

Regional District of Okanagan-Similkameen

SCHEDULE OF MEETINGS

THURSDAY, DECEMBER 17, 2015

RDOS BOARDROOM

9:00 am	-	10:00 am	Planning and Development Services
10:00 am	-	10:30 am	Community Services
10:30 am	-	11:45 am	Environment and Infrastructure Committee
11:45 am	-	12:15 pm	Corporate Services Committee
12:15 pm	-	12:45 pm	Lunch
12:45 am	-	1:00 pm	Okanagan-Similkameen Regional Hospital Board
1:00 pm	-	4:00 pm	RDOS Regular Board Meeting

"Mark Pendergraft"

Mark Pendergraft
RDOS Board Chair

Advance Notice of Meetings:

January 7	RDOS Board/Committee Meetings
January 21	RDOS/OSRHD Board/Committee Meetings
February 11	RDOS Board/Committee Meetings
February 25	RDOS/OSRHD Board/Committee Meetings
March 10	RDOS Board/Committee Meetings
March 24	RDOS/OSRHD Board/Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, December 17, 2015

9:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

B. Regional Growth Strategy – Preliminary Review

- a. RGS Report
- b. RGS Presentation

The purpose of this report is to provide a summary of the South Okanagan Regional Growth Strategy Preliminary Review undertaken in 2015 and present the concluding recommendations

RECOMMENDATION 1

THAT the Board of Directors initiate a minor amendment as recommended in the *South Okanagan Regional Growth Strategy Preliminary Review*, dated November 20, 2015

C. ADJOURNMENT

ADMINISTRATIVE REPORT



TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Regional Growth Strategy – Preliminary Review

Administrative Recommendation:

THAT the Regional District initiate a minor amendment as recommended in the *South Okanagan Regional Growth Strategy Preliminary Review*, dated November 20, 2015.

Background: Regional Growth Strategy

The South Okanagan Regional Growth Strategy (RGS) was adopted in April 2010, and applies to the southern portion of the Okanagan Valley; including Osoyoos, Oliver, Penticton, Summerland and Electoral Areas “A”, “C”, “D”, “E”, and “F”.

The *Local Government Act (LGA)* enables Regional Districts to develop a RGS with a purpose of “promoting human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources”.

The RGS contains seven policy sections that serve to guide sustainable development in the valley and generally discourage rural sprawl. The RGS does not discourage or encourage growth but directs the growth to help create compact and complete communities. This is done by directing the majority of growth into identified Primary Growth Areas (all member municipalities and OK Falls) and secondly into Rural Growth Areas that includes: Regal Ridge, Willowbeach, Gallagher Lake, Twin lakes, Apex, Kaleden, Naramata, and Greata Ranch. These Rural Growth Areas were identified where development had been pre-determined or existing zoning was in place.

A minor update would not be able to address one of the more controversial items in the RGS as it was being developed, that being the designation of the Rural Growth Areas. Several of these Rural Growth Areas have not been developed as anticipated, such as Willowbeach, Regal Ridge, Greata Ranch and Twin Lakes. Eliminating Rural Growth Areas would require a significant change to the direction of the RGS and could only be addressed through a major review and update.

Background: Preliminary Review

The *Local Government Act* requires that the Regional District review the RGS for possible amendment at least once every five years. As 2015 marks five years since the RGS was adopted, the RDOS conducted a review of the RGS policies and RGS indicator data (from ‘Regional Snapshots’ produced annually) to determine whether a “minor” or “major” update of the RGS was warranted.

A consultant team led by Vancouver based EcoPlan International, supported by the Arlington Group, was engaged to conduct the preliminary review with senior planning staff from RDOS, the City of Penticton, the District of Summerland, and the Town of Osoyoos, who functioned as a project Steering Committee for the project.

The Preliminary Review process included a detailed review of the RGS as follows:

- a line by line review of the RGS’s seven policy sections and 145 associated sub-policies for clarity, consistency with related RGS goals, and redundancy;
- an assessment of the RGS indicator data tracked by RDOS and updated the population projections developed for the RGS based on more recent census data;
- a review of RGS implementation, including the number of RDOS lead plans and strategies identified in the RGS that have been completed, partially completed or underway; and
- evaluated RGS organization, structure, and layout for usability, readability and document navigation.

Of note is the assessment of the population data and forecasts done at the time the RGS was being developed. Population growth since 2006 has been much slower than anticipated and, in fact, some areas have seen a population decrease. By 2011, the predictions had already outpaced actual growth numbers by approximately 9000 people. This sets apart the South Okanagan RGS from other RD’s where growth is occurring more rapidly.

Below are highlights from the Preliminary Review Report:

Policy Summary

The result of the policy review is shown in the table below. Each policy was categorized with the following actions:

- Keep* maintain sub-policy as-is with no editing required.
- Revise* edit and revise the sub-policy and /or move it to a different, more relevant section.
- Delete* remove the sub-policy because it is covered elsewhere (i.e. redundant) or is not clear enough to take action on.

Policy Area	# Sub-policies	KEEP	REVISE	DELETE
Human Settlements	33	9 (27%)	17 (52%)	7 (21%)
Environment	28	6 (21%)	16 (57%)	6 (21%)
Social	25	3 (12%)	16 (64%)	6 (24%)
Infrastructure	24	3 (13%)	16 (67%)	5 (21%)
Economy	23	3 (13%)	13 (57%)	7 (30%)
Governance	10	1 (10%)	7 (70%)	2 (20%)
TOTALS	143	25 (17%)	85 (59%)	33 (23%)

The majority of the sub-policies have been assessed as either being revised or deleted.

Indicators Summary

As part of ongoing RGS monitoring, a 2008 Baseline Study identified potential “performance indicators” for the growth strategy. The list of almost 50 indicators was narrowed down to 10 core indicators that the RDOS tracked and use to produce the annual Regional Snapshots beginning in 2009. Due to changes with the Census and changes to data tracking with some regional data, several adjustments were made to how data was collected over the years, making it problematic to provide consistent data trend information.

Given the data tracking and reporting issues identified with several of the indicators, the project consultants have recommended to update, revise and simplify the Regional Snapshot indicators to help “tell the story” of the RGS and make data collection easier. This proposed update would also help reorganize the indicators to better illustrate any trends against the 2011 baseline. This update would fit in with a valley wide RGS monitoring and evaluation project that is happening concurrently in 2016.

Implementation Summary

A number of key strategic actions were outlined as part of the RGS development process. These actions and related projects were reviewed to determine if they were completed, partially completed, or ongoing and underway. The majority of actions have been completed or are ongoing.

Alternatives:

1. That the *2015 RGS Preliminary Review* be accepted and no further action be taken.
2. That the *2015 RGS Preliminary Review* be accepted and a minor amendment review process of the RGS be initiated.
3. That the *2015 RGS Preliminary Review* be accepted and a full amendment review process of the RGS be initiated.

Analysis:

Recognizing both the importance of the RGS to the Region, but taking into account the limited resources (financial and human) the RDOS would want to commit to an update process at this time, a ‘minor amendment’ revision process as outlined in the *Local Government Act* seems the preferred option. That is, the suggested changes would not involve changing policy or adding policy to the RGS and eliminates the need to be unanimously agreed to by each municipality and the Board.

Other regional districts have used such an approach to update their RGS without a full and major review process. The recommended actions for the South Okanagan RGS include:

- Reorganize, restructure and refine overall document to simplify chapters, goals and policies, improve navigation and readability;
- Revise and reorganize sub-policies to simplify and clarify language and minimize redundancy; and

-
- Improve Monitoring and Evaluation by revising the RGS performance indicators and associated data collection. Improve the Regional Snapshots structure layout to help ‘tell the story’ and broaden audience for Snapshots.

The consulting costs of updating the RGS for a minor amendment have been estimated to be \$45,000. Work on the update would also need to include staff resources from the RDOS and member municipalities in the form of the Steering Committee.

Conclusions:

The South Okanagan Regional Growth Strategy remains fundamentally effective by directing the majority of growth to member municipalities and OK Falls to help create complete communities. The RGS discourages rural subdivisions outside Rural Growth Areas and impacts the lands within the RDOS to a greater degree than within municipalities. The RGS does not specifically state that no further development or subdivision should be permitted in a rural area but these would need to be in character with existing neighbouring characteristics. The South Okanagan RGS has not had many challenges since adoption given the relatively slow rate of growth.

The minor review recommended will not significantly change policy direction for the RGS. Should a more comprehensive review and update be pursued in future, this proposed minor update will benefit that larger and much more significant review process. A full review would entail significant multi-year costs and resources. Aligning the monitoring and evaluation (indicators) to the stated goals will also benefit any future assessment. In addition, having the RGS become more ‘user friendly’ will also make it a more useful tool for local governments and the public.

By updating and clarifying the RGS it can serve as an important tool for communication, outreach and partnerships for the RDOS. The review process will also provide an opportunity to raise the public awareness of regional planning.

Respectfully submitted:

E Riechert

E. Riechert, Planner

Endorsed by:

Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 – South Okanagan Regional Growth Strategy Preliminary Review, Final Report, November 20, 2015

South Okanagan

Regional Growth Strategy

Preliminary Review



FINAL REPORT

November 20th 2015



PREPARED FOR:
Planning Services
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9

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EXECUTIVE SUMMARY

The South Okanagan Regional Growth Strategy (RGS) was adopted in April 2010. The RGS applies to the southern portion of the Okanagan Valley and includes the municipalities of Osoyoos, Oliver, Penticton and Summerland, and RDOS Electoral Areas “A”, “C”, “D”, “E”, and “F”.

The *Local Government Act* requires local governments to review their regional growth strategies for possible amendment at least once every five years. As 2015 marks five years since the RGS was adopted, the RDOS conducted a review of the RGS policies and RGS indicator data (from ‘Regional Snapshot’ reports the RDOS produces annually) to determine whether a “minor” or “major” update of the RGS was required.

A consultant team led by Vancouver-based EcoPlan International and supported by the Arlington Group was engaged to conduct the preliminary review with senior planning staff from RDOS, the City of Penticton, the District of Summerland, and the Town of Osoyoos, who functioned as a project Steering Committee for the project.

Following preliminary outreach with the Steering Committee to determine their use of the RGS and potential areas of revision, the consultant team:

- Carried out an assessment of the RGS indicator data tracked by RDOS and updated the population projections developed for the RGS based on more recent census data;
- Reviewed RGS implementation, including the number of RDOS-led plans and strategies identified in the RGS that had been completed, partially completed or underway;
- Carried out a line-by-line review of the strategy’s seven policy sections and 145 associated sub-policies for clarity, consistency with related RGS goal areas, and redundancy; and,
- Evaluated RGS organization, structure, and layout for usability, readability and document navigation.

Based on the review, it was determined that there were significant opportunities to reorganize and improve the organization and structure of the South Okanagan Regional Growth Strategy and to revise and edit RGS policies to improve clarity and reduce redundancy. Collectively, the revisions and restructuring would greatly improve readability and result in a more functional and effective regional growth strategy.

The results of the review and assessment and associated recommendations were presented to the Steering Committee at a meeting in Penticton on October 16th, 2015. Collectively, the findings and suggestions were accepted and confirmed by the Steering Committee who recommended they be brought forward to the RDOS Board for their consideration with the understanding that the revisions would be accommodated through a “minor amendment” revision process, as outlined in the *Local Government Act*. That is, the suggested changes would not involve changing policy directions or adding new policies to the RGS. A minor amendment was already made to the RGS to include Greenhouse Gas emission goals in 2011.

The time requirements and cost of the recommended proposed RGS update would be limited and involve the Steering Committee at key points. It is anticipated that the RGS could be updated and renewed by late spring or early summer 2016. While an updated Draft RGS would likely be completed in the first quarter of 2016, the additional time would permit for review, education and presentations with local governments and the RDOS Board. It would also permit internal co-ordination of referrals to, and comments from, local and regional stakeholders. RDOS staff could coordinate the review, likely with support from a consultant team. The consulting cost would vary depending on the number of review meetings and presentations, but is estimated at between \$35,000 and \$45,000. Working with the consultant review team, the Steering Committee would provide updates to their government’s senior staff and councils through the update process.

The work would include updating and revising the RDOS-produced ‘Regional Snapshot’ documents that the regional district has released each year using 10 key indicators. The RDOS acknowledged that data for some of these indicators has had to be adjusted due to availability or changing sources. The Regional Snapshot indicators could be simplified and reorganized to help “tell the story” of the RGS and make staff data collection easier. The indicators could also be reorganized to better illustrate any trends against the 2011 baseline.

Should the RDOS Board wish to go beyond a minor amendment, the recommended process would not be wasted, as it would represent the first step in a more comprehensive major review process. It should be noted that any major amendment of the RDOS would be much more time consuming and include a much more significant community engagement process, as directed by the *Local Government Act*.



Giant's head, Summerland, cc-by-sa, Kyle Pearce, flickr.com

INTRODUCTION

In 1995, BC adopted the *Growth Strategies Amendment Act* to provide regional districts and their member municipalities an opportunity to “macro-plan” and co-operatively manage regional growth. The *Local Government Act* requires local governments to review their regional growth strategies for possible amendment at least once every five years.

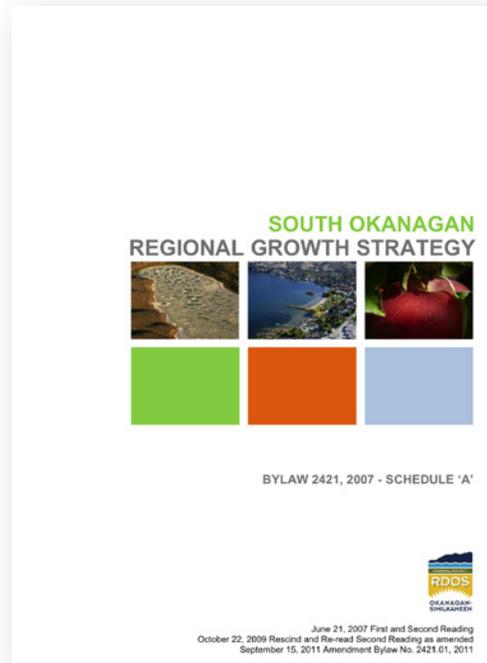
The South Okanagan Regional Growth Strategy (RGS) was adopted in April 2010 with a minor amendment made in 2011 to include Greenhouse Gas emission goals to be consistent with new provincial climate change policy. The RGS applies to the southern portion of the Okanagan Valley and includes the municipalities of Osoyoos, Oliver, Penticton and Summerland, and RDOS Electoral Areas “A”, “C”, “D”, “E”, and “F”.

The process to complete the current RGS was initiated in 2004 and was a relatively protracted, involving several rounds of revisions and modification. Regional Context Statement for RDOS member governments were developed and adopted beginning with the Town of Osoyoos in July 2011, the Town of Oliver in October 2011, and both the City of Penticton and the District of Summerland in July 2012.

2015 marks five years since the RGS was first adopted. As mandated by the *Local Government Act*, the RDOS initiated a review of the RGS policies and RGS indicator data (from ‘Regional Snapshot’ reports the RDOS produces annually) in the summer of 2015. The regional district put out an RFP for the process that was won by a consultant team led by Vancouver-based EcoPlan International and supported by the Arlington Group (both of whom have worked with the RDOS and on several RGS evaluation and review processes).

This report provides the consultant team’s assessment of the RGS and their recommendations for revising it.

FIGURE 1: South Okanagan RGS, 2010



PLANNING CONTEXT AND DATA REVIEW

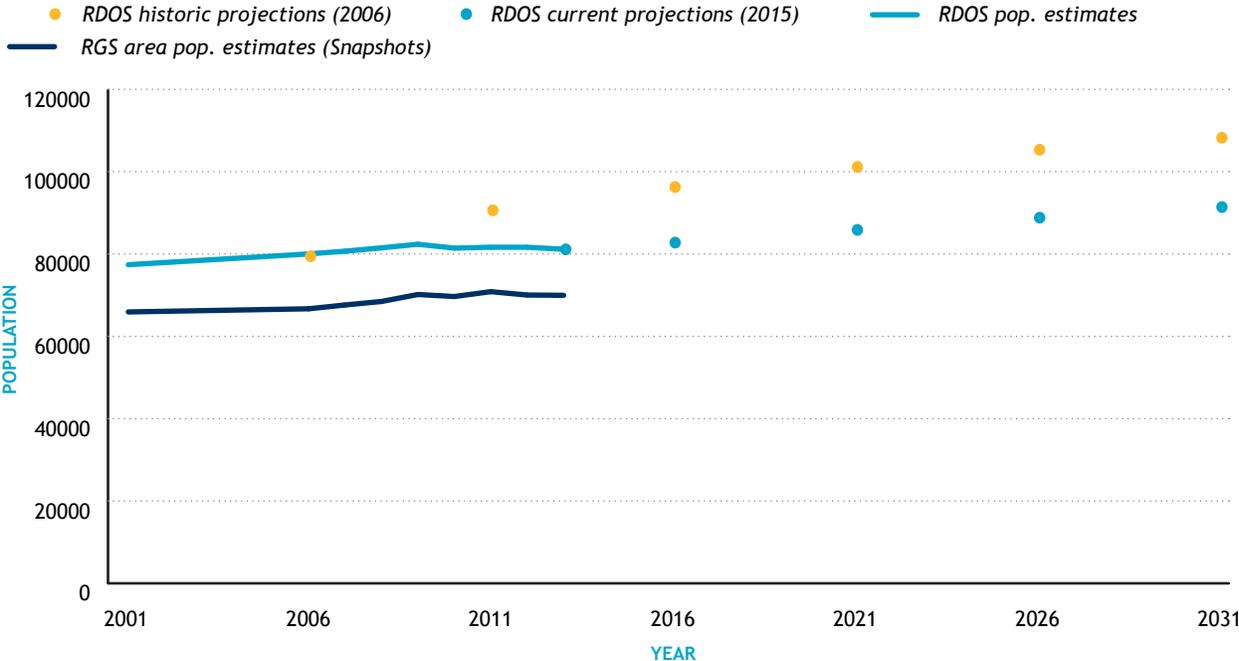
The first step in the RGS review process involved updating population projections used for the original RGS to highlight any related implications due to population, demographic, and socio-economic context.

Population and Demographics

Population growth in the RDOS since 2006 has been much lower than was originally projected when the RGS was developed. The projected growth at the time of the RGS development (for the RDOS as a whole) was based on an expected annual increase of 1.5%, which would result in an additional 29,000 residents by 2031.

The two solid lines in Figure 2 show how the South Okanagan’s growth tracked consistently with the RDOS as a whole (Electoral Areas “B”, “G”, “H” and the Town of Princeton are not in the RGS area) from 1996 to 2013¹, though at a slightly higher annual rate – 0.75% versus 0.54%. Both areas saw population decline by the end of the period, the RDOS peaking in 2009 (at 82,368) and the South Okanagan peaking in 2011 (with 70,847, preceded by a slight dip in 2010).

FIGURE 2: RDOS and RGS population growth actual and projected



However, it is clear that by 2011, predictions had already outpaced actual growth by approximately 9,000 people (90,640 compared to 81,639). The current projections by BC Stats resume assumptions for more robust growth from 2016 to 2031, with an annual rate of 0.84%.

1 Population projections from BC Stats P.E.O.P.L.E. are only available at certain scales; the RDOS is used for comparison with the RGS study area.

FIGURE 3: RDOS population by age cohort, 2006 and 2011

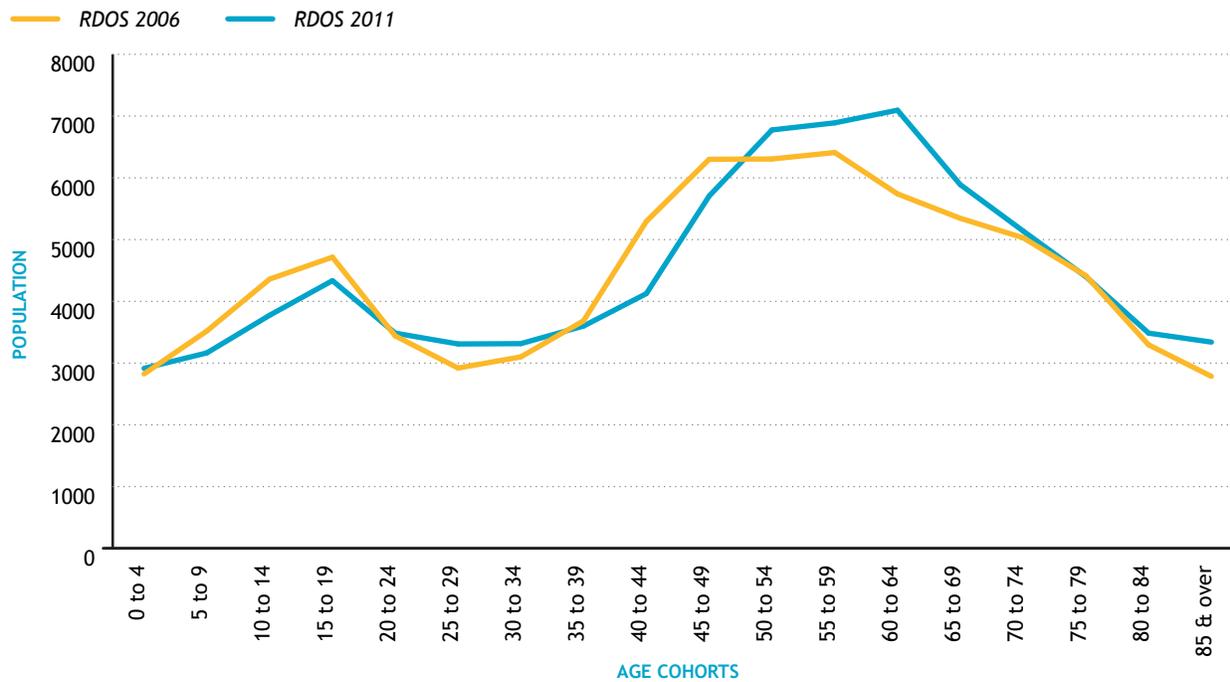


Figure 3 shows an aging population in the RDOS, as expected. Of note, it is not a static curve, getting five years older. For example, the age group aged 55 to 59 in 2006 increased by almost 10% in 2011 (685 more people). The increase is due to net in-migration in that age group less out-migration, and a downward adjustment to account for deaths.

FIGURE 4: RDOS population change by age cohort, 2006 to 2011

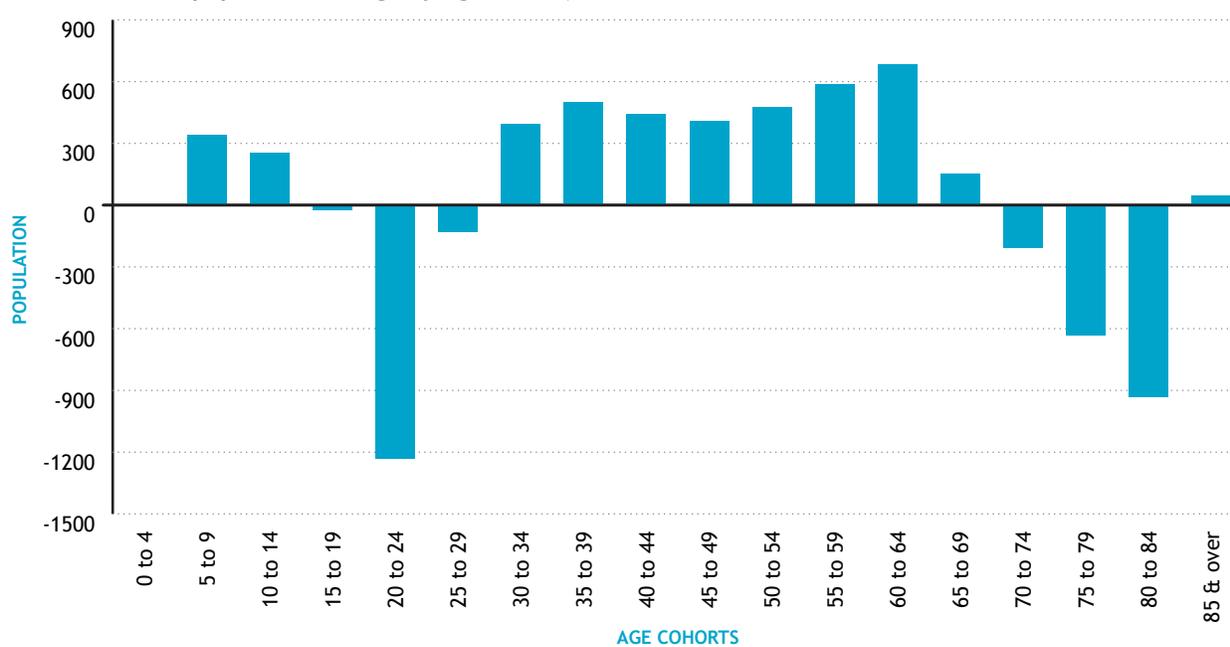
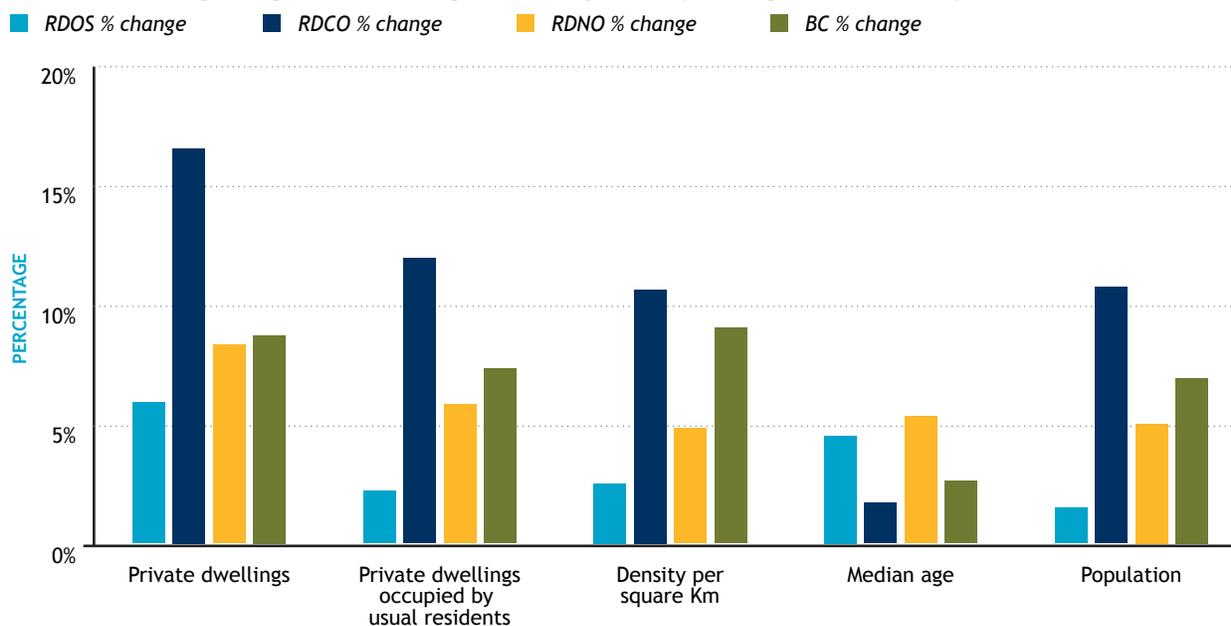


Figure 4 illustrates the age cohort change from the 2006 to 2011 Census years (i.e., the net migration and death rate change for each age cohort discussed above). It suggests that a lot of individuals in the 20 to 24 age cohort are leaving the region (perhaps to attend school) and a surprising number of young families are arriving (from 30 and up). There is also a significant drop in the higher age ranges, particularly those aged 75 to 84, which is steeper than in other regional districts in the Okanagan (see Figures 6 and 7 below). While further study is needed to determine how much is due to mortality and how much is due to out-migration, the project Steering Committee suggested, based on anecdotal evidence, that in older age cohorts, individuals may be leaving the region to live closer to (or with) family after the death of a spouse. The availability of supportive housing may also be a factor.

Regional Comparisons

The next set of figures provides a comparison of planning and demographic data between the three Okanagan regional districts -- RDOS Regional District of Central Okanagan (RDCO), and the Regional District of North Okanagan (RDNO). Generally, the RDOS is growing much more slowly, and at a lower intensity of development, than the other regions or the provincial average.

FIGURE 5: Okanagan regional districts general comparison (% change: 2006 - 20011)



While the RDOS population has a generally older composition (as shown by the larger proportion of older age cohorts in Figure 6), the change in Median age (Figure 5) and change in specific cohorts (Figure 7), shows the RDOS has not been aging as quickly as the RDCO.

FIGURE 6: Inter-regional demographics, age cohorts

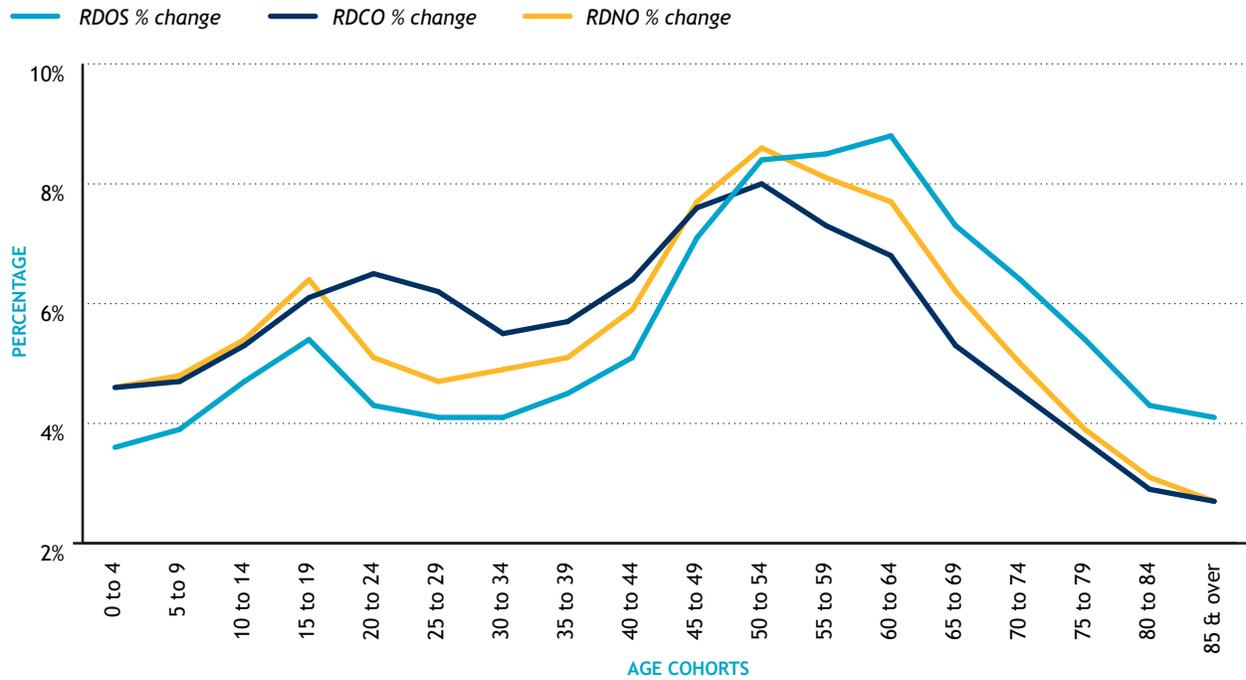
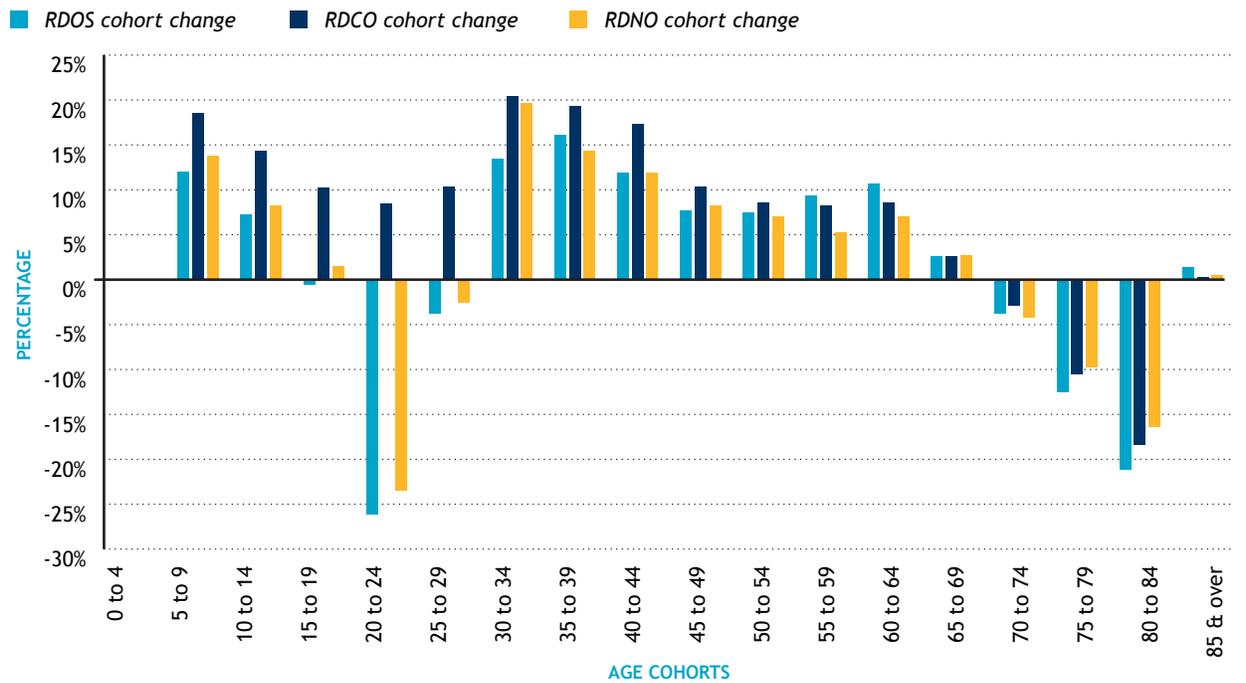


FIGURE 7: Inter-regional demographics, age cohorts change (%)



RGS “Snapshot” Data

As part of ongoing RGS monitoring, a 2008 Baseline Study identified potential “performance indicators” for the growth strategy. The list of almost 50 indicators was narrowed down to 10 core indicators that the RDOS tracked and use to produce Annual Snapshot Reports beginning in 2009. Due to changes with the Census and changes to data tracking procedures with some regional data (e.g., crime, water use) several adjustments were made to how data was collected in 2011, but not to the baseline indicators themselves.

The next set of figures provides an overview of Snapshot Report data.

FIGURE 8: Housing starts

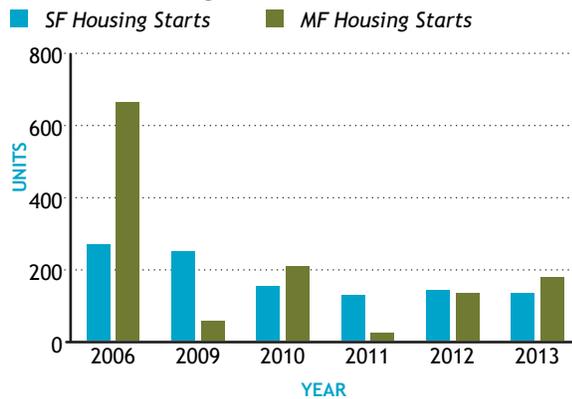
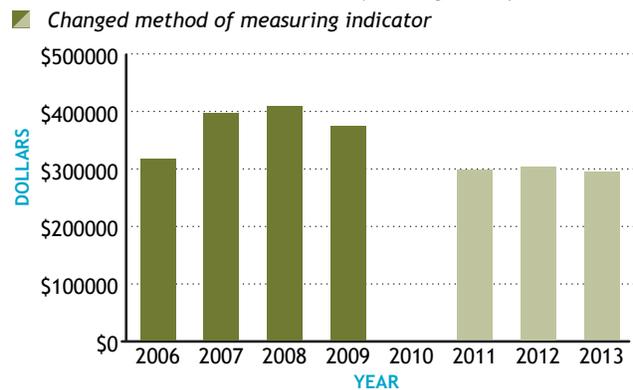
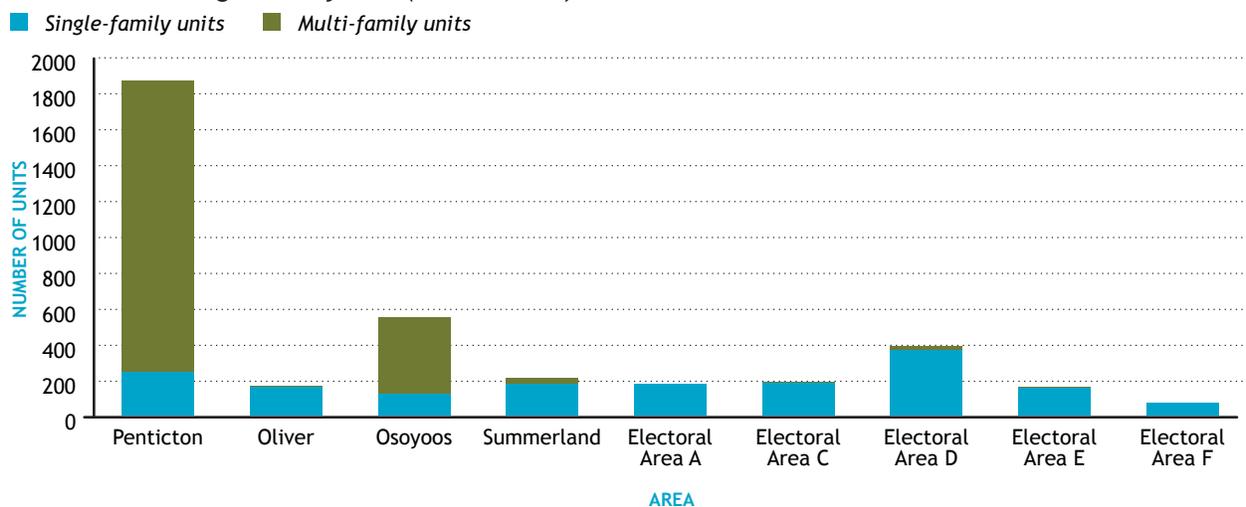


FIGURE 9: Median House Price (CPI adjusted)



The different coloured bars in Figure 9 indicate a changed method of measuring an indicator. 2010 house price information was missing, although the 2010 Snapshot reported that “the overall average house price remained fairly steady between 2009 and 2010, with only a difference of \$1,984.”

FIGURE 10: Housing starts by area (2006 to 2013)



While not included in the Snapshot documents, Figure 10 illustrates the housing starts by area from 2006 to 2013 broken out by single family units and multi-family units. Multi-family includes the total number of individual housing units in the development

FIGURE 11: Per capita water consumption (litres)

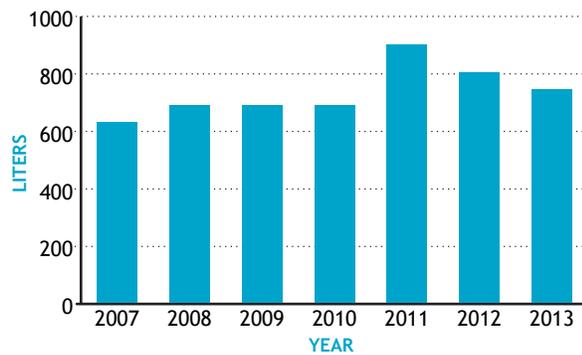
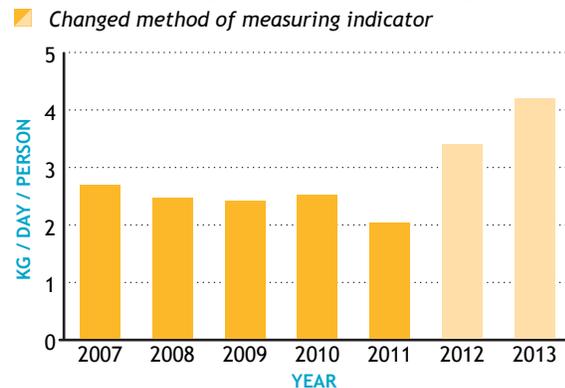
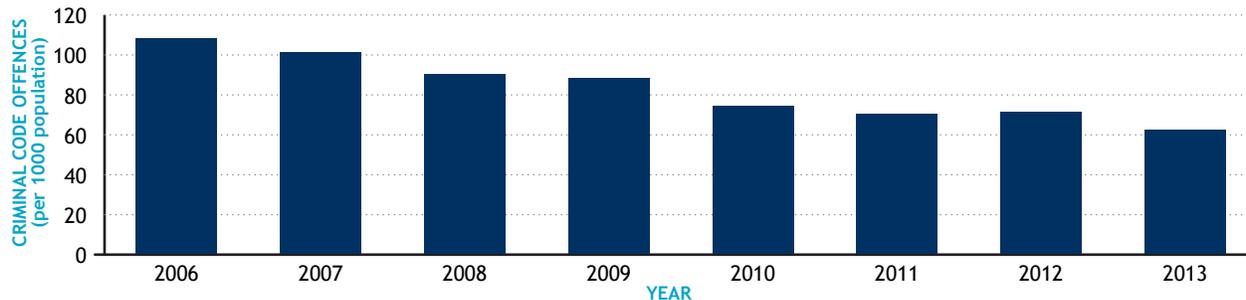


FIGURE 12: Average daily solid waste (kg/day/person)



The different coloured bars in Figure 12 indicate a changed method of measuring an indicator. The water consumption figures include agricultural consumption. Solid waste figures began including recyclables in 2012.

FIGURE 13: Crime rate per 1000 population



As illustrated, the crime rate has dropped consistently over the years. The indicator looks at criminal code offences, but does not include traffic violations. Crime rates on average for the RGS area are lower than those in BC as whole, where the average is 75 per 1,000 people in 2013.

FIGURE 14: Public funding for the arts (% of budget)

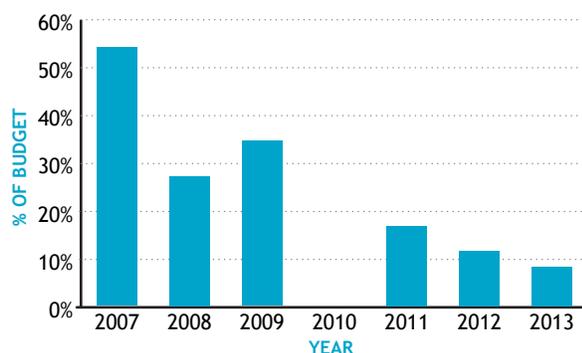
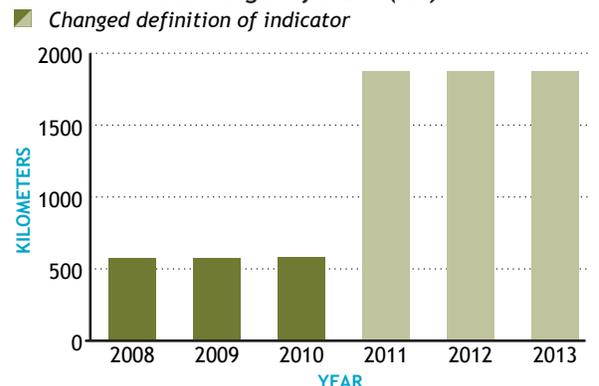


FIGURE 15: Total length of trails (km)



There is no data for 2010 arts funding. The funding for the arts includes capital spending, which was significant in 2007, 2008 and 2009 and explains the significant percentages. For the length of regional trails, the 2011 Regional Trails Master Plan included an updated definition of “trails” which explains the significant increase.

Given the data tracking and reporting issues identified with several of the indicators, project consultants recommended a potential concurrent project to update, revise and simplify the Regional Snapshot indicators (and the Regional Snapshots themselves) to help “tell the story” of the RGS and make staff data collection easier. This proposed update would also help reorganize the indicators to better illustrate any trends against the 2011 baseline.

RGS REVIEW PROCESS

The consultant team first surveyed the project Steering Committee (senior staff and planners from RDOS, the City of Penticton, the District of Summerland, and the Town of Osoyoos, and the Town of Oliver) on their use of the RGS and potential areas of revision. Following this preliminary outreach, the project consultant team:

- Carried out an assessment of the RGS indicator data tracked by RDOS and updated the population projections developed for the RGS based on more recent census data;
- Reviewed RGS implementation, including the number of RDOS-led plans and strategies identified in the RGS that had been completed, partially completed or underway;
- Carried out a line-by-line review of the strategy’s seven policy sections and 145 associated sub-policies for clarity, consistency with related RGS goal areas, and redundancy; and,
- Evaluated RGS organization, structure, and layout for usability, readability and document navigation.



Trail into Osoyoos, cc-by-nc-nd, Tjflex2, flickr.com

PRELIMINARY REVIEW FINDINGS

The following section provides details on the RGS review tasks:

- RGS use and feedback – Steering Committee
- RGS growth context – from Snapshot indicator review
- RGS implementation – RDOS-led strategies and plans completed and in progress
- RGS review – organization, structure, layout
- RGS review – policy clarity, consistency, redundancy

RGS use and feedback - Steering Committee

At project outset, the consultant team first carried out a short email questionnaire for a project Steering Committee that was assembled for the project where they asked:

- *How have they used the RGS in their day-to-day planning and review work?*
- *How useful has it been?*
- *What sections have they referred to most frequently? Why?*
- *Are there any issues with the policy sections used most frequently? What?*
- *Have the Annual Regional Snapshots been helpful/useful? How?*
- *Are the measures/indicators used effective? Do they “tell the story” of the policy area?*

Steering Committee members were also asked about their expectations for the project and asked what a successful RGS review project result would in. Steering Committee members included:

FIGURE 16: Steering Committee members

MEMBER	MUNICIPALITY
Alain Cunningham	Town of Osoyoos
Heidi Frank	Town of Oliver
Blake Laven	City of Penticton
Jules Hall	City of Penticton
Audrey Tanguay	City of Penticton
Ian McIntosh	District of Summerland
Alex Kondor	District of Summerland
Donna Butler	Regional District of Okanagan Similkameen
Evelyn Riechert	Regional District of Okanagan Similkameen
Chris Garrish	Regional District of Okanagan Similkameen

Based on Steering Committee feedback, the following key themes emerged:

- The RGS is most widely used by RDOS staff, generally when assessing proposed rezoning applications or assessing other projects. Policies in the RGS also inform staff recommendations to the Board, and inform long-range planning work, including updating RDOS Official Community Plans (OCPs) for Electoral Areas.
- Municipal use of the RGS is most common during OCP updates.
- As the core land use chapter, Human Settlements is the most commonly used and referenced in the RGS
- Snapshot Reports have limited uptake or use, but could be simplified for use with a wider audience, including the general public and politicians.

RGS Growth context - from Snapshot indicator review

Based on a review of demographic and population data (see Section 4), it is evident that the original RGS population projections were significantly overestimated. While the overestimation does not impact the RGS, it does require correction in an updated RGS.

While there are some regional differences, with some areas growing more quickly than others, overall RGS area growth rates are not high when compared to other areas in the greater Okanagan region or provincially. Figure 18 illustrates 10-year growth rates in the RDOS. Some of the Electoral Areas included in the Electoral Areas row are outside of the RGS area (Electoral Areas “B”, “G” and “H”). The Town of Princeton is also not in the RGS area.

A key issue not addressed in the RGS is the aging population, which is potentially a more significant issue in RGS area than in other places given the area’s dispersed rural population, and relatively limited services, particularly in designated Rural Growth Areas.

FIGURE 17: RGS Regional Snapshot



FIGURE 18: 10-year growth rates - RDOS and member municipalities

MUNICIPALITY	GROWTH RATE
RDOS	5.2%
Oliver	12.7%
Osoyoos	11.1%
Penticton	6.1%
Summerland	5.4%
Electoral Areas	0.6%

RGS implementation - RDOS-led strategies and plans completed and in progress

With support from RDOS staff, the consultant team also reviewed RGS implementation, including the number of RDOS-led plans and strategies identified in the RGS that had been completed, partially completed or underway. While there was some debate at the Steering Committee meeting over project details and status, it is clear that the majority of RDOS-led plans and strategies identified in the RGS were complete or substantially complete. Approximately seven of 15 identified strategies and plan were identified as substantially completed, while a further four were identified as partially complete/ongoing. It should be noted that there is considerable room for interpretation in determining whether a strategy or plan had been completed (e.g. some plans are ongoing and the degree of implementation may vary by local government).

Some of the most significant projects stemming from the South Okanagan RGS that are (mostly) complete and/or ongoing include:

- South Okanagan Biodiversity Strategy — Keeping Nature in Our Future (*complete*)
- RDOS - Penticton Indian Band — Osoyoos Indian Band - Lower Similkameen Indian Band Protocol Agreement (*signed*)
- South Okanagan Future Transit — BC Transit (*complete*)
- RDOS Corporate Climate Action Plan (*complete*)
- Electoral Area “A” and Electoral Area “C” Agricultural Plans (*complete*)
- Water Metering Implementation Strategy (*ongoing*)
- South Okanagan Conservation Fund (*ongoing*)

RGS review - policy clarity, consistency, redundancy

The project consultants carried out a line-by-line review of the strategy’s seven policy sections and 145 associated sub-policies for clarity, consistency with related RGS goal areas, and redundancy. Individual policies were scored using a High, Medium, Low scoring based on the following standards.

FIGURE 19: RGS sub-policy scoring review criteria

CONSISTENCY - IS THE SUB-POLICY CONSISTENT WITH THE GOAL AREA AND POLICY?	
H	<i>Sub-policy is consistent with Policy/Goal</i>
M	<i>Sub-policy is marginally consistent with Policy/Goal, but there is some lack of consistency</i>
L	<i>Sub-policy is not consistent with Policy/Goal, or it is unclear</i>
CLARITY - IS THE SUB-POLICY CLEAR AND UNDERSTANDABLE?	
H	<i>Sub-policy is unambiguous and easily understandable</i>
M	<i>Sub-policy has a definite intent but difficult to understand</i>
L	<i>Sub-policy is unclear/confusing</i>
REDUNDANT/REPETITIVE - IS THE SUB-POLICY INTERNALLY OR EXTERNALLY REPETITIVE OR REDUNDANT?	
H	<i>Sub-policy is not repetitive (i.e., of other sub-policies in the section or the RGS as a whole)</i>
M	<i>Sub-policy is somewhat repetitive (i.e., of sub-policies in other RGS sections)</i>
L	<i>Sub-policy is clearly repetitive of other sub-policies in the section and the RGS as a whole</i>

The sub-policies were also reviewed to see if they contained multiple policies and could be broken into two or more separate sub-policies to improve clarity.

Based on the review, one of the following actions was recommended for each of the 145 sub-policies:

- **Keep:** maintain the sub-policy as is with no editing required
- **Revise:** edit and revise the sub-policy and/or move it to a different, more relevant chapter
- **Delete:** remove the sub-policy because it is covered elsewhere (i.e., redundant) or is not clear enough to take action on

Based on this review, Figure 20 illustrates the number of sub-policies requiring revision, deletion, or to be kept.

FIGURE 20: RGS sub-policy review overview

POLICY AREA	# SUB-POLICIES	KEEP	REVISE	DELETE
Human Settlements	33	9 (27%)	17 (52%)	7 (21%)
Environment	28	6 (21%)	16 (57%)	6 (21%)
Social	25	3 (12%)	16 (64%)	6 (24%)
Infrastructure	24	3 (13%)	16 (67%)	5 (21%)
Economy	23	3 (13%)	13 (57%)	7 (30%)
Governance	10	1 (10%)	7 (70%)	2 (20%)
TOTALS	143	25 (17%)	85 (59%)	33 (23%)

A full policy review table is provided in the Appendix.

The overall findings were presented to the Steering Committee, with example of sub-policies provided to illustrate the keep, revise and delete actions. The Steering Committee agreed with the findings. Those members who were working in the region during its development indicated that some of the existing issues with RGS internal inconsistencies (i.e., redundancies and lack of clarity) could probably be traced back to its development, which involved several project coordinators over the strategy’s seven-year development. These Steering Committee members further noted that a separate team developed each chapter with little to no coordination with other teams, which also led to some redundancy between sections.

RGS review - organization, structure, layout

The project consultants also carried out a review of RGS organization, structure, and layout. From this analysis it was determined that there are significant opportunities to:

- Restructure to improve readability and navigation;
- Improve/edit/revise text (narrative and policies); and
- Improve graphics and layout, including maps and process graphics/illustrations

In addition to editorial and organizational updates, the RGS would be better laid out to improve document navigation, while simple process graphics would be developed to illustrate key points and concepts.

The consultants also noted that the two of the goal chapters could be combined with other chapters to reduce redundancy and improve overall structure (i.e., Infrastructure could be covered under Human Settlements, and Energy Emissions could be covered under Environment).



Photo by Thomas Born Shutterbug Studios

PRELIMINARY RGS UPDATE RECOMMENDATIONS

The consultant team’s review of the RGS was presented to the Steering Committee at a meeting in Penticton on October 16th, 2015. Recognizing both the importance of the RGS to the region and the relatively limited resources (financial and human) the RDOS would likely be able to commit to an update process, the consultant team made the recommendation to pursue a “minor amendment” revision process, as outlined in the *Local Government Act*. That is, the suggested changes would not involve changing policy directions or adding new policies to the RGS. A minor amendment was already made to the RGS to include Greenhouse Gas emission goals in 2011.

With precedents set in other regional districts for such an approach, the consultant team recommended the following actions based on their review of the RGS:

- **Reorganize, restructure and refine overall document**
 - Clarify and improve overall organization and structure
 - Simplify chapter, goals and sub-policy structure
 - Goals – chapter, broad goals
 - Objectives – supporting core objectives to meet each goal
 - Supporting Policies – organized under each of the objectives
 - Consider a hierarchy of goals based on current use of RGS and feedback from the Steering Committee (i.e., Human Settlements would likely become the first policy chapter)
 - Improve document navigation and readability
 - Refresh and simplify layout
 - Provide internal wayfinding / document navigation system
 - Provide process graphics and infographics to illustrate key points and issues (e.g., policy hierarchy)
 - Improve mapping
- **Revise and reorganize sub-policies**
 - Simplify and clarify policy language
 - Minimize multiple objective/multiple action policies (i.e., one action per policy)
 - Minimize redundancy
 - Combine key policy areas (e.g., Human Settlements and Infrastructure and/or Environment and Energy Emissions)
- **Improve Monitoring and Evaluation (section and process)**
 - Revise, update and simplify RGS Performance Indicators (i.e., the 10 Key Indicators) and associated data collection
 - Improve Regional Snapshot structure and layout to help better “tell the story” of the RGS and broaden audience for Snapshots (i.e., general public, stakeholders, elected representatives)
 - Better illustrate any trends against the 2011 baseline

Collectively, the suggestions were accepted and confirmed by the Steering Committee who recommended they be brought forward to the RDOS Board for their consideration with the understanding that the revisions would be accommodated through a “minor amendment” revision process, as outlined in the *Local Government Act*. That is, the suggested changes would not involve changing policy directions or adding new policies to the RGS. A minor amendment was already made to the RGS to include Greenhouse Gas emission goals in 2011.

The time requirements and cost of the recommended proposed RGS update would be limited and involve the Steering Committee at key points. It is anticipated that the RGS could be updated and renewed by late spring or early summer 2016. While an updated Draft RGS would likely be completed in the first quarter of 2016, the additional time would permit for review, education and presentations with local governments and the RDOS Board. It would also permit internal co-ordination of referrals to, and comments from, local and regional stakeholders. RDOS staff could coordinate the review, likely with support from a consultant team. The consulting cost would vary depending on the number of review meetings and presentations and scope of the RGS Snapshot update component, but is estimated at between \$35,000 and \$45,000. Working with the consultant review team, the Steering Committee would provide updates to their government’s senior staff and councils through the update process.

Should the RDOS Board wish to go beyond a minor amendment, the recommended process would not be wasted, as it would represent the first step in a more comprehensive major review process. It should be noted that any major amendment of the RDOS would be much more time consuming and include a much more significant community engagement process, as directed by the *Local Government Act*.

APPENDIX - POLICY REVIEW

1. Promote sustainable ECONOMIC DIVERSIFICATION

Promote the creation of economic opportunities that foster diversification in a sustainable manner for a resilient and prosperous south Okanagan.

Policy #	Policy	Consistent with Goal and Policy?	Clarity?	Redundant Repetitive	Multiple Policies	ACTION	General Notes
		H-M-L	H-M-L	H-M-L	Can be split into 2 or more sub-policies?		
EC1	Coordinate and partner for regional economic diversification					REVISE	Facilitate regional economic diversification
EC1.1	Meet with economic development partners to develop a regional approach to economic diversification and work with the RDOS Board toward a coordinated and collaborative environment for business.	H	M	L	Y	REVISE	Partnership based approach to economic diversification AND business enabling environment. Not necessarily the same thing. Sub-policy 1: Work with economic development partners, including the RDOS Board, to develop a coordinated and collaborative regional business enabling environment Sub-policy 2: Work with economic development partners, including the RDOS Board, to develop a diversified regional economy.
EC1.2	Support the development of an inter-regional Economic Development Strategy with a focus on business investment clusters, strategies for business attraction and retention, networking for small business and entrepreneurial support to balance economic interests with ecosystems and social sustainability.	H	L	L	N	REVISE	Objective could be simplified to: Support the development of Regional Economic Development Strategy. What that strategy does should not be stated, or does need to be stated in objective.
EC1.3	Work with Aboriginal leaders to develop partnerships for regional economic diversification.	H	H	L	N	REVISE	Preference may be Indigenous leaders, or Sylix / Okanagan. Also, if this is identified in Protocol Agreement it should be noted here.
EC1.4	Monitor the effectiveness of RGS economic actions, including annual indicators for key economic measures.	L	H	L	N	DELETE	Not sure if monitoring needs to be an action. .
EC2	Ensure a sustainable local economy which impacts positively on the region's character					REVISE	This is Policy is really about economic diversification and should be combined with above. It's also repeating elements of the wordy Goal statement
EC2.1	Encourage and promote the retention of large rural holdings, open spaces, parks and viewsapes that contribute to the region's rural ambience.	L	L	L	N	DELETE	This has nothing to do with economic development and diversification
EC2.2	Consult with and involve the local and inter-regional community on business development proposals and opportunities.	H	M	H	N	DELETE	EC1 Sub Policies deal with this
EC2.3	Support the retention of the Agricultural Land Reserve while recognizing there is land within the ALR that may not be suitable for agriculture and land outside the ALR that may be suitable for agriculture.	H	L	H	N	REVISE	Focus on economic contribution of agricultural land and industries
EC2.4	Support the promotion of business retention and attraction to preserve and promote the region's unique geographical and biophysical advantage.	H	M	L	N	REVISE	Support business retention and attraction
EC2.5	Support the promotion and further development of high tech and scientific research facilities such as DRAO and its related spin-off industries to capitalize on the unique geographic advantage of the region as well as its established infrastructure and expertise.	H	M	L	Y	REVISE	DRAO should be it's own Sub-Policy. Are there other high tech scientific research facilities in the RDOS?
EC3	Foster business development in centralized areas					REVISE	Not clear what a "centralized area" is unless it's defined
EC3.1	Collaborate to attract clean, high-tech, knowledge-based industry.	L	H	L	N	KEEP	Seems unrelated to EC3, unless all of these types of industry have to happen in the centralized area; this might be better under EC6.

EC3.2	Encourage mapping of centralized and accessible areas appropriate for new and relocating business to avoid conflicts and fragmentation and capitalize on business advantage.	M	L	L	N	REVISE	<i>The second half of the policy is really confusing. Maybe just end it after "relocating businesses"? OR: Identify development opportunity sites for different business types?</i>
EC3.3	Support development of under-utilized industrial land, protect the existing industrial land base from conversion to other uses and seek out new land in the region to provide more diverse business opportunities.	M	M	L	Y	REVISE	<i>Seeking out new land in the region sounds contrary to the first half of the policy and possible the higher-level policy (EC3). OR: Develop a Regional Employment Lands Strategy Not well formulated. Should heavy industry that is polluting be supported in order to utilize the land base?</i>
EC3.4	Seek opportunities to support primary and secondary value-added industry in all sectors.	L	H	L	N	REVISE	<i>Unrelated to EC3; better under EC6?</i>
EC4 Support and promote tourism and tourism-related activity							
EC4.1	Support the promotion of tourism in the south Okanagan in conjunction with regional marketing efforts to target the tourism value of agriculture, high-tech and science research facilities and the rural ambience of the region.	H	M	L	N	REVISE	<i>The last part of the policy is convoluted. Are they talking about DRAO-related tourism?</i>
EC4.2	Encourage tourism facilities to locate appropriately to enhance and capitalize the business advantage and to meet regional needs.	M	L	L	Y	DELETE	<i>Won't tourism businesses already be trying to locate in a way that capitalizes on the business advantages of a place? What are the regional needs? Not clear about this one at all.</i>
EC5 Support agriculture that contributes to the local economy							
EC5.1	Endorse, in principle, a South Okanagan Agricultural Area Plan which promotes the right to farm and protects the agriculture industry, including its water allocation.	H	H	L	N	KEEP	<i>Why "in principle"? Also, appears to be mindless support for agricultural, regardless of the effect on the environment. Agriculture cannot ignore the need for water conservation. Redundant with EC3.4, but probably not in a bad way; but are they trying to support enhancement of ecological sustainability, or economic? Or something else? Maybe intent could be clarified.</i>
EC5.2	Support the enhancement of a sustainable, local agricultural industry inclusive of value-added industry.	H	M	M	N	REVISE	<i>Is this about engagement with area farmers? Maybe should be part of governance. More of an environmental or social policy, not an economic one?</i>
EC5.3	Consider policy and regulation with area farmers and communities to preserve the agricultural land base.	M	L	M	N	DELETE	<i>As written one could think it's referring to cultural diversity - Maintain a skilled, diverse labour force</i>
EC6 Enhance the diversity of the labour force							
EC6.1	Encourage new and diverse business opportunities to build upon the labour force and support the provision of a diversity of skilled workers.	H	H	M	N	REVISE	<i>Related to some poorly located policies under EC3</i>
EC6.2	Support the development of a regional workforce attraction program that targets skills needed and initiates recruitment and training programs in collaboration with Okanagan educational institutions.	H	H	L	N	REVISE	<i>Could be clarified and simplified</i>
EC6.3	Support the creation of economic opportunities for private / public partnerships.	L	M	M	N	DELETE	<i>Better under EC1 or redundant with sub-policies there</i>
EC6.4	Consider policy that encourages labour market skill development.	H	H	M	N	DELETE	<i>This is repeating EC6.1 and EC6.2</i>
EC6.5	Support and encourage research and development initiatives and programs in conjunction with UBCO and Okanagan College related to key economic and business features of the South Okanagan. These would include agriculture, food processing, wine making, biodiversity, water management, tourism, amenity migration and high tech applications including those based on astrophysical research.	M	H	H	Y	REVISE	<i>This appears to give more detail on some of the policies under EC1 (about partnership) and various policies around value-added and new industries (ec2.5, 3.1, 3.4, 5.2). Perhaps EC6 needs to be broadened to be about economic diversification, and locate all those policies here.</i>

2. Ensure the HEALTH of ECOSYSTEMS

Ensure the health of ecosystems in the south Okanagan to provide water, land, air, and biodiversity.

Policy #	Policy	Consistent with Goal and Policy?	Clarity?	Redundant Repetitive	Multiple Policies Can be split into 2 or more sub-policies?	ACTION	General Notes
		H-M-L	H-M-L	H-M-L		KEEP, REVISE, DELETE	
EN1	Coordinate management of regional biodiversity conservation					REVISE	<i>Coordinate regional biodiversity conservation and management</i>
EN1.1	Meet with environment partners to develop a regional approach to biodiversity conservation and work with the RDOS Board toward coordinated biodiversity conservation and ecosystems protection.	H	M	L	Y	REVISE	<i>Simplify policy</i>
EN1.2	Support the development of an inter-regional Biodiversity Conservation Strategy by collaborating with ecosystems experts, including those with traditional ecological knowledge, and balance ecosystems interests with economic and social sustainability.	H	M	L	Y	REVISE	<i>Balance ecosystem interests with economic and social sustainability could be separate. Simplify policy</i>
EN1.3	Work with Aboriginal leaders to develop partnerships for regional ecosystems health.	H	H	L	N	REVISE	<i>Preference may be Indigenous leaders, or Syilx/Okanagan. Also, if this is identified in Protocol Agreement it should be noted here. Not sure if monitoring needs to be an action. Cut it? Or edit so annual indicators are designed to measure ecosystem health and RGS objectives.</i>
EN1.4	Monitor the effectiveness of RGS ecosystems actions, including annual indicators for key ecosystem measures.	L	H	L	N	DELETE	
EN2	Support environmental stewardship strategies					REVISE	<i>Support environmental stewardship</i>
EN2.1	Develop policy and regulation to protect the natural environment, including mapping of sensitive ecosystems and designating development permit areas.	H	M	L	Y	REVISE	<i>Consider separate mapping or DPA policy?</i>
EN2.2	Collaborate to direct land use and resource-based decisions away from ecologically sensitive areas and encourage land development practices and methods of environmental enhancement that maintain ecosystem health and the ability of natural systems to sustain life.	H	L	M	Y	DELETE	<i>Convuluted - assumes that land use and resource-based decisions can't be made to protect ESAs</i>
EN2.3	Promote conservation and sustainability of watersheds, wetlands and riparian areas and a green space network to serve as a wildlife corridor.	H	L	L	Y	REVISE	<i>Is the policy about conserving and protecting watersheds, wetlands and riparian areas, or is it about doing that AND linking these areas to serve as wildlife corridors. Also, watersheds are not localized areas like wetlands or riparian areas. Remove watersheds from list?</i>
EN2.4	Support the right to farm in balance with best environmental management practices.	H	H	L	N	KEEP	
EN2.5	Support restoring and managing key habitats.	H	M	M	N	REVISE	<i>What are "key" habitats?</i>
EN3	Reduce contribution to and increase adaptation to climate change					REVISE	<i>Very poorly worded</i>
EN3.1	Enact a policy for green buildings for local government buildings.	H	H	L	N	REVISE	<i>Very poorly worded. What is the intent? Reduction of GHG emissions? Better recycling?</i>
EN3.2	Work with business and agriculture to apply innovative best practices that include renewable energy technologies and energy efficiency.	H	M	L	Y	REVISE	<i>Could be split into two, as agriculture and business are fairly different</i>
EN3.3	Consider rebate programs for high-efficiency fixtures, appliances and water efficiency.	H	M	L	N	REVISE	<i>Aren't appliances and fixtures more in the purview of Hydro, Terasen and other utility providers? Very poorly worded and focus is wrong. RDOS rebate programs or senior government programs? Delete. The only tax program available to the RDOS is tax funded revitalization. Requires more precision about purpose- e.g., GHG reduction? Energy efficiency?</i>
EN3.4	Investigate the opportunity to use tax and other incentives in the region.	H	L	L	N	DELETE	
EN3.5	Consider the region's vulnerability to climate change in planning responses to proposed and existing activities for their resilience to climate change impacts and minimization of greenhouse gas emissions.	H	L	L	Y	REVISE	<i>Split into adaptation and mitigation; GHGs not really about vulnerability. Needs more positive focus.</i>
EN3.6	Support public awareness and education on climate change to foster best environmental management practices and stewardship.	H	H	L	N	REVISE	<i>Simplify policy. Remove last bit of policy.</i>

EN4		Protect regional air quality					
EN4.1	Further support a coordinated inter-regional approach with the Regional Air Quality Management Plan and supplement the plan to identify best management practices. Implement policies and support best management practices, such as reducing or eliminating residential and industrial burning, chemical spraying, and controlling air emissions, or other practices that protect the environment.	H	M	L	Y	REVISE	Coordinate a regional approach AND supplement plan, or just remove last portion
EN4.2	Support public awareness and education to foster best air quality management practices and stewardship.	H	H	H	N	DELETE	Any reason this doesn't come under EN4.1?
EN4.3		H	M	H	N	KEEP	
EN5		Promote water sustainability through conservation and related best practices					Does best practices need to be there?
EN5.1	Apply and promote four guiding principles to manage the water resource capacity and efficiency in the Okanagan basin; a. preserve ecosystems functions to maintain water quantity and quality, b. encourage best water management practices in agriculture, c. reduce residential water use to support population growth in urban areas, d. use best practices to manage water use for industrial, commercial and institutional purposes.	H	M	L	Y	REVISE	Could be broken into four separate policies?
EN5.2	Support the development of an inter-regional Water Plan, including consideration of long term plans for upper level water storage / source water protection and work collaboratively with the Okanagan Basin Water Board to further expand on the Okanagan Water Supply and Demand study with other agencies and levels of government.	H	M	L	Y	REVISE	Separate into Regional Water Plan and the OK Water Demand and Supply into two separate policies
EN5.3	Collaborate with the Water Sustainability Committee of the BC Water and Waste Association, the Water Stewardship Council of the Okanagan Basin Water Board, local governments and others on the management of the inter-regional water resource.	H	H	M	N	KEEP	Same as inter-regional water plan (EN5.2)? Or are these distinct activities?
EN5.4	Support the development of a water-centric outreach and education program as the next phase of the Convening for Action program.	H	L	L	N	DELETE	"Water-centric"? Does the Convening for Action program still exist?
EN5.5	Promote, support and participate in local and basin-wide solutions for efficient water management and conservation practices.	H	H	H	N	REVISE	Overlap between this policy, EN5,2 and EN5.3 - room to consolidate?
EN5.6	Support the continued provision of adequate water resources for the agriculture sector, and ensure that adequate and secure access to water for the agriculture sector is a priority over non-essential urban uses.	H	M	M	N	KEEP	Repeats policies in the economy policy area, but probably good to do so.
EN5.7	Support the protection of access to adequate water for the agriculture sector in any future inter-regional Water Plan.	H	H	M	N	KEEP	Important difference between this and EN5.6?
EN5.8	Recognize that all users will have to cut back their water use in times of drought or where stream health is threatened.	H	M	L	N	REVISE	Perhaps policy to describe the hierarchy of protections - "conservation first; agriculture and essential urban uses; non-essential urban uses". Like the DFO does with fisheries.
EN5.9	Promote the implementation of universal metering for water service connections, in alignment with policy recommendations proposed by the Okanagan Basin Water Board.	H	H	L	N	KEEP	Controversial but the most effective policy to reduce water consumption.
EN5.10	Create partnerships to provide infrastructure and services regionally where applicable.	M	M	H	N	DELETE	More relevant to governance and Infrastructure?

3. Promote INCLUSIVE and ACCOUNTABLE GOVERNANCE

Foster inclusive and accountable governance and promote inter-intra-jurisdictions cooperation for the benefit of South Okanagan residents.

Policy #	Policy	Consistent with Goal and Policy?	Clarity?	Redundant Repetitive	Multiple Policies Can be split into 2 or more sub-policies?	ACTION KEEP, REVISE, DELETE	General Notes
		H-M-L	H-M-L	H-M-L			
G1 Enhance regional local government partnerships							
G1.1	Foster dialogue between electoral areas and municipalities for cost sharing, delivery of services, capacity building and development. Develop agreements with senior levels of government and non-governmental agencies as more responsibility is transferred to local government, in order to build capacity and resources concurrent with the transfer where joint and mutually beneficial decision-making is necessary for sustainable growth management.	H	H	L	N	KEEP	
G1.2	Develop constructive working agreements which address the interests of both rural and urban residents, to manage growth and plan for the future.	H	M	L	N	REVISE	Awkward. Needs editing to improve clarity
G1.3	Continue to foster dialogue between communities to meet common shared goals, while recognizing and supporting distinct goals.	H	L	M	N	REVISE	What are "constructive working agreements"? OCPs, Neighbourhood Plans? RGS? Something else? A neighbourhood protocol agreement? Is this more about the balance of interests or the constructive working agreements? If the latter, maybe its covered under G1.1.
G1.4		H	M	M	N	REVISE	Not sure what this is saying and why it's a policy. Combine with G1.1?
G2 Build and enhance communication and relationship with local Aboriginal communities							
Use preferred wording -- Syilx/Okanagan Nation?							
G2.1	Develop protocol agreements with the Osoyoos Indian Band and Penticton Indian Band for communication, cost sharing, delivery of services, capacity building and/or development plans.	H	H	L	N	REVISE	What about LSIB? Use preferred wording -- Syilx/Okanagan Nation?
G2.2	Support the development of a cultural Aboriginal awareness program for local communities and governments.	H	H	L	N	REVISE	Use Indigenous instead of Aboriginal?
G3 Promote participation and education in governance							
						REVISE	Combine with G1?
G3.1	Support the creation and development of cross-educational governance initiatives within the community.	H	L	H	N	DELETE	Who is involved in this? It's not at all clear who's involved in this and how.
G3.2	Foster enhanced civic consciousness and participation by providing the public with information about local governance and opportunities for involvement on committees and at community consultation meetings and planning sessions.	H	M	L	N	REVISE	Move to G1?
G4 Cultivate effective governance characterized by transparency, accountability and accessibility							
						REVISE	Cultivate effective, accountable, accessible, transparent governance (that's a lot of adjectives!)
G4.1	Develop a Communication Plan to continue to enhance the transparency and accessibility of local governance.	H	M	M	N	REVISE	Who should be doing this? RDOS? Members?
G4.2	Monitor and evaluate the effectiveness of RGS goals, policy and strategic actions, including a baseline report for the performance indicators and annual and five year indicators.	L	H	H	N	DELETE	Not sure if monitoring needs to be an action.

4. Carefully DIRECT HUMAN SETTLEMENT

Direct development to serviced areas and strengthen the distinct identify of each south Okanagan community.

Policy #	Policy	Consistent with Goal and Policy?	Clarity?	Redundant Repetitive	Multiple Policies	ACTION	General Notes
		H-M-L	H-M-L	H-M-L	Can be split into 2 or more sub-policies?		
H1	Dialogue between rural and urban communities to direct development to Primary Growth Areas and, to a lesser extent, to Rural Growth Areas, and to coordinate and collaborate on human settlement.					REVISE	<i>Who's doing the dialoguing? Not clear. What about simply: Coordinate and collaborate to direct development to Primary Growth Areas and, to a lesser extent, secondary Rural Growth Areas.</i>
H1.1	Set growth management boundaries, which may or may not coincide with current municipal boundaries, around Primary Growth Areas, and consider using the Agricultural Land Reserve boundary as the growth management boundary where appropriate, in coordination with the development of Regional Context Statements for Official Community Plans, and according to the Implementation Agreement.	H	L	L	Y	REVISE	<i>Rewrite. Split into separate sub policies.</i>
H1.2	Set growth management boundaries around Rural Growth Areas, and consider using the Agricultural Land Reserve boundary as the growth management boundary where appropriate, in electoral area Official Community Plans within a reasonable timeframe and as detailed in the Implementation Agreement.	H	H	M	N	REVISE	<i>If H1.1 is split up, this could become redundant</i>
H1.3	Collaborate on fringe planning decisions on major development in the vicinity of rural / municipal boundaries.	H	M	L	N	REVISE	<i>Could be simplified</i>
H1.4	Consider entering into a memorandum of understanding on the process of determining municipal boundary extensions.	H	M	L	N	REVISE	<i>Between who and whom?</i>
H1.5	Respect and protect the ecosystem and environment by directing growth of an urban density and commercial, industrial and institutional uses within the boundaries of south Okanagan primary growth areas, where there is accessibility to services, amenities and employment opportunities.	H	M	H	N	DELETE	<i>Shouldn't this be in the Environment section? Could also be included as part of H1.1/H1.2?</i>
H1.6	Respect and protect the unique advantages in location, facilities and functional requirements of the DRAO by continuing to minimize development and maximize rural landscape protection within the electromagnetic interference area surrounding the Observatory.	L	H	L	N	DELETE	<i>Why is this here? It has nothing to do with H1</i>
H2	Promote compact urban form						
H2.1	Recognize Primary Growth Areas where the substantial majority of the region's growth should occur and Rural Growth Areas where further limited development is anticipated, in accordance with the Growth Management Map (pg.21).	M	L	M	N	DELETE	<i>How does this relate/differ from H1.1?</i>
H2.2	Support infill of existing, serviced development areas as a first priority.	H	M	L	N	KEEP	<i>In urban Primary Growth Areas only? Should clarify</i>
H2.3	Create walkable, livable mixed-use neighbourhoods and communities.	H	M	L	N	REVISE	<i>In urban Primary Growth Areas only? Should clarify</i>
H2.4	Encourage accessible commercial, institutional and appropriately located light and heavy industrial development within urban areas.	H	M	L	N	REVISE	<i>In urban Primary Growth Areas only? Should clarify</i>
H2.5	Integrate transportation infrastructure within and between communities.	L	M	L	N	DELETE	<i>Better under Infrastructure? Maybe this should be about taking transportation into consideration when reviewing new development? Something more like H2.6</i>
H2.6	Ensure that new development is adequately serviced according to a community infrastructure plan.	H	M	L	N	DELETE	<i>This is really the Subdivision Servicing Bylaw. Also, this might make H2.5 unnecessary with some tweaking</i>

H2.7	Communicate and work with Aboriginal leaders on cost sharing, delivery of services, capacity building and/or development plans.	M	H	M	N	REVISE	Might be redundant or seem out of place (better under Governance or infrastructure), particularly as most places where development will occur (e.g., Skaha Hills) is not near or in a primary growth area.
H2.8	Maintain environmental integrity when considering new development.	L	M	M	N	DELETE	Is this about growth boundaries or building practices? Redundant in one case, not related to the goal in the other.
H2.9	Discourage incremental and additional rural growth, including rezoning of large rural land parcels to smaller parcel sizes, outside of Primary Growth Areas and Rural Growth Areas, except where such growth is infill and does not significantly increase the number of units or the established density and that respects the character of its surroundings.	M	M	M	N	REVISE	Might be more related to H3 and is fairly similar to H3.1. If the focus is infill, it might just need re-wording
H3 Protect the character of rural areas							
H3.1	Strengthen policies in Official Community Plans to discourage incremental and additional rural growth outside of identified growth areas (see Growth Management Map, pg. 21). Proposed developments that do not closely adhere to OCP guidelines for the protection of rural and resource areas will not be supported.	H	H	L	N	KEEP	Core policy
H3.2	Identify areas where rezoning to larger minimum lot sizes is necessary to protect agricultural and rural users.	H	M	L	N	KEEP	Requires some explanation
H3.3	Discourage new development in areas of moderate to high risk for natural disasters.	L	M	L	N	REVISE	This should be in EN. Very weak statement. RDOS must go beyond discouraging new development in high risk areas for natural disasters. Policy should avoid areas subject to natural disasters and mitigate where unavoidable.
H3.4	Communicate and work with Aboriginal leaders on cost sharing, delivery of services, capacity building and/or development plans.	M	H	H	N	KEEP	Exactly repeats H2.7 - but is that a problem? Maybe these should both just be under H1.
H3.5	Consider the following uses outside of identified growth areas only where the uses are not feasible or appropriate in growth areas and where they will have limited adverse effects on their surroundings: resource, industrial, resort (non-residential), small-scale commercial, public utility/institutional, parks and recreational development.	M	M	L	N	REVISE	Should include language about protecting rural character when these additional uses are allowed
H4 Protect the agricultural land base and encourage agricultural enterprise							
H4.1	Support the establishment of a South Okanagan Agricultural Advisory Committee to advise the Regional District Board on agricultural matters.	H	H	L	N	KEEP	
H4.2	Work collaboratively to develop, set priorities and implement a regional approach to agriculture to strengthen farming and encourage agriculture.	H	M	L	N	REVISE	Minor revisions - Work collaboratively to develop a Regional Agriculture Strategy
H4.3	Discourage further subdivision of farm parcels.	H	H	L	N	KEEP	
H4.4	Encourage value-added agricultural activities and agri-tourism which improve farm economic viability while maintaining farming as the primary farming activity.	H	H	L	Y	REVISE	Split into two.
H4.5	Undertake edge planning to plan for and mitigate the impacts of non-farm uses on farming activities when considering development adjacent to the Agricultural Land Reserve boundary.	H	M	L	N	REVISE	What about non-ALR ag parcels?
H4.6	Support urban growth boundaries that are consistent with the Agricultural Land Reserve boundary, and not growth boundaries that encompass land within the ALR.	H	H	M	N	REVISE	Covered in H1.1, but does that matter?
H5 Recognize the critical link between infrastructure, environment, social conditions and human settlement for effective growth management						REVISE	What does this mean?
H5.1	Continue to consult with the public, community leaders and professionals to assess current community conditions in the context of effective growth management principles.	M	L	L	N	REVISE	The policy is clear, but the goal is a little confusing.
H5.2	Assess and measure major development proposals against sustainability assessment checklists in order to determine that the proposal is generally consistent with the intent of the RGS.	M	H	L	N	REVISE	Second part could be cut. It's self evident that it should confirm.

H5.3	Support a process and content for the extent of adoption of minor amendments to the RGS to allow for flexibility and minor adjustments within the RGS that do not substantially change the vision and direction of the RGS, and where the process and content for the extent of amendments is not yet complete, defer to a default alternative adoption process identified in the Section 857.1 of the Local Government Act. Where proposals substantially change the vision and direction of the RGS, or where the addition of one or more new Primary or Rural Growth Areas is considered, a major amendment to the RGS, subject to the acceptance of all affected local governments, is required.	M	L	L	Y	REVISE	<i>Belongs in an Implementation section (after editing). Right now -- very confusing - so maybe it relates well to the goal, but it's hard to say.</i>
H5.4	Ensure that proposals for the establishment of new growth areas are evaluated on their individual merits and are assessed by the Sustainability Checklist to ensure consistency with the vision and direction of the RGS.	M	M	L	N	KEEP	<i>May be better under H1, or in an implementation section</i>
H5.5	Recognize that major changes to established growth management boundaries may be significant regional issues, and therefore, that processes and procedures for communicating and cooperating around such major changes should be developed in the Implementation Agreement.	M	M	L	N	KEEP	<i>Maybe better under H1</i>
H5.6	Monitor the effectiveness of RGS human settlement actions, including annual indicators for key settlement measures.	M	H	L	Y	KEEP	<i>Maybe better under H1</i>
H5.7		L	M	H	N	DELETE	<i>Not required</i>

5. Maximize the EFFICIENT USE of INFRASTRUCTURE

Coordinate efforts through the South Okanagan that maximize efficient and effective delivery of infrastructure and services, reduce environmental impact and recognize the scarcity of resources.

Policy #	Policy	Consistent with Goal and Policy?	Clarity?	Redundant Repetitive	Multiple Policies Can be split into 2 or more sub-policies?	ACTION	General Notes
		H-M-L	H-M-L	H-M-L		KEEP, REVISE, DELETE	
I1	Promote ongoing dialogue between rural and urban communities to coordinate and collaborate on infrastructure						Why are there no sub-policies here?
I2	Preferentially direct development where public cost-efficient service and infrastructure is possible						What does "preferentially direct" mean?
I2.1	In already serviced developed areas, guide new development to take full advantage of existing physical infrastructure, including roads, sewer systems, schools, parks and recreation and cultural facilities.	H	H	L	N	REVISE	Repeats policy goal.
I2.2	Direct development to Primary Growth Areas and, to a lesser extent, to Rural Growth Areas - new development should occur only in a manner that ensures a cost-effective ability to deliver infrastructure and institutional services such as underground utilities, health facilities, transit, emergency services, schools, and recreation and cultural facilities.	H	M	M	N	REVISE	Same as several policies in Human Settlement. Perhaps it need to describe what that means in terms of policies around infrastructure? Example services not necessary.
I2.3	Encourage public use of utilities and discourage the establishment of private utilities and services.	H	H	L	N	KEEP	
I3	Recognize the critical link between water resource management, human settlement and effective growth management						Why are there no sub-policies here?
I4	Minimize waste production through education, regulations that promote reduction and recycling programs in the region					REVISE	Why not just "Minimize waste production" and leave the rest to be sub-policies?
I4.1	Promote and encourage targets for solid and liquid waste reduction.	H	H	L	N	REVISE	This is a requirement of all solid waste managements in B.C. Establish targets? Are targets no included in Regional Solid Waste Management Plan and/or Regional Liquid Waste Management Plan?
I4.2	Research and develop best practices, benchmarks, and policies for effective waste management.	H	H	L	N	REVISE	
I4.3	Support public awareness of waste management and promote waste reduction programs.	H	H	L	Y	REVISE	Two different types of programs?
I4.4	Continue to implement and monitor the Regional Solid Waste Management Plan.	H	H	L	N	DELETE	Necessary?
I4.5	Promote expansion and creation of sewerred areas within urban areas or Rural Growth Areas. Update and implement the Regional Liquid Waste Management Plan which will examine	L	M	M	N	DELETE	Covered under i2.2 (or could be)
I4.6	environmental concerns and address the links between liquid waste management, nutrient management, and water use.	H	H	L	N	REVISE	Is it necessary to include what the plan will do?
I4.7	Design growth in a manner that handles waste in an environmentally sound manner to minimize the negative impact on the environment.	H	M	L	N	DELETE	Poorly written - "Design growth"? The RDOS should manage growth, not design growth.
I5	Apply innovative and best management practices to increase efficiencies and reduce environmental impacts of infrastructure					REVISE	Similar to others?
I5.1	Integrate storm water management with provincially-mandated watercourse protection strategies.	H	M	L	N	REVISE	Assume it's referring to RAR - what other provincial protection strategies are there?
I5.2	Support projects to improve resource management, including but not limited to water conservation and reuse, ground water management, solid waste management and recycling.	H	H	L	Y	REVISE	
I5.3	Consider hillside development guidelines and alternate development standards, in conjunction with the Province, to reduce environmental impacts of development.	M	H	L	N	KEEP	Maybe Environment section needs a policies like this.

15.4	Minimize the risks associated with development in the vicinity of natural hazards by identifying and avoiding environmental hazards.	L	M	M	N	KEEP	Maybe should be under EN3, or as part of human Settlement.
15.5	Monitor the effectiveness of RGS infrastructure actions, including annual indicators for key infrastructure measures.	L	M	H	N	DELETE	Needed?
15.6	Identifies sites of potential electrical generation to include hydro-electric generation and wind generation.	M	M	L	N	REVISE	Relevant? RDOS has a role here but not to identify sites for power generation.
16	Increase transportation options, improve transportation efficiency and reduce automobile dependency						
16.1	Support the creation of an inter-regional Transportation Plan from the regional transportation study, to include comprehensive transportation demand management, innovative transportation options and funding strategies.	H	H	L	N	REVISE	Remove "to include....."?
16.2	Support the creation of walkable neighbourhoods and pedestrian / cycle / transit networks that offer both alternative transportation and recreational opportunities, and work with the Province to further develop the pedestrian / cycle network in conjunction with highway improvements.	H	M	L	Y	REVISE	Multiple objectives/sub-policies
16.3	Expand formal agreements with transportation providers for public transportation options beyond current service boundaries.	H	M	L	N	REVISE	If it's referring to BC Transit, could it not just say that?
16.4	Encourage the identification of land in community cores appropriate for transit hubs.	H	H	L	N	REVISE	Primary and Rural Growth centres? What kinds of communities?
16.5	Consider Light Rapid Transit (LRT) as an option to improve community linkages and mitigate the effects of transportation on air quality and climate change.	H	M	L	N	DELETE	Not sure LRT is an option anywhere in Plan Area. Does this have any credibility? Does Penticton come close to having the necessary mass for LRT?
17	Protect and improve Highway 97 as a key transportation corridor						
17.1	Work together to set priorities to update Ministry of Transportation road network and transportation plans and identify and implement improvements and expansion where necessary.	H	L	L	N	REVISE	Sentence structure problem
17.2	Ensure the impacts of a high-volume transportation corridor passing through urban centres and rural areas are considered and adequate mitigation measures applied to maintain transportation efficiency and protect community integrity.	M	M	L	N	REVISE	Sounds like the higher level policy (17) needs to be changed to include "protecting integrity of neighbourhoods"
17.3	Work with the Province to identify highway sections that should be carefully planned for limited highway access to ensure public safety and transportation efficiency outside of urban centres.	M	M	L	N	REVISE	Sounds like the higher level policy (17) needs to be changed to include safety

6. Create safe, culturally diverse and HEALTHY COMMUNITIES

Provide south Okanagan residents with safe, culturally diverse and healthy communities where life-long learning and recreation opportunities are abundant and planned housing choices are accessible.

Policy #	Policy	Consistent with Goal and Policy? H-M-L	Clarity? H-M-L	Redundant Repetitive H-M-L	Multiple Policies Can be split into 2 or more sub-policies?	ACTION KEEP, REVISE, DELETE	General Notes
S1	Support the coordinated management of community health					Delete	<i>S2 covers off on this</i>
S1.1	Support the development of an inter-regional Social Health Strategy for coordinated social health action, including applying health impact assessments, prioritizing short and long term health initiatives with regional agencies and balancing social interests with economic and environmental sustainability.	H	M	L	Y	REVISE	<i>Too much detail and prescription</i>
S1.2	Monitor the effectiveness of RGS social actions, including annual indicators for key social health measures.	L	M	L	N	DELETE	<i>Needed?</i>
S2	Work in partnership to create healthy and safe communities						
S2.1	Support the coordination of regional parks and recreation services and trail networks to improve accessibility of recreational opportunities.	H	H	L	N	KEEP	
S2.2	Support the local health authority to expand regional health promotion programs and a proactive recruitment program to increase medical services in the south Okanagan.	H	H	L	N	KEEP	
S2.3	Maintain safe and vibrant urban centres by supporting downtown revitalization and neighbourhood planning efforts which foster a sense of public ownership.	H	M	L	N	REVISE	<i>Does revitalization have to be a part of it?</i>
S2.4	Support emergency planning and networking of response services both regionally and inter-regionally.	H	H	L	N	REVISE	
S2.5	Support the local police authority in its awareness programs for crime reduction and watch programs.	H	H	L	N	REVISE	<i>Police authority? Isn't it all RCMP?</i>
S3	Continue to work towards developing vibrant communities and neighbourhoods						
S3.1	Encourage the development and preservation of 'village centres' and 'distinct neighbourhoods' through the supporting neighbourhood associations and plans.	M	L	L	Y	DELETE	<i>Does the support of neighbourhood associations (and plans) necessarily support preservation of village centres and distinct neighbourhoods?</i>
S3.2	Support communities to work together to identify and obtain desired services.	M	M	M	N	DELETE	<i>Very similar to the governance policies on collaboration. Why only innovative? Why not standard policies to share and utilize school resources? And avoid agreements that are not innovative?</i>
S3.3	Consider innovative agreements with School Districts to recognize and support school facilities as a valuable neighbourhood resource.	H	M	L	N	REVISE	<i>Omnibus policy -- Could be broken up. Support and encourage community celebrations and events;</i>
S3.4	Support the celebration of community and local festivities and improve accessibility to public places, recognizing changing demographics and diversity in communities.	H	L	L	Y	REVISE	<i>Improve accessibility to public spaces; Ensure public spaces and events are consistent with changing demographics and community needs.</i>

S4	Encourage greater demographic diversity to enhance the social health of the community					REVISE	<i>If it's primarily about young families it should/could state it more directly. Currently, does this policy make any sense?</i>
S4.1	Support the creation of economic opportunities that are consistent with other values to encourage young families to migrate to, or remain, in the south Okanagan.	M	M	M	N	REVISE	<i>This is an economic policy with a community-health outcome. Does this make sense here? Also what does "consistent with other values" mean? And how does this support demographic diversity?</i>
S4.2	Promote healthy and diverse communities that encourage the use of public open spaces for all age and socio-economic levels by requiring a diversity of land uses and housing mixes in communities.	M	M	M	Y	REVISE	<i>Same as above, but for land use planning (i.e. human settlement). Is this policy about the hoped for outcome of other policies? Don't need to repeat the policy in the sub-policy</i>
S4.3	Support the development of a regional social network, dissemination of cross-cultural information and programs and services for rural and urban residents.	L	L	L	Y	DELETE	<i>What's a "regional social network"? South OK Facebook? There are 3 separate sub-policies here.</i>
S5	Improve accessible housing options in the region						
S5.1	Support or facilitate community objectives for accessible housing integrated within mixed-use neighbourhoods.	H	M	L	Y	REVISE	<i>Should accessible housing be supported only in mixed use neighbourhoods. Could be simplified and clarified: Support and facilitate the development of accessible housing in mixed-use neighbourhoods.</i>
S5.2	Develop responsive policy for non-market driven accessible housing, such as emergency and transition housing.	H	M	L	N	REVISE	<i>Responsive? Could be simplified: Support emergency and transition housing.</i>
S5.3	Encourage market driven housing by considering policy for new development to meet community objectives for accessible housing.	M	L	L	N	DELETE	<i>Not sure what this actually means.</i>
S5.4	Support the creation of a Regional Housing Society and the establishment of a housing trust fund in partnership with government agencies and programs.	H	H	L	N	KEEP	
S5.5	Consider supporting accessible housing in communities where services are available that can sustain housing options.	H	L	L	N	REVISE	<i>Not clear what the intent of this is. Why is it only "consider"? Is there an "only" missing before "communities"?</i>
S6	Support the education and lifelong learning, diversity of culture, heritage and a strong arts community					REVISE	<i>It is not clear at all what this actually means. No policies address physical heritage</i>
S6.1	Support the location and collaboration of education institutions in urban areas.	H	M	L	Y	REVISE	<i>Encourage education institutes to locate in urban areas? Not sure what collaboration is referring to. With each other? With the RDOS? Intent is discernable but wording is poor.</i>
S6.2	Encourage the creation of affordable education opportunities and foster education and business collaboration between agencies and institutions.	M	M	L	Y	REVISE	<i>Is this more about ec dev? Intent is unclear.</i>
S6.3	Work with providers of local heritage and cultural education programs to preserve and respect different cultural values.	H	M	L	Y	REVISE	<i>How does this relate to First Nations? Are they more than "providers"?</i>
S6.4	Work cooperatively with agencies to create an arts and cultural vision for the region.	H	M	L	N	REVISE	<i>Would a Regional Arts and Culture Strategy be a better pursuit?</i>
S6.5	Encourage development that meets the needs for accessible arts and cultural facilities.	H	L	L	N	DELETE	<i>Not clear what this is saying?</i>
S6.6	Identify and protect important cultural places and structures through policies and other mechanisms.	H	H	L	N	REVISE	<i>Could be simplified</i>

Document prepared
with the assistance of:



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Vancouver, BC V6B 4M3
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SOUTH OKANAGAN RGS

Preliminary Review

Planning and Development Committee

Dec 17, 2015

Discussion

- RGS context
- Preliminary Review
 - Findings
 - Recommendations

RGS Development

- 2004 launch
- 2010 adopt
- Regional Context Statements
 - Town of Osoyoos – July 2011
 - Town of Oliver – October 2011
 - City of Penticton – July 2012
 - District of Summerland – July 2012

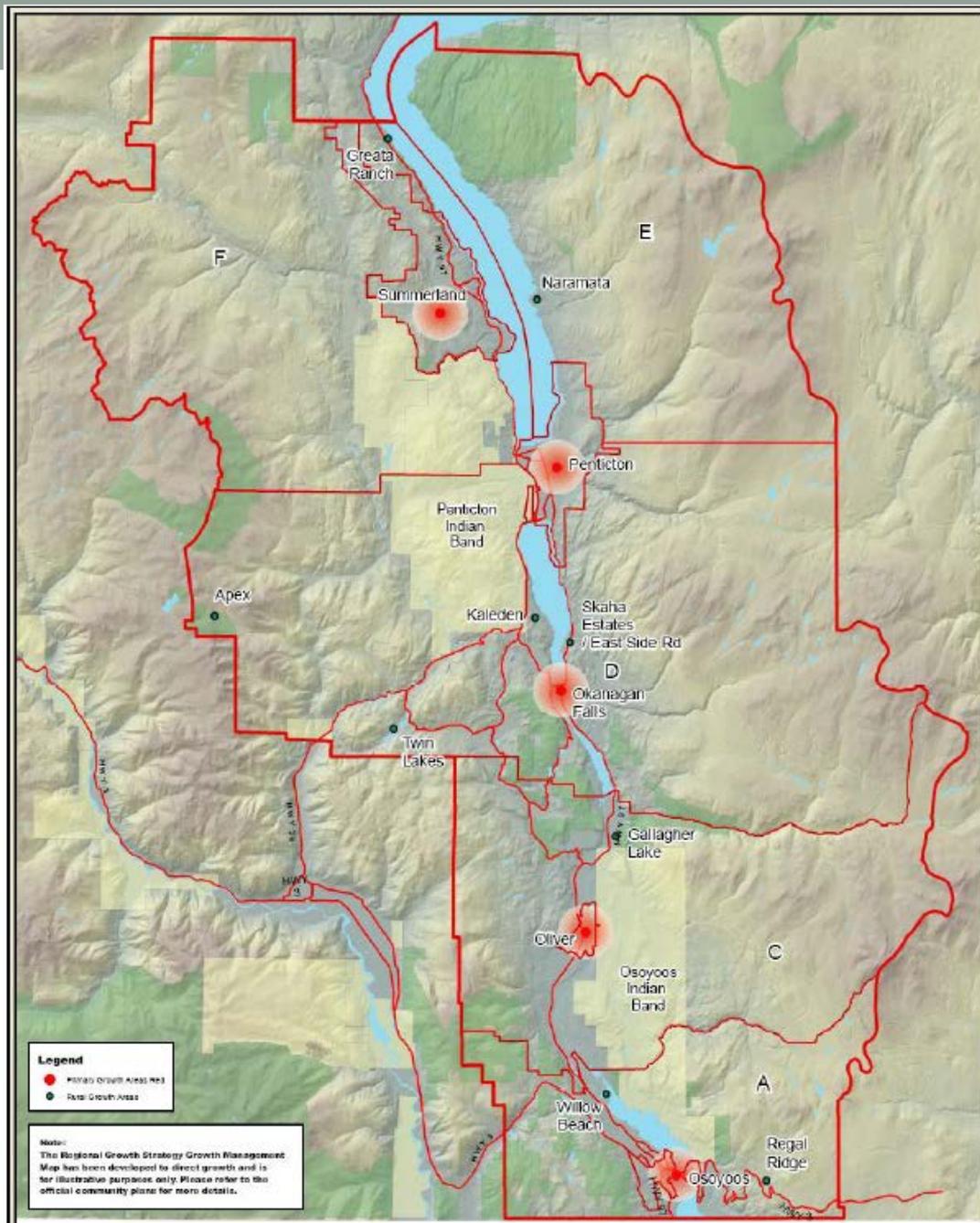
The image shows the cover of a document titled "SOUTH OKANAGAN" in green text. Below the title is a photograph of a red apple. Underneath the photo are three colored squares: green, orange, and light blue. At the bottom of the cover, it reads "BYLAW 2421, 2007 - SCHEDULE 'A'". In the bottom right corner, there is a logo for "RDOS OKANAGAN-SHILKAMHEEN" with a small graphic above it. Below the logo, the following text is printed: "June 21, 2007 First and Second Reading", "October 22, 2009 Rescind and Re-read Second Reading as amended", and "September 15, 2011 Amendment Bylaw No. 2421.01, 2011".

SOUTH OKANAGAN

BYLAW 2421, 2007 - SCHEDULE 'A'

RDOS
OKANAGAN-SHILKAMHEEN

June 21, 2007 First and Second Reading
October 22, 2009 Rescind and Re-read Second Reading as amended
September 15, 2011 Amendment Bylaw No. 2421.01, 2011



Growth Management Map



Implementation

RDOS

- All bylaws and services to be consistent with policies
- Annual monitoring
- Possible review consideration after 5 years
- OCPs to delineate growth areas

Municipalities

- Regional Context Statements (RCS) in each OCP must show consistency with RGS
- RCS must be approved by RDOS Board
- Reviewed every 5 years

RGS legislative framework for review

LGA: 869

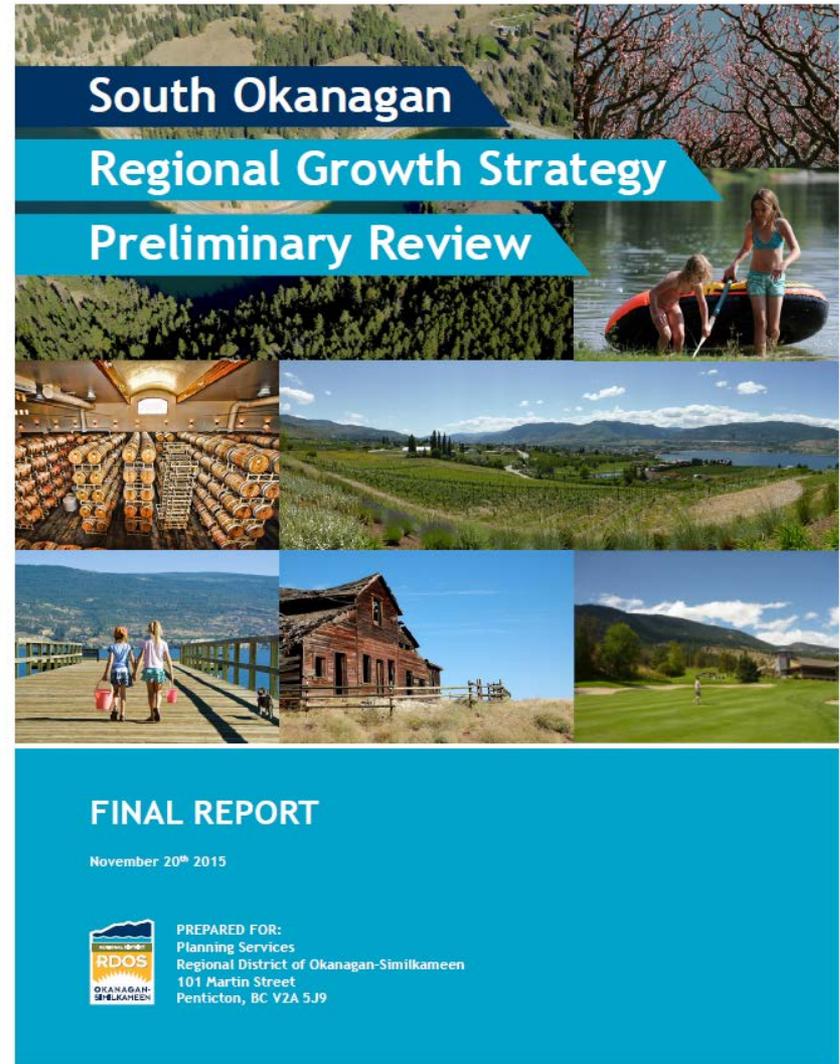
(1) A regional district that has adopted a regional growth strategy must

- (a) establish a program to monitor its implementation and the progress made towards its objectives and actions; and
- (b) prepare an annual report on that implementation and progress.

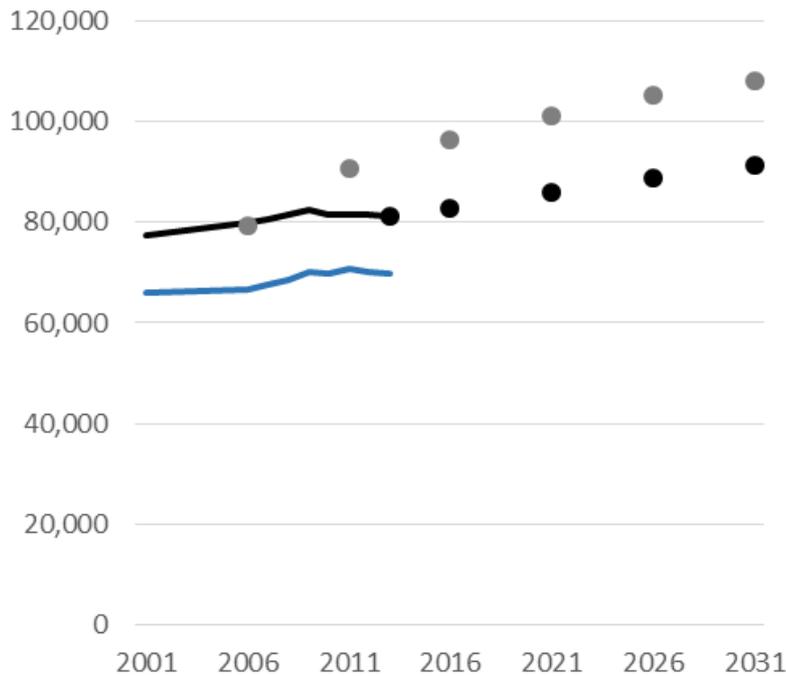
(2) At least once every 5 years, a regional district that has adopted a regional growth strategy must consider whether the regional growth strategy must be reviewed for possible amendment

To review or not?

- Steering Committee
- Engage consultant
 - How is it working?
 - Policies
 - Monitoring
 - Does it need amending?
If so how much?



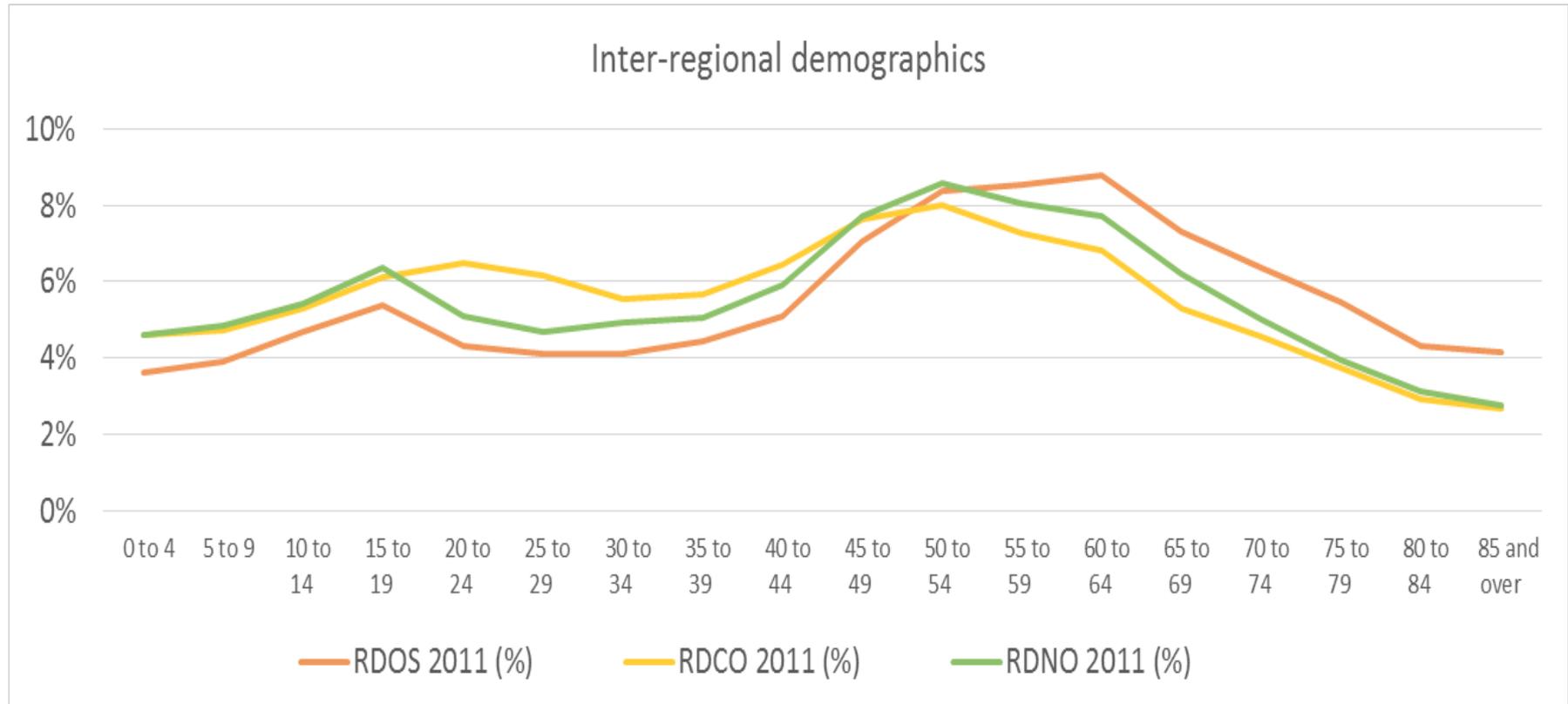
Population & Demographics: “Snapshot” overview



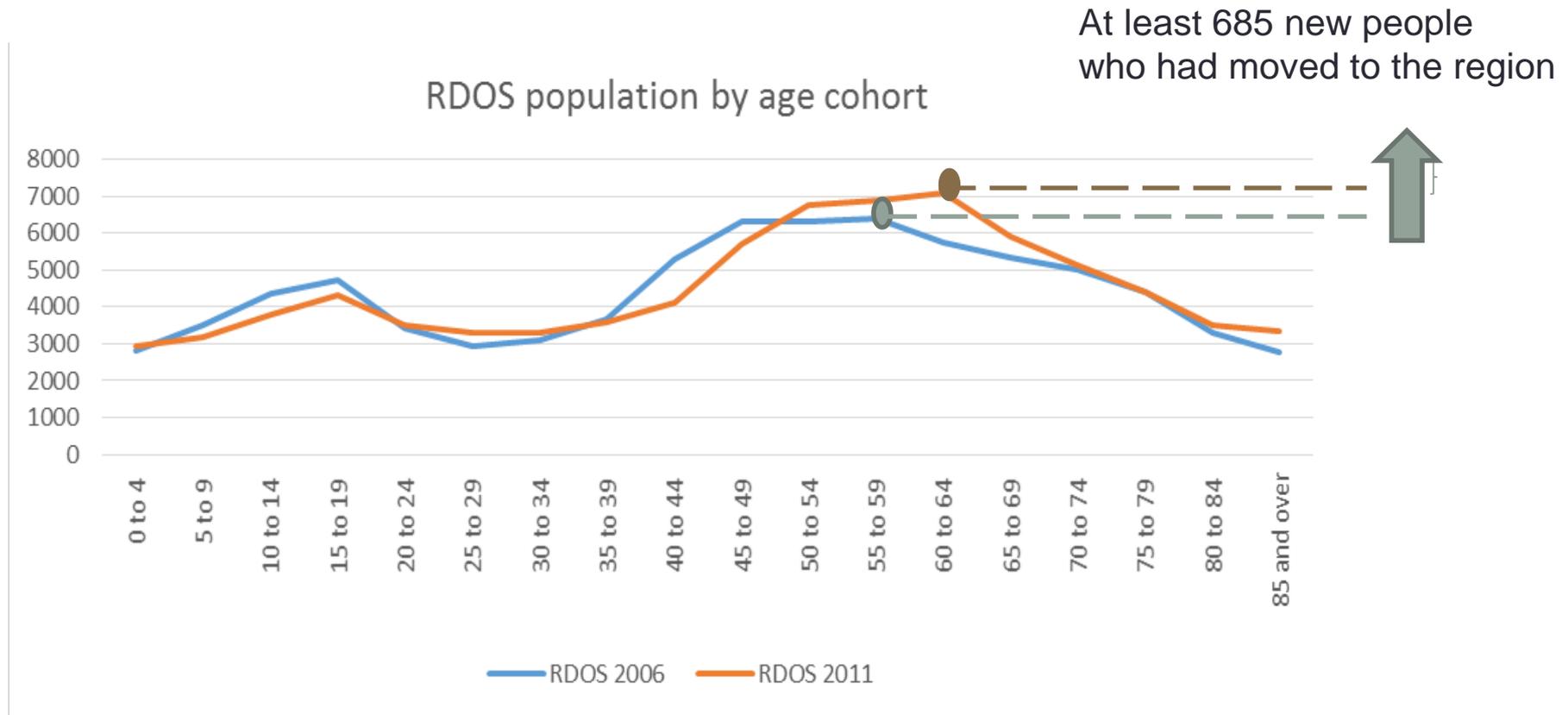
Annual Growth rates:

- RDOS historic projections (2006) ➤ 1.5%
- RDOS current projections (2015) ➤ 0.84%
- RDOS Pop. estimates ➤ 0.54%
- RGS area Pop. estimates (Snapshots) ➤ 0.75%

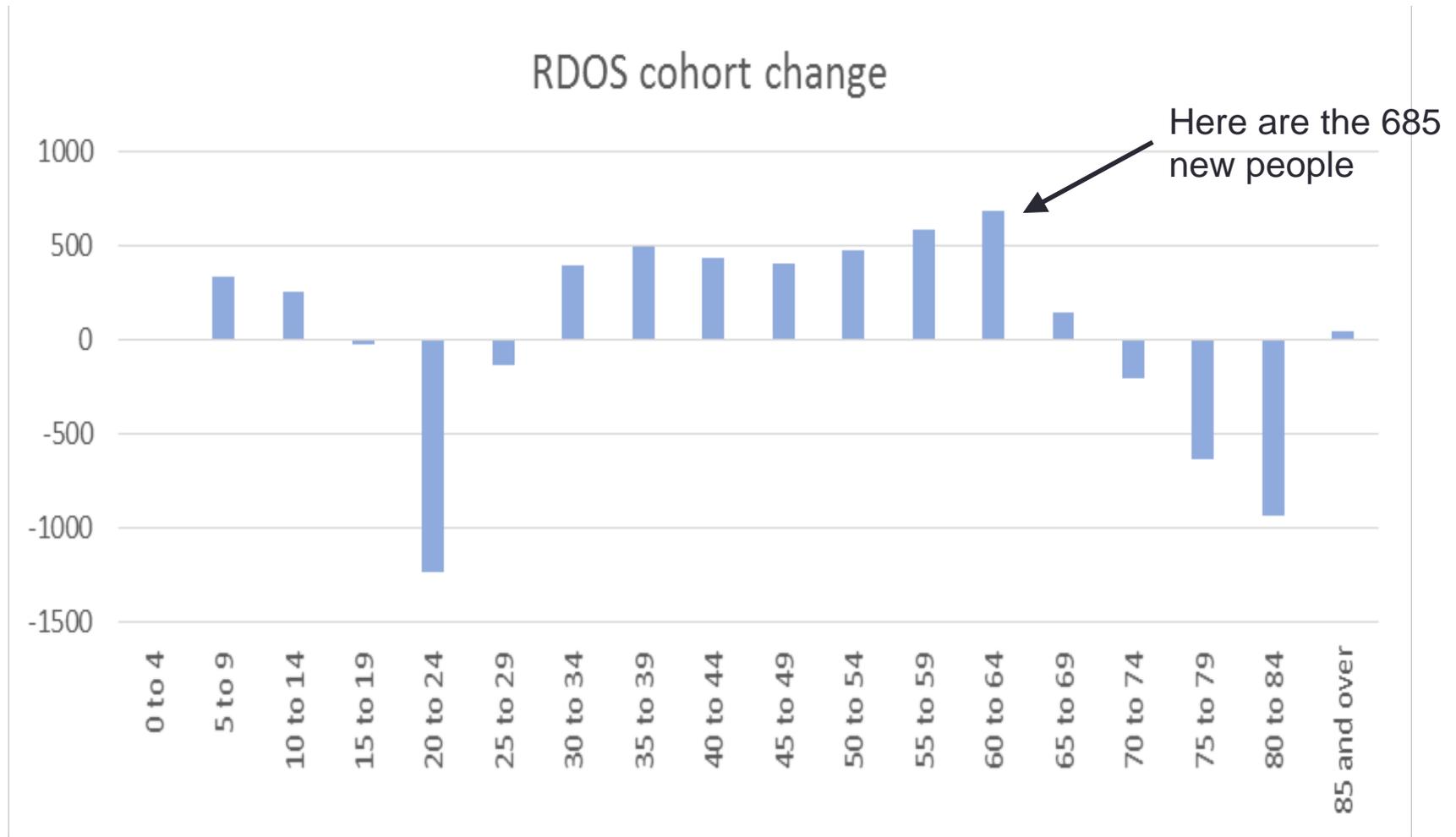
Comparative growth: Additional analysis



Population & Demographics: Additional analysis

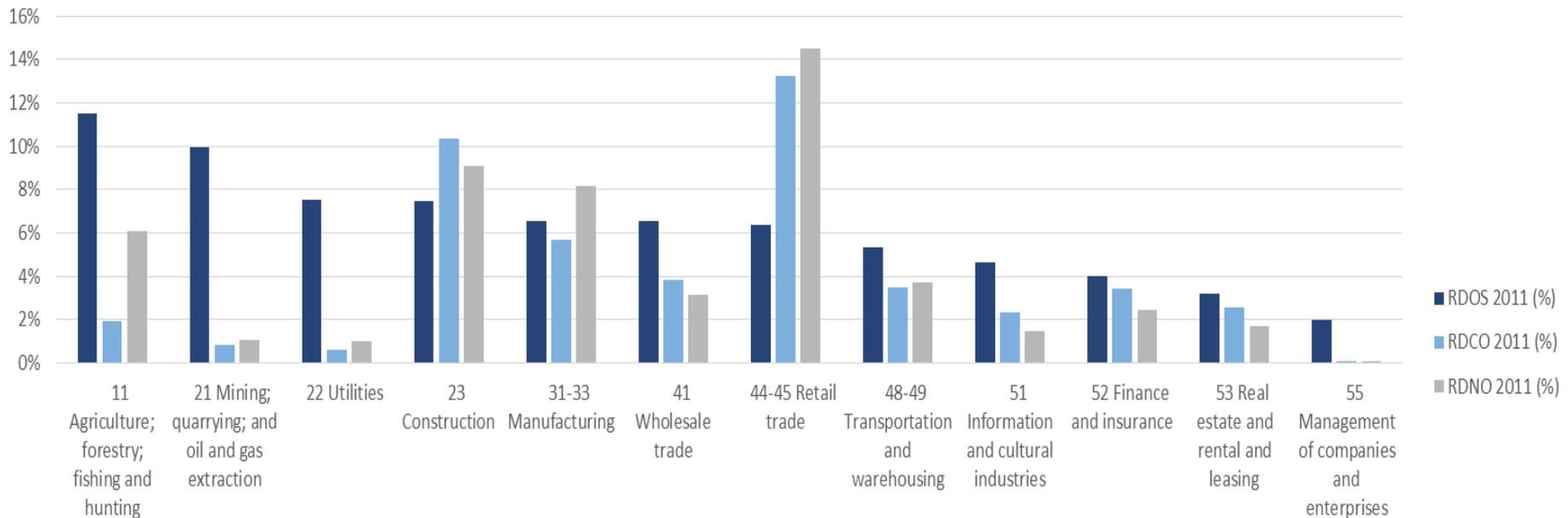


Population & Demographics: Additional analysis



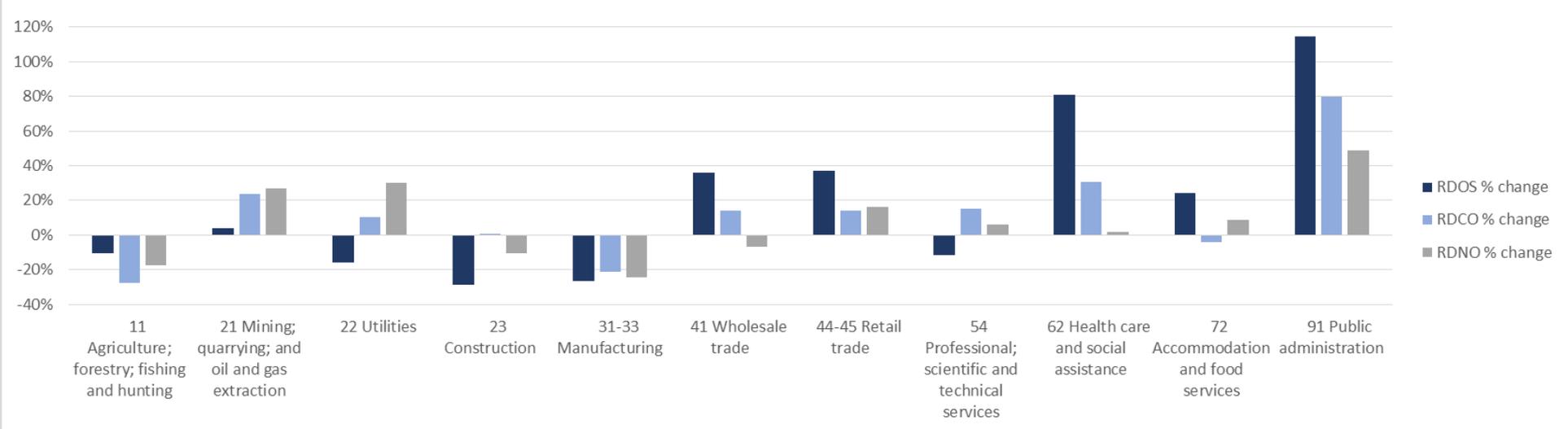
Economy - Additional analysis

2011 Employment by Industry regional comparison
(% of total employment)



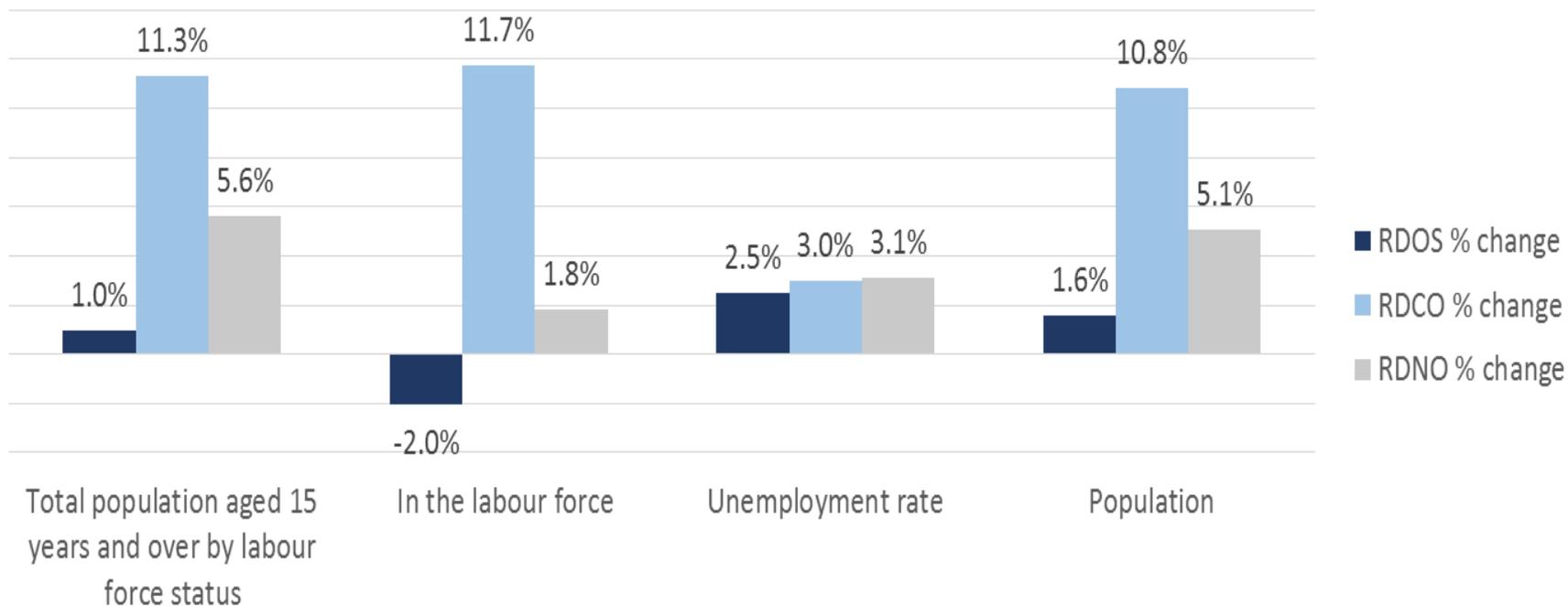
Economy - Additional analysis

Employment growth by Industry
(% change from 2006 to 2011)



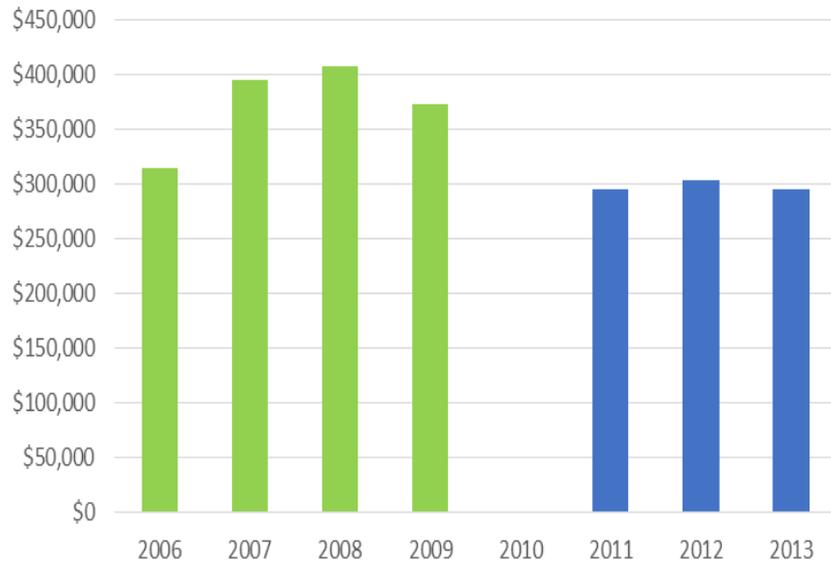
Economy - Additional analysis

Employment data - Inter-regional comparison
(% change from 2006 to 2011)



“Snapshot” housing overview

Median House Price (CPI adjusted)



Housing Starts

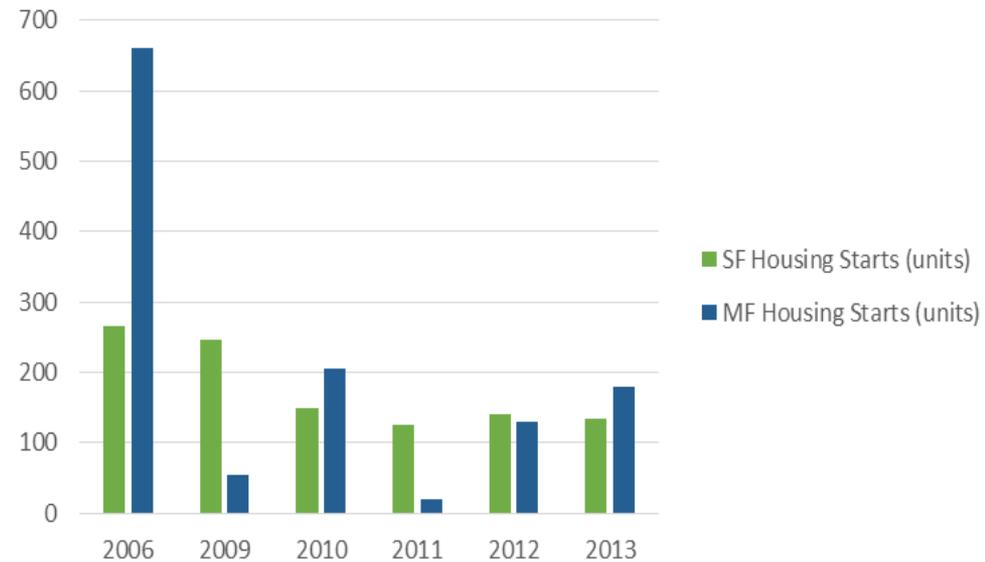
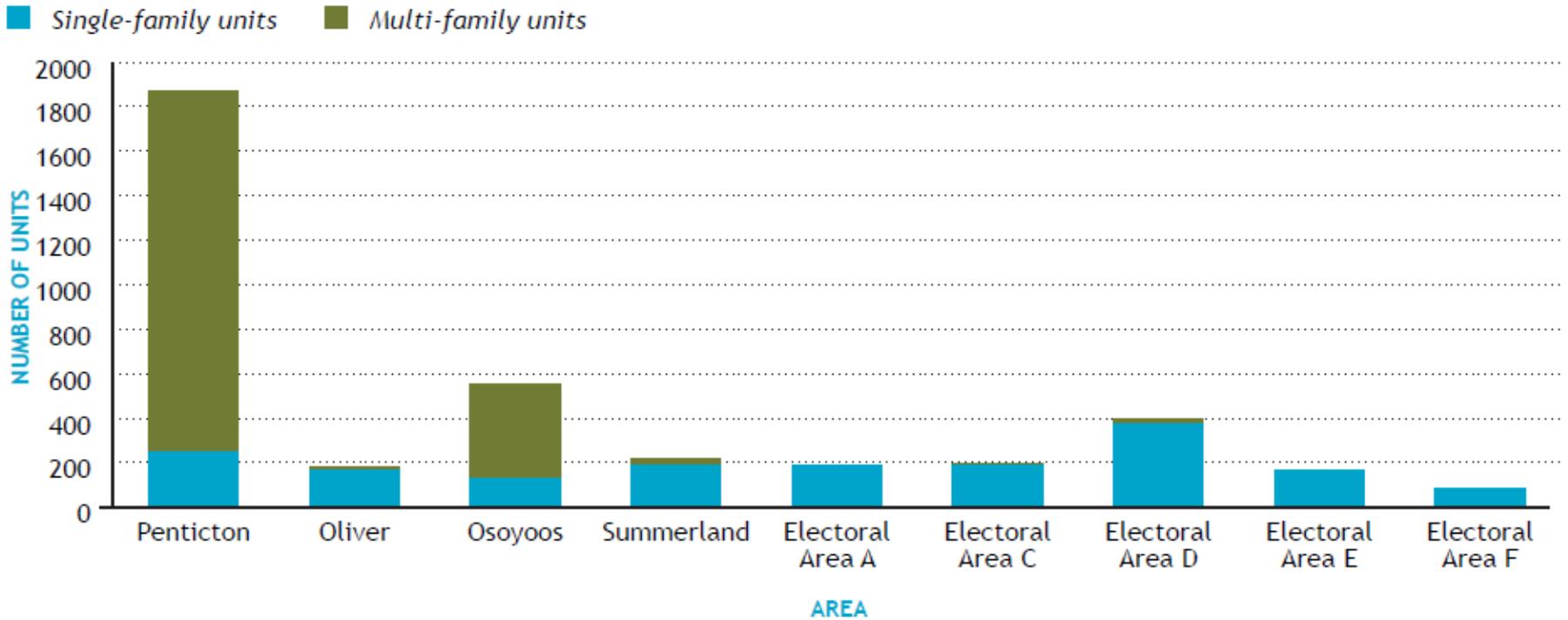


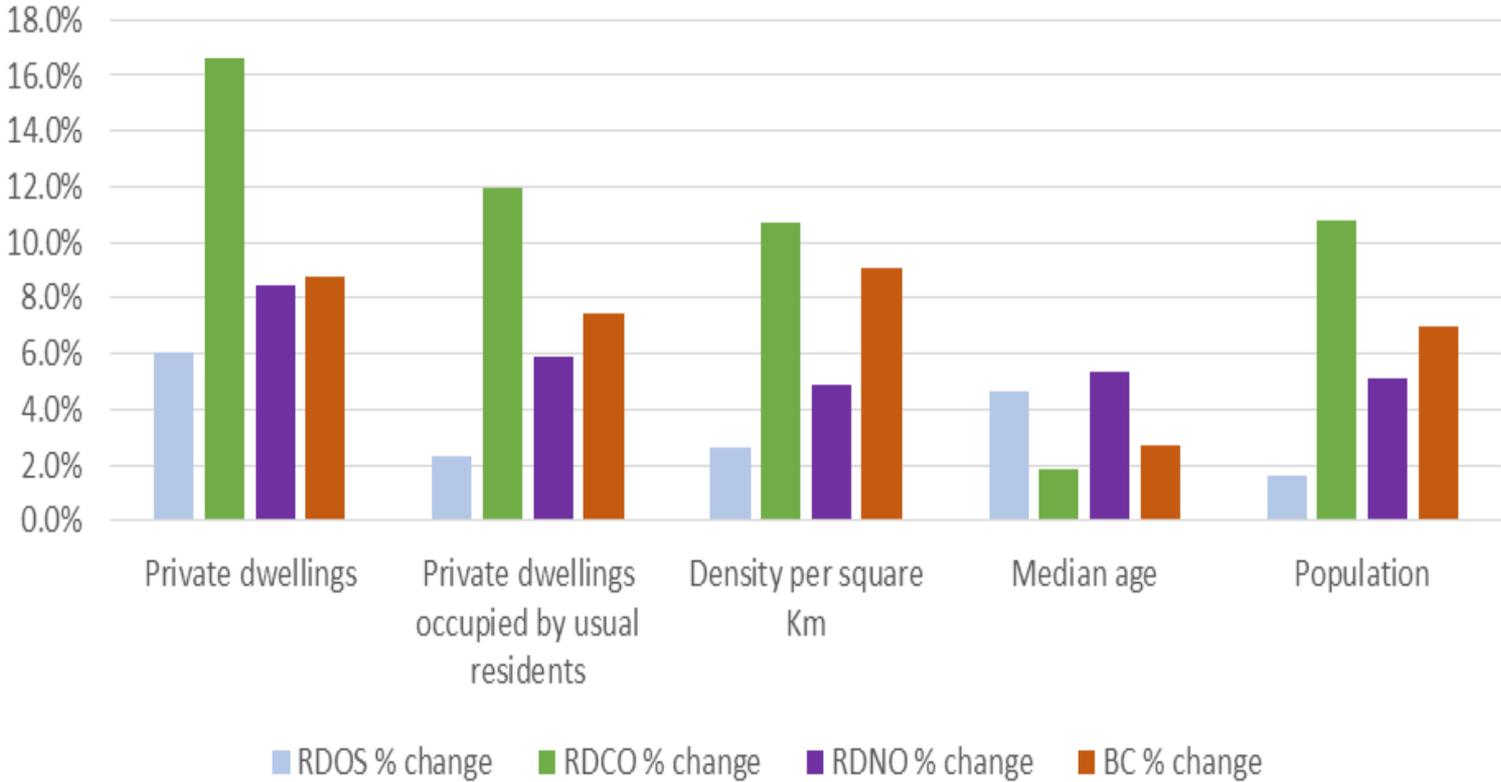
FIGURE 10: Housing starts by area (2006 to 2013)



While not included in the Snapshot documents, Figure 10 illustrates the housing starts by area from 2006 to 2013 broken out by single family units and multi-family units. Multi-family includes the total number of individual housing units in the development

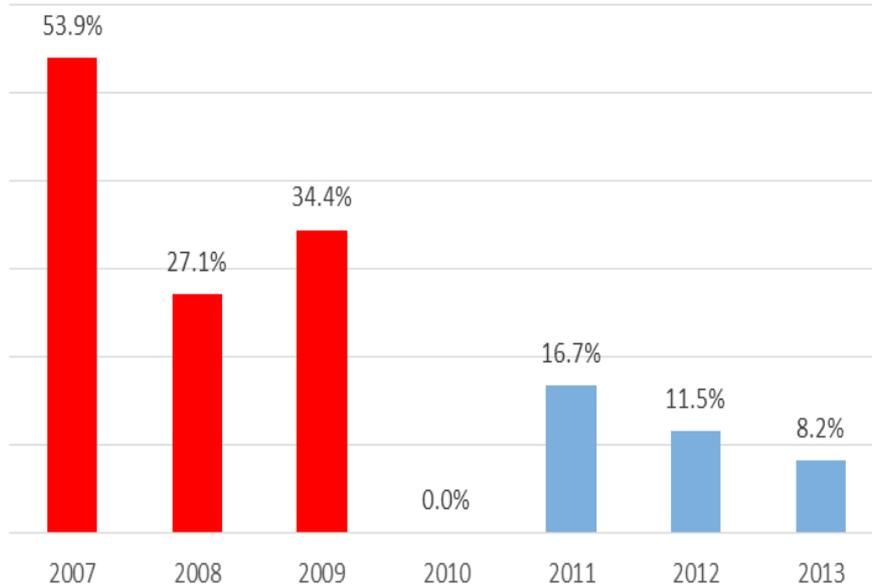
Comparative growth: Additional analysis

General Comparison (% change: 2006 -2011)

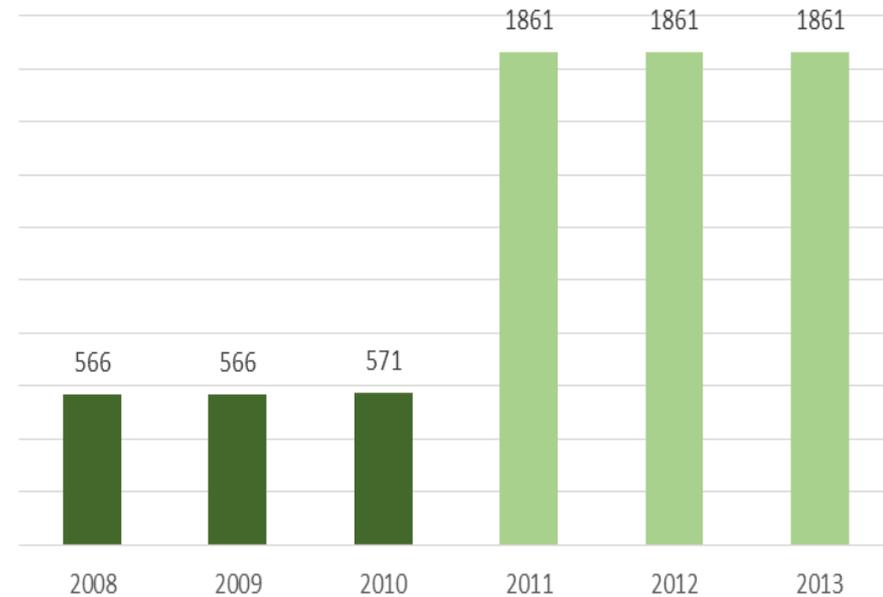


“Snapshot” overview

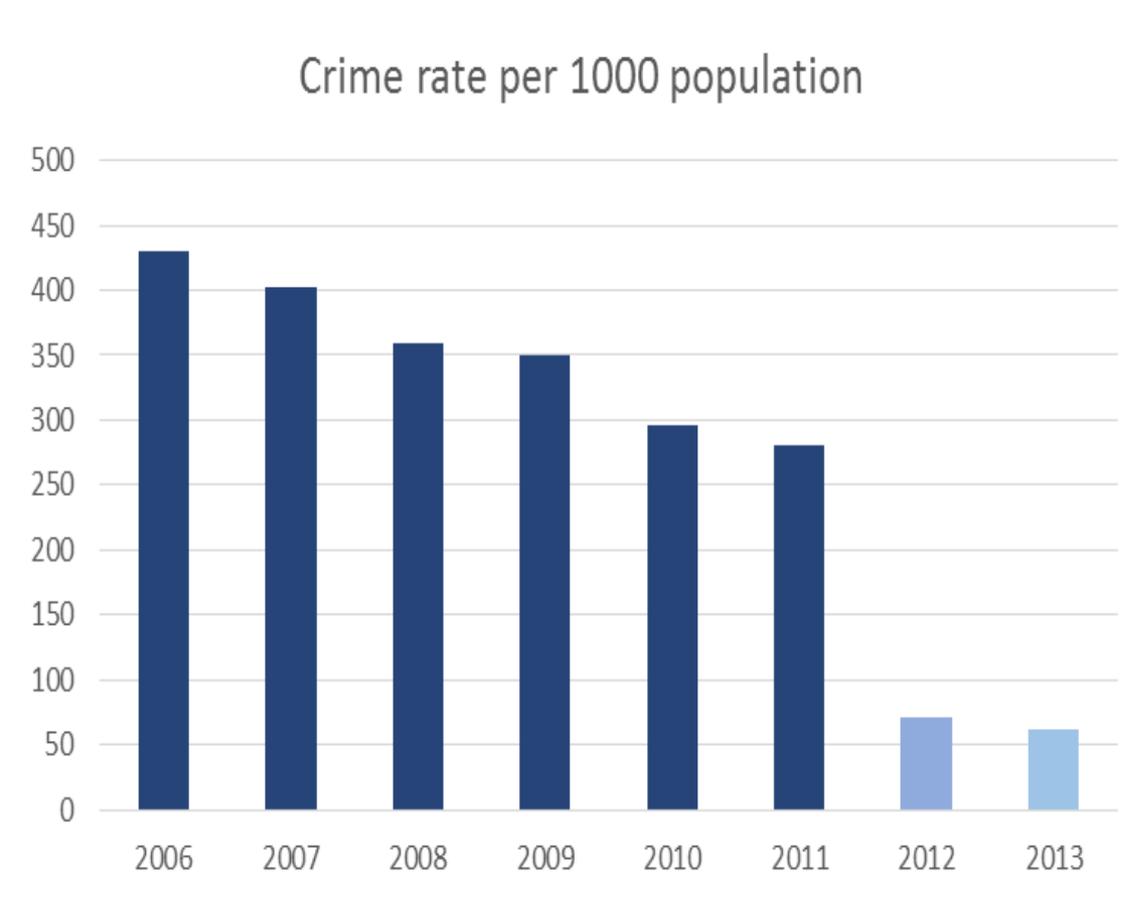
Public funding for the arts (% of budget)



Total length of trails (km)

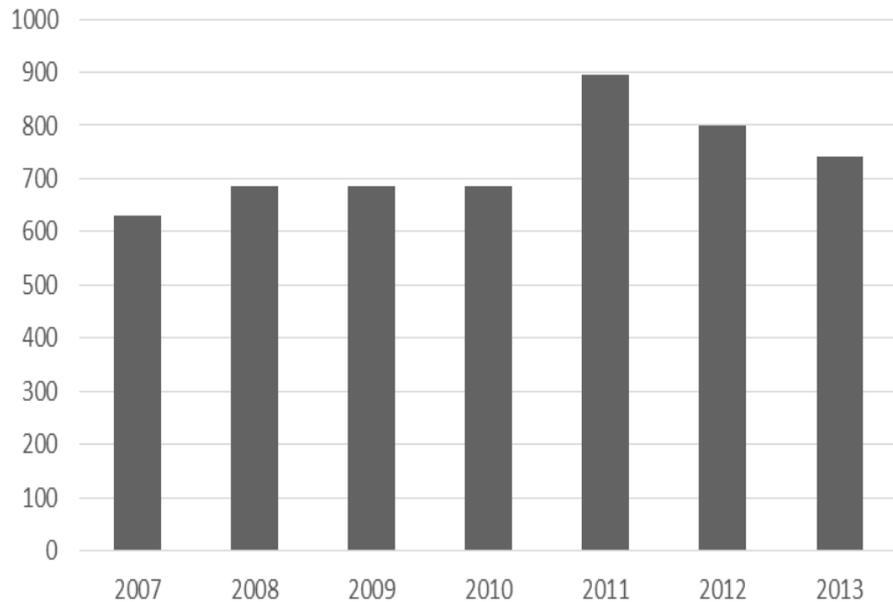


“Snapshot” overview

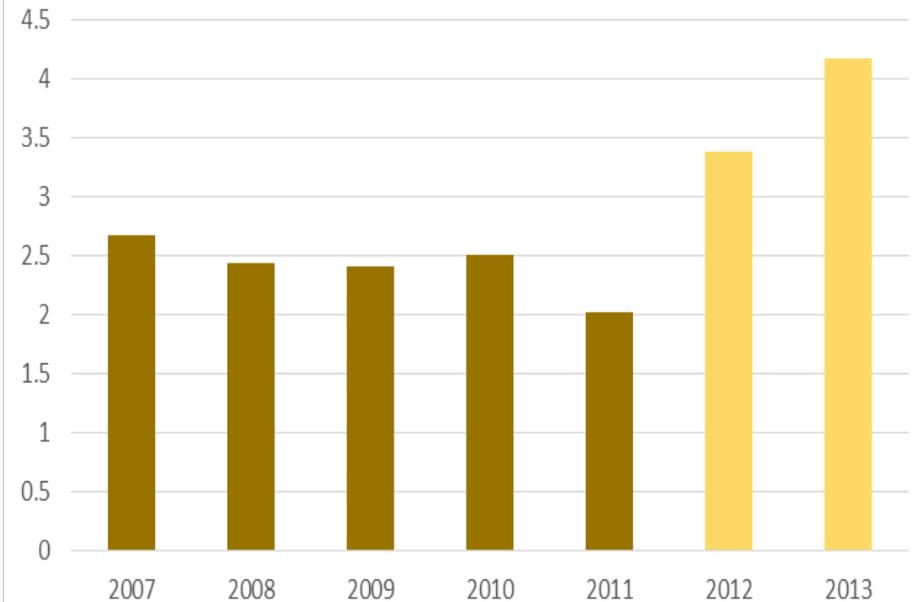


“Snapshot” overview

Per capita water consumption (litres)



Average daily waste (kg/day/ person)



Evaluation of policies (clarity, consistency, redundancy)

Policy Area	# Sub-policies	KEEP	REVISE	DELETE
Human Settlements	33	9 (27%)	17 (52%)	7 (21%)
Environment	28	6 (21%)	16 (57%)	6 (21%)
Social	25	3 (12%)	16 (64%)	6 (24%)
Infrastructure	24	3 (13%)	16 (67%)	5 (21%)
Economy	23	3 (13%)	13 (57%)	7 (30%)
Governance	10	1 (10%)	7 (70%)	2 (20%)
TOTALS	143	25 (17%)	85 (59%)	33 (23%)

So, where are we?

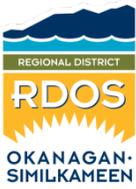
- RGS fundamentally sound and important
- Opportunity to improve the RGS and its monitoring program
- **Recommend** “minor amendment” to:
 - Clarify overall organization
 - Simplify chapter, goals and sub-policies
 - Improve readability
 - Revise and re-organize sub-policies
 - Improve monitoring and evaluation to better illustrate goals

Population & Demographics: Additional analysis

- Comparative growth rate: 2001 - 2011

Ten year rate	
RDOS	5.2%
Oliver	12.7%
Osoyoos	11.1%
Penticton	6.1%
Summerland	5.4%
Electoral Areas	0.6%





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, December 17, 2015

10:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

KVR Trail – Mark Woods, Manager of Community Services to provide a brief presentation.

For Information Only

B. ADJOURNMENT



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, December 17, 2015

10:30 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

B. DELEGATION

(For information only)

1. Mr. Hugh Hamilton from Summit Environmental Consultants will report on the Similkameen Valley Watershed Plan
-

C. Carmi Cart Service Pilot

RECOMMENDATION 1

THAT the RDOS implement curbside service for the Carmi service area

D. ADJOURNMENT

ADMINISTRATIVE REPORT



TO: Environment and Infrastructure Committee
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Carmi Cart Service Pilot

Administrative Recommendation:

THAT the Regional District of Okanagan-Similkameen implement curbside service for the Carmi service area.

History:

During the implementation of the Curbside Collection program in 2002, a delegation of residents from the Upper Carmi successfully petitioned the Board to set up a garbage and recycling drop off depot rather than implement curbside collection for their area. Their main concern was that unattended garbage would attract bears and put children at risk.

Since that time the RDOS has maintained a unique service for Carmi residents. Currently every Wednesday from 6:30 am to 6:30 pm, bins for both garbage and recycling are placed outside the gates of the BFI Canada yard at 1195 Commercial Way in Penticton. Residents are asked to only place two bags of garbage but there is no attendant and other residents and businesses often use the bins. Yard waste collection is not provided to these residents but they do get bulky item pickup.

In 2011 our Bear Aware coordinator conducted an assessment of the Upper Carmi residents. In general most people liked the drop-off depot system. Some people would have preferred curbside collection with bear-proof bins.

In 2014 the RDOS signed a contract with Multi-Material BC (MMBC) to provide collection service for single family homes. This contract requires collection of materials and does not allow the RDOS to receive payment for homes that use the Carmi depot system.

Analysis:

The Upper Carmi Service has traditionally been a similar price to service per home to curbside collection. This was partially due to Carmi residents not receiving yard waste collection. With the MMBC incentive not being available for the Carmi depot, this program is now more expensive. In 2015 the cost to service Carmi residents will be \$26.54 per home more than other residents in Kaleden and Heritage Hills although residents pay the same fee for service.

Additional concerns for continuing the depot service include illegal dumping from non-Carmi residents, contamination of garbage in recycling and continued complaints from residents upset that they have to drive to dispose of their refuse during set times.

The Upper Carmi area only has 87 homes so the net additional cost on the Budget for '3550 Recycling/Garbage Areas D/E/F' as compared to providing collection service will be \$2309 for 2015.

Residents in the Carmi area would be required to place waste out on the day of collection, use a wildlife proof cart or place garbage in a wildlife proof enclosure to limit issues with dangerous wildlife. This is the same requirement for all Area 'D', 'E' and 'F' curbside customers. If the Board endorses the recommended motion, Staff will develop a communications and implementation plan to allow for Carmi residents to prepare for the change to curbside collection sometime in early 2016.

Respectfully submitted:

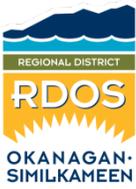
"insert digital signature; or name in italics"

C. Baughen, Solid Waste Management Coordinator

Endorsed by:

Roger Huston

R. Huston, Public Works Manager



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, December 17, 2015

11:45 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

B. Board Evaluation Policy

a. The Board of Directors Survey Question Set

C. RDOS 50th Anniversary Presentation – For Information Only

D. Regional District Chair/CAO Forum – Issue Identification

E. ADJOURNMENT

POLICY: Board and Chair Evaluation Policy

PURPOSE:

1. Determine Board Member comfort with the operation of the Board of Directors of the Regional District of Okanagan Similkameen (RDOS) and opportunities to assist them to fulfill their role.
2. Measure how the Board functions as a governance body and test how the Board interacts with senior management.
3. Provide a systematic and ongoing method of assisting board members in assessment of the Board's competence, scope of operation and responsibilities.
4. Provide a systematic and ongoing method of assisting board members in assessment of the Chair's performance.
5. Provide a statistical indication of where the Board or Chair may have opportunities for improvement.

AUTHORITY:

6. Board Resolution _____;

POLICY:

7. Board Members hold positions of privilege. It is their obligation to discharge their duties in a manner that recognizes a fundamental commitment to the wellbeing of RDOS, their fellow board members and have regard for the integrity and success of the Corporation.
8. It is the policy of the RDOS that, in order to meet the set responsibilities and obligations to the Board's goals and objectives, the Board shall develop a system of annually assessing the function and performance of the Board and the Chair to identify opportunities for improvement.

DEFINITIONS AND INTERPRETATIONS:

9. "Board" means the Board of Directors for the Regional District of Okanagan Similkameen.

10. “CAO” means the Chief Administrative Officer of the RDOS, duly appointed by resolution of the Board of Directors.
11. “Chair” means the person elected as Chairperson of the Board of Directors for the RDOS.
12. “RDOS” means the Regional District of Okanagan Similkameen.
13. “Governance” means the process of exercising corporate leadership by the policy-making authority on behalf of the organization as a whole in terms of its purpose, control, and future.
14. “Member” means an individual member of the Board of Directors.
15. Where there is any conflict between the policies and procedures adopted by the RDOS or Bylaws of RDOS, policies and procedures set forth in a collective agreement adopted by the Board, or policies and procedures set forth in a statute of the Provincial or Federal Government, the bylaws, collective agreement or statute shall supersede such other policies.

APPLICATION:

16. This policy applies to the Board and the Chair.

RESPONSIBILITIES:

The Board shall:

17. Govern the RDOS consistent with its Board Mandate, Bylaws, and Guiding Principles.
18. Provide a means of meeting self-improvement requirements for the Board and the Chair.
19. Consider any amendments to the Policy recommended by the Corporate Services Committee.

Individual Board Members shall:

20. Participate in all surveys developed to evaluate the Board's operation and processes, the Board and the Chair.
21. Commit to self-improvement and professional development opportunities necessary to fulfill their role or position on the Board.
22. Function within their expertise and utilize their strengths to the benefit of RDOS and the organization as a whole.

The Corporate Services Committee shall:

23. Administer the Board & Chair Evaluation Policy and be the repository for results of all surveys.
24. Maintain the confidentiality of survey results.

The CAO shall:

25. Participate in the evaluation of the Board and the Board Chair.
26. The Office of CAO shall assist the Corporate Services Committee with the distribution of survey forms and administering the review of survey results.

CRITERIA:

27. The Board Evaluation System will address the areas of critical importance to the success of the RDOS and should include the following:
 - **Governance:** Appraisal of the Board's success in focusing the organization on achieving the Corporate Vision and the Decision-making model;
 - **Stewardship:** Surveying the effectiveness of the Board's oversight of the structure and processes of the Regional District;
 - **Ethical Leadership:** Evaluates the Board's conduct and ethics;
 - **Accountability:** Assesses the Board's performance and its oversight/interaction of the CAO's organizational effectiveness;

METHODOLOGY:

28. The RDOS shall conduct an electronic evaluation of the Board/ Board Chair in survey format on an annual basis

PROCEDURE:

The Corporate Services Committee shall:

Board Evaluation Survey:

29. Identify the competencies required for the Board to govern the corporation successfully.
30. Develop an electronic survey tool to allow the Members to measure the Board's success against the competencies, and review those questions annually.
31. Instruct the CAO to distribute an email with a link to the survey in December of each year for participation by all Members and the CAO.
32. This survey is attributable. Survey participants shall be advised to open the survey link, complete the survey electronically, identify themselves on the survey and file the completed survey in the survey data base for analysis and report.
33. The CAO, or his designate, shall provide the Corporate Services Committee with an analysis and report on the results of the Survey, both quantitative and qualitative, in- camera at the January Corporate Services Committee Meeting.
34. Information obtained or disclosed during the evaluation process shall be confidential to the Board and will not be used or disclosed except as defined per the Policy.
35. The Survey shall identify the competencies required for the Chair to lead the Board successfully.

THE BOARD OF DIRECTORS SURVEY QUESTION-SET

This survey is administered by the Corporate Services Committee; is distributed for participation by all Board Members and the CAO; is attributable; and, results are exclusive to the Participants.

GOVERNANCE:

The Board:

1. Is actively involved in the creation and periodic review of the Guiding Principles of RDOS.
2. Approves the annual Business Plan, including clear objectives, and the Budget.
3. Is proactive and anticipatory in its planning processes, rather than being reactive and passive.
4. Understands and monitors the most significant risks and opportunities facing the organization.
5. Has established its own effective governance framework and practices.
6. Understands and ensures compliance with all legislation, regulation and financial covenants.
7. Provides strategic leadership to RDOS.
8. Is committed to establish best practices in Corporate Governance with regard to its responsibilities
9. Has specifically delegated authority to the CAO by clearly understood resolution
10. Has a well-defined decision-making process and is regularly provided the information necessary to fully carry out its oversight responsibilities.

STEWARDSHIP:

The Board:

11. Formally evaluates the performance of the CAO annually.
12. Reviews and ensures the adequacy and scope of director compensation on a regular basis.
13. Sets financial policies and strategy, and monitors the financial health and performance of the RDOS.
14. Monitors actions to maintain a high state of stakeholder relations and engagement.
15. Monitors actions to ensure that RDOS has a strong customer satisfaction orientation.
16. Regularly reviews and approves the financial reports, disclosures and statements of RDOS.

ETHICAL LEADERSHIP, CONDUCT, VALUES, SOCIAL RESPONSIBILITY:

The Board:

17. Ensures that Board Members are oriented on code of conduct and conflict of interest.
18. Has an effective and transparent monitoring of conflict of interest issues.
19. Understands and takes into account the impact of its decisions on all stakeholders.
20. Approves and monitors policies and objectives for RDOS's social, economic and environmental performance.

INTERNAL ORGANIZATION AND MONITORING:

The Board:

21. Has clear terms of reference for Board Committees
22. Members clearly understand the governance role of the Board and the duties and responsibilities of the CAO.
23. Evaluates its performance on a regular basis.
24. Operates smoothly and respectfully as a team unit.

BOARD MEETINGS/STRUCTURE:

The Board:

25. Meets on a planned schedule using an annual calendar aligned with planning and reporting cycles
26. Meetings are well planned and conducted efficiently.
27. Has access to outside professional advice when required.
28. Focusses deliberations and discussions at Board meetings on strategic and priority issues.
29. Has open, respectful discussions at Board meetings and airs opposing views effectively.
30. Decisions are wise, timely, useful, and consistent with approved objectives and policies.
31. Agendas and minutes are timely, clear and useful.
32. Receives effective administrative support.
33. Receives the right information it needs to fulfill its responsibilities, including Board packages.
34. Has effective and open communication between Board members.
35. Has effective and open communication between Board and Management.
36. Has a good working relationship with CAO/Management
37. Has the right committee structure and makes effective use of committees.
38. Members prepare individually well for meetings and participate in the discussions.
39. Has an effective orientation program for directors.
40. Has a program for director development in place.
41. Empowers and encourages the CAO.
42. Encourages the development of all employees

BOARD CHAIR:

The Board Chair:

General

1. Demonstrates an understanding of the RDOS business and the external environment in which the company operates.
2. Demonstrates an understanding of critical issues of the RDOS business.
3. Works within the mandate provided by legislation and supports the principles of teamwork when acting on behalf of the Board.
4. Fulfills his/her responsibilities and represents the Board well.

Board Activity and Meetings

5. Ensures that each board member has the opportunity to participate in discussions during board meetings.
6. Ensures that information for meetings is available in a timely manner to each board member.
7. Ensures that board meetings are efficient, effective and focused.

Communication

8. Regularly updates and acts as a liaison with Municipal Appointers.
9. Abides by the Communication Policy of the RDOS.
10. Ensures that information and communication with the board is accurate and factual.
11. Communicates to board members when pertinent information develops related to the RDOS.
12. Conducts himself in a manner to enhance the RDOS's reputation and relationship with stakeholders.

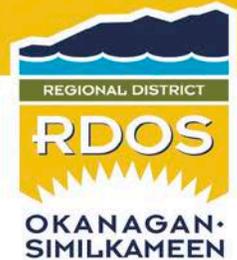
Decision Making

13. Ensures that board members have the information needed to make informed decisions.

Governance

14. Ensures the board stays at a governance level.
15. Addresses issues of compliance with the Code of Conduct or Conflict of Interest policies of the RDOS.
16. Ensures that key elements of the Strategic Plan are highlighted and understood by each board member.

101 Martin Street, Penticton, British Columbia V2A 5J9
Tel: 250.492.0237 Fax: 250.492.0063
Toll Free: 877.610.3737
Email: info@rdos.bc.ca



Leadership and Relationships

17. Facilitate/assists board members to work through conflicts with other board members or management.
18. Works to build consensus and teamwork within the board.
19. Ensures the CAO is aware of board concerns and direction.
20. Fosters a constructive and harmonious relationship with the CEO.

OVERALL RATING OF RDOS BOARD'S PERFORMANCE:

43. How effective is this Board overall in contributing to the success of RDOS?



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, December 17, 2015

1:00 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

That the Agenda for the RDOS Board Meeting of December 17, 2015 be adopted.

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee - November 19, 2015

THAT the Minutes of the November 19, 2015 Corporate Services Committee be received.

b. Protective Services Committee – November 19, 2015

THAT the Minutes of the November 19, 2015 Protective Services Committee be received.

c. RDOS Regular Board Meeting – November 19, 2015

THAT the minutes of the November 19, 2015 RDOS Regular Board meeting be adopted.

d. RDOS Inaugural Board Meeting – December 3, 2015

THAT the minutes of the December 3, 2015 RDOS Inaugural Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

That the Consent Agenda – Corporate Issues be adopted.

2. Consent Agenda – Development Services

a. Development Variance Permit Application – Electoral Area “A”

W. and P. Thompson, 11629 Highway 97

(i) Permit

THAT the Board of Directors approve Development Variance Permit No. D2015.075–DVP.

b. Development Permit (with variances) Application – Electoral Area “D”

Vintage Views Developments Ltd.

(i) Permit

(ii) Responses

THAT the Board of Directors approve Development Permit No. D2015.119-HDP

c. Development Variance Permit Application – Electoral Area “H”

Terre Securities Ltd, 5058 Highway 3 + 110 Thistle Rd.

(i) Permit

THAT the Board of Directors approve Development Variance Permit No. H2015.116-DVP; and,

THAT the applicant registers on title private easements, as part of the subdivision referral Sub-H14-00794.065, to protect the rights and use of the groundwater wells for the proposed parcels.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

That the Consent Agenda – Development Services be adopted.

B. DEVELOPMENT SERVICES – Building Inspection**1. 10011 – 87th Street, Area “A”****Building Violation**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot 9, Plan KAP18700, District Lot 2450s, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

**2. 500 Covert Place, Area “C”
Building Violation**

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot A, District Lots 117s, 916s, 1043s, 1761 & 1985, Plan 10566, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and,

THAT injunctive action be commenced.

**3. 200 Covert Place, Area “C”
Building Violation – Expired Permit #18197 (convert farm building to winery with restaurant and store)**

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot A, District Lots 117s, 916s, 1043s, 1761 & 1985, Plan 10566, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and,

THAT injunctive action be commenced.

**4. 5571 Dogwood Lane, Area “C”
Building Violation**

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot 1, Plan KAP12741, District Lot 2450s, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

**5. 1612 Highway 97, Area “D”
Building Violation**

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot A, Plan KAP21205, District Lot 10, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

**6. 3875 McLean Creek Road, Okanagan Falls, Area “D”
Building Violation – Expired Permit 17611 (Place manufactured home)**

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot 2, Plan KAP90243, District Lot 464, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

**7. 3875 McLean Creek Road, Okanagan Falls, Area “D”
Building Violation – Expired Permit 18589 (woodstove)**

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot 2, Plan KAP90243, District Lot 464, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and,

THAT injunctive action be commenced.

**8. 3051 Green Mountain Road, Area “D”
Building Violation (Permit #17743)**

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as the Mostly Southern 30 Chains of District Lot 2513s, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. OCP & Zoning Bylaw Amendment Application — Electoral Area “A”

S. Cooper, 8902 160th Avenue

- a. Bylaw No. 2450.07, 2014
- b. Bylaw No. 2451.13, 2014
- c. Responses Received

To rezone part of a parcel in order to allow for an 8 lot subdivision

RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors rescind first, second and third reading of Bylaw No. 2450.07, 2014, Electoral Area “A” Official Community Plan Amendment Bylaw and Bylaw No. 2451.13, 2014, Electoral Area “A” Zoning Amendment Bylaw, and abandon the bylaws.

2. Zoning Bylaw Amendment — Electoral Area “C”

J. & L. Philipps, 1140 Green Lake Road, Willowbrook

- a. Bylaw No. 2453.26, 2015
- b. [Public Hearing Report – (November 23, 2015)]
- c. Responses Received

To allow for the subdivision of the 6.07 ha subject property into two new parcels approximately 3.0 ha in area

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2453.26, 2015, Electoral Area “C” Zoning Amendment Bylaw be read a third time and adopted.

3. Land Use Contract Discharge and Termination; and Heritage Hills and Lakeshore Highlands, Electoral Area “D-2”

- a. Bylaw No. 2455.19, 2015
- b. Bylaw No 2455.20, 2015
- c. Bylaw No. 2603.06, 2015
- d. Public Hearing Report – December 9, 2015
- e. PH Responses Received

To remove Land Use Contract (LUC) No. LU-3-D from those parcels comprised within the “Lakeshore Highlands” and “Heritage Hills” neighbourhoods of Electoral Area “D-2”

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2603.06, 2015, Electoral Area “D” Official Community Plan Amendment Bylaw be read a third time and adopted;

THAT Bylaw No. 2455.20, 2015, Electoral Area “D” Land Use Contract Discharge and Zoning Amendment Bylaw be read a third time and adopted;

AND THAT Bylaw No. 2455.19, 2015, Electoral Area “D” Lakeshore Highlands and Heritage Hills Land Use Contract Termination and Zoning Amendment Bylaw be read a third time

4. Development Variance Permit Application — Electoral Area “A”

D. & D. Klassen, 2415 89 Street, Osoyoos

- a. Permit

To allow for the construction of a detached RV garage

RECOMMENDATION 15 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors approve Development Variance Permit No. A2015.092 DVP

5. Zoning Bylaw Amendment — Electoral Area “A”

- a. Bylaw No. 2451.20, 2015

To correct a textual error to the LH Zone that occurred as part of the Agriculture Area Plan (AAP) amendments to the Zoning Bylaw adopted in 2014

RECOMMENDATION 16 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2451.20, 2015, Electoral Area “A” Zoning Amendment Bylaw be read a third time.

6. Zoning Bylaw Amendment — Electoral Area “H”

W. Visscher & M. Roffel, 1580 Blakeburn Road

- a. Bylaw No. 2498.09, 2015
b. Public Hearing Report – (November 16, 2015)
c. Responses Received

To rezone the property to a Large Holdings Two Site Specific in order to permit seven (7) principal dwellings

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)

THAT the public hearing report be received.

RECOMMENDATION 18 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2498.09, 2015, Electoral Area “H” Zoning Amendment Bylaw be read a third time and adopted.

D. ENGINEERING SERVICES**1. Scope Additions for the RDOS Office Renovation**

RECOMMENDATION 19 (Weighted Corporate Vote – Simple Majority)

THAT the Board of Directors approve proceeding with the carpet replacement for the 101 Martin Street building for \$58,518 from the energy efficiency funding as part of the current renovation project;

AND THAT the Board of Directors approve the total renovation capital budget of \$610,325

E. PUBLIC WORKS**1. Petition to enter the Okanagan Falls Sewer Service Area**

- a. Bylaw No. 1239.06, 2015

A bylaw to amend the Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw

RECOMMENDATION 20 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 1239.06, 2015, “Okanagan Falls Sewer Service Extension Bylaw” be read first, second, third time; and be adopted.

THAT the Board authorize assent be given on behalf of the electoral area by the electoral area Director pursuant to Section 801.5 of the Local Government Act

2. Petition to enter the Heritage Hills Street Lighting Service

- a. Bylaw No. 2719, 2015

Heritage Hills - Phase II and III Street Lighting Local Service Area Bylaw No. 1454, 1993

RECOMMENDATION 21 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2719, 2015, “Heritage Hills – Phase II and III Street Lighting Local Service Area Amendment Bylaw No. 2719, 2015” ” be read first, second, third time; and be adopted.

THAT the Board authorize assent be given on behalf of the electoral area by the electoral area Director pursuant to Section 801.5 of the Local Government Act

F. COMMUNITY SERVICES – Protective Services**1. UBCM 2016 FireSmart Grant Program**

RECOMMENDATION 22 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors supports the application for the 2016 FireSmart Grant Program for the St Andrews area.

G. COMMUNITY SERVICES – Recreation Services**1. Oliver Parks and Recreation Management Agreement - Renewal**

RECOMMENDATION 23 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors renew the Oliver Parks and Recreation Management Agreement for a period of 5 years; and further,

THAT the Board authorize the Chair and Chief Administrative Officer to execute the agreement

H. COMMUNITY SERVICES – Rural Projects**1. Fairview Heritage Townsite Licence of Occupation - Renewal**

RECOMMENDATION 24 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors renew the License of Occupation for heritage and ecological cultural discovery centre purposes over Lots 6-11 of Plan 7235 together with Lots 4 and 5 of Plan 5881 all of Section 12, Township 54, Osoyoos Division Yale District, containing 31.3 hectares, for a period of 30 years; and further,

THAT the Board authorize the Chair and Chief Administrative Officer to execute the License of Occupation

I. FINANCE**1. 2015-2019 Five Year Financial Plan Amendment**

- a. Bylaw No. 2686.01, 2015

This is the final amendment of the 2015 Five Year Financial Plan

RECOMMENDATION 25 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw 2686.01, 2015 Regional District of Okanagan Similkameen 2015-2019 Five Year Financial Plan Amendment Bylaw be read a first, second and third time and be adopted

2. Bylaw 2722, 2015 Revenue Anticipation Borrowing Bylaw

- a. Bylaw No. 2722, 2015

The tax requisition funds are transferred from the Province on August 1, 2016. As such, the Regional District may be required to borrow funds to meet the current year's expenditure until these funds are received on August 1, 2016

RECOMMENDATION 26 (Weighted Corporate Vote – 2/3 Majority)
THAT Bylaw No. 2722, 2015 Regional District of Okanagan-Similkameen Revenue Anticipation Borrowing Bylaw be read a first, second and third time and be adopted.

J. OFFICE OF THE CAO**1. Faulder Community Water System – Loan Authorization Bylaw 2712, 2015**

- a. Bylaw No. 2712, 2015

RECOMMENDATION 27 (Weighted Corporate Vote – Simple Majority)
THAT Bylaw No. 2712, 2015 Faulder Community Water System Loan Authorization Bylaw be adopted.

2. Proposed Relocation Proposal of Lake City Casino Penticton.

- a. Proposed Relocation proposal

RECOMMENDATION 28 (Unweighted Corporate Vote – Simple Majority)
THAT the Board of Directors provide a “Letter of No Objection” to the City of Penticton associated with the relocation of the casino.

3. Alternate Approval Process for Willowbrook Water Service Establishment Bylaw No. 2709, 2015.

- a. Notice of approval process – Bylaw No. 2709, 2015
- b. Elector Response Form

RECOMMENDATION 29 (Unweighted Rural Vote – Simple Majority)
THAT the deadline for submitting elector response forms in relation to Bylaw No. 2709, 2015 to the Manager of Legislative Services is no later than 4:30 pm on February 8, 2016; and,

THAT the elector response form attached to the report dated December 17, 2015 be the approved form for Bylaw No. 2709, 2015 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 162; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 16.

4. Advisory Planning Commission Appointment - Electoral Area "F".

RECOMMENDATION 30 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors appoint Hillary Ward as a member of the Electoral Area "F" Advisory Planning Commission for a term ending October 31, 2018.

5. RDOS Bi-weekly Advertisement

Brought forward from the Corporate Services Committee on November 19, 2015: A bi-weekly advertisement in the Penticton Herald and the Similkameen News Leader is being proposed

RECOMMENDATION 31 (Weighted Corporate Vote – Simple Majority)

THAT the Board of Directors approve the award of the 2016 Bi-Weekly RDOS Advertisement to the Penticton Herald/Herald Extra for an amount not to exceed \$4,800 plus applicable taxes and to the Similkameen News Leader for an amount not to exceed \$ 4,600 plus applicable taxes.

6. Committee Appointments

RECOMMENDATION 31

THAT Committee Chairs and Vice Chairs and External agency representation for 2016 remain unchanged from 2015.

K. OTHER BUSINESS

1. CAO Reports

a. Verbal Update

- b. SILGA Call for Nominations
 - c. SILGA Call for Resolutions
-

2. Chair's Report

3. 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*
- k. Sustainable Rural Practice Communities Committee – *Sue McKortoff*

4. Board Members Verbal Update

L. ADJOURNMENT



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, November 19, 2015

9:00 am

Minutes

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 B. Coyne, Electoral Area "H"

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

STAFF PRESENT:

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

N. Lynn, Administrative Assistant
S. Croteau, Manager of Finance

A. APPROVAL OF AGENDA

It was MOVED and SECONDED

THAT the agenda for the Corporate Services Committee Meeting of November 19, 2015 be adopted. - CARRIED

B. RDOS Bi-weekly Advertisement

Vice Chair Jakubeit recused himself from the meeting for this item because he has done some work with one of the proponents.

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Board of Directors approve the award of the 2016 Bi-Weekly RDOS Advertisement to the Penticton Herald/Herald Extra for an amount not to exceed \$4,800 plus applicable taxes and to the Similkameen News Leader for an amount not to exceed \$ 4,600 plus applicable taxes. - CARRIED

C. TRANSFORMING THE ORGANIZATION

D. CAO EVALUATION QUESTION-SET

Due to time constraints, this item was not dealt with.

E. ADJOURNMENT

By consensus, the meeting adjourned at 10:00 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
RDOS Board Chair

B. Newell
Corporate Officer



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, November 19, 2015

10:00 am

Minutes

MEMBERS PRESENT:

Chair A. Jakubeit, City of Penticton	Director R. Hovanes, Town of Oliver
Vice Chair T. Schafer, Electoral Area "C"	Director H. Konanz, City of Penticton
Director F. Armitage, Town of Princeton	Director K. Kozakevich, Electoral Area "E"
Director M. Bauer, Village of Keremeos	Director A. Martin, City of Penticton
Director M. Brydon, Electoral Area "F"	Director S. McKortoff, Town of Osoyoos
Director G. Bush, Electoral Area "B"	Director M. Pendergraft, Electoral Area "A"
Director E. Christensen, Electoral Area "G"	Director J. Sentes, City of Penticton
Director B. Coyne, Electoral Area "H"	Director T. Siddon, Electoral Area "D"
	Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director T. Boot, District of Summerland

STAFF PRESENT:

B. Newell, Chief Administrative Officer	M. Woods, Manager of Community Services
C. Malden, Manager of Legislative Services	D. Kronebusch, Protective Services Supervisor

A. APPROVAL OF AGENDA

It was MOVED and SECONDED

THAT the agenda of the Protective Services Committee meeting of November 19, 2015 be adopted. - CARRIED

B. E911 Fire Radio Upgrade Project

- a. Emergency Radio Telecommunications Study for the Entire RDOS
- b. Emergency 911 Dispatch Service Delivery Review
- c. Planetworks Consulting letter

C. ADJOURNMENT

By consensus, the Protective Services Committee meeting of November 19, 2015 adjourned at 10:49 a.m.

APPROVED:

CERTIFIED CORRECT:

A. Jakubeit
Protective Services Committee Chair

B. Newell
Chief Administrative Officer



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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 11:01 a.m. Thursday, November 19, 2015 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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 B. Coyne, Electoral Area "H"

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

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services
D. Butler, Manager of Development Services
R. Huston, Manager of Public Works
M. Woods, Manager of Community Services

S. Croteau, Manager of Finance
C. Garrish, Planning Supervisor
E. Riechert, Planner
L. Walton, Building Inspection Services Supervisor
L. Bloomfield, Engineer

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 November 19, 2015 be adopted.

CARRIED

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee - November 5, 2015

THAT the Minutes of the November 5, 2015 Corporate Services Committee be received.

b. Community Services Committee – November 5, 2015

THAT the Minutes of the November 5, 2015 Community Services Committee be received.

c. Environment and Infrastructure Committee – November 5, 2015

THAT the Minutes of the November 5, 2015 Environment and Infrastructure Committee be received.

- d. Planning and Development Committee – November 5, 2015
THAT the Minutes of the November 5, 2015 Planning and Development Committee be received.
- e. RDOS Regular Board Meeting – November 5, 2015
THAT the minutes of the November 5, 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. Building Violation.- 10505 62nd Avenue (expired permit)

The Chair asked if the property owner was in attendance to speak to the application, but he was not.

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot A, Plan KAP2179, District Lot 2450s SDYD Portion L 567 Except Plan H13469, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and,

THAT injunctive action be commenced. - **CARRIED**

2. Building Violation.- 210 Highway 97 (expired permit)

The Chair asked if the property owner was in attendance to speak to the application but he was not.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot A, Plan EPP44207, District Lot 103S, SDYD (previously Lot 1, Plan KAP75587, District Lot 103S) that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

C. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Zoning Bylaw Amendment — Electoral Area “A”**

- a. Bylaw No. 2451.20, 2015
- b. Responses Received

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

THAT Bylaw No. 2451.20, 2015, Electoral Area “A” Zoning Amendment Bylaw be read a first and second time. - **CARRIED**

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

THAT pursuant to sub-section 890(4) of the Local Government Act, the Board of Directors resolves to waive the holding of a public hearing for Zoning Amendment Bylaw 2451.20, 2015;

AND THAT pursuant to sub-section 893 of the Local Government Act, staff give notice of the waiving of the public hearing for Zoning Amendment Bylaw 2451.20, 2015. - **CARRIED**

2. Zoning Bylaw Amendment — Electoral Area “C”

Gary & Lorna Klassen, 303 Road 17, Oliver

- a. Bylaw No. 2453.27, 2015

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2453.27, 2015, Electoral Area “C” Zoning Amendment Bylaw be adopted. - **CARRIED**

3. Zoning Bylaw Amendment — Electoral Area “F”

Kevin MacRae, 66 Deans Road

- a. Bylaw No. 2461.08, 2015
- b. Responses Received

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

THAT Bylaw No. 2461.08, 2015, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing. - **CARRIED**

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

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

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

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

4. Land Use Contract Discharge and Termination; and
Heritage Hills and Lakeshore Highlands, Electoral Area “D-2”
- a. Bylaw No. 2603.06, 2015
 - b. Bylaw No. 2455.19, 2015
 - c. Bylaw No. 2455.20, 2015

RECOMMENDATION 10 (Weighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the following bylaws be read a first and second time and proceed to a public
hearing:

- Bylaw No. 2603.06, 2015, Electoral Area “D” Official Community Plan
Amendment Bylaw;
- Bylaw No. 2455.19, 2015, Electoral Area “D” Lakeshore Highlands and
Heritage Hills Land Use Contract Termination and Zoning Amendment Bylaw;
and
- Bylaw No. 2455.20, 2015, Electoral Area “D” Land Use Contract Discharge
and Zoning Amendment Bylaw; and

THAT the Board of Directors considers the process, as outlined in the report from
the Chief Administrative Officer dated November 19, 2015, to be appropriate
consultation for the purpose of Section 879 of the Local Government Act; and

THAT, in accordance with Section 882 of the Local Government Act, the Board of
Directors has considered Amendment Bylaw No. 2603.06, 2015, in conjunction with
its Financial and applicable Waste Management Plans; and

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

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

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

5. Agricultural Land Commission Referral (Non-Farm Use) – Electoral Area “D” - Clive and Leslie McCall, 2026 Highway 97

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS Board “authorise” the application to undertake a non-farm use (“constructed treatment wetland”) at Plan KAP1738B, District Lot 10, SDYD, in Electoral Area “D” to proceed to the Agricultural Land Commission. - **CARRIED**

D. ENGINEERING SERVICES

1. Energy Efficiency Upgrades for the RDOS Office Renovation

It was MOVED and SECONDED

THAT the recommended energy efficient upgrades as recommended in the administrative report dated November 19, 2015 from CAO Newell, being all light fixtures in the amount of \$45,802 and replacement of the roof at \$70,005, be approved; and further,

THAT staff provide options for further improvements to 101 Martin Street. - **CARRIED**

Opposed: Directors Siddon, Konanz, Christensen

It was determined that staff would bring forward other options and quotes on an audio system for the Boardroom to be discussed in a Special Board Meeting later in November 2015.

E. FINANCE

1. Electoral Area “A” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw 2716
 - a. Bylaw No 2716, 2015

RECOMMENDATION 12 (Weighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No 2716, 2015 Electoral Area “A” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw, being a bylaw of the Regional District of Okanagan Similkameen to authorize the expenditure of funds from the Area “A” Community Works Program for the Sasquatch Park Pond project be read a first, second and third time, and be adopted. - **CARRIED**

2. Electoral Area “F” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw 2721
 - a. Bylaw No 2721, 2015

RECOMMENDATION 13 (Weighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No 2721, 2015 Electoral Area ‘F’ Community Works (Gas Tax) Reserve Fund Expenditure Bylaw, being a bylaw of the Regional District of Okanagan Similkameen to authorize the expenditure of funds from the Area “F” Community Works Program for LED lighting on the West Bench Pedestrian Pathway be read a first, second and third time, and be adopted. - **CARRIED**

F. OFFICE OF THE CAO

1. City of Penticton Airport Sanitary Sewer Agreement
 - a. City of Penticton resolution letter
 - b. Contract

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT pursuant to Section 13 of the Community Charter, S.B.C. 2003, Chapter 26, the Regional District Board give consent to the City of Penticton to provide sanitary sewer services, outside of their boundaries, to the Penticton Airport according to their agreement with the Minister of Transport (Canada). - **CARRIED**

G. CAO REPORTS

H. OTHER BUSINESS

1. Chair’s Report

-
2. Board Representation

- a. Municipal Finance Authority (MFA) - *Pendergraft*
- b. Okanagan Basin Water Board (OBWB) – *McKortoff, Martin, Waterman*
 - i. OBWB Board Meeting Highlights
- c. Okanagan-Kootenay Sterile Insect Release Board (SIR) – *Bush*
 - i. Board Report
- 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*
 - k. Sustainable Rural Practice Communities Committee – *Sue McKortoff*
-

3. Directors Motions

- a. Director Schafer – KVR trail through Area “C”

It was MOVED and SECONDED

THAT Director Schafer’s motion

“THAT the Regional District of Okanagan-Similkameen continue to pursue long term tenure over the Electoral Area “C” KVR right of way as a future transportation corridor; and further,

THAT the Regional District of Okanagan-Similkameen also pursue long term tenure on the Okanagan River Channel Trail within Electoral Area “C”.”

be deferred to the December 17, 2015 Board Meeting. - **CARRIED**

Opposed: Directors Coyne, Schafer, Hovanes, Christensen,
McKortoff, Sentes, Bush, Siddon

4. Board Members Verbal Update

I. **ITEMS COMING OUT OF CLOSED SESSION** (from Environment Services Committee November 5, 2015)

Regional District Curbside Collection Contract

RECOMMENDATION 15 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District Board of Directors enter into a contract extension with Progressive Waste from July 1, 2016 to June 30, 2018 for provision of curbside refuse collection for Electoral Areas “A”, “B”, “C”, “D”, “E”, “F” and “G” and the Village of Keremeos; and

THAT the Board of Directors authorize the Chair and Chief Administrative Officer to execute the contract extension with Progressive Waste. - **CARRIED**

Opposed: Director Christensen

J. ADJOURNMENT

By consensus, the meeting adjourned at 12:42 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
RDOS Board Chair

B. Newell
Corporate Officer



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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Minutes of the Inaugural Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 3:30 p.m. Thursday, December 3, 2015 in Suite A, Lakeside Resort, 21 Lakeshore Drive, Penticton, British Columbia.

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 T. Boot, District of Summerland
Director G. Bush, Electoral Area "B"
Director E. Christensen, Electoral Area "G"
Director B. Coyne, Electoral Area "H"

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. Styffe, Alt. Electoral Area "D"
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

Director M. Brydon, Electoral Area "F"

STAFF PRESENT:

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

S. Croteau, Manager of Finance
G. Cramm, Administrative Assistant

1. CALL TO ORDER

Chief Administrative Officer Newell called the meeting to order and advised of the order of business.

2. RDOS CHAIR 2015 ANNUAL YEAR-END REPORT

Director Pendergraft, RDOS Chair for 2015 presented the Chair's Annual Report

3. ELECTION OF 2016 BOARD CHAIR AND VICE CHAIR

3.1 RDOS Board Chair

CAO Newell called for nominations for the position of RDOS Board Chair.

Nomination: Director Jakubeit nominated Director Pendergraft.

Nomination: Director Bauer nominated Director Kozakevich, but she declined the nomination.

Nomination: Director Konanz nominated Director Bauer.

CAO Newell called two more times for nominations. No further nominations were put forward.

It was MOVED and SECONDED

THAT nominations for Board Chair be closed. - **CARRIED**

Nominees were given an opportunity to provide a brief speech.

By consensus, the Board appointed C. Malden and G. Cramm to serve as scrutineers.

CAO Newell announced the results of the secret ballot and Director Pendergraft was elected RDOS Chair for the ensuing year.

3.2 RDOS Board Vice Chair

CAO Newell called for nominations for the position of RDOS Board Vice Chair.

Nomination: Director Boot nominated Director Jakubeit.

CAO Newell called two more times for nominations. No further nominations were put forward.

It was MOVED and SECONDED

THAT nominations for Board Vice Chair be closed. - **CARRIED**

CAO Newell announced that Director Jakubeit was acclaimed as RDOS Vice Chair for the ensuing year.

It was MOVED and SECONDED

THAT the Board of Directors direct the scrutineers to destroy the ballots. - **CARRIED**

4. ADOPTION OF AGENDA**IT WAS MOVED AND SECONDED**

THAT the Agenda for the RDOS Inaugural Board Meeting of December 3, 2015 be adopted. - **CARRIED**

5. LEGISLATIVE ISSUES**5.1 2016 RDOS schedule of Meetings (*Unweighted Corporate Vote – Simple Majority*)****It was MOVED and SECONDED**

THAT the 2016 Regional District of Okanagan-Similkameen Board and Committee Schedule of Meetings as provided in the December 3, 2015 report from the Chief

Administrative Officer, be approved. - **CARRIED**

-
- 5.2 2016 Advisory Planning Commission Schedule of Meetings (*Unweighted Corporate Vote – Simple Majority*)

It was MOVED and SECONDED

THAT the 2016 Meeting Schedule for the Electoral Area Advisory Planning Commissions be accepted. - **CARRIED**

- 5.3 2016 Regional District Signing Authority (*Unweighted Corporate Vote – Simple Majority*)

It was MOVED and SECONDED

THAT the Board of Directors appoint the following Directors as signing officers for the Regional District of Okanagan-Similkameen for the 2016 year:

RDOS Board Chair: Mark Pendergraft

RDOS Board Vice Chair: Andrew Jakubeit

CARRIED

6. ADJOURNMENT

By consensus, the meeting adjourned at 3:50 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Development Variance Permit Application — Electoral Area “A”

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. D2015.075–DVP.

Purpose: To facilitate the construction of an existing accessory building (shop).

Owners: Wyatt and Pamela Thompson Agent: Brad Elenko Folio: A-06039.010

Civic: 11629 Highway 97 Legal: Lot A, Plan KAP12343, District Lot 2450s, SDYD

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

Requested Variances: to vary the minimum rear parcel line setback from 7.5 m to 1.21 m; to vary the minimum interior side parcel line setback from 4.5 m to 0.35 m; and to vary the maximum parcel coverage from 15% to 16.83%, in relation to an accessory building (shop).

Proposed Development:

This application proposes a number of variances to the provisions of Electoral Area “A” Zoning Bylaw No. 2451, 2008, in order to facilitate the construction of a residential shop, specifically:

- to reduce the minimum rear parcel line setback from 7.5 m to 1.3 m;
- to reduce the minimum interior side parcel line setback from 4.5 m to 0.35 m; and
- to increase the maximum parcel coverage from 15% to 16.83%, in relation to an accessory building (shop).

In support of the proposal, the applicant has stated that “The workshop has been on the same location on the property for decades. The height is the same as well as the actual size. It was built on the same footing and is also set on the lowest part of the property ... I started renovating my shop with simple tasks in mind, however the further I got into the reno the more I found [it] unsuitable and it seemed to snowball. I began from the original footprint therefore I did not change any setbacks. I have renovated the shop with the exact same measurements as were originally built. Therefore no sight lines or changes in visualization on the neighbors’ behalf has occurred.”

Site Context:

Approximately 2584 m² in area, the subject property is located on the north side of Highway 97 approximately 350 metres north of the Town of Osoyoos. The subject property contains one single detached dwelling, one accessory dwelling, a partially completed pool, and the subject partially completed shop, which replaced a previously existing residential shop recently removed from the property.

Surrounding land uses are predominantly agriculture; however, there are two low density residential lots within 200 metres of the subject property.

Background:

Under the Electoral Area “A” Zoning Bylaw No. 2451, 2008, the subject property is zoned Agriculture One (AG1), wherein accessory buildings and structures are permitted uses.

On July 15, 2015, while the shop was under construction, the owner was issued a ‘stop work’ order, as the scope of work requires a building permit. On July 20, 2015, the applicant submitted both a building permit application and this DVP application.

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, December 10, 2015.

Alternatives:

- .1 THAT the Board of Directors deny Development Variance Permit No. A2015.079–DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “D” Advisory Planning Commission (APC).

Analysis:

When assessing variance requests a number of factors are generally taken into account and 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 the context of adjacent residential and agricultural properties, one of the intents of rear and side setbacks is to provide physical separation between residential and agricultural uses in order to avoid conflict.

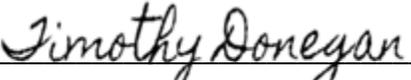
In considering this proposal, the shop is seen to be accessory to the principle dwelling and related to the residential use of the property and therefore consistent with zoning; streetscape characteristics are not seen to be affected, as the shop is approximately 70 metres from the highway; and the impact of the existing shop is unlikely to be any greater than that of the building it replaces.

Conversely, Administration is concerned that there do not appear to be any limiting site constraints on the property that would speak in favour of reducing setbacks (i.e. steep slopes, environmentally sensitive areas, irregular lot lines, etc.); that other options are available to the property owner (i.e. relocating the building); and that reducing setbacks to accommodate construction undertaken without a building permit could create the expectation and/or perception that the Board will approve similar variance requests in future.

Respectfully submitted:

Endorsed by:

Endorsed by:







T. Donegan, Planning Technician

C. Garrish, Planning Supervisor

D. Butler, Development Services Manager

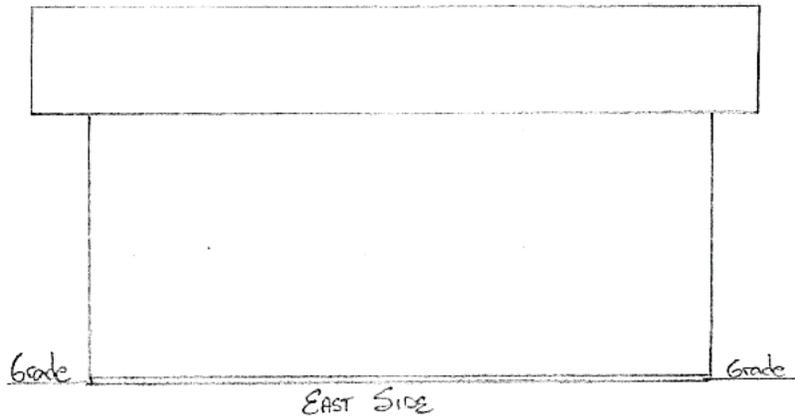
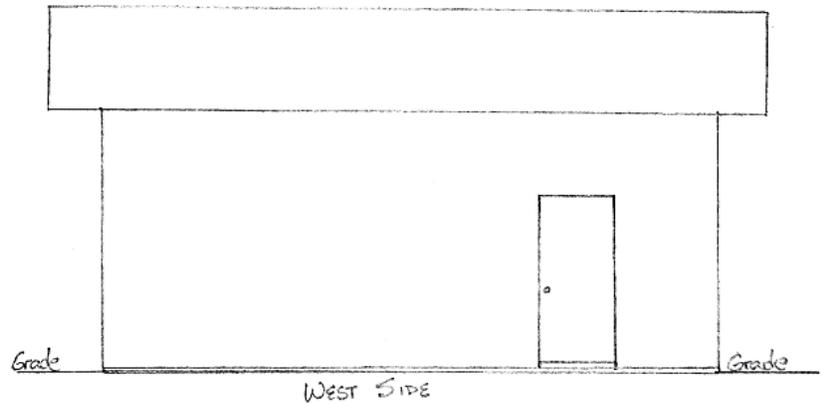
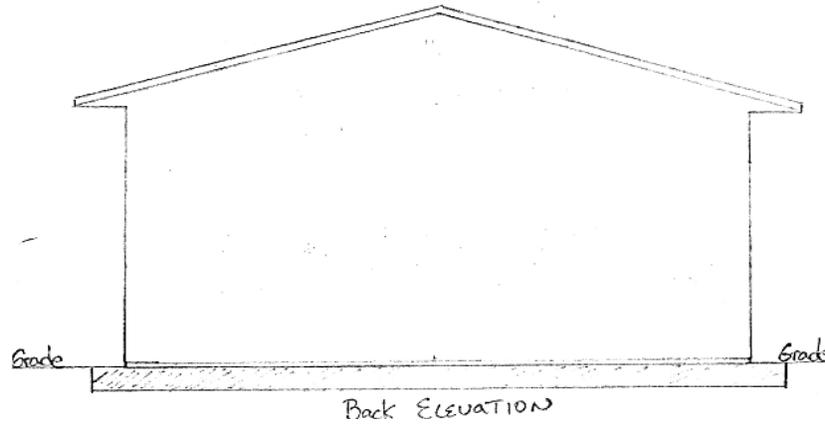
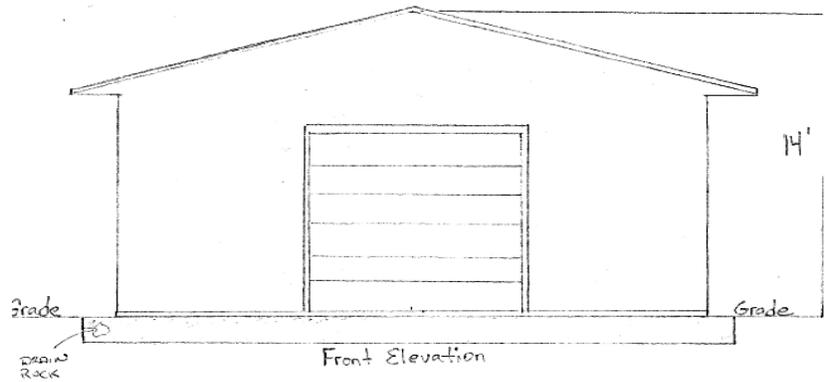
Attachments:

No. 1 – Applicant’s Elevation Drawings

No. 2 – Street View (Google Earth)

No. 3 – Photograph of Shop under Construction

Attachment No. 1 – Applicant's Elevation Drawings



Attachment No. 2 – Streetview (Google Earth)



View of subject property looking north

Attachment No. 3 – Photograph of Shop under Construction





Development Variance Permit

FILE NO.: D2015.079-DVP

Owner: Wyatt and Pamela Thompson
Osoyoos, BC V0H-1V2

Agent: Brad Elenko,
McElhanney Consulting Ltd.
Box 313
Osoyoos, BC V0H-1V0

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot A, Plan KAP12343, District Lot 2450s, SDYD

Civic Address: 11629 Highway 97, Osoyoos

Parcel Identifier (PID): 009-425-705 Folio: A-06039.010

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "A" Oliver Rural Zoning Bylaw No. 2451, 2008, in the Regional District of Okanagan-Similkameen

- a) The minimum rear parcel line setback for an accessory building or structure, as prescribed at Section 10.2.6(a)(ii), is varied :
 - i) from: 7.5 metres
 - to: 1.21 metres, as measured from the outermost projection and as shown on Schedule 'B'.
- b) The minimum interior side parcel line setback for an accessory building or structure, as prescribed at Section 10.2.6(a)(iv), is varied:
 - i) from: 4.5 metres
 - to: 0.35 metres, as measured from the outermost projection and as shown on Schedule 'B'.
- c) The maximum parcel coverage for parcels 2,020 m² or greater in area, as prescribed at Section 10.2.8(b)(i), is varied:
 - i) from: 15%
 - to: 16.83%, as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

- a) Not Applicable

8. **SECURITY REQUIREMENTS**

- a) Not applicable

9. **EXPIRY OF PERMIT**

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

- (a) In accordance with Section 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

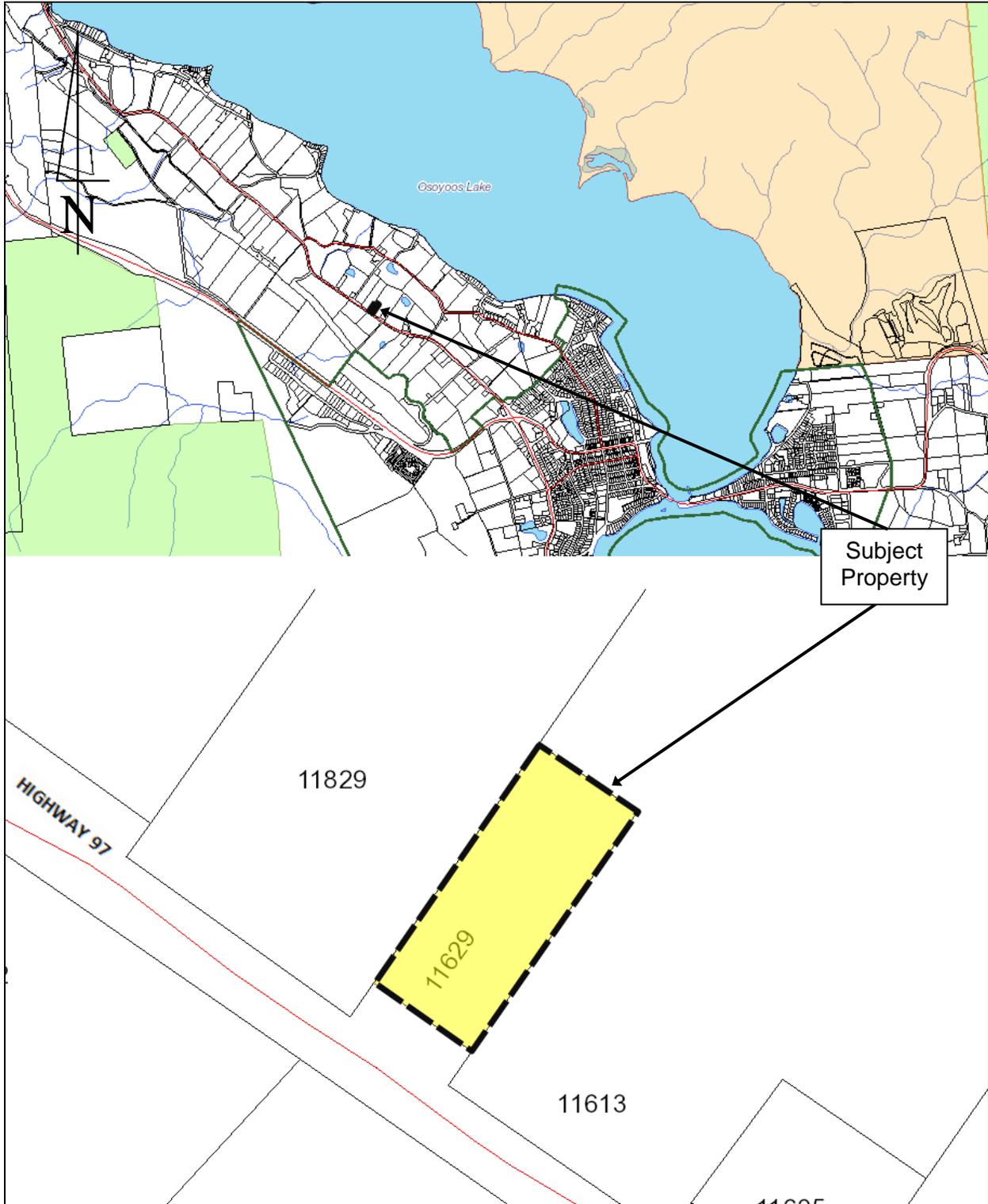
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

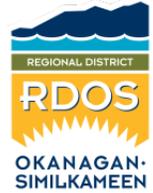
File No. D2015.079-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

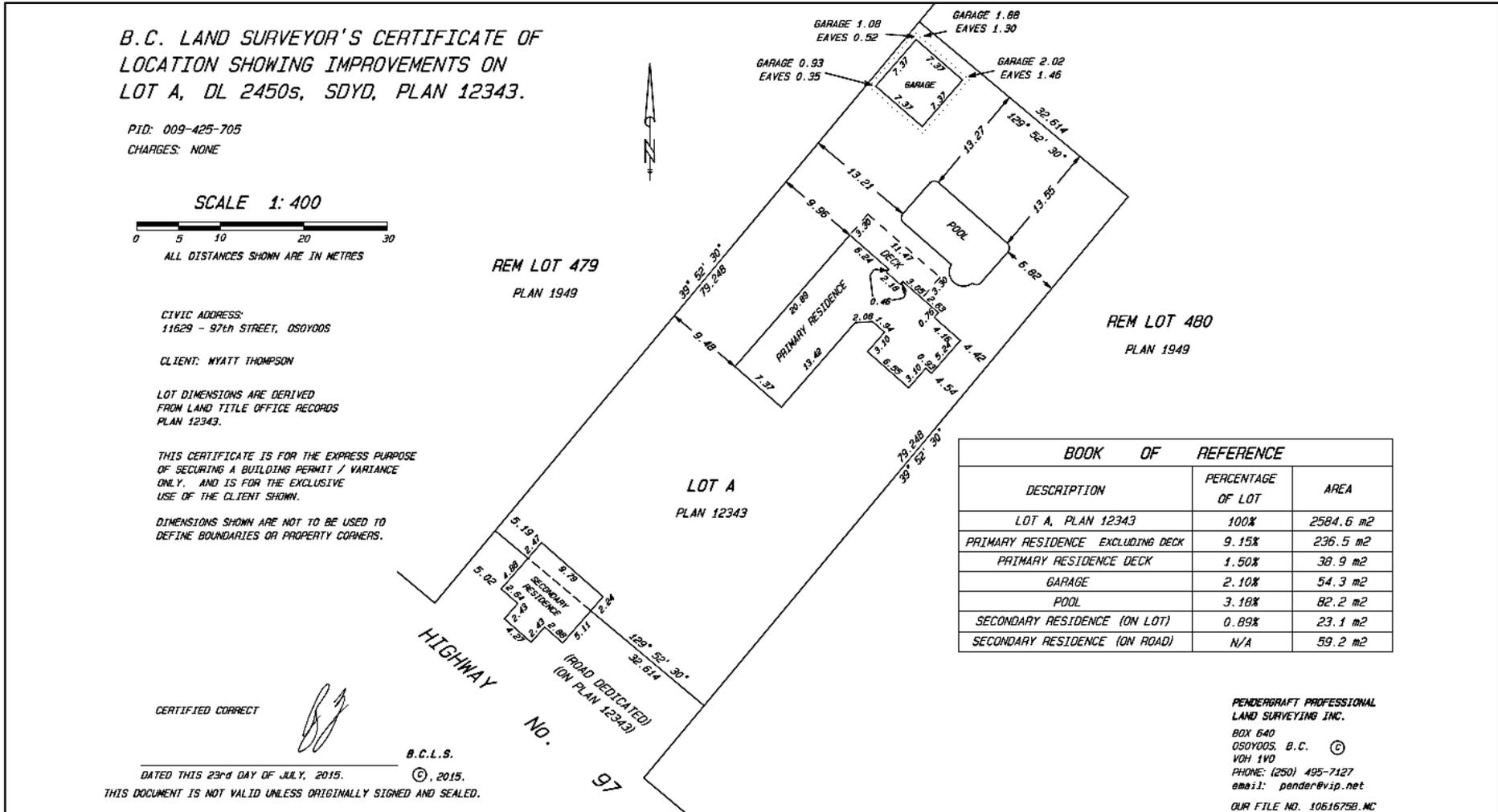
101 Martin St, Penticton, BC V2A 5J9
 Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. D2015.079-DVP

Schedule 'B'



Regional District of Okanagan Similkameen
101 Main Street,
Penticton, B.C.
V2A 5J9

Dear Chair Pendergraft and Board Members:

Re: Development Variance Permit – Wyatt and Pam Thompson
Lot A, Plan KAP12343, DL 2450s, SDYD

I am a neighbor who owns property in close proximity to the Thompson's property and I support their request for a Development Variance Permit. I understand their request is to adjust the maximum parcel coverage and the side setback for the existing accessory structure on the property.

The new garage at the rear of the property simply replaced an old garage that was existing in the same location. I don't feel that a new garage in the same location will have a negative impact on the neighborhood and I don't believe the proposed variances will have a negative impact on the use and enjoyment of my property.

I support the Thompson's DVP application to increase site coverage on their property and reduce the setback requirement to allow a new garage to be built in approximately the same location as the former garage.

Yours Truly,

J. TROVAD

civic address



Regional District of Okanagan Similkameen
101 Main Street,
Penticton, B.C.
V2A 5J9

Dear Chair Pendergraft and Board Members:

Re: Development Variance Permit – Wyatt and Pam Thompson
Lot A, Plan KAP12343, DL 2450s, SDYD

I am a neighbor who owns property in close proximity to the Thompson's property and I support their request for a Development Variance Permit. I understand their request is to adjust the maximum parcel coverage and the side setback for the existing accessory structure on the property.

The new garage at the rear of the property simply replaced an old garage that was existing in the same location. I don't feel that a new garage in the same location will have a negative impact on the neighborhood and I don't believe the proposed variances will have a negative impact on the use and enjoyment of my property.

I support the Thompson's DVP application to increase site coverage on their property and reduce the setback requirement to allow a new garage to be built in approximately the same location as the former garage.

Yours Truly,

Raj Bains

12002 9th Street
civic address 0504005 BC
V0H 1V2



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Development Permit (with variances) Application — Electoral Area “D”

Administrative Recommendation:

THAT the Board of Directors approve Development Permit No. D2015.119-HDP

Purpose: To allow for an 18 lot subdivision in the Hillside / Steep Slope Development Permit Area, and to allow for height variances based on main floor building elevations.

Owners: Vintage Views Developments Ltd **Folio:** D-06799.900

Legal: Lot 1, DL 2710, SDYD, Plan KAP50897, Except Plan KAP51161, and Except Plans KAP5286678 & KAP91255

Zone: Residential Single Family One (RS1)

Requested Variance: To vary height requirements to be based on main floor elevations from natural grade.

Proposed Development:

This application is for a Hillside / Steep Slope Development Permit (HDP), with variances in relation to the development of 18 new lot subdivision encompassing Phase 3 (Chadwell Place) of the Vintage Views subdivision in Heritage Hills.

The intent of this Development Permit is to mitigate impact on steep slopes and the purpose of included variance is to establish building grade elevations for each proposed lot that will be used to calculate height for any new construction. The variance is requested due to the amount of disturbed ground on site.

The applicant has indicated that “all steep slopes to be hydro-seeded for erosion control; no building setback variances are being applied for at this time; no retaining walls are being built, with the exception of the 2 tier wall already constructed on Parsons Rd”.

Site Context:

The subject property is approximately 8.2 ha in size and is situated approximately 285 metres east of Skaha Lake and Eastside Rd. The property is located within the Vintage Views subdivision and is approximately 3 km south of the City of Penticton boundary. An 18 lot subdivision is being developed.

The property has seen substantial earthworks during the construction phase of the proposed subdivision. The property has steep slopes throughout that have been re-contoured to enable the road, infrastructure and building sites to be constructed.

Adjacent neighbourhood characteristics include low density residential to the north, east and west. To the south are several larger agricultural parcels.

The subject property is serviced by the Lake Shore Highland water and sanitary system.

Background:

The subject property is the third and final phase of the overall Vintage Views subdivision development. An application with the Ministry of Transportation to subdivide was submitted before the new OCP Bylaw was adopted, therefore, had a 'grace' period to complete the subdivision prior to meeting the requirements of the new OCP Bylaw 2603, 2013. That one year 'grace' now period is over.

Under the Electoral Area "D" East Skaha, Vaseux Official Community Plan Bylaw No. 2603, 2013, the property is designated within the HDP Area, the objective of which is the protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions. Through the process of reviewing and updating the "D-2" OCP, a Hillside/Steepslope development permit area was developed in response to community's concerns for the Heritage Hills area in particular.

Under the Electoral Area "D" East Skaha, Vaseux Zoning Bylaw No. 2455, 2008, the height of any building is calculated from the natural grade. Due to the amount of material being moved around the subject property in preparation of the development, the ability to use natural grade as a measuring point in order to calculate the height of any new building is unavailable. As part of the required HDP, a variance to the height has been included and will meet all the notifying requirements of a Development Variance Permit.

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 December 10, 2015.

Alternative:

1. THAT the Board of Directors deny Development Permit No. D2015.119-DP; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "D" Advisory Planning Commission (APC).

Analysis:

As there are two separate components to this application, being the DP and variance request, each will be assessed separately below:

HDP Area:

The historical phases and now the current phase of the Heritage Hills subdivision have had a significant impact on the natural environment particularly in regards to steep slopes. The majority of the work was done prior to the HDP in place and as part of final phase of a development several years in construction.

Consequently there is little opportunity to re-direct the site design and development that has already occurred. The HDP guidelines recommend that landscaping should be incorporated to reduce the visual impact of development and that fill and cut slopes exceeding 10.0 metres should be re-vegetated. The applicant has indicated that all the slopes will be hydro-seeded and that building sites

being developed will not require extensive retaining walls. If a building application is received in the future that requires a retaining wall it will be assessed at the time and on its own merits through a separate HDP.

On this basis the proposal is generally seen to be consistent with the Hillside / Steep Slope Development Permit Area guidelines

Requested Variance:

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, the zoning, RS1, permits construction of single family homes and accessory structures. The physical terrain has been altered but is still limiting due to the steepness of slopes and rock outcrops. The streetscape is not yet established for this phase; however, the proposed lots are larger than the strata lots constructed in Phase 2 and would create more open space and setbacks than earlier phases. The streetscape in the general area consists of suburban type development located on fairly steep slopes and bedrock. The older and mature areas have landscaping with trees and shrubs.

Height calculations are normally based on either a finished grade or a natural grade, in this case the applicant has supplied cross sections and elevations for each proposed lot with a 'main floor' elevation corresponding to each lot. The main floor elevation relates to the general level of each building site. The variance for height based on the cross-sections and elevations submitted as part of the application will ensure an equitable base level for any future development.

On this basis, the proposed variance for height is supported.

Respectfully submitted:

E Riechert

E. Riechert, Planner

Endorsed by:

CG

C. Garrish, Planning Supervisor

Endorsed by:

Donna Butler

D. Butler, Development Services Manager



Development Permit

Hillside / Steep Slope (with variances)

FILE NO.: D2015.119-HDP

Owner: Vintage Views Development Ltd

Agent: Ecora Engineering Ltd

GENERAL CONDITIONS

1. This Development Permit is amended 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 Permit is not a Building Permit.

APPLICABILITY

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

Legal Description: Lot 1, District Lot 2710, SDYD, Plan KAP50897 except Plans KAP51161, KAP52868, KAP86678 and KAP91225

Civic Address: Chadwell Place, Okanagan Falls, BC

Parcel Identifier (PID): 018-480-918 Folio: D-06799.900

CONDITIONS OF DEVELOPMENT

6. In accordance with Section 24.6 of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, the land specified in Section 5 may be developed in accordance with the following conditions:
 - a) That all steep slopes will hydro-seeded for erosion protection;

7. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area “D-2” East Skaha, Vaseux Zoning Bylaw No. 2455, 2008, in the Regional District of Okanagan-Similkameen:

a) the maximum height for a building or structure in the Residential Single Family One (RS1) Zone, and as prescribed at Section 11.1.7(a), is varied as follows:

- i) from: 10.0 metres, as measured from natural grade
to: 10.0 metres, as measured from the Main Floor Elevation as shown on table below and as shown on Schedule ‘B’.

b) the maximum height for an accessory building or structure in the Residential Single Family One (RS1) Zone, and as prescribed at Section 11.1.7(b), is varied as follows:

- i) from: 5.5 metres, as measured from natural grade
to: 5.5 metres, as measured from the Main Floor Elevation as shown on table below and as shown on Schedule ‘B’.

Proposed Lot	Main Floor Elevation (metres)
7	439.8
8	438.4
9	433.7
10	429.8
11	428.0
12	426.1
14	423.4
15	421.9
16	420.1
17	417.3
19	418.9
20	421.5
21	423.9
22	425.9
23	427.2
24	428.2
25	429.3
26	430.5

8. **COVENANT REQUIREMENTS**

a) Not applicable

9. **SECURITY REQUIREMENTS**

a) Not applicable

10. **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 amended 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

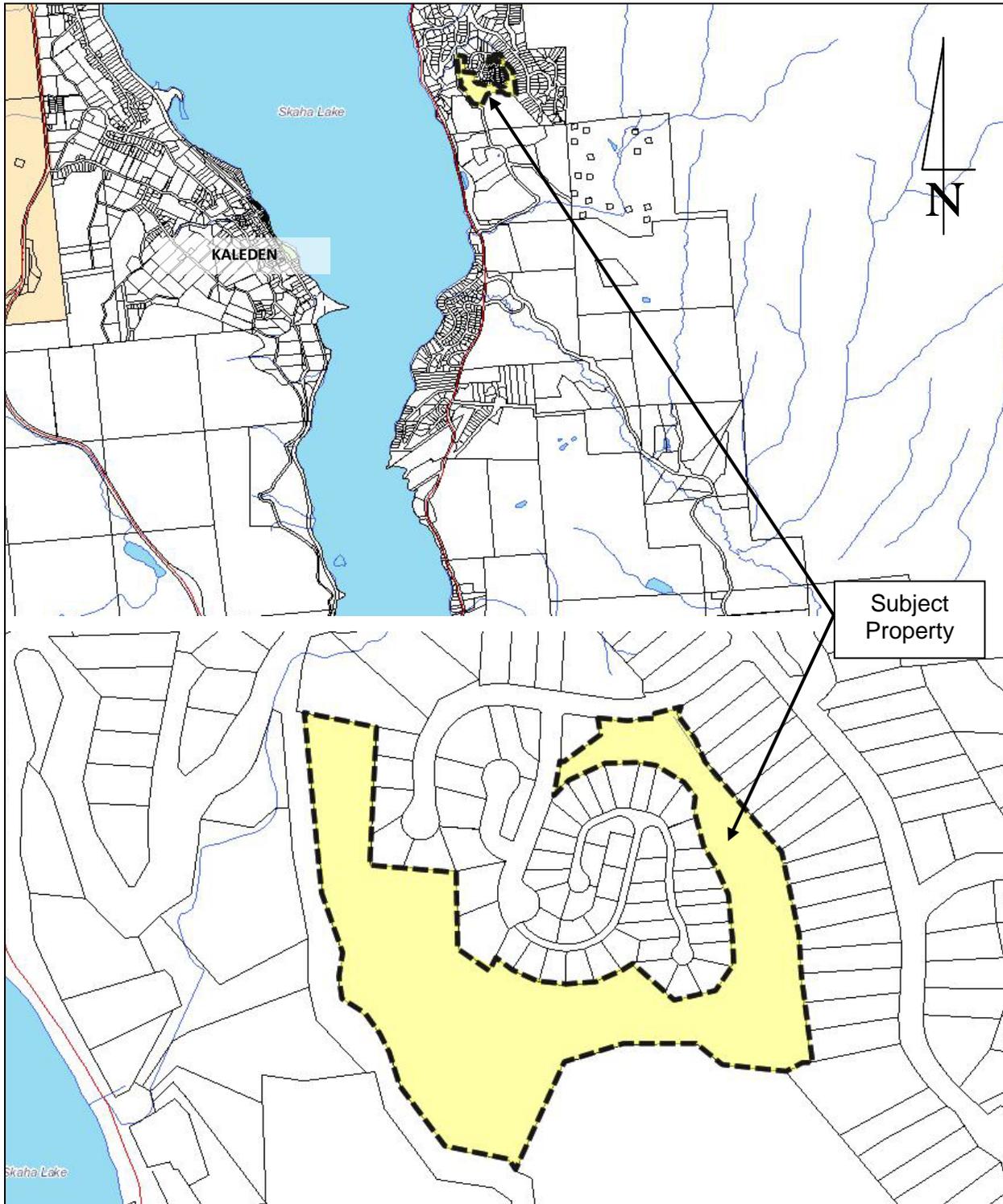
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Hillside / Steep Slope Development Permit (with variances)

File No. D2015.119-DP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

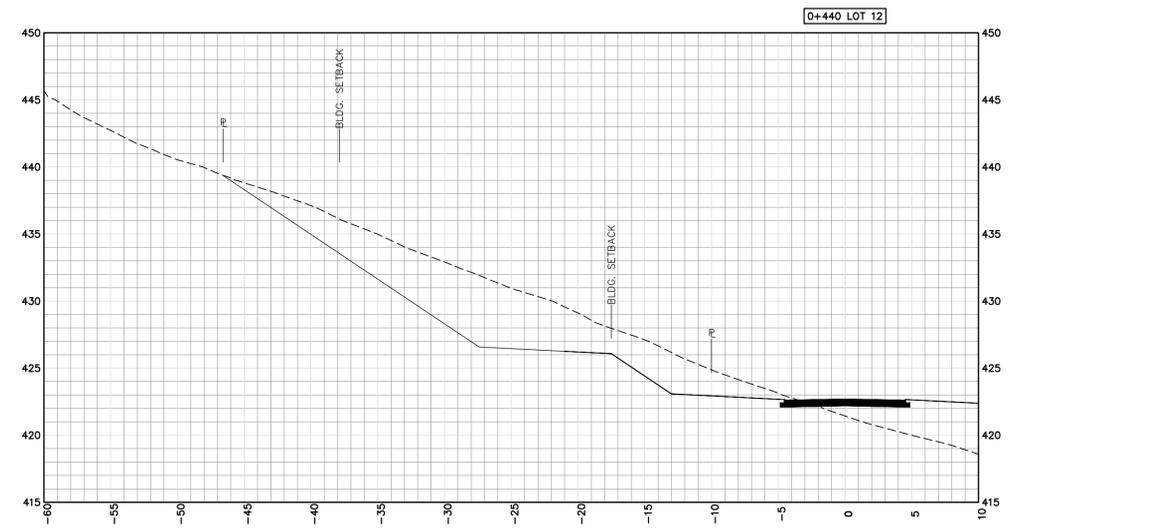
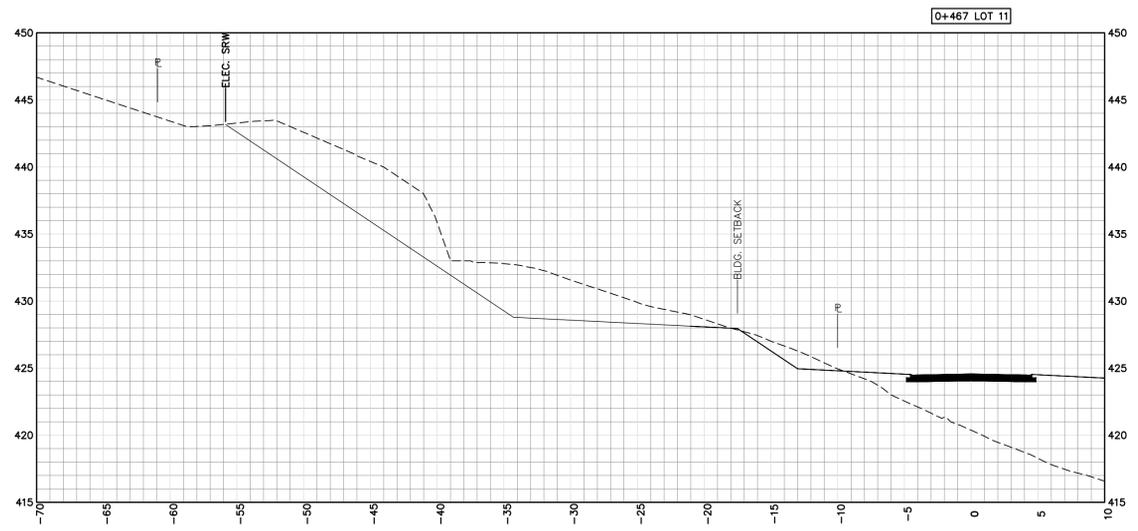
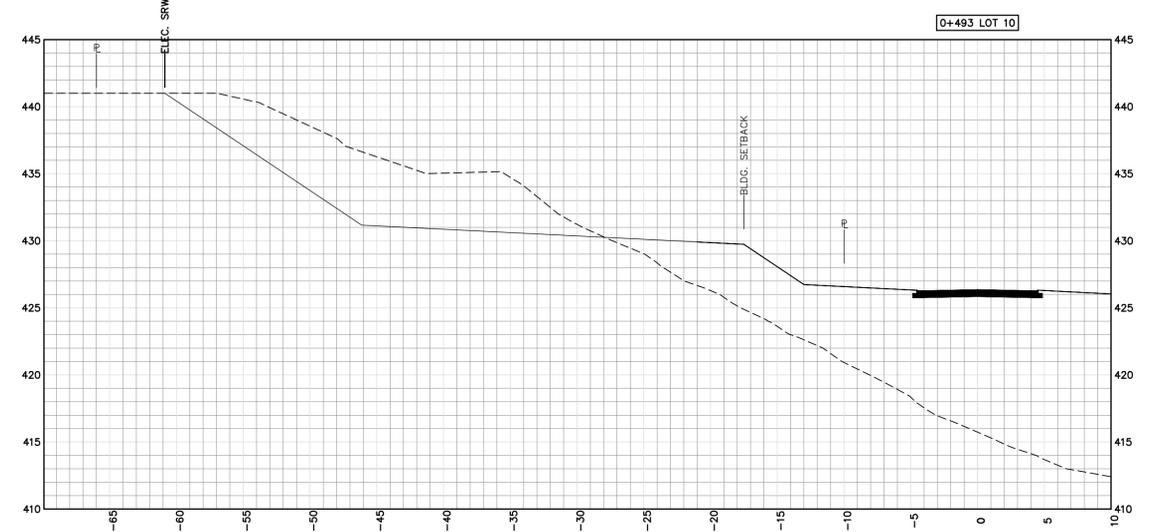
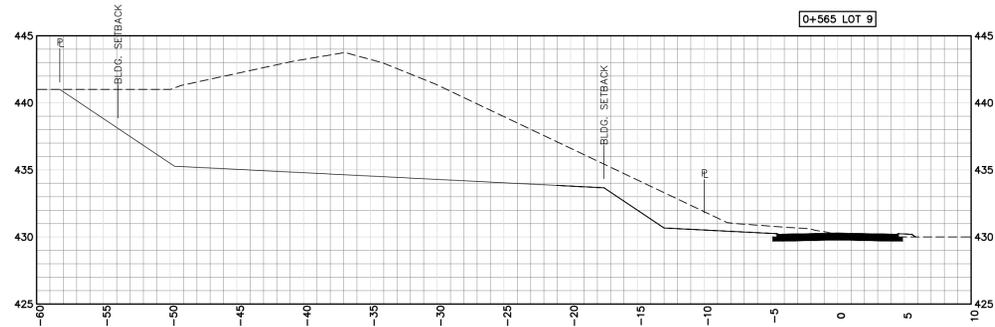
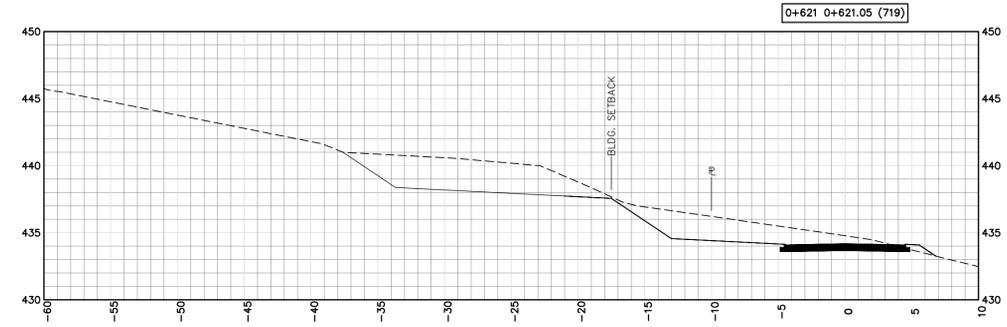
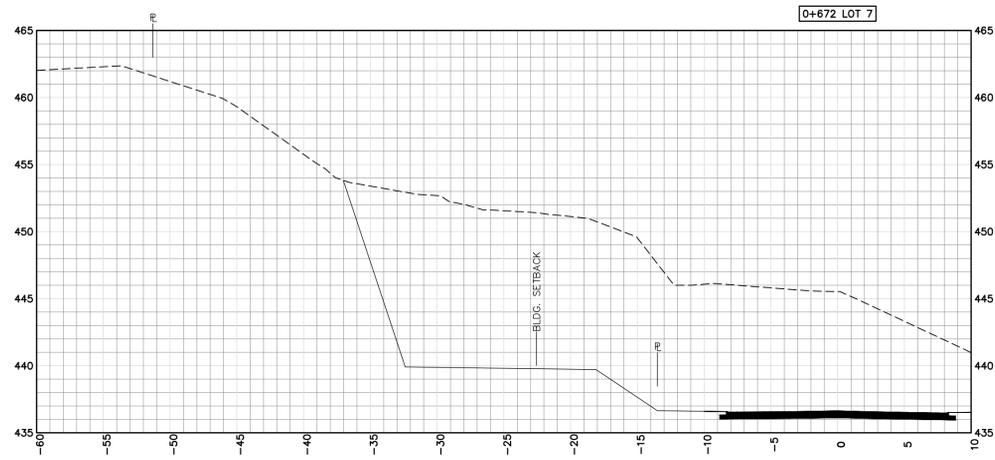


Hillside / Steep Slope Development Permit (with variances)
Schedule 'B'

File No. D2015.119-DP

Ecora Engineering & Resource Group Ltd:
Proposed 24 Lot Subdivision Chadwell Place, OK Falls

Site Plan - Drawing No PE-13-141-01 Rev 1, dated Nov. 9, 2015
Lot Sections – Drawing Nos PE-13-141-02- to 04 Rev 1, dated Nov 9, 2015



LEGEND		PROP		EX	
WATER	—	MANHOLE	●	MANHOLE	○
SANITARY SEWER	—	CATCH BASIN	■	CATCH BASIN	□
STORM SEWER	—	WATER VALVE	⊗	WATER VALVE	⊙
EOA	—	CURB STOP	⊕	CURB STOP	⊖
CURB	—	HYDRANT	⊙	HYDRANT	⊗
		IC	⊙	IC	⊗
		POWER POLE	⊙	POWER POLE	⊗
		LAMP STANDARD	⊙	LAMP STANDARD	⊗
		DRYWELL	⊙	DRYWELL	⊗

NO.	DATE	DRN	REVISION	CHKD
1	11/09/15	TJR	FOR DVP	KJM

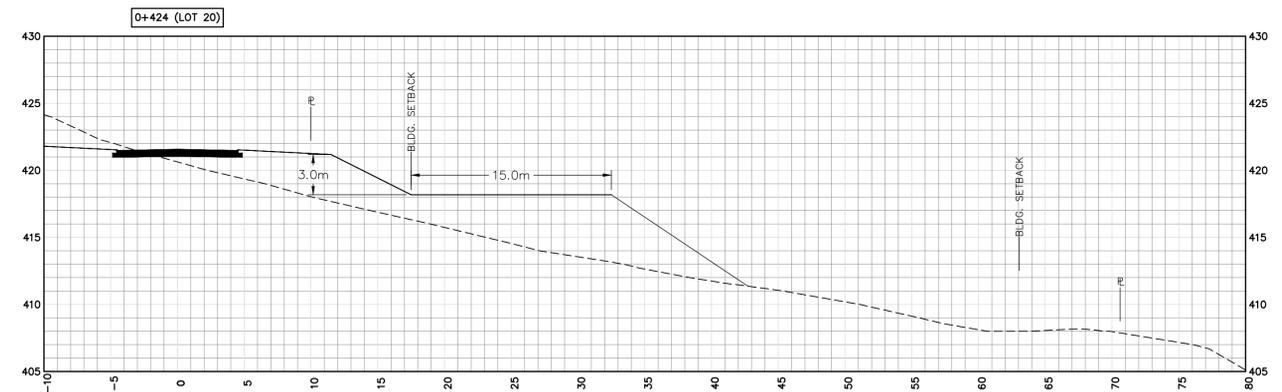
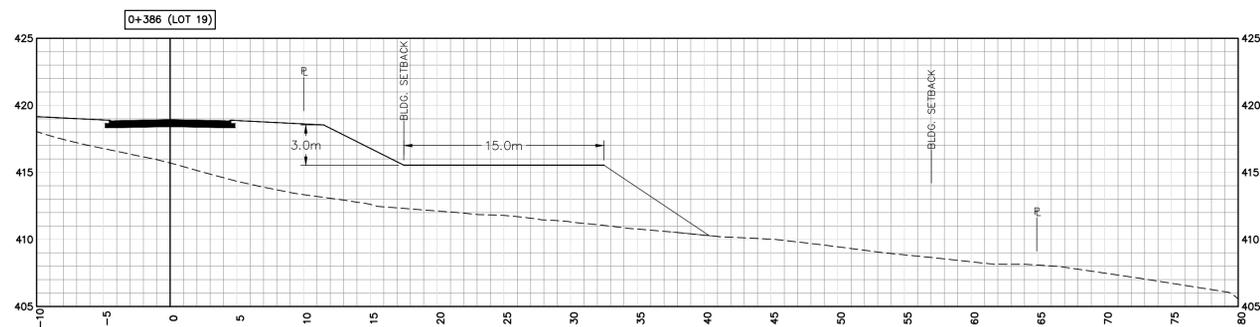
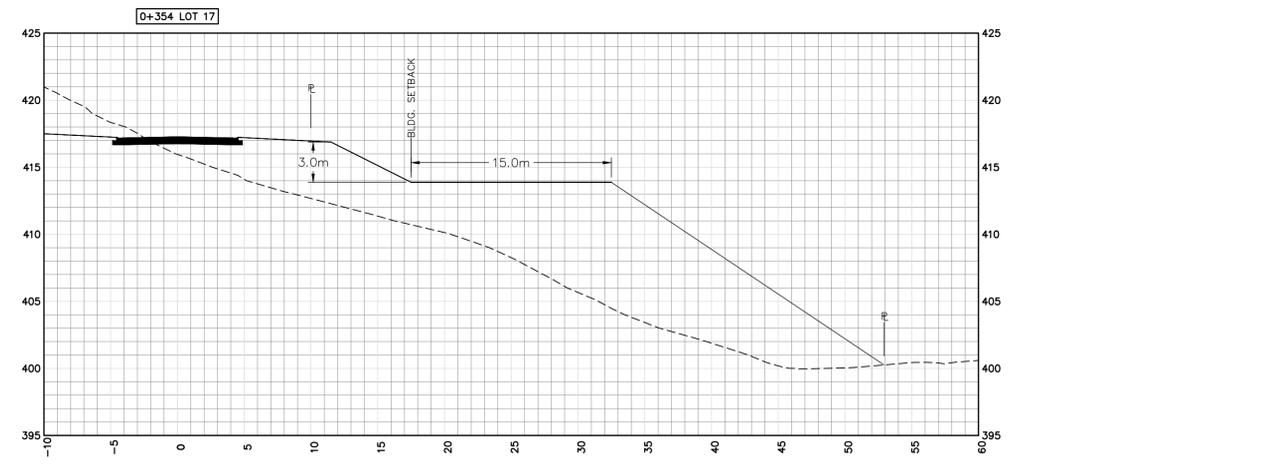
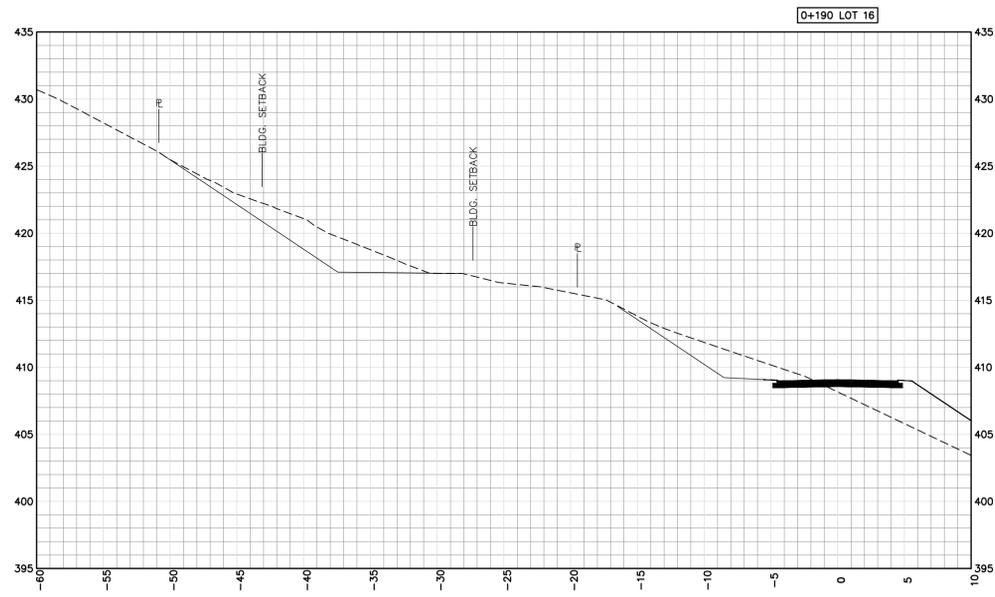
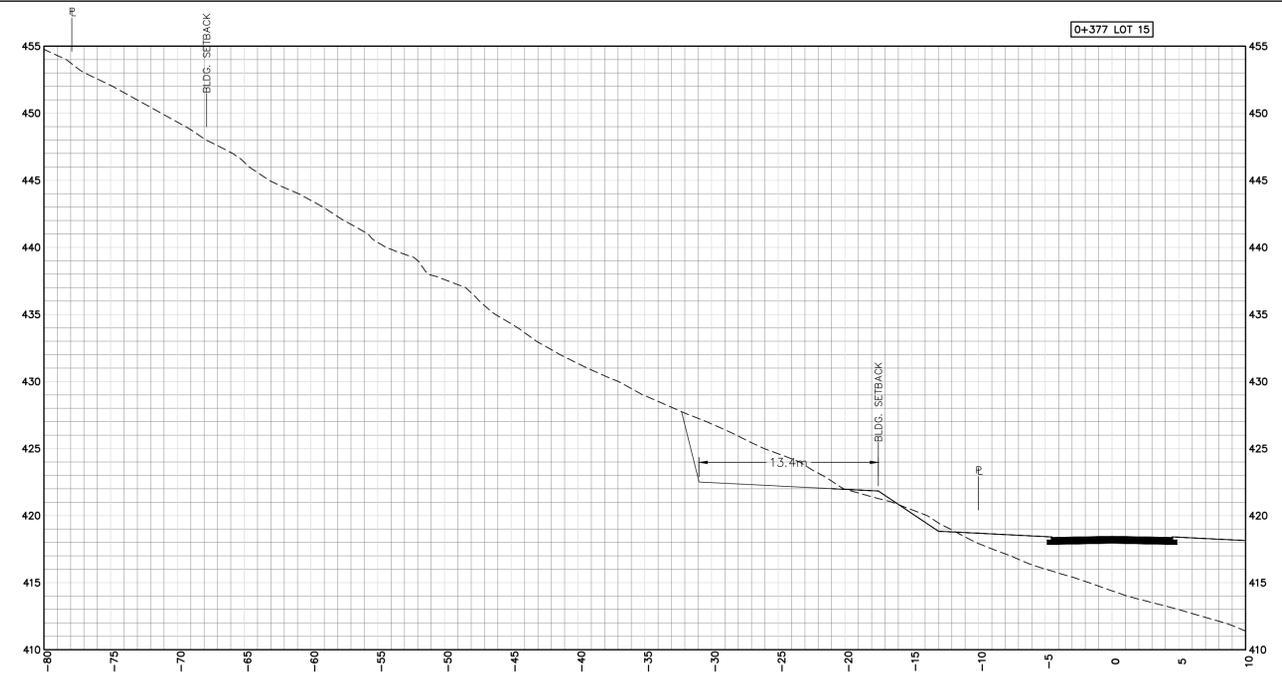
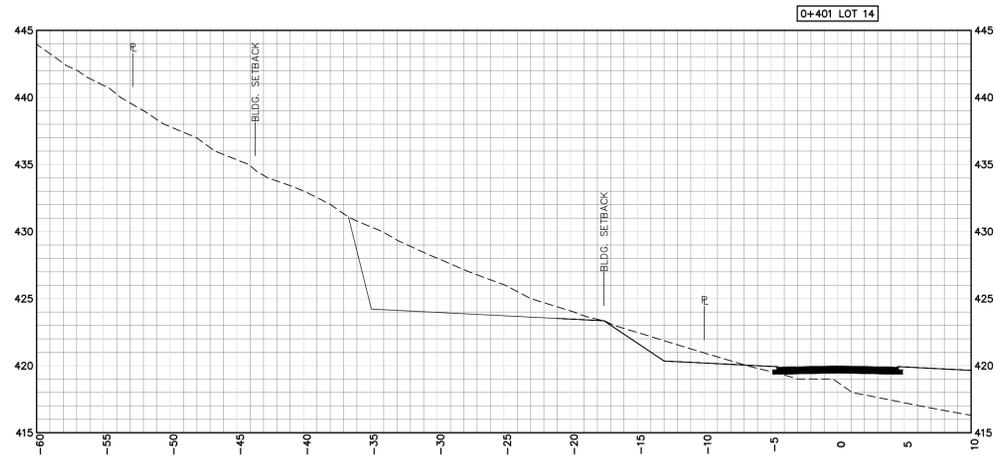


SEAL

DESIGN:	TJR
DRAWN:	TJR
CHECKED:	KJM
DATE:	NOV. 9, 2015
SCALE:	1:250

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
 PROPOSED 24 LOT SUBDIVISION
 CHADWELL PLACE, OK FALLS
 LOT SECTIONS

Drawing No.	Rev.No
PE-13-141-02	1



LEGEND		PROP		EX	
WATER		MANHOLE		EX	
SANITARY SEWER		CATCH BASIN			
STORM SEWER		WATER VALVE			
EOA		CURB STOP			
CURB		HYDRANT			
		IC			
		POWER POLE			
		LAMP STANDARD			
		DRYWELL			

NO.	DATE	DRN	REVISION	CHKD
1	11/09/15	TJR	FOR DVP	KJM

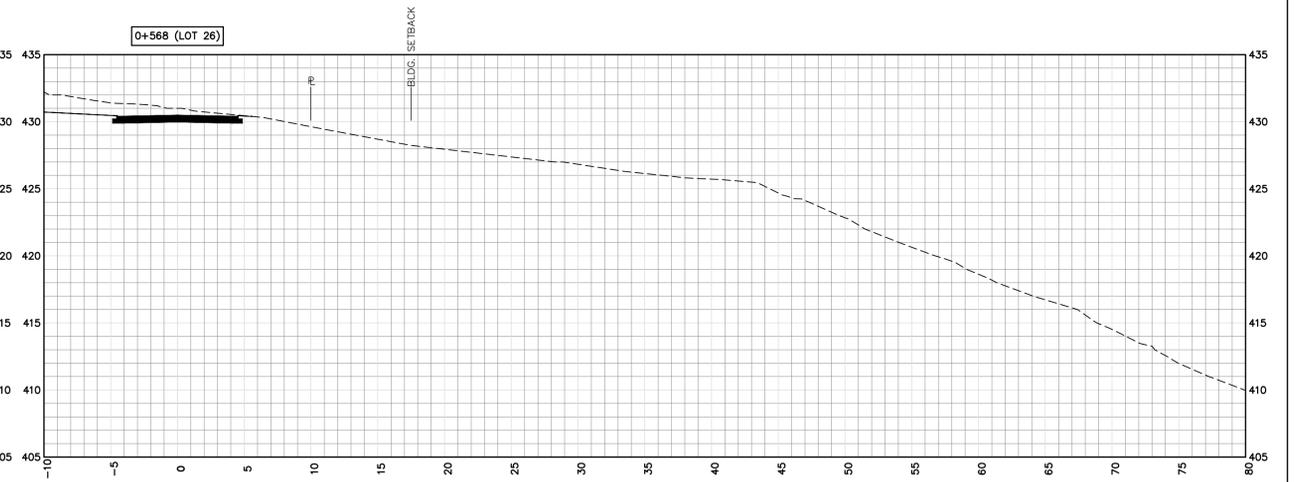
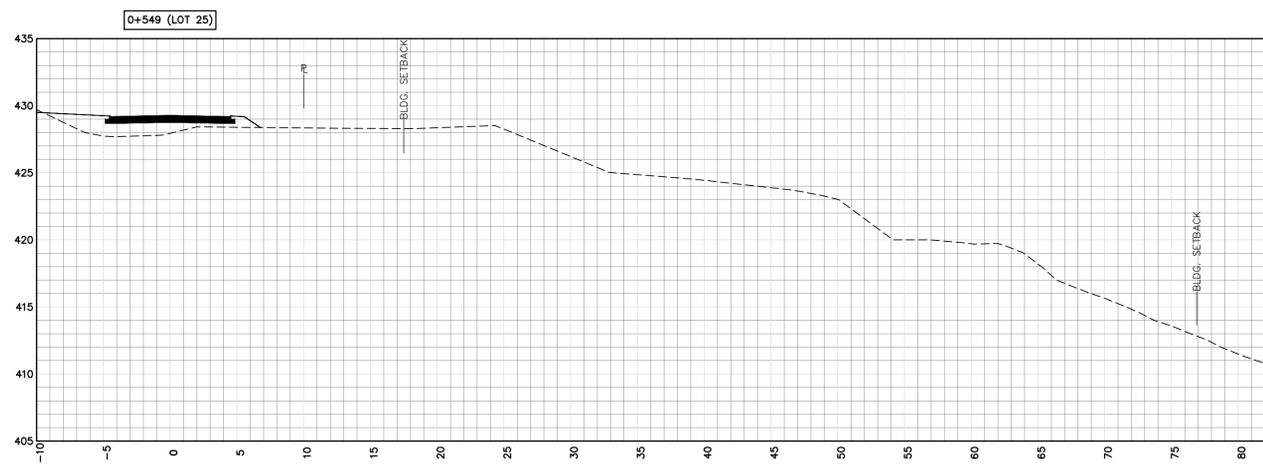
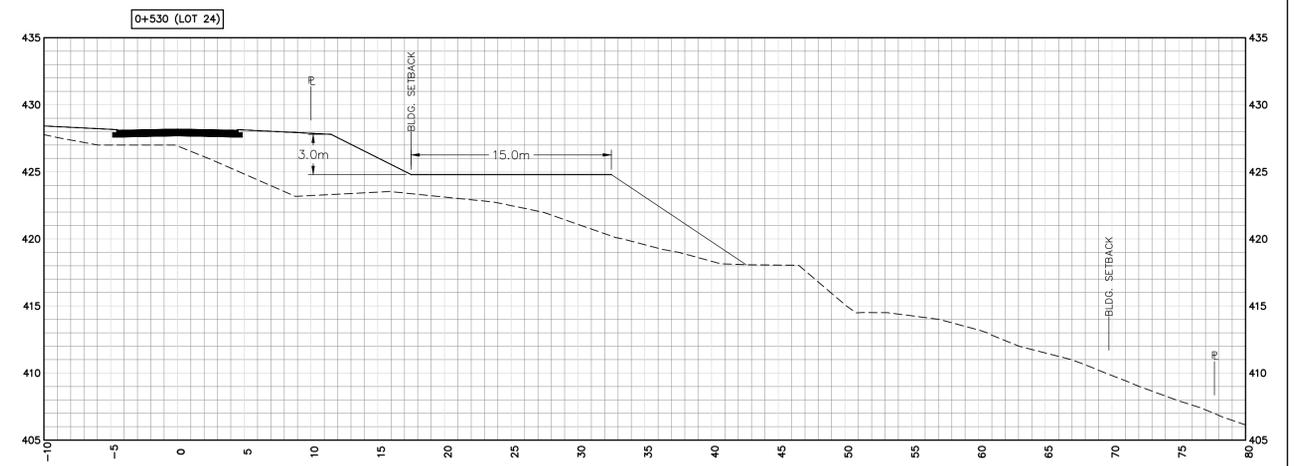
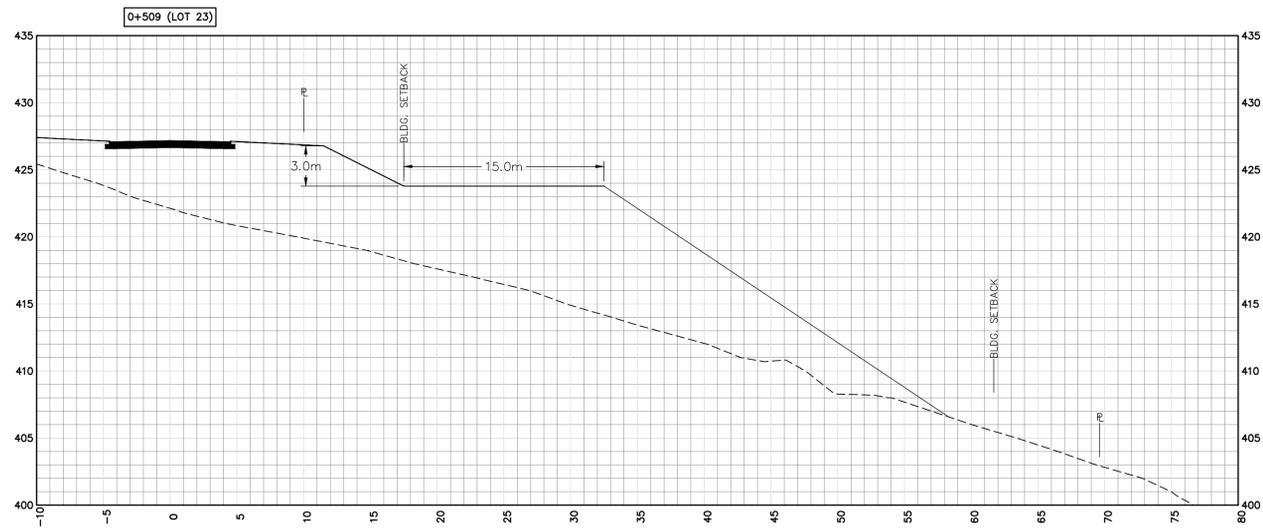
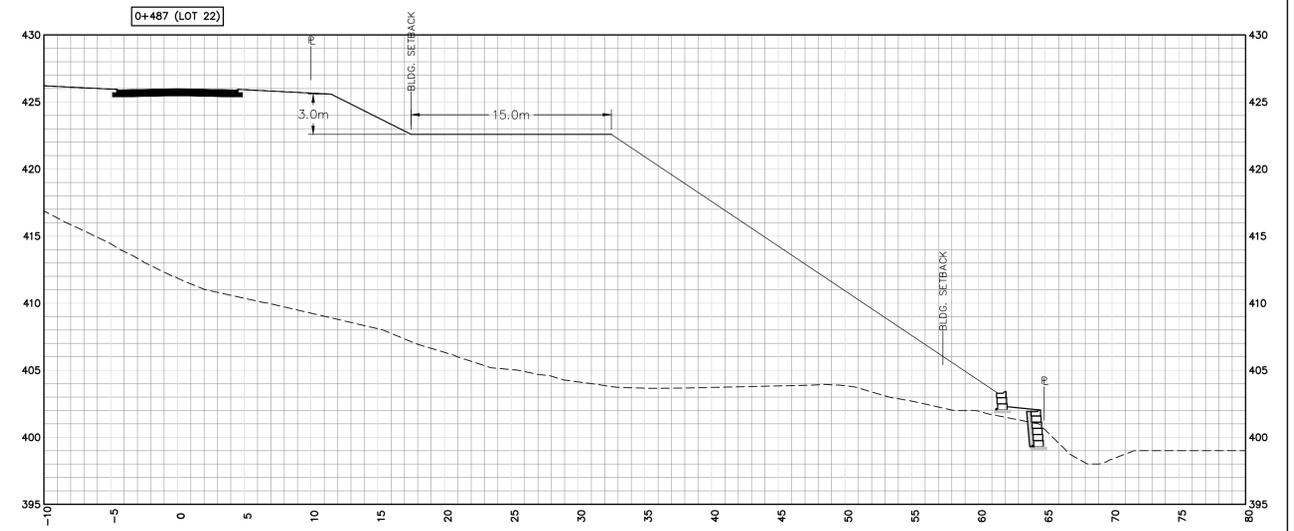
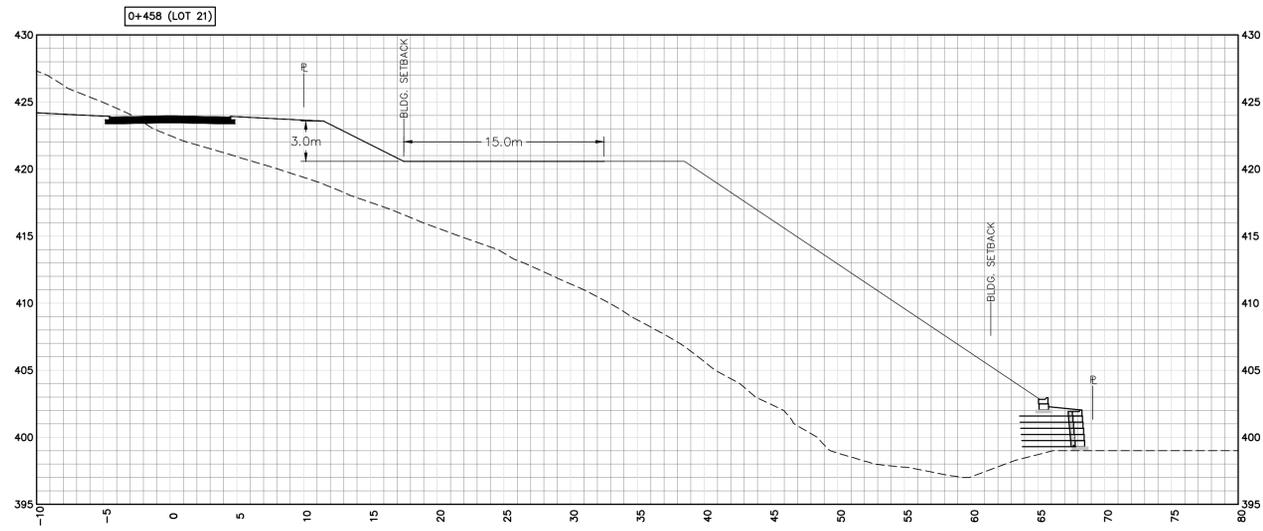


SEAL

DESIGN:	TJR
DRAWN:	TJR
CHECKED:	KJM
DATE:	NOV. 9, 2015
SCALE:	1:250

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
 PROPOSED 24 LOT SUBDIVISION
 CHADWELL PLACE, OK FALLS
 LOT SECTIONS

Drawing No.	Rev.No
PE-13-141-03	1



LEGEND		PROP		EX	
WATER		MANHOLE		EX	
SANITARY SEWER		CATCH BASIN			
STORM SEWER		WATER VALVE			
EOA		CURB STOP			
CURB		HYDRANT			
		IC			
		POWER POLE			
		LAMP STANDARD			
		DRYWELL			

Ecora
 ECORA ENGINEERING & RESOURCE GROUP LTD.
 543 Ellis Street, PENTICTON, B.C. V2A 4M4
 Phone 250-492-2227

DESIGN:	TJR
DRAWN:	TJR
CHECKED:	KJM
DATE:	NOV. 9, 2015
SCALE:	1:250

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
 PROPOSED 24 LOT SUBDIVISION
 CHADWELL PLACE, OK FALLS
 LOT SECTIONS

Drawing No.	Rev.No
PE-13-141-04	1

Regional District Okanagan Similkameen
101 Martin Street,
Penticton, B. C. V2A 5J9

Delivered by Hand—December 4, 2015

Attention Board of Directors

Re: RDOS File D2015.119-HDP
Folio No.: D06799.900

RECEIVED
Regional District

DEC - 4 2015

101 Martin Street
Penticton BC V2A 5J9

We ask the Board of Directors not to support the application for variance to section 11.1.17 (a)¹ of Electoral Area D2 Zoning Bylaw No. 2455, 2008. This application is for a blanket variance for all 18 lots in the proposed Phase 3, Vintage Views known as Chadwell Place. This variance request would allow the height of buildings and structures to measure 10 meters from the Main Floor Elevation rather than 10 meters from the natural grade as stated in the by-law. The language “main floor” is vague and open to broad interpretation. We believe this could result in the construction of 4 to 5 story homes with the Main Floor being the top floor. While this would offer the future home owner good views of the lake and surrounding vistas, it is not in keeping with the style of homes in the neighbourhood and will block the views of existing homes in Phase 1 and 2 of Vintage Views.

An example of a home that could be constructed if this variance application is approved is as follows:

Footings of 1 Meter
Crawl Space of 1.5 Meters
Garage or Parking Level of 3 Meters
First Floor with a Media Room with Large Screen and Surround Sound of 4 Meters
Second Floor with a Nanny/Live in Care Giver Suite of 3 Meters
Third Floor with Family Bedrooms of 3 Meters
Main Floor with Great Room/Kitchen and Master Suite of 10 Meters with Sloping Shed Style Roof

Total 25.5 Meters (85 Feet)

This type of home is not outside the realm of possibility with the advent of affordable Elevators and may well be the type of home the Developer is hoping to attract to the subdivision.

We believe that providing a blanket approval for this variance without any home designs to ensure that this type of home is not built, will result in devaluing of existing homes in the neighbourhood and will not respect the interests of adjacent property owners.

¹ In discussion with Planner Evelyn Reichert it was determined that section 11.1.17 (a) (i) or (ii) do not in fact exist although they are listed as the relevant sections in the notice sent to Owners and Tenants in Common

There is no compelling reason to allow this variance. Measuring heights from the natural grade, as stated in the by-law, is the most appropriate way to build homes. We ask that the Board of Directors continue to follow the same by-law that has been applied to existing homes.

We request that the board's decision on this variance application be communicated via email as we will be out of the area at the time the deliberations on this matter will occur. Our email is

Respectfully,

SIGNATURE REDACTED

 DIANA LYNN JACKSON

cc Tom Siddon, Area D Director
Doug Lychak, President, Heritage Hills/Lakeshore Highlands Homeowner Association

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Development Variance Permit Application — Electoral Area “H”

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. H2015.116-DVP; AND, THAT the applicant registers on title private easements, as part of the subdivision referral Sub-H14-00794.065, to protect the rights and use of the groundwater wells for the proposed parcels.

Purpose: To allow groundwater wells to be located on a parcel that they do not serve.

Owners: Terre Securities Ltd. Agent: William Tower Folio: H- 00794.065

Civic: 5058 Highway 3 + 110 Thistle Rd. Legal: Lot 2, District Lot 902, YDYD, Plan KAP51362

OCP: Low Density Residential (LR) and Commercial (C)

Zone: Residential Single Family One Zone (RS1)

Requested Variances: to vary the Subdivision Servicing Bylaw No. 2000, 2002 requirement under section 6.4 (b). Specifically the standards found in Schedule “A”, 3.2.10 Private Water Source, .1 a) A water well must be constructed on each parcel of a proposed subdivision that is dependent upon groundwater as a source of water and b) A well is restricted to supplying water to the parcel it serves.

Proposed Development:

This application is seeking to vary the provision of the Subdivision Servicing Bylaw No. 2000, 2002 (Bylaw) that requires groundwater wells to be constructed on the (proposed) parcels that it will serve for domestic water.

Site Context:

The subject property is approximately 3.51 hectares in size, situated on the north side of Highway 3; directly adjacent and east of Manning Provincial Park.

The exiting property currently has a split zoning designation of Residential Single Family One Zone (RS1) and Tourist Commercial One Zone (CT1) under the Electoral Area ‘H’ Zoning Bylaw No. 2498, 2012. The subject property has an active subdivision that is proposing two additional parcels with minimum parcel sizing of one hectare. Under the Bylaw, providing groundwater wells as a source of domestic water to the proposed subdivision is minimum requirement for one hectare parcels.

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, December 10, 2015.

Alternatives:

- .1 THAT the Regional Board deny Development Variance Permit No. H2015.116-DVP.

Analysis:

When assessing a variance request, a number of factors are generally taken into account, and these include the intent of the variance and whether the proposed development will have a detrimental impact upon the amenity of the area and/or adjoining parcels.

In this case, the variance requested is to satisfy the Bylaw requirement for a supply of domestic water to proposed parcels created by subdivision. As per the Bylaw, groundwater wells are required to be on the parcel that the well is intended to service. This avoids any registration of easements on any newly created titles during the subdivision process and potential complications between future parcel owners.

In support of the variance, the subdivision applicant has already drilled the groundwater wells with the intent to satisfy the proof of (domestic) water requirement under the Bylaw. The applicant was unaware of the Bylaw requirement for each well to be on the parcel that it serves. Three groundwater wells were drilled on the proposed Lot 3 and the applicant has already drafted the legal documentation to register proposed easements required for the groundwater wells so that two groundwater wells would serve Lot 1 and Lot 2 respectively.

The adjacent properties to the east are serviced by the Bonnevier Water Utility a community water system that the subdivision applicant owns and operates. The proposed subdivision parcels were not permitted to connect to the Bonnevier Water Utility by the Provincial Water Comptroller's Office that regulates non-local government water systems. The adjacent properties would not be impacted by the variance request.

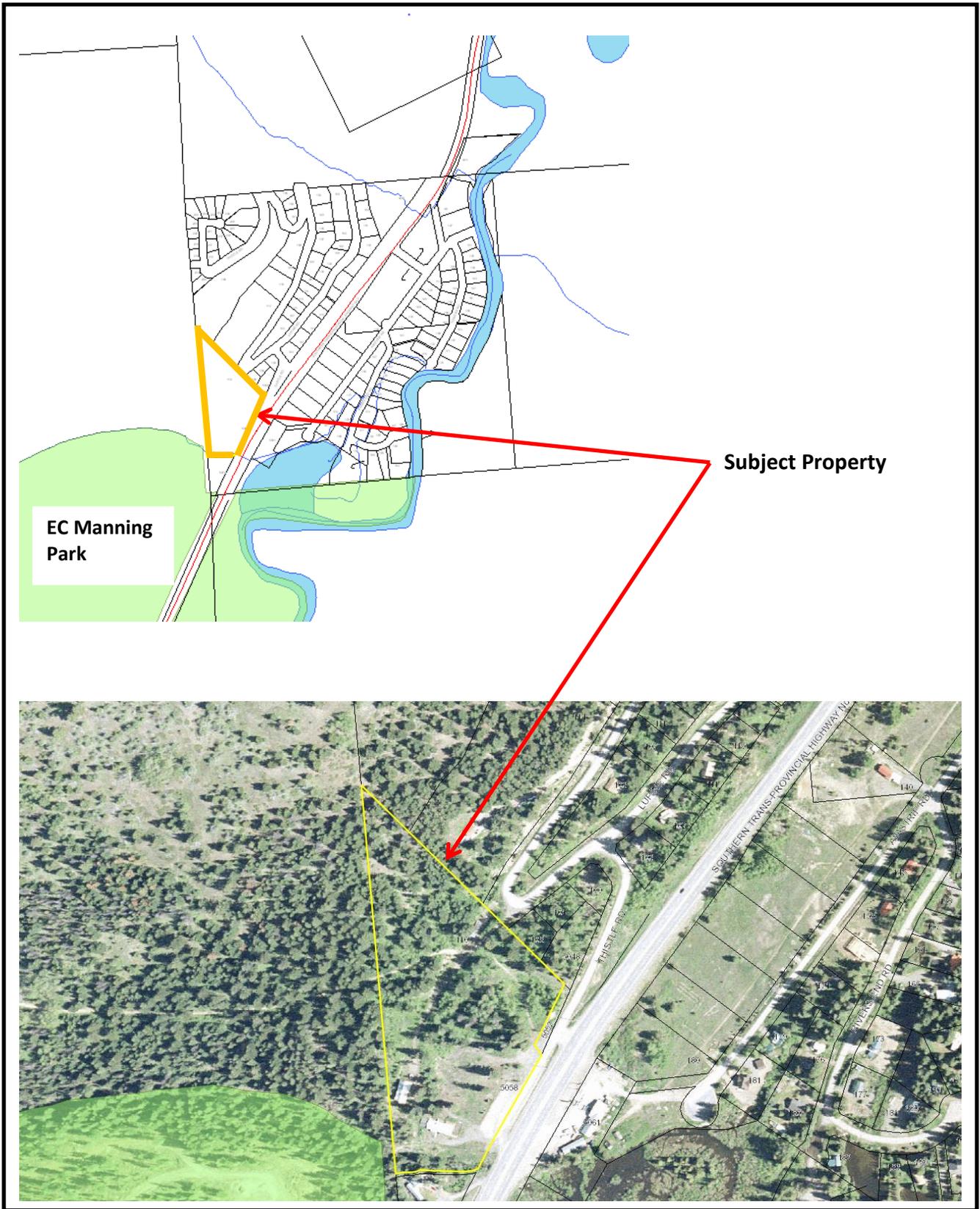
In most cases, a variance is requested prior to drilling of the groundwater wells. However, in this instance the applicant has already constructed the groundwater wells that meet the water quantity requirements of the Bylaw, but not on each proposed parcel; and the required legal documentation for registering easements for the wells has been drafted. The Administration recognizes the applicant's effort in completion of the Bylaw requirements and the apparent lack of impact on adjacent properties; the Administration supports the variance in this situation.

Respectfully submitted:

S. Juch, Subdivision Supervisor

Attachments: No. 1 – Context Maps
 No. 2 – Reference of Proposed Easements

Attachment No. 1 –Context Maps



Attachment No. 2 – Reference of Proposed Easements

REFERENCE PLAN OF EASEMENTS OVER PARTS OF LOT 2 AND LOT 3, DISTRICT LOT 902, YD/YD, PLAN EPP 55773. PURSUANT TO SECTION 99(1)(e) OF THE LAND TITLE ACT. BCGS 92HD17 SCALE 1:750 METRIC

PLAN EPP 55774



LEGEND

- Standard Iron Post Found
- Standard Iron Post Set
- △ Traverse Hub
- ⊕ P.C. Section Point

Distances shown are in metres and decimals thereof.

Grid bearings are derived from points established using GNSS observations and are referred to the central meridian of UTM Zone 18.

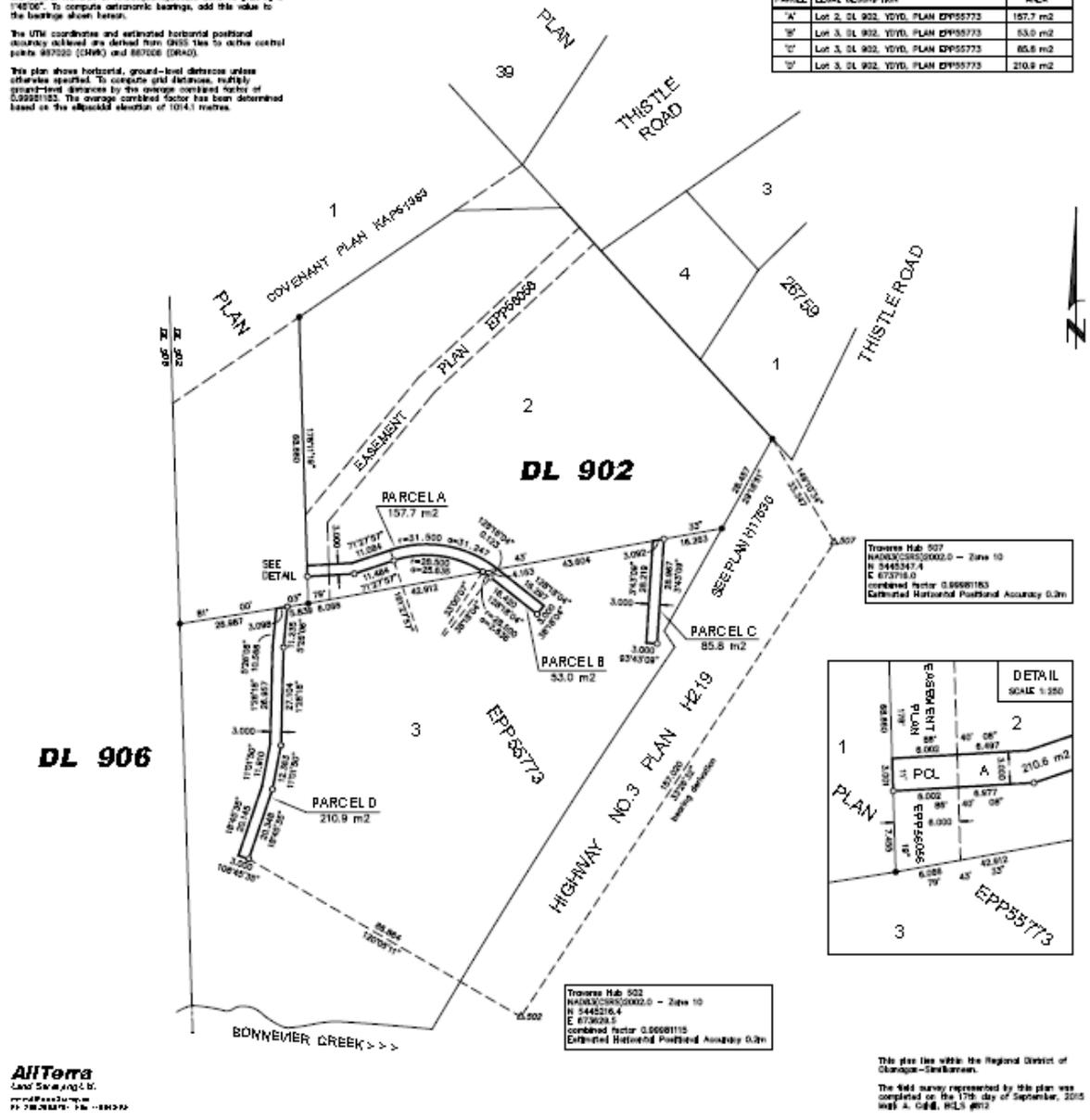
Meridian convergence computed between Traverse Hub 507 and the central meridian of NAD83(CRS)2002.0 Zone 18 (12376) is 1°40'00". To compute astronomic bearings, add this value to the bearings shown herein.

The UTM coordinates and estimated horizontal positional accuracy achieved are derived from GNSS ties to active control points 887020 (0449) and 887000 (0440).

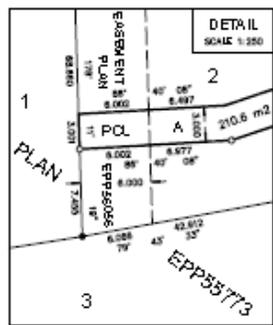
This plan shows horizontal, ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9998183. The average combined factor has been determined based on the ellipsoidal elevation of 1014.1 metres.

BOOK OF REFERENCE

PARCEL	LEGAL DESCRIPTION	AREA
A'	Lot 2, DL 902, YD/YD, PLAN EPP55773	157.7 m ²
B'	Lot 3, DL 902, YD/YD, PLAN EPP55773	53.0 m ²
C'	Lot 3, DL 902, YD/YD, PLAN EPP55773	85.8 m ²
D'	Lot 3, DL 902, YD/YD, PLAN EPP55773	210.9 m ²



Traverse Hub 507
 NAD83(CRS)2002.0 - Zone 18
 N 5463347.4
 E 6737318.0
 combined factor 0.9998183
 Estimated Horizontal Postlaid Accuracy 0.3m



Traverse Hub 502
 NAD83(CRS)2002.0 - Zone 18
 N 5445216.4
 E 6736208.5
 combined factor 0.9998115
 Estimated Horizontal Postlaid Accuracy 0.3m

AllTerra
 Land Surveyors Ltd.
 11111 111th Ave. S.E. #100
 Surrey, BC V3T 2Y2

This plan lies within the Regional District of Okanagan-Similkameen.
 The field survey represented by this plan was completed on the 17th day of September, 2015 with a GNS, NLS #012

independently serve one of proposed lots; (Lot 1, Lot 2 and Lot3). The groundwater wells serving

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 Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

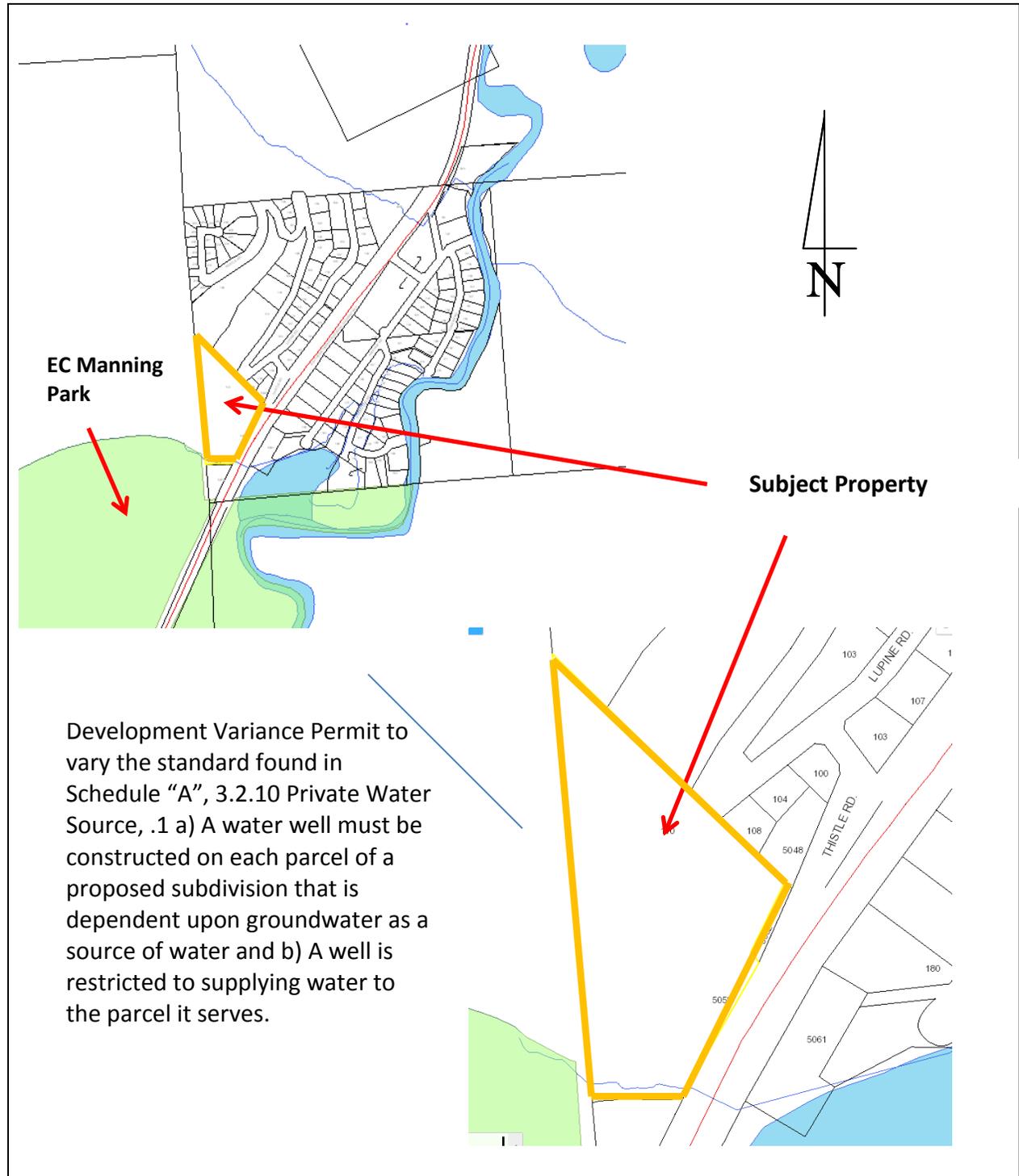
Tel: (250) 492-0237 Fax (250) 492-0063



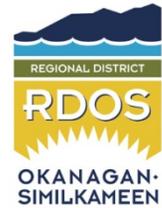
Development Variance Permit

File No. H2015.116-DVP

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Building Violation
Folio: A-06058.045 Lot: 9 Plan: KAP18700 DL: 2450S
Civic Address: 10011 - 87th Street (Permit #18268)

Administrative Recommendation:

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot 9, Plan KAP18700, District Lot 2450s, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

Reference:

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

History:

The Contravention of Building Regulations Report dated January 12, 2015 from the Building Official indicates that a building permit has expired without required inspections being completed.

Permit #18268 was issued on November 30, 2012. This permit was issued for a carport addition to a dwelling. The permit expired on November 30, 2014.

An inspection was done on December 4, 2014 which revealed that the carport had been completed prior to any inspections. Therefore the Building Official could not determine the footings, foundation or framing of the structure. The permit has expired without required inspections.

In order to close the permit file, the footings and framing must be exposed to allow for Final Inspection.

This Building Bylaw infraction is considered to be Category 2 as there are no apparent safety concerns.

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

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 695 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 695 Notice on title and seek compliance through injunctive action.

Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 695 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

Respectfully submitted:

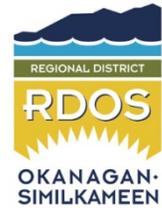
“L. Walton”

Laura Walton, Building Inspection Services Supervisor





ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Building Violation – Expired Permit #18010 (addition and renovations to dwelling)
Folio: C-01802.000
Lot: A DL: 117s, 916s, 1043s, 1761 & 1985 Plan: 10566, SDYD
Civic Address: 500 Covert Place

Administrative Recommendation:

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot A, District Lots 117s, 916s, 1043s, 1761 & 1985, Plan 10566, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

Reference:

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

History:

The Contravention of Building Regulations Report dated September 25, 2015 from the Building Official indicates that Building Permit No. 18010 was issued May 16, 2012 for addition and renovation to a single family dwelling. The permit expired May 16, 2014. Despite correspondence to the owners, the permit has not been completed.

The most recent inspection was a Final inspection on July 17, 2013 where two outstanding items were noted for completion. The most critical item is the submission of a completed Mechanical Ventilation Checklist identifying the kitchen exhaust fan. During the recent inspections it was noted that a commercial sized kitchen hood fan had been installed which without proper mechanical make-up air could potentially depressurize the house causing carbon monoxide to be drawn into the house if the wood burning appliance had been in operation

In order to close the permit file a new permit with reduced time frame to complete the deficiencies noted in the July 17, 2013 inspection report is required.

This Building Bylaw infraction is considered to be Category 3.

A map showing the location of this property is attached.

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 695 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 695 Notice on title and seek compliance through injunctive action.

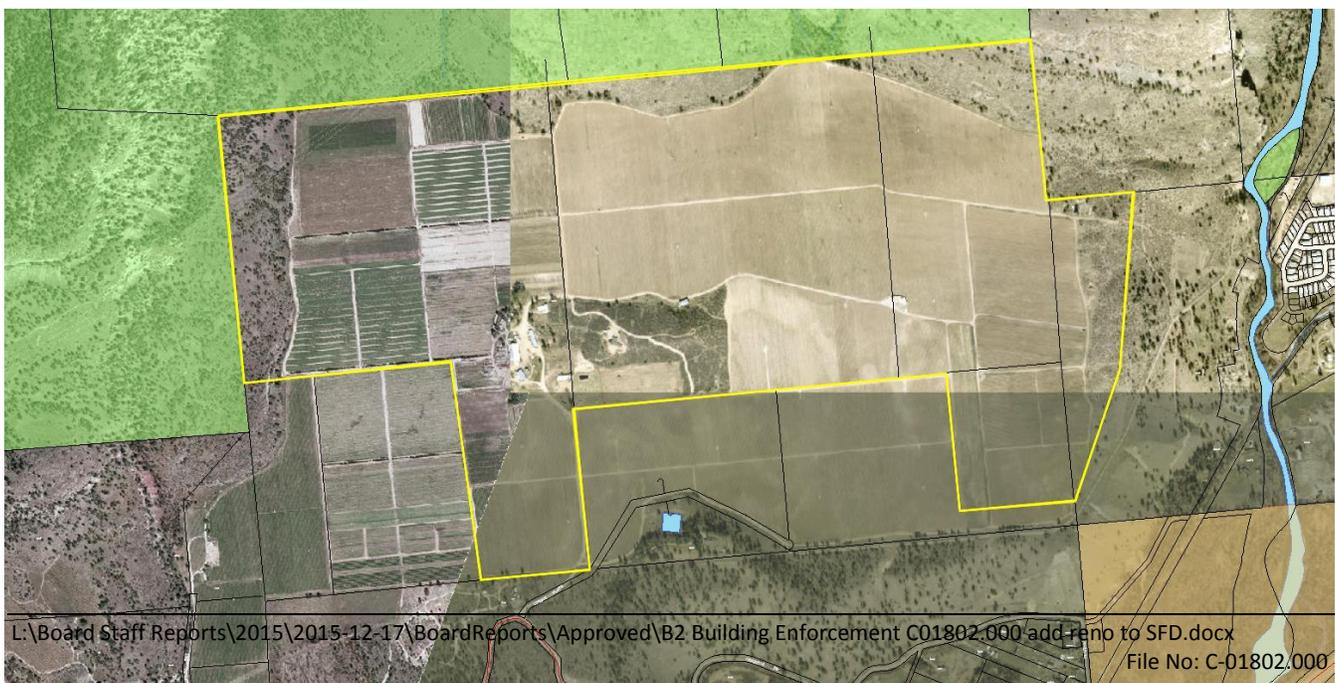
Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 695 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

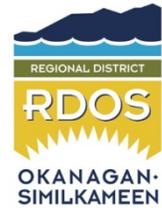
Respectfully submitted:

“L. Walton”

Laura Walton, Building Inspection Services Supervisor



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Building Violation – Expired Permit Permit #18197 (convert farm building to winery with restaurant and store)
Folio: C-01802.000
Lot: A DL: 117s, 916s, 1043s, 1761 & 1985 Plan: 10566, SDYD
Civic Address: 200 Covert Place

Administrative Recommendation:

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot A, District Lots 117s, 916s, 1043s, 1761 & 1985, Plan 10566, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

Reference:

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

History:

The Contravention of Building Regulations Report dated September 25, 2015 from the Building Official indicates that Building Permit No. 18197 was issued Sept. 26, 2012 conversion of Farm Building to Winery with Restaurant / Store. The permit expired Sept. 26, 2014.

Despite correspondence to the owners, the permit has not been completed.

The most recent inspection was a Final inspection on February 12, 2014 where a number of outstanding items were noted for completion. Emergency lighting and fire extinguishers per the BC Fire Code are required and the accessible washroom did not meet the minimum BC Building Code requirements. These are serious safety concerns as this is a public building.

In order to close the permit file a new permit with reduced time frame to complete the deficiencies noted in the February 12, 2014 inspection report is required.

This Building Bylaw infraction is considered to be Category 3.

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

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 695 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 695 Notice on title and seek compliance through injunctive action.

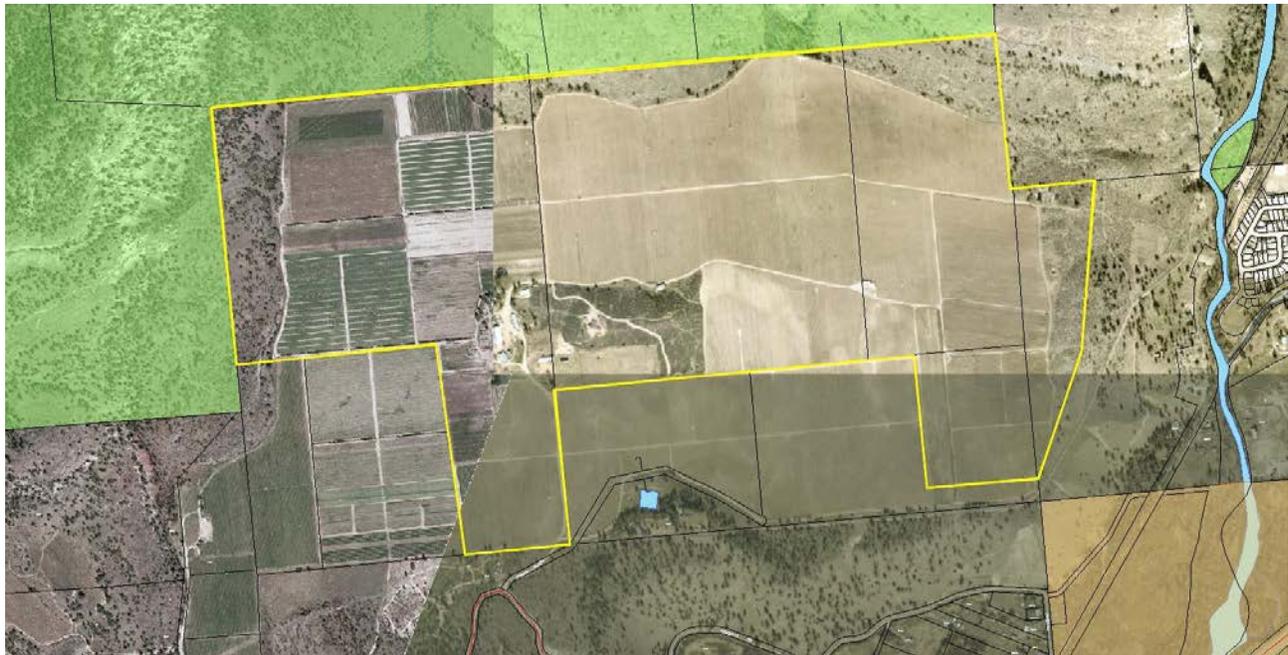
Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 695 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

Respectfully submitted:

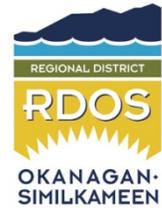
“L. Walton”

Laura Walton, Building Inspection Services Supervisor





ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Building Violation
Folio: C-05600.005 Lot: 1 Plan: KAP12741 DL: 2450S
Civic Address: 5571 Dogwood Lane

Administrative Recommendation:

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot 1, Plan KAP12741, District Lot 2450s, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

Reference:

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

History:

The Contravention of Building Regulations Report dated February 5, 2015 from the Building Official indicates that an email was received at the RDOS on June 27, 2013, from a BC Assessment Appraiser regarding renovations being done to the dwelling on this property. On July 2, 2013 the site was visited by the Building Official and business card left on site. The owner contacted the RDOS office on July 4, 2013 and advised he would be in to apply for a permit.

A site review on November 13, 2013 did not reveal any major structural renovations, however new interior walls room changes and finishing of the basement were underway. Despite various discussions with the property owner a building permit has not been issued for the works.

This Building Bylaw infraction is considered to be Category 2 due to the limited scope of the project.

In order to close the file a building permit must be issued and all inspections passed.

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

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 695 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 695 Notice on title and seek compliance through injunctive action.

Analysis:

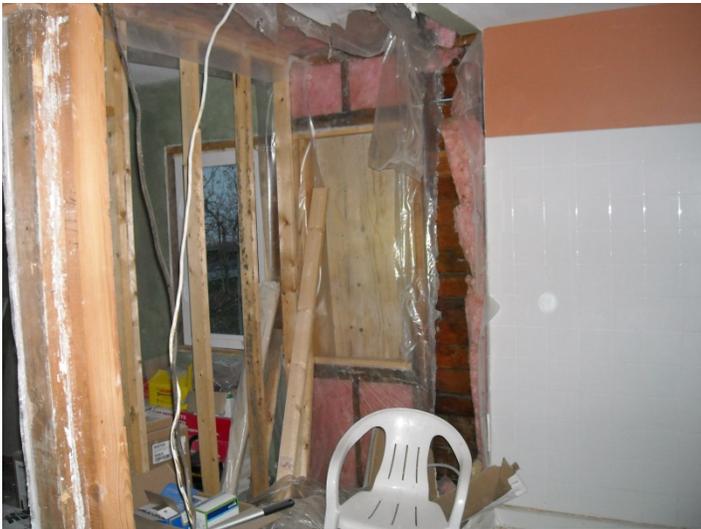
Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 695 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

Respectfully submitted:

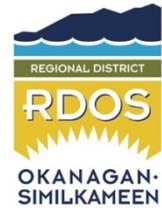
“L. Walton”

Laura Walton, Building Inspection Services Supervisor





ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Building Violation
Folio: D-01109.150 Lot: A Plan: KAP21205 DL: 10
Civic Address: 1612 Highway 97

Administrative Recommendation:

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot A, Plan KAP21205, District Lot 10, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

Reference:

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

History:

The Contravention of Building Regulations Report dated February 6, 2015 from the Building Official indicates that on April 27, 2014 a "Stop Work" order was posted for a project where the owners were enclosing an exterior storage space on a single family dwelling.

Despite multiple conversations with the owners about the building permit requirements no application has been submitted to the RDOS for review.

A monitoring inspection was completed on January 27, 2015 and the enclosure has had cladding installed.

Letters dated May 1, 2014, May 26, 2014 and September 23, 2014 have been sent to the owner in an effort to encourage them to apply for a permit for the storage enclosure. They did contact the RDOS to inquire about the building code requirements and did not appear interested in bringing the project up to code. Because the storage area has no open interconnection to the interior living space the current health and safety hazard is minimal.

This Building Bylaw infraction is considered to be Category 2.

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

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 695 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 695 Notice on title and seek compliance through injunctive action.

Analysis:

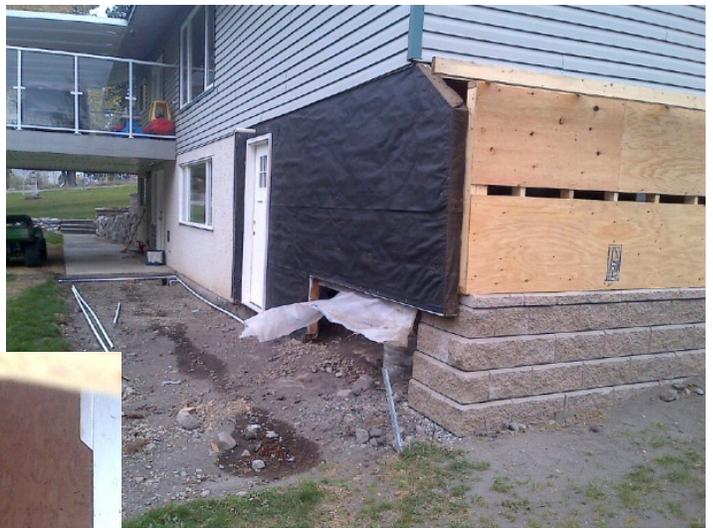
Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 695 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

Respectfully submitted:

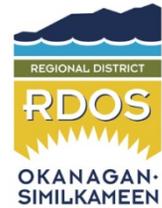
“L. Walton”

Laura Walton, Building Inspection Services Supervisor





ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Building Violation – Expired Permit 17611 (Place manufactured home)
Folio: D-02924.200 Lot: 2 Plan: KAP90243 DL: 464, SDYD
Civic Address: 3875 McLean Creek Road, Okanagan Falls

Administrative Recommendation:

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot 2, Plan KAP90243, District Lot 464, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

Reference:

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

History:

The Contravention of Building Regulations Report dated February 27, 2015 from the Building Official indicates that Permit #17611 to place a manufactured home on a basement was issued on May 10, 2011 and expired on May 10, 2013. The permit was granted a one year extension and expired on May 10, 2014 without the deficient items identified on an Inspection Report dated December 6, 2012 being inspected. Enforcement report on lack of woodstove inspection in the same building being forwarded to the Board concurrently.

An inspection on December 6, 2012 noted that a handrail is required for the exterior basement staircase and the ICF insulation in the basement requires approved, protective, interior finish to be installed.

In order to close the permit file these two items must be completed and inspected.

This Building Bylaw infraction is considered to be Category 2.

A map showing the location of this property is attached.

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 695 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 695 Notice on title and seek compliance through injunctive action.

Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 695 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

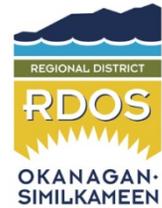
Respectfully submitted:

“L. Walton”

Laura Walton, Building Inspection Services Supervisor



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Building Violation – Expired Permit 18589 (woodstove)
Folio: D-02924.200 Lot: 2 Plan: KAP90243 DL: 464, SDYD
Civic Address: 3875 McLean Creek Road, Okanagan Falls

Administrative Recommendation:

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as Lot 2, Plan KAP90243, District Lot 464, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

Reference:

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

History:

The Contravention of Building Regulations Report dated February 27, 2015 from the Building Official indicates that Permit #18589 was issued on November 5, 2013. This permit was issued for a woodstove. The permit expired on May 5, 2014 without the required inspections being done. An enforcement report on basement deficiencies on the same building is being forwarded to the Board concurrently.

Lack of inspection for a woodstove is considered a health & safety related risk.

In order to close the permit file the woodstove must pass an inspection and the owner provide proof that it was installed to WETT certification.

This Building Bylaw infraction is considered to be Category 3.

A map showing the location of this property is attached.

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 695 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 695 Notice on title and seek compliance through injunctive action.

Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 695 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

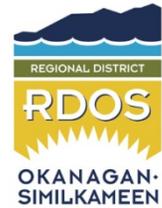
Respectfully submitted:

“L. Walton”

Laura Walton, Building Inspection Services Supervisor



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Building Violation
Folio: D4-06622.000 Lot: Plan: DL: 2513S
Civic Address: 3051 Green Mountain Road (Permit #17743)

Administrative Recommendation:

THAT a Section 695 Notice on Title, pursuant to Section 695 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 695 of the LGA), be filed against the title of lands described as the Mostly Southern 30 Chains of District Lot 2513s, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

Reference:

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

History:

The Contravention of Building Regulations Report dated February 16, 2015 from the Building Official indicates that Permit #17743 was issued on August 25, 2011 for a workshop/garage. The permit expired August 25, 2013 and was extended to August 25, 2014. Pursuant to department policy a further extension of the permit is not allowed.

Despite correspondence to the owner the permit has not been completed.

The only inspection done was a framing inspection which was approved on July 23, 2013. No other inspections have been called for before the permit expired.

In order to close the permit file a new permit must be issued and the required final inspection undertaken and passed.

This Building Bylaw infraction is considered to be Category 2 due to the limited potential health & safety issues with this type of structure.

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

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 695 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 695 Notice on title and seek compliance through injunctive action.

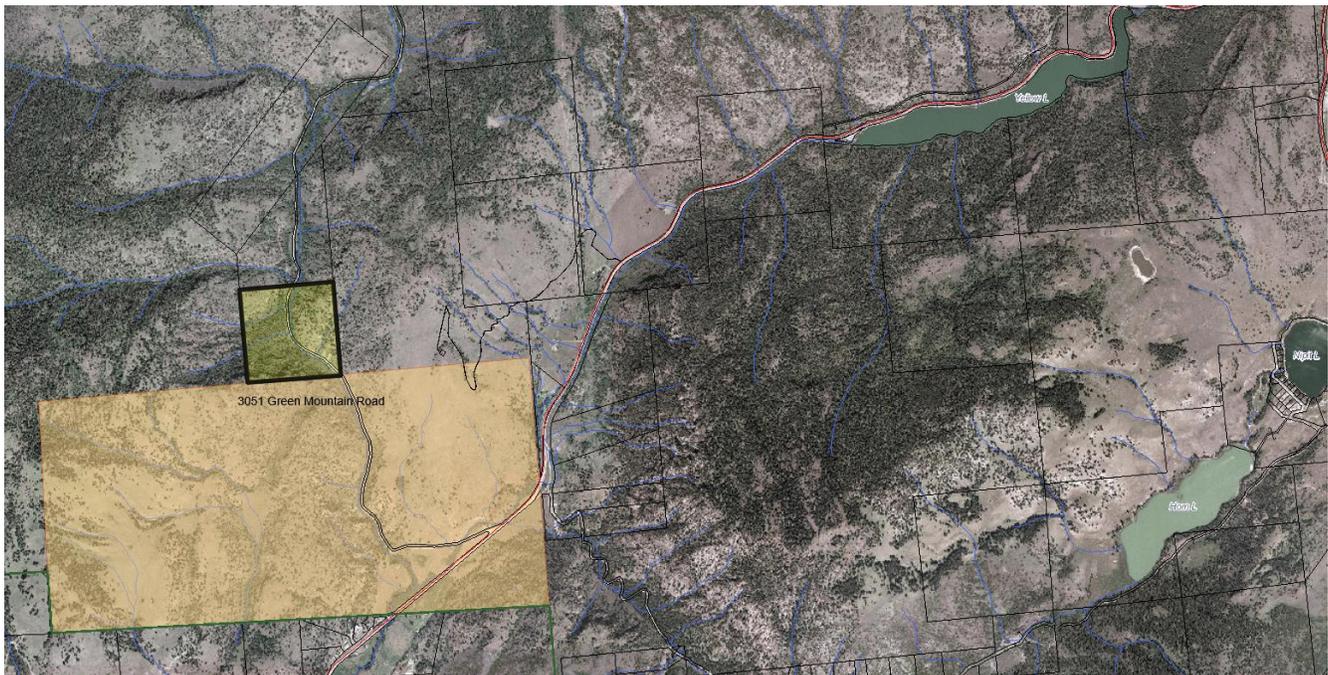
Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 695 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

Respectfully submitted:

“L. Walton”

Laura Walton, Building Inspection Services Supervisor





ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
TYPE: OCP & Zoning Bylaw Amendment Application — Electoral Area “A”

Administrative Recommendation:

THAT the Board of Directors rescind first, second and third reading of Bylaw No. 2450.07, 2014, Electoral Area “A” Official Community Plan Amendment Bylaw and Bylaw No. 2451.13, 2014, Electoral Area “A” Zoning Amendment Bylaw, and abandon the bylaws.

Purpose: To rezone part of a parcel in order to allow for an 8 lot subdivision.

Owner: Susan Copper Agent: Urban Connection (Brad Elenko) Folio: A-05931.100/200

Legal: Lot B, Plan KAP66886, District Lot 2450S, SDYD Civic: 8902 160th Avenue

OCP: part Agriculture (AG) Proposed OCP: part Low Density Residential (LR)

Zoning: part Agriculture One (AG1) Proposed Zoning: part Residential Single Family One Site Specific (RS1s)

Proposed Development:

This proposal is seeking to rezone part of the subject property in order to facilitate an 8 lot subdivision by amending the OCP designation on an approximately 1.80 ha area from Agriculture (AG) to Low Density Residential (LR) and to rezone this same 1.80 ha area from Agriculture One (AG1) to Residential Single Family One Site Specific (RS1s).

Site Context:

The subject property represents a land area of approximately 1.80 ha in area and is situated on the north side of 89th Street where it turns into 168th Avenue. The property is bounded by Osoyoos Lake to the north and is comprised of vacant land with slopes in excess of 45%.

Background:

At its meeting of February 11, 2014, the Electoral Area “A” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed amendments be approved subject to no more than eight (8) lots being created.

At its meeting of May 8, 2014, the Planning and Development (P&D) Committee of the Regional District Board considered this proposal and resolved to support the rezoning of the subject property “subject to density being limited at 8 new parcels and the application of a statutory covenant prohibiting disturbances and development within the 30.0 metre SPEA and unstable area identified in the geotechnical report.”

At its meeting of May 22, 2014, the Board resolved to approve first and second reading of the amendment bylaws and delegated the scheduling of a public hearing.

A Public Hearing was held on October 22, 2014, where approximately 38 members of the public attended.

At its meeting of November 6, 2014, the Board resolved to approve third reading of the amendment bylaws and that, prior to adoption, restrictive statutory covenants be registered on title, in order to:

- prohibit development and disturbance within the 30.0 Streamside Protection and Enhancement Area (as shown on Attachment No. 3 to this report); and
- prohibit development and disturbance within the area identified by the *Preliminary Geotechnical Assessment for Residential Development at 8902-168th Avenue, Osoyoos, BC – Lots A & B*, prepared by Rock Glen Consulting Limited and dated May 9, 2013 (and demarcated by red dashed lines on Attachment No. 3 to this report).

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 November 25, 2014.

Analysis:

Administration notes that it has now been over 12 months since the Board resolved to require of the applicant the registration of a restrictive statutory covenant in order to prohibit development and disturbances within the SPEA.

It is further noted that the 6 month extension granted by the Board at its meeting of May 21, 2015, to allow the property owner to complete the registration of the covenant has now lapsed.

More importantly, in correspondence submitted to the Regional District’s solicitor on December 3, 2015, the property owner’s solicitor advised that “my client is not prepared to sign ... draft s.219 Personal Covenant since its terms greatly exceed the present applicable federal and provincial legislation and regulations.”

In situations such as this, the Regional District’s Development Procedures Bylaw states that an amendment bylaw that has been inactive for a period of 6 months is deemed to be abandoned and that the Chief Administrative Officer will place on the agenda of the next meeting of the Board a motion to rescind all readings of the bylaw associated with that amendment application.

Administration considers that this proposal has been abandoned and that the Board should rescind all reading of the related amendment bylaws.

Respectfully submitted:

Endorsed by:



C. Garrish, Planning Supervisor



D. Butler, Development Services Manager

Attachments: No. 1 – Letter from Applicant (dated December 3, 2015)

No. 2 – Applicant’s Proposed Subdivision Layout

John R. Cooper Law Corporation

Barrister & Solicitor & Notary Public

8145 Main Street

P.O. Box 100

Osoyoos, BC V0H 1V0

Telephone: 250-495-2626

Fax: 250-495-7000

Email: johncooper@osoyoslaw.com

3 December 2015

Our File #XC11/0073

Gilchrist & Company
#101-123 Martin Street
Penticton, BC V2A 7X6

By e-mail: rpt@gilchristlaw.com

Attention: Richard P. Thompson

Dear Mr. Thompson:

Re: Susan Cooper – Subdivision – s.219 Covenant
8902 – 168th Avenue, Osoyoos, BC

Your letter dated 2nd December 2015 has been forwarded to me by my client.

My client is not prepared to sign your client's suggested draft s.219 Personal Covenant since its terms greatly exceed the present applicable federal and provincial legislation and regulations.

Yours Sincerely

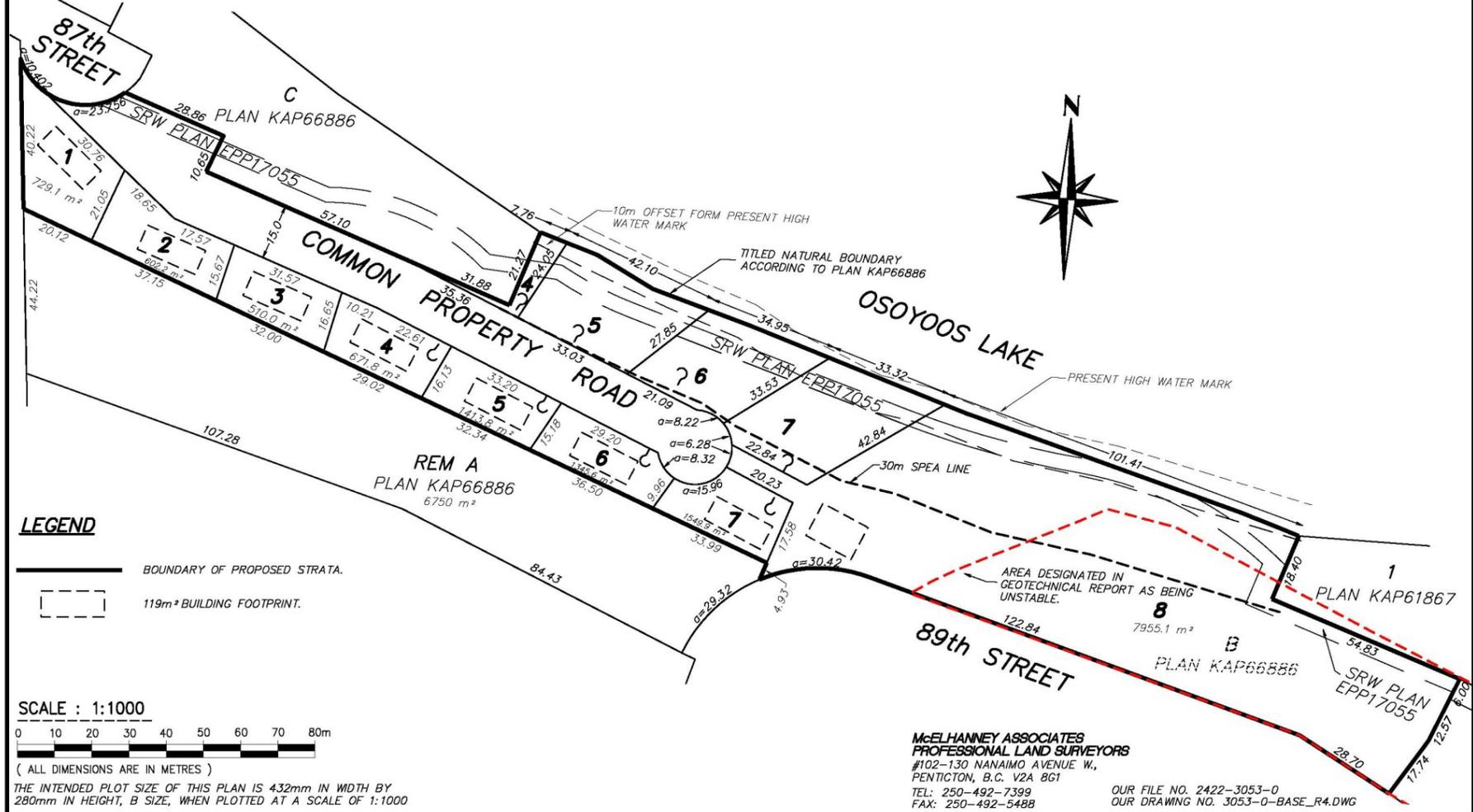
John R. Cooper Law Corporation



John R. Cooper
JRC/jrc
Pc to client

Attachment No. 2 — Applicant's Proposed Subdivision Layout

**PROPOSED 8 LOT STRATA SUBDIVISION OF
LOT B DISTRICT LOT 2450S SDYD PLAN KAP66886 AND
PART OF LOT A DISTRICT LOT 2450S SDYD PLAN KAP66886**
BCGS 82E.003



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2450.07, 2014

**A Bylaw to amend the Electoral Area 'A'
Official Community Plan Bylaw No. 2450, 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 'A' Rural Osoyoos Official Community Plan Amendment Bylaw No. 2450.07, 2014."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area 'A' Official Community Plan Bylaw No. 2450, 2008, is amended by changing the land use designation of the area shown hatched on Schedule 'X', which forms part of this Bylaw, from Agriculture (AG) to Low Density Residential (LR).

READ A FIRST AND SECOND TIME this 22nd day of May, 2014.

PUBLIC HEARING held on this 22nd day of October, 2014.

READ A THIRD TIME this 6th day of November, 2014.

ADOPTED this ___ day of _____, 201___.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

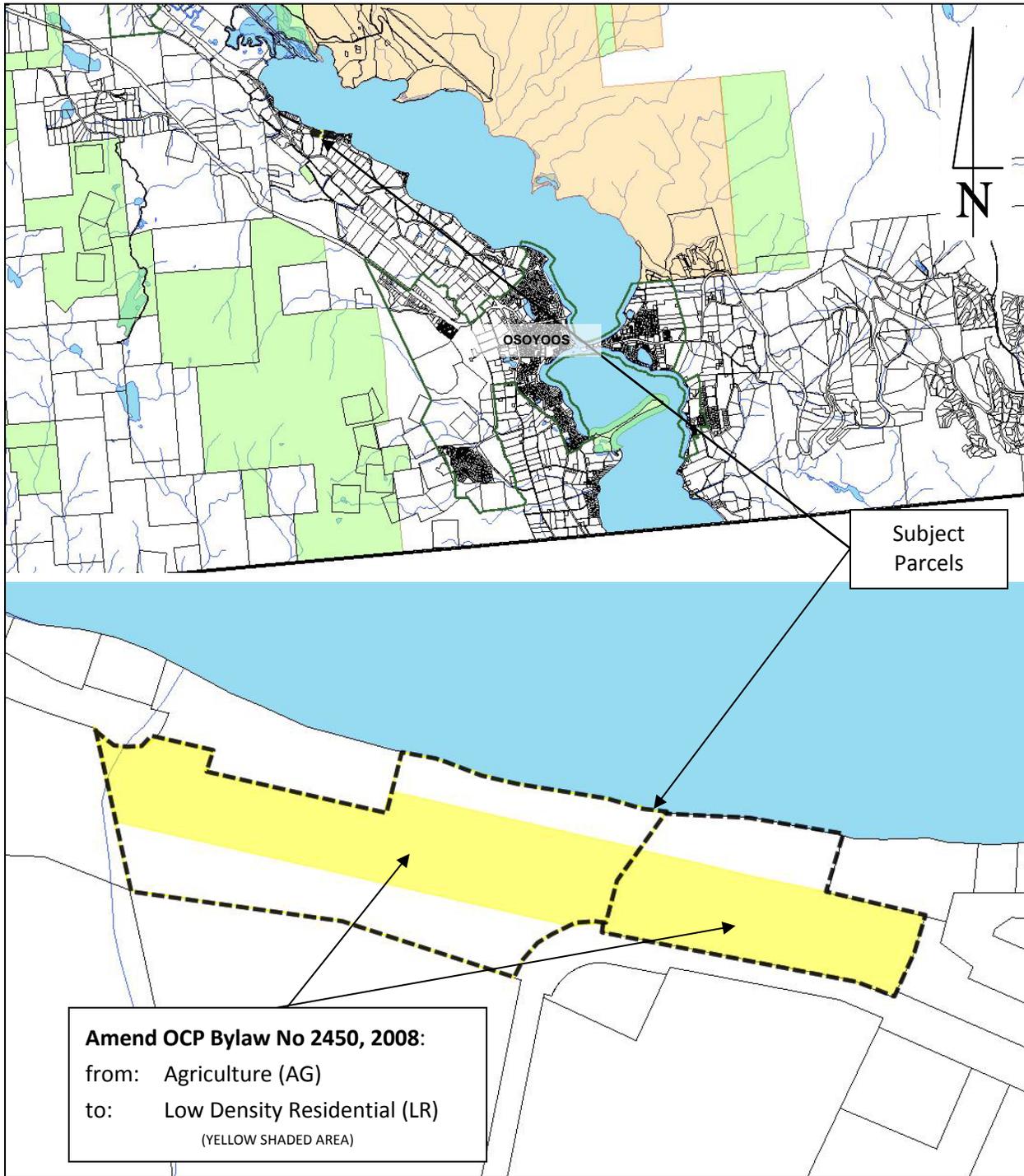
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2450.07, 2014

File No.: A2012.018-ZONE

Schedule 'X'



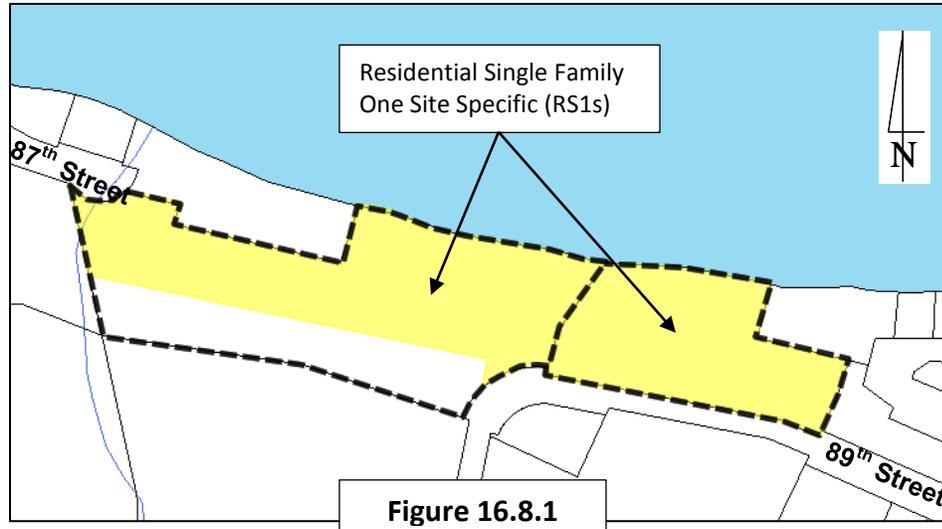
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2451.13, 2014

A Bylaw to amend the Electoral Area 'A' Zoning Bylaw No. 2451, 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 "A" Osoyoos Rural Zoning Amendment Bylaw No. 2451.13, 2014."
2. The Official Zoning Map, being Schedule 2 of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by changing the land use designation of the area shown hatched on Schedule 'Y', which forms part of this Bylaw, from Agriculture One (AG1) to Residential Single Family One Site Specific (RS1s).
3. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by amending Section 16.8.1, under "Site Specific Residential Single Family One (RS1s) Provisions" to read as follows:
 - .1 In the case of land shown shaded yellow on Figure 16.8.1, the maximum number of parcels that may be created by subdivision shall not exceed eight (8).



READ A FIRST AND SECOND TIME this 22nd day of May, 2014.

PUBLIC HEARING held this 22nd day of October, 2014.

Approved pursuant to Section 52(3)(a) of the *Transportation Act* this 25th day of November, 2014.

READ A THIRD TIME this 6th day of November, 2014.

ADOPTED this __ day of _____, 201__.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

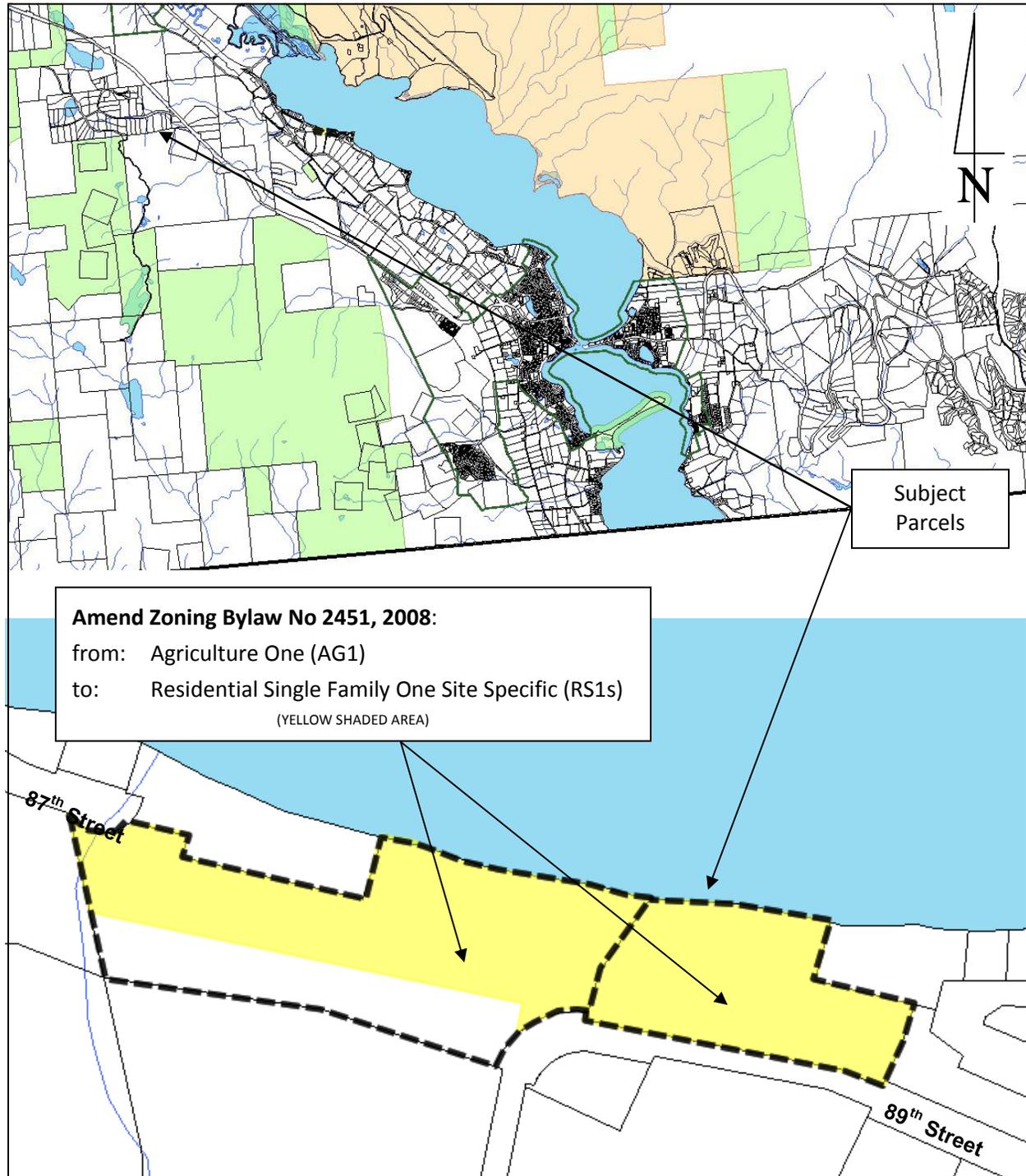
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2451.13, 2014

File No.: A2012.018-ZONE

Schedule 'Y'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
TYPE: Zoning Bylaw Amendment — Electoral Area “C”

Administrative Recommendation:

THAT Bylaw No. 2453.26, 2015, Electoral Area “C” Zoning Amendment Bylaw be read a third time and adopted.

Purpose: To allow for the subdivision of the 6.07 ha subject property into two new parcels approximately 3.0 ha in area.

Owner: Jorg & Laura Philipps Agent: Jorg & Laura Philipps Folio: C-07068.050

Legal: Lot 3, Plan 21824, DL 3098, SDYD Civic: 1140 Green Lake Road, Willowbrook

Zoning: Agriculture One (AG1) Proposed Zoning: Agriculture One Site Specific (AG1s)

Proposal:

This proposal is seeking to amend the zoning of the subject property in order to facilitate the subdivision of a new 3.0 hectares (ha) parcel while leaving a remainder parcel of 3.0 ha that will comprise the existing dwelling.

The applicant has stated that the proposed new parcel is consistent with the rural-residential land use pattern found to the south; that the agriculturally viable portion of the property will be preserved; and that increased tax revenue will be generated and provided to the province.

The Board is asked to be aware that the applicant is an employee of the Regional District of Okanagan-Similkameen (RDOS).

Site Context:

The subject property is approximately 6.07 ha in area and is situated on the western side of Green Lake Road, with a secondary road frontage to Green Lake Road at the rear property boundary.

Background:

At its meeting of October 20, 2015, the Electoral Area “C” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed rezoning be denied.

At its meeting of November 5, 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 was held on November 25, 2015, where approximately four (4) members of the public attended.

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 (i.e. Highway 97).

Alternative:

THAT the Board of Directors rescind first and second reading of Bylaw No. 2453.26, 2015, Electoral Area "C" Zoning Amendment Bylaw, and abandon the bylaw.

Analysis:

The Board, at its meeting of November 5, 2015, approved first and second reading of the amendment bylaws and a public hearing has been held.

The Board has previously noted that there was an APC and an administrative objection to this application on the basis that Willowbrook is seen to be an isolated settlement area that is poorly served with local amenities/services and is separated from the nearest community (i.e. Okanagan Falls) by a distance of 8km.

Increasing densities in remote locations is not supported by the RGS and is commonly deemed to be a poor planning practice.

The applicant was aware of the agricultural zoning of the property when they purchased in 2007 and there is no indication that this proposal "will allow for more efficient use of agricultural land or the better utilization of farm buildings for farm purposes" (as required by the OCP), or that the minimum parcel size requirements of the AG1 Zone are now inappropriate.

Respectfully submitted:



C. Garrish, Planning Supervisor

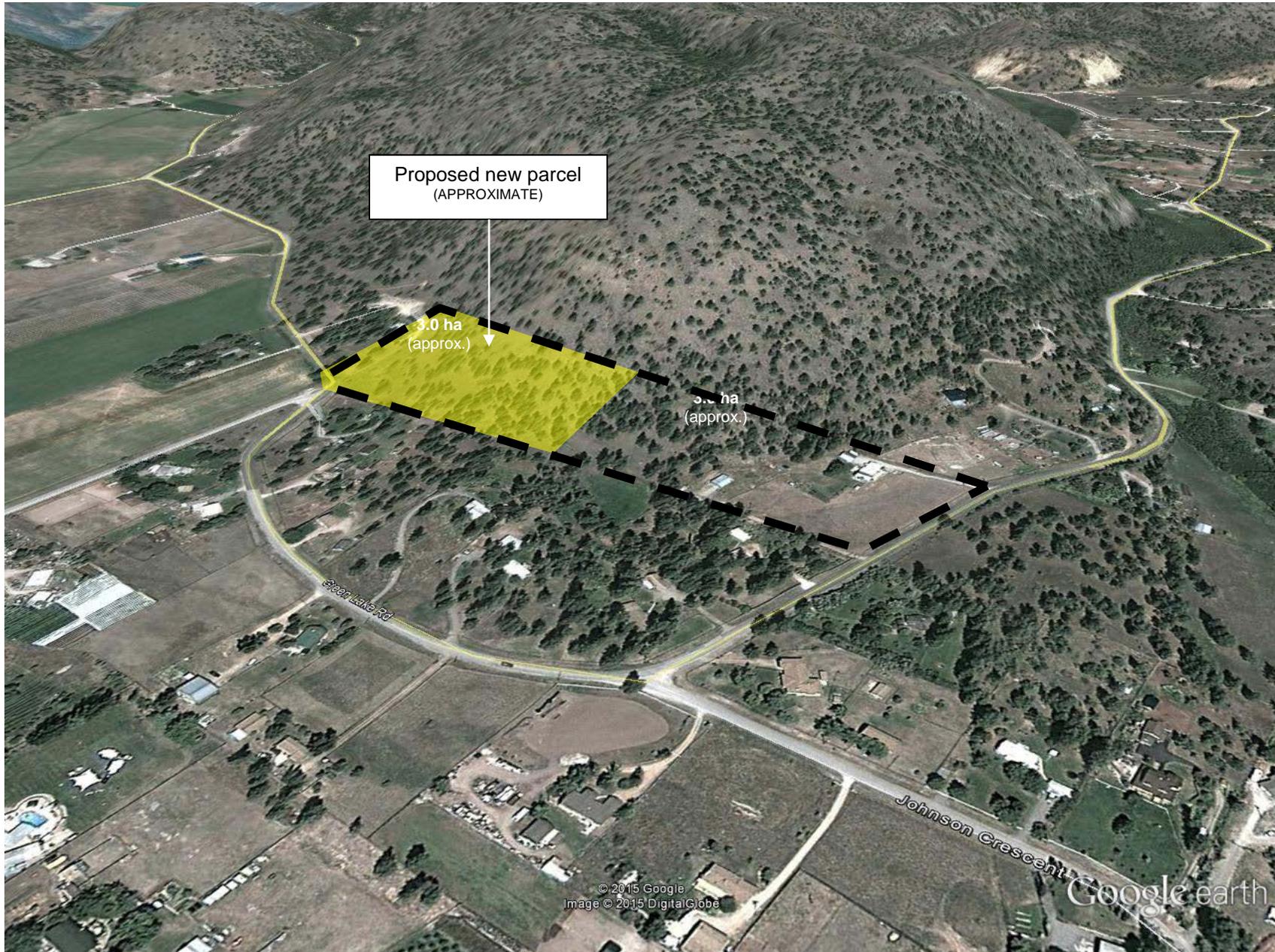
Endorsed by:

D. Butler, Development Services Manager

Attachments: No. 1 – Aerial Photo (Google Earth)

No. 2 – Site Photo (Google Streetview)

Attachment No. 1 — Aerial Photo (Google Earth)



Attachment No. 2 – Site Photos (Google Streetview)



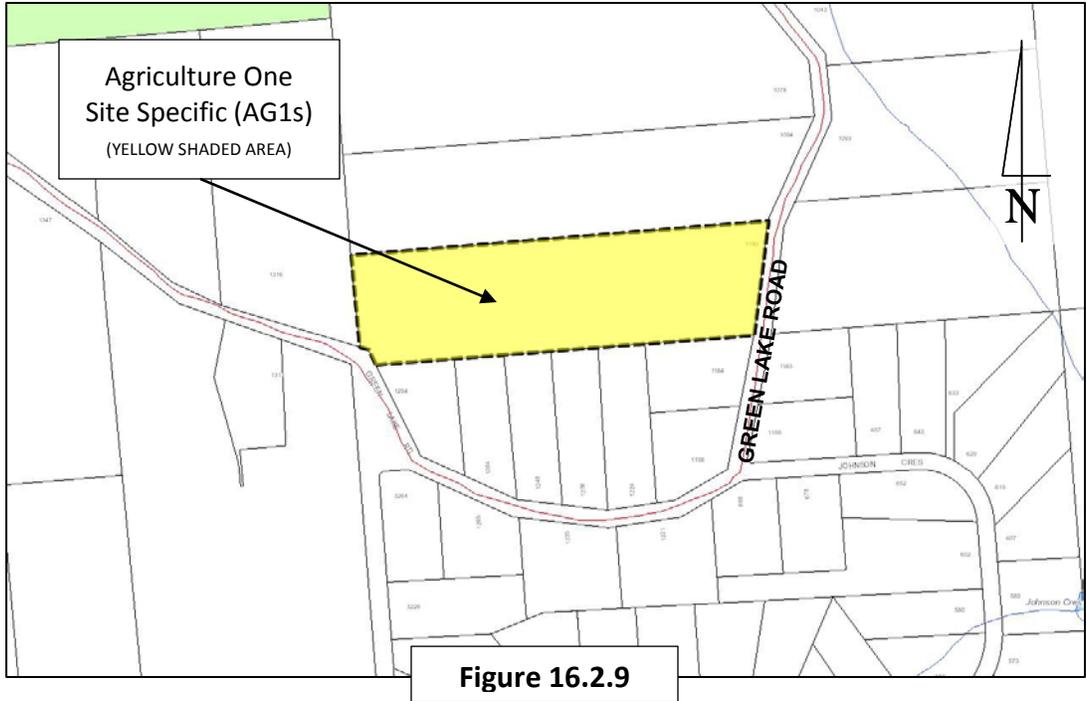
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2453.26, 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. 2453.26, 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 3, Plan KAP21824, District Lot 3098, SDYD, and shown shaded yellow on Schedule ‘Y’, which forms part of this Bylaw, from Agriculture One (AG1) to Agriculture One Site Specific (AG1s).
3. The Electoral Area “C” Zoning Bylaw No. 2453, 2008, is amended by adding a new sub-section following Section 16.2.8, under “Site Specific Agriculture One (AG1s) Provisions” to read as follows:
 - .9 In the case of land described as Lot 3, Plan KAP21824, District Lot 3098, SDYD (1140 Green Lake Road), and shown shaded yellow on Figure 16.2.9:
 - i) despite Section 10.2.3(a), the minimum parcel size shall be 3.0 ha.



READ A FIRST AND SECOND TIME this 5th day of November, 2015.

PUBLIC HEARING held on this 25th day of November, 2015.

READ A THIRD TIME this __ day of ____, 2015.

ADOPTED this __ day of ____, 2015.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

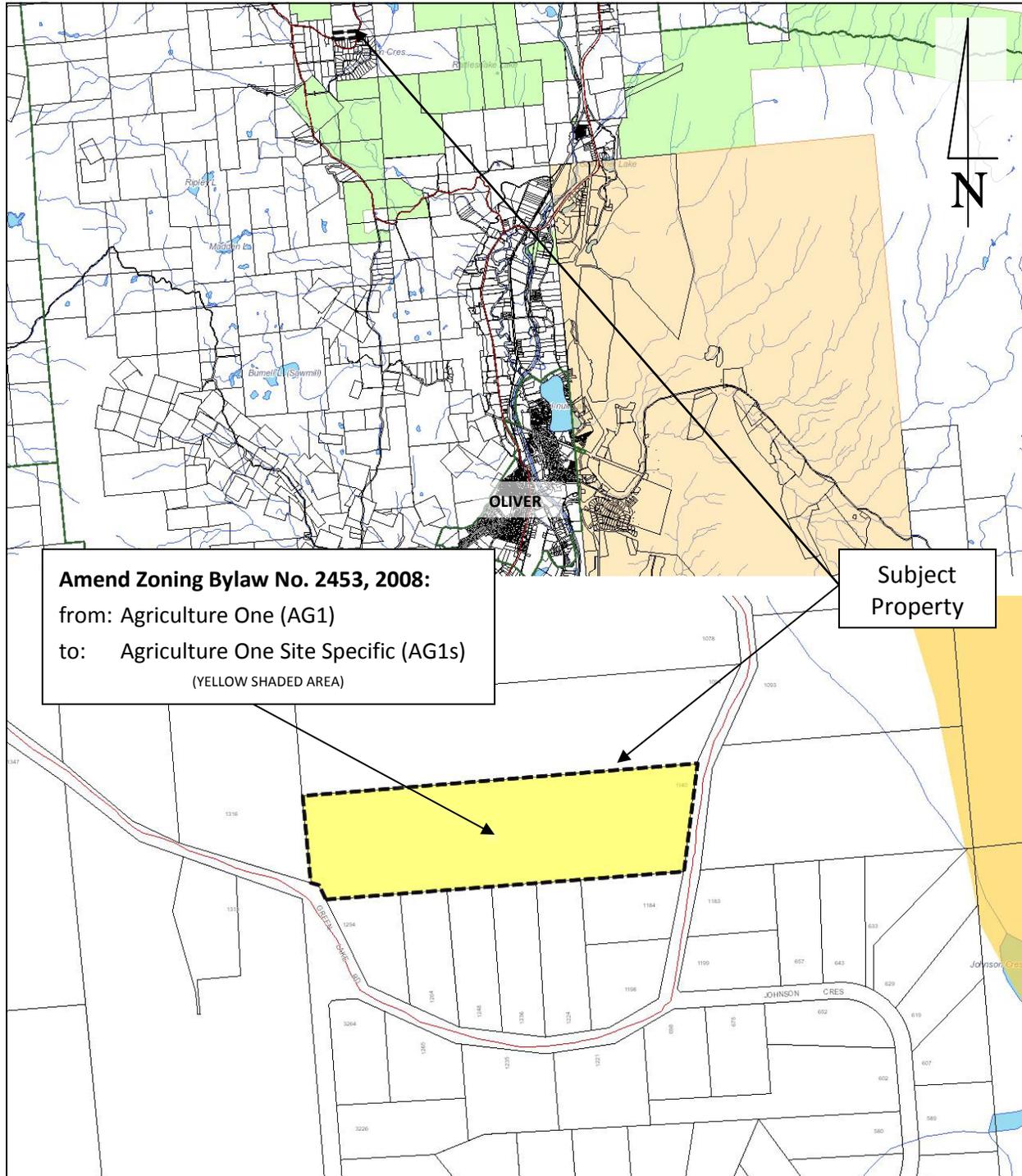
101 Martin St, Penticton, BC V2A 5J9
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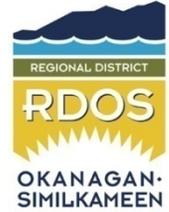
Amendment Bylaw No. 2453.26, 2015

Project No: C2015.085-ZONE

Schedule 'Y'



PUBLIC HEARING REPORT



TO: Board of Directors

FROM: Chair Rick Knodel, Alternate Director, Electoral Area "C"

DATE: November 23, 2015

RE: Public Hearing Report on Amendment Bylaw Nos. 2453.26

Purpose of Amendment Bylaw:

The purpose of the amendment bylaws are to amend the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is to allow for the subdivision of the subject property into two new parcels.

Public Hearing Overview:

The Public Hearing for Amendment Bylaw No 2453.26 was convened on Wednesday, November 25, 2015, at 7:00 p.m., at the Oliver Community Centre, 6359 Park Drive, Oliver.

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

Members of the Regional District Board present were:

- Chair, Alternate Director Rick Knodel

Members of the Regional District staff present were:

- Christopher Garrish, Planner
- Nona Lynn, Recording Secretary

Chair Knodel called the Public Hearing to order at the Oliver Community Centre, Meeting Room at 6359 Park Drive, Oliver.

Pursuant to Section 890 and 892 of the *Local Government Act* in order to consider Amendment Bylaw Nos 2453.26, 2015.

In accordance with subsections 1 and 2 of Section 892, the time and place of the public hearing was advertised in the November 11 and 18, 2015 editions of the Oliver Chronicle.

Copies of reports and correspondence received related to Amendment Bylaw No 2453.26, 2015 were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There was no written brief submitted at the public hearing.

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

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

One letter of support was submitted.

Shawn Calverley – spoke in support of the proposal.

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

Chair Knodel asked a third time if there was anyone who wished to speak further to the proposed bylaws and hearing none, declared the public hearing closed at 7:16 p.m.

Recorded by:

“Nona Lynn”

Nona Lynn
Recording Secretary

Confirmed:



Christopher Garrish
Planning Supervisor

Confirmed:

“Rick Knodel”

Rick Knodel
Chair

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: September-15-15 5:09 PM
To: Planning; Christopher Garrish
Cc: Mirsky, Nicholas
Subject: Green Lake Rd, 1140 RDOS (C2015.085-ZONE)

With respect to the above noted file,

There are primary distribution facilities along Green Lake Road. However, due to the size of both proposed lots extension work may be required to bring service to potential building sites; the cost of which may be significant. The applicant is responsible for costs associated with any change to the proposed lots' 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.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

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

Best Regards,

*Steven Danielson,
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

FORTIS BC

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Lauri Feindell

From: Christopher Garrish
Sent: August-20-15 2:48 PM
To: Lauri Feindell
Subject: FW: Philips rezoning: RDOS file: C2015.085-ZONE

From: Collins, Martin J ALC:EX [<mailto:Martin.Collins@gov.bc.ca>]
Sent: August-20-15 10:42 AM
To: Christopher Garrish
Subject: Philips rezoning: RDOS file: C2015.085-ZONE

Chris

This is to advise that the ALC has no objection to the proposed rezoning of Lot 3 , Plan 21824 from AG1 to Agriculture One Site Specific (AG1s) which permits a minimum lot size of 3 ha.

The proposed bylaw is consistent with the ALC's decision, as per Resolution # 900/2009 to allow a two lot subdivision of Lot 3.

If you have any questions, please contact the ALC.

Regards,

Martin Collins
Regional Planner
Agricultural Land Commission
#133 4940 Canada Way
Burnaby, BC, V5G 4K6
martin.collins@gov.bc.ca
604-660-7021





September 8, 2015

File: 58000-20/104233
Your File: C2015.085-ZONE

Regional District of Okanagan Similkameen
101 Martin Street
Penticton BC C2A 5J9

Attention: Lauri Feindell, Planning

Re: Zoning Amendment for 1140 Green Lake Road, Willowbrook, 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,

Grant Furness
Ecosystems Section Head

GF/cl



RESPONSE SUMMARY

AMENDMENT BYLAW NO. _____

Approval Recommended for Reasons
Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to
Conditions Below

Approval Not Recommended Due
to Reasons Outlined Below

Re: Lot 3, Plan 21824, DL 3098 SDYD]
1140 Green Lake Road, Willowbrook, BC

This application is to rezone the subject property from Agriculture One (AG1) to Agriculture One Site Specific (AG1s) to allow a subdivision comprising of two (2) x 3 hc lots.

The property falls within the Area "C" Official Community Plan and conforms to the goals and policies outlined.

At the time of subdivision the Applicant will need to comply with the Sewerage System Regulation and the Subdivision Regulation.

The existing dwelling is connected to the Willowbrook Water System. The Drinking Water Officer does not have any concerns with this water system at this time.

If you have any questions please feel free to contact me at either 250-395-7603 or karen.zabaras@interiorhealth.ca

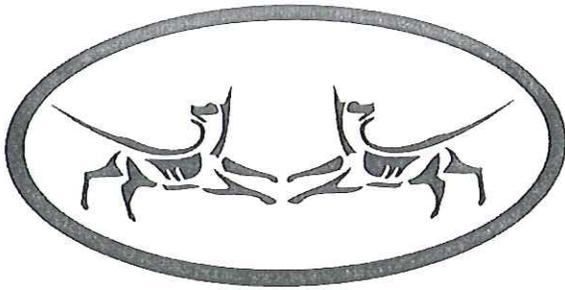
Signature:  _____

Signed By: Karen Zabarar

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: Sept 18 2015



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

September-25-15

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

RTS #: 1187
Referral ID: 2015-08-20 ZON 1187
Ref #: C2015.085-ZONE 2453.26 2015 *Phillips*
Date: August-20-15

Attention: Christopher Garrish

Re: Regional District of Okanagan Similkameen RTS #1187, Invoice #288

We write regarding your failure to pay invoice #288 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 August-20-15.

Please make cheque payable to Penticton Indian Band. re: P.C. 132 RTS #1187

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.

limlmt,

Lavonda Nelson
Data Management Clerk

cc:

November 16, 2015

To whom it may concern;

Re: Proposed re-zoning at 1140 Green Lake Rd Oliver BC- Zoning Amendment
Bylaw No. 2453.26, 2015

I am an adjacent land owner and resident to the property in question and a member of the Willowbrook Fire Department. I support the proposed rezoning application at 1140 Green Lake Road Oliver BC.

Thank you,

Erin Iannella

November 16, 2015

To whom it may concern;

Re: Proposed re-zoning at 1140 Green Lake Rd Oliver BC- Zoning Amendment Bylaw
No. 2453.26, 2015

I am an adjacent land owner to the property in question and a local business owner in the Oliver (Willowbrook) area. I support the proposed rezoning application at 1140 Green Lake Road Oliver BC.

Thank you,

^

Tony Iannella

November 15, 2015

To the Regional District Okanagan-Similkameen;

Re: Proposed re-zoning at 1140 Green Lake Rd Oliver BC- Zoning Amendment Bylaw
No. 2453.26, 2015

We are adjacent land owners and residents to 1140 Green Lake Road. We support the proposed rezoning application for the purpose of subdivision.

Thank you.

Clay and Linda Schultz

November 15, 2015

To the Regional District Okanagan - Similkameen;

Re: Proposed re-zoning at 1140 Green Lake Rd Oliver BC- Zoning Amendment
Bylaw No. 2453.26, 2015

We are adjacent land owners and residents to 1140 Green Lake Road. We support the proposed rezoning application for the purpose of subdivision.

Thank you, //

Hally and Shawn ~~Calverley~~

November 14, 2015

To the Regional District Okanagan-Similkameen;

Re: proposed re-zoning at 1140 Green Lake Rd Oliver BC

I am a local area resident and an adjacent land owner. I am in support of the rezoning application at 1140 Green Lake Road Oliver BC (Willowbrook).

Thank you,

Handwritten signature of Rick Knodel in black ink.

November 15, 2015

To the Regional District Okanagan-Similkameen;

Re: Proposed re-zoning at 1140 Green Lake Rd Oliver BC- Zoning Amendment Bylaw
No. 2453.26, 2015

We are adjacent land owners and residents to 1140 Green Lake Road Oliver BC. We support the proposed rezoning application for the purpose of subdivision.

Thank you,

Megan Coste
Kevin Storte

November 16, 2015

To whom it may concern at the RDOS;

Re: Proposed re-zoning at 1140 Green Lake Rd Oliver BC- Zoning Amendment Bylaw No. 2453.26, 2015

We are local area residents/land owners and local business owners in the Oliver (Willowbrook) Area. I am also a firefighter with the Willowbrook Fire Department. We are in support of the proposed rezoning application at 1140 Green Lake Road Oliver BC.

Thank you. ✓

Lionel Trudel & Karen Somerville



November 15, 2015

To whom it may concern:

Re: Proposed Zoning Bylaw Amendment 1140 Green Lake Rd Oliver BC

I am a local area resident and a local business owner in the construction industry. I am in support of the rezoning application at 1140 Green Lake Road Oliver BC (Willowbrook) as it will provide a financial benefit for the local construction industry and other local business.

Thank you,

Brad Rodgers
West Link Contracting

November 25, 2015

To whom it may concern at the RDOS;

Re: Proposed re-zoning at 1140 Green Lake Rd Oliver BC- Zoning Amendment Bylaw No. 2453.26, 2015

I am a local area resident and land owner in Willowbrook. I am in support of the proposed rezoning application at 1140 Green Lake Road Oliver BC.

Thank you,

Margaret & Clifford

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 17, 2015

RE: Land Use Contract Discharge and Termination; and
Heritage Hills and Lakeshore Highlands, Electoral Area "D-2"

Administrative Recommendation:

THAT Bylaw No. 2603.06, 2015, Electoral Area "D" Official Community Plan Amendment Bylaw be read a third time and adopted;

THAT Bylaw No. 2455.20, 2015, Electoral Area "D" Land Use Contract Discharge and Zoning Amendment Bylaw be read a third time and adopted;

AND THAT Bylaw No. 2455.19, 2015, Electoral Area "D" Lakeshore Highlands and Heritage Hills Land Use Contract Termination and Zoning Amendment Bylaw be read a third time.

Purpose:

The purpose of these amendment bylaws is to remove Land Use Contract (LUC) No. LU-3-D from those parcels comprised within the "Lakeshore Highlands" and "Heritage Hills" neighbourhoods of Electoral Area "D-2".

Specifically, it is being proposed to undertake a "voluntary discharge" of the LUC in relation to approximately one (1) parcel for which a "Discharge Agreement" has been obtained from the property owner, and to undertake an "early termination" of the LUC in relation to all remaining parcels.

It is further proposed to replace the LUC with a Small Holdings (SH) designation under the Electoral Area "D-2" OCP Bylaw, and a Small Holdings Five Site Specific (SH5s) Zone under the Electoral Area "D-2" Zoning Bylaw.

With regard to two parcels situated within the Agricultural Land Reserve (ALR), it is proposed to replace the LUC with an Agriculture (AG) designation under the OCP Bylaw, and an Agriculture Three (AG3) Zone under the Zoning Bylaw.

Site Context:

The subject area is situated on the east side of Eastside Road and comprises a land area of approximately 85.25 hectares (ha) representing 226 parcels.

Background:

On July 6, 2015, a Public Information Meeting was held at the Community Centre in Okanagan Falls, where approximately 40-50 people attended.

A second Public Information Meeting was held at the Community Centre in Okanagan Falls on September 23, 2015, where approximately 30-40 people attended.

At its meeting of October 13, 2015, the Electoral Area “D” Advisory Planning Commission (APC) resolved that the proposed replacement of Land Use Contract No. LU-3-D with an OCP designation of Small Holdings (SH) and zoning of Small Holdings Five Site Specific (SH5s) be approved.

At its meeting of October 15, 2015, the P&D Committee of the Regional District Board considered the outcomes of this public consultation process and resolved to replace LUC No. LU-3-D with an SH5s Zone (as opposed to the RS1 Zone considered at its meeting of May 7, 2015).

At its meeting of November 19, 2015, the Regional District Board approved first and second reading of Amendment Bylaw Nos. 2603.06, 2455.19 & 2455.20, 2015, and delegated the holding of a Public Hearing.

A Public Hearing was held on December 9, 2015, where approximately four (4) members of the public attended.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required for Amendment Bylaw No. 2455.19, 2015, as this bylaw affects lands situated within 800 metres of a controlled area.

Alternative:

THAT Bylaw No. 2603.06, 2015, Electoral Area “D” Official Community Plan Amendment Bylaw, Bylaw No. 2455.19, 2015, Electoral Area “D” Land Use Contract Discharge and Zoning Bylaw Amendment & Bylaw No. 2455.20, 2015, Electoral Area “D” Land Use Contract Termination and Zoning Amendment Bylaw be denied.

Analysis:

Further to the discussion of this issue at the P&D Committee meeting of October 15, 2015, Administration favours the termination of the LUC No. LU-3-D and its replacements with a SH5s Zone over the rural-residential parcels comprised in the “Heritage Hills” and “Lakeshore Highlands” neighbourhoods, along with the introduction of an Agriculture Three (AG3) Zone over the two agricultural parcels in the ALR.

All property owners in these neighbourhoods were provided with the opportunity to participate in the “voluntary discharge” of the LUC, yet, to date only one (1) has agreed to participate. While this property is situated within the Vintage Views neighbourhood (which was previously dealt with by the Board at its meeting of September 3, 2015), Administration is recommending that this request be considered in conjunction with the termination of the remainder of LU-3-D.

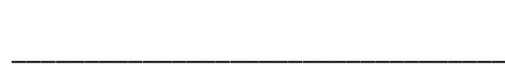
The Board is also asked to be aware that, due to the change from a Low Density Residential (LR) zoning to a Small Holdings (SH) zoning, it is being proposed to carry forward the policy statements in the OCP which discourage vacation rentals in “Heritage Hills” and “Lakeshore Highlands” to the SH designation so that this policy remains relevant to these neighbourhoods.

Respectfully submitted:

Endorsed by:



C. Garrish, Planning Supervisor



D. Butler, Development Services Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.19, 2015

**A Bylaw to terminate Land Use Contract No. LU 3 D and
to amend the Electoral Area "D" Zoning Bylaw No. 2455, 2008**

WHEREAS pursuant to s. 914.2 of the *Local Government Act*, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Lakeshore Highlands and Heritage Hills Land Use Contract Termination and Zoning Amendment Bylaw No. 2455.19, 2015."
2. The Land Use Contract No. LU-3-D, registered in the Kamloops Land Title Office against title to the land shown shaded yellow on the attached Schedule 'Y-1' (which forms part of this Bylaw), is terminated.
3. The land specified in section 2, and shown shaded yellow on the attached Schedule 'Y-1' (which forms part of this Bylaw) is zoned Small Holdings Five Site Specific (SH5s) in the Regional District of Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2455, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.
4. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by
 - a) amending sub-section 10.7.1(a), under "Small Holdings Five (SH5) Zone" to read as follows:
 - a) agriculture, excluding intensive agriculture, on parcels greater than 0.4 ha in area and subject to Sections 7.22 and 7.24;

b) amending sub-section 10.7.1(c), under “Small Holdings Five (SH5) Zone” to read as follows:

c) animal hospitals, on parcels greater than 2.0 ha in area;

c) amending sub-section 10.7.1(g), under “Small Holdings Five (SH5) Zone” to read as follows:

g) home industries, on parcels greater than 2.0 ha in area and subject to Section 7.18;

d) amending sub-section 10.7.2, under “Small Holdings Five (SH5) Zone” to read as follows:

10.7.2 Minimum Parcel Size:

a) 2,020 m²; subject to servicing requirements

e) amending sub-section 17.7.1, under “Site Specific Small Holdings Five (SH5s) Provisions” to read as follows:

.1 In the case of land shown shaded yellow on Figure 17.7.1:

i) the following principal use and no others shall be permitted on the land:

.1 “single detached dwelling”

ii) the following accessory uses and no others shall be permitted on the land:

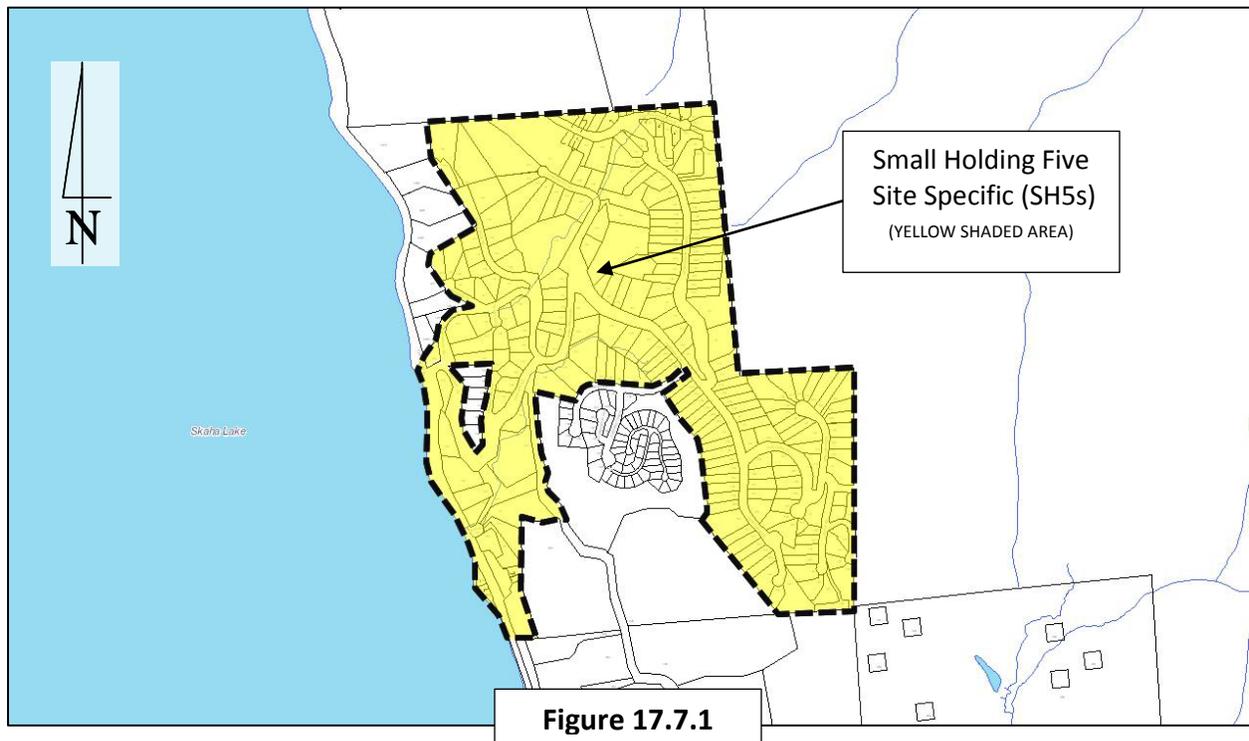
.1 “secondary suite, subject to Section 7.12”;

.2 “home occupations, subject to Section 7.17”;

.3 “bed and breakfast operation, subject to Section 7.19”; and

.4 “accessory buildings and structures, subject to Section 7.13”.

iii) despite Section 10.7.9, the maximum parcel coverage shall be 35%.



f) amending Section 17.8.2 under Section 17.0 (Site Specific Designations) to read as follows:

.2 deleted.

5. The Land Use Contract No. LU-3-D, registered in the Kamloops Land Title Office under charge number J10071 against title to the land described as Lots A & B, Plan KAP28346, District Lot 2710, SDYD, and shown shaded yellow on the attached Schedule 'Y-2' (which forms part of this Bylaw), is terminated.
6. The land specified in section 4, and shown shaded yellow on the attached Schedule 'Y-2' (which forms part of this Bylaw) is zoned Agriculture Three (AG3) in the Regional District of Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2455, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.
7. This Bylaw shall come into force on the day that is one year and one day after the date this Bylaw is adopted.

READ A FIRST AND SECOND TIME this 19th day of November, 2015.

PUBLIC HEARING held on this 9th day of December, 2015.

READ A THIRD TIME this __ day of ____, 2015.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Lakeshore Highlands and Heritage Hills Land Use Contract Termination and Zoning Amendment Bylaw No. 2455.19, 2015" as read a Third time by the Regional Board on this __ day of ____, 2015.

Dated at Penticton, BC this __ day of ____, 2015.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this __ day of ____, 2015.

For the Minister of Transportation & Infrastructure

ADOPTED this __ day of ____, 2016.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

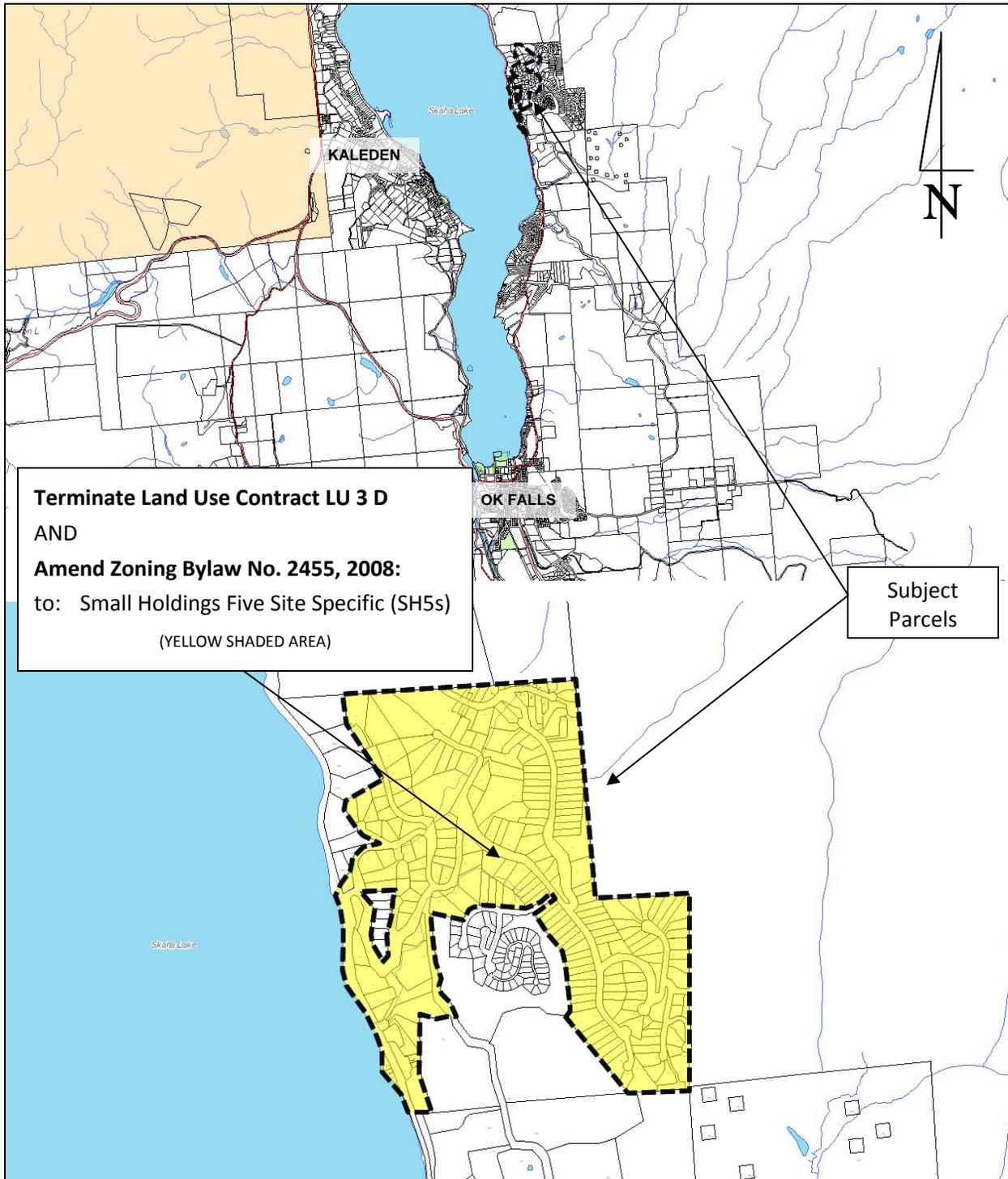
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2455.19, 2015

File No. D2015.020-ZONE

Schedule 'Y-1'



Regional District of Okanagan-Similkameen

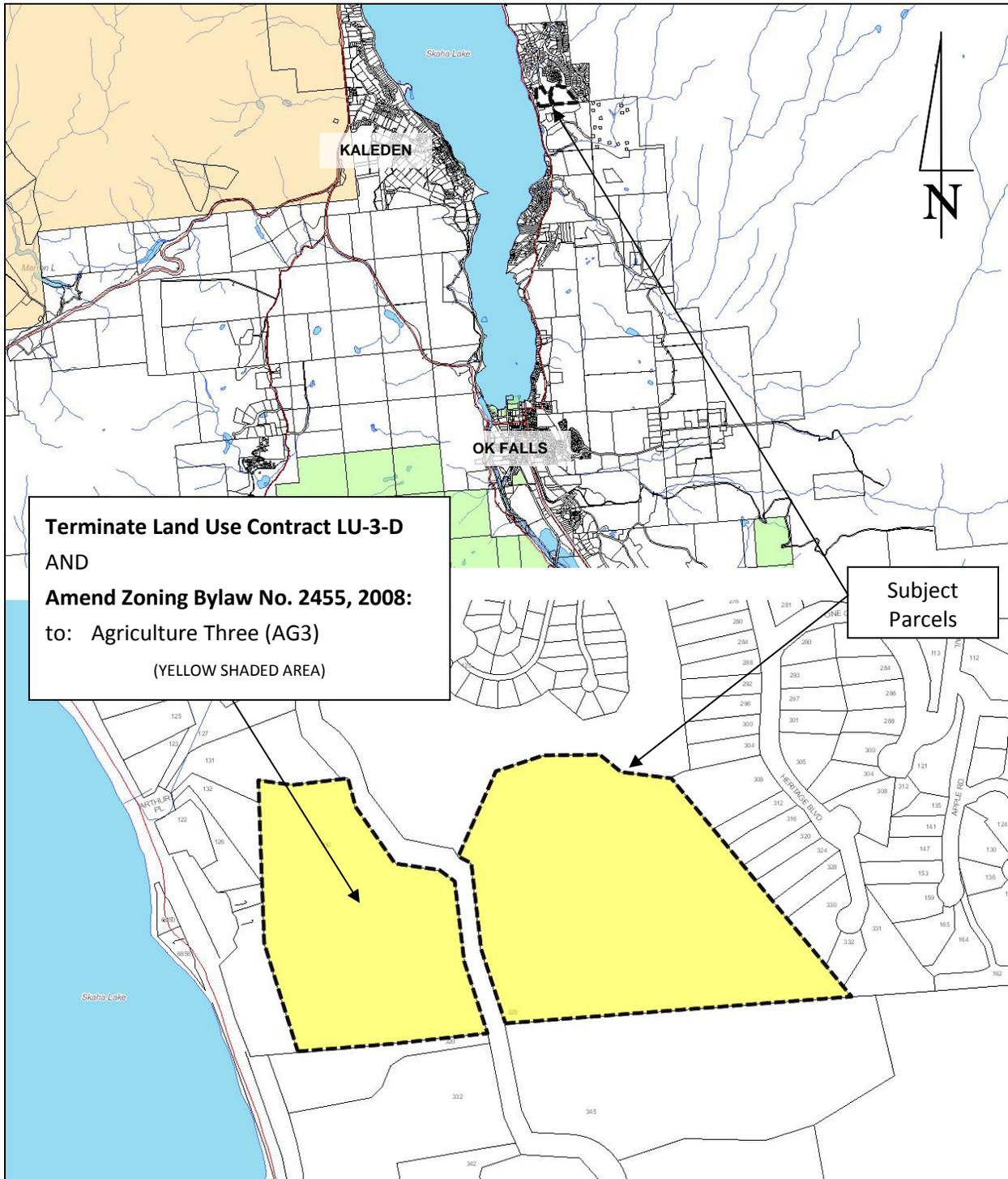
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2455.19, 2015

File No. D2015.020-ZONE

Schedule 'Y-2'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.20, 2015

**A Bylaw to partially discharge Land Use Contract No. LU 3 D and
to amend the Electoral Area "D" Zoning Bylaw No. 2455, 2008**

WHEREAS pursuant to s. 930 of the *Local Government Act*, a local government may, by bylaw, discharge a land use contract that applies to land within the jurisdiction of the local government; and

WHEREAS the registered owner of the lands described in sections 2 of this bylaw has agreed to the discharge of the land use contract that applies to their respective lands;

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Land Use Contract Discharge and Zoning Amendment Bylaw No. 2455.20, 2015".
2. The Land Use Contract No. LU-3-D, registered in the Kamloops Land Title Office under charge number LB416202 against title to the land described as Lot B, Plan KAP91496, District Lot 2710, SDYD, and shown shaded yellow on the attached Schedule 'Y-1' (which forms part of this Bylaw), is discharged in respect of that land and the authorized signatories of the Regional District may execute the discharge agreement attached to this bylaw as Schedule 'Z-1'.
3. The land described in section 2 is zoned Residential Single Family One (RS1) in Regional District of Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2455, 2008 and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.

READ A FIRST AND SECOND TIME this 19th day of November, 2015.

PUBLIC HEARING held on this 9th day of December, 2015.

READ A THIRD TIME this __ day of _____, 2015.

ADOPTED this __ day of _____, 2015.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

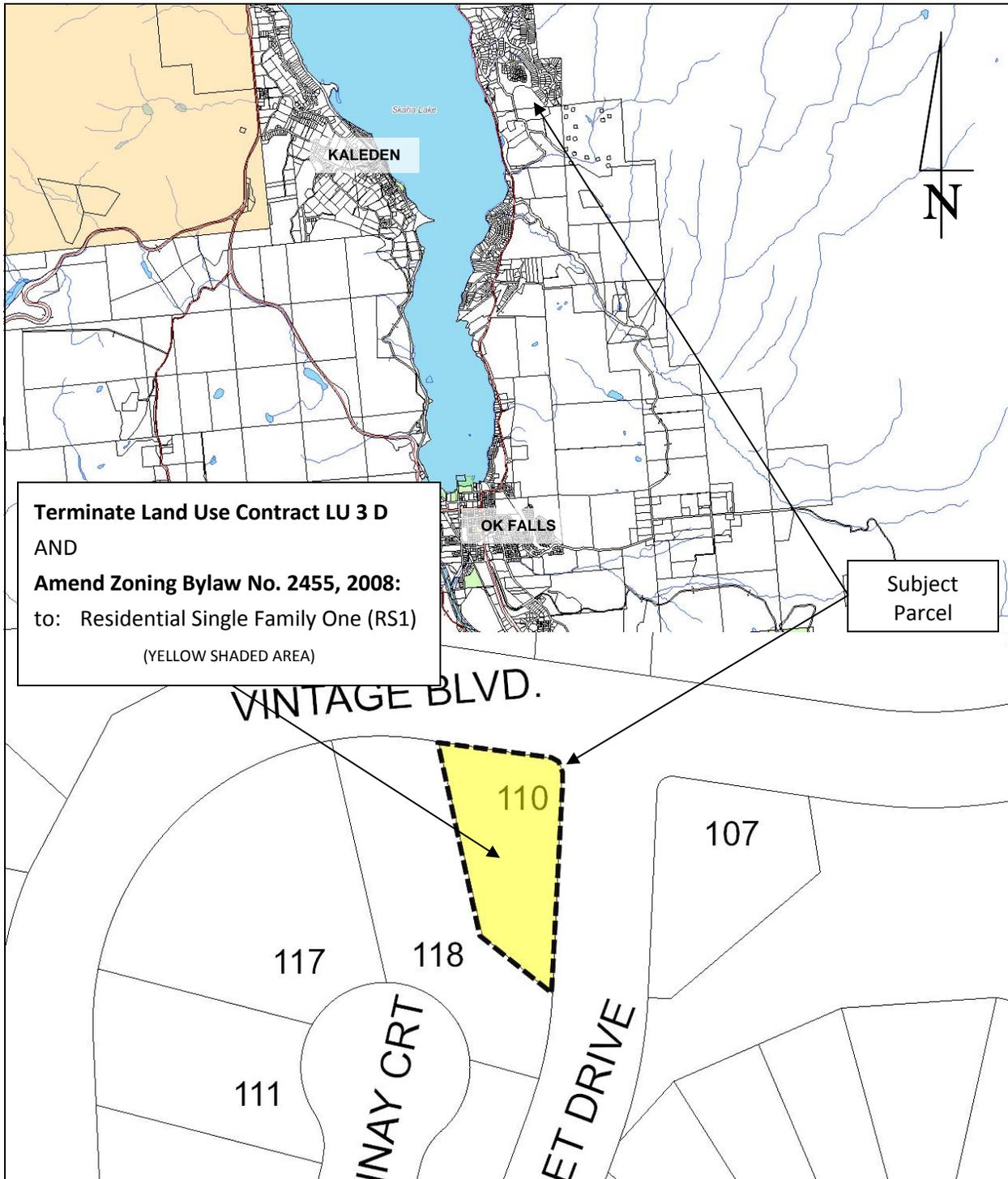
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2455.20, 2015

File No. D2015.020-ZONE

Schedule 'Y-1'



Regional District of Okanagan-Similkameen

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



Amendment Bylaw No. 2455.20, 2015

File No. D2015.020-ZONE

Schedule 'Z-1'



LAND USE CONTRACT DISCHARGE AGREEMENT

Regional District of Okanagan-Similkameen

WHEREAS on December 22, 1972 the Okanagan-Similkameen Regional District entered into a land use contract with William Eric Bomford in respect of (1) SL45, DL2710, SDYD, Plan 1189 Except Plans 14107, 17357, 19076 and 21364; (2) SL29, DL2710, SDYD, Plan 1189 Shown on Plan B4249 Except Plan 21364; (3) SL29, DL2710, SDYD, Plan 1189 Except Part Shown on Plan B4249; and (4) DL3967⁵, SDYD, Except Plan 14107 and Part Shown as Road on Plan 21364 (the "Land"), which land use contract was authorized by Electoral Area 'D' Zoning Bylaw No. 100 Amendment Bylaw No. 158, 1972 and registered in the Kamloops Land Title Office under No. J10071 (the "Land Use Contract"); and

WHEREAS the Land was subsequently subdivided by Plan KAP91496 deposited in the Kamloops Land Title Office on November 1, 2010; and

WHEREAS on August 10, 2011, Annette Langlois (the "Owner") became the owner in fee simple of Lot B, Plan KAP91496, District Lot 2710, SDYD ("Lot B"); and

WHEREAS the Regional District and the Owner wish to discharge the Land Use Contract in respect of Lot B; and

WHEREAS under Section 930 of the *Local Government Act* a land use contract that is registered in a land title office may be discharged by bylaw, with the agreement of the local government and the owner of any parcel of land that is described in the bylaw as being covered by the amendment; and

WHEREAS the Regional District has held a public hearing in accordance with Sections 890 to 894 of the *Local Government Act* and has authorized the execution of this Agreement by Electoral Area "D" Land Use Contract Discharge and Zoning Amendment Bylaw No. 2455.20, 2015;

THIS AGREEMENT is evidence that, in consideration of the premises and the sum of one dollar paid to the Regional District by the Owner, the receipt and sufficiency of which are acknowledged by the Regional District, the Owner and the Regional District agree that the Land Use Contract is discharged in relation to Lot B.

Annette Langlois

Annette Langlois
Authorized Signatory:

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN
By its authorized signatories:

Board Chair:

Corporate Officer:

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.06, 2015

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

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “D” Official Community Plan Amendment Bylaw No. 2603.06 2015.”
2. The Future Land Use Map, being Schedule ‘B’ of the Electoral Area “D” Official Community Plan No. 2603, 2013, is amended by introducing a land use designation for the land shown shaded yellow on the attached Schedule ‘X-1’ (which forms part of this Bylaw) of Small Holdings (SH).
3. The Future Land Use Map, being Schedule ‘B’ of the Electoral Area “D” Official Community Plan No. 2603, 2013, is amended by introducing a land use designation for the land described as Lots A & B, Plan KAP28346, District Lot 2710, SDYD, and shown shaded yellow on the attached Schedule ‘X-2’ (which forms part of this Bylaw) of Agriculture (AG).
4. The Electoral Area “D” Official Community Plan Bylaw No. 2603, 2013, is amended by adding a new section following sub-section 10.4 (Policies – Small Holdings) to read as follows:

10.5 Policies – Vacation Rentals

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighborhood residential needs and other land use needs can be addressed. In the areas shown on Eastside Road North and Eastside Road South on Figures 4-9 and 4-10, and generally known as Heritage Hills, Lakeshore Highlands and Skaha Estates, the short-term rental of residences is generally discouraged.

- .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit for rezoning. The Regional Board may use the following criteria to asses applications:
- a) Capability of accommodating on-site domestic water and sewage disposal;
 - b) Mitigating measures such as screening and fencing;
 - c) Provision of adequate off-street parking;
 - d) Confirmation that the structure proposed for use as a vacation rental complies with the BC Building Code; and
 - e) Benefits that such accommodation may provide to the community.

READ A FIRST AND SECOND TIME 19th day of November, 2015.

PUBLIC HEARING held this 9th day of December, 2015.

READ A THIRD TIME this ___ day of _____, 2015.

ADOPTED this ___ day of _____, 2015.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

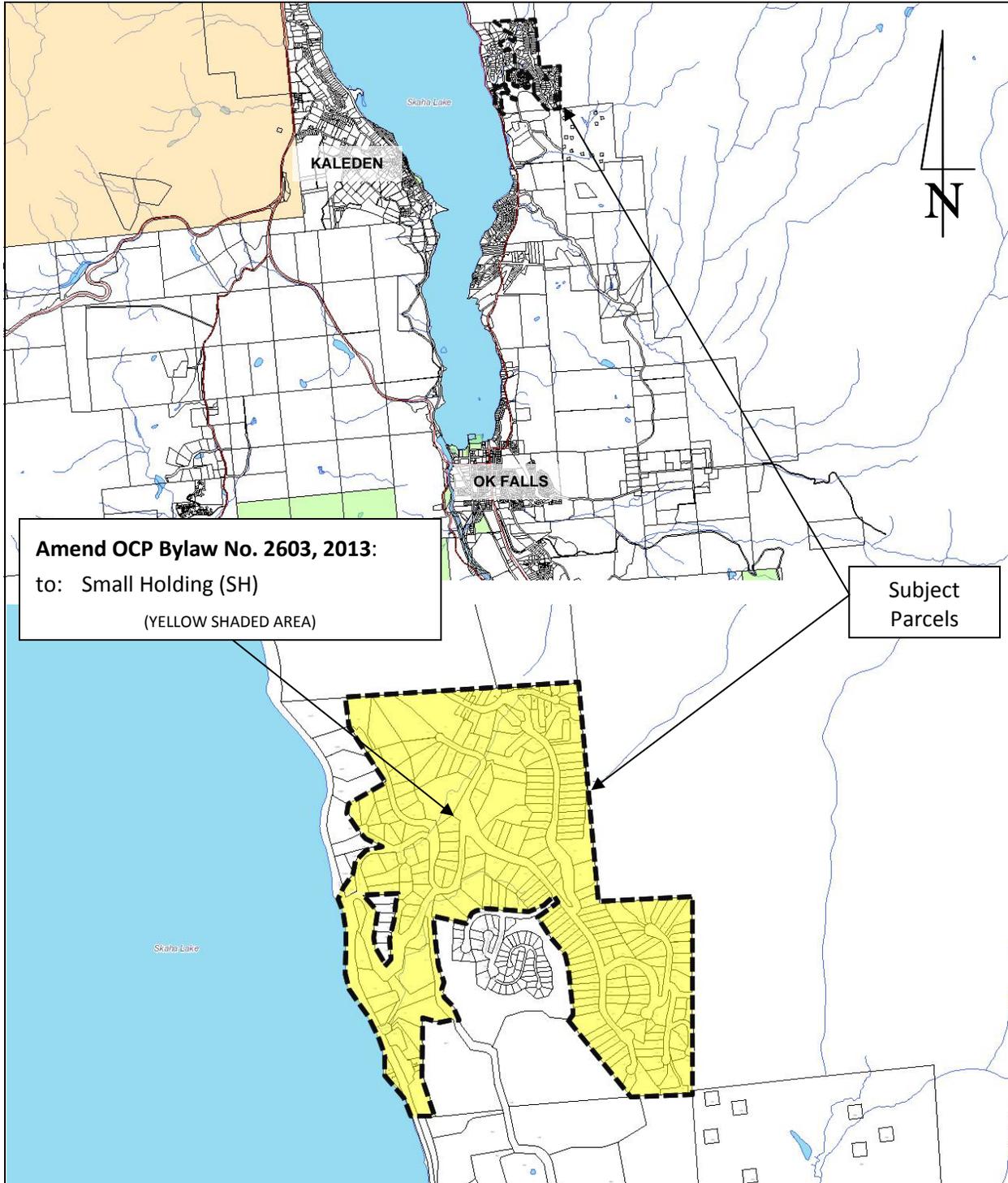
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2603.06, 2015

File No. D2015.020-ZONE

Schedule 'X-1'



Regional District of Okanagan-Similkameen

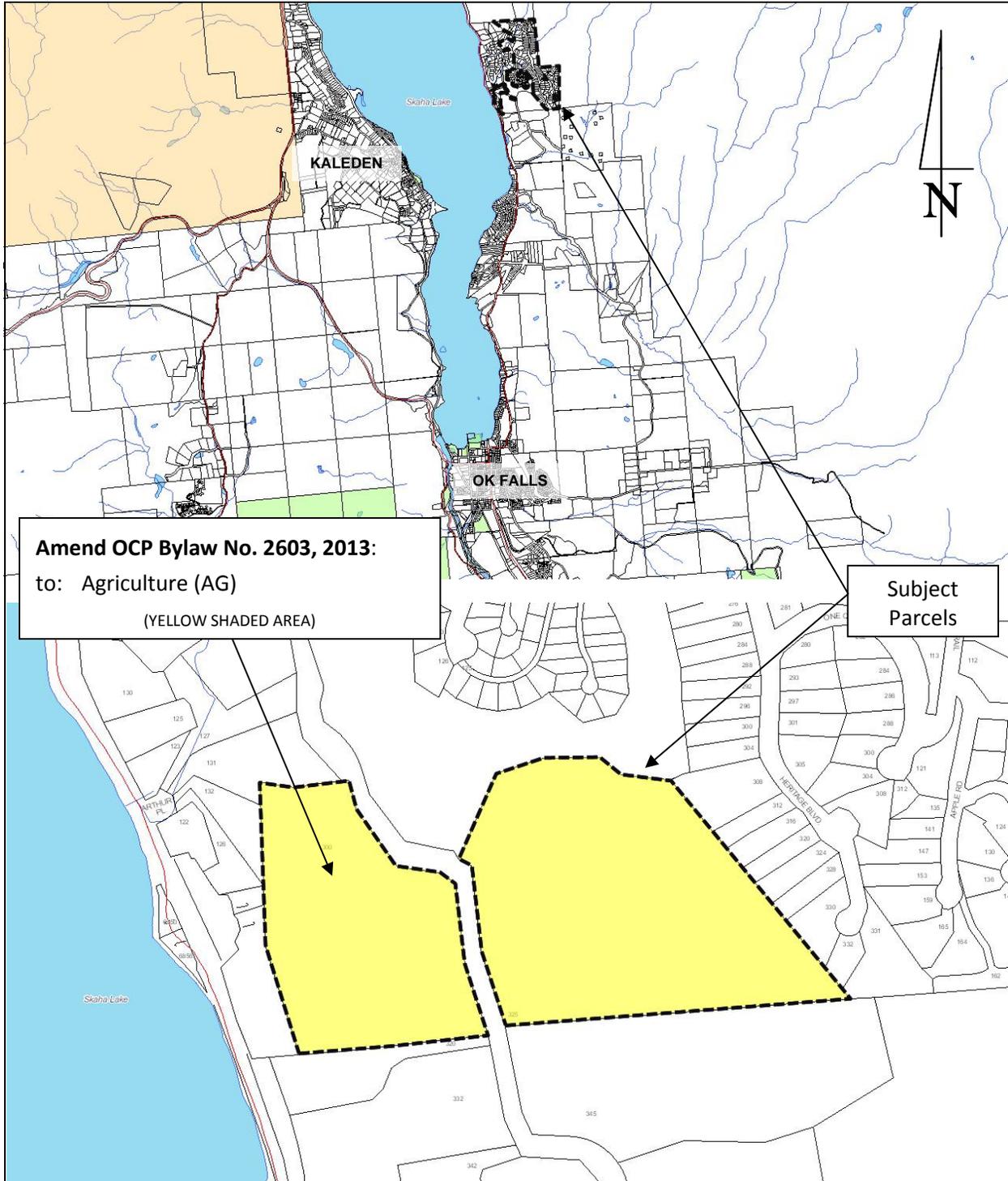
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2603.06, 2015

File No. D2015.020-ZONE

Schedule 'X-2'



PUBLIC HEARING REPORT



TO: Regional Board of Directors

FROM: Chair Tom Styffe

DATE: December 9, 2015

RE: Public Hearing Report on Amendment Bylaw Nos. 2603.06, 2455.19 and 2455.20

Purpose of Amendment Bylaw:

The purpose of the amendment bylaws is to remove Land Use Contract (LUC) No. LU-3-D from those parcels comprised within the “Lakeshore Highlands” and “Heritage Hills” neighbourhoods of Electoral Area “D-2”.

Specifically, it is being proposed to undertake a “voluntary discharge” of the LUC in relation to approximately one (1) parcel for which a “Discharge Agreement” has been obtained from the property owner, and to undertake an “early termination” of the LUC in relation to all remaining parcels.

It is further proposed to replace the LUC with a Small Holdings (SH) designation under the Electoral Area “D-2” OCP Bylaw, and a Small Holdings Five Site Specific (SH5s) Zone under the Electoral Area “D-2” Zoning Bylaw.

With regard to two parcels situated within the Agricultural Land Reserve (ALR), it is proposed to replace the LUC with an Agriculture (AG) designation under the OCP Bylaw, and an Agriculture Three (AG3) Zone under the Zoning Bylaw.

With regard to the “voluntary discharge”, it is proposed to introduce a Residential Single Family One (RS1) Zone over the subject property.

Public Hearing Overview:

The Public Hearing for Amendment Bylaw Nos. 2603.06, 2455.19 and 2455.20 was convened on Wednesday, December 9, 2015, at 7:00 pm., at the Okanagan Falls Community Centre, 1141 Cedar Street, Okanagan Falls.

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

Members of the Regional District Board present were:

- Chair Tom Styffe

Members of the Regional District staff present were:

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

Chair Styffe called the Public Hearing to order at the Okanagan Falls Community Centre, 1141 Cedar Street, Okanagan Falls.

Pursuant to Section 890 and 892 of the *Local Government Act* in order to consider Amendment Bylaw Nos. 2603.06, 2455.19 and 2455.20, 2015.

In accordance with subsections 1 and 2 of Section 892, the time and place of the public hearing was advertised in the November 25 and December 2, 2015 editions of the Okanagan Falls Review.

Copies of reports and correspondence received related to Amendment Bylaw Nos. 2603.06, 2455.19 and 2455.20, 2014 were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There was no written brief submitted at the public hearing.

Chair Styffe 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.

Chair Styffe asked if anyone wished to speak to the proposed bylaws.

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

Chair Styffe asked a third time if there was anyone who wished to speak further to the proposed bylaws and hearing none, declared the public hearing closed at 7:11 p.m.

Recorded by:

Gillian Cramm

Gillian Cramm
Recording Secretary

Confirmed:



Christopher Garrish
Planning Supervisor

Confirmed:

Tom Styffe

Tom Styffe
Chair

FEEDBACK FORMS INCLUDED— LAND USE CONTRACT (LU-3-D)

- Ministry Responses;
- Feedback Forms – October 1, 2015; and
- Feedback Forms – July 8, 2015

Lauri Feindell

From: Collins, Martin J ALC:EX <Martin.Collins@gov.bc.ca>
Sent: April-28-15 10:39 AM
To: Lauri Feindell
Cc: Christopher Garrish
Subject: RE: Heritage Hills Land use Contract - agency referrals

Lauri/Chris

This is to advise that the ALC has no objection to the designation of the easterly block of ALR as AG3.

However, the ALC does not support the re-zoning of the westerly ALR block as AG1, which permits a minimum lot size of 4 ha. Instead the ALC requests that the westerly block be re-zoned as AG3 (which permits a minimum lot size of 20 ha) to reduce speculation and subdivision pressure.

Thank you for the opportunity to comment on the draft bylaw.

Regards,

Martin Collins
Regional Planner
Agricultural Land Commission
#133 4940 Canada Way
Burnaby, BC, V5G 4K6
martin.collins@gov.bc.ca
604-660-7021

From: Lauri Feindell [<mailto:lfeindell@rdos.bc.ca>]
Sent: Tuesday, April 28, 2015 7:29 AM
To: Collins, Martin J ALC:EX; Withler, Carl AGRI:EX; HBE@interiorhealth.ca; Cooper, Diana FLNR:EX; Referral Apps REG8 FLNR:EX; fbclands@fortisbc.com; XT:Shongrunden, Ron FIN:IN; onareception@syilx.org; PIB Referrals (referrals@pib.ca); speedway17@shaw.ca
Cc: Christopher Garrish
Subject: Heritage Hills Land use Contract - agency referrals
Importance: High

Please find attached a Bylaw Referral along with the draft bylaws D2455.19 and D2603.04. Please forward any comments you may have to planning@rdos.bc.ca **by Tuesday, May 12, 2015.**

If you have any questions, please contact Christopher Garrish at 250-490-4101 or cgarrish@rdos.bc.ca.

Sincerely,

From: Lauri Feindell
Sent: April-28-15 9:19 AM
To: Christopher Garrish
Subject: FW: Proposed Bylaw 2455.19

FYI

From: Bitte, Rob TRAN:EX [<mailto:Rob.Bitte@gov.bc.ca>]
Sent: April-28-15 9:06 AM
To: Lauri Feindell
Subject: Proposed Bylaw 2455.19

Hi Lauri,

I just did some research and as expected, our approval for Land Use Contacts (amend or discharge) is only within the 800 metre radius from an intersection with a Controlled Access Highway. I will "close" your referral from this morning (File: 2015-02001)

Regards,

Rob Bitte | District Development Technician | BC Ministry of Transportation and Infrastructure
T 250.490.2280 | C 250.809.6886 | E rob.bitte@gov.bc.ca

Lauri Feindell

From: Beaupre, John <John.Beaupre@interiorhealth.ca>
Sent: May-08-15 2:43 PM
To: Planning
Subject: Amendment Bylaws Area D - RDOS Files: D2015.020-ZONE and D2015.021-ZONE
Attachments: D2015 020-ZONE (LUC-3-D).pdf

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

Dear Mr. Garrish:

Re: Termination of Land Use Contract LU-3-D and Introduction of Zoning

Thank you for the opportunity to provide comment on the above referenced and attached bylaw referral.

This office has no objection or concern to the proposed discharge of Land Use Contract LU-3-D and introduction of land use designations under the Official Community Plan Bylaw and the Zoning Bylaw.

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
Web: www.interiorhealth.ca

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May 6, 2015

File: 58000-20/103541
Your File: D2015.020-ZONE and
D2015.021-ZONE

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

Attention: Christopher Garrish

Re: Bylaw referral for "Lakeshore Highlands", "Heritage Hills" and "Vintage Landing" located approximately 6km north of Okanagan Falls

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,

Grant Furness
Ecosystems Section Head

GF/cl

Ministry of
Forests, Lands and
Natural Resource Operations

Resource Management
Thompson Okanagan Region
102 Industrial Place
Penticton, BC V2A 7C8

Telephone: (250) 490-8200
Facsimile: (250) 490-2231



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: May-13-15 4:37 PM
To: Planning; Christopher Garrish
Cc: Mirsky, Nicholas
Subject: Heritage Hills, Lakeshore Highlands & Vintage Views, RDOS (D2015.020-Zone, D2015.021-Zone)

With respect to the above noted file,

There are primary distribution and transmission facilities throughout this subdivision and within the boundary of select properties. The proposed changes to the land use designations of the existing properties do not appear to affect the existing facilities. 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.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

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

Best Regards,

Steven Danielson,
Contract Land Agent for:

Nicholas Mirsky, B.Comm., AACI, P.App.
Land Agent | Lands & Planning | FortisBC Inc.

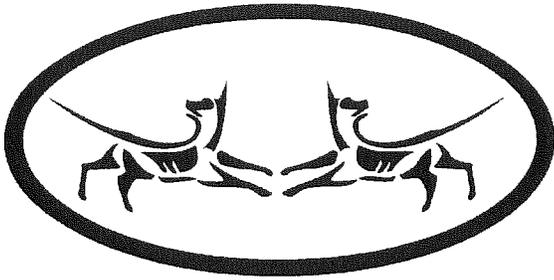
2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Office: 250.469.8033
Mobile: 250.718.9398
Fax: 1.866.636.6171
nicholas.mirsky@fortisbc.com



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Penticton Indian Band

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

April-28-15

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

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

RTS #: 954
 Referral ID: 2015-04-28 ZON 954
 Ref No.: D2455.319 D2603.04 D2015.020
 Date: April-27-15

Attention: Christopher Garrish

We are in receipt of the above referral. The proposed activity is located within Okanagan Nation Territory and the PIB Area of Responsibility. All lands and resources within the vicinity of this referral are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

Penticton Indian Band has specific referral processing requirements for both government and proponents which are integral to the exercise of our Rights to manage our lands and resources and to ensuring that the Crown can meet its duty to consult and accommodate our Rights, including our Aboriginal Title and management Rights. There is a cost associated with PIB referral processing and engagement. In accordance with PIB policy, proponents are required to pay a processing fee for each referral. This fee is as follows:

	SubTotal	Tax	Total
Admin (12%)	\$ 52.50	\$ 0.00	\$ 52.50
G.I.S. Tracking and Review (GIS Project Technican)	\$ 110.00	\$ 0.00	\$ 110.00
R.T.S. Data Entry (Technical Services)	\$ 80.00	\$ 0.00	\$ 80.00
Referral Assessment (Band Administrator)	\$ 67.50	\$ 0.00	\$ 67.50
Referral Coordination (Referrals Coordinator)	\$ 190.00	\$ 0.00	\$ 190.00
Total	\$ 500.00	\$ 0.00	\$ 500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00
 Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #954

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982

This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be fully reviewed.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, Penticton Indian Band will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

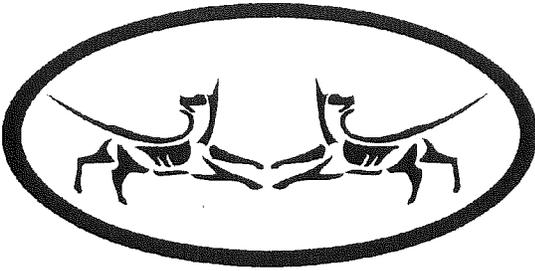
Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

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

Respectfully,

Lavonda Nelson
Data Management Clerk

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



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**

April-28-15

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

RTS#: 954
Referral ID: 2015-04-28 ZON 954
Reference #: D2455.319 D2603.04 D2015.020
Date: April-27-15

Attention: Christopher Garrish

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on April-28-15.

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.

Respectfully,

Lavonda Nelson
Data Management Clerk



Feedback Form

OKANAGAN-SIMILKAMEEN

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: James Reid
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

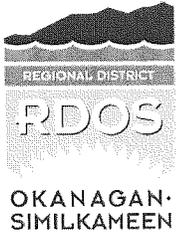
Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

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Regional District

SEP 17 2015

101 Martin Street
Penticton BC V2A 5J9

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Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

Tony Walters
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

OKANAGAN
SIMILKAMEEN

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

LEITH & HELGA BENSON
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
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Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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OKANAGAN-SIMILKAMEEN

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

GRANT & Judy SHORTRIDGE
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

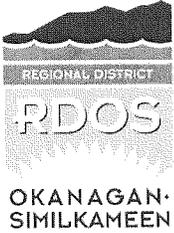
- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
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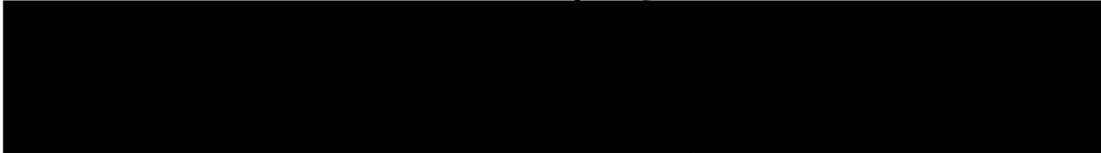
TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

FRED HAMILTON

(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

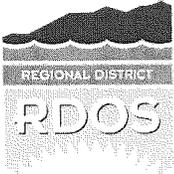
- I do support these bylaws.
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Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

OKANAGAN
SIMILKAMEEN

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

Amy & Randy Dicker
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

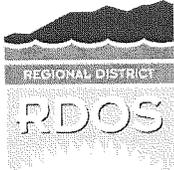


- I do support these bylaws
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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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Regional District of Okanagan Similkameen

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

Laurent + Elizabeth Maurier
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

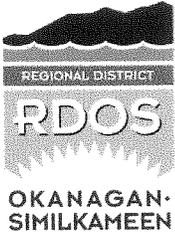
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Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

GILLES BRIARD

(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

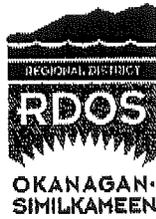
My comments / concerns are:

- I do support these bylaws.
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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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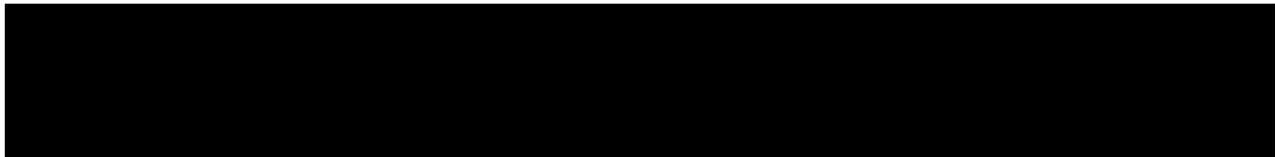


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Regional District of Okanagan Similkameen
 101 Martin Street, Penticton, BC, V2A 5J9
 Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: LAURIE + MAUREEN LESLIE
 (please print)



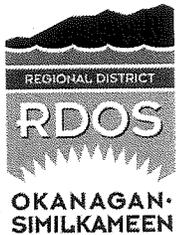
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For more information visit: www.rdos.bc.ca
 (Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

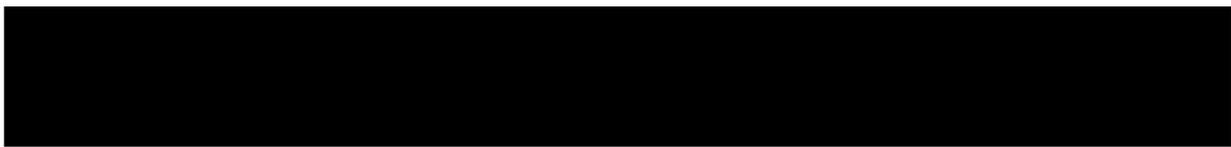
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

KAREN & GARY BROWN
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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We support the bylaws that specify single family units only.

RECEIVED
Regional District

OCT - 1 2015

101 Martin Street

Penticton BC V2A 5J9

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Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: RANDY + BETTY FARMER
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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1. NO SHORT TERM RENTALS! (VACATION)

2. INCREASED COMMUNITY POLICING

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In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca



Feedback Form

OKANAGAN-SIMILKAMEEN

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

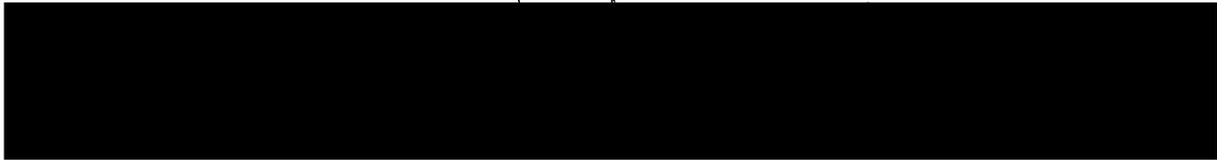
TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

B Bordin

(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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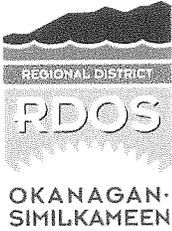
Please no allowance for vacation rentals or bed and breakfast.

RECEIVED
Regional District

SEP 17 2015

101 Martin Street
Penticton BC V2A 5J9

Feedback Forms must be completed and returned to the Regional District no later than **October 1, 2015**
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Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

Michael Weckel

(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

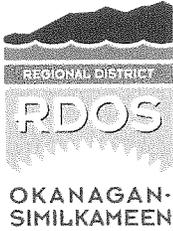
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1) That current VRBOs cannot be grandfathered with the change from the current land use CONTRACT in the proposed zoning area.

2) That future/existing VRBOs will not be legally permitted unless a temporary use application is submitted and the process is enforced. AND that Director Siddon's words in the "OCP", reflecting VRBO's are not encouraged in Heritage Hills, are given strong weighting when considering said applications.

Feedback Forms must be completed and returned to the Regional District no later than **October 1, 2015**

In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / **Fax:** 250-492-0063 / **Email:** planning@rdos.bc.ca



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

Deborah Shields

(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For more information visit: www.rdos.bc.ca

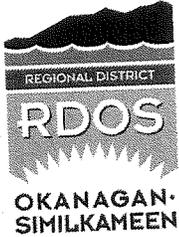
(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

1) That current VRBOs cannot be grandfathered with the change from the current LAWD USE Contract in the proposed zoning area.

2) That future / existing VRBOs will not be legally permitted unless: a temporary use application is submitted and the process is enforced. And, that Director Siddon's words in the "OCP", reflecting VRBO's are not encouraged in Heritage Hills, are given strong weighting when considering said applications.

Feedback Forms must be completed and returned to the Regional District no later than **October 1, 2015**
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / **Fax:** 250-492-0063 / **Email:** planning@rdos.bc.ca



Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: Joanna Newman
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

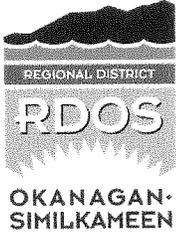
For more information visit: www.rdos.bc.ca
(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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No Vacation Rentals!



Feedback Forms must be completed and returned to the Regional District no later than **October 1, 2015**
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca



Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2015.020-ZONE

FROM: Name: DAVID B CONCI
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

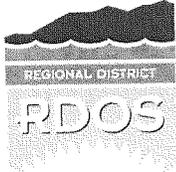
- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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DOES WATERSHORE ABHANDS HAVE THE SAME
SAY AS HERITAGE #115.



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

OKANAGAN
SIMILKAMEEN

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

R. Michael & Faye Arcand
(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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No Vacation Rentals!

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In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca



Feedback Form

Regional District of Okanagan Similkameen

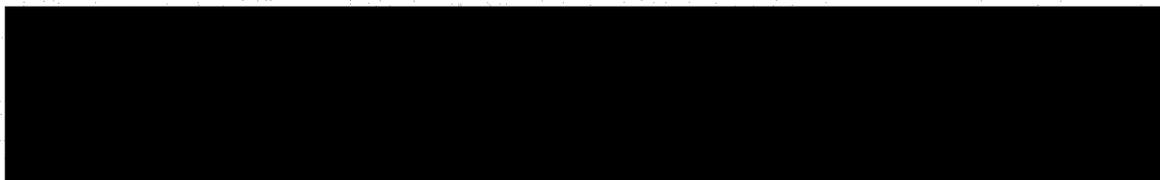
101 Martin Street, Penticton, BC V2A 5J9

Tel: 250-492-2237 / Fax: 250-492-0903 / Email: feedback@rdso.bc.ca

TO: Regional District of Okanagan Similkameen

FILE NO: D2015025-ZONE

FROM: Name: Margaret Macdonald



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

My comments / concerns etc:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For more information visit: www.rdsosimilkameen.ca

Departments -- Development Services -- Planning -- Projects -- Land Use Contract(s)

Written submissions received in relation to this process will be considered by the Regional District Board prior to the reading of any amendments by-law and subsequently included in the public hearing binder.

provided that subject a zone could be based for
 a second use - I access to lakeshore
 between RT + lumber mill is good + providing
 almost all the traffic - get 1/2 highway
 drive especially in winter to be
 more developed use the cell tower on the
 future or maybe speed bumps

Feedback forms must be completed and returned to the Regional District no later than: In-person: 101 Martin Street, Penticton, BC V2A 5J9 / Fax: 250-492-0903 / Email: feedback@rdso.bc.ca

REQUESTED
another copy

Sept 21, 2015

Dear Director Siddon,

We would like to thank you for your ongoing concern and actions that you have taken to date with regards to the illegal VRBO on our street. After recent meetings with the residents of Bighorn Trail we are demanding that the RDOS take immediate legal action to shut down the illegal vacation rental at [REDACTED]

The [REDACTED] have no formal TUP and show no intention of stopping their vacation rental business. The small inconsequential fines that are imposed for parking, noise, or capacity bylaw violations show no effect in stopping these rentals. The [REDACTED] consider this a cost of doing business and it is taken into account in their \$500/day or \$3500/wk rental fee.

As was stated in the letter sent to you by the residents of Bighorn Trail, we are living in a hotel zone with no peace and quiet, decreased safety and numerous other issues. This significantly affects our present and future property values as this is a well know vacation rental among all realtors and must be disclosed prior to listing any of our properties.

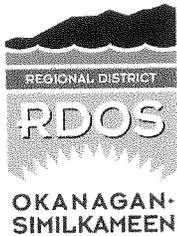
Full Regards

Bighorn Trail Residents

Laurent + Elizabeth Maurier	[REDACTED]
Shannon Wright + Mike Lucas	[REDACTED]
RANDY + KIM DICKEY	[REDACTED]
MARIE + JACK WRIGHT DRADAGAN FALLS	[REDACTED]
RANDY + MARIA STOLTZ	[REDACTED]
LINDA + TOMMY KIRBYSON	[REDACTED]
VIOREL + ANCA MAZITESCO	[REDACTED]
DAWN BERRY	[REDACTED]
FRED HAMILTON	[REDACTED]
JUDE SHORTRIDGE	[REDACTED]
HANK VODAREK	[REDACTED]
SHARON VODAREK	[REDACTED]
GARY HANSEN	[REDACTED]
TIM AUL DEVLIN	[REDACTED]
PICKARD S. HANSEN	[REDACTED]
JENNIFER + TIM SANDERSON	[REDACTED]
GORDON WATSON / HELEN	[REDACTED]
[REDACTED]	[REDACTED]
CHRIS + DEBBIE FOSTER	[REDACTED]
FRED + VONIA HOFFERD	[REDACTED]

FRANK CO.

1



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

DAVE TAYLOR

(please print)



RE: Termination of Land Use Contract No. LU-3-D and replacement with a Small Holdings Five Site Specific (SH5s) Zone.

RECEIVED
Regional District

My comments / concerns are:

OCT - 2 2015

I do support these bylaws.

I do support these bylaws, subject to the comments / conditions listed below

101 Martin Street
Penticton BC V2A 5J9

I do not support these bylaws.

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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AGREEMENT CAN NOT BE CHANGED UNLESS IT IS BY
MUTUAL CONSENT
#20 PAGE 4 J10071

AN SH5 ZONE RULE SHOULD NOT HAVE IRRELEVANT
RULES I.E. COMMERCIAL OR AGRICULTURE
AS IT MAKE IT TO HARD FOR AN AVRAGE PERSON
TO UNDERSTAND

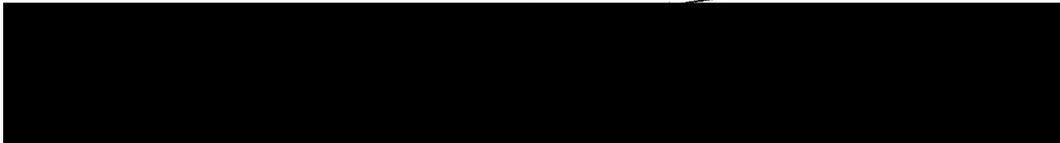


Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2015.020-ZONE

FROM: Name: Tim Devlin
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

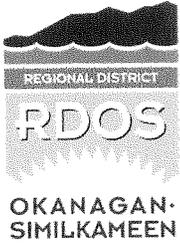
- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name: DONNA & ROBERT BRAY
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone SH5 Zone No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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RECEIVED

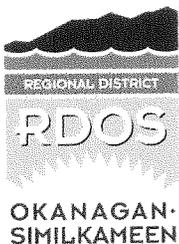
Regional District

JUL - 3 2015

101 Martin Street

Penticton BC V2A 5J9

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Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

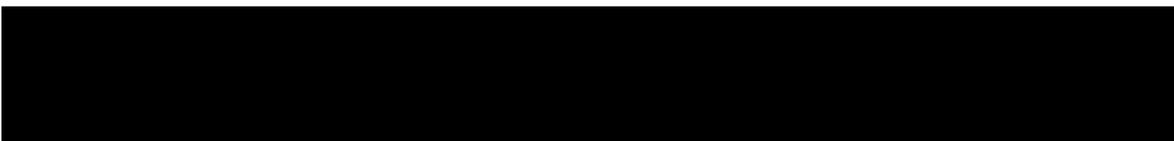
TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

PAUL KREFFT

(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

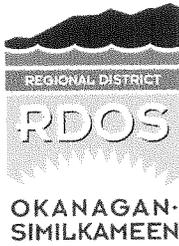
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RECEIVED
Regional District

JUL - 6 2015

101 Martin Street
Penticton BC V2A 5J9

Feedback Forms must be completed and returned to the Regional District no later than **July 8, 2015**
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Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2015.020-ZONE

FROM: Name: Warren & Sophie Mehle
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

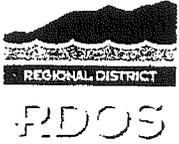
(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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RECEIVED
Regional District

JUL - 6 2015

101 Martin Street
Penticton BC V2A 5J9



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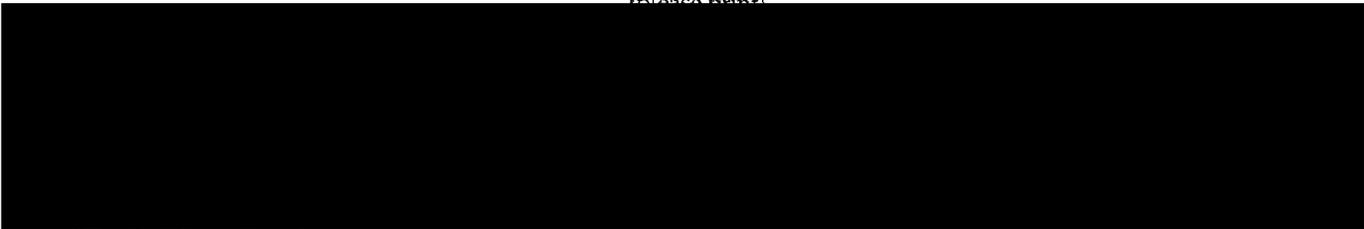
Regional District of Okanagan Similkameen

OKANAGAN-
SIMILKAMEEN

101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2015.020-ZONE

FROM: Name: Pam Collingwood
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: KAREN AND GARY BROWN
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the Heritage Hills neighbourhood, which zoning do you support:

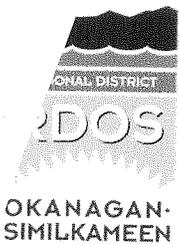
- RS1 Zone
- SH5 Zone
- No preference

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Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

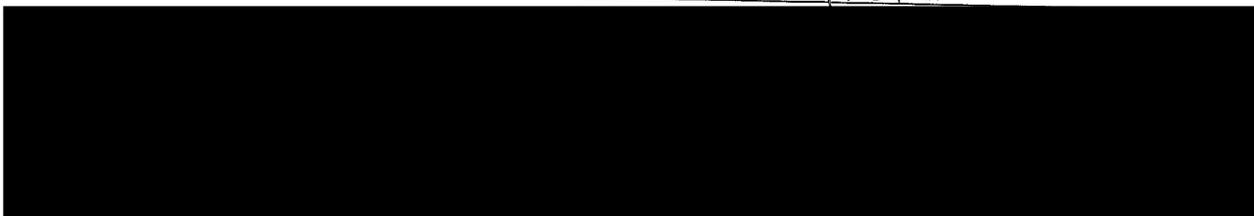
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

Mike and Karin Potgieter



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

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(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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Regional District

JUL - 8 2015

101 Martin Street
Penticton BC V2A 5J9

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Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

SUSAN BAKER

(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
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For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

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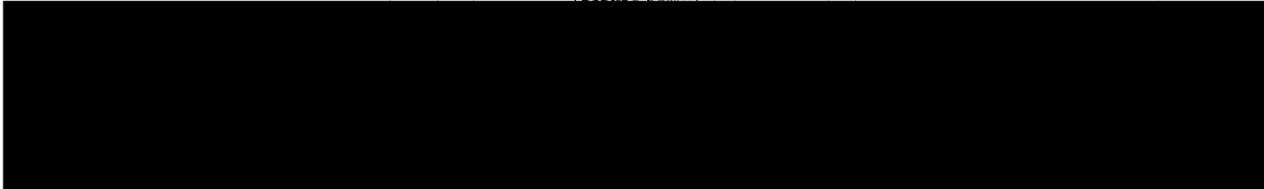


Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2015.020-ZONE

FROM: Name: DOUGLAS LYCHAK
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

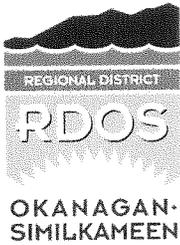
- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

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Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM:

Name:

Werner + Sieglinde Kuhlen

(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

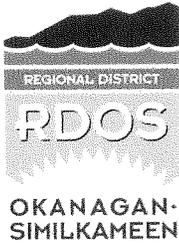
For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

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Feedback Form

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Regional District
JUL - 2 2015

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2015.020-ZONE

FROM: Name: LEITH BENSON
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.



Feedback Form

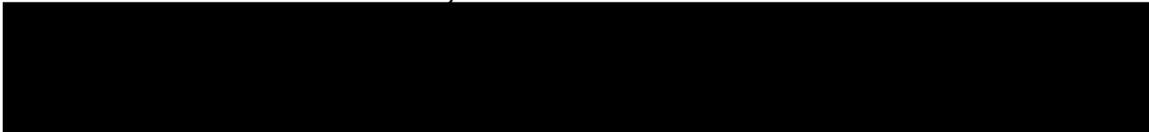
Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: ROBERT E SHERRY ADVOCAT
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

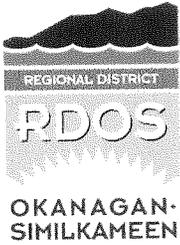
- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

Feedback Forms must be completed and returned to the Regional District no later than **July 8, 2015**
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

RICK TOUGH

(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

WITH RS1 AMENDMENTS

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

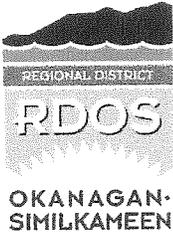
- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

Attn: Christopher Garrish



Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: Ronald J Obirek
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone *see below*
- SH5 Zone
- No preference *see below*

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

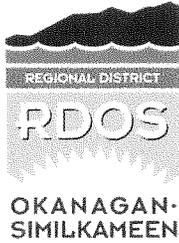
Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

Please see attached
1) letter dated July 9/15 (15 pages)
2) May 27/15 Meeting Minutes (9 pages)

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Regional District

JUL 13 2015

101 Martin Street
Penticton BC V2A 5J9



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

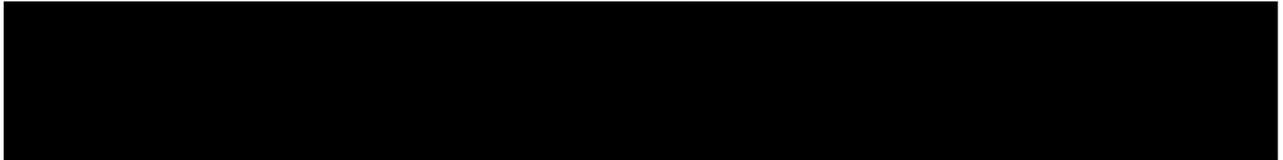
TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

JOANNE GRIMALDI

(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

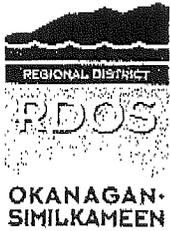
(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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- ENSURE SAFE PEDESTRIAN WALKWAYS ON ALL STREETS
- DEVELOPERS SHOULD PROTECT & ENHANCE NATURAL AREAS
- ENSURE ADEQUATE STREET LIGHTING
- ENSURE DEVELOPER PROVIDES PARKS & GREEN SPACE
NATURE/TRAILS PARK ALSO PLAY & NEIGHBORHOOD
GATHERING PARKS
- DEVELOPER TO ENSURE SAFE DRINKING WATER - NO MORE
BOIL WATER NOTICES!
- BUILD FOR TOMORROW, NOT FOR TODAY OR YESTERDAY

Feedback Forms must be completed and returned to the Regional District no later than **July 8, 2015**

In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / **Fax:** 250-492-0063 / **Email:** planning@rdos.bc.ca

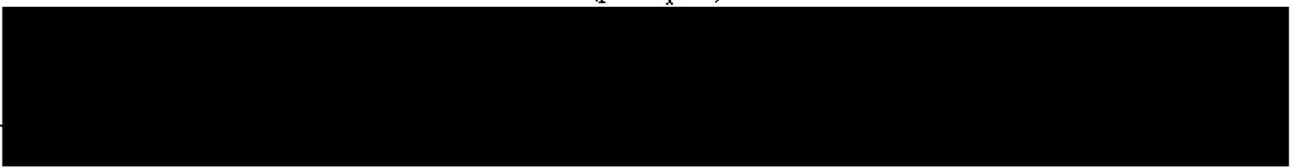


Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: Michael & Faye Arcand
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the Heritage Hills neighbourhood, which zoning do you support:

- RS1 Zone ^{NO} SUB DIVIDING
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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RS1 DOES NOT SUPPORT VACATION RENTALS.

IF TUP Applicant is NOT APPROVED AND THE VACATION Rental is CONTINUING WITH OUT A TUP FINE/INQ IS NOT EFFECTIVE, SO I WILL THE RDOS TAKE THE OFFENDER TO COURT - ([REDACTED] 130 APPLA COURT FILE) IT SHOWS ON HIS WEB SITE THAT THIS HOUSE IS FULLY RENTED FOR THE SUMMER OF 2015.

Lake Shore Water Works

BOIL WATER ADVISORY

ISSUE DATE OF BOIL WATER ADVISORY: July 3 2015

AREA AFFECTED BY ADVISORY: Lake Shore Water Works

REASON FOR BOIL WATER ADVISORY:
e-coli detected in sample from Lake pump house
distribution system

GENERAL INFORMATION:

All water intended for consumption should be brought to a hard boil for a minimum of one minute, and then allowed to cool before consumption.

DURATION OF NOTICE:

The boil water advisory will be in effect until Lakeshore Water Works and Interior Health deems the water safe to drink. You will be notified when the boil advisory has been lifted.

CUSTOMER INFORMATION / SPECIAL INSTRUCTIONS:

PRIMARY CONTACT: Randy Craig

SECONDARY CONTACT: Cheryl Sturko
Johnny Aantjes





Feedback Form

OKANAGAN-SIMILKAMEEN

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: D2015.020-ZONE

FROM: Name: SCOTT GREEN
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

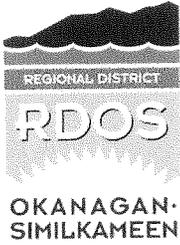
(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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I HOPE YOU GUYS LISTEN TO MORE THAN THE
COMPLAINER AT THE TOP OF THE HILL, SHE CAUSES
A LOT OF PROBLEMS

40 YEARS OF YOU DONT KNOW WHAT IS GOING ON
WHO IS RUNNING THE SHOW?

NEED NEW PEOPLE!



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

DON FORDYCE

(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

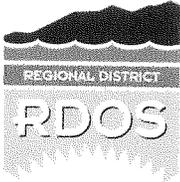
Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

On condition the "commonly understood" (for it was often talked about) designated park land of the Lakeshore Highlands development ERA be adopted into the community plan.

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Regional District

JUL - 8 2015

101 Martin Street



OKANAGAN-SIMILKAMEEN

Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

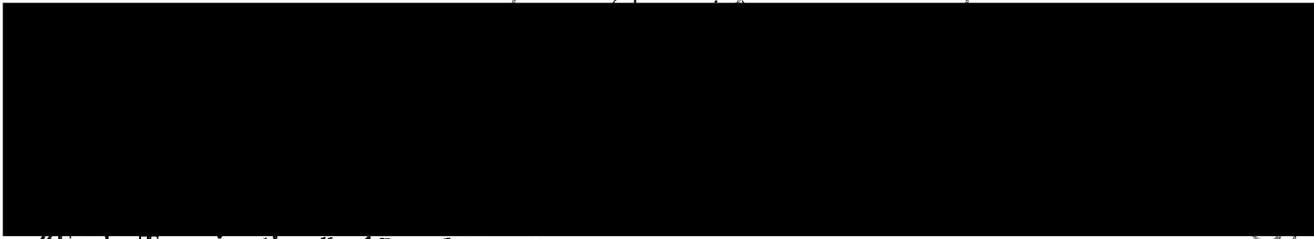
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

Randy Doe / Wendy Lane



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

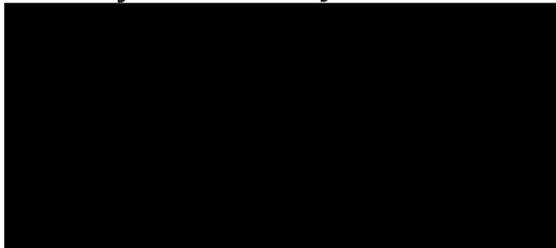
For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

Empty feedback form area

Attachment to the RDOS Feedback Form....July 2015

Randy Doe/Wendy Lane



File# D2015.020 ZONE

We support the bylaw, subject to the comments below.

We support the RS1 Zoning

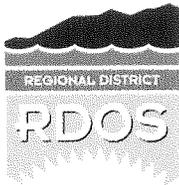
Comments:

- 1) The Heritage Hills Neighbourhood was originally developed and sold with the understanding that it was zoned RS1. (Now that that zoning has been proven suspect due to the LUC-3 fiasco) I don't see how it should be changed. Since everyone originally bought in good faith that they had purchased in an area that was zoned RS1, an administrative error 30 years ago does not give the RDOS or any other special interest groups to come in and change that zoning now. There are already homes in the area that do not meet the standard for an SH5 zoning. (the lots are too small.....in particular on Apple Court and Apple Way) Our lot is .67 of an acre and should sewers ever come into the neighbourhood, they would allow me to maximize the value of the property through subdivision. Small lot homes already exist, and a change of zoning to SH5 would deny us the same privilege. An error made by you, the RDOS should not be allowed disadvantage me financially and also on that note it could be taking a chance for future tax revenue from the RDOS itself from the increase in the number of residences in the area.
- 2) Vacation Rentals should be an allow use just as B&B are!

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Regional District

JUL - 8 2015

101 Martin Street
Penticton BC V2A 5J9



Feedback Form

Regional District of Okanagan Similkameen

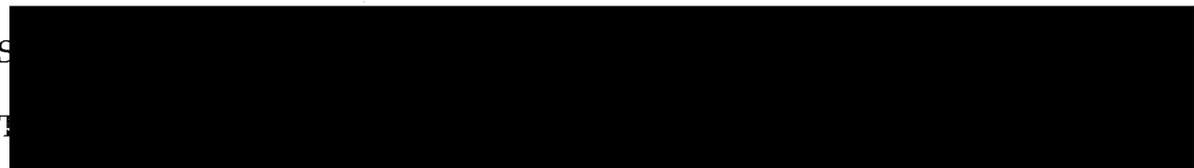
101 Martin Street, Penticton, BC, V2A 5J9

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

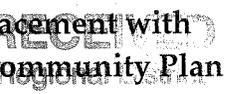
OKANAGAN-SIMILKAMEEN

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2015.020-ZONE

FROM: Name: Donald + Diana Low
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.



AUG 10 2015

My comments / concerns are:

101 Martin Street
Penticton BC V2A 5J9

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the Heritage Hills neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

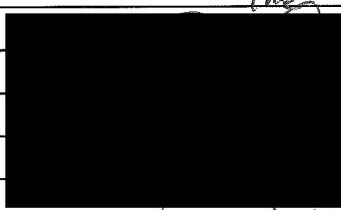
For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

*Our undeveloped property is
Lot A on Apple Road.*

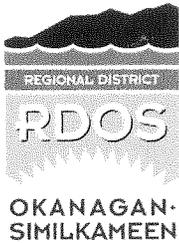
*We are in support of
the change to RS1 Zone,
but not to SH5 Zone.*



Feedback Forms must be completed and returned to the Regional District no later than **July 8, 2015**

In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / **Fax:** 250-492-0063 / **Email:** planning@rdos.bc.ca

Thank you. The graph comparison was very helpful. DLJW



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

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

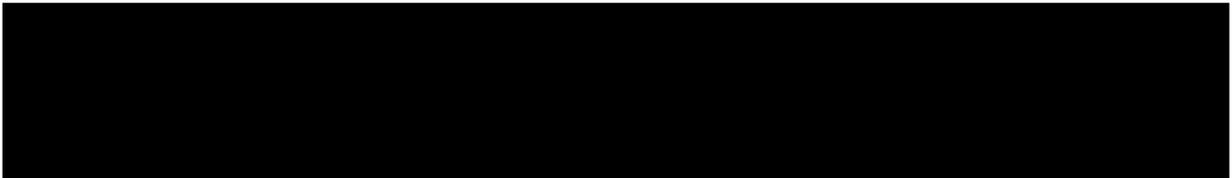
TO: Regional District of Okanagan Similkameen

FILE NO.: D2015.020-ZONE

FROM: Name:

Lynn Jackson

(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

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SH5 should apply to Heritage Hills + Vintage Views.
The Agriculture land should remain Agricultural.
There should be no more RS1 in this area.
There should not be secondary suites, mobile homes or farms
animals such as horses, goats or chickens.
Vintage Views should not be RS1. Phase 1 lots meet
SH5 designation and the balance should be SH5 so
that developers cannot split a lot into 3 as was done
on Chardonnay.

Feedback Forms must be completed and returned to the Regional District no later than **July 8, 2015**
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / **Fax:** 250-492-0063 / **Email:** planning@rdos.bc.ca

Ronald J Obirek

July 9, 2015

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

Attention: Director Tom Siddon
Bill Newell, Chief Administrative Officer

Re: Land Use Contract No. LU-3-D

RECEIVED
Regional District

JUL 13 2015

101 Martin Street
Penticton BC V2A 5J9

I am a resident and landowner in Heritage Hills and a member of the Executive Board of the Heritage Hills and Lakeshore Highlands Homeowners Association. I am also a lawyer and member of the Alberta Law Society for 29 years as of July 22, 2015.

I attended the meeting held July 6, 2015 chaired by Christopher Garrish of the RDOS from 7 PM to 9 PM at the Community Centre in Okanagan Falls and witnessed the provision of information and discussion that ensued.

Stephen Juchs of the RDOS was also present. RDOS Alternate Director Tom Styffe was present in place of Director Tom Siddon (who was unable to attend).

I believe Christopher Garrish did a valiant job with good intentions but sadly suffered audio equipment difficulties at the beginning of the meeting which contributed to a bad start. Despite Christopher Garrish's efforts, in my opinion, the meeting was not as efficient or successful in communicating information and answering questions as I would have hoped.

For example, notwithstanding Christopher Garrish stating ground rules including explaining he was not there to speak about enforcement issues; many questions regarding enforcement of potential noncompliance with the LUC were raised and I noticed it was difficult for Christopher Garrish to resist answering. Although Christopher Garrish tried to repeat it was not his role to deal with enforcement or

make decisions regarding enforcement or comment on enforcement he then continued to provide a brief summary of enforcement mechanisms including prosecution up to and including asking the court for “injunctive relief”.

Many questions were posed characterizing long understood lawful uses in the neighbourhood as “illegal”. Again Christopher Garrish had difficulty answering, often confirming the uses were now “illegal”. Sometimes Christopher Garrish confirmed that the uses were illegal by his answer of acknowledgement to such questions with the answer “yes”.

Previously, on May 27, 2015 Christopher Garrish made a presentation to the Heritage Hills and Lakeshore Highlands Homeowner Association meeting regarding the LUC issue. Stephen Juchs of the RDOS was also present at the May 27, 2015 meeting.

At the May 27 meeting Christopher Garrish advised the Homeowners Association of the administrative error made by the RDOS over 30 years ago in failing to properly discharge the registration of the LUC on title. Christopher Garrish advised that the error would be fixed through a mechanism of either “Early Termination” or “Voluntary Discharge”.

At the May 27 meeting Christopher Garrish stated generally that all uses that were understood to be legal and lawful under the OCP and zoning bylaws and permitted uses subsequent to the error made in 1982 would continue to be respected by the RDOS as lawful and all affected parties need not fear any damage from the error of the RDOS failing to properly discharge the registration of the LUC. In that context Christopher Garrish also stated that there would be no prosecutions or enforcements respecting any noncompliance under the terms of the LUC. There was discussion in the room and questions and clarifications were provided by Christopher Garrish confirming the foregoing. Minutes of the meeting are attached.

I believe the position presented on behalf of the RDOS by Christopher Garrish at the May 27, 2015 Homeowners Association meeting was a correct position in all the circumstances.

I am dismayed to witness a departure from that stated position in recent weeks. The departure has caused harm. The departure and resulting harm was evident at the July 6, 2015 meeting. Many community members present were clearly upset regarding past decisions of the RDOS to allow bed-and-breakfast type uses and vacation rental type uses and the change recently to allow vacation rental type uses in the future through the new TUP protocol. They announced their stress and upset.

In recent weeks I have heard from members of the community who operate bed-and-breakfast and vacation rental type uses and know they are also very stressed and very upset. They feel attacked by neighbours and are perplexed by the lack of clarity from RDOS staff.

Unfortunately the departure from the RDOS stated position as presented at the May 27, 2015 Homeowner Association meeting by Christopher Garrish, I believe, has done damage and contributed to harm in the community. Notwithstanding I believe Christopher Garrish, and indeed the RDOS and its staff have had good intentions, and that no harm was intended, harm and damage nonetheless has occurred.

A Feedback Form was presented at the July 6, 2015 meeting and all present were encouraged to provide their feedback and comments by telephone calls, written submissions, petitions, letters, etc.

I have spoken on this issue directly with Director Tom Siddon, Alternate Director Tom Styffe, RDOS staff members Dona Butler, and Christopher Garrish.

I have decided to write this letter as a concerned resident and landowner because I fear the RDOS is compounding the error made over 30 years ago. From what I have seen and heard it is my opinion that the compounding of errors is due to the manner that information has been provided by the RDOS staff and the manner by which questions have been answered by the RDOS staff, notwithstanding I have no doubt that their intentions are good and they mean well.

I will provide specific examples and particulars including my thoughts, concerns, comments, suggestions and recommendations herein.

RECOMMENDATION

1. I recommend that the position of the RDOS as set out by Christopher Garrish at the Homeowner Association meeting of May 27, 2015 be maintained and emphasized to the community and all interested parties. The stated position was that an "administrative error" was made in 1982-1983 by the RDOS in failing to properly discharge registration of the Land Use Contract (LUC). The termination of the LUC was requested by the developer/titleholder. The RDOS agreed and approved the termination of the LUC. The understanding and intention and conduct of all parties following the agreement (contract) to terminate the LUC thereafter was consistent with replacing the LUC with OCP and zoning bylaws and designations to the present time. In the result all uses that were understood to be lawful prior to discovery of the error made over 30 years ago, which discovery was made in January 2015, shall continue to be considered to be lawful and treated as lawful in all material respects. There would be no enforcement of any noncompliance or violation of the terms of the LUC by the RDOS for any uses that might now be viewed as unlawful under the LUC. I strongly disagree with the departure from the stated position I heard on May 27 because it is without proper foundation when the principles of Law and Equity are fairly considered and applied. The departure from the stated position has caused damage in the community and the increased anxieties and stress flowing from the departure from the stated position has resulted in animosity and hostility amongst neighbours. If not the sole factor it is certainly the major contributing factor to harm and damage in the community as neighbours

appear to be rallying to have uses that were previously confirmed as lawful by the RDOS now declared illegal and stopped. Although this may not have been the intent of the RDOS and its staff, it now appears to be the consequence of the manner the RDOS and its staff have handled the matter. In short, the departure from the initial stated position is the primary significant contributor to the intensified animosity and hostility amongst neighbours in our community. If not for the mistake and errors made by the RDOS in 1982 and the discovery of those errors in January 2015 and the manner information has been communicated and the manner questions have been answered, I submit the damage of the increased animosity and hostility and all other harm and damages related thereto would not have occurred. I believe the RDOS could have done a better job and I encourage and recommend that the RDOS endeavor to improve their management and leadership in correcting these unfortunate errors.

2. I recommend that the RDOS staff be encouraged to follow the lead of Director Tom Siddon who has recommended a conciliatory approach be adopted by all interested parties. I agree with Director Tom Siddon in this regard and recommend the RDOS and its staff promote peace and discourage hostility and animosity in the community. Director Tom Siddon impressed me very much in his remarks when he mentioned Peace Order and Good Government (POGG) as a guiding principle. POGG is an important principle in our Canadian Constitution.
3. I recommend the RDOS encourage and maintain a positive approach amongst its staff in resolving and fixing past errors. I also recommend the RDOS and its staff make a positive effort in keeping its word and maintaining its integrity. For more than 30 years the RDOS staff, landowners, interested parties (such as banks, developers, subdivision approval authorities etc.) have conducted themselves in good faith reliance upon the stated zoning bylaw and permitted uses thereunder. In recent years countless representations have been made in writing and verbally and by conduct by numerous members of the RDOS confirming uses and approvals to be lawful. It would be improper to undermine the peace of mind in the community by proclamations or suggestions that previously believed and understood to be lawful conduct is now illegal. It would be contrary to the principles of POGG, the principles of fairness, and the principles of justice that our Courts of Law and Equity under our Constitution attempt to uphold.
4. I recommend and encourage the RDOS to obtain further legal advice with respect to this matter generally and specifically with regard to comments and thoughts contained in this letter. From my discussions with Director Tom Siddon, Alternate Director Tom Styffe, Donna Butler, and Christopher Garrish, I fear that the complexities presented by the discovery of the error made over 30 years ago have resulted in confusion and may possibly have contributed to the RDOS compounding the mistake made over 30 years ago in making more mistakes.

CONTRACT

At the July 6, 2015 meeting Christopher Garrish noted that the LUC was a matter of contract. He indicated an error had been made over 30 years ago in failing to properly register a discharge of the registration of notice of a contract, the LUC, against land titles.

Originally the contract was registered against the developer's title. When the termination of that contract was not properly registered in the proper form of discharge then the notice of that registration was carried forward onto all subsequent landowners titles.

I have heard that the RDOS understands that due to an administrative error the discharge was not properly registered. I have heard that the RDOS understands that the Board agreed to the termination and enacted bylaws and conducted themselves for a period in excess of 30 years consistent with a de facto termination of the LUC. For more than 30 years no interested party was prejudiced in any way by conducting themselves in accordance with a de facto termination of the LUC. Indeed, if the LUC were not understood by all interested and affected parties to be terminated then surely the administrative error would have been discovered much sooner than more than three decades. The reason it wasn't discovered was because everybody acting in good faith knew and believed the LUC had in fact been terminated. Certainly if the LUC had not been terminated by contract then the developer, or the RDOS, or some other interested party would have raised a concern and an alarm long ago.

I have heard that the RDOS understands that there was a further administrative error in failing to have the formal agreement properly executed notwithstanding it was prepared and agreed to in substance and form.

I do not understand how the facts lead to the conclusion that the terms of the LUC remain in force. I question who made this determination and on what basis? I question whether this conclusion is not also an error.

On information I have received it is my opinion that the LUC, a contract, was terminated by contract and therefore the LUC was no longer operational or in force subsequent to the effective date of termination (presumably September 16, 1982 or thereabouts).

A basic principle of contract law is that contracts can be varied or terminated by further agreement or contract amongst the parties.

Information provided by the RDOS indicates to me that the developer requested termination of the contract (the LUC) and at the Regional District Board meeting of September 16, 1982 the Board agreed and approved a release from the contract (the LUC) thereby terminating the operational effect of the LUC. There was an offer (the request by the developer), there was an acceptance of the offer (the

agreement and approval by the Board on September 16, 1982), there was a meeting of the minds, there was consideration, there were numerous acts taken in good faith in performance consistent with the contract of termination, and there was reliance amongst numerous interested parties subsequently for a period of over 30 years all acting in good faith and in accordance with the fact that the LUC was terminated and replaced by the OCP and zoning and other relevant bylaws. In my observation no one has disputed the accuracy of any of the foregoing.

In my opinion the proper way to fix the error is to discharge the registration related to the LUC from all affected titles. I confirm it is my understanding that the two mechanisms presented, the "Early Termination" and the "Voluntary Discharge" will accomplish the fix of the error made long ago. Otherwise all conduct and reliance made in good faith upon the understood fact that the LUC was terminated and replaced should in all other regards be respected and honoured.

In no way should the errors be allowed to interfere with what was otherwise understood to be lawful uses or conduct.

Director Tom Siddon has advised me that when the error was discovered legal counsel was retained and brought in from Vancouver for advice at an in camera meeting. I do not know what questions were put to the legal counsel or what advice was received. I do, however, from discussions had, fear that perhaps more legal advice is required and should be sought.

Christopher Garrish commented generally regarding past practice of LUC's generally and why they are no longer considered desirable and are discouraged. Christopher Garrish explained how the contractual nature of LUC's contributed to some undesirable difficulties. He mentioned, for example, that enforcement was "onerous".

I view the failure to register the discharge to be insignificant as to any subsequent binding authority of the LUC. Registration on title is primarily for notification purpose. If a mortgage remains on title 30 years after it has been fully paid or the parties have otherwise agreed to terminate the obligations thereunder, the existence of that mortgage registration does not in any way change the legal obligations between the parties. If the discharge failed to occur by some error then the correct course of action is to discharge the registration.

Similarly, if there was a failure to properly execute the discharge agreement, this is a mere error that can be corrected given that all the parties confirm that the contract of termination of the LUC was made and relied upon and acted upon in fact notwithstanding the technical failure of possible signatures and registration of discharge. All relevant and interested parties including the RDOS the developers, landowners, lenders, subdivision approval authorities, and others have conducted themselves in accordance with the understood zoning bylaws and permitted uses for a period of more than 30 years. All this conduct was in good faith compliance with what was understood to be (and I submit correctly

understood to be) the factual termination of the LUC-notwithstanding the RDOS error in failure to properly complete the paperwork and register the discharge.

MAXIMS OF EQUITY

Christopher Garrish mentioned the prospect of pursuing “injunctive relief” as a mechanism of enforcement with respect to the alleged illegal use by some of the landowners in our community (specifically bed-and-breakfast uses and vacation rental uses).

I believe that Christopher Garrish’s comments made at the July 6, 2015 meeting specifically, and other comments of RDOS staff generally, in this context were ill considered as I am not of the view that the conduct was illegal or unlawful. If the LUC was terminated by contract in September 1982 then no subsequent noncompliance is unlawful or illegal.

If I am mistaken in this regard then I believe the principles of equity should be applied so as to prevent injustice that would result in administering prosecution and enforcement related to noncompliance with the terms of the LUC over the past 30+ years. I do not believe that prosecution or enforcement of any noncompliance or violation of the terms of the LUC is a viable or reasonable option to be pursued for the reasons stated throughout this letter.

Injunctive relief is an equitable remedy. Equitable remedies are discretionary. The maxims of equity apply and are relevant when deciding the appropriate discretion in the circumstances.

In these circumstances I encourage the following maxims of equity to be considered:

1. He who seeks equity must do equity.
2. He who seeks equity must come with clean hands.
3. Equity looks on that as done which ought to be done.
4. Equity looks to the intent rather than to the form.
5. Equity imputes an intention to fulfil an obligation.
6. Equity will not suffer wrong to be without a remedy.

Our Courts are Courts of Law and Equity. Our courts have an abundance of jurisdiction to do equity. Our legislators also have jurisdiction to do equity when considering and making choices that are within their proper authority.

The maxims or principles of equity are very important in the context of the current efforts to fix a mistake made long ago.

In seeking injunctive relief or any other enforcement mechanism undertaken by the RDOS further to noncompliance with the terms of the LUC, I fear there is a very high prospect that the RDOS will and should fail for reasons, not the least of which are application of the above-mentioned principles or maxims of equity, and reasons stated elsewhere in this letter including the principles of estoppel and the fact that the LUC was terminated by agreement amongst the parties in 1982 notwithstanding administrative errors made by the RDOS in paperwork and registering of discharge.

As stated previously, injunctive relief is an equitable remedy and is discretionary. Given the long history of good faith representations, assurances, approvals, promises, made by the RDOS in writing and otherwise, with respect to uses such as bed-and-breakfast, or vacation rentals, I believe the RDOS would be unsuccessful in establishing the necessary prerequisites to a satisfactory prosecution or enforcement under any potential technical violation of the LUC, even if it were still in force. As stated previously I do not think the LUC is still in force.

ESTOPPEL

A further principle of equity that is of application to the present circumstance is the principle of estoppel. Estoppel is a set of doctrines which prevent a party from taking action they normally would have the right to take in order to prevent an inequitable result. The goal or purpose is to prevent injustice. Stated differently, it is a principle of fairness.

In the current context, countless representations, assurances, promises, approvals, and conduct of the RDOS over many decades have confirmed lawful use of landowners under the RS1 zoning and permitted uses thereto. Many other lawful approvals regarding subdivision development etc. have all been made in good faith by the RDOS and other lawful authorities. Landowners acting reasonably have relied upon the representations, assurances, promises, approvals, and conduct of the RDOS including using the land they own lawfully (as was understood at all material times).

Estoppel prevents or precludes one party from denying, or asserting anything to the contrary of what was previously represented or promised or assured or established. Regardless whether the representations or assurances or promises or approvals or conduct were express or implied or both. In this case they were both express (written and verbal) and implied. Verbal assurances that a use will be grandfathered is an example of an implied lawful use. A verbal assurance that the use is lawful and therefore shall be grandfathered under the proposed, for example, TUP protocol is an example of an express verbal assurance that the use is lawful. Being showed a zoning bylaw with written provision for a permitted use and being told the use is therefore lawful is an example of a combined express written and verbal assurance that the use is lawful.

Any assertion that the failure of the RDOS to have properly discharged the LUC is now grounds for an enforcement or prosecution should fail upon the proper application of the principle of estoppel. Any actual enforcement or prosecution action should fail for the exact same reason.

PROSECUTION

I fear any prosecution or enforcement brought for technical violation for perceived illegal use or noncompliance with the LUC would potentially be viewed as a bad faith act by the RDOS that could result in large legal costs. Punitive damages could also be awarded if the RDOS conduct in prosecuting was determined to be malicious or reprehensible or otherwise inappropriate in the view of the court and deserving of punitive damages in addition to other costs and other damages including compensatory damages.

All these costs would flow back to the taxpayer. The RDOS has an obligation and a fiduciary duty to the taxpayers to not recklessly or unnecessarily increase costs associated with fixing the errors made by the RDOS in the past.

GRANDFATHERING

Grandfathering is also a principle of fairness. "Grandfathering" means to allow an exception to a restriction that allows all those already doing something lawfully to continue doing it even if they would be stopped by a new restriction. Thus grandfathering allows an existing use or conduct or operation to continue legally when that same use or conduct or operation would be illegal under the new rule (e.g. bylaw).

The phrase "legal but nonconforming use" is an example of an application of the grandfathering principle.

VACATION RENTALS

The issue of vacation rentals is a complicating factor in the context of fixing the error made over 30 years ago by the RDOS in not properly discharging the LUC.

In theory, the LUC issue, should be irrelevant to the discussion of Vacation Rentals. Unfortunately, in my view primarily due to the manner in which the RDOS has handled the issue of fixing the LUC mistake, the Vacation Rentals issue is now a very serious matter of contention and hostility in the community. The hostility has transcended the vacation rental issue and has at times spilled over to bed-and-breakfast use as well.

In October 2012 I attended a public meeting chaired by Director Tom Siddon. At that meeting Director Tom Siddon was accompanied by RDOS staff who together explained that the RDOS staff had

previously read a Naramata bylaw to preclude use commonly known as vacation rental. Director Tom Siddon advised that the Supreme Court of British Columbia disagreed with the RDOS position in a prosecution under the bylaw. As a result result Director Tom Siddon and RDOS staff advised that the RDOS now considered vacation rentals were lawful. The RDOS was consulting the community for the purpose of inviting comments and input regarding the community response. Director Tom Siddon explained to do nothing approach would mean vacation rentals were legal. If the community wanted vacation rentals prohibited then a bylaw needed to be enacted properly to prohibit them. If vacation rentals were to be allowed upon a new application or permit bases then those rules needed to be identified and specified and enacted with an appropriate bylaw. After many meetings and years of work and large expenditure of resources (according to Director Tom Siddon) a process concluded whereby a change in bylaw was introduced limiting new vacation rental use to compliance with a new protocol involving a Temporary Use Permit (TUP).

During the course of many years I myself and many other members of our community heard Director Tom Siddon and staff members of the RDOS repeatedly state that existing vacation rental use would be “Grandfathered” regardless whether a new bylaw prohibited them altogether or limited them in some way, but new vacation rental uses would have to comply with the new bylaw. I remember very clearly how Director Tom Siddon at more than one meeting explained the principle of grandfathering and how it would apply and why it was considered fair and proper, notwithstanding vocal disappointment by some members of the community who were against vacation rental use.

Donna Butler has confirmed that she used the grandfathering phrase and principle in discussions with local landowners. The use of the phrase was in the context of existing bed-and-breakfast and or vacation rental use.

Countless representations and assurances were provided that existing vacation rental uses were lawful and would be grandfathered under any subsequent restriction brought in by new bylaw or otherwise.

CONFUSION

I have noticed much confusion in the position presented by Christopher Garrish, Donna Butler, and Director Tom Siddon in the context of the mistake made by the RDOS over 30 years ago in their failure to properly discharge the LUC from title.

Some of the confusion arises in the context of grandfathering. Both Donna Butler and Christopher Garrish had indicated to me directly or in meetings I have attended that they understand grandfathering is not possible for a use that is not lawful. They view uses such as vacation rental or potentially bed-and-breakfast as not lawful or legal under the LUC and therefore state that grandfathering cannot apply. In this context they have used the phrase “illegal”.

I have cautioned Director Tom Siddon, Alternate Director Tom Styffe, Donna Butler, Christopher Garrish that the use of the phrase “illegal” is ill advised in all the circumstances. I have suggested that a phrase akin to or like “legal but nonconforming” is a more accurate concept or characterization in all the circumstances.

I have cautioned that use of the word “illegal” connotes a threat of prosecution or enforcement or consequences or punishment and includes with it a threat of harm and damage. Community members opposed to bed-and-breakfast or vacation rental use have grabbed onto the phrase “illegal” in their campaign to see vacation rentals and other uses prohibited, removed, stopped and denied in the community-regardless of good faith reliance on prior representations that such uses were lawful or legal.

I also challenge the notion that those uses (e.g. bed-and-breakfast) are illegal.

Firstly the LUC, in my respectful view, is of no application given that by contract it was terminated lawfully on September 16, 1982 as approved by the Regional District Board at its meeting of that date. The failure to discharge properly at land titles is a technicality and has been described by the RDOS staff as an “administrative error”. Therefore, I submit, that uses subsequent to that time should be considered legal and lawful regardless of any noncompliance with the terms of the LUC itself when indeed they were treated as legal and lawful under the bylaws and permitted use understood by all interested parties to be operating at all relevant times.

Further, I again refer you to the following maxims of equity that should apply in this context;

1. Equity looks on that is done which ought to be done.
2. Equity looks to the intent rather than to the form.
3. Equity imputes an intention to fulfil an obligation.
4. Equity will not suffer wrong to be without a remedy.

Secondly, I question whether the uses are illegal or unlawful even if the LUC was somehow still in force or applicable. It may be that a court would find that the use complained of was lawful, notwithstanding opinion to the contrary by RDOS staff or their lawyers. We saw an example of this in the Naramata case where the court disagreed with the position put forth by the RDOS. Are rentals legal? Are short-term rentals legal? Are longer-term rentals legal? The potential litigation and all costs of related to legal research and opinion is worth contemplating. And if the decision was made to prosecute then there are the court legal costs should the matter go to court. If the matter went to court their would still be the uncertainty of a court ruling in all the circumstances.

Even if the LUC is still in force and the use is not legal under the LUC, I believe the LUC cannot be applied in any respect after proper application of equitable doctrines including the doctrine of estoppel. I do believe that estoppel would and should be applied in any enforcement prosecution brought and consideration of the proper application of all these principles should enter into the decisions made in how to handle the matter generally.

I fear there is also confusion regarding the distinction between termination of a contract and the end of its lawful operation or application and the administrative formality of discharging notice of a contract on title.

Registration of the LUC on title is not the LUC. It is more accurately a notice to the public and to the landowner (especially subsequent landowners) of the existence of the contract, in this case known as a LUC.

If, for example, an LUC were invalid, then registration of that invalid LUC does not make the LUC valid.

Discharge of a registration is not technically the termination of the contract. It is merely the removal of the notice of that contract from the title.

Indeed, when the contract is terminated, it is reasonable and proper to discharge the notice of that contract from title.

Termination of the contract determines the end of the application or operation or validity of the contract. In this case there was an agreement or contract between titleholder (the developer) and the RDOS to terminate the contract known as the LUC No. LU-3-D.

Failure to register a discharge of registration of notice of a contract (in this case the LUC) does not mean the contract is still operational or in force. Failure to register a discharge does not change the decision to terminate nor revoke the contract to terminate nor can it unilaterally re-activate a contract or bring it back into force if the contract is no longer valid or in force.

If discharge of registration of notice of a contract were done in error, then absent other notice, a landowner without notice would not be bound by the LUC (assuming the LUC was still valid and operational and not terminated or invalid). Note: the developer who was a party to the original contract (LUC) would remain bound notwithstanding an error of discharge of registration of notice of the contract because that titleholder would be bound by the privity of contract (ie., the contract would be binding on the developer as a party to the contract).

Similarly, failure to register notice of the contract on title could result in the contract not being operative or valid with respect to that title as it relates to subsequent bona fide purchasers for value without actual

notice of the contract. The purpose of registration of notice of the contract is to provide actual lawful notice to the public and specifically to landowners and especially to subsequent interested potential landowners or title holders of that specific land.

In all the circumstances failure to register a discharge of a registration of notice of a contract (even where that notice is by copy of the actual contract itself) should not change the quality of a contract which has been terminated or is no longer operational to somehow become not terminated or still operational or still in force.

It is even more unfair and improper to view a failure to register a discharge of registration of a notice of contract from title to be allowed to change the termination status of that contract rendering it no longer operational when the affected parties (in this case the RDOS and the developer and all subsequent title holders) had either actual notice of the contract termination or relied on belief and conduct consistent with that termination by virtue of replacement bylaws applicable to permitted uses and assurances and representations made respecting the change from the previous LUC to its replacement designations under the OCP and relevant zoning and other bylaws.

At the September 16, 1982 meeting of the RDOS Board there is no doubt that the requested termination of contract made by the developer was agreed to and approved by the board (according to information provided by the RDOS). The administrative error of the RDOS in failing to properly sign a document or failing to properly register a discharge of the notice of the contract on title are errors that should not change the status of the contract from terminated to not terminated or otherwise operational.

Equitable principles and doctrines should be applied. Equity looks to the intent rather than to the form. Equity looks on that as done that which ought to have been done. Equity imputes an intention to fulfil an obligation. The equitable doctrine of performance (including the equitable doctrine of part performance) applies. The doctrine of performance operates on the ground that a person is presumed to do that which he is bound to do and that if he has done anything he has done it in pursuance of his obligation. In this case the RDOS and all parties conducted themselves engaging in numerous acts of performance consistent with the contract of termination of the LUC. The equitable doctrine of performance is concerned with notional rather than actual performance. Steps or acts or conduct taken in performance of the contract are all evidence of that contract notwithstanding a technical noncompliance as to form or signature.

The only harm or prejudice that will occur to any interested party with relation to the error of the RDOS made in 1982 is if the LUC is not discharged from all affected titles as quickly and efficiently as possible and worse if there are any prosecutions or enforcement attempted, successful or not, under the LUC for the period of time subsequent to the termination of the LUC in 1982. All conduct of all interested parties for over 30 years has been done in reliance and upon the belief and representation that the LUC was terminated in 1982.

CONCLUSION

I caution against describing uses or conduct that has been understood to be lawful or legal for many years and even decades as somehow now illegal or unlawful because of the error made over 30 years ago. Numerous landowners and interested parties have relied in good faith over many decades upon assurances, representations, approvals, promises, conduct, including reference to zoning and permitted uses by numerous staff of the RDOS and Director Tom Siddon that specific uses were legal and lawful, notwithstanding others in the community who did not like the legal or lawful status so recognized by the RDOS.

I also think much harm results when the RDOS staff declare or proclaim uses that have been considered lawful and legal for years and even decades to now be “illegal”.

I recommend and encourage that the RDOS maintain its initial position on the issue; briefly summarized that an administrative error was made over 30 years ago by RDOS staff in failing to properly discharge the LUC from title. The error will be corrected: by “early termination” or “voluntary discharge”. No uses or conduct that was lawful or understood to be lawful or legal in the past 30 or more years will be viewed as anything other than the lawful and legal conduct that it was understood to be prior to discovery of the error in failing to register the discharge. There shall be no prosecution or enforcement of any technical noncompliance with the LUC.

For reasons stated above I do not believe the LUC is presently in force or effect. I believe the LUC was properly terminated by contract by the Regional District Board at its meeting held September 16, 1982.

If I am mistaken on my last point, I am confident that the principles of estoppel and other equitable doctrines and maxims would and should be applied to prevent any harm to any member of the community who has conducted themselves in good faith understanding the conduct to be lawful and especially so when provided numerous representations assurances and approvals by the lawful authority the RDOS and its staff. This should be the case even if the RDOS staff were mistaken or indeed making further errors wrongfully representing those uses to be lawful over all those years.

When a landowner engages in a use that the local authority confirms repeatedly is lawful and legal, and when zoning bylaws and permitted uses in writing are referred to repeatedly confirming those lawful uses, and then an “administrative error” is discovered having occurred over 30 years ago, it is grossly unfair and unjust to declare those uses suddenly “illegal” under threat of both express and implied consequences of prosecution and enforcement including injunctive relief. The damage done to those who believed reasonably they were engaging in lawful use is potentially tremendous. The damage done to neighbours who don’t like the use, notwithstanding it was considered lawful for years, to now be encouraged in their expectation that the “illegal” use will be stopped is also tremendous.

I repeat my recommendation that the RDOS needs to exercise great restraint and leadership under the guiding principle of POGG to not allow the unfortunate RDOS administrative error of failing to properly discharge a registration on title from being used as a weapon to attack and harm members of the community who have conducted themselves lawfully and reasonably and in good faith upon reasonable assurances, representations, approvals, and conduct of the RDOS for a period of years.

I trust this letter will be put before all the Directors of the RDOS involved in considering this matter. I confirm that I have copied this letter to the RDOS Advisory Planning Commission for their consideration as well.

I do support the bylaw to remedy the administrative error made by the RDOS in 1982 by application of the "Early Termination" mechanism. I also support the "Voluntary Discharge" option. I also believe that any zoning should be consistent with all zoning permitted uses and representations made in the past years subsequent to the error made in 1982 and that any differences or changes be respectful of all uses considered lawful and legal in the interim regardless of the RDOS error in 1982 (i.e. light "grandfathering"). I encourage the RDOS to look on that as done as that which ought to have been done.

Yours truly,


Ronald J Obirek /

cc. Donna Butler
Christopher Garrish
Tom Styffe
Advisory Planning Commission
Attention: Sue Gibbons
Heritage Hills and Lakeshore Highlands Homeowners Association
Attention: Doug Lychak, Pres.
Mark Pendergraft
George Bush
Terry Schafer
Tom Siddon
Karla Kozakevich
Michael Brydon
Elef Christensen
Bob Coyne

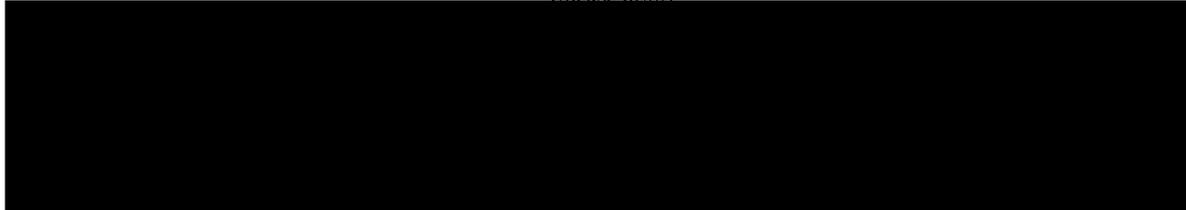


Feedback Form

Regional District of Okanagan Similkameen
 101 Martin Street, Penticton, BC, V2A 5J9
 Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2015.020-ZONE

FROM: Name: Jane / Anthony RAGE
(please print)



RE: "Early Termination" of Land Use Contract No. LU-3-D and replacement with land use designations under the Electoral Area "D-2" Official Community Plan Bylaw and Zoning Bylaw.

My comments / concerns are:

- I do support these bylaws.
- I do support these bylaws, subject to the comments / conditions listed below.
- I do not support these bylaws.

For property owners in the **Heritage Hills** neighbourhood, which zoning do you support:

- RS1 Zone
- SH5 Zone
- No preference

For more information visit: www.rdos.bc.ca

(Departments → Development Services → Planning → Projects → Early Termination of Land Use Contracts)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

Feedback Forms must be completed and returned to the Regional District no later than **July 8, 2015**
 In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Development Variance Permit Application — Electoral Area “A”

Administrative Recommendation:

THAT the Board of Directors approve 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 5.25 metres.

Proposed Development:

This application seeks to increase the maximum height of an accessory building from 4.5 metres to 5.25 metres as measured from the average finished grade for four building-elevations to the highest point of the roof 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 m² in area. It is located on the south east corner of 89th Street at 26th 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”.

At the October 15, 2015 meeting, the Board directed that the subject application be referred to the Electoral Area “A” Advisory Planning Commission. The applicant submitted amended plans showing a reduced proposed height on October 9, 2015. At its November 9, 2015 meeting, the APC recommended that the RDOS Board of Directors approve the application.

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 deny Development Variance Permit No. A2015.092-DVP.

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, the applicant could construct 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”.

Notwithstanding, it is the intent of the owner to construct his garage in this location and the increased height has been supported by the APC, it is the administrative position that the proposed garage would look incongruous with the streetscape of 89th Street.

This proposal is based on preference rather than need and the applicant has not provided sufficient rationale to justify compliance with the current bylaw requirements as unreasonable. The proposal is generally not characteristic of other developments found on 89th Street, but this is an aesthetic opinion and doesn’t seem to be consistent with the views of the neighbourhood.

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



**3D RENDERINGS -
Representative Only**

**These Plans only for use at:
KLASSEN RV GARAGE
2415 - 89th Street
Osoyoos, BC (RDOS 'A')**



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





Development Variance Permit

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: 5.25 metres as measured from the average finished grade for four building-elevations to the highest point of the roof, 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

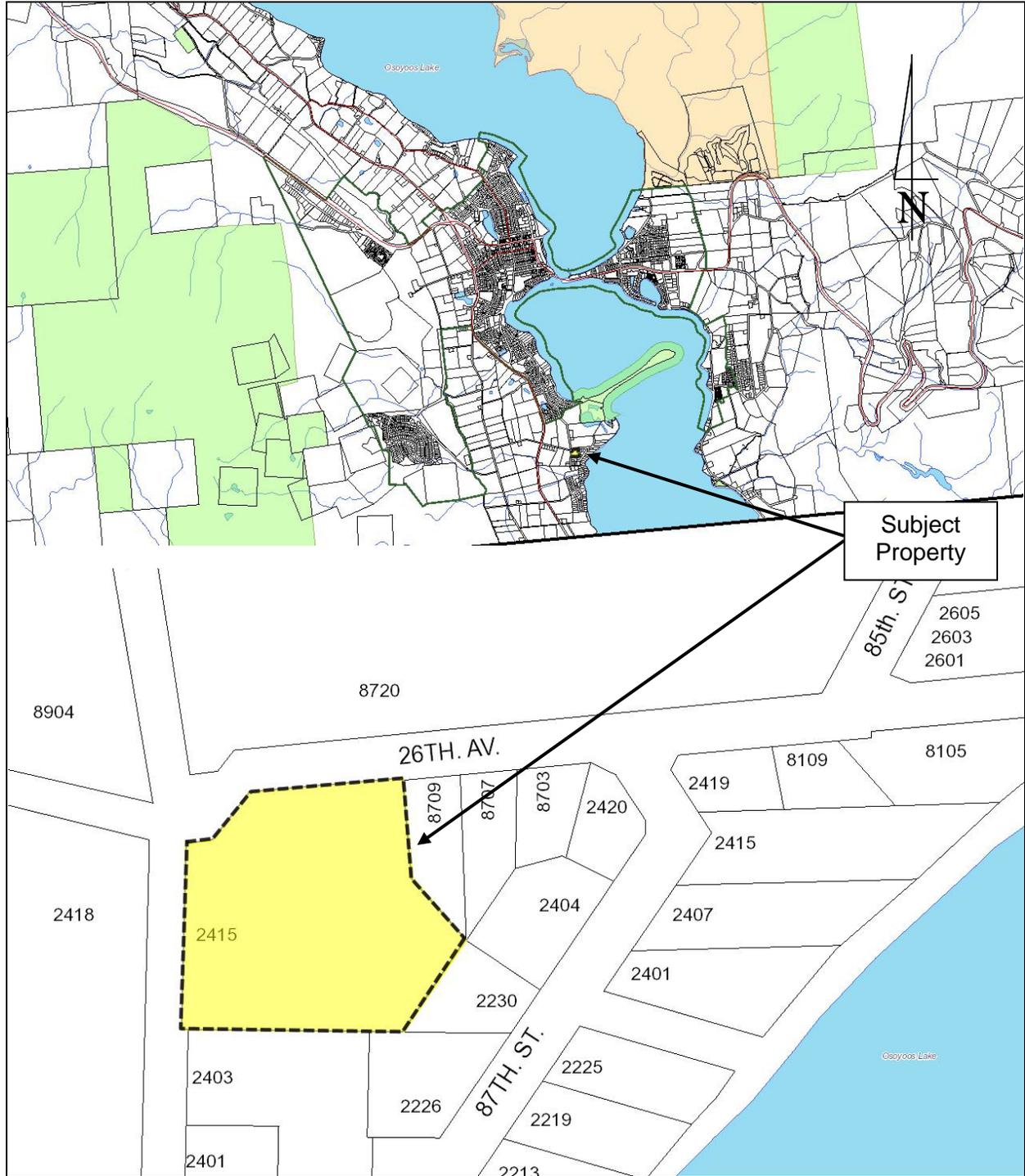
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

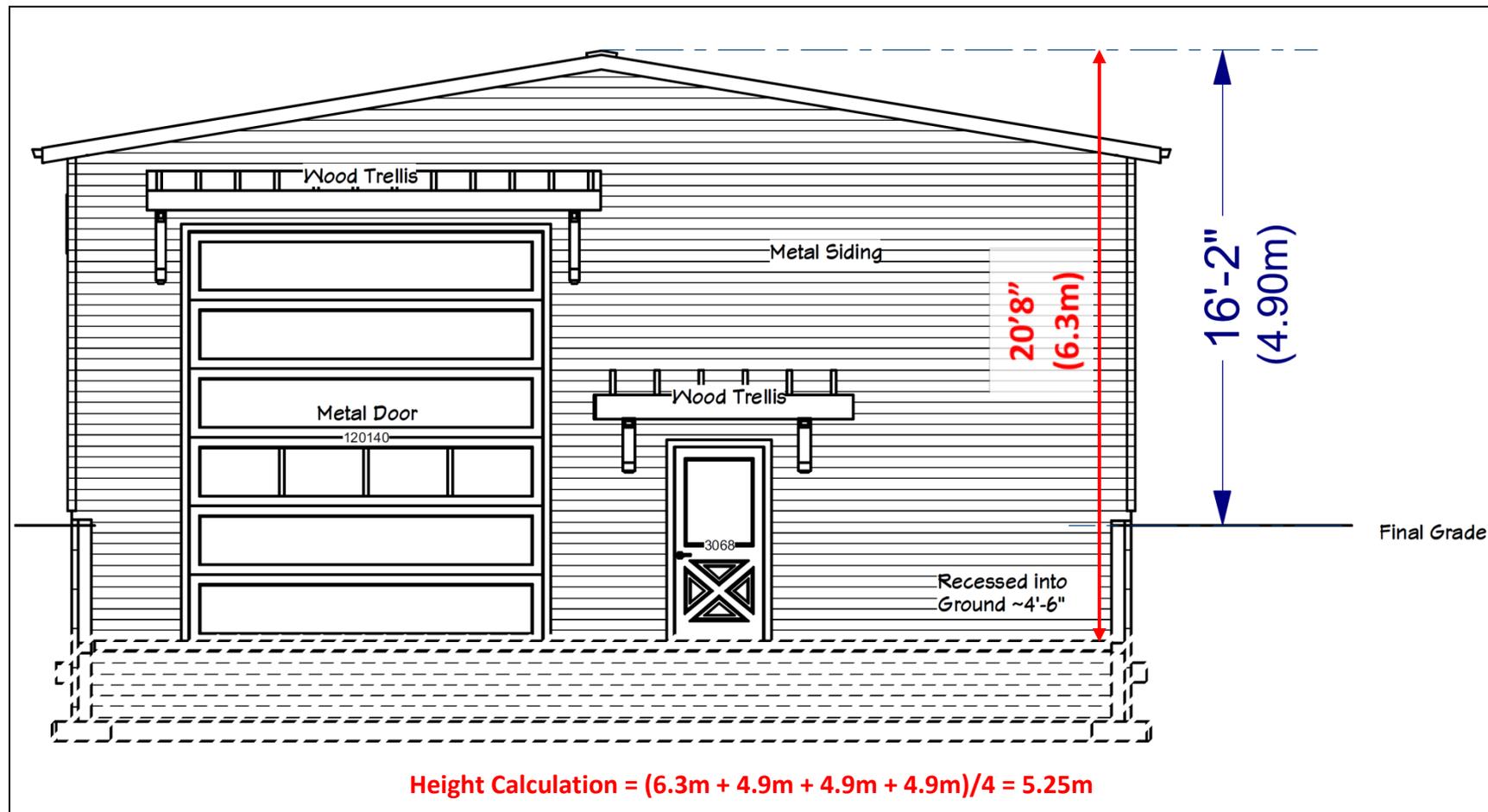
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

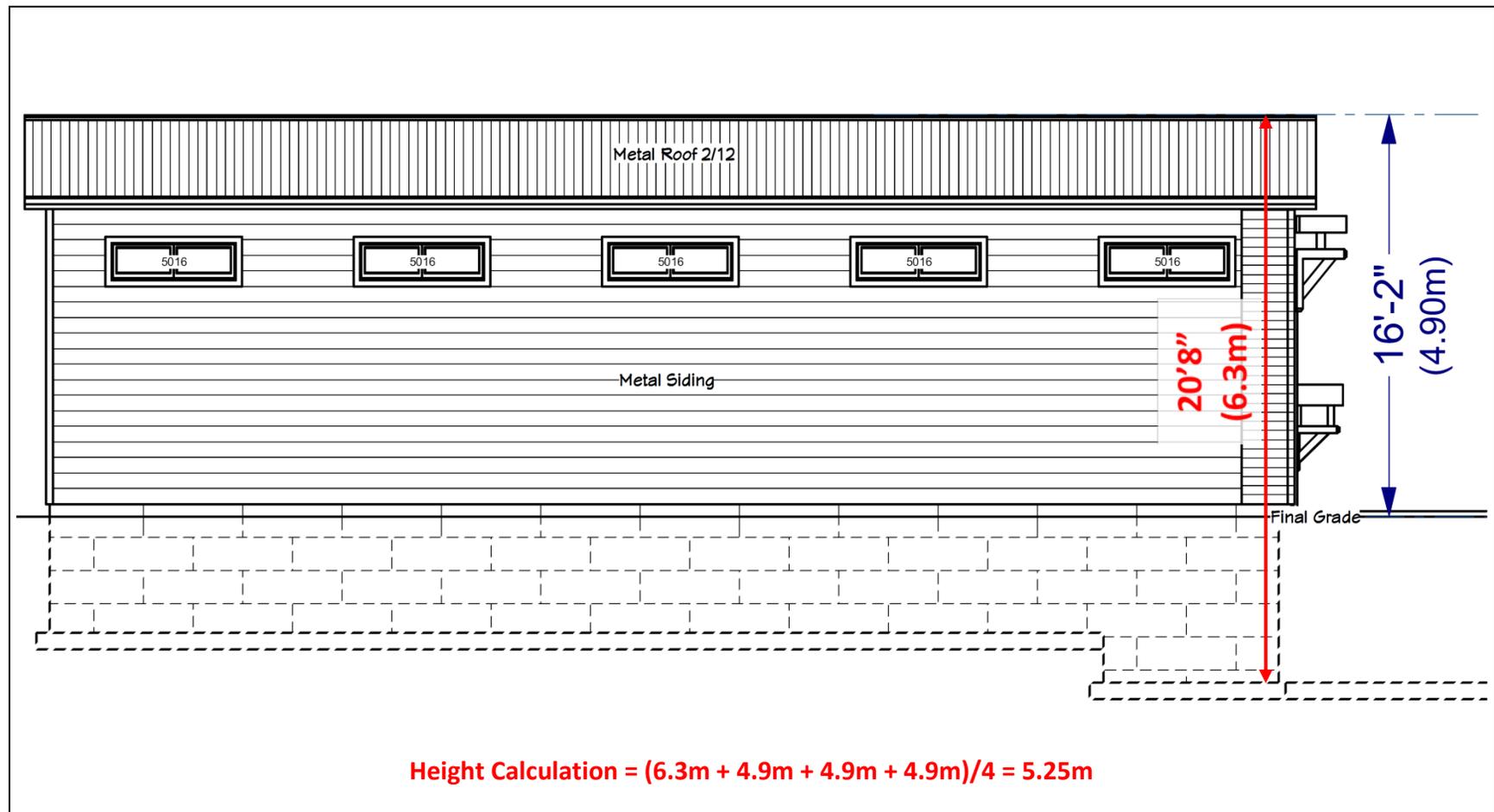
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

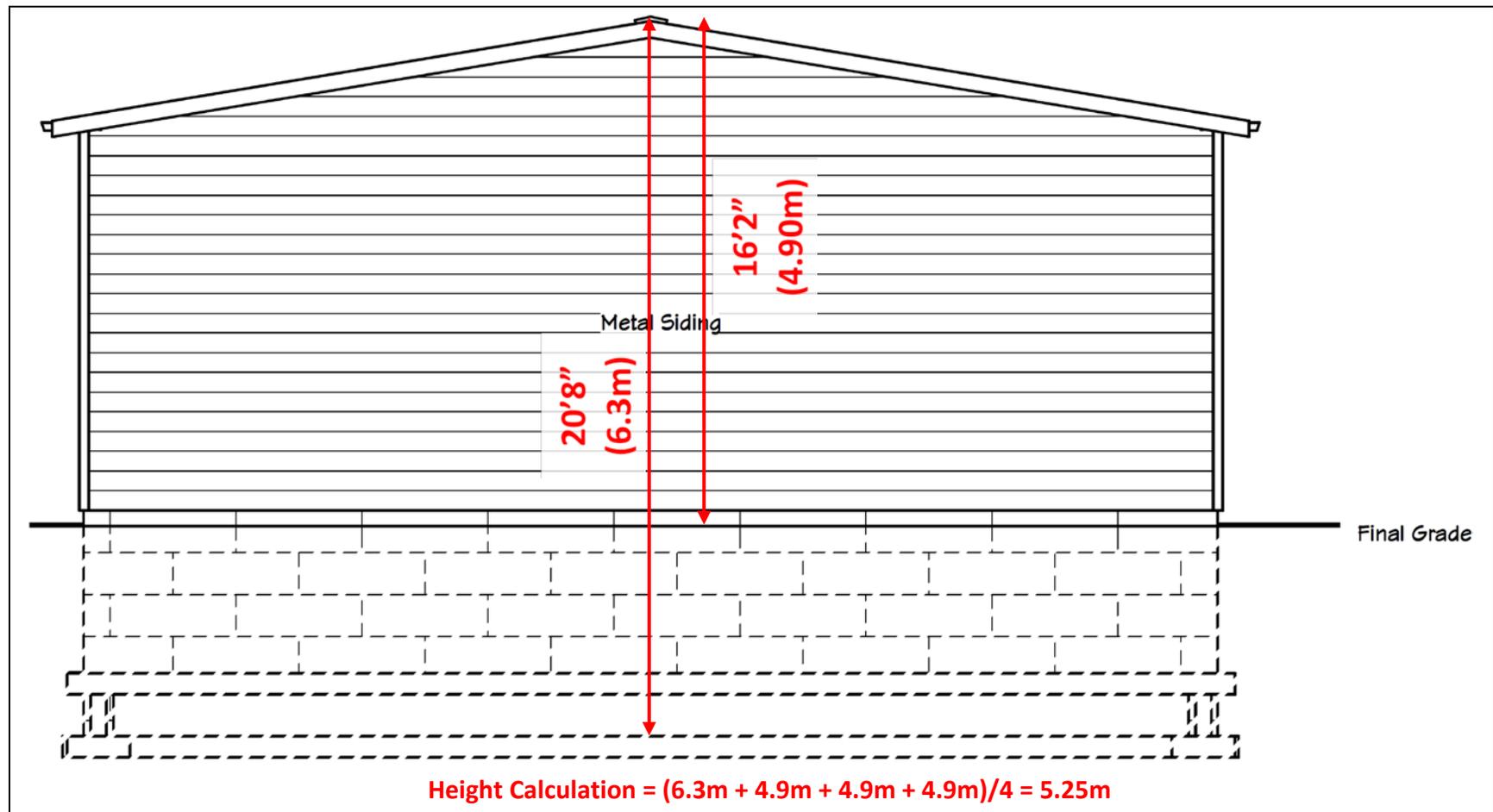
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'D'



Regional District of Okanagan-Similkameen

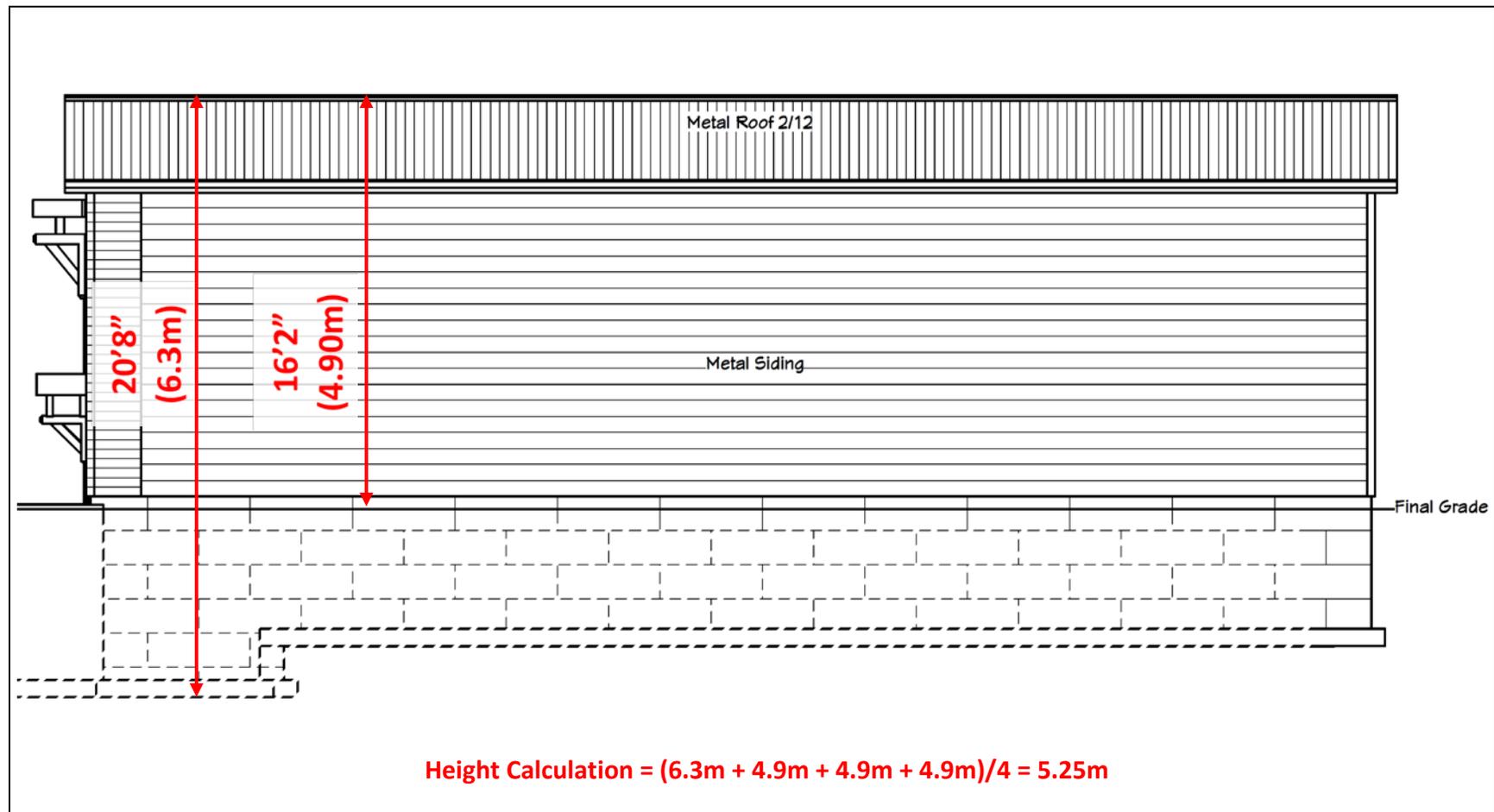
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'E'



Regional District of Okanagan-Similkameen

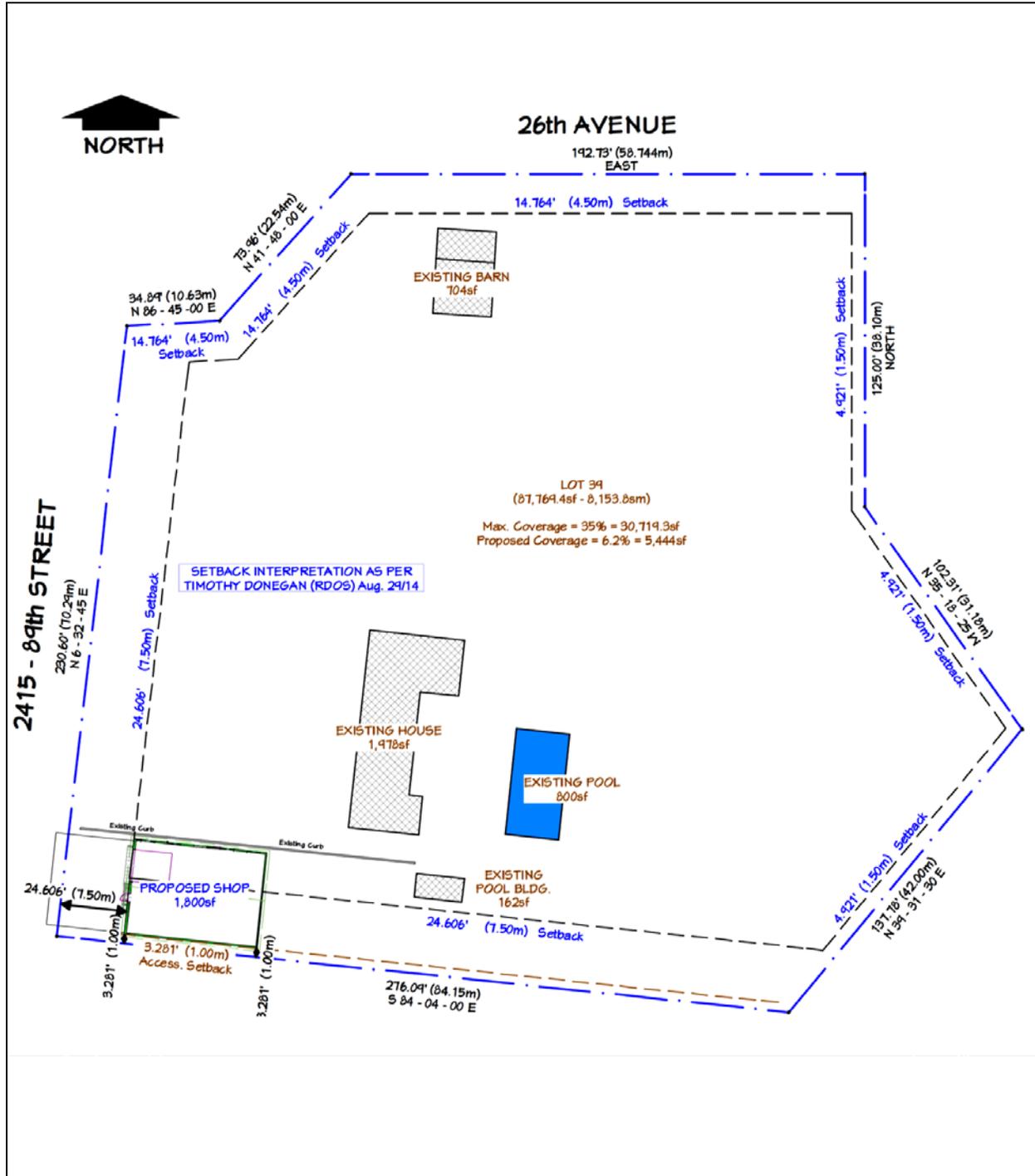
101 Martin St, Penticton, BC V2A 5J9
 Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. A2015-092-DVP

Schedule 'F'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
TYPE: Zoning Bylaw Amendment — Electoral Area “A”

Administrative Recommendation:

THAT Bylaw No. 2451.20, 2015, Electoral Area “A” Zoning Amendment Bylaw be read a third time.

Purpose: To correct a textual error to the LH Zone that occurred as part of the Agriculture Area Plan (AAP) amendments to the Zoning Bylaw adopted in 2014.

Proposal:

That the Regional District initiate an amendment to the Electoral Area “A” Zoning Bylaw No. 2451, 2008, in order to address a textual error that occurred to the provisions regulating “principal” and “accessory” dwellings within the Large Holdings (LH) Zone at the time that the Agricultural Area Plan (AAP) amendments were adopted on September 18, 2014.

Prior to September 18, 2014, parcels in the LH Zone were entitled to certain number of “principal” and “accessory” dwellings based upon land area (i.e. on parcels greater than 16.0 ha, a property owner could develop 1 principal and up to 4 accessory dwellings, or 2 principal dwellings).

Following the adoption of Amendment Bylaw No. 2451.16, Section 10.4.5 was inadvertently amended so that it now only allows for only one (1) principle dwelling and one (1) secondary suite — which was not the intent of the Agriculture Area Plan.

To rectify this, it is proposed to generally reinstate the regulations for principle and accessory dwellings in the LH Zone as they existed prior September 18, 2014.

Background:

At their meeting of October 13, 2015, the Electoral Area “A” Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this proposal be approved.

At its meeting of November 19, 2015, the Regional District Board resolved to approve first and second reading of the amendment bylaws and to waive the scheduling of a public hearing in accordance with Section 890(4) of the *Local Government Act*.

In accordance with Section 893 of the Act, staff gave notice of the waiving of the public hearing in the December 2nd and 9th, 2015, editions of the Osoyoos Times.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposed textual amendments will affect lands situated within 800 metres of a controlled area.

Alternative:

THAT the Board of Directors rescind first and second reading of Bylaw No. 2451.20, 2015, Electoral Area "A" Zoning Amendment Bylaw, and abandon the bylaw.

Analysis:

Administration considers the proposed changes to the Zoning Bylaw to be minor in nature and as addressing an inadvertent error that occurred in relation to the adoption of other provisions related to the AAP. In undertaking this correction, property owners in the LH Zone (and with a sufficient area of land) seeking to develop an "accessory dwelling" will be able to do so as they were prior to the adoption of Amendment Bylaw No. 2451.16.

In the absence of this correction, Administration is concerned that any property owner seeking to develop an "accessory dwelling" unit in the LH Zone — as was previously permitted — would be required to seek a rezoning.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:

D. Butler, Development Services Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2451.20, 2015

A Bylaw to amend the Electoral Area “A” Zoning Bylaw No. 2451, 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 “A” Osoyoos Rural Zoning Amendment Bylaw No. 2451.20, 2015.”
2. The Electoral Area “A” Zoning Bylaw No. 2451, 2008, is amended by amending Section 10.4.5 to read as follows:

10.4.5 Maximum Number of Dwellings Permit Per Parcel:

- a) The number of principal dwellings and the number of accessory dwellings permitted per parcel shall be as follows:

PARCEL AREA	MAXIMUM NUMBER OF PRINCIPAL DWELLINGS	MAXIMUM NUMBER OF ACCESSORY DWELLINGS
Less than 3.5 ha	1	0
3.5 ha to 7.9 ha	1	1
8.0 ha to 11.9 ha	1	2
12.0 ha to 15.9 ha	1	3
Greater than 16.0 ha	1	4
Greater than 8.0 ha	2	0

- b) one (1) secondary suite.
- c) Despite Section 10.4.5(a), for parcels situated within the Agricultural Land Reserve, all dwellings in excess of one (1) must be used only for

the accommodation of persons engaged in farming on parcels classified as “farm” under the *Assessment Act*.

READ A FIRST AND SECOND TIME this 19th day of November, 2015.

PUBLIC HEARING waived this 19th day of November, 2015.

READ A THIRD TIME this __ day of ____, 2015.

ADOPTED this __ day of ____, 2015.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
TYPE: Zoning Bylaw Amendment — Electoral Area “H”

Administrative Recommendation:

THAT Bylaw No. 2498.09, 2015, Electoral Area “H” Zoning Amendment Bylaw be read a third time and adopted.

Purpose: To rezone the property to a Large Holdings Two Site Specific in order to permit seven (7) principal dwellings

Owners: W. Visscher & M Roffel_

Folio: H00742.000

Legal: District Lot 520 YDYD except Plan KAP80251

Civic: 1580 Blakeburn Road

Proposed Zoning: Large Holdings Two Site Specific (LH2s)

Purpose:

The purpose of this application is to amend the zoning of the subject property in order to permit the use of seven principal dwelling units. Specifically, it is being proposed to amend the zone from Large Holdings Two (LH2) to Large Holdings Two Site Specific (LH2s) in order to allow for additional dwellings.

Site Context:

The subject property is approximately 61.3 ha in size and is located approximately 1 km south of the Coalmont townsite and approximately 13 km northwest of the town of Princeton. The property bisects Blakeburn Road with approximately 18 ha on the north side and the remaining approximately 43 ha on the south side.

Surrounding neighbourhood characteristics are mainly large rural parcels that are zoned Resource Area (RA), Large Holdings (LH) or Agriculture Three (AG3).

Background:

In April 2015 a letter was sent to applicants by the Building Official informing them that ‘do not occupy’ notices were placed on a number of structures, both residential and non-residential, because the buildings did not have valid building permits. It was also noted that the work constructed needed to conform to planning regulations as well.

The applicant submitted an application July 17, 2015, proposing to amend the zoning bylaw in order to permit seven dwellings on the subject property.

At the September 15, 2015, the Electoral Area “H” Advisory Planning Commission (APC) resolved to recommend to the Board to approve the subject application.

At its meeting of October 15, 2015, the Board of Directors resolved to approve first and second reading of the amendment bylaw and directed a public hearing.

A Public Hearing was held November 16, 2015, at which four (4) members of the public were present.

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. 2498.09, 2015, Electoral Area "H" 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 there are a number of circumstances that were addressed to fully assess the merits of the application including the size of the property, the history of building and zoning requirements and potential future residential density.

If the proposed amendment is approved, it would decrease the development potential of the subject parcel by limiting the number of principal dwellings to seven (7). Seven principal dwellings may have been developed on the subject property plus numerous accessory dwellings if the 61 ha property were to be subdivided; however, the applicant has stated that there is no intention to subdivide but to have all seven family members build within one general area. Nonetheless, limiting the overall number of principal dwellings to seven for the entire parcel would not be seen as creating undesirable additional rural density.

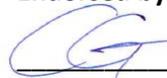
In summary, Administration supports the proposed the site specific zone includes a maximum of seven principal dwellings, one additional secondary suite or carriage house, and limitations placed on subdivision potential.

Respectfully submitted:

E Riechert

E. Riechert, Planner

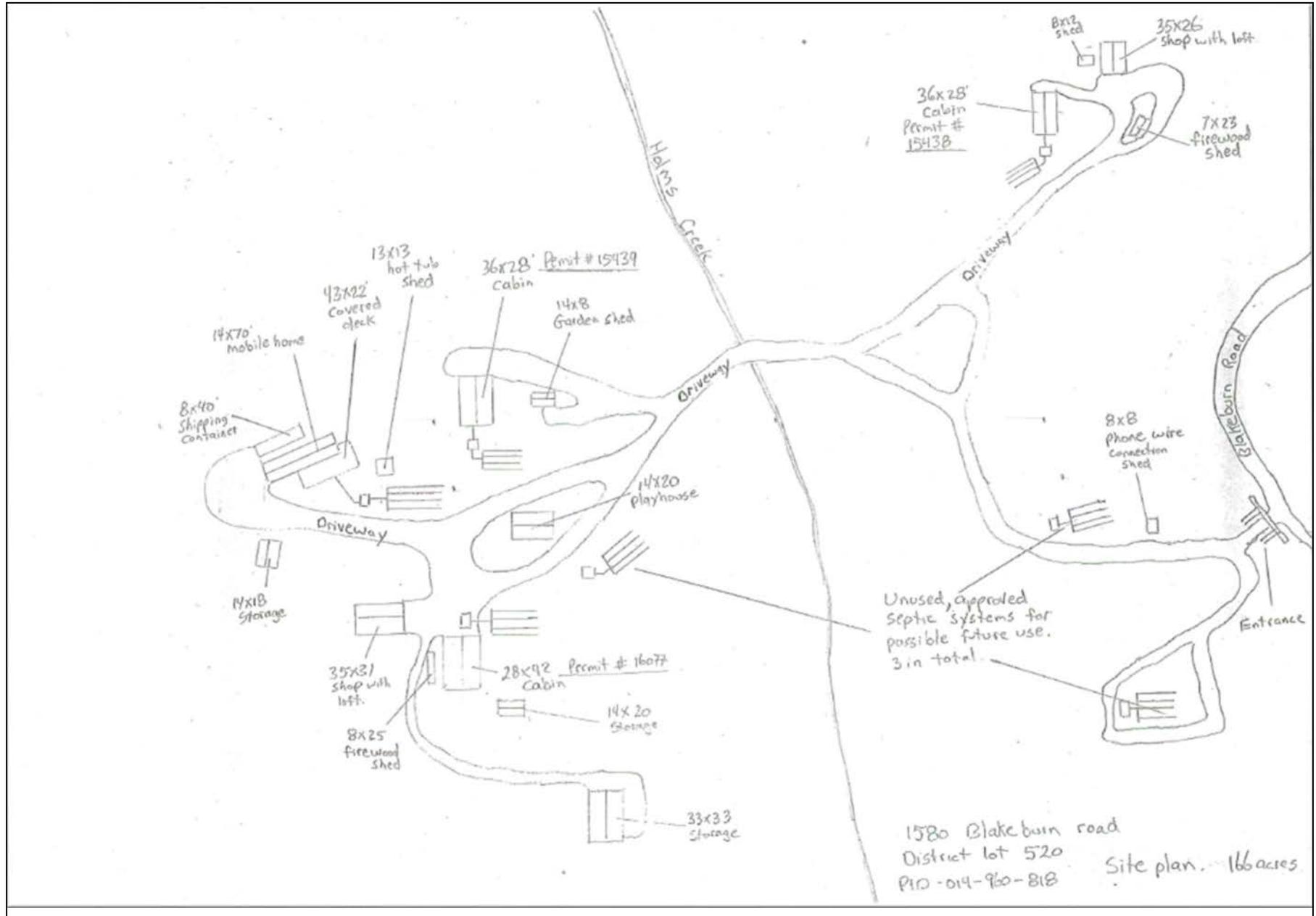
Endorsed by:



C. Garrish, Planning Supervisor

Attachments: No. 1 – Applicant’s Site Plan

Attachment No. 1 — Applicant's Site Plan



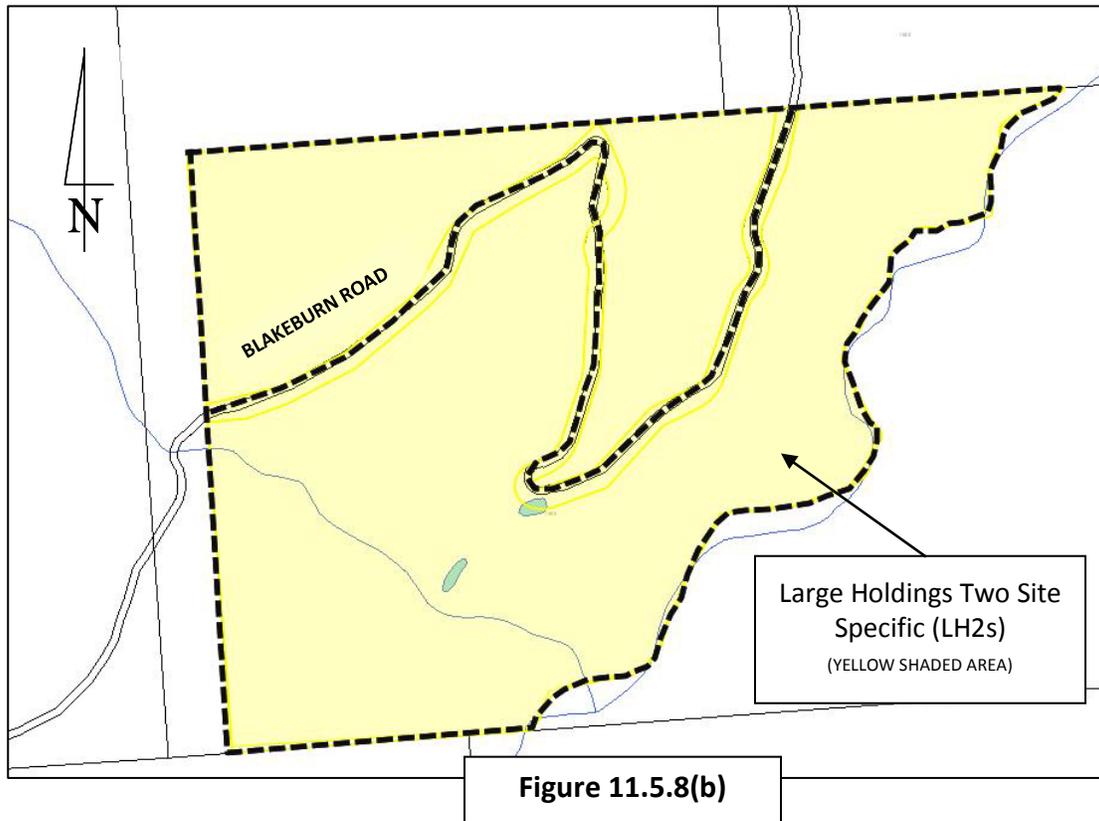
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.09, 2015

A Bylaw to amend the Electoral Area 'H' Zoning Bylaw No. 2498, 2012

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 'H' Zoning Amendment Bylaw No. 2498.09, 2015."
2. The Official Zoning Map, being Schedule 2 of the Electoral Area "H" Zoning Bylaw No. 2498, 2012, is amended by changing the land use designation of land described as District Lot 520, YDYD, Except Plan KAP80251, and shown shaded yellow on Schedule 'X', which forms part of this Bylaw, from Large Holdings Two (LH2) to Large Holdings Two Site Specific (LH2s).
3. The Electoral Area "H" Zoning Bylaw No. 2498, 2012, is amended by adding the following under 11.5.8 Site Specific Large Holdings Two (LH2s) Regulations:
 - b) In the case of the land described as District Lot 520, YDYD, Except Plan KAP80251, and shown shaded yellow on Figure 11.5.8(b):
 - i) despite Section 11.5.4, the following will apply:
 - a) the maximum number of principal dwellings permitted per parcel is seven (7);
 - b) the maximum number of secondary suites or carriage house permitted per parcel is one (1).
 - ii) despite Section 11.5.2, the minimum parcel size shall be 60.0 ha.



READ A FIRST AND SECOND TIME this 15th day of October, 2015.

PUBLIC HEARING held this 16th day of November, 2015.

READ A THIRD TIME this __ day of ____, 2015.

ADOPTED this __ day of ____, 2015.

Chair

Corporate Officer

Regional District of Okanagan-Similkameen

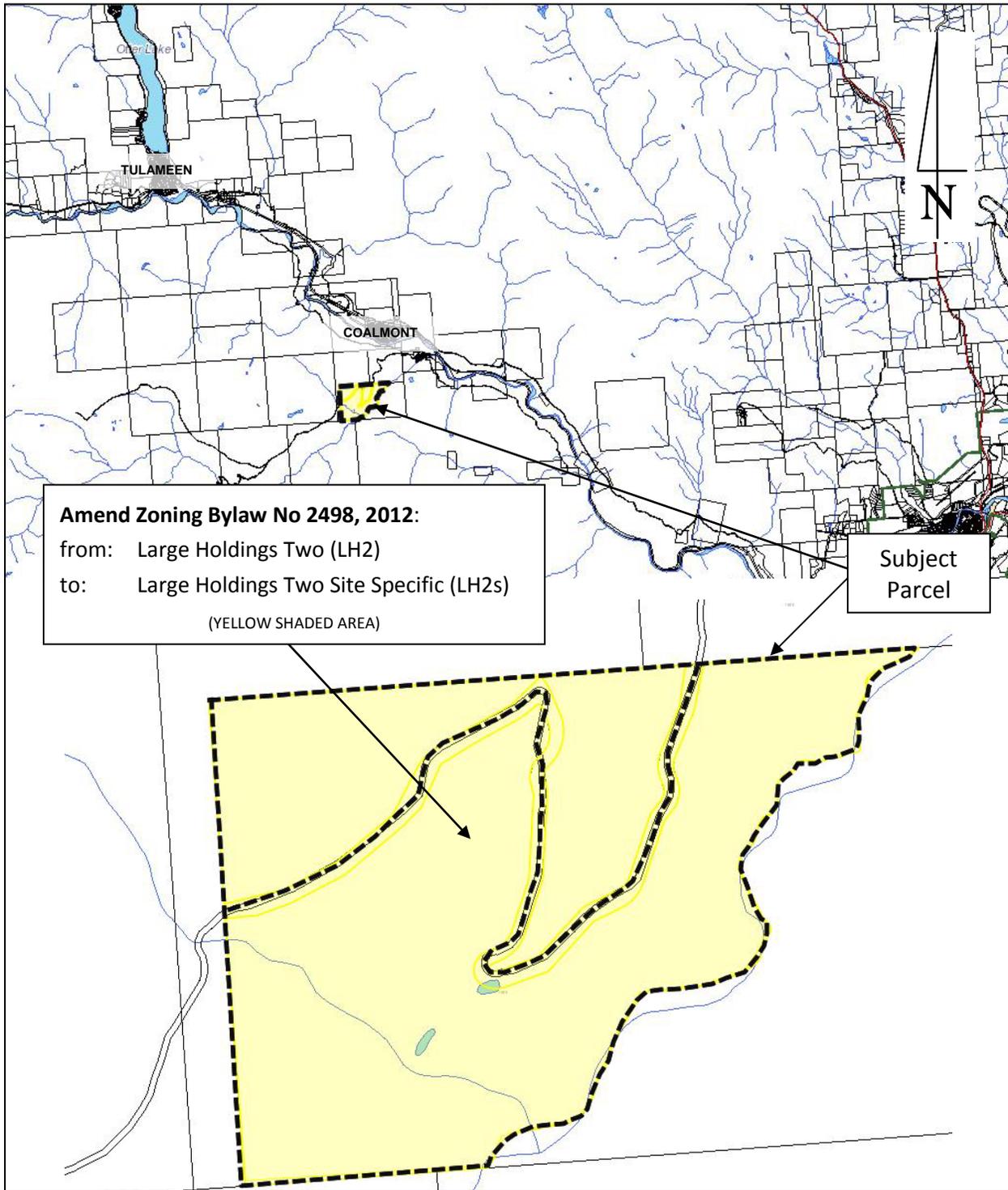
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



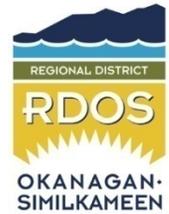
Amendment Bylaw No. 2498.09, 2014

File No.: H2015.077-ZONE

Schedule 'X'



PUBLIC HEARING REPORT



TO: Board of Directors
FROM: Chair Coyne, Electoral Area 'H'
DATE: November 16, 2015
RE: Public Hearing Report on Amendment Bylaw No. 2498.09, 2015

Purpose of Amendment Bylaw:

The purpose of the amendment bylaw is to amend the Electoral Area "H" Zoning Bylaw No. 2498, 2012 in order to permit seven (7) principal dwelling units.

Public Hearing Overview:

The Public Hearing for Amendment Bylaw No. 2498.09, 2015

- convened on Monday, November 16, 2015, at 7:05 pm, at the Riverside Centre, located at 148 Old Hedley Road, Princeton, BC;

There were 4 members of the public present.

Members of the Regional District Board present were:

- Chair Bob Coyne

Members of the Regional District staff present were:

- Evelyn Riechert, Planner
- Gillian Cramm, Recording Secretary

Chair Coyne called the Public Hearing to order at 7:05 pm at the Riverside Centre, 148 Old Hedley Road, Princeton, BC.

The hearing was convened pursuant to Section 890 and 892 of the *Local Government Act* in order to consider Amendment Bylaw No. 2498.09, 2015.

In accordance with subsections 1 and 2 of Section 892, the time and place of the public hearing was advertised in the November 3 and 10, 2015 editions of the Similkameen News Leader.

Copies of reports and correspondence received related to Amendment Bylaw No. 2498.09, 2015 were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There were no written briefs submitted at the public hearing.

Chair Coyne 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.

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

Dick Westring stated that he supports the application.

Ed Reichert stated that he supports the application.

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

Chair Coyne 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 7:16 p.m.

Recorded by:

Gillian Cramm

Gillian Cramm
Recording Secretary

Confirmed:

ERiechert

Evelyn Riechert
Planner

Confirmed:

Bob Coyne

Bob Coyne
Chair

Lauri Feindell

From: Beaupre, John <John.Beaupre@interiorhealth.ca>
Sent: September-22-15 4:24 PM
To: Planning
Cc: Evelyn Riechert
Subject: Bylaw Referral - RDOS File: H2015.077-ZONE

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

Dear Ms. Riechert:

Re: Proposed Area H Zoning Bylaw Amendment to Allow 7 Dwellings on Subject Property
DL520, YDYD, Except Plan KAP80251
Blakeburn Road

Thank you for the opportunity to provide comment on the above referenced zoning bylaw amendment.

This office has no concern or objection at this time to the proposed zoning amendment to allow up to 7 dwellings on the property. However it should be noted that should the owners wish to share a water supply system between 2 or more dwellings they will require source approval, a Construction Permit, and an Operating Permit from Interior Health. The system must also be maintained and operated in compliance with the Drinking Water Protection Act and the Drinking Water Protection Regulation.

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
Web: www.interiorhealth.ca

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Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: September-23-15 2:57 PM
To: Planning; Lauri Feindell
Cc: Mirsky, Nicholas
Subject: Blakeburn Rd, 1580 RDOS (H2015.077-ZONE)

With respect to the above noted file,

There are primary distribution facilities within the Blakeburn Road and within the boundary of the subject property. However, due to the property size and applicant's intention to construct multiple dwellings on the property, extension work may be required to bring service to potential building sites; the cost of which may be significant. The applicant is responsible for costs associated with any change to the 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.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

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

Best Regards,

Steven Danielson,
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

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RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2498.09

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

This private land does not connect to a Forest Service Road.

Signature: *Don Parvo*

Signed By: Don PARVO

Agency: MFLNRO

Title: Stewardship Forester

Date: Sept. 2, 2015



Lauri Feindell

From: Adams, Rick MEM:EX <Rick.Adams@gov.bc.ca>
Sent: August-28-15 4:31 PM
To: Lauri Feindell
Cc: Britton, Jim MEM:EX; Kamloops, MMD MEM:EX; 'franklaroche@shaw.ca'
Subject: FW: Bylaw Referral H2015.077-ZONE Visscher
Attachments: Mineral Tenures Bylaw 2498.pdf; Placer Tenures Bylaw 2498.pdf; CoalTenures Bylaw 2498.pdf

Lauri, please refer to the attached maps of mineral, placer and coal tenures in the area of this bylaw referral. This area has an extensive mining history as well current exploration interest and active mining operations. Even during this time of depressed mining investment levels, there remains extensive coverage of mineral, placer, and coal tenures underlying, or immediately adjacent to, the subject parcel. Approval of 7 recreational dwellings on this parcel has potential to cause considerable future conflict between recreational dwelling owners and exploration and mining operations. Prior rights for placer mineral development may exist over this parcel.

- This is a designated placer mining area and overlaps existing Placer Claim 513196. Placer mining rights have been held continuously over this area by Francis Rene LaRoche and Susan Irene LaRoche since 1998. The LaRoche's have rights to explore for and develop placer minerals on PC 513196 consistent with Section 11, 14 and 19 of the Mineral Tenure Act. As the purchase of the surface rights by the current land owners is reported to have occurred in 2004, it would appear under Section 16 of the Mineral Tenure Act that PC 513196 would have priority of rights, and the rights of the placer claim holder would not be diminished by the acquisition of the surface rights by the other party(ies).

In consideration of the above, prior to making a decision on the re-zoning, the Ministry of Energy and Mines recommends the Regional District conduct an in-depth assessment of the respective rights of the parties, and the significance of priority of rights. Further, regardless of priority of rights, every effort should be made to avoid any conflict between the re-zoning, construction of the 7 recreational dwellings proposed by the surface property owner(s), and any current and contemplated placer mining activities of Francis and Susan LaRoche Frances,. The Ministry of Energy and Mines strongly suggests the Regional District contact Francis LaRoche at 2589 Thompson Drive, Kamloops, BC V2C 4L5, 250-374-8850, or FRANKLAROCHE@SHAW.CA , to inform him of the specifics of the development proposal (location of the cabins and outbuildings relative to mineable placer gravels, proposed access improvements, impacts on existing access, etc.) for discussions designed to reduce conflicts between competing uses prior to making a re-zoning decision. Depending on the location proposed for the cabins relative to significant pay streaks of placer gold, there may or may not be a conflict. Opportunities may exist to locate the surface infrastructure in places which do not conflict with placer mining plans or operations on PC 513196. This can only be determined through detailed discussions. Finally, Francis LaRoche has advised his only access to PC 513196 is via an existing road which previously serviced the old Swan underground placer mine, and it is critical to his operation that this road access be maintained;

- This is both historically (Blakeburn, Mullen), and currently (Basin Coal), a very active coal exploration and mine development area. The land parcel of interest is immediately adjacent to coal tenures for an existing coal mine, the Basin Coal Mine, which has potential to expand its operations in the future and to become visible, or even immediately adjacent, to these 7 recreational dwellings. The recreational dwelling owners must appreciate that this may occur in the future, and that the presence of their recreational dwellings could not preclude the continuing operation and expansion of Basin Coal Mine; and
- This is both historically, and currently, a very active mineral exploration area. Historically the entire area has been completely covered with mineral tenures, and even with current, depressed mining activity levels, mineral



claims 1033924 and 1033900 exist immediately north of the land parcel, and mineral claim 1032443 exists immediately south of the land parcel. The recreational dwelling owners must appreciate they are located in a very active mining area and could expect to see mineral exploration and development activities occurring immediately adjacent to their properties in the future. The presence of their recreational dwellings could not preclude mineral exploration and development activities from occurring.

Rick Adams
A/Senior Inspector – Permitting
Ministry of Energy and Mines
250-828-4583

From: Kamloops, MMD MEM:EX
Sent: Tuesday, August 25, 2015 2:34 PM
To: Adams, Rick MEM:EX
Subject: FW: Bylaw Referral H2015.077-ZONE Visscher

From: Lauri Feindell [<mailto:lfeindell@rdos.bc.ca>]
Sent: Tuesday, August 25, 2015 2:26 PM
To: HBE@interiorhealth.ca; AGRI Interior AGRI:EX; Kamloops, MMD MEM:EX; flnrreferrals@gov.bc.ca; kblack@sd58.bc.ca; onareception@syilx.org; referrals.coordinator@lsib.net; referralsclerk@lsib.net; finance@usib.bc.ca; Cooper, Diana FLNR:EX; fbclands@fortisbc.com
Cc: Evelyn Riechert
Subject: Bylaw Referral H2015.077-ZONE Visscher

Re: District Lot YDYD, Except Plan KAP80251
Bylaw No. 2498.09, 2015
Blakeburn Road

Please forward any comments you may have with respect to this bylaw amendment application,

Thank you

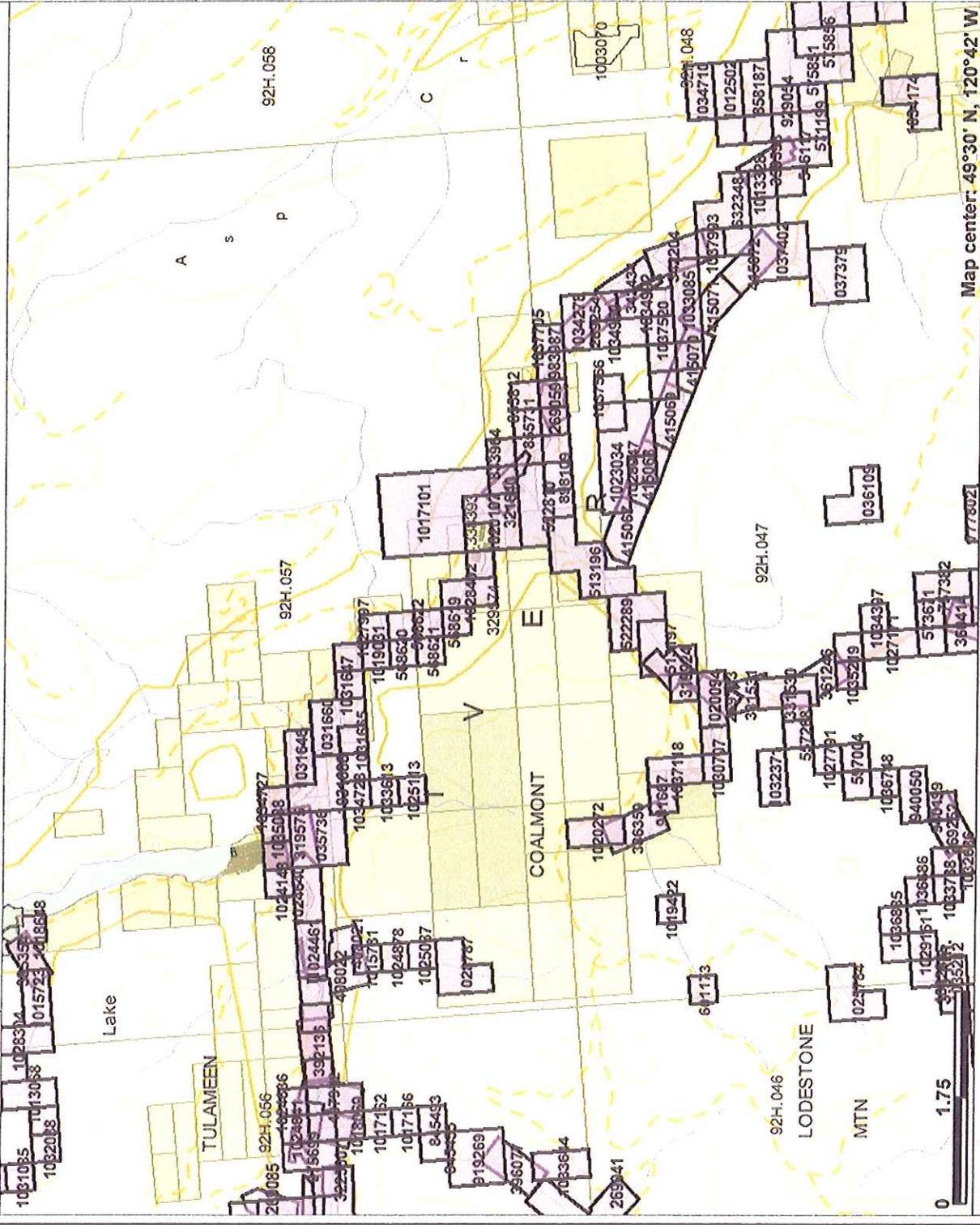
Lauri



Lauri Feindell • Planning Administrative Assistant
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • lfeindell@rdos.bc.ca

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Placer Tenures Bylaw No. 2498, 2012



Map center: 49°30' N, 120°42' W

0 1.75

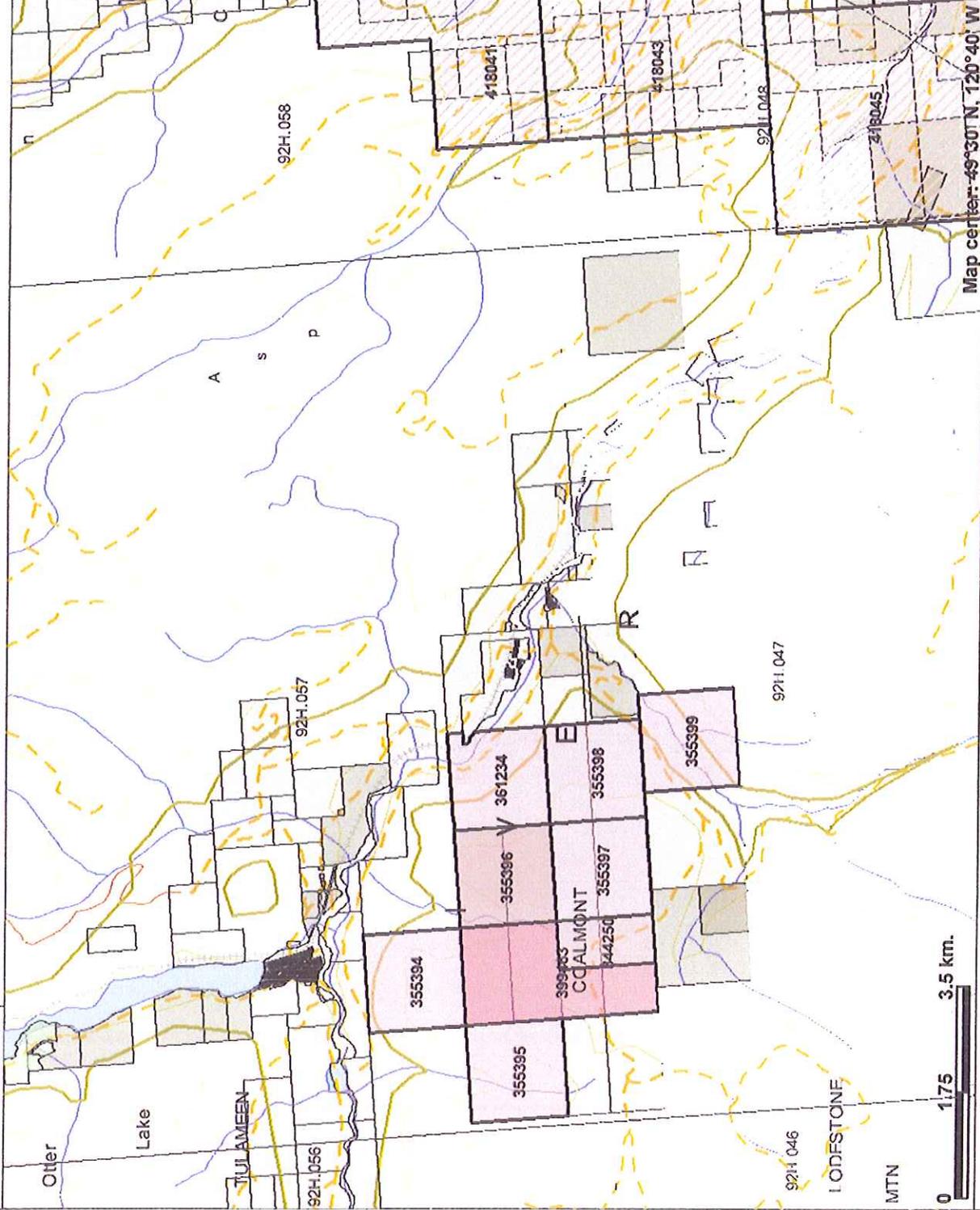
This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Legend

- Indian Reserves
- National Parks
- Conservancy Areas
- Parks
- Federal Transfer Lands
- Placer Tenure (current)
- Placer Claim
- Placer Lease
- Placer Reserves (current)
- Placer Claim Designation
- Placer Lease Designation
- No Staking Reserve
- Conditional Reserve
- Release Required Reserve
- Surface Restriction
- Recreation Area
- Others
- First Nations Treaty Related Lands
- First Nations Treaty Lands
- Survey Parcels
- BCGS Grid
- Contours (1:250K)
- Contour - Index
- Contour - Intermediate
- Areaof Exclusion
- Areaof Indefinite Contours
- Annotation (1:250K)
- Transportation - Points (1:250K)
- Airfield
- Anchorage - Seaplane

Scale: 1:100,000

Coal Tenures Bylaw No. 2498, 2012



Legend

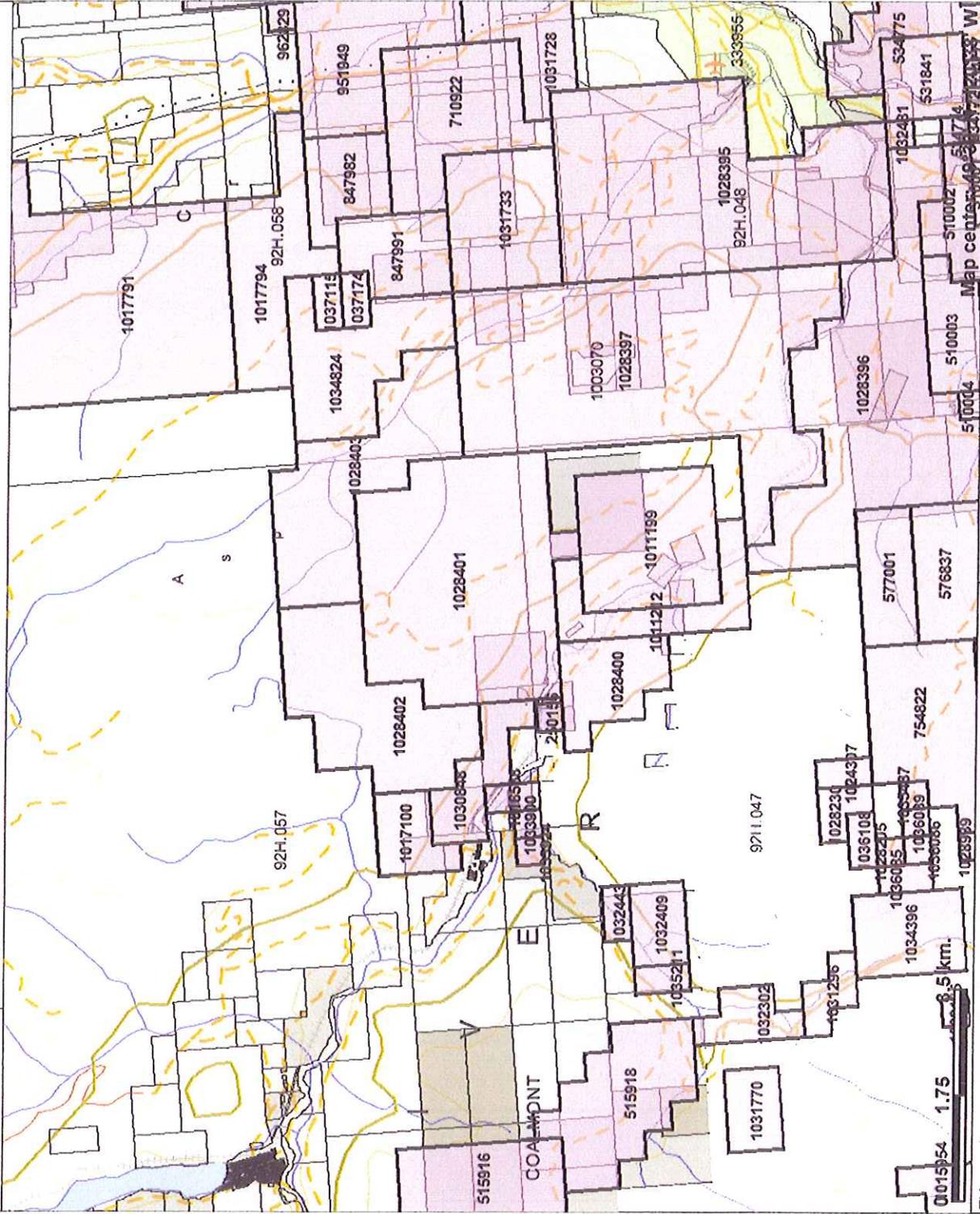
- Indian Reserves
- National Parks
- Conservancy Areas
- Parks
- Federal Transfer Lands
- Coal Tenure (current)
- Coal License
- Coal Lease
- Coal Application
- Coal Reserves (current)
- No Staking Reserve
- Conditional Reserve
- Release Required Reserve
- Surface Restriction
- Recreation Area
- Others
- First Nations Treaty Related Lands
- First Nations Treaty Lands
- Survey Parcels
- BCGS Grid
- Contours (1:250K)
- Contour - Index
- Contour - Intermediate
- Area of Exclusion
- Area of Indefinite Contours
- Annotation (1:250K)
- Transportation - Points (1:250K)
- Airfield
- Anchorage - Seaplane
- Ferry Route

Scale: 1:100,000



This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Mineral Tenures Bylaw No. 2498, 2012



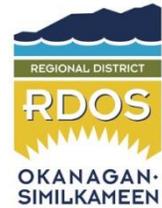
Legend

- Indian Reserves
- National Parks
- Conservancy Areas
- Parks
- Federal Transfer Lands
- Mineral Tenure (current)
- Mineral Claim
- Mineral Lease
- Mineral Reserves (current)
- Placer Claim Designation
- Placer Lease Designation
- No Staking Reserve
- Conditional Reserve
- Release Required Reserve
- Surface Restriction
- Recreation Area
- Others
- First Nations Treaty Related Lands
- First Nations Treaty Lands
- Survey Parcels
- BCGS Grid
- Contours (1:250K)
- Contour - Index
- Contour - Intermediate
- Area of Exclusion
- Area of Indefinite Contours
- Annotation (1:250K)
- Transportation - Points (1:250K)
- Airfield
- Anchorage - Seaplane

Scale: 1:100,000

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Scope Additions for the RDOS Office Renovation

Administrative Recommendation:

THAT the Board of Directors approve proceeding with the carpet replacement for the 101 Martin Street building for \$58,518 from the energy efficiency funding as part of the current renovation project; AND,

THAT the Board of Directors approve the total renovation capital budget of \$610,325.

History:

The main office of the Regional District of Okanagan-Similkameen at 101 Martin Street in Penticton is currently undergoing renovations to improve issues such as structure, non-uniform heating, lighting inefficiencies and aesthetics. On September 17, 2015 the Board approved the award of the renovation work to Greyback Construction Ltd for the amount of \$ 365,800.

At the November 19, 2015 Board meeting the addition of two scope changes were approved. These included the roof replacement at \$70,005 and change out of all interior and exterior lights to high efficiency LED fixtures at \$45,802. These items along with several other energy efficiency items will be paid for by the \$174,325 grant reallocated from the Regionally Significant Project Gas Tax program.

At the November 19, 2015 Board meeting a request was made to staff to revisit the extra proposed renovations and bring them back to the Board for more discussion. Additional scope items were also proposed for pricing.

Alternatives:

- Decline the carpet replacement scope change for the building.
- Identify other preferred renovations from the remaining budget.
- No additional scope changes be approved.

Analysis:

The available grant funding of \$174,325 will cover the \$115,807 approved at the November 17 Board meeting for upgrading all the lights and installing a new roof. This leaves \$58,518 in available funds from the energy efficiency grant for allocation.

PART 1:

Proposed Scope Addition: Carpet Replacement

At the November meeting the Board requested additional detail on the proposed carpeting scope change, as opposed to replacing flooring with a hard surface.

Research from the Carpet and Rug Institute has provided the following regarding carpet installations:

- Allergens – studies have shown carpet actually improves indoor air quality as it acts as a trap to keep dust and allergens out of the air we breathe providing that regular vacuuming and cleaning are performed. Smooth surfaces allow dust and allergens to recirculate into the air.
- VOCs – carpet has the lowest VOC emissions of common flooring choices and the Green Label Plus standard has further reduced the VOC's.
 - Green Label Plus (GLP) Indoor Air Quality (IAQ) standard serves as the benchmark for low VOC emissions. Manufacturers who are committed to developing ways to minimize any adverse effects on indoor air quality can participate in the voluntary program to get their carpet sampled to ensure it meets the established emissions requirements for addition of the GLP logo.
- Safety – carpets provide better traction thus preventing falls, especially when floors are wet; and if a person were to fall the carpet will cushion the fall
- Noise –carpet is efficient in reducing noise by absorbing sounds and thus creates a less distracting and more productive environment

Additional benefits of the selected carpet tiles include the following:

- This carpet tile meets the Green Label Plus standard
- Advanced polymer backing on carpet tiles contain 20% recycled content and no VOCs
- Carpet tiles can be replaced if one or more is damaged without replacing an entire room
- Increased thermal resistance (R-value) compared to the existing carpet

The addition of carpet tiles to the scope of work is recommended as:

- All the modular furniture in offices and cubicles will be disassembled at some point during renovations therefore it is a perfect time to change the carpeting.
- Many areas of the existing carpet have split and are a tripping hazard. If complete replacement does not occur patchwork will be necessary in the areas where walls are removed thereby creating more seams for potential trip hazards.

Proposed Scope Addition: Painting of interior walls

In the November 17, 2015 Board meeting, the painting of all other interior walls was proposed as a scope change for \$31,960. It was not approved at the time. At this time in this subsequent report, additional painting will not be recommended as an addition to the scope. In case the Board wishes to include any painting additions, the quotes are provided in the table on the next page.

Proposed Scope Addition: Audio System for Boardroom

Good Project; just not enough money in the renovation budget.

PART 2:

Quotes Received

As per the Board's request at the November 17, 2015 meeting, quotes were requested from the contractor for carpet and painting options. See the following table.

SCOPE CHANGE	ROOMS	COST
Carpet tile installation MUST CHOOSE ONE OF THESE OPTIONS	1 All of carpet in building	\$ 58,518
	2 ONLY patching in building	\$ 16,000
	3 ONLY Boardroom & Gord Davidson Room <u>AND</u> patching in building	\$ 25,000
Interior Paint	All of unpainted walls in building	\$ 31,960
	ONLY Boardroom & Gord Davidson Room and entry vestibule (all public areas)	\$ 6,000
Audio System	Boardroom	\$ 30,000

There is no allowance for any carpet repairs or replacement in the awarded tender. Carpet work was removed from the tender prior to the call for bids.

At minimum, patching of holes in the carpet created by removal of walls would be beneficial (\$16,000). Proceeding with only patching of the carpet may lead to other issues down the road, including:

- Only postpones the complete carpet replacement within in the building
- Additional seams would be created to fray, increasing the tripping safety hazard, especially along new main access corridors through the building. Future replacement will require the disassembly and reassembly of desk furniture for the installation of the carpet. The cost of carpet replacement in the future will only go up.



Carpeting meets the standard for an energy efficiency item under the terms of the grant.

PART 3:

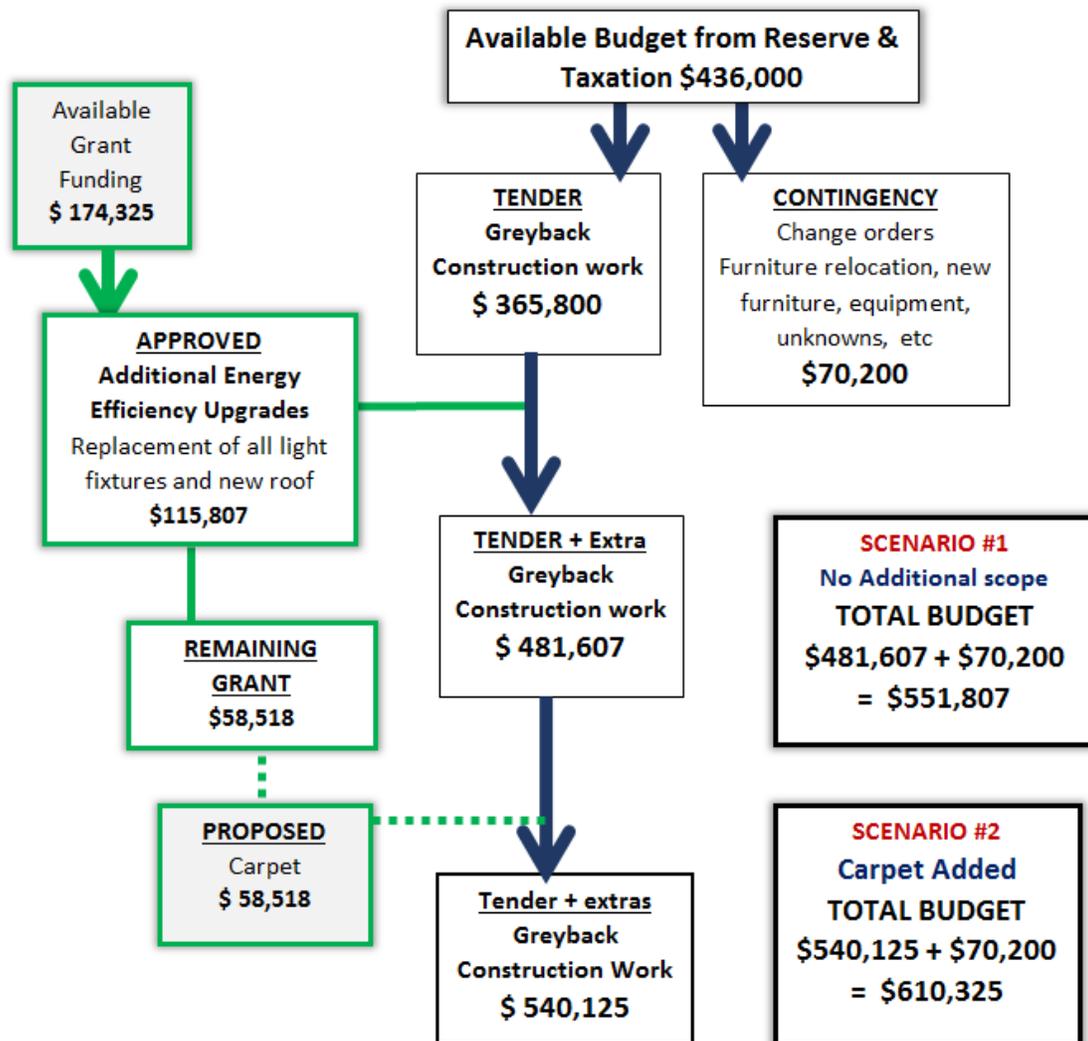
Total Available Renovation Budget

In the budget for 2015, the renovation capital budget was approved to be \$436,000 with the reserve funds providing \$210,000 and taxation providing \$226,000.

With the award of \$365,800 in renovation work to Greyback Construction, the remaining funds are \$70,200. This will be applied to such items as furniture disassembly and reassembly costs, change orders during construction, unforeseen renovation issues, all equipment and furniture purchases

Additional funds have become available from a re-purposing of a previously awarded Regionally Significant Gas Tax project, of which \$115,807 has been allocated towards light fixtures and a new roof. The remaining is proposed to be applied to carpet replacement in the building which would bring the total project budget to \$610,325.

The following figure illustrates the two scenarios for setting the total renovation budget.

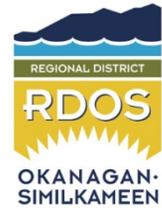


Respectfully submitted:

“Liisa Bloomfield”

L. Bloomfield, Engineer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Petition to enter the Okanagan Falls Sewer Service Area

Administrative Recommendation:

THAT Bylaw No. 1239.06, 2015, "Okanagan Falls Sewer Service Extension Bylaw" be read first, second, third time; and be adopted; AND,

THAT the Board authorize assent be given on behalf of the electoral area by the electoral area Director pursuant to Section 801.5 of the Local Government Act.

Reference:

Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw No. 1239, 1991;

Okanagan Falls Sanitary Sewer Development Cost Charge Bylaw No. 2486, 2009

History:

The applicant has petitioned the Regional District to allow the entry of the parcel legally described as:

Lot 1, District Lot 10, Land District Similkameen Div. of Yale; Plan KAP87398, Manufactured Home Reg. #53889.

into the Okanagan Falls Sewer Service Area (OFSSA).

Under the Electoral Area 'D-2' Official Community Plan (OCP) Bylaw No. 2603, 2013, the parcel is designated as Small Holdings (SH). The parcel is within the Recreational Vehicle Park, site specific (C7s) zoning designation under the RDOS, Electoral Area 'D' Zoning Bylaw No. 2455, 2008.

Alternatives:

THAT the readings of Bylaw No. 1239.06, 2015, "Okanagan Falls Sewer Service Extension Bylaw" not be read a first, second and third time.

Analysis:

The Regional District has recently conducted a project to review properties adjacent to the Okanagan Falls Sewer Service Area (OFSSA); the subject property was part of that review. The project provided a rough cost estimate and design to assist in the facilitation for properties entering the OFSSA. The Administration is working with the subject property owner to establish a process and conditions for the future development and adjacent properties to be provided sanitary service connection within

the OFSSA.

One aspect of entering the OFSSA is a review of the development cost charges (DCC) in accordance with the Okanagan Falls Sanitary Sewer Development Cost Charge Bylaw No. 2486, 2009. The DCC Bylaw has recently been brought forward at the October 15, 2015 Board meeting to be amended to reflect DCCs required for the subject property's zoning designation of C7s and entering in to the OFSSA. The DCC Bylaw is now being reviewed by the Province and the Administration anticipates the DCC Bylaw to be brought forward again to the Board early in 2016. Payment of the DCCs will be required at the subdivision of the proposed development.

The Administration continues to work with the property owner to connect to the Okanagan Falls sanitary system and complete the future development.

Boundary amendments completed through a petition do not typically require the approval of the Inspector of Municipalities, providing the Corporate Officer certifies that the petition is valid and sufficient. The petition has been certified and Bylaw No. 1239.06, 2015 is now before the Board for adoption.

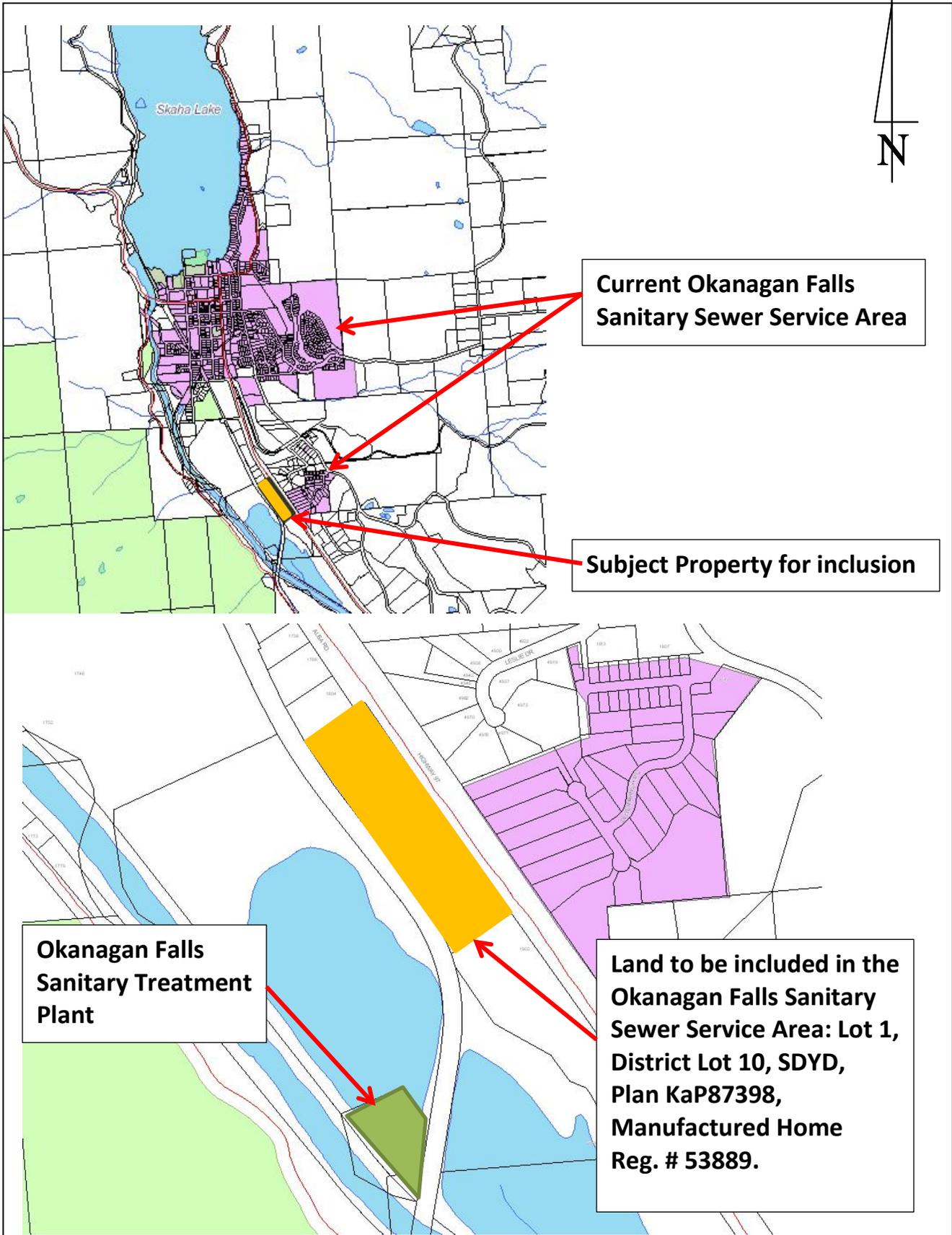
Respectfully submitted:



S. Juch, Subdivision Supervisor

Attachment: Schedule: No. 1 –Context Maps

Attachment No. 1 — Context Maps



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1239.06, 2015

A bylaw to amend the Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw.

WHEREAS the owners of the property described in this bylaw have petitioned the Board of the Regional District to extend the boundaries of the Okanagan Falls Sanitary Sewer Area to include that property;

AND WHEREAS the Regional District has agreed to act on that request in accordance with sections 802 and 802.1 of the *Local Government Act*;

AND WHEREAS consent on behalf of the participating areas has been given by the Director of Electoral Area "D" pursuant to sections 802(1)(b), 802(2) and 801.5(2) of the *Local Government Act*;

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

TITLE

1. This bylaw may be cited as the "Okanagan Falls Sanitary Sewer Area Extension Bylaw No. 1239.06, 2015".

SERVICE AREA EXTENSION

2. The "Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw No. 1239, 1991", as amended, is further amended by altering Schedule "A" to that bylaw to include within the boundaries of the service area that portion of the Lands legally described as

Lot 1, District Lot 10, Land District Similkameen Div. of Yale, Plan
KAP87398, Manufactured Home Reg.#53889.

outlined in heavy black on the plan entitled "Sketch Plan to Accompany an Application of Inclusion into the Okanagan Falls Sanitary Sewer Service Area", a reduced copy of which is attached as Schedule "A" to this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this __ day of _____, 2015.

ELECTORAL AREA DIRECTOR CONSENT OBTAINED this ____ day of _____, 20__.

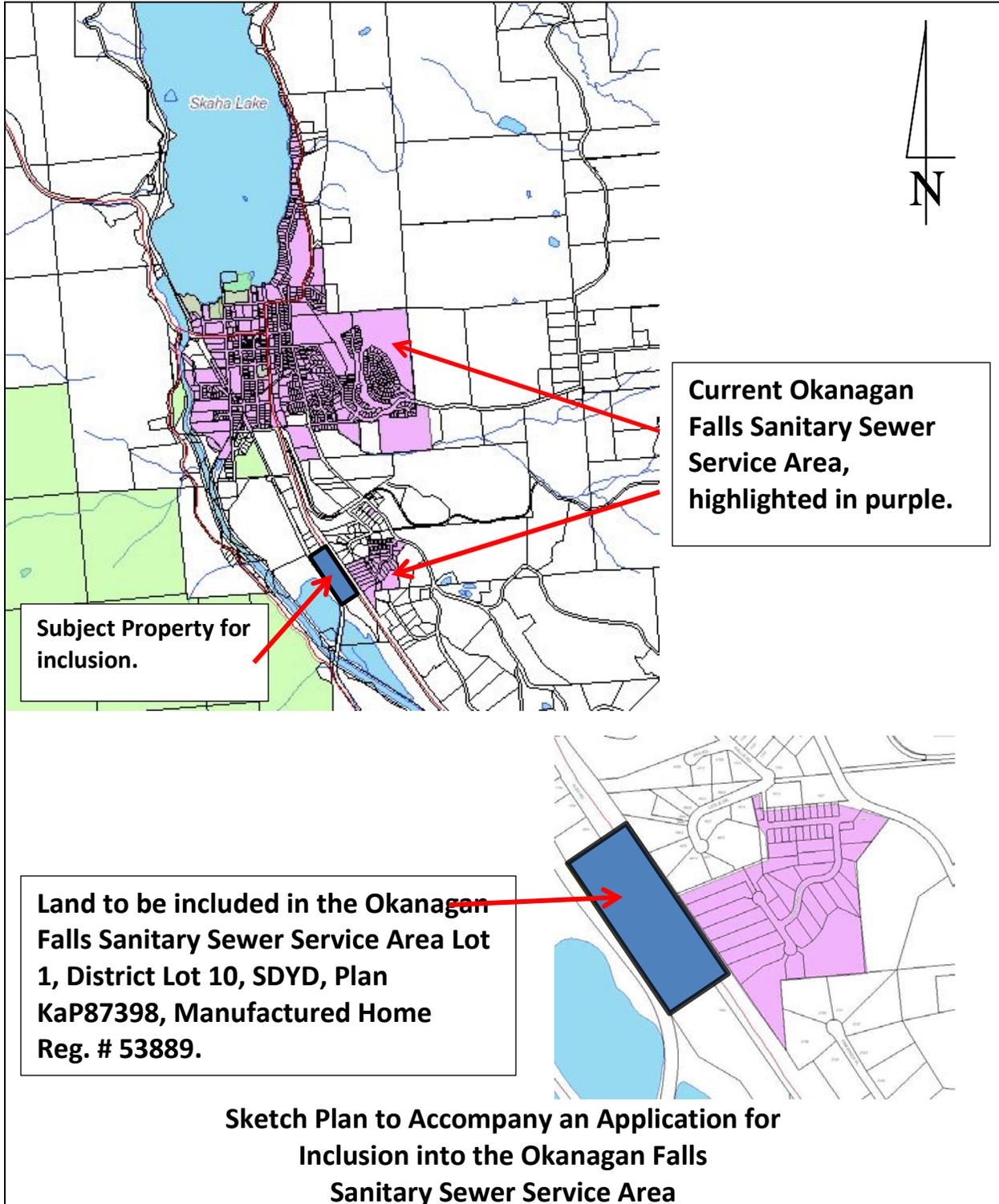
ADOPTED this this ____ day of _____, 20__.

Chair

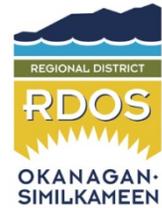
Corporate Officer

FILED with the Inspector of Municipalities this ____ day of _____, 2015, pursuant to Section 802(7) of the *Local Government Act*.

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Petition to enter the Heritage Hills Street Lighting Service

Administrative Recommendation:

THAT Bylaw No. 2719, 2015, “Heritage Hills – Phase II and III Street Lighting Local Service Area Amendment Bylaw No. 2719, 2015” be read first, second, third time; and be adopted; AND THAT the Board authorize assent be given on behalf of the electoral area by the electoral area Director pursuant to Section 801.5 of the Local Government Act.

Reference:

Heritage Hills - Phase II and III Street Lighting Local Service Area Bylaw No. 1454, 1993

History:

The applicant has petitioned the Regional District to allow the entry of the parcel legally described as:

Lot 1, Plan KAP50897, District Lot 2710, Land District Similkameen Div. of Yale, Except Plan KAP51161, & Except Plans KAP52868, KAP86678, and KAP91255;

into the Heritage Hills - Phase II and III Street Lighting Local Service Area

Under the Electoral Area ‘D-2’ Official Community Plan (OCP) Bylaw No. 2603, 2013, the parcel is designated as Low Density Residential (LR). The parcel is within the Residential Single Family One Zone (RS1) zoning designation under the RDOS, Electoral Area ‘D’ Zoning Bylaw No. 2455, 2008

Alternatives:

THAT Bylaw No. 2719, 2015, “Heritage Hills – Phase II and III Street Lighting Local Service Area Amendment Bylaw No. 2719, 2015” not be read first, second, third time.

Analysis:

The property owner has submitted a subdivision proposal for a 24-lot subdivision. Under the “Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw No. 2000, 2002”, Schedule ‘B’ Level of Service, requires underground electrical wiring and street lighting for the proposed minimum parcel sizing for the development. The subdivision is nearing completion and the service area petition is required to amend the bylaw and allow the Regional District recover the costs of the street

lighting service from the future property owners.

Administration supports the service area petition and continues to work with the property owner to complete the subdivision.

Boundary amendments completed through a petition do not typically require the approval of the Inspector of Municipalities, providing the Corporate Officer certifies that the petition is valid and sufficient. The petition has been certified and Bylaw No. 2719, 2015 is now before the Board for adoption.

Respectfully submitted:



S. Juch, Subdivision Supervisor

Attachment: Schedule: No. 1 –Context Maps

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2719, 2015

A bylaw to amend the Heritage Hills – Phase II and III Street Lighting Local Service Area Establishment Bylaw No. 1454, 1993.

WHEREAS the owners of the property described in this bylaw have petitioned the Board of the Regional District to extend the boundaries of the Heritage Hills – Phase II and III Street Lighting Service Area to include the property;

AND WHEREAS the Regional District has, pursuant to that request, extended the boundaries of the Heritage Hills – Phase II and III Street Lighting Service Area to include the property;

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

TITLE

1. This bylaw may be cited as the “Heritage Hills – Phase II and III Street Lighting Local Service Area Amendment Bylaw No. 2719, 2015.”

AMENDMENTS

2. The Heritage Hills – Phase II Street Lighting Local Service Area Bylaw No. 1454, 1993 is amended by including the property legally described as:
 - (a) Lot 1, Plan KAP50897, District Lot 2710, Land District Similkameen Div. of Yale, Except Plan KAP51161, & Except Plans KAP52868, KAP86678, and KAP91255;

outlined in heavy black on the plan entitled “Sketch Plan to Accompany a Petition for Inclusion into the Heritage Hills – Phase II Street Lighting Local Service Area:”, a reduced copy of which is attached as Schedule ‘A’ to this bylaw.

READ A FIRST, SECOND AND THIRD TIME this __ day of _____, 2015.

ELECTORAL AREA DIRECTOR CONSENT OBTAINED this ____ day of _____, 20__.

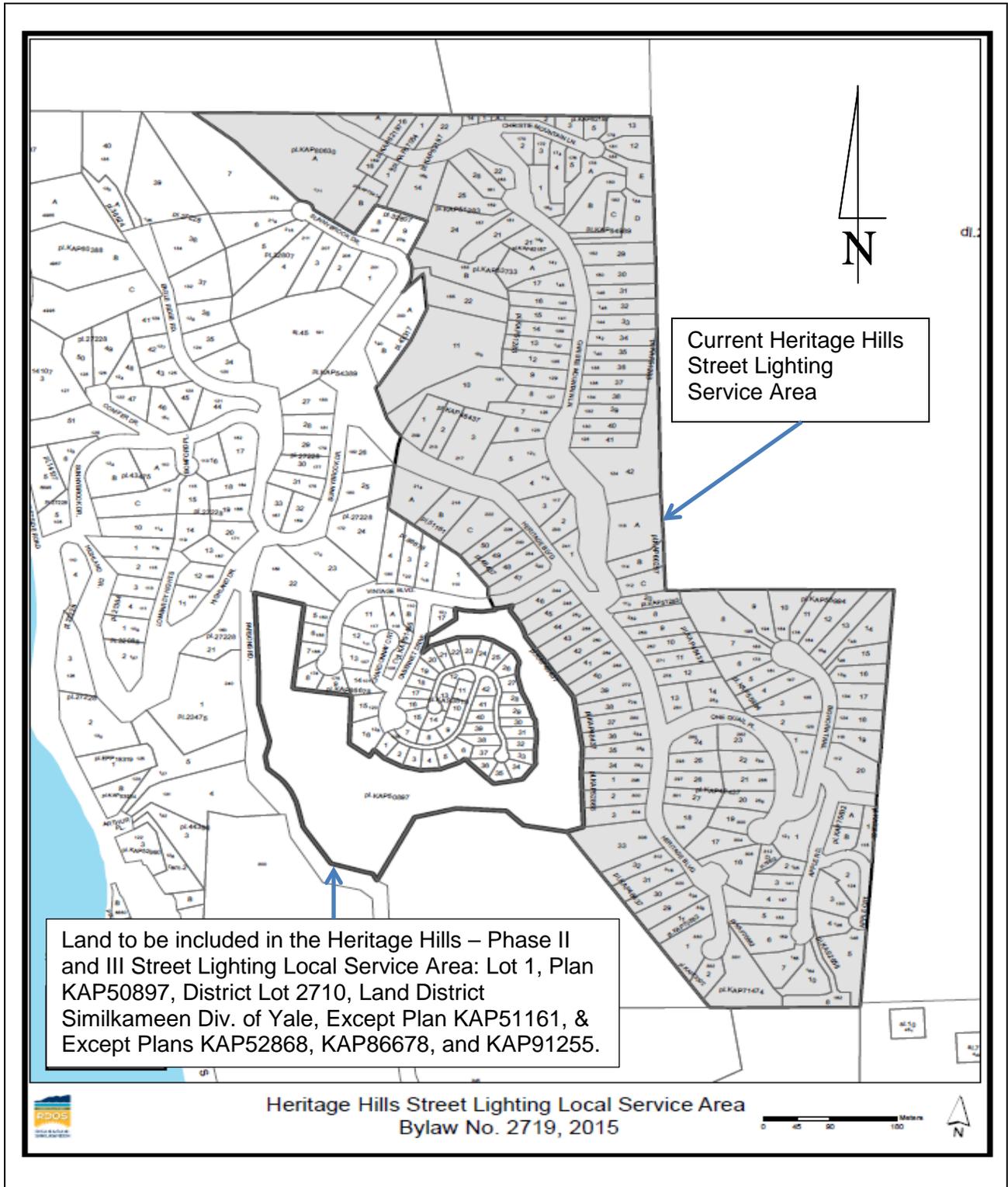
ADOPTED this this ____ day of _____, 20__.

Chair

Corporate Officer

FILED with the Inspector of Municipalities this ____ day of _____, 2015, pursuant to Section 802(7) of the *Local Government Act*.

Schedule 'A'



Sketch Plan to Accompany a Petition for Inclusion into the Heritage Hills – Phase II Street Lighting Local Service Area

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: UBCM 2016 FireSmart Grant Program

Administrative Recommendation:

THAT the Board of Directors supports the application for the 2016 FireSmart Grant Program for the St. Andrews area.

Reference:

A new FireSmart Grant Program was launched on September 16, 2015 as a funding program administered by UBCM (Union of BC Municipalities) and managed through the Provincial Fuel Management Working Group. This new funding initiative will assist communities to develop or advance local planning efforts to mitigate risk from wildfire on private lands in the wildland urban interface.

<http://www.ubcm.ca/EN/meta/news/news-archive/2015-archive/new-firesmart-grant-program-launched.html>

History:

Since 2004, SWPI (Strategic Wildfire Prevention Initiative) has provided funding for Community Wildfire Protection Plans and updates, fuel management prescriptions, pilot/demonstration projects and operational fuel treatments. The RDOS has participated in the program and for the most part using consultant John Davies, RPF, Valhalla Consulting Inc. The RDOS has sponsored and/or endorsed \$1.69 million of Wildfire Prevention projects on Crown held properties. This year's program is introducing itself as an education component focusing on privately held properties.

Alternatives:

Not endorse or support the application and discontinue the support of this program.

Analysis:

Our consultant has identified four areas (St. Andrews, Heritage Hills, Bankier, and Husula Highlands) that meet the criteria as laid out by the application. Even though all of the areas are deemed "High Wildfire Behavior Threats", in his professional opinion, he believes St. Andrews will be successful in the grant application process. It is our hope that this program will be very successful and we could therefore submit the other areas in future applications.

Respectfully submitted:

D. Kronebusch, Emergency Services Supervisor

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Oliver Parks and Recreation Management Agreement - Renewal

Administrative Recommendation:

THAT the Board of Directors renew the Oliver Parks and Recreation Management Agreement for a period of 5 years; and further,

THAT the Board authorize the Chair and Chief Administrative Officer to execute the agreement.

Background:

Since 2004, the RDOS has contracted the operation of Oliver area recreational services to the Oliver Parks and Recreation Society (OPRS), which was formed by the RDOS specifically for this purpose. The OPRS in turn contracts with the Town of Oliver for provision of labour and equipment to actually operate the various facilities and services. Oliver and Area "C" currently participate in five shared recreation services, each established by the RDOS with Oliver and Area "C" as the only participating areas. Shared recreation services are typically established through the regional district to provide a convenient cost sharing mechanism for annual tax requisitions. The breakdown of the requisition for these services are as follows:

Service	2015 Requisition
Arena	\$272,616.00
Pool	\$193,161.00
Community Hall	\$181,565.00
Parks	\$249,252.00
Programs	\$105,251.00

Annual cost sharing is based on assessed land and improvement assessment values in Oliver and in Area "C". Each year Oliver receives a requisition from the RDOS for the in-town share of recreation taxes, which are collected by the Town through its property tax system and paid to the RDOS. The RDOS is under a separate agreement with the Osoyoos Indian Band (OIB) for their contribution to the services, which staff are currently working to renew.

Analysis:

This is the third renewal of the agreement between the RDOS and the Oliver Parks and Recreation Society and only minor changes were made at the request of RDOS staff were including: Naming Rights (25.0) and a standard Indemnity Clause (26.0). There has been no change to the contribution or requisition levels.

Alternatives:

That the Board of Directors not renew the management agreement with Oliver Parks and Recreation.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "L. Bourque". The signature is fluid and cursive, with a large initial "L" and a stylized "B".

L. Bourque, Rural Projects Coordinator

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Fairview Heritage Townsite Licence of Occupation - Renewal

Administrative Recommendation:

THAT the Board of Directors renew the License of Occupation for heritage and ecological cultural discovery centre purposes over Lots 6-11 of Plan 7235 together with Lots 4 and 5 of Plan 5881 all of Section 12, Township 54, Osoyoos Division Yale District, containing 31.3 hectares, for a period of 30 years; and further,

THAT the Board authorize the Chair and Chief Administrative Officer to execute the License of Occupation.

Background:

On April 17, 2003, the Corporate Board resolved to support the Oliver and District Community Economic Development Society and the Fairview Heritage Townsite Society's efforts for establishing the Fairview Townsite Project for a Heritage/Ecological Cultural Discovery Centre to enhance tourism and be consistent with the Okanagan Shuswap Land and Resource Management Plan (LRMP) recommendations for management of sensitive antelope brush ecosystems. Land and Water British Columbia provided the Regional District with a License of Occupation. The Regional District Okanagan-Similkameen then entered into a Sub License Agreement with the Fairview Heritage Townsite Society solely for the purpose of a heritage and ecological cultural site.

Analysis:

This will be the third renewal of this License of Occupation: the first term was for 2 years and the second was for 10 (current agreement expires on February 2, 2016). RDOS staff have received a renewal notice from the Ministry of Forest, Lands and Natural Resource Operations and, should the Board decide to proceed, the Ministry will proceed with consultation with interested parties. RDOS staff have met with representatives from the Fairview Heritage Townsite Society who expressed a desire to continue to manage the site. Should the RDOS secure tenure over the former Fairview Townsite, staff will seek to enter into another Sub License with the Society.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "L. Bourque".

L. Bourque, Rural Projects Coordinator

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: 2015-2019 Five Year Financial Plan Amendment

Administrative Recommendation:

THAT Bylaw 2686.01, 2015 Regional District of Okanagan Similkameen 2015-2019 Five Year Financial Plan Amendment Bylaw be read a first, second and third time and be adopted.

Reference:

Bylaw 2686, 2015 Regional District of Okanagan Similkameen 2015-2019 Five Year Financial Plan

Analysis:

This is the final amendment of the 2015 Five Year Financial Plan. During the past year, several changes to the budget have come forward. The changes during the year were approved by resolution, or reserve expenditure bylaw.

The changes are summarized as follows:

Desert Park Recreation Complex Upgrades: \$50,000

Reserve Expenditure Bylaw 2701 was passed to provide a contribution in the amount of \$50,000 to the Town of Osoyoos from Electoral Area "A" Community Works (Gas Tax) Reserve Fund for Desert Park Recreation Complex Upgrades on April 16, 2015;

Eastgate Fire Hall Propane Furnace: \$6,996

Reserve Expenditure Bylaw 2708 was passed to provide a contribution in the amount of \$6,996 to the Eastgate Fire Protection Society from Electoral Area "H" Community Works (Gas Tax) Reserve Fund for high efficiency propane furnace for the fire hall building on August 6, 2015;

Oliver Parks and Recreation Society Arena Brine Repair: \$35,000

The Board passed a resolution on August 20, 2015 to support \$35,000 funded from reserves for emergency repair of the brine system at the OPRS Arena;

Oliver Parks and Recreation Society Parks Paved Pathway at Lion's Park: \$55,000

The Board passed a resolution on July 2, 2015 to support \$55,000 for the paving of a pathway in Lion's Park for the purpose of creating a circuit for the Age-Friendly Outdoor Fitness Park. The funding was \$20,000 from UBCM grant, \$20,000 from OPRS Parks reserve and the remaining \$15,000 from donated funds;

Fairview Heights Irrigation District Well Installation \$ 125,000

The Board passed Bylaw No. 2688, 2015 Electoral Area "B" Community Works Gas Tax Reserve Fund Expenditure Bylaw on February 19, 2015. The bylaw provided for up to \$125,000 from the Electoral Area 'B' Community Works (Gas Tax) Reserve Fund for Fairview Heights Irrigation District well installation;

Okanagan Falls & District Parkland Acquisition \$950,000

The Board passed Bylaw No. 2685, 2015 Okanagan Falls Parkland Acquisition Loan Authorization Bylaw on May 7, 2015 which allowed for up to \$950,000 for parkland acquisition in Area D and Bylaw 2707, 2015 Heritage Hills Parkland Acquisition Reserve Expenditure Bylaw was passed on July 16, 2015 to allow for parkland acquisition of \$200,000 to be funded \$76,679 from the Okanagan Falls and District Parkland Acquisition Reserve, \$69,917 from the Area D Parkland Acquisition Reserve fund and \$53,404 from the Okanagan Falls Recreation Commission Capital Reserve . In 2015, a \$750,000 purchase was made with offsetting debt financing.

Oliver Landfill Land Acquisition \$100,000

The Board passed a resolution on February 5, 2015 to support up to \$100,000 funded from reserves for acquisition of land for the Oliver Landfill.

Naramata Water Backup Generator \$1,200,000

The 2015 budget included the generator project with funding from reserves. At the October 1, 2015 meeting, the Board approved Bylaw 2696, 2015 Naramata Water System Back-up Power Loan Authorization Bylaw which would allow \$1,000,000 of the project to be funded from debt instead of reserves.

Hayes Creek Fire Department Building Expansion \$30,000**Erris Fire Hall/Community Hall \$22,800**

At the June 18, 2015 meeting, the Board approved Bylaw 2699, Electoral Area 'H' Community Facilities Capital Reserve Fund Expenditure Bylaw to fund the Hayes Creek Fire Department building expansion and the Erris Fire Hall/Community Hall from reserve.

Hayes Creek Fire Department Building Expansion \$8,500

At the November 5, 2015 meeting the Board approved Bylaw 2714, 2015 Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure to fund the Hayes Creek Fire Department building expansion.

Sasquatch Park Pond Project \$40,000

At the November 19, 2015 meeting, the Board passed Bylaw 2716 Electoral Area "A" Community Works (Gas Tax) Reserve Fund Expenditure Bylaw to fund the Sasquatch Park pond project from Community Works Gas Tax Reserve funds.

West Bench Pedestrian Pathway Lighting \$ \$60,000

At the November 19, 2015 meeting the Board passed Bylaw No 2721, 2015 Electoral Area 'F' Community Works (Gas Tax) Reserve Fund Expenditure Bylaw to fund LED lighting on the West Bench Pedestrian Pathway.

Respectfully submitted:

"Sandy Croteau"

S. Croteau, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2686.01, 2015

A bylaw to amend the 2015-2019 Five Year Financial Plan

WHEREAS the a Regional District prescribed to adopt a five year financial plan bylaw on an annual basis;

AND WHEREAS Section 815 of the Local Government Act states the annual financial plan is to be adopted annually, by bylaw, prior to March 31;

AND WHEREAS Section 815(2) of the Local Government Act states that the annual financial plan may be amended by bylaw at any time;

AND WHEREAS it is deemed advisable and expedient that the Five Year Financial Plan now be amended;

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

1 Citation

1.1 This Bylaw shall be cited as the Regional District of Okanagan-Similkameen 2015-2019 Five Year Financial Plan Amendment Bylaw No. 2686.01, 2015

2 Interpretation

2.1 Schedule A of Bylaw No. 2686, 2015 is amended as outlined in Attachment A.

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

ADOPTED this ___ day of ____, 20__

RDOS Board Chair

Corporate Officer

Attachment A

Schedule A			2015 Budget Amount		Explanation	Board Resolution Date
Page Number	Account Code	Account Name	From	To		
160	1-7100-6000	Transfer from Reserve	\$15,775	\$50,775	Arena Brince repair	August 20, 2015
160	2-7100-5500	Capital Expenditures	\$15,775	\$50,775	Arena Brince repair	August 20, 2015
163	1-7700-9000	Miscellaneous Income (Grant)	\$0	\$20,000	Age Friendly Outdoor Fitness Park paved pathway -grant	July 2, 2015
163	1-7700-6000	Transfer from Reserve	\$140,475	\$160,475	Age Friendly Outdoor Fitness Park paved pathway-reserve	July 2, 2015
163	1-7700-9500	Donations	\$0	\$15,000	Age Friendly Outdoor Fitness Park paved pathway-donation	July 2, 2015
163	2-7700-5500	Capital expenditures	\$140,475	\$195,475	Age Friendly Outdoor Fitness Park paved pathway	July 2, 2015
175	1-1-30000-6000	Transfer from Reserve	\$123,600	\$223,600	Pending Land purchase Oliver landfill	Febraury 5, 2015
175	1-2-3000-5500	Capital Expenditures	\$123,600	\$223,600	Pending Land purchase Oliver landfill	Febraury 5, 2015
221	1-310-2915	Gas Tax Funding	\$0	\$90,000	Desert Park Upgrades \$50,000 Sasquatch Park Pond Project \$40,000	April 16,2015 November 19, 2015
221	2-310-2915	Gas Tax expnese	\$0	\$90,000	Desert Park Upgrades \$50,000 Sasquatch Park Pond Project \$40,000	April 16,2015 November 19, 2015
248	1-320-2915	Gas Tax Funding	\$0	\$125,000	Fairview Heights Irrigation District Well Installation	February 19, 2015
248	2-320-2915	Gas Tax expnese	\$0	\$125,000	Fairview Heights Irrigation District Well Installation	February 19, 2015
319	1-7520-6000	Transfer from Reserve	\$25,000	\$225,000	Okanagan Falls Parkland Acquistion Reserve \$76,679 Area D Parkland Acquisition Reserve\$69,917 Okanagan Falls Recreation Commision Capital Reserve \$53,404	July 16, 2015 July 16, 2015 July 16, 2015
319	1-7520-7200	Debenture Proceeds	\$0	\$950,000	Debenture Proceeds	May 7, 2015
319	2-7520-5921	Capital Land Acquistion	\$0	\$1,150,000	Parkland Acquistion	May 7, 2015; July 16, 2015
381	1-3940-6000	Transfer from Reserve	\$1,245,000	\$245,000	Approval of debt financing for Backup generator project	October 1, 2015
381	1-3940-7200	Debenture Proceeds	\$0	\$1,000,000	Approval of debt financing for Backup generator project	October 1, 2015
402	1-370-2900	Gas Tax Funding	\$0	\$60,000	Westbench Pedestrian Pathway lighting	November 19, 2015
402	2-370-2900	Gas Tax expense	\$0	\$60,000	Westbench Pedestrian Pathway lighting	November 19, 2015
496	1-390-6000	Transfer from Reserve	\$0	\$68,296	Hayes Creek Fire Building expansions \$38,500 Erris Fire Hall\$22,800 Eastgate Fire Hall Propane Furnace \$6,996	June 18, 2015; Nov 5, 2015 June 18, 2015 August 6, 2015
496	2-390-4524	Expenses from VFCC Reserve	\$0	\$68,296	Hayes Creek Fire Building expansions \$38,500 Erris Fire Hall\$22,800 Eastgate Fire Hall Propane Furnace \$6,996	June 18, 2015; Nov 5, 2015 June 18, 2015 August 6, 2015

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Bylaw 2722, 2015 Revenue Anticipation Borrowing Bylaw

Administrative Recommendation:

THAT Bylaw No. 2722, 2015 Regional District of Okanagan-Similkameen Revenue Anticipation Borrowing Bylaw be read a first, second and third time and be adopted.

Reference:

Local Government Act Section 821

Analysis:

The tax requisition funds are transferred from the Province on August 1, 2016. As such, the Regional District may be required to borrow funds to meet the current year's expenditure until these funds are received on August 1, 2016.

The bylaw allows the Regional District to access its line of credit, if needed, to meet current year expenditures.

Respectfully submitted:

"Sandy Croteau"

S. Croteau, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2722, 2015

A bylaw to provide for the borrowing of such sums of money as may be requisite to meet the 2016 current lawful expenditure of the Regional District.

WHEREAS the Board of the Regional District of Okanagan-Similkameen is empowered by Section 821 of the Local Government Act by bylaw to provide for the borrowing of such sums of money as may be requisite to meet the current lawful expenditure of the Regional Board and 2016 current lawful expenditure of the Regional District; it is deemed expedient that the Board borrows an aggregate sum of FOUR MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$4,750,000.00);

;

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows;;

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

1 Citation

1.1 This Bylaw shall be cited as the **Regional District of Okanagan-Similkameen Revenue Anticipation Borrowing Bylaw No. 2722, 2015.**

2 Interpretation

2.1 In this bylaw:

- (a) That it shall be lawful for the Regional Board to borrow upon the credit of the Regional District from a chartered bank or credit union the sum of FOUR MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$4,750,000), in such amounts and at the rate thereon at the prevailing bank prime rate per annum.
- (b) That all monies so borrowed and interest payable thereon shall be payable on or before the thirty-first (31) day of December, 2016.
- (c) That the form of the obligation or obligations to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Chairperson and the Treasurer.

(d) That there is hereby set aside as security for the liability hereby authorized to be incurred, being that part of the tax requisitions from member municipalities for the year 2016 deemed by the Regional Board expedient to be so set aside.

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: December 17, 2015
RE: Faulder Community Water System – Loan Authorization Bylaw 2712, 2015

Administrative Recommendation:

THAT Bylaw No. 2712, 2015 Faulder Community Water System Loan Authorization Bylaw be adopted.

Reference:

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

History:

In May 2010, Interior Health (IH) issued a Hazard Abatement or Prevention Order for the Faulder Water system, under the authority of the Drinking Water Protection Act.

To respond to the Order and move forward with an alternative to address the water issues, the Board adopted Loan Authorization Bylaw 2526 in September 2010 to borrow a sum not exceeding one million six hundred thousand dollars (\$1,600,000).

Under legislation, Loan Authorization Bylaws are only valid for five years from the date of adoption. Delays in starting the Faulder water project resulted in Bylaw 2526 expiring before any temporary or long term borrowing was required.

At the October 1, 2015 Board meeting, Administration advised the Board that, due to the expiry of Bylaw 2526, a new loan authorization bylaw was required to ensure that the ability to borrow remained.

Analysis:

The Regional District Liabilities Regulation 261/2004 Drinking Water Protection Orders waives the requirement for approval of the electors for this Loan Authorization Bylaw; however, Inspector of Municipality approval is still required. To that end, Loan Authorization Bylaw No. 2712, 2015 Faulder Community Water System Loan Authorization Bylaw was introduced and given first, second and third reading at the October 1, 2015 Board meeting and forwarded to the Inspector for approval.

On November 5, 2015, the bylaw received Inspector approval and is now before the Board for adoption.

Upon expiration of the statutory quashing period of one month, Administration will apply for a certificate of approval from the Ministry to enable borrowing under Bylaw No. 2712, 2015 to proceed.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

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 1st day of October, 2015

APPROVED by the Inspector of Municipalities this 5th day of November, 2015

ADOPTED this ___ day of ___, 20__

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Proposed Location – Lake City Casino Penticton

Administrative Recommendation:

THAT the Board of Directors provide a “Letter of No Objection” to the City of Penticton associated with the relocation of the casino.

Reference:

Letter of November 25, 2015 – City of Penticton

History:

The Regional District of Okanagan-Similkameen received correspondence from the City of Penticton advising that Gateway Casinos & Entertainment was seeking to relocate its Lake City Casino from its current site to a new proposed location.

Analysis:

In accordance with the Gaming Control Act, the City of Penticton, as the host city, must approve the location of a new casino and must also consult with potentially affected local governments on the subject of infrastructure and policing costs, as well as traffic and highway use associated with the relocation.

Further information regarding the proposed relocation is attached to this report for the Board’s reference.

The Board has 30 days from date of receipt (November 26) to provide written comment to the City of Penticton.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services



City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

November 25, 2015

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

Attention: Mark Pendergraft, RDOS Chair

Re: Proposed Relocation Proposal of Lake City Casino Penticton

Proposed Location: Lot 1, DL2, Gp7, SDY(Y-L)D, Plan KAP58604 except Plans KAP87244 and KAP87245 (see Attachment A)

As you are aware, Gateway Casinos & Entertainment Limited (Gateway) is seeking to relocate its Lake City Casinos from its current site at 21 Lakeshore Drive W. to the Proposed Location set out above at the South Okanagan Events Centre site adjacent to 553 Veas Drive.

British Columbia Lottery Corporation (BCLC) confirmed on November 10, 2015 support in principle for the relocation of the casino from its current location in the Penticton Lakeside Casino Resort to another location within the City of Penticton. On November 20th, discussions between the City of Penticton Council and the Penticton Indian Band with respect to the casino relocation occurred.

Restaurants as well as the gaming facilities are included in the relocation proposal as submitted by Gateway, which proposes to build and operate the casino on behalf of BCLC. The proposed new facility will be capable of accommodating up to 450 slot machines and up to 12 gaming tables. BCLC has yet to complete a market assessment which will determine the exact number of slot machines and gaming tables that may be appropriate for this facility.

Pursuant to section 19(1)(a) of the *Gaming Control Act* (the Act), BCLC may not proceed with any relocation of the Gateway facility unless the City of Penticton (the City), as a host local government as defined in the Act, approves the proposed relocation. Prior to issuing any such approval, the City is required to consult with potentially affected local governments on the subject of infrastructure and policing costs and traffic and highway use associated with the relocation.

In keeping with the above noted obligation, this letter constitutes notice to the RDOS of the City's consideration of the proposed relocation pursuant to the requirements set out in section 12.1 of the *Gaming Control Regulation* (the Regulation). Further information relevant to this proposed relocation is provided below and attached to this notice for your reference and consideration.

The City invites you to provide within 30 days of receipt of this notice written comment regarding the City's consideration of the proposed relocation of the Gateway facility. Pursuant to the Act and the Regulation, your comments must be confined to the subjects of infrastructure and policing costs and traffic and highway use. Per its statutory obligations, the City will only consider comments related to these subjects.

Please note that if you have not provided comments within 30 days of receipt of this notice, pursuant to section 12.1(7) of the Regulation, the City may proceed on the basis that consultations with you have taken place and are concluded.

Further and as provided by section 12.1(6) of the Regulation, the City will only reply to comments received within the time stipulated above if a reply is expressly requested in the comments.

In order to facilitate your consideration of the proposed relocation for which City approval is sought, we attach for your reference:

- A copy of the site plan (Attachment A).
- A copy of the proposed building design (Attachment B). Please note that this is a preliminary design and that changes to the form and character of the building may occur.

The subject property is zoned P1 (Public Assembly). This zoning allows many uses including indoor amusement. This zoning is appropriate for the casino development that has been proposed.

The definition of indoor amusement is

INDOOR AMUSEMENT, ENTERTAINMENT AND RECREATION means facilities within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include but are not limited to amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, motion picture theatres, concert or music halls and casinos. Such permitted uses may be licensed by the British Columbia Liquor Control and Licensing Branch to sell alcoholic beverages as an accessory use.

The City has engaged Urban Systems to complete a parking assessment. The assessment concluded that the "proposed Casino complex will have a relatively minor impact on parking on most nights. Further the existing parking on site far exceeds the minimum parking requirements found in the City's zoning bylaws." A copy of the parking assessment is attached for your reference (Attachment C.) The City has also engaged Urban Systems to complete a traffic impact assessment, which will follow under separate cover as soon as it has been completed.

A relocation of the existing liquor license will also be required for the new location.

Should you have any questions, please call me through our switchboard at 250-490-2400 or email andrew.jakubeit@penticton.ca.

Thank you in advance for your comments.

Yours truly,



Andrew Jakubeit
Mayor
City of Penticton

Attachment A: Site Plan

Attachment B: Building renderings

Attachment C: Urban Systems Parking Assessment

cc: British Columbia Lottery Corporation

cc: Bill Newell, Chief Administrative Officer

PLAN EPP56762

REFERENCE PLAN TO ACCOMPANY LEASE OF PARTS OF LOT 1, DL 2, Gp 7, SDY(Y-L)D, PLAN KAP58604 except PLANS KAP87244 and KAP87245

BCGS 82E.042
SCALE 1:500

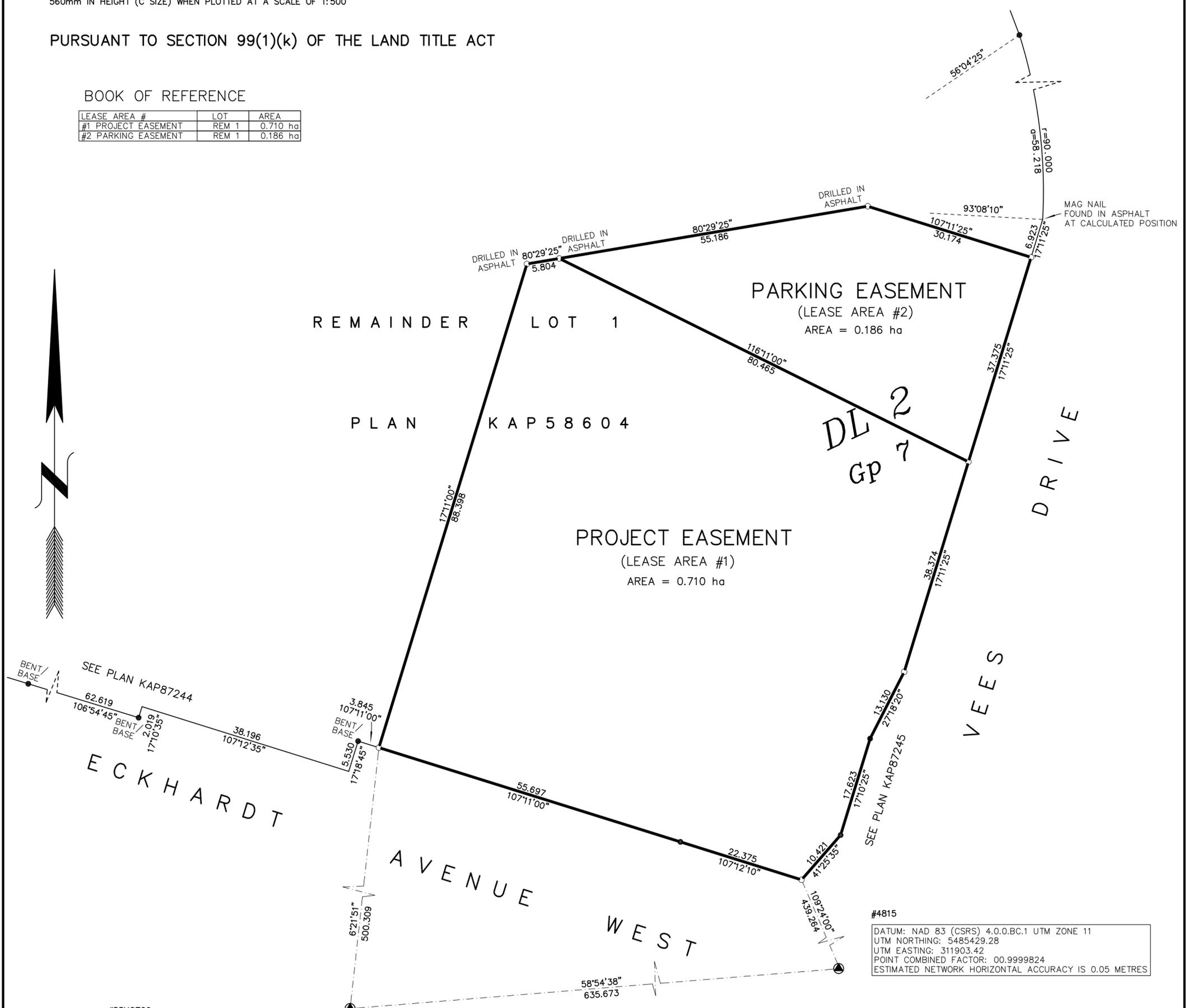


THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 560mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:500

PURSUANT TO SECTION 99(1)(k) OF THE LAND TITLE ACT

BOOK OF REFERENCE

LEASE AREA #	LOT	AREA
#1 PROJECT EASEMENT	REM 1	0.710 ha
#2 PARKING EASEMENT	REM 1	0.186 ha



#85H0769
DATUM: NAD 83 (CSRS) 4.0.0.BC.1 UTM ZONE 11
UTM NORTHING: 5485101.03
UTM EASTING: 311359.06
POINT COMBINED FACTOR: 00.9999858
ESTIMATED NETWORK HORIZONTAL ACCURACY IS 0.05 METRES

LEGEND

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN CONTROL MONUMENTS #4815 and #85H0769 INTEGRATED SURVEY AREA NO. 12 (PENTICTON) NAD 83 (CSRS) 4.0.0.BC.1

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES EXCEPT WHERE OTHERWISE NOTED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY COMBINED FACTOR 0.9999824 WHICH HAS BEEN DERIVED FROM MONUMENT #4815

ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE NOTED

- CONTROL MONUMENT
- STANDARD IRON POST FOUND
- STANDARD IRON POST PLACED

#4815
DATUM: NAD 83 (CSRS) 4.0.0.BC.1 UTM ZONE 11
UTM NORTHING: 5485429.28
UTM EASTING: 311903.42
POINT COMBINED FACTOR: 00.9999824
ESTIMATED NETWORK HORIZONTAL ACCURACY IS 0.05 METRES

THIS PLAN LIES WITHIN THE OKANAGAN SIMILKAMEEN REGIONAL DISTRICT

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF PENTICTON

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 28th DAY OF OCTOBER, 2015.
ROSS MANDEVILLE, BCLS 918

MANDEVILLE LAND SURVEYING INC.
PROFESSIONAL LAND SURVEYORS
582 MARTIN STREET
PENTICTON, B.C. V2A 5L4
Phone: (250) 488-6377

FILE 15-143
DWG. 15-143

FB. #5 PG. #88

Attachment B: Building Renderings



Attachment B: Building Renderings



Attachment B: Building Renderings



Attachment B: Building Renderings



Attachment B: Building Renderings



Attachment B: Building Renderings



Final Report



Date: September 17, 2015
To: Mitch Moroziuk
cc:
From: James Donnelly
File: 1017.0053.12
Subject: Parking Analysis South Okanagan Events Centre (SOEC)

1.0 INTRODUCTION

The City of Penticton has requested that Urban Systems Ltd. investigate the potential parking impacts of a proposed new development on the South Okanagan Events Centre (SOEC) site, including any potential variances that may be required. The south-east corner SOEC site, has been identified for the potential relocation of the Lake City Casino and several associated uses, which would likely result in an increased demand for parking and a net reduction in parking supply on the SOEC site.

In order to better understanding the impacts of the proposed development on parking for the SOEC site this analysis considers, current SOEC parking supply and demands, the parking impacts of the development and alternative parking solutions to accommodate displaced parking customers. Additionally, this investigation will determine whether or not any parking variances will be required as a result of this development.

2.0 METHODOLOGY

To determine the impacts of the proposed casino development on supply and demand for parking in the SOEC area, off-street parking on the site was inventoried to verify the current number of stalls, the current level of utilization. This inventory was then adjusted based on expected changes resulting from the proposed casino development. This was done to analyze changes in parking demand and supply before and after the construction of the Casino Complex. This analysis involved establishing how much parking would be lost permanently, and how much new parking would be added as a result of the development.

To determine the potential impact of the development on parking demand, an equivalency factor was used to estimate the parking impacts of both new development during periods of peak demand (generally during major events). This equivalency factor applies a ratio of 2.5 people per vehicle to determine the parking impacts of events taking place at the SOEC based on the number of people attending.

The evaluation of new parking demands also involved estimating the number of employees that would be working at the SOEC and Casino Complex. This analysis is based on an estimate of 300 employees distributed over 2.5 shifts between 10 am and 2 am for the Casino and a maximum of 100 employees working at other SOEC facilities throughout the day. These numbers were provided by the casino developer and SOEC facility managers, and have been used to determine how much parking is required for employees on-site.

MEMORANDUM

Date: September 17, 2015
File: 1017.0053.12
Subject: Parking Analysis South Okanagan Events Centre (SOEC)
Page: 2 of 23

Attachment C: Urban Systems Parking Assessment



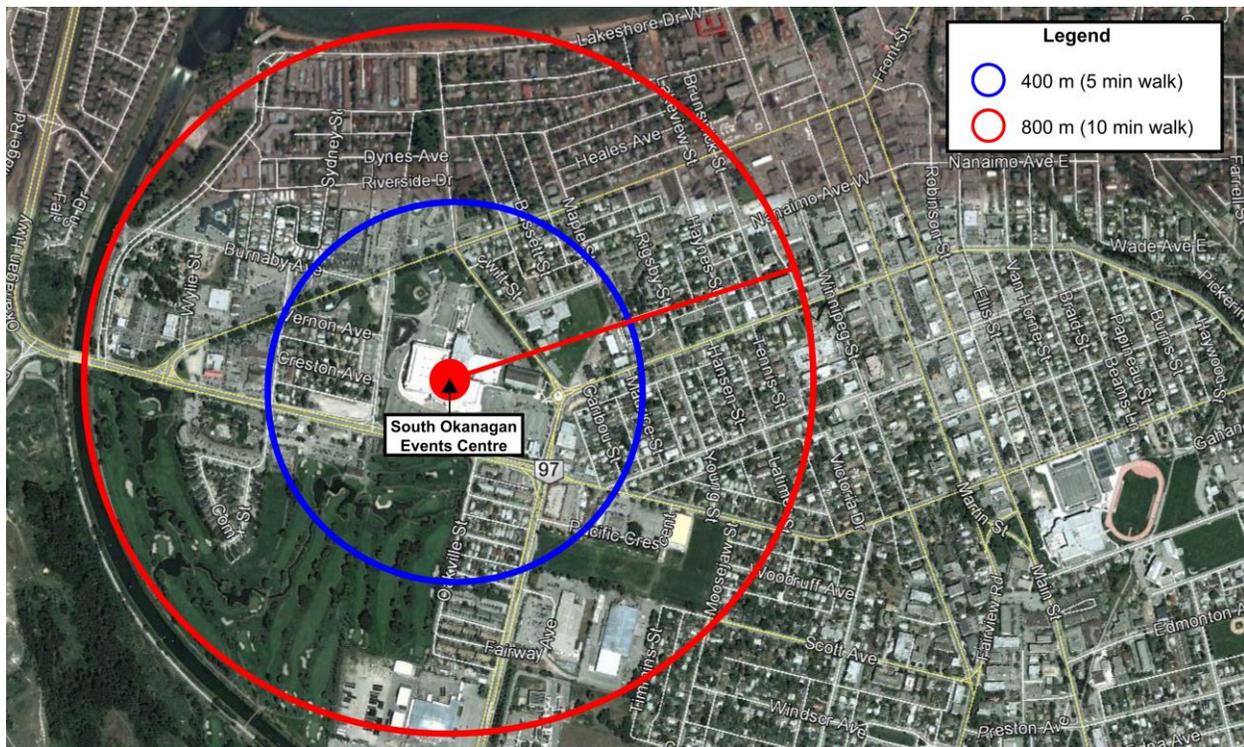
Travel modes for, SOEC visitors, casino guests and employee were also estimated. These assumptions are based on a report provide by Read, Voorhees & Associates (2006), and data from Statistics Canada (2011).

The results of this analysis is a breakdown of the number of stalls available (supply), the number of stalls required (demand), and the total parking surplus or deficit of the SOEC before and after the development of the Casino Complex. Importantly, this analysis also evaluates the availability of other off-street parking and on-street parking options within a 10 minute walk.

2.1 Study Area

For the purpose of this analysis the SOEC area boundary was defined as the area surrounding the SOEC that is within 800m or a 10 minute walk. This distance was chosen as the maximum threshold for which pedestrians will park and walk to utilize the facilities at SOEC and/or the proposed Casino Complex. This study area along with 5 and 10 min walking distances are shown in **Figure 1.0** (below).

Figure 1.0 – SOEC Parking Study Area, Penticton BC:



MEMORANDUM

Date: September 17, 2015
 File: 1017.0053.12
 Subject: Parking Analysis South Okanagan Events Centre (SOEC)
 Page: 3 of 23

Attachment C: Urban Systems Parking Assessment



3.0 EXISTING CONDITIONS

The following section evaluates the existing parking demand and supply in the study area, including:

- the current parking supply and levels of utilization of on-site parking at the SOEC during different periods of the day, week and year;
- current parking demands for the SOEC site;
- employee parking demands; and,
- modes of travel being use (ratio).

3.1 Existing Parking Supply

The following section provides an overview of existing parking supply, including all available on-street and off-street parking in the study area (see **Table 1.0** and **Figure 2.0** below).

Table 1.0 - Existing Parking Supply

PA #	Location	Number of Spaces	Off-Street / On Street	Distance
1	South Okanagan Events Centre Parking	1185	Off-street	On-site
2	SOEC South-West Corner Lot	143	Off-street	5 Minute Walk
3	Kings Park	210	Off-street	
4	Power street	35	On-street	
5	Birch Street	30	On-street	
6	Oakville Street	100	On-street	
7	Comox Street	20	On-street	
8	Wade Avenue	80	On-street	
9	Westminister Avenue	60	On-street	
10	Burnaby Avenue	70	On-street	
11	Eckhardt Avenue	60	On-street	
	Total (off-street)	353 spaces		
	Total (on-street)	455 spaces		
	Total	665 spaces		
12	Lackawana park	38	Off-street	10 Minute Walk
13	Riverside Park	43	Off-street	
4	Power Street	45	On-street	
8	Wade Avenue	50	On-street	
9	Westminister Avenue	50	On-street	
10	Burnaby Avenue	30	On-street	
11	Eckhardt Avenue	50	On-street	
	Total (off-street)	81 spaces		
	Total (on-street)	225 spaces		
	Total (public)	306 spaces		
Totals				
		Total (off-street) = 1619 spaces		
		Total (on-street) = 680 spaces		
		Total = 2299 spaces		

MEMORANDUM

Date: September 17, 2015
File: 1017.0053.12
Subject: Parking Analysis South Okanagan Events Centre (SOEC)
Page: 4 of 23

Attachment C: Urban Systems Parking Assessment



Figure 2.0 - Parking Space Locations



As shown by **Table 1.0** and **Figure 2.0**, the current parking capacity of the SOEC site is 1185 spaces. When this is added to the other off-site off-street parking available there are approximately 1619 off-street spaces and 680 on-street parking spaces in the study area; 2299 spaces total. Using an equivalency factor of 2.5 people per vehicle it is estimated that this amount of parking is able to accommodate, approximately 5750 people. Further, if 10% of all attendees (approximately 575 people) use alternative modes of transportation, such as walking, cycling, transit and taxis to attend events the total existing on-street and off-street parking inventory can accommodate a total of 6325 people attending events at the SOEC.

It should also be noted that this total includes several city-owned off-street lots located in several parks throughout the study area (i.e. Kings, Lackawana and Riverside). The largest of these lots is the 210 space parking lot attached to Kings Park, which is a 5 min walk from the SOEC. It can be assumed that the parking lot at Kings Park could be fully utilized during virtually all major events at the SOEC; as although the fields do have lights the peak hours for parking are normally during the day. Further, the City also currently owns a large lot next to the South-west corner of the SOEC complex. This lot is currently large enough to accommodate over 100 spaces, but as shown in **Figure 3.0** this could be increased to 143 spaces if the lots was paved and parking stalls were formally lined and designated.

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Figure 3.0 - City- owned lot South-West Corner SOEC on Eckhardt Ave. W



3.2 Current Parking Demands - SOEC Site

The City’s Zoning Bylaw outlines requirements for the number of parking spaces needed for the current SOEC facility, as well as the proposed development. In 2006, during the process of the developing the SOEC, the City of Penticton contracted Read, Voorhees & Associates from Toronto to conduct a Traffic Impact Study for the facility, including a detailed parking analysis. One of the outcomes of this study was a recommendation for a variance to allow the development to proceed on the basis that the total on-site and off-site parking supply was sufficient to meet a maximum parking demand of 1800 spaces for a full 5000 person capacity event in the events centre.¹ This variance requested a reduction of 580 spaces from the minimum required 1000 spaces for assembly use down to 420 spaces. The previous facility the “Queens Park Complex” had 765 spaces and with the removal of 2 playing fields 420 new spaces were added for a total of 1185 spaces. The current parking needs of SOEC site are based on the following assembly, park and commercial uses, which co-exist on site utilizing the existing 1185 spaces (see **Figure 4.0**).

¹ Read, Voorhees & Associates. (October 2006). South Okanagan Events Center Penticton Traffic Impact Study.

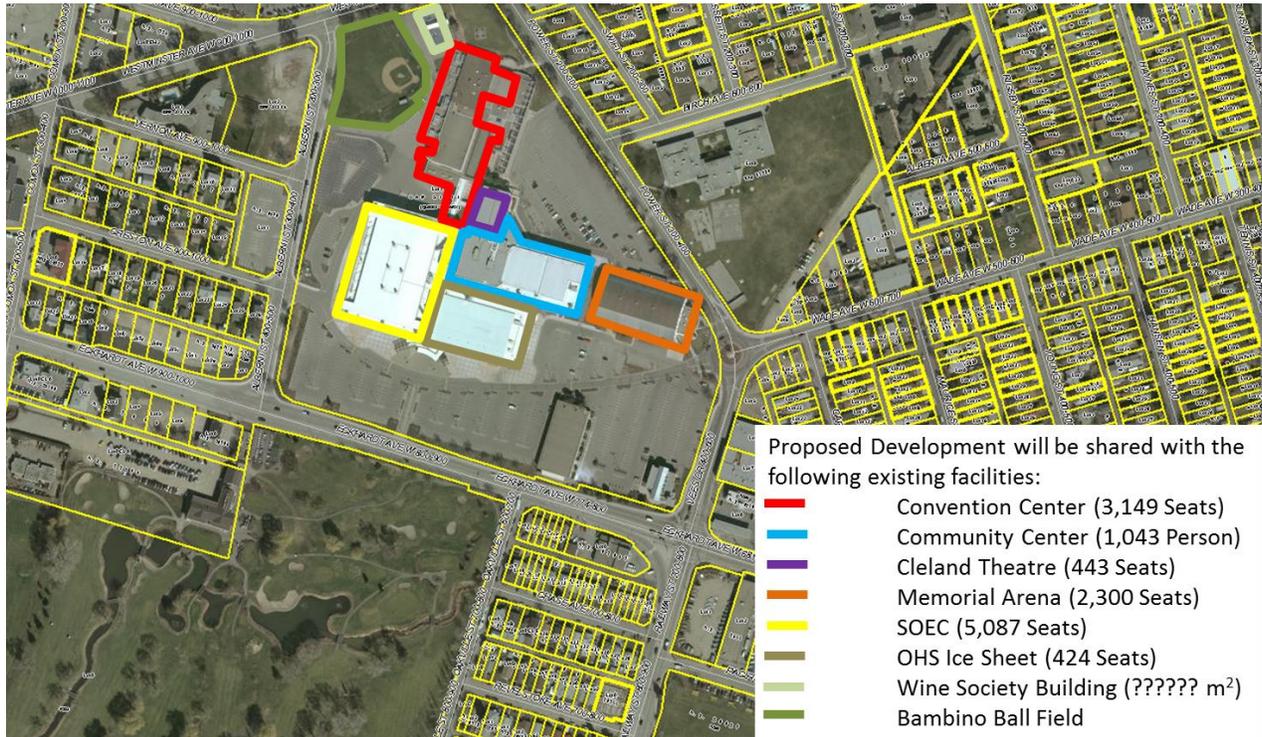
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Figure 4.0 - SOEC Site and Facilities



However, it should be noted that since this variance was issued the Zoning Bylaw was updated in 2011 and the new parking requirements for an Assembly Use, such as the SOEC are now simply 1 parking space per 50m² of net floor area (NFA). When calculated using this new method the current SOEC facility at approximately 38,500 m² (estimate) would only require about 840 parking spaces (estimate). This is substantially less than what was required in the previous bylaw.

Table 2.0 shows the peak parking demand and time for each use on the site. However it should be noted that generally peak parking demand for each of the uses do not occur simultaneously, but rather as combination of smaller activates and major events occurring at random times throughout the day, week, and year. Further, major events for each facility rarely occur on the same day.

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Table 2.0 - Peak Parking Demand - SOEC Site

Use	Parking Demand	Estimated Peak Parking Demands ²	Peak Parking Demand Timing
Convention Center	3,149 seats	1130 spaces	All year - various events days / nights - weekdays / weekends
Community Center	1,043 people	50 spaces	Early Evening / All year – All Day Use
Cleland Theatre	443 seats	180 spaces	All year - various events, mostly evenings - weekdays / weekends
Memorial Arena	2,300 Seats	830 spaces	Fall / winter- Vees hockey games - 7-10 pm
SOEC	5,087 Seats	1800 spaces	All year - major events (6 days annually) - weekend evenings
OHS Ice Sheet	424 Seats	150 Spaces	Winter -Hockey tournaments weekend mornings / afternoons
Wine Society Building	600 m ²	25 spaces	Summer - afternoons 2-5 pm
Bambino Ball Field	1 field	25 spaces	Summer - M-F 5-9 pm
	Total	4190 spaces	

In general, the off-street parking supply on the SOEC site has been sufficient for the uses on site (listed in **Table 2.0**), and the majority of events taking place at SOEC.

On average 55 of the 61 events hosted each year involve less than 3300 people in attendance and on non-event days there is ample parking for the community activities taking place in adjacent facilities, such as the community centre, bambino baseball fields, and theater. For the majority of events with fewer than 3300 people in attendance parking demand can be met by the 1185 space on site.³

On average, six nights a year require event attendees to find parking off site. These typically include large concerts or the combination of several smaller events being held simultaneously at the arena and conventions centre. These large events typically, include:

- 3 anticipated events per year between 3300 – 4250 people
- 1 anticipated events per year at 5000 people
- 2 concerts at 6260 people

Over the last several years facility staff have indicated that on-site parking is sufficient with the exception of the six weekends a year when multiple events are taking place. Therefore, it is assumed that the average parking demand for the site will often be significantly less than the peak level of demand experienced on the six aforementioned events days. An average parking demand scenario is set out in **Table 3.0** (below) to demonstrate the typical level of parking demand experience throughout the year.

² Average parking demand based Read, Voorhees & Associates Traffic Impact Study and estimates provided by facility managers. Assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

³ Average parking demand based Read, Voorhees & Associates Traffic Impact Study and estimates provided by facility managers. Assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

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Table 3.0 - Average Parking Demand SOEC Site

Use	Parking Demand	Estimated Average Parking Demands ⁴	Assumptions Average Parking Demand Timing
Convention Center	500 people	200 spaces	Event 500 people
Community Center	100 people	40 spaces	100 people Average throughout day
Cleland Theatre	250 seats	100 spaces	Theater Event 60% full
Memorial Arena	1600 Seats	640 spaces	Vees Hockey game 70% full
SOEC	-	-	Not in Use
OHS Ice Sheet	25 Seats	10 Spaces	Minor Hockey Event
Wine Society Building	-	-	Not in Use
Bambino Ball Field	-	-	Not in Use
Total	2475 people	990 spaces	

As shown by **Table 3.0** (above), even on a busy average night with several on-going events there is sufficient parking available on-site. Overall, this demonstrates that prior to the construction of the Casino there is a more than adequate supply of parking to meet the needs of those driving and parking at the SOEC for events or otherwise.

3.3 Employee Parking Demand

It is estimated that currently there are approximately 100 employees working at the SOEC during peak hours, which usually occur on evenings and weekend during hockey games and other major events. During non-event hours there is approximately 50 spaces in use by employees. In addition to the SOEC employees other event participants, such as opposing hockey teams and concert support staff traveling with performers, will utilize large areas parking before and after events to set-up/take down stages and provide general support during events.

3.4 Modes of Travel

Previous reports provided by Read, Voorhees & Associates suggest that the current mode share for event attendees going to the SOEC is dominated by personal vehicle use with 90% of travel to the site being with personal automobile. Further, it is assumed that the remaining 10% will walk (4.0%), take transit (2.0%), and taxi / drop-off (4.0%) as shown in **Table 4.0** (below).

Table 4.0 - Modes of Travel - Event Attendees

Mode of Travel	Car	Walk	Transit	Taxi / Drop-off
Event Attendees	90%	4%	2%	4%

⁴ Average parking demand based Read, Voorhees & Associates Traffic Impact Study and estimates provided by facility managers. Assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

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It is anticipated the mode of travel used by employees of the SOEC will be different than those attending events. Therefore, data from Statistics Canada along with antidotal information from facility managers was used to determine the mode share of SOEC employees. The mode share for SOEC employees is shown in **Table 5.0**.

Table 5.0 - Modes of Travel - SOEC Employees

Mode of Travel	Car	Walk	Transit	Cycling	Other
Event Attendees	83%	10.5%	1%	3%	2.5%

As shown, SOEC employees are more likely to walk or cycling to work at the SOEC than those attending events likely reducing their overall impact on the SOEC parking supply.

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4.0 PROPOSED DEVELOPMENT

The development of the proposed Casino Complex on the SOEC site is likely to result in an increased demand for parking in the study area. The proposed development will include a Casino, Restaurant, Kitchen, and Back of House area for staff. It will also incorporate the existing VQA Wine Country Visitors Centre and a liquor store. As shown by **Figure 5.0** and **Table 6.0** the proposed development is anticipated to be 5,234 m² in area. The hours of operation will be 10 am to 2 am seven days a week.

Figure 5.0 – Proposed Casino Complex - Building Footprint

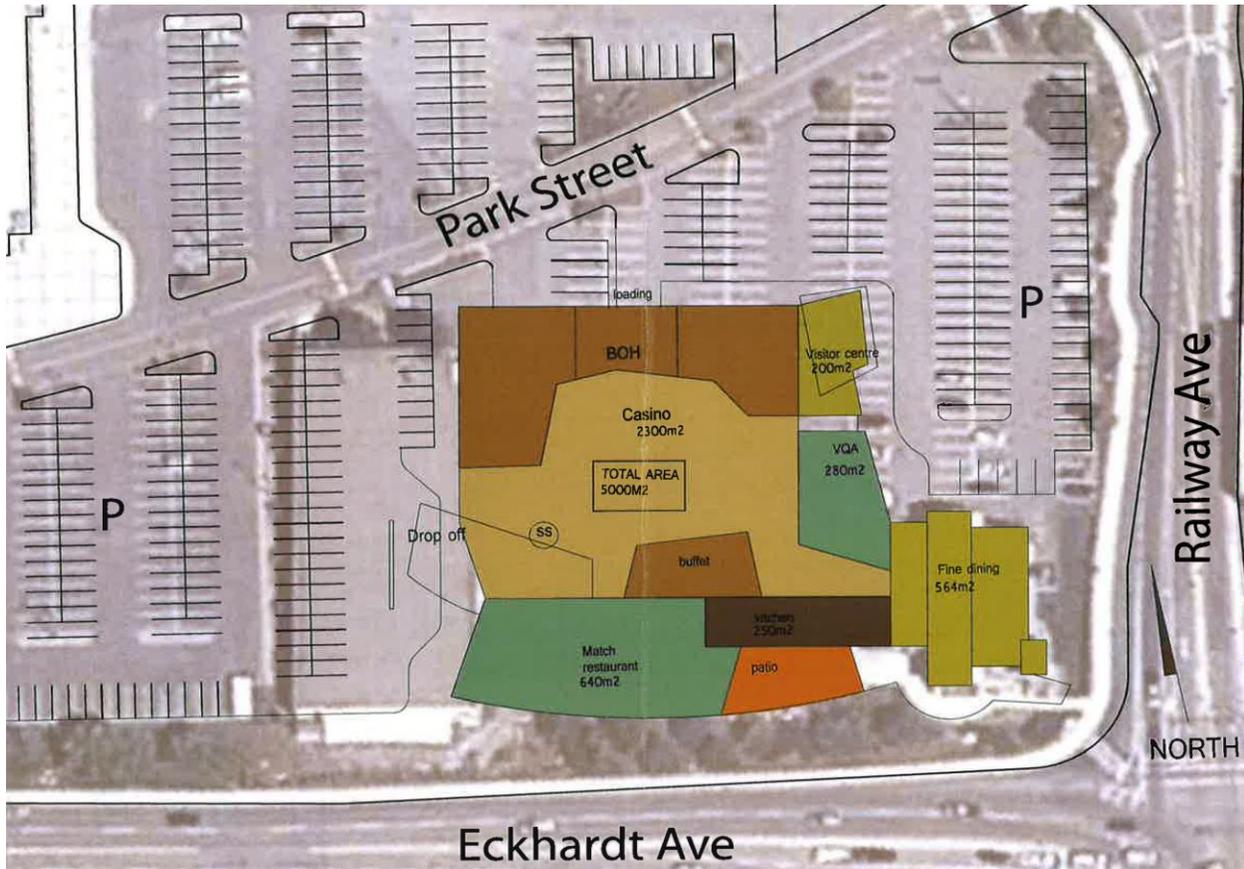


Table 6.0 - Proposed Casino Complex - Building Footprint

Use	Area (m ²)
Casino	2,300 m ²
Back of House	1,000 m ²
Restaurant	640 m ²
Restaurant	564 m ²
Kitchen	250 m ²
Visitor Centre	200 m ²
Liquor Store	280 m ²
Total	5,234 m²

Observations of the existing Lake City Casino facility and similar developments suggest that parking demand is likely to exceed minimum parking requirements (see **Section 4.3**); and that up to 350 spaces may be required. This would likely result in increased demand being placed on the existing SOEC parking facility (see **Table 7.0**).

Table 7.0 - Estimated Peak Parking Demand – Casino Complex

Use	Parking Demand	Estimated Peak Parking Demands ⁵	Peak Parking Demand Timing
Casino Complex	5,234 m ²	350 spaces	All year- 10 pm–1am weekend evenings

The impacts of this increased demand is further explored in the body of this report.

4.1 Parking Demand Scenarios

The following section breaks down changes in parking demand and supply resulting from the proposed Casino Complex.

This analysis assumes that if constructed the Casino Complex will increase the total demand for parking by approximately 350 spaces during peak evening hours between 10 pm and 1 am on weekends. It is also anticipated the Casino Complex will have 300 employees working over 2.5 shift a day creating a parking demand of 100 vehicles; assuming 83% of all employee drive to work.⁶ Moving forward, it should be assumed that this is included in the Casino's total peak parking demand of 350 spaces.

The Casino Complex's peak hours of operation and peak hours of traffic are expected to coincide with several other uses on the SOEC site namely the SOEC, Convention Centre, and memorial arena during major events, such as concerts and hockey games. However, major conflicts are only expected to occur on a handful of nights throughout the year; approximately six weekends annually. Further, it can be assumed many will attend both events at the SOEC and the Casino on the same night.

In addition to increasing parking demands the construction of the Casino Complex on the current site of the Penticton Curling Club and the VQA Wine Country Visitors Centre would also result in a loss of 106 parking spaces; decreasing the SOEC's total on-site parking to 1079 spaces (see **Table 8.0** below). However, due to the fact that not all of these spaces are in use because of relatively high vacancy rates the actual loss of typically occupied parking spaces limited with the exception of major events.

Table 8.0 - Changes in SOEC Parking with Casino Complex

Changes in Parking Availability	Current	After Proposed Development	Change
South Okanagan Events Centre Parking	1185 spaces	1079 spaces	106 spaces

Tables 9.0 - 11.0, outline three scenarios for increased parking demand resulting from the development of the Casino Complex, which is expected increase parking demand by 350 spaces. The three scenarios are as follow:

⁵ Based on information provided by the owner/developer

⁶ Statistics Canada. 2013. Penticton, CY, British Columbia (Code 5907041) (table). National Household Survey (NHS) Profile. 2011 National Household Survey. Statistics Canada Catalogue no. 99-004-XWE. Ottawa. Released September 11, 2013. <http://www12.statcan.gc.ca/nhs-enm/2011/dp-pd/prof/index.cfm?Lang=E> (accessed August 28, 2015).

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Scenario 1 - Assumes a busy average night with several on-going events - no major event at the SOEC and a few secondary events for 1500 people either at the arena, theater or convention centre on an average non-weekend night (i.e. Monday - Friday) while the Casino is in operation at around 50% (see **Table 9.0**).

Scenario 2 - Assumes one major event for 3,500 people at the SOEC and a few secondary events for 1500 people either at the arena, theater or convention centre, during a time of peak parking demand (i.e. Friday and Saturday evenings) while the casino is in operation at 100% capacity (see **Table 10.0**).

Scenario 3 - Assumes one major event for 5,000 people at the SOEC and a few secondary events for 1,500 people either at the arena or convention centre, during a time of peak parking demand (i.e. Friday and Saturday evenings) while the Casino is in operation at 100% capacity (see **Table 11.0**).

Table 9.0 – New Average Parking Demand (Scenario 1)

New Parking Demands	Number of People	Equivalent Parking Demand ⁷
Casino Complex	500	180 spaces
SOEC Complex (Major Event)	0	0 spaces
SOEC Complex (Secondary Events and activities)	1500	540 spaces
Parking Demands	2,000	720 spaces

In **Scenario 1**, an increase in peak parking demand due to the construction of the Casino results in an overall demand of 720 spaces; assuming 90% of all event attendees travel by personal automobile.

Table 10.0 – New Peak Parking Demand (Scenario 2)

New Parking Demands	Number of People	Equivalent Parking Demand ⁸
Casino Complex (peak demand)	950	350 spaces
SOEC Complex (Major Event)	3,500	1,260 spaces
SOEC Complex (Secondary Events and activities)	1,500	540 spaces
Parking Demands	5,950	2,150 spaces

In **Scenario 2**, an increase in peak parking demand of 350 spaces due to the construction of the Casino results in an overall demand of 2,150 spaces; assuming 90% of all event attendees travel by personal automobile.

⁷ Equivalency factors were used to establish the parking impacts assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

⁸ Equivalency factors were used to establish the parking impacts assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

Table 11.0 – New Maximum Parking Demand (Scenario 3)

New Parking Demands	Number of People	Equivalent Parking Demand ⁹
Casino Complex (peak demand)	950	350 spaces
SOEC Complex (Major Event)	5,000	1,800 spaces
SOEC Complex (Secondary Events and activities)	1,500	540 Spaces
Parking Demands	7,450	2,690 spaces

In **Scenario 3**, an increase in peak parking demand of 350 spaces due to the construction of the Casino Complex results in an overall demand of 2,690 spaces; assuming 90% of all event attendees travel by personal automobile.

The three scenarios presented above are expected to occur infrequently. The estimated frequency of occurrences are presented in **Table 12.0** (below)

Table 12.0 – Scenario Frequency

Scenario	Frequency
Scenario 1 - New Average Parking Demand	1-2 days a week (50+ days a year)
Scenario 2 - New Peak Parking Demand	Maximum of 50 days a year
Scenario 3 - New Maximum Parking Demand	1-3 days a year

As shown in **Tables 9.0 – 12.0** (above) the development of the Casino Complex will result in an on-site surplus of about 350 spaces in **Scenario 1** (average), a shortage of 1,071 spaces in **Scenario 2** (peak), and a shortage of 1603 spaces in **Scenario 3** (maximum) based on an assumed number of 1079 on-site spaces (after 106 spaces are removed for the construction of the Casino).

4.2 Recommended Parking Demand for Analysis Purpose (Scenario 2)

As the mostly likely “Peak Demand” scenario, **Scenario 2** will be used for the purpose of calculating peak parking demand events going forward in the report.

Scenario 2 results an overall demand of 2,150 spaces, which far exceeds the 1079 spaces at the SOEC site. This shortage of parking on-site means during major events many parking customers will have to be accommodated in other off-street and on-street parking spaces in the SOEC study area.

Table 13.0 (below), breaks down the total parking supply and how many parking customers could be accommodated on-site and in the surrounding area on major events nights. It should be noted that this analysis assumes only 50% of the on-street spaces will be available, given many houses near the SOEC

⁹ Equivalency factors were used to establish the parking impacts assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

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do not have access to private parking. It also assumes that the City will upgrade the city-owned off-street lot in the south-east corner of the SOEC site to add 143 spaces.

Table 13.0 – Anticipated Parking Supply (50% on-street availability)

Parking Supply	Number of Spaces	Equivalent Number of People
On-site	1079 spaces	2968 people
Off-street (5 min walk)	353 spaces	971 people
On-street (5 min walk) (50%)	228 spaces	627 people
Off-street (10 min walk)	81 spaces	223 people
On-street (10 min walk) (50%)	112 spaces	308 people
Total Park Supply	1853 spaces	5,097 people

As shown by **Table 13.0**, there are approximately 774 public parking spaces off-site either on-street or off-street to supplement the 1079 spaces on the SOEC site. In total the 1853 spaces available would provide parking for 4633 people attending events at the SOEC at a ratio of 2.5 people per vehicle. A further 463 people would arrive by taxi, bus, bike and by walking supporting a total attendance of approximately 5,100 people using the SOEC site. As shown by **Table 14.0** this results in total parking shortage of 297 spaces in the recommended scenario (**Scenario 2 - Peak Demand**).

Table 14.0 – Anticipated Parking Surplus/Deficit (Scenario 2):

Parking Supply	Scenario 2
Total Parking Demand	2,150 spaces
Total Parking Supply	1853 spaces
Total Parking Difference	- 297 spaces

4.3 Zoning Bylaw Parking Requirements

Based on the proposed development plan presented in **Figure 5.0** and **Table 6.0** at the beginning of this section, the Casino Complex would require a minimum of 152 parking spaces based on **Table 7.5** of City's Zoning Bylaw (see **Table 15.0** below).

Table 15.0 – Casino Complex Parking Calculation (Zoning Bylaw) – Parking stalls

Use	Area (m ²)	Rate No/m ²	Requirement	Comments
Casino	2,300	1/30	77	
Back of House	1,000	1/30	33	Assumption based on approximate area and office rate
Restaurant	640	1/50	13	Required 1 loading stall
Restaurant	564	1/50	11	Required 1 Loading stall
Kitchen	250	1/50	5	Using same rate as restaurant
Visitor Centre	200	1/30	7	Calculated using the rate for Offices
Liquor Store	280	1/50	6	
Total	5,234		152	2 Loading stalls

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Based on the proposed development plan presented in **Table 6.0**, the Casino Complex would also require a minimum of 38 Class 1 bicycle stalls based on the Commercial uses indicated in **Table 7.3** of Zoning Bylaw (2 required stalls, plus 1 stall per 125m² (excluding the first 250m²)). Additionally, the development will also require 38 Class 2 bicycle stalls, calculated using an identical rate calculation. Therefore, a total **76 stalls** are required (see **Table 16.0** below).

Table 16.0 - Casino Complex Parking Calculation (Zoning Bylaw) – Bicycle Stalls

Use	Area (-250m ²)	Class 1 Requirements (2+1/125m ²)	Class 1 Requirements (2+1/125m ²)	Total Required Bicycle Parking
Casino	2,050	18	18	36
Back of House	750	8	8	16
Restaurant	390	5	5	10
Restaurant	314	5	5	10
Kitchen	0	0	0	0
Visitor Centre	0	0	0	0
Liquor Store	30	2	2	4
Total	3,534 m²	38 stalls	38 stalls	76 stalls

The City's Zoning Bylaw provides further requirements related to shared parking, small car, and offsite parking.

In general, shared use of off-street parking is permitted under the condition that the shared off-street parking area is for two or more uses that have maximum parking demands at different periods of the day. Off-site parking is also permitted as long as it is located within 200 m (for C5 zone) or 120.0 m (for all other zones) of the site; this distance is measured along a public pathway or sidewalk route from the nearest point of the parking to the nearest point of the site of the permitted use served by the parking. Finally, up to 25% of off-street parking spaces may be designed as small car parking spaces in accordance with **Table 7.2** of the City's Zoning Bylaw.

It should also be noted that under the new Zoning Bylaw requirements the existing SOEC complex would only require 1 parking spaces for every 50m² of net floor area, for all facilities; meaning the existing parking lot with 1079 spaces would be sufficient for up to 53,950m² of development on the SOEC site. This is far less than what is required in the previous Zoning Bylaw (No. 87-65).

As shown by **Table 17.0** (below), the existing SOEC facilities with the proposed Casino Complex added would only total about 38,500 m², which would only require 837 spaces total (including the Casino). This would mean that the SOEC site even with the proposed Casino Complex would still provide 242 spaces beyond the minimum parking requirements of the current Zoning Bylaw.

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Table 17.0 – SOEC complex Minimum Parking Requirements - Current Zoning Bylaw:

Facility	Estimated Net Floor Area (m ²)	Parking Requirements Zoning Bylaw
SOEC and OHS	16,250 m ²	325 spaces
Convention Centre	6,000 m ²	120 spaces
Community Centre & Cleeland Theater	7,000 m ²	140 spaces
Memorial Arena	4,000 m ²	80 spaces
Bambino Ball Field	1 field	20 spaces
Casino Complex	5,234 m ²	152 spaces
Total Net Floor Area	38,484 m²	837 spaces

4.4 Impact of the Development on Parking

The increased parking demand (+350 spaces) and loss of 106 spaces resulting from the development of the proposed Casino Complex, results in a parking shortfall of 456 spaces from current levels. This means that if 350 of the 1079 remaining on-site parking spaces at the SOEC are used by casino guests and employees, there will be approximately 730 spaces for event attendees; enough parking for approximately 2000 people.¹⁰ Therefore, the proposed Casino Complex on the SOEC site will have a relatively minor impact on parking most nights. Further, the existing parking on site far exceeds the minimum parking requirements found in the City’s Zoning Bylaw. Although, during peak hours of Friday and Saturday evenings for days where large events (more than 2,000 people) are taking place at the SOEC and/or conference center, parking demand will likely exceed the on-site parking supply of the SOEC. However, during nights where events with over 2,000 people are in attendance the presence of other large city owned off-street lots, private lots and on-street parking will likely provide sufficient overflow parking for event attendees and casino guests. Only when event attendance exceeds 4150 people (approx. 3 times annually), and the casino is in full use 950 people (including employees) will excess parking be required.

¹⁰ Average parking demand based Read, Voorhees & Associates Traffic Impact Study and estimates provided by facility managers. Assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

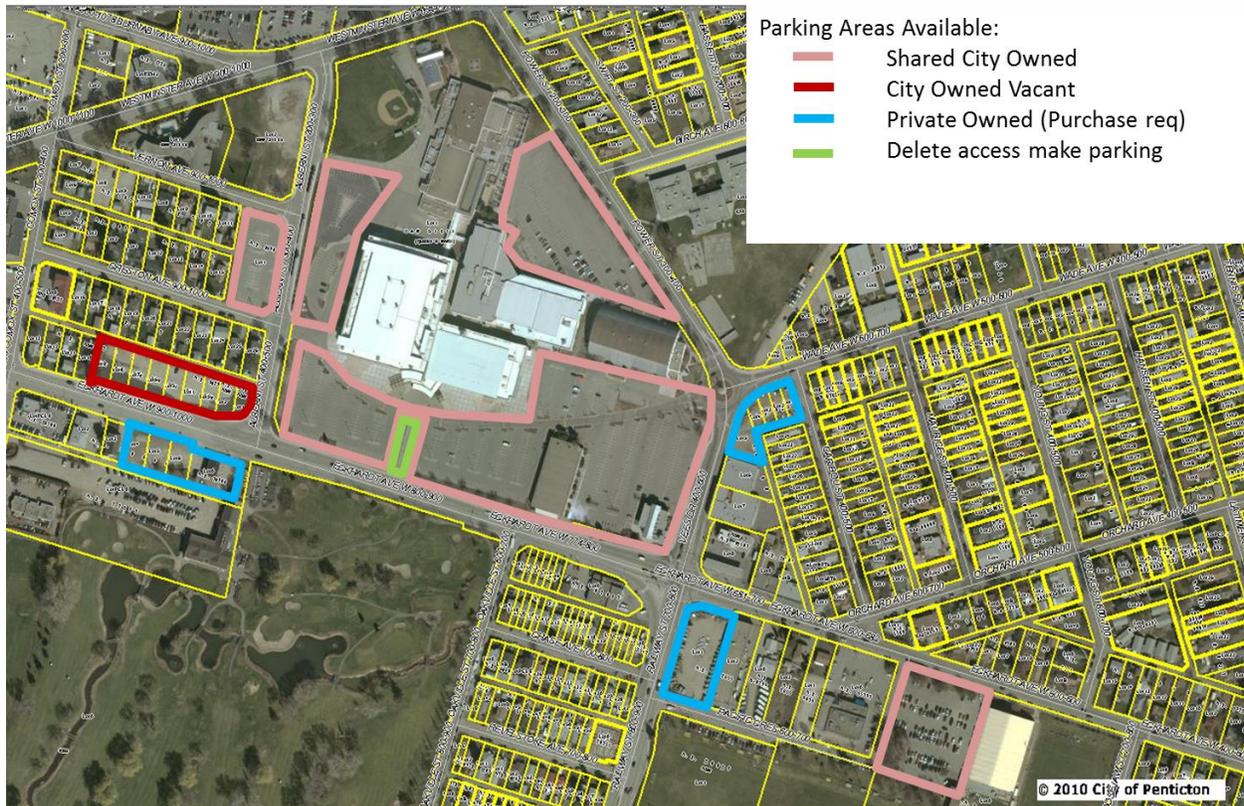
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5.0 ALTERNATIVE PARKING OPTIONS

It is likely that during periods of peak parking demand alternative parking space off-site will be required. As previously mentioned there are approximately 680 on-street and 1476 off-street public parking spaces available in the SOEC study area. However, during rare occasions when major events are taking place and over 5,100 people (950 Casino Guests and 4150 events attendees) are using facilities on the SOEC site additional parking options may be required. As shown in **Table 14.0** in **Section 4.3** an additional 297 spaces may be required to meet peak demand under **Scenario 2**.

There may be an opportunity for the developer or the City to meet this demand by acquiring overflow parking space in several neighboring lots adjacent to the SOEC. In addition to the large city-owned lot in the south-west corner (143 spaces) and Kings Park, several existing privately owned gravel lots surrounding the SOEC site could be acquired by the City or the developers to provide additional parking when needed (see **Figure 6.0**).

Figure 6.0 - Potential Overflow Parking Locations



These private lots, which are currently vacant and undeveloped, could provide an additional 211 spaces within a 5 min walk of the SOEC; their addresses, size, and assessed values are shown in **Table 18.0** (below) full lot profiles and cost estimates (excluding any remediation costs) can be found in **Appendix A**.

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**Table 18.0 – Potential Property Acquisitions for Overflow Parking - (Private Lots)**

Address	PID	Lot Size	Parking Capacity	Assessed Value	Class D Cost Estimates	Total Cost
910/920/932/946 Eckhardt Ave W	009-542-752 009-542-761 009-542-779 002-924-102	0.796 Acres	79 spaces	\$1,226,000	\$313,272	\$1,539,272
698 Eckhardt Ave W	006-642-942	0.950 Acres	87 spaces	\$965,800	\$315,555	\$1,281,355
400 Vees Dr	012-023-981 012-023-990 012-024-031 012-024-040	0.500 Acres	45 spaces	\$438,000	\$264,096	\$702,096
Totals		2.25 Acres	211 spaces	\$2,629,800	\$892,923	\$3,522,723

The private lots listed in **Table 18.0** combined with the two city owned off-street lots would provide 211 additional off-street parking spaces within a 5 minute walk. The cost of purchasing the land (\$2.63 million) and developing these sites into paved parking lots would cost about \$3,522,723.

As shown in **Table 19.0** the purchase of the 211 additional off-street parking spaces would result in a total parking supply of 2064 spaces within a 10 minute walk of the SOEC, enough to provide parking for approximately 5,677 people (950 casino guests and a maximum of 4,727 event attendees).¹¹ This would allow approximately 5,700 people to use the SOEC site assuming only 90% of all attendees arrive by car.

Table 19.0 - Total Parking Supply with Purchase of Private Off-Street Lots

Parking Supply	Number of Spaces	Equivalent Number of People ¹²
On-site	1079 spaces	2968 people
Off-street (5 min walk)	353 spaces	971 people
On-street (5 min walk) (50%)	228 spaces	627 people
Off-street (10 min walk)	81 spaces	223 people
On-street (10 min walk) (50%)	112 spaces	308 people
Private Off-Street Lots	211 spaces	580 people
Total Park Supply	2064 spaces	5,677 people

Options for reconfiguring the existing SOEC parking lot were also evaluated at a high level, however, it was determined that very few spaces could be added to the existing inventory, and that the potentially very high costs of reconstruction would greatly exceed the limited benefit. This included consideration of the removal of the temporary entry on Eckhardt.

¹¹ Average parking demand based Read, Voorhees & Associates Traffic Impact Study and estimates provided by facility managers. Assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

¹² Average parking demand based Read, Voorhees & Associates Traffic Impact Study and estimates provided by facility managers. Assumes mode-share of 90% automobile use and average of 2.5 people per vehicle.

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Finally, providing a shuttle service between other City-owned parking lots downtown and the SOEC could also help meet the additional parking demand of 297 spaces on busy nights. This shuttle service could be provided for the handful of nights where the parking capacity of the SOEC area is greatly exceeded. The shuttle could take parking customers from City-owned lots behind City Hall, in Gyro Park, and on the 100 and 400 blocks of Main Street to the SOEC. Combined these lots could provide at least 500 extra parking spaces with a shuttle system; enough parking for 1250 people.

Figure 7.0 – Downtown Penticton Parking Lots

Downtown Penticton Parking Lots

City Owned and Operated

- 1) Martin Street Extension: 62
- 2) City Hall Gyro Park: 98 Spots
- 3) Braeburn: 64
- 4) Nanaimo Hall: 87
- 5) Gala: 52 spots
- 6) McIntosh: 44
- 7) Brunswick Street: 53
- 8) Spartan: 40

Total: 500 spaces



5.1 Opportunities for Parking Demand Reduction

- ▶ Formalizing on-street parking spaces and off-street parking spaces in city-owned lots;
- ▶ Implementing a shuttle from downtown to the SOEC from several of the other downtown parking facilities (outside 10 minute walk radius) during busiest events;
- ▶ Ensure a high level of transit access to the SOEC site and proposed Casino Complex, by optimizing transit route connections and the location of bus stops;
- ▶ Encourage more of the employees of the SOEC and proposed Casino Complex to walk, bike or take transit to work;
- ▶ Encourage event attendees to carpool, walk, bike or take transit to events at the SOEC; and,
- ▶ Create a space near the entrance of the SOEC to allow people to easily pickup/drop-off those attending events.

Further, the Casino developers could consider purchasing one or more of the privately owned vacant lots listed in **Table 18.0** and provide some of its parking off-site to ensure sufficient parking is available on major event nights for its customers.

6.0 CONCLUSIONS

The overall results of this analysis have shown that there is sufficient parking on-site to provide shared parking for the SOEC facilities and the proposed Casino Complex for the vast majority of the year. Further, the current SOEC parking on-site would very likely meet the minimum parking requirements of the City's Zoning Bylaw even with the proposed Casino development added. However, during periods of peak demand on Friday and Saturday evening when the Casino Complex is full and events with more than 2,000 people are taking place at the SOEC additional off-site parking will still be required. This analysis has shown that there are 774 additional public parking spaces within a 10 min walk, enough to accommodate 2150 people; assuming 90% personal vehicle travel.

The amount of parking within a 10 min walk increases to 2,064 spaces (including SOEC on-site parking) if the vacant private lots listed in **Table 18.0** are included. In total if 2,064 spaces could be made available within a 10 min walk that would be enough to support 950 guests and employees attending the casino and a major event of 4,727 people (assuming 90% personal vehicle use).

Overall, this demonstrates that even with the addition of the proposed Casino Complex there would be ample parking within the study area even on the busiest nights of the year. This represents an opportunity for the City to utilize parking on the site more efficiently (year round) and avoid the development of unnecessary parking space beyond what is required for the vast majority of the year. This aligns with the City's objectives and sustainability goals outlined in **Section 2.1 (Growth Management)** of the Official Community Plan (OCP).

Finally, under the current Zoning Bylaw's minimum parking requirements, which require one parking space for every 50m², the total facility would not require a parking variance unless it exceeded 53,950 m² (1079 spaces X 50m²), including the proposed Casino Complex (5,234 m²). As shown, in **Table 17.0** under **Section 4.3**, the current SOEC complex combined with the proposed Casino Complex are estimated to be only 38,450 m², and have a minimum parking requirement of 837 spaces total.

6.1 Recommendations

The following recommendations consider the information presented in this report and provide direction for actions that should be taken to ensure parking is available to support existing and new development on the SOEC site.

- ▶ Notify the public and local businesses about the potential for shortages in parking supply and the major events night where they are expected to occur.
- ▶ Provide information and communication materials to help direct casino guests and event attendees to off-site parking locations with excess capacity nearby.
- ▶ Pave and improve the city-owned lot in the south-west corner of SOEC to provide the additional 143 spaces.

MEMORANDUM

Date: September 17, 2015
File: 1017.0053.12
Subject: Parking Analysis South Okanagan Events Centre (SOEC)
Page: 21 of 23

Attachment C: Urban Systems Parking Assessment



- ▶ Coordinate the development of the Casino Complex with the development or improvement of additional parking space on nearby lots owned by the City.
- ▶ Promote alternative modes of transportation (e.g. transit, carpooling, cycling, etc.) for casino guests event attendees, and facility staff especially during busy event nights.
- ▶ Coordinate with facility managers and developers to establish shared parking guidelines for the various uses located on the site.
- ▶ As the SOEC complex and the Casino together do not exceed the minimum parking requirements found in the current Zoning Bylaw a parking variance is not required.
- ▶ The City should consider implementing a shuttle bus system to move people to and from more distant City owned Downtown Parking lots and the Lakeside Resort area to events at SOEC on busy nights. This would have to be coordinated with the SOEC operator and advertised

URBAN SYSTEMS LTD.

A handwritten signature in blue ink that reads "James Donnelly". The signature is fluid and cursive, with a large loop at the end of the last name.

James Donnelly, P.Eng., PTOE
Transportation Engineer, Principal
/SH

APPENDIX A





C:\Users\hamilton\Desktop\SECC Parking\SECC Parking.dwg, 10/1, 2015/09/01 01:14 pm hamilton



		CITY OF PENTICTON PARKING LOT DEVELOPMENT - LOT #1 CLASS 'D' ESTIMATE				
August 31, 2015		Project #: 1017.0053.12				
ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL AMOUNT	
Section 01 55 00 - Traffic Control, Vehicle Access and Parking						
015500.1	Traffic management	LS	1	\$5,000.00	\$	5,000.00
Section Sub-total:					\$	5,000.00
Section 03 30 20 - Concrete Walks, Curbs and Gutters						
033020.1	Concrete wheel stop	each	143	\$130.00	\$	18,590.00
033020.2	Concrete driveway letdown	sq. m	20	\$105.00	\$	2,100.00
Section Sub-total:					\$	20,690.00
Section 26 00 00 - Electrical						
260000.1	Electrical service for parking lot lighting	LS	1	\$15,000.00	\$	15,000.00
Section Sub-total:					\$	15,000.00
Section 26 56 01 - Roadway Lighting						
255601.1	Parking lot lighting	LS	1	\$100,000.00	\$	100,000.00
Section Sub-total:					\$	100,000.00
Section 31 11 01 - Clearing and Grubbing						
311101.1	General clearing and grubbing	LS	1	\$3,000.00	\$	3,000.00
Section Sub-total:					\$	3,000.00
Section 31 22 01 - Site Grading						
312201.1	Common excavation, granular materials off-site disposal	cu. m	1,320	\$20.00	\$	26,400.00
Section Sub-total:					\$	26,400.00
Section 31 24 13 - Roadway Excavation, Embankment and Compaction						
312413.1	Subgrade preparation	sq. m	4,400	\$1.80	\$	7,920.00
Section Sub-total:					\$	7,920.00
Section 32 11 16.1 - Granular Subbase						
Granular subbase, 75mm minus MMCD granular sub-base						
3211161.1	- 150mm thickness	sq. m	4,400	\$6.00	\$	26,400.00
Section Sub-total:					\$	26,400.00
Section 32 11 23 - Granular Base						
Granular base, 19 mm minus MMCD crushed granular base						
321123.1	- 100mm thickness	sq. m	4,400	\$5.75	\$	25,300.00
Section Sub-total:					\$	25,300.00
Section 32 12 16 - Hot-Mix Asphalt Concrete Paving						
321216.1	Asphalt course - 50mm Surface Course	sq. m	4,400	\$14.00	\$	61,600.00
321216.2	Sawcut existing asphalt	m	15	\$8.50	\$	127.50
Section Sub-total:					\$	61,727.50
Section 32 17 23 - Painted Pavement Markings						
321723.1	Paint marking layout	LS	1	\$8,000.00	\$	8,000.00
Section Sub-total:					\$	8,000.00
Section 33 40 01 - Storm Sewers						
334001.1	300mm ø PVC	m	107	\$180.00	\$	19,260.00
334001.2	250mm ø PVC catch basin lead	m	66	\$110.00	\$	7,260.00
334001.3	Storm Sewer Tie-in	each	1	\$2,000.00	\$	2,000.00
Section Sub-total:					\$	28,520.00
Section 33 44 01 - Manholes and Catch basins						
334401.1	1050mm ø manhole base, casting and associated steel frame and lid	each	4	\$3,000.00	\$	12,000.00
334401.2	1050mm ø manhole riser section	v.m	6	\$675.00	\$	4,050.00
334401.3	Catch basin - top inlet	each	6	\$1,900.00	\$	11,400.00
Section Sub-total:					\$	27,450.00
Overall Sub-total:					\$	355,407.50
30% Contingency					\$	106,622.25
10% Engineering and Construction					\$	46,202.98
Total:					\$	508,232.73

		CITY OF PENTICTON PARKING LOT DEVELOPMENT - LOT #2 CLASS 'D' ESTIMATE				
August 31, 2015		Project #: 1017.0053.12				
ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL AMOUNT	
Section 01 55 00 - Traffic Control, Vehicle Access and Parking						
015500.1	Traffic management	LS	1	\$10,000.00	\$	10,000.00
Section Sub-total:					\$	10,000.00
Section 03 30 20 - Concrete Walks, Curbs and Gutters						
033020.1	Concrete barrier curb and gutter	m	15	\$78.50	\$	1,177.50
033020.2	Concrete wheel stop	each	79	\$130.00	\$	10,270.00
033020.3	Concrete driveway letdown	sq. m	40	\$105.00	\$	4,200.00
Section Sub-total:					\$	15,647.50
Section 26 00 00 - Electrical						
260000.1	Electrical service for parking lot lighting	LS	1	\$10,000.00	\$	10,000.00
Section Sub-total:					\$	10,000.00
Section 26 56 01 - Roadway Lighting						
255601.1	Parking lot lighting	LS	1	\$50,000.00	\$	50,000.00
Section Sub-total:					\$	50,000.00
Section 31 11 01 - Clearing and Grubbing						
311101.1	General clearing and grubbing	LS	1	\$5,000.00	\$	5,000.00
Section Sub-total:					\$	5,000.00
Section 31 22 01 - Site Grading						
312201.1	Common excavation, granular materials off-site disposal	cu. m	825	\$20.00	\$	16,500.00
Section Sub-total:					\$	16,500.00
Section 31 24 13 - Roadway Excavation, Embankment and Compaction						
312413.1	Common excavation, remove and dispose of existing asphalt (all thicknesses)	sq. m	750	\$6.50	\$	4,875.00
312413.2	Common excavation, remove and dispose of existing conc. walk, pads, etc. (all thicknesses)	sq. m	54	\$11.50	\$	621.00
312413.3	Common excavation, remove and dispose of existing curb & gutter	m	30	\$13.50	\$	405.00
312413.4	Subgrade preparation	sq. m	2,750	\$1.80	\$	4,950.00
Section Sub-total:					\$	10,851.00
Section 32 11 16.1 - Granular Subbase						
Granular subbase, 75mm minus MMCD granular sub-base						
321116.1.1	- 150mm thickness	sq. m	2,750	\$6.00	\$	16,500.00
Section Sub-total:					\$	16,500.00
Section 32 11 23 - Granular Base						
Granular base, 19 mm minus MMCD crushed granular base						
321123.1	- 100mm thickness	sq. m	2,750	\$5.75	\$	15,812.50
Section Sub-total:					\$	15,812.50
Section 32 12 16 - Hot-Mix Asphalt Concrete Paving						
321216.1	Asphalt course - 50mm Surface Course	sq. m	2,750	\$14.00	\$	38,500.00
321216.2	Sawcut existing asphalt	m	30	\$8.50	\$	255.00
Section Sub-total:					\$	38,755.00
Section 32 17 23 - Painted Pavement Markings						
321723.1	Paint marking layout	LS	1	\$6,000.00	\$	6,000.00
Section Sub-total:					\$	6,000.00
Section 33 40 01 - Storm Sewers						
334001.1	300mm ø PVC	m	15	\$180.00	\$	2,700.00
334001.2	250mm ø PVC catch basin lead	m	88	\$110.00	\$	9,680.00
334001.3	Storm Sewer Tie-in	each	1	\$2,000.00	\$	2,000.00
Section Sub-total:					\$	14,380.00
Section 33 44 01 - Manholes and Catch basins						
334401.1	1050mm ø manhole base, casting and associated steel frame and lid	each	2	\$3,000.00	\$	6,000.00
334401.2	1050mm ø manhole riser section	v.m	3	\$675.00	\$	2,025.00
334401.3	Catch basin - top inlet	each	4	\$1,900.00	\$	7,600.00
Section Sub-total:					\$	15,625.00
Overall Sub-total:					\$	219,071.00
30% Contingency					\$	65,721.30
10% Engineering and Construction					\$	28,479.23
Total:					\$	313,271.53

		CITY OF PENTICTON PARKING LOT DEVELOPMENT - LOT #3 CLASS 'D' ESTIMATE				
August 31, 2015		Project #: 1017.0053.12				
ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL AMOUNT	
Section 01 55 00 - Traffic Control, Vehicle Access and Parking						
015500.1	Traffic management	LS	1	\$8,000.00	\$	8,000.00
Section Sub-total:					\$	8,000.00
Section 03 30 20 - Concrete Walks, Curbs and Gutters						
033020.1	Concrete wheel stop	each	87	\$130.00	\$	11,310.00
033020.2	Concrete driveway letdown	sq. m	40	\$105.00	\$	4,200.00
Section Sub-total:					\$	15,510.00
Section 26 00 00 - Electrical						
260000.1	Electrical service for parking lot lighting	LS	1	\$10,000.00	\$	10,000.00
Section Sub-total:					\$	10,000.00
Section 26 56 01 - Roadway Lighting						
255601.1	Parking lot lighting	LS	1	\$50,000.00	\$	50,000.00
Section Sub-total:					\$	50,000.00
Section 31 11 01 - Clearing and Grubbing						
311101.1	General clearing and grubbing	LS	1	\$3,000.00	\$	3,000.00
Section Sub-total:					\$	3,000.00
Section 31 22 01 - Site Grading						
312201.1	Common excavation, granular materials off-site disposal	cu. m	810	\$20.00	\$	16,200.00
Section Sub-total:					\$	16,200.00
Section 31 24 13 - Roadway Excavation, Embankment and Compaction						
312413.1	Subgrade preparation	sq. m	2,700	\$1.80	\$	4,860.00
Section Sub-total:					\$	4,860.00
Section 32 11 16.1 - Granular Subbase						
Granular subbase, 75mm minus MMCD granular sub-base						
3211161.1	- 150mm thickness	sq. m	2,700	\$6.00	\$	16,200.00
Section Sub-total:					\$	16,200.00
Section 32 11 23 - Granular Base						
Granular base, 19 mm minus MMCD crushed granular base						
321123.1	- 100mm thickness	sq. m	2,700	\$5.75	\$	15,525.00
Section Sub-total:					\$	15,525.00
Section 32 12 16 - Hot-Mix Asphalt Concrete Paving						
321216.1	Asphalt course - 50mm Surface Course	sq. m	2,700	\$14.00	\$	37,800.00
321216.2	Sawcut existing asphalt	m	30	\$8.50	\$	255.00
Section Sub-total:					\$	38,055.00
Section 32 17 23 - Painted Pavement Markings						
321723.1	Paint marking layout	LS	1	\$6,000.00	\$	6,000.00
Section Sub-total:					\$	6,000.00
Section 33 40 01 - Storm Sewers						
334001.1	300mm ø PVC	m	62	\$180.00	\$	11,160.00
334001.2	250mm ø PVC catch basin lead	m	32	\$110.00	\$	3,520.00
334001.3	Storm Sewer Tie-in	each	1	\$3,000.00	\$	3,000.00
Section Sub-total:					\$	17,680.00
Section 33 44 01 - Manholes and Catch basins						
334401.1	1050mm ø manhole base, casting and associated steel frame and lid	each	3	\$3,000.00	\$	9,000.00
334401.2	1050mm ø manhole riser section	v.m	5	\$675.00	\$	3,037.50
334401.3	Catch basin - top inlet	each	4	\$1,900.00	\$	7,600.00
Section Sub-total:					\$	19,637.50
Overall Sub-total:					\$	220,667.50
30% Contingency					\$	66,200.25
10% Engineering and Construction					\$	28,686.78
Total:					\$	315,554.53

		CITY OF PENTICTON PARKING LOT DEVELOPMENT - LOT #4 CLASS 'D' ESTIMATE				
August 31, 2015		Project #: 1017.0053.12				
ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL AMOUNT	
Section 01 55 00 - Traffic Control, Vehicle Access and Parking						
015500.1	Traffic management	LS	1	\$8,000.00	\$	8,000.00
Section Sub-total:					\$	8,000.00
Section 03 30 20 - Concrete Walks, Curbs and Gutters						
033020.1	Concrete barrier curb and gutter	m	20	\$78.50	\$	1,570.00
033020.2	Concrete wheel stop	each	45	\$130.00	\$	5,850.00
033020.3	Concrete driveway letdown	sq. m	40	\$105.00	\$	4,200.00
Section Sub-total:					\$	11,620.00
Section 26 00 00 - Electrical						
260000.1	Electrical service for parking lot lighting	LS	1	\$10,000.00	\$	10,000.00
Section Sub-total:					\$	10,000.00
Section 26 56 01 - Roadway Lighting						
255601.1	Parking lot lighting	LS	1	\$50,000.00	\$	50,000.00
Section Sub-total:					\$	50,000.00
Section 31 11 01 - Clearing and Grubbing						
311101.1	General clearing and grubbing	LS	1	\$3,000.00	\$	3,000.00
Section Sub-total:					\$	3,000.00
Section 31 22 01 - Site Grading						
312201.1	Common excavation, granular materials off-site disposal	cu. m	540	\$20.00	\$	10,800.00
Section Sub-total:					\$	10,800.00
Section 31 24 13 - Roadway Excavation, Embankment and Compaction						
312413.1	Common excavation, remove and dispose of existing chain link fence	m	200	\$10.00	\$	2,000.00
312413.2	Common excavation, remove and dispose of existing conc. walk, pads, etc. (all thicknesses)	sq. m	40	\$11.50	\$	460.00
312413.3	Common excavation, remove and dispose of existing curb & gutter	m	20	\$13.50	\$	270.00
312413.4	Subgrade preparation	sq. m	1,800	\$1.80	\$	3,240.00
Section Sub-total:					\$	5,970.00
Section 32 11 16.1 - Granular Subbase						
Granular subbase, 75mm minus MMCD granular sub-base						
3211161.1	- 150mm thickness	sq. m	1,800	\$6.00	\$	10,800.00
Section Sub-total:					\$	10,800.00
Section 32 11 23 - Granular Base						
Granular base, 19 mm minus MMCD crushed granular base						
321123.1	- 100mm thickness	sq. m	1,800	\$5.75	\$	10,350.00
Section Sub-total:					\$	10,350.00
Section 32 12 16 - Hot-Mix Asphalt Concrete Paving						
321216.1	Asphalt course - 50mm Surface Course	sq. m	1,800	\$14.00	\$	25,200.00
321216.2	Sawcut existing asphalt	m	30	\$8.50	\$	255.00
Section Sub-total:					\$	25,455.00
Section 32 17 23 - Painted Pavement Markings						
321723.1	Paint marking layout	LS	1	\$4,000.00	\$	4,000.00
Section Sub-total:					\$	4,000.00
Section 33 40 01 - Storm Sewers						
334001.1	300mm ø PVC	m	53	\$180.00	\$	9,540.00
334001.2	250mm ø PVC catch basin lead	m	40	\$100.00	\$	4,000.00
334001.3	Storm Sewer Tie-in	each	1	\$3,000.00	\$	3,000.00
Section Sub-total:					\$	16,540.00
Section 33 44 01 - Manholes and Catch basins						
334401.1	1050mm ø manhole base, casting and associated steel frame and lid	each	3	\$3,000.00	\$	9,000.00
334401.2	1050mm ø manhole riser section	v.m	5	\$675.00	\$	3,037.50
334401.3	Adjust catch basin frame and grate	each	1	\$410.00	\$	410.00
334401.4	Catch basin - top inlet	each	3	\$1,900.00	\$	5,700.00
Section Sub-total:					\$	18,147.50
Overall Sub-total:					\$	184,682.50
30% Contingency					\$	55,404.75
10% Engineering and Construction					\$	24,008.73
Total:					\$	264,095.98

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Alternate Approval Process for Willowbrook Water Service Establishment
Bylaw No. 2709, 2015

Administrative Recommendation:

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2709, 2015 to the Manager of Legislative Services is no later than 4:30 pm on February 8, 2016; and,

THAT the elector response form attached to the report dated December 17, 2015 be the approved form for Bylaw No. 2709, 2015 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 162; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 16.

Reference:

Local Government Act
Community Charter

Background:

Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Bylaw No. 2709, 2015 received three readings November 5, 2015, and then received approval by the Inspector of Municipalities. Pursuant to Section 801.3 of the *Local Government Act*, the Board may now proceed with the alternative approval process (AAP).

Analysis:

Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter* outline the requirements of the AAP. The Board must establish a deadline for elector response forms, establish an elector response form and determine the number of eligible electors in the service area.

Staff proposes advertising as follows:

<u>Newspaper</u>	<u>Publication Dates</u>
Penticton Western	January 1 & 8, 2016

The deadline for elector response forms must be thirty days after the second publication date; therefore, the deadline date will be February 8, 2016.

The Regional District does not maintain a voter's list. The Information Services Department has determined the eligible electors within the Regional District. The number of electors in the proposed service area is estimated to be 162.

If the number of elector response forms signed is less than 10% of the estimated electors, the Board may consider adopting the bylaw. If the number of elector response forms signed is more than 10% of the estimated eligible electors, the bylaw would require elector assent through referendum.

Communication Strategy:

1. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, it is acknowledged that many residents of smaller communities refer frequently to the small paper or online publications created within those communities. To ensure optimal coverage, the Regional District will advertise the AAP in the Oliver Daily News as well as community bulletin boards.
2. A data sheet containing the details of the Willowbrook Water Service will be included on the AAP webpage, along with all of the required forms and bylaws.
3. The Ministry of Community, Sport and Cultural Development has developed a guide for local governments in BC on the Alternative Approval Process - [AAP - Guide for Local Governments](#). The guide, although created primarily for Local Government staff and Elected Officials, contains information which is an excellent resource for the public in helping to understand why an AAP is held instead of an Assent vote (referendum).

Staff has developed a more condensed guide geared specifically towards the public and a copy is available on the Regional District's AAP webpage.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

Attachments: Notice
Elector Response Form



Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Bylaw BYLAW No. 2709, 2015

Notice of Alternative Approval Process

NOTICE IS HEREBY GIVEN pursuant to Section 86 of the Community Charter, that the Board of Directors of the Regional District of Okanagan-Similkameen seek the approval of the electors with the boundaries of Willowbrook Water Service Area of the Regional District for the adoption of Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Bylaw No. 2709, 2015.

In general terms, the bylaw establishes a service for the supply, treatment, conveyance, storage and distribution of water in and for the community of Willowbrook, within Electoral Area "C".

The alternative approval process applies to qualified electors within the Willowbrook Water Service Area.

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Bylaw No. 2709, 2015 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within the Willowbrook Water Service Area indicate their opposition by signing the Elector Response Form.

The Regional District has estimated the total number of qualified electors in the service area to be 162 and that 10% of that number, or 16 qualified electors, must submit signed Elector Response Forms to prevent the Regional District from adopting the bylaw without the full assent of the electors by referendum.

An elector response form must be in the form established by the Regional District. Elector Response Forms are available from the Regional District office, including by mail, fax, or email, on request or on the Regional District website at www.rdos.bc.ca.

The deadline for delivering the original signed Elector Response Form to the Regional District is 4:30 pm on February 8, 2016.

The only persons entitled to sign an Elector Response Form are those who meet the following criteria:

Resident electors must:

- (a) be 18 years of age or older;
- (b) be a Canadian citizen;
- (c) be a resident of British Columbia, for at least 6 months;
- (d) be a resident of the Willowbrook Water Service Area for at least 30 days; and
- (e) not be disqualified by a Provincial enactment, or otherwise disqualified by law, from voting in an election.

Non-Resident property electors must:

- (a) not be entitled to register as a resident elector of the Willowbrook Water Service Area;
- (b) be 18 years of age or older;
- (c) be a Canadian citizen;
- (d) be a resident of British Columbia, for at least 6 months;
- (e) be a registered owner of real property in the jurisdiction for at least 30 days;
- (f) not be disqualified by any Provincial enactment or otherwise disqualified by law, from voting in an election; and
- (g) only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

The bylaw is available for public inspection at the Regional District Office **101 Martin Street, Penticton, BC V2A 5J9**, during regular office hours, or alternatively, on our website at www.rdos.bc.ca.

For more information on the alternative approval process please contact:

Christy Malden, Manager of Legislative Services
101 Martin Street, Penticton, BC V2A 2A5
250-490-4146 1-877-610-3737 [toll free]
cmalden@rdos.bc.ca



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Willowbrook Water Service
Establishment Bylaw No. 2709, 2015
Elector Response Form

I am **OPPOSED** to the adoption of Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Bylaw No. 2709, 2015 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to provide for the establishment as a service the supply, treatment, conveyance, storage and distribution of water in and for the community of Willowbrook, within Electoral Area "C", and

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian Citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been a registered owner of real property in the Willowbrook Water Service Area for at least 30 days; and
- I am not disqualified by law from voting in local elections; and
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to Bylaw No. 2709, 2015.

ELECTOR'S FULL NAME (print)
RESIDENTIAL ADDRESS¹ (AND mailing address if different from residential address)
SIGNATURE OF ELECTOR

See the reverse side of this form for further information regarding the petition process.

¹ Non-resident Property Electors must include the address of their property in order to establish their entitlement to sign the petition.



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Willowbrook Water Service
Establishment Bylaw No. 2709, 2015
Elector Response Form

Pursuant to Section 797.5 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen is proposing to seek the assent of the electors of the Regional District by alternative approval process in accordance with Section 86 of the *Community Charter*. The question before the electors is whether they are opposed to the adoption of Regional District of Okanagan-Similkameen Bylaw No. 2709, 2015, which, if adopted, will authorize the Regional Board to provide for the establishment as a service the supply, treatment, conveyance, storage and distribution of water in and for the community of Willowbrook, within Electoral Area "C".

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2709, 2015, you can sign an elector response form **if you qualify as an elector of designated service area.**
 2. If you are NOT opposed to the adoption of the bylaw, you need do nothing.
 3. To sign an elector response form you MUST meet the qualifications as either a Resident Elector or a Non-Resident (Property) Elector of the Regional District. If you are unsure if you qualify, please contact the Regional District Office at 492-0237.
 4. Each Elector Response form may be signed by one elector of the Regional District.
-

1.

All Elector Response Forms must be received by the Regional District on or before 4:30 p.m. on **February 8, 2016** to be considered.

No faxed elector response forms will be accepted; must be **original signatures**.

2.

The number of electors in the service area is estimated to be 162. If ten (10%) percent [16 electors] of the estimated number of electors in the service area sign an elector response form in opposition to the adoption of the said bylaw, Regional District cannot adopt the bylaw without receiving the assent of the electors by referendum.

3.

For further information, contact:

Christy Malden
Manager of Legislative Services
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
250-490-4146
1-877-610-3737 [toll free]
cmalden@rdos.bc.ca

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Electoral Area "F" Advisory Planning Commission Appointment

Administrative Recommendation:

THAT the Board of Directors appoint Hillary Ward as a member of the Electoral Area "F" Advisory Planning Commission for a term ending October 31, 2018.

Analysis:

Bylaw 2339 provides for the creation of Advisory Planning Commissions for each of the Regional Districts electoral areas.

Section 3 of the Bylaw establishes that the role of the Commission is to provide recommendations to the Regional District on all matters referred to it by the Regional District or by its Electoral Area Director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*.

Section 4 of the Bylaw provides for the appointment of members, requiring the Board, by resolution, to appoint members to each Commission on the recommendation of the respective Electoral Area Director.

Commission appointments shall be made by the Board for terms which run concurrent with the Board term, and no term of appointment shall extend beyond term of the Electoral Area Director unless re-appointed by the Board.

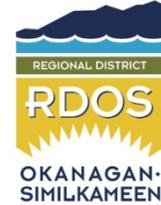
On December 12, 2015, Director Brydon recommended Ms. Ward for appointment to the Electoral Area "F" Advisory Planning Commission.

Respectfully submitted:

C. Malden, Manager of Legislative Services

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Select Committees and External Agencies Appointments



Administrative Recommendation:

THAT Committee Chairs and Vice Chairs and External agency representation for 2016 remain unchanged from 2015.

Analysis:

Each year members of the Board of Directors are asked to submit expressions of interest to determine which appointments to Board select committees and external agencies would be of interest to them.

Typically; however, changes to these positions do not occur midway through an election term unless a Director wishes to step down from a committee or external appointment.

For 2016, no changes to appointments are anticipated and therefore would remain as follows:

Committee Chairs:

Corporate Services:

- Mark Pendergraft, Chair (Board Chair)
- Andrew Jakubeit, Vice Chair (Board Vice Chair)

Community Services:

- Karla Kozakevich, Chair
- Ron Hovanes, Vice Chair

Environment and Infrastructure:

- Tom Siddon, Chair
- Karla Kozakevich, Vice Chair

Protective Services:

- Andrew Jakubeit, Chair
- Terry Schafer, Vice Chair

Planning and Development:

- Michael Brydon, Chair
- George Bush, Vice Chair

External Agencies:

Municipal Finance Authority - Chair and Vice Chair

- Mark Pendergraft (Board Chair)
- Andrew Jakubeit (Vice Chair), alternate

Municipal Insurance Association - Chair and Vice Chair

- Mark Pendergraft (Board Chair)
- Andrew Jakubeit (Vice Chair), alternate

Okanagan Basin Water Board – *Participants are Electoral Areas A, C, D, E, F, part of G, City of Penticton, District of Summerland, Town of Osoyoos, Town of Oliver*

- Sue McKortoff
- Andre Martin
- Peter Waterman
- Tom Siddon (alternate to Director Martin)
- Mark Pendergraft (alternate to Director McKortoff)
- Toni Boot (alternate for Peter Waterman)

Okanagan Film Commission - *Participants are all jurisdictions*

- Andrew Jakubeit

Okanagan Regional Library - *Participants are Electoral Areas A, B,C,D,E,F,G*

- Karla Kozakevich
- Elef Christensen - Alternate

Okanagan Sterile Insect Release Board - *Participants are Electoral Areas A, B, C, D, E, F,& G, City of Penticton, District of Summerland, Town of Osoyoos, Town of Oliver, Village of Keremeos*

- George Bush
- Terry Schafer - Alternate

Southern Interior Beetle Action Coalition - *Participants are all jurisdictions*

- Frank Armitage

Okanagan and Similkameen Invasive Species Society - *Participants are all jurisdictions*

- The current representative has indicated a willingness to continue on with this committee, but noted that the committee is made up of staff and it may be appropriate for the RDOS to appoint a Public Works staff member instead of an Elected Official. Currently the Manager of Public Works is a member of this committee)

Southern Interior Municipal Employees Association - *Participants are all jurisdictions*

- Karla Kozakevich
- Andre Martin

Starling Control – *Participants are all jurisdictions*

- George Bush

UBCO Water Research Chair Advisory Committee – *All Jurisdictions*

- Manfred Bauer

Sustainable Rural Practice Communities Committee – *All Jurisdictions*

- Sue McKortoff

Intergovernmental FN Joint Council – *Board Chair, Vice Chair and one other member*

- Mark Pendergraft, Chair (South Okanagan)
- Andrew Jakubeit, (Large Municipality)
- Manfred Bauer, (Similkameen)

Respectfully submitted:



C. Malden, Manager of Legislative Services

SILGA *Southern Interior Local Government Association*

December 8, 2015

To: All SILGA Members

Re: SILGA Convention – Call for Nominations

As per the Constitutional Requirements of the Southern Interior Local Government Association, the “Call for Nominations” is now going out to all member Mayors, Councillors, Regional Chairs and Directors who wish to seek a position on the SILGA Executive for the 2016/2017 term. Elections are to be held at the SILGA Convention in Kelowna on April 20th and 21st.

Offices to be filled are President, 1st Vice President, 2nd Vice President and seven Directors, one of whom must be an Electoral Area Director of a member Regional District. All positions are for one year. Those presently serving may run for another term if they so wish.

Deadline for nominations is Friday, February 19, 2016. You will be asked to complete a biography and submit a photo for the printing of the official Nominating Committee Report to be contained in the Convention Package.

The SILGA nomination committee is chaired by Councillor Marg Spina, Kamloops.

All those interested in serving are asked to contact Councillor Spina at 778 257 5173 or by email at mspina@kamloops.ca. All information should be forwarded to both Councillor Spina and the SILGA office (email alislater@shaw.ca).

Marg Spina,
Past President, SILGA

SILGA Southern Interior Local Government Association

December 8, 2015

To: All SILGA Members

Call for Resolutions for 2016 Convention

The SILGA Annual General Meeting and Convention is scheduled to be held in Kelowna from April 20th to April 22nd, 2016. The SILGA Constitution requires that resolutions to be considered at the Annual Meeting are to be received by the Secretary-Treasurer no later than 60 days prior to this meeting. Friday, February 19, 2016 will be the deadline for receipt of resolutions.

If your local government wishes to submit a resolution for consideration at the 2016 SILGA Convention, please forward by email your resolution to alislater@shaw.ca. Any background information on the resolution would be helpful.

For information on how to properly write a resolution please refer to the UBCM website below.

<http://www.ubcm.ca/EN/main/resolutions/resolutions/resolutions-procedures.html>

Resolutions not received by February 19th will be considered late resolutions and must go through the following procedures to be considered at the AGM.

(1) Late resolutions may only be introduced if received by the Resolutions Committee Chair at least twenty-four (24) hours prior to the commencement of an Annual Meeting, providing that enough copies are supplied in order that they may be circulated to all Member Representatives at the Meeting Registration Desk at the time of registration and provided that a resolution to allow its debate receives an affirmative vote of three-fifths (60%) of the Member Representatives in attendance at the meeting;

(2) Late resolutions will be reviewed by the Resolutions Committee prior to the Meeting and only those of a subject matter which could not have been submitted by the normal deadline date outlined in section 10.4 will be considered.

Marg Spina
Past President, SILGA

BOARD of DIRECTORS MEETING

December 17, 2015

12:45 pm.

BOARD MEETING AGENDA

A. ADOPTION OF AGENDA

B. MINUTES

1. OSRHD Board Meeting – September 17, 2015

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the minutes of the September 17, 2015 Okanagan-Similkameen Regional Hospital District Board meeting be adopted

2. OSRHD Inaugural Meeting – December 3, 2015

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the minutes of the December 3, 2015 Okanagan-Similkameen Regional Hospital District Board meeting be adopted

C. FINANCE

1. Anticipated Borrowing

RECOMMENDATION 3 (Weighted Corporate Vote – Simple Majority)

WHEREAS pursuant to Section 31 of the Hospital District Act, the Board may, by resolution,

with the approval of the Minister, or a person authorized by him to act in his behalf, borrow for the purposes other than capital expenditures, by way of temporary loan, such sums as the

Board may deem necessary to meet current operating expenditures for the year, including the amounts required for current operating expenditures for the year, including the amounts

required for principal and interest falling due within the year upon any debt of the Board; and

WHEREAS pursuant to Section 25 of the Act, member municipalities and the Province are not required to make payment from taxation revenues of amounts requisitioned by a District until August 1, of each year; and

WHEREAS estimated expenditures in the amount of five hundred thousand dollars, (\$500,000) may be required before payment of such revenue is due;

NOW THEREFORE be it resolved that the Board of the Okanagan-Similkameen Regional Hospital District borrow, pursuant to Section 31 of the Hospital District Act, a sum not exceeding five hundred thousand dollars, (\$500,000) for the purpose of paying 2016 lawful expenditures

D. IHA CAPITAL REQUEST – 2016

E. ADJOURNMENT

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

BOARD of DIRECTORS MEETING

Minutes of the Special Board Meeting of the Okanagan-Similkameen Regional Hospital Board (OSRHD) of Directors held at 12:30 pm on Thursday, September 17, 2015, in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

Director H. Konanz, City of Penticton
Director K. Kozakevich, Electoral Area "E"
Director A. Martin, City of Penticton
Director M. Pendergraft, Electoral Area "A"
Director S. McKortoff, Town of Osoyoos
Director T. Schafer, Electoral Area "C"
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

S. Croteau, Manager of Finance

A. ADOPTION OF AGENDA

It was MOVED and SECONDED

THAT the Agenda for the OSRHD Board Meeting of September 17, 2015 be adopted.

CARRIED

B. MINUTES

1. OSRHD Board Meeting – May 7, 2015

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the minutes of the May 7, 2015 Okanagan-Similkameen Regional Hospital District Board meeting be adopted. - CARRIED

C. FINANCE**1. 2014 Audited Financial Statements****RECOMMENDATION 2 (Weighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the 2014 Audited Financial Statements of the Okanagan-Similkameen Regional Hospital District as of December 31, 2014 be received and;

THAT the OSRHD Board adopt all reported 2014 transactions as amendments to the 2014 Final Budget. - **CARRIED**

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

THAT the Board of Directors not conduct a public consultation process with regard to Interior Health's annual request for capital funding. - **CARRIED**

E. ADJOURNMENT

By consensus, the meeting adjourned at 12:56 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
OSRHD Board Chair

B. Newell
Corporate Officer

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

BOARD of DIRECTORS MEETING

Minutes of the Inaugural Board Meeting of the Okanagan-Similkameen Regional Hospital Board (OSRHD) of Directors held at 4:00 pm on Thursday, December 3, 2015, at Suite A, Lakeside Resort, 21 Lakeshore Drive, Penticton, British Columbia.

MEMBERS PRESENT:

Vice Chair J. Sentes, City of Penticton
 Director F. Armitage, Town of Princeton
 Director M. Bauer, Village of Keremeos
 Director T. Boot, District of Summerland
 Director G. Bush, Electoral Area "B"
 Director E. Christensen, Electoral Area "G"
 Director B. Coyne, Electoral Area "H"
 Director R. Hovanes, Town of Oliver

Director A. Jakubeit, City of Penticton
 Director H. Konanz, City of Penticton
 Director K. Kozakevich, Electoral Area "E"
 Director A. Martin, City of Penticton
 Director M. Pendergraft, Electoral Area "A"
 Director S. McKortoff, Town of Osoyoos
 Director T. Schafer, Electoral Area "C"
 Director T. Styffe, Alt. Electoral Area "D"
 Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

Chair M. Brydon, Electoral Area "F"

STAFF PRESENT:

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

S. Croteau, Manager of Finance
 G. Cramm, Administrative Assistant

1. CALL TO ORDER

Chief Administrative Officer Newell called the meeting to order and advised of the order of business.

2. OSRHD CHAIR'S 2015 ANNUAL YEAR-END REPORT

Vice Chair Sentes, OSRHD Vice Chair for 2015 presented a Report on the activities of the Board for 2015.

3. ELECTION OF OSRHD BOARD CHAIR AND VICE CHAIR

3.1 OSRHD Board Chair

Chief Administrative Officer Newell called for nominations for the position of OSRHD Board Chair.

Nomination: Director Jakubeit nominated Director Brydon.

Nomination: Director Boot nominated Director Sentes, but she declined the nomination.

CAO Newell called two more times for nominations. No further nominations were put forward. The CAO also noted that Director Brydon had confirmed in advance his willingness to stand if nominated.

It was MOVED and SECONDED

THAT nominations for Board Chair be closed. - **CARRIED**

CAO Newell announced that Director Brydon was acclaimed OSRHD Chair for the ensuing year.

- 3.2 OSRHD Board Vice Chair
Chief Administrative Officer Newell called for nominations for the position of OSRHD Board Vice Chair.

Nomination: Director McKortoff nominated Director Sentes.

CAO Newell called two more times for nominations. No further nominations were put forward.

It was MOVED and SECONDED

THAT nominations for Board Vice Chair be closed. - **CARRIED**

CAO Newell announced that Director Sentes was acclaimed as OSRHD Vice Chair for the ensuing year.

4. ADOPTION OF AGENDA

It was MOVED and SECONDED

THAT the Agenda for the OSRHD Inaugural Board Meeting of December 3, 2015 be adopted. - **CARRIED**

5. 2016 SCHEDULE OF MEETINGS

It was MOVED and SECONDED

THAT the 2016 Okanagan-Similkameen Regional Hospital District Board Schedule of Meetings as provided in the December 3, 2015 report from the Chief Administrative Officer, be approved. - **CARRIED**

6. 2016 REGIONAL HOSPITAL BOARD SIGNING AUTHORITY

It was MOVED and SECONDED

THAT the Board of Directors appoint the following Directors as signing officers for the Okanagan-Similkameen Regional Hospital District for the 2016 year:

OSRHD Board Chair: Michael Brydon

OSRHD Board Vice Chair: Judy Sentes

CARRIED

7. ADJOURNMENT

By consensus, the meeting adjourned at 4:15 p.m.

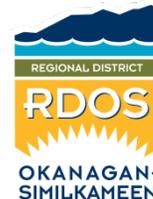
APPROVED:

CERTIFIED CORRECT:

M. Brydon
OSRHD Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT



TO: Okanagan-Similkameen Regional Hospital Board
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2015
RE: Anticipated Borrowing

Administrative Recommendation:

WHEREAS pursuant to Section 31 of the Hospital District Act, the Board may, by resolution, with the approval of the Minister, or a person authorized by him to act in his behalf, borrow for the purposes other than capital expenditures, by way of temporary loan, such sums as the Board may deem necessary to meet current operating expenditures for the year, including the amounts required for current operating expenditures for the year, including the amounts required for principal and interest falling due within the year upon any debt of the Board; and

WHEREAS pursuant to Section 25 of the Act, member municipalities and the Province are not required to make payment from taxation revenues of amounts requisitioned by a District until August 1, of each year; and

WHEREAS estimated expenditures in the amount of five hundred thousand dollars, (\$500,000) may be required before payment of such revenue is due;

NOW THEREFORE be it resolved that the Board of the Okanagan-Similkameen Regional Hospital District borrow, pursuant to Section 31 of the Hospital District Act, a sum not exceeding five hundred thousand dollars, (\$500,000) for the purpose of paying 2016 lawful expenditures

Reference:

Hospital District Act

Analysis:

The tax requisition funds are transferred from the Province on August 1, 2016. As such, the Regional District may be required to borrow funds to meet the current year's expenditure until these funds are received.

Pursuant to Section 31 of the Hospital District Act, the Board may, by resolution, with the approval of the Minister, or a person authorized by him to act in his behalf, borrow for the purposes other than capital expenditures.

Respectfully submitted:

"Sandy Croteau"

S. Croteau, Finance Manager



Interior Health

Interior Health Authority
#220 -1815 Kirschner Road, Kelowna, BC V1Y 4N7
Web: www.interiorhealth.ca

Donna Lommer, CPA, CGA, EMBA
VP Support Services & Chief Financial Officer
Telephone: (250) 862-4025 Fax: (250) 862-4201
E-Mail: donna.lommer@interiorhealth.ca

Mr. Bill Newell, CAO
Okanagan Similkameen Regional Hospital District
101 Martin Street
Penticton, BC V2A 5J9

December 11, 2015

Dear Mr. Newell:

RE: CAPITAL FUNDING REQUEST FOR THE 2016/17 FISCAL YEAR

I am pleased to present this annual funding letter to your Regional Hospital District (RHD) for consideration and approval. The RHD contributions fund prioritized capital items to ensure staff and physicians continue to provide residents of our region with high quality healthcare services.

Our 2016/17 capital budget for newly approved items amounts to just under \$53 million, far less than what was identified through our capital budgeting process. Unfortunately the current funding available is unable to address all identified needs; therefore we rely extensively on our capital prioritization processes and various capital advisory groups to ensure our most critical needs are met. Interior Health (IH) continues its pursuit to achieve positive annual operating results to ensure we have the flexibility to supplement the capital funding we receive from the Ministry of Health (MoH); for 2016/17, the MoH and IH are contributing a combined \$34 million within this capital budget. Our RHDs and Foundations/Auxiliaries are valuable funding partners that help meet the capital needs of our healthcare services; we express our sincere gratitude for making this capital budget a reality.

We look forward to continuing to work together to ensure we address our priority capital needs at a time when there are ever-increasing demands for limited capital funding.

For the 2016/17 fiscal year we are requesting funding for the following projects and equipment:

1. Construction Projects Over \$100,000

a. Food Services Renovation at Penticton Regional Hospital, Penticton

The creation of a cold room will meet regulations mitigating potentially hazardous food preparation. This project includes the replacement of four coolers and three freezers. Past food safe audits have been conducted and numerous concerns were noted, such as frost and ice build-up on the inside walls of the coolers and freezers, deteriorated wall surfaces within the boxes that are hard to clean, slippery flooring that is dangerous and doors that are in poor condition. The new equipment will not only provide safe food preparation but energy savings.

b. Tub Room Renovation at Sunnybank Centre, Oliver

The North tub room cannot be used due to space and equipment requirements. This limits the ability to meet the resident's bathing needs. The scope of work involves the replacement of a tub with an ergonomic version, installation of a barrier free access shower and renovation of the bathing (tub) room.

2. Construction Projects under \$100,000

a. Motor Control Centre at Princeton General Hospital, Princeton

This original Motor Control Centre (MCC) was installed in 1968 and is in very poor condition. Over the years there has been a sanitary sewer line leak into the enclosure causing corrosion of critical components of the system. The parts required to rebuild this equipment are no longer manufactured. The electrical loads fed by this MCC include all of the critical main air handling units. The benefit to the site will be a reduced risk of electrical supply failure to essential heating ventilation and air conditioning infrastructure that supplies air to the hospital.

b. Community Integration Entrance Upgrade at Summerland Memorial Health Centre, Summerland

The Community area is now separated from Acute to provide better access and flow to community members. This has resulted in a different entry/exit point for client access. This new entrance needs to be refreshed and the scope of work will include new automatic doors, stairs, ramp, sidewalk, railings, landscaping, irrigation changes and new signage to direct public.

c. Electrical Upgrade in Patient Rooms at Penticton Regional Hospital, Penticton

Electrical power requirements have changed since the facility was constructed and there are not enough receptacles to serve computers, printers, televisions and personal care items within the resident rooms. This has created an unsafe environment for patients and staff with the use of extension cords and power bars within the unit. This project will include the installation of new electrical panels and receptacles within resident rooms in the Extended Care Unit North.

d. Replace Heat Exchanger at McKinney Place, Oliver

The #3 air handling unit's pre-heat glycol heat exchanger in McKinney Place at South Okanagan General Hospital is over 38 years old and in very poor condition. If this system were to fail it could result in the inability to run the supply air fan during freezing temperatures as well as potentially contaminating the boiler heating hot water loop with glycol.

e. Replace Heating Control Valves at Princeton General Hospital, Princeton

The existing valves are over 45 years old and still pneumatically actuated. This has led to a lack of control with the heating system. This project will replace all the old valves with new electronic actuated valves. The effect will be increased energy efficiency and improved control of space heating temperature resulting in a comfortable environment for staff and patients.

f. Nursing Station Renovation at Penticton Regional Hospital, Penticton

The existing nursing station in Day Surgery is from the 1960's and is very dated and worn-out due to its heavy use. Improvements required include new custom cabinetry, millwork, and countertops. As well, electrical changes, new flooring, ceiling tiles, painting and configuration of the newly renovated space is required.

3. IMIT

a. Forms on Demand and Patient Identification System at Various Facilities

This project is an IH wide initiative costing \$1.8 million for point of care printing and barcoding of standard patient forms and patient wrist bands in acute care sites. This electronic solution will see the retirement of embossers and embossed cards, and enable future chart scanning. The cost allocation to each of the seven RHDs is based upon the number of acute care beds in each region. The Okanagan Similkameen RHD's percentage ratio is accordingly 12% for Princeton General Hospital, Penticton Regional Hospital and South Okanagan General Hospital. Claims will be calculated using this percentage for the actual cost distribution.

b. Radiologist Diagnostic Monitor Replacement at Penticton Regional Hospital, Penticton

This project will replace specialist medical grade monitors used by Radiologists for viewing diagnostic images like X-Rays, CTs, MRIs and Mammography. The current monitors are over five years old and will soon be out of warranty. IH runs the risk that they may not calibrate properly, could be subject to failure and soon will not display the level of quality required for diagnostic imaging.

c. Vocera Installation and Integration at Westview Place, Penticton

This system will provide staff members with a “wearable speaker phone” system which can be used to enhance communication between staff members at the push of a button. The system will be used for staff-to-staff communication, emergency communication to increase staff efficiency and safety, and will assist in improving patient care. This technology will be installed in the residential area of Penticton Regional Hospital called Westview Place. The scope will include deploying badges to staff, providing end-user training and integration with the telephone system.

d. Unified Communications – Telephone Infrastructure at Various Facilities

IH is transitioning to a centralized network based telephone architecture called “Unified Communications” which will improve system administration and increase user features while reducing the amount of infrastructure required at each site. This project will add new network components, licenses, and telephone sets replacing aged systems currently in use at the following facilities: South Similkameen Health Centre, Summerland Memorial Health Centre and Trinity Care Centre.

e. Wireless Infrastructure Expansion at Various Facilities

The ability to connect devices wirelessly to the IH data network presents many opportunities for staff, physicians and patients to access information when and where it is needed. Wireless networks are also required to operate complex integrated systems such as staff-to-staff communication systems and specialized medical equipment linked to a centralized system via a wireless network. This project will enable the following sites to expand or add such systems throughout their facility: Sunnybank Retirement Centre and Trinity Care Centre.

4. Equipment Over \$100,000

Medstations, IH-Wide Replacement for Penticton Regional Hospital, Penticton and South Okanagan General Hospital, Oliver

Automated dispensing cabinets (ADC) for medications were first introduced in IH in 2006. This technology has brought improvements in patient safety and workflow that have been well supported by both nursing and pharmacy staff. In August 2014 IH was informed that the current platform (Pyxis 3500) was approaching end of life and will no longer be supported by the vendor. After extensive consultation with stakeholders IH decided to replace the Pyxis 3500 with Omnicell G4. This newest platform has a number of improvements over the older technology and will further increase patient safety and efficiency.



Medstations, Infrastructure

In order to implement this new platform an IH wide common infrastructure is required before the ADC replacements can begin. The infrastructure includes servers, software and staffing resources for configuration. The capital cost of this infrastructure is \$443,000. The cost allocation to each of the seven RHDs is based upon the number of ADCs in each region. The Okanagan Similkameen portion is \$56,000.

Medstations, Replacement

This separate project is for the actual purchase of the Omnicell ADC’s, renovations, training and project staffing specifically at the Penticton Regional Hospital and South Okanagan General Hospital as these sites are part of Phase 1 in 2016/17 and are being rolled out first in IH.

5. Equipment Under \$100,000 (Global Grant)

We are requesting global funding for equipment that costs between \$5,000 and \$100,000.

We have included as Appendix 1 a financial summary of our funding request, which totals \$1,705,600.

Please note that although the 2016/17 budget has been approved by the IH board, all capital spending over \$100,000 regardless of funding source must also be approved annually by government.

We would appreciate it if you could submit our request for funding these items to your Board for approval. Please advise us of the date of the meeting when funding will be discussed and if you would like to have IH representatives attend to answer questions the Directors may have. Upon approval, please send Birgit Koster copies of the relevant bylaws for our records.

If you require further information, or if you have any questions or concerns, please contact Scott Bowen or me directly.

Sincerely,



Donna Lommer, CPA, CGA, EMBA
VP Support Services & CFO

/at

Encl. Appendix 1 ~ Summary of Regional Health District Funding Request for 2016/17

cc: Michael Brydon, Chair, OSRHD
Sandy Croteau, Finance Manager, OSRHD
Lori Motluk, Acute Health Service Administrator, South Okanagan
Scott Bowen, Director, Business Support
Lori Holloway, Regional Director, Facilities Management and Operations
Birgit Koster, Director Business Support, Capital Planning

Interior Health
Okanagan Similkameen
Summary of Regional Hospital District Funding Request
for 2016/17

Facility	Location	Equipment/Project Description	Total Budget	RHD Share	2016/17 Funding Request
<u>Construction Projects over \$100,000</u>					
Penticton Regional Hospital	Penticton	Food Services Renovation	\$ 500,000	\$ 200,000	\$ 200,000
Sunnybank Centre	Oliver	Tub Room Renovation	200,000	80,000	80,000
<u>Construction Projects under \$100,000</u>					
Princeton General Hospital	Princeton	Motor Control Centre	95,000	38,000	38,000
Summerland Memorial Health Centre	Summerland	Community Integration Entrance Upgrade	70,000	28,000	28,000
Penticton Regional Hospital	Penticton	Electrical Upgrade in Patient Rooms	62,500	25,000	25,000
McKinney Place (South Okanagan General Hospital)	Oliver	Replace Heat Exchanger	60,000	24,000	24,000
Princeton General Hospital	Princeton	Replace Heating Control Valves	55,000	22,000	22,000
Penticton Regional Hospital	Penticton	Nursing Station Renovation	54,500	21,800	21,800
<u>IMIT</u>					
Various Facilities		Forms on Demand and Patient Identification System	212,000	84,800	84,800
Penticton Regional Hospital	Penticton	Radiologist Diagnostic Monitor Replacement	107,500	43,000	43,000
Westview Place (Penticton Regional Hospital)	Penticton	Vocera Installation and Integration	79,000	31,600	31,600
South Similkameen Health Centre	Keremeos	Unified Communications - Telephone Infrastructure	45,000	18,000	18,000
Summerland Memorial Health Centre	Summerland	Unified Communications - Telephone Infrastructure	45,000	18,000	18,000
Trinity Care Centre	Penticton	Unified Communications - Telephone Infrastructure	40,000	16,000	16,000
Sunnybank Retirement Centre	Oliver	Wireless Infrastructure Expansion	25,000	10,000	10,000
Trinity Care Centre	Penticton	Wireless Infrastructure Expansion	20,000	8,000	8,000
<u>Equipment over \$100,000</u>					
Penticton Regional Hospital/South Okanagan General Hospital	Penticton/Oliver	Medstations, IH-Wide Replacement:			
		- Infrastructure	56,000	22,400	22,400
		- Equipment Replacement	1,539,000	615,600	615,600
<u>Equipment Under \$100,000 (Global Grant)</u>					
All Facilities		Equipment between \$5,000 and \$100,000	998,500	399,400	399,400
Total			\$ 4,264,000	\$ 1,705,600	\$ 1,705,600