

Regional District of Okanagan-Similkameen

SCHEDULE OF MEETINGS

THURSDAY, JUNE 16, 2016

**The Courtyard Ballroom
RAMADA PENTICTON HOTEL AND SUITES
1050 Eckhardt Avenue West**

9:00 am	-	9:30 am	Environment and Infrastructure Committee
9:30 am	-	10:00 am	OSRHD Board
10:00 am	-	11:30 am	Planning and Development Committee
11:30 am	-	12:00 pm	Corporate Services Committee
12:00 pm	-	12:30 pm	Lunch
12:30 pm	-	3:00 pm	Board

"Mark Pendergraft"

Mark Pendergraft
RDOS Board Chair

Advance Notice of Meetings:

July 7	RDOS Board/Committee Meetings
July 21	RDOS/OSRHD Board/Committee Meetings
August 4	RDOS Board/Committee Meetings
August 18	RDOS/OSRHD Board/Committee Meetings
September 1	RDOS Board/Committee Meetings
September 15	RDOS/OSRHD Board/Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, June 16, 2016

9:00 A.M.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

That the Agenda for the Environment and Infrastructure Committee Meeting of June 16, 2015 be adopted.

B. DELEGATION

1. Dr. John Janmaat and Ms. Adrien Skinner will present findings from a five year research chair project on water-use challenges that directly impact Okanagan communities.
 - a. Presentation - Five Years of Water and Sustainability
 - b. Water Advisory Committee Terms of Reference
-

C. ADJOURNMENT

Five Years of Water and Sustainability

John Janmaat
LEEF Chair, UBC Okanagan



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Duties of the Chair

- Duties in the contract with UBC:
 - Research with a local focus;
 - Build links between UBC and the region;
 - Provide students with local training; and
 - Foster research collaborations.



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Research Themes

- Based on advisory committee input
 - Water and the Okanagan Economy;
 - The Value Contributed by Water; and
 - Governance and Water.



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Water and the Okanagan Economy

- Build a hydro-economic model of a water purveyor or sub-watershed.
 - Identify impacts of different water allocations.
 - Assess policy options for drought response.
 - Engage stakeholders/residents with impacts.
 - Offer made to promising graduate student.



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Water and the Okanagan Economy

- Deep Creek land use change forecast.
 - Recently graduated doctoral student.
 - Protecting agricultural land and forested land may be in conflict! Development is going to go somewhere.



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The Value Contributed by Water

- Kelowna Household Water Conservation.
 - Messages about conservation important.
 - Risk of restriction vs water prices?
- Value of environmental goods and services.
 - Partner with RDCO, OBWB, and Colorado State University.
 - Survey complete, analysis underway.



The Value Contributed by Water

- Small Water Systems
 - Partner with IHA, Urban Systems, ONA;
 - Scoping project 2014, communication challenges between local and more senior government.
 - Proposal to examine property value impact of water quality.
 - SSHRC application rejected, preliminary work 2016 and apply again.



Governance and Water

- Water law and indigenous and settler experiences with water management.
 - Partnership with UVic, three First Nations;
 - Just funded, plans not finalized.
- Social networks and water decisions.
 - Member on one MA and one PhD committee.
 - Part of environmental goods and services project.



Governance and Water

- Water science and health policy.
 - Committee member, doctoral student.
- How to fund wild game conservation.
 - MA student.
- Best Management Practices for cattle in community watersheds.
 - Ph.D. student, joint with engineering.



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Building Relationships

- Can't be an ivory tower expert.
 - Chair of Kelowna Agricultural Advisory Committee,
 - Vice-chair of RDCO Environmental Advisory Com.,
 - Regular guest at Water Stewardship Council,
 - Public speaking engagements,
 - Media contact,
 - UBCO Watershed Blog.



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In Sum ...

- I've learned a lot!
 - Facts are not enough!
 - Expert 'over there' not useful.
 - To address hard questions, need relationships
 - Be committed,
 - Listen.



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Innovation in Water Resources and Ecosystem Sustainability

Advisory Committee Terms of Reference

(Last revised February 4, 2016 by N.Dhaliwal)

Introduction and Background:

The BC Regional Innovation Chair in Water Resources and Ecosystem Sustainability (Water Chair) was established in the Irving K. Barber School of Arts and Sciences in January 2012. The initiative is a partnership of the University of British Columbia – Okanagan campus, the Leading Edge Endowment Fund and community organizations. The Water Chair holder will lead a series of multidisciplinary research collaborations to develop innovative policy solutions that will enhance watershed management in British Columbia and beyond. The Water Chair will be supported by an Advisory Committee that will link University water research to the needs of the community, and promote a free-flow of information.

Vision:

That the Water Chair will be a focal point for academic research collaboration on real-world water issues for the interior of British Columbia. Through the presence of the Water Chair, the University of British Columbia's Okanagan campus will be a world-renowned centre for excellence in water research, and a shining example of university-community collaboration.

Purpose:

The Water Chair is supported by a \$2.5-million endowment fund established through community partnership. The Advisory Committee is comprised of UBC faculty and representatives of non-UBC community organizations and exists to strengthen relationships between UBC and the external community. The Water Chair is intended to undertake and support applied research with direct benefit to the region. The Advisory Committee will help identify important regional issues, ensuring that knowledge moves from the University to the community.

Scope and Definitions:

The Advisory Committee's membership draws from community organizations with a shared interest in water resource management in the Okanagan Basin and beyond. Some organizations have provided financial support to the endowment fund. In recognition of this:

1. One (1) position will be reserved for the Okanagan Basin Water Board
2. Three (3) positions will be reserved for representatives of the Regional Districts of the Central Okanagan, North Okanagan and Okanagan Similkameen.

3. One (1) position will be reserved for a representative from the Real Estate Foundation of B.C.
4. One (1) position will be reserved for the Columbia Basin Trust.
5. One (1) position will be reserved for the Water Supply Association of BC

Five positions will be reserved for UBC faculty members involved in water related research and one position will be reserved for the Vice Principal Research. The balance of the positions, to a maximum of 18 in total, will be offered to non-UBC representatives identified by UBC. The Advisory Committee will provide advice and input to the BC Regional Innovation Chair in Water Resources and Ecosystem Sustainability.

Roles and Responsibilities:

The Advisory Committee

The role of the Advisory Committee is to generate dialogue on broad issues of water resource management, policy and governance – at the committee table, and with the community at large. There is a two-way flow of information – the Advisory Committee is intended to bring ideas from the community to the Chair, and bring information about UBC water research back to the community. The Advisory Committee is an essential link between UBC and the region, fostering and nurturing opportunities for communication, collaboration and growth.

As ambassadors for UBC, Advisory Committee members will advocate for research and science-based approaches for resolving water issues in the region. Members will promote the collaborative mandate of the Water Chair initiative, and help to communicate and share research findings with their networks.

The Advisory Committee will work with the Water Chair holder to identify and build relationships with other community partners and to develop research collaborations.

The Water Chair

The Water Chair holder plays a key role in meeting the Vision. He or she is an emissary between University researchers and the region at large, with responsibilities for communication and trust-building as well as applied research and education. He or she will work with the Advisory Committee, the UBC administration, and partner organizations to build new relationships, networks and financial capacity to support increased water research at UBC. He or she will seek to develop research projects to address community needs raised by the advisory committee.

The Water Chair holder will provide updates on research activities to the Advisory Committee at each meeting and seek feedback and suggestions for future research projects. The Water Chair will work with other faculty members and the UBC administration to identify funding, graduate students, and specific research projects to align with regional community needs as identified by the Advisory Committee.

The University Administration

UBC greatly values the contribution of time and expertise by community members who have agreed to sit on the Advisory Committee. The Office of the Vice-Principal Research will provide general administrative support to the committee and assist the Advisory Committee Chair with meeting coordination and distribution of any related correspondence and materials.

Governance:

1. The Advisory Committee will be chaired by the Vice-Principal Research or a designate appointed through this office. A Co-Chair will be appointed by the Office of the Vice-Principal Research from among the community members on the advisory committee.
2. The Advisory Committee Chair will manage all matters related to terms, memberships and appointments of members.
3. The BC Regional Innovation Chair will sit ex officio.
4. The Dean of the Irving K. Barber School of Arts and Sciences or designate (Associate Dean Research Barber School) will sit ex officio.
5. All members will be appointed for a minimum term of 2 years, with the option of renewal.

Meetings:

1. Meetings will be led by the Committee Chair. In his or her absence, the designated Co-Chair will perform this function.
2. Roberts Rules of Order will be followed.
3. Recommendations to the Water Chair holder will be made by way of a simple motion.
4. All Advisory Committee recommendations are non-binding in consideration of academic freedom.
5. Minutes will be kept and circulated to committee members.
6. Meetings will be held at least twice a year.

Reporting:

The Water Chair will make reasonable efforts to communicate with members of the Advisory Committee quarterly through email, newsletter or website updates. The Chair, in partnership with UBC, will seek to institute a yearly dialogue with the community through a public lecture, forum or workshop. Advisory Committee members will make reasonable efforts to attend public events hosted by the BC Regional Innovation Chair.

Terms of Reference:

The Terms of Reference will be approved by the Office of the Vice-Principal and will be subject to review every two years by the Advisory Committee.

BOARD of DIRECTORS MEETING

June 16, 2016

9:30 A.M.

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 June 16, 2016 be adopted.

B. MINUTES

1. OSRHD Board Meeting – March 24, 2016

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

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

C. FINANCE

1. Bylaw 162 Capital Expenditure Bylaw – Patient Care Tower

a. Bylaw No. 162

b. Funding Request Letter

RECOMMENDATION 3 (Weighted Corporate Vote – Simple Majority)

THAT Bylaw 162 Okanagan Similkameen Regional Hospital District Capital Expenditure Bylaw be read a first, second and third time and be adopted.

D. ADJOURNMENT

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

BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Okanagan-Similkameen Regional Hospital Board (OSRHD) of Directors held at 10:06 am on Thursday, March 24, 2016, in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair M. Brydon, Electoral Area "F"
Vice Chair J. Sentes, City of Penticton
Director F. Armitage, Town of Princeton
Director M. Bauer, Village of Keremeos
Director T. Boot, District of Summerland
Director G. Bush, Electoral Area "B"
Director E. Christensen, Electoral Area "G"
Director L. Allison, Alt. Electoral Area "H"
Director R. Hovanes, Town of Oliver

Director A. Jakubeit, City of Penticton
Director H. Konanz, City of Penticton
Director K. Kozakevich, Electoral Area "E"
Director A. Martin, City of Penticton
Director M. Pendergraft, Electoral Area "A"
Director S. McKortoff, Town of Osoyoos
Director T. Schafer, Electoral Area "C"
Director T. Styffe, Alt. Electoral Area "D"
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director B. Coyne, Electoral Area "H"
Director T. Siddon, Electoral Area "D"

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 March 24, 2016 be adopted. - **CARRIED**

B. MINUTES

1. OSRHD Board Meeting – January 21, 2016

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

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

C. LEGISLATIVE ISSUES**1. [South Okanagan – Similkameen Medical Foundation](#)**

Janice Perrino, Executive Director, addressed the Board about the Foundation and provided 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 –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 second and third time and be adopted.

CARRIED

E. ADJOURNMENT

By consensus, the meeting adjourned at 10:39 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: June 16, 2016
RE: Bylaw 162 Capital Expenditure Bylaw - Patient Care Tower



Administrative Recommendation:

THAT Bylaw 162, being a bylaw of the Okanagan Similkameen Regional Hospital District to establish a capital expenditure payment schedule for the Building Patient Care Project, be read a first, second and third time and be adopted.

Reference:

Bylaw 159 Capital Expenditure Bylaw
Interior Health Additional Capital Funding Request Letter

Background:

On September 18, 2014 the Board approved Bylaw 159 to allow for \$8,000,000 of reserve financing to start the procurement phase of the Patient Care Tower Project. That funding will be exhausted with the June payment to Interior Health (IHA).

Analysis:

The project has now been awarded to Ellis Don for the construction phase of the project. The total estimated cost is \$312,455,000. The total will be funded with \$175,472,000 from the Province, \$20,000,000 from the South Okanagan Similkameen Medical Foundation for equipment and \$116,983,000 from the Okanagan Similkameen Regional Hospital District.

As Bylaw 159 approved \$8,000,000 of the total \$116,983,000 of funding needed from the OSRHD. We now require a capital expenditure bylaw for the remaining \$108,983,000.

The Five Year Financial Plans put in place since 2014, have increased the average residential property tax by \$5 annually to fund reserve transfers. The goal is to increase reserves as much as possible before the end of the project and thus, minimize the level of debt funding needed.

The bylaw states the funding will be a mixture of reserve and debenture funding but does not specify the level of reserve funding and indicates that the debenture amount will not exceed the \$108,983,000. This allows flexibility in funding depending on the level of reserve funds available at the time of project completion.

The reserve balance at the end of 2015 is estimated at \$39.4M (Yearend statements have not yet been finalized). The Five Year Financial Plan has been established on the premise that there will be at minimum \$50M in reserve by the end of 2020. The exact level of reserve funding available at that

time will determine the final long term debt required.

Respectfully submitted:

"Sandy Croteau"

S. Croteau, Finance Manager

OKANAGAN-SIMILKAMEEN REGIONAL HOSPITAL DISTRICT

CAPITAL EXPENDITURE BYLAW

BYLAW NO. 162

Whereas the Board of the Okanagan-Similkameen Regional Hospital District proposes to expend money for the capital expenditures described in Schedule "A" attached hereto and forming an integral part of this bylaw;

Now therefore the Board of the Okanagan-Similkameen Regional Hospital District enacts the following capital expenditure bylaw as required by Section 32 of the Hospital District Act;

1. The Board hereby authorizes and approves expenditure of money necessary to complete the capital expenditures as described in Schedule "A" attached hereto totaling \$108,983,000.00
2. The payment of the portion that the Regional Hospital District is responsible for shall be funded through a combination of reserve funding and debentures with debenture funding not exceeding \$108,983,000.00.
3. The Board hereby delegates the necessary authority to the Treasurer to settle the terms and conditions of the expenditure.
4. This bylaw may be cited for all intents and purposes as the "Okanagan-Similkameen Regional Hospital District Capital Expenditure Bylaw No. 162"

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

ADOPTED this day of , 2016.

OSRHD Chair

Corporate Officer

Schedule "A"

**CAPITAL EXPENDITURE
COST AND PROJECT DESCRIPTION**

Facility	Project	RHD Share (40%)	Interior Health Share (60%)	Total Cost
Penticton Regional Hospital	Patient Care Tower – Construction Phase	\$108,983,000	\$163,474,500	\$272,457,500



Interior Health
Every person matters

Interior Health Authority
#220 -1815 Kirschner Road, Kelowna, BC V1Y 4N7
Web: www.interiorhealth.ca

Donna Lommer, CPA, CGA, EMBA
VP Support Services & Chief Financial Officer
Telephone: (250) 862-4025 Fax: (250) 862-4201
E-Mail: donna.lommer@interiorhealth.ca

Mr. Bill Newell, CAO
Okanagan Similkameen Regional Hospital District
101 Martin Street
Penticton, BC V2A 5J9

June 1st, 2016

Dear Mr. Newell:

Re: Penticton Regional Hospital- Patient Care Tower (PRH-PCT) Project Financial Update and Additional Capital Funding Request

In our letter of September 4, 2014 we advised that the financial costs and details of the cash flow and payment schedules would be provided after a successful proponent was selected. We are pleased to inform you that we have reached an agreement with EllisDon Infrastructure for the new PRH-PCT resulting in a savings of \$12.71M.

Details of Funding

The revised total budget for the project is \$312.455 million. The following table shows the revised total budget values for the PRH-PCT project and the funding partners' contributions.

	Total (\$000s)	Funding Source		
		Province	OSRHD	SOSMF
Project Costs	\$302,367	\$169,419	\$112,948	\$20,000
Project Reserve	\$ 10,088	\$ 6,053	\$ 4,035	-
Total	\$312,455	\$175,472	\$116,983	\$20,000

Note: Okanagan Similkameen Regional Hospital District (OSRHD) contribution is 40% of the total project budget net of the South Okanagan Similkameen Medical Foundation's (SOSMF) contribution toward equipment.

Funding Request

At the September 18, 2014 meeting your board passed bylaw #159 approving \$8 million of funding. With our next claim Interior Health (IH) will have exhausted these funds as the April 2016 payment to EllisDon was \$8.442 million. This first invoice is a significant amount as it includes the bid response fees of \$3.625 million and design fees to date of \$3.378 million.

Now that the financial costs are known IH requests that you submit to your Board for approval the remaining **\$108.983 million** at your June 16, 2016 meeting. IH representatives are available to attend if you wish. Upon approval, please send Birgit Koster, Director Business Support, Capital Planning a copy of the relevant bylaw for our records.

Payment Schedule

Due to the different nature of a P3 project we request that the OSRHD contributes to the project based on a payment plan, rather than on a claims model as is done with traditional construction project. Given the potential for significant cash flow impacts during certain periods of this project, it is desirable to have pre-set payments from the RHD based on projected cash flow calculations, as opposed to submitting invoices. We would like to request that for the PRH-PCT project the OSRHD payments are received by the first of the month for the amount specified in the cash flow table below. This will allow IHA to meet the payment requirements as per the project agreement. Rather than invoices IH will provide the OSRHD with copies of the Independent Certifier Certificates to substantiate the cumulative construction value. IH will annually reconcile the payments against actual costs incurred and provide you with an adjusted cash flow schedule for the following year. It will be based on this reconciliation as well as changes in projections related to construction schedule and other project information.

Cash Flow

To support you in planning for the cash flow requirements the following table outlines the schedule of monthly payments required from the OSRHD. The timing is based on the currently anticipated construction schedules. To facilitate this we have smoothed the payments over our fiscal year.

(\$000s)	Pre-2016	2016	2017	2018	2019	2020	2021	Total
January	\$ -	\$ 159	\$ 2,081	\$ 3,717	\$ 1,905	\$ 494	\$ 444	
February	\$ -	\$ -	\$ 2,081	\$ 3,717	\$ 1,905	\$ 494	\$ 444	
March	\$ -	\$ 347	\$ 2,081	\$ 3,717	\$ 1,905	\$ 494	\$ 444	
April	\$ -	\$ -	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ 262	
May	\$ -	\$ 6,546	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ 262	
June	\$ -	\$ -	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ 262	
July	\$ -	\$ -	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ 262	
August	\$ -	\$ 6,081	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ 262	
September	\$ -	\$ 3,081	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ 269	
October	\$ -	\$ 3,081	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ -	
November	\$ -	\$ 3,081	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ -	
December	\$ -	\$ 3,081	\$ 3,717	\$ 1,905	\$ 494	\$ 444	\$ -	
Base OSRHD Funding	\$ 949	\$ 25,457	\$ 39,696	\$ 28,296	\$ 10,161	\$ 5,478	\$ 2,911	\$ 112,948
Project Reserve	\$ -	\$ 1,172	\$ 1,592	\$ 815	\$ 211	\$ 189	\$ 56	\$ 4,035
Total OSRHD portion	\$ 949	\$ 26,629	\$ 41,288	\$ 29,111	\$ 10,372	\$ 5,667	\$ 2,967	\$ 116,983

In June 2016 we will submit a claim for the balance of the \$8.0 million approved in bylaw #159 which will partially cover the April invoice from EllisDon. We have resumed the payment schedule in August trusting this will provide enough time for the OSRHD to have the new payment schedule in place for 2016.

Please note that we do not require the Project Reserve as part of the monthly payment schedule, but may require an additional payment in that year for all or part of the reserve if a risk were to be encountered which the Project Reserve is required to mitigate.

Thank you for your continued support for this exciting project for the Okanagan Similkameen region.

Sincerely,



Donna Lommer, CPA, CGA, EMBA
VP Support Services and CFO

Cc: Michael Brydon, Chair, OSRHD
Sandy Croteau, Treasurer, OSRHD
Birgit Koster, Director Business Support, Capital Planning
Scott Bowen, Director Business Support, Clinical Operations (Central)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, June 16, 2016

10:00 A.M.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

That the Agenda for the Planning and Development Committee Meeting of June 16, 2015 be adopted.

B. SUB REGIONAL CONSERVATION SERVICE ESTABLISHMENT 'WORKSHOP'

1. Bylaw No. 2690, 2015
-

C. TWIN LAKES DVP APPLICATION UPDATE

1. Summary of Review Comments for Groundwater Availability Study
 2. Letter from Ministry of Environment and Ministry of Forests, Lands and Natural Resource Operations – Comments on Golder Associates Ltd.'s January 26, 2016 Hydrogeological Assessment
 3. Western Water Associates Ltd. - Water Management Guidance
 4. MSR Solutions Inc. – Water Use Plan
-

D. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: **Conservation Fund**



For information

Purpose:

To provide information on the Conservation Fund.

Reference:

April 28, 2016 Planning and Development Committee motion to establish a Conservation Fund for Okanagan members.

Background:

A Conservation Fund is a dedicated source of revenue which empowers local communities to address environmental sustainability objectives, and leverage additional resources. The proposal is modelled on the previous success of funds in the Regional Districts of East and Central Kootenays which collectively has resulted in new local government conservation investments of over \$3,800,000 which in turn leveraged over \$7,000,000 in additional funding. If successful, the RDOS fund will generate over \$2,250,000 over 5-years and leverage anticipated is a minimum of 2:1.

On April 28th 2016, a motion to establish a sub-regional Conservation Fund was passed at the Planning and Development Committee:

- That the RDOS establish a sub-regional conservation fund
- Participants include the Okanagan members (Penticton, Summerland, Oliver, Osoyoos, A, C, D, E, F)
- The average requisition amount be set at \$10/household
- The actual taxation basis be *ad valorem*
- The term of the fund be 5 years renewable
- Investment decisions for the fund be made by participants based on the recommendations of a Technical Advisory Committee (similar to the Water Stewardship Committee for the OBWB)
- Assent through AAP and referendum if required.

On May 19th, the motion was removed from the RDOS Board consent agenda and deferred to the second RDOS Board meeting in June. This will provide an opportunity for member municipalities to meet and decide participation in sub-regional service before it comes back to the RDOS Board. In the following report details of operation of the Fund will be provided.

Service Bylaw:

- A bylaw to create a conservation service will be presented at the Board meeting of June 16, 2016. A draft of the bylaw is attached for reference.
- Along with a recommendation that the bylaw be read three times and forwarded to the Inspector of Municipalities, administration recommends that the method of assent be through an Alternative Approval process for the entire service area; however, other options include a referendum or separate Alternative Approval Processes in each electoral area along with consent from the councils of the municipalities.
- Should the Board give three readings to the bylaw, it would proceed to the Ministry of Community, Sport and Cultural Development for approval of the Inspector of Municipalities to proceed with obtaining public assent. Approval may take anywhere from 2 – 4 months, based on complexity of the bylaw and completeness of information provided.
- Upon return of the bylaw, the Board would approve the advertising schedule and establish the 30 day period of time for which an elector in the service area may register their opposition to the bylaw.
- Once the period of time established to register opposition has expired, the bylaw would return to the next Board meeting for adoption and the service established, or if the bylaw is defeated the Board would be required to determine if a referendum was appropriate as a next step.
- In order to requisition for 2017, the bylaw must be adopted and registered at BC Assessment by December 31, 2016.

Requisition Details:

- Sub-regional fund opportunity is \$450,000 annually.
- Financial goal and special tax rate calculator (\$10 average per household actual is *ad valorem*) --Five year term renewable.

Administrative Costs:

- Staff time and costs charged back to the fund in first year of requisition if successful.
- Staff time estimated between 65 and 195 hours to establish the fund.
- Costs for advertising and public information; cost of AAP process (\$1000 - \$2,000)
- Staff time estimated to administer fund after establishment is less than 20 hours.
- SOSCP administration fee for management of fund <10%.

SOSCP Contributions:

- SOSCP cash contribution for public education, information sharing during establishment of the fund during 2016 (pending approval of funding applications >\$67,000)¹.
- SOSCP in-kind Program Manager and Partner support establishment of the fund >\$100,000.

¹ Referendum costs not eligible

Draft Terms of Reference to Guide Administration and Governance (See attachment 1):

SOSCP has drafted a Terms of Reference for the Board's consideration that is based on the model from both the East and West Kootenay funds. The key elements within the TOR are as follows:

Proposed Fund Purpose

- Recognition of South Okanagan Similkameen as unique biodiversity hotspot; greatest concentration of ecosystems and species at risk in Canada.
- Provide local financial support for projects that will contribute to the conservation of our valuable ecological assets.

Administration RDOS and SOSCP Responsibility

- RDOS Board retains the responsibility for final approval of all matters related to the Fund including:
 - Final approval of all projects, grant payments, and financial audits of the Fund; and,
 - Appointment of a Technical Review Committee based on recommendations from the SOSCP.
- SOSCP will be responsible for all aspects of Fund management, other than the direct financial management including:
 - Drafting the Fund design documents, preparing and advertising the call for proposals, responding to enquiries, vetting Technical Review Committee applicants, technical review of applications and projects, project evaluation and overall program evaluation.

Conservation Themes, Goals and Targets

- Suggested themes are consistent with top public environmental concerns including:
 - Conservation of water resources (quality and quantity, aquatic ecosystems, surface and groundwater); and,
 - Protection (including acquisitions), enhancement and restoration of sensitive ecosystems and species, habitat for native fish and wildlife.
- Projects that can demonstrate a reduction of a known threat to a biodiversity "targets" will be given priority:
 - **Sensitive Ecosystems** as defined by Provincial classifications, including:
 - Riparian, foreshore and water bodies;
 - Wetlands;
 - Grasslands and shrub-steppe;
 - Rock outcrops, talus, cliffs and slopes;
 - Broadleaf & coniferous woodlands and old forests;
 - Other important ecosystems such as mature forest and Seasonally Flooded Fields;
 - **Watersheds** at important **source water** protection areas;
 - **Connectivity** for natural areas and wildlife corridors;
 - **Native fish and wildlife habitat** including for species at risk; and,
 - **Urban and rural wild-land interface** areas.
- The framework for Technical Review will be based on the International Union for the Conservation of Nature (IUCN) classification of direct threats:
 - Residential and Commercial Development
 - Climate Change

- Terrestrial and Aquatic Invasive Species
- Natural System Modifications (Fire maintained ecosystems, Dams and Water Management and Use)
- Transportation and Service Corridors
- Human Intrusions and Disturbance (Recreational Activity)
- Agriculture and Aquaculture
- Biological Resource Use

Guiding Principles including Regional Equity

- Projects not eligible are existing responsibilities of federal, provincial or local governments.
- The review process will be as simple as possible;
- Projects will be ranked on technical soundness, technical effectiveness, and value for money.
- Projects will initially be ranked based on technical merit, regardless of where they occur within the Fund Service Area. Subsequently, regional equity may be considered in decision-making (see also the Governance section below).
- Only highly ranked projects will be funded. If there are not enough high quality projects in any given year, funds will be carried forward to future years.
- Changes to program design will be considered as more is learned about the needs of the areas, provided always that the goals of the Fund are still met.

Timelines

- To address timing for call for proposals, technical review, decision maker review, notification of successful applicants, finalization of contribution agreements, and reporting.

Governance and Decision-Making

- Taxpayers will be represented through their elected officials.
- The Fund was created to provide a conservation service. Technical merit is of utmost importance to determine which projects are supported.
- A simple, cost effective decision-making structure is critical.
- Technical Review Committee guided by Committee Terms of Reference and makes recommendations to the RDOS. Technical Committee selected based on nominations submitted to the SOSCP or in response to an open call to fill a vacancy. RDOS Board will officially appoint them to the Committee based on qualification criteria Conflict of Interest Guidelines will be followed.
- RDOS responsible for reviewing the recommendations of the Technical Review Committee and for granting final approval.
- The RDOS will determine if the project meets the eligibility criteria of not being an existing responsibility of any level of government.
- Final approval of projects will be granted at a regular meeting of the RDOS Board.
- Only the Board members representing the participating areas will be entitled to vote on the projects using the weighted vote system.

Fund Design

- Specifies details around fund management
 - Annual call for proposals;

- Annual disbursements, unless carried forward to next year;
- Projects must be in service area;
- Multi-year projects acceptable, max 3 years and subject to annual review;
- Projects must address IUCN threats;
- Proponents to be non-profit, registered society status or partner with org with society status;
- Project evaluation by Technical Review Committee considerations (conservation value for money; continuity with Biodiversity Conservation Strategy Keeping Nature in Our Future);
- Proponents prepare to make presentations and written reports; and
- Contribution agreements and disbursement rules.

Eligible and Ineligible Activities

Projects will include a range of environmental stewardship and acquisition activities as per the fund themes, goals and targets. Criteria set out in Fund Terms of Reference and Technical Review Committee Terms of Reference will guide in proposal ranking and decision making.

Technical Review Committee Terms of Reference – Attachment 1

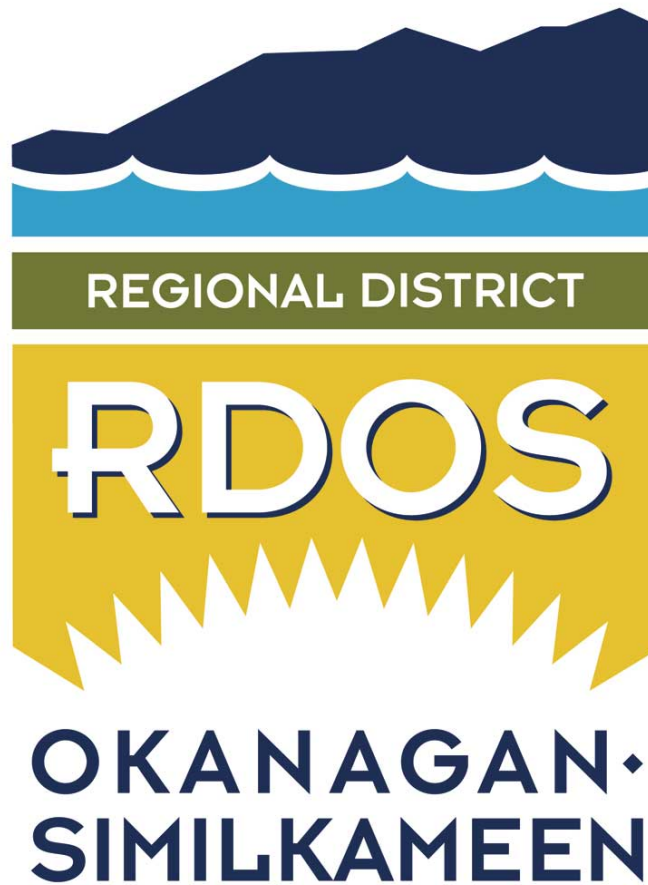
- Includes purpose, composition (expertise) selection process, makeup;
- Includes proposal review guidelines and technical evaluation criteria;
- Separate and clear Conflict of Interest Guidelines.

Respectfully submitted:

"Donna Butler"

D. Butler, Development Services Manager

B. White, Program Manager, SOSCP



REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

**LOCAL
CONSERVATION FUND**

Leaving a natural legacy for future generations...

TERMS OF REFERENCE

October 15, 2016

Approved by the RDOS Board of Directors
on ??, 2016

**RDOS
LOCAL CONSERVATION FUND
DRAFT TERMS OF REFERENCE**

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1. BACKGROUND

In [date] 2016, electors from Regional District of Okanagan Similkameen (“RDOS”) Electoral Areas [participating areas] and other municipalities (collectively referred to as “the participating areas”) voted to establish the RDOS Local Conservation Fund (“the Fund”). The Service Establishment Bylaw was subsequently adopted by the RDOS Board of Directors. Under this Bylaw, from 2017 to 2021, property owners in the participating areas will pay [language to be determined from motion] towards a dedicated fund for conservation projects in the service area.

2. FUND PURPOSE

The South Okanagan Similkameen is biologically, a unique area of Canada. The RDOS has the highest number of species at risk, and the highest proportion of sensitive ecosystems in BC.

Natural lands in both rural and urban areas filter our water, supply open spaces for wildlife and people, and provide quality of life to communities. Unfortunately, these systems are under stress. The current generation must take action now to ensure a healthy physical environment for future generations.

The purpose of the Fund is to provide local financial support for projects that will contribute to the conservation of our valuable natural areas; one step towards restoring and preserving a healthy environment. The intent is to provide funding for conservation projects that are not the existing responsibility of the federal, provincial or local governments.

3. FUND ADMINISTRATION

3.1 RDOS Responsibility

The RDOS is responsible for maintaining the integrity of the Fund and retains the responsibility for final approval of all matters related thereto. The RDOS will be responsible for final approval of all projects, grant payments, and financial audits of the Fund. The RDOS will engage a South Okanagan Similkameen Conservation Program (“SOSCP”) to assist with direct administration of the Fund as described below and will appoint a Technical Review Committee based on the recommendation of the SOSCP. The RDOS will engage the SOSCP to fulfill this role for an initial five-year term.

3.2 Consultant Responsibility

Under formal written agreement, the SOSCP will be responsible for all aspects of Fund management, other than the direct financial management. This management includes drafting the Fund design documents, preparing and advertising the call for proposals, responding to enquiries, vetting Technical Review Committee applicants, technical review of applications and projects, project evaluation and overall program evaluation. As noted in Section 3.1, the RDOS will be the final approving authority for all documents relating to the Fund.

4. CONSERVATION THEMES AND GOALS

4.1 Themes

The [suggested] themes for the Fund are consistent with top public environmental concerns including: conservation of water resources (quality and quantity, aquatic ecosystems, surface and groundwater), protection, enhancement and restoration of sensitive ecosystems and species, habitat for native fish and wildlife.

These themes are based on market research done in RDOS community surveys (2010, 2012, 2014) and SOSCP opinion polling (2004 and 2008) to identify what people value in the RDOS region. Themes are also consistent with the Biodiversity Conservation Strategy *Keeping Nature In Our Future*.

4.2 Targets

Projects that can demonstrate a reduction of a known threat to a biodiversity target will be given priority (see Appendix 1 for a list of ineligible projects). Projects on both Crown and private land will be considered. The biodiversity targets are:

- Sensitive Ecosystems as defined by Provincial SEI classifications and predominantly occurring in the valley bottom <1200m in elevation*.
 - Riparian, foreshore and water bodies including gullies, creeks, rivers, ponds, lakes, marshes and swamps;
 - Wetlands both permanent and ephemeral including wet meadows, marshes, swamps and shallow open water areas including ponds
 - Grasslands and shrub-steppe
 - Sparsely Vegetated rock outcrops, talus, cliffs and slopes;
 - Broadleaf & coniferous woodlands and old forests;
 - Other important ecosystems such as mature forest and Seasonally Flooded Fields (often flooded during spring) are two examples; and,
 - *Exception is high elevation alpine areas.
- Watersheds at important source water protection areas.
- Connectivity for natural areas and wildlife corridors.
- Native fish and wildlife habitat including for species at risk.
- Urban and rural wild-land interface areas.

4.3 Classification Scheme

The aim is to “think globally; act locally.” The framework for Technical Review (see Appendix 2) will be based on the International Union for the Conservation of Nature (IUCN) classification of direct threats. The value of this classification scheme is to provide nomenclature for practitioners world-wide to describe the common problems they are facing and solutions they are using in a mutually intelligible way. The issues

outlined below are those that currently have the highest relevance to the area around RDOS. This is only a partial list and other IUCN threats will be considered in evaluating proposals:

(a) Residential and Commercial Development

Development activity continues to lead to conversion and fragmentation of important habitats and greater demands on water.

(b) Climate Change

Climate change will have a dramatic influence on Okanagan ecosystems over the next 20 years. Higher summer and winter temperatures, declining mountain snowpack, reduced snowfall, long dry summers, and sudden heavy rains are just some of the changes. These changes will have a dramatic impact on fire regimes, geo-hazards and flooding, river flow, water availability, plant distribution, and wildlife populations.

(c) Terrestrial and Aquatic Invasive Species

When natural areas are disturbed there is often an opportunity for invasive species to flourish. Invasive species, both terrestrial and aquatic, can disrupt natural ecological processes as there are often no natural agents present to keep these species in check. Invasive species can affect fish and wildlife habitat, range values, food security, and timberland.

(d) Natural System Modifications (Fire maintained ecosystems, Dams and Water Management and Use)

When natural systems are modified such as through fire suppression, or non-ecological fireproofing or hydrological flow regimes altered, the ecological degradation and loss of biological diversity can be widespread.

(e) Transportation and Service Corridors

Wildlife mortality and habitat fragmentation are direct consequences of road corridors. These corridors are concentrated in valley bottoms and traffic volumes are increasing over time thereby increasing the risk.

(f) Human Intrusions and Disturbance (Recreational Activity)

Recreational activity, particularly increasing off-road activity, can lead to a range of impacts including soil compaction, erosion, spread of invasive plants, and disturbance to wildlife.

(g) Agriculture and Aquaculture

Threats from farming and ranching as a result of agricultural expansion and intensification, can lead to loss of important ecosystem and wildlife habitat, soil compaction, spread of invasive plants, human health issues with surface and groundwater.

(h) Biological Resource Use

Harvesting trees and other woody vegetation for timber, fibre, or fuel.

5. GUIDING PRINCIPLES

To best support the most effective projects, the guiding principles of the *Conservation Framework for British Columbia* will be followed:

- **Acting sooner** – before species and ecosystems are at risk.
- **Acting smarter** – priority setting is science-based; the results move us from reactive conservation to prevention using appropriate management actions.
- **Acting together** – coordinated and inclusive action.
- **Investing more wisely** – align conservation investments, priorities, and actions among conservation partners and stakeholders.

The following guiding principles will also be used:

- Projects that fall into the **existing responsibilities of federal, provincial or local governments will not be eligible** for funding.
- The review process will be as **simple** as possible, particularly with the recognition that a relatively small Fund is being administered.
- Projects will be ranked on **technical soundness, technical effectiveness, and value for money**.
- Projects will initially be ranked based on technical merit, regardless of where they occur within the Fund Service Area. Subsequently, regional equity may be considered in decision-making
- Only **highly ranked projects** will be funded. If there are not enough high quality projects in any given year, funds will be carried forward to future years.
- **Changes to program design** will be considered as more is learned about the needs of the areas, provided always that the goals of the Fund are still met.

6. TIME LINES

6.1 General Projects

- Call for proposals – October
- Technical review completed – November/December
- RDOS review completed – January
- RDOS Board of Directors final approval – February
- Successful applicants notified – March
- Contribution Agreements between the RDOS and applicants are finalized – March/April

6.2 Land Securement Projects

Land acquisition or covenant proposals may be submitted at any time during the year provided there is sufficient time for the Technical Review Committee and RDOS to

review the proposals. All securement proposals will be treated as confidential unless other specific arrangements have been approved by all parties.

7. GOVERNANCE

The governance model is based on three guiding principles:

1. This is a tax-based Fund; therefore, in the decision-making process, taxpayers will be represented through their elected officials.
2. The Fund was created to provide a conservation service. Technical merit is of utmost importance to determine which projects are supported.
3. There is a relatively small amount of annual funding available and it is important to design a simple, cost effective decision-making structure.

The governance model may be modified as necessary to accommodate the goals of the Fund. A two-tiered process will be employed, with a Technical Review Committee (see Appendix 2) making recommendations to the RDOS.

The Technical Review Committee will be selected based on nominations submitted to the SOSCP or in response to an open call to fill a vacancy. Five committee members will be selected with a maximum term of three years. Some members will be asked to serve for only one or two year terms to ensure membership continuity in each year. Once selected and recommended to the RDOS, the RDOS Board will officially appoint them to the Technical Review Committee based on qualification criteria found in Appendix 2. Given the small geographic area and high level of engagement in conservation projects, it may be difficult to find Technical Review Committee members who will not, at some point, have a conflict of interest by virtue of the fact that they may also be interested in submitting proposals, or working on successful projects. In such cases, the Conflict of Interest Guidelines (see Appendix 4) will be followed.

The RDOS will be responsible for reviewing the recommendations of the Technical Review Committee and for granting final approval. The RDOS will determine if the project meets the eligibility criteria of not being an existing responsibility of any level of government. The RDOS Directors representing the participating areas will, at their discretion, have the opportunity to review the proposals with the Electoral Area Advisory Planning Commissions. Final approval of projects will be granted at a regular meeting of the RDOS Board. Only the Board members representing the participating areas will be entitled to vote on the projects using the weighted vote system. In the case of acquisition proposals, the RDOS may be required to maintain confidentiality in which case, proposal review and approval will take place at a closed meeting of the Board.

8. FUND DESIGN

- (1) A call for project proposals will be issued annually (September/October) and will be advertised based on criteria set by the SOSCP and approved by the RDOS Chief Administrative Officer or her designate.
- (2) Funds will be dispersed annually, based on responses to calls for proposals. Any funds not dispersed can be carried forward to the next fiscal year.
- (3) Projects must be in the Fund Service Area.
- (4) Multi-year projects are acceptable to a maximum of three years. Such projects will receive annual funding approval, and will be subject to annual review by the Technical Review Committee to ensure they are on track.
- (5) Projects must address IUCN threats to biodiversity targets and fall into at least one theme area (see Section 4).
- (6) Proponents must be non-profit, have registered society status or must partner with an organization that has registered society status.
- (7) Project evaluation by the Technical Review Committee includes consideration of conservation value for money.
- (8) Proposals should reflect continuity with the Biodiversity Conservation Strategy *Keeping Nature in Our Future*.
- (9) Proponents must be prepared to make a 10-minute presentation on the outcomes of their work on an annual basis, in addition to submitting written interim and final reports.
- (10) Proponents will receive 50% of the grant upon signing a contribution agreement and 50% upon completion of the approved final report. Subject to RDOS approval, this requirement may be varied for organizations without the capacity to carry 50% of the cost.
- (11) For projects under \$5,000, the SOSCP has authority to allow proponents to change aspects of their work plan. For projects of \$5,000 to \$10,000, proponents must receive the support of the Technical Review Committee for any substantive changes to their work plan. For projects over \$10,000, approval for work plan changes must be given by the RDOS.

RDOS LOCAL CONSERVATION FUND

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APPENDIX 1 INELIGIBLE ACTIVITIES

The following types of projects will not be considered for funding:

- (a) Existing federal, provincial or local government responsibilities;
- (b) Capacity building or operating expenses for organizations;
- (c) Projects with recreational benefits only;
- (d) Community infrastructure services;
- (e) Lobbying or advocacy initiatives;
- (f) Wildlife feeding programs;
- (g) Non-applied research (research not related to a conservation action goal);
- (h) Training costs for contractors;
- (i) Enforcement activities;
- (j) Fish rearing, farming, stocking or hatchery projects;
- (k) *Rehabilitation, captive breeding or control of wildlife species;
- (l) *Mapping only projects;
- (m) *Inventory only projects;
- (n) *Planning only projects;
- (o) Education only projects;
- (p) Fishing and hunting tour or curriculum guides;
- (q) Information projects on regulations or stocking;
- (r) Conferences;
- (s) Production or sponsorship of commercial programs;
- (t) *Interpretive services;
- (u) *Creation or management of electronic databases, websites or file systems.

*These activities will be considered if they are part of an eligible project that will lead to 'on-the-ground' implementation or if they provide knowledge which is vital to achieving the overall objectives of the Fund.

RDOS LOCAL CONSERVATION FUND
TERMS OF REFERENCE
APPENDIX 2
TECHNICAL REVIEW COMMITTEE

1. PURPOSE

The purpose of the Technical Review Committee (“the Committee”) is to ensure that:

- (a) All proposals to the Fund receive a sound technical review based on a fair assessment of proposal merit and project effectiveness;
- (b) There is a high level of accountability in the review process; and
- (c) Recommended lists of technically appropriate proposals are provided to the RDEK.

2. COMPOSITION

The Committee will be comprised of five members with expertise in each theme areas of water conservation, ecosystems (sensitive ecosystems, forestry), fish and wildlife conservation including species at risk. To ensure consistency and continuity, some members may be asked to serve on the Committee in consecutive years.

3. PROPOSAL RANKING GUIDELINES

- (a) Each proposal will be independently reviewed by each Committee member and be rated on what is submitted by the proponent.
- (b) The Committee will only review proposals on their technical merit and effectiveness.
- (c) Experts in fields related to the activities within proposals may be consulted as necessary.
- (d) Each proposal will be discussed collectively and Committee members will have an opportunity to change their scores based on input from other members.

- (e) Scores from each Committee member will be used to determine the final evaluation score for the proposal. The proposals will be ranked from highest to lowest score.
- (f) New funding proposals will be rated on whether they meeting the Fund criteria and if the project should be considered for funding. For continuing projects, ratings will be based on whether the project should be continued.
- (g) The Committee chair will sign the ranked list and the Committee's comments will then be forwarded to the RDOS by the SOSCP in a summary report.
- (h) The SOSCP will participate in the technical review process, but will not rank proposals; will provide additional file information as requested by the Committee members before and at review meetings; and will be available to answer questions from the RDOS on behalf of the Committee.

4. TECHNICAL EVALUATION CRITERIA

4.1 New Projects

(a) Feasibility (i.e., is the project doable – Yes or No)

- Is the overall proposal well written?
- Are the objectives clearly defined?
- Are the techniques and methods proposed the most appropriate ones to address the threat?
- Does the proponent clearly understand the challenges they may face in completing the project?
- Has the proponent demonstrated that the project will be able to overcome these challenges?
- Are the proposed timelines reasonable?
- Do the proponents have the capacity to deliver the project?
- If applicable, are plans in place to get required permits or authorizations?
- Have any possible negative implications or effects on other targets been identified and minimized?

Based on the answers to the above questions, rank the feasibility of the project from 0-10 with 10 being the highest ranking.

(b) Cost Effectiveness (Yes or No)

- Is there value for the funding being requested?

- Are the benefits as described in the proposal in line with the cost of the project?
- Are the project budget and in-kind rates realistic?

Based on the answers to the above questions, rank the cost effectiveness of the project from 0-5 with 5 being the highest ranking.

(c) Outside Participation / Cost Sharing (Yes or No)

- Do the proposed activities involve other agencies and organizations?
- Does the project leverage funds from other sources?

Based on the answers to the above questions, rank the leverage potential of the project from 0-5 with 5 being the highest ranking.

(d) Project Effectiveness (i.e., is the project worth doing?)

- Is there a clearly demonstrated ability for the results of this project to reduce an identified threat (IUCN) to a biodiversity target?
- Is the project outside of the realm of regular government responsibilities?
- Is the project rationale science-based and do the results move us from reactive conservation to prevention using appropriate management actions?
- Does the project build on conservation measures from relevant official community plans?
- Does the project align conservation investments, priorities, and actions among conservation partners and stakeholders?
- Is there an evaluation of project benefit or other measurables or indicators identified in the proposal?
- Is there a clearly described extension component of the project (e.g., communicating results to the community, resource managers, workshops, reports, presentations, etc.)?

Based on the answers to the above questions, rank the effectiveness of the project from 0-20 with 20 being the highest ranking.

(e) Other Comments

- Are there any other technical concerns?
- Are there any technical conditions to funding?
- Are there any other general comments from reviewers?

4.2 Continuing Projects

Each Committee member answers Yes or No to the following criteria and on whether the project should continue to be funded. Continuing projects have undergone an extensive review to receive original approval; therefore, no evaluation score is needed.

(a) Progress to Date

- Has there been satisfactory progress to date in terms of the project's scheduled activities?
- Does the proposal build on past accomplishments?
- If difficulties arose in the previous or current year, will they affect proposal activities?
- Should the proposal be modified to address any problems arising from the previous year?
- Are any budget changes justified?

(b) Overall Evaluation

- Should the project continue to be funded?
- Are there any conditions to continued funding?

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APPENDIX 3

TECHNICAL REVIEW COMMITTEE CONFLICT OF INTEREST GUIDELINES

1. GENERAL GUIDELINES

- (a) Technical Review Committee (“Committee”) members will act at all times with due diligence, honesty, and in good faith, for the public interest.
- (b) The conduct and language of Committee members will be free from any discrimination or harassment prohibited by the *Human Rights Code of Canada*.
- (c) The conduct of Committee members will reflect social standards of courtesy, respect, and dignity.

2. CONFIDENTIAL INFORMATION

- (a) Committee members will not reveal or divulge confidential information (defined as that which cannot be obtained from other sources) received in the course of Committee duties.
- (b) Confidential information must not be used for any purposes outside that of undertaking the work of the Committee.

3. DUTY TO INFORM

- (a) Committee members will inform the SOSCP of any circumstances, be that an actual conflict of interest or an appearance of conflict, which may have a negative or harmful effect on their ability to perform the duties required of the appointment or the reputation of the Committee. The member will advise all other members and staff, in writing (email accepted), well in advance of Committee meeting: (a) that there is a potential conflict; (b) the nature and scope of the conflict; and (c) the specific project to which the conflict may apply.

- (b) For some proposals, Committee members may have a direct involvement in the project. In this case, the Committee member will be asked to leave the meeting during the discussion of such proposals.

4. STATEMENT OF INTENT

- (a) Participation in Committee work should not result in any personal or private financial or other substantive gain. Private gain does not include honoraria for Committee work.
- (b) Members of the Committee will avoid any conflict of interest that may impair or impugn the independence, integrity or impartiality of the RDOS Local Conservation Fund, the RDOS or the SOSCP.
- (c) There shall be no apprehension of bias based on what a reasonably knowledgeable and informed observer might perceive of the actions of the Committee or the actions of an individual member of the Committee.

5. PRACTICAL CONSIDERATION IN DETERMINING CONFLICT

- (a) Activities undertaken as a citizen must be kept separate and distinct from any responsibilities held as a member of the Committee.
- (b) Activities undertaken as a Committee member must be kept separate and distinct from other activities as a citizen.
- (c) Other memberships, directorships, voluntary or paid positions, or affiliations remain distinct from work undertaken in the course of Committee work.
- (d) Committee members will not assist anyone in their dealings with the Committee if this may result in advantageous treatment or the perception of advantageous treatment by a reasonably knowledgeable and informed observer.
- (e) Actions taken in the course of Committee duties can neither cause nor suggest to a reasonably knowledgeable and informed observer that members' ability to exercise those duties has or could be affected by private gain or interest.
- (f) All personal financial interests, assets, and holdings must be kept distinct from and independent of any decision, information or other matter that may be heard by or acted upon by the Committee.
- (g) Personal employment shall not be dependent on any decision, information or other matter that may be heard by or acted upon by the Committee. If such a situation arises, Committee members must disclose to the Committee and the SOSCP, any involvement in a proposal or issue before the proposal or issue is discussed by the Committee. Members will be excused from discussion of the project at the discretion of the Committee.
- (h) The Committee will determine whether or not a Committee member can submit a project proposal or assist a proponent in the preparation and submission of a proposal that does not result in financial or other direct or indirect gain to the member.

DECLARATION

I hereby acknowledge that I have read and considered the conflict of interest guidelines for Technical Review Committee member of the RDOS Local Conservation Fund and agree to conduct myself in accordance with these guidelines.

Name of Committee Member (print) _____

Signature of Committee Member _____

Date Signed _____

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2690, 2015

A bylaw to establish a Sub-Regional Conservation Fund Service

WHEREAS a Regional District may, by bylaw, establish and operate a service under the provisions of the *Local Government Act*;

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen wishes to establish a service to create a Local Conservation Fund in the Regional District of Okanagan-Similkameen;

AND WHEREAS the Board of Directors resolved by a 2/3 vote that participating area approval be obtained for the entire proposed service area;

AND WHEREAS approval of the Electors has been obtained for the entire service area by the alternative approval process, 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. CITATION

- 1.1 This Bylaw may be cited as the "Regional District of Okanagan-Similkameen Sub-Regional Conservation Fund Service Establishment Bylaw No. 2690, 2015".

2. ESTABLISHMENT OF THE SERVICE

- 2.1 The Service established by this bylaw is for the purpose of establishing a sub-regional Conservation Service Fund in the Regional District of Okanagan-Similkameen.

3. BOUNDARIES OF THE SERVICE AREA

- 3.1 The boundaries of the service area are the boundaries of Electoral Areas "A", "C", "D", "E", "F", the City of Penticton, District of Summerland, Town of Oliver and the Town of Osoyoos.

4. PARTICIPATING AREA

- 4.1 The participating areas are Electoral Areas "A", "C", "D", "E", "F", the City of Penticton, District of Summerland, Town of Oliver and the Town of Osoyoos.

5. SERVICE PROVISION

- 5.1 The Board of Directors may enter into an agreement for the administration of the local conservation fund.

6. COST RECOVERY AND APPORTIONMENT

- 6.1 As provided in the *Local Government Act*, the annual costs of the Service shall be recovered by one or more of the following:
- (a) property value taxes imposed in accordance with Division 3 [*Requisition and Tax Collection*];
 - (b) subject to subsection (2) of section 378, parcel taxes imposed in accordance with Division 3;
 - (c) fees and charges imposed under section 397 [*imposition of fees and charges*];
 - (d) revenues raised by other means authorized under this or another Act;
 - (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

7. LIMIT

- 7.1 The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$450,000 or \$0.0292 per thousand dollars of net taxable value of land and improvements in the Regional District of Okanagan-Similkameen.

8. EXPIRATION

This bylaw shall expire on December 31, 2021

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

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this XXX day of XXX, XXX.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH AN ALTERNATIVE APPROVAL PROCESS this XXX day of XXX, XXX.

ADOPTED this XXX day of XXX, XXX.

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Twin Lakes DVP Application – For Information Only



Purpose:

To review documents prepared for the Twin Lakes Golf Resort (TLGR) development variance permit D2016.051-DVP.

Purpose: The Developer is seeking a variance to the Subdivision Servicing Bylaw to reduce the Design Parameters for Water Flow/ Fire Flow of water needed for a community water system.

Owner / Agent: CRS Group of Companies Folio: D-02342.001 Civic: 79 & 85 Twin Lakes Road

Existing Zones: Resource Area (RA), Agriculture Three (AG3), Residential Single Family One (RS1), Residential Multiple Family (RM1), General Commercial (C1), Parks and Recreation (PR)

Requested Variances: Addition of an “Average Daily Flow to 2,200 L/single family unit/day”;
Reduction of the existing “Maximum Daily Domestic Flow of 8,000 L/single family unit/day” to 5,500 L/single family unit/day; and,
Reduction of the existing “Peak hour domestic flow of 13,600 l/single family unit/day” to 10,000 L/single family unit/day.

History:

The Regional District Subdivision Servicing Bylaw No, 2000, 2002 contains a requirement, where a community water system is proposed, for a developer to provide a water system design flow for a Maximum Daily Domestic Flow or Maximum Daily Demand (MDD) of 8,000 litres of water to a single family unit per day and a Peak Hour Demand (PHD) of 13,600 l/unit/day. The Bylaw does not contain a provision for an Average Daily Domestic Flow (ADD).

The Developer of the Twin Lakes Golf Resort (TLGR) has applied for a reduction of the MDD from 8,000 to 5,500 litres per unit per day as well as a reduction of the PHD from 13,600 to 10,000 litres per unit per day. He has proposed an addition of an ADD of 2,200 l/unit/day.

This variance is being requested to accommodate Phase 1 of the proposed TLGR Development, being 50 “mixed-residential” units. The proposed development is intended to be located adjacent to the Twin Lakes Golf Course, on Lot A, in an area presently zoned General Commercial (C1). A zoning amendment application will be required to allow the mixed-residential development to proceed.

Site Context:

Lot A is approximately 66 ha. in area and is situated on the southern side of Highway 3A, 1.5 km east of Yellow Lake. The site is principally used as a golf course and clubhouse; however, there is also a

seasonal RV Park Campground. A majority of the property is within the Agricultural Land Reserve (ALR).

Lot 2 is approximately 41.4 ha. in area and is situated on the southern side of Highway 3A, 1.5 km east of Yellow Lake. This site is seen to be comprised of undeveloped hillside and benches. This parcel was originally intended for the majority of the development that was proposed in 2008. The new proposal has the development focus on area zoned “General Commercial Zone” (C1) on Lot A.

Surrounding properties are a mixed land use of RA, LH, RS1, RS2 and C1. The properties surrounding Nipit Lake are a mix of residential zonings.

Reference Material:

1. MSR Solutions Letter Dated July 13, 2015
2. Provincial Hydrologist Review of the Golder Report
3. RDOS review of the Golder Report
4. Western Water Associates Report

Background:

The TLGR developer intends to phase an as-yet undefined development on Lot A. They consider the 50 units under this application to be the first phase. With limited historical data, they have suggested that water use on the 1st Phase be monitored for 10 years before any additional development could be constructed to ensure a sustainable water supply for all users in the Twin Lakes area.

When the Board first heard this DVP application, they deferred it until a hydrogeological study could be done to provide a better understanding of the Twin Lakes hydrogeological system. A report, hereinafter referred to as the Golder Report, was commissioned by the Developer to fulfill this requirement and it was submitted in January 2016, but not yet publicly released for the public.

The Golder Report has been reviewed by the Ministry of Forest Lands and Natural Resource Operations (MFLNRO) upon the request from the Provincial Approving Officer and by RDOS.

Uncertainty about the quantity of water in the Twin Lakes Aquifer has made this a complex file. Suffering from a lack of historical data on water the initial subdivision application was denied in 2011 by the Subdivision Approving Authority citing that, due to the uncertainty of sustainable water, it would not be in the public interest to allow the subdivision to proceed. The Developer has produced the Golder Report to support his application.

Subsequently, the developer applied to RDOS for the “Per Capita Flows” Variance in 2012, which was deferred by the Board pending additional information. That DVP was subsequently withdrawn and a new DVP submitted. The Board will now be asked to decide if the variance of the water design demands is reasonable to allow the Variance to the Subdivision Servicing Bylaw to proceed. A zoning amendment application will be needed to allow for the proposed 50 residential units. The zoning application process will allow for further discussion of water use/sustainability and conditions that will be required to allow the development to proceed.

Public Process:

The Variance has a regulatory requirement for circulation to adjacent property owners and this is in progress. The Request for Decision is anticipated at the Board on July 7th. The intent of this report is to present a summary of information available and to respond to questions.

Analysis:

Water Daily Demand Descriptions

When determining the design flows for a water system, there are typically three critical flow demands considered. The [*Design Guidelines for Rural Residential Community Water Systems 2012*](#) describes the three demands as:

- Average Day Demand (ADD): To verify source capacity, generally established from water recorded water consumption.
- Maximum Day Demand (MDD): This parameter establishes sizing of pumps, reservoir and treatment works between source and balancing storage.
- Peak Hour Demand (PHD): This parameter establishes sizing of pipes, pumps and treatment works between balancing storage and the system users.

When recorded water use is not available the three demand flows can be derived as follows:

- Average Day Demand times 2.5 (peaking factor) = Maximum Day Demand
- Average Day Demand times 5.0 (peaking factor) = Peak Hourly Demand

Review of Okanagan Area Water Demands

Area local government design water demands stated in their subdivision bylaws provide the following:

Local Government	Bylaw		Average Day (ADD)	Maximum Day (MDD)	Peak Hourly (PHD)
Central Okanagan RD	704		2,520	6,720	11,200
Columbia Shuswap RD	641		Not stated	5,040	Not stated
North Okanagan RD	2650		1,960	4,032	6,048
Thompson Nicola RD	2403		Not stated	2,500	7,500
City of Vernon	3843		1,960	5,040	7,560
City of Kelowna	7900		2,520	5,040	11,200
City of Penticton	2004-81		1,960	4,900	7,350
District of Summerland	99-004		2,800	8,400	14,000
Town of Osoyoos	1100		5,040	12,600	19,040
Village of Keremeos	470		2240	6720	11760
AVERAGE			2,625	6,099	10,629
RDOS	2000		Not stated	8,000	13,600

The measurement used for this comparison is L/unit/day. A unit is based on a 2.8 people per unit.

The values used for the current Regional District bylaw are higher than the average values of the other local governments and will be reviewed as part of a future revised subdivision servicing bylaw.

The applicant for the TLGR development has proposed the following 3-part variance:

- an Average Day Demand (ADD) of 2,200 L/unit/day;
- a Maximum Day Demand (MDD) of 5,500 L/unit/day; and
- a Peak Hour Demand (PHD) of 10,000 L/unit/day.

The applicant's requests will be discussed further at Committee on June 16, 2016.

- #1 The intent of the existing bylaw is to ensure that the design of a community water system provides day-to-day water requirements and adequate flow for fire protection by balancing flow and storage. This is determined by the Maximum Daily Demand. The Developer has applied to vary the MDD from 8,000 l/u/d to 5,500 l/u/d.
- #2 The application proposes that the Peak Hour Demand (PHD) be reduced from 13,600 l/u/d to 10,000 l/u/d. PHD establishes sizing of infrastructure to ensure capacity in the underground infrastructure to handle maximum flows at the heaviest times.
- #3 Average Daily Demand is the parameter that verifies source capacity, and would seem to be the important factor in this discussion. Establishing ADD at 2,200 L/SFU/D as requested by the Developer will put the Regional District at a significantly lower level than the regional average and from all of the information received; there seems no expert opinion that guarantees that even this reduced level of water will be available for withdrawal in the aquifer.
- #4 The current Subdivision Services Bylaw does not contain a provision for Average Daily Demand. While the Bylaw establishes minimum design flows for infrastructure through MDD and PHD, it would be important to establish the maximum for ADD. The Regional District should be able to support the reduced ADD based on the conditions wrapped around the variance, such as xeriscaping, etc.

For Discussion at Committee:

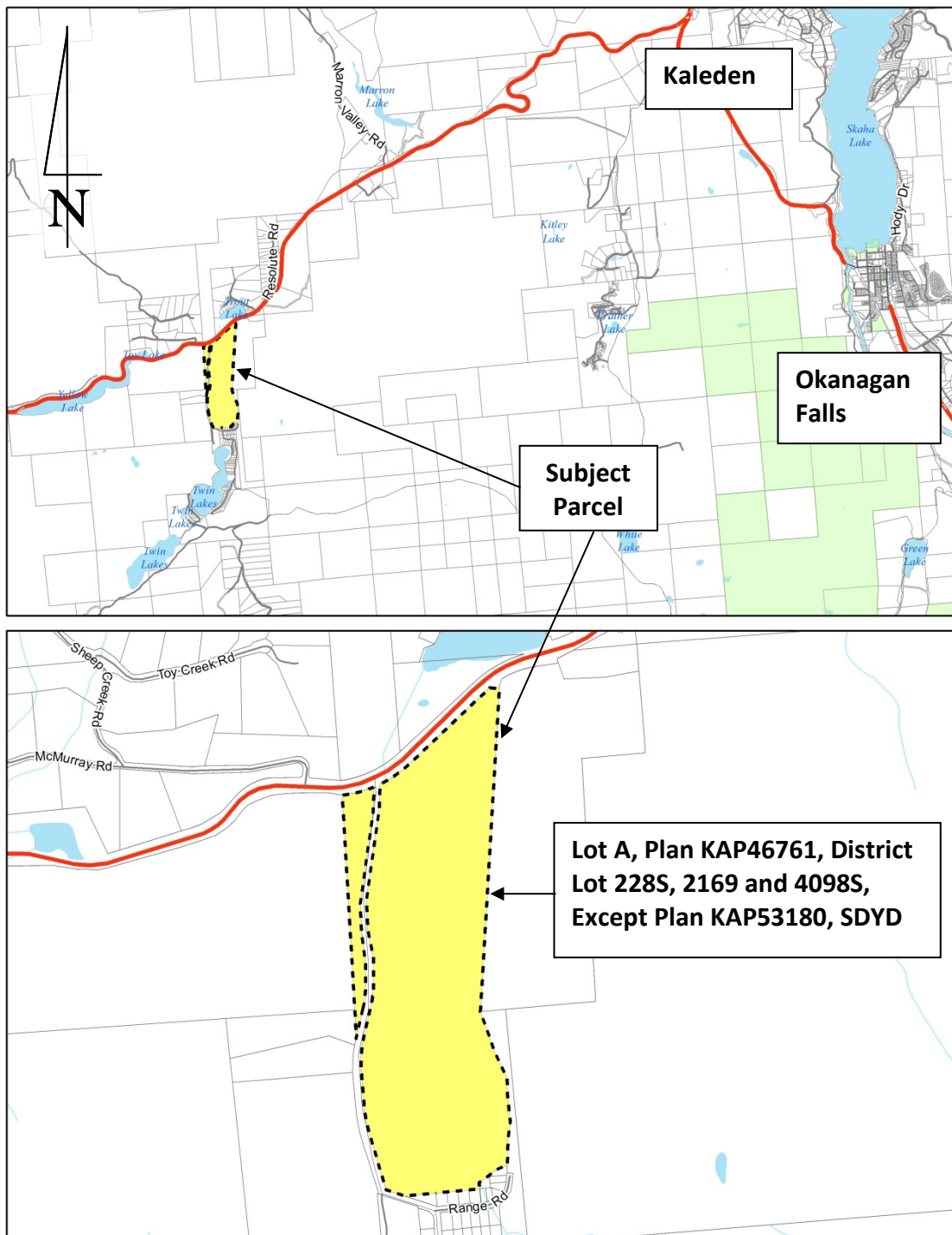
**Provincial Hydrologist Review of the Golder Report
RDOS Summary Comments
Subdivision Approving Officer Letter to TLGR**

Respectfully submitted:

S. Juch, Subdivision Supervisor

Attachments: No. 1 – Site Context
 No. 2 – Development Area

Attachment No. 1 – Site Context



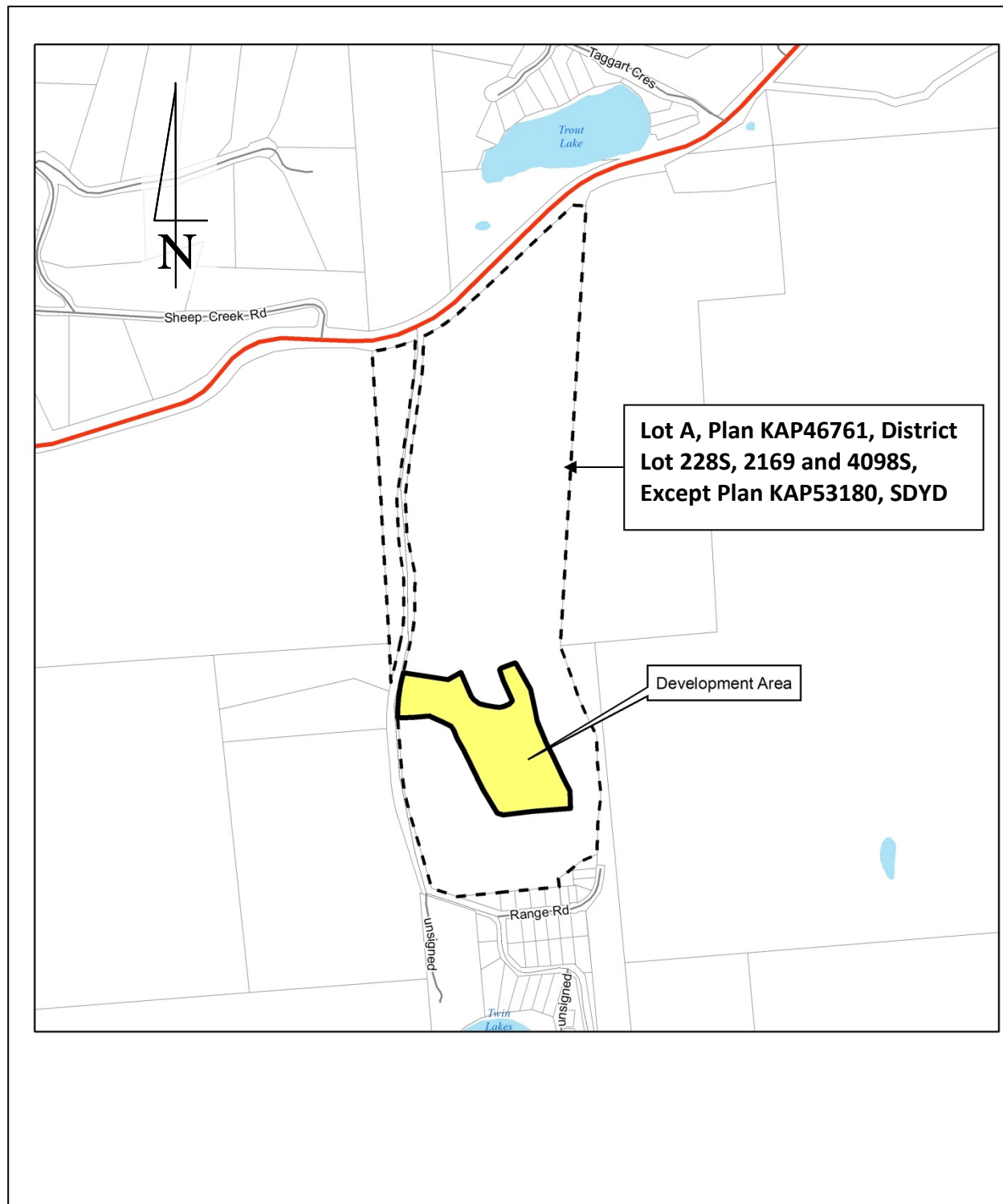
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

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



Attachment No. 2 – Development Area





INTEROFFICE MEMORANDUM

Engineering Services Department

DATE: May 18, 2016 **FILE NO.:** Sub-D08-2343.005

TO: Roger Huston, Public Works Manager

FROM: Stephen Juch, Subdivision Supervisor

RE: **Summary for Review Comments for Groundwater Availability Study, Proposed Residential Development (Phase I), Twin Lakes, BC**

A review of the Twin Lake Hydrogeological Assessment was done by RDOS Staff. The review is a general review and is not an analysis of the hydrology science and any determination of sustainable water; but rather a general over-view and any factors that could be a recommendation from the RDOS.

1. The report is only for 50 units of a residential development (Phase 1). There is no indication of or if any other phases can be attained. There is no indication of where the proposed development on the 2 parcels in question.
2. There are a number of statements in the report that the RDOS has “approved in principal” or supported the variance or values used within the report. These statements are not correct. The RDOS has not drawn any conclusion for this report. Values used for the assessments that were determined by MSR Solutions will be discussed below.
3. Using the term “should be sustainable” does not give a lot of confidence when reading the report. (Results, page 2)
4. There is no clear comments in the report on how or if the surface water (lakes) and groundwater are connected.
5. There are a number of conditions that limit the results in the report. One main condition is the requirement of monitoring, bylaws and regulatory resources by the RDOS after the development is approved. This places a significant burden on the RDOS and the possible water service area:
 - a. New services to be provided; water and sewer;
 - b. Creation of new bylaws;
 - c. Bylaw enforcement of water restrictions;
 - d. Water meter management; and
 - e. Long-term monitoring of water resources.
6. Surface Water rights, particularly for The Natures Trust lands have been discounted because the licenses are not in use. These licenses must be accounted for in either the calculations or need to determine the status of the licenses and amend/reduce or be cancelled.

-
7. Monitoring by the developer is recommended for 10 years but at what start point. The developer has indicated that he has already started monitoring but there is no approved development.
 8. The MSR Solution's Water Use Plan has not been supported by RDOS Staff as indicated in the report.
 9. The water use by the golf course has been averaged out for an annual value. There has been no assessment of the impact of the water use being use in "peak season".
 10. The parcel count in the surrounding aquifer area of Twin Lakes is 126, the number used in the Golder Report, from MSR Solutions, is 90.
 11. The existing domestic user values used in the assessment are not supported by the RDOS bylaw or the Provincial water licenses given for surface water rights. A value of 1120 litres per day was used when the bylaw states a groundwater well minimum volume of 2300 litres per day. The number, 2300 litres per day is also used for the water licenses.
 12. The existing domestic user values also have a "return of ground" reduction of 50 percent. This is not been proven out in this report and not supported by the RDOS staff.
 13. As stated in # 10, 11 and 12: 2300 litres per day per parcel (126) and with no groundwater return equals 290 m³/day; not 110 m³/day as stated in the report .

After speaking to the Provincial Approving Officer it is understood that he is completing his own review of the Golder Report and will be replying to the TLGR developer with questions and comments. A similar process will be considered with the comments from the RDOS and a request for a revised report.

For your consideration,

A handwritten signature in blue ink, appearing to read 'Stephen Juch', with a stylized flourish at the end.

Stephen Juch, ASCT.
Subdivision Supervisor

G:\Eng Services\Juch\2016\Twin Lakes\Summary on Comments on TLGR Golder Rpt Jan2016.docx

Att: Review comments for the Golder Report



MEMORANDUM

Date: May 24, 2016

File: 38050-30/Twin Lakes

To: Stephen Juch,
Subdivision Supervisor
Regional District of Okanagan-Similkameen

From: Klaus Rathfelder, Aquifer Water Quality Scientist,
Ministry of Environment
and
Nicole Pyett, Groundwater Protection Officer, Ministry of
Forests, Lands and Natural Resource Operations

RE: Comments on Golder Associates Ltd.'s January 26, 2016 Hydrogeological Assessment,
Groundwater Availability Study, Proposed Residential Development (Phase 1),
Twin Lakes, B.C.

Background -

At the request of the Ministry of Transportation and Infrastructure (MOTI), groundwater staff from the Ministries of Environment (MOE) and Forests, Lands and Natural Resource Operations (FLNR) have completed a review of the January 26, 2016 Golder Associates report, titled "Groundwater Availability Study, Proposed Residential Development (Phase 1), Twin Lakes, BC". It is our understanding the report was submitted to MOTI and the Regional District of Okanagan-Similkameen (RDOS) in support of a residential development application at the Twin Lakes Golf Resort (TLGR). TLGR commissioned this report to meet local government water availability requirements. Ministry staff have reviewed the report to assess the scientific merits and rationale of the study approach, assumptions, and findings. Where there is uncertainty in findings due to data limitations and assumptions, Ministry staff take a conservative point of view in assessing the approach and findings. Ministry staff have provided detailed comments and recommendations (attached) on the core document only and have not evaluated supportive material included as appendices. The Ministry comments were reviewed by Skye Thomson, M.Sc., P.Geo., Regional Hydrogeologist, Ministry of Forests, Lands and Natural Resource

Operations, and were released to Bill Sparkes (MOTI) and Stephen Juch (RDOS) on April 12, 2016.

Summary -

In review of this report, Ministry staff determined that the finding of adequate supply is largely based on steady-state groundwater modeling. While the groundwater model is good step forward in understanding the connection between groundwater and surface water, there remain uncertainties and limitations in the conceptualization and the data supporting the model development:

- a. **Lack of data:** Hydrologic and hydrogeologic information in the watershed remain very limited. These data are needed to further support model development, calibration, and verification of modeling results. Ministry staff recommend implementation of the long-term monitoring and water conservation recommendations outlined in Section 10.0 of the Golder report.
- b. **Modeling methodology:** Groundwater model results are based on a steady-state model using annualized input and output values. Water resources are managed to support numerous values, including ecosystem needs. While the steady-state methodology can provide insights into the groundwater system, it neglects to address the seasonal variation of natural groundwater levels in a system hydraulically connected to surface water, and the maximum impacts of groundwater extraction, as is required for ecosystem management. The limitations of the steady-state approach should be discussed. Uncertainty in data inputs and system conceptualization should also be addressed through a more comprehensive uncertainty analysis.
- c. **Assumptions:** The finding of adequate supply depends on the validity of several modeling assumptions regarding water use and water conservation, including a reduction in design flows described in the water use plan prepared by MSR Solutions, Inc. This is pointed out by the authors of Golder report who state: “For the findings of this report to be relied on, regulatory authorities at the necessary levels of government should promulgate, enforce and monitor water use by-laws and regulations that will maintain withdrawal rates both within the proposed development, as well as outside water users [i.e. those users outside the proposed TLGR development] at or below those outlined in MSR, 2012; Furthermore, those regulatory authorities should review this report and agree with its findings

before enacting the necessary bylaws or regulations.” The extent to which the water use assumptions will be realized is uncertain. Ministry staff recommend all necessary bylaws and regulatory structure be in place prior to any approvals of proposed development.

The data limitations and modeling uncertainties warrant a conservative and measured project implementation. In general, Ministry staff support a phased project approach as it affords an opportunity to implement hydrologic monitoring recommendations, to substantiate assumptions on water use, to initiate local water management practices and policies prior to full project build-out, and to further assess model parameters and results. It is unclear whether an additional water availability review will be required for each new “phase” of the development. Ministry staff recommend implementation of the long-term monitoring and water conservation recommendations outlined in Section 10.0 of the Golder report. Ministry staff also strongly recommend a further review of the monitoring data to verify assumptions made in this report, prior to any future development approval within Twin Lakes.

Please note, there is evidence of historical water stress within the Twin Lakes area. While Golder’s model indicates that groundwater resources can likely support the additional 50 domestic residences in most climatic conditions, this development will cause additional pressure on the system in times of scarcity. Current legislation restricting transfer of water between basins likely limits the availability of any “back-up” water supplies in this area.

The proponent should also note, with the February 29, 2016 implementation of the *Water Sustainability Act*, there is now a requirement to license groundwater use. Twin Lakes Golf Resort will need to submit a water license application for its groundwater wells. The review of the water license application will consider many factors including, but not limited to, water availability, potential impacts of climate change, First Nations rights, and environmental flow needs. The “Measuring and Reporting” and “Water Sustainability Plan” regulations discussed in Section 9.0 of the Golder report have not yet been developed and will therefore not impact this project at this time.

Additional detailed comments can be found in Table 1.



MEMORANDUM

Table 1: DETAILED COMMENTS

Location	Comment	Recommendation
Executive Summary	The model was developed to assess whether the Phase 1 groundwater extraction would be sustainable over the long term “(an infinite period of time)”. Use of annually averaged values does not account for the inherent seasonality of outdoor irrigation and property occupancy at Twin Lakes. Actual extraction rates are between 2.5 - 4.7 times higher than annualized values (average = 3.4).	The model is steady-state and therefore does not address seasonal fluctuations or peak impacts. Input from other stakeholders (local residents, First Nations if applicable, biologists, etc.) should be gathered and considered in the context of potential peak impacts to the surface water system.
Executive Summary; 5.3 Parcels acquired by Nature Trust; 6.5.3.1 Twin Lake	Claim that Phase 1 development groundwater use should be sustainable is based on several assumptions including “limited agricultural groundwater usage”.	The Nature Trust holds large irrigation licenses (annualized 821 m ³ /day) that cannot be considered available for use.
4.0 Background	This report estimated recharge to the aquifer as a volume 34% above the top end of the Golder (2011) report (4,970 vs. 6,650 m ³ /day).	

Location	Comment	Recommendation
4.0 Background; 6.3.2 Stratigraphic units; 7.2.6 Assumptions; Table B5	Estimate of 530 m ³ /day of leakage from the lake bottoms into the aquifer seems high in the context of the described conceptual model - fine grained kettle outwash deposits present below the lakes as well as the presence of lower permeability lake bottom deposits; the lower permeability kettle outwash deposits “fully surrounds the Twin Lake and Horn Lake basins and thus isolates these lakes from the OT aquifer”. A modeled scenario result of a 26.6 m decrease in the surface level of Twin Lake with only a 0.2 to 1.3 m decrease across the aquifer does not likely represent natural steady-state conditions.	Water management decisions should not directly rely on modeling results.
6.1.1 Climate change	The statement “the 25th percentile of the minimum MAP data was approximately 350 mm/yr” is very unclear. A minimum MAP is a value, not a distribution, therefore percentiles are not applicable.	Consider clarifying the description of the Dry Climate Scenario.
6.1.1 Climate change	A 25th percentile does not represent a “worst-case precipitation condition” as lower MAPs are evident in the Figure B.1.	Consider removing or qualifying the language “worst-case precipitation condition” or alternately, use the lowest known precipitation value in the model.
6.2.3.2 Twin Lake	An anecdotal observation described water levels in Twin Lake 6 – 8 m below current levels.	Evidence of low lake levels during natural climate cycles warrants a conservative approach to water management should be taken in this area.
6.2.3.2 Twin Lake 2nd paragraph, last sentence	Only two locations are shown in Fig B.4, not three. A ten year wet-dry cycle is not apparent. Appears to be somewhat longer (~ 15 years). Also could point out that 2016 lake levels are closer to lower range, perhaps due to flood control activities.	

Location	Comment	Recommendation
6.2.3.2 Twin Lake last paragraph	“Golder was not able to confirm this based on review of available historical aerial photographs.” Please provide a little more info here. Are the available photographs from the same period - 1930's. What years did you review? Are you able to confirm there was a single lake in the early 1930's? Or are you saying there are no photographs from 1930's so we cannot disprove or prove either way?	
Table 7	We are not sure how the information in this table helps us understand recharge or improve confidence in your estimates. The various recharge estimates are based on different recharge mechanisms and areas, and are wide ranging. Your estimate of 19% falls in the middle, and others have used values higher and lower than yours. The wide variance would seem to increase uncertainty in recharge estimates.	Provide some interpretation and more discussion about the information in Table 7.
6.5.2 Water Withdrawals from Study Area Aquifer	<p>“we have conservatively made the assumptions that i) domestic groundwater withdrawals in the area of Trout Lake are from bedrock wells and not from the Study Area Aquifer”</p> <p>We don't understand how this assumption is conservative. Doesn't this assumption reduce GW use from the study area aquifer, which will be reflected by higher predicted GW levels in the model.</p>	Clarify

Location	Comment	Recommendation
7.2.2 Steady-State Versus Transient Model Conditions	<p>“it is often acceptable to assume that steady-state conditions exist if fluctuations in water levels and storage changes are relatively small, or for an evaluation of the long-term average condition of the flow system.”</p> <p>Is this valid for the current study? The system you are modeling is dynamic as evidenced by variability in SW and GW levels. You are trying to gain insights into the short to medium term system responses to new conditions.</p> <p>The steady-state model is a reasonable first step and can provide insights. It is not clear a steady-state evaluation is adequate for understanding the seasonal fluctuations.</p>	Consider including discussion about the limitations of a steady-state modeling approach.
7.2.2 Steady-State Versus Transient Model Conditions	“been in long-term balance, or where water levels and flow rates are variable over a time period (such as a year) but vary in a pattern that is the same from one period to the next (from year to year).”	True, but for full disclosure you should also point out that a model describing the average annual conditions will give you results representing average annual outputs (average annual heads). You will not gain insights into the full range of seasonal responses, nor the time required to reach steady-state conditions.

Location	Comment	Recommendation
7.2.2 Steady-State Versus Transient Model Conditions	<p>“Therefore, a steady-state simulation, or, its equivalent transient simulation of only dry-season conditions over a prolonged time period (i.e. more than 4 months), is a conservative modelling approach because it predicts the ultimate drawdown in groundwater levels and the ultimate depletion in groundwater discharge which could potentially occur during a prolonged (and effectively infinite) dry-season.”</p> <p>This is potentially misleading. You are not simulating an effectively infinite ‘dry-season’, but rather you are using a below average annual precipitation rate to model steady-state responses. There is no time component and no seasonality represented in the steady-state model. Also the model does not provide information on how long it takes to reach steady-state. It is likely to take more than a few consecutive years of below average precipitation observed in the precipitation record, so in that way the steady-state model is conservative. However, a transient model run for a long period would likely reach near steady-state conditions in a finite duration, certainly much less than infinity. So it is not really correct to characterize the steady-state results as representing an effectively infinite dry season.</p> <p>In reality, pumping is concentrated in the dry season when pumping rates are 2.5 - 4.7 times greater than the annualized rates. Because the pumping rate is annualized and smaller than the maximum rates, the seasonal response during the intensive pumping period is likely greater than steady-state predictions. The steady-state model does not predict the "ultimate" or maximum depletion but rather is more representative of an ultimate annual average depletion. You are not gaining insights into transient responses, which may or may not be important.</p>	Clarify language

Location	Comment	Recommendation
7.2.2 Steady-State Versus Transient Model Conditions	<p>“The use of a steady-state model is considered to be conservative and is particularly conservative for evaluation of drier conditions as it assumes that there is no recharge above the assessed drier climate conditions, during the winter months.”</p> <p>Again, this is unclear and prompts similar concerns as above. Seasonal recharge is not accounted for in the steady-state model, regardless of whether it is representative of dry or wet precipitation conditions. Annualized recharge rates in the model are based on the annual precipitation.</p> <p>The low precipitation climatic inputs appear to be conservative, however, the modeling exercise and results presumes you have enough knowledge to accurately represent the entire system during dry periods.</p> <p>It is not clear your model is "particularly conservative" given possible anecdotal evidence of much lower lake levels in the 1930s following an extended dry period.</p>	
7.2.4 Model Boundaries	<p>Good description of boundary conditions.</p> <p>It would be good to explore model sensitivity to boundary conditions, particularly for the drier condition scenarios for which you have little information on which to base your boundary conditions.</p>	
7.2.4 Model Boundaries	<p>The boundary conditions for bedrock inflow imply a vertically upward movement of water from bedrock to the aquifer across the entire base of the aquifer? Is this physically realistic? On what basis did you conclude this approach is “acceptable for purposes of the model?”</p>	

Location	Comment	Recommendation
7.3 Model Calibration	<p>Consider a figure showing lake levels and GW levels in the four wells for 2013. Figure B5 is a little hard to read and it is hard to identify the wells.</p> <p>Also consider adding discussion on how you determined levels on May 6 are representative of average annual levels in the lake and GW.</p>	
Table 11	<p>Consider changing "Maximum decline groundwater level" to "Maximum decline in annual average groundwater level". The peak decline during summer season may be greater.</p>	
7.4.2 Future Scenario Phase I (50 Units; With No Surface Water Licenses)	<p>Are the hydrologic budget results for the lakes presented in the report? We did not see them. It would be good to see how the predicted inputs and outputs change for the different scenarios. Perhaps you can add a table for these results? In particular, we would like to understand how evapotranspiration changes between the different scenarios.</p>	

Location	Comment	Recommendation
7.5 Sensitivity Analysis – Bedrock Inflows	<p>“We note that for the Baseline Scenario simulations, current (baseline) water usage required model parameter adjustments (quasi-calibration) in order for the observed water levels to be similar to calculated ones under current (baseline) conditions. For this, the parameter adjustments to the K of the sand and gravel aquifer (i.e., the OT unit in the report) were as follows:”</p> <p>This is unclear. Shouldn't you try to understand model sensitivity to only one parameter at a time?</p> <p>It appears in table 15 that you are forcing a no change result in groundwater levels for the current conditions scenario through your quasi-calibration. Why are you doing this? This appears to be limiting the sensitivity effects for the drier conditions.</p>	Clarify the rationale of the sensitivity investigation
7.5 Sensitivity Analysis – Bedrock Inflows	<p>It is good that you address parameter sensitivity. However, this is a very limited analysis and there is no discussion/interpretation of results.</p> <p>Are you saying the model results are insensitive to bedrock conductivity because there is only a 0.2 m change in average groundwater level?</p> <p>Your bedrock conductivity estimates could easily be off by more than a factor of 2. Also what is the model sensitivity to other parameters? Why is bedrock conductivity the only parameter evaluated?</p>	<p>The analysis is incomplete. A more comprehensive approach for uncertainty analysis is available in the MoE modeling guidelines http://www.env.gov.bc.ca/wsd/planning_protect_sustain/groundwater/groundwater_modelling_guidelines_final-2012.pdf.</p>
9.0 Discussion	<p>Good discussion of potential water limitations during extended dry periods, including discussion about potential impacts to downstream users. It is not clear how you quantified a reduction of 0.6 m to GW levels in downstream aquifers?</p>	

Location	Comment	Recommendation
10.0 Conclusions and Recommendations	Good list of recommendations.	



MEMORANDUM

If you have additional questions, please don't hesitate to contact the undersigned.

Sincerely,

Klaus Rathfelder, Ph.D.
Aquifer Water Quality Scientist
Klaus.Rathfelder@gov.bc.ca

Nicole Pyett, M.Sc., GIT
Groundwater Protection Officer
Nicole.Pyett@gov.bc.ca

Reviewed by:

Skye Thomson, M.Sc., P.Geo
Regional Hydrogeologist
Skye.Thomson@gov.bc.ca

cc: Skye Thomson, Regional Hydrogeologist, Ministry of Forests, Lands and Natural Resource Operations VIA E-MAIL

Trevor Bohay, Regional Water Section Head, Ministry of Forests, Lands and Natural Resource Operations VIA E-MAIL

Bill Sparkes, Provincial Approving Officer, Okanagan Shuswap District, Ministry of Transportation and Infrastructure VIA E-MAIL

Mike Wei, Section Head, Groundwater and Aquifer Science, Ministry of Environment VIA E-MAIL

3 May 2016

FILE: 15-048-01

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

Attn.: Mr. Stephen Juch, ASCT, Subdivision Supervisor

Via email: sjuch@rdos.bc.ca

Re: Twin Lakes: Water Management Guidance for Phase I of TLGR DVP

The Regional District Okanagan Similkameen (RDOS) asked Western Water Associates Ltd. (WWAL) to conduct a review focusing on recently completed water availability studies and developer-proposed water use plans for the proposed Twin Lakes Golf Resort development (TLGR). Our involvement in Twin Lakes dates back to 2009 while employed by Summit Environmental conducting the Twin Lakes Aquifer Capacity study on behalf of the Lower Nipit Improvement District and RDOS. We most recently provided a review of proposed water use assumptions in July 2015, which have evolved further. The current assignment involves reviewing hydrogeological reports prepared by Golder Associates Ltd. together with the latest proposals from TLGR with regard to water use. We understand RDOS would like guidance on potentially achievable water use scenarios upon which Phase I of the development may proceed under a Development Variance Permit (DVP).

Summary of 2015 WWAL review

In July 2015, WWAL reviewed proposed per capita water demand assumptions for TLGR as compared to existing RDOS bylaws, other guidelines, and information from developments elsewhere. Our review was limited to proposed water use plans prepared by MSR Solutions for TLGR, and did not include the hydrogeological assessment by Golder Associates Ltd. In brief, we recommended a design maximum day demand for residential water use of 2,400 Lpd/capita for the first phase of development until such a time that actual uses are monitored and reported on. A few points with regard to our review comments:

1. We questioned the assumption of a 50 day peak irrigation period for the golf course based on a review of climate change information as well as other information on golf course water demands. We recommended a minimum 75 day period of peak irrigation use when planning water for the development.
2. At that time (2015) the proposal was to reduce the design maximum water demand requirement from the RDOS bylaw amount of 8,000 litres/day (LPD) per household to 1,900 LPD. In reviewing available information, we recommended a design MDD value of 2,400 LPD/capita (about 7200 LPD assuming a 3 person household), and monitoring of actual use before any further reductions in design demand could be considered by RDOS. As the ultimate operator of the water system, the decision on design demand should be made by RDOS.

3. Since 2015, TLGR has again revised its proposed water demand values and has increased the design MDD and ADD values as described in the following section.

Summary of Proposed Residential Unit and Golf Course Water Demands

The following summarizes our understanding of the developer's currently proposed water requirements. There are two components: the residential water use, and outdoor irrigation use (mostly golf course).

Residential. We understand the proposal for Phase I of the development is to build 50 single family residential lots. Further, we understand, from a spreadsheet summary provided by RDOS that the most recent residential unit water demand assumptions proposed by TLGR are as follows:

- Average Day Demand: 2,200 Litres/Day/Unit
- Maximum Day Demand: 5,500 Litres/Day/Unit (i.e. MDD of 1,833 LPD/capita)

This translates to an ADD of 110 m³/day (**40,150 m³ annually**) and a MDD of 275 m³/day.

Golf course. Golf course water demand estimates are proposed to be the equivalent of a year-round average rate of 300 m³/day or about **110,000 m³ annually**. Actual usage would occur between about June 1 to mid-September, and the "peak" period is said to be 55 days (15 July to 3 Sept) at a typical daily rate of 1,250 m³, though in a previous review we suggested that the 55 day period of golf course water demand could be under-stated. Estimates of recent maximum day demand for irrigation are not available but are likely on the order of 2,000 m³/day. Therefore, we presume that the combined maximum day groundwater demand from the golf course and Phase I would be approximately 2,275 m³/day.

The combined water demand on an annual basis would be 110,000 m³ for irrigation and 40,150 m³ for residential (domestic) water for a total of approximately 150,000 m³. This is equivalent to an average daily flow of 411 m³.

Objective and Regulatory Context

RDOS would like to know if:

- a) the water availability estimate of Golder is reasonable and supported by the data; and
- b) if the proposed water use for Phase I of the development combined with golf course groundwater usage is reasonable and safely within the estimated water budget.

Further, RDOS seeks guidance on how to approve the development and ensure that there is sufficient water in the future during dry climate cycles and that such use will not impact existing users and the environment. RDOS has been concerned with the achievability of water use management scheme that would be regulated at the local level. Fortunately, with the passage of the B.C. *Water Sustainability Act* in 2014 and new Water Sustainability Regulations in 2016, the groundwater licensing requirement provides a regulatory protection that previously did not exist at the Provincial level. The implications of the new regulatory framework have a major bearing on this project, and will be explained later in this letter.

Basis of Review

We reviewed the following documents for this assignment:

- Golder Associates Ltd. (2014) Draft Groundwater Availability Assessment, Proposed Residential Development, Twin Lakes, B.C.
- Golder Associates Ltd. (2016) Groundwater Availability Assessment Proposed Residential Development, Twin Lakes, B.C. (Phase I)
- MFLNRO (2015) Jan 2015 Review of 2014 Golder report by Klaus Rathfelder and Nicole Pyett.
- MSR Solutions April 24 2015 TLGR Water Report.
- MSR Solutions (2012). Sections of Water Use Plan (proposed)
- Various email correspondence provided to us by RDOS.
- Western Water Associates (2015) review at request of RDOS of the Water Use proposals.
- Information in Western Water's files on water demands in other communities.
- B.C. Water Sustainability Regulations (29 Feb 2016).

Water Sustainability Act Regulations – Implications

The first phase of regulations became effective 29 February 2016, and with regard to groundwater use and the Twin Lakes project, of the six new regulations, there are three regulations governing updated groundwater protection regulations, water pricing and rentals, and water licensing including the licensing of groundwater wells. The latter regulation is highly relevant to Twin Lakes and will require all but private domestic well uses to be licensed with the Province of B.C. Existing private domestic uses, however, once registered with the Province, although exempt from licensing, receive a higher priority than other uses and thus these uses are protected under the Act. Also, the Water Sustainability Regulation was amended on 21 April 2016 and provides additional information.

There are currently two groundwater license application processes:

- For documented existing wells that were in use prior to 29 February 2016 (sometimes informally referred to as “grand-parented” wells), there is a period of three years to apply for a licence, which closes on 28 February 2019. In the first of the three years, application fees are waived. Annual rentals commenced 1 March 2016. During the three year period, existing wells can continue to be used.
- For new wells (or expansions of existing well systems) to be put to use after 29 February 2016 there is a new licence application procedure. Application fees, application processing, and annual rentals will apply to such proposed uses. Note: wells drilled prior to 29 February 2016 but not used beneficially fall under this category. New wells cannot be used until a licence is granted.

In either case (existing or new), it is our understanding that Ministry water allocation staff will review each application and consider such issues as water availability, climate change, potential impacts to other users, First Nations rights, and ecosystem needs.

Based on our understanding of Twin Lakes Golf Resort water plans and the new regulations, all groundwater diversions for this development will be licensed with the Province, including irrigation wells supplying the golf

course seasonally, as well as drinking water wells supplying the proposed community water system. In addition to the license application, license approval and annual rentals, there are pending regulations that will provide details on measurement and reporting of groundwater use annually. These requirements are expected to include metering or otherwise documenting well use and in some cases, additional conditions such as water level measurements and other details.

All licences will be assigned a priority date and in general, the first-in-time, first-in-right (FITFIR) principle will be applied such that in times of scarcity the licenses with the most senior water right date of priority would be the last to be curtailed. At Twin Lakes, the most senior rights would be the existing surface licences as well as the private wells. TLGR will need to consider both its existing well use and well as new proposed uses in making application for groundwater licenses.

It is also important to note that water licences are typically conditioned on specific uses. e.g. irrigation, local waterworks authority, and so on and the mechanics of complying with licence conditions can get quite complex. With the new licensing regulations, moving forward, it will be important to understand that the Province of B.C. will review license applications in the context of water availability and may impose conditions on licenses that could restrict, for example, the ability to transfer unused rights back and forth across license types.

Future regulations are expected to include the ability to develop water sustainability plans and special area regulations. Both of these Provincial level groundwater regulatory tools have potential applicability to water-limited areas such as Twin Lakes and are best thought of as water management tools whereas the new licensing requirements are about water allocation. Additional regulations could address management of allocations to meet multiple water objectives.

Summary of and Comments on 2016 Golder report

Since 2011, Golder has produced three reports in connection with Twin Lakes:

- 1) A 2011 peer review study and analysis of the EBA (1994) and Summit (2010) reports.
- 2) A 2014 report describing a groundwater flow model developed to simulate water use at Twin Lakes and an updated assessment of water availability based on a refined conceptual hydrogeological model.
- 3) A 2016 report on further application of the flow model, focusing on assessing proposed water use under Phase I of TLGR.

We have not reviewed the 2011 report although some of its findings are discussed in the later Golder reports.

Groundwater Flow Model. Golder's 2014 report described the development and application of a steady-state numerical groundwater flow model used as a tool to assess groundwater availability under a number of groundwater use and climate scenarios. This model formed the basis of the 2016 report, which focuses on groundwater availability for the proposed Phase I of the TLGR development (50 lots). We understand that Provincial staff are in the process of reviewing and commenting on the 2016 Golder report and this will include a technical review. As such, we have not performed a detailed technical review of the model but more of a high level assessment of the overall Golder report and whether or not its estimates can be relied upon by RDOS in making a decision on Phase I of the development.

Golder revised the groundwater budget estimate and arrived at a value of 6,650 m³/day average annual discharge, which is equal to approximately 19% of mean annual precipitation across the footprint of the inferred aquifer recharge area. This is a little over two-times the 2010 Summit value of 3,120 m³/day, and higher than a value Golder arrived at in 2011 in conducting a review of Summit's report and an earlier (1994) report by EBA Engineering Consultants. Golder (2016) stated the reason for the higher value is based largely on assumed groundwater recharge from bedrock. The groundwater flow model is able to depict changes in lake level from groundwater and surface water withdrawals. The modeled groundwater withdrawal for Phase I included 300 m³/day for irrigation and 110 m³/day residential use for the 50 lots. From the model results, Golder assessed the relative impact on surface water and groundwater drawdowns subjectively based on changes in water level simulated in the model runs.

The model is a steady state model developed using the finite difference Modflow code. This steady state model was used to simulate transient groundwater system response to pumping, and although it is limited by its calibration, it is nonetheless a useful predictive tool for planning purposes and querying the conceptual model to highlight uncertainties and data gaps. The lack of a transient calibration may sound like a technical detail but in the context of this project, it is nonetheless an important point. Moreover, we note that there are pumping test data that could feasibly be used to calibrate the model in transient mode (these pumping tests are described in various reports by EBA), but to date no such transient calibration or sensitivity analysis has been performed. Although the Golder numerical groundwater flow model appears to reasonably represent the subsurface stratigraphy and long term average water level conditions, its efficacy as a tool to predict transient changes to the aquifer – lake system brought about by pumping is constrained by the lack of a transient calibration.

Water Use Analysis. Golder estimated that total groundwater use after Phase I is built would be 600 m³/day including other uses of the aquifer in the study area. They concluded this amount of use is sustainable based on their assessment (it represents about 10% of their groundwater water budget). While Golder's re-estimation of the water budget may be optimistic, the proposed amount of groundwater use under Phase I is about 20% of the Summit (2010) water budget.

Golder noted that surface water rights appear to be over-allocated in the basin, but a significant portion of these licences are not used. The analysis of sustainability assumed that the existing surface water licences would not be used. This approach was previously questioned by the Provincial reviewers (BCMoe, MFLNRO 2015). After having reviewed the 2014 Golder report, we concur with the Province's main comments on that report.

Overall, it appears that Golder has accurately modeled the proposed water demands and has compared these against various water budget estimates. The water use scenarios changed significantly from earlier (2011) assessments by Golder using stochastic methods. This is why their previous conclusions regarding the sustainability of groundwater use at Twin Lakes have changed.

Updated Comments on Proposed Design Water Demands

WWAL has prior experience with a resort-style development in the East Kootenay region. While we cannot release the details of this development, the proposed average day demand design value for this development was 1,100 Lpd/unit while the MDD was 2,600 Lpd/unit. We do not know if these demands were accepted by the

Water Comptroller's office (this project involved a Certificate of Public Convenience and Necessity as it was a private water utility), but they are lower than what is currently proposed for Twin Lakes.

The updated TLGR proposed water demand of 2,200 LPD/unit for average demands and 5,500 LPD/unit MDD seem reasonable in the context of the overall proposed development that would see individual wells metered as well as service connections metered. If TLGR is prepared to strictly limit annual golf course irrigation groundwater use to a year-round average of 300 m³/day (110,000 m³ annually) then RDOS could reasonably approve 50 residential units based on the proposed design flows, pending application for and subsequent Provincial approval of groundwater licence applications by the Ministry of Environment. The closing section of this letter provides detailed recommendations moving forward that incorporate elements of the Water Sustainability Act and Regulations.

Overall Recommendations for Water Management and Use at Twin Lakes

It remains to be seen if there is enough water to sustain the conceptual full build out of TLGR (208 units). This question will be determined at a future time. At present, RDOS could approve Phase I of the development, based on the following key principles. These principles should be reviewed with the Province of B.C. who ultimately will have the regulatory authority to approve or deny the water licences that are necessary to allow this development to proceed.

1. Design demands of 2,200 Lpd/unit (ADD) and 5,500 Lpd/unit (MDD) for Phase I. Maximum annual groundwater diversion of 40,150 m³ at buildout for residential units in Phase I.
2. A commitment from TLGR that it will apply for an irrigation groundwater licence to allow continued use of its golf course irrigation wells with a total licenced volume of 110,000 m³ annually. TLGR may want to apply for an existing use groundwater licence, assuming TLGR can demonstrate prior use of at least this volume.
3. The golf course wells should be licenced for irrigation use only, and water from these wells would only be available only during the irrigation season to include the months of May to September (unless some other emergency use can be justified, such as fire protection).
4. TLGR will also apply for a groundwater licence to permit the use of one or more wells for a Waterworks Local Authority (i.e. community water system) and the total annual volume authorized by this licence would be as per (1) above at 40,150 m³. Any groundwater use for new development would be licenced as a new groundwater use and would have a later priority date than the irrigation use and likely other existing surface and groundwater uses in the basin. As such, the residential development groundwater licence would likely be the most junior of the water licences in the Twin Lakes area, which should promote maximum efforts at water conservation. TLGR may want to discuss the licensing procedures with Ministry water allocation staff before making application, due to there being both "existing" and "new" well uses associated with the development.
5. TLGR's water licences would be based on the date of first use and as such would not necessarily hold the highest priority in times of scarcity. The determination of a critical low water condition and implementation of curtailment would be done by the Province of B.C. under the Water Sustainability Act.
6. Monitoring of surface water and groundwater levels and groundwater use would be performed as per the MSR water use plan.

7. Monitoring of groundwater use as well as individual service connection metered use would also be performed, with annual monitoring and reporting as required under the stated conditions of the TLGR groundwater licences if and when they are issued. RDOS can reinforce the expected Provincial regulatory monitoring requirements by including a requirement for metering of individual service connections as well as at each well source, and incorporating groundwater monitoring and reporting provisions in the DVP approval using bylaws and using its powers under the Local Government Act to enforce these requirements. Detailed reporting should be required by RDOS of golf course actual (metered) average day demand and maximum day demand, as well as residential water average day and maximum day demand each year that the water systems are operational.
8. Further use of and/or reliance upon the Golder model would be greatly assisted by investing in a transient calibration using the most robust pumping test data set available for one or more of the golf course irrigation wells.
9. For any future phases of development applied for by TLGR, RDOS should consider making a request to the Province of B.C. to undertake a Water Sustainability Plan for the Twin Lakes area under the Water Sustainability Act. Although details on the scope and responsibility of such plans are currently not available, the sustainability plan might include studies necessary to determine the amount of outflow from the aquifer necessary to sustain downgradient aquifers and water bodies while incorporating a factor of safety that considers uncertainty and climate change.

We trust this letter meets your needs for input on the project at this time. Please let me know if there are any questions.

Western Water Associates Ltd.



Douglas Geller, M.Sc., P.Geo.
Senior Hydrogeologist, President

MSR SOLUTIONS INC.

July 13, 2015

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

By email: tsiddon@rdos.bc.ca

Attention: Mr. Tom Siddon, Local Area Director Area 'D'
Reference: Twin Lakes Phased Development – Water Use Plan

Dear Mr. Siddon

INTRODUCTION

Thank you for your support and guidance to our client, Twin Lakes Golf, and the CRS Group of Companies (Mr. Sekhon) regarding the lack of attention we have been receiving to date from staff with the Regional District of Okanagan – Similkameen (RDOS). As you are aware, a critical aspect of this development proceeding is to determine either through a Bylaw amendment, or a Development Variance Permit of a suitable average and maximum water consumption basis for a single family home. The 8,000 L/day value within the current Bylaw is insufficient to establish a water use model, and does not recognize actual water usage and consumption patterns for a new community water system.

WATER DEMAND

As you are aware, the Okanagan Basin Water Board (OBWB) has identified per capita use of water in the Kelowna and Vernon areas at about 150 Litres per capita per day (Lpcd), and average annual use including outdoor use at 675 Lpcd. On this current average, and the density of 2.8 ppu, water consumption at Twin Lakes would be average design flow of 1,900 L/home and 4,750 L/home Maximum Day Demand. Older Bylaws in Summerland and Peachland, not average design flows of around 2,700 L/home.

We have reviewed the basis for determination of average water consumption values, and reviewed opportunity for water conservation objectives with Ms. Anne Warwick-Sears at the Okanagan Basin Water Board, and can meet a more than adequate average design flow of 2,200 L/home, with the goal in five years to be below 1,300 L/home. With the potential average adsorption rate of five homes per year and maximum ten, there will be ample opportunity to monitor consumption.

In addition to having low water use appliances and fixtures, Twin Lakes has identified the largest opportunity for conservation is in outdoor water use, and has identified Xeriscaping principals will be used throughout the development, with lawns significantly reduced and outdoor irrigation only through smart controllers. All homes will be equipped with Sensus, radio based smart meters to allow for drive by reading of meters.

Twin Lakes Golf has meters on their golf irrigation wells which can be upgraded. They will provide the handheld meter reading equipment for the operations and billing of water consumption as part of the

water system. This also provides an opportunity to monitor water consumption on a more frequent basis for research and reporting purposes if desired.

The Twin Lakes aquifer has been noted by Golder Associates to have sufficient water for all existing and proposed residents, as well as the largest user, the Twin Lakes Golf under a four year drought condition, provided best management practices are implemented by the new development and golf course; and the existing residents continue to show due diligence in water use during dry periods, as they have no regulatory oversight. The Water Use Plan will be completed in conjunction with staff at the RDOS and subject to a public review period based on the following key objectives.

EXISTING PROPERTIES OUTSIDE OF TWIN LAKES WATER SERVICE AREA

All existing properties outside of the Twin Lakes Water Service Area (WSA) are serviced by individual wells, and are exempt from any water restriction bylaws enacted for the Twin Lakes Water Service Area. They will receive notification from the WSA with regards to water conservation to encourage and remind residents of water scarcity.

Any resident may apply for a water meter to be supplied and installed at their cost as a means of monitoring water consumption. They may also apply to extend the water to their property, subject to costs and inclusion in the Water Service Area. We encourage the RDOS to revise ground water bylaws over time to encourage water conservation for properties in the area, or consider for their inclusion and opting into the WSA.

PROPERTIES WITHIN THE TWIN LAKES WATER SERVICE AREA

Water rates within the WSA will be subject to full water conservation practices inside the home, and outside the home, in accordance with a building scheme, and property covenants. Water consumption rates will be based on an increasing scale. Average household consumption is based on the OBWB Phase 2 findings of 675 L/person year round, or 2,000 L/day/home (730 m³/year). The base line within the WSA is based on the goal of 1,300 L/home, and a moderate user at 1,600 L/home. Rates are subject to approval.

Comparative Residential Water Charges					
Location	Fixed Charge	Interval	Charge/m ³	Volume	Annual
Summerland	\$ 28.45	monthly	\$ 0.31	730	\$ 567.70
Peachland	\$ 55.30	quarterly	\$ 0.30	730	\$ 440.20
Kelowna	\$ 24.58	monthly	\$ 0.41	730	\$ 595.72
Saanich (CRD)	\$ 15.00	4 months	\$ 1.54	730	\$ 1,170.66
Twin Lakes Golf	\$ 35.00	monthly	\$ 0.75	475	\$ 776.25
TLG moderate user ¹	\$ 35.00		\$ 1.00	575	\$ 995.00
TLG high user ²	\$ 35.00		\$ 1.50	730	\$ 1,515.00

¹Surcharge of \$2.19/m³ >475 m³/year

²Surcharge of 3.35/m³ >575 m³/year

WATER USE AND DROUGHT MANAGEMENT PLAN

In addition to water conservation practices, and monitoring through the use of metering, it is important to have a Water Use Plan, which was previously outlined with the RDOS, but requires input and consultation to finalize. Included in this would be a drought response plan affecting residents and the

golf, based on the ground water monitoring Observation Wells #403 and #404 located within the Twin Lakes catchment area, and noted at

http://www.env.gov.bc.ca/wsd/data_searches/obswell/map/index.html?ID=404

A staged notification of drought management would be provided annually based on the above monitoring wells reaching predetermined levels as outlined in a report to be provided by Golder Associates as part of final modelling on agreed to values of consumption. Notification would be provided in March of each year to allow for any adjustments by homeowners and the golf course.

Normal Operation – would be based on annual rainfall and snowpack being at average twenty year conditions, which represents the general wetting and drying cycle as it has been observed.

Dry Operation – would be based on the first year of a drought observation, and would extend for the following years until the drying cycle trends to wetter, which has been observed in past over a three – five year period. This will affect the golf course and require reduced irrigation of the fairway. Residents will be limited to drip irrigation and hand watering.

Emergency Operation – would be based on an extended drying period and low ground water levels. At this stage, the golf course can only water the greens, and residents will not be permitted outdoor irrigation.

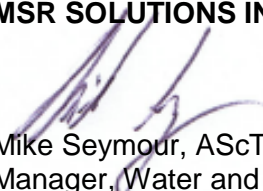
SUMMARY

Twin Lakes Golf has proposed the following in support of proceeding with the development and seeks to support of the Local Area Director to carry forward to the staff, and Board at the RDOS.

- An average water demand of 2,200 L/home, with a goal to meet of 1,300 L/home, subject to review in five years' time.
- Creation of a Water Service Area mandating water conservation devices and covenants on outdoor irrigation areas and methods.
- A Water Use and Drought Management Plan, which includes limits on outdoor usage and golf irrigable areas based on ground water levels.

Twin Lakes Golf is prepared to finalize details with the Regional District in pursuing development commencing in early 2016. Should you have any questions or require additional information, please contact the undersigned.

Sincerely,
MSR SOLUTIONS INC.



Mike Seymour, AScT, Eng.L.
Manager, Water and Wastewater Systems

Enclosures

Cc Mr. Stephen Juch, Subdivision Supervisor, RDOS
Ms. Anne Warwick-Sears, OBWB
Mr. Suki Sekhon, CRS Group of Companies (Twin Lakes Golf)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, June 16, 2016

11:30 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

That the Agenda for the Corporate Services Committee Meeting of June 16, 2016 be adopted.

B. SHARED SERVICES

RECOMMENDATION 2

THAT the Regional District participate in a “Shared Services” pilot study to identify partnering opportunities with other public agencies, with a commitment of up to \$12,500.00 to be found within an existing “Consultant Services” line account in the 2016 Budget.

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Corporate Services Committee
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Shared Services



Administrative Recommendation:

THAT the Regional District participate in a “Shared Services” pilot study to identify partnering opportunities with other public agencies, with a commitment of up to \$12,500.00 to be found within an existing “Consultant Services” line account in the 2016 Budget.

Purpose:

To look for economies of scale and other cost-saving measures by partnering with other public agencies, including but not limited to, the City of Penticton, SD #67, Penticton Indian Band and the District of Summerland. The Penticton Hospital (IHA) and Okanagan College may be interested as well.

Reference:

Briefing Note from the City of Penticton

Background:

Objective 4.2.3 in the 2016 Corporate Business Plan provides that we will facilitate partnerships within the Regional District by investigating partnership opportunities to leverage operational efficiencies. This Objective stimulated the re-formation of the CAO Group in 2016 and previous efforts has led to minor successes over the years. While opportunities have been identified, issues seem to get in the way. Control over the service, labour contracts, portioning of costs, parochialism, or just the sheer workload of making the change have all been deterrents.

The City of Penticton has had confirmation from the Province that they would see the value in facilitating this type of study and would pay pilot projects up to 50%, with the other 50% to be paid by benefiting parties. The estimate for the study is \$100,000.00, leaving \$50,000.00 to be raised from the participants.

Analysis:

The legislative framework provided for local government by the Province has always caused concern for local politicians, in that the sole mechanism of taxation available is property tax. Seen as a regressive tax, in that the more people improve their property the more they have to pay, there are no alternatives provided. At the same time, the cost of providing services seems to be increasing faster than citizens expect. One potential mechanism that could be applied is to remove the redundancy of similar services being offered by several different agencies.



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, June 16, 2016

12:30 P.M.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of June 16, 2016 be adopted.

1. Consent Agenda – Corporate Issues

- a. Corporate Services Committee – June 2, 2016

THAT the Minutes of the June 2, 2016 Corporate Services Committee be received.

- b. Environment and Infrastructure Committee – June 2, 2016

THAT the Minutes of the June 2, 2016 Environment and Infrastructure Committee be received.

- c. Planning and Development Committee – June 2, 2016

THAT the Minutes of the June 2, 2016 Planning and Development Committee be received.

THAT the Board of Directors direct staff to prepare an amendment to the Electoral Area Zoning Bylaws in order to:

- .1 permit modular homes as a form of “single detached dwelling” in all zones;*
- .2 permit modular homes as an allowable form of “accessory dwelling” in all zones;*
- .3 permit mobile homes as an allowable form of principal dwelling unit in the RA, LH and AG zones;*
- .4 permit mobile homes as an allowable form of “accessory dwelling” in the RA, LH and AG zones; and*
- .5 introduce a consistent building width requirement for principal dwelling units in SH and RS Zones.*

THAT the Board of Directors direct staff to prepare an amendment to the Development Procedures Bylaw No. 2500, 2011, in order to allow an Electoral Area Director discretion to require a development variance permit application be considered by their Advisory Planning Commission prior to Board consideration.

- d. Protective Services Committee – June 2, 2016
THAT the Minutes of the June 2, 2016 Protective Services Committee be received.
- e. RDOS Regular Board Meeting – June 2, 2016
THAT the minutes of the June 2, 2016 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)
THAT the Consent Agenda – Corporate Issues be adopted.

2. Consent Agenda – Development Services

- a. Development Variance Permit Application – N. & D. Abernethy, 4835 Mill Road, Electoral Area “E”
 - i. Permit No. E2016.049-DVP
THAT the Board of Directors approves Development Variance Permit No. E2016.049–DVP.
- b. Development Variance Permit Application – P. & S. Mullaney, Lot 2, Plan KAP260133, DL 5076, SDYD, Except Plan KAP51065, Electoral Area “F”
 - i. Permit No. F2016.039-DVP
 - ii. Responses
THAT the Board of Directors approve Development Variance Permit No. F2016.039-DVP.
- c. Agricultural Land Commission Referral (Subdivision) – R. & R. Ott/
V. & I. Sutherland, Electoral Area “E”
THAT the RDOS Board “authorize” the application to undertake a subdivision (boundary adjustment) at 2108, 2152 & 2170 Naramata Road in Electoral Area “E” to proceed to the Agricultural Land Commission.

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Sub-Regional Conservation Fund (as deferred from the May 19, 2016 Board Meeting)**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District of Okanagan-Similkameen establish a sub-regional conservation fund with participants include the Okanagan members (Penticton, Summerland, Oliver, Osoyoos, A, C, D, E, F); and further,

THAT the average requisition amount be set at \$10/household, actual taxation basis be ad valorem and the term of the fund be 5 years renewable; and further,

THAT investment decisions for the fund be made by participants based on the recommendations of a Technical Advisory Committee (similar to the Water Stewardship Committee for the OBWB); and further,

THAT public assent be obtained through AAP and referendum if required.

2. Sub-Regional Conservation Fund Service Establishment**a. Bylaw No. 2690, 2015**

To establish a service for the requisition of funds to assist with achieving environmentally sustainable objectives and conservation of our natural areas.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

THAT Regional District of Okanagan-Similkameen Sub-Regional Conservation Fund Service Establishment Bylaw No. 2690, 2016 be read a first, second and third time prior to being forwarded to the Inspector of Municipalities for approval; and further,

RECOMMENDATION 6 (Unweighted Corporate Vote – 2/3 Majority)

THAT upon approval by the Inspector of Municipalities, participating area approval for Regional District of Okanagan-Similkameen Sub-Regional Conservation Fund Service Establishment Bylaw No. 2690, 2016 be obtained for the entire service area through an Alternative Approval Process in accordance with section 342 (4) of the Local Government Act.

3. Temporary Use Permit Application – Crown Land, Various Lots, District Lot 3757, SDYD, Electoral Area “D”

- a. Permit No. D2016.015-TUP
- b. Responses Received

To approve existing campground encroachment (i.e. Banbury Green) onto Crown land associated with the former Canadian Pacific Railway (CPR) right-of-way.

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors approve Temporary Use Permit No. D2016.015-TUP.

4. Zoning Bylaw Amendment, – Electoral Area “E”

- a. Bylaw No. 2459.19, 2016
- b. Responses Received

To address a number of errors identified in the Administrative and Institutional Two (AI2) Zone

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2459.19, 2016, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing.

RECOMMENDATION 9 (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*.

5. Zoning Bylaw Amendment – Avro Oil Ltd., 8360 Gallagher Lake Frontage Road, Electoral Area “C”

- a. Bylaw No. 2453.28, 2016

To amend a commercial zone to allow construction of self-storage units.

RECOMMENDATION 10 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2453.28, 2016, Electoral Area “C” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing.

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

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

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

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

AND THAT prior to adoption the applicant enter into a landscaping agreement with the RDOS;

AND THAT prior to adoption the applicant will have approval to connect to community water and sewer services.

6. Development Variance Permit Application – P. & C. Jones, 441 Eastview Road, Electoral Area “D”

- a. Permit No. D2016.045–DVP

To formalize the existence of an accessory structure.

RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors deny Development Variance Permit No. D2016.045–DVP.

7. Amendment Bylaw – Development Procedures Bylaw**a. Bylaw No. 2500.07, 2016**

To introduce discretion for Electoral Area Directors to request Development Variance Permit (DVP) applications to proceed to the applicable Electoral Area Advisory Planning Commission (APC) prior to Board consideration.

RECOMMENDATION 13 (Unweighted Rural Vote – 2/3 Majority)

THAT the Board of Directors Bylaw No. 2500.07, 2016, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first, second and third time and be adopted.

8. Update on Board Policies – Decommissioning a Dwelling Unit Policy

- a. Requirements for Decommissioning a Dwelling Policy – To Rescind (linked to report)
- b. Decommissioning a Dwelling Unit Policy (attached to report)

To provide an overview of proposed amendments to the Board's current policy regarding requirements for decommissioning a dwelling as well as related Zoning Bylaw amendments.

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors rescind the Requirements for *Decommissioning a Dwelling Policy (2012)*;

AND THAT the Board of Directors approve the *Decommissioning of a Dwelling Unit Policy*.

9. Floodplain Exemption Application – North Beach Estates Ltd., 506 North Beach Road, Electoral Area “F”

To reduce the floodplain setbacks from Okanagan Lake from 7.5 metres to 3.0 metres, in order to facilitate the construction of a proposed single detached dwelling.

RECOMMENDATION 15 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors approve a floodplain exemption for Share Lot No. 8 which forms part of District Lot 2694, ODYD, Except Plan 11635, 13218, 14500, H578, B3611, and KAP75221 except that part lying west of the highway shown on Plan H578, to permit the development of a single detached dwelling within 3.0 metres of Okanagan Lake, subject to the following condition:

- i) a statutory covenant is registered on title in order to:**
 - a) “save harmless” the Regional District against any damages as a result of a flood occurrence; and**
 - b) secure the recommendations contained within the flood hazard assessment report prepared by Paul Glen (P.Eng.) of Rock Glen Consulting Limited, dated May 19, 2016.**

C. PUBLIC WORKS

1. Sun Valley Improvement District

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)

THAT the Board advise the Province that they support the resolution of the Sun Valley Improvement District Board of Directors to dissolve the Improvement District (SVID) in favour of the Regional District of Okanagan Similkameen; and,

THAT the Board request the Province to revoke the SVID Letters Patent at their earliest convenience; and,

THAT the Board instruct administration to prepare a Service Area Establishment Bylaw to assume responsibility for the SVID Water System.

D. COMMUNITY SERVICES – Recreation Services**1. Parks and Recreation Commission Bylaw**

- a. Bylaw No. 2732, 2016

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

THAT Bylaw 2732, 2016, Regional District of Okanagan-Similkameen Parks and Recreation Commission Establishment Bylaw be read a first, second and third time and be adopted.

E. FINANCE**1. 2015 Statement of Financial Information**

- a. Statement of Financial Information

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors approve the Regional District of Okanagan-Similkameen Statement of Financial Information for the year ended December 31, 2015 pursuant to the *Financial Information Act* Financial Information Regulation Schedule 1, subsection 9(2).

2. Security Issuing Bylaw – Faulder Water System Capital Upgrades

- a. Bylaw 2736, 2016

RECOMMENDATION 19 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No 2736,2016 Regional District of Okanagan-Similkameen Security Issuing bylaw be read a first, second and third time and be adopted.

3. Security Issuing Bylaw – Okanagan Falls & District Parkland Acquisition

- a. Bylaw 2742, 2016

RECOMMENDATION 20 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No 2742,2016 Regional District of Okanagan-Similkameen Security Issuing bylaw be read a first, second and third time and be adopted.

F. OFFICE OF THE CAO**1. RDOS Fees and Charges Bylaw**

- a. Bylaw No. 2723.01 – clean
- b. Bylaw No. 2723.01 – mark up

RECOMMENDATION 21 (Weighted Corporate Vote – Majority)

THAT Bylaw No. 2723.01, 2016 Regional District of Okanagan-Similkameen Fees and Charges Bylaw be read a first time.

2. Electoral Area “E” Parkland Acquisition Loan Authorization Bylaw

- a. Bylaw No. 2729, 2016

RECOMMENDATION 22 (Weighted Corporate Vote – Majority)

THAT Electoral Area “E” Parkland Acquisition Loan Authorization Bylaw No. 2729, 2016 be adopted.

3. Board Policy

- a. Alcohol Storage and Consumption – RDOS Property Policy

To provide the rules for alcohol use and consumption on RDOS property(s).

RECOMMENDATION 23 (Unweighted Corporate Vote – Simple Majority)

THAT the Board adopt the “Alcohol Storage and Consumption – RDOS Property” policy.

4. Advisory Planning Commission Appointment – Electoral Area “D”

RECOMMENDATION 24 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors appoint Yvonne Kennedy and Ron Obirek as members of the Electoral Area “D” Advisory Planning Commission for a term ending November 30, 2018.

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

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

2. Board Representation

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

3. Directors Motions

4. Board Members Verbal Update

I. ADJOURNMENT

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, June 2, 2016

12:53 p.m.

Minutes

MEMBERS PRESENT:

Chair M. Pendergraft, Electoral Area "A"

Vice Chair A. Jakubeit, City of Penticton

Director F. Armitage, Town of Princeton

Director S. Philpott-Adhikary, Alt. Village of Keremeos

Director T. Boot, District of Summerland

Director M. Brydon, Electoral Area "F"

Director G. Bush, Electoral Area "B"

Director R. Mayer, Alt. Electoral Area "G"

Director B. Coyne, Electoral Area "H"

Director R. Hovanes, Town of Oliver

Director H. Konanz, City of Penticton

Director K. Kozakevich, Electoral Area "E"

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director T. Schafer, Electoral Area "C"

Director J. Sentes, City of Penticton

Director T. Siddon, Electoral Area "D"

Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director E. Christensen, Electoral Area "G"

Director M. Bauer, Village of Keremeos

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

L. Bloomfield, Engineering Supervisor

A. APPROVAL OF AGENDA

RECOMMENDATION 1

IT WAS MOVED AND SECONDED

THAT the Agenda for the Corporate Services Committee Meeting of June 2, 2016 be adopted. - **CARRIED**

B. Communication and Board Correspondence policy review

1. RDOS Communication Policy
 2. Board Correspondence Policy
-

C. Renovation Update

Ms. Bloomfield provided the Committee with an update on the renovations at 101 Martin Street.

D. ADJOURNMENT

By consensus, the meeting adjourned at 1:20 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
RDOS Board Chair

B. Newell
Corporate Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, June 2, 2016

10:00 a.m.

Minutes

MEMBERS PRESENT:

Chair T. Siddon, Electoral Area "D"	Director R. Hovanes, 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 S. Philpott-Adhikary, Alt. Village of Keremeos	Director A. Martin, City of Penticton
Director T. Boot, District of Summerland	Director S. McKortoff, Town of Osoyoos
Director M. Brydon, Electoral Area "F"	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director T. Schafer, Electoral Area "C"
Director R. Mayer, Alt. Electoral Area "G"	Director J. Sentes, City of Penticton
Director B. Coyne, Electoral Area "H"	Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director E. Christensen, Electoral Area "G"	Director M. Bauer, Village of Keremeos
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STAFF PRESENT:

B. Newell, Chief Administrative Officer	Z. Kirk, Public Works Projects Coordinator
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 June 2, 2016 be adopted. - **CARRIED**

B. Invasive Plants and Pesky Pests

1. Kate Hagmeir, RPBio - Program Manager of the Okanagan Region Goose Management Program
 2. Zoe Kirk – WildSafeBC update – Bears, cougars, urban deer followed by mosquito and rat update
 3. Lisa Scott, RPBio – Program Manager OASISS presentation on terrestrial plant Priority management
 4. Lisa Scott - Quagga/Zebra update
 5. Royal Bank representatives – cheque presentation
 6. Tour RBC outreach trailer
-

C. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting of June 2, 2016 adjourned at 11:50 a.m.

APPROVED:

CERTIFIED CORRECT:

T. Siddon
Environment and Infrastructure Committee Chair

B. Newell
Chief Administrative Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, June 2, 2016

9:00 a.m.

Minutes

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director E. Christensen, Electoral Area "G"	Director M. Bauer, Village of Keremeos
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STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

That the Agenda for the Planning and Development Committee Meeting of June 2, 2016 be adopted. - **CARRIED**

B. Review of Zoning Bylaw Regulations - Modular and Mobile Homes

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Board of Directors direct staff to prepare an amendment to the Electoral Area Zoning Bylaws in order to:

- .1 permit modular homes as a form of "single detached dwelling" in all zones;
- .2 permit modular homes as an allowable form of "accessory dwelling" in all zones;
- .3 permit mobile homes as an allowable form of principal dwelling unit in the RA, LH and AG zones;
- .4 permit mobile homes as an allowable form of "accessory dwelling" in the RA, LH and AG zones; and
- .5 introduce a consistent building width requirement for principal dwelling units in SH and RS Zones.

CARRIED

The meeting recessed at 9:33 a.m. to allow MLA Dan Ashton to introduce MLA Scott Hamilton, Chair of the Select Standing Committee on Finance and Government Services, to the Directors in less formal setting.

The meeting reconvened 9:46 a.m.

C. Review of Development Procedures Bylaw No. 2500, 2011 - Advisory Planning Commissions and Development Variance Permits

It was MOVED and SECONDED

THAT the Board of Directors direct staff to prepare an amendment to the Development Procedures Bylaw No. 2500, 2011, in order to allow an Electoral Area Director discretion to require a development variance permit application be considered by their Advisory Planning Commission prior to Board consideration. - **CARRIED**

D. ADJOURNMENT

By consensus, the Planning and Development Committee meeting of June 2, 2016 adjourned at 9:58 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
Planning and Development Committee Chair

B. Newell
Corporate Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, June 2, 2016

12:32 p.m.

Minutes

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director E. Christensen, Electoral Area "G"	Director M. Bauer, Village of Keremeos
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STAFF PRESENT:

B. Newell, Chief Administrative Officer	D. Kronebusch, Emergency Services Supervisor
C. Malden, Manager of Legislative Services	

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Protective Services Committee Meeting of June 2, 2016 be adopted. - **CARRIED**

B. Alcohol Storage and Consumption – RDOS Property policy

1. Draft policy

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Board adopt the "Alcohol Storage and Consumption – RDOS Property" policy as presented at the Protective Services Committee of June 2, 2016.

CARRIED

Opposed: Director Mayer

C. ADJOURNMENT

By consensus, the Protective Services Committee meeting of June 2, 2016 adjourned at 12:53 p.m.

APPROVED:

CERTIFIED CORRECT:

A. Jakubeit
Protective Services Committee Chair

B. Newell
Chief Administrative Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Minutes of the Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 1:30 p.m. Thursday, June 2, 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 S. Philpott-Adhikary, Alt. Village of Keremeos
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
Director G. Bush, Electoral Area "B"
Director R. Mayer, Alt. Electoral Area "G"
Director B. Coyne, Electoral Area "H"

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

MEMBERS ABSENT:

Director E. Christensen, Electoral Area "G"

Director M. Bauer, Village of Keremeos

STAFF PRESENT:

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

R. Huston, Manager of Public Works
C. Garrish, Planning Supervisor
L. Bourque, Rural Projects Coordinator

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the [Agenda](#) for the RDOS Board Meeting of June 2, 2016 be adopted as amended by

- Removing Item 2b Development Variance Permit Application, 2211 West Bench Drive from the consent agenda;
 - Adding Item C4 Items removed from Consent Agenda – Development Variance Permit Application, 2211 West Bench Drive. - **CARRIED**
-

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee – May 19, 2016

THAT the Minutes of the May 19, 2016 Corporate Services Committee be received.

b. Planning and Development Committee – May 19, 2016

THAT the Minutes of the May 19, 2016 Planning and Development Committee be received.

- c. RDOS Regular Board Meeting – May 19, 2016
THAT the minutes of the May 19, 2106 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

2. Consent Agenda – Development Services
- a. Development Variance Permit Application, B. Belford, Crown Land, south of Princeton-Summerland Road, Electoral Areas “F” & “H”
- i. Permit
- ii. Responses
- THAT the Board of Directors approve Development Variance Permit No. X2016.026–DVP.*

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

MOVED AND SECONDED

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

B. DEVELOPMENT SERVICES – Building Inspection

1. Building Inspection Bylaw Amendment
- a. Bylaw No. 2333.08
- b. Bylaw No. 2333.08 Schedule A

RECOMMENDATION 4 (Unweighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Regional District of Okanagan-Similkameen Building Amendment Bylaw No. 2333.08, 2016 be read a first, second and third time and be adopted. - **CARRIED**

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Official Community Plan and Zoning Bylaw Amendment, P. Duttenhoffer, 1916 Kennedy Lake Road, Electoral Area “H”
- a. Bylaw No. 2497.06, 2016
- b. Bylaw No. 2498.08, 2016
- c. Schedule D to Bylaw No. 2498.

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2497.06, 2016, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.08, 2016, Electoral Area “H” Zoning Amendment Bylaw be adopted. - **CARRIED**

-
2. Zoning Bylaw Amendment, Regulation Accessory Structures – Electoral Areas “A”, “C”, “D”, “E”, “F” & “H”
 - a. Bylaw No. 2730

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2730, 2016, Regional District of Okanagan-Similkameen Update of General Regulations for Accessory Structures Amendment Bylaw be adopted. -

CARRIED

3. Twin Lakes Request for Variance to the Water Requirements in the Subdivision Bylaw
 - a. Board Report 20 September 2012
 - b. DVP application (2012)

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Development Variance Permit No. D12-02343-005, being an application to reduce the Maximum Daily flow of water needed for a community water system in the Subdivision Bylaw, be allowed to be withdrawn at the request of the Developer.

CARRIED

4. Items removed from Consent Agenda – Development Services
 - a. Development Variance Permit Application, P. & S. Mullaney, 2211 West Bench Drive, Electoral Area “F”
 - i. Permit
 - ii. Responses

It was MOVED and SECONDED

THAT the matter be forwarded to the Area “F” APC. - **CARRIED**

D. COMMUNITY SERVICES – Recreation Services

1. Okanagan Falls Parks & Recreation Commission Appointments

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors appoint Brian Jackson and Tim Devlin as members of the Okanagan Falls Parks & Recreation Commission until December 31, 2016. -

CARRIED

E. COMMUNITY SERVICES – Rural Projects

1. West Bench Transit Expansion Memorandum of Understanding
 - a. Memorandum of Understanding

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

THAT the Board enter into the proposed Electoral Area “F” Transit Service Memorandum of Understanding with BC Transit. - **CARRIED**

F. FINANCE

1. Electoral Area “H” Community Facilities Capital Reserve Expenditure Bylaw
 - a. Bylaw No. 2735, 2016

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

THAT Bylaw No. 2735, 2016, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw be read a first, second and third time and be adopted.

CARRIED

G. OFFICE OF THE CAO

By consensus, the Board brought forward Items G2, G3, and G4 before Item G1, to allow Vice Chair Jakubeit to be in attendance.

2. Board Policy Review
 - a. After Hours Access policy
 - b. Contaminated Site Profiles policy
 - c. Contaminated Soils Application and Agreement for Relocation
 - d. Landfill Tipping Fees – Environmental Clean-up Activities
 - e. 300 Meter Landfill Buffer Zones
 - f. Naramata Water – Chlorine Protocol for Power Outage

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

THAT the Board of Directors rescind the following policies:

- After Hours Access policy
- Contaminated Site Profiles policy
- Contaminated Soils Application and Agreement for Relocation
- Landfill Tipping Fees – Environmental Clean-up Activities
- 300 Meter Landfill Buffer Zones
- Naramata Water – Chlorine Protocol for Power Outage.

CARRIED

-
3. Lower Similkameen Community Forest Service Establishment Bylaws
 - a. Bylaw No. 2739, 2016 – Electoral Area “B” Contribution
 - b. Bylaw No. 2740, 2016 – Electoral Area “G” Contribution

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Regional District of Okanagan-Similkameen Electoral Area “B” Lower Similkameen Community Forest Partnership Contribution Service Establishment Bylaw No. 2739, 2016 AND Regional District of Okanagan-Similkameen Electoral Area “G” Lower Similkameen Community Forest Partnership Contribution Service Establishment Bylaw No. 2740, 2016 be read a first, second and third time prior to being forwarded to the Inspector of Municipalities for approval; and further,

THAT upon approval by the Inspector, elector approval be obtained for each service area through an Alternative Approval Process. - **CARRIED**

Opposed: Director Konanz

4. South Okanagan Transit System – Service Establishment
 - a. Bylaw No. 2741, 2016
 - b. South Okanagan Transit maps

It was MOVED and SECONDED

THAT the apportionment calculations for a South Okanagan Transit Service be adjusted to a different funding formula to include only Area D1. - **CARRIED**

Opposed: Directors McKortoff, Hovanes

1. Okanagan Film Commission Service Establishment Bylaw
 - a. Bylaw No. 2734, 2016

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Regional District of Okanagan-Similkameen Regional Okanagan Film Commission Service Establishment Bylaw No. 2734, 2016 be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval.

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the scope of the bylaw be amended to reflect Economic Development so as not to limit the expenditure of funds to one organization. - **CARRIED**

QUESTION ON THE MAIN AS AMENDED

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

THAT Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw No. 2734, 2016 be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval.

CARRIED**RECOMMENDATION 16 (Unweighted Corporate Vote – 2/3 Majority)****It was MOVED and SECONDED**

THAT upon approval by the Inspector of Municipalities, participating area approval for Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw No. 2734, 2016 be obtained for the entire service area through an Alternative Approval Process in accordance with section 342 (4) of the *Local Government Act*. - **CARRIED**

H. CAO REPORTS

1. Verbal Update
-

I. OTHER BUSINESS

1. Chair's Report
-

2. Directors Motions

- a. BC Rural Dividend Program – Director Christensen

It was MOVED and SECONDED

THAT the Board of Directors authorize the submission of an application to the BC Rural Dividend Program for funding to have washrooms rebuild for handicap use, as well as a food safe and wheelchair accessible kitchen; and further,

THAT the Board of Directors support this project through its duration. - **CARRIED**

3. Board Members Verbal Update
-

J. ADJOURNMENT

By consensus, the meeting adjourned at 3:13 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Development Variance Permit Application — Electoral Area “E”



Administrative Recommendation:

THAT the Board of Directors approves Development Variance Permit No. E2016.049–DVP.

Purpose: To allow for the development of a new dwelling.

Owners: Neil and Donna Abernethy Agent: Ecora Engineering (Kelly Mercer) Folio: E-02291.030

Civic: 4835 Mill Road, Naramata Legal: Lot 1, Plan KAS644, District Lot 211, SDYD

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

Requested to vary the minimum front strata parcel line setback from 4.5 metres to 0.15 metres;

Variances: to vary the minimum setback from a strata road from 4.5 metres to 0.15 metres; and
to vary the minimum exterior side strata parcel line setback from 1.0 metre to 0.33 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 development of a new dwelling on the subject property. Specifically, the applicant is seeking to:

- to reduce the minimum front strata parcel line setback and setback from an internal strata roadway for a single detached dwelling from 4.5 metres to 0.15 metres, as measured to the outermost projection; and
- to reduce the minimum interior side strata parcel line setback for a single detached dwelling from 1.0 metre to 0.33 metres, as measured to the outermost projection.

The applicant has stated that this is a complex lot due to the rear boundary being formed by Okanagan Lake (and its associated riparian values) and the location of a strata road bisecting the middle of the parcel. Accordingly, “the house has been designed long and narrow to avoid conflict with the riparian area” and that “the owners wanted the septic field located on the east side of the driveway further away from Okanagan Lake” in order to further impacting riparian values.

Site Context:

The subject property is approximately 1,444 m² in area and is situated on the north side of Mill Road and is part of a three (3) lot strata subdivision. A single detached dwelling previously existed on the east side of the strata road which bisects the property (see Attachment No. 1), but was demolished in early 2016 while an accessory structure (“cabin”) on the west side of the strata road still remains.

The surrounding pattern of development is generally characterised by similar residential development.

Background:

The subject property was created by a subdivision deposited in the Land Title office on January 21, 1981. In February of 2016, the Regional District issued a building permit for the demolition of a single detached dwelling which existed on the east side of the common strata road (and this dwelling has since been removed).

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the subject property is zoned Small Holdings Five (SH5), which permits “single detached dwellings” as a principal permitted use and establishes setbacks of 7.5 metres (front & rear), 4.5 metres (interior & exterior side).

However, as this is a strata subdivision, Section 7.21 (Setbacks for Strata Subdivisions) of the bylaw establishes additional setback requirements of 4.5 metres from an internal roadway and 1.0 metre from an interior side strata line.

The Board is asked to be aware that the property owners have also submitted a concurrent Watercourse Development Permit (WDP) application which similarly seeks to facilitate the development of the proposed dwelling. The applicants qualified environmental professional (QEP) has determined that the Streamside Protection and Enhancement Area (SPEA) for this property is 15 metres.

Under Section 20.3.7 (Variances to Protect the SPEA) of the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, “the Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.”

The property is also subject to a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations under the OCP, and is shown as possessing a geotechnical hazard rating of “land receiving slide or slump materials from above” (i.e. “red zone”).

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, June 9, 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, Administration is cognizant of the riparian values associated with Okanagan Lake that affect the western portion of the property as well as the geotechnical issues that affect the whole of the property (but primarily appear to be on the east side of the strata road).

Given the policy direction provided in the OCP about reducing zoning setbacks in order to minimize impacts on the SPEA, Administration is supportive of this proposal, however, the Board is asked to be

aware that part of the new dwelling will be occurring within the 15.0 metre SPEA established by a QEP (see Attachment No. 2).

In addition, Administration also notes that the dwelling on the adjacent strata parcel to the north appears to have been constructed within a similar setback to the internal road, while the requested reduction to the interior side parcel line setback is unlikely to adversely affect the amenity of the adjoining use.

Alternatives:

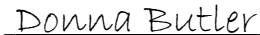
- .1 THAT the Board of Directors deny Development Variance Permit No. E2016.049–DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “E” Advisory Planning Commission (APC).

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



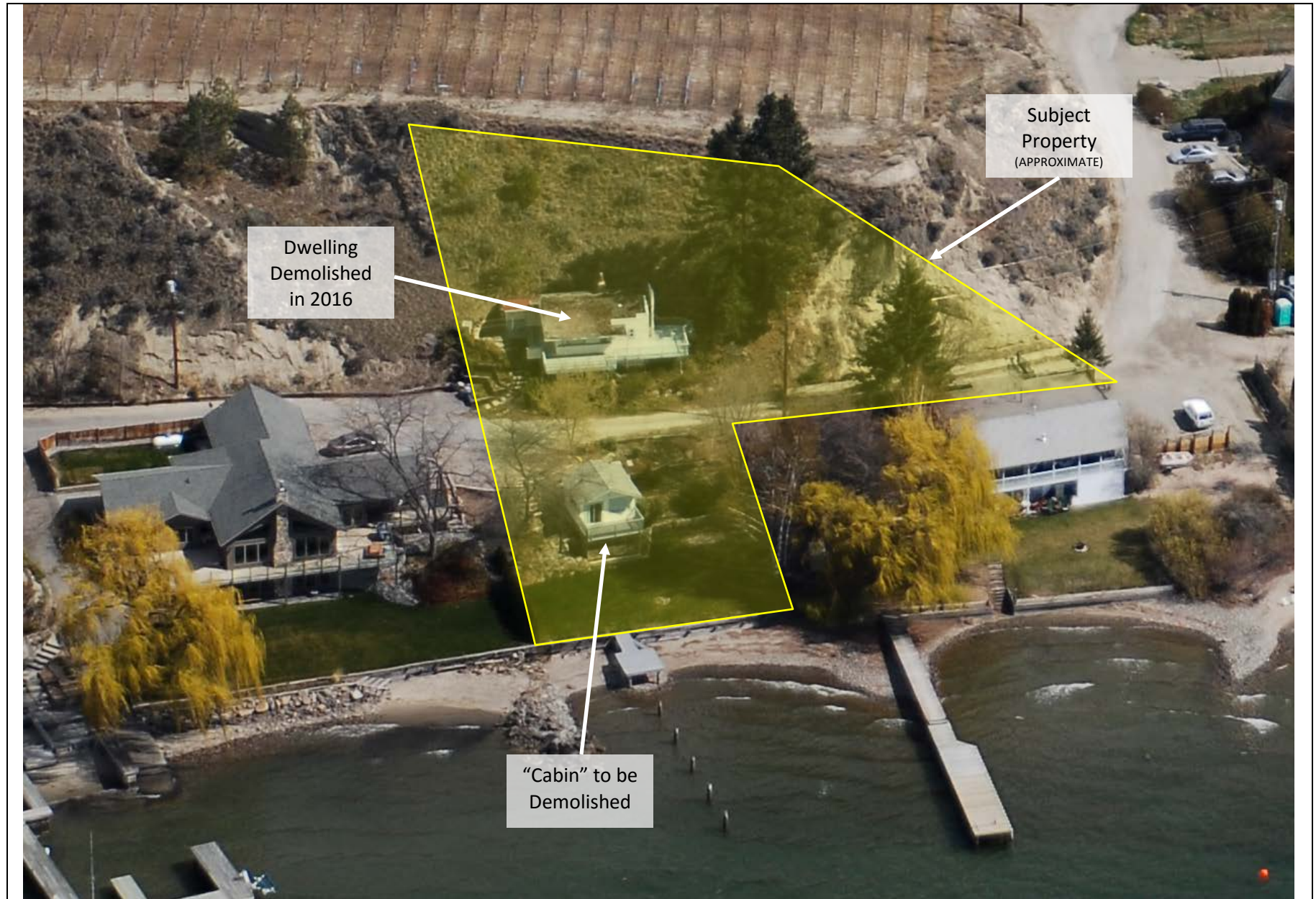
D. Butler, Development Services Manager

Attachments:

No. 1 – Aerial Photo (2007)

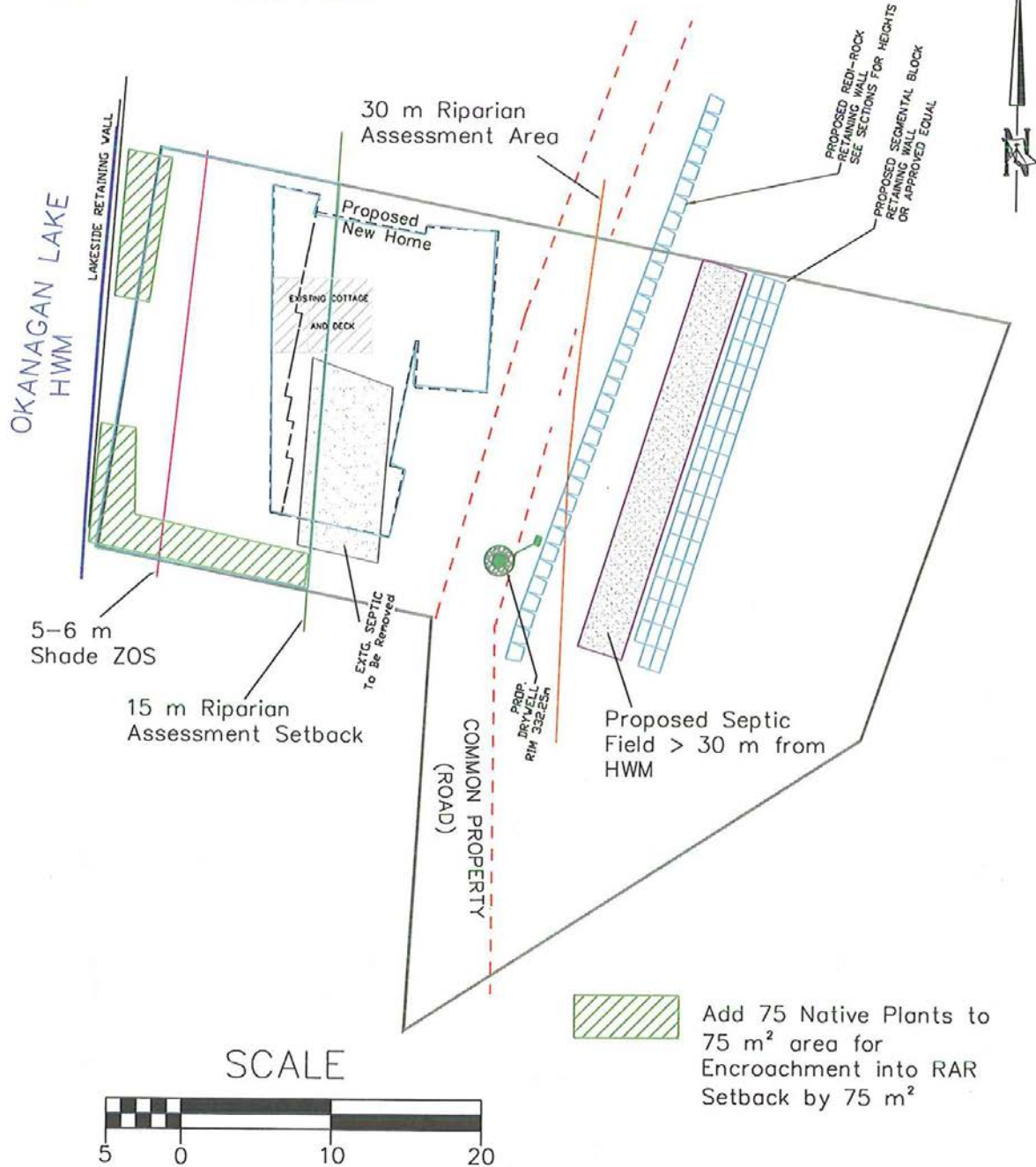
No. 2 – Riparian Assessment Report Site Plan

Attachment No. 1 – Aerial Photo (2007)



Valley Environmental

Section 3: Site Plan



Development Variance Permit

FILE NO.: E2016.049-DVP

Owner: Neil and Donna Abernethy
1347 - 132B Street
Surrey, BC
V4A-4C2

Agent: Kelly Mercer
Ecora Engineering & Resource Limited
543 Ellis Street
Penticton, BC
V2A-4M4

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 1, Plan KAS644, District Lot 211, SDYD

Civic Address: 4835 Mill Road

Parcel Identifier (PID): 005-950-244 Folio: E-02291.030

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The minimum setback for a single detached dwelling from an internal roadway, as prescribed at Section 7.21.1, is varied:

- i) from: 4.5 metres
 - to: 0.15 metres, as measured to the outermost projection and as shown on Schedule 'B'.
- b) The minimum interior side strata parcel line setback for a single detached dwelling, as prescribed at Section 7.21.2, is varied:
 - i) from: 1.0 metre
 - to: 0.33 metres, as measured to the outermost projection and as shown on Schedule 'B'.
- c) The minimum front strata parcel line setback for a single detached dwelling, as prescribed at Section 7.21.3, is varied:
 - i) from: 4.5 metres
 - to: 0.15 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 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2016.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

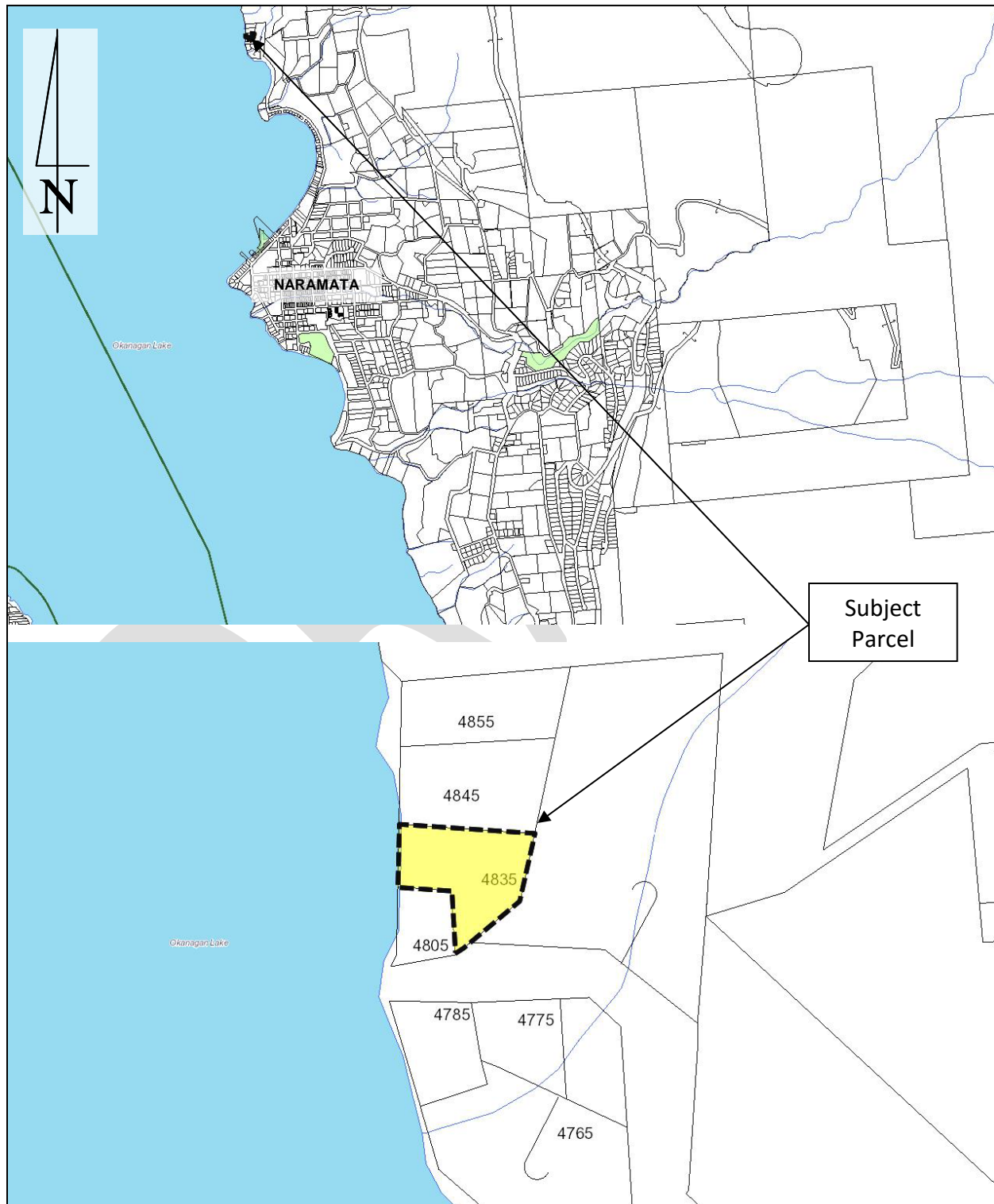
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.049-DVP

Schedule 'A'



File No. E2016.049-DVP

Page 3 of 8

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

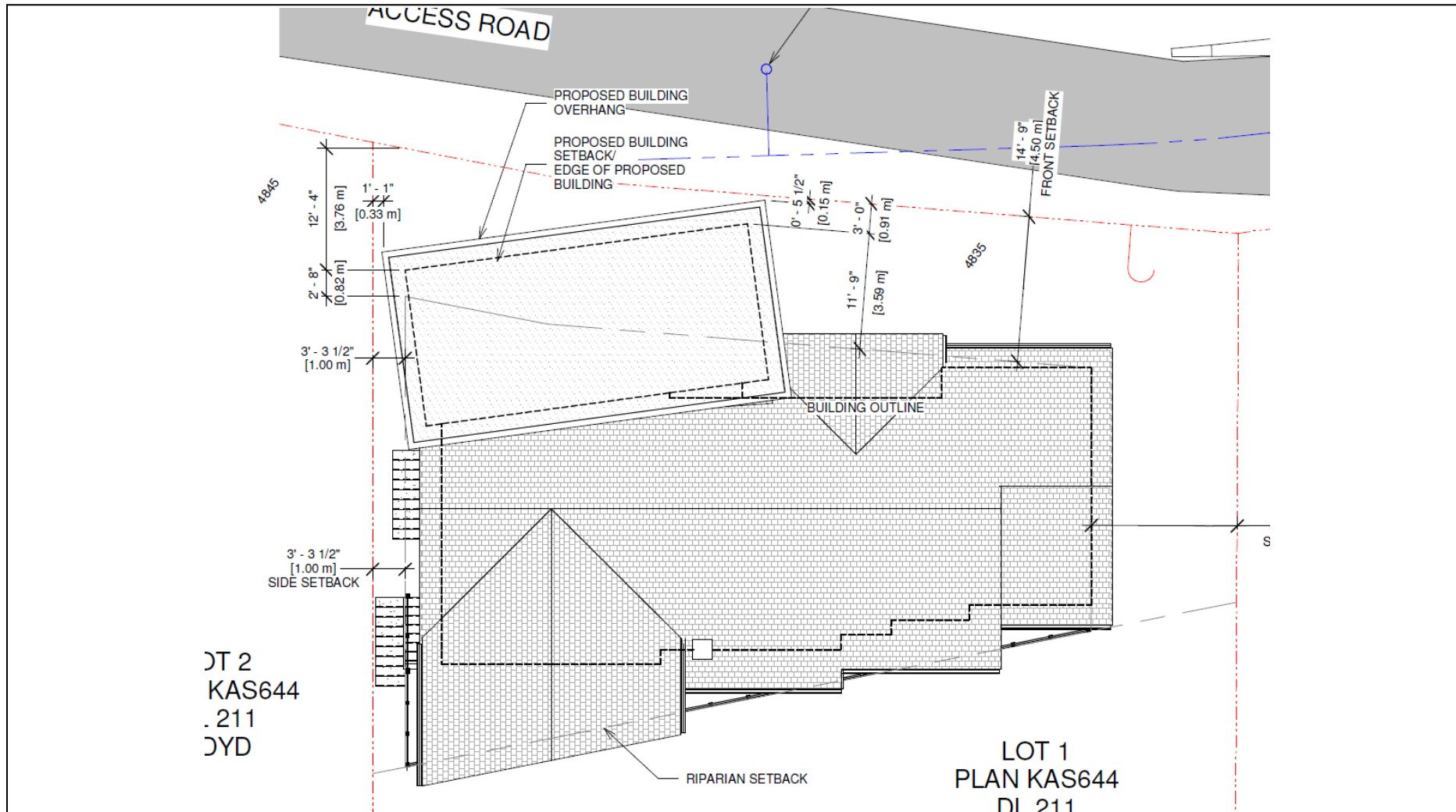
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.049-DVP

Schedule 'B'



File No. E2016.049-DVP

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Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

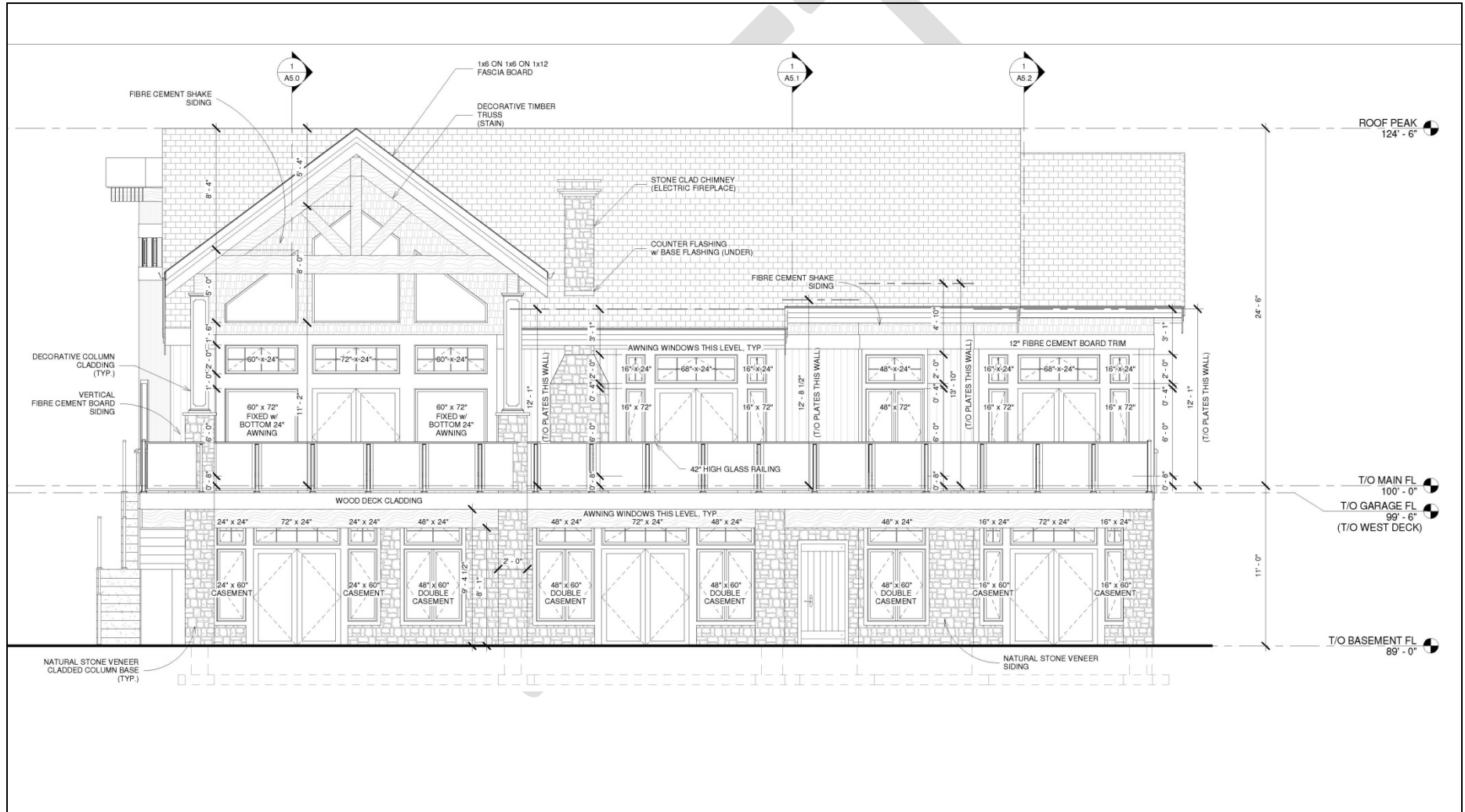
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.049-DVP

Schedule 'C'



File No. E2016.049-DVP

Page 5 of 8

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

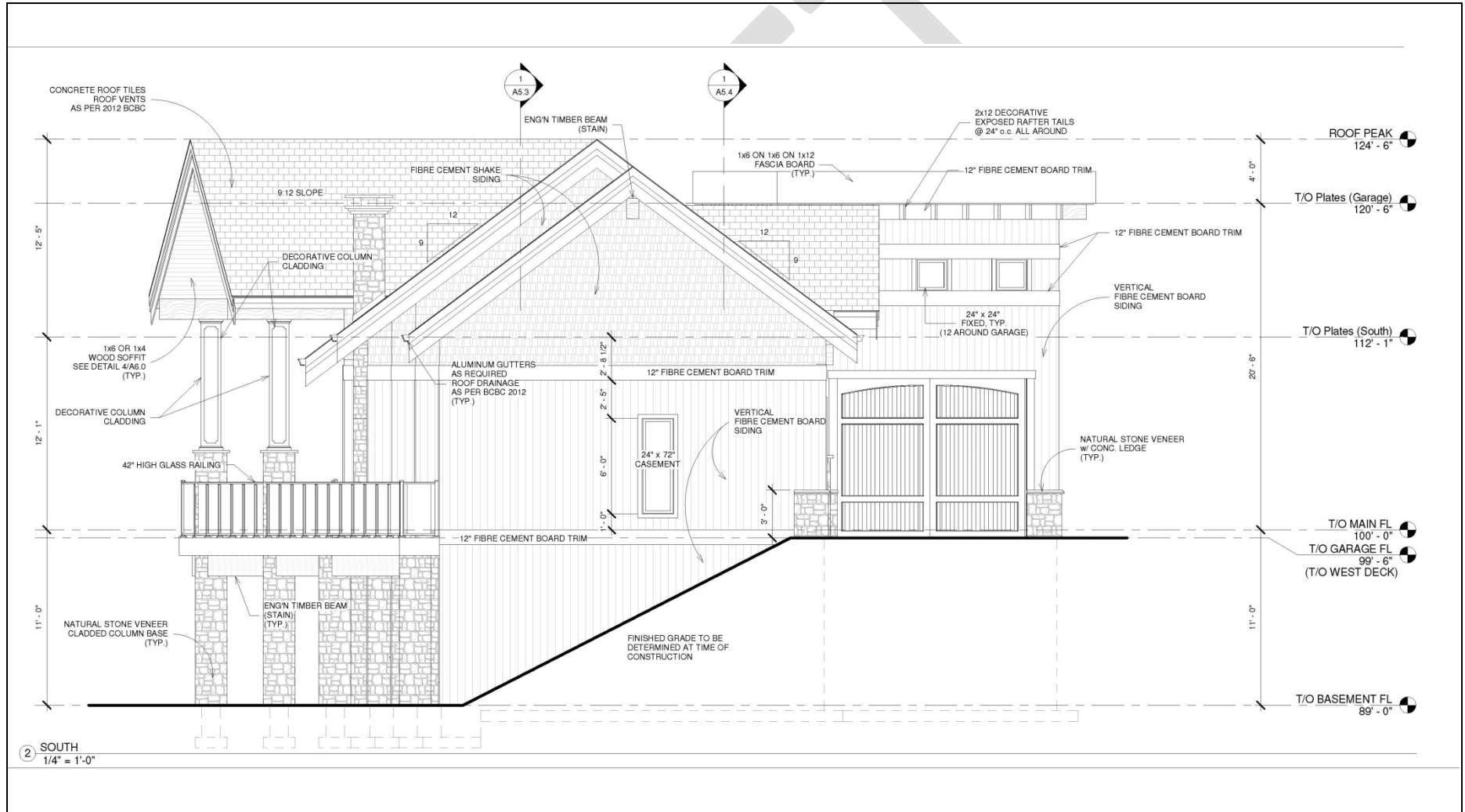
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. E2016.049-DVP

Schedule 'D'



File No. E2016.049-DVP

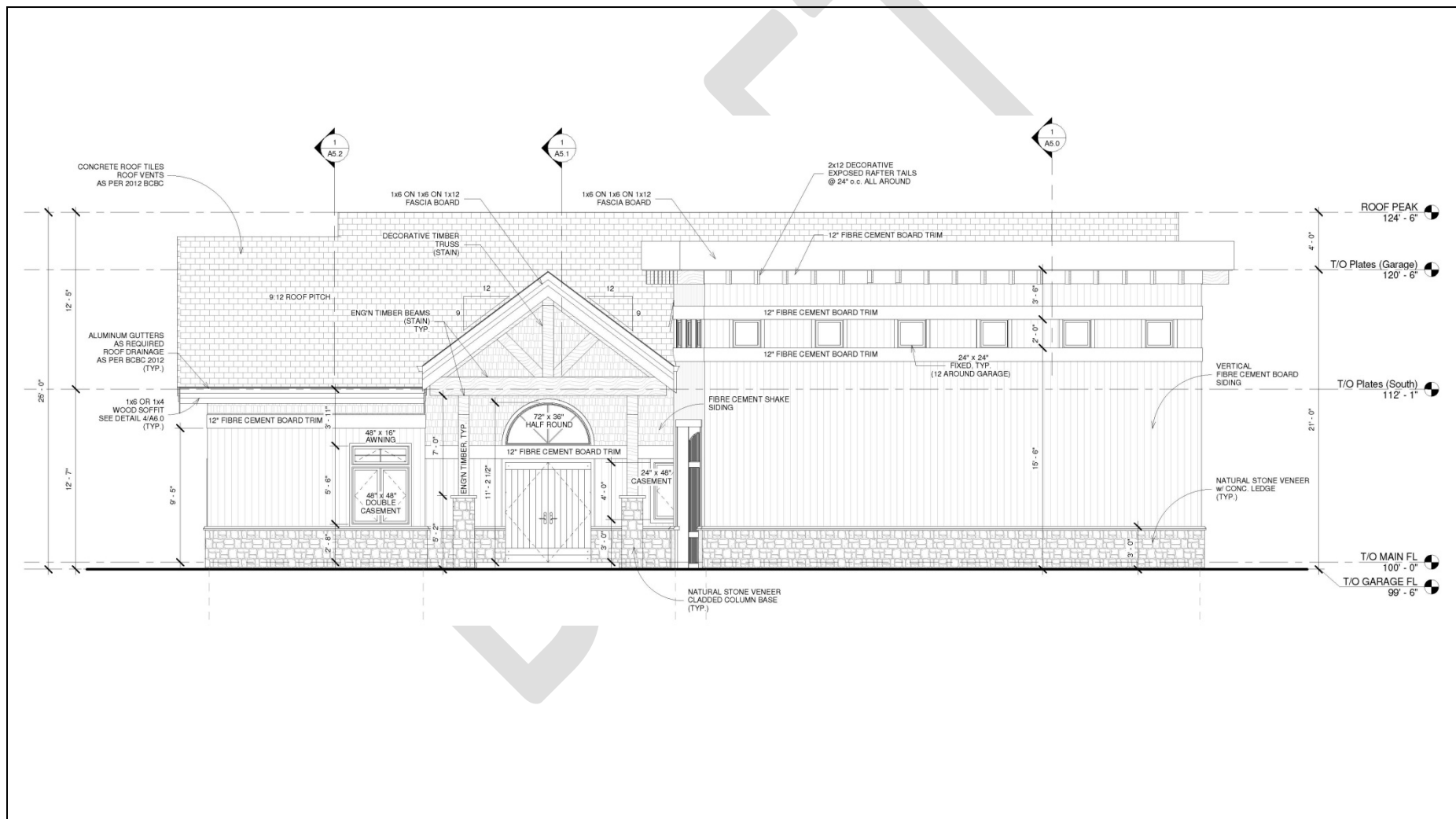
Page 6 of 8

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



File No. E2016.049-DVP

Schedule 'E'



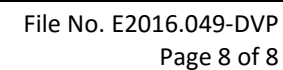
File No. E2016.049-DVP

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



File No. E2016.049-DVP

Schedule 'F'



ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Development Variance Permit Application — Electoral Area “F”



Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. F2016.039–DVP.

Purpose: To allow for the development of a new structure to be used by livestock (i.e. horses).

Owners: Paddy & Sharon Mullaney Agent: Darick Smith Folio: F-07395.005

Civic: 2211 West Bench Drive Legal: Lot 2, Plan KAP26033, DL 5076, SDYD, Except Plan KAP51065

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

Requested to vary the minimum required setback for a building or structure used for livestock purposes from
Variances: 30.0 metres to 6.29 metres (northern side boundary) and 20.43 metres (rear boundary).

Proposed Development:

This application proposes to reduce the required 30.0 metre setback for structures to be used for livestock purposes in order to allow for the development of a new “barn” on the subject property.

Specifically, the applicant is seeking to situate the structure within 6.29 metres of the northern side boundary and 20.49 metres of the rear boundary.

The applicant has stated that “I was replacing an old barn that was run down and unsafe for my daughters pony. While building the barn I did not know I needed a permit as I was just replacing it with something safe. Then I received a stop building order.” The applicant has further stated that they would “hate to tear down if refused. Having a pony on the property was reason we moved to West Bench.”

Site Context:

The subject property is approximately 4,451 m² in area and is situated on the east side of West Bench Drive and is comprised of a single detached dwelling. The surrounding pattern of development is generally characterised by similar rural-residential development.

Background:

The subject property was created by a subdivision deposited in the Land Title office on May 30, 1975. Available building permit files do not indicate when the principal dwelling or former “barn” was constructed on the property (likely before the creation of the Regional District in 1966).

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 and

establishes setbacks of 9.0 metres (front & rear) and 3.0 metres (interior side), except when such a structure is to be used for livestock purposes, and the setbacks will be 30.0 metres.

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, May 27, 2016.

At its meeting of June 2, 2016, the Board resolved to defer consideration of this proposal and directed that it be considered by the Electoral Area "F" Advisory Planning Commission (APC).

At its meeting of June 9, 2016, the APC resolved to recommend to the Board that this development application be approved.

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 this instance, the 30.0 metre setback for livestock structures is based upon guidelines produced by the Ministry of Agriculture in 1998 and which are intended to mitigate the potential for conflict between agricultural and residential uses. These guidelines are more suited to large commercial agricultural operations and less so for the smaller hobby farms.

Administration recognises that the Ministry updated its guidelines in 2013 and now supports a variable setback of between 15-30 metres, and that the Regional District is in the process of updating its zoning bylaws to amend the setback for livestock structures to 15.0 metres.

In the context of the subject property, these changes would leave sufficient space for a livestock structure to be situated outside of the prescribed setbacks. There also do not appear to be any limiting physical features (i.e. steep topography or watercourse) that would warrant the structure being constructed within 6.89 metres of the northern side setback.

Conversely, Administration recognises that the applicant is developing the structure at the same location as the former barn and that there is no history of conflict with adjacent uses due to a livestock building at this location.

As an aside, Administration notes that the proposed plans indicate the provision of two (2) stalls, whereas the number of livestock permitted on a parcel of this size is only one (1).

Alternatives:

THAT the Board of Directors deny Development Variance Permit No. F2016.039-DVP

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



D. Butler, Development Services Manager

Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo



Development Variance Permit

FILE NO.: F2016.039-DVP

Owner: Paddy and Sharon Mullaney
Box 11, Site 6, RR1
Millarville, Alberta
T0L-1K0

Agent: Darick Smith
2211 West Bench Drive
Penticton, BC
V2A-8Z6

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 2, Plan KAP26033, District Lot 5076, SDYD, Except Plan KAP51065

Civic Address: 2211 West Bench Drive

Parcel Identifier (PID): 002-004-283 Folio: F-07395.005

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 setback for an building or structure used for livestock purposes, as prescribed at Table 7.22(a) to Section 7.22, is varied:
 - i) from: 30.0 metres from the norther side parcel line
 - to: 6.29 metres from the northern side parcel line, as measured to the outermost projection and as shown on Schedule 'B'.
- b) The minimum setback for an building or structure used for livestock purposes, as prescribed at Table 7.22(a) to Section 7.22, is varied:
 - i) from: 30.0 metres from the rear parcel line
 - to: 20.43 metres from the rear parcel line, 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 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2016.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

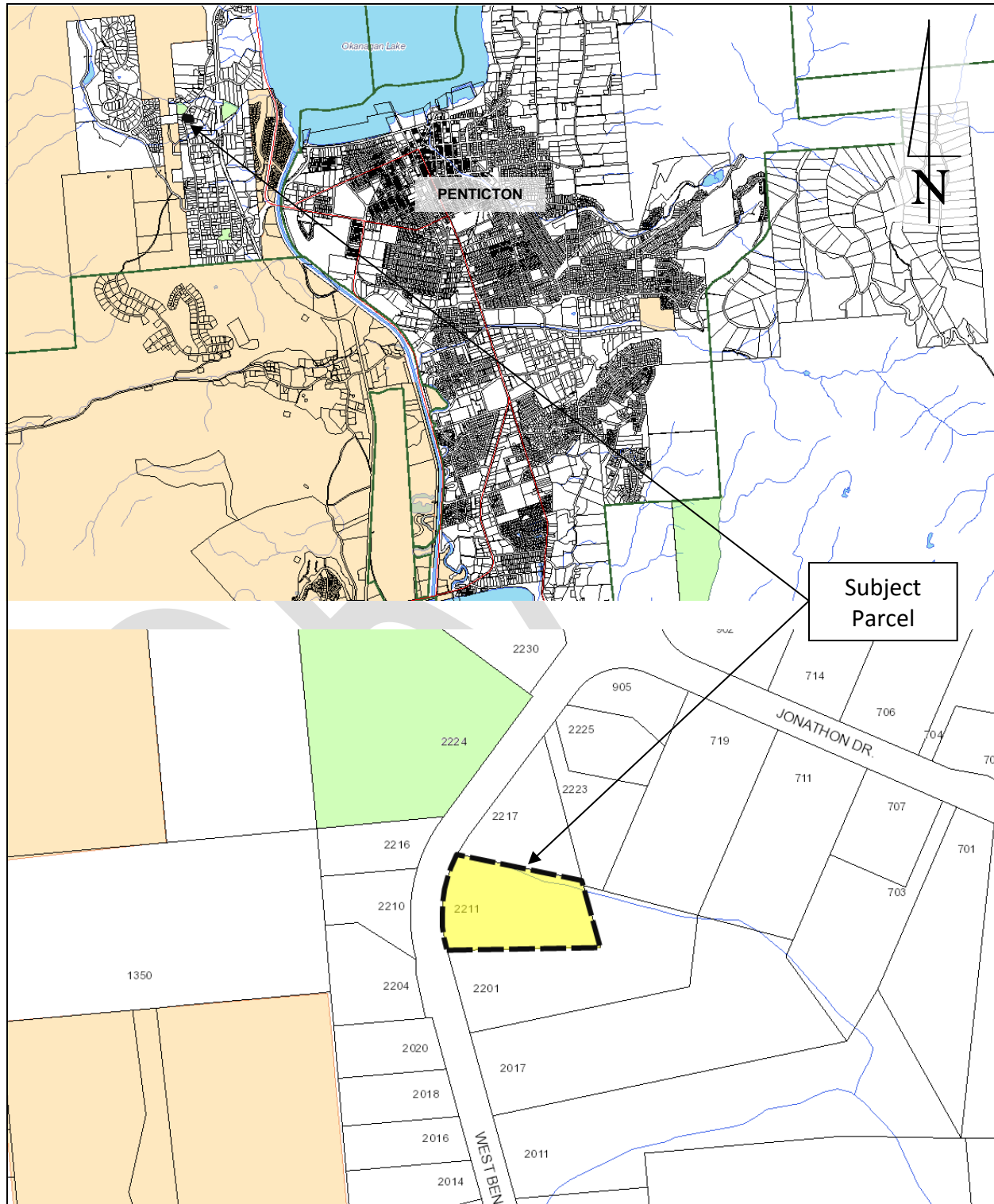
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. F2016.039-DVP

Schedule 'A'



File No. F2016.039-DVP

Page 3 of 6

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



File No. F2016.039-DVP

CIVIC ADDRESS: 2211 WEST BENCH DRIVE, PENTICTON, B.C.

LOT 1
PLAN 26033

REMAINDER
LOT 2
PLAN 26033

LOT 2
PLAN 24137

WEST BENCH DRIVE

EXISTING BUILDING

DECK

CHIMNEY

BUILDING UNDER CONSTRUCTION (FOUNDATION ONLY)

6.29 metres

20.43 metres

78.039

25.08

20.31

19.888

39.530

14.88

93.734

42.556

21.75

20.43

R/W PLAN A11651

LOCATIONS OF THE STRUCTURE CERTIFIED CORRECT ACCORDING TO A FIELD SURVEY COMPLETED THIS 4th DAY OF APRIL 2012

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

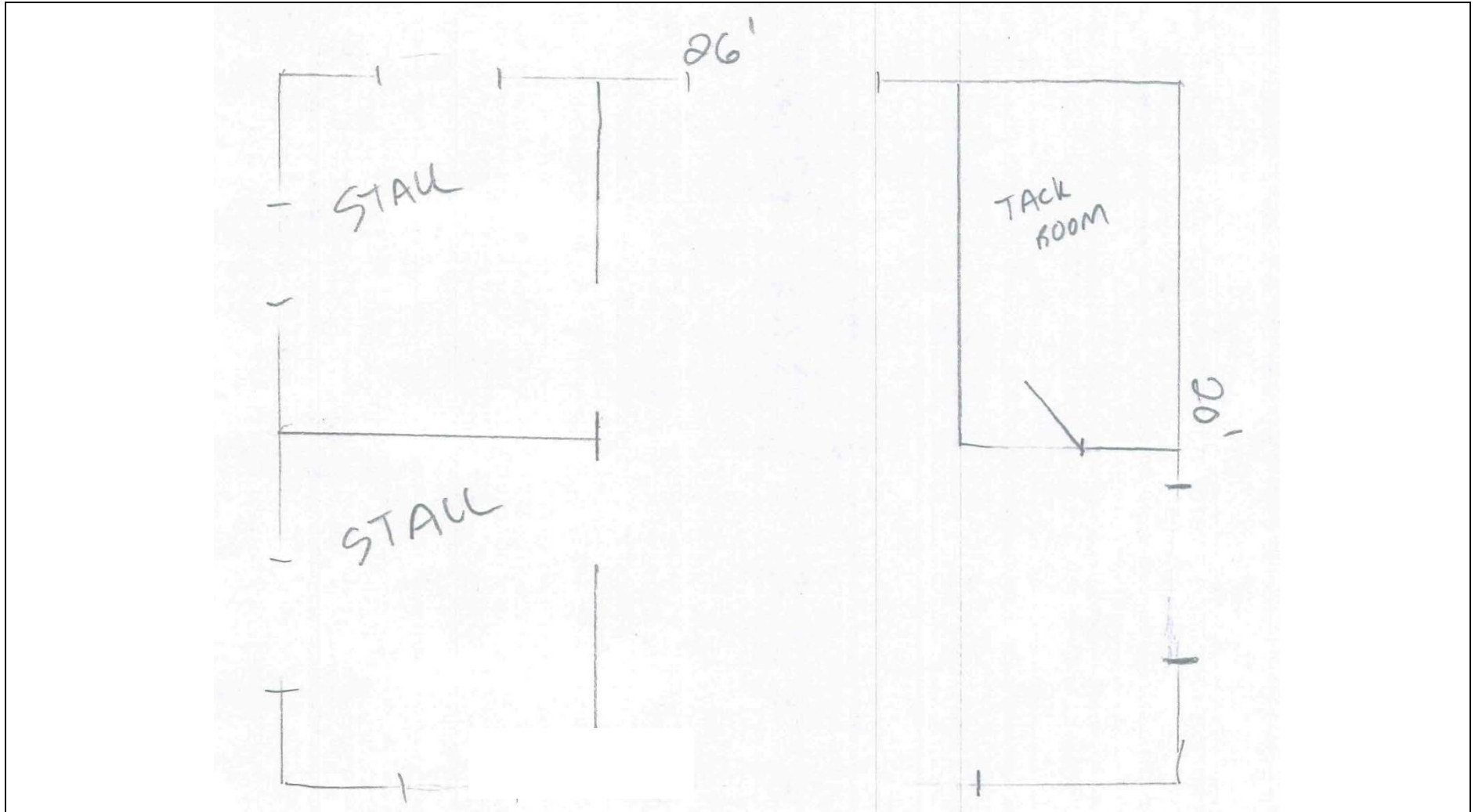
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. F2016.039-DVP

Schedule 'C'



File No. F2016.039-DVP

Page 5 of 6

Regional District of Okanagan-Similkameen

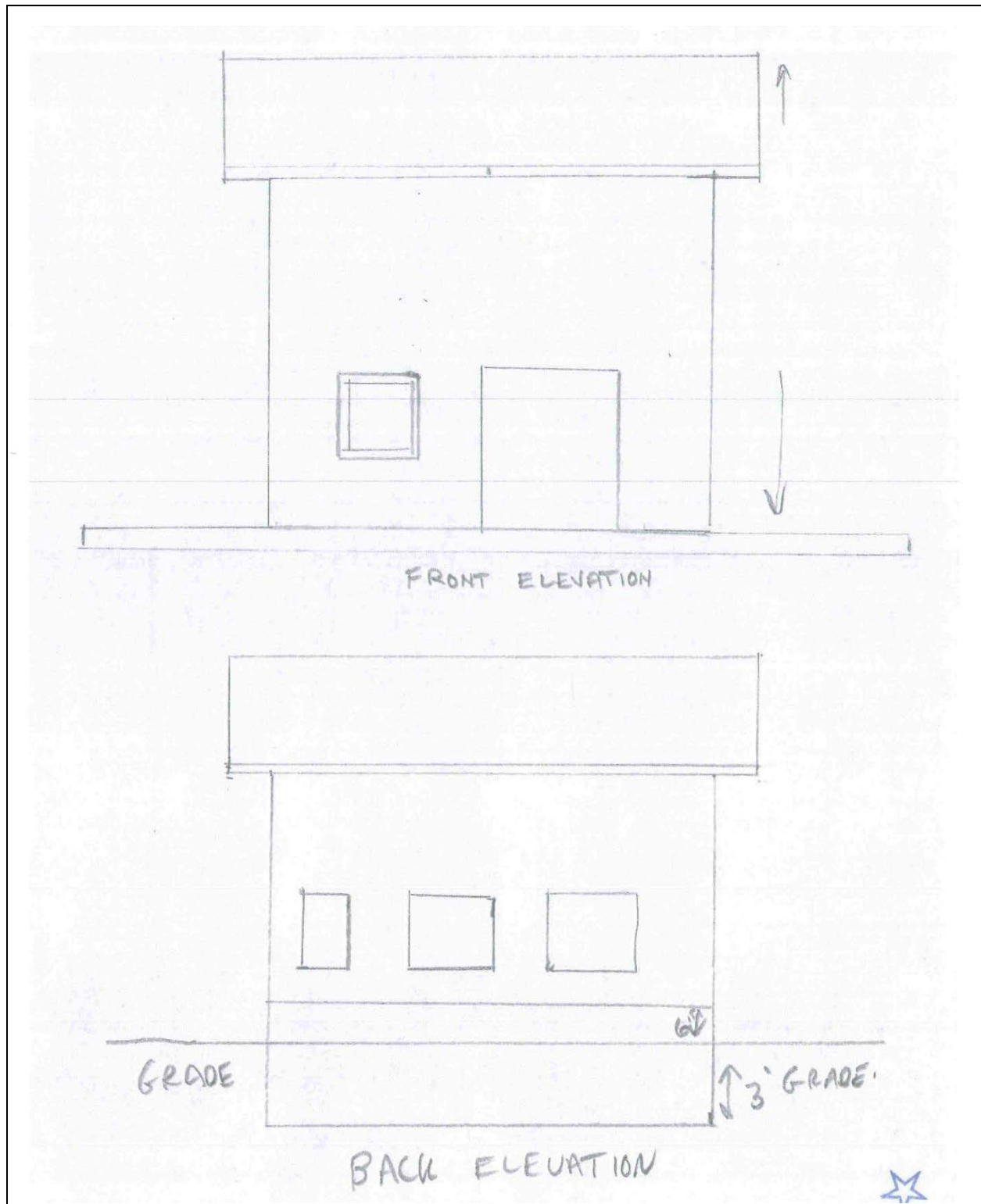
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. F2016.039-DVP

Schedule 'D'



Lauri Feindell

From: Sue Gibbons
Sent: May 25, 2016 11:17 AM
To: Planning
Subject: DVP Application - 2211 West Bench Drive

Good Morning:

Please accept my email regarding the barn being erected at 2211 West Bench Drive. As a neighbour, I have no issues with the barn being built and am happy to see they are providing appropriate stabling for their horse.

Sincerely,
Sue Gibbons

2225 West Bench Drive
Penticton, B.C. V2A 8Z6
May 24, 2016

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

Re: Development Variance Permit application – 2211 West Bench Drive
RDOS File: F2016,039-DVP
Folio No. F07395.005


We are opposed to the above-noted application for a Development Variance Permit for the property at 2211 West Bench Drive.

Our concerns are as follows:

- The existing By-law protects the adjacent properties from noise and smell. Reducing the minimum setback on the northern side parcel line from 30.0 to 6.29 metres would see the building too close to the neighbors to the north;
- Reducing the current setback requirements poses safety concerns and impairs the rural character of the West Bench community.
- The above-noted property has already been subdivided and cramming a livestock building so close to the property lines would be visually unattractive.
- The property owner commenced construction without a building permit and is now seeking a tremendous variance without providing a just cause (for example engineering or soil issues). Granting a variance in this case creates precedence to the benefit of the wrong doer at the expense of his/her neighbors and would limit our rights to quiet use and enjoyment of our properties.

We have many concerns regarding lax enforcement of existing by-laws on many other West Bench properties and feel strongly that the existing by-laws should be enforced without any variance.

Yours truly,

 Yvonne and Larry McAdam



From: Paul Bourne
To: Christopher Garrish
Subject: FW: DVP- 2211 West Bench Drive
Date: May-26-16 11:06:20 AM

F2016.039.DVP
F07395.005

Mr. Garrish

Thanks for the opportunity to provide comment on the Development Variance Permit Application submitted for 2211 West Bench Drive.

As the land owner of 2223 West Bench Drive, I would like to express my objection to the application:

1. By-Law 7.22 is in place to provide neighbouring properties with some separation from the activities and associated sensory outputs from the operation and maintenance of an livestock operation. I have a large family orientated backyard, complete with in ground pool. My family spends its entire summer enjoying this area that I have built; at great expense I might add. The approval of this DVP, will impact the quality of enjoyment that we currently have with our backyard pool area. Our pool is located at the south end of our property and the building in question is clear view of our pool area. This by-law is in place to help reduce the impacts of livestock operations on neighbouring properties and approving it would be a blatant disregard for the rights of neighboring properties. The request in question is not asking for a minor variance, asking to allow the building in question to be located over 14 meters closer to the property line.
2. I find this process frustrating in the fact the construction has already started; without a building permit. The owner is asking for a substantial variance that should have been dealt with at the permit application stage. If the variance is granted, it will impact the neighbours who are in close proximity to the building. I am in the construction business and there is no way that a building of this size would be started by a professional contractor without the building permit and consultation process. Because this owner/builder started the building without RDOS consultation, the neighbours are potentially the ones who will be left with the resulting consequences. I understand that it is a complicated and unfortunate situation for the land owner, but as a contractor and resident, I object to this DVP.

Thanks

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 16, 2016

RE: Agricultural Land Commission Referral (Subdivision)
Electoral Area "E"



Administrative Recommendation:

THAT the RDOS Board “authorise” the application to undertake a subdivision (boundary adjustment) at 2108, 2152 & 2170 Naramata Road in Electoral Area “E” to proceed to the Agricultural Land Commission.

Purpose: To facilitate a boundary adjustment between three (3) separate properties.

Owners: Robert & Robin Ott / Valeria Tait & Ian Sutherland Agent: Ecora Engineering (Graham Birds)

Civic: 2108, 2152 & 2170 Naramata Road Folio: E-02716.020 & E-02048.100/.110

Legal: Lot 4, Plan KAP51709, District Lot 370, SDYD; and Lots A & B, Plan KAP42326, District Lot 206, SDYD

OCP: part Agriculture (AG); and Zone: part Agriculture One (AG1); and
Part Large Holdings (LH) part Large Holdings (LH)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 21(2) of the *Agricultural Land Commission Act* (the Act) has been lodged with the Regional District in order to allow for subdivision within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking to adjust the boundaries between three different properties on Naramata Road by undertaking the following:

- removing an approximately 0.2 hectares (ha) area of land from the property at 2152 Naramata Road and adding this to the property at 2170 Naramata Road (which will increase in size from 0.27 ha to 0.47 ha); and
- removing an approximately 2.86 ha area of land from the property at 2152 Naramata Road and adding this to the property at 2108 Naramata Road (which will increase from 3.88 ha to 6.74 ha).

As a result of these adjustments, the property at 2152 Naramata Road will decrease in size from 7.06 ha to approximately 4.0 ha.

The applicant has stated that the reason for the boundary adjustment between 2152 & 2170 Naramata Road is in order to “legalize an existing driveway encroachment.”

With regard to the boundary adjustment between 2152 & 2108 Naramata Road, the applicant has stated that the arable land found at 2152 Naramata Road is divided topographically by a steep slope on the property and that the upper portion of this land is more easily accessible and is a better fit with the arable land found at 2108 Naramata Road.

Statutory Requirements:

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

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

Site Context:

The property at 2170 Naramata Road is approximately 0.27 ha in area and is situated on the west side of the road and is seen to be comprised of a single detached dwelling and garage. Actual access to the property seen to be via a shared driveway with the property at 2152 Naramata Road.

The property at 2152 Naramata Road is approximately 7.06 ha in area and is situated on the west side of the road and is seen to be vacant and currently under agricultural production.

The property at 2108 Naramata Road is approximately 3.88 ha in area and is situated on the west side of the former KVR right-of-way and is seen to be comprised of a single detached dwelling and garage. Access to the property is via a “share lot” which fronts onto Naramata Road.

The pattern of development in the surrounding area is characterized by un-surveyed Crown land to the east and rural-residential developments interspersed by agricultural operations to the north, south and west.

At present, the property at 2108 Naramata Road is not within the Naramata Water System Service Area but will become partially in if this boundary adjustment is approved. Prior to any formal approval of the boundary adjustment by the Provincial Approving Officer, water service to this new parcel will need to be resolved.

Background:

Under the Electoral Area “E” OCP Bylaw, the parcels at 2170 & 2152 Naramata Road are designated Agriculture (AG), while the property at 2108 Naramata Road is designated Large Holdings (LH). All three parcels are the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation, while the property at 2152 Naramata Road is also subject to a Watercourse Development Permit (WDP) Area designation.

Under the Electoral Area “E” Zoning Bylaw, the parcels at 2170 & 2152 Naramata Road are zoned Agriculture One (AG1), while the property at 2108 Naramata Road is designated Large Holdings (LH). The minimum parcel size requirement in both these zones is 4.0 ha.

Section 5.2 (Minimum Parcel Size Exceptions for Subdivision) of the bylaw provides an exemption for boundary adjustments provided that:

- a) *no additional parcels are created upon completion of the alteration;*
- b) *the altered lot line does not infringe on the required setbacks for an existing building or structure located on a parcel;*
- c) *the alteration does not reduce the site area of the parcels involved to a size less than that of the smallest parcel that existed prior to the alteration.*

All three parcels have a geotechnical hazard classification of “limited or no hazard of slumps or slides. No development problems anticipated”, with the exception of the property at 2152 Naramata Road which has a small area classified as “hazard of slumps and slides” immediately adjacent to the road.

Analysis:

In considering the proposed boundary adjustment between 2152 and 2108 Naramata Road, Administration notes that this will effectively divide the agriculturally viable parts of 2152 Naramata Road in half; with one part remaining as part of the property and the other half being consolidated with 2108 Naramata Road (which is outside of the ALR and not designated as Agriculture).

It is generally not considered good planning practice to encourage the fragmentation of viable agricultural land and that the OCP generally seeks to discourage this type of subdivision by supporting the consolidation of legal parcels that support more efficient agricultural operations and encouraging the protection of agricultural lands and maximizing productive farm activity.

In addition, it is believed that subdivision of 2152 Naramata Road may negatively impact the agricultural opportunities available in the long-term and that the property has more agricultural potential as a single unit (and even greater potential if consolidated in its entirety with 2108 Naramata Road).

Nevertheless, Administration also recognizes that the OCP supports parcel sizes for lands designated Agriculture of 4.0 ha where the predominant type of farming activity is related to “commercial operations of vine growing and other compatible agricultural uses”.

On this basis only — that the proposed adjustment and resultant lots will all will comply with the 4.0 ha minimum parcel size requirement of the zoning bylaw — Administration is recommending that this proposal be “authorised”.

With regard to the other component of the boundary adjustment, Administration supports the incorporation of the paved cul-de-sac head into the adjacent residential parcel at 2170 Naramata Road.

The Board is asked to be aware that, should ALC approval be obtained, a subsequent amendment to the Electoral Area “E” Zoning Bylaw would not be required.

Alternative:

THAT the RDOS Board not “authorise” the application to undertake a subdivision (boundary adjustment) at 2108, 2152 & 2170 Naramata Road in Electoral Area “E” to proceed to the Agricultural Land Commission.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



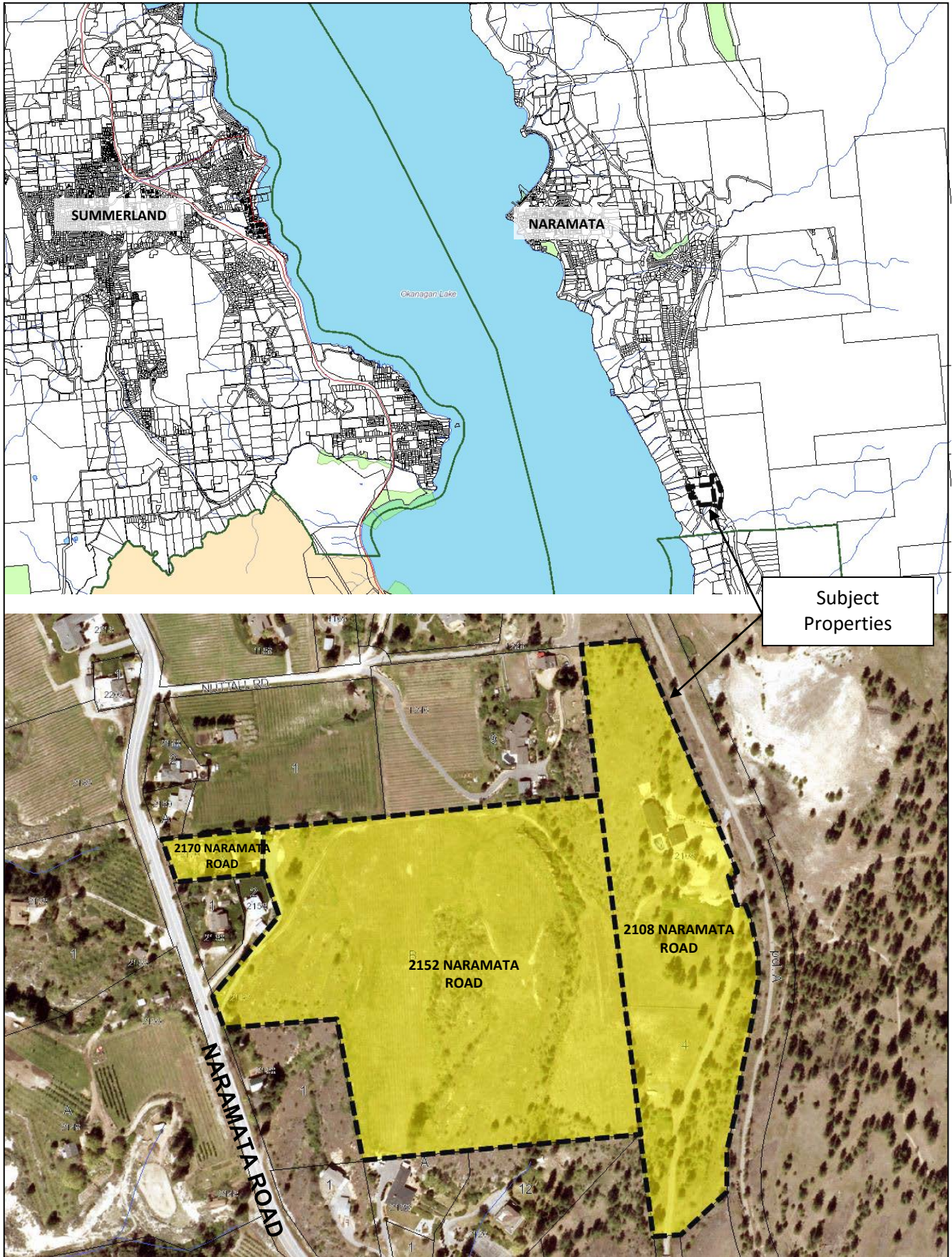
D. Butler, Development Services Manager

Attachments: No. 1 — Context Map

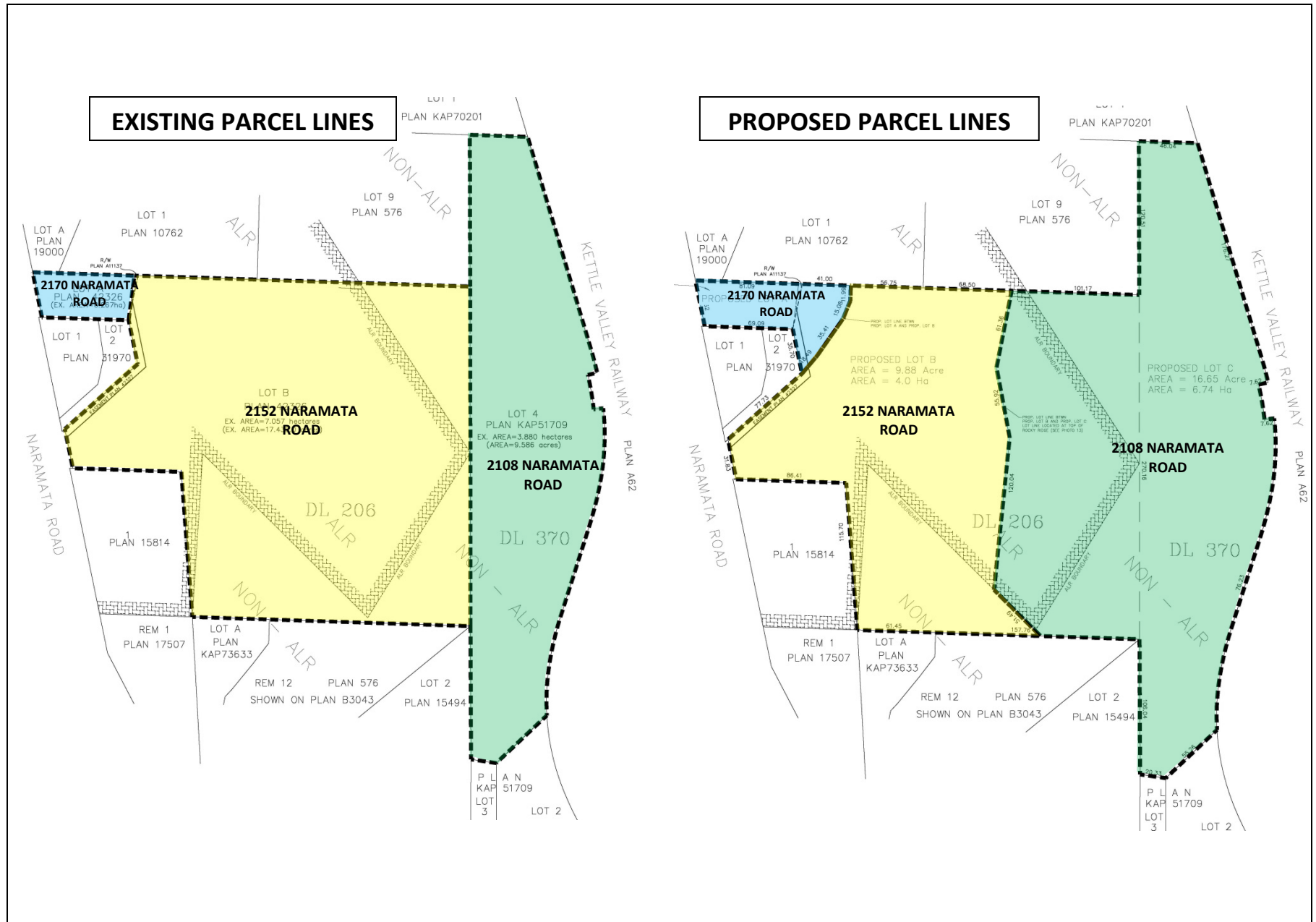
No. 2 — Applicant’s Site Plan

No. 3 — Site Photo (Google Streetview - 2012)

Attachment No. 1 — Context Maps



Attachment No. 2 — Applicant's Site Plan



Attachment No. 3 — Aerial Photo (2007)



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 16, 2016

RE: RDOS Sub-Regional Conservation Fund Service
Establishment Bylaw No. 2690, 2016



Administrative Recommendation 1:

THAT Regional District of Okanagan-Similkameen Sub-Regional Conservation Fund Service Establishment Bylaw No. 2690, 2016 be read a first, second and third time prior to being forwarded to the Inspector of Municipalities for approval.

Administrative Recommendation 2:

THAT upon approval by the Inspector of Municipalities, participating area approval for Regional District of Okanagan-Similkameen Sub-Regional Conservation Fund Service Establishment Bylaw No. 2690, 2016 be obtained for the entire service area through an Alternative Approval Process in accordance with section 342 (4) of the *Local Government Act*.

Purpose:

To establish a service for the requisition of funds to assist with achieving environmentally sustainable objectives and conservation of our natural areas through a conservation service.

Business Plan Objective:

- To meet public needs through the development and implementation of key services
- To develop a responsive, transparent, effective organization
- To build an environmentally sustainable community

Background:

The Regional District has identified Environmental Responsibility as one of their guiding values and committed to environmental protection and conservation in the 2010 Regional Growth Strategy and in the endorsement of the 2012 Keeping Nature in our Future strategy document developed in conjunction with the South Okanagan Similkameen Conservation Program.

Analysis:

A dedicated conservation fund provides a tool for local government and conservation organizations to protect natural areas through a source of funding held by a regional district for the purpose of undertaking environmental conservation activities including restoration and maintenance of natural areas, and the acquisition and management of land with significant ecological values.

In order to create this type of service, assent of the electors is required. The *Local Government Act* provides for participating area approval to be obtained by either of the following methods:

- assent of the electors by voting;
- approval of the electors by alternative approval process

Participating area approval must be obtained separately for each participating area in the proposed service area, unless the board, by resolution adopted by at least 2/3 of the votes cast, provides that the participating area approval is to be obtained for the entire proposed service area. The Board, therefore would be responsible for obtaining that approval, and the alternative approval process would be conducted, as one whole area, by Regional District administration.

The financial impact of \$450,000 across the entire proposed service area calculates to \$0.0292 per \$1,000 of assessed value, or approximately \$10.00 for the average household valued at \$343,000.

Alternatives:

- THAT the elector approval be obtained by assent of the electors by voting (referendum)
- THAT participating area approval be obtained separately for each participating area

Respectfully submitted:

"C. Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2690, 2016

A bylaw to establish a Sub-Regional Conservation Fund Service

WHEREAS a Regional District may, by bylaw, establish and operate a service under the provisions of the *Local Government Act*;

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen wishes to establish a service for the purpose of establishing a Sub-Regional Conservation Fund in the Regional District of Okanagan-Similkameen;

AND WHEREAS the Board of Directors resolved by a 2/3 vote that participating area approval be obtained for the entire proposed service area;

AND WHEREAS approval of the Electors has been obtained for the entire service area by the alternative approval process, 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. CITATION

- 1.1 This Bylaw may be cited as the "Regional District of Okanagan-Similkameen Sub-Regional Conservation Fund Service Establishment Bylaw No. 2690, 2016".

2. ESTABLISHMENT OF THE SERVICE

- 2.1 The Service established by this bylaw is for the purpose of establishing a sub-regional Conservation Fund in the Regional District of Okanagan-Similkameen.

3. BOUNDARIES OF THE SERVICE AREA

- 3.1 The boundaries of the service area are the boundaries of Electoral Areas "A", "C", "D", "E", "F", the City of Penticton, District of Summerland, Town of Oliver and the Town of Osoyoos.

4. PARTICIPATING AREA

- 4.1 The participating areas are Electoral Areas "A", "C", "D", "E", "F", the City of Penticton, District of Summerland, Town of Oliver and the Town of Osoyoos.

5. SERVICE PROVISION

- 5.1 The Board of Directors may enter into an agreement for the administration of the local conservation fund.

6. COST RECOVERY AND APPORTIONMENT

- 6.1 As provided in the *Local Government Act*, the annual costs of the Service shall be recovered by one or more of the following:
- (a) property value taxes imposed in accordance with Division 3 [*Requisition and Tax Collection*];
 - (b) subject to subsection (2) of section 378, parcel taxes imposed in accordance with Division 3;
 - (c) fees and charges imposed under section 397 [*imposition of fees and charges*];
 - (d) revenues raised by other means authorized under this or another Act;
 - (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

7. LIMIT

- 7.1 The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$450,000 or \$0.0292 per thousand dollars of net taxable value of land and improvements in the Regional District of Okanagan-Similkameen.

8. EXPIRATION

This bylaw shall expire on December 31, 2021

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

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this XXX day of XXX, XXX.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH AN ALTERNATIVE APPROVAL PROCESS this XXX day of XXX, XXX.

ADOPTED this XXX day of XXX, XXX.

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 16, 2016

RE: Temporary Use Permit Application — Electoral Area “D”

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. D2016.015-TUP.

Purpose: To approve existing campground encroachment (i.e. Banbury Green) onto Crown land associated with the former Canadian Pacific Railway (CPR) right-of-way.

Owners: Crown land Agent: Kelly Dewar-Galloway Folio: D-01674.200

Civic: N/A Legal: various lots, District Lot 3757, SDYD

OCP: Parks (P) Zoning: Parks and Recreation (PR)

Proposal:

This application seeks approval for the existing operation of campground use comprising approximately 26 serviced campsites and related facilities (i.e. washroom, garbage containers, parking areas and recreation facilities) over an approximately 0.96 hectare (ha) area of Crown land.

Specifically, the applicant is seeking approval to use an approximately 591 metre section of the former Canadian Pacific Railway (CPR) right-of-way which bisects the Banbury Green Campground property, but which excludes a 3.0 metre wide section over which the Regional District has a separate Licence of Occupation from the province for trail purposes.

In support of this proposal, the applicant has indicated that “we will continue to offer free access to our washrooms to Trail users as we do now, and we will continue to provide cleaning services at no charge to the government. We will continue to provide Trail maintenance as we do now. This will include any new asphalt additions” (NOTE: the applicant has already paved approximately 200 metres of right-of-way in order to improve access).

Site Context:

The subject parcel is approximately 1.7 ha in area, is situated on the west side of Skaha Lake between Kaleden and Penticton. Part of the parcel is currently being utilised for trail purposes by the Regional District and has also been developed to a campground use by the adjacent property owner.

The surrounding pattern of development is characterised by agricultural operations and a campground use to the west and Skaha Lake to the east.

Background:

It is understood that the subject parcel was created by subdivision on May 12, 1932, in order to raise title to land being utilised by the CPR for the purposes of a railway line serving Okanagan Falls from

Penticton. It is further understood that use of this line was discontinued in 1989, that the rail was removed shortly thereafter and that the province purchased the Skaha Lake section in 1995.

A Management Strategy (2000) prepared by the Kettle Valley Railway Planning Committee identified the right of way as having a high recreational value and use and recommended that the Regional District obtain a License of Occupation for the purposes of creating a trail.

In 2013, the Regional District obtained a Licence of Occupation from the province to manage, maintain and improve a 3.0 metre wide non-motorized trail along the KVR adjacent Skaha Lake between the Penticton Indian Band reserve lands in the north and Okanagan Falls in the south.

The adjacent Banbury Green Campground is understood to have commenced operation in 1985 following the successful rezoning of the property from Agriculture Residential (AR) to Tourist Commercial (CT-1A). The more recent occupation of the former CPR right-of-way for the purposes of vehicle access and site improvements (i.e. campground spaces, washroom facilities, etc.) is thought to have occurred sometime in the past 10 to 15 years. Riparian area impacts – disturbance prior to establishment of RAR.

In 2015, Banbury Green Campground obtained a Licence of Occupation from the provincial government in order to formalise their existing use of former CPR right-of-way for campground purposes. The term of this licence is for a period of 5 years (i.e. to 2020).

Under the Electoral Area “D-1” Official Community Plan (OCP) Bylaw No. 2456, 2008, the subject parcel is currently designated Parks (P), an objective of which is to “establish a trail network utilising the CPR right-of-way” and to “encourage the CPR right-of-way to be preserved, acquired, and utilized as a linear park and recreation corridor between Kaleden and Okanagan Falls.”

In support of this, the Electoral Area “D-1” Zoning Bylaw No. 2457, 2008, has zoned this parcel Parks and Recreation (PR), which only allows for cemeteries, golf courses, open land recreation, parks, and resorts as principal permitted uses.

Public Process:

At its meeting of May 10, 2016, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed temporary use be approved.

Under Section 5.1.1 of the Regional District’s Development Procedures Bylaw No. 2500, 2011, the Board may require that a Public Information Meeting be held prior to the consideration of a TUP. In this instance, and given the recent history of use of the site for campground purposes, Administration does not believe that a Public Information Meeting is warranted.

In accordance with Section 2.5 of Schedule ‘5’ of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed at Attachment No. 2.

To date, comments have been received from the Interior Health Authority (IHA), Ministry of Forests, Lands and Natural Resource Operations (Archaeology and Environment Branches), Fortis, Kaleden Irrigation and the Penticton Indian Band (PIB) and are included as a separate item on the Agenda.

Analysis:

In assessing this proposal, Administration notes that the OCP Bylaw contains a number of criteria against which the Board will consider an application for a TUP. These include whether the use is

clearly temporary or seasonal; compatibility with adjacent uses; impact on the environment; and opportunity to undertake the use elsewhere.

In this instance, the principal object of the Regional District in relation to this particular parcel of land has been the establishment of a trail network. An important step in realizing this goal occurred in 2013 with the securing of a Licence of Occupation over a 3.0 metres wide corridor.

It is not thought that the current proposal to utilise the remainder of the parcel (i.e. the 13.5 metre strips on either side of the Regional District's licence area) will adversely affect the use of the trail and Administration recognises that the proponent is offering to maintain and make available to the public the improvements they have constructed on the parcel (i.e. washrooms) as well as amenity areas on their adjacent property (i.e. common picnic areas).

In the context of the criteria against which a temporary use is to be assessed, the use is clearly seasonal in nature and is compatible with the adjacent campground use – but is not temporary. The intensity of the use is seen to be minor while the provincial approval of the Licence of Occupation contained “the usual conditions for environmental protection of this area [as] required by the Ministry of Environment.”

While there may be opportunities to conduct this use elsewhere in the community, Administration does not consider this to be a suitable criteria in this instance, given the location of the existing Banbury Green Campground.

Similarly, the provincial approval process required site remediation in the form of restoring “the surface of the Land as nearly as may reasonably be possible, to the condition that the Land was in at the time it originally began to be used for the purposes described in this [Licence of Occupation] ...”

The Board is asked to be aware that the applicant has requested that the term of the permit be for the full 3 years permitted under the *Local Government Act*. This will require a renewal in order to correspond to the 5-year approval granted by the province.

Finally, Administration favours the use of a TUP to rezoning land currently designated for park purposes to commercial tourist uses, however, in light of the range of permitted uses allowed in the PR Zone (i.e. “resort” and “open land recreation”), a temporary campground use is not seen to be entirely inconsistent with this zoning.

Alternative:

THAT the Regional Board of Directors deny Temporary Use Permit No. D2016.015-TUP.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



D. Butler, Development Services Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photos

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☒, prior to Board consideration of TUP No. D2016.015-TUP:

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

Attachment No. 2 – Site Photos





TEMPORARY USE PERMIT

FILE NO.: D2016.015-TUP

AGENT: Kelly Dewar-Galloway
930 Pineview Drive
Kaleden, BC, V0H-1C0

OWNER: Ministry of Forests, Lands & Natural
Resource Operations
c/o Don Meeks
441 Columbia Street
Kamloops, BC, V2C-2T3

GENERAL CONDITIONS

1. This Temporary Use 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 of this Permit, and any plans and specifications attached to this Permit which 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 Temporary Use Permit is not a Building Permit.

APPLICABILITY

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

Legal Description: That part of Lot 198 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that part of Lot 199 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that part of Lot 200 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that part of District Lot 3213s, SDYD as shown on Plan CG182; that part of Lot 201 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that portion of Closed Road in District Lot 3757, SDYD, shown as Parcel G3 on Plan A8775; that part of Lot 203 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that portion of Closed Road in District Lot 3757, SDYD, shown as Parcel G2 on Plan A8775; that part of Lot 204 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that part of Lot 205 shown on Plan A775, District Lot 3757, SDYD, Plan 719; that portion of Closed Road in District Lot 3757, SDYD, shown as Parcel G1 on Plan

A8775; that part of Lot 206A shown on Plan A775, District Lot 3757, SDYD, Plan 719, containing 0.96 hectares, more or less.

Civic Address: unknown, Kaleden Folio: D-01674.200

Parcel Identifier: 012-203-084, 012-203-033, 012-203-955, 012-203-998, 012-203-971, 012-206-725, 012-202-975, 012-202-355, 012-202-991, 012-206-717 & 012-206-709.

TEMPORARY USE

6. In accordance with Section 18.0 of the Kaleden-Apex Southwest Sector Official Community Plan Bylaw No. 2456, 2008, the land specified in Section 5 may be used for a “campground” use as defined in the Electoral Area “D” Zoning Bylaw No. 2457, 2008, being the use of a site for the temporary accommodation of paying guests occupying the site for a period of less than 30 days.

CONDITIONS OF TEMPORARY USE

7. The campground use of the land is subject to the following conditions:
- (a) camping units shall be only be located in a camping space;
 - (b) camping spaces shall be reasonably level, properly drained and kept free from drainage from adjacent land; and
 - (c) no buildings of any type are permitted on camping spaces.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

10. This Permit shall expire on the 16th day of June, 2019.

Authorising resolution passed by Regional Board on ____ day of _____, 2016.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

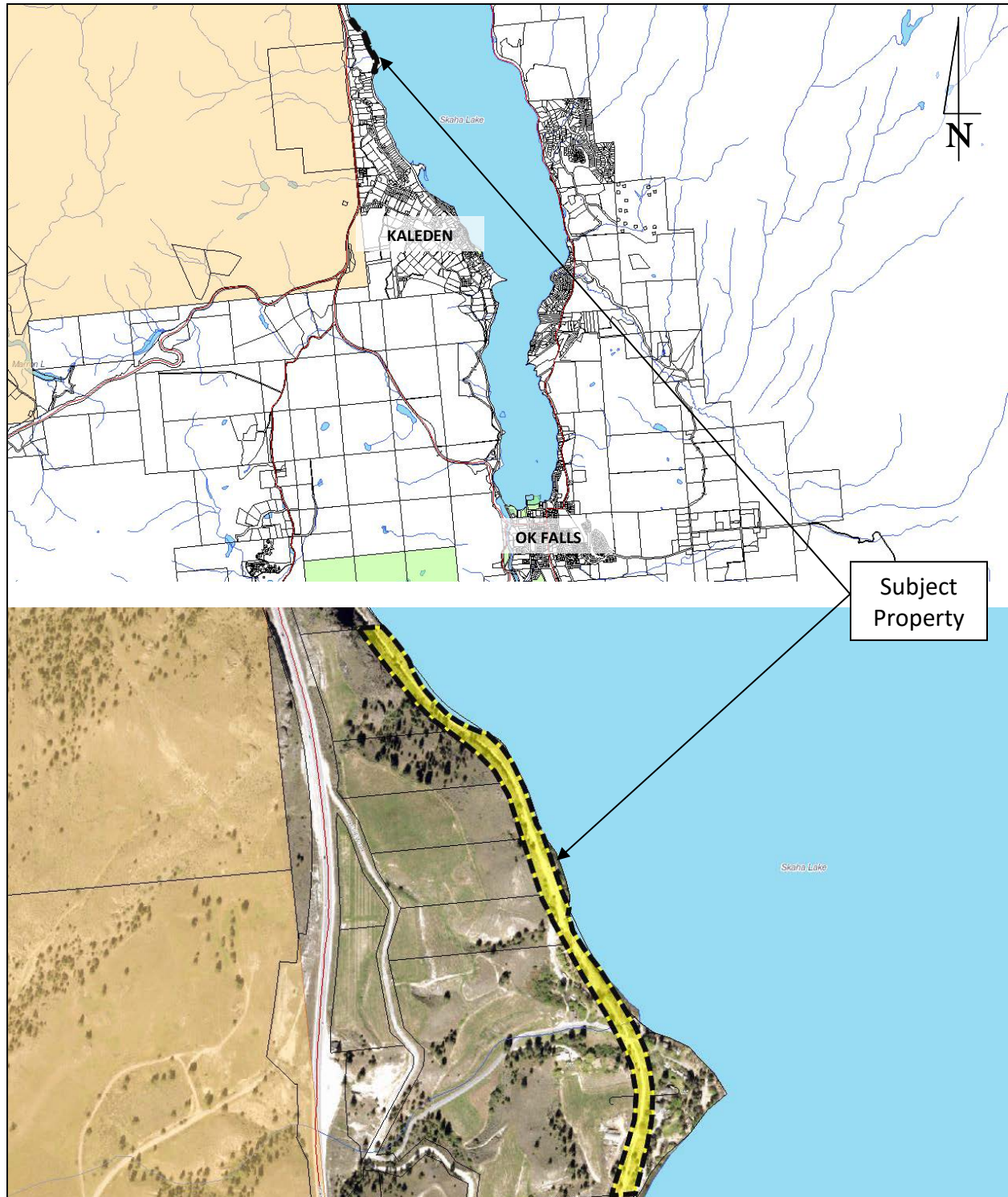
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit

File No. D20160.015-TUP

Schedule 'A'



Regional District of Okanagan-Similkameen

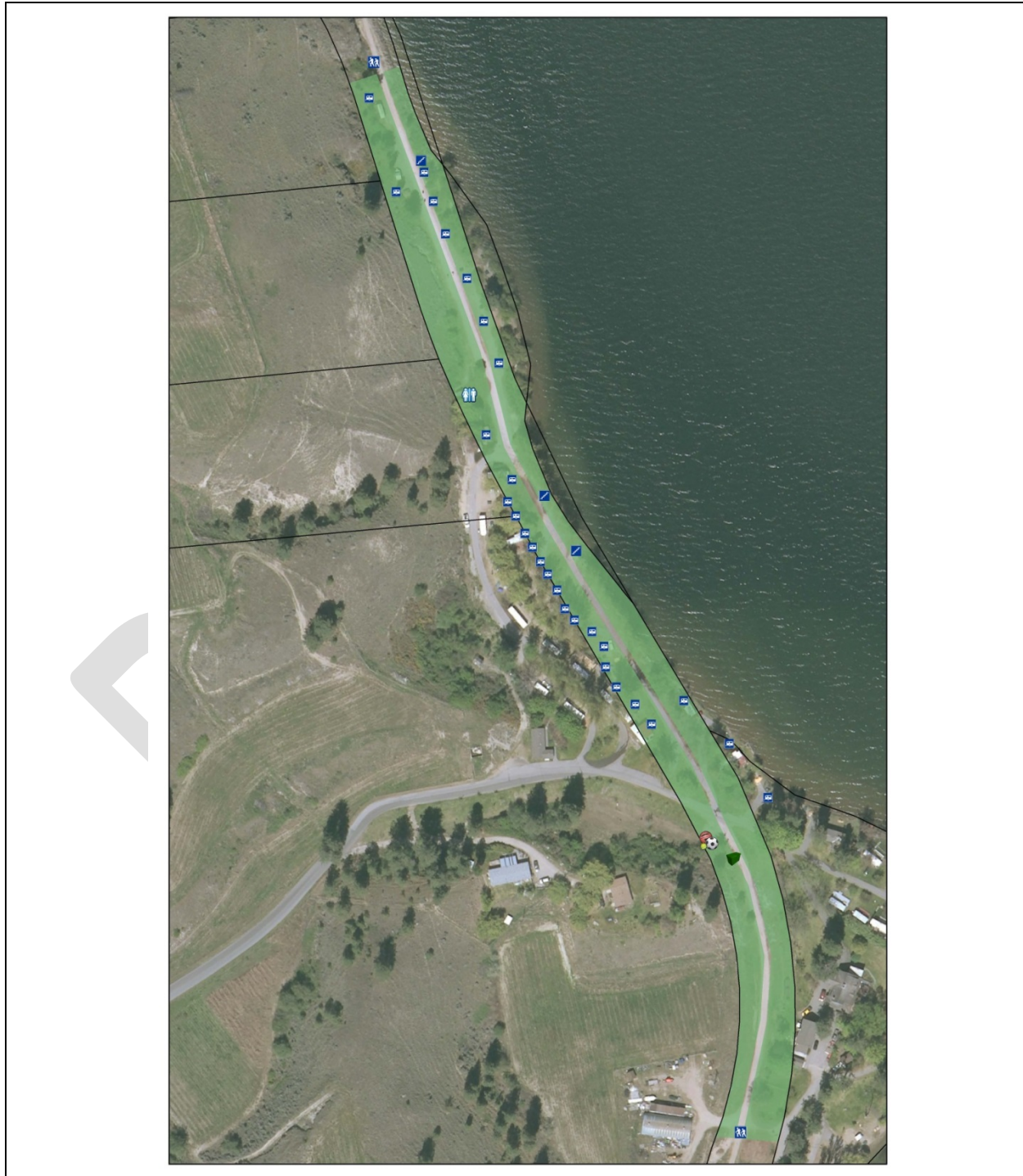
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit

File No. D2016.015-TUP

Schedule 'B'



Lauri Feindell

D01676.000

From: Beaupre, John <John.Beaupre@interiorhealth.ca>
Sent: April 21, 2016 2:55 PM
To: Planning; Christopher Garrish
Subject: Temporary Use Permit Application to Operate Commercial Campground on Crown Land - RDOS File: D2016.015-TUP
Attachments: D2016.015-TUP Banbury Green Campground KVR Trail Management Plan.pdf

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

Dear Mr. Garrish:

Re: Temporary Use Permit Application for Banbury Green Campground to Operate on Crown Land

Thank you for the opportunity to provide comment on the above referenced TUP application.

The old rail bed trail that runs through the campground provides people with opportunities for recreational activities including hiking and cycling which have been shown to reduce the risk of obesity, diabetes, cardiovascular disease and other chronic diseases as well as improving the overall physical and mental health of people.

Given the potential health benefits which can be attributed to outdoor activities such as those associated with recreational trail use this office has no objection to approval of the proposed temporary use provided that the attached "Banbury Green – Kettle Valley Rail Trail Management Plan" is followed.

Please contact me with any questions you may have.

Thank you.

John C. Beaupre, C.P.H.I.(C)
Environmental Health Officer
Interior Health Authority
Penticton Health Protection
3090 Skaha Lake Road, Penticton, BC, V2A 7H2
Bus: (250) 770-5540
Direct: (250) 492-4000 Ext: 2744
Cell: (250) 809-7356
Fax: (250) 493-0041
Email: john.beaupre@interiorhealth.ca
Web: www.interiorhealth.ca



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Banbury Green- Kettle Valley Rail Trail Management Plan

Introduction

Douglas Dewar owns and operates Banbury Green Campground (www.banburygreen.com). This operation is in the northern part of Kaleden, and has the street address of 930 Pineview Drive. The campground was started in 1985 and has operated seasonally ever since. The operation has three full time employees who live on site all year long. In season, it hires five additional employees plus trades people as required. We strive to attract quality customers and have a loyal following. We are not a party campground. In 2013, we were awarded Okanagan Life Magazine's "Best of Readers Choice" as a Family Campground. Douglas Dewar plans to operate Banbury Green as a campground for an extended period of time and has planned continuity through his wholly owned company, Douglas Dewar Incorporated and his daughter, Kelly Galloway, who will continue to operate the family business.

Banbury Green Campground has operated in its present location for nearly 30 years and has utilized the former Kettle Valley Railway (KVR) right of way and rail bed for vehicle access and site improvements without a formal license to do so. During the time the KVR has also been used as an unmanaged recreational trail for walkers and cyclists. The KVR trail has always been seen as an asset to the campground and as such there have been very few conflicts between recreation trail users and camping activities at Banbury Green and the KVR trail has been freely accessed by the public via Okanagan Falls, Lakehill Road in Kaleden or Penticton. The driveway is not public access to the KVR Trail.

Kettle Valley Rail Corridor

The former Kettle Valley Rail (KVR) corridor bisects the Banbury Green Campground for the full length of the property. The KVR Corridor is approximately 30.1 meters wide and the formal rail bed, used and managed as a recreation trail, occupies approximately 3 meters in the center of the corridor.

In 2011 the Regional District Okanagan-Similkameen (RDOS) completed a Regional Trail Master Plan that identified high level goals for the development of regional trails. The Primary objective was rail trails throughout the regional including the Osoyoos subdivision of the KVR that historically connected from Penticton to Osoyoos through the South Okanagan. In 2013, the RDOS successfully obtained a License of Occupation from the Province to manage, maintain and improve a 3 meter wide non-motorized trail along the KVR along Skaha Lake from the Penticton Indian Band south boundary to Okanagan Falls. Approximately 591 meters of this portion of the KVR runs through the Banbury Green Campground. Planned improvements to the trail are brushing & clearing, trail resurfacing, and way finding signage which have already occurred on the south half of the trail and are set to begin on the north section in 2015

This management plan, prepared and submitted by Douglas Dewar Incorporated, supports an application for a license of occupation for the remainder of the KVR Corridor within the Banbury Green Campground, excluding the RDOS license. The corridor is 30.1 meters and the length we wish to acquire is 591 meters. This will leave two 13.5 meter 'strips' on either side of the Trail to be included in the license of occupation. Banbury Green Campground will work in cooperation with the RDOS to provide coordinated and effective management of the full KVR Corridor through the Banbury Green Corridor.

This License Application includes portion of the KVR Corridor in the following lots:

Lot Z Plan KAP4862B DL 3757 SDYD
Lot 200 Plan KAP719 DL 3757 SDYD Except Plan A775.
Lot 199 Plan KAP719 DL 3757 SDYD Except Plan A775.
Lot 198 Plan KAP719 DL 3757 SDYD Except Plan A775.

Campground Operations

Banbury Campground is linear in nature and has operations along the right-of-way. The campground supports the KVR

Trail and the Trail is frequently used by customers. The campground has four separate washrooms. Two of these are close to the Trail and are open for use by all users of the Trail without charge. In addition, Trail users often stop to rest in our common picnic areas or purchase bottled water and other necessities (everything from a band-aid for blisters to a refreshing ice cream) from the campground office. The camp sites are all serviced with underground electrics and water pipes. We presently keep the KVR Trail clean and we water the grass and irrigate the trees and flowers, located on the right-of-way, as needed. Our domestic water is approved by the Board of Health and is monitored on a monthly basis.

Included in this management plan is a site map indicating locations of camp sites along or near the KVR. In addition, it indicates the location of the toilet facility that users of the KVR are welcome to use free of charge. Further, it demarks a turn-around area that we will install at the north end of the property. We will work with the RDOS to install appropriate signage to manage vehicle and foot traffic along the KVR.

KVR Trail Management within the Campground

The Banbury Green Campground has 26 serviced campsites that are either accessed by or located on the KVR, a washroom facility and amenities such as fire pits, sports courts and stairs to the lake. In addition to this Banbury has paved about 200 meters of the rail bed to accommodate high traffic volumes during the summer. Due to the layout of the campground many of the sites have limited option for access other than the abandoned rail bed which is also the trail. Banbury Green working with the Regional and Provincial governments will formalize these campground improvements through this License of Occupation.

To ensure that campground clients understand the rules of the KVR Trail, we will implement a process at check-in/registration that will ensure they understand that KVR Trail users have right-of-way. This information will also explain that the KVR Trail must not be obstructed in any way.

We will continue to offer free access to our washrooms to Trail users as we do now, and we will continue to provide cleaning services at no charge to the government. We will continue to provide Trail maintenance as we do now. This will include any new asphalt additions.

Structures and Improvements

A number of permanent and semi-permanent structures including campsites, parking areas, recreation facilities, washroom facilities and garbage containers are currently located wholly or partially within the KVR Corridor (see site map for details). Banbury Green does not intend to develop any additional structures or campsites within the KVR Corridor. Banbury will construct and install a swingset and complete improvements to a trailer parking area within the Corridor.

Any future improvements proposed by Banbury Green within the KVR Corridor, including the license area, will require obtaining permission, in writing, from the Province.

Vehicle Traffic and Parking

Given the potential for increased trail use combined with a busy campground during the summer months, Banbury Green has been working with the RDOS to negotiate management terms specific to this unique situation to accommodate both uses of the Right of Way. Parking will be restricted to designated areas which we will provide suitable signage for.

To manage and accommodate traffic and parking relative to the KVR, Banbury Campground will undertake the following:

- At registration all Banbury Green clients will be given an orientation of the site including:
 - Traffic patterns as shown on site plan
 - Parking areas as shown on site plan

- Informed that pedestrians and cyclists will have the right of way.
- Clients who are required to utilize the KVR Trail to park RV's and trailers will be offered assistance to provide traffic control and guidance.
- Overflow trailer and vehicle parking will utilize designated areas only as shown on the attached site plan.
- To minimize parking on both sides of the Trail vehicles crossing the trail, overflow parking will utilize Area A, Area C, Area D and Area B in order of priority.
- Banbury Green will ensure that the trail is unimpeded by parked vehicles, trailers and other objects from resort guests.
- Signage will be installed and maintained in a manner that clearly defines traffic patterns and parking areas for clients of Banbury Green.
- Construct and maintain a turnaround area at the north end of the lease area.
- To alleviate parking congestion parking on the Banbury site will be limited to registered guests only.
- Contribute \$10,000 to the paved surface upgrade through the resort.

Trail Maintenance

Banbury Green will provide the following trail maintenance to assist the RDOS to maintain the KVR trail within the Campground:

- Keep the trail surface free of debris and litter through the shared lease area.
- Keep the lease area in a slightly manner respecting the recreational value of the KVR trails.
- Not use the lease area for the storage of equipment, materials or debris.
- Maintain all signs directing resort traffic to be unobstructed and legible.
- Maintain the asphalt for safe free of tripping hazards such as crack, depressions and mounds.

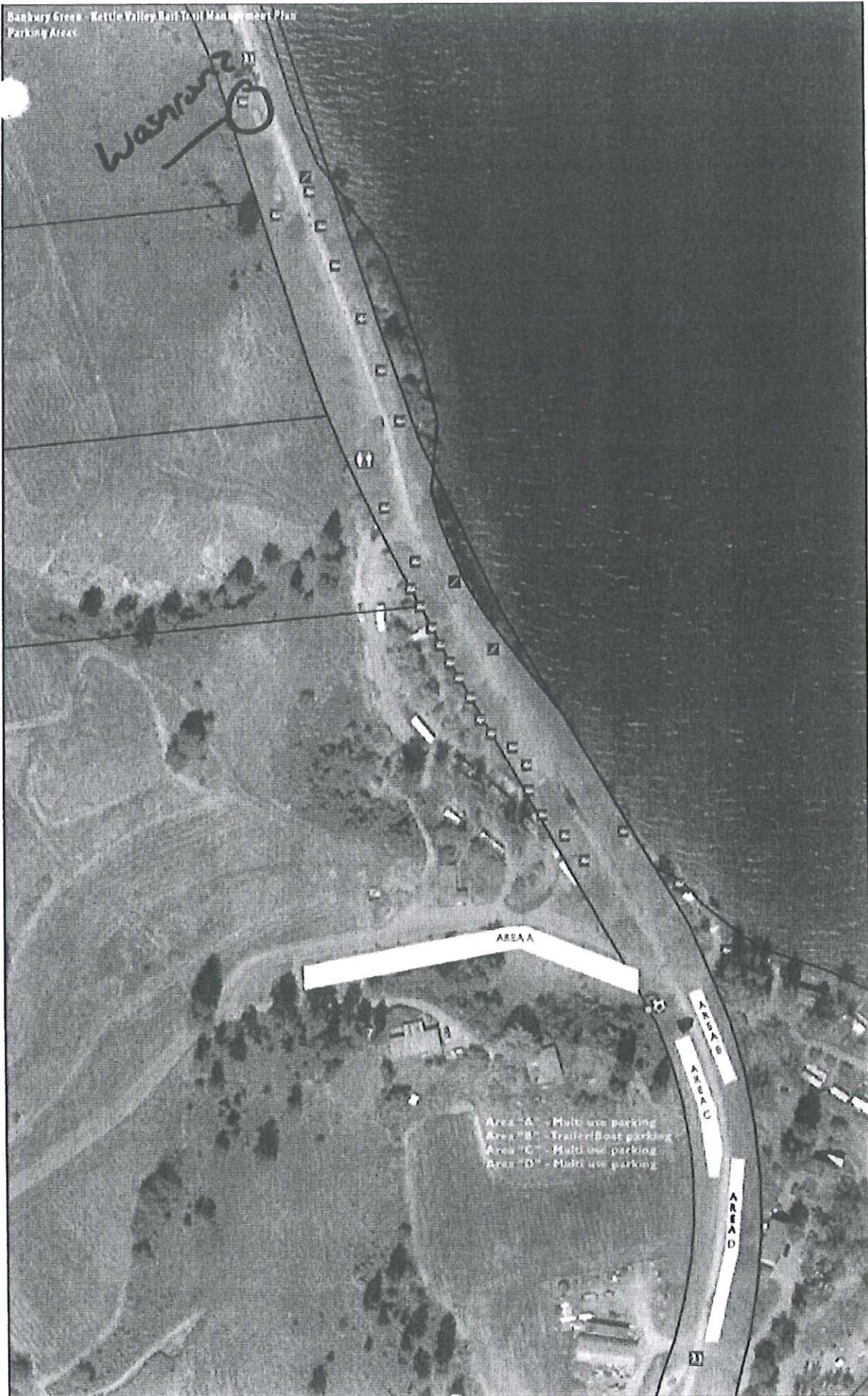
RDOS Agrees to:

- Maintain all KVR way finding and vehicle barriers.
- Provide support if required for larger maintenance projects

Site and Trails Access

Banbury Green Agrees to:

- Allow RDOS staff year round access to the KVR through owned lands for trail maintenance and improvement activities.
- Permit KVR Trail users access to one washroom facility and use of store which the RDOS will identify through way finding signage.



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: April 25, 2016 1:06 PM
To: Planning
Cc: Mirsky, Nicholas
Subject: Pineview Dr, 928 RDOS (D2016.015-TUP)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Pineview Drive. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

Otherwise, FBC(E) has no concerns with this circulation.

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

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

Best Regards,

*Steven Danielson,
Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, P.App.
Supervisor | Property Services | FortisBC Inc.**

2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Office: 250.469.8033
Mobile: 250.718.9398
Fax: 1.866.636.6171
nicholas.mirsky@fortisbc.com



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*"FortisBC" refers to the FortisBC group of companies which includes FortisBC Holdings, Inc., FortisBC Energy Inc., FortisBC Inc., FortisBC Alternative Energy Services Inc. and Fortis Generation Inc.

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Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: April 7, 2016 2:06 PM
To: Christopher Garrish
Cc: Lauri Feindell
Subject: RE: Referral Sheet - Banbury Green Campground TUP (D2016.015-TUP)

Hi Christopher and Lauri,

Thank you for your referral regarding D2016.015-TUP, Temporary Use Permit for Banbury Green Campground. According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling for the area indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property.

Prior to any land alterations, an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

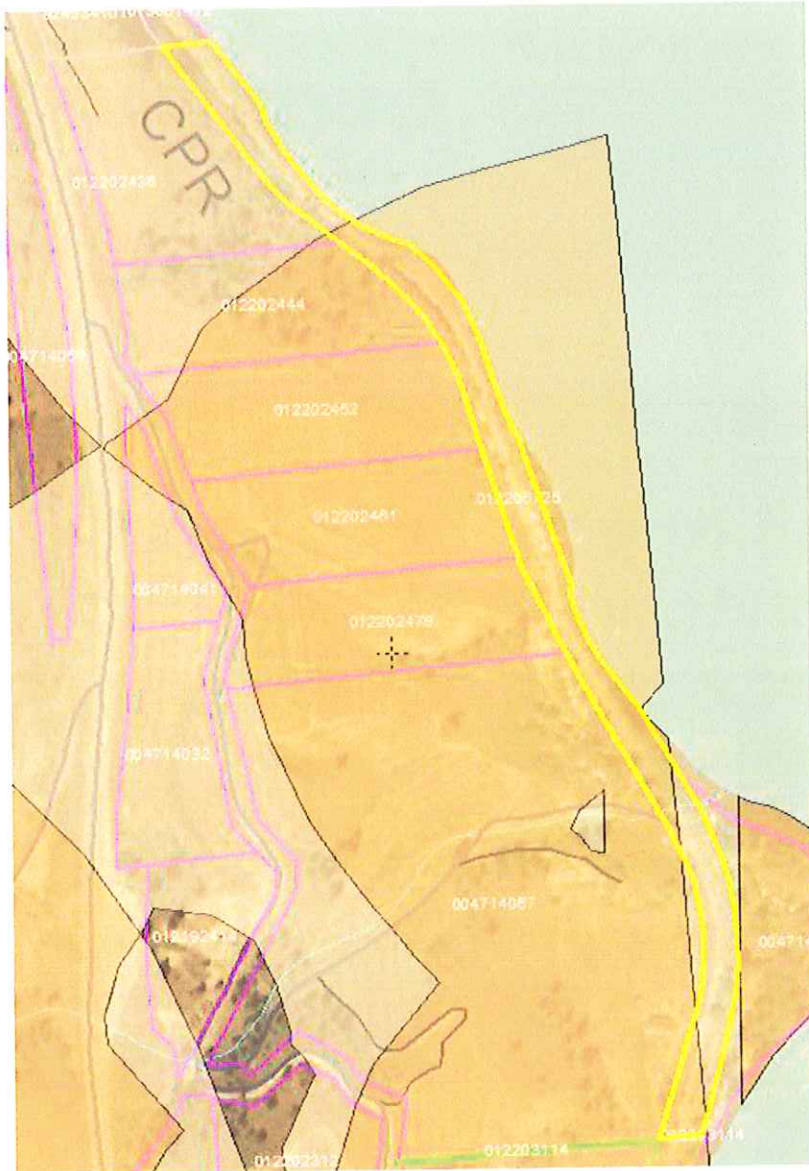
Please review the screenshot of the property below (outlined in yellow). The brown/orange areas indicate high potential for unknown/unrecorded archaeological deposits, and the beige areas indicate moderate potential.

If this does not represent the property listed in the referral please contact me.

Kind regards,

Diana





Diana Cooper | Archaeologist/Archaeological Site Inventory Information and Data Administrator

Archaeology Branch | Ministry of Forests, Lands and Natural Resource Operations
 Unit 3 - 1250 Quadra St, Victoria BC V8W 2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W 9W3
 Phone: 250-953-3343 | Fax: 250-953-3340 | Website: <http://www.for.gov.bc.ca/archaeology/>

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

Sent: Wednesday, April 6, 2016 4:29 PM

To: HBE@interiorhealth.ca; Collins, Martin J ALC:EX; AGRI Interior AGRI:EX; Referral Apps REG8 FLNR:EX; Cooper, Diana FLNR:EX; fbclands@fortisbc.com; onareception@syilx.org; PIB Referrals (referrals@pib.ca); k.i.d@shaw.ca

Subject: FW: Referral Sheet - Banbury Green Campground TUP (D2016.015-TUP)

Re: Temporary Use Permit
 Project No.: D2016.015-TUP
 Folio No.: D01674.200

Please find attached a referral for a Temporary Use Permit. Please review and provide any comments you may have. If you have any questions, please contact Christopher Garrish at cgarrish@rdos.bc.ca.

RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. D2016.015-TUP

- | | |
|--|---|
| <input type="checkbox"/> Approval Recommended for Reasons Outlined Below | <input type="checkbox"/> Interests Unaffected by TUP |
| <input checked="" type="checkbox"/> Approval Recommended Subject to Conditions Below | <input type="checkbox"/> Approval Not Recommended Due to Reasons Outlined Below |

The Kaleden Irrigation District Board of Trustees recommends approval of Temporary Use Permit No. D2016.015-TUP subject to the following condition:

Provide assurance that operation of this campground under this TUP will not adversely affect the water quality of Skaha Lake. This would include proper disposal of septic effluent and regular maintenance of their septic systems.

Signature: <u>Cheryl E. Hanna</u>	Signed By: <u>CHERYL E HANNA</u>
Agency: <u>KALEDEN IRRIGATION DISTRICT</u>	Title: <u>Financial/Corporate</u>
Date: <u>April 14, 2016</u>	<u>Administrator</u>



Lauri Feindell

From: Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>
Sent: May 5, 2016 4:25 PM
To: Lauri Feindell
Subject: RE: Referral Sheet - Banbury Green Campground TUP (D2016.015-TUP)

Hi Lauri,

Ecosystems Biologist Robert Stewart has reviewed the above noted referral and has the following comments.

"Temporary Use Permit conditions must be consistent with recent Land Act Tenure over the area awarded to proponent"

If you have any questions please contact Rob Stewart directly at 250-490-8253 or by e-mail Robert.Stewart@gov.bc.ca

Thank you

Cathy Lacey
Admin Support
MOE/MFLNRO Penticton

From: Lauri Feindell [<mailto:lfeindell@rdos.bc.ca>]
Sent: Wednesday, April 6, 2016 4:29 PM
To: HBE@interiorhealth.ca; Collins, Martin J ALC:EX; AGRI Interior AGRI:EX; Referral Apps REG8 FLNR:EX; Cooper, Diana FLNR:EX; fbclands@fortisbc.com; onareception@syilx.org; PIB Referrals (referrals@pib.ca); k.i.d@shaw.ca
Subject: FW: Referral Sheet - Banbury Green Campground TUP (D2016.015-TUP)

Re: Temporary Use Permit
Project No.: D2016.015-TUP
Folio No.: D01674.200

Please find attached a referral for a Temporary Use Permit. Please review and provide any comments you may have. If you have any questions, please contact Christopher Garrish at cgarrish@rdos.bc.ca.

Thank you,



Lauri Feindell • Planning Administrative Assistant
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • lfeindell@rdos.bc.ca



Lauri Feindell

From: Christopher Garrish
Sent: April 13, 2016 12:23 PM
To: Lauri Feindell
Subject: FW: RTS_1641_2016-04-04 ZON 1641 - Penticton Indian Band - INITIAL RESPONSE INVOICE
Attachments: RTS_1641_2016-04-04 ZON 1641_Regional District of Okanagan Similkameen_INITIAL RESPONSE INVOICE_2016-04-13.pdf; RTS_1641_2016-04-04 ZON 1641_Regional District of Okanagan Similkameen_60 DAYS_2016-04-13.pdf; Management Plan.pdf; D2016.015-TUP (Banbury Green Campground).pdf

From: PIB Referrals [<mailto:referrals@pib.ca>]
Sent: April-13-16 11:12 AM
To: Christopher Garrish
Cc: 'James Pepper'
Subject: RTS_1641_2016-04-04 ZON 1641 - Penticton Indian Band - INITIAL RESPONSE INVOICE

Please find attached our response for the above referral and keep for your records.

If you have any questions, please do not hesitate to contact me.

limlœmt,
Lavonda Nelson



PIB NATURAL RESOURCES
Data Management Clerk

referrals@pib.ca

| Penticton Indian Band | RR2 S80 Comp18 | Penticton, BC | V2A-6J7
T: 250-492-0411 | F: 250-493-2882 |

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Lauri Feindell

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Attachments: RTS_1641_2016-04-04 ZON 1641_Regional District of Okanagan Similkameen_INITIAL RESPONSE INVOICE_2016-04-13.pdf; RTS_1641_2016-04-04 ZON 1641_Regional District of Okanagan Similkameen_60 DAYS_2016-04-13.pdf; Management Plan.pdf; D2016.015-TUP (Banbury Green Campground).pdf

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limlømt,
Lavonda Nelson



PIB NATURAL RESOURCES
Data Management Clerk

referrals@pib.ca
| Penticton Indian Band | RR2 S80 Comp18 | Penticton, BC | V2A-6J7
T: 250-492-0411 | F: 250-493-2882 |

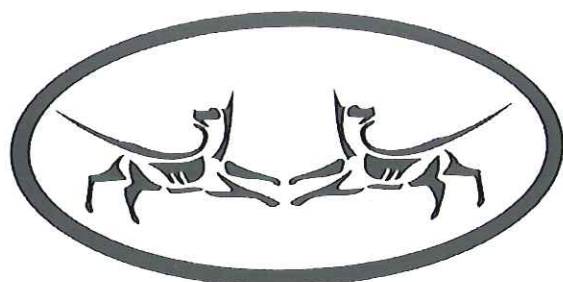
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DEWAR
D01676.000



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

April-13-16

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

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

Referral ID: 2016-04-04 ZON 1641

RTS #: 1641

Date: April-04-16

Reference #: D-01674.200 D2016.015-TUP

Summary: represents a former section of the Canadian Pacific Railway (CPR) line running along the western shore of Skaha Lake between Penticton and Okanagan Falls, and at 928 Pineview Drive.

ATTENTION: Christopher Garrish

We are in receipt of the above referral. The proposed activity is located within Okanagan Nation Territory and the PIB Area of Responsibility. All lands and resources within the vicinity of this referral are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

Penticton Indian Band has specific referral processing requirements for both government and proponents which are integral to the exercise of our Rights to manage our lands and resources and to ensuring that the Crown can meet its duty to consult and accommodate our Rights, including our Aboriginal Title and management Rights. There is a cost associated with PIB referral processing and engagement. In accordance with PIB policy, proponents are required to pay a processing fee for each referral. This fee is as follows:

	SubTotal	Tax	Total
Admin (12%)	\$ 52.50	\$ 0.00	\$ 52.50
G.I.S. Tracking and Review (GIS Project Technician)	\$ 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

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #1641

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.

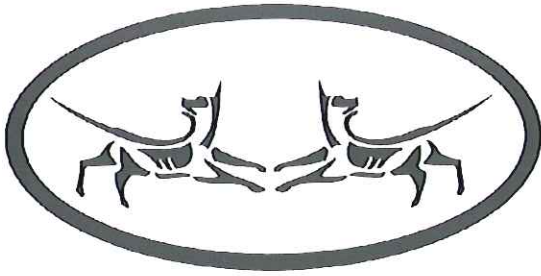
Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

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

limlmt,

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**

April-13-16

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

Referral ID: 2016-04-04 ZON 1641

RTS #: 1641

Date: April-04-16

Reference #: D-01674.200 D2016.015-TUP

Summary: represents a former section of the Canadian Pacific Railway (CPR) line running along the western shore of Skaha Lake between Penticton and Okanagan Falls, and at 928 Pineview Drive.

Attention: Christopher Garrish

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on April-13-16.

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.

Limlæmt,

Lavonda Nelson
Data Management Clerk

DewAr
D01676.000

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 16, 2016

RE: Zoning Bylaw Amendment – Electoral Area “E”



Administrative Recommendation:

THAT Bylaw No. 2459.19, 2016, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND 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*.

Proposal:

It is being proposed that the Regional District initiate an amendment to the Electoral Area “E” Zoning Bylaw No. 2459, 2008, in order to address a number of errors identified in the Administrative and Institutional Two (AI2) Zone. Specifically:

- that Section 14.2 (AI2 Zone) of the bylaw be replaced with a new Naramata Centre (NC) Zone; and
- that the Zoning Map (Schedule ‘2’ of the bylaw) be amended by changing the zoning of all parcels currently zoned Administrative Two (A2) to Naramata Centre (NC).

Site Context:

~~The subject parcel is approximately 2,570 m² in area, is situated on the west side of Apple Court and is bounded by Apple Road along its rear (western) boundary. The property is seen to be comprised of a single detached dwelling and pool.~~

Background:

It has come to the Regional District’s attention that, at the time of the last Naramata bylaw review in 2006, the designation of the Naramata Centre site on the Electoral Area “E” Zoning Map incorrectly retained its label of “A2” from the 1995 Zoning Bylaw when the proper reference should have been “Administrative and Institutional Two (AI2)”.

In addition, important zoning regulations such as minimum setbacks, maximum building heights and maximum parcel coverage that had existed in the 1995 Zoning Bylaw were inadvertently omitted from the new AI2 Zone under the 2006 Zoning Bylaw and subsequently carried forward into the current Zoning Bylaw (2008).

Referrals:

Referral comments on this proposal have been received from the Ministry of Forests, Lands and Natural Resource Operations (Archaeology Branch & Ecosystems Section), Fortis, Interior Health Authority (IHA) and these are included as a separate item on the Board Agenda.

At its meeting of May 9, 2016, the Electoral Area “E” Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that the proposed amendments be approved.

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

Analysis:

In order to address the identify textual errors with the current A12 Zone, Administration is proposing to reinstate the provisions of the Naramata Centre Zone as it existed immediately prior to the adoption of Zoning Bylaw No. 2373 on November 15, 2007.

For reference purposes, a comparison table is included at Attachment No. 2 showing the transition of the zoning that applied to the Naramata Centre between Zoning Bylaw No. 1566, 1995, and Zoning Bylaw No. 2373, 2006, as well as the proposed text to be reinstated in the proposed Naramata Centre Zone.

Administration considers these text changes to be somewhat urgent as the missing zoning regulations relate to building envelope (i.e. setbacks, parcel coverage and height) and their absence could result in new construction on the site being inconsistent with the built form of the surrounding area (which is regulated by setbacks, parcel coverage and height).

With regard to the proposed mapping changes, this is considered to be even more urgent as the A2 Zone currently applied to the Naramata Centre is not correspondingly listed within the text of the Zoning Bylaw. To address this situation, Administration is proposing to apply the proposed NC Zone to all parcels currently zoned A2 (which is generally those parcels owned by Naramata Centre).

The Board is asked to be aware that there is a single property (3335 1st Avenue) which is not under the ownership of Naramata Centre but is currently zoned “A2”. Administration is currently working with this property owner, who is in the process of preparing building plans for a new dwelling, to find an appropriate alternate zoning to “A2” and it is anticipated that this will be dealt with at a forthcoming Board meeting.

Alternatives:

- .1 THAT Bylaw No. 2459.19, 2016, Electoral Area “E” Zoning Amendment Bylaw be denied;

OR

- .2 THAT Bylaw No. 2459.19, 2016, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time;

THAT pursuant to sub-section 464 of the *Local Government Act*, the Regional District Board resolves to waive the holding of a public hearing for Zoning Amendment Bylaw 2459.19, 2016;

AND THAT pursuant to sub-section 467 of the *Local Government Act*, staff give notice of the waiving of the public hearing for Zoning Amendment Bylaw 2459.19, 2016.

Respectfully submitted:

Endorsed by:



Butler

C. Garrish, Planning Supervisor

Donna

D. Butler, Development Services Manager

Attachments: No. 1 – Comparison Table of Naramata Centre Zoning

Attachment No. 1 – Comparison Table of Naramata Centre Zoning

NARAMATA CENTRE (A2) ZONE (1995)	ADMINISTRATIVE & INSTITUTIONAL TWO (AI2) ZONE (2006)	NARAMATA CENTRE (NC) ZONE (Proposed)
Permitted Uses: <u>Principal uses:</u> church and manse; educational and meeting room facilities; single family dwellings; campgrounds exclusively for the use of registered Naramata Centre guests; <u>Secondary uses:</u> auxiliary buildings and structures; and dormitory accommodation.	Permitted Uses: <u>Principal uses:</u> church; educational and meeting room facilities; single detached dwellings; campgrounds, to a maximum density of 75 individual campsites per hectare; <u>Secondary uses:</u> accessory buildings and structures; one accessory dwelling unit per parcel for church uses attached or detached. dormitory, for a maximum of 70 sleeping units/hectare.	Permitted Uses: <u>Principal uses:</u> church; educational and meeting room facilities; tourist cabins; campgrounds; <u>Accessory uses:</u> accessory buildings and structures; accessory dwellings; and dormitory.
Minimum Parcel Size: 1,010 m ²	Minimum Parcel Size: 1,010 m ²	Minimum Parcel Size: 1,000 m ²
Minimum Parcel Width: Not less than 25% of parcel depth	Minimum Parcel Width: Not less than 25% of parcel depth	Minimum Parcel Width: Not less than 25% of parcel depth
N/A	[see “Secondary uses”]	Maximum Number of Dwellings Permitted Per Parcel: one (1) accessory dwelling unit
Campgrounds: As specified in the Campground and Mobile Home Park Bylaw No. 713, 1982.	[see “Principal uses”]	Maximum Density for Campgrounds: 75 campground spaces per hectare
Dormitory Units: Maximum of 70 sleeping units/hectare	[see “Secondary uses”]	Maximum Density for Dormitories: 70 sleeping units per hectare
Minimum Setbacks: No building shall be located within: i) 7.5 m of a front parcel line; ii) 7.5 m of a rear parcel line; iii) 4.5 m of any side parcel line, except for single family dwellings which may be located within 1.5 m. of a side interior property line.	MISSING	Minimum Setbacks: Buildings and structures: i) Front parcel line 7.5 metres ii) Rear parcel line 7.5 metres iii) Interior side parcel line 4.5 metres iv) Exterior side parcel line 4.5 metres Accessory buildings and structures: i) Front parcel line 7.5 metres ii) Rear parcel line 7.5 metres iii) Interior side parcel line 4.5 metres iv) Exterior side parcel line 4.5 metres
Maximum Height: No building shall exceed a maximum height of 10 m	MISSING	Maximum Height: No building shall exceed a height of 10 metres; and No accessory building or structure shall exceed a height of 4.5 metres
Maximum Parcel Coverage: 40%	MISSING	Maximum Parcel Coverage: 40%
Maximum Floor Area Ratio: 0.45	MISSING	[Not proposed to carry forward]

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2459.19, 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. 2459.19, 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 10.13 hectare (ha) area of the land shown shaded yellow on Schedule ‘Y-1’, which forms part of this Bylaw, from Administrative Two (A2) to Naramata Centre (NC).
3. The Electoral Area “E” Zoning Bylaw No. 2459, 2008, is amended by:
 - i) adding a new definition of “tourist cabin” under Section 4.0 (Definitions) to read as follows:

“tourist cabin” is the use of land for a detached building containing a maximum of one sleeping unit used exclusively for tourist accommodation for the temporary accommodation of the traveling public, and may include cooking facilities and washroom facilities;
 - ii) replacing Section 14.2 (Administrative and Institutional Two), with the following:

14.2 NARAMATA CENTRE ZONE (NC)

14.2.1 Permitted Uses:

Principal uses:

- a) church;
- b) educational centres and meeting room facilities;
- c) tourist cabin;
- d) campground;

Secondary uses:

- e) dormitory;
- f) accessory dwelling, subject to Section 7.11;
- g) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Naramata Centre (NCs) Provisions:

- a) see Section 15.14

14.2.3 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

14.2.4 Minimum Parcel Width:

- a) Not less than 25% of parcel depth

14.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) accessory dwelling unit.

14.2.6 Maximum Density for Campground:

- a) 75 campground spaces per hectare.

14.2.7 Maximum Density for Dormitories:

- a) 70 sleeping units per hectare.

14.2.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres

- ii) Rear parcel line: 7.5 metres
- iii) Exterior side parcel line: 4.5 metres
- iv) Interior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Exterior side parcel line: 4.5 metres
 - iv) Interior side parcel line: 4.5 metres

14.2.9 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres; and
- b) No accessory building or structure shall exceed a height of 4.5 metres.

14.2.10 Maximum Parcel Coverage:

- a) 40%

iii) replacing Section 15.14 (Site Specific Administrative and Institutional Two (AI2s) Provisions), with the following:

15.14 Site Specific Naramata Centre (NCs) Provisions:

.1 *blank*

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

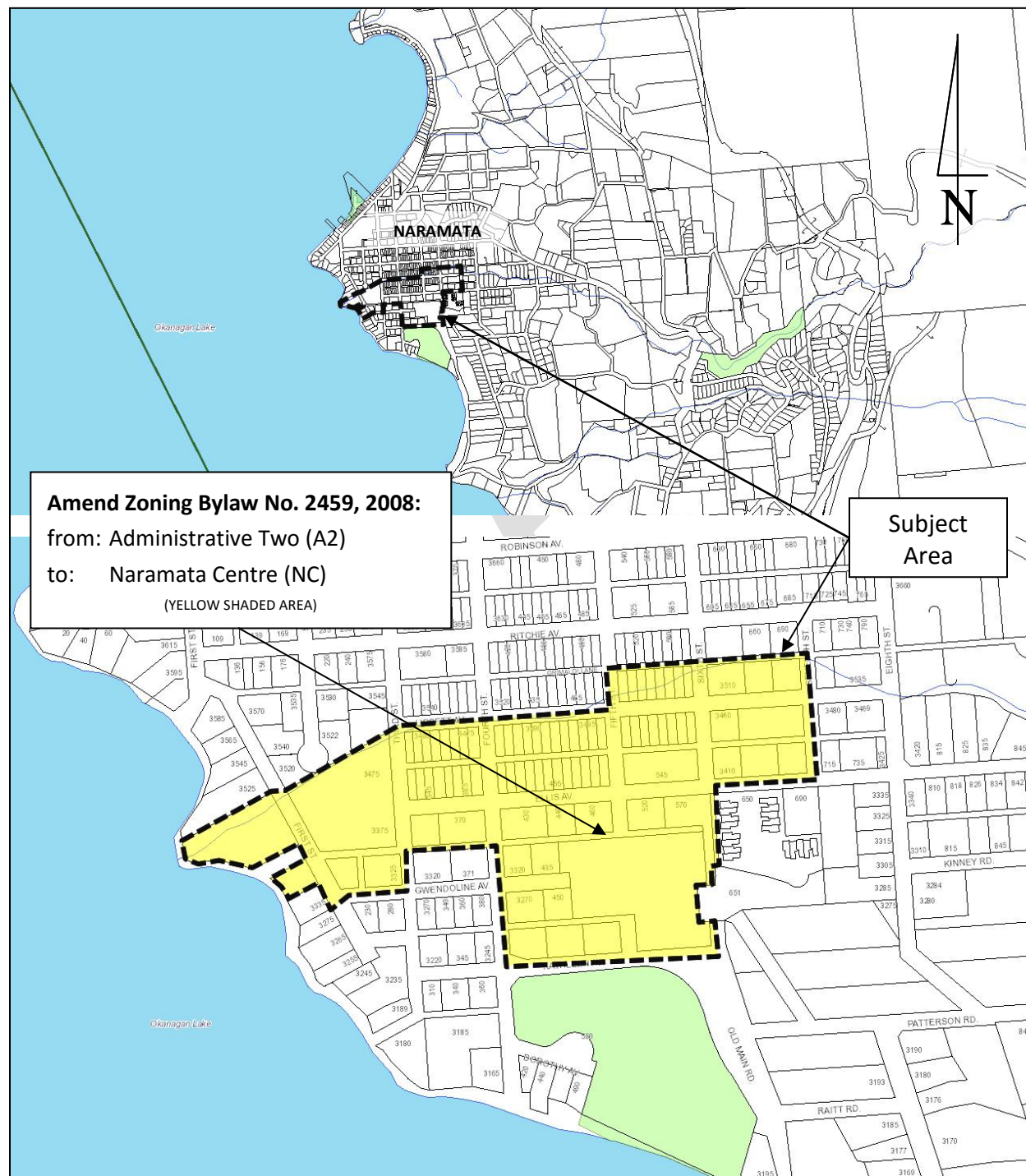
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2459.19, 2016

Project No: E2016.036-ZONE

Schedule 'Y-1'



Lauri Feindell

Subject: FW: Bylaw Referral Sheet - E2016.036-ZONE (Naramata Centre Site)

From: Referral Apps REG8 FLNR:EX [<mailto:ReferralAppsREG8@gov.bc.ca>]
Sent: April 28, 2016 1:50 PM
To: Lauri Feindell
Cc: Christopher Garrish
Subject: RE: Bylaw Referral Sheet - E2016.036-ZONE (Naramata Centre Site)

Hi Lauri,

The Ecosystems Section of the Ministry of Forest Lands & Natural Resources has reviewed the above noted referral and has "No Comment".

Thank you

Cathy Lacey
Admin Support
MOE/MFLNRO Penticton



Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: April 29, 2016 3:56 PM
To: Lauri Feindell; Christopher Garrish
Subject: RE: Bylaw Referral Sheet - E2016.036-ZONE (Naramata Centre Site)

Hello Lauri and Christopher,

Thank you for your referral regarding E2016.036-ZONE and the designation change to "Naramata Centre".

There is one archaeological site that falls within the area: DjQv-30, which are found human remains recorded (and collected) in 1990. The remains were recovered in a ditch northeast of 370 Ellis Street. Because there may still be associated materials in the ditch, the site is considered protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch.

The remainder of the area has high potential to contain previously unknown/unrecorded archaeological materials. Prior to any land alterations, an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require an archaeological study or permit prior to development. In this instance it is a risk management decision for the proponent.

If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

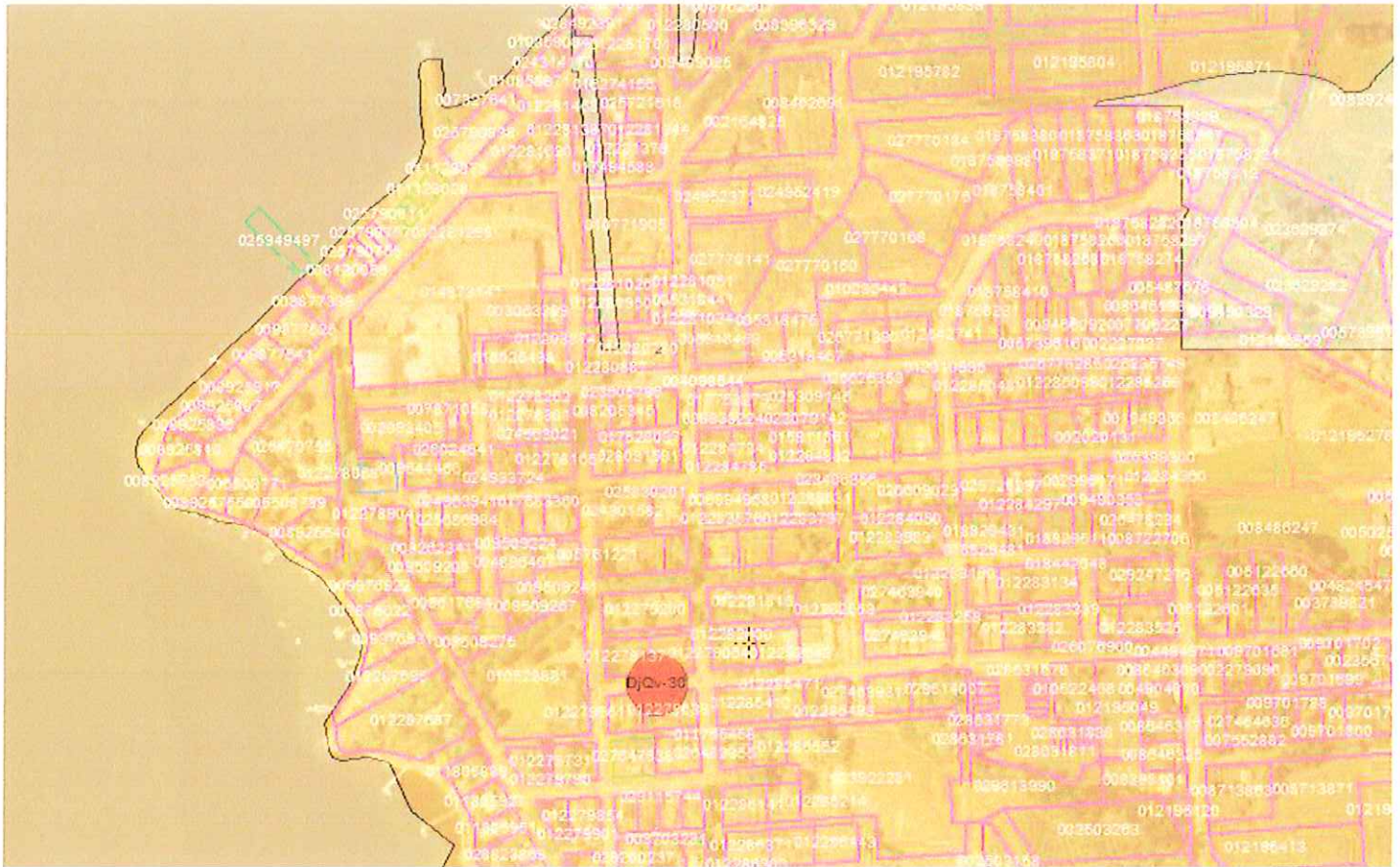
Please review the screenshot of the area. The brown/orange overlay indicates potential for unknown/unrecorded archaeological deposits, and archaeological site DjQv-30 is the red circle.

If you have any questions regarding this referral, please let me know.

Kind regards,

Diana





RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2459.19

☐ Approval Recommended for Reasons Outlined Below

☒ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to Conditions Below

☐ Approval Not Recommended Due to Reasons Outlined Below

Signature: Tam V. Lopez

Agency: Interior Health

Date: May 12/16

Signed By: Pam Todor

Title: HBE Specialist



From: Danielson, Steven
To: Christopher Garrish
Subject: Naramata Townsite Naramata (E2016-036-ZONE)
Date: May-13-16 10:51:39 AM
Attachments: image001.png

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities within the roads located in the affected town site area.

Otherwise, FBC(E) has no concerns with this circulation.

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

Best Regards,

*Steven Danielson,
Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, P.App.
Supervisor | Property Services | FortisBC Inc.**

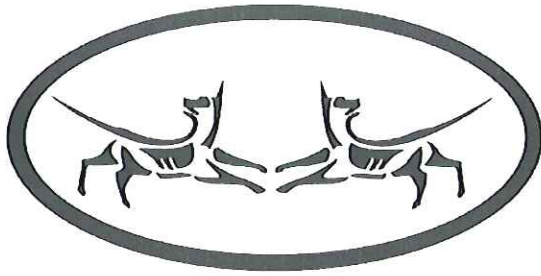
2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Office: 250.469.8033
Mobile: 250.718.9398
Fax: 1.866.636.6171
nicholas.mirsky@fortisbc.com



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Penticton Indian Band

Natural Resource Department
R.R. #2, Site 80, Comp.19
Penticton, British Columbia
Canada V2A 6J7
Telephone: 250-492-0411 Fax: 250-493-2882

April-28-16

WITHOUT PREJUDICE AND NOT TO
BE CONSTRUED AS CONSULTATION

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

RTS #: 1677

Referral ID: 2016-04-22 ZON

Reference #: BYLW2459.19 E2016.036-Zone

Referral Date: April-22-16

Summary: Schedule '2' to the Electoral Area "E" Zoning Bylaw No. 2459, 2008,
Administrative Two (A2) Zone to Naramata Centre (NC) Zone.

Attention: Evelyn Riechert

The Penticton Indian Band acknowledges receipt of your referral dated April-22-16. The PIB has insufficient information to begin review of your referral. Please provide the information indicated below.

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.

- KMZ file for area of interest
- Shape files of area of interest

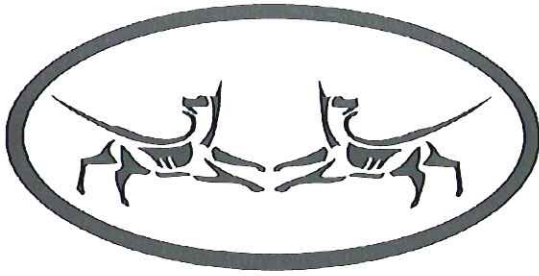
Without this information, we cannot make an informed decision and we would have no other alternative but to reject the proposed activity/development. We look forward to your response.

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

Limlëmt,

Lavonda Nelson
Data Management Clerk





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**

April-28-16

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

Referral ID: 2016-04-22 ZON

RTS #: 1677

Date: April-22-16

Reference #: BYLW2459.19 E2016.036-Zone

Summary: Schedule '2' to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, Administrative Two (A2) Zone to Naramata Centre (NC) Zone.

Attention: Evelyn Riechert

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on April-28-16.

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.

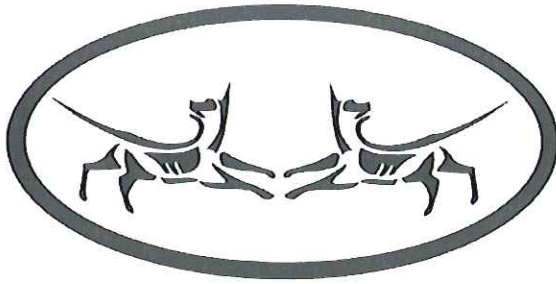
Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economically from those uses.

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

I appreciate your co-operation.

Limlëmt,

Lavonda Nelson
Data Management Clerk



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

April-28-16

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

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

Referral ID: 2016-04-22 ZON

RTS #: 1677

Date: April-22-16

Reference #: BYLW2459.19 E2016.036-Zone

Summary: Schedule '2' to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, Administrative Two (A2) Zone to Naramata Centre (NC) Zone.

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

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982

Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #1677

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.

limlæmt,

Lavonda Nelson
Data Management Clerk

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 19, 2016
TYPE: Zoning Bylaw Amendment - Electoral Area "C"



THAT Bylaw No. 2453.28, 2016, Electoral Area "C" Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

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

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

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

AND THAT prior to adoption the applicant enter into a landscaping agreement with the RDOS;

AND THAT prior to adoption the applicant will have approval to connect to community water and sewer services.

Purpose: To amend a commercial zone to allow construction of self-storage units

Owner: Avro Oil Ltd (Terry Feeny) Agent: n/a Folio: C-01138.000

Legal: Lot 4, DL 28s, SDYD, Plan 11959 Civic: 8360 Gallagher Lake Frontage Road

OCP: Commercial (C) Proposed OCP: n/a

Zoning: Neighbourhood Commercial (C3) Proposed Zoning: General Commercial Site Specific (C1s)

Proposal:

This application is seeking to amend a Neighbourhood Commercial zoned property to General Commercial Site Specific in order to permit construction of self-service storage facilities.

Specifically, it is being proposed to permit up to 985 m² of self-storage units to be contained within three new buildings and converting 191 m² of the existing building to storage for a total of 1,176 m². Currently the storage use is limited to 250 m² in a general commercial zone. The minimum setback from an interior side parcel line is also proposed to be reduced from 4.5 m to 3.5 m for self-storage use only.

In support of this proposal, the applicant has stated that self-storage operations in the South Okanagan are under served.

Administration also proposes to enter into a landscaping agreement with the applicant and endorsed by the Board prior to final adoption of the bylaw amendment. The applicant will also need to enter into the service area for community water and sewer.

Administration is also proposing to update the definition of “indoor commercial warehousing” currently permitted in the C1 zone to one that is more commonly understood to be “indoor self storage” for storing of personal effects on a commercial rental basis.

Site Context:

The subject property is approximately 3,623 m² in size and is located on the west side of Gallagher Lake Frontage Rd (Highway 97), approximately 120 metres from Gallagher Lake. The parcel is bounded to the north by a lot zoned Industrial (Light) One (I1) and to the south by a parcel zoned Tourist Commercial One (CT1). The parcels to the west and to the north east are zoned Residential Manufactured Home Park (RSM1).

The subject property currently contains one principal commercial building situated towards the front of the parcel and a storage building (shed) to the rear. It is proposed that the main commercial building be renovated and the storage shed to be demolished.

Background:

The parcel was created by a subdivision in 1961 and there have been a number of building permits issued since 1978 through to 1995.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated Commercial (C), therefore the proposal will not require an OCP amendment.

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the subject property is currently zoned Neighbourhood Commercial (C3) which does not permit warehousing or self-storage as a use.

In the past, the property has been the subject of a number of re-development proposals that were abandoned prior to the full rezoning process was completed. The most recent application, from a previous owner in 2009, was to amend the zoning to a C1s in order to permit “indoor and outdoor commercial storage of automobiles, recreational vehicles and boats” on site. The application received first and second reading but was withdrawn prior to a public hearing.

Gallagher Lake has recently undertaken a Local Area Plan that is meant to provide specific guidance on the growth of the community. The community expressed a desire to keep large format retail stores out of the community but did support limited commercial expansion.

The draft Local Area Plan also reinforces the desire for the frontage road to evolve more character over time with urban design elements and streetscape beautification such as landscaping. The Local Area Plan is not yet adopted but would include a Development Permit for Commercial development once it is approved.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) will be required as the proposal is situated within 800 metres of a controlled area.

Public Process:

At the May 17, 2016 meeting, the Electoral Area “C” Advisory Planning Commission (APC) passed a motion to approve the subject amendment.

Comments have been received from the Archeology Branch and Interior Health Authority; these are included as a separate item on the Board agenda.

Analysis:

In considering this proposal, Administration notes that the current Electoral Area “C” Official Community Plan (OCP) recognizes that the subject property is designated as Commercial and therefore sets the preferred direction allowing commercial development to occur.

The applicant has mentioned that the proposed self-storage would service the demand in the general area of Gallagher Lake as well as possibly from nearby communities and businesses. The existing office building will remain that provides significant setback and off street parking from the Gallagher Lake Frontage Road.

The change from the current C3 zone which is a Neighbourhood Commercial zone to a C1, General Commercial, would impact the immediate neighbourhood only in terms of the greater number of potential permitted uses in a C1 zone. The site specificity of the proposed rezoning increases the square footage of storage facilities and the interior side setbacks but still meets the parcel coverage permitted.

The Electoral Area “C” OCP encourages an attractive highway streetscape by including adequate off street parking as well as landscaping and screening. The applicant has provided a landscaping plan and has agreed to enter into a landscaping agreement with RDOS to ensure that the proposed landscaping will be completed. The agreement will form part of the rezoning process.

In addition, the applicant will also enter into the service area of water and sewer in conjunction with this rezoning process.

The proposed use will entail buildings only one storey in height and the amount of noise and traffic should remain minimal. Self-storage facilities are generally quiet and suitable commercial next to neighbouring residential use. Nearby uses also include a variety of commercial, tourist commercial and light industrial thereby the proposed use would not seem to be out of place in the Gallagher Lake Frontage Road area.

In summary, Administration feels that the proposed use is suitably located and would not be out of character with the surrounding area uses. Moreover, the proposal is seen to fulfill the policy direction provided by the OCP.

Alternative:

THAT Bylaw No. 2453.28, 2016, Electoral Area “C” Zoning Amendment Bylaw be denied.

Respectfully submitted:

_____

E. Riechert, Planner

Endorsed by:

_____

C. Garrish, Planning Supervisor

Endorsed by:

_____

D. Butler, Development Services Manager

Attachments: No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Google Streetview



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2453.28, 2016

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

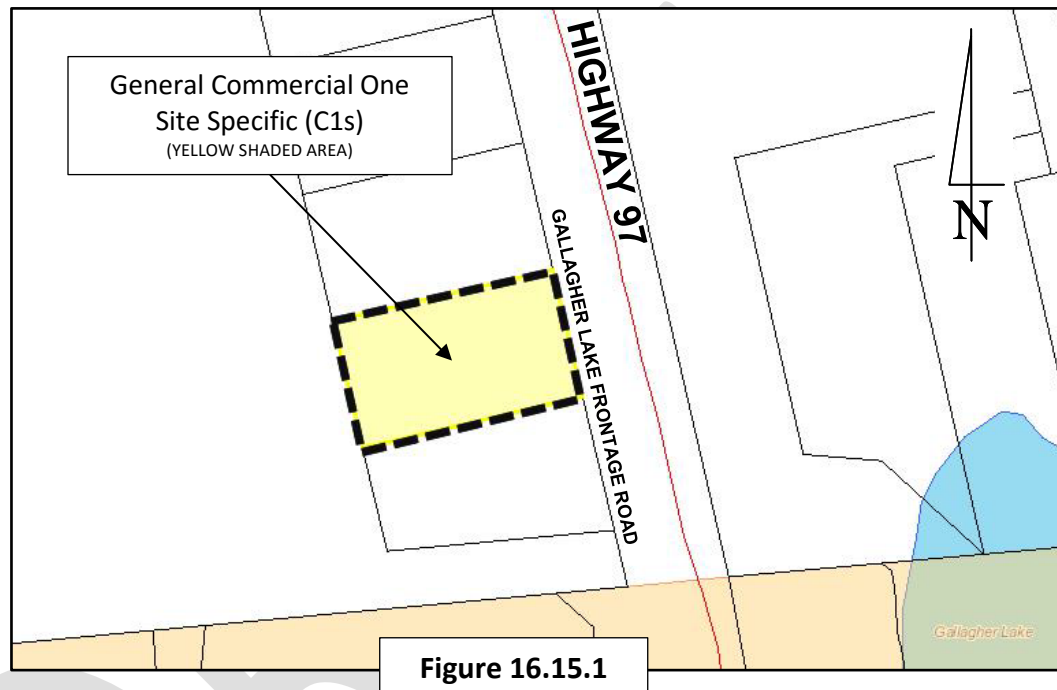
The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

1. This Bylaw may be cited for all purposes as the “Electoral Area “C” Zoning Amendment Bylaw No. 2453.28, 2016.”
2. The Official Zoning Map, being Schedule ‘2’ of the Electoral Area “C” Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation on the land described as Lot 4, District Lot 28s, SDYD, Plan 11959, and shown shaded yellow on Schedule ‘Y’, which forms part of this Bylaw, from Neighbourhood Commercial (C3) to General Commercial Site Specific (C1s).
3. The “Electoral Area “C” Zoning Bylaw No. 2453, 2008” is amended by:
 - i) adding a new definition of “indoor self-storage” under Section 4.0 (Definitions) to read as follows:

“indoor self-storage” means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods;
 - ii) replacing Section 13.1.1(f) (General Commercial Zone) with the following:

indoor self-storage, not to exceed 250m² in gross floor area;
 - iii) replacing Section 16.15.1 under “Site Specific General Commercial (C1s) Provisions” with the following:

1. In the case of land described as Lot 4, Plan 11959, District Lot 28s, SDYD, and shown shaded yellow on Figure 16.15.1:
 - a) despite Section 13.1.1(f), the maximum gross floor area of an indoor self-storage use shall not exceed 1,176.0 m²; and
 - b) despite Section 13.1.5(a)(iii), the minimum setback from an interior side parcel line for an indoor self-storage use shall be 3.5 metres.



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

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

READ A THIRD TIME this ____ day of _____, 2016.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area 'C' Zoning Amendment Bylaw No. 2453.28, 2016" as read a Third time by the Regional Board on this ____ day of ____, 2016.

Dated at Penticton, BC this ____ day of ____, 2016.

Chief Administrative Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2016.

ADOPTED this _____ day of _____ 2016.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

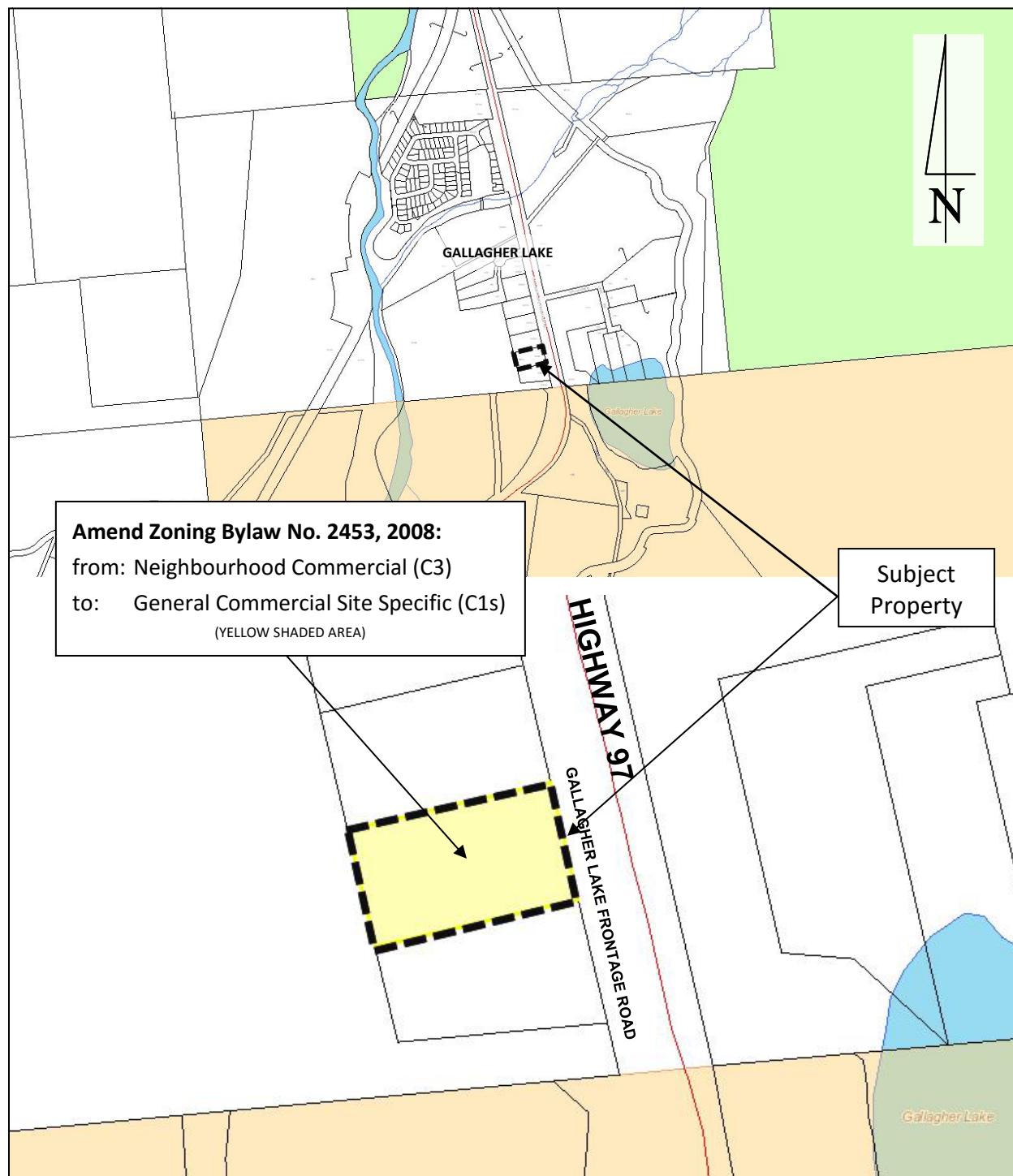
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2453.28, 2016

Project No: C2016.021-ZONE

Schedule 'Y'



Amendment Bylaw No. 2453.28, 2016

(C2015.021-ZONE)

Page 4 of 4

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Development Variance Permit Application — Electoral Area “D”



Administrative Recommendation:

THAT the Board of Directors deny Development Variance Permit No. D2016.045–DVP.

Purpose: To formalise the existence of an accessory structure.

Owners: Paul & Colleen Jones Agent: Randall Jones Folio: D-02463.000

Civic: 441 Eastview Road, Twin Lakes Legal: Lot 6, Plan KAP9937, Block 2, District Lot 280, SDYD

OCP: Low Density Residential (LR) Zone: Residential Single Family Two (RS2)

Requested to vary the minimum exterior parcel line setback from 4.5 metres to 0.2 metres; and

Variances: to vary the minimum separation between buildings from 1.0 metres to 0.05 metres.

Proposed Development:

This application proposes a number of variances to the provisions of Electoral Area “D-1” Zoning Bylaw No. 2457, 2008, in order to formalise the existence of an accessory structure. Specifically, the applicant is seeking to:

- to reduce the minimum exterior parcel line setback for an accessory building or structure from 4.5 metres to 0.2 metres, as measured to the outermost projection; and
- to reduce the minimum separation between buildings from 1.0 metres to 0.05 metres, as measured to the outermost projection.

The applicant has stated, amongst other things, that “the primary dwelling on the property was constructed many years ago and expanding this existing dwelling would not be a viable option as presumably there would be many building code and bylaw variances that would need to be addressed. As an alternative to expanding the living space on the property, we believe the optimal solution would be to construct a new building. Similar to the existing primary dwelling, the new building will be constructed such that it will be suitable for summer occupancy only.

“We believe that the new building where it is currently situated is the best location on the property, as the public roadway adjacent to our property allows the new building to remain fairly distant from the property immediately adjacent to us.”

Site Context:

The subject property is approximately 1,238 m² in area and is situated on the east side of Eastview Road, Twin Lakes and is comprised of a single detached dwelling, shed and the accessory structure that is the subject of this application. The surrounding pattern of development is generally characterised by similar residential development.

Background:

The subject property was created by a subdivision deposited in the Land Title office on August 24, 1959. Available building permit files do not indicate when the principal dwelling was constructed on the property (possibly before the creation of the Regional District in 1966).

Under the Electoral Area “D” Zoning Bylaw No. 2457, 2008, the subject property is zoned Residential Single Family Two (RS2), which permits “accessory buildings and structures” as a permitted use and establishes setbacks of 7.5 metres (front), 1.0 metre (rear & interior side) & 4.5 metres (exterior side).

Importantly, the Zoning Bylaw defines a “dwelling unit” as meaning “one or more habitable rooms constituting one self-contained unit [emphasis added] ... which is designed to be used for living and sleeping purposes”.

While the RS2 Zone allows for “secondary suites” and Section 7.12 of the bylaw further allows for these to be developed in an accessory structure, the secondary suite cannot be the only use of the structure (i.e. it must be associated with a garage, workshop, etc.).

On August 20, 2013, a “Stop Work” notice was placed on an accessory building being constructed on the property as a valid building permit has not been issued for the work.

At its meeting of October 2, 2014, the Board resolved to proceed to injunctive action in order to achieve bylaw compliance through the courts.

On June 13, 2016, it is anticipated that the property owners will deposit a Consent Order with the Court that will agree to the removal of the building within 60 days if this application is denied by the Board.

In order to achieve compliance with the Regional District’s bylaws, the Board is asked to be aware that the property owners have also submitted a concurrent Watercourse Development Permit (WDP) application which similarly seeks to formalise the existence of the structure within the 16.0 metre Streamside Protection and Enhancement Area (SPEA) established by a qualified environmental professional (QEP).

As the proposed addition is to be situated within 4.5 metres of a road reserve, Ministry of Transportation and Infrastructure (MoTI) approval was obtained on May 4, 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, June 9, 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, Administration considers that allowing the accessory structure to remain within 0.05 metres of the exterior side boundary and 0.33 metres of the principal dwelling will not affect any established streetscape characteristics on Westview Road and is unlikely to affect the amenity of the area or of adjoining properties.

That said, Administration understands that there are significant slopes ranging from 3:1 (33%) to 2:1 (50%), that the riparian values associated with Nipit Lake affect an area 16.0 metres above the high water mark and that the structure has been placed within the 7.5 metre floodplain setback associated with Nipit lake.

Administration recognises that the OCP speaks to varying zoning setbacks “on existing small lots in order to reduce impacts and preserve the SPEA”, but does not consider the current proposal to meet the spirit of this provision as the structure is entirely within the SPEA and was commenced prior to any determination of the riparian values present on the property being undertaken.

While the applicant has since engaged a qualified environmental professional (QEP) who is recommending that a WDP be issued to allow this structure to remain in place (and the Regional District will likely issue a permit if these variances to the zoning bylaw are supported), the Board is asked to be aware that the Ministry of Environment (MoE) has provided the following comment on the QEP’s report:

Retroactive mitigation for encroachment fails to meet the intent of the [RAR]. As permanent structures have removed vegetation potential in the SPEA, harm has been made to natural features functions and conditions that support fish habitat. Under the RAR, compensation is not considered mitigation as there is a net loss of SPEA area.

Overall, Administration considers that the number of variances required in order to formalise the existence of this structure (i.e. from parcel lines, other structures and the floodplain) speaks to the inappropriateness of locating a building at this location and that the property owner should explore other options (i.e. expanding the footprint of the existing dwelling, or developing closer to the front property line).

As an aside, the zoning bylaw does not permit for accessory structures to be used as independent living spaces. In order to achieve compliance with this aspect of the Zoning Bylaw, the property owner will need to either seek a rezoning allowing for a residential use, or use the building for non-habitable purposes (i.e. storage).

As noted previously if this proposal is denied by the Board, the property owner will be required to remove the structure from its present location. The solicitor representing the land owner has indicated that if this occurs “the owners will agree to demolish the accessory building within 60 days”.

Alternatives:

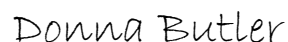
- .1 THAT the Board of Directors approve Development Variance Permit No. D2016.045–DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “D” Advisory Planning Commission (APC).

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



D. Butler, Development Services Manager

Attachments:

No. 1 — Site Photos

Attachment No. 1 – Site Photos



Development Variance Permit

FILE NO.: D2016.045-DVP

Owner: Paul and Colleen Jones
9161 112th Street
Delta, BC
V4C-4X7

Agent: Randall Jones
9161 112th Street
Delta, BC
V4C-4X7

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 6, Plan KAP9937, Block 2, District Lot 280, SDYD

Civic Address: 441 Eastview Road

Parcel Identifier (PID): 009-631-364 Folio: D-02463.000

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "D" Zoning Bylaw No. 2457, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The minimum exterior side parcel line setback for an accessory building or structure, as prescribed at Section 11.2.3(b)(iv), is varied:

- i) from: 4.5 metres
to: 0.05 metres, as measured to the outermost projection and as shown on Schedule 'B'.
- b) The minimum separation between buildings, as prescribed at Section 7.13.2, is varied:
 - i) from: 1.0 metre
to: 0.20 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 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2016.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

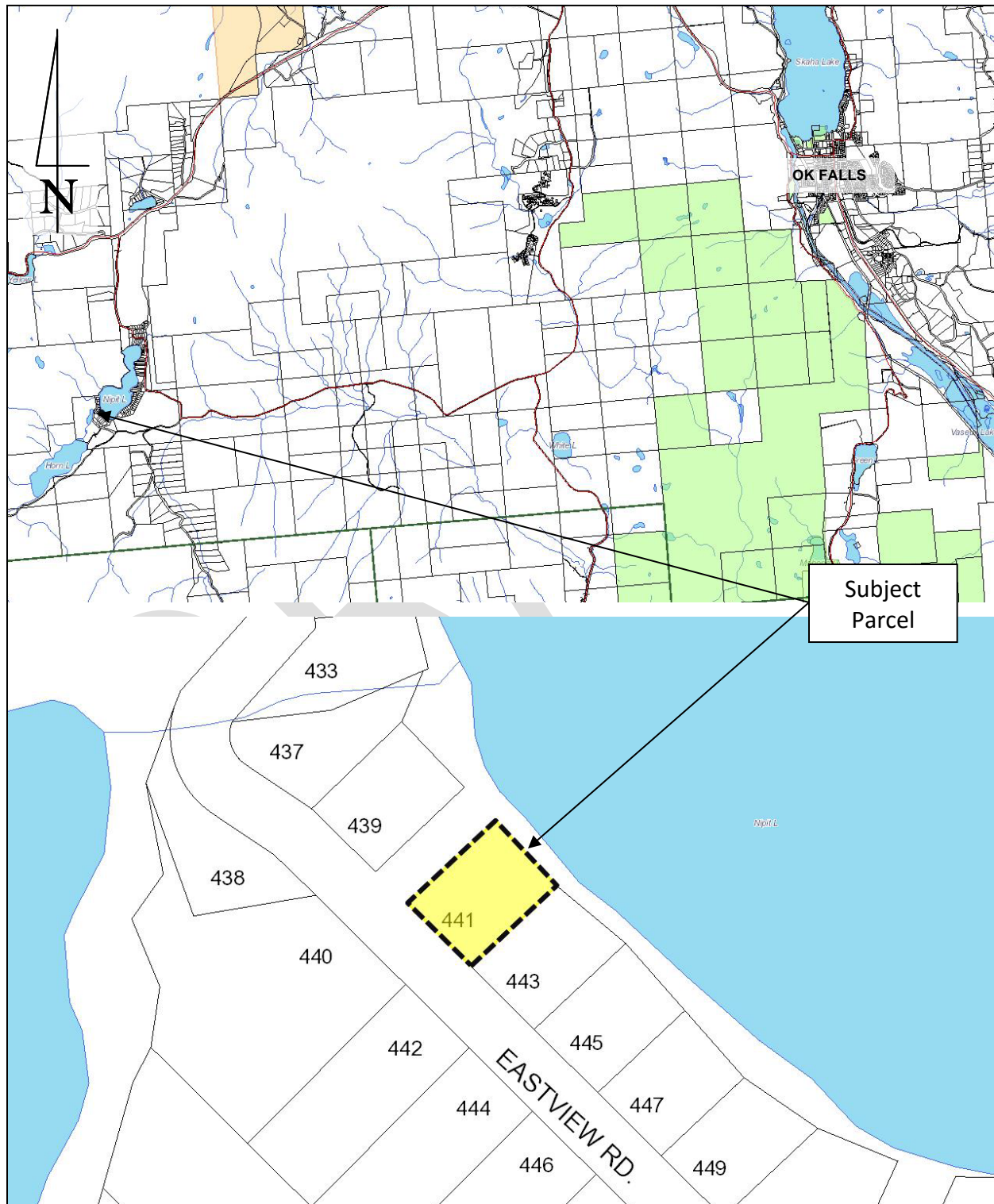
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. D2016.045-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9

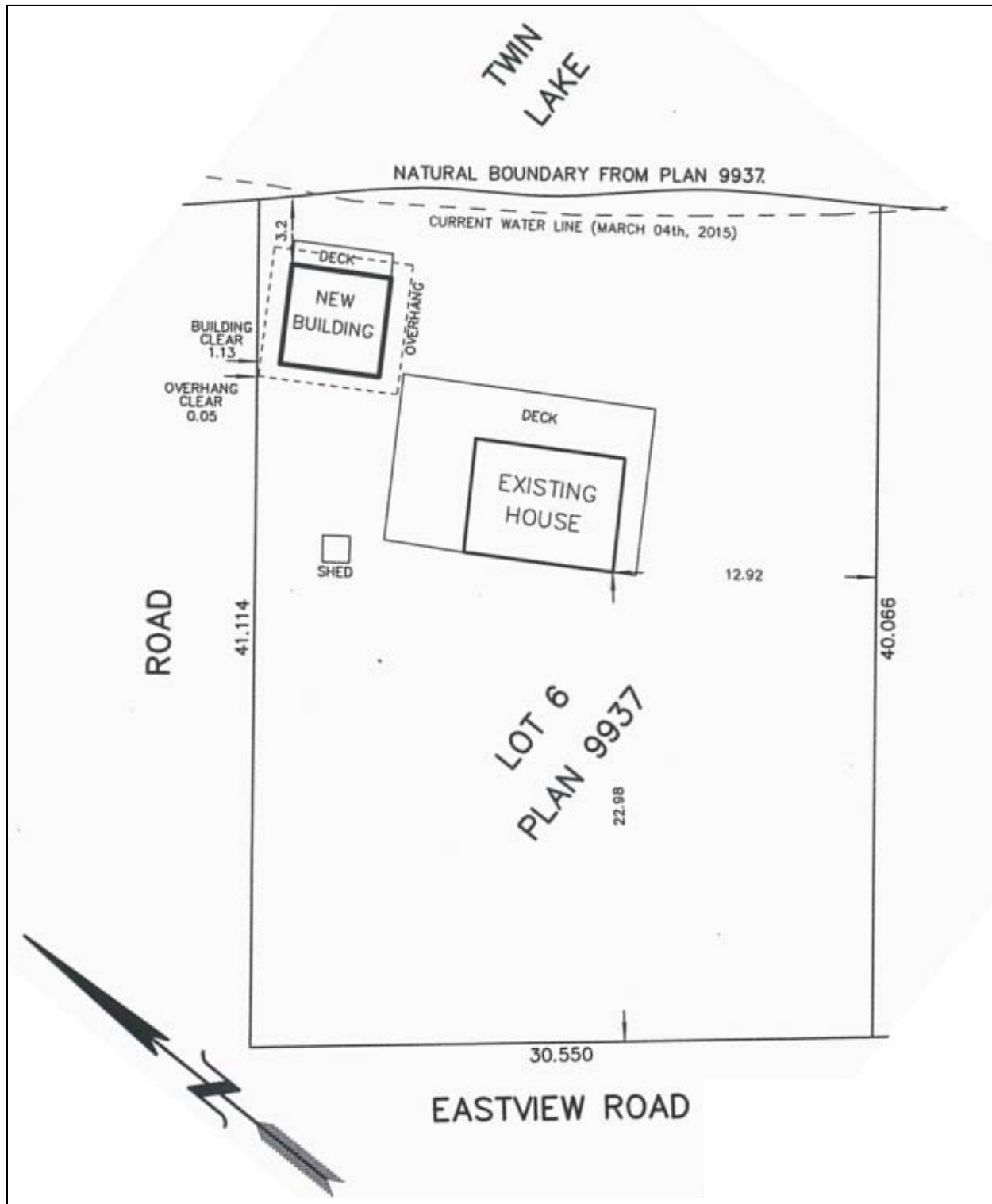
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. D2016.045-DVP

Schedule 'B'



File No. D2016.045-DVP

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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. D2016.045-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

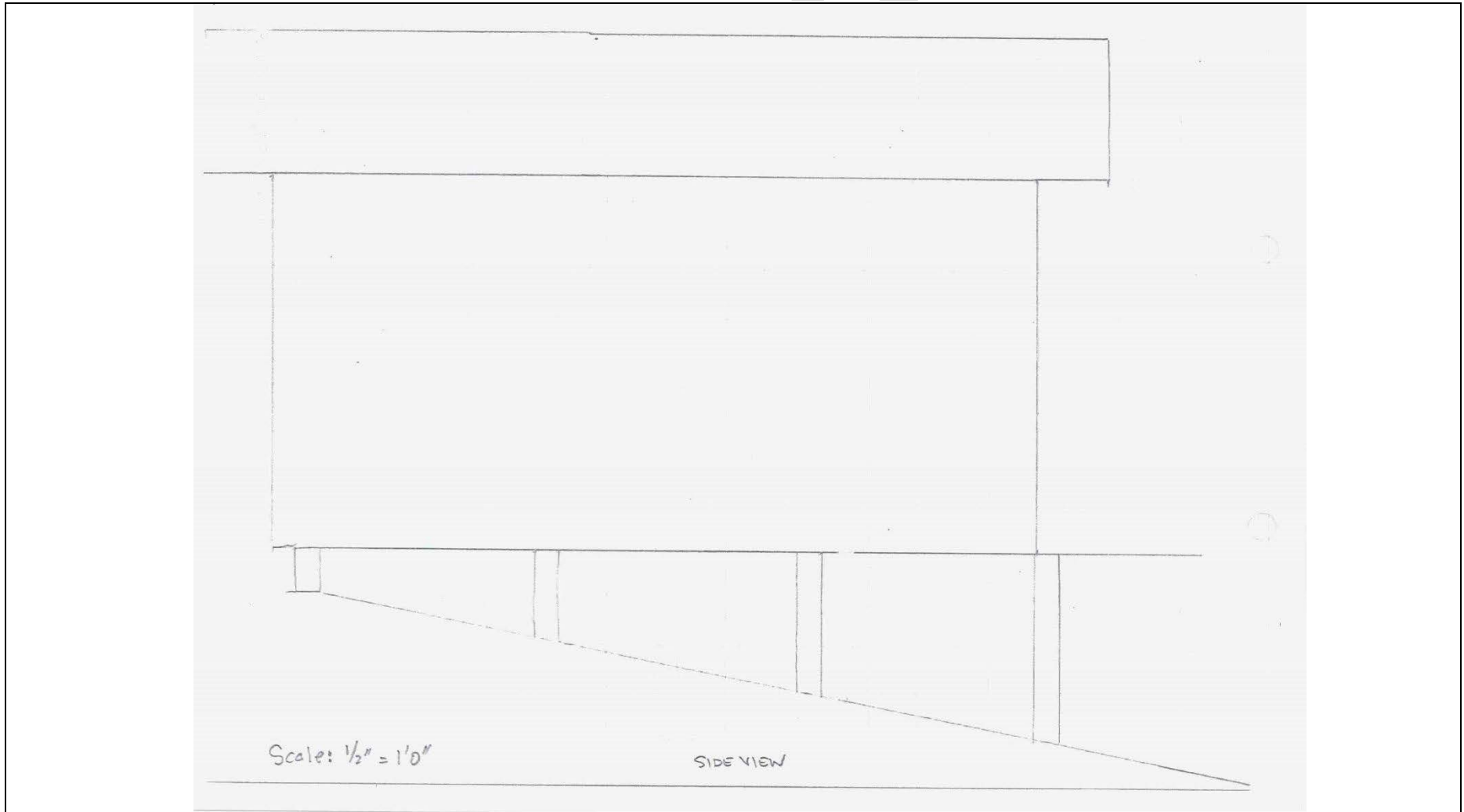
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Development Variance Permit

File No. D2016.045-DVP

Schedule 'D'



ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Amendment Bylaw — Development Procedures Bylaw



Administrative Recommendation:

THAT the Board of Directors Bylaw No. 2500.07, 2016, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first, second and third time and be adopted.

Purpose:

The purpose of these amendments is to introduce discretion for Electoral Area Directors to request Development Variance Permit (DVP) applications to proceed to the applicable Electoral Area Advisory Planning Commission (APC) prior to Board consideration.

Background:

Under Section 460 (Development approval procedures) of the *Local Government Act*, the Regional District must, by bylaw, define procedures under which an owner of land may apply for an amendment to an Official Community Plan (OCP) or Zoning Bylaw.

At its meeting of March 3, 2011, the Regional District Board adopted the Development Procedures Bylaw No. 2500, 2011, which established the procedures for all types of development applications contemplated by the Act.

Of note, Bylaw No. 2500 introduced a new process for DVPs by requiring these be sent directly to the Board, whereas the former process had been to refer DVPs to an APC prior to Board consideration.

At its meeting of June 2, 2016, the Planning and Development (P&D) Committee of the Board resolved to direct staff to amend this process so that an Electoral Area Director may direct that a DVP be considered by the applicable APC prior to being considered by the Board.

Analysis:

Further to the direct provided by the P&D Committee at its meeting of June 2, 2016, the proposed amendments to the Development Procedures Bylaw will require that staff notify an Electoral Area Director when a DVP has been received for a property in their area and to query if this is to be considered by the applicable APC prior to consideration by the Board.

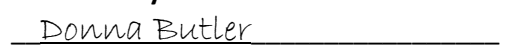
Alternative:

THAT the Board of Directors deny first reading of Amendment Bylaw No. 2500.07, 2016.

Respectfully submitted:


C. Garrish, Planning Supervisor

Endorsed by:


D. Butler, Development Services Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.07, 2016

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

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw No. 2500.07, 2016."
2. The "Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011" is amended by:
 - (i) replacing sub-section 2.5 (Processing Procedures) under Schedule 4 (Application for a Development Variance Permit) with the following:
 - .5 Development Services staff will notify the relevant Area Director(s) of the application. An Area Director may request that, in accordance with sub-section 4, an application be referred to the applicable APC.

READ A FIRST, SECOND AND THIRD TIME on the ____ day of _____, 2016.

ADOPTED on the ____ day of _____, 2016.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 16, 2016

RE: Update of Board Policies – Decommissioning a Dwelling Unit Policy



Administrative Recommendation:

THAT the Board of Directors rescind the *Requirements for Decommissioning a Dwelling Policy* (2012);

AND THAT the Board of Directors approve the *Decommissioning of a Dwelling Unit Policy*.

Purpose:

The purpose of this report is to provide an overview of proposed amendments to the Board's current policy regarding requirements for decommissioning a dwelling as well as related Zoning Bylaw amendments.

References:

[Requirements for Decommissioning a Dwelling Policy](#) (2012)

Background:

At its meeting of July 19, 2012, the Planning and Development (P&D) Committee of the Board adopted a new Policy pertaining to "Requirements for Decommissioning a Dwelling".

At its meeting of February 11, 2016, the P&D Committee considered an Administrative Report which outlined a number of challenges with the *Requirements for Decommissioning a Dwelling Policy*.

The Committee subsequently resolved to direct staff to "initiate a review of the Decommissioning of a Dwelling Unit Policy and amendment to the Electoral Area Zoning Bylaws to address existing concerns." The Committee also expressed concern that the Board policy not be updated until such time as the supporting zoning amendments had been adopted.

At its meeting of June 2, 2016, the Board adopted Amendment Bylaw No. 2570, 2016, which introduced new regulations intended to support the decommissioning policy (by limiting washroom floor areas and the number of showers permitted in accessory structures).

Analysis:

Administration maintains its concern that the current policy has been ineffective in forestalling the development of second dwelling units in zones which limit to density to one dwelling per parcel, and that this has resulted in significant staff time and resources being spent by planning, building and bylaw enforcement in assessing questionable plans or seeking compliance where

structures have been converted to residential use after the fact (through the mere addition of a stove).

For these reasons, Administration strongly considers that the current *Requirements for Decommissioning a Dwelling Policy* should be replaced.

While Administration recognises that there are no “silver bullets” to address this issue, the proposed new Policy — which deals with the removal of overhead cupboards, counters, appliances, electric service and plumbing, etc. — along with the recently adopted changes to the Electoral Area Zoning Bylaws are an improvement.

Alternative:

THAT the Board of Directors not rescind the *Requirements for Decommissioning a Dwelling Policy*.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



D. Butler, Development Services Manager

Attachments: No. 1 – Decommissioning a Dwelling Unity Policy

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY**

POLICY: Decommissioning a Dwelling Unit

AUTHORITY: Board Resolution No. _____ dated _____.

AMENDED: Board Resolution No. _____ dated _____.

POLICY STATEMENT

The Regional District of Okanagan-Similkameen (RDOS) requires that a building or structure which constitutes a dwelling unit under the applicable Zoning Bylaw or BC Building Code, and which is not in compliance with the applicable Zoning Bylaw or BC Building Code regulations be decommissioned.

PURPOSE

To inform staff, developers, builders, subcontractors, designers and home owners of the Regional District's requirements for decommissioning a dwelling unit.

RESPONSIBILITIES

Development Services Department

PROCEDURES

The decommissioning of a dwelling unit will involve, at a minimum, the removal of the following:

- all bathrooms in excess of one (1) including tubs, showers, sinks, toilets, exhaust fans, waterlines and associated drain lines;
- the kitchen range hood, exhaust fan and applicable exhaust venting and wiring;
- 220-volt stove outlet (and capping of wiring to the electrical panel) and/or natural gas rough-in;
- all upper kitchen cabinets and washroom vanities; and
- all counter space and lower cabinets in excess of 1.5 metres.

All works related to the decommissioning of a dwelling unit shall be the subject of a Building Permit application showing the decommissioning plan and related structural changes and/or demolition.

All decommissioned buildings and structures shall comply with the applicable zoning regulations for an "accessory building and structure" (i.e. building heights, setbacks, bathroom floor area, etc.).

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Floodplain Exemption Application — Electoral Area “F”



Administrative Recommendation:

THAT the Board of Directors approve a floodplain exemption for Share Lot No. 8 which forms part of District Lot 2694, ODYD, Except Plan 11635, 13218, 14500, H578, B3611, and KAP75221 except that part lying west of the highway shown on Plan H578, to permit the development of a single detached dwelling within 3.0 metres of Okanagan Lake, subject to the following condition:

- i) a statutory covenant is registered on title in order to:**
 - a) “save harmless” the Regional District against any damages as a result of a flood occurrence; and**
 - b) secure the recommendations contained within the flood hazard assessment report prepared by Paul Glen (P.Eng.) of Rock Glen Consulting Limited, dated May 19, 2016.**

Purpose: To reduce the floodplain setbacks from Okanagan Lake from 7.5 metres to 3.0 metres, in order to facilitate the construction of a proposed single detached dwelling.

Owners: North Beach Estates Ltd.

Applicant: Fred Pleasance

Folio: F-06689.000

Civic: 506 North Beach Road

Legal: District Lot 2694, ODYD, Except Plans 11635, 13218, 14500, H578, B3611, KAP75221, and that part lying west of Highway as shown on Plan H578.

OCP: Comprehensive Development (CD) **Zone:** Comprehensive Development Zone One (CD1)

Proposed Development:

This application seeks to reduce the floodplain setbacks from Okanagan Lake from 7.5 metres to 3.0 metres, in order to facilitate the construction of a proposed single detached dwelling.

In support of the proposal, the applicant has provided a flood hazard assessment dated May 19, 2016, prepared by Paul Glen, P. Eng., of Rock Glen Consulting Ltd.

Site Context:

The subject property is located within the North Beach Estates development, which is located between Okanagan Lake and Highway 97, immediately south of Okanagan Lake Provincial Park, and approximately 1 km north of the District of Summerland municipal boundary.

Although the property consists of only one legal title, each shareholder in the corporation of North Beach Estates Limited is entitled to a “share lot” for their exclusive enjoyment. Of the twenty three

(23) share lots on the parcel, the applicant has described the location of the proposal to be on “Lot 8”, which is estimated to cover approximately 800 m².

Existing development is seen to comprise one manufactured home and garage (both to be removed), one accessory building (boat house), and a dock.

Background:

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the subject property is zoned Comprehensive Development One (CD1), wherein one (1) single family dwelling or manufactured home is allowed per share lot.

Under Section 8.2 of the Zoning Bylaw, the property is subject to floodplain provisions, wherein no building or structure shall be located within 7.5 metres of the natural boundary of any lake.

Under Schedule ‘G’ of the Electoral Area “F” OCP Bylaw No. 2460, 2008, the subject property has been identified as lands designated as a Watercourse Development Permit (WDP) area. A WDP application has been submitted for the proposal and is currently in process.

Analysis:

In considering this floodplain exemption request against the requirements of Section 524(7) of the *Local Government Act*, Administration notes that the property owners have submitted a flood hazard assessment, dated May 19, 2016, prepared by Paul Glen, P. Eng., of Rock Glen Consulting Ltd., which states:

There are two significant hazards that exist on the property. The primary hazard is landslide from the sand, gravel, and silt bluffs above the property, and the secondary hazard being flooding from Okanagan Lake.

Based on an analysis of the hazards in the area, RGC has determined the construction practices that best mitigate both of these hazards. For example, the house is sited as far away from the slope and as close to Okanagan Lake as possible. The lot is relatively shallow (~30 m) and thus an encroachment into the Okanagan Lake setback is required to meet the landslide protection mitigative measures recommended by RGC....

Flood protection measures for the house site at Lot 8, North Beach Road, were established to provide protection during a 200-year flood event. Flood hazard mitigation strategies and protection recommendations include:

- Siting the lowest floor slab for the new house at or above the flood construction level of 343.66 m;*
- Constructing the basement foundation walls at least 2.4 m above the FCL.*
- Maintaining existing shoreline retaining walls and existing boathouse walls as erosion protection works between the new house and the lake.*

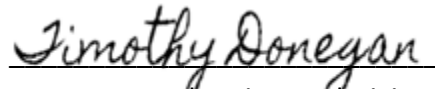
Further to the Regional District’s Development Procedures Bylaw No. 2500, 2011, a statutory covenant under Section 219 of the Land Title Act is required to be registered on title in order that the Regional District is “saved harmless” as a result of issuing this floodplain exemption.

Based upon the flood hazard assessment, it is recommended that the floodplain exemption request be approved and that the applicant enter into a statutory covenant in order to “save harmless” the Regional District in the event of future flood events.

Alternative:

.1 THAT the Regional Board deny the Floodplain Exemption request.

Respectfully submitted:



T. Donegan, Planning Technician

Endorsed by:



C. Garrish, Planning Supervisor

Endorsed by:



D. Butler, Dev. Services Manager

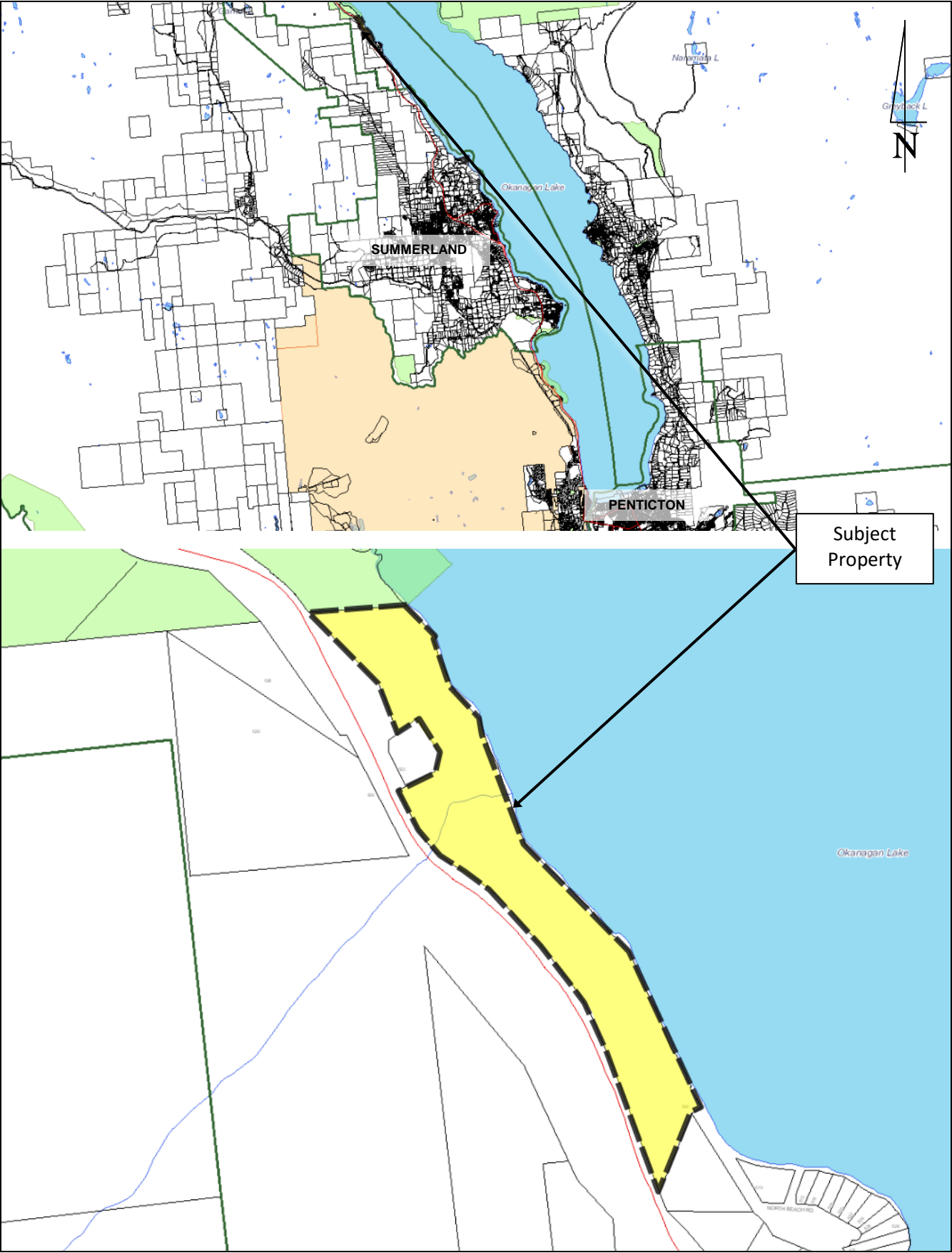
Attachments: Attachment No. 1 – Context Maps

Attachment No. 2 – Applicant’s Location Plan

Attachment No. 3 – Applicant’s Site Plan

Attachment No. 4 – Applicant’s Elevation Drawings

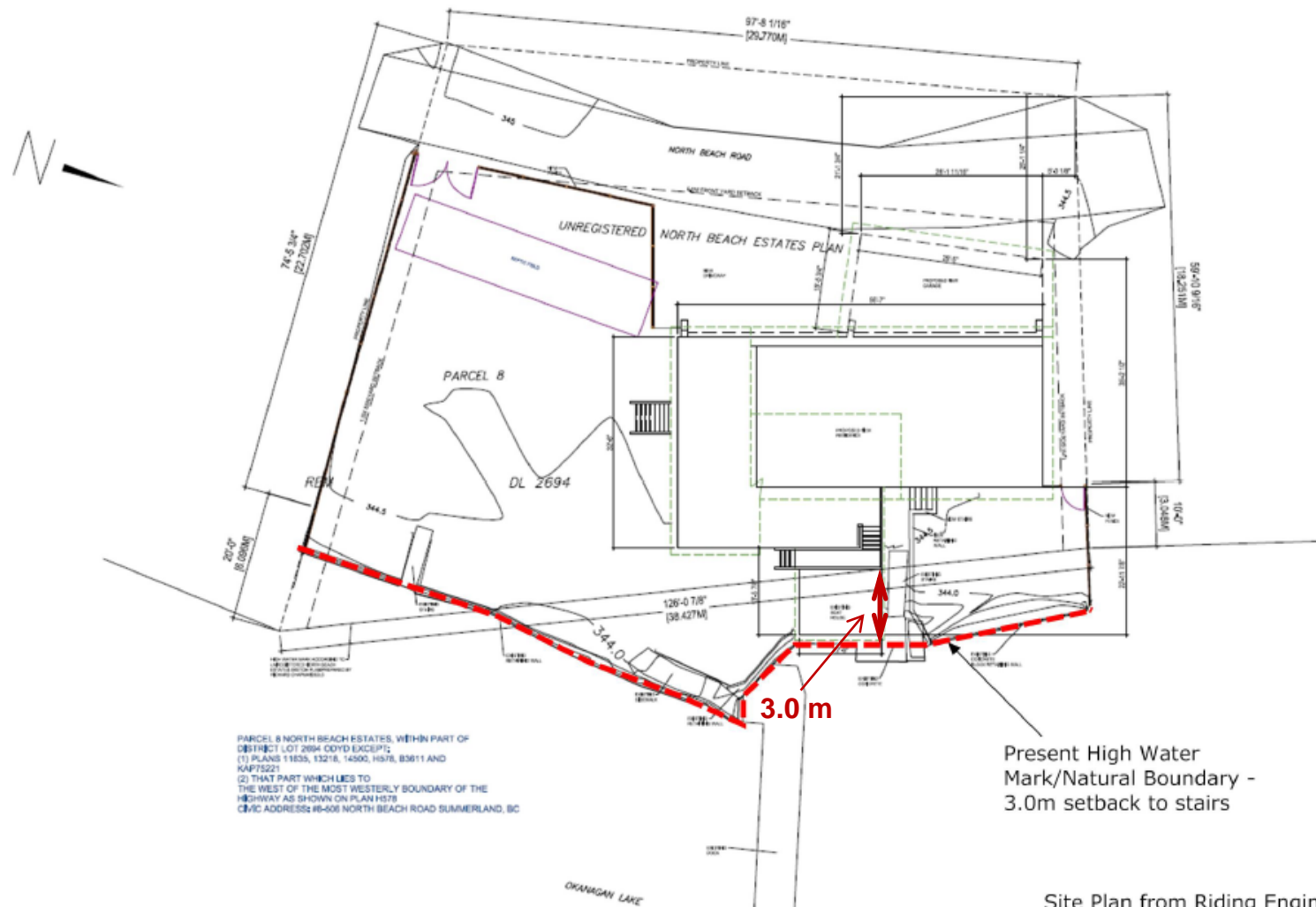
Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Location Plan



Attachment No. 3 – Applicant's Site Plan



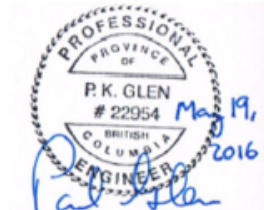
Site Plan from Riding Engineering Ltd.



RGC 1414

Figure 2 - Site Plan
Lot 8, 506 North Beach Road, Summerland, BC

May 18, 2016

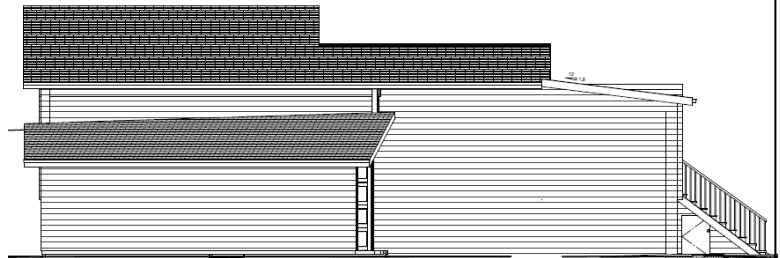


Attachment No. 4 – Applicant's Elevation Drawings



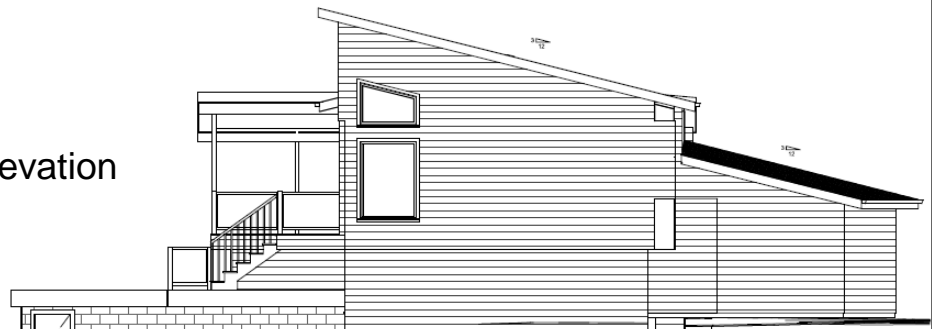
Front Elevation

Rear Elevation



Left Elevation

Right Elevation



ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: R. Huston, Public Works Manager
DATE: June 16, 2016
RE: Sun Valley Improvement District



Administrative Recommendation:

THAT the Board advise the Province that they support the resolution of the Sun Valley Improvement District Board of Directors to dissolve the Improvement District (SVID) in favour of the Regional District of Okanagan Similkameen; and,

THAT the Board request the Province to revoke the SVID Letters Patent at their earliest convenience; and,

THAT the Board instruct administration to prepare a Service Area Establishment Bylaw to assume responsibility for the SVID Water System.

Reference:

Letter from Simon Rasmussen, Senior Planning Analyst, Local Government Structure, Ministry of Community, Sport and Cultural Development, June 3, 2016.

SVID Resolution – April 28, 2016 and May 23, 2016.

History:

The Sun Valley Improvement District was incorporated in 1983 under the Local Government Act and has a Board of 5 Trustees elected from the service area every three years. They have 28 customers some of which use irrigation as well as domestic water. The water source is a deep water well that supplies approximately 800 gallons per minute. The water system and works consist of a 60,000 US gallon reservoir and water mains and services to the 28 parcels.

Current Status

The SVID Board appears to have done a good job of managing the water system since 1983 but now are having difficulty in finding volunteers to take on the Trustee positions due to illnesses and other commitments.

Alternatives:

1. Decline the offer to participate to assume ownership.

Analysis:

The SVID serves approximately 50 citizens in the Regional District, Electoral Area "D". The water distribution system appears to be in good order and this was confirmed by Interior Health staff.

Governance

The SVID, at their Annual General meeting in April 2016 and again in a special meeting held May 23, 2016, has resolved to ask the Province to allow them to dissolve and turn ownership over to the RDOS. At their Annual General Meeting in April, one of the five trustee positions become vacant and nobody put their name forward. In addition another Trustee whose term is up in 2017 has advised that they will not be putting their name forward for another term.

Operations

RDOS would assume ownership of existing SVID Bylaws, including fees & charges, and those would remain in effect until amended or rescinded by the RDOS. RDOS would also assume ownership of any contractual obligations currently held by SVID. The Manager of Finance is currently reviewing the SVID Financial Statements. No legal review of SVID contracts or operations has been conducted; meaning land titles and easements for SVID infrastructure has not been researched.

Funding

Regional Districts are eligible for infrastructure grants. Improvement/Irrigation Districts are not. If upgrades were needed in the future to any of the works, RDOS has the ability to ask senior governments for assistance. Smaller water systems like Sun Valley Improvement District can benefit from professional operation and management at a reasonable cost.

Financial Management

Should the RDOS assume ownership of SVID, we would accept all assets/liabilities of the corporation, meaning that the RDOS as a corporate entity would undertake responsibility for the utility, but in practical terms the exposure of taxpayers outside the service area is negligible. Administration is currently conducting a review of the SVID financial statements. 2015 Audited financial statements were presented at the AGM, and have been reviewed. SVID does have a current capital plan for some of the infrastructure improvements and there are monies in the Capital Reserve fund with an annual contribution proposed by the RDOS of \$5,000.

Public Participation

Should the RDOS resolve to pursue ownership of the SVID, creation of the service areas could be provided by Director assent. The SVID have distributed public information literature to the utility customers of SVID and received no concerns back. If direction is received from the Board, RDOS will undertake a public education program to the utility customers updating them of the RDOS service and date of eventual ownership.

The MLA's Office, the Ministry of Community, Sport & Cultural Development, the Interior Health Authority, and the Sun Valley Improvement District have been very helpful and supportive in the preparation of this report for the Board of Directors.

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Parks and Recreation Commission Bylaw – Terms of Reference



Administrative Recommendation:

THAT Bylaw 2732, 2016, being a bylaw of the Regional District of Okanagan-Similkameen to establish a Parks and Recreation Commission Terms of Reference be read a first, second and third time and be adopted.

Purpose:

The Regional District has established a number of Services to purchase, construct, operate and maintain parks, facilities and recreation programs to citizens throughout our geographic area. We rely heavily on volunteers within the defined service areas to work with us to offer a local perspective on the planning and direction in order to provide the best service level for those residents paying for the service. Over time, the nature of the service has changed, staffing has evolved and the bylaw setting out the terms of reference for our commissions should be reviewed and updated to reflect the appropriate roles and responsibilities.

Reference:

Draft Bylaw 2732, 2016

Background:

A review of Parks and Recreation Commission Bylaws was first identified on the Corporate Business Plan in 2015. On June 24th, 2015 staff and representatives of each Commission met to review existing bylaws and the concept of an omnibus Commission bylaw. On April 7th, 2016 the RDOS Community Services Committee approved the staff recommendation to commence consultation with each Commission on draft Bylaw 2732, 2016 and to report back. Staff has now met with each Commission on the proposed bylaw.

Alternatives:

1. Adopt Bylaw 2732, 2016
2. Provide specific advice for amendments to Bylaw 2732, 2016 and refer the matter to a future meeting.

Analysis:

It is the intent of this Bylaw that the primary role of our Parks and Recreation Commissions be advisory to the Board and remain at a governance level. The bylaw is designed to empower Commissions to focus on the larger parks and recreation issues in their service area, to provide advice to the Board, to collaborate with management, to evaluate the accomplishments of the commission and to truly reflect the service levels the ratepayers are interested in paying for.

Within our current organization, the RDOS has Commissions at different ends of the policy/operational spectrum. We want our volunteers to be focussed on Governance (ENDS) rather than focussing on organizational issues (MEANS).

For our Commissions, the Board defines the responsibilities, its members, how the chair is appointed and other details the Commission may need to help it accomplish its job. Our stated intent in the draft

bylaw is that our Commissions be “advisory” in nature and that they work on our behalf to interact with the local service area to ensure standards are set appropriately. It would be beneficial for the Board to understand the expectations of the local community served and advise on whether expectations have been met. To create that environment for success that we all want, it would be really beneficial to clarify the organizational communication process so the Commission clearly understands their role and staff understand their role so that conflict can be avoided. We’re all working to the same purpose; we just have to know who does what.

Commission consultation:

Throughout April and May, staff met with each Commission to review Draft Bylaw 2732, 2016. Although the Commissions are involved in varying levels with facilities and programs, each Commission is very dedicated to the success and financial sustainability of their individual service.

The volunteers wish to be truly involved in the decision making process and there is a place for them to do that. Bylaw 2732 clearly defines the Commission’s role in decision making. First in the development of a Strategic Plan which will provide a five year outlook for new services, land acquisition or park and facility upgrades. The Strategic Plan will provide staff with a benchmark document to research, cost and bring forward to the RDOS Budget committee for consideration. Once approved in the annual budget, the Strategic Plan evolves to become the annual work plan. This allows staff to manage workload capacity and informs the Commissions of which services and projects will be done in a given year.

During our discussions with some of the Commissions it was noted that a better method of communication is required between staff and the volunteers. The majority of Commissions are satisfied with a monthly or bi-monthly update from staff, however a few Commissions need more administrative support. There are varying levels of communication. While it is accepted that as public employees we will have members of the public giving us direct feedback from time to time, we have an organizational structure that dictates who each member of staff reports to and takes direction from. With a more defined communication protocol in place, issues and matters related to parks and recreation can be addressed properly and by the appropriate individual or body.

It was agreed in our discussions that staff need to do a better job of providing enough detail to the Commissions regarding park operations that they are informed enough to report back to the public as needed. Staff will also work with each Commission to define a more formalized method of “issue” tracking, for better accountability.

The Commissions are interested in providing financial accountability for their decisions. In the past, some of the groups have maintained their own record of financial accounts. While that is not a requirement of RDOS Commissions to do so, there is no reason why individual Commission cannot maintain a higher level of financial scrutiny of RDOS financial records relevant to their service area if they chose.

Many of the issues raised during our deliberations were procedural in nature and would not typically be addressed in bylaw form. For that reason, staff have outlined a series of action steps for us to continue to work with the Commissions on in order to better address the issues raised, establish opportunities for volunteer training and communication protocols.

Communication Strategy:

- Continue to meet with Commissions on a regular basis
- Provide an annual and as needed Commission orientation for new members
- Provide each Commission member with a “volunteer handbook” as part of orientation
- Provide each Commission with training as required on matters related to chairing a meeting, RDOS budget and finance process, strategic planning and record keeping
- Provide “pro-forma” templates to each Commission for agendas and minutes
- Provide an annual “Budget and Insurance 101” workshop for interested Commission members
- Provide the Commissions with a method to introduce “issues” for follow-up

Respectfully submitted:

Mark Woods

M. Woods, Manager of Community Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2732, 2016

A bylaw of the Regional District of Okanagan-Similkameen for the establishment of Parks and Recreation Commission Terms of Reference.

WHEREAS the Regional District of Okanagan-Similkameen has adopted the following Parks and Recreation Service Establishment bylaws, for the provision of programming, parks and facility maintenance services:

- Electoral Area “B” Community Parks Service Establishment Bylaw No. 2234, 2003
- Okanagan Falls & District Recreation Programming, Parks and Facility Maintenance Local Service Establishment Bylaw No. 1174, 1990
- Kaleden Recreation Programming and Facility Maintenance Local Service Establishment Bylaw No. 1554, 1994
- Electoral Area “E” Recreation Programming, Parks and Facility Maintenance Local Service Establishment Bylaw No. 1172, 1990
- Electoral Area “F” Community Parks Local Service Establishment Bylaw No. 1341, 1992
- Similkameen Recreation Facility Local Service Establishment Bylaw No. 1470, 1994

AND WHEREAS the Regional District of Okanagan-Similkameen wishes to consolidate existing Parks and Recreation Commission Bylaws into one bylaw;

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

1. CITATION

- 1.1 This Bylaw shall be cited as the **“Regional District of Okanagan-Similkameen Parks and Recreation Commission Establishment Bylaw No. 2732, 2016”**.

2. DEFINITIONS

2.1 In this bylaw:

“Area Director” means the person elected as the local Electoral Area or Municipal Director, or his Alternate.

“Board” means the Board of Directors of the Regional District of Okanagan-Similkameen.

“CAO” means the Chief Administrative Officer appointed by the Board.

“Commission” means the Parks and Recreation Commission as appointed by the Board for a specific service.

“FOI Head” means the person designated as Head of the Regional District for the purposes of the *Freedom of Information and Protection of Privacy Act*.

"MCS" means the Manager of Community Services appointed by the CAO to fulfill the responsibilities of that function within the organizational structure, or his designate.

"Regional District" means the Corporation of the Regional District of Okanagan-Similkameen.

"Service Area" means the geographic boundaries of a specific parks and/or recreation Service.

3. ADMINISTRATION

- 3.1 The MCS shall administer this Bylaw and provide technical support to the Commissions.

4. COMMISSION ESTABLISHMENT

- 4.1 The Commissions identified shall be known by the name listed and be responsible for the committee operations within the Service Area established by separate bylaw.

5. MEMBERSHIP

- 5.1 Regional District Parks and Recreation Commissions shall be appointed by the Board as follows:
- 5.1.1 The Area Director shall be an ex-officio, non-voting Member
 - 5.1.2 A minimum of 5 up to 11 members-at-large who are residents or ratepayers within the Service Area. Odd numbers of members are advised.
 - 5.1.3 The Parks and Recreation Commission should be representative of the whole Service Area.
 - 5.1.4 Regional District employees or contractors are ineligible to be Members of a Commission.
- 5.2 The Regional District shall place an invitation in a locally circulated established newspaper or publication in October of each year inviting those interested to apply to serve on a Commission.
- 5.3 The Area Director for a specific service area shall review all applications and recommend to the Board the names of candidates for appointment to a Commission.
- 5.4 In the event that insufficient nominations are received, upon recommendation of the Area Director, the Board in their unfettered discretion may appoint the appropriate number of members to the Commission.
- 5.5 The term of office of each member shall be for a period of two (2) years, commencing January 1.
- 5.6 All appointed members shall, at the beginning of their term, be required to sign the Regional District Code of Ethics and comply with the code throughout their term on the commission.
- 5.7 The terms of office shall be staggered such that half of the terms shall begin in even numbered years, and the other half of the terms shall begin in odd numbered years.

- 5.8 Any appointed member who is absent from two consecutive meetings of a Commission without leave of absence from the Commission, or without reason satisfactory to the Board, shall cease to be a member of the Commission. A member removed from the position pursuant to this section shall not be eligible for appointment to the Commission until the date that their term of office would have expired, but for such removal.
- 5.9 The Board, upon a vacancy arising from any cause, may appoint a new member who shall serve for the unexpired portion of the term vacated, upon recommendation of the Area Director.
- 5.10 If more than half of the appointed member positions are vacant at any one time, the Regional District shall follow the procedure outlined in sections 5.1, 5.2 and 5.3 of this Bylaw in order to appoint persons to fill those vacancies.
- 5.11 Any member appointed to the Commission pursuant to section 5.9 of this Bylaw shall serve, and enjoy full rights and privileges of a member, for the duration of the term of office of the person originally holding the vacated member position.
- 5.12 Each retiring member of the Commission shall be eligible for reappointment.
- 5.13 No member of the Commission shall receive any remuneration for their service; however, members of the Commission shall be entitled to be reimbursed expenses in accordance with any applicable Regional District remuneration bylaw.
- 5.14 All members of the Commission serve at the pleasure of the Board.

6. HOLDING OF MEETINGS - QUORUM, VOTING & CONDUCT

- 6.1 The first meeting of each calendar year shall be the Annual General Meeting for the Commission.
- 6.2 The members of the Commission shall, at the Annual General Meeting, elect one member from among themselves to be Chair and, so long as duly appointed to the Commission by the Board of Directors, that person shall conduct the meetings of the Commission until the next Annual General Meeting. The Area Director shall chair the Commission Annual General Meeting until a Chair is elected. Elections are to be conducted in accordance with the Regional District Procedure Bylaw. Commissions may elect members to other positions such as secretary or treasurer at their discretion.
- 6.3 If the Chair is absent from a meeting of the Commission, those members present at the meeting shall appoint an Acting Chair who shall fulfill the duties of the position at that meeting.
- 6.4 If at any time prior to the next Annual General Meeting, the Chair ceases to be a member or resigns as Chair, the remaining members of the Commission shall elect, at the next meeting of the Commission, a replacement Chair who shall serve in that capacity until the next Annual General Meeting.
- 6.5 The Commission may meet as required, but should structure its activities to meet at least 6 times per year. The Chair or any two members may summon a meeting of the Commission by giving at least two days' notice in writing to each member, stating the time, place and purpose for which

the meeting is being called.

- 6.6 Meeting agendas are set by the Commission Chair in consultation with the Area Director, and must be provided to Regional District staff in advance of the meeting for posting on the Regional District website. RDOS meeting agenda pro-forma template will be provided to the Chair.
- 6.7 Unless a meeting or part of a meeting is authorized to be closed to the public under the *Community Charter*, all meetings of the commission shall be open to the public.
- 6.8 Should a closed meeting be held by the committee, members must keep in confidence any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required.
- 6.9 The Commission may operate without all positions being occupied. A quorum of the Commission shall consist of a majority of members appointed.
- 6.10 All questions before the Commission at the meeting shall be decided by a majority vote.
- 6.11 Except as otherwise provided in this Bylaw, the Commission shall conduct their meetings in accordance with the current Regional District Procedure Bylaw.
- 6.12 No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a meeting of the Commission or a resolution of the Board in accordance with section 8 of this bylaw.

7. ADMINISTRATION

- 7.1 The minutes of the proceedings of all meetings of the Commission shall be recorded legibly and, without delay, a copy of said minutes shall be forwarded to the MCS for information and filing at the Regional District Corporate Office within 14 days. All minutes will be posted on the Regional District website. Minute takers will be provided training on Regional District standard minute taking procedures.
- 7.2 All records shall be kept in accordance with the Regional Districts records management policy and all records are subject to Freedom of Information and Protection of Privacy Act (FIPPA) legislation. All records must be provided to the FIPPA Head upon request. All commission members shall receive an orientation on Regional District records and FIPPA at the beginning of their term.
- 7.3 The Commission shall, before the 15th day of October in each calendar year, prepare a preliminary budget estimating expenditures and revenue during the next fiscal year, and shall submit it to the MCS for inclusion in the consolidated administrative Budget presented to the Board.
- 7.4 A preliminary budget submitted to the Board may be adopted in whole or in part, and the budget approved by the Board shall be the budget for the Commission for the next fiscal year.

- 7.5 All items of revenue and expenditure relating to the activities of the Commission shall be accounted for in the books of account of the Regional District in accordance with the provisions of the *Local Government Act*.

8. AUTHORITIES, RESPONSIBILITIES AND DUTIES

- 8.1 All Commissions shall be advisory to the Board and shall be authorized to make recommendations and provide advice to the Board on the organization and conduct of a parks and recreation program in accordance with the budget approved by the Board; including planning, development and implementation of parks and recreation services.
- 8.2 Commissions shall represent the public interest in the development of a strategic plan in order to establish a long term vision for parks and recreation services.
- 8.3 Commissions shall recommend rates and charges for recreation programs and for inclusion in the Regional District Fees and Charges Bylaw.
- 8.4 Commissions shall provide advice on operational rules and procedures regarding parks and recreation services.
- 8.5 Commissions shall advise on matters related to recreation bylaws, policies and regulations.
- 8.6 Commissions shall advise the Board on the acquisition or tenure of community park sites within the Service Area.
- 8.7 Commissions shall play a leadership role in communications between the Regional District and the public.
- 8.8 Commissions shall provide advice to the Board from a local service area perspective on the evaluation of new services to be offered;

9. RIGHTS OF THE BOARD

- 9.1 The powers delegated to the Commission shall not extend to or include any of the powers of the Board which are exercised by bylaw only.

10. REPEAL

10.1 The following bylaws are hereby repealed:

- Bylaw No. 2270, 2004 – Electoral Area “B” Parks and Recreation Commission
- Bylaw No 2253, 2004 – Okanagan Falls Parks and Recreation Commission
- Bylaw No. 1555, 1997 – Kaleden Parks and Recreation Commission
- Bylaw No 2108, 2001 – Electoral Area “E” Parks and Recreation Commission
- Bylaw No. 1539, 1996 – Electoral Area “F” Parks Commission
- Bylaw No 1649, 1996 – Similkameen Recreation Commission

READ A FIRST, SECOND AND THIRD TIME this xxxx day of xxxx, xxxx

ADOPTED BY AT LEAST 2/3 OF THE VOTES this xxx day of xxxx, xxx

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: 2015 Statement of Financial Information



Administrative Recommendation:

THAT the Board of Directors approve the Regional District of Okanagan-Similkameen Statement of Financial Information for the year ended December 31, 2015 pursuant to the Financial Information Act Financial Information Regulation Schedule 1, subsection 9(2).

Reference:

2015 Statement of Financial Information (SOFI)

Business Plan Objective:

Objective 1.1.1: By providing the Board with accurate, timely financial information.

Background:

Local governments are required to file the Statement of Financial Information (SOFI) annually. The SOFI consists of four core financial statements and schedules for employee remuneration and for payments to suppliers for goods and services provided to the organization.

Analysis:

Components of the SOFI Report include:

1. Schedule of Guarantee and Indemnity Agreements – There were no agreements of this nature for the RDOS in 2015
2. Schedule of Remuneration and Expenses – There is a threshold of \$75,000 per year before expenses, for listing staff. Remuneration amounts include approximately \$40,000 of Emergency Operations Centre work which is recovered from the Province. All directors are required to be listed.
3. Statement of Severance Agreements – The RDOS had no severance agreements in 2015
4. Schedule of Payments to Suppliers of Goods and Services – There is a threshold of \$25,000 before suppliers are listed individually.

Respectfully submitted:

"Sandy Croteau"

S. Croteau, Finance Manager

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

STATEMENT OF FINANCIAL INFORMATION (SOFI)

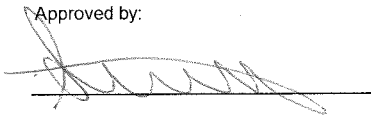
FOR THE YEAR ENDED DECEMBER 31, 2015

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

SCHEDULE OF GUARANTEE AND INDEMNITY AGREEMENTS

A Schedule of Guarantees and Indemnity payments has not been prepared because the Regional District Okanagan-Similkameen has not given any guarantees or indemnities under the Guarantees and Indemnities Regulation.

Approved by:

A handwritten signature in dark ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

Manager of Finance

Prepared under the Financial Information Regulation, Schedule 1, subsection 5(1)

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

SCHEDULE SHOWING THE REMUNERATION AND EXPENSES PAID TO OR ON BEHALF OF EACH EMPLOYEE FOR THE YEAR ENDED DECEMBER 31, 2015

1. Elected Officials, Employees appointed by Cabinet and Members of Board of Directors

NAME	POSITION	REMUNERATION	EXPENSE
ARMITAGE, FRANK	Director	14,966	3,852
BAUER, MANFRED	Director	14,179	1,730
BOOT, TONI	Director	13,154	485
BRYDON, MICHAEL	Director	28,677	1,108
BUSH, GEORGE D	Director	29,916	5,317
CHRISTENSEN, ELEF	Director	28,214	11,017
COYNE, ROBERT	Director	28,242	4,886
DOERR, MAUREEN	Director	973	132
GIBBENHUCK, PETER	Director	811	-
HOVANES, RON	Director	13,097	1,150
JAKUBEIT, ANDREW	Director	21,144	390
KNODEL, RICK	Director	2,695	375
KONANZ, HELENA	Director	13,023	57
KOZAKEVICH, KARLA R	Director	31,326	7,002
MARTIN, ANDRE	Director	13,684	-
MARVEN, ERNEST	Director	1,180	52
MAYER, ROGER	Director	1,811	288
MCKORTOFF, SUZAN	Director	13,097	1,694
PENDERGRAFT, MARK	Chairman	60,456	12,294
PHILPOTT-ADHIKARY, SHERRY	Director	491	170
POTTER, DENIS	Director	1,253	64
RHODES, CECIL J	Director	885	192
SCHAFER, TERRY	Director	28,242	6,793
SENTES, JUDITH M	Director	13,908	-
SIDDON, THOMAS	Director	26,406	4,417
STYFFE, TOM	Director	4,554	3,937
WATERMAN, PETER	Director	13,154	449
WATT, CAMPBELL	Director	590	-
TOTAL: Elected Officials		\$ 420,125	\$ 67,851

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

SCHEDULE SHOWING THE REMUNERATION AND EXPENSES PAID TO OR ON BEHALF OF EACH EMPLOYEE FOR THE YEAR ENDED DECEMBER 31, 2015

2. Other Employees (excluding those listed in Part 1 above)

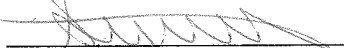
NAME	POSITION	REGULAR REMUNERATION	EXPENSE
ANDERSON, STEPHEN	System Operator III	88,024	527
BOUWMEESTER, TIM	Information Services Manager	94,395	179
BUTLER, DONNA	Development Services Manager	102,100	1,547
CARLSON, DAVID J.	Utilities Foreman	93,945	1,023
COTE, JOHN	Accountant	77,873	127
CROTEAU, SANDY	Finance Manager	99,613	5,411
CUNNINGHAM, ADAM	System Operator III	78,519	320
EVANS-MACEWAN, NOELLE	Finance Supervisor	80,101	1,916
GARRISH, CHRISTOPHER	Planning Supervisor	78,782	3,034
HOUGH, AARON	Building Official	82,235	4,070
HUSTON, ROGER	Public Works Manager	75,208	1,588
JMIOFF, WES	Building Official	83,007	740
JUCH, STEPHEN	Subdivision Supervisor	77,451	1,673
KRONEBUSCH, DALE	Emergency Services Supervisor	86,999	1,346
MALDEN, CHRISTY	Legislative Services Manager	90,511	3,184
MANDERS, MARNIE	Human Resources Manager	94,704	4,801
MELO, JAMIE	System Operator III	84,476	2,509
NEWELL, WILLIAM	Chief Administrative Officer	157,528	7,130
PALMER, ROBERT	Environmental Technician	79,710	410
PETRY, MARK	Building Official	81,791	1,927
WALTON, LAURA	Building Inspection Serv Supervisor	91,275	2,813
WOLF, ANTON	Building Official	87,562	2,305
WOODS, MARK	Community Services Manager	104,593	204
		\$ 2,070,402	\$ 48,784
Consolidated totals of other employees with remuneration and expenses of \$75,000 or less		3,677,120	84,008
TOTAL: Other Employees		\$ 5,747,522	\$ 132,792

3. Reconciliation

Total remuneration - Elected Officials, Employees appointed by Cabinet and Members of Board of Directors	\$ 420,125
Total Remuneration - Other Employees	\$ 5,747,522
Subtotal	\$ 6,167,646
Employer's cost of benefits	\$ 1,005,639
Taxable benefits included in remuneration and in employer cost	\$ (109,491)
Payroll expensed but not paid by RDOS:	\$ 369,142
Payroll related to OSRHD	\$ (32,460)
Taxable benefits included in suppliers & vendors	\$ (4,269)
Reconciling Items*	\$ (48,627)
Total Wages and Benefits per Statement of Consolidated Revenues and Expenditures (Schedule 2)	\$ 7,347,580

*The Financial Statements are prepared on a consolidated basis using the accrual method of accounting, whereas the employee remuneration schedule is prepared on a calendar cash payment basis.

Approved by:



Manager of Finance

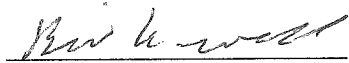
Prepared under the Financial Information Regulation, Schedule 1, subsection 6(2), (3), (4), (5) and (6)

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

STATEMENT OF SEVERANCE AGREEMENTS

There were no severance agreements under which payment was made between RDOS and its non-unionized employees during fiscal year 2015.

Approved by:

A handwritten signature in black ink, appearing to read "B. H. West", is written over a horizontal line.

Chief Administrative Officer

Prepared under the Financial Information Regulation, Schedule 1, subsection 6(8)

REGIONAL DISTRICT OKANAGAN SIMILKAMEEN

SCHEDULE SHOWING PAYMENTS MADE FOR THE PROVISION OF GOODS OR SERVICES 2015

1. Alphabetical list of suppliers who received aggregate payments exceeding \$25,000

SUPPLIER NAME	AGGREGATE AMOUNT PAID TO SUPPLIER
ALLEN & MAURER ARCHITECTS LTD.	27,054.87
ALLTERRA LAND SURVEYING LTD.	27,082.94
ANDREW SHERET LTD.	26,531.46
APLIN & MARTIN CONSULTANTS LTD	70,456.29
ASSOCIATED FIRE SAFETY EQUIPMENT	26,890.91
B&B WOOD GRINDING INC.	241,054.85
BARRY BEECROFT FUEL DIST. LTD.	34,627.97
BC GRAPEGROWERS' ASSOCIATION	25,000.00
BC TRANSIT	139,828.16
BCGEU CONTROLLER	65,578.74
BEARFOOT RESOURCES LTD.	68,105.35
BFI CANADA - PENTICTON	322,026.13
BI PUREWATER (CANADA) LTD.	115,876.10
BIG DOG CONTAINERS INC.	39,496.80
BLACK PRESS GROUP LTD.	27,544.61
BRANDT ENTERPRISES LTD.	32,957.48
CAMROB CONSTRUCTION	45,974.33
CAPRI INSURANCE	207,212.00
CARO ANALYTICAL SERVICES	66,199.15
CITY OF KELOWNA	221,410.49
CITY OF PENTICTON	26,915.82
CITY OF PENTICTON	1,089,901.95
CODAN RADIO COMMUNICATIONS	44,764.96
CORPORATE EXPRESS	40,924.15
COUNTERPOINT COMMUNICATIONS INC.	38,956.25
CTQ CONSULTANTS LTD.	30,844.20
DE JOINSON & ASSOCIATES	52,479.00
DENISE COOK DESIGN	39,341.25
DENTONS CANADA LLP	38,636.77
DIGITAL POSTAGE ON CALL	32,000.00
DUTCHIES TRANSFER LTD.	30,830.02
ECOPLAN INTERNATIONAL INC.	114,459.30
ECORA ENGINEERING AND RESOURCE GROUP LTD.	124,102.86
ESRI CANADA LIMITED	45,920.00
FAIRVIEW HEIGHTS IRRIGATION DISTRICT	116,532.11
FORTIS BC - ELECTRICITY	49,451.12
FORTIS BC - ELECTRICITY (PAPs)	331,957.58
FORTIS BC - NATURAL GAS (PAPs)	29,720.98
FRED SURRIDGE LTD	35,100.08
GILCHRIST & COMPANY	122,803.24
GILCHRIST & COMPANY "IN TRUST"	800,000.00
GOLDER ASSOCIATES LTD	112,351.71
GREYBACK CONSTRUCTION LTD	108,716.07
GRIZZLY EXCAVATING LTD.	1,060,551.14
GROUPHEALTH	122,892.47
GUILLEVIN INTERNATIONAL CO.	30,624.01
HACH SALES & SERVICE CANADA LP	26,988.33
INTERCITY RECYCLE LTD.	84,431.96
INTERIOR ROOFING (2011) LTD.	59,399.70
JETCO LAWN CARE SERVICES	34,908.20
K-9 CONTROL SERVICES	62,562.50
MINISTER OF FINANCE - PROPERTY TAXATION BRANCH	39,895.67
MONERIS MERCHANT SERVICES	42,348.30
MORNEAU SHEPELL LTD.	284,079.12
MUNICIPAL FINANCE AUTHORITY OF BC - LEASING	63,878.26

REGIONAL DISTRICT OKANAGAN SIMILKAMEEN

SCHEDULE SHOWING PAYMENTS MADE FOR THE PROVISION OF GOODS OR SERVICES 2015

1. Alphabetical list of suppliers who received aggregate payments exceeding \$25,000 (continued)

SUPPLIER NAME	AGGREGATE AMOUNT PAID TO SUPPLIER
MUNICIPAL INSURANCE ASSN OF BC	159,997.84
MUNICIPAL PENSION PLAN	769,073.48
MURRAY BUICK GMC PENTICTON	106,537.38
NAVAIR TECHNOLOGIES	57,553.56
OKANAGAN AND SIMILKAMEEN INVASIVE SPECIES SOCIETY	102,993.77
OKANAGAN SIMILKAMEEN STEWARDSHIP SOCIETY	50,000.00
OLIVER & DISTRICT HERITAGE SOCIETY	127,300.00
OLIVER COMMUNITY THEATRE SOCIETY	100,000.00
OLIVER PARKS & RECREATION SOCIETY	977,158.43
OLIVER TOURISM ASSOCIATION	28,000.00
OMEGA COMMUNICATIONS LTD.	542,949.36
OSOYOOS MUSEUM SOCIETY	57,000.00
OSOYOOS TOWN OF	612,515.58
PENTICTON & AREA COOPERATIVE ENTERPRISES	97,366.73
PENTICTON & DISTRICT EMERGENCY PROGRAM SOCIETY	26,000.00
PLANET WORKS CONSULTING CORPORATION	126,402.33
PRINCETON TOWN OF	554,420.12
PROGRESSIVE WASTE SOLUTIONS CANADA INC.	760,039.03
QUALITY MAINTENANCE	33,783.55
RECEIVER GENERAL FOR CANADA	1,455,839.75
REGIONAL DISTRICT OF CENTRAL OKANAGAN	112,592.00
REVOLUTION ENVIRONMENTAL SOLUTIONS LP	53,140.40
ROGERS	25,019.00
S.S.G. HOLDINGS	737,402.92
SCHOOL DISTRICT NO. 67 OKANAGAN SKAHA	45,063.27
SENKULMEN UTILITIES LTD.	62,345.20
SIMARK CONTROLS LTD.	50,312.30
SIMILKAMEEN COUNTRY DEVELOPMENT ASSOCIATION	33,000.00
SIVAN ENTERPRISES LTD.	131,688.46
SMITHRITE DISPOSAL LTD.	27,655.21
SOFTCHOICE CORPORATION	66,376.48
SOUTH OKANAGAN SECURITY SERVICES LTD	33,002.23
SPERLING HANSEN ASSOCIATES INC	28,289.34
SUMMIT ENVIRONMENTAL CONSULTANTS INC.	93,162.95
SUN-OKA VALLEY TRANSPORT	33,816.00
SUPERIOR SEPTIC SERVICES	68,014.79
TAC SOLUTIONS	38,927.16
TELUS COMMUNICATIONS (BC) INC.	87,876.54
TETRA TECH EBA INC.	138,179.65
THE UNIVERSITY OF BRITISH COLUMBIA	38,500.00
TWINING SHORT & HAAKONSON "IN TRUST"	83,600.00
WESTERN WATER ASSOCIATES LTD.	43,471.33
WHITE BRYN	79,743.12
WHITE KENNEDY CHARTERED ACCOUNTANTS	27,735.75
WILDSTONE ENVIRONMENTAL LTD.	867,281.66
WORKERS' COMP. BOARD OF B.C.	65,593.44
WSP CANADA INC.	51,157.61
YOUNG ANDERSON BARRISTERS &	55,738.52

TOTAL OF AGGREGATE PAYMENTS EXCEEDING \$25,000 PAID TO SUPPLIERS	\$ 17,123,794
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REGIONAL DISTRICT OKANAGAN SIMILKAMEEN

SCHEDULE SHOWING PAYMENTS MADE FOR THE PROVISION OF GOODS OR SERVICES 2015

2. Consolidated total paid to suppliers who received aggregate payments of \$25,000 or less

	\$ 2,599,889
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3. Total of payments to suppliers for grants and contributions exceeding \$25,000

SUPPLIER NAME	AGGREGATE AMOUNT PAID TO SUPPLIER
OKANAGAN FILM COMMISSION	\$ 35,000

CONSOLIDATED TOTAL OF GRANTS EXCEEDING \$25,000	\$ 35,000
CONSOLIDATED TOTAL OF AGGREGATED GRANTS NOT EXCEEDING \$25,000	\$ 253,738
CONSOLIDATED TOTAL OF GRANTS	\$ 288,738
CONSOLIDATED TOTAL OF CONTRIBUTIONS EXCEEDING \$25,000	\$ -
CONSOLIDATED TOTAL OF AGGREGATED CONTRIBUTIONS NOT EXCEEDING \$25,000	\$ -
CONSOLIDATED TOTAL OF GRANTS & CONTRIBUTIONS	\$ 288,738

4. Reconciliation

TOTAL OF AGGREGATE PAYMENTS EXCEEDING \$25,000 PAID TO SUPPLIERS	\$ 17,123,794
CONSOLIDATED PAYMENTS OF \$25,000 OR LESS PAID TO SUPPLIERS	2,599,889
EMPLOYEE REMUNERATION EXPENSES (Salaries & Benefits)	5,747,523
CONSOLIDATED TOTAL OF GRANTS & CONTRIBUTIONS	288,738
REQUISITIONS TO OTHER BOARDS	2,412,785
AMORTIZATION EXPENSE	2,189,126
ADMINISTRATION CHARGES	22,369
EMPLOYEE PORTION OF PAYROLL DEDUCTIONS AND BENEFITS	(1,689,238)
UNION DUES PAID ON BEHALF OF EMPLOYEES	(65,579)
GST REBATES & ITC'S RECEIVED	(194,818)
AMOUNTS PAID ON BEHALF OF OTHER ORGANIZATIONS	(226,371)
TANGIBLE CAPITAL ASSET PURCHASES	(3,636,723)
LANDFILL CLOSURE LIABILITY	1,363,699
INTEREST EXPENSE	648,610
RECONCILING ITEMS*	749,609
TOTAL EXPENDITURES PER STATEMENT OF CONSOLIDATED REVENUES AND EXPENDITURES (SCHEDULE 2)	<u>\$ 27,333,413</u>

*The Financial Statements are prepared on a consolidated basis using the accrual method of accounting, whereas the supplier payments schedule is prepared on a calendar cash payment basis.

Approved by:



Manager of Finance

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 16, 2016

RE: Bylaw 2736,2016 Security Issuing Bylaw – Faulder Water System Capital Upgrades



Administrative Recommendation:

THAT Bylaw No 2736,2016 Regional District Okanagan Similkameen Security Issuing bylaw be read a first, second and third time and be adopted.

Reference:

Section 411 of the Local Government Act

Bylaw 2725, 2016 Faulder Community Water System Temporary Borrowing Bylaw

Bylaw 2712, 2015 Faulder Community Water System Loan Authorization Bylaw

Background:

In 2010, the Board approved the debt funding of the Faulder Community Water system through borrowing with the adoption of Bylaw 2526. That bylaw expired and was replaced by Bylaw 2712, 2015 Faulder Community Water System Loan Authorization Bylaw for up to \$600,000 for water system upgrades.

Analysis:

The project is now completed with a total project cost of \$ 1,326,854. The project received grant funding in the amount of \$931,299. Reserve funding in the amount of \$268,258 is being used to fund the project.

The debt needed to fund the project is \$128,600. To date, the debt funding has been provided through temporary borrowing. All temporary borrowing will be paid down with the funds drawn on the long term debt.

This security issuing bylaw completes the borrowing process and allows for conversion during MFA's fall borrowing cycle. The issuance of long-term debt with the MFA includes fees of 1% which is for the MFA debt reserve fund.

The Security issuing total contained in the bylaw is \$128,600. The maximum allowed under the Loan Authorization bylaw is \$ 600,000.

Respectfully submitted:

"Sandy Croteau"

S. Croteau, Finance Manager

https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2016/2016-06-16/Boardreports/E.2. BL2736_Faulder Water Security Issuing Admin Report.Docx

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text.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2736, 2016

A bylaw to authorize the entering into of an Agreement respecting financing between the Regional District of Okanagan-Similkameen and the Municipal Finance Authority of British Columbia

WHEREAS the Municipal Finance Authority of British Columbia (the "Authority") may provide financing of capital requirements for Regional Districts or for their member municipalities by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds there from to the Regional District on whose request the financing is undertaken;

AND WHEREAS the under the provisions of section 411 of the Local Government Act, the amount of borrowing authorized by each of the following loan authorization bylaws, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder, and the amount being issued under the authority thereof by this bylaw is as follows;

L/A Bylaw Number	Purpose	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
2712	Water system capital upgrades	\$600,000	\$0	\$600,000	20	\$ 128,600
Total		\$600,000		\$600,000		\$ 128,600

Total Financing under Section 825: \$ 128,600

GRAND TOTAL : \$128,600

AND WHEREAS the Regional Board, by this bylaw, hereby requests such financing shall be undertaken through the Authority:

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

1 Citation

- 1.1 This Bylaw shall be cited as the Regional District of Okanagan-Similkameen Security Issuing Bylaw No. 2736, 2016.

2 Interpretation

- a) The Authority is hereby requested and authorized to finance from time to time the

aforesaid undertakings at the sole cost and on behalf of the Regional District and its member municipalities up to, but not exceeding one hundred and twenty eight thousand six hundred dollars) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees the Authority shall determine but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$ 128,600 in Canadian Dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.

b) Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and officer assigned the responsibility of financial administration of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements, which said agreement or agreements shall be substantially in the form annexed hereto as Schedule "A" and made part of this bylaw (such Agreement or Agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.

c) The Agreement in the form of Schedule "A" shall be dated and payable in the principal amount or amounts of monies and in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under Section 2 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.

d) The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.

e) The Agreement shall be sealed with the seal of the Regional District and shall bear the signature of the Chair and the officer assigned the responsibility of financial administration of the Regional District.

f) The obligations incurred under said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.

g) During the currency of the obligations incurred under said Agreement to secure borrowings in respect of Regional District Okanagan-Similkameen Loan Authorization Bylaw No. 2712, the anticipated revenues accruing to the Regional District from the operation of the Faulder Water Service Area are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

h) The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided, however, that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional Board of the Regional District shall make due provision to discharge such liability.

i) The Regional District shall pay over to the Authority at such time or times as the Treasurer of the Authority so directs such sums as are required pursuant to section 15 of the *Municipal Finance Authority Act* to be paid into the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.

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

ADOPTED this ____ day of ____, 20__

RDOS Board Chair

Corporate Officer

SCHEDULE "A" to Bylaw No. 2736

C A N A D A
PROVINCE OF BRITISH COLUMBIA
A G R E E M E N T

Regional District of Okanagan-Similkameen

The Regional District of Okanagan-Similkameen (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia at its Head Office in Victoria, British Columbia, (the "Authority") the sum of one hundred and twenty eight thousand six hundred dollar (\$128,600) in lawful money of Canada, together with interest calculated semi-annually in each and every year during the currency of this Agreement; and payments shall be as specified in the table appearing on the reverse hereof commencing on the ___ day of _____, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

DATED at _____, British Columbia, this _____ day of _____, 20__

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 2736 cited as "Regional District of Okanagan-Similkameen Security Issuing Bylaw" This Agreement is sealed with the Corporate Seal of the Regional District of and signed by the Chair and the officer assigned the responsibility of financial administration thereof.

Chair

Financial Administration Officer

Pursuant to the Local Government Act, I certify that this Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any Court of the Province of British Columbia.

Dated _____ (month,day) 20_____

Inspector of Municipalities

(Reverse Side)

PRINCIPAL AND/ OR SINKING FUND DEPOSIT AND INTEREST PAYMENTS

<u>Date of Payment</u>	<u>Principal and/or Sinking Fund Deposit</u>	<u>Interest</u>	<u>Total</u>
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 16, 2016

RE: Bylaw 2742, 2016 Security Issuing Bylaw – Okanagan Falls
& District Parkland Acquisition



Administrative Recommendation:

THAT Bylaw No 2742, 2016 Regional District Okanagan Similkameen Security Issuing bylaw be read a first, second and third time and be adopted.

Reference:

Section 825 of the Local Government Act

Bylaw 2694, 2015 Temporary Borrowing Bylaw

Bylaw 2685, 2015 Okanagan Falls & District Parkland Acquisition Loan Authorization Bylaw

Bylaw 2705, 2015 Heritage Hills parkland Acquisition Reserve Expenditure Bylaw

Background:

In 2015, the Board approved up to \$950,000 of debt funding for parkland acquisition with the adoption of the Okanagan Falls & District Parkland Acquisition Bylaw No 2685, 2015.

In 2015, the Board also approved up to \$200,000 from reserve funding for parkland acquisition with the adoption of the Heritage Hills parkland Acquisition Reserve Expenditure Bylaw.

In June 2015, \$750,000 was utilized to purchase parkland at 605 Willow Street in Okanagan Falls.

In June 2016, the purchase of parkland from Vintage Views Development – Chadwell Place was completed for \$400,000.

Analysis:

The parkland acquisitions were funded from \$950,000 borrowing and \$200,000 reserves with \$76,679 being drawn from the Okanagan Falls and District Parkland Acquisition Reserve ; \$69,917 being drawn from the Area D Parkland Acquisition Reserve Fund and \$53,404 being drawn from the Okanagan Falls Recreation Commission Reserve.

To date, the debt funding needed for acquisitions have been funded through temporary borrowing. All temporary borrowing will be paid down with the funds drawn on the long term debt.

This security issuing bylaw completes the borrowing process and allows for conversion during MFA's fall borrowing cycle.

The Security issuing total contained in the bylaw is \$ 950,000.

Respectfully submitted:

"Sandy Croteau"

S. Croteau, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2742, 2016

A bylaw to authorize the entering into of an Agreement respecting financing between the Regional District of Okanagan-Similkameen and the Municipal Finance Authority of British Columbia

WHEREAS the Municipal Finance Authority of British Columbia (the "Authority") may provide financing of capital requirements for Regional Districts or for their member municipalities by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds there from to the Regional District on whose request the financing is undertaken;

AND WHEREAS the under the provisions of section 411 of the Local Government Act, the amount of borrowing authorized by each of the following loan authorization bylaws, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder, and the amount being issued under the authority thereof by this bylaw is as follows;

L/A Bylaw Number	Purpose	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
2685	Parkland acquisition	\$950,000	\$0	\$950,000	20	\$ 950,000
Total		\$950,000		\$950,000		\$950,000

Total Financing under Section 825: \$ 950,000

GRAND TOTAL : \$ 950,000

AND WHEREAS the Regional Board, by this bylaw, hereby requests such financing shall be undertaken through the Authority:

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

1 Citation

- 1.1 This Bylaw shall be cited as the Regional District of Okanagan-Similkameen Security Issuing Bylaw No. 2742, 2016.

2 Interpretation

- a) The Authority is hereby requested and authorized to finance from time to time the

aforesaid undertakings at the sole cost and on behalf of the Regional District and its member municipalities up to, but not exceeding nine hundred and fifty thousand dollars) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees the Authority shall determine but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$ 950,000 in Canadian Dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.

- b) Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and officer assigned the responsibility of financial administration of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements, which said agreement or agreements shall be substantially in the form annexed hereto as Schedule "A" and made part of this bylaw (such Agreement or Agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
- c) The Agreement in the form of Schedule "A" shall be dated and payable in the principal amount or amounts of monies and in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under Section 2 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
- d) The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.
- e) The Agreement shall be sealed with the seal of the Regional District and shall bear the signature of the Chair and the officer assigned the responsibility of financial administration of the Regional District.
- f) The obligations incurred under said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
- g) During the currency of the obligations incurred under said Agreement to secure borrowings in respect of Regional District Okanagan-Similkameen Loan Authorization Bylaw No. 2685, the anticipated revenues accruing to the Regional District from the operation of the Okanagan Falls & District Parks and Recreation Service are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

h) The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided, however, that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional Board of the Regional District shall make due provision to discharge such liability.

i) The Regional District shall pay over to the Authority at such time or times as the Treasurer of the Authority so directs such sums as are required pursuant to section 15 of the *Municipal Finance Authority Act* to be paid into the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.

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

ADOPTED this ____ day of ____, 20__

RDOS Board Chair

Corporate Officer

SCHEDULE "A" to Bylaw No. 2742

C A N A D A
PROVINCE OF BRITISH COLUMBIA
A G R E E M E N T

Regional District of Okanagan-Similkameen

The Regional District of Okanagan-Similkameen (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia at its Head Office in Victoria, British Columbia, (the "Authority") the sum of nine hundred and fifty thousand dollar (\$950,000) in lawful money of Canada, together with interest calculated semi-annually in each and every year during the currency of this Agreement; and payments shall be as specified in the table appearing on the reverse hereof commencing on the ___ day of _____, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

DATED at _____, British Columbia, this _____ day of _____, 20__

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 2742 cited as "Regional District of Okanagan-Similkameen Security Issuing Bylaw" This Agreement is sealed with the Corporate Seal of the Regional District of and signed by the Chair and the officer assigned the responsibility of financial administration thereof.

Chair

Financial Administration Officer

Pursuant to the Local Government Act, I certify that this Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any Court of the Province of British Columbia.

Dated _____ (month,day) 20____

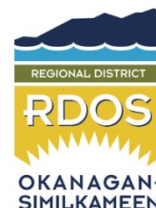
Inspector of Municipalities

(Reverse Side)

PRINCIPAL AND/ OR SINKING FUND DEPOSIT AND INTEREST PAYMENTS

<u>Date of Payment</u>	<u>Principal and/or Sinking Fund Deposit</u>	<u>Interest</u>	<u>Total</u>
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: RDOS Fees and Charges Amendment Bylaw No. 2723.01, 2016

Administrative Recommendation:

THAT Bylaw No. 2723.01, 2016 Regional District of Okanagan-Similkameen Fees and Charges Bylaw be read a first, second and third time; and be adopted.

Reference:

Local Government Act

History:

Administration brings forward the RDOS Fees and Charges Bylaw annually; and all approved changes are adopted in March, in conjunction with the adoption of the 5 Year Financial Plan bylaw.

Occasionally; due to budgetary adjustments or changes services, an amendment to the Fees and Charges Bylaw is required midway through the year.

Analysis:

The public works department has advised that several changes are required at this time; therefore an amendment bylaw with the following changes is before the Board for adoption:

Schedule 5 (Public Works and Engineering Services Fees)

Section 6 - Curbside Solid Waste Collection and Drop-Off Service Fees

The amendment includes a new recycling service for residential homes that have active commercial garbage bin service. Several property owners, generally with businesses that require commercial garbage bin service, have asked for residential recycling service for a home located on the same property. This will be a voluntary service only for residential homes that meet this criteria. The fee will be \$45 per home.

Section 7 – Sanitary Landfills

The amendment includes:

- Housekeeping Adjustments for clarity and consistency between landfills.
- The addition of a new waste category: LEAD PAINTED MATERIALS.
- The adjustment of the following categories: BURNED MATERIALS, FRUIT WASTE, FOUNDRY DUST, PROCESSED ORGANICS.

A marked up version of the bylaw is included to specify the proposed changes.

Respectfully submitted:

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2723.01, 2016

A bylaw to amend Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2723, 2016.

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

1.0 **CITATION**

- 1.1 This Bylaw shall be cited as the **Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2723.01, 2016**.

2.0 – **INTERPRETATION**

2.1 **Schedule 5 - Public Works and Engineering Service Fees**

Section 6 – Curbside Solid Waste Collection and Drop-Off Service Fees

Amended to adjust fees as detailed in Appendix 'A', attached to and forming part of this bylaw.

Section 7 – Sanitary Landfills

Amended to add new waste category ***Lead Painted Materials*** and to adjust the rates for ***Burned Materials, Fruit Waste, Foundry Dust, and Processed Organics, as detailed in Appendix 'B'***, attached to and forming part of this bylaw.

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

ADOPTED this XXX day of XXXX, 2016.

RDOS Board Chair

Corporate Officer

APPENDIX 'A'
Regional District of Okanagan-Similkameen Fees and Charges Amendment
Bylaw No. 2723.01, 2016

Schedule 5 – Public Works and Engineering Services Fees

Section 6 Curbside Solid Waste Collection and Drop-Off Service Fees Bylaw 2191

Fees for improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service by defined service area:

6.1	Electoral Area "A"	\$125.00 per premise per year
6.2	Electoral Area "B"	\$115.00 per premise per year
6.3	Electoral Area "C"	\$135.00 per premise per year
6.4	Participating areas of Electoral Area "D" excluding Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden	\$110.00 per premise per year
6.5	Participating areas of Electoral Area "D" within Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$145.00 per premise per year
6.6	Participating areas of Electoral Areas "E"	\$145.00 per premise per year
6.7	Participating areas of Electoral Area "F"	\$145.00 per premise per year
6.8	Electoral Area "G"	\$150.00 per premise per year
6.9	Village of Keremeos	\$115.00 per premise per year
6.10	Tag-a-Bag as defined by the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw	\$1.50.00 each
6.11	Properties that have active commercial bin collection of refuse located on the property in question that request residential collection of recyclable materials only	\$45.00 per premise per year

APPENDIX 'B'
Regional District of Okanagan-Similkameen Fees and Charges Amendment
Bylaw No. 2723.01, 2016

Schedule 5 – Public Works and Engineering Services Fees

Section 7- Sanitary Landfills

1.0 Campbell Mountain Sanitary Landfill

1.1 The general charges for depositing SOLID WASTE at the Campbell Mountain Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
1.1.1	REFUSE	\$95.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
1.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$500.00 portion above 500 kg	\$25.00 minimum charge. RDOS approval form required.
1.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
1.1.4	CONSTRUCTION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge RDOS approval form required
1.1.5	GYPSUM BOARD	\$95.00	\$5.00 minimum charge
1.1.6	WOOD WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
1.1.7	CONTAMINATED WOOD PRODUCT	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	<i>PRESERVED WOOD</i>	<i>See Section 1.2.3 below</i>	
1.1.8	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE-SEPARATED	\$20.00	\$5.00 minimum charge
1.1.9	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
1.1.10	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE-SEPARATED	\$50.00	\$5.00 minimum charge
1.1.11	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
1.1.12	CLEAN FILL	\$0.00	
1.1.12.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
1.1.12.2	The appropriate waste management form is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

1.1.13	CONTAMINATED SOIL Relocation Application	\$250.00 per application	RDOS approval form required.
1.1.14	CONTAMINATED SOIL	\$20.00	\$50.00 minimum charge
1.1.14.1	(Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
1.1.14.2	(Non-Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
1.1.14.3	Small Volume Contaminated Soil: maximum five cubic metres or less ($\leq 5 \text{ m}^3$). No Relocation Agreement required. The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

	Organic and Agricultural	Charge per tonne per load	Charge Information
1.1.15	FRUIT WASTE	\$0.00 up to 1,000 kg. \$50.00 portion above 1,000 kg.	\$5.00 minimum charge for loads greater than 1,000 kg.
1.1.16	YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	WOOD WASTE	See Section 1.1.6 above	
	CONTAMINATED WOOD PRODUCT	See Section 1.1.7 above	
	PRESERVED WOOD	See Section 1.2.3 below	
	TREE STUMPS	See Section 1.2.16 below	
1.1.17	AGRICULTURAL ORGANIC MATERIAL other than FRUIT WASTE	\$0.00	
1.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
1.1.19	PROCESSED ORGANICS	\$0.00 up to 1,000 kg \$300.00 portion above 1,000 kg	\$5.00 minimum charge for portion greater than 1,000 kg
	City of Penticton Compost Sales	Operated by the City of Penticton. Call 250-490-2500 to confirm price and availability.	

	Recyclables	Charge per tonne per load	Charge Information
1.1.20	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
1.1.21	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge free of CONTAMINATION
1.1.22	CORRUGATED CARDBOARD	\$0.00	Free of CONTAMINATION
1.1.23	Container Glass	\$0.00	Bottles and jars only
1.1.24	METAL	\$0.00 up to 500 kg;	\$5.00 minimum charge for

		\$50.00 portion above 500 kg	loads greater than 500 kg
1.1.25	HOUSEHOLD HAZARDOUS WASTE	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
1.1.26	E-WASTE	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
1.1.27	BATTERIES	\$0.00	
1.1.28	Recyclable TIRES (Max. 10 per customer/day)	\$0.00	Rims removed
1.1.29	OVERSIZE TIRES	\$400.00	Rims removed
	PRESSURIZED TANKS	See Section 1.3 below	
	TIRES with Rims	See Section 1.3 below	
	REFRIGERATION UNITS	See Section 1.3 below	
	Mattress and Box Springs	See Section 1.3 below	

1.2 The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Campbell Mountain Sanitary Landfill are:

	Controlled Waste	Charge per tonne per load	Charge Information
1.2.1	Environmental Cleanup Materials	\$0.00 (see Information on Charge)	Requires written permission of the MANAGER prior to delivery of materials to SITE
1.2.2	PRESERVED WOOD and LEAD PAINTED MATERIALS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
1.2.3	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
1.2.4	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
1.2.5	Screenings and sludge from municipal sewage treatment plants, pump stations and domestic septic systems	\$200.00	\$50.00 minimum charge
1.2.6	Condemned foods	\$200.00	\$50.00 minimum charge
1.2.7	CLINICAL/LABORATORY WASTE	\$200.00	\$50.00 minimum charge
1.2.8	BULKY WASTE	\$200.00	\$50.00 minimum charge
1.2.9	CARCASSES	\$50.00	\$10.00 minimum charge
1.2.10	Manifested ASBESTOS or ASBESTOS CONTAINING MATERIAL (ACM)	\$200.00	\$50.00 minimum charge
1.2.11	BURNED MATERIALS	\$50.00 up to 500 kg; \$200 .00 portion above 500 kg	\$10.00 minimum charge
1.2.12	Foundry Dust	\$150.00	\$50.00 minimum charge
1.2.13	FOOD PROCESSING WASTE	\$200.00	\$50.00 minimum charge
1.2.14	TIMBER WASTE	\$300.00	\$50.00 minimum charge
1.2.15	TREE STUMPS	\$50.00	\$10.00 minimum charge
1.2.16	RENDERABLE PRODUCT	\$200.00	\$50.00 minimum charge

1.2.17	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
1.2.18	NON-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

1.3 The following charges that are in addition to the general charges outlined in 1.1 and 1.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
1.3.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
1.3.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
1.3.3	REFRIGERATION Unit	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
1.3.4	TIRES with Rims	\$2.00 per unit	Maximum 10 per load/day
1.3.5	Mattress	\$7.50 per unit	Any size
1.3.6	Box Spring	\$7.50 per unit	Any size

1.3.7 Any REFUSE that is DEPOSITED at the ACTIVE FACE or the REFUSE BINS with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD that contains RECYCLABLE WASTE shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater.

1.3.8 Any SOLID WASTE load that is DEPOSITED in a designated stockpile area, and that contains CONTAMINANTS shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.

1.3.9 Any MIXED LOAD DEPOSITED at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.

1.3.10 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.

1.3.11 The charges payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the LOAD is deposited and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty VEHICLE.

1.3.12 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a fee shall be charged as outlined in this Schedule.

1.3.13 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.

1.3.14 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule.

1.3.15 SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of LOCAL GOVERNMENT IMPROVEMENTS owned by The City of Penticton, The Village of Keremeos or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE-SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are DEPOSITED appropriately at the SITE. MIXED LOADS shall be charged the applicable fees as set out in this Schedule. .

Schedule 5 – Public Works and Engineering Services Fees

Section 7- Sanitary Landfills

2.0 Okanagan Falls Sanitary Landfill

2.1 The general charges for depositing SOLID WASTE at the Okanagan Falls Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
2.1.1	REFUSE not containing Food Waste	\$95.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
2.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$200.00 portion above 500 kg	\$25.00 minimum charge. RDOS approval form required.
2.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$150.00 up to 500 kg; \$500.00 portion above 500 kg	\$50.00 minimum charge
2.1.4	CONSTRUCTION MIXED LOAD	\$90.00 up to 500 kg; \$200.00 portion above 500 kg	\$25.00 minimum charge RDOS approval form required
2.1.5	ASSESSED DEMOLITION RENOVATION AND CONSTRUCTION MIXED LOAD NON-SERVICE AREA	\$100.00 up to 500 kg; \$250.00 portion above 500 kg.	\$50.00 minimum charge, for loads originating from outside the SERVICE AREA RDOS approval form required
2.1.6	GYPSUM BOARD	\$95.00	\$5.00 minimum charge
2.1.7	WOOD WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
2.1.8	CONTAMINATED WOOD PRODUCT	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	<i>PRESERVED WOOD</i>	<i>See Section 2.2.3 below</i>	
2.1.9	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE-SEPARATED	\$20.00	\$5.00 minimum charge
2.1.10	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
2.1.11	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE-SEPARATED	\$50.00	\$5.00 minimum charge
2.1.12	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
2.1.13	CLEAN FILL	\$0.00	
2.1.13.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
2.1.13.2	The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

2.1.14	CONTAMINATED SOIL APPLICATION	\$250.00 per application	RDOS approval form required.
2.1.15	CONTAMINATED SOIL	\$20.00	\$50.00 minimum charge
2.1.15.1	(Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
2.1.15.2	(Non-Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
2.1.15.3	Small Volume Contaminated Soil (under 5 cubic metres) (< 5 m ³). No Relocation agreement required. The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

	Organic and Agricultural	Charge per tonne per load	Charge Information
	FRUIT WASTE	Not accepted	
2.1.16	YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	WOOD WASTE	See Section 2.1.8 above	
	CONTAMINATED WOOD PRODUCT	See Section 2.1.9 above	
	PRESERVED WOOD	See Section 2.2.3 below	
	TREE STUMPS	See Section 2.2.10 below	
2.1.17	AGRICULTURAL ORGANIC MATERIAL	\$0.00	
2.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
2.1.19	PROCESSED ORGANICS	\$0.00 up to 1,000 kg \$300.00 portion above 1,000 kg	\$5.00 minimum charge for portion greater than 1,000 kg

	Recyclables	Charge per tonne per load	Charge Information
2.1.20	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
2.1.21	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
2.1.22	CORRUGATED CARDBOARD	\$0.00	Free of CONTAMINATION
2.1.23	Container Glass	\$0.00	Bottles and jars free of all other material except container label
2.1.24	E-WASTE	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
2.1.25	METAL	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than

			500 kg
2.1.26	BATTERIES	\$0.00	
2.1.27	Recyclable TIRES	\$0.00	Rims removed
2.1.28	OVERSIZE TIRES	\$400.00	Rims removed
	<i>PRESSURIZED TANKS</i>	<i>See Section 2.3 below</i>	
	<i>TIRES with Rims</i>	<i>See Section 2.3 below</i>	
	<i>REFRIGERATION UNITS</i>	<i>See Section 2.3 below</i>	
	<i>Mattress and Box Springs</i>	<i>See Section 2.3 below</i>	

2.2 The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Okanagan Falls Sanitary Landfill are:

	Waste	Charge per tonne per load	Charge Information
2.2.1	Environmental Cleanup Materials	\$0.00 <i>(see Information on Charge)</i>	Requires written permission of the MANAGER prior delivery of materials to SITE
2.2.2	BIOSOLIDS	\$200.00 <i>(see Information on Charge)</i>	No Charge when DEPOSITED in designated location
2.2.3	PRESERVED WOOD and LEAD PAINTED MATERIALS	\$200.00 <i>(see Information on Charge)</i>	No Charge when DEPOSITED in designated location
2.2.4	INVASIVE PLANTS	\$200.00 <i>(see Information on Charge)</i>	No Charge when DEPOSITED in designated location
2.2.5	INFESTED VEGETATION	\$200.00 <i>(see Information on Charge)</i>	No Charge when DEPOSITED in designated location
2.2.6	BULKY WASTE	\$200.00	\$50.00 minimum charge
2.2.7	TIMBER WASTE	\$300.00	\$50.00 minimum charge
2.2.8	TREE STUMPS	\$50.00	\$50.00 minimum charge
2.2.9	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
2.2.10	Non-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

2.3 The charges for depositing PROHIBITED WASTE as per 2.4.16 at the Okanagan Falls Sanitary Landfill are:

	Prohibited Waste	Charge per tonne per load	Charge Information
2.3.1	PROHIBITED WASTE	\$500.00	\$250.00 minimum charge

2.4 The following charges that are in addition to the general charges outlined in 2.1 and 2.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
2.4.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
2.4.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
2.4.3	REFRIGERATION UNITS	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
2.4.4	TIRES with Rims	\$ 2.00 per unit	Maximum 10 per day
2.4.5	Mattress	\$7.50 per unit	Any size
2.4.6	Box Spring	\$7.50 per unit	Any size

- 2.4.7 Any REFUSE that is DEPOSITED at the ACTIVE FACE or the REFUSE BINS that contains RECYCLABLE WASTE shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater.
- 2.4.8 Any SOLID WASTE load that is DEPOSITED in a designated stockpile area, and that contains CONTAMINANTS shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.
- 2.4.9 Any MIXED LOAD DEPOSITED at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.
- 2.4.10 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.
- 2.4.11 The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the LOAD is DEPOSITED and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty VEHICLE.
- 2.4.12 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each motor vehicle and a fee shall be charged as outlined in this Schedule.
- 2.4.13 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.
- 2.4.14 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule
- 2.4.15 SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of LOCAL GOVERNMENT IMPROVEMENTS owned by The City of Penticton, The Village of Keremeos or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE-SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are DEPOSITED appropriately at the SITE. MIXED LOADS shall be charged the applicable fees as set out in this Schedule
- 2.4.16 DEPOSIT of PROHIBITED WASTE including but not limited to ASBESTOS CONTAINING MATERIALS, FRUIT WASTE, FOOD WASTE and BURNED MATERIALS is not authorized for DISPOSAL at the Okanagan Falls SITE

Section 7- Sanitary Landfills

3.0 Oliver Sanitary Landfill

3.1 The general charges for depositing SOLID WASTE at the Oliver Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
3.1.1	REFUSE	\$95.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
3.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$500.00 portion above 500 kg	\$25.00 minimum charge. RDOS approval form required.
3.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
3.1.4	CONSTRUCTION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
3.1.5	GYPSUM BOARD	\$95.00	\$5.00 minimum charge
3.1.6	WOOD WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
3.1.7	CONTAMINATED WOOD PRODUCT	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	<i>PRESERVED WOOD</i>	<i>See Section 1.2.3 below</i>	
3.1.8	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE-SEPARATED	\$20.00	\$5.00 minimum charge
3.1.9	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
3.1.10	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE-SEPARATED	\$50.00	\$5.00 minimum charge
3.1.11	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
3.1.12	CLEAN FILL	\$0.00	
3.1.12.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
3.1.12.2	The appropriate waste management form is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the fill to the SITE.		
3.1.13	CONTAMINATED SOIL APPLICATION	\$250.00 per application	RDOS approval form required.

3.1.14	CONTAMINATED SOIL	\$20.00	\$50.00 minimum charge
3.1.14.1	(Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
3.1.14.2	(Non-Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
3.1.14.3	Small Volume Contaminated Soil (under 5 cubic metres) (< 5 m3). No Relocation agreement required. The appropriate waste management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

	Organic and Agricultural	Charge per tonne per load	Charge Information
3.1.15	FRUIT WASTE	\$10.00	\$5.00 minimum charge
3.1.16	YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
	WOOD WASTE	See Section 3.1.6 above	
	CONTAMINATED WOOD PRODUCT	See Section 3.1.7 above	
	PRESERVED WOOD	See Section 3.2.2 below	
	TREE STUMPS	See Section 3.2.15 below	
3.1.17	AGRICULTURAL ORGANIC MATERIAL other than FRUIT WASTE	\$0.00	
3.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
3.1.19	PROCESSED ORGANICS	\$0.00 up to 1,000 kg \$300.00 portion above 1,000 kg	\$5.00 minimum charge for portion greater than 1,000 kg
3.1.20	COMPOST Sales	\$50.00	Retail price per tonne when available

	Recyclables	Charge per tonne per load	Charge Information
3.1.21	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
3.1.22	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
3.1.23	CORRUGATED CARDBOARD	\$0.00	
3.1.24	Container Glass	\$0.00	Bottles and jars free of all other material except container label
3.1.25	METAL	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
3.1.26	PAINT	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA

3.1.27	E-WASTE	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
3.1.28	BATTERIES	\$0.00	
3.1.29	Recyclable TIRES (Max. 10 per customer/day)	\$0.00	Rims removed
3.1.30	OVERSIZE TIRES	\$ 400.00	Rims removed
	PRESSURIZED TANKS	See Section 3.3 below	
	TIRES with Rims	See Section 3.3 below	
	REFRIGERATION UNITS	See Section 3.3 below	
	Mattress and Box Springs	See Section 3.3 below	

3.2 The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Oliver Sanitary Landfill are:

	Waste	Charge per tonne per load	Charge Information
3.2.1	Environmental Cleanup Materials	\$0.00 (see Information on Charge)	Requires written permission of the MANAGER prior to delivery of materials to SITE
3.2.2	PRESERVED WOOD and LEAD PAINTED MATERIALS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
3.2.3	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
3.2.4	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
3.2.5	Screenings and sludge from municipal sewage treatment plants, pump stations and domestic septic systems	\$200.00	\$50.00 minimum charge
3.2.6	Condemned foods	\$200.00	\$50.00 minimum charge
3.2.7	CLINICAL/LABORATORY WASTE	\$200.00	\$50.00 minimum charge
3.2.8	BULKY WASTE	\$200.00	\$50.00 minimum charge
3.2.9	CARCASSES	\$50.00	\$5.00 minimum charge
3.2.10	Manifested ASBESTOS or ASBESTOS CONTAINING MATERIAL (ACM)	\$200.00	\$50.00 minimum charge
3.2.11	BURNED MATERIALS	\$ 50.00 up to 500 kg; \$ 200.00 portion above 500 kg	\$10.00 minimum charge
3.2.12	Foundry Dust	\$200.00	\$50.00 minimum charge
3.2.13	FOOD PROCESSING WASTE	\$200.00	\$50.00 minimum charge
3.2.14	TIMBER WASTE	\$300.00	\$50.00 minimum charge
3.2.15	TREE STUMPS	\$50.00	\$10.00 minimum charge
3.2.16	RENDERABLE PRODUCT	\$200.00	\$50.00 minimum charge
3.2.17	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
3.2.18	Non-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

3.3 The following charges that are in addition to the general charges outlined in 3.1 and 3.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
3.3.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
3.3.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
3.3.3	REFRIGERATION UNIT	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
3.3.4	TIRES with Rims	\$ 2.00 per unit	Maximum 10 per day
3.3.5	Mattress	\$7.50 per unit	Any size
3.3.6	Box Spring	\$7.50 per unit	Any size

- 3.3.7 Any REFUSE that is DEPOSITED at the ACTIVE FACE, with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD, that contains RECYCLABLE WASTE, shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load whichever is greater.
- 3.3.8 Any SOLID WASTE load that is deposited in a designated stockpile area, and that contains CONTAMINANTS shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.
- 3.3.19 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.
- 3.3.10 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.
- 3.3.11 The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the LOAD is deposited and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the VEHICLE.
- 3.3.12 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each motor vehicle and a fee shall be charged as outlined in this Schedule.
- 3.3.13 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.
- 3.3.14 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule
- 3.3.15 SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of Local Government Improvements owned by The Town of Oliver or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE-SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are DEPOSITED appropriately at the SITE. DEMOLITION AND RENOVATION MIXED LOAD shall be charged the applicable fees above.

Schedule 5 – Public Works and Engineering Fees

Section 7- Sanitary Landfills

4.0 Keremeos Sanitary Landfill

4.1 The general charges for depositing SOLID WASTE at the Keremeos Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
4.1.1	REFUSE	\$95.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
	DEMOLITION RENOVATION AND CONSTRUCTION MIXED LOAD	Mixed Loads Not Accepted	
4.1.2	GYPSON BOARD	\$95.00	\$ 5.00 minimum charge
4.1.3	WOOD WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
4.1.4	CONTAMINATED WOOD PRODUCT	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	PRESERVED WOOD	See Section 1.2.3 below	
4.1.5	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE-SEPARATED	\$20.00	\$5.00 minimum charge
4.1.6	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
4.1.7	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE-SEPARATED	\$50.00	\$5.00 minimum charge
4.1.8	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
4.1.9	CLEAN FILL	\$0.00	
4.1.9.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
4.1.9.2	The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the fill to the SITE.		
4.1.10	REMEDIATABLE SOIL	\$5.00	
4.1.10.1	For soils that are REMEDIABLE to the standard as specified in Column III (Urban Park) of Schedules 4 & 5 and placement in the Landfill as cover. (Non-Metals: <HAZARDOUS WASTE) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION and upon submission of appropriate 'RDOS Application for the Relocation of CONTAMINATED SOIL		

	Organic and Agricultural	Charge per tonne per load	Charge Information
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4.1.11	YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
	WOOD WASTE	See Section 4.1.3 above	
	CONTAMINATED WOOD PRODUCT	See Section 4.1.4 above	
	PRESERVED WOOD	See Section 4.2.1 below	
	TREE STUMPS	See Section 4.2.4 below	
4.1.12	AGRICULTURAL ORGANIC MATERIAL	\$0.00	
4.1.13	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
4.1.14	PROCESSED ORGANICS	\$0.00 up to 1,000 kg \$300.00 portion above 1,000 kg	\$5.00 minimum charge for portion greater than 1,000 kg

	Recyclables	Charge per tonne per load	Charge Information
4.1.15	RESIDENTIAL RECYCLING	\$0.00	Free of contaminants
4.1.16	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
4.1.17	CORRUGATED CARDBOARD	\$0.00	Free of contaminants
4.1.18	Container Glass	\$0.00	Bottles and jars free of all other material except container label
4.1.19	METAL	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
4.1.20	E-WASTE	\$0.00	Acceptable quantities which originate within the SERVICE AREA
4.1.21	BATTERIES	\$0.00	
4.1.22	Recyclable TIRES	\$0.00	Rims removed
4.1.23	OVERSIZE TIRES	\$250.00	Rims removed
	PRESSURIZED TANKS	See Section 4.3 below	
	TIRES with Rims	See Section 4.3 below	
	REFRIGERATION UNITS	See Section 4.3 below	
	Mattress and Box Springs	See Section 4.3 below	

4.2 The charges for depositing authorized REGULATED WASTE and authorized PROHIBITED WASTE at the Keremeos Sanitary Landfill are:

	Waste	Charge per tonne per load	Charge Information
4.2.1	PRESERVED WOOD	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
4.2.2	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
4.2.3	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated

			location
4.2.4	TREE STUMPS	\$50.00	\$10.00 minimum charge
4.2.5	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
4.2.6	Non-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

4.3 The charges for depositing PROHIBITED WASTE as per 2.4.16 at the Keremeos Sanitary Landfill are:

	Prohibited Waste	Charge per tonne per load	Charge Information
4.3.1	PROHIBITED WASTE	\$500.00	\$250.00 minimum charge

4.4 The following charges that are in addition to the general charges outlined in 4.1 and 4.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
4.4.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
4.4.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
4.4.3	REFRIGERATION UNIT	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
4.4.4	TIRES with Rims	\$2.00 per unit	Maximum 10 per day
4.4.5	Mattress	\$7.50 per unit	Any size
4.4.6	Box Spring	\$7.50 per unit	Any size

4.4.7 Any REFUSE that is DEPOSITED in the REFUSE BINS that contains RECYCLABLE WASTE shall be charged two times the rate for REFUSE or two times the highest rate for any materials contained in the load, whichever is greater

4.4.8 Any SOLID WASTE load that is DEPOSITED in a designated stockpile area, and that contains CONTAMINANTS shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.

4.4.9 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.

4.4.10 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.

4.4.11 The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the LOAD is DEPOSITED and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty VEHICLE.

4.4.12 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a fee shall be charged as outlined in this Schedule.

- 4.4.13 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.
- 4.4.14 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule.
- 4.4.15 DEPOSIT of PROHIBITED WASTE including but not limited to ASBESTOS CONTAINING MATERIALS, FRUIT WASTE, DEMOLITION RENOVATION AND CONSTRUCTION MIXED LOAD, LEAD PAINTED MATERIALS and BURNED MATERIALS is not authorized for DISPOSAL at the Keremeos SITE.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2723.01, 2016

A bylaw to amend Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2723, 2016.

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

1.0 CITATION

- 1.1 This Bylaw shall be cited as the **Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2723.01, 2016**.

2.0 – INTERPRETATION

2.1 Schedule 5 - Public Works and Engineering Service Fees

Section 6 – Curbside Solid Waste Collection and Drop-Off Service Fees
Amended to adjust fees as detailed in Appendix 'A', attached to and forming part of this bylaw.

Section 7 – Sanitary Landfills
Amended to add new waste category ***Lead Painted Materials*** and to adjust the rates for ***Burned Materials, Fruit Waste, Foundry Dust***, and ***Processed Organics, as detailed in Appendix 'B'***, attached to and forming part of this bylaw.

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

ADOPTED this XXX day of XXXX, 2016.

RDOS Board Chair

Corporate Officer

APPENDIX 'A'
Regional District of Okanagan-Similkameen Fees and Charges Amendment
Bylaw No. 2723.01, 2016

Schedule 5 – Public Works and Engineering Services Fees

Section 6 Curbside Solid Waste Collection and Drop-Off Service Fees Bylaw 2191

Fees for improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service by defined service area:

6.1 Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in Electoral Area "A".	\$125.00 per premise per year	<div>Formatted: Font: 11 pt</div>
6.2 Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in Electoral Area "B".	\$115.00 per premise per year	<div>Formatted: Font: 11 pt</div>
6.3 Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in Electoral Area "C".	\$135.00 per premise per year	<div>Formatted: Font: 11 pt</div>
6.4 Participating areas of Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in Electoral Area "D" excluding Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$110.00 per premise per year	<div>Formatted: Font: 11 pt</div> <div>Formatted: Font: 11 pt</div>
6.5 Participating areas of Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in Electoral Area "D" within Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$145.00 per premise per year	<div>Formatted: Font: 11 pt</div> <div>Formatted: Font: 11 pt</div>
6.6 Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in the Pparticipating areas of Electoral Areas "E".	\$145.00 per premise per year	<div>Formatted: Font: 11 pt</div>
6.7 Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in the pParticipating areas of Electoral Area "F".	\$145.00 per premise per year	<div>Formatted: Font: 11 pt</div>

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| 6.8 | Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in Electoral Area "G". | \$150.00 per premise per year |
| 6.9 | Improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service in the Village of Keremeos. | \$115.00 per premise per year |
| 6.10 | Tag-a-Bag as defined by the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw | \$1.50.00 each |
| 6.11 | <u>Properties that have active commercial bin collection of refuse located on the property in question that request residential collection of recyclable materials only</u> | <u>\$45.00 per premise per year</u> |

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APPENDIX 'B'
Regional District of Okanagan-Similkameen Fees and Charges Amendment
Bylaw No. 2723.01, 2016

Schedule 5 – Public Works and Engineering Services Fees

Section 7- Sanitary Landfills

1.0 Campbell Mountain Sanitary Landfill

1.1 The general charges for depositing SOLID WASTE at the Campbell Mountain Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
1.1.1	REFUSE	\$95.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
1.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$500.00 portion above 500 kg	\$25.00 minimum charge. RDOS approval form required. Contact RDOS for approval requirements.
1.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
1.1.4	CONSTRUCTION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge RDOS approval form required
1.1.5	GYPSUM BOARD	\$95.00	\$5.00 minimum charge
1.1.6	WOOD WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
1.1.7	CONTAMINATED WOOD PRODUCT	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	<i>PRESERVED WOOD</i>	<i>See Section 1.2.3 below</i>	
1.1.8	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE-SEPARATED	\$20.00	\$5.00 minimum charge
1.1.9	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
1.1.10	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE-SEPARATED	\$50.00	\$5.00 minimum charge
1.1.11	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
1.1.12	CLEAN FILL	\$0.00	
1.1.12.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
1.1.12.2	The appropriate waste management form is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the		

SITE.			
1.1.1.13	CONTAMINATED SOIL Relocation Application	\$250.00 per application	RDOS approval form required. 'RDOS Application for the Relocation of CONTAMINATED SOIL' as per RDOS Policy P5280-00.05.
1.1.1.14	CONTAMINATED SOIL	\$20.00	\$50.00 minimum charge
1.1.1.14.1	(Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
1.1.1.14.2	(Non-Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
1.1.1.14.3	Small Volume Contaminated Soil: maximum five cubic metres or less (≤ 5 m ³). No Relocation Agreement required. The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

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	Organic and Agricultural	Charge per tonne per load	Charge Information
1.1.1.15	FRUIT WASTE	\$0.00 up to 1,000 500 kg. \$50.00 portion above 1,000 500 kg.	\$5.00 minimum charge for loads greater than 1,000 500 kg.
1.1.1.16	YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	WOOD WASTE	See Section 1.1.6 above	
	CONTAMINATED WOOD PRODUCT	See Section 1.1.7 above	
	PRESERVED WOOD	See Section 1.2.3 below	
	TREE STUMPS	See Section 1.2.16 below	
1.1.1.17	AGRICULTURAL ORGANIC MATERIAL other than FRUIT WASTE	\$0.00	
1.1.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
1.1.1.19	PROCESSED ORGANICS	\$0.00 up to 1,000 kg \$300.00 portion above 1,000 kg	\$5.00 minimum charge for portion greater than 1,000 kg
	City of Penticton Compost Sales	Operated by the City of Penticton. Call 250-490-2500 to confirm price and availability.	

	Recyclables	Charge per tonne per load	Charge Information
1.1.1.20	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
1.1.1.21	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge free of CONTAMINATION
1.1.1.22	CORRUGATED CARDBOARD	\$0.00	Free of CONTAMINATION
1.1.1.23	Container Glass	\$0.00	Bottles and jars only

1.1.24	METAL	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
1.1.25	HOUSEHOLD HAZARDOUS WASTE	\$0.00	Residential RESIDENTIAL quantities which originate within the SERVICE AREA
1.1.26	E-WASTE	\$0.00	Acceptable RESIDENTIAL quantities which originate within the SERVICE AREA
1.1.27	BATTERIES	\$0.00	
1.1.28	Recyclable TIRES (Max. 10 per customer/day)	\$0.00	Rims removed
1.1.29	OVERSIZE TIRES	\$400.00	Rims removed
	PRESSURIZED TANKS	See Section 1.3 below	
	TIRES with Rims	See Section 1.3 below	
	REFRIGERATION UNITS	See Section 1.3 below	
	Mattress and Box Springs	See Section 1.3 below	

1.2 The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Campbell Mountain Sanitary Landfill are:

	Controlled Waste	Charge per tonne per load	Charge Information
1.2.1	Environmental Cleanup Materials	\$0.00 (see Information on Charge)	Requires written permission of the MANAGER prior to delivery of materials to SITE
1.2.2	PRESERVED WOOD <u>and</u> <u>LEAD PAINTED MATERIALS</u>	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITED in designated location
1.2.3	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITED in designated location
1.2.4	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITED in designated location
1.2.5	Screenings and sludge from municipal sewage treatment plants, pump stations and domestic septic systems	\$200.00	\$50.00 minimum charge
1.2.6	Condemned foods	\$200.00	\$50.00 minimum charge
1.2.7	CLINICAL/LABORATORY WASTE	\$200.00	\$50.00 minimum charge
1.2.8	BULKY WASTE	\$200.00	\$50.00 minimum charge
1.2.9	CARCASSES	\$50.00	\$10.00 minimum charge
1.2.10	Manifested ASBESTOS or ASBESTOS CONTAINING MATERIAL (ACM)	\$200.00	\$50.00 minimum charge
1.2.11	BURNED MATERIALS	\$50.00 up to 500 kg; \$200-250.00 portion above 500 kg	\$10.00 minimum charge

1.2.12	Foundry Dust	\$ 200 150.00	\$50.00 minimum charge
1.2.13	FOOD PROCESSING WASTE	\$200.00	\$50.00 minimum charge
1.2.14	TIMBER WASTE	\$300.00	\$50.00 minimum charge
1.2.15	TREE STUMPS	\$50.00	\$10.00 minimum charge
1.2.16	RENDERABLE PRODUCT	\$200.00	\$50.00 minimum charge
1.2.17	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
1.2.18	NON-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

1.3 The following charges that are in addition to the general charges outlined in 1.1 and 1.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
1.3.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
1.3.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
1.3.3	REFRIGERATION Unit	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
1.3.4	TIRES with Rims	\$2.00 per unit	Maximum 10 per load/day
1.3.5	Mattress	\$7.50 per unit	Any size
1.3.6	Box Spring	\$7.50 per unit	Any size

1.3.7 Any REFUSE that is ~~DEPOSITED~~deposited at the ACTIVE FACE or the REFUSE BINS ~~and with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD~~ that contains ~~more than one percent (1%) acceptable CONTROLLED WASTE or RECYCLABLE WASTE, by volume,~~ shall be charged ~~two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater. double the normal fee set out in 1.1 and 1.2 of this Schedule with a \$10.00 minimum charge with the exception of DRC.~~

~~1.3.8 Any REFUSE that is deposited in the REFUSE BINS that contains CONTROLLED WASTE or RECYCLABLE WASTE shall be charged double the normal fee set out in 1.1 and 1.2 of this Schedule with a \$20.00 minimum charge~~

1.3.8 Any SOLID WASTE load that is ~~DEPOSITED~~deposited in a designated stockpile area, and that contains CONTAMINANTS shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.

~~1.3.10 Any LOAD of RECYCLABLE WASTE that is deposited at the ACTIVE FACE, shall be charged three times the rate for REFUSE.~~

1.3.9~~10~~ Any MIXED LOAD ~~DEPOSITED~~deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.

1.3.10~~1~~ The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in ~~1.1 and 1.2 of~~ this Schedule with a \$10 minimum charge.

1.3.11~~2~~ The charges payable under ~~1.1 and 1.2 of~~ this Schedule shall be paid following the weighing of the empty ~~motor vehicle~~VEHICLE after the LOAD is deposited and shall be based on the

NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty ~~vehicle~~ VEHICLE.

1.3.1~~24~~²⁵ In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each ~~motor vehicle~~ VEHICLE and a fee shall be charged as outlined in ~~1.1, 1.2 and 1.3 of this Schedule, or at the discretion of the MANAGER, the SITE OFFICIAL shall use the fees outlined in Section 5.~~

1.3.1~~35~~³⁶ All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.

1.3.1~~46~~⁴⁷ -Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in ~~1.1 and 1.2 of~~ this Schedule.

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1.3.1~~57~~⁵⁸ SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of ~~Local Government Improvements~~ LOCAL GOVERNMENT IMPROVEMENTS owned by The City of Penticton, The Village of Keremeos or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE-SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are ~~DEPOSITED~~ deposited appropriately at the SITE. ~~DEMOLITION AND RENOVATION~~ MIXED LOADS shall be charged the applicable fees ~~as set out in this Schedule. above.~~

Schedule 5 – Public Works and Engineering Services Fees

Section 7- Sanitary Landfills

2.0 Okanagan Falls Sanitary Landfill

2.1 The general charges for depositing SOLID WASTE at the Okanagan Falls Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
2.1.1	REFUSE not containing Food Waste	\$95.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
2.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$200.00 portion above 500 kg	\$25.00 minimum charge. RDOS approval form required. Contact RDOS for approval requirements.
2.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$150.00 up to 500 kg; \$500.00 portion above 500 kg	\$50.00 minimum charge
2.1.4	CONSTRUCTION MIXED LOAD	\$90.00 up to 500 kg; \$200.00 portion above 500 kg	\$25.00 minimum charge RDOS approval form required
2.1.5	ASSESSED DEMOLITION RENOVATION AND CONSTRUCTION MIXED LOAD NON-SERVICE AREA	\$100.00 up to 500 kg; \$250.00 portion above 500 kg.	\$50.00 minimum charge, for loads originating from outside the SERVICE AREA RDOS approval form required
2.1.6	GYPSUM BOARD	\$95.00	\$5.00 minimum charge
2.1.7	WOOD WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
2.1.8	CONTAMINATED WOOD PRODUCT	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	<i>PRESERVED WOOD</i>	<i>See Section 2.2.3 below</i>	
2.1.9	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE-SEPARATED	\$20.00	\$5.00 minimum charge
2.1.10	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
2.1.11	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE-SEPARATED	\$50.00	\$5.00 minimum charge
2.1.12	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
2.1.13	CLEAN FILL	\$0.00	
2.1.13.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
2.1.13.2	The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to		

	the SITE.		
2.1.14	CONTAMINATED SOIL APPLICATION	\$250.00 per application	‘RDOS Application for the Relocation of CONTAMINATED SOIL’ as per RDOS Policy P5280-00.05 -RDOS approval form required.
2.1.15	CONTAMINATED SOIL	\$20.00	\$50.00 minimum charge
2.1.15.1	(Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
2.1.15.2	(Non-Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
2.1.15.3	Small Volume Contaminated Soil (under 5 cubic metres) (< 5 m ³). No Relocation agreement required. The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours’ notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

	Organic and Agricultural	Charge per tonne per load	Charge Information
	FRUIT WASTE	Not accepted	
2.1.16	YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	WOOD WASTE	See Section 2.1.8 above	
	CONTAMINATED WOOD PRODUCT	See Section 2.1.9 above	
	PRESERVED WOOD	See Section 2.2.3 below	
	TREE STUMPS	See Section 2.2.10 below	
2.1.17	AGRICULTURAL ORGANIC MATERIAL	\$0.00	
2.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
2.1.19	PROCESSED ORGANICS	\$0.00 up to 1,000 kg \$300.00 portion above 1,000 kg	\$5.00 minimum charge for portion greater than 1,000 kg

	Recyclables	Charge per tonne per load	Charge Information
2.1.20	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
2.1.21	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
2.1.22	CORRUGATED CARDBOARD	\$0.00	Free of CONTAMINATION
2.1.23	Container Glass	\$0.00	Bottles and jars free of all

			other material except container label
2.1.24	E-WASTE	\$0.00	Acceptable RESIDENTIAL residential quantities which originate within the SERVICE AREA
2.1.25	METAL	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
2.1.26	BATTERIES (Max. 10 per customer/day)	\$0.00	
2.1.27	Recyclable TIRES	\$0.00	Rims removed
2.1.28	OVERSIZE TIRES	\$400.00	Rims removed
	PRESSURIZED TANKS	See Section 2.3 below	
	TIRES with Rims	See Section 2.3 below	
	REFRIGERATION UNITS	See Section 2.3 below	
	Mattress and Box Springs	See Section 2.3 below	

2.2 The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Okanagan Falls Sanitary Landfill are:

	Waste	Charge per tonne per load	Charge Information
2.2.1	Environmental Cleanup Materials	\$0.00 (see Information on Charge)	Requires written permission of the MANAGER prior delivery of materials to SITE
2.2.2	BIOSOLIDS	\$200 150.00 (see Information on Charge)	No Charge when immediately DEPOSITED deposited in designated location
2.2.3	PRESERVED WOOD and LEAD PAINTED MATERIALS	\$200 150.00 (see Information on Charge)	No Charge when immediately DEPOSITED deposited in designated location
2.2.4	INVASIVE PLANTS	\$200 150.00 (see Information on Charge)	No Charge when immediately DEPOSITED deposited in designated location
2.2.5	INFESTED VEGETATION	\$200 150.00 (see Information on Charge)	No Charge when immediately DEPOSITED deposited in designated location
2.2.6	BULKY WASTE	\$200 150.00	\$50.00 minimum charge
2.2.7	TIMBER WASTE	\$300.00	\$50.00 minimum charge
2.2.8	TREE STUMPS	\$50.00	\$50.00 minimum charge
2.2.9	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
2.2.10	Non-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

2.3 The charges for depositing PROHIBITED WASTE as per 2.4.16 at the Okanagan Falls Sanitary Landfill are:

	Prohibited Waste	Charge per tonne per load	Charge Information
2.3.1	PROHIBITED WASTE	\$500.00	\$250.00 minimum charge

2.4 The following charges that are in addition to the general charges outlined in 2.1 and 2.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
2.4.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
2.4.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
2.4.3	REFRIGERATION UNITS	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
2.4.4	TIRES with Rims	\$ 2.00 per unit	Maximum 10 per day
2.4.5	Mattress	\$7.50 per unit	Any size
2.4.6	Box Spring	\$7.50 per unit	Any size

2.4.7 Any REFUSE that is ~~DEPOSITED~~deposited at the ACTIVE FACE or the REFUSE BINS ~~and~~ that contains ~~more than one percent (1%)~~ RECYCLABLE WASTE ~~or CONTROLLED WASTE, by volume,~~ shall be charged ~~double the normal fee set out in 2.1 and 2.2 of this Schedule with a \$20.00 minimum charge, two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater.~~

2.4.8 Any SOLID WASTE load that is ~~DEPOSITED~~deposited in a designated stockpile area, and that contains CONTAMINANTS shall be charged three times the rate for ~~REFUSE~~refuse, or three times the highest rate for any material contained in the load, whichever is greater.

2.4.9 Any MIXED LOAD ~~DEPOSITED~~deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.

~~2.4.10 Any LOAD of RECYCLABLE WASTE that is deposited at the ACTIVE FACE, shall be charged three times the rate for REFUSE.~~

2.4.10~~1~~ The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in ~~2.1 and 2.2 of~~ this Schedule ~~with a \$10 minimum charge.~~

2.4.11~~2~~ The charge payable under ~~2.1 and 2.2 of~~ this Schedule shall be paid following the weighing of the empty ~~motor-VEHICLE vehicle~~ after the LOAD is ~~DEPOSITED~~deposited and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty ~~vehicle~~ VEHICLE.

2.4.12~~3~~ In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each motor vehicle and a fee shall be charged as outlined in ~~2.1, 2.2 and 2.3 of~~ this Schedule, ~~or at the discretion of the MANAGER, the SITE OFFICIAL shall use the fees outlined in Section 5.~~

- 2.4.1~~3~~⁴ All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.
- 2.4.1~~4~~⁵ -Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in ~~2.1 and 2.2 of~~ this Schedule
- 2.4.1~~5~~⁶ SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of ~~LOCAL GOVERNMENT IMPROVEMENTS~~Local Government Improvements owned by The City of Penticton, The Village of Keremeos or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE-SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are ~~DEPOSITED~~deposited appropriately at the SITE. ~~DEMOLITION AND RENOVATION~~-MIXED LOADS shall be charged the applicable fees ~~above~~as set out in this Schedule
- 2.4.1~~6~~⁷~~DEPOSIT~~Deposit of PROHIBITED WASTE including but not limited to ASBESTOS CONTAINING MATERIALS, FRUIT WASTE, FOOD WASTE and BURNED MATERIALS is not authorized for DISPOSAL at the Okanagan Falls SITE.

Schedule 5 – Public Works and Engineering Fees

Section 7- Sanitary Landfills

3.0 Oliver Sanitary Landfill

3.1 The general charges for depositing SOLID WASTE at the Oliver Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
3.1.1	REFUSE	\$95.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
3.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$500.00 portion above 500 kg	\$25.00 minimum charge. RDOS approval form required. Contact RDOS for approval requirements.
3.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
3.1.4	CONSTRUCTION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
3.1.5	GYPSUM BOARD	\$95.00	\$5.00 minimum charge
3.1.6	WOOD WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
3.1.7	CONTAMINATED WOOD PRODUCT	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	<i>PRESERVED WOOD</i>	<i>See Section 1.2.3 below</i>	
3.1.8	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE-SEPARATED	\$20.00	\$5.00 minimum charge
3.1.9	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
3.1.10	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE-SEPARATED	\$50.00	\$5.00 minimum charge
3.1.11	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
3.1.12	CLEAN FILL	\$0.00	
3.1.12.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
3.1.12.2	The appropriate waste management form is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the fill to the SITE.		
3.1.13	CONTAMINATED SOIL APPLICATION	\$250.00 per application	RDOS Application for the Relocation of CONTAMINATED SOIL' as per RDOS Policy P5280-00.05 RDOS approval form

			required.
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3.1.14	CONTAMINATED SOIL	\$20.00	\$50.00 minimum charge
3.1.14.1	(Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
3.1.14.2	(Non-Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
3.1.14.3	Small Volume Contaminated Soil (under 5 cubic metres) (< 5 m3). No Relocation agreement required. The appropriate waste management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

	Organic and Agricultural	Charge per tonne per load	Charge Information
3.1.15	FRUIT WASTE	\$10.00	\$5.00 minimum charge
3.1.16	YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
	WOOD WASTE	See Section 3.1.6 above	
	CONTAMINATED WOOD PRODUCT	See Section 3.1.7 above	
	PRESERVED WOOD	See Section 3.2.2 below	
	TREE STUMPS	See Section 3.2.15 below	
3.1.17	AGRICULTURAL ORGANIC MATERIAL other than FRUIT WASTE	\$0.00	
3.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
3.1.19	PROCESSED ORGANICS	\$0.00 up to 1,000 kg \$300.00 portion above 1,000 kg	\$5.00 minimum charge for portion greater than 1,000 kg
3.1.20	COMPOST Sales	\$50.00	Retail price per tonne when available

	Recyclables	Charge per tonne per load	Charge Information
3.1.21	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
3.1.22	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
3.1.23	CORRUGATED CARDBOARD	\$0.00	
3.1.24	Container Glass	\$0.00	Bottles and jars free of all other material except

			container label
3.1.25	METAL	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
3.1.26	PAINT	\$0.00	RESIDENTIAL Residential quantities which originate within the SERVICE AREA
3.1.27	E-WASTE	\$0.00	Acceptable-RESIDENTIAL quantities which originate within the SERVICE AREA
3.1.28	BATTERIES	\$0.00	
3.1.29	Recyclable TIRES (Max. 10 per customer/day)	\$0.00	Rims removed
3.1.30	OVERSIZE TIRES	\$ 400.00	Rims removed
	PRESSURIZED TANKS	See Section 3.3 below	
	TIRES with Rims	See Section 3.3 below	
	REFRIGERATION UNITS	See Section 3.3 below	
	Mattress and Box Springs	See Section 3.3 below	

3.2 The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Oliver Sanitary Landfill are:

	Waste	Charge per tonne per load	Charge Information
3.2.1	Environmental Cleanup Materials	\$0.00 (see Information on Charge)	Requires written permission of the MANAGER prior to delivery of materials to SITE
3.2.2	PRESERVED WOOD and LEAD PAINTED MATERIALS	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITED deposited in designated location
3.2.3	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITED deposited in designated location
3.2.4	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITED deposited in designated location
3.2.5	Screenings and sludge from municipal sewage treatment plants, pump stations and domestic septic systems	\$200.00	\$50.00 minimum charge
3.2.6	Condemned foods	\$200.00	\$50.00 minimum charge
3.2.7	CLINICAL/LABORATORY WASTE	\$200.00	\$50.00 minimum charge
3.2.8	BULKY WASTE	\$200.00	\$50.00 minimum charge
3.2.9	CARCASSES	\$50.00	\$5.00 minimum charge
3.2.10	Manifested ASBESTOS or ASBESTOS CONTAINING	\$200.00	\$50.00 minimum charge

	MATERIAL (ACM)		
3.2.11	BURNED MATERIALS	\$ 50.00 up to 500 kg; \$ 200 250.00 portion above 500 kg	\$ 1050 .00 minimum charge
3.2.12	Foundry Dust	\$200.00	\$50.00 minimum charge
3.2.13	FOOD PROCESSING WASTE	\$200.00	\$50.00 minimum charge
3.2.14	TIMBER WASTE	\$300.00	\$50.00 minimum charge
3.2.15	TREE STUMPS	\$50.00	\$10.00 minimum charge
3.2.16	RENDERABLE PRODUCT	\$200.00	\$50.00 minimum charge
3.2.17	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
3.2.18	Non-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

3.3 The following charges that are in addition to the general charges outlined in 3.1 and 3.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
3.3.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
3.3.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
3.3.3	REFRIGERATION UNIT	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
3.3.4	TIRES with Rims	\$ 2.00 per unit	Maximum 10 per day
3.3.5	Mattress	\$7.50 per unit	Any size
3.3.6	Box Spring	\$7.50 per unit	Any size

3.3.7 Any REFUSE that is ~~DEPOSITED~~deposited at the ACTIVE FACE, with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD, that contains ~~CONTROLLED WASTE or~~ RECYCLABLE WASTE, shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load whichever is greater. double the normal fee set out in 3.1 and 3.2 of this Schedule.

~~3.3.8 Any REFUSE that is deposited in the REFUSE BINS that contains CONTROLLED WASTE or RECYCLABLE WASTE shall be charged double the normal fee set out in 1.1 and 1.2 of this Schedule with a \$20.00 minimum charge~~

3.3.89 Any SOLID WASTE load that is deposited in a designated stockpile area, and that contains CONTAMINANTS shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.

~~3.3.10 Any LOAD of RECYCLABLE WASTE that is deposited at the ACTIVE FACE, shall be charged three times the rate for REFUSE.~~

3.3.194 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.

3.3.102 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in ~~3.1 and 3.2 of~~ this Schedule with a \$10 minimum charge.

3.3.113 The charge payable under ~~3.1 and 3.2 of~~ this Schedule shall be paid following the weighing of the empty ~~motor vehicle~~ VEHICLE after the LOAD is deposited and shall be based on the NET

WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the ~~empty vehicle~~ VEHICLE.

3.3.124 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each motor vehicle and a fee shall be charged as outlined in ~~3.1, and 3.2 of~~ this Schedule.

3.3.135 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.

3.3.146 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in ~~3.1 and 3.2 of~~ this Schedule

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3.3.157 SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of Local Government Improvements owned by The Town of Oliver or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE-SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are ~~DEPOSITED~~ deposited appropriately at the SITE. DEMOLITION AND RENOVATION MIXED LOAD shall be charged the applicable fees above.

Schedule 5 – Public Works and Engineering Fees

Section 7- Sanitary Landfills

4.0 Keremeos Sanitary Landfill

4.1 The general charges for depositing SOLID WASTE at the Keremeos Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
4.1.1	REFUSE	\$95.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
	DEMOLITION RENOVATION AND CONSTRUCTION MIXED LOAD	Mixed Loads Not Accepted	
4.1.2	GYPSUM BOARD	\$95.00	\$ 5.00 minimum charge
4.1.3	WOOD WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
4.1.4	CONTAMINATED WOOD PRODUCT	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
	PRESERVED WOOD	See Section 1.2.3 below	
4.1.5	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE-SEPARATED	\$20.00	\$5.00 minimum charge
4.1.6	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
4.1.7	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE-SEPARATED	\$50.00	\$5.00 minimum charge
4.1.8	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
4.1.9	CLEAN FILL	\$0.00	
4.1.9.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
4.1.9.2	The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the fill to the SITE.		
4.1.10	REMEDIATABLE SOIL	\$5.00	
4.1.10.1	For soils that are REMEDIABLE to the standard as specified in Column III (Urban Park) of Schedules 4 & 5 and placement in the Landfill as cover. (Non-Metals: <HAZARDOUS WASTE) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION and upon submission of appropriate 'RDOS Application for the Relocation of CONTAMINATED SOIL as per RDOS Policy P5280-00.05 or equivalent .		

	Organic and Agricultural	Charge per tonne per load	Charge Information
4.1.11	YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
	WOOD WASTE	See Section 4.1.3 above	
	CONTAMINATED WOOD PRODUCT	See Section 4.1.4 above	
	PRESERVED WOOD	See Section 4.2.1 below	
	TREE STUMPS	See Section 4.2.4 below	
4.1.12	AGRICULTURAL ORGANIC MATERIAL	\$0.00	
4.1.13	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
4.1.14	PROCESSED ORGANICS	\$0.00 up to 1,000 kg <u>\$300.00 portion above 1,000 kg</u>	<u>\$5.00 minimum charge for portion greater than 1,000 kg</u>

	Recyclables	Charge per tonne per load	Charge Information
4.1.15	RESIDENTIAL RECYCLING	\$0.00	Free of contaminants
4.1.16	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
4.1.17	CORRUGATED CARDBOARD	\$0.00	Free of contaminants
4.1.18	Container Glass	\$0.00	Bottles and jars free of all other material except container label
4.1.19	METAL	\$0.00 up to 500 kg; \$50.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
4.1.20	E-WASTE	\$0.00	Acceptable quantities which originate within the SERVICE AREA
4.1.21	BATTERIES	\$0.00	
4.1.22	Recyclable TIRES	\$0.00	Rims removed
4.1.23	OVERSIZE TIRES	\$250.00	Rims removed
	PRESSURIZED TANKS	See Section 4.3 below	
	TIRES with Rims	See Section 4.3 below	
	REFRIGERATION UNITS	See Section 4.3 below	
	Mattress and Box Springs	See Section 4.3 below	

4.2 The charges for depositing authorized REGULATED WASTE and authorized PROHIBITED WASTE at the Keremeos Sanitary Landfill are:

	Waste	Charge per tonne per load	Charge Information
4.2.1	PRESERVED WOOD	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITED in designated location
4.2.2	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITED in

			designated location
4.2.3	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when immediately DEPOSITEDdeposited in designated location
4.2.4	TREE STUMPS	\$50.00	\$10.00 minimum charge
4.2.5	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
4.2.6	Non-RECYCLABLE CONCRETE	\$60.00 minimum charge	\$50.00 minimum charge

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4.3 The charges for depositing PROHIBITED WASTE as per 2.4.16 at the Keremeos Sanitary Landfill are:

	Prohibited Waste	Charge per tonne per load	Charge Information
4.3.1	PROHIBITED WASTE	\$500.00	\$250.00 minimum charge

4.4 The following charges that are in addition to the general charges outlined in 4.1 and 4.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
4.4.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
4.4.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
4.4.3	REFRIGERATION UNIT	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
4.4.4	TIRES with Rims	\$2.00 per unit	Maximum 10 per day
4.4.5	Mattress	\$7.50 per unit	Any size
4.4.6	Box Spring	\$7.50 per unit	Any size

- 4.4.7 Any REFUSE that is ~~DEPOSITEDdeposited~~ in the REFUSE BINS that contains ~~CONTROLLED WASTE or~~ RECYCLABLE WASTE shall be charged ~~two times the rate for REFUSE or two times the highest rate for any materials contained in the load, whichever is greater double the normal fee set out in 4.1 and 4.2 of this Schedule with a \$20.00 minimum charge.~~
- 4.4.8 Any SOLID WASTE load that is ~~DEPOSITEDdeposited~~ in a designated stockpile area, and that contains ~~CONTAMINANTS~~ ~~contaminants~~ shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.
- 4.4.9 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.
- 4.4.10 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in ~~4.1 and 4.2 of~~ this Schedule with a \$10 minimum charge.
- 4.4.11 The charge payable under ~~4.1 and 4.2 of~~ this Schedule shall be paid following the weighing of the empty ~~motor vehicle~~ ~~VEHICLE~~ after the LOAD is ~~DEPOSITEDdeposited~~ and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty ~~VEHICLE~~ ~~vehicle~~.

4.4.12 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each ~~motor vehicle~~ VEHICLE and a fee shall be charged as outlined in ~~4.1, 4.2 and 4.3 of~~ this Schedule.

4.4.13 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.

4.4.14 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in ~~4.1 and 4.2 of~~ this Schedule.

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4.4.15 ~~DEPOSIT~~ Deposit of PROHIBITED WASTE including but not limited to ASBESTOS CONTAINING MATERIALS, FRUIT WASTE, DEMOLITION RENOVATION AND CONSTRUCTION MIXED LOAD, LEAD PAINTED MATERIALS and BURNED MATERIALS is not authorized for DISPOSAL at the Keremeos SITE.

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 16, 2016
RE: Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2729, 2016

Administrative Recommendation:

THAT Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2729, 2016 be adopted.

Reference:

1. Bylaw No. 2729, 2016
2. Staff reports of March 24, 2016 and April 28, 2016

History:

On March 24, 2016, the Board of Directors gave three readings to Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2729, 2016 to authorize the long-term borrowing for the acquisition of parkland within Electoral Area "E".

The Inspector of Municipalities provided statutory approval on April 15, 2016 and Administration received consent from the Board on April 28, 2016 to proceed with an Alternate Approval Process.

Analysis:

The June 6, 2016 deadline for receipt of elector response has passed and the results below confirm that elector approval through an AAP has been obtained for the bylaw.

AAP Results for Bylaw No. 2729, 2016:

Number of eligible electors within the affected area – 1610
Number of elector response forms needed to prevent adoption of the bylaw – 161
Valid elector response forms received prior to deadline - 2

On the basis of the elector response forms received before the deadline, I have determined and hereby certify that elector approval in accordance with *Section 86* of the Community Charter has been obtained, therefore the Board may now proceed with the adoption of Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw No. 2729, 2016.

Respectfully submitted:

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 24th day of March, 2016

APPROVED by the Inspector of Municipalities this 15th day of April, 2016

RECEIVED ASSENT OF THE ELECTOR THIS 7th day of June, 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: June 16, 2016
RE: Alcohol Storage and Consumption – RDOS Property Policy



Administrative Recommendation:

THAT the Board adopt the “Alcohol Storage and Consumption – RDOS Property” policy.

Purpose:

To provide rules controlling alcohol use and consumption on Regional District property.

Reference:

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

Draft Alcohol Storage and Consumption – RDOS Property

Analysis:

At the June 2, 2016 Protective Services Committee meeting, the Board reviewed the above noted policy. The policy prohibits the storing, selling, consumption or distribution of alcohol on Regional District (owned or occupied) property unless a liquor license or Special Occasion License has been issued.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY**

POLICY: Alcohol Storage and Consumption – RDOS Property

AUTHORITY: Board Resolution No. _____ dated _____.

POLICY STATEMENT

It shall be the policy of the Regional District of Okanagan-Similkameen (RDOS) that there is to be no alcohol stored, sold, consumed or distributed on Regional District (owned or occupied) property unless an approved “Liquor License” has been issued in accordance with the terms and conditions stated in the Regional District of Okanagan-Similkameen application request for “Special Occasion License” or the facility has its own liquor license under provisions of the *Liquor Control and Licensing Act*.

PURPOSE

To provide the rules for alcohol use and consumption on RDOS property(s).

DEFINITIONS

“**Alcohol**” refers to Alcoholic Beverages which includes wines, beers and spirits with the ethyl alcohol content value of 2 percent or higher.

RESPONSIBILITIES

All Volunteers (representing RDOS), Employees, Managers, Supervisors and Officers of RDOS are responsible to ensure rules of allowance are followed.

PROCEDURES

Interested groups are to make application for a “Special Occasion License” for each event using the RDOS website at www.rdos.bc.ca.

Those groups requiring a liquor license on an ongoing basis are to maintain a Liquor license administered through the *Liquor Control and Licensing Act* and its Regulations after securing a board resolution for the purpose.

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 16, 2016

RE: Electoral Area "D" Advisory Planning Commission Appointment

Administrative Recommendation:

THAT the Board of Directors appoint Yvonne Kennedy and Ron Obirek as members of the Electoral Area "D" Advisory Planning Commission for a term ending November 30, 2018.

Analysis:

Bylaw 2339 provides for the creation of Advisory Planning Commissions for each of the Regional Districts electoral areas.

Section 3 of the Bylaw establishes that the role of the Commission is to provide recommendations to the Regional District on all matters referred to it by the Regional District or by its Electoral Area Director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw and permits under certain sections of the *Local Government Act*.

Section 4 of the Bylaw provides for the appointment of members, requiring the Board, by resolution, to appoint members to each Commission on the recommendation of the respective Electoral Area Director.

Commission appointments shall be made by the Board for terms which run concurrent with the Board term, and no term of appointment shall extend beyond term of the Electoral Area Director unless re-appointed by the Board.

On June 7, 2016, Director Siddon advised administration of his intent to recommend Yvonne Kennedy and Ron Obirek for appointment to the Electoral Area "D" Advisory Planning Commission.

Respectfully submitted:

C. Malden, Manager of Legislative Services