

Regional District of Okanagan-Similkameen

SCHEDULE OF MEETINGS

**THURSDAY, MARCH 24, 2016
RDOS BOARDROOM**

9:00 am	-	9:30 am	Planning & Development Committee
9:30 am	-	10:00 am	Protective Services Committee
10:00 am	-	10:45 am	Okanagan – Similkameen Regional Hospital District
10:45 am	-	12:00 pm	RDOS Regular Board
12:00 pm	-	12:30 pm	Lunch

"Mark Pendergraft"

Mark Pendergraft
RDOS Board Chair

Advance Notice of Meetings:

April 7	RDOS Board/Committee Meetings
April 28	RDOS/OSRHD Board/Committee Meetings
May 5	RDOS Board/Committee Meetings
May 19	RDOS/OSRHD Board/Committee Meetings
June 2	RDOS Board/Committee Meetings
June 16	RDOS/OSRHD Board/Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, March 24, 2016

9:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

That the Agenda for the Planning and Development Committee Meeting of March 24, 2016 be adopted.

B. Climate Leadership Plan Comments – for discussion

1. BC Climate Action Charter
 2. CLT Power Point
-

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
RE: Climate Leadership Plan Comments



Purpose:

To provide RDOS comments on the proposed Provincial Climate Leadership Plan.

Reference:

Climate Action Charter

Business Plan Objective:

Climate Action Plan for 2016

Background:

Climate Action Charter

Commencing around 2008, local governments from across B.C. joined with the Province and the Union of BC Municipalities to find ways to tackle the challenges imposed by climate change and pledged to take action to significantly cut both corporate and community-wide greenhouse gas emissions. Under the B.C. Climate Action Charter, B.C. communities have committed to the goals of being carbon neutral and to create complete, compact and energy-efficient communities. Over 180 communities, including the RDOS and member municipalities, had signed on to the Charter by 2013. The CARIP program reimburses the carbon tax expenditures for local governments who have signed the Charter. This Charter is attached to this report.

Climate Leadership Plan

The Province of B.C. commenced a new Climate Leadership Plan in May of 2015, with a Discussion Paper in July 2015 and Phase 1 of public consultation; “Review and Recommendations” in the fall of 2015. Phase 2, the Public Consultation process is currently underway on the Consultation Guide. Staff and the Chair attended a tele-conference on March 16, 2016. The Power Point presentation from this conference is attached. Local governments are invited to provide feedback by March 25, 2016 on this Phase of the project.

The Consultation Guide includes a wide range of topics from taxation, targets, transportation,

buildings and industry. One of the key recommendations directly relates to local governments:

#21. Undertake a collaborative review and update of the Climate Action charter to align provincial and community goals.

Analysis:

Staff have reviewed the “Consultation Guide” and offer the following comments:

- With respect to phasing out diesel generation in small communities, and indeed throughout the document, the reference to “clean energy” is not clearly defined. Is this hydro generated (i.e., Site C) or would this encompass wind, solar, geothermal? The latter are rarely mentioned in the document. Does this document support alternative energy generation? If not, it has the appearance of justifying the Site C dam, which is still controversial.
- With respect to BC Hydro creating a clean energy strategy. We are not in the BC Hydro area and there is no requirement for Fortis Electric to do the same.
- Regarding Forestry, this should be broadened to include post-harvest considerations and also include natural areas in local government asset management
- For low or no carbon emission cars, there is no mention of supporting infrastructure.
- Regarding food waste reduction with respect to landfills. This could be embedded and coordinated in a separate food security recommendation; local food production reduces carbon emissions as well.
- Regarding climate change adaptation for hazard mapping and monitoring. The section on this is lacking in scope. As opposed to what is currently happening with sectoral strategies in various regions, there should be regional, coordinated climate adaptation strategies informed by comprehensive risk assessment, which could include flood, drought, geohazards / debris flows, dikes, invasive species/ pest management, appropriate crop adaptation, infrastructure concerns, financial impact (esp. for local governments), food security, determining the integrity of electric generation due to changing hydrology and the predicted disappearance of glaciers this century, etc. These will involve coordination between different levels of government to and jurisdictions to create and implement, and of course, funding will be needed.

From the RDOS perspective on the overall process of implementing the Charter, the following comments are made:

- The reporting of greenhouse gas emissions has been evolving over the past few years. It has been time consuming of staff resources due to manual invoice checking / data entry. With the availability of the SmartTool software, at a cost of about \$1000 per year, reporting is becoming more streamlined - however, there are yearly changes/improvements. Electronic data collection from Utility companies would be much more efficient.
- The process around purchase of carbon offsets has not been unclear. Local governments have resisted purchase through the Pacific Carbon Trust. RDOS has established a \$10,000 carbon mitigation expense (similar in amount to CARIP rebate of about \$12,000). This compares to the 2014 carbon footprint of 1469 tons. Based on a carbon cost of \$30 a ton, the offset cost of \$44,000 amount is due to become carbon neutral in 2014. Local governments prefer to spend funds on local projects, but clear direction and guidelines are lacking. In our case, the amount of

offset funding that has been set aside is low, so it may take some time to build a reserve. In addition, the costs to document the effectiveness of local projects can be very high.

- Province could assist local governments by providing information, data and research on Best Practices for energy efficiency measures. Basic tools needed to estimate carbon savings for specific projects.
- Availability of Community Works Gas Tax– expanded categories has allowed some climate actions to be funded by Electoral Area, but additional projects could be added. Regional projects are limited ability due municipalities setting own priorities – difficult to obtain regional grants.
- Asset Management Planning funding is becoming available. Expanded AM will improve information on facilities and infrastructure as well as maintenance and equipment replacement.
- The RDOS has budgeted for a part time Climate Action Coordinator. A project to review all regional facilities and recommend energy efficient measures was funded by grants. The RD has not established a program to fund climate action initiatives – grant funding programs are currently limited and additional funding would be beneficial.

Respectfully submitted:

“Donna Butler”

D. Butler, Development Services Manager

**THE BRITISH COLUMBIA CLIMATE ACTION CHARTER
BETWEEN
THE PROVINCE OF BRITISH COLUMBIA (THE PROVINCE)
AND
THE UNION OF BRITISH COLUMBIA MUNICIPALITIES (UBCM)
AND
SIGNATORY LOCAL GOVERNMENTS
(THE PARTIES)**

(1) The Parties share the common understanding that:

- (a) Scientific consensus has developed that increasing emissions of human caused greenhouse gases (GHG), including carbon dioxide, methane and other GHG emissions, that are released into the atmosphere are affecting the Earth's climate;
- (b) the evidence of global warming is unequivocal and the effects of climate change are evident across British Columbia;
- (c) reducing GHG emissions will generate environmental and health benefits for individuals, families, and communities;
- (d) climate change and reducing GHG emissions are issues of importance to British Columbians;
- (e) governments urgently need to implement effective measures to reduce GHG emissions and anticipate and prepare for climate change impacts;
- (f) protecting the environment can be done in ways that promote economic prosperity; and
- (g) it is important to take action and to work together to share best practices, to reduce GHG emissions and address the impacts of climate change.

(2) The Parties acknowledge that each has an important role in addressing climate change and that:

- (a) The Province has taken action on climate change, including commitments made in the 2007 Speech from the Throne, the BC Energy Plan, and the Western Climate Initiative on climate change;
- (b) Local Governments have taken action on climate change, including planning livable, sustainable communities, encouraging green developments and transit oriented developments, and implementing innovative infrastructure technologies including landfill gas recapture and production of clean energy; and
- (c) these actions create the foundation for the Parties to be leaders in affecting climate change.

(3) This Charter acknowledges that:

- (a) The interrelationship between each Order of Government's respective jurisdictions and accountabilities with respect to communities, and activities related to and within communities, creates both a need and an opportunity to work collaboratively on climate change initiatives;

(b) both Orders of Government have recognized a need for action, both see that the circumstances represent a Climate for Change in British Columbia, and both are responding; and

(c) the actions of each of the Parties towards climate change will be more successful if undertaken jointly with other Parties.

(4) The Parties share the common goals of:

(a) Fostering co-operative inter-governmental relations;

(b) aiming to reduce GHG emissions, including both their own and those created by others;

(c) removing legislative, regulatory, policy, or other barriers to taking action on climate change;

(d) implementing programs, policies, or legislative actions, within their respective jurisdictions, that facilitate reduced GHG emissions, where appropriate;

(e) encouraging communities that are complete and compact and socially responsive; and

(f) encouraging infrastructure and a built environment that supports the economic and social needs of the community while minimizing its environmental impact.

(5) In order to contribute to reducing GHG emissions:

(a) Signatory Local Governments agree to develop strategies and take actions to achieve the following goals:

(i) being carbon neutral in respect of their operations by 2012, recognizing that solid waste facilities regulated under *the Environmental Management Act* are not included in operations for the purposes of this Charter.

(ii) measuring and reporting on their community's GHG emissions profile; and

(iii) creating complete, compact, more energy efficient rural and urban communities (e.g. foster a built environment that supports a reduction in car dependency and energy use, establish policies and processes that support fast tracking of green development projects, adopt zoning practices that encourage land use patterns that increase density and reduce sprawl.)

(b) The Province and the UBCM will support local governments in pursuing these goals, including developing options and actions for local governments to be carbon neutral in respect of their operations by 2012.

(6) The Parties agree that this commitment to working together towards reducing GHG emissions will be implemented through establishing a Joint Provincial-UBCM Green Communities Committee and Green Communities Working Groups that support that Committee, with the following purposes:

(a) To develop a range of actions that can affect climate change, including initiatives such as: assessment, taxation, zoning or other regulatory reforms or incentives to encourage land use patterns that promote increased density, smaller lot sizes, encourage mixed uses and reduced GHG emissions; development of GHG reduction targets and strategies, alternative transportation opportunities, policies and processes that support fast-tracking of green development projects, community gardens and urban forestry; and integrated transportation and land use planning;

(b) to build local government capacity to plan and implement climate change initiatives;

(c) to support local government in taking actions on becoming carbon neutral in respect of their operations by 2012, including developing a common approach to determine carbon neutrality for the purposes of this Charter, identifying carbon neutral strategies and actions appropriate for the range of communities in British Columbia and becoming reporting entities under the Climate Registry; and,

(d) to share information and explore additional opportunities to support climate change activities, through enhanced collaboration amongst the Parties, and through encouraging and promoting climate change initiatives of individuals and businesses within communities.

- (7)** Once a common approach to carbon neutrality is developed under section (6)(c), Signatory Local Governments will implement their commitment in 5 (a) (i).
- (8)** To recognize and support the GHG emission reduction initiatives and the climate change goals outlined in this Charter, Signatory Local Governments are invited by the other Parties to include a statement of their initiatives and commitments as an appendix to this Charter.
- (9)** This Charter is not intended to be legally binding or impose legal obligations on any Party and will have no legal effect.

SIGNED on behalf of the **PROVINCE OF BRITISH COLUMBIA** by:

The Honourable Peter Fassbender
Ministry of Community, Sport and Cultural Development

Date

SIGNED on behalf of the **PROVINCE OF BRITISH COLUMBIA** by:

The Honourable Mary Polak
Ministry of Environment

Date

SIGNED on behalf of the **UNION OF BRITISH COLUMBIA MUNICIPALITIES** by:

Councilor Sav Dhaliwal
President of the Union of British Columbia Municipalities

SIGNED on behalf of the **SIGNATORY LOCAL GOVERNMENT:**

(NAME OF LOCAL GOVERNMENT)

by:

Mayor/Chair

Date

Appendix
GHG reduction initiatives or commitments of Signatory Local Government

Note: Local Governments that choose to become Signatories may also choose to provide a statement of their individual commitments in a customized addendum to the main body of the Charter. Below is a sample version of the proposed addendum

SAMPLE

Addendum to
The British Columbia Climate Change Action Charter
For
[Name of Local Government]
is committed to

1. Implementing existing plans

Local Governments could list here plans they have developed and are in the process of implementing; for example:

- Community energy plan
- Greenhouse gas emissions inventory
- Official Community Plan – Smart Growth
- Community Action on Energy Efficiency Initiative (CAEE)
- Partners for Climate Protection, Federation of Canadian Municipalities
- District Energy System
- Eco-Industrial Project
- Transit Oriented Development Plan
- Landfill Gas Utilization

2. Continue to pursue activities

Local Governments could list here recent projects they have implemented; for example:

- Bio-diesel fleet vehicle conversion
- E3 Fleet Program
- Greenhouse Gas Reduction Strategy
- Carbon Neutral Municipal Operations
- Organics Recovery
- Recycling and waste management plan
- Greenhouse gas local action plan
- Energy Efficient Municipal Operations
- Employee car-pooling
- Air quality planning

3. Preparing new plans, bylaws, policies, etc.

Local Governments could list here plans, bylaws, policies they are committed to develop; for example:

- Plan for being carbon neutral in respect of their operations by 2012
- Anti-idling bylaw
- Green Buildings BC for Local Governments
- Smart Growth Development Checklist
- Green Building Program – Built Green and LEED standards
- Micro-generation projects (hydro, wind power, etc)
- Sustainable Community Servicing Plan
- Green Roof Policy
- Greywater recycling policy and standards
- Pedestrian and transit friendly community design
- Local Purchasing Policy
- Streamlined Green Building Application Process



Engaging with Local Governments on the Climate Leadership Team Recommendations

- Introductions
- MLA Remarks
- Discussion
- Next Steps and Thanks



Engaging with Local Governments on the Climate Leadership Team Recommendations



MLA, Linda Reimer, Parliamentary Secretary to the Minister of Community, Sport and Cultural Development for Communities.



MLA, Jordan Sturdy, Parliamentary Secretary for Energy Literacy and the Environment to the Minister of Environment

Tara Faganello, Assistant Deputy Minister, Local Government Division, and other senior Provincial officials



WHAT WE VALUE

CLT RECOMMENDATIONS SNAPSHOT: TARGETS, REVIEWS, INTERGOVERNMENTAL RELATIONS

- » Re-affirm 2050 GHG reduction target of 80 per cent below 2007 levels **(#1)**
- » Set new 2030 target of 40 per cent below 2007 levels **(#2)**
- » Set 2030 sectoral targets for transportation, industry and the built environment **(#3)**
- » Review the Climate Leadership Plan and policies at least every 5 years **(#32)**
- » Review integration of carbon tax with a cap and trade framework for the B.C. context if majority of provinces opt for carbon pricing via emissions trading **(#29)**
- » Work with federal, provincial and other North American governments to achieve parity with B.C.'s climate policies **(#30)**



WHAT WE VALUE, cont'd

CLT RECOMMENDATIONS SNAPSHOT: FISCAL POLICY

- » Lower PST and eliminate PST on electricity, supported by incremental carbon tax **(#4 and #7a)**
- » Increase the carbon tax in 2018 by \$10/yr, maintain certain current tax reductions, and target tax credits and other mechanisms to emissions-intensive, trade exposed sectors and vulnerable groups **(#5)**
- » Expand carbon tax coverage to all GHG emission sources in B.C. after 5 years **(#6)**
- » Use incremental tax revenue for technology and innovation and local government projects resulting in reductions **(#7b and #7c)**



WHAT WE VALUE, cont'd

CLT RECOMMENDATIONS SNAPSHOT: ADAPTATION

- » Amend the *Environmental Assessment Act* to include the social cost of carbon (#11)
- » Update forest and agriculture policy, regulation and protected areas strategies to account for climate change impacts (#16)
- » Update by 2020 hazard maps for all climate related hazards (#24a)
- » Invest in sufficient monitoring systems to ensure the change in climate can be managed effectively (#24b)
- » Develop a policy framework to guide government's management of the risks associated with a changing climate (#24c)
- » Increase communications to public (#24d)
- » Use First Nations traditional knowledge when appropriate as part of hazard mapping information (#25a)
- » Resource the research of climate change impacts on the inherent and treaty rights of indigenous people (#25b)



THE WAY WE LIVE

CLT RECOMMENDATIONS SNAPSHOT: COMMUNITIES

- » Update the Climate Action Charter to align provincial and community goals (#21)
- » Create a waste-to-resource strategy that reduces GHG emissions from organic waste and landfills (#22)



THE WAY WE LIVE, cont'd

CLT RECOMMENDATIONS SNAPSHOT: BUILDINGS

- » Require new public sector buildings to use more materials that sequester carbon and meet most of its annual energy needs by on-site renewable energy starting in 2016 (#20a)
- » Require new buildings to use more materials that sequester carbon and meet most of their annual energy needs by on-site renewable energy, through the building code (#20b)
- » Encourage retrofits that reduce GHG emissions in existing buildings through programs (e.g. on-bill financing) (#20c)
- » Implement standards that support high-efficiency building equipment and appliances (#20d)



THE WAY WE TRAVEL

CLT RECOMMENDATIONS SNAPSHOT: TRANSPORTATION

- » Establish Zero Emission Vehicle targets for the sale of new light duty vehicles for 2020, 2025 and 2030 (#19a)
- » Increase the Low Carbon Fuel Standard (LCFS) to 20 per cent by 2030 (#19b)
- » Broaden the LCFS coverage to include all vehicle fuel use with the exception of aviation fuel (#19c)
- » Support increased commercial transport efficiency (size of vehicles) and natural gas/propane conversions (#19d)
- » Establish revenue neutral PST for all vehicles based on grams of CO₂ per km (#19e)
- » Support increased use of public transit and other mobility options that reduce GHG emissions (#23)



THE WAY WE WORK

CLT RECOMMENDATIONS SNAPSHOT: INDUSTRY, ELECTRICITY, LOW CARBON ECONOMY

Natural gas and LNG

- » Instruct BC Hydro to develop a strategy to supply clean electricity required for electrification of upstream natural gas, LNG, and associated infrastructure (#14)
- » Set a goal to reduce fugitive and vented methane emissions by 40% within five years, through regulating best practice leak reduction and repair practices and developing methane reduction and reporting best practices. After five years, determine if more ambitious action is necessary (#15)

Forestry and Agriculture

- » Update forest policy to use more forest residue for energy and increase carbon sequestration (#17)
- » Create a task force to review and update carbon management best practices for the agriculture sector (#18)



THE WAY WE WORK, cont'd

Electricity

- » Change the target for clean energy on the integrated grid to 100% by 2025 (#12)
- » Establish a strategy to replace diesel generation in remote communities with reliable, low GHG electricity (#13)
- » Work with First Nations communities and federal agencies to ensure transition to reliable, low GHG electricity service in communities currently dependent on diesel generation (#26)

Low-Carbon Economy

- » Create a task force with expertise to research growth potential in low carbon economy (#10)
- » Ensure the First Nations clean energy business fund effectively enables new business opportunities (#27)
- » Review current offset policy to determine if changes are required to support the Climate Leadership Plan (#28)



Other input you would like to share

- What has your experience been generally?
- What has worked?
- What could work better and what more could we do?
- How would you like to be engaged on this going forward?



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Next Steps

*Engaging with Local Governments on the
Climate Leadership Team Recommendations*



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Thank You

*Engaging with Local Governments on the
Climate Leadership Team Recommendations*



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, March 24, 2016

9:30 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

That the Agenda for the Protective Services Committee Meeting of March 24, 2016 be adopted.

B. Modernization of the Emergency Program Act

1. Town of Osoyoos Submission
2. Prepared and Resilient Discussion Paper

RECOMMENDATION 2

THAT the Board responds by letter to the Honorable Naomi Yamamoto - Minister of State for Emergency Preparedness with comments on the discussion paper.

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Protective Services Committee
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
RE: Modernization of the Emergency Program Act



For Information Only

Purpose:

To provide feedback by April 11, 2016 deadline on any local issues concerning the proposed changes.

Background:

The Emergency Program Act was introduced in 1993 to outline the roles and responsibilities for both local and provincial governments in preparing for, and recovering from, emergencies and disasters. The Act also sets out the authority for these governments to declare a state of emergency and to use emergency powers to protect the health, safety or welfare of people and to limit damage to property. Best practices in emergency management have evolved significantly over the past two decades. The Province now intends to modernize the Act to ensure a solid legal foundation to meet the challenges of any size emergency or catastrophic event that effects local, regional or provincial jurisdictions.

Analysis:

The province has identified 11 points of discussion as outlined in the attached EMBC Discussion Paper. Much of the discussion has focused on the following sections:

1. #2/ Definition of Emergency – The Province has a reasoned argument for clarifying the definition of emergency and making it more consistent with other jurisdictions. Some local government responses have pointed out that the change in definition may increase costs.
2. #6/ Ministerial Authority to Direct Emergency Planning – The current Act authorizes the Minister to review and recommend changes to a local emergency plan. The proposal would enable the Minister to require revisions to local authority emergency plans. Many Local governments are reacting angrily to this proposal on the basis that the Province holds local governments responsible for planning and responding to local emergencies, but is now proposing to claw back the authority for oversight on Plans. We understand the concern of our colleagues, but frankly, we believe the Province makes a valid argument.
3. #10/ Evacuation Orders – While current legislation authorizes Local and Provincial agencies to declare a State of Emergency and issue an evacuation order, there is currently no authority for anybody to enforce the Order. The Province proposes to enable police the right of entry and use of reasonable force to enforce an evacuation order. It provides the authority for police to apprehend a person who is not complying with an order and further pay the costs incurred by police in taking the action to enforce the evacuation order. Many local governments have reacted negatively to this proposal but, on the other hand, why issue an evacuation order if there is no means of enforcing it?

Alternatives:

Not comment on the changes.

Respectfully submitted:



D. Kronebusch, Emergency Services Supervisor

February 15, 2016

Naomi Yamamoto,
Minister of State for Emergency Preparedness
Ministry of Transportation and Infrastructure
Parliament Buildings
Victoria, BC V8V 1X4

Dear Minister Yamamoto:

Re: Discussion of the Emergency Program Act

We received your letter of January 11, 2016 enclosing the Discussion Paper on the Legislative Framework for Emergency Management in British Columbia. We understand that you are requesting formal responses to be submitted to your citizen engagement email address by February 19, 2016, which we will do by copy of this letter, however we feel that the concerns of our Council warrant a letter directly to you.

The timeline given by the Province to respond to the Discussion Paper is unrealistic. We were given one month to respond and with Council meetings being held twice a month, and staff requiring time to prepare a report to Council, we find we are now on a very tight deadline to make the submission. With all due respect, we hope that in future the Province will consider the needs of local governments and provide a longer review period. We will be bringing this issue forward to the Southern Interior Local Government Association with the hopes it will be taken to the UBCM in September.

With regard to the Discussion Paper itself, there are two specific issues in the Discussion Paper that significantly impact the Town of Osoyoos and all smaller municipalities.

Firstly, under Discussion 6: Ministerial Authority to Direct Emergency Planning (page 12). It is being considered that the Act be amended to provide for the addition of authority for the Minister responsible for the Act to make an order requiring a local authority to change its local emergency plan where the Minister has reviewed the plan and recommended modifications. This is quite concerning for the following reasons:

- most, if not all local government should have their own emergency plan already completed based on the needs of the area (what the risks and hazards are for that community).
- the proposed amendment to give the Minister authority to require a change to the local government's emergency plan does not give specific reasons as to when or why this requirement can be made so basically it appears to give arbitrary empowerment.
- a change to an emergency plan could be costly and take significant staff time depending upon the changes being required (which could be very taxing on a smaller municipality).
- There is no mention of an opportunity for appeal or even further consultation with the local government before an order to change the emergency plan is made.
- It appears that the province does not have faith in the local governments to have plans that are specific to the needs of their communities.

Currently the Minister has the authority to review and recommend changes to a local emergency plan. The concern is that the Minister does not have authority to require that a local authority

2016 02 15 Ltr to Minister Yamamoto re discussion paper on legislative framework for emergency management.docx

make changes to their plans in situations where a cooperative approach has not been productive to address a significant issue with the plan. If the province insists on having this authority there should be clear guidelines as to when the order can be made and give timelines that are reasonable to comply with these orders. For instance, it would be unreasonable for the Minister to order a change to the plan to be completed in a 2 month period especially for a small municipality. It would also be a budgetary issue which would mean an order should give the local government at least one year or more to comply.

The second concern is Discussion 10: Evacuation Orders. The proposal is to consider adding authority for police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety. This includes giving the police the right of entry and use of reasonable force to enforce an evacuation order; limit the period of apprehension to be no longer than reasonably required to take a person to a place of safety; and authority for the province (in a state of provincial emergency) or a local authority (in a state of local emergency) to order a person who was apprehended to pay the costs incurred by police in taking the action to enforce the evacuation order. This is a concern for the following reasons:

- Some people prefer to stay near their homes to tend to animals (livestock) or to ensure security of their properties, taking on the risk that they may not be able to get out.
- If the action is taken, what are the resources required to ensure the security of all properties affected and how will this impact the liability of the local government should there be a breach of security of the properties during an evacuation and a person was forcibly removed from their property?
- How will the province or local government collect the costs that are to be paid by the person apprehended?
- Should we be charging people for being apprehended? What if mental health issues were the cause of having to apprehend someone rather than them leaving on their own accord?
- Is this only to take place in case of immediate peril to the person or long before that is an issue?

There seems to be some legal implications on the forcible apprehension during evacuation that were not addressed and likely warrants further review. Apprehension makes sense if there was immediate peril to the resident not wanting to evacuate, however, if this apprehension can be made before there was immediate peril to the person, at what point should it be done?

We hope that you will take these concerns into consideration and further review the two issues we have commented on.

Yours truly,



Sue McKortoff
Mayor

cc: Council
Barry Romanko, CAO
Janette Van Vianen, Director of Corporate Services
Rick Jones, Fire Chief
Citizen Engagement BC

2016 02 15 Ltr to Minister Yamamoto re discussion paper on legislative framework for emergency management.docx



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Prepared and Resilient

*A discussion paper on the legislative framework for
emergency management in British Columbia*

JANUARY 2016



Contents

Message from the Minister	1
Executive Summary	2
Context of a Review of the <i>Emergency Program Act</i>	3
Challenges and Proposals	5
<i>Discussion Area A: Modernizing fundamental concepts and structure of the Act</i>	5
<i>Discussion 1: The phases of emergency management</i>	5
<i>Discussion 2: Definition of “emergency”</i>	6
<i>Discussion 3: Definition of “local authority”</i>	8
<i>Discussion Area B: Clarifying roles and responsibilities</i>	9
<i>Discussion 4: Emergency Management BC</i>	9
<i>Discussion 5: Assigning provincial emergency planning, response, and recovery responsibilities</i>	10
<i>Discussion 6: Ministerial authority to direct emergency planning</i>	12
<i>Discussion 7: Private sector and non-government agencies</i>	13
<i>Discussion Area C: Supporting emergency response and recovery</i>	15
<i>Discussion 8: Shared responsibility for emergency response</i>	15
<i>Discussion 9: State of emergency</i>	17
<i>Discussion 10: Evacuation orders</i>	18
<i>Discussion 11: Employment protection</i>	20
Conclusion	21

Message from the Minister

As Minister of State for Emergency Preparedness, I am pleased to announce the release of *Prepared and Resilient: A Discussion Paper on the Legislative Framework for Emergency Management in British Columbia*. This document is intended to support a consultation that will engage stakeholders in a dialogue about emergency management legislation in British Columbia.

When we think about being prepared for an emergency or disaster I think it is fair to say that legislation is not top of mind. Nevertheless, we must recognize that the coordination and synergies of emergency management experts in this province—whether at the local or provincial level—starts with understanding and fulfilling key emergency management responsibilities and having the appropriate authority to take the right actions at the right time when faced with an emergency or disaster. That’s where legislation comes in: to establish the legal framework for a prepared and resilient British Columbia.

The *Emergency Program Act* is the key piece of legislation for emergency management in British Columbia. The Act, which was introduced in 1993, sets out roles and responsibilities for local authorities and the provincial government in preparing for, responding to and recovering from emergencies and disasters. The Act also sets out the authority for local government or the province to declare a state of emergency and to use emergency powers to protect the health, safety or welfare of people and to limit damage to property.

A key challenge with the Act and its regulations—and a principal reason for this consultation and engagement—is that while best practices in the field of emergency management in B.C. and elsewhere have evolved significantly over the past two decades, the *Emergency Program Act* has remained largely unchanged since its introduction and has never been the subject of a full and open review as proposed herein. The time has therefore come for us to examine the Act to ensure it provides the solid legal foundation we need here in B.C. to meet whatever challenges may come our way, be they small scale emergencies contained at the local level or catastrophic events affecting a region or even possibly the entire province.

This consultation acknowledges recent changes some other Canadian jurisdictions have made to modernize their emergency management laws. The engagement has also been shaped by findings and recommendations of the 2014 earthquake preparedness reports of the Auditor General and Henry Renteria, the former head of California’s Office of Emergency Services who consulted with stakeholders on earthquake preparedness issues and priorities.

Ultimately, though, it is the input and feedback that we receive from interested British Columbians on the challenges and proposals outlined herein that will best inform the development of any changes to the law. It is my hope that this consultation will engage British Columbians in a dialogue so that together we can create legislation that supports a prepared and resilient B.C.

Sincerely,



Honourable Naomi Yamamoto
Minister of State for Emergency Preparedness

Executive Summary

The Premier's mandate letter to Minister of State for Emergency Preparedness Naomi Yamamoto directs the Minister to lead a review of the *Emergency Program Act* (Act) to ensure the legislation is up to date and effective in managing the impacts of emergencies in British Columbia, providing a report back to Cabinet Committee on Secure Tomorrow on or before March 31, 2016.

This engagement is intended to be a key component of the review of the legislation. It highlights several key challenges in the Act and seeks input from stakeholders on proposals for possible legislative changes so that government may better understand what improvements if any may be needed to ensure the Act is up to date and effective.

The specific examples of challenges presented in this consultation fall into one of the following three discussion areas, with each including proposals for possible changes to the Act for consideration and input of stakeholders:

A. Modernizing fundamental concepts and structure of the Act:

1. Phases of emergency management (prevention, preparedness, response and recovery);
2. Definition of emergency and disaster; and
3. Definition of local authority.

B. Clarifying roles and responsibilities:

4. Emergency Management BC;
5. Provincial emergency planning, response and recovery responsibilities;
6. Ministerial authority to direct emergency planning; and
7. Provincial authority for private sector and non-government agencies.

C. Supporting emergency response and recovery:

8. Shared responsibilities for emergency response;
9. State of Emergency;
10. Evacuation orders; and
11. Employment protection.

Stakeholder input on the identified challenges and discussion questions may be submitted to citizenengagement@gov.bc.ca by Feb. 19, 2016. In order to promote the transparency of the review and engagement process, submissions received from stakeholders who Minister Yamamoto invited to provide input may be posted to Emergency Management BC's website. Submissions from members of the public posted to the website forum will be reviewed and incorporated into the review process along with the other stakeholder submissions.

Context of a Review of the *Emergency Program Act*

OVERVIEW OF THE LEGISLATIVE FRAMEWORK

The *Emergency Program Act* provides the legislative framework for the management of disasters and emergencies within British Columbia. This framework defines responsibilities of local authorities, provincial ministries and crown corporations along with the responsibility for the Province's emergency management program. It requires local authorities, ministries, crown corporations, and government agencies to develop plans and programs to prepare and respond to emergencies and disasters in the Province. It also provides local authorities, the Minister responsible for the Act, and the Lieutenant Governor in Council, with the ability to declare a state of emergency in order to access the extraordinary powers required to co-ordinate emergency responses.

Supporting the *Emergency Program Act* are three regulations made under the authority of the statute:

- ▶ *Emergency Program Management Regulation* identifies duties and responsibilities of provincial ministries and government corporations in relation to specific hazards and generally in the event of an emergency;
- ▶ *Local Authority Emergency Management Regulation* outlines roles and responsibilities of Local Authorities; and
- ▶ *Compensation and Disaster Financial Assistance Regulation* establishes the framework for the provisions of disaster financial assistance.

WHY REVIEW THE ACT?

The time is ripe to review the *Emergency Program Act* to ensure it is effective in supporting the management of emergencies in British Columbia. The current iteration of the *Emergency Program Act* dates back to 1993 and has been subject to a small number of limited amendments since then. Over the last two decades various events and operational responses have prompted the provincial government and other partners in emergency management to consider and revise operational practices and procedures.

A further factor contributing factor are the 2014 reports of the Office of the Auditor General and Henry Renteria on earthquake preparedness. These reports further highlighted where changes may be necessary to improve the preparedness of British Columbians in relation to the possible occurrence of a catastrophic event.

Finally, the Premier's July 30, 2015 mandate letter to Minister Yamamoto directs the Minister to lead a review of the Act to ensure the legislation is up to date and effective in managing the impacts of emergencies in British Columbia and reporting back to Cabinet Committee on Secure Tomorrow on or before March 31, 2016. This consultation is intended as a key step in achieving a review as envisioned in the mandate letter by engaging stakeholders in a discussion about what improvements if any may be needed to ensure the Act is up to date and effective.

SCOPE OF REVIEW

This engagement identifies 3 main challenges in the Act and broken out into the following discussion areas:

- A. Modernizing fundamental concepts and structure of the Act**
- B. Clarifying roles and responsibilities**
- C. Supporting emergency response and recovery**

The list of challenges and examples presented for discussion and consideration are focussed on the Act and not the regulations. However, this does not preclude comments and input on any of the regulations as potential changes to the Act could also have implications for matters set out under the regulations.

Finally, the discussions presented here are not intended to be an exhaustive list. It is hoped that the items raised here will generate thought and discussion that will result in a broad range of items for government to consider.

OVERVIEW OF REVIEW PROCESS

Minister Yamamoto sent letters to key stakeholders on the release date of this engagement to invite them to provide submissions on the challenges and proposals outlined herein. In order to promote the transparency of the review and engagement process, submissions received from stakeholders who received invitations may be posted to Emergency Management BC's website. A list of these stakeholders is also provided on the website.

Other interested stakeholders, including members of the public, may also make submissions.

Any submissions received from individuals or organizations who did not receive invitation letters from Minister Yamamoto will also be reviewed and incorporated into the review process; these submissions will be collected via the EMBC website forum.

Submissions will be received up to Feb. 19, 2016, at 4 p.m. At the closing of the consultation period, all submissions will be reviewed and analyzed for themes and suggestions that can be compiled and presented by Minister Yamamoto to the Cabinet Committee on Secure Tomorrow on or before March 31, 2016, in accordance with the Minister's mandate letter.

Challenges and Proposals

Discussion Area A:

Modernizing fundamental concepts and structure of the Act

Discussion 1:

The phases of emergency management

Background:

Emergency management is a universal term for the systems and processes used for preventing or reducing the impacts of disasters on communities. Emergency management is conceptualized in four phases: prevention/mitigation, preparedness, response and recovery.

This phased approach is an internationally recognized standard for defining and understanding different aspects of emergency management and is integral to the systems and processes in BC that local authorities and government use to minimize vulnerability to hazards and for coping with disasters. For example, over the last two decades local authority and government emergency plans, which are a central feature of the *Emergency Program Act*, have come to be understood as plans related to preparedness for, prevention and mitigation of, response to and recovery from an emergency and its effects.

Challenge in the current legislative framework:

While the *Emergency Program Act* references aspects of the phased approach to emergency management, it is important that the terms prevention, preparedness, response and recovery are used consistently throughout the legislation. Consideration should be given to structuring the Act

to reflect the distinct subject matter of the phases whereby separate parts are established for each phase, with powers and duties for local authorities and the provincial government set out in each part.

The Act's current name should also better reflect the emergency management focus of the act. The current name reflects the role of the Provincial Emergency Program, which has been superseded by Emergency Management BC. See Discussion Area B, Discussion 4. As well, "emergency program" is not defined and, while the term "program" is used in numerous sections in the Act, it may be unclear in some sections as to what this term means in relation to the phases of emergency management.

A further consideration is the definition of "local authority emergency plan" and "provincial emergency plan". These definitions do not currently emphasize that emergency planning involves all phases of emergency management.

Relevant sections in the legislation:

- ▶ Title of the Act
- ▶ Part 1—Definitions and Application
- ▶ Part 2—Administration
- ▶ Part 3—Emergencies, Disasters and Declared Emergencies

Proposal:

Consideration should be given to the following potential changes to the Act:

1. Renaming it the *Emergency Management Act*.
2. Restructuring the Act so that it contains parts reflecting the phases of emergency management (i.e. a part dedicated to preparedness, a part dedicated to response etc.)
3. Removing the term “emergency program” and references to “program” or “programs” throughout.
4. Defining an “emergency plan” as a plan under the Act to prepare for, prevent, mitigate against, respond to and recover from an emergency and its effects.

**Discussion 2:
Definition of “emergency”****Background:**

A definition of an “emergency” is essential to emergency management legislation. In the *Emergency Program Act*, the term “emergency” gives meaning to other important concepts such as emergency plans, emergency programs, emergency measures, and states of emergency.

The current definition of emergency in the Act provides that it is a “present or imminent event or circumstance that is caused by accident, fire, explosion, technical failure or the forces of nature ...”. A “disaster”, on the other hand, is a subset of an emergency. The Act defines a disaster as a calamity that is caused by accident, fire, explosion or technical failure or by the forces of nature and has resulted in serious harm to people or widespread damage to property.

**Challenge in the current
legislative framework:**

BC’s legislation limits the definition of an emergency to a specific set of causes, which raises a question as to whether some events or circumstances may fall outside the scope of the Act. Similar legislation in other provincial jurisdictions generally uses broader language that puts an emphasis on defining an emergency based on what could or does result from an event, situation, or condition. Many other jurisdictions have also included damage to the environment in the definition of emergency.

Relevant sections in the legislation:

- ▶ Section 1 of the *Emergency Program Act*

Proposal:

1. Consider removing the potential causes in the definition of 'emergency' and clarify that an emergency includes a disaster. The following definitions from other Canadian jurisdictions may be a helpful guide in revising the definition of 'emergency' in BC:
 - Manitoba's *Emergency Measures Act* defines 'emergency' as follows:

"a present or imminent situation or condition that requires prompt action to prevent or limit (a) the loss of life; or (b) harm or damage to the safety, health or welfare of people; or (c) damage to property or the environment"
 - Alberta's *Emergency Management Act* defines 'emergency' as follows:

"an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property"
 - Ontario's *Emergency Management and Civil Protection Act* defines emergency as follows:

"a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise"
2. Consider including damage to the environment in the definition of emergency.

Additional information for consideration:

- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>
- ▶ Alberta's *Emergency Management Act*:
<http://www.qp.alberta.ca/documents/Acts/Eo6P8.pdf>
- ▶ Ontario's *Emergency Management and Civil Protection Act*:
<http://www.ontario.ca/laws/statute/90e09>
- ▶ Nova Scotia's *Emergency Management Act*:
<http://nslegislature.ca/legc/>

Discussion 3: Definition of “local authority”

Background:

Four treaties have been ratified to date under the BC Treaty Process with the Maa-Nulth First Nations, Tsawwassen First Nation, Tla’amin Nation, and Yale First Nation. In addition, a treaty was implemented outside of the treaty process with the Nisga’a in 2000.

All of the modern treaties implemented or ratified provide that Treaty First Nations and the Nisga’a Lisims Government have the “rights, powers, duties and obligations of a local authority under federal and provincial law in respect of emergency preparedness and emergency measures” on Treaty Lands. This includes specific law making authority in relation to emergency preparedness and emergency measures, as well as authority to declare a state of local emergency and exercise the powers of a local authority in accordance with federal and provincial laws in respect of emergency measures.

Challenge in the current legislative framework:

The *Emergency Program Act* defines a ‘local authority’ as one of the following:

- ▶ A municipality
- ▶ Regional district
- ▶ National park subject to an agreement between the province and the government of Canada

The definition does not currently include Treaty First Nations or the Nisga’a Lisims Government. As the Treaty First Nations have the status of local authorities for the purposes of the *Emergency Program Act*, consideration needs to be given to modernizing the definition of ‘local authority’ in the Act to ensure proper alignment with the provisions

of the treaties. This change will further reinforce the continued coordination of activities and shared responsibilities between the provincial government, Treaty First Nation governments, local governments, and other institutions to work together to mitigate, prepare for, respond to and recover from disasters.

Relevant sections in the legislation:

- ▶ Sections 1, 5, 6, 8, 10, 12, 13, 14, 15, 18, 19 of the *Emergency Program Act*
- ▶ Local Authority Emergency Management Regulation
- ▶ Compensation and Disaster Financial Assistance Regulation

Proposal:

1. Consider changing the definition of ‘local authority’ to include Treaty First Nations, including the Nisga’a Lisims Government.
 - Consider the impact of this proposal in relation to all provisions in the Act that are applied to local authorities.
 - This proposal is subject to provincial government consultation with the Treaty First Nations and the Nisga’a Lisims Government in accordance with treaty obligations.

Additional information for consideration:

BC Treaties:

- ▶ Under the BC Treaty Process:
<http://www.bctreaty.net/files/treaties-and-agreements-in-principle.php>
- ▶ Nisga’a Final Agreement:
<http://www.nnkn.ca/files/u28/nis-eng.pdf>

Discussion Area B: Clarifying roles and responsibilities

Discussion 4: Emergency Management BC

Background:

Emergency management requires cross-agency, cross-government and inter-jurisdictional coordination and integration to ensure effective delivery of emergency management services.

Emergency Management British Columbia (EMBC) was established in 2006 to take on the responsibilities of its predecessor, the Provincial Emergency Program (PEP), and to take on the role as the lead coordinating agency in the provincial government for all emergency management activities.

EMBC provides executive coordination, strategic planning, and multi-agency facilitation and strives to develop effective working relationships in an increasingly complex emergency management environment. EMBC works with local governments, First Nations, federal departments, industry, non-government organizations and volunteers to support the emergency management phases of mitigation/ prevention, preparedness, response and recovery. Additionally, EMBC engages provincial, national and international partners to enhance collective emergency preparedness.

Challenge in the current legislative framework:

The *Emergency Program Act* does not currently reference Emergency Management BC. Instead, the Act continues to reference the Provincial Emergency Program.

Relevant sections in the legislation:

- ▶ Section 2 of the *Emergency Program Act*
- ▶ Section 2 of the *Emergency Program Management Regulation*

Proposal:

1. Establish Emergency Management BC in legislation and remove references to the Provincial Emergency Program.
2. Clarify the responsibilities of the director of EMBC to include the following:
 - Lead the coordination of all provincial government emergency management activities,
 - Provide advice and assistance to other authorities—provincial and local authorities—in their emergency management responsibilities,
 - Establish and maintain a provincial emergency management system to standardize provincial emergency response activities, and
 - Reduce risk by promoting and supporting emergency preparedness, prevention and mitigation, response and recovery initiatives.

Additional information for consideration:

- ▶ EMBC website:
<http://www.embc.gov.bc.ca/index.htm>
- ▶ EMBC's strategic plan:
<http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/embc-strategic-plan.pdf>

Discussion 5: Assigning provincial emergency planning, response, and recovery responsibilities

Background:

Under section 4(1) of the *Emergency Program Act*, the Minister responsible for the Act is required to prepare provincial emergency plans respecting preparation for, response to and recovery from emergencies and disasters.

The Act also provides authority under section 28(2) (a) for the Lieutenant Governor in Council (LGIC) to assign responsibilities to ministries, boards, commissions or government corporations or agencies for the preparation and implementation of emergency plans, including arrangements to deal with emergencies and disasters.

The Emergency Program Management Regulation contains requirements for ministers and government corporations to develop emergency plans. The responsibility for ministers to make provincial emergency plans for specific hazards is assigned in Schedule 1 of the Regulation. Schedule 2 of the regulation sets out duties of ministers and government corporations in the event of an emergency.

Challenge in the current legislative framework:

The Ministerial responsibility under the Act for preparing provincial emergency plans and the LGIC authority to assign responsibility for provincial emergency plans requires clarification. The Minister responsible for the Act does not prepare all provincial emergency plans respecting preparation for, response to and recovery from emergencies and disasters. This responsibility is distributed across government ministries and agencies, a process that

is more accurately reflected in schedule 1 of the EPM Regulation.

However, the feasibility of assigning emergency planning and other duties by way of regulation is questionable. Emergency management practices have evolved considerably over the last two decades and will continue to do so. The process of updating and changing provincial emergency responsibilities through amendments to a regulation can be cumbersome and not well suited to responding to changes in the dynamic emergency management environment.

A further matter in the context of provincial emergency management responsibilities is the extent to which the legislative framework should capture public organizations such as school boards and health authorities, which do not fall under the definition of Government Corporation. Henry Renteria acknowledged concerns of many stakeholders respecting emergency management plans and capacities across specific sectors (p. 19). While other public bodies with various degrees of independence from government engage with government ministries in emergency planning processes, the question of government's responsibility to ensure coordination of planning, response and recovery duties when and where necessary should be considered.

Relevant sections in the legislation:

- ▶ Sections 4 and 28 of the *Emergency Program Act*
- ▶ See the *Emergency Program Management Regulation*

Proposal:

- 1.** Consider removing the current scheme from the Act whereby the Lieutenant Governor in Council (LGIC) assigns emergency planning, response and recovery duties by regulation and provide for the following in the Act:
 - An authority for the minister responsible for the Act to require other ministers, after consulting with them, to prepare emergency plans in relation to specified hazards.
 - An authority for the Minister responsible for the Act to require, after consultation, that a minister, government corporation, or other prescribed public bodies prepare emergency plans in relation to carrying out specific emergency response and recovery duties.
- 2.** In order to support the proposed changes outlined above, other amendments would be required, including the following:
 - Define ‘hazard’ as something that may cause, or contribute substantially to the cause of, an emergency.
 - Move the existing requirements in section 3 of the Emergency Program Management Regulation respecting emergency planning to the Act.
 - Provide an LGIC regulation creating the authority to prescribe public bodies for the purposes of the Act.

Additional information for consideration:

- ▶ Henry Renteria’s 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf

Discussion 6: Ministerial authority to direct emergency planning

Background:

Effective emergency planning is essential to emergency management. In B.C., local governments lead the initial response to emergencies and disasters in their communities and, as required under the Act, they prepare emergency plans and maintain an emergency management organization to ensure the safety of citizens when a situation escalates beyond the first responder level.

Under section 4(2)(f) of the Act, the Minister has the authority to review and recommend changes to a local emergency plan. Currently, Emergency Management BC works with its partners in local governments to provide advice and guidance on the development of local emergency plans.

Challenge in the current legislative framework:

While the Minister has authority under the Act to review and recommend changes to a local emergency plan, the minister does not have authority to require that a local authority make changes to their plans in situations where a cooperative approach has not been productive to address a significant issue with a plan.

Most other jurisdictions in Canada provide the Minister responsible with authority to review and, if necessary, require changes to emergency plans. Manitoba has a clear and comprehensive scheme

under section 8 of that province's Act for the Minister to require revisions to local authority emergency plans as well as those across the provincial government. Ontario's Act provides authority for the Minister to set standards for plans under section 14 of that province's Act. Section 9 of Alberta's Act provides that the Minister responsible may "review and approve or require the modification of provincial and emergency plans and programs".

Henry Renteria referenced the expectation many stakeholders in British Columbia have with respect to provincial government leadership in setting standards respecting emergency plans and programs. Specifically, he stated that Emergency Management BC must "provide more clarity regarding the expectations of local authorities in the area of emergency management" in support of his recommendation that EMBC's authority be augmented to set minimum standards for emergency management programs.

Relevant sections in the legislation:

- ▶ Section 4 of the *Emergency Program Act*

Proposal:

1. Consider the addition of authority to provide that the Minister responsible for the Act may make an order requiring a local authority to change its local emergency plan where the minister has reviewed the plan and recommended modifications.
 - The authority should only be available to the Minister after the Minister has recommended modifications to an emergency plan and this authority should parallel the authority of the Minister to require revisions/changes to provincial emergency plans established by other ministries, government corporations and other agencies.

Additional information for consideration:

- ▶ Alberta's *Emergency Management Act*:
<http://www.qp.alberta.ca/documents/Acts/Eo6P8.pdf>
- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>
- ▶ Ontario's *Emergency Management and Civil Protection Act*:
<http://www.ontario.ca/laws/statute/9oe09>
- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf

Discussion 7:

Private sector and non-government agencies

Background:

It is vital that critical infrastructure function through an emergency—a community's ability to respond and recover from a disaster requires restoration of and access to water, food, electricity, communications and other critical infrastructure.

In his 2014 *British Columbia Earthquake Preparedness: Consultation Report*, Henry Renteria wrote that entities such as private sector organizations and NGOs have a responsibility to those that depend on their services, particularly those organizations that provide critical goods and services, which, if disrupted or destroyed, would have a serious impact on the health, safety, security or economic well-being of citizens.

While Renteria's report acknowledges the efforts to date of Emergency Management BC to work with critical infrastructure (CI) partners through the establishment of a cross sector CI Steering Committee, he recommended the following key action to enhance the engagement of private sector and non-government organizations in emergency management as well support province-wide risk analysis:

"As a backdrop to voluntary engagement, the provincial and federal government must mandate appropriate private sector preparedness, including sharing of CI information and engagement in joint planning with emergency management organizations" (p. 28).

Private sector and non-governmental emergency management responsibilities is an emergent topic in other provincial jurisdictions. For example, in 2013, Manitoba introduced changes to its *Emergency Measures Act* to require private sector critical service

providers to prepare business continuity plans, as well as authority for the minister responsible to order these providers to take required measures during a state of emergency, including the implementation of any part of a business continuity plan.

Challenge in the current legislative framework:

In BC, the *Emergency Program Act* provides some specific powers during a state of emergency to local authorities and government in relation to the restoration of essential facilities and the distribution of essential supplies.

However, the Act does not set out responsibilities of private sector and non-government organizations respecting planning for and the prevention/mitigation of emergencies, nor any requirements for owners of critical infrastructure assets to provide information about their assets or their emergency plans regarding those assets.

Relevant sections in the legislation:

- ▶ Sections 5, 10 and 13 of the *Emergency Program Act*

Proposal:

1. Consider changes to the *Emergency Program Act* similar to Manitoba's to define "critical services" and require providers of these services to undertake business continuity planning as prescribed by regulation.
 - Manitoba's Act requires that critical service providers submit business continuity plans to the co-ordinator of the province's Emergency Measures Organization for review and approval.

2. Consider an authority to require owners of critical infrastructure assets to provide information about these assets as prescribed by regulation for the purposes of supporting efficient and effective emergency planning, prevention/mitigation, response and recovery.
 - Any change to the legislation in this regard would need to be supported by a definition of "critical infrastructure assets"; outline how such information would be provided; and provide for the confidentiality of the information.
 - Henry Renteria referred to "critical infrastructure" as "those physical and information technology facilities, networks, services and assets, which, if disrupted or destroyed, would have a serious impact on the health, safety, security, or economic well-being of Canadians or the effective functioning of governments in Canada" (p. 26).

Additional information for consideration:

- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/reneria_eq_consultation_report_2014.pdf
- ▶ Manitoba's *Emergency Measures Act*:
<http://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>

Discussion Area C: Supporting emergency response and recovery

Discussion 8: Shared responsibility for emergency response

Background:

The *Emergency Program Act* provides that local authorities and the provincial government are to prepare emergency plans and implement them when “an emergency exists or appears imminent or a disaster has occurred or threatens.”

Section 7 of the Act provides that the Minister or designated person in a provincial emergency plan may cause the plan to be implemented if, in the opinion of the Minister or the designated person, an emergency exists or appears imminent. Section 8 provides that a local authority or a person designated in the local authority’s local emergency plan may cause the plan to be implemented if, in the opinion of the local authority or the designated person, an emergency exists or appears to exist.

The *Emergency Program Management Regulation* sets out that provincial emergency plans may include plans and procedures to assist local authorities with response and recovery from emergencies that “are of such magnitude that the local authorities are incapable of effectively responding to and recovering from them.”

Challenge in the current legislative framework:

A key aspect of emergency management is the sharing of responsibilities between local authorities and the province. In general, provincial government policy is that a local authority is responsible for planning for and responding to any emergency in its jurisdictional area with local resources and resources available to them through mutual aid/assistance agreements. This approach acknowledges that a

local authority’s knowledge about its community—its people, history, risks, vulnerabilities, operational requirements and services—is critical to planning for, responding to and recovering from emergencies.

The province provides advice and support to the local authority responding to an emergency. Where the scope of an emergency exceeds a local authority’s resources, the province coordinates the provision of provincial resources to assist the local authority. In some cases, the provincial government has statutory obligations with respect to emergencies. For example, when it comes to wildfires under the *Wildfire Act* that do not affect developed areas, the provincial government responds, not local authorities.

While this ‘shared responsibility’ framework to emergency response is generally understood and accepted by stakeholders, it is not reflected in the Act. One consequence of this, in combination with the current scheme in the legislative framework for assigning provincial emergency responsibilities, is that from time to time confusion may result as to whether a local authority or the province should be implementing emergency plans in certain circumstances. Such confusion can undermine the coordinated and collaborative approaches essential for effective emergency management.

Relevant sections in the legislation:

- ▶ Sections 7 and 8 of the *Emergency Program Act*
- ▶ Section 3 of the *Emergency Program Management Regulation*

Proposal:

- 1.** Consider the addition of provisions in the Act that set out the following in respect of local authorities:
 - Establish that a local authority is responsible for:
 - Assessing the threat to health, safety, or welfare of people or damage to property and the environment posed by an emergency;
 - Assessing the resources required to respond to and recover from the emergency; and
 - Implementing its local emergency plan and using local authority resources to respond to and recover from the emergency.
 - Provide that a local authority may implement one or more provisions of its local emergency plan in relation to responding to and recovering from an emergency if:
 - If the local authority is of the opinion that an emergency exists or is imminent in the local authority's jurisdictional area; the local authority has declared a state of emergency; or a provincial state of emergency has been declared.
- 2.** Consider the addition of provisions in the Act that set out the following in respect of the provincial government:
 - A Minister (or designate) is responsible for implementing one or more provisions of the Minister's provincial emergency plan to provide provincial assistance and support to a local authority's response to and recovery from an emergency if the following occur:
 - The scale of the emergency exceeds the response and recovery resources of the local authority and/or
 - The Minister is required under provincial law to provide provincial resources for emergency response and recovery.
 - Emergency Management BC is responsible for:
 - Communicating with a local authority in relation to an emergency within the jurisdictional area of the local authority, which includes:
 - Monitoring the needs of a local authority in responding to and recovering from emergencies;
 - Providing advice when necessary to local authorities responding to and recovering from emergencies; and
 - Communicating and providing advice when necessary to a Minister in relation to an emergency in the jurisdictional area of a local authority.

Discussion 9: State of emergency

Background:

The *Emergency Program Act* authorizes both local authorities and the province to declare a state of emergency. Once a state of emergency is declared, the level of government making the declaration may do “all acts and implement all procedures” that it considers necessary to prevent, respond to or alleviate the effects of an emergency or disaster, including one or more of the following:

- ▶ Acquire or use any land or personal property considered necessary;
- ▶ Authorize or require any person to render assistance of type the person is qualified to provide or that otherwise is or may be required;
- ▶ Authorize the entry into any building or on any land, without warrant;
- ▶ Cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary; and
- ▶ Procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies, or other essential supplies.

Challenge in the current legislative framework:

The authority for a local government or the province to undertake “all acts and implement all procedures” it considers necessary to address an emergency or disaster is a very broad and sweeping power. While legislation in most other Canadian jurisdictions provides a similar approach to the declaration of emergencies and the exercise of emergency powers as BC’s Act, Ontario’s Emergency Management and Civil Protection Act notably establishes criteria to guide when a state of emergency should be

declared, as well as criteria for the making of orders during declared emergencies.

The emergency powers in the *Emergency Program Act* are generally consistent with those powers provided in similar legislation in other Canadian jurisdictions; however, some jurisdictions have recently included additional powers. Ontario’s legislation provides authority to require a person to collect, use or disclose information and this authority is contingent on the information collected only being used for the purpose of preventing, responding to or alleviating the effects of an emergency. Other BC legislation aimed at addressing specific emergency situations, such as the Public Health Act, also contains a similar general emergency power to collect, use and disclose information.

Relevant sections in the legislation:

- ▶ Sections 9 to 15 of the *Emergency Program Act*

Proposal:

1. Consider the addition of criteria or a test to guide local authorities or the provincial government in the declaration of a state of emergency and the making of orders during a declared emergency.
 - For example, criteria could include that a head of a local authority or the Minister responsible for the Act must believe that the declaration of a state of emergency is required because the use of one or more emergency powers under the Act is necessary and essential to protect the health, safety or welfare of persons or to limit damage to property.

2. Consider the addition of emergency powers not currently provided under section 10 of the *Emergency Program Act*. Some additional emergency powers that should be considered are as follows:
- Authority to collect, use or disclose information during a state of emergency that could not otherwise be collected, used or disclosed under any enactment.
 - Consideration must be given to including limits on any additional power respecting the collection, use and disclosure of information during an emergency. For example, in Ontario the information must only be collected, used or disclosed for the purpose of preventing, responding to or alleviating the effects of an emergency and for no other purpose.
 - Authority to fast track the accreditation of medical or other essential personnel from other Canadian jurisdictions who may arrive to provide assistance during a state of emergency.
 - A further potential emergency power to be considered is the authority for a local authority or the province to vary a licence, permit or other authorization the local authority or province, as applicable, has issued under an enactment.

Additional information for consideration:

- ▶ Ontario's *Emergency Management and Civil Protection Act*: <http://www.ontario.ca/laws/statute/90e09>
- ▶ BC's *Public Health Act*: http://www.bclaws.ca/civix/document/id/complete/statreg/08028_01

**Discussion 10:
Evacuation orders****Background:**

The current Act provides authority for local authorities or the government to declare a state of emergency. A 'state of emergency', once declared, authorizes the local or authority or the Minister to undertake acts and procedures to prevent, respond to or alleviate the effects of an emergency or a disaster, which includes ordering the evacuation of persons from an area that may be affected by the emergency or disaster.

Challenge in the current legislative framework:

While the Act provides authority for local governments or the Minister to make an evacuation order and "cause the evacuation" of people from an affected area, it says little of anything about how such an order is to be understood and carried out to ensure people are out of harm's way. There is currently no authority under the Act or in other legislation to compel competent adults to leave their private property after an evacuation order is made—emergency responders warn people of the imminent risks of remaining in an area subject to evacuation, but ultimately rely on people to voluntarily evacuate.

While leaving one's property in a very short period of time leading up to or following an emergency or disaster is extremely difficult to do, it is important to understand that an individual's decision not to heed an evacuation order can have serious implications not only for themselves, but also other people in the affected area. There have been numerous instances in Canadian jurisdictions and elsewhere where persons who refuse to evacuate require subsequent rescue, creating additional and unnecessary risk to themselves and emergency response personnel,

who are extremely burdened in times of crisis providing round-the-clock assistance to ensure the safety of the public.

The issue of enforcing evacuation orders has emerged as a recent topic of discussion in numerous Canadian jurisdictions. Manitoba became the first jurisdiction in Canada to address the issue in legislation, with amendments to its *Emergency Measures Act* in 2013. The changes provide authority to the police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety, as well as an ability to recover the costs of relocating the person.

As evacuation orders are rare and, when they do occur, are followed by the vast majority of people in an affected area, changes such as those introduced in Manitoba are intended to provide further support to voluntary evacuations by encouraging people to recognize the serious and grave nature of an evacuation order and to voluntarily comply with directions to leave their property without delay.

Relevant sections in the legislation:

- ▶ Sections 9, 10, 12 and 13 of the *Emergency Program Act*

Proposal:

1. Consider adding authority for police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety similar to sections 18.1 to 18.3 of the Manitoba *Emergency Measures Act*.
 - As part of this proposal, also consider the following supporting provisions:
 - Providing police with a right of entry and use of reasonable force to enforce an evacuation order;
 - Limiting the period of apprehension to be no longer than reasonably required to take a person to a place of safety; and
 - Authority for the province (in a state of provincial emergency) or a local authority (in a state of local emergency) to order a person who was apprehended to pay the costs incurred by police in taking the action to enforce the evacuation order.

Additional information for consideration:

- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>

Discussion 11: Employment protection

Background:

The *Emergency Program Act* provides authority in a state of emergency for a local authority or the provincial government to require a person to provide emergency assistance that the person is qualified to provide or may be required in order to prevent, respond to or alleviate the effects of an emergency or disaster.

The Act also provides (under section 25) that where a person is ordered to provide assistance under a state of emergency, that person's employment may not be terminated because of their being required to provide assistance.

Challenge in the current legislative framework:

A person who is ordered to provide assistance under a state of emergency is providing a civic service similar to jury duty; however, the Act currently does not provide a similar level of employment protection.

The scope of protection under s. 25 of the Act also appears to be specifically limited to a person who has been the subject of an order requiring the person to provide assistance in a declared state of emergency and, as such, does not appear to apply to a person who acts voluntarily (i.e. not under an order) or who acts in an emergency for which no state of emergency or local emergency has been declared.

Relevant sections in the legislation:

- ▶ Section 10(1)(e) and section 25 of the *Emergency Program Act*

Proposal:

1. Consider whether employment protection should be limited only to the duration of a state of emergency or whether the protection should extend to cover, for example, travel to and from the emergency or a time period after an emergency if the person is still required to provide assistance.
 - A further consideration here could include situations where a person is recovering from illness or injury as a result of providing assistance during an emergency.
 - Consideration should also be given to whether volunteers or other persons who assist in responding to and recovering from an emergency or disaster are entitled to employment protection in circumstances where they have not been ordered to provide assistance.
2. Consider expanding the protection against loss of employment in section 25 of the Act to include the same protections as those provided for a person on jury duty under section 56 of the *Employment Standards Act*.
 - This would add protection for employment benefits and benefits based on seniority, as well as provide that a person who is providing assistance is deemed to be on leave and must not be terminated as a result of being required to provide assistance or because the person is absent or unable to perform employment duties while on deemed leave.

Additional information for consideration:

- ▶ BC's *Employment Standards Act*:
http://www.bclaws.ca/civix/document/id/complete/statreg/96113_01

Conclusion

In order to solidify and maintain cooperative and effective approaches to emergency management in British Columbia, partners across the emergency management spectrum in British Columbia and the citizens of this province must engage in thoughtful and meaningful discussions so that we are ready when challenged by known and emergent threats to public safety. This consultation and engagement is but one of many steps we are taking together to ensure we are prepared and resilient.

Submissions may be made on the contents herein on or before Feb. 19, 2016. At the closing of the consultation period, all submissions will be reviewed and analyzed for themes and suggestions that can be compiled and presented by Minister Yamamoto to the Cabinet Committee on Secure Tomorrow on or before March 31, 2016, in accordance with the Minister's mandate letter.

Thank you to all who took time to consider this document's contents and submit feedback.



**BRITISH
COLUMBIA**

BOARD of DIRECTORS MEETING

Thursday March 24, 2016

10:00 am

BOARD MEETING AGENDA

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board Meeting of March 24, 2016 be adopted.

B. MINUTES

1. OSRHD Board Meeting – January 21, 2016

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Minutes of the January 21, 2016 Okanagan-Similkameen Regional Hospital District Board Meeting be adopted.

C. LEGISLATIVE ISSUES

1. South Okanagan – Similkameen Medical Foundation

Janice Perrino will address the Board about the Foundation and provide a campaign update

D. FINANCE

1. **Bylaw 161, 2016 OSRHD 2016-2020 Five Year Financial Plan**

a. Bylaw No. 161, 2016

b. Five Year Financial Plan – 2016 – 2020

RECOMMENDATION 3 (Weighted Corporate Vote – Simple Majority)

THAT Bylaw No. 161, 2016 Okanagan-Similkameen Regional Hospital District 2016-2020 Five Year Financial Plan be read a second and third time and be adopted.

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 1:02 pm on Thursday, January 21, 2016, in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair M. Brydon, Electoral Area “F”	Director A. Jakubeit, City of Penticton
Vice Chair J. Sentes, City of Penticton	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 G. Bush, Electoral Area “B”	Director M. Pendergraft, Electoral Area “A”
Director R. Mayer, Alt. Electoral Area “G”	Director S. McKortoff, Town of Osoyoos
Director B. Coyne, Electoral Area “H”	Director R. Knodel, Alt. Electoral Area “C”
Director R. Hovanes, Town of Oliver	Director T. Siddon, Electoral Area “D”
	Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director T. Schafer, Electoral Area “C”	Director T. Boot, District of Summerland
Director E. Christensen, Electoral Area “G”	

STAFF PRESENT:

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

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board Meeting of January 21, 2016 be adopted as amended to move E Delegation to the beginning. - **CARRIED**

By consensus, the Committee brought forward Item E Delegation from Interior Health.

E. DELEGATION – Interior Health

1. Capital Funding Request for the 2016-2017 Fiscal Year
 Lori Motluk, Acute Health Service Administrator South Okanagan, Interior Health, addressed the Board regarding the Capital Funding Request

It was MOVED and SECONDED

THAT the Board of Directors accept the Interior Health Capital Funding Request for the 2016/17 fiscal year. - **CARRIED**

B. MINUTES

1. OSRHD Board Meeting – December 17, 2015

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Minutes of the December 17, 2015 Okanagan-Similkameen Regional Hospital District Board Meeting be adopted. - **CARRIED**

C. FINANCE

1. Bylaw 161, 2016 OSRHD 2016-2020 Five Year Financial Plan
 - a. Five Year Financial Plan Bylaw No 161, 2016
 - b. 2016-2020 Five Year Financial Plan

RECOMMENDATION 3 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT Bylaw No. 161, 2016 Okanagan-Similkameen Regional Hospital District 2016-2020 Five Year Financial Plan be read a first time. - **CARRIED**

D. Interior Health 2014-2015 Closed Projects/Major Equipment

1. Closed Projects/ Major Equipment
-

E. DELEGATION – Interior Health

This item was dealt with earlier in meeting.

F. ADJOURNMENT

By consensus, the meeting adjourned at 1:48 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: March 24, 2016
RE: Bylaw 161, 2016 OSRHD 2016-2020 Five Year Financial Plan



Administrative Recommendation:

THAT Bylaw No. 161, 2016 Okanagan-Similkameen Regional Hospital District 2016-2020 Five Year Financial Plan be read a second and third time and be adopted.

Business Plan Objective:

1.1: Providing the Board with accurate, current financial information.

Background:

The Draft 2016–2020 Five Year Financial Plan has been presented and reviewed with the member municipalities and electoral areas. The public consultation process ran from January 11 through February 24, 2016.

During the 2014 budget process, Board directed Administration to continue to increase the annual requisition by approximately \$5 per household as a means to build reserves to help finance the Penticton Patient Care Tower project. This budget reflects that direction.

To comply with legislation, the Board must approve the budget by March 31st.

Analysis:

- Total tax requisition for 2016 is \$5.84M
- \$287,520 requisition increase over 2015.
- The tax paid by the average residential property valued at \$305,000 increases from \$96 to \$101
- The Capital Funding requested by Interior Health is \$1,705,000.
- The transfer to capital reserve is budgeted at \$4.2M for 2016.

The requisition amounts appearing in Schedule “A”, as attached to the bylaw are considered

preliminary until final adoption and pending updated revised roll assessment data.

A summary of the requisitions is as follows:

	<u>2016</u> <u>REQUISITION</u>	<u>2015</u> <u>REQUISITION</u>	<u>\$</u> <u>CHANGE</u>
PENTICTON	\$2,380,433	\$2,242,460	\$137,973
SUMMERLAND	757,500	723,159	34,341
PRINCETON	135,538	135,452	86
OLIVER	276,403	267,371	9,032
OSOYOOS	495,079	473,951	21,128
KEREMEOS	68,591	65,857	2,734
ELECTORAL AREA A	160,206	157,091	3,115
ELECTORAL AREA B	44,991	42,076	2,915
ELECTORAL AREA C	215,244	202,084	13,160
ELECTORAL AREA D	505,906	480,099	25,807
ELECTORAL AREA E	204,581	194,860	9,721
ELECTORAL AREA F	145,799	133,760	12,039
ELECTORAL AREA G	91,471	86,947	4,524
ELECTORAL AREA H	289,170	281,749	7,421
PENTICTON INDIAN BAND	68,568	65,042	3,526
TOTAL	\$5,839,480	\$5,551,958	\$287,522

Communication Strategy:

The Five Year Financial Plan was presented and reviewed with the municipalities and electoral areas. The approved financial plan will be available on our website.

Respectfully submitted:

"Sandy Croteau"

S. Croteau, Finance Manager

OKANAGAN-SIMILKAMEEN REGIONAL HOSPITAL DISTRICT

BYLAW NO. 161, 2016

A bylaw to adopt the 2016-2020 Five Year Financial Plan

WHEREAS the Board of the Okanagan-Similkameen Regional Hospital District, in open meeting assembled, enacts as follows;

1 Citation

1.1 This Bylaw shall be cited as the “Okanagan-Similkameen Regional Hospital District 2016-2020 Five Year Financial Plan Bylaw No 161, 2016”

2 Interpretation

2.1 In this bylaw:

- (a) Schedule “A” attached hereto and forming part of this bylaw is the 2016-2020 Five Year Financial Plan for the Okanagan-Similkameen Regional Hospital District for the year ending December 31, 2016

READ A FIRST TIME this 21 day of January, 2016

READ A SECOND AND THIRD TIME AND ADOPTED this ___day of March, 2016

OSRHD Chair

Corporate Officer

**OKANAGAN
SIMILKAMEEN
REGIONAL HOSPITAL
DISTRICT**

2016 -2020 FIVE YEAR

FINANCIAL PLAN

• 2016 -2020 Five Year Plan	3
• Requisition Summary	4

SCHEDULE A

**Okanagan-Similkameen Regional Hospital District
2016 - 2020 Annual Budget & 5 Year Financial Plan**

	2015	2016	2017	2018	2019	2020
	Annual	Annual	Annual	Annual	Annual	Annual
	Budget	Budget	Budget	Budget	Budget	Budget
Revenue						
Tax Requisition	5,551,960	5,839,480	5,968,330	6,218,748	6,469,135	6,732,240
Grants in Lieu of Taxes	25,000	25,000	25,000	25,000	25,000	25,000
Interest Income - Operating	5,000	5,000	5,000	5,000	5,000	5,000
Interest Income - Capital	250,000	250,000	250,000	250,000	250,000	250,000
MFA Debt Surplus	-	-	-	-	-	-
Transfer from Reserve - PRH Patient Care Tower - Procurement Phase	8,000,000	12,000,000	25,000,000	5,000,000	-	-
Transfer from Reserves - CWFD of Capital Improvement Projects - PRH Ambulatory Care Project (Dec 2013 - Business Plan, Total \$700K)	155,000	-	-	-	-	-
Transfer from Reserves - CWFD of Capital Improvement Projects	2,200,000	-	-	-	-	-
Transfer from Reserves - Capital Improvement Projects	-	-	-	-	-	-
Debenture Proceeds	-	-	25,000,000	47,000,000	-	-
Total Revenue	16,186,960	18,119,480	56,248,330	58,498,748	6,749,135	7,012,240
Expenditures						
Regional Hospital District Debt - Sec. 23 (1) (a)						
Debenture Payments - Principal	95,000	62,250	60,000	60,000	1,455,000	1,455,000
Debenture Payments - Interest	170,000	63,750	60,000	60,000	2,940,000	2,940,000
Total Non-Shareable Debt	265,000	126,000	120,000	120,000	4,395,000	4,395,000
Administration Expenses - Sec 17 (2)						
Salaries & Wages (OCAO & Finance Department)	76,600	51,000	53,000	55,000	57,000	59,000
Board Remuneration	13,000	13,500	14,000	14,500	15,000	15,500
Audit	5,000	5,000	5,000	5,000	5,000	5,000
Legal Fees	1,000	1,000	1,000	1,000	1,000	1,000
Supplies/Misc/Travel	5,000	5,000	5,000	5,000	5,000	5,000
Total Section 17 (2)	100,600	75,500	78,000	80,500	83,000	85,500
Expenditure under Sec. 20(4)						
Minor Equipment Global Grant - IHA Requests	435,000	399,400	404,400	409,400	414,400	419,400
Capital Improvement Projects - IHA Requests	1,176,360	1,305,600	1,000,000	1,000,000	1,000,000	1,000,000
Capital Projects - PRH Patient Care Tower - Procurement Phase	8,000,000	12,000,000	50,000,000	52,000,000	-	-
Capital Improvement Projects - PRH Ambulatory Care Project (Dec 2013 - Business Plan, Total \$700K)	155,000	-	-	-	-	-
CWFD of Capital Improvement Projects	2,105,000	-	-	-	-	-
Transfer to Capital Reserve	3,950,000	4,212,980	4,645,930	4,888,848	856,735	1,112,340
Total Section 20(4)	15,821,360	17,917,980	56,050,330	58,298,248	2,271,135	2,531,740
Total Expenditures	16,186,960	18,119,480	56,248,330	58,498,748	6,749,135	7,012,240
Total Surplus (Deficit)	-	-	-	-	-	-
	2015	2016	Difference			
Tax Rate / \$1000 for residential property	0.3155	0.3175	0.0020			
Average Tax Bill per residential property	\$96.33	\$101.46	\$5.13			
Transfer to Reserve is operating surplus plus amount of debt reduction						
	2015	2016	2017	2018	2019	2020
Capital Reserve Balance - Sec 20(4)						
Opening Balance	35,489,041	29,084,041	21,297,021	942,951	831,799	1,688,534
Contributions	3,700,000	3,962,980	4,395,930	4,638,848	606,735	862,340
Contributions - MFA Investment Gains (Losses)	250,000	250,000	250,000	250,000	250,000	250,000
Reductions	(10,355,000)	(12,000,000)	(25,000,000)	(5,000,000)	-	-
Ending Balance	29,084,041	21,297,021	942,951	831,799	1,688,534	2,800,874

OKANAGAN-SIMILKAMEEN REGIONAL HOSPITAL DISTRICT

REQUISITION SUMMARY - NOT INCLUDING ADJUSTMENTS

	<i>(2016 Completed Roll)</i>	<i>(2015 Revised Roll)</i>	
	2016	2015	\$
	<u>REQUISITION</u>	<u>REQUISITION</u>	<u>CHANGE</u>
PENTICTON	\$2,380,433	\$2,242,460	\$137,973
SUMMERLAND	757,500	723,159	34,341
PRINCETON	135,538	135,452	86
OLIVER	276,403	267,371	9,032
OSOYOOS	495,079	473,951	21,128
KEREMEOS	68,591	65,857	2,734
ELECTORAL AREA A	160,206	157,091	3,115
ELECTORAL AREA B	44,991	42,076	2,915
ELECTORAL AREA C	215,244	202,084	13,160
ELECTORAL AREA D	505,906	480,099	25,807
ELECTORAL AREA E	204,581	194,860	9,721
ELECTORAL AREA F	145,799	133,760	12,039
ELECTORAL AREA G	91,471	86,947	4,524
ELECTORAL AREA H	289,170	281,749	7,421
PENTICTON INDIAN BAND	68,568	65,042	3,526
TOTAL	\$5,839,480	\$5,551,958	\$287,522



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, March 24, 2016

10:45 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of March 24, 2016 be adopted.

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee – March 10, 2016

THAT the Minutes of the March 10, 2016 Corporate Services Committee be received.

b. Environment and Infrastructure Committee – March 10, 2016

THAT the Minutes of the March 10, 2016 Environment and Infrastructure Committee be received.

c. Planning and Development Committee – March 10, 2016

THAT the Minutes of the March 10, 2016 Planning and Development Committee be received.

d. RDOS Regular Board Meeting – March 10, 2016

THAT the minutes of the March 10, 2016 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Consent Agenda – Corporate Issues be adopted.

B. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Official Community Plan & Zoning Bylaw Amendment, Palomino Estates Ranch & Vineyard, Electoral Area “E”.**

- a. Bylaw No. 2458.09
- b. Bylaw No. 2459.18
- c. Responses

Rezoning to reflect a boundary line adjustment subdivision between two parcels

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2458.09, 2016, Electoral Area “E” Official Community Plan Amendment Bylaw and Bylaw No. 2459.18, 2016, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the Board considers the process, as outlined in the report from the Chief Administrative Officer dated March 24, 2016, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2458.09, 2016, in conjunction with its Financial and applicable Waste Management Plans;

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

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

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

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

2. Development Variance Permit Application — 4035 1st Street, Electoral Area “E”.

- a. Development Variance Permit

To relocate an existing principal storage building.

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

THAT the Regional Board approve Development Variance Permit No. E2016.005–DVP.

3. Development Variance Permit Application — 805 Vedette Drive, Electoral Area “F”
a. Development Variance Permit

To replace an existing carport with a new, larger garage in the same location as the existing structure.

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

THAT the Regional Board approve Development Variance Permit No. F2016.003–DVP.

C. ENGINEERING SERVICES

1. Apex Waste Transfer Station Design and Tendering Contract Award

To hire a qualified consultant to provide a complete set of engineered design drawings, cost estimates and tendering services for a waste transfer station at Apex Mountain Resort. The waste transfer station shall be designed to handle garbage, recyclables and cardboard at a minimum.

RECOMMENDATION 7 (Weighted Corporate Vote – Majority)

THAT the Regional Board award the design and tendering work for the “Apex Waste Transfer Station” project to McElhanney Consulting Services Ltd. in the amount of \$82,666 plus applicable taxes; and,

THAT the Regional Board authorizes the Chair and Chief Administrative Officer to execute a consulting services agreement with McElhanney Consulting Services Ltd.

2. Odour Modelling of Potential Private Compost Sites

To evaluate three (3) properties for their potential to site compost facilities. This evaluation will allow comparison with other properties already owned by local governments.

RECOMMENDATION 8 (Weighted Corporate Vote – Majority)

THAT the Board sole source the odour modelling of three (3) potential compost facility sites to Tetra Tech EBA for the amount of \$26,500 plus GST.

D. COMMUNITY SERVICES – Protective Services**1. Tulameen Fire Truck Acquisition**

- a. Request for Quotations

RECOMMENDATION 9 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the purchase of a Fire Truck to Fort Gary Fire Trucks for \$319,856.17 (excluding GST); and further,

THAT the Board authorizes the Chair and Chief Administrative Officer to execute the purchase agreement

E. COMMUNITY SERVICES – Recreation Services**1. Okanagan Falls Parks & Recreation Commission Rescinding Appointment**

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

THAT the Board rescind the appointment Ed Melenka from the Okanagan Falls Parks & Recreation Commission;

AND THAT a letter is forwarded to Mr. Melenka thanking him for his contribution to the Okanagan Falls Parks & Recreation Commission.

F. FINANCE**1. Area “H” Community Facilities Capital Reserve Expenditure Bylaw**

- a. Bylaw No. 2731, 2016

RECOMMENDATION 11 (Weighted Corporate Vote – 2/3)

THAT Bylaw No. 2731, 2016, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw be read a first, second and third time and be adopted.

G. OFFICE OF THE CAO

1. **Electoral Area “E” Parkland Acquisition Loan Authorization**
 - a. Bylaw No. 2729, 2016

RECOMMENDATION 12 (Weighted Corporate Vote – Majority)

THAT Electoral Area “E” Parkland Acquisition Loan Authorization Bylaw No. 2729, 2016 be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval prior to elector approval; and further,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an Alternative Approval Process.

2. **Land Purchase – School District 67**
 - a. Offer to Purchase

In November 2015, the Regional District of Okanagan-Similkameen entered into negotiations with School District No. 67 to acquire property in Naramata for parkland use. The parties have reached an agreement to purchase the property, conditional on approval by the Board of Directors of the agreement attached to this report.

RECOMMENDATION 13 (Weighted Corporate Vote – Majority)

THAT the Board of Directors authorize the purchase of the lands in Electoral Area “E”, legally described as:

- PID 012-195-278, Lot 4, Block 30, DL 210, SDYD, Plan 575
- PID 012-195-286, Lot 5, Block 30, DL 210, SDYD, Plan 575
- PID 012-195-308, Lot 6, Block 30, DL 210, SDYD, Plan 575

AND THAT the purchase amount of \$451,000.00 be authorized to be withdrawn from Reserve in the following manner:

- \$440,000 of Area E Parkland Acquisition Reserve, and
 - \$11,000 of capital reserve funds.
-

H. CAO REPORTS

1. **Verbal Update**
-

I. 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 Report – March 2016
 - 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 Practices Committee - *McKortoff*
-

3. Directors Motions

4. Board Members Verbal Update

J. 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, March 10, 2106

10:12 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 M. Doerr, Alt. 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"

MEMBERS ABSENT:

Director T. Boot, District of Summerland
Director R. Hovanes, Town of Oliver

Director P. Waterman, District of Summerland

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Corporate Services Committee Meeting of March 10, 2016 be adopted. - **CARRIED**

B. [Southern Interior Local Government Association](#)

Director Helena Konanz provided information regarding the 2016 SILGA conference.

C. Closed Session

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT in accordance with Section 90(1)(c) of the *Community Charter*, the Board close the meeting to the public on the basis of labour relations or other employee relations. - **CARRIED**

The meeting closed to the public at 10:30 a.m. All staff except the CAO vacated the Boardroom. Directors Waterman and Boot entered the Boardroom during the closed session. The meeting opened to the public at 11:28 a.m.

D. ADJOURNMENT

By consensus, the meeting adjourned at 11:28 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

Environment and Infrastructure Committee

Thursday, March 10, 2106

9:20 am

Minutes

MEMBERS PRESENT:

Chair T. Siddon, Electoral Area "D"	Director M. Doerr, Alt. Town of Oliver
Vice Chair K. Kozakevich, Electoral Area "E"	Director A. Jakubeit, City of Penticton
Director F. Armitage, Town of Princeton	Director H. Konanz, City of Penticton
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 T. Schafer, Electoral Area "C"
Director B. Coyne, Electoral Area "H"	Director J. Sentes, City of Penticton

MEMBERS ABSENT:

Director T. Boot, District of Summerland	Director P. Waterman, District of Summerland
Director R. Hovanes, Town of Oliver	

STAFF PRESENT:

B. Newell, Chief Administrative Officer	R. Huston, Public Works Manager
C. Malden, Manager of Legislative Services	

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of March 10, 2016 be adopted. - CARRIED

B. UBC Water Committee Issue Identification

1. Terms of Reference – February 2016

C. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting of March 10, 2016 adjourned at 9:58 a.m.

APPROVED:

CERTIFIED CORRECT:

T. Siddon
Environment and Infrastructure Committee Chair

B. Newell
Chief Administrative Officer



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, March 10, 2106

9:01 am

Minutes

MEMBERS PRESENT:

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

Director K. Kozakevich, Electoral Area "E"
Director H. Konanz, City of Penticton
Director A. Martin, City of Penticton
Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director T. Schafer, Electoral Area "C"
Director J. Sentes, City of Penticton
Director T. Siddon, Electoral Area "D"

MEMBERS ABSENT:

Director T. Boot, District of Summerland
Director R. Hovanes, Town of Oliver
Director P. Waterman, District of Summerland

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of March 10, 2016 be adopted. - **CARRIED**

B. Climate Leadership Plan – For Information Only

1. Consultation Guide

C. ADJOURNMENT

By consensus, the Planning and Development Committee meeting of March 10, 2016 adjourned at 9:17 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
Planning and Development Committee 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

BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 11:29 a.m. Thursday, March 10, 2016 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 M. Doerr, Alt. 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 R. Hovanes, Town of Oliver

STAFF PRESENT:

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

S. Croteau, Manager of Finance
M. Woods, Manager of Community Services
L. Walton, Building Inspection Services Supervisor

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the [Agenda](#) for the Regional District of Okanagan-Similkameen Board Meeting of March 10, 2016 be adopted. - **CARRIED**

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee – February 25, 2016

THAT the Minutes of the February 25, 2016 Corporate Services Committee be received.

THAT the Board of Directors advise Lower Similkameen Community Forests Ltd. and Lower Similkameen Community Forests Limited Partnership of the Regional District of Okanagan Similkameen's (RDOS) intent to withdraw from its interest therein; and,

THAT negotiation for the sale/transfer of the RDOS shares and/or units be undertaken with the remaining partner(s).

b. Community Services Committee – February 25, 2016

THAT the Minutes of the February 25, 2016 Community Services Committee be received.

*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.

- c. Environment and Infrastructure Committee – February 25, 2016

THAT the Minutes of the February 25, 2016 Environment and Infrastructure Committee be received.

- d. RDOS Regular Board Meeting – February 25, 2016

THAT the minutes of the February 25, 2016 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, 331 Oak Ave., Kaleden Area “D”.

The Chair asked if the property owner was present but they were not.

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot A, Plan KAP44885, District Lot 105s, 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. - **CARRIED**

C. PUBLIC WORKS

1. Okanagan Falls Wastewater Treatment Plant Wetlands - Update
 - a. Contract of Purchase and Sale
 - b. [PowerPoint presentation](#)

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

THAT the Board of Directors approve the purchase of the property located at 2026 Highway 97, Okanagan Falls at a price of \$195,000.00 for the intended use of a constructed wetland. - **CARRIED**

2. Campbell Mountain Landfill Site Investigation & Okanagan Falls Landfill Monitoring Wells

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

THAT the Board sole source the Contaminated Site Regulation Phase 2 Site Investigation at Campbell Mountain Landfill and the Monitoring Well Drilling at Okanagan Falls Landfill to Western Water Associates for the amount of \$135,920 plus GST. - **CARRIED**

D. COMMUNITY SERVICES – Protective Services

1. Appointment of Local Assistant to the Fire Commissioner for Areas “D” & “F”.
 - a. LAFC Appointment Amendment

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

THAT the Board of Directors endorse the City of Penticton’s request for the appointment of their new Fire Chief Larry Watkinson as assistant to the Fire Commissioner for the purpose of reporting and investigation of fire and/or fire hazards only under the duties of the Local Assistant to the Fire Commissioner in conjunction with Area “D” & “F” fire protection agreements with the City of Penticton. - **CARRIED**

E. COMMUNITY SERVICES – Recreation Services

1. KVR Licence of Occupation from Osprey Lake to Brookmere
 - b. Letter of Support
 - c. Map – NW Boundary
 - d. Map – Osprey to Brookmere

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

THAT the Board of Directors authorize the Chair and Chief Administrative Officer to execute the 30 year License of Occupation of the KVR from Osprey Lake to Brookmere; and further,

THAT the Board of Directors authorized staff to negotiate and enter in to an extra territorial service agreement with the Thomson-Nicola Regional District for the maintenance and minor improvements of the Licence of Occupation area north of the RDOS boundary. - **CARRIED**

F. COMMUNITY SERVICES – Rural Projects

1. South Okanagan Transit System – Proposed Service Areas
 - a. Transit Future Plan, Executive Summary 2015

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

THAT the Board of Directors approve in principle the establishment of a Service to authorize a tax requisition to subsidize the South Okanagan Transit Service to include the Electoral Areas “A”, “C”, “D”, and the Towns of Osoyoos and Oliver.

It was MOVED and SECONDED

THAT the motion be amended to read “THAT the Board of Directors approve in principle the establishment of a Service to authorize a tax requisition to subsidize the South Okanagan Transit Service to include the Electoral Areas “A”, “C”, “D”, and the Towns of Osoyoos and Oliver, provided that a 5 day a week service be provided with a scheduled stop in Kaleden.” - **DEFEATED**

Opposed: Directors Martin, Bauer, Kozakevich, Boot, Brydon, Jakubeit, Pendergraft, Sentes, McKortoff, Doerr, Schafer, Armitage

Question on the Main Motion:

THAT the Board of Directors approve in principle the establishment of a Service to authorize a tax requisition to subsidize the South Okanagan Transit Service to include the Electoral Areas “A”, “C”, “D”, and the Towns of Osoyoos and Oliver.

CARRIED

Opposed: Directors Siddon, Bush, Christensen

G. FINANCE

1. RDOS 2016-2020 Five Year Financial Plan Bylaw 2724, 2016
 - a. Bylaw No. 2724, 2016
 - b. Five Year Financial Plan
 - c. Summary of Budget Changes

RECOMMENDATION 9 (Weighted Corporate Vote – 2/3)**It was MOVED and SECONDED**

THAT Bylaw No. 2724, 2016 Regional District of Okanagan Similkameen 2016-2020 Five Year Financial Plan be read a second and third time and be adopted.

It was MOVED and SECONDED

That the motion be amended to read “THAT Bylaw No. 2724, 2016 Regional District of Okanagan Similkameen 2016-2020 Five Year Financial Plan be read a second and third time and be adopted as amended to increase the Electoral Area “A” grant in aid budget by \$5,000.” - **CARRIED**

Question on the Main Motion as amended:

THAT Bylaw No. 2724, 2016 Regional District of Okanagan Similkameen 2016-2020 Five Year Financial Plan be read a second and third time and be adopted as amended to increase the Electoral Area “A” grant in aid budget by \$5,000. - **CARRIED**

H. OFFICE OF THE CAO

1. RDOS Fees and Charges Bylaw No. 2723, 2016
 - a. Bylaw No. 2723, 2016 (marked up)
 - b. Bylaw No. 2723, 2016 (Clean)

RECOMMENDATION 10 (Weighted Corporate Vote – 2/3)**It was MOVED and SECONDED**

THAT Bylaw No. 2723, 2016 Regional District of Okanagan-Similkameen Fees and Charges Bylaw be read a second and third time and be adopted. - **CARRIED**

2. Land Purchase – BC Tree Fruits Cooperative
 - a. Offer to Purchase

RECOMMENDATION 11 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Board of Directors authorize the purchase of the lands with a civic address of 3950 1st Street, and legally described as:

- PID 025-790-820, Lot 5 DLs 210 and 3166S, SDYD, Plan KAP73160
- PID 025-790-838, Lot 6 DLs 210 and 3166S, SDYD, Plan KAP73160
- PID 025-790-854, Lot 7 DLs 210 and 3166S, SDYD, Plan KAP73160
- PID 025-790-862, Lot 8 DLs 210 and 3166S, SDYD, Plan KAP73160
- PID 025-790-871, Lot 9 DLs 210 and 3166S, SDYD, Plan KAP73160
- PID 025-790-889, Lot 10 DLs 210 and 3166S, SDYD, Plan KAP73160
- PID 025-790-901, Lot 11 DLs 210 and 3166S, SDYD, Plan KAP73160
- PID 012-281-611, Lot 1 Bl 60, DL 210, SDYD, Plan 519
- PID 012-281-620, Lot 2 Bl 60, DL 210, SDYD, Plan 519
- PID 012-281-638, Lot 3 Bl 60, DL 210, SDYD, Plan 519

in the amount of \$1,150,000. - **CARRIED**

3. Regional Heritage Conservation Bylaw No. 2706, 2015
 - a. Bylaw No. 2706, 2016

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors rescind third reading of Regional District of Okanagan-Similkameen Regional Heritage Conservation Service Establishment Bylaw No. 2706, 2015; and further,

THAT the bylaw be amended to remove the Town of Princeton; and further,

THAT the Directors for the City of Penticton, the Towns of Osoyoos, Oliver, Village of Keremeos, the District of Summerland, and Electoral Areas “A”, “B”, “C”, “D”, “E”, “F”, “G” and “H” confirm their consent, with the removal of the Town of Princeton, from the bylaw; and further,

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

THAT the bylaw be forwarded to the Inspector of Municipalities for approval and returned to the Board for adoption. - **CARRIED**

I. CAO REPORTS

1. Verbal Update
-

J. OTHER BUSINESS

1. Chair's Report
-

2. Directors Motions
-

3. Board Members Verbal Update
-

K. ADJOURNMENT

By consensus, the meeting adjourned at 12:45 p.m.

APPROVED:

CERTIFIED CORRECT:

A. Jakubeit
RDOS Board Vice Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
TYPE: Official Community Plan & Zoning Bylaw Amendment



THAT Bylaw No. 2458.09, 2016, Electoral Area “E” Official Community Plan Amendment Bylaw and Bylaw No. 2459.18, 2016, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the Board considers the process, as outlined in the report from the Chief Administrative Officer dated March 24, 2016, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2458.09, 2016, in conjunction with its Financial and applicable Waste Management Plans;

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

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

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

Purpose: Rezoning to reflect a boundary line adjustment subdivision between two parcels

Owners: Lot 1: Palomino Estates Ranch & Vineyard Lot 2: D & W Rylands

Agent: Ecora Engineering Civic: 4800 North Naramata Road

Legals: Lots 1 & 2, DL 221 and 3314, SDYD, Plan EPP57777 Folio: E02296.006 & E07146.001

OCP: Lot 1 - Small Holdings (SH)/ Resource Area (RA) Proposed OCP: Lot 1 - Small Holdings (SH)
Lot 2 - Resource Area (RA) Lot 2 - Resource Area (RA)

Zoning: Lot 1 - Residential Single Family One (RS1)/ Resource Area (RA) Proposed Zoning: Lot 1 - Small Holdings Five (SH5)
Lot 2 - Resource Area (RA) / Residential Single Family One (RS1) Lot 2 - Resource Area (RA)

Proposal:

This application proposes to amend the zoning boundaries of the subject properties to reflect a recent lot line adjustment subdivision. The recent lot line adjustment subdivision defines a site for future small holdings rural residential subdivision within Lot 1 (the SH5 zone).

Specifically, the proposal is to amend the OCP and Zoning Bylaw from Residential Single Family One (RS1) to a Small Holdings Five (SH5) zone for the new 'Lot 1' and to undertake a textual amendment to the OCP to accommodate parcel sizes of 2,020 m² in the SH designation. It is also proposed to amend the OCP and Zoning Bylaw for 'Lot 2', from part RS1 to part Resource Area (RA).

In support of this proposal the applicant states that the "social benefits will ensure the future development and growth are compatible with community values (low population density). The economic benefit of this land use amendment will ensure that growth does not result in large tax increases. The proposed zoning will also encourage home occupation or bed and breakfast establishment business opportunities".

Site Context:

The subject properties are 13.07 ha (Lot 1) and 61.18 ha (Lot 2) in size and are located on the east side of North Naramata Road. Lot 1 is currently vacant. Lot 2 currently has a dwelling unit, a yurt and accessory structure on site. Lot 2 is also divided by the Kettle Valley Railway Plan.

The properties slope upwards from North Naramata Road with a rise of approximately 220 m from the road to the eastern edge of Lot 2.

The surrounding pattern of development to the west is generally characterised as agricultural properties within the ALR on average about 2.0 ha in size. To the east are large vacant RA parcels.

Immediately to the north are two properties zoned RS1, being 0.9 ha and 0.8 ha in size; these were subdivided in 2005. Further along North Naramata Rd there several properties zoned as SH2, SH3 and SH4 that were subdivided in 2001. The SH4 parcels are owned by Nature Trust of BC.

Background:

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No 2458, 2008, the subject properties are designated as Small Holdings (SH) and Resource Area (RA) and are also identified as having an Environmentally Sensitive Development Permit (ESDP) and a Watercourse Development Permit area (WDP) designation.

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the subject properties are zoned as Residential Single Family One (RS1), which permits 1010 m² a minimum parcel size subject to servicing and Resource Area (RA) which permits a minimum parcel size of 20 ha.

The RS1 zoning has been in place since 1995 as identified from Zoning Bylaw No. 1566, 1995.

A subdivision for a boundary adjustment was registered in February 2016. A Watercourse Development (WDP) was issued at time of subdivision process. An ESDP was exempt in this case because the subdivision is creating only two parcels. Any future development within the Development Permit Areas may require additional permits.

A subdivision application has recently been referred from the Ministry of Transportation and Infrastructure for a 3 lots within Lot 2.

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.

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 53 has been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Public Process:

At the March 9, 2016 meeting, the Electoral Area "E" Advisory Planning Commission (APC) passed a motion to approve the subject amendments.

Administration recommends that consideration by the APC as well as formal referral to the agencies listed at Attachment No.1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, this process is seen to be sufficiently early and does not need to be further ongoing consultation.

Comments have been received from Ministry of Forests, Lands and Natural Resource Operations, Penticton Indian Band and these are included as a separate item on the Board agenda.

Analysis:

In considering this proposal, Administration notes that the boundary adjustment did not increase the overall amount of land available for residential development. It is also noted that the proposal includes amending the minimum parcel size for development from 1,010 m² to 2,020 m² as reflected in the change from RS1 to SH5.

By designating the area currently zoned as RS1 as Small Holdings, the Electoral Area "E" OCP sets the preferred direction towards a rural holdings type of development. The Small Holdings designation is intended for medium sized parcels of land generally used for rural residential, part time farming, limited agriculture, limited resource management, home industry and other uses that fit with the character of the area. If a future subdivision is proposed within the SH5 zone, the minimum parcel size will be dictated by servicing requirements. Unless there is a community sewer system is constructed as part of any new development, the minimum parcel size will be one hectare.

The Small Holdings Five (SH5) zone that prescribes a 2,020 m² minimum parcel size (conditional on servicing) was added to the Electoral Area "E" Zoning Bylaw in 2011 as part of a zoning amendment facilitating the Naramata Benchlands development. It is proposed to amend the Small Holdings section of the OCP for consistency to better reflect a range of parcels sizes from 0.2 ha (reduced from 0.4 ha) up to 4.0 ha in size that are intended to provide for country residential rural lifestyle.

In order to correctly reflect the new parcel configuration, portions of 'Lot 2' immediately adjacent to the north and south of 'Lot 1' now zoned RS1 and designated Small Holdings, will be amended to RA zoning and OCP designations.

The OCP supports a strategy of directing low and medium residential development to the Naramata townsite while it directs to retain and enhance the character of rural holdings. This proposal is seen to align with the direction supported in the OCP.

Administration generally supports the proposed rezoning for the parcels created through a lot adjustment subdivision, for the above reasons, in particular that it is replacing the RS1 zone, seen to be more appropriate in areas with greater density potential, with a SH5 zone that better reflects the rural residential along North Naramata Road.

Alternative:

THAT Bylaw No. 2459.18 and Bylaw No. 2458.09, 2016, Electoral Area "E" OCP and Zoning Amendment Bylaws be denied.

Respectfully submitted:

E Riechert

E. Riechert, Planner

Endorsed by:

CG

C. Garrish, Planning Supervisor

Endorsed by:

Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Google Earth Photo

No. 3 – Survey Plan

Attachment No. 1 — Agency Referral List

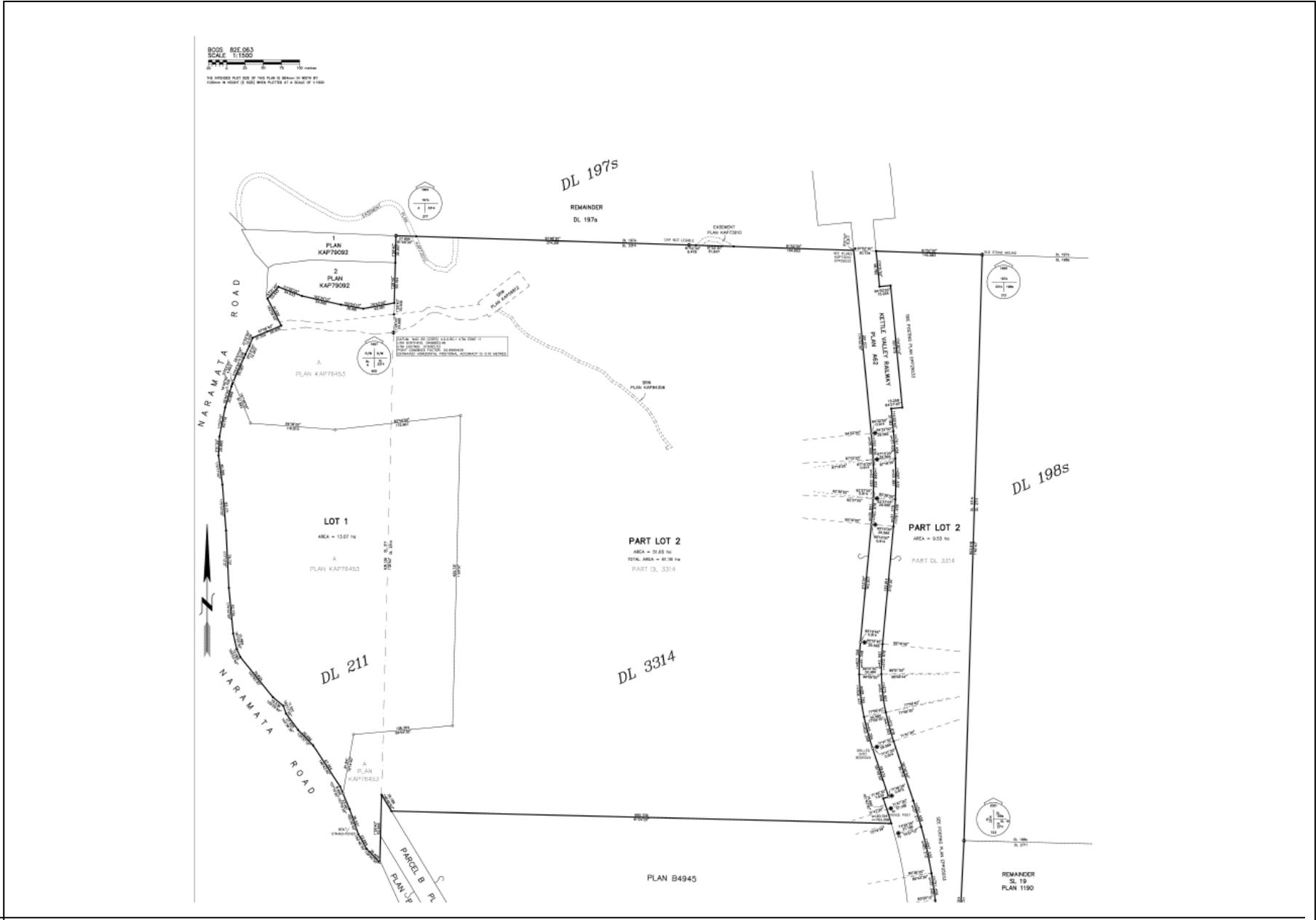
Referrals to be sent to the following agencies as highlighted with a , prior to the Board considering first reading of Amendment Bylaw No. 2458.09, 2016 and No. 2459.18, 2016

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

Attachment No. 2 — Google Earth Photo



Attachment No. 3 — Survey Plan EPP57777



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 2458.09, 2016

**A Bylaw to amend the Electoral Area “E”
Official Community Plan Bylaw No. 2458, 2008**

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “E” Official Community Plan Amendment Bylaw No. 2458.09, 2016.”
2. The Official Community Plan Bylaw Map, being Schedule ‘B’ of the Electoral Area “E” Official Community Plan Bylaw No. 2458, 2008, is amended by changing the land use designation on an approximately 4.03 hectare part of the land described as Lot 1, District Lot 221 and 3314, SDYD, Plan EPP5777 and shown shaded yellow on Schedule ‘X-2’, which forms part of this Bylaw, from Resource Area (RA) to Small Holdings (SH).
3. The Official Community Plan Bylaw Map, being Schedule ‘B’ of the Electoral Area “D” Official Community Plan Bylaw No. 2458, 2008, is amended by changing the land use designation on approximately 4.02 hectare parts of the land described as Lot 2, District Lot 221 and 3314, SDYD, Plan EPP5777, and shown shaded yellow on Schedule ‘X-3’, which forms part of this Bylaw, from Small Holdings (SH) to Resource Area (RA).
4. The Electoral Area “E” Official Community Plan Bylaw No. 2458, 2008, is amended by:

- (i) Replacing Policy 10.3.1 under Rural Holdings with: “Establishes that Small Holdings designations provide for a rural or semi-rural, country residential lifestyle ranging in minimum parcel size from 0.2 ha to 4.0 ha, subject to servicing requirements.”

READ A FIRST AND SECOND TIME this ___ day of _____, 2016.

PUBLIC HEARING held on this ___ day of _____, 2016.

READ A THIRD TIME AND ADOPTED this ___ day of _____, 2016.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

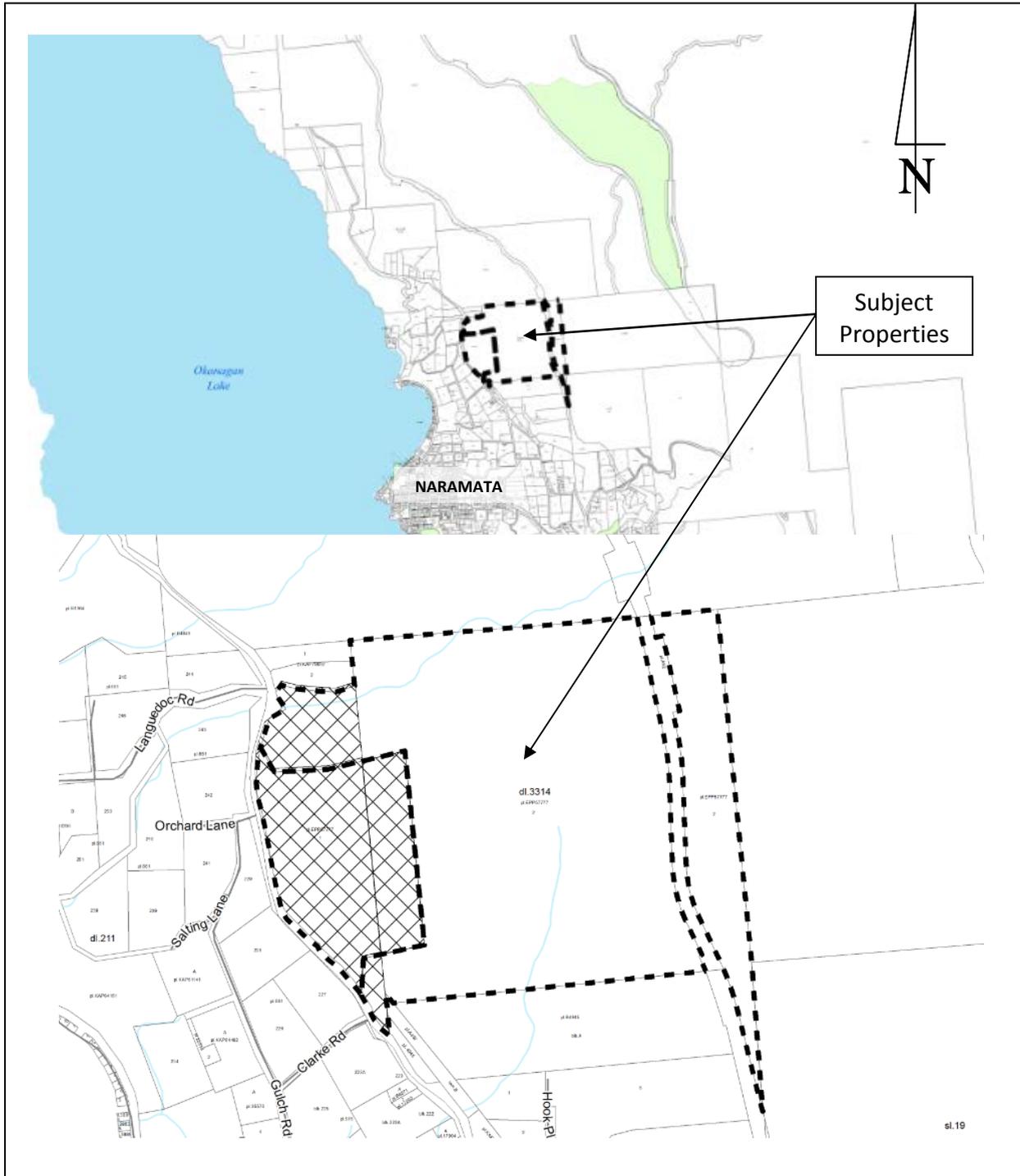
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2458.09, 2016

Project No: E2016.004-ZONE

Schedule 'X-1'



Regional District of Okanagan-Similkameen

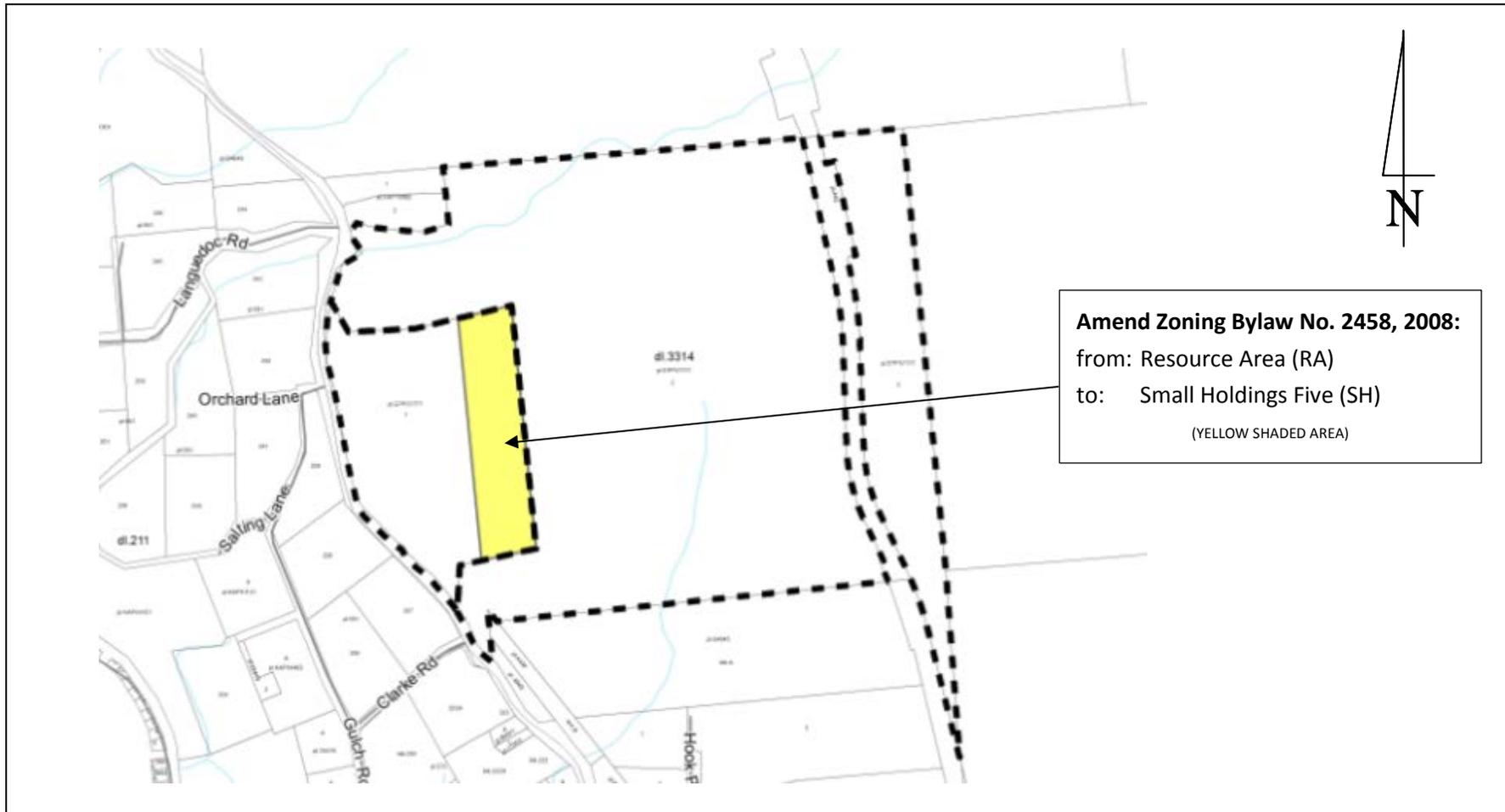
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2458.09, 2016

Project No: E2016.004-ZONE

Schedule 'X-2'



Regional District of Okanagan-Similkameen

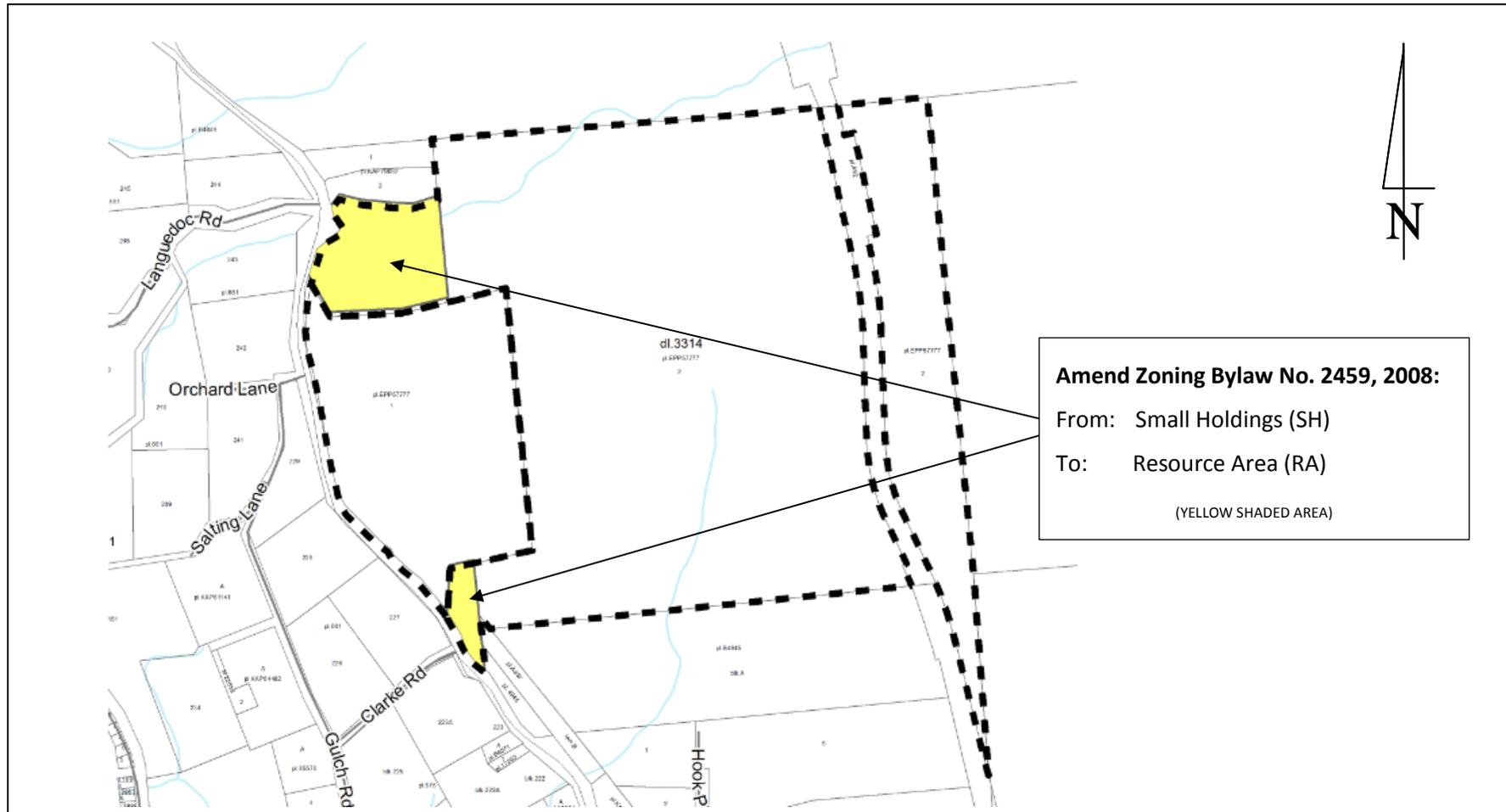
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2458.09, 2016

Project No: E2016.004-ZONE

Schedule 'X-3'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2459.18, 2016

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

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “E” Zoning Amendment Bylaw No. 2459.18, 2016.”
2. The Zoning Map, being Schedule ‘2’ of the Electoral Area “E” Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on an approximately 4.03 hectare part of the land described as Lot 1, District Lot 221 and 3314, SDYD, Plan EPP5777 and shown shaded yellow on Schedule ‘Y-2’, which forms part of this Bylaw, from Resource Area (RA) to Small Holdings Five (SH5).
3. The Zoning Map, being Schedule ‘2’ of the Electoral Area “E” Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on an approximately 4.02 hectare parts of the land described as Lot 2, District Lot 221 and 3314, SDYD, Plan EPP5777 and shown shaded yellow on Schedule ‘Y-3’, which forms part of this Bylaw, from Residential Single Family One (RS1) to Resource Area (RA).
4. The Zoning Map, being Schedule ‘2’ of the Electoral Area “E” Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on an approximately 13.6 hectare part of the land described as Lot 1, District Lot 221 and 3314, SDYD, Plan EPP5777 and shown shaded yellow on Schedule ‘Y-4’, which forms part of this Bylaw, from Residential Single Family One (RS1) to Small Holdings Five (SH5).

READ A FIRST AND SECOND TIME this ___ day of _____, 2016.

PUBLIC HEARING held on this ___ day of _____, 2016.

READ A THIRD TIME AND ADOPTED this ___ day of _____, 2016.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

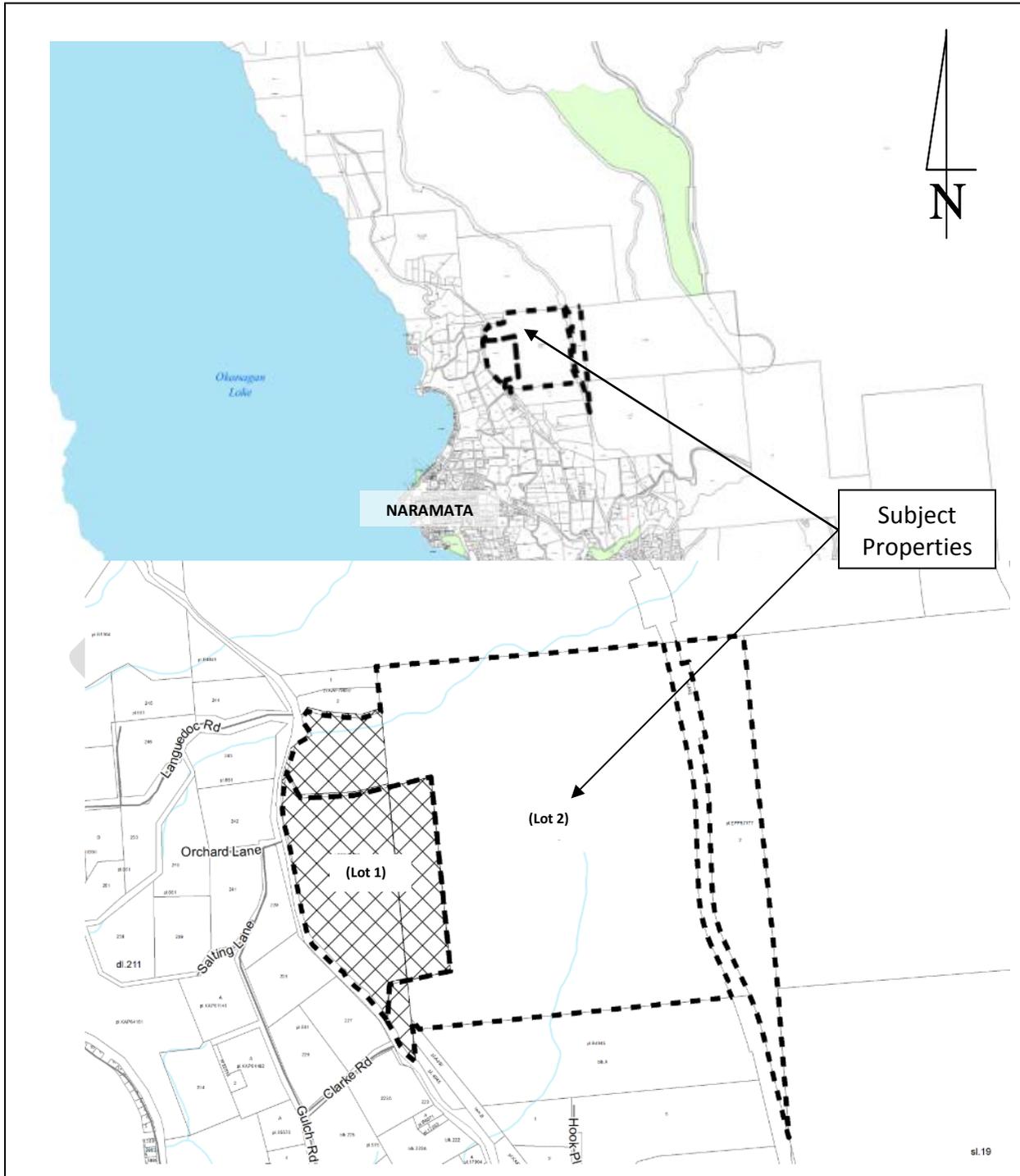
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2459.18, 2016

Project No: E2016.004-ZONE

Schedule 'Y-1'



Regional District of Okanagan-Similkameen

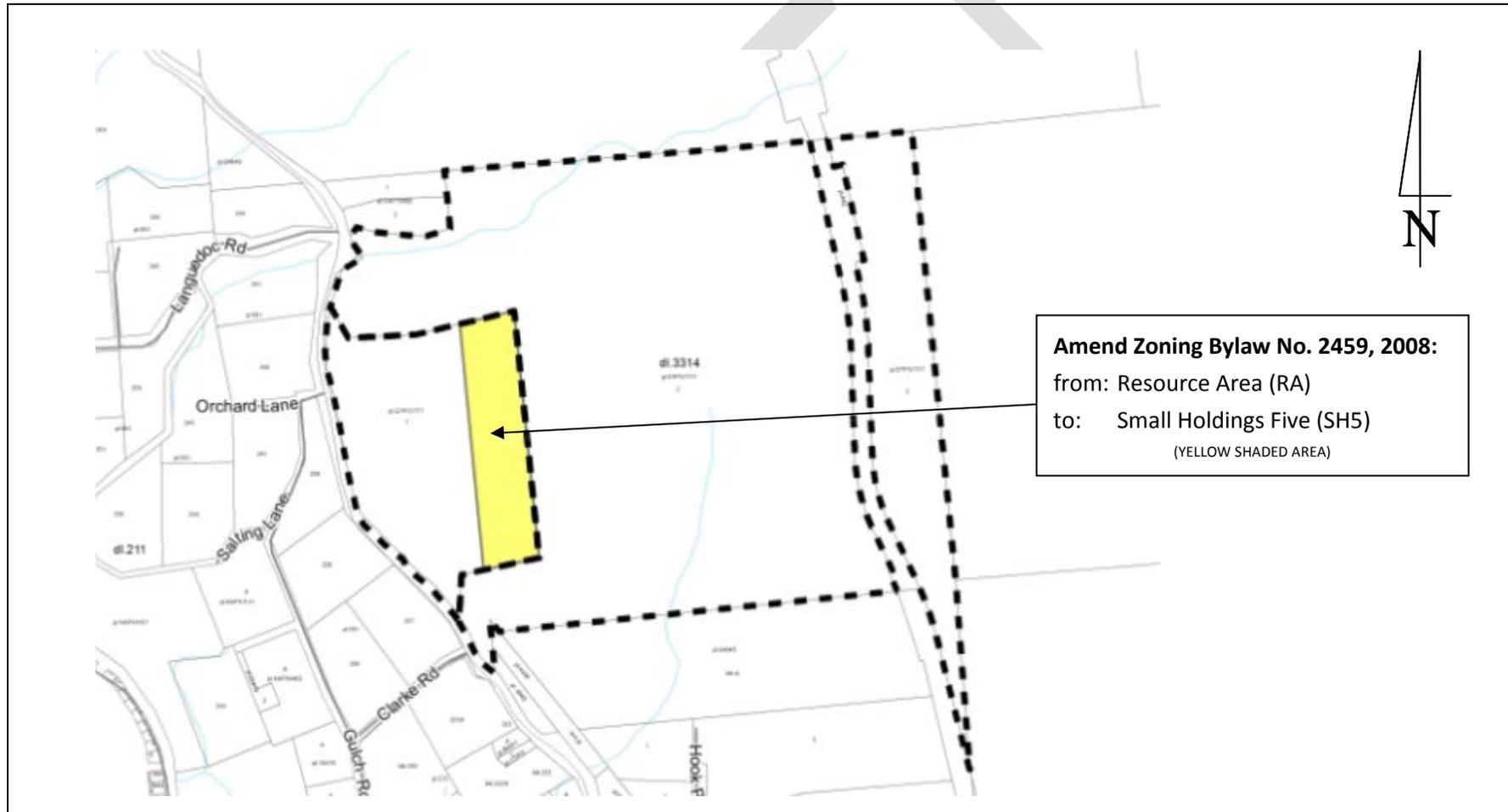
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2459.18, 2016

Project No: E2016.004-ZONE

Schedule 'Y-2'



Regional District of Okanagan-Similkameen

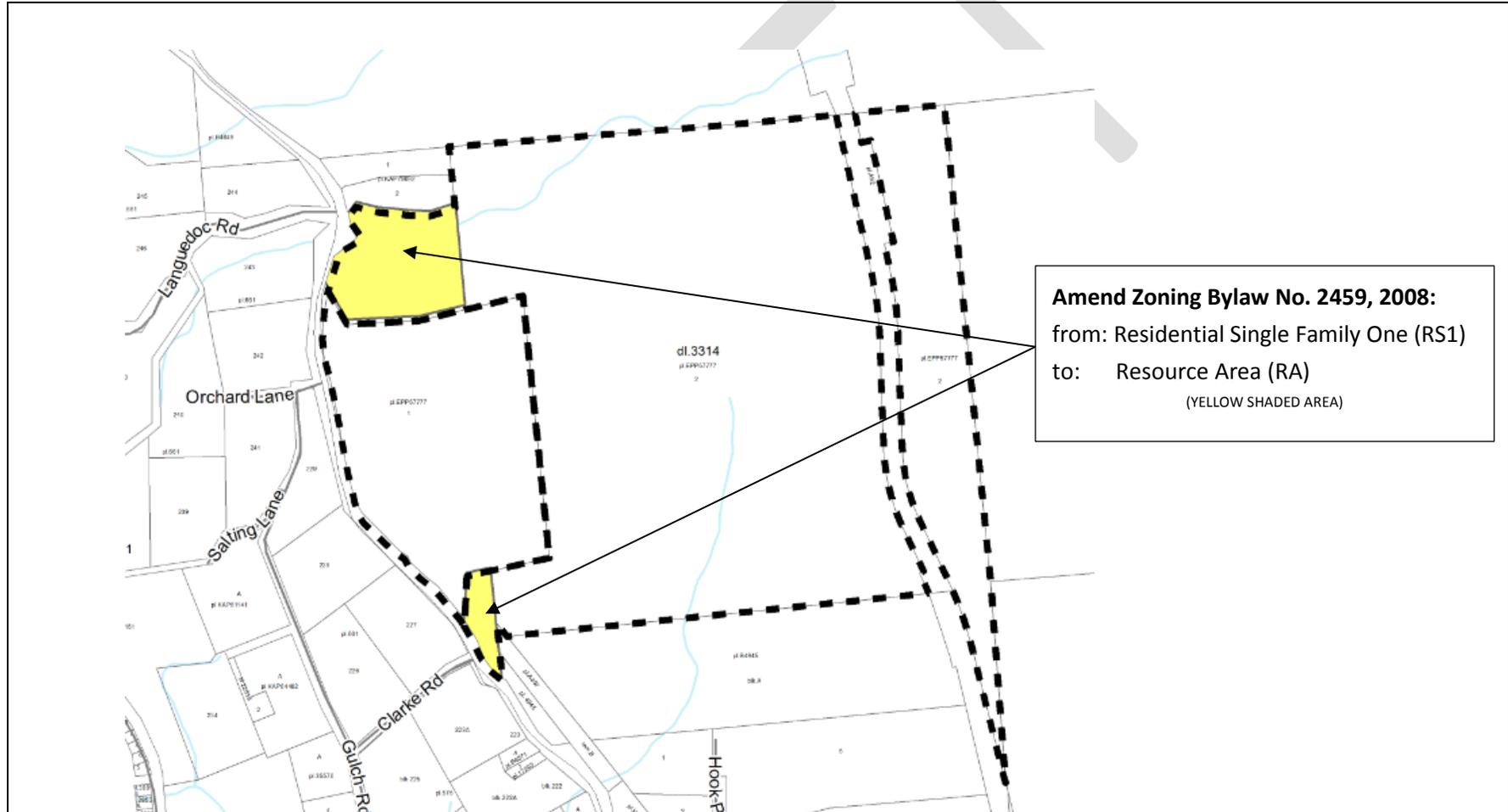
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2459.18, 2016

Project No: E2016.004-ZONE

Schedule 'Y-3'



Regional District of Okanagan-Similkameen

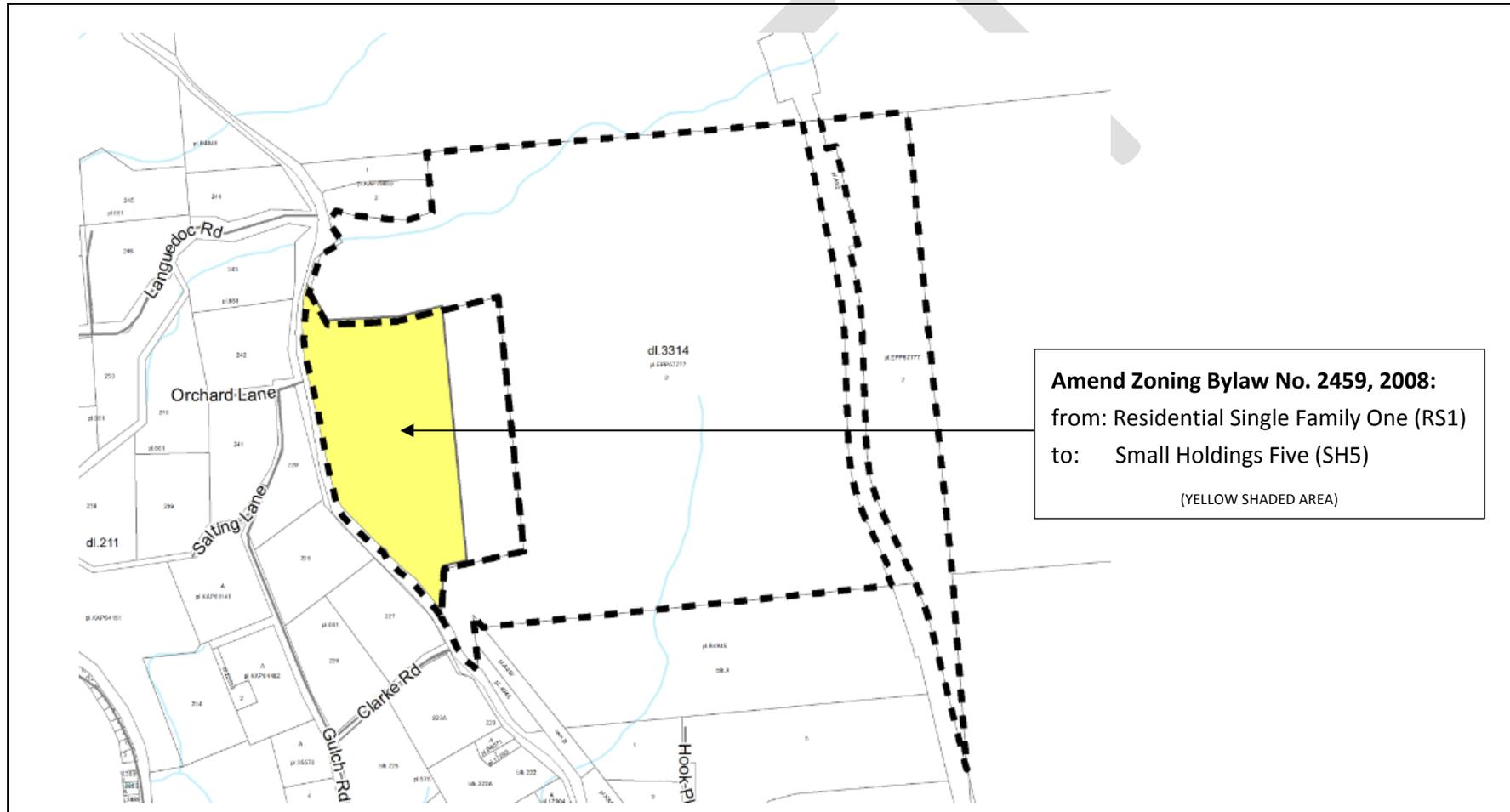
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2459.18, 2016

Project No: E2016.004-ZONE

Schedule 'Y-4'





February 26, 2016

File: 58000-20/201621
Your file: E2016.004-ZONE
Bylaws 2459.18; 2458.09

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

Attention: Evelyn Riechert

Re: Zoning Amendment for Lot A, DL 211, SDYD Plan KAP76453, except Plan KAP79092 and DL 3314, SDYD except Plans A62, B3472, A497 and 661 located on the east side of North Naramata Road (4800 North Naramata Road)

The Ecosystems Section of the Ministry of Forests, Lands, and Natural Resource Operations (FLNR) has reviewed the above noted referral.

Based on the information provided, the proposed activity has the potential to impact environmental values.

Our expectation is that prior to agency approval, an assessment of values occurs and that mitigation is included in the final proposal to ensure minimal impacts to those values.

We recommend that the proponent retain a qualified professional (QP) to conduct an environmental assessment of the site prior to development in order to assess the environmental values present, determine the potential for adverse effects to environmental values as a result of development, and develop value-specific mitigation measures to avoid or limit adverse effects.

The QP review is to include: Conservation Data Centre (CDC) Species at Riskⁱ, Wildlife Species Inventory (WSI)ⁱⁱ, Conservation Landsⁱⁱⁱ, Okanagan Shuswap Land and Resource Management Plan (LRMP)^{iv} (wildlife/habitat RMZs), streams, fish occurrences, Ungulate Winter Range (UWR)^v, Wildlife Habitat Areas (WHA)^{vi}, Terrestrial Ecosystem Mapping (TEM), Biodiversity Conservation Strategy^{vii,viii}, etc.

Inventory methods should follow provincial Resources Information Standards Committee (RISC) standards^{ix}. In addition, species at risk occurrences should be reported to the B.C. Conservation Data Centre (CDC) using standard forms^x.



Provincial guidance for considering environmental values, including a bio-inventory terms of reference, are provided in FLNR's document *Develop with Care 2014: Environmental Guidelines for Urban & Rural Land Development in British Columbia*^{xi}. Section 3 of this document describes the objectives, requirements, and guidelines for good environmental development and management at the site level. Section 4 describes the objectives, legal requirements, and guidelines for land development near environmentally valuable resources, which can include endangered species, sensitive ecosystems or specialized habitats. Section 5.7 provides regional guidelines for the Thompson Okanagan Region.

Additional guidance for mitigating adverse effects to environmental values is provided in British Columbia's *Environmental Mitigation Policy*^{xii}.

Environmental values recorded as part of the environmental assessment, as well as appropriate mitigation for the specific environmental values identified, should be reported to the undersigned for consideration as part of this referral.

It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Act* and the *Wildlife Act*.

Please contact the Robert Stewart at Robert.Stewart@gov.bc.ca or 250-490-8200 if you have further questions, require additional information or cannot follow the recommendations provided in this referral response.

Yours truly,



Grant Furness
Ecosystems Section Head

GF/cl

ⁱ <http://www.env.gov.bc.ca/cdc/>

ⁱⁱ <http://www.env.gov.bc.ca/wildlife/wsi/index.htm>

ⁱⁱⁱ <http://www.env.gov.bc.ca/fw/habitat/conservation-lands/>

^{iv} <https://www.for.gov.bc.ca/tasb/SLRP/plan70.html>

^v <http://www.env.gov.bc.ca/wld/frpa/uwr/>

^{vi} <http://www.env.gov.bc.ca/wld/frpa/iwms/wha.html>

^{vii} http://a100.gov.bc.ca/appsdata/acat/documents/r42389/BiodiversityStr_1409784064471_9783578053.pdf

^{viii} <http://www.socp.org/biodiversity/>

^{ix} <https://www.for.gov.bc.ca/hts/risc/pubs/>

^x <http://www.env.gov.bc.ca/cdc/contribute.html>

^{xi} <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/index.html>

^{xii} <http://www.env.gov.bc.ca/emop/>

Lauri Feindell

From: Lauri Feindell
Sent: March 10, 2016 10:43 AM
To: Sandy Croteau; Roger Huston
Cc: Cameron Baughen; Evelyn Riechert
Subject: FW: Bylaw Referral E2016.004-ZONE
Attachments: E2458.09 (Wheeler OCP).docx; E2016.004-ZONE (Wheeler).docx; Supporting Rationale.pdf

Good Morning,

Re: Bylaw 2458.09

(4800 North Naramata Road)

Under Section 447 of the *Local Government Act*, when considering an amendment to an OCP, the Regional District must:
After first reading of a bylaw under subsection (1), the local government must, in sequence, do the following:

- (a) consider the plan in conjunction with*
 - (i) its financial plan, and*
 - (ii) any waste management plan that is applicable in the municipality or regional district;*

Please forward comments if you have, and if no comments or concerns, could you also please send a quick email,

Much appreciated,

Lauri



Lauri Feindell

E07146.000

From: Cameron Baughen
Sent: March 10, 2016 11:18 AM
To: Lauri Feindell
Subject: RE: Bylaw Referral E2016.004-ZONE

Wieder

Doesn't affect Solid Waste Management Plan. Don't know if Liquid Waste Plan in effect or 1 hectare policy?

Cameron Baughen, RDOS Solid Waste Management Coordinator

101 Martin Street, Penticton BC
Ph 250-490-4203 TF 1-877-610-3737
cbaughen@rdos.bc.ca www.rdos.bc.ca

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

From: Lauri Feindell
Sent: March-10-16 10:43 AM
To: Sandy Croteau; Roger Huston
Cc: Cameron Baughen; Evelyn Riechert
Subject: FW: Bylaw Referral E2016.004-ZONE

Good Morning,

Re: Bylaw 2458.09
(4800 North Naramata Road)

Under Section 447 of the *Local Government Act*, when considering an amendment to an OCP, the Regional District must:

After first reading of a bylaw under subsection (1), the local government must, in sequence, do the following:

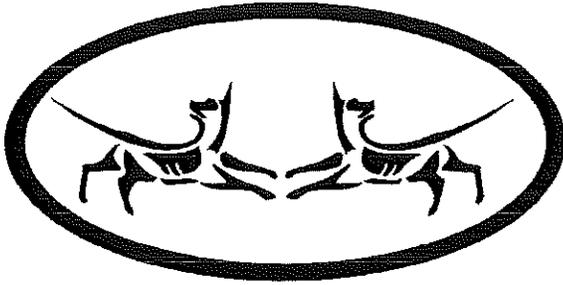
- (a) consider the plan in conjunction with*
 - (i) its financial plan, and*
 - (ii) any waste management plan that is applicable in the municipality or regional district;*

Please forward comments if you have, and if no comments or concerns, could you also please send a quick email,

Much appreciated,

Lauri





Penticton Indian Band

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

Telephone: 250-492-0411 Fax: 250-493-2882

February-16-16

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

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

RTS #: 1530
Referral ID: 2016-02-11 ZON 1530
Reference #: BL2459.18 2458.09 E2016.004-ZONE
Referral Date: February-11-16

Attention: Evelyn Riechert

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 #1530

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.

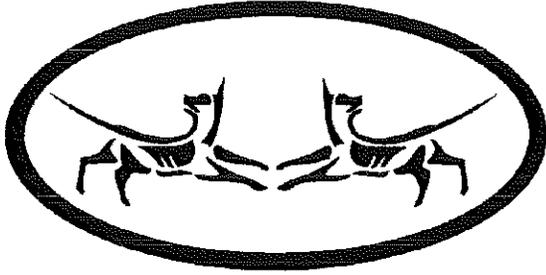
Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

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

lmlmt,

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

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

Telephone: 250-492-0411 Fax: 250-493-2882

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

February-16-16

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

RTS #: 1530

Referral ID: 2016-02-11 ZON 1530

Reference #: BL2459.18 2458.09 E2016.004-ZONE

Referral Date: February-11-16

Attention: Evelyn Riechert

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on February-15-16.

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.

Limlɛmt,

Lavonda Nelson
Data Management Clerk



ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 10, 2016
RE: Development Variance Permit Application — Electoral Area “E”



Administrative Recommendation:

THAT the Regional Board approve Development Variance Permit No. E2016.005–DVP.

Purpose: To relocate an existing principal storage building.

Owners: Bradley and Sharron Paulsen Agent: NA Folio: E-00645.000

Civic: 4035 1st Street Legal: Lot 30, Plan 3352, District Lot 210, SDYD

OCP: Low Density Residential (LR) Zone: Residential Single Family One Site Specific (RS1s)

Requested to vary the minimum front parcel line setback from 7.5 metres to 1.0 metres; and

Variances: to vary the minimum interior side parcel line setback from 3.0 metres to 1.74 metres.

Proposed Development:

This application proposes a number of variances to the provisions of Electoral Area “E” Zoning Bylaw No. 2459, 2008, in order to facilitate the relocation of an existing principal storage building which has a floor area of approximately 18.6 m² (i.e. approximately 3.0 metres by 6.1 metres), specifically:

- to reduce the minimum front parcel line setback from 7.5 m to 1.0 m; and
- to reduce the minimum interior side parcel line setback from 3.0 m to 1.74 m.

In support of the application the applicant has stated “we are requesting the variance for the front setback to maximize a limited yard space at the beach for our guests, and with it being in same range of setbacks as our neighbors, and being approved by the Ministry of Transport.” The applicant has also stated that a previously existing storage building (replaced in 2012) had existed on the property for “over fifty years”.

Site Context:

The subject property is approximately 408 m² in area and is situated on the west side of First Street and is bounded by Okanagan Lake along its rear boundary (i.e. it is being used as a beach access lot). The existing storage building associated with an adjacent motel use (Royal Anchor Resort) and is the only structure on the property. The storage building is currently located 0.21 m from the side parcel line and encroaches 0.22 beyond the front parcel line into the road right of way.

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

Background:

Under the Electoral Area “E” Zoning Bylaw, the Residential Single Family One Site Specific (RS1s) Zone that applies to the property allows for “single detached dwellings” and “storage buildings” as principal permitted uses. This latter use was approved by the Board in 2016 to allow for the storage of chairs and other recreational equipment used by patrons of the Royal Anchor Resort.

On February 10, 2016, the Ministry of Transportation authorized the siting of the existing storage no closer than 1.0 metres from the road right of way.

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, March 3, 2016.

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.

The use of the storage building is allowed by zoning as a principal use in association with an adjacent motel use (Royal Anchor Resort).

Generally, development within a front setback is considered to represent poor streetscape design. However, in this instance, on the basis of aerial photos and the survey provided by the applicant, it appears that the nearest four dwellings on the street all encroach within the required 7.5 metre front setback. Specifically, the dwellings situated on 4025, 4035, 4055, and 4065 1st Street are setback only 0.5, 1.7, 1.2, and 0.3 metres, respectively. As a result, streetscape characteristics and amenity are not seen to be negatively affected.

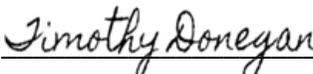
Further, the size of the structure is seen to be relatively small (approximately 18.6 m²)

In considering the side setback, a variance from 3.0 metres to 1.74 metres may appear significant; however, the subject property forms one premises with Lot 31 adjacent to the northeast. As a result, the proposed location of the shed is actually over 10 metres from the next parcel over (northeast). Therefore, the use of that parcel is not seen to be affected.

Alternatives:

- .1 THAT the Regional Board deny Development Variance Permit No. E2016.005–DVP; or
- .2 THAT the Regional Board defers making a decision and directs that the proposal be considered by the Electoral Area “E” Advisory Planning Commission (APC).

Respectfully submitted:


T. Donegan, Planning Technician

Endorsed by:


C. Garrish, Planning Supervisor

Endorsed by:


D. Butler, Development Services Manager

Attachments:

No. 1 – Site Photos

Attachment No. 1 – Site Photos



Subject Property



View of 1st Street looking northeast from 4015 1st Street



View of 1st Street looking southwest from 4065 1st Street

Development Variance Permit

FILE NO.: E2016.005-DVP

Owner: Bradley and Sharron Paulsen
P.O. Box 217
Naramata, BC V0H 1N0

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 30, Plan 3352, District Lot 210, SDYD

Civic Address: 4035 1st Street

Parcel Identifier (PID): 010-859-989 Folio: E-00645.000

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Naramata Rural Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:

- a) The minimum front parcel line setback for an accessory building or structure, as prescribed at Section 11.1.6(a)(i), is varied :
 - i) from: 7.5 metres
 - to: 1.0 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 11.1.6(a)(iv), is varied:
 - i) from: 3.0 metres
 - to: 1.74 metres, as measured from the outermost projection and 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 _____, 2016.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

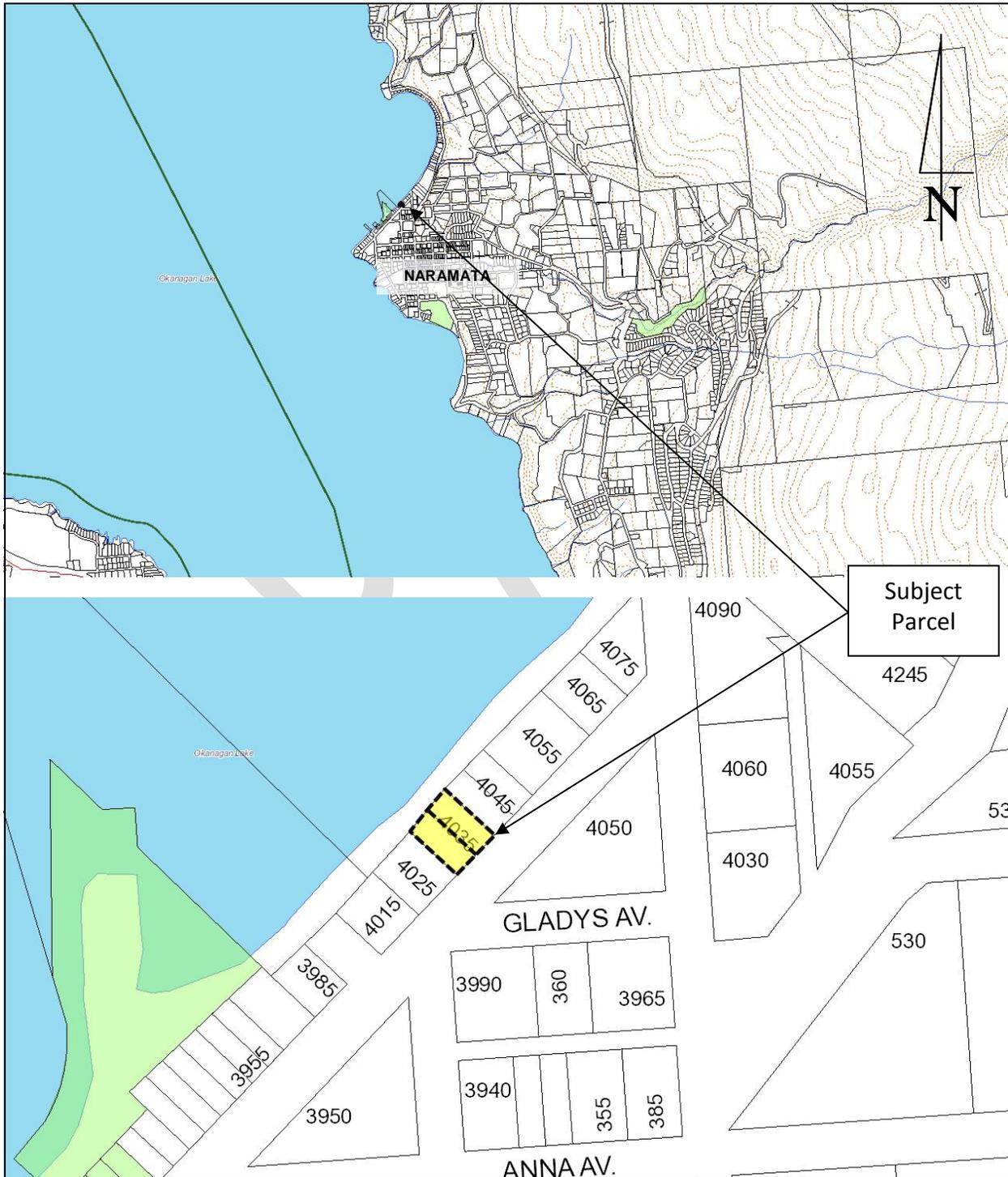
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

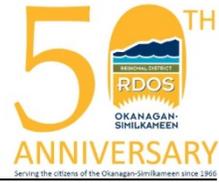
File No. E2016.005-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

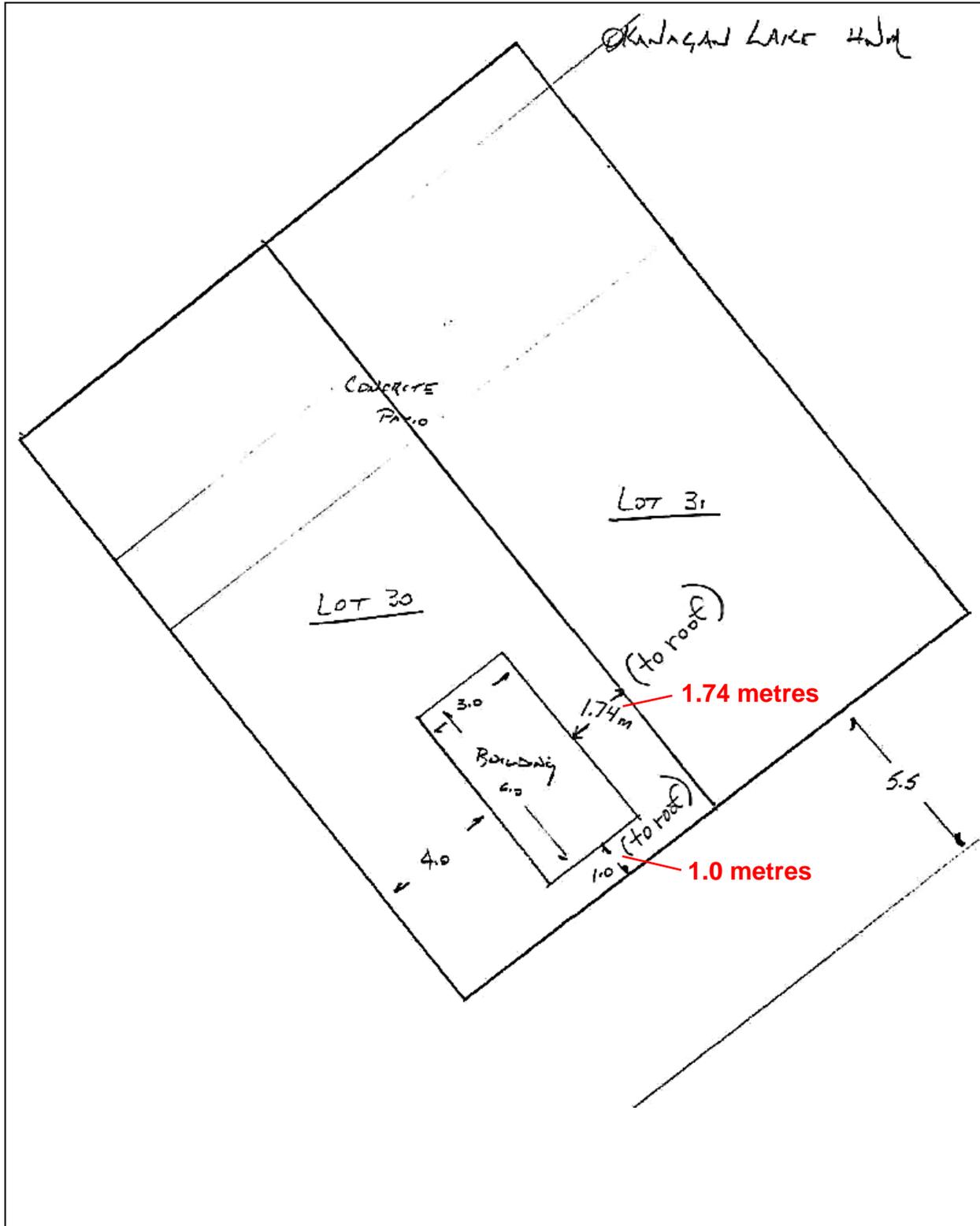
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.005-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

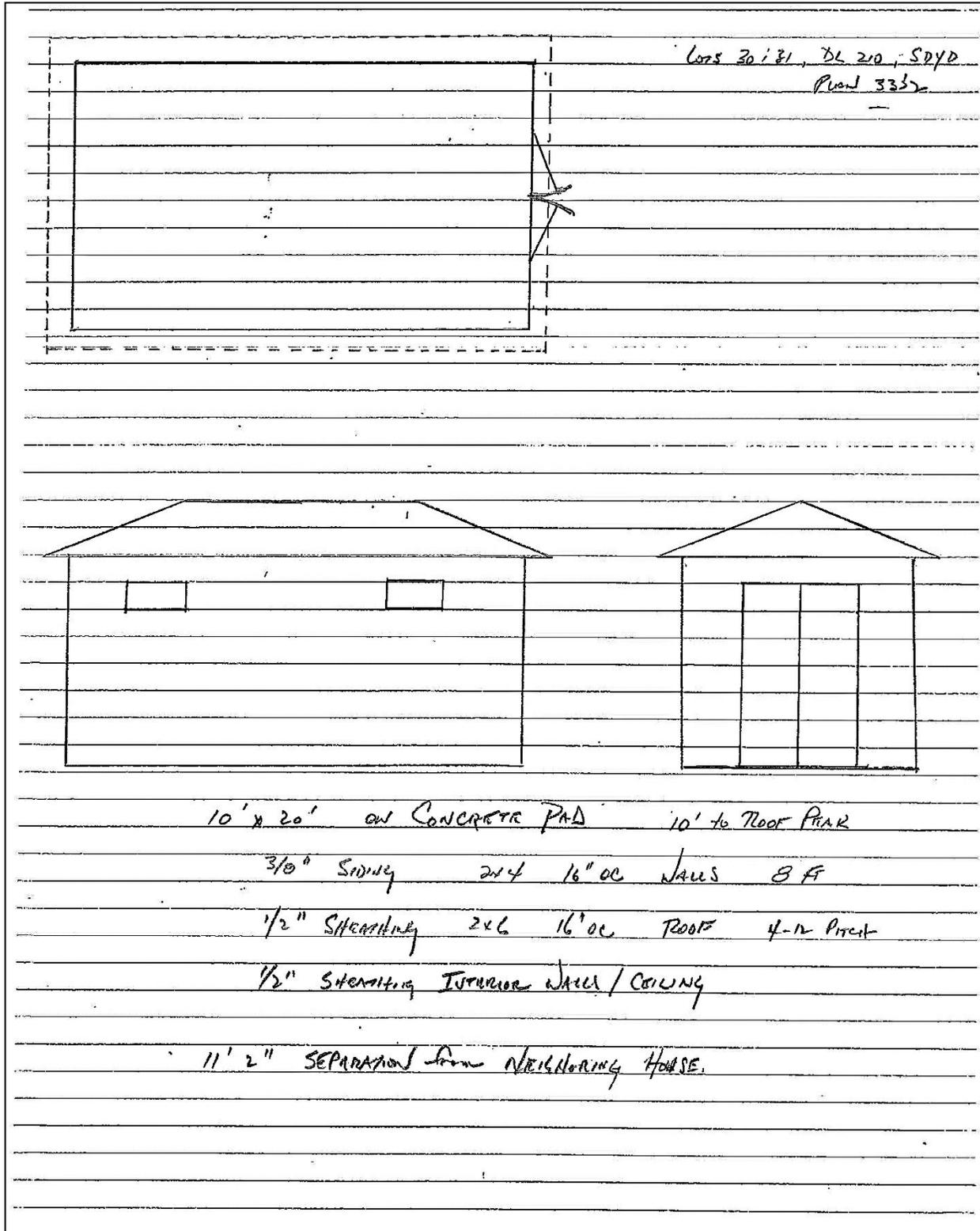
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.005-DVP

Schedule 'C'



ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
RE: Development Variance Permit Application — Electoral Area “F”



Administrative Recommendation:

THAT the Regional Board approve Development Variance Permit No. F2016.003–DVP.

Purpose: To replace an existing carport with a new, larger garage in the same location as the existing structure.

Owners: David & R. Jean Keith **Agent:** NA **Folio:** F-07375.005

Civic: 805 Vedette Drive **Legal:** Lot 1, District Lot 5076, ODYD, Plan 19409

OCP: Small Holdings (SH) **Zone:** Small Holdings Five (SH5)

Requested Variances: to vary the minimum front parcel line setback from 9.0 metres to 2.2 metres; and, to vary the minimum exterior side parcel line setback from 4.5 metres to 0.57 metres.

Proposed Development:

This application proposes a number of variances to the provisions of Electoral Area “F” Zoning Bylaw No. 2461, 2008, in order to facilitate the replacement of an existing carport with a new, larger garage in the same location as the existing structure. Specifically, the applicant is seeking:

- to reduce the minimum front parcel line setback for an accessory building from 9.0 metres to 2.2 metres, as measured to the outermost projection; and,
- to reduce the minimum exterior side parcel line setback for an accessory building from 4.5 metres to 0.57 metres, as measured to the outermost projection.

The applicant has stated the following in support of their application:

- The desired location is hardly visible from both Bartlett Drive and Vedette Drive as it is screened by cedar hedges;
- The terrain of the property further hides the proposed location from view as the slope of the land runs down from Vedette Drive towards the east. There is a rock wall 5 - 6 feet in height at the southwestern edge of the property, resulting in the base of the proposed structure being approximately 8 feet below the grade of the surrounding roads;
- The location of the dwelling is such that a garage addition to the west side of the house would not be possible, given the 9.0 metre setback requirement;
- The presence of fruit trees north of the dwelling leave limited room for a garage addition on the north side of the house;

-
- The construction of a garage on the southeast portion of the property would require the addition of a significant amount of fill to level the ground surface as well as the removal of a yew tree and cedar trees which provide privacy and noise/wind/dust reduction; and,
 - The northeastern portion of the property contains the septic field as well as a large evergreen tree, which are impediments to placing the proposed structure in that location.

Site Context:

The subject property is approximately 2,036 m² in area and is situated on the northwest corner of Vedette Drive and Bartlett Drive. The surrounding pattern of development is generally characterised by similar low density residential uses.

Background:

The subject property was created by a subdivision deposited in the Land Title office on September 9, 1969. There is no building permit on file for original construction of the single family dwelling; however, the applicant has indicated that it was constructed in approximately 1954. Building permits for additions to the dwelling were issued in 1977, 1982, and 2013.

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the subject property is zoned Small Holdings Five (SH5), which permits “accessory buildings and structures” as a permitted use.

At Section 10.8.7(b)(i) of the Zoning Bylaw, the minimum front parcel line setback is 9.0 metres, and at Section 10.8.7(b)(iv) of the Zoning Bylaw, the minimum exterior side parcel line setback is 4.5 metres.

As the proposed addition is to be situated within 4.5 metres of a road reserve, Ministry of Transportation and Infrastructure approval is required prior to Board consideration (as per the requirements of the Regional District’s Development Procedures Bylaw). The Ministry approved the proposed variance on January 20, 2016.

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, March 17, 2016.

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 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.

Generally, development within a front setback is considered to represent poor streetscape design. However, in this instance, the structure would be almost completely invisible from the road given the presence of cedar hedges along both Bartlett Drive and Vedette Drive. Further, as the lot slopes downward from the road, a significant portion of the structure would be located below the level of the road. As such, it is not anticipated that the proposed reduction in the front and exterior side

parcel line setbacks to allow for the replacement of the carport with a new garage would adversely impact upon the amenity of the area, adjoining uses, or streetscape characteristics.

Given limiting features on the property such as the location of the septic field and presence of mature vegetation (cedar, evergreen, yew, and fruit trees) which present barriers to placing a replacement structure elsewhere on the property, Administration considers the proposed garage location to be reasonable.

Alternatives:

- .1 THAT the Regional Board deny Development Variance Permit No. F2016.003–DVP; or
- .2 THAT the Regional Board defers making a decision and directs that the proposal be considered by the Electoral Area “F” Advisory Planning Commission (APC).

Respectfully submitted:



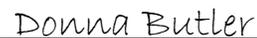
S. Lightfoot, Planning Technician

Endorsed by:



C. Garrish, Planning Supervisor

Endorsed by:



D. Butler, Development Services Manager

Attachments: No. 1 – Applicant’s Site Photos

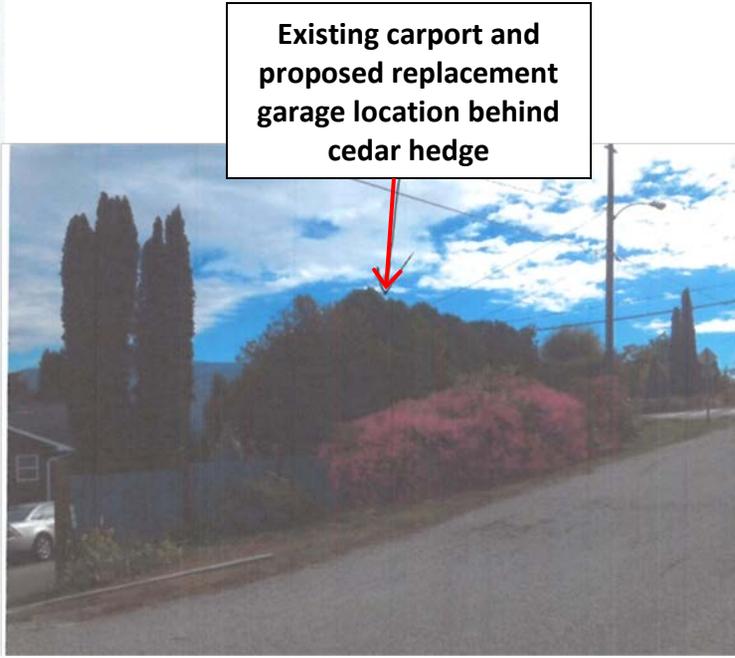
Attachment No. 1 – Applicant's Site Photos



View of existing carport facing west



View of existing carport facing south



Existing carport and proposed replacement garage location behind cedar hedge



Development Variance Permit

FILE NO.: F2016.003-DVP

Owner: David & R. Jean Keith

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', and 'D', 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 1, District Lot 5076, ODYD, Plan 19409

Civic Address: 805 Vedette Drive

Parcel Identifier (PID): 008-052-191 Folio: F-07375.005

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "F" Zoning Bylaw No. 2461, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The minimum front parcel line setback for an accessory building or structure, as prescribed at Section 10.8.7(b)(i), is varied :
 - i) from: 9.0 metres
 - to: 2.2 metres, as measured to the outermost projection and as shown on Schedule 'B'.

- b) The minimum exterior side parcel line setback for an accessory building or structure, as prescribed at Section 10.8.7(b)(iv), is varied:
- i) from: 4.5 metres
 - to: 0.57 metres, as measured to the outermost projection and 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 _____, 2016.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

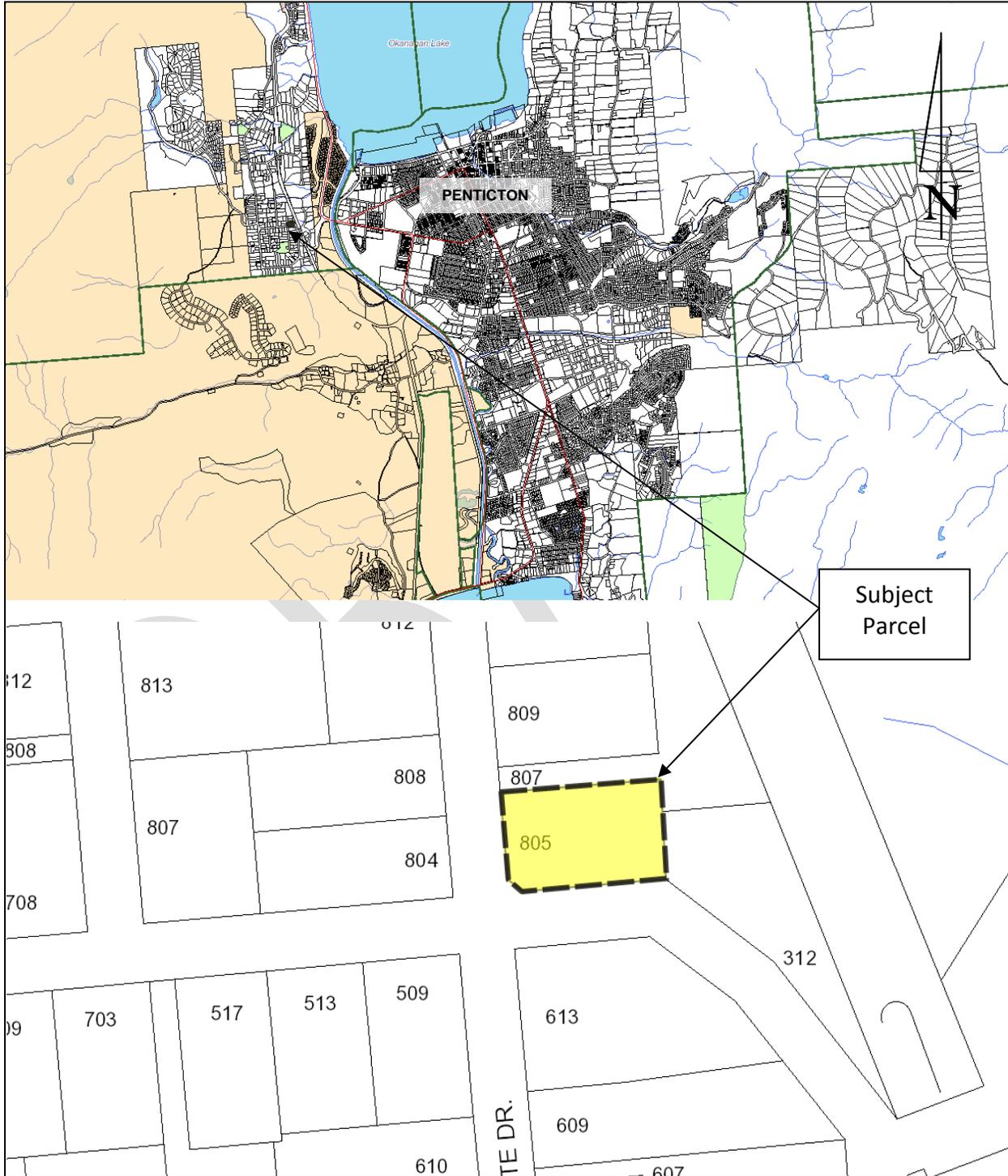
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. F2016.003-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

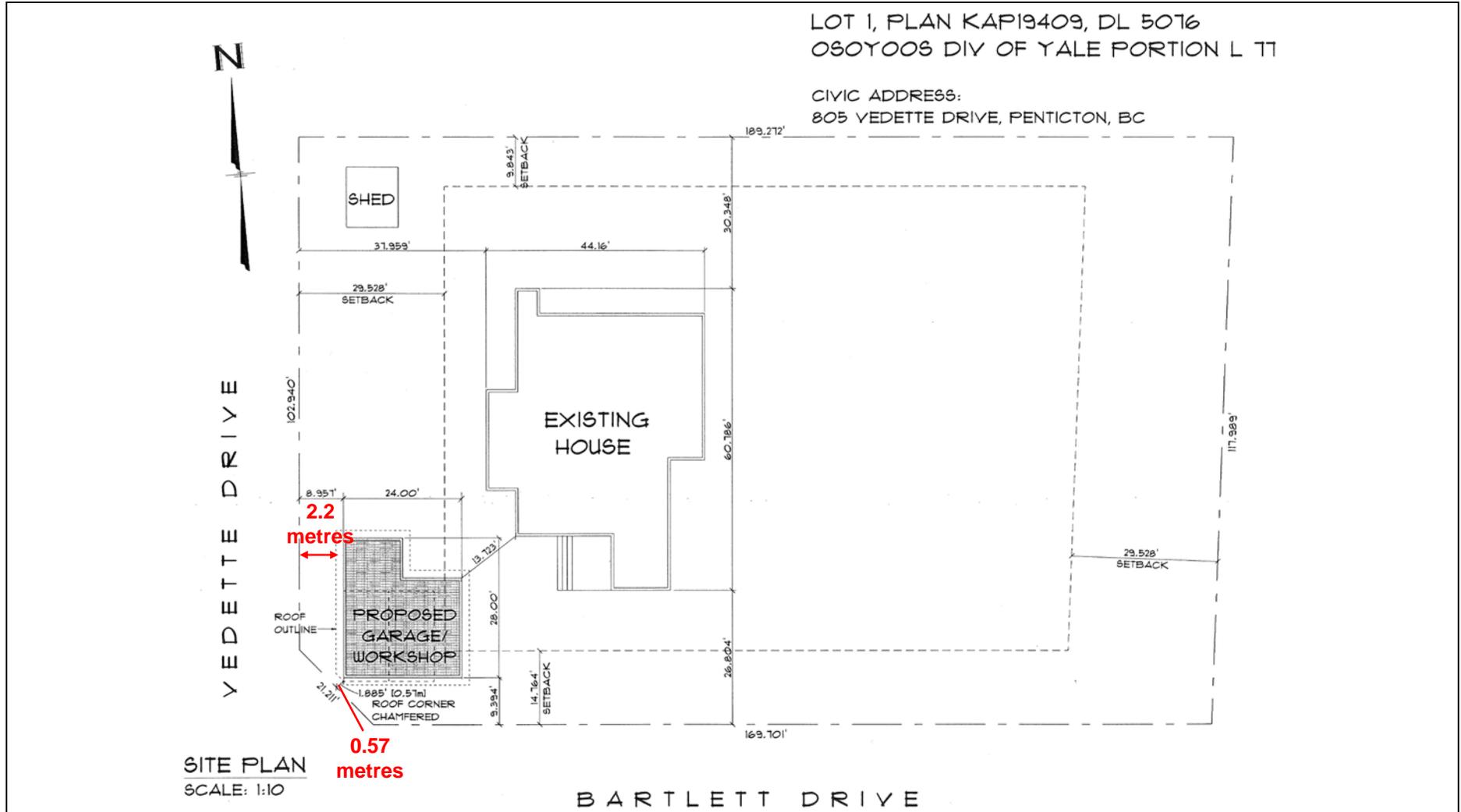
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. F2016.003-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

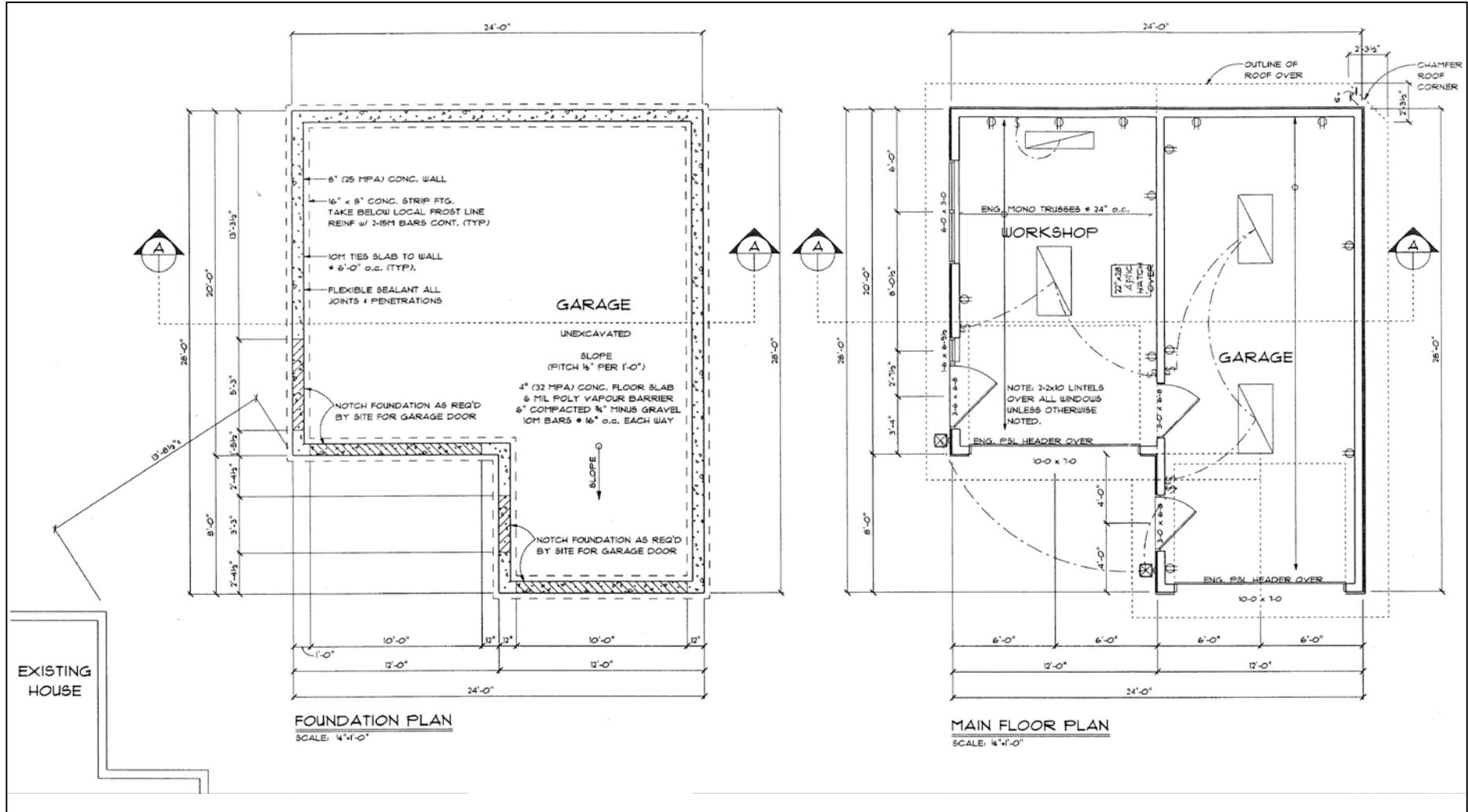
101 Martin St, Penticton, BC V2A 5J9
 Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

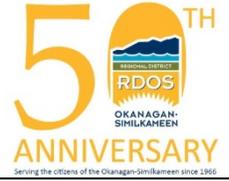
File No. F2016.003-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

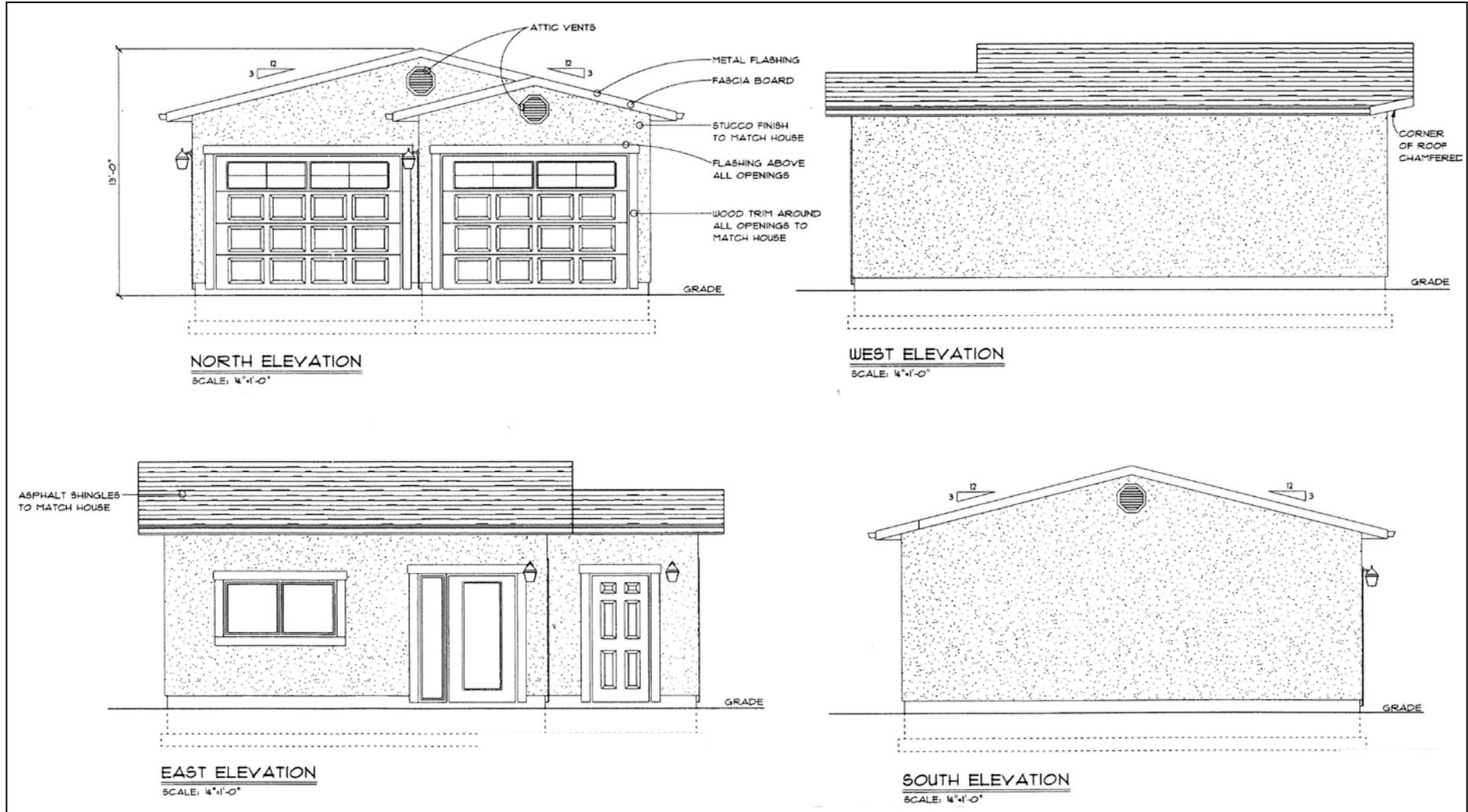
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. F2016.003-DVP

Schedule 'D'



ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
RE: Apex Waste Transfer Station Design and Tendering Contract Award



Administrative Recommendation:

THAT the Regional Board award the design and tendering work for the “Apex Waste Transfer Station” project to McElhanney Consulting Services Ltd. in the amount of \$82,666 plus applicable taxes; and,

THAT the Regional Board authorizes the Chair and Chief Administrative Officer to execute a consulting services agreement with McElhanney Consulting Services Ltd.

Purpose:

To hire a qualified consultant to provide a complete set of engineered design drawings, cost estimates and tendering services for a waste transfer station at Apex Mountain Resort. The waste transfer station shall be designed to handle garbage, recyclables and cardboard at a minimum.

Business Plan Objective:

Goal 2.3: To meet public needs through the provision and enhancement of key services

Goal 3.3: To develop an environmentally sustainable community

Reference:

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

The adopted Solid Waste Management Plan states ‘the RDOS will establish a garbage transfer station and recycling depot for the Apex Alpine Ski Area.’

Background:

Apex Mountain Resort is situated 33 km west of Penticton, BC. The ski resort receives approximately 135,000 skier visits per year with potential opening November 1st and seasonal closing typically around Easter weekend each year.

Apex Mountain Resort is a resort community with approximately 580 residential units, retail units and other commercial support facilities. It operates principally during the ski season. A small number of residents reside year round.

Currently the Resort's solid waste management system consists of a limited amount of garbage collection performed on a subscription basis by private operators which service a limited number of businesses and residences, plus a compactor bin operated by Apex Resort. There is no organized recycling system at this time.

Analysis:

The Regional District previously called for proposals to design a new solid waste transfer station in 2012. Due to delays in securing a site the RFP was cancelled.

The Regional District has now obtained a sub-lease, upon which to construct a waste transfer station, from the Apex Mountain Resort on a piece of land located near their existing waste compactor.

The new Request for Proposals was released in February 2016. Three proposals were received by the closing time on March 9th, 2016.

In the analysis of the proposals, several key items set the proposals apart from each other. These included the proposed scope, methodology and hands on experience proposed by each consultant in proceeding with the project and how clearly this was described in the proposal. As stated in the RFP, the Regional District recognizes that "Best Value" is the essential part of purchasing a product and/ or service and as such the Regional District may prefer a proposal with a higher price, if it offers greater value and better serves the Regional District's interests, over a proposal with a lower price. The request for proposals is not a tender call and therefore the ability to award a contract to other than the lowest price offering is available.

For the Apex Waste Transfer Station Design and Tendering project, the Evaluation Team considered a clearly presented methodology with a thorough understanding of the scope and the ability to meet the tight schedule the most important factors. Understanding all the requirements at the beginning of the project usually results in less surprises and extra costs as the project proceeds.

The RFP stipulated that each proponent's fee be submitted as a maximum or fixed amount for the completion of design and tendering services. Fees were also submitted for separate items such as the geotechnical work and construction services.

The following table provides the fixed fee for the design and tendering services and the geotechnical work and the rank given from the evaluation team. The rank is based on the highest points to lowest points received during evaluation.

Consultants (Ordered by Rank)	Fees	Rank
McElhanney Consulting Services Ltd.	\$82,666	1
Stantec	\$109,480.68	2

Tetra Tech EBA Inc.	\$132,185	3
---------------------	-----------	---

The geotechnical work proposed by McElhanney Consulting Services Ltd. is reasonable for the required work in the industry.

Note that a fee was provided for part-time and full-time weekly construction services. Due to the uncertain construction period and only intermittent services require, the fee for the construction services will be charged separately.

The actual award amount in the administrative recommendation will be based on the fixed fee provided by McElhanney Consulting Services Ltd. for the design, tendering and geotechnical work.

Funding:

The funding for this project is available in the Consultants and Capital budgets for the Apex Mountain Solid Waste Transfer Station.

Alternatives:

The Board may choose to not award this project at this time.

Communication Strategy:

Upon approval a letter of award will be sent to McElhanney Consulting Services Ltd. notifying them of their successful proposal. Letters of decline will be sent to the remaining proponents.

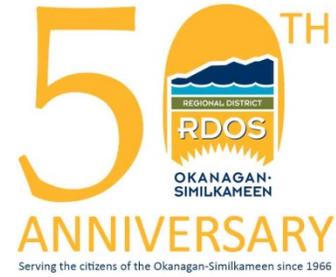
Respectfully submitted:

Candace M. Pilling

C. Pilling, Engineering Technologist

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
RE: Odour Modelling of Potential Private Compost Sites



Administrative Recommendation:

THAT the Board sole source the odour modelling of three (3) potential compost facility sites to Tetra Tech EBA for the amount of \$26,500 plus GST.

Reference:

[Organic Management Facilities Feasibility Study Webpage](#)

Purpose:

To evaluate three (3) properties for their potential to site compost facilities. This evaluation will allow comparison with other properties already owned by local governments.

Business Plan Objective:

Develop of food waste diversion infrastructure as per Solid Waste Management Plan

Background:

Tetra Tech EBA was awarded the assessment of 9 publicly owned properties for siting of composting facilities in 2014. They have completed feasibility studies and odour modelling of these sites.

In 2016 the Regional District conducted a Request for Proposals for Private Organic Management. From this process eight (8) sites were identified. Staff have reviewed these sites and recommended further odour assessment of three (3) of them at this time.

The three sites are within the Penticton Indian Band and Osoyoos Indian Band. No commitment has been made by any party, including the Bands, but there is a willingness to further evaluate the sites to better understand the potential impacts to neighbouring properties from issues such as odour from these businesses.

Analysis:

Tetra Tech EBA has developed CALPUFF maps in areas around the three selected properties as part of earlier odour modelling. Any other group would be required to develop these base maps in order to complete the work. As such it is not expected that other companies could provide quality odour modelling at lower prices.

Proceeding with odour modeling will allow the RDOS, PIB and OIB to understand the potential risks of siting the facility on the selected sites. It will also allow fair comparison with other potential sites in terms price, transportation costs and methods of odour control.

The Solid Waste Management Plan (4300) budget has \$45,838 in Operational Reserves currently unallocated. Funds for this study are intended to come from this reserve.

Respectfully submitted:

Cameron Baughen

C. Baughen, Solid Waste Management Coordinator

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
RE: Tulameen Fire Truck Acquisition



Administrative Recommendation:

THAT the Board of Directors award the purchase of a Fire Truck to Fort Gary Fire Trucks for \$319,856.17 (excluding GST); and further,

THAT the Board authorizes the Chair and Chief Administrative Officer to execute the purchase agreement

Reference:

RFQ Document
Bylaw 2726 Temporary borrowing bylaw

History:

In order for Tulameen Fire Department to maintain their 3B – Semi-protected rating with Fire Underwriters of Canada, they are required to replace their apparatuses every 20 years. The apparatus that this purchase replaces will realistically have its pumping ratings reduced by 50%.

Analysis:

Request for quotes were posted on October 27, 2015. We received quotes from 4 vendors by the required time of 100hrs on March 3, 2016. A selection team made up of 4 members (Fire Chief, Deputy Fire Chief and 2 Fire Officers) of the Tulameen Fire Department evaluated and ranked each of the proposals and forwarded their recommendation for consideration:

Vender	Truck Description	Ranking	Cost
Fort Gary Fire Trucks	Fort Gary Crusader Tanker	1	\$319,856.17 (excluding GST)
Dependable Emergency Vehicles	Fire Truck	2	\$348,568.55 (excluding GST)
Hub Fire Engine & Equipment	HUB Fire Truck	3	\$354,806.65 (excluding GST)
Rocky Mountain Phoenix	Maverick Pumper-Tanker	4	\$361,737.35 (excluding GST)

Each apparatus is listed and ranked by price (of Schedule A & B).

Respectfully submitted:

D. Kronebusch, Emergency Services Supervisor



REGIONAL DISTRICT of OKANAGAN-SIMILKAMEEN
REQUEST FOR QUOTATIONS
Fire Truck
Tulameen Fire Department
February 2, 2016

GENERAL

The Regional District of Okanagan-Similkameen administers 7 Regional Fire Services. The purpose of this Request for Quotations (RFQ) is to seek quotations from qualified suppliers to supply a fire truck for the Tulameen Fire Department.

SPECIFICATIONS & WORK

1. To include but not limited to items listed in Schedule "A".
2. Optional bid Schedule "B".
3. Option of four (4) wheel drive capability.

QUOTATIONS & SCHEDULE

1. Provide a quotation for a fire truck that includes (but not limited to) Schedule "A" and describe/list all components and specifications of the fire truck.
2. Provide a quotation for items listed on Schedule "B" (optional)
3. Provide a "no later than" delivery date for the vehicle.
4. Provide a date for which this Quotation is no longer valid.

NO OBLIGATION TO PROCEED

Although the Regional District fully intends at this time to proceed with the purchase described in the RFQ, the Regional District is under no obligation to proceed with the purchase. The receipt by the Regional District of any information (including any submissions, ideas, plans, drawings, models or other materials communicated or exhibited by any intended Proponent, or on their behalf) shall not impose any obligations on the Regional District. There is no guarantee by the Regional District, its officers, employees or agents, that the process initiated by the issuance of this RFQ will continue, or that this RFQ process or any RFQ process will result in a purchase by the Regional District.

ENQUIRIES

All enquiries related to this RFQ are to be directed, in writing, to the following person. Information obtained from any other source is not official and should not be relied upon.

Dale Kronebusch, Emergency Services Supervisor
Regional District of Okanagan-Similkameen
101 Martin Street.
Penticton, BC V2A 5J9
Fax: 250-492-0063
Phone 250-492-0237
Email: dkronebusch@rdos.bc.ca



TULAMEEN FIRE TRUCK REQUEST FOR QUOTATIONS

QUOTATION

1. The Quotation shall be in Canadian Dollars and shall include all applicable taxes, including but not limited to custom duties, delivery charges and all other taxes on labour, services and equipment.
2. Address Quotations to:

Mark Woods, Manager of Community Services
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, B.C. V2A 5J9
Fax (250) 492-0063
info@rdos.bc.ca

Envelopes should be clearly marked "**Tulameen Fire Truck Quotation**" and will be received by the undersigned, up to and including 3:00 p.m., local time, Wednesday, March 2, 2016.

The lowest or any Quotation will not necessarily be accepted. The Regional District of Okanagan-Similkameen reserves the right to waive minor irregularities in or reject any or all Quotations, or accept the Quotation deemed most favourable in the interest of the Regional District, having regard to the price, timeline, equipment and qualifications offered.



TULAMEEN FIRE TRUCK REQUEST FOR QUOTATIONS

SCHEDULE "A"

REQUEST FOR QUOTATION

TULAMEEN FIRE TRUCK

Pumper/Tender Specifications

- Truck to be built in accordance with the ULC
- Overall height restriction of 10feet 0 inches
- 1250 USGPM (minimum)
- 1700 IG tank (poly)
- 2 Door cab style
- Regular tires (no monitoring kit)
- Regular tire chains
- Transportation safety kit
- 2 fire extinguishers (1- Dry Chem, 1- CO2)
- Pump mid-ship drivers side
- Cold weather package
- Dump valve 180 degree swivel, rear
- Dump chute 36" manual telescoping
- Safety hand rails and folding steps (rear and mid-ship)
- 3 hose bed dividers
- Whelen emergency warning package, LED lights and Siren
- 2 Flood lights
- Step lights
- 12V power supply line for radio install
- Color (whatever is the most economical)
- Ladder rack up to 4 banks
- Attic ladder and 2 pike pole storage
- 10' attic ladder
- 14' roof ladder
- 2 – 12' pike poles
- 2 section – 24' Extension ladder
- 2 suction hose racks (for 6" hose)
- 2 suction hoses (hard line) 6"x 10' plus strainer barrel 6". (Primary water supply is acquired from lake or river)
- Portable tank holder manual folding brackets
- Portable tank holder assist handles
- 1 1750IG Porta-tank



TULAMEEN FIRE TRUCK REQUEST FOR QUOTATIONS

- Wheel chocks
- 2 suction 4"x 10' plus foot valve for drafting from stand pipes, lake or river
- Engine maintenance and repair manual

Plumbing

- 1 - 6" suction (road)
- 3 - 2.5" discharge (2 road)
- 1 - 2.5" suction (road)
- 1 - 4" external tank fill rear mount
- 2 - 1.5" pre-connect speed lay hose beds (top of tank)



TULAMEEN FIRE TRUCK
REQUEST FOR QUOTATIONS

SCHEDULE "B"

REQUEST FOR QUOTATION

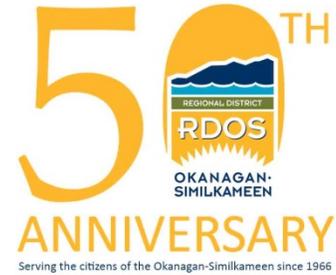
TULAMEEN FIRE TRUCK

Additional Equipment

- 500' yellow, double jacket, light weight, rubberlined 1.5" hose
- 500' yellow, double jacket, light weight, rubberlined 2.5" hose
- 2 1.5" nozzles
- 2 2.5" nozzles
- 2 scba mounting brackets

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
RE: Okanagan Falls Parks & Recreation Commission Rescinding Appointment



Administrative Recommendation:

THAT the Board rescind the appointment Ed Melenka from the Okanagan Falls Parks & Recreation Commission;

AND THAT a letter is forwarded to Mr. Melenka thanking him for his contribution to the Okanagan Falls Parks & Recreation Commission.

Reference:

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

Background:

Ed Melenka has been a long serving community volunteer in Okanagan Falls and Area "D" for close to a decade. Ed's active involvement with Parks & Recreation and Advisory Planning Commissions as well as many other community initiatives are truly appreciated. Staff and the remaining commission members wish Ed and wife Denise the best in their new setting.

Analysis:

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

Respectfully submitted:

Justin Shuttleworth

J. Shuttleworth, Park/Facilities Coordinator

ADMINISTRATIVE REPORT

TO: Select meeting type...

FROM: B. Newell, Chief Administrative Officer

DATE: March 24, 2016

RE: BL2731 Area H Community Facilities Capital Reserve Expenditure Bylaw



Administrative Recommendation:

THAT Bylaw No. 2731, 2016, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw be read a first, second and third time and be adopted.

Reference:

Bylaw 2653,2014

Background:

In 2009, The Board approved the formation of the Vermillion Forks Community Forest Corporation (VFCFC) for the purpose of acquiring and managing a Community Forest Agreement. The Upper Similkameen Indian Band, the Town of Princeton and the Regional District are 1/3 shareholders in the Corporation. The Electoral Area “H” Director and the CAO were appointed as the Regional District’s Board Members on the Corporation.

In 2014, the RDOS Board created the Electoral Area “H” Community Facilities Capital Reserve Fund for the purposes of expenditures for or in respect of capital projects within Electoral Area “H”.

Annual dividends received from the VFCFC are transferred into the reserve.

Analysis:

The Erris Volunteer Fire Association has requested \$6,000 funding for a Multi Use First Responders Vehicle. The total estimated project cost is \$12,500.

The Area H Community Facilities Reserve Fund balance is estimated at approximately \$560,000 at the end of 2015. A previous expenditure bylaw has \$75,000 of the reserve committed.

Respectfully submitted:

“Sandy Croteau”

S. Croteau, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2731, 2016

A bylaw to authorize the expenditure of monies from the Electoral Area 'H' Community Facilities Reserve Fund for Erris Volunteer Fire Association Multi Use First Responders Vehicle

WHEREAS Section 814(3) of the Local Government Act, R.S.B.C. 1996, c.323 and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;;

AND WHEREAS the 'Electoral Area 'H' Community Facilities Capital Reserve Fund ' has sufficient monies available for community capital projects;

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

1 Citation

- 1.1 This Bylaw shall be cited as the "Electoral Area 'H' Community Facilities Capital Reserve Fund Expenditure Bylaw No. 2731, 2016"
2. The expenditure of \$6,000 from the 'Electoral Area 'H' Community Facilities Capital Reserve Fund is hereby authorized for the Erris Volunteer Fire Association Multi Use First Responders Vehicle.

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: March 10, 2016
RE: Electoral Area "E" Parkland Acquisition Loan Authorization



Recommendation:

THAT Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2729, 2016 be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval prior to elector approval; and further,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an Alternative Approval Process.

Background:

In November 2015, the Regional District of Okanagan-Similkameen entered into negotiations with the BC Tree Fruit Cooperative to acquire property located at 3950 1st Street, Naramata BC for parkland use. The parties have reached an agreement to purchase the property for parkland conditional on approval by the Board of Directors of the Offer to Purchase agreement, and conditional on financing approval in accordance with requirements of the Local Government Act and the Community Charter. At the March 10, 2016 Board meeting, the Board authorized the purchase of the lands.

Analysis:

In order to finance this project the Regional District must issue long term borrowing which must be approved by the electorate in Electoral Area "E". The amount to be borrowed will not exceed one million two hundred thousand (\$1,200,000) which provides for the purchase price of \$1,150,000 plus an additional \$50,000 for legal and other costs associated with the purchase.

The Electoral Area Director has asked that the Regional District seek public assent through an Alternative Approval process for the purchase of this land. All costs involved with the project will be allocated to the Electoral Area "E" recreation and parks service.

The debt servicing cost of 1.2 million over a 20 year term at 3.5% is \$85,033 which equates to \$0.1389 per thousand of assessed value for properties in Electoral Area "E" which is well within the service's current requisition limit of \$0.457 per thousand.

Alternatives:

1. Do not proceed with Bylaw No. 2729, 2016.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2729, 2016

A bylaw to authorize the long-term borrowing for the acquisition of parkland within Electoral Area "E" of the Regional District of Okanagan-Similkameen

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

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No.1172, a service for the purpose of providing recreation and parks service within Electoral Area "E" of the Regional District of Okanagan-Similkameen;

AND WHEREAS the maximum term for which a debenture may be issued to secure the debt created by this bylaw is for a term not to exceed twenty (20) years;

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

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

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

1. AUTHORIZATION OF PURCHASE

The Regional Board is hereby empowered and authorized, under Bylaw No. 1172, to purchase lands which will be used as parkland serving Electoral Area "E" of the Regional District of Okanagan-Similkameen and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

2. LOAN AUTHORIZATION

- a) To borrow upon the credit of the Regional District a sum not more than one million one hundred and fifty thousand dollars (\$1,150,000).
- b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of said parks & playgrounds in Electoral Area "E".

3. TERM OF DEBENTURE

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

4. CITATION

This bylaw may be cited as Electoral Area “E” Parkland Acquisition Loan Authorization Bylaw No. 2729, 2016

READ A FIRST, SECOND, AND THIRD TIME this xxx day of xxx, 2016

APPROVED by the Inspector of Municipalities this xxx day of xxx, 2016

RECEIVED ASSENT OF THE ELECTOR THIS xxx day of xxx, 2016

ADOPTED this xxx day of xxx, 2016

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 24, 2016
RE: Land Purchase – School District 67



Recommendation:

THAT the Board of Directors authorize the purchase of the lands in Electoral Area “E”, legally described as:

- PID 012-195-278, Lot 4, Block 30, DL 210, SDYD, Plan 575
- PID 012-195-286, Lot 5, Block 30, DL 210, SDYD, Plan 575
- PID 012-195-308, Lot 6, Block 30, DL 210, SDYD, Plan 575

AND THAT the purchase amount of \$451,000.00 be authorized to be withdrawn from Reserve in the following manner:

- \$440,000 of Area E Parkland Acquisition Reserve, and
- \$11,000 of capital reserve funds.

Background:

In November 2015, the Regional District of Okanagan-Similkameen entered into negotiations with School District No. 67 to acquire property in Naramata for parkland use. The parties have reached an agreement to purchase the property, conditional on approval by the Board of Directors of the agreement attached to this report.

Analysis:

In order to finance this project the Regional District will utilize \$440,000 of Area E Parkland Acquisition reserve funds and \$11,000 of capital reserve funds.

This purchase will utilize the entire Parkland acquisition reserve fund. The estimated, uncommitted Capital Reserve fund available for 2016 is \$127,000.

Alternatives:

1. That the Board decline to authorize the purchase of the property defined in the report of March 24, 2016.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

OFFER TO PURCHASE

This Agreement is dated for reference the 3rd day of March, 2016.

TO: THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 67
(OKANAGAN SKAHA)
425 Jermyn Avenue
Penticton, BC, V2A 1Z4

(hereinafter referred to as "the Vendor")

FROM: REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

101 Martin Street

Penticton, BC, V2A 5J9

(hereinafter referred to as "the Purchaser")

RE: That portion of the lands legally described as:

PID 012-195-278, Lot 4, Block 30, DL 210, SDYD, Plan 575;

PID 012-195-286, Lot 5, Block 30, DL 210, SDYD, Plan 575;

PID 012-195-308, Lot 6, Block 30, DL 210, SDYD, Plan 575

shown as "Proposed Lot A" and outlined in bold on the Proposed Subdivision Plan (the "Subdivision Plan") attached hereto as Schedule "A" (herein collectively called the "Lands")

1. OFFER

1.1 The Purchaser DOES HEREBY OFFER TO PURCHASE from the Vendor, SUBJECT to the terms and conditions hereinafter set forth, the Lands for the total sum of FOUR HUNDRED AND FIFTY-ONE THOUSAND DOLLARS (\$451,000.00) (hereinafter referred to as the "Purchase Price") of lawful money of Canada, payable as follows:

- (a) By a deposit paid to the Purchaser's solicitor in trust in the amount of One Dollar \$1.00 upon execution of this Agreement by the parties to be applied to the Purchase Price;
- (b) By an additional deposit paid to the Purchaser's solicitor "in trust" in the amount of Forty-Five Thousand Dollars (\$45,000.00) Five (5) business days after the removal of all of the Purchaser's Condition Precedents (b), (c) and (d); and
- (c) By balance of funds on account of the Purchase Price to be paid to the Purchaser's solicitor "in trust" One (1) business day prior to the Closing Date.

2. ENCUMBRANCES

2.1 The Vendor covenants that the Lands are registered in the name of the Vendor and shall be free and clear of all encumbrances on the Closing Date.

3. ADJUSTMENTS

3.1 The Vendor will assume and pay all taxes, rates, local improvements, insurance premiums and other charges, and all adjustments both incoming and outgoing of whatsoever nature shall be made as of October 14, 2016, and the Purchaser shall have vacant possession of the Lands on October 14, 2016 (hereinafter referred to as the "Adjustment Date and Possession Date" respectively).

4. THE VENDOR'S REPRESENTATIONS AND WARRANTIES

4.1 The Vendor represents and warrants to the Purchaser, with the intent that the Purchaser shall rely on them in entering into this agreement and in concluding the purchase and sale contemplated in this agreement, that as of the date of this agreement (unless otherwise specified) and the Closing Date (unless this agreement is earlier terminated):

- (a) The Vendor will be the registered and beneficial owner of the Lands;
- (b) There is no claim or litigation pending or, to the knowledge of the Vendor, threatened with respect to the Vendor or the Lands which could affect the right of the Purchaser to own the Lands or the ability of the Vendor to perform its obligations under this agreement; and
- (c) On or before the Closing Date, all debris will be removed from the Lands;

5. ENVIRONMENTAL MATTERS

5.1 The Vendor represents and warrants, as of the date of this Agreement and the Closing Date, in respect of the Lands to the Purchaser regardless of any independent investigations the Purchaser may have caused to be made that:

- (a) the Vendor is not aware of any document, material, report, information, proceeding, claim or other matter pertaining to the Lands and the presence of Contaminants on the Lands which are relevant to or which might impact on the use or proposed use of the Lands, other than:
 - (i) a Phase I site history and environmental report prepared by Norecol Environmental Management Ltd. in or about 1991, which the Vendor has been unable to locate; and
 - (ii) a Certificate of Analysis dated May 13, 1992, provided by Chemac Environmental Services (a division of Caro Enterprises Inc.) to Rudy's Petroleum Services Limited, confirming that there were two 500 gallon petroleum tanks on the Lands at that time, a copy of which is attached hereto as Schedule "B";

(collectively, the "Prior Reports");

- (b) other than the Prior Reports, the Vendor has not conducted, nor caused to be conducted, an audit, assessment, study or test in any way pertaining to the presence of Contaminants on the Lands and has not been requested by, or on behalf of, any Governmental Body, to do so;
- (c) the prior uses of the Lands included a cabin style motel, campground and Shell service station;
- (d) the Vendor has not received any notice indicating that the Lands and the uses on the Lands do not comply with, or that the Vendor is in violation of, any Environmental Laws and is not aware of any grounds which may give rise to the issuance of such a notice, other than as may be set out in the Prior Reports;
- (e) there are no outstanding orders or directions issued to the Vendor by any Governmental Body relating to environmental matters requiring any work, action, repair, construction or capital expenditures with respect to the Lands which has not been carried out;
- (f) the Vendor has not caused or permitted the release in contravention of any applicable Environmental Laws of any Contaminants on the Lands or on any property adjacent to the Lands and has no knowledge of any such release caused or permitted by any other person; and
- (g) no Governmental Body has imposed any requirement that the Vendor conduct any environmental drilling, prepare and submit any environmental report or audit, prepare and submit any environmental remedial plan or complete any remedial works, as either a condition or precondition to the granting of any permits or approvals relating to the proposed development including, without limitation, any amendment to an official community plan or zoning bylaw or issuance of a development permit, a development variance permit, a building permit or an occupancy permit.

5.2 For the purposes of this section 5, "Contaminants" means those substances, pollutants, wastes and special wastes which presently are defined as hazardous, toxic, or a threat to public health or to the Environment under any applicable Environmental Laws, including, without limitation, any radioactive materials, urea formaldehyde foam insulation, asbestos or polychlorinated biphenyls (PCBs);

5.3 For the purposes of this section 5, "Environment" means all components of the earth including, without limitation, all layers of the atmosphere, air, land (including all underground spaces and cavities and all lands submerged under water), soil, water (including surface and underground water), organic and inorganic matter and living organisms, and the interacting natural systems that include the components referred to in this definition;

5.4 For the purposes of this section 5, "Environmental Laws" means any Laws relating, in whole or in part, to the protection and enhancement of the Environment, occupational safety, product liability, public health, public safety and transportation of dangerous goods, including without limiting the generality of the foregoing, the *Environmental Management Act* (British Columbia) (SBC 2003) c.53 and the regulations relating thereto.

5.5 For the purposes of this section 5, "Governmental Body" means any domestic or foreign, national, federal, provincial, municipal or other local government or body and any

division, agent, commission, board, or authority of any quasi-governmental or private body exercising any statutory, regulatory, expropriation or taxing authority under the authority of any of the foregoing, and any domestic, foreign, international, judicial, quasi-judicial, arbitration or administrative court, tribunal, commission, board or panel acting under the authority of any of the foregoing;

5.6 For the purposes of this section 5, "Laws" means all constitutions, treaties, laws, statutes, codes, ordinances, orders, decrees, rules, regulations and municipal bylaws, whether domestic, foreign or international, any judgments, orders, writs, injunctions, decisions, rulings, decrees, and awards of any Governmental Body, and any published policies or guidelines of any Governmental Body and any published policies or guidelines of an Governmental Body and including, without limitation, any principles of common law and equity.

6. PROPERTY CONDITION

6.1 The Purchaser agrees that is purchasing the Lands on an "as is, where is" basis without any representations or warranties by the Vendor, except as expressly set out herein.

7. ACCESS

7.1 In order for the Purchaser to undertake the work required to investigate the environmental condition of the Lands, and to conduct any other due diligence investigations as determined by the Purchaser, the Vendor authorizes the Purchaser at all reasonable times during the term of this Agreement to enter upon the Lands to undertake all reasonable steps associated with the said investigations. The Purchaser shall comply with all applicable Laws in respect of such investigations at the Purchaser's sole risk and expense, conduct such investigations in a good, safe and workmanlike manner during normal business hours, pay all accounts in respect of such investigations promptly when due, and promptly provide the Vendor with a true copy of any environmental report the Purchaser obtains in respect of the Lands, and of all other investigation results and reports relating to the Lands. In carrying out the investigations, the Purchaser shall only engage duly qualified, licensed and insured contractors and ensure that they minimize any interference with or damage to the improvements on the Lands and take all reasonable steps to avoid disturbing the Vendor, or any of its invitees or any owner or occupant of neighboring properties, in the quiet enjoyment of the properties in the vicinity of the Lands. After completing the investigations, the Purchaser shall take all reasonable steps to restore the Lands to the same condition they were in prior to the Purchaser's investigations. The Purchaser shall indemnify and save the Vendor harmless from and against any claims or costs whatsoever relating to or arising from the investigations including, without limitation, any claims for personal injury or property damage. Before exercising its rights pursuant to this provision, the Purchaser shall provide the Vendor with a description of the work to be conducted, the names of the contractors to perform the work, and evidence of each contractor's insurance coverage and WorkSafe registration.

8. GST REPRESENTATIONS AND WARRANTIES

8.1 The Vendor and the Purchaser represent and warrant each to the other that they have complied and will comply in all respects with the requirements of the *Excise Tax Act*, Part IX as amended, and will execute or swear and deliver to each person any further assurances, statutory declarations, certificates and rebate forms which may reasonably be required by the other. The Purchaser represents and warrants that it is registered for GST purposes and that its GST registration number is 121430557RT0001.

9. CLOSING DATE

9.1 Subject to the provisions herein, the balance of funds required as set forth herein shall be paid and all conveyance documents shall be prepared, executed and registered by the parties on October 14, 2016 or such other date as the parties may agree (herein called the "Closing Date").

10. RISK AND INSURANCE

10.1 The Lands shall be at the risk of the Vendor until the Closing Date and in the event of loss or damage to the same occurring before such time by reason of fire, tempest, lightning, earthquake, insurrection or war.

11. CLOSING ARRANGEMENTS

11.1 The Purchaser shall prepare and present the following documents for execution or approval by the Vendor at least five (5) days prior to the Closing Date:

- (a) the Subdivision Plan (hereinafter defined) and an application to register the Subdivision Plan;
- (b) Form A Freehold Transfer in registerable form, conveying the Lands to the Purchaser;
- (c) the Easement (hereinafter defined);
- (d) the School Use Agreement (hereinafter defined);
- (e) the Regional District Agreement (hereinafter defined); and
- (f) Vendor's Statement of Adjustments;

(the "Closing Documents")

11.2 Two (2) days prior to the Closing Date, the Vendor shall deliver to the Purchaser's solicitor the Closing Documents, together with a Certificate of Disposal issued by the British Columbia Minister of Education, approving the sale of the Lands, on undertakings agreed to in writing by the Purchaser's solicitor and the Vendor's solicitor, acting reasonably.

12. CLOSING PROCEDURE

12.1 One (1) day prior to the Closing Date the Purchaser shall pay to its solicitor the balance of the Purchase Price payable to the Vendor (if any) and following the payment thereof but no later than the Closing Date the Purchaser shall cause the Purchaser's solicitor to file the Closing Documents for registration in the Kamloops Land Title Office. Immediately following such filing the Purchaser's solicitor shall deliver to the Vendor a certified trust cheque in the amount due pursuant to the Statement of Adjustments upon the Purchaser's solicitor being satisfied as to the Purchaser's title after conducting a post-filing registration check of the property index disclosing only the following:

- (a) the title numbers; and

- (b) pending numbers assigned to the Subdivision Plan, the Form A Freehold Transfer from the Vendor to the Purchaser and the Easement.

13. PAYMENT OF FEES AND COSTS

13.1 Other than as provided herein, each party shall pay its own legal fees. The Vendor shall pay the costs of the Subdivision (hereinafter defined), subject always to the Vendor's right to approve or reject the Subdivision conditions, in the Vendor's sole discretion. The Purchaser shall pay the costs of the conveyance of the Lands and any costs relating to financing the Purchase Price.

14. TIME

14.1 Time shall be of the essence hereof and subject to the satisfaction or waiver of the Purchaser's Conditions Precedent to the obligations of the Purchaser and unless the balance of the cash payment is paid and such formal agreement to pay the balance as may be necessary is entered into on or before the Closing Date, the Vendor may, at the Vendor's option, terminate this agreement and, in such event, the deposits paid by the Purchaser will be absolutely forfeited to the Vendor in full and complete satisfaction of all claims or damages by the Vendor against the Purchaser.

15. DURATION OF OFFER

15.1 The form of this Offer to Purchase may be accepted by the Vendor by delivery by the Vendor of a copy of this Offer with the Vendor's acceptance completed thereon to the Purchaser, no later than eleven (11:00) o'clock a.m. on the 14th day of March, 2016.

16. DEPOSITS

16.1 It is hereby acknowledged by the Vendor and the Purchaser that the aggregate deposits are a genuine pre-estimate of the Vendor's damages for not being able to deal freely with the Lands, not receiving the Purchase Price at the Closing Date, the time and effort of the Vendor in connection with this Agreement, professional fees incurred because of this Agreement, loss of bargain and other matters and shall be payable to the Vendor as liquidated damages and upon receipt of the deposits the Vendor will have no further claim against the Purchaser for any additional damages or losses whatsoever. In the event the sale of the Lands as hereinafter described does not complete as provided herein through no fault of the Purchaser, the deposits and all interest thereon (if any) shall be returned unconditionally to the Purchaser.

17. CONDITIONS PRECEDENT TO PURCHASER'S OBLIGATIONS

17.1 All of the obligations of the Purchaser pursuant to this Agreement are subject to the fulfillment of each of the following conditions precedent (collectively, "the Purchaser's Conditions Precedent") on or before the Closing Date, or as indicated, unless and to the extent waived in writing by the Purchaser:

- (a) the representations and warranties of the Vendor herein shall be true and accurate with the same effect as if made on and as of the Closing Date ;
- (b) the approval of this Agreement by the Purchaser's Board of Directors on or before March 31, 2016;

- (c) the Purchaser being satisfied, in its sole discretion, with the results of its investigations of the Lands, on or before August 15, 2016;
- (d) the responsible approving officer approving the subdivision (the "Subdivision") described in the Subdivision Plan required to convey the Lands (the "Subdivision Plan") on or before August 15, 2016, on terms acceptable to the Purchaser, in the Purchaser's sole discretion;
- (e) the Purchaser and the Vendor agreeing by August 15, 2016 on the terms of an easement (the "Easement") to be granted to the Vendor on the Closing Date to permit the Vendor to continue to use a portion of the Lands for the construction, operation, repair and maintenance of the cooling tower presently on the Lands, or a replacement cooling tower of similar dimensions in the same location;
- (f) the Purchaser and the Vendor agreeing by August 15, 2016 on the terms of an agreement (the "School Use Agreement") that, from and after the Closing Date and for so long as the Purchaser owns the Lands, the Vendor will have priority access for its students to use the Lands during school hours;
- (g) the Purchaser and the Vendor agreeing by August 15, 2016 on the terms of an agreement (the "Regional District Agreement") that, from and after the Closing Date and for so long as the Vendor operates the elementary school known as Naramata Elementary School located at 3660 8th Street, Naramata, British Columbia, the Purchaser will continue to have priority booking privileges for the use after school hours of the area located within the said elementary school and as described in the Regional District Agreement; and
- (h) the Purchaser obtaining financing approval pursuant to the requirement of the *Local Government Act / Community Charter* in an amount and terms satisfactory to the Purchaser on or before October 1, 2016.

18. CONDITIONS PRECEDENT TO VENDOR'S OBLIGATIONS

18.1 The Vendor's obligations to carry out the transactions contemplated in this agreement is subject to the fulfillment on the Closing Date, unless and to the extent waived in writing by the Vendor that:

- (a) the approval of this Agreement by a bylaw of the Vendor's Board of Trustees on or before April 12, 2016;

- (b) the Minister of Education for the Province of British Columbia issuing a Certificate of Disposal on or before May 29, 2016 approving the Vendor's disposal of the Lands;
- (c) the responsible approving officer approving the Subdivision described in the Subdivision Plan on or before August 15, 2016, on terms acceptable to the Vendor, in the Vendor's sole discretion;
- (d) the Purchaser and the Vendor agreeing by August 15, 2016 on the terms of the Easement;
- (e) the Purchaser and the Vendor agreeing by August 15, 2016 on the terms of the School Use Agreement;
- (f) the Purchaser and the Vendor agreeing by August 15, 2016 on the terms of the Regional District Agreement; and
- (g) the representations and warranties of the Purchaser herein shall be true and accurate with the same effect as if made on and as of the Closing Date and the Purchaser has complied with the aforesaid closing procedures;

19. ACCEPTANCE

19.1 In consideration of \$10.00 non-refundable to be paid by the Purchaser to the Vendor, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by the Vendor, the Vendor agrees not to revoke its acceptance of the Purchaser's offer contained herein, while the agreement remains subject to any of the aforesaid conditions precedent. The parties agree that this agreement will become an unconditional contract for the purchase and sale upon the satisfaction, or waiver, of all of the aforesaid conditions precedent set out herein.

19.2 If for any reason the Vendor and the Purchaser do not remove any of the conditions precedent set forth herein, in writing, within the agreed upon timeframe for removal, or within such extended period as may be agreed in writing, then this agreement shall be null and void, and neither party shall have a claim against the other.

20. CLEARING OF TITLE

20.1 If the Vendor has existing financial charges to be cleared from title, the Vendor, while still required to clear such charges, may wait to pay and discharge existing financial charges until immediately after receipt of the Purchase Price, but, in this event, the Purchaser may pay the Purchase Price in trust and authorize the release of the sale proceeds held in trust to a lawyer on the CBA (Real Property Section) standard undertakings to pay out and discharge the financial charges, and remit the balance, if any, to the Vendor.

21. WAIVER AND TERMINATION

21.1 Each condition, if so indicated, is for the sole benefit of the party indicated. Unless each condition is waived or declared fulfilled by written notice given by the benefiting party to the other party on or before the date specified for each condition or such extended date as may be agreed in writing, this Agreement will be terminated thereupon. Notwithstanding anything herein to the contrary, the amount of the deposits plus any interest earned thereon shall be unconditionally returned to the Purchaser forthwith upon the said termination.

22. REPRESENTATIONS AND WARRANTIES SURVIVE CLOSING

22.1 The respective representations, warranties and covenants of the Vendor and the Purchaser contained herein shall be true at and of the Closing Date as though such representations, warranties and covenants were made at and as of the Closing Date and shall survive the Closing Date, the purchase and sale herein contemplated and shall continue in full force and effect except to the extent expressly waived in writing.

23. TENDER

23.1 Any tendered documents or money may be made upon the party being tendered or upon its solicitors, and money may be tendered by certified cheque, solicitor's trust cheque or bank draft.

24. FURTHER ASSURANCES

24.1 The parties shall with reasonable diligence, do all such things and provide all such reasonable assurances as may be required to consummate the transactions contemplated by this Agreement, and each party shall provide such further documents or instruments required by the other party as may be reasonably necessary or desirable to give effect to the purpose of this Agreement and carry out its provisions whether before or after the Closing Date.

25. COUNTERPARTS

25.1 This agreement may be executed in counter-parts.

26. APPLICABLE LAW

26.1 This agreement shall be interpreted in accordance with the laws of the Province of British Columbia.

27. EXECUTION BY TELECOPY

27.1 This agreement may be executed by the parties and transmitted by telecopy/facsimile/electronic mail and if so executed and transmitted, this agreement will be for all intents and purposes as effective as if the parties had delivered an executed original agreement.

28. BINDING EFFECT

28.1 This agreement, when accepted, shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns, as the case may be.

29. PLURAL

29.1 In this Agreement any reference to a party includes that party's heirs, executors, administrators, successors and assigns; singular includes plural and masculine includes feminine.

30. ENTIRE AGREEMENT

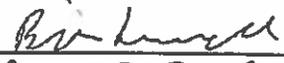
30.1 This agreement constitutes the entire agreement between the parties with respect to the subject matter of the agreement and contains all the representations, warranties, covenants and agreements of the respective parties, and may not be amended or modified except by an instrument in writing executed by all the parties. This agreement supersedes all prior written agreements, memorandum, and negotiation between the parties.

31. INDEPENDENT LEGAL ADVICE

31.1 THIS OFFER TO PURCHASE HAS BEEN PREPARED BY GILCHRIST & COMPANY AS SOLICITORS FOR THE PURCHASER AND THE VENDOR ACKNOWLEDGES BEFORE THEIR EXECUTION OF THIS OFFER TO PURCHASE THAT THEY SHOULD OBTAIN INDEPENDENT LEGAL ADVICE WITH REGARD TO THIS OFFER TO PURCHASE OR THE VENDOR HAS OF THEIR OWN FREE WILL DECLINED TO OBTAIN SUCH ADVICE.

DATED this 3rd day of March, 2016.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
By its Authorized Signatory(ies):



BILL NEWELL, CAO

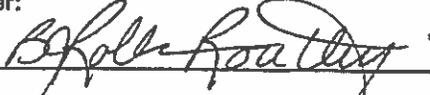
ACCEPTANCE

We, THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 67 (OKANAGAN SKAHA) ACCEPT the foregoing Offer to Purchase and its terms and covenants, AND DO HEREBY COVENANT, PROMISE AND AGREE to duly carry out the sale upon the terms and conditions herein mentioned.

Dated as at this 4th day of March, 2016.

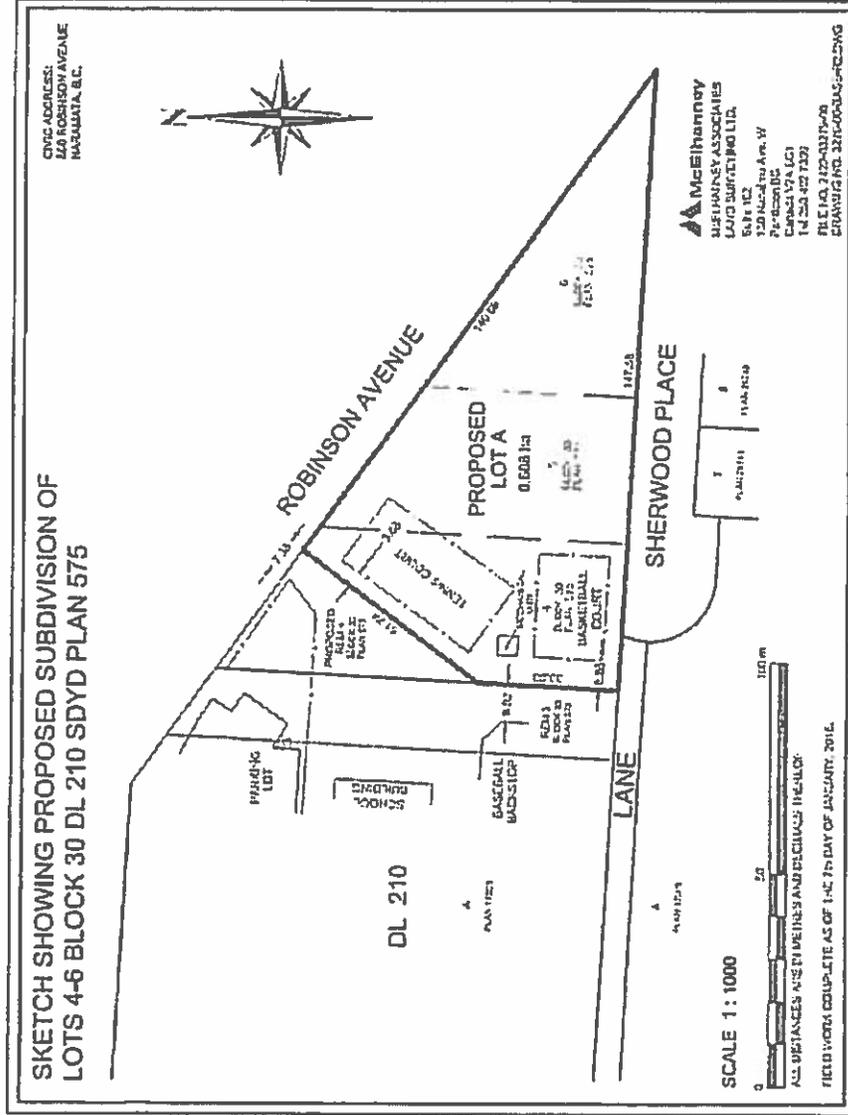
THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 67
(OKANAGAN SKAHA)

Per:



BONNIE FOWER RAUTLEY SECRETARY-TREASURER.

SCHEDULE "A"
SUBDIVISION PLAN



SCHEDULE "B"

Certificate of Analysis dated May 13, 1992

JUN 2 '92 14:12 0000 SAFEX5124series

P. 2

JUN 02 '92 11:41 16047633465

P. 1



CHEMAC ENVIRONMENTAL SERVICES

(A DIVISION OF CARD ENTERPRISES INC.)

#1 - 388 Industrial Avenue, Kelowna, British Columbia, Canada V1Y 7E8 • Telephone (804) 703-1855

CERTIFICATE OF ANALYSIS

May 13, 1992

Client: Rudy's Petroleum Services Limited
#5 - 3015 Sexsmith Road
KELOWNA, B.C. V1Y 1L2

Attention: Mr. Rudy Charron

Sample Type: Soil
re: School District 15, Naramata
"samples taken under 2 500 gal tanks, tanks not leaking"

Date Sampled: - Date Received: May 9, 1992

<u>Parameter</u>		<u>#1</u>	<u>#2</u>	<u>#3</u>	<u>#4</u>
Benzene	mg/kg	<0.1	<0.1	<0.1	<0.1
Toluene	mg/kg	<0.1	<0.1	<0.1	<0.1
Ethyl benzene	mg/kg	<0.1	<0.1	<0.1	<0.1
meta + para xylene	mg/kg	<0.2	<0.2	<0.2	<0.2
ortho-xylene	mg/kg	<0.1	<0.1	<0.1	<0.1
Light Aliphatic Hydrocarbons	mg/kg	<1.0	<1.0	<1.0	<1.0

Methodology

DTEX and LAM

The sample was extracted by purge and trap and analyzed by megabore column gas chromatography using flame ionization detection. (Modified EPA Method 8020/5030.)

Certified by: 
CHEMAC ENVIRONMENTAL SERVICES
Janice M. Fraser
Lab Supervisor

THE INFORMATION CONTAINED IN THIS REPORT IS THE CONFIDENTIAL PROPERTY OF THE CLIENT. ANY LIABILITY ATTACHED THERETO IS LIMITED TO THE FEE CHARGED.



Okanagan Basin
WATER BOARD

BOARD REPORT: March 3, 2016

1450 KLO Road, Kelowna, BC V1W 3Z4
P 250.469.6271 F 250.762.7011
www.obwb.ca

OBWB Directors

Doug Findlater - Chair,
Regional District of Central
Okanagan

**Juliette Cunningham - Vice-
Chair,** Regional District of
North Okanagan

Doug Dirk, Regional District of
North Okanagan

Bob Fleming, Regional District
of North Okanagan

Cindy Fortin, Regional District
of Central Okanagan

Tracy Gray, Regional District
of Central Okanagan

Andre Martin, Regional
District of Okanagan-
Similkameen

Sue McKortoff, Regional
District of Okanagan-
Similkameen

Peter Waterman, Regional
District of Okanagan-
Similkameen

To be announced,
Okanagan Nation Alliance

Toby Pike, Water Supply
Association of B.C.

Rob Birtles, Okanagan Water
Stewardship Council

**The next meeting of the OBWB
will be 10 a.m. April 5, 2016 at
Regional District of North
Okanagan in Coldstream.**

Okanagan Basin Water Board Meeting Highlights

Mission Creek Groundwater Study approved: The OBWB will lead a study on groundwater flows to Mission Creek. The study is a partnership with Kelowna area water utilities, UBC Okanagan, the Province of B.C., and Okanagan Nation Alliance. In part, the research will allow for a deeper look at recent UBCO study results that suggest very little water from the aquifer is reaching Okanagan Lake. As well, with the Province now requiring: 1) a licence to extract groundwater and 2) that Environmental Flow Needs of fish be understood before a licence is issued, this research will better inform licence decisions and fisheries work by ONA. It will also assist Kelowna utilities that depend on groundwater for its customers.

Rain Barrel Pilot Project launched in Central Okanagan: The OBWB's Okanagan WaterWise program has launched a pilot project, partnering with Regional District of Central Okanagan's Waste Reduction Office to offer rain barrels to Central Okanagan residents as part of this spring's annual composter sale. There are 100 barrels available at only \$75 each. Depending on how the pilot goes, staff will consider a similar sale in other parts of the valley next year. For more information, visit www.OkWaterWise.ca.

Popular annual World Water Day event returns: The Water Board is again holding a public event to celebrate UN World Water Day and Canada Water Week. The event is co-presented with the BRAES Institute out of UBCO (Okanagan Institute for Biodiversity, Resilience, and Ecosystem Services) and will include a keynote address by Maggie Catley-Carlson, former chair of the UN-affiliated Global Water Partnership. The focus will be on the new normal – droughts and floods – how the Okanagan is preparing and how local residents can help. The event will be March 22, 6 p.m. at Kelowna's Laurel Packinghouse. Refreshments will be provided and registration required. Registration opens March 7. Details to be posted at www.OkWaterWise.ca.

Water Stewardship Council tasked with review of new B.C. water act: B.C.'s long-awaited Water Sustainability Act was brought into force Feb. 29 with the release of new regulations. The board welcomed the update to the century-old Water Act, noting it has been providing input since 2009, informed by its technical advisory body, the Water Stewardship Council. Significant changes include introduction of groundwater licencing. The council has been asked to review the act and provide feedback to the board.

Make Water Work survey says...: Staff delivered results from a survey of Okanagan residents who took the [Make Water Work](http://www.okwaterwise.ca) pledge this past summer. The survey was, in part, aimed at identifying barriers to conservation efforts. Results indicate the majority of respondents followed through with all pledges they made. Barriers to some of the tougher pledges (e.g. replacing thirsty lawn) were mostly cost and time. However, 75% of respondents indicated they made additional changes to conserve in and outside their home, including rain barrels, irrigation fixes, installing dual flush toilets and collecting grey water for reuse. The survey will inform the 2016 Make Water Work program. Additional questions around cost were asked to help inform potential conservation supports from local governments.

For more information, please visit: www.OBWB.ca