporate Services Committee on September 3, 2015;**

**THAT the Board of Directors amend the Issuing a Corporate Purchasing Card Policy as presented to the Corporate Services Committee on September 17, 2015;**

**THAT the follow policies be rescinded:**

- **Use of Regional District Vehicles policy**
- **Call for Audit Proposals policy**
- **Gaming Facility Request for Proposals**
- **Addition to Reserves – First Nations Land**
- **Covenants**

### **Reference:**

- Administrative Report to Corporate Services September 3, 2015 regarding Director and Alternate Director Accident Insurance Policy
- Administrative report to Corporate Services September 17, 2015 regarding the Issuing a Corporate Purchasing Card, Use of Regional District Vehicles, and Call for Audit Proposals, Gaming Facility Request for Proposals, Addition to Reserves, and Covenant policies

### **History:**

At the September 3, 2015 Corporate Services Committee meeting, the Committee reviewed the Director and Alternate Director Accident Insurance policy. This policy has been amended to increase the minimum coverage available to \$250,000.

At the September 17, 2015 Corporate Services Committee meeting, the Committee reviewed the Use of Regional District Vehicles, Call for Audit Proposals, Issuing a Corporate Purchasing Card, Gaming Facility Request for Proposals, Addition to Reserves and Covenants policies.

The Issuing a Corporate Purchasing card has been update to reflect terminology used internally and to include designated employees. The updated policy also includes responsibilities of the cardholder, department manager and Manager of Finance. In addition, the dollar limit has been removed.

The Regional District Vehicles policy is better suited to an Administrative Directive approved by the CAO. A Directive is currently under development.

The Call for Audit Proposals policy is redundant when compared to the Purchasing and Sales policy that covers such principles as open and transparent process, compliance with legislation, and the Request for Proposals process.

The Gaming Facility Request for Proposals policy is not consistent with the *Gaming Control Act* and the *Gaming Control Regulation*. The *Regulation* limits local government comment to infrastructure and policing costs, and traffic and highway use.

The Additions to Reserves – First Nations Land policy was adopted prior to the signing of the Protocol Agreement. Signing parties to the Agreement will notify each other regarding decisions that will affect one another and share relevant information.

The Covenants policy contains clauses that contradict each other as well as Bylaw No. 2509, Delegation of Local Government Authority. Development Services has identified that an updated Covenants policy is required, and will bring forward such a policy after consultation with external agencies.

**Respectfully submitted:**

*“Christy Malden”*

---

C. Malden, Manager of Legislative Services



## ADMINISTRATIVE REPORT



**TO:** Corporate Services Committee

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

**DATE:** September 3, 2015

**RE:** Board Policy Review

---

**Administrative Recommendation:**

**THAT the Board of Directors amend the Director and Alternate Director Accident Insurance policy as presented at Committee September 3, 2015.**

**Reference:**

[Regional District of Okanagan-Similkameen Policy Manual](#)

Director and Alternate Director Accident Insurance Policy (Marked up showing changes)

**History:**

Goal 4.4 of the RDOS Business Plan is to develop a responsive, transparent, effective organization. One of the objectives of this goal is achieved by developing policy framework and ensuring current policy is current and represents the Boards intentions.

**Analysis:**

The Board requires clear policies and as such has instructed that a process to ensure the timely review and update of Board policy be implemented.

In order to achieve this objective, outdated policies will be brought forward for review at each Corporate Services Committee meeting and future review dates will be established. It is expected that this process will complete in the first quarter of 2016.

The intention is to create relevant, transparent policies which are easy for the public to access and that set out how the Board wants recurring issues to be addressed.

The Board may access the RDOS Board Policy manual at the referenced hyperlink to view the current policies and track progress of amendments as they occur.

The Director and Alternate Director Accident Insurance policy has been amended to increase the minimum coverage available to \$250,000.00 as recommended by Capri Insurance at the April 16, 2015 Corporate Services Committee meeting.

**Respectfully submitted:**

*"Christy Malden"*

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C. Malden, Manager of Legislative Services

## ADMINISTRATIVE REPORT



**TO:** Corporate Services Committee

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

**DATE:** September 17, 2015

**RE:** Board Policy Review

---

### **Administrative Recommendation:**

**THAT the Corporate Services Committee recommend that Board of Directors approve the proposed changes to the Issuing a Corporate Purchasing Card Policy as presented to the Corporate Services Committee on September 17, 2015; and further,**

**THAT the follow policies be rescinded:**

- **Use of Regional District Vehicles policy**
- **Call for Audit Proposals policy**
- **Gaming Facility Request for Proposals**
- **Addition to Reserves – First Nations Land**
- **Covenants**

### **Reference:**

[Regional District of Okanagan-Similkameen Policy Manual](#)

Issuing a Corporate Purchasing Card policy

Use of Regional District Vehicles policy – to be rescinded

Call for Audit Proposals policy - to be rescinded

Gaming Facility Request for Proposals – to be rescinded

Addition to Reserves First Nations Land – to be rescinded

Covenants – to be rescinded

### **History:**

Goal 4.4 of the RDOS Business Plan is to develop a responsive, transparent, effective organization. One of the objectives of this goal is achieved by developing policy framework and reviewing current RDOS policy.

### **Analysis:**

Administration recognizes the need to develop clear policies and as such has committed to implement a process to ensure the timely review and update of Board policies.

In order to achieve this objective, administration will bring forward several policies for review at each Corporate Services meeting and establish future review dates. It is expected that this process will complete in the first quarter of 2016.

The intention is to create relevant, transparent policies which are easy for the public to access and that the Board can be confident basing decisions on.

The Board may access the RDOS Board Policy manual at the referenced hyperlink to view the current policies and track progress of amendments as they occur.

- Issuing a Corporate Purchasing Card policy
  - o The name of the policy has been updated to reflect terminology used internally, and to reflect that some employees (not just the Chair) are provided purchasing cards for business-related expenses.
  - o Outlines responsibilities of the cardholder, department manager and Finance Manager
  - o Removed the stated dollar limit
- Use of Regional District Vehicles policy
  - o Guidelines and directions pertaining to who is permitted to operate a Regional District vehicle and how vehicles are to be maintained are better suited to an Administrative Directive approved by the CAO. A Directive is currently under development.
- Call for Audit Proposals policy
  - o The Purchasing and Sales policy is a broader policy that covers such principles as an open and transparent process, compliance with legislation, and the Request for Proposal (RFP) process, making the Call for Audit Proposals policy redundant
- Gaming Facility Request for Proposals policy
  - o Both the *Gaming Control Act* and the *Gaming Control Regulation* outline consultation requirements for Local Governments
  - o Under the above-noted *Regulation*, comments provided by an affected local government must be limited to infrastructure and policing costs, and traffic and highway use.
- Addition to Reserves – First Nations Land policy
  - o This policy was adopted prior to the signing of the Protocol Agreement
  - o the Protocol Agreement ensures that the signing parties will notify each other regarding decisions that will affect one another, and share relevant information in a timely manner
  - o Additions to Reserve is under federal jurisdiction
- Covenants policy
  - o The first clause of policy is addressed under Section 219(7) of the *Land Titles Act*
  - o The history behind the second clause is unknown, but it is inconsistent with the first clause; further, there may be times when the Regional District wishes to enter into a wildfire covenant
  - o The third clause (signing authority) is inconsistent with Bylaw No. 2509 which delegates authority for such matters to the CAO

**Respectfully submitted:**

*"Christy Malden"*

---

C. Malden, Manager of Legislative Services



## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 1, 2015  
**RE:** Naramata Water System Back-Up Power Loan Authorization Bylaw No .2696, 2015 and Naramata Fire Truck Acquisition Loan Authorization Bylaw No .2698, 2015

---

### Administrative Recommendation:

**THAT Naramata Water System Back-Up Power Loan Authorization Bylaw No .2696, 2015 and Naramata Fire Truck Acquisition Loan Authorization Bylaw No .2698, 2015 be adopted.**

### Reference:

1. Bylaw No. 2696, 2015 and Bylaw No. 2698, 2015
2. Staff report of June 4, 2015

### History:

On June 4, 2015, the Board of Directors gave three readings to the **Naramata Water System Back-Up Power Loan Authorization Bylaw No .2696, 2015** which would authorize the borrowing of a sum not more than one million dollars (\$1,000,000) for the acquisition and installation of back-up generator power for the community water utility. The Board, at that same meeting, also gave three readings to **Naramata Fire Truck Acquisition Loan Authorization Bylaw No .2698, 2015** which would provide the authority to borrow a sum of not more than four hundred thousand dollars (\$400,000) for the acquisition of a fire truck in and for the Naramata Fire Prevention and Suppression Local Service.

It was determined that elector approval of the bylaw be sought through an alternative approval process (AAP).

### Analysis:

The September 21, 2015 deadline for receipt of elector response has passed and the results below confirm that elector approval through an AAP has been obtained for both bylaws.

### AAP Results for both Bylaw No. 2696 and Bylaw No. 2698:

Number of eligible electors within the affected area – 1420  
Number of elector response forms needed to prevent adoption of the bylaw – 142  
Valid elector response forms received prior to deadline - 2

On the basis of the elector response forms received before the deadline, I have determined and hereby certify that elector approval in accordance with *Section 86* of the Community Charter has been obtained, therefore the Board may now proceed with the adoption of Electoral Area “D” Transit System Service Establishment Bylaw No. 2654, 2014.

### Respectfully submitted:

**C. Malden, Manager of Legislative Services**





## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** June 6, 2015

**RE:** Naramata Water System Back-up Power Loan Authorization Bylaw

---

### **Administrative Recommendation:**

**THAT Naramata Water System Back-Up Power Loan Authorization Bylaw No .2696, 2015 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 the bylaw be obtained through an alternative approval process.**

### **Reference:**

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

### **History:**

In 1995, the Naramata community water utility was transferred to the Regional District and Bylaw 1620, 1995 was established for the supply, treatment, conveyance, storage and distribution of water in and for the community of Naramata, within a portion of Electoral Area "E". Since that time, the service area has grown significantly with multiple additional properties petitioning into the water utility system.

### **Analysis:**

The Naramata Water System is owned and operated by the Regional District of Okanagan Similkameen (RDOS). Located in a rural service area, the water system customers consist primarily of residential and agricultural land users. The system relies on Okanagan Lake as the primary source of raw water to distribute potable water to local customers. Raw water is pumped to the McKay Road Water Treatment Plant (WTP) where it is disinfected and then either flows by gravity or is pumped into the distribution system. The existing network has limited storage and none of the facilities are equipped with backup power.

While power distribution in the area has improved since the transfer station upgrade on Lower Debeck Road, the Naramata Water System continues to be subject to relatively prolonged power outages. In 2013, the Naramata area experienced a 45 minute power outage during the peak demand season, which nearly emptied the system's water storage reservoirs. Without backup power, the system could have emptied the reservoir – resulting in significant risk such as loss of fire flow



capabilities or contamination of the distribution system due to low or negative system pressures. In response to these risks and pursuant to recommendations from the Fire Underwriter's Survey 2006 report, the RDOS intends to provide back-up power for the Naramata Water System to maintain service continuity.

Administration recommends that the debt servicing be recovered as part of the utility billing process, through user fees, as opposed to the creation of a parcel tax.

Interest at 4% over a 20 year term on \$1,000,000 would result in an annual debt servicing cost of \$75,361. The impact of the debt servicing for the basic water fee per water bill would be an increase of \$75.

**Communications Strategy:**

After Open Houses in the past several years in Naramata informing residents of the back-up power scenario, in 2015 the Director for Electoral Area "E" initiated a community-wide survey that asked 4 questions. These questions related to the direction of proceeding with back-up power for the water system and identifying the funding model to be contemplated. The results of the survey came back very encouraging with "yes" votes in the high 70%. It is anticipated that a backgrounder sheet will be developed to be included with the AAP webpage.

**Respectfully submitted,**

*"Christy Malden"*

---

**C. Malden, Manager of Legislative Services**

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** June 6, 2015

**RE:** Naramata Fire Truck Acquisition Loan Authorization Bylaw

---

### **Administrative Recommendation:**

**THAT Naramata Fire Truck Acquisition Loan Authorization Bylaw No. 2698, 2015 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 the bylaw be obtained through an alternative approval process.**

### **Reference:**

Naramata Fire Prevention and Suppression Local Service Establishment Bylaw No. 1619, 1995

### **History:**

In 1995, Bylaw No. 1619 was established to facilitate the transfer of the Naramata fire protection service from Naramata Irrigation District and to enable the Regional District to also provide the services of fire prevention and suppression.

When Fire Departments become recognized as a bona fide fire service by the Fire Underwriters of Canada, residents may be entitled to fire insurance premiums discounts. These discounts are primarily based (but not limited to) factors like: available water supply for firefighting purposes, availability of trained staff and personnel, availability of reliable fire apparatus and its water pumping capacity. Naramata Fire Department has been maintaining a 3B – Semi-protected status for some time now.

### **Analysis:**

In order for Naramata Fire Department to maintain their 3B Semi-protected status (for their area residences), they are required to replace their apparatuses every 20 years, while maintaining the ability of pumping 2000 gallons a minute when and if required. When a fire apparatus exceeds the 20 year mark, the certified pumping capacity is reduced by 50%. Currently Naramata's fire apparatuses are at a combined pumping capacity of 1875GPM. Included in this equation is a 1997 Tender that pumps at 650GPM. In 2 years' time this pump capacity (certified by Underwriters) will be reduce by 50 % bringing the total down to approx. 1500GPM. This new fire engine purchase will increase the pumping capacity by 1250GPM.

Interest at 4% over a 15 year term on \$400,000 would result in an annual debt servicing cost of \$36,730 which equates to \$.0816 per thousand of assessment.

**Respectfully submitted,**

*"Christy Malden"*

---

**C. Malden, Manager of Legislative Services**

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### BYLAW NO. 2696 2015

---

A bylaw to authorize the long-term borrowing for the acquisition of back-up generator power for the community water utility within the Naramata Water System Service Area

---

**WHEREAS** pursuant to Section 819 of the Local Government Act and Section 179 of the Community Charter, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

**AND WHEREAS** the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No.1620, 1995, a service for the purpose of supply, treatment, conveyance, storage and distribution of water in and for the community of Naramata within the Naramata Water System Local Service Area;

**AND WHEREAS** the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

**AND WHEREAS** the Regional Board of the Regional District of Okanagan-Similkameen has obtained the approval of electors in accordance with the *Local Government Act*;

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

#### 1. AUTHORIZATION OF PURCHASE

The Board of Directors is hereby empowered and authorized, under Bylaw No. 1620, 1995, to provide for the supply, treatment, conveyance, storage and distribution of water in the Naramata Water System Local Service Area and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

#### 2. LOAN AUTHORIZATION

- a) To borrow upon the credit of the Regional District a sum not more than one million dollars (\$1,000,000).
- b) To acquire and have installed all such materials as may be requisite or desirable for or in connection with back-up generator power for the community water utility.

#### 3. TERM OF DEBENTURE

The maximum term for which debentures may be issued to secure debt created by this bylaw is twenty (20) years.

#### 4. **CITATION**

This bylaw may be cited as Naramata Water System Back-Up Power Loan Authorization Bylaw No .2696, 2015

**READ A FIRST, SECOND, AND THIRD TIME** this 4<sup>th</sup> day of June, 2015

**APPROVED** by the Inspector of Municipalities this 7<sup>th</sup> day of July, 2015

**RECEIVED APPROVED BY THE ELECTORS IN THE NARAMATA WATER SYSTEM LOCAL SERVICE AREA THROUGH ALTERNATIVE APPROVAL** this 21<sup>st</sup> day of September, 2015

**ADOPTED** this xxx day of xxx, 2015

---

RDOS Board Chair

---

Corporate Officer



## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### BYLAW NO. 2698 2015

---

A bylaw to authorize the long-term borrowing for the acquisition of a Fire Truck for the Naramata Fire Prevention and Suppression Local Service Area

---

**WHEREAS** pursuant to Section 819 of the Local Government Act and Section 179 of the Community Charter, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

**AND WHEREAS** the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No.1619, 1995, a service for the purpose of providing fire prevention and suppression services in and for the Naramata Fire Prevention and Suppression Local Service Area;

**AND WHEREAS** the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

**AND WHEREAS** the Regional Board of the Regional District of Okanagan-Similkameen has obtained the approval of electors in accordance with the *Local Government Act*;

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

#### **1. AUTHORIZATION OF PURCHASE**

The Regional Board is hereby empowered and authorized, under Bylaw No. 1619, 1995, to provide fire prevention and suppression services in and for the Naramata Fire Prevention and Suppression Local Service Area and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

#### **2. LOAN AUTHORIZATION**

- a) To borrow upon the credit of the Regional District a sum not more than four hundred thousand dollars (\$ 400,000).
- b) To acquire and have installed all such materials as may be requisite or desirable in connections with the purchase of a fire truck in and for the Naramata Fire Prevention and Suppression Local Service.

#### **3. TERM OF DEBENTURE**

The maximum term for which debentures may be issued to secure debt created by this bylaw is fifteen (15) years.

#### 4. CITATION

This bylaw may be cited as Naramata Fire Truck Acquisition Loan Authorization Bylaw No .2698, 2015

**READ A FIRST, SECOND, AND THIRD TIME** this 4<sup>th</sup> day of June, 2015

**APPROVED** by the Inspector of Municipalities this 7<sup>th</sup> day of July, 2015

**RECEIVED APPROVED BY THE ELECTORS IN THE NARAMATA FIRE PREVENTION AND SUPPRESSION LOCAL SERVICE AREA THROUGH ALTERNATIVE APPROVAL** this 21<sup>st</sup> day of September 2015

**ADOPTED** this \_\_\_\_ day of \_\_\_\_, 2015

\_\_\_\_\_  
RDOS Board Chair

\_\_\_\_\_  
Corporate Officer

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**RE:** Regional Heritage Conservation Service Establishment Bylaw

---

### Administrative Recommendation:

#### **Recommendation #1**

**THAT the Regional District of Okanagan-Similkameen Regional Heritage Conservation Service Establishment Bylaw No. 2706, 2015 be read a first, second and third time; and further,**

**THAT the Board of Directors authorize participating area approval for Regional Heritage Contribution Service Establishment Bylaw No. 2706, 2015 be obtained by consent on behalf of municipal participating areas and consent on behalf of electoral area electors; and further,**

**THAT upon receipt of consent from all jurisdictions, the bylaw be forwarded to the Inspector of Municipalities for approval and returned to the Board for adoption.**

### Reference:

*Local Government Act*

### Business Plan Objective:

RDOS Key Success Driver #3 Goal 3.1: To develop a socially sustainable community  
2015 RDOS Business Plan: Objective 3.1.3: By initiating a Regional Heritage Program

### History:

The Regional District engaged consultants in 2014 to conduct an inventory of assets and measure their heritage value based on a set of variables. A plan to record and develop a program to protect the assets has been developed and was adopted at the September 17, 2015 regular meeting of the Board. In accordance with the 2015 Business Plan and following the adoption of the plan by the Board, a regional heritage program is to be established to maximize heritage conservation throughout the region.

### Alternatives:

That the Board of Directors not provide three readings to Regional District of Okanagan-Similkameen Regional Heritage Conservation Service Establishment Bylaw No. 2706, 2015 and that the matter be abandoned.

### Analysis:

Practicing heritage conservation in a coordinated way across the region, including all Electoral Areas

and member municipalities, will result in a clear road map for the Board, Heritage Commission and staff to implement the heritage program, and to better realize the benefits that result from strong and integrated heritage conservation activity. Rather than an ineffective piecemeal approach, a consolidated heritage program will inspire a strong sense of pride in all of the region's built, cultural landscape and natural environments, public institutions, people and stories. Civic pride and morale, in turn, contribute countless tangible and intangible benefits to the wellbeing of a community.

A coordinated heritage conservation program and associated cultural development enhances the quality of life and make a place more attractive for long-time residents, newcomers and visitors. Economic benefits are a part of heritage conservation, and include a strong cultural sector which is essential in the new economy and the ability to attract skilled and educated workers to the region. A coordinated program will result in a stronger cultural tourism and marketing component, and therefore higher financial benefits across the region.

A coordinated program takes advantage of the strengths of each Electoral Area and member municipality, and the heritage groups, organizations and agencies active within each. It will result in a greater opportunity for dialogue with First Nations, and represents a democratic approach in which the whole region is represented and accrues the benefits that stem from heritage conservation.

**Communication Strategy:** Should the Board decide to move forward with the Regional Heritage Conservation Service, staff will use the RDOS website and Information Release to communicate the new program.

**Participating Area Approval:**

An establishing bylaw for services related to heritage conservation does not require a maximum requisition amount to be designated and generally can be approved with Board consent. Each electoral area director and each municipal council must provide consent before the bylaw can be forwarded to the Inspector of Municipalities for approval. Electoral area directors will be provided a consent form at the October 1, 2015 meeting and municipal Corporate Officers will be provided a sample consent along with a copy of the Board report and the Regional Heritage Strategic Plan for inclusion on their next council agendas.

**Respectfully submitted**

## REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

### BYLAW NO. 2706, 2015

---

A bylaw to establish Heritage Conservation as a regional service in the Regional District Okanagan-Similkameen.

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**WHEREAS** the Regional District Okanagan Similkameen, pursuant to the *Local Government Act*, may, by bylaw, establish and operate a service relating to heritage conservation;

**AND WHEREAS** the Board of Directors has authorized approval of this bylaw to be obtained under sections 801(2)(c) and 801(2)(d) of the Local Government Act and has authorized electoral participating area approval to be given under section 801.5;

**AND WHEREAS** the councils of the City of Penticton, the District of Summerland, the Towns of Oliver, Osoyoos, and Princeton, and the Village of Keremeos have notified the Board of Directors in writing of their consent to the adoption of this bylaw;

**AND WHEREAS** the Directors for Electoral Areas “A”, “B”, “C”, “D”, “E”, “F”, “G”, and “H” have consented in writing to the adoption of this bylaw;

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

#### 1. CITATION

- 1.1 This bylaw shall be cited as the Regional District of Okanagan-Similkameen Regional Heritage Conservation Service

#### 2. ESTABLISHMENT OF THE SERVICE

- 2.1 In the Regional District of Okanagan-Similkameen, heritage conservation is established as a regional service called the Regional District of Okanagan-Similkameen Regional Heritage Conservation Service.
- 2.2 The Board of Directors may operate the service in the Regional District Okanagan-Similkameen Service Area and, without limitation, enter into a contract with a third party to implement the service.
- 2.3 The Board of Directors is hereby empowered and authorized to carry out, or cause to be carried out, heritage conservation services in and for the identified service area and do all things necessary or convenient in connection therewith in accordance with the requirements in the *Local Government Act*, *Community Charter*, *Land Title Act*, *Heritage Conservation Act* and all other relevant legislation.



#### **4 BOUNDARIES OF THE SERVICE AREA**

- 4.1 The boundaries of the service area are the boundaries of the Regional District of Okanagan-Similkameen in its entirety.

#### **5 PARTICIPATING AREA**

- 5.1 The participating area is the Regional District of Okanagan-Similkameen in its entirety

#### **6 COST RECOVERY**

- 6.1 The annual cost of the service shall be recovered by one or more of the following:
- (a) property value taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
  - (b) fees and charges imposed under section 363 of the *Local Government Act*;
  - (c) revenues raised by other means authorized under the *Local Government Act* or another Act;
  - (d) revenues received by way of agreement, enterprise, gift, grant or otherwise

**READ A FIRST, SECOND, AND THIRD TIME** this day of,  
**DISTRICT OF SUMMERLAND CONSENT OBTAINED** this day of, 2015.  
**CITY OF PENTICTON CONSENT OBTAINED** this day of, 2015.  
**TOWN OF OLIVER CONSENT OBTAINED** this day of, 2015.  
**TOWN OF OSOYOOS CONSENT OBTAINED** this day of , 2015.  
**VILLAGE OF KEREMEOS CONSENT OBTAINED** this day of , 2015.  
**TOWN OF PRINCETON CONSENT OBTAINED** this day of, 2015.  
**ELECTORAL AREA “A” DIRECTOR CONSENT OBTAINED** this day of, 2015.  
**ELECTORAL AREA “B” DIRECTOR CONSENT OBTAINED** this day of, 2015.  
**ELECTORAL AREA “C” DIRECTOR CONSENT OBTAINED** this day of, 2015.  
**ELECTORAL AREA “D” DIRECTOR CONSENT OBTAINED** this day of, 2015.  
**ELECTORAL AREA “E” DIRECTOR CONSENT OBTAINED** this day of, 2015.  
**ELECTORAL AREA “F” DIRECTOR CONSENT OBTAINED** this day of, 2015.  
**ELECTORAL AREA “G” DIRECTOR CONSENT OBTAINED** this day,.  
**ELECTORAL AREA “H” DIRECTOR CONSENT OBTAINED** this day,.  
**APPROVED** by the Inspector of Municipalities this day of,.  
**ADOPTED** this day of,.

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RDOS Board Chair

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Corporate Officer

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 1, 2015

**RE:** Okanagan Falls Parks & Recreation Commission Rescinding Appointment

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### **Administrative Recommendation:**

**THAT the Board rescind the appointment Shona Schleppe from the Okanagan Falls Parks & Recreation Commission;**

**AND THAT a letter is forwarded to Ms. Schleppe thanking her for her contribution to the Okanagan Falls Parks & Recreation Commission.**

**AND THAT the Board of Directors appoint the Julie Feller as members of the Okanagan Falls Parks & Recreation Commission for the remainder of the this term:**

### **Analysis:**

As the Regional District Board appoints members to the Recreation Commission a resolution is required to rescind the appointment of members.

It is the recommendation of the Okanagan Falls Parks & Recreation Commission to appoint Julie Feller as a member of the Commission.

### **Reference:**

Bylaw 2253, 2004 Okanagan Falls Parks & Recreation Commission Establishment Bylaw.

### **Respectfully submitted:**

J. Shuttleworth, Park/Facilities Coordinator